

Multiple Agency Fiscal Note Summary

Bill Number: 5271 E S SB	Title: DOH facilities/enforcement
---------------------------------	--

Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of Attorney General	0	0	3,000	0	0	1,036,000	0	0	1,392,000
Department of Health	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	3,000	0	0	1,036,000	0	0	1,392,000

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	.1	0	0	3,000	3.6	0	0	1,036,000	4.8	0	0	1,392,000
Washington State Health Care Authority	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	.1	59,000	59,000	59,000	9.1	768,000	768,000	5,154,000	10.2	922,000	922,000	6,252,000
Total \$	0.2	59,000	59,000	62,000	12.7	768,000	768,000	6,190,000	15.0	922,000	922,000	7,644,000

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Washington State Health Care Authority	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Breakout

--

Prepared by: Breann Boggs, OFM	Phone: (360) 485-5716	Date Published: Final 2/ 2/2024
---------------------------------------	---------------------------------	---

Judicial Impact Fiscal Note

Bill Number: 5271 E S SB	Title: DOH facilities/enforcement	Agency: 055-Administrative Office of the Courts
---------------------------------	--	--

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note for Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Contact	Phone:	Date: 01/25/2024
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 01/29/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/29/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/30/2024

192,577.00

Request # 150-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

This bill would amend and add new sections to existing statutes relating to protecting patients in facilities regulated by the Department of Health by establishing uniform enforcement tools.

II. B - Cash Receipts Impact

None

II. C - Expenditures

The bill would have no impact to the Administrative Office of the Courts and no or minimal impact to courts except where there could be increased case filings.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

NONE

III. B - Expenditure By Object or Purpose (County)

NONE

III. C - Expenditure By Object or Purpose (City)

NONE

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

None

192,577.00

Form FN (Rev 1/00)

Individual State Agency Fiscal Note

Bill Number: 5271 E S SB	Title: DOH facilities/enforcement	Agency: 100-Office of Attorney General
---------------------------------	--	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Legal Services Revolving Account-State 405-1		3,000	3,000	1,036,000	1,392,000
Total \$		3,000	3,000	1,036,000	1,392,000

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.2	0.1	3.6	4.8
Account					
Legal Services Revolving Account-State 405-1	0	3,000	3,000	1,036,000	1,392,000
Total \$	0	3,000	3,000	1,036,000	1,392,000

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/25/2024
Agency Preparation: Chad Standifer	Phone: 3605863650	Date: 01/30/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 01/30/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/01/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 - Amending RCW 18.46.010, adds definition of “immediate jeopardy”.

Section 2 - Amending RCW 18.46.050, allows the Department of Health (DOH) to take certain actions against birthing centers for failing to comply with standards or regulations. Also sets out actions DOH can take, penalties and fines that can be imposed and requires DOH to adopt rules. Also sets out appeal rights.

Section 3 - New section - adding to chapter 18.46 RCW. DOH permitted to give cease and desist orders. Sets procedure for these situations including fines and appeal rights.

Section 4 - Amending RCW 18.46.130, permits injunctions and sets out fines for violations of an injunction.

Section 5 - Amending RCW 70.42.010, adds definition of “immediate jeopardy”.

Section 6 - Amending RCW 70.42.130, adds to the circumstances under which DOH can place conditions on a licensee.

Section 7 - New section added to chapter 70.42 RCW. DOH can prohibit services at a medical test site and rules surrounding such an action including hearing requirements.

Section 8 - New section added to chapter 70.42 RCW. DOH authorized to provide written cease and desist notice for unlicensed operation of medical test sites, as well as procedures, appeal rights and penalties.

Section 9 - Amending RCW 70.42.180, injunction does not relieve a person from criminal prosecution.

Section 10 - Amends RCW 70.127.010, adds definition of “immediate jeopardy”.

Section 11 - Amends RCW 70.127.170, when DOH can take action of an in-home services agency’s license.

Section 12 - New section, adding to chapter 70.127 RCW. Allows DOH to assess civil fines and take other actions for in-home service agency violations in certain situations. Requires DOH to adopt rules for fines. Also includes appeal rights for licensing and other actions taken by DOH.

Section 13 - New section, adding to chapter 70.127 RCW, notice requirements for DOH actions and hearings for DOH actions.

Section 14 - Amending RCW 70.127.213, outlines effective dates for cease and desist orders and adjudicative proceedings for such orders.

Section 15 - Amending 70.230.010, adds definition of “immediate jeopardy”.

Section 16 - Amending 70.230.070, adds to the circumstances under which DOH can place conditions on a licensee. Also sets out actions DOH can take, penalties and fines that can be imposed and requires DOH to adopt rules. Also sets out appeal rights.

Section 17 - New section to chapter 70.230 RCW, DOH permitted to give cease and desist orders. Sets procedure for these situations including fines and appeal rights.

Section 18 - Amending RCW 71.12.710, changes psychiatric hospital to private establishment. Provides the services DOH can suspend and when a limited stop service and be imposed. Provides rules surrounding a limited stop service and appeal rights.

Section 19 - Amending RCW 71.12.455, changes psychiatric hospital to private establishment or behavioral health.

Section 20 - Amending RCW 71.12.500, allows DOH to examine a licensed private establishment to determine if it has complied with rules of this chapter.

Section 21 - New section to chapter 71.12 RCW. DOH authorized to provide written cease and desist notice to person DOH believes is engaged in the unlicensed operation of a private establishment. Outlines effective dates for cease and desist orders and adjudicative proceedings for such orders.

Section 22 - Amending RCW 70.38.025, changes psychiatric to behavioral health.

Section 23 - Amending RCW 70.38.111, changes psychiatric to behavioral health.

Section 24 - Amending RCW 70.38.260, changes psychiatric to behavioral health.

Section 25 - Amending RCW 71.24.025, adds definition of “immediate jeopardy”.

Section 26 - Reenacts and amends RCW 71.24.037, removes certain DOH authority.

Section 27 - New section added to chapter 71.24 RCW. Requires DOH to conduct reviews and inspections of certain facilities and collect certain data. Permits the assessment of finds and requires rulemaking. Also provides appeal rights.

Section 28 - Amending RCW 70.170.020, changes psychiatric to behavioral health.

Section 29 - Amending RCW 18.64.005, allows the Pharmacy Quality Assurance Commission (PQAC) to assess civil fines, impose limited stop service, and impose reasonable conditions and modifications of licenses. Allows requests for pro tempore PQAC members.

Section 30 - Amending RCW 18.64.011, adds several definitions.

Section 31 - New section to chapter 18.64 RCW, allows for certain licensing actions to be taken by PQAC.

Section 32 - New section to chapter 18.64 RCW, governs civil fine assessments by PQAC.

Section 33 - New section to chapter 18.64 RCW. Sets out other actions that can be taken against a licensee by PQAC, such actions not governed by RCW 18.130.

Section 34 - New section to chapter 18.64 RCW. Requirements for petition for reinstatement of license, such actions not governed by RCW 18.130.

Section 35 - New section to chapter 18.64 RCW. Chapter 18.130 RCW governs the unlicensed practice of person required to obtain a license under this chapter.

Section 36 - Amending RCW 18.64.047, removes language regarding revoking registration of a vendor.

Section 37 - Amending RCW 18.64.165, changes wording regarding actions PQAC can take.

Section 38 - Amending RCW 18.64A.020, adds reference to Section 31 of this act.

Section 39 - Amending RCW 18.64A.060, adds reference to Section 31 of this act.

Section 40 - New section to chapter 69.38 RCW. Statement of governing statutes for disciplinary action and license denials.

Section 41 - Amending RCW 69.45.080. RCW 18.64 governs license denials. RCW 18.130 governs unlicensed practice.

Section 42 - New section to chapter 69.45 RCW. RCW 18.130 governs unlicensed practice under this chapter.

Section 43 - Amending RCW 69.43.100, allows PQAC to take action under this chapter.

Section 44 - Amending - RCW 69.43.140. RCW 18.64 governs permit denials. RCW 18.130 governs unlicensed practice.

Section 45 - Amending RCW 69.50.302, adds Sections 31 and 33 of this act to statute.

Section 46 - Amending RCW 69.50.303, minor additions.

Section 47 - Amending RCW 69.50.304. RCW 18.64 governs the denial and discipline of registrations. RCW 18.130 governs unlicensed practice.

Section 48 - Amending RCW 69.50.310. RCW 18.64 governs the denial and discipline of registrations. RCW 18.130 governs unlicensed practice.

Section 49 - Amending RCW 69.50.320. RCW 18.64 governs the denial and discipline of registrations. RCW 18.130 governs unlicensed practice.

Section 50 - Amending RCW 69.41.080. RCW 18.64 governs the denial and discipline of registrations. RCW 18.130 governs unlicensed practice.

Section 51 - Repealing several statutes.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Cash receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Department of Health (DOH). The Attorney General's Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency's fiscal note. Appropriation authority is necessary in the AGO budget.

AGO AGENCY ASSUMPTIONS:

DOH will be billed for non-Seattle rates:

FY 2025: \$3,000 for 0.1 Assistant Attorney General FTE (AAG) and 0.1 Paralegal 1 FTE (PL1)

FY 2026: \$340,000 for 0.9 AAG, 0.7 Paralegal 2 FTE (PL2), and 0.5 PL1

FY 2027 and each FY thereafter: \$696,000 for 1.8 AAG, 1.5 PL2, and 0.9 PL1

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Attorney General's Office (AGO) Agency Assumptions:

This bill is assumed effective 90 days after the end of the 2024 legislative session.

Location of staffing is assumed to be in a non-Seattle office building.

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

Agency administration support FTE are included in the tables. The Management Analyst 5 (MA), is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 FTE for a Paralegal 1 (PL1) and 0.4 FTE of an MA.

1. Assumptions for the AGO Government Compliance & Enforcement Division (GCE) legal services for the Department of Health (DOH):

The AGO GCE will bill DOH for legal services based on the enactment of this bill. GCE represents the Pharmacy Quality Assurance Commission (PQAC) in disciplinary actions against licensed pharmacy personnel, other controlled substance registrations, and entities regulated by PQAC, including pharmacies. This bill would expand the disciplinary actions that could be taken against entities and persons licensed under chapter 18.64 RCW to include the denial of an application, assessment of a civil fine of up to \$10,000 per violation, imposition of a limited stop service, imposition of reasonable license conditions, and modification of a license. PQAC assumes this bill would result in annual referral of 40 new disciplinary actions to GCE, seven of which would proceed to hearing. Of the 33 cases that would be referred to GCE but not result in a hearing, GCE assumes 13 would resolve prior to the filing of charges, and the remaining 20 would resolve after charges were filed but before hearing. PQAC assumes because of rulemaking needs, litigation referrals would begin during the second half of FY 2026, meaning GCE would receive approximately half the number of case referrals in FY 2026, as it would in FY 2027 and each FY thereafter. Preparation and litigation of DOH cases is labor intensive and cases are staffed by one AAG and one Paralegal 2 FTE (PL2). Based on past experience with PQAC cases, GCE assumes the 13 cases that would resolve prior to charges would utilize 20 AAG hours and 20 PL2 hours each. GCE assumes the 20 cases that would result in charges but resolve prior to hearing would utilize 50 AAG hours and 50 PL2 hours for each case.

Seven cases that would proceed to hearing would utilize an average of 200 AAG hours and 200 PL2 hours for each case. Therefore, in FY 2026, administrative litigation of disciplinary actions from this bill would utilize a total of 1,220 AAG hours and 1,220 PL2 hours (6 x 20) + (10 x 50) + (3 x 200). Beginning in FY 2027 and continuing each FY thereafter, administrative litigation of disciplinary actions from this bill would utilize a total of 2,660 AAG hours and 2,660 PL2 hours (13 x 20) + (20 x 50) + (7 x 200). Also, the new administrative litigation would result in one new judicial review case each year. As a result of the Senate Bill (SB) 5225 (2021 legislative session), GCE assumes these judicial reviews would be certified to the Washington Court of Appeals. Because of the more stringent requirements for litigation before the Washington Court of Appeals, GCE assumes each judicial review would utilize an average of 120 AAG hours, which would occur in FY 2027 and each year thereafter.

GCE total FTE workload impact for non-Seattle rates:

FY 2026: \$287,000 for 0.7 AAG, 0.7 PL2, and 0.4 PL1

FY 2027 and in each FY thereafter: \$643,000 for 1.6 AAG, 1.5 PL2, and 0.8 PL1

2. Assumptions for the AGO Agriculture & Health Division (AHD) legal services for DOH:

The AGO AHD will bill DOH for legal services based on the enactment of this bill. This bill would give DOH new authority to take different types of enforcement action against several kinds of health care facilities (birthing centers, medical test sites, in-home services agencies, ambulatory surgical facilities, residential treatment facilities, and behavioral health agencies). This bill would give DOH rulemaking authority to implement the new authorities it receives. DOH will require legal advice on rulemaking from AHD, estimated at 24 hours in FY 2025. DOH will require legal representation in additional enforcement matters resulting from the enactment of this bill, estimated at 320 hours per FY, starting in FY 2026 based on an assumed additional caseload of 20 cases per FY at 16 AAG hours on average per case.

AHD total FTE workload impact for non-Seattle rates:
 FY 2025: \$3,000 for 0.1 AAG and 0.1 PL1
 FY 2026 and in each FY thereafter: \$53,000 for 0.2 AAG and 0.1 PL1

Total AGO workload impact:
 FY 2025: \$3,000 for 0.1 AAG and 0.1 PL1
 FY 2026: \$340,000 for 0.9 AAG, 0.7 PL2, and 0.5 PL1
 FY 2027 and in each FY thereafter: \$696,000 for 1.8 AAG, 1.5 PL2, and 0.9 PL1

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
405-1	Legal Services	State	0	3,000	3,000	1,036,000	1,392,000
	Revolving Account						
Total \$			0	3,000	3,000	1,036,000	1,392,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.2	0.1	3.6	4.8
A-Salaries and Wages		2,000	2,000	691,000	928,000
B-Employee Benefits		1,000	1,000	217,000	292,000
E-Goods and Other Services				121,000	162,000
G-Travel				7,000	10,000
Total \$	0	3,000	3,000	1,036,000	1,392,000

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Assistant Attorney General	129,100		0.1	0.1	1.4	1.8
Management Analyst 5	95,184				0.5	0.6
Paralegal 1	69,072		0.1	0.1	0.7	0.9
Paralegal 2	76,188				1.1	1.5
Total FTEs			0.2	0.1	3.6	4.8

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Agriculture & Health Division (AHD)		3,000	3,000	106,000	106,000
Government Compliance & Enforcement Division (GCE)				930,000	1,286,000
Total \$		3,000	3,000	1,036,000	1,392,000

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 5271 E S SB	Title: DOH facilities/enforcement	Agency: 107-Washington State Health Care Authority
---------------------------------	--	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/25/2024
Agency Preparation: Marcia Boyle	Phone: 360-725-0850	Date: 01/31/2024
Agency Approval: Cliff Hicks	Phone: 360-725-0875	Date: 01/31/2024
OFM Review: Jason Brown	Phone: (360) 742-7277	Date: 01/31/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

See attached narrative.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

See attached narrative.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

See attached narrative.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

HCA Fiscal Note

Bill Number: **ESSB 5271**

HCA Request #: 24-100

Title: **DOH Facilities/Enforcement**

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

HCA Fiscal Note

Bill Number: **ESSB 5271**

HCA Request #: 24-100

Title: **DOH Facilities/Enforcement**

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This bill:

- Expands the enforcement actions for the Washington State Department of Health (DOH).
- Adds the definition of immediate jeopardy to various RCWs and provides guidelines for DOH on actions against birthing centers, ambulatory surgical facilities, medical test sites, and in-home service agencies.
- Provides guidelines for the pharmacy quality assurance commission in actions regarding the denial, suspension, revocation, or modification of an application for a license issued by the commission, and when a licensee has violated a statute or rule.
- Includes various language changes, definition updates, and reorganization of enforcement regulations surrounding DOH processes which impact treatment facility types and programs the Washington State Health Care Authority (HCA) contracts with or monitors.

Sections 18, 19, 22, 23, 24, and 25 – Updated Psychiatric Hospital to Private Establishments and/or Behavioral Health Hospital.

Section 26

- Part 15 removes language around data collection and evaluation by HCA.
- Parts 16 and 17 remove the language requiring 988 information to be displayed and/or provided by behavioral health facilities.

Section 27 reinstates language around data collection and evaluations by HCA removed from Section 26, Part 15.

II. B - Cash Receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

NONE

II. C – Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

HCA Fiscal Note

Bill Number: **ESSB 5271**

HCA Request #: 24-100

Title: **DOH Facilities/Enforcement**

No Fiscal Impact. This bill affects the oversight and standards of some facilities and programs that HCA has oversight of and contracts with. HCA assumes that impacts driven by this bill will not impact HCAs current policies or procedures.

Part III: Expenditure Detail

III. A - Operating Budget Expenditure

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout: Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

HCA Fiscal Note

Bill Number: **ESSB 5271**

HCA Request #: 24-100

Title: **DOH Facilities/Enforcement**

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

NONE

Individual State Agency Fiscal Note

Revised

Bill Number: 5271 E S SB	Title: DOH facilities/enforcement	Agency: 303-Department of Health
---------------------------------	--	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.2	0.1	9.1	10.2
Account					
General Fund-State 001-1	0	59,000	59,000	768,000	922,000
General Fund-Private/Local 001-7	0	0	0	2,428,000	3,036,000
Health Professions Account-State 02G-1	0	0	0	1,936,000	2,266,000
Medical Test Site Licensure Account-State 202-1	0	0	0	22,000	28,000
Total \$	0	59,000	59,000	5,154,000	6,252,000

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/25/2024
Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 01/31/2024
Agency Approval: Amy Burkel	Phone: 3602363000	Date: 01/31/2024
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 01/31/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed Substitute Senate Bill makes technical corrections in sections 25 and 26 to amend the most recent versions of RCW 71.24.025 (Definitions) and RCW 71.24.037 (Licensed or Certified Behavioral Health Agencies—Minimum Standards—Investigations and Enforcement Actions—Inspections) that were signed into law during the 2023 legislative session.

SB 5271 strengthens patient safety protection by extending the enforcement provisions for acute and psychiatric hospitals to the other types of health care facilities regulated by the department.

Birthing Centers

Section 1: Amends RCW 18.46.010 (Definitions) and 2000 c 93 s 30 to add the definition of “Immediate Jeopardy.”

Section 2: Amends RCW 18.46.050 (Actions Against License) to allow the Department of Health (department) to adopt rules to impose reasonable conditions and to assess a civil fine on a birthing center license when the licensee has the same or similar types of violations of statute or rule, the same or similar types of statements of deficiencies of statute or rule, or failed to correct noncompliance with statute or rule. It gives the department the ability to suspend a specific category or categories of services within the birthing center related to the violation by imposing a limited stop service if the department finds that noncompliance results in immediate jeopardy, and allows the department to suspend new admissions to the birthing center by imposing a stop placement if the department finds that noncompliance results in immediate jeopardy and is not confined to a specific category or categories of care. This section provides the right to an adjudicative procedure act and outlines the requirements for the licensee and the department.

Section 3: Adds a new chapter to 18.46 RCW (Birthing Centers) to allow the department to give written notice to cease and desist to any person whom the department believes is engaging in unlicensed practice of a birthing center. This section provides the right to an adjudicative procedure act and allows the department to assess a civil fine and outlines the requirements for the licensee and the department for these actions.

Section 4: Allows for the department to assess a civil penalty if a person violates and injunction issued under this chapter.

Medical Test Sites

Section 5: Amends RCW 70.42.010 (Definitions) and 1989 s 386 c 2 to add the definition of “Immediate Jeopardy.”

Section 6: Allows the department to adopt standards or rules for regulating medical test sites.

Section 7: Adds a new section to 70.42 RCW (Medical Test Sites) to allow the department to adopt rules to impose a limited stop service for noncompliance that results in immediate jeopardy and outlines when the limited stop service shall be terminated. This section provides the right to an adjudicative procedure act and outlines the requirements for the licensee and the department.

Section 8: Adds a new section to 70.42 RCW (Medical Test Sites) to allow the department to give written notice to cease and desist to any person whom the department believes is engaging in unlicensed practice of a medical test site. This section provides the right to an adjudicative procedure act and allows the department to assess a civil fine and outlines the requirements for the licensee and the department for these actions.

Section 9: Allows for the department to assess a civil penalty if a person violates and injunction issued under this chapter.

Home Care Services

Section 10: Amends RCW 70.127.010 (Definitions) and 2011 c 89s 13 to add the definition of “Immediate Jeopardy.”

Section 11: Allows the department to adopt standards or rules for regulating in-home services agencies.

Section 12: Adds a new chapter to 70.127 RCW (In-Home Services Agencies) to allow the department to adopt rules to impose reasonable conditions and to assess a civil fine on an in-home services license when the licensee has the same or similar types of violations of statute or rule, the same or similar types of statements of deficiencies of statute or rule, or failed to correct noncompliance with statute or rule. It gives the department the ability to suspend a specific category or categories of services provided by the in-home service agency, related to the violation, by imposing a limited stop service if the department finds that noncompliance results in immediate jeopardy. It also allows the department to suspend new admissions to the in-home services agency by imposing a stop placement if the department finds that noncompliance results in immediate jeopardy and is not confined to a specific category or categories of care.

Section 13: This section provides the right to an adjudicative procedure act and outlines the requirements for the licensee and the department for these actions.

Section 14: Amends RCW 70.127.213 (Unlicensed operation of an in-home services agency—Cease and desist orders—Adjudicative proceedings—Fines) and 2000 c 175 s 19 to allow the department to give written notice to cease and desist to any person whom the department believes is engaging in unlicensed practice of an in-home services agency. This section provides the right to an adjudicative procedure act and allows the department to assess a civil fine and outlines the requirements for the licensee and the department for these actions.

Ambulatory Surgical Facility

Section 15: Amends RCW 70.230.010 (Definitions) and 2011 c 76 s 1 to add the definition of “Immediate Jeopardy.”

Section 16: Amends RCW 70.203.070 (Denial, suspension, or revocation of license—Investigating complaints—Penalties) and 2007 c 273 s 8 to allow the department to adopt rules to impose reasonable conditions and to assess a civil fine on an ambulatory surgical facility license when the licensee has the same or similar types of violations of statute or rule, the same or similar types of statements of deficiencies of statute or rule, or failed to correct noncompliance with statute or rule. It gives the department the ability to suspend a specific category or categories of services within the ambulatory surgical facility related to the violation by imposing a limited stop service if the department finds that noncompliance results in immediate jeopardy, and allows the department to suspend new admissions to the ambulatory surgical facility by imposing a stop placement if the department finds that noncompliance results in immediate jeopardy and is not confined to a specific category or categories of care. This section provides the right to an adjudicative procedure act and outlines the requirements for the licensee and the department.

Section 17: Adds a new section to 70.230 RCW (Ambulatory Surgical Facilities) to allow the department to give written notice to cease and desist to any person whom the department believes is engaging in unlicensed practice of an ambulatory surgical facility. This section provides the right to an adjudicative procedure act and allows the department to assess a civil fine and outlines the requirements for the licensee and the department for these actions.

Residential Treatment Facility

Section 18: Amends RCW 71.12.710 (Psychiatric hospitals—Noncompliance—Penalties) and 2020 c 115 s 3 to allow the department to suspend a specific category or categories of service within the private establishment by imposing a limited stop placement, or limited stop service, if the department finds that noncompliance results in immediate jeopardy. This section provides the right to an adjudicative procedure act and outlines the requirements for the licensee and the department.

Section 20: Amends RCW 71.12.500 (Examination of premises as to compliance with the chapter, rules, and license—License changes) and 2000 c 93 s 25 to allow the department to adopt rules to regulate private establishments.

Section 21: Adds a new section to 71.12 RCW (Private Establishments) to allow the department to give written notice to cease and desist to any person whom the department believes is engaging in unlicensed practice of a private facility. This section provides the right to an adjudicative procedure act and allows the department to assess a civil fine and outlines the requirements for the licensee and the department for these actions.

Behavioral Health Agency

Section 25: Amends RCW 71.24.025 (Definitions) and 2021 c 302 s 401 to add the definition of “Immediate Jeopardy.”

Section 27: Adds a new section to 71.24 RCW (Community Behavioral Health Services Act) directing the department to review reports and other information alleging a failure to comply, and to annually evaluate each program that admits children to inpatient substance use disorder treatment. This section creates limitations on transferring or selling a behavioral health agency that is in violation of licensing standards to a family member. It directs the department to adopt rules to impose reasonable conditions and to assess a civil fine on a behavioral health agency license when the licensee has the same or similar types of violations of statute or rule, the same or similar types of statements of deficiencies of statute or rule, or failed to correct noncompliance with statute or rule. It gives the department the ability to suspend a specific category or categories of services within the behavioral health facility related to the violation by imposing a limited stop service, or a limited stop placement, if the department finds that noncompliance results in immediate jeopardy. This section provides the right to an adjudicative procedure act and outlines the requirements for the licensee and the department.

Pharmacy Commission

Section 30: Amends RCW 18.64.011 (Definitions) to include a definition for “Directed Plan of Correction,” “Immediate Jeopardy,” “Plan of Correction” and “Statement of Deficiency”

Section 32: Adds a new section to 18.64 RCW (Pharmacists) allowing the department to assess a civil fine against a licensee, provides the right to an adjudicative procedure act and outlines the requirements for the licensee and the department for these actions.

Section 33: Adds a new section to 18.64 RCW (Pharmacists) allowing the department to assess a civil fine against a licensee or nonresident pharmacy that has the same or similar types of violations of statute or rule, the same or similar types of statements of deficiencies of statute or rule, or failed to correct noncompliance with statute or rule. This section allows the department to impose a limited stop service if the department finds that noncompliance results in immediate jeopardy and provides the right to an adjudicative procedure act and outlines the requirements for the licensee and the department for these actions.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Civil Fines

Fines will be assessed during the enforcement process. The department estimates taking 175 enforcement actions each fiscal year. Fines collected will be used to provide training or technical assistance to the respective facility type and to offset costs associated with licensing facilities. While the department estimates taking 175 formal enforcement actions, the value of revenue collected from civil fines is indeterminate until the severity matrix is established for fines and cost-recovery and rules are adopted.

Licensing Fees

Current law, RCW 43.70.250 (License fees for professions, occupations, and businesses.) requires that a business-licensing program be self-supporting and sufficient revenue be collected through fees to fund expenditures. The department anticipates the need to increase licensing fees to support the changes proposed in this bill. The department will monitor the program fund balance and adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The following assumptions were used to inform this analysis:

- Eighteen months for rulemaking (July 2024 – December 2025)
- 175 enforcement actions per year starting in FY 2026:
 - o 43 surveys per year will result in a stop service type/category or limited stop service type/category
 - o 132 surveys per year would result in finding duplicate deficiencies from previous surveys
- Higher utilization of Office of Attorney General services with increased enforcement and rules support

Rulemaking:

The department will adopt rules to establish the severity matrix for fines and as needed to implement this bill. The department anticipates this will be a complex rulemaking process taking approximately 18 months to complete due to the large number of facilities and stakeholders effected by this change. Rulemaking will include 12 stakeholder meetings as well as one formal hearing which allows for stakeholder participation. Costs include staff, associated expenses (including goods and services, travel, intra-agency, and indirect charges), and Office of Attorney General support in the amount of \$4,100.

In fiscal year 2025, one-time costs for rulemaking will be 0.2 FTE and \$45,000 and 0.1 FTE and \$26,000 in FY26 (001-1).

Health Technology Systems (HTS):

Updates will need to be made in the Healthcare Enforcement and Licensing Modernization Solution (HELMS) to track repeat violations. The department estimates additional contractor hours of 29 hours for a one-time cost of \$8,000 in FY 2025. Other FY 2025 costs include staff and associated costs (goods and services, intra-agency, and indirect charges) for a total of \$14,000 (001-1). Starting in FY2026 and ongoing costs will be \$6,000 (001-7) each year.

Investigation:

The department will conduct an estimated 175 additional on-site inspections when a facility has repeat violations or an immediate jeopardy has been identified resulting in a stop service type/category or limited stop service type/category. Tasks include the review of repeat violations, drafting an inspection report, tracking response(s) from the facility, meeting with facility management. To complete an onsite inspection, the department estimates 1 staff at an average of fifteen (15) hours including travel to the facility to complete the tasks related to onsite inspection: 1) inspection preparations; 2) travel; 3) onsite inspection; 4) inspection report writing; 5) responding to the facility's questions and reviewing a statement of corrections if necessary; and 6) management review and oversight.

In FY 2026 total costs including staff and associated costs (goods and services, intra-agency, and indirect charges) will be 2.7 FTE and \$191,000 (001-1), \$642,000 (001-7), and \$8,000 (202). Starting in FY2027 and ongoing costs will be 5.0 FTE and \$371,000 (001-1), \$1,250,000 (001-7), and \$14,000 (202).

Enforcement:

The enforcement process has two steps: 1) violation identification and 2) adjudication. Department staff review the history of the facility, assess whether an enforcement action is needed, and decides whether to pursue legal action. Staff attorneys, paralegals, assistant attorney general and other staff work to develop the legal documents and charge the violation. Most cases are settled, and the staff attorney manages that process. However, if the respondent asks for a hearing, staff must schedule the hearing, and the health law judge considers all legal motions, presides over the hearing, and drafts the final order. Also, the Office of the Attorney General will represent the department at hearing and may provide advice throughout the enforcement process. All Investigation and inspection statements of deficiencies, plans of correction, enforcement

actions, notices of resolution will be posted online under RCW 43.70.790 (Health Care Facility Inspection and Investigation Availability).

In FY 2026 costs include staff and associated costs (goods & services, intra-agency and indirect charges) for a total of 5.2 FTE and \$90,000 (001-1), \$262,000 (001-7), \$803,000 (02G). Starting in FY 2027 and ongoing costs include 5.2 FTE and \$90,000 (001-1), \$262,000 (001-7), \$1,133,000 (02G) each year.

Total costs to implement this bill:

FY 2025: 0.2 FTE and \$59,000 (General Fund-State)

FY 2026: 8.0 FTE and \$307,000 (001-1), \$910,000 (001-7), \$803,000 (02G), and \$8,000 (202)

FY 2027 and ongoing: 10.2 FTE and \$461,000 (001-1), \$1,518,000 (001-7), \$1,133,000 (02G), and \$14,000 (202)

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	59,000	59,000	768,000	922,000
001-7	General Fund	Private/Local	0	0	0	2,428,000	3,036,000
02G-1	Health Professions Account	State	0	0	0	1,936,000	2,266,000
202-1	Medical Test Site Licensure Account	State	0	0	0	22,000	28,000
Total \$			0	59,000	59,000	5,154,000	6,252,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.2	0.1	9.1	10.2
A-Salaries and Wages		25,000	25,000	2,381,000	2,784,000
B-Employee Benefits		8,000	8,000	879,000	1,028,000
C-Professional Service Contracts		8,000	8,000		
E-Goods and Other Services		16,000	16,000	1,662,000	2,170,000
G-Travel				62,000	78,000
T-Intra-Agency Reimbursements		2,000	2,000	170,000	192,000
9-					
Total \$	0	59,000	59,000	5,154,000	6,252,000

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
ADMINISTRATIVE ASST 3	52,620				0.3	0.3
FORMS & RECORDS ANALYST 2	55,224				0.4	0.4
FORMS & RECORDS ANALYST 3	62,568				0.2	0.2
HEALTH SERVICES CONSULTANT 1	58,104				1.5	1.5
HEALTH SERVICES CONSULTANT 2	69,072				0.1	0.1
HEALTH SERVICES CONSULTANT 3	78,120				0.5	0.5
HEALTH SERVICES CONSULTANT 4	86,208		0.2	0.1	1.2	1.5
HEARINGS EXAMINER 3	100,008				1.4	1.4
NURSING CONSULTANT, INSTITUTIONAL	138,852				1.4	1.8
PHARMACIST - INVESTIGATOR	124,932				0.6	0.6
PHARMACIST SUPERVISOR	137,916				0.1	0.1
WMS02	118,932				1.0	1.2
WMS03	134,508				0.5	0.6
Total FTEs			0.2	0.1	9.1	10.2

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

The department will adopt rules in the below WACs as necessary to implement the bill.

246-329 WAC (Childbirth Centers); 246-338 WAC (Medical Test Site Rules); 246-335 WAC (In-Home Services Agencies); 246-330 WAC (Ambulatory Surgical facilities); 246-337 WAC (Residential Treatment Facility); 246-322 WAC (Private Psychiatric and Alcoholism Hospitals); 246-324 WAC (Private Alcohol and Chemical Dependency Hospitals); 246-341 WAC (Behavioral Health Agency Licensing and Certification Requirements); 246-945 WAC (Pharmacy Quality Assurance

Commission)



Multiple Agency Ten-Year Analysis Summary

Bill Number 5271 E S SB	Title DOH facilities/enforcement
-----------------------------------	--

This ten-year analysis is limited to the estimated cash receipts associated with the proposed tax or fee increases.

Estimated Cash Receipts

Administrative Office of the Courts	0	0	0	0	0	0	0	0	0	0	0
Office of Attorney General	0	0	0	0	0	0	0	0	0	0	0
Washington State Health Care Authority	0	0	0	0	0	0	0	0	0	0	0
Department of Health Indeterminate Impact	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0



Ten-Year Analysis

Bill Number 5271 E S SB	Title DOH facilities/enforcement	Agency 055 Administrative Office of the Courts
-----------------------------------	--	--

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts **Partially Indeterminate Cash Receipts** **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code												
---------------------------	------------------	--	--	--	--	--	--	--	--	--	--	--	--

Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 1/29/2024 5:47:37 pm
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 1/29/2024 5:47:37 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 5271 E S SB	Title DOH facilities/enforcement	Agency 100 Office of Attorney General
-----------------------------------	--	---

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts **Partially Indeterminate Cash Receipts** **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code												
---------------------------	------------------	--	--	--	--	--	--	--	--	--	--	--	--

Agency Preparation: Chad Standifer	Phone: 3605863650	Date: 1/30/2024 7:54:08 pm
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 1/30/2024 7:54:08 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 5271 E S SB	Title DOH facilities/enforcement	Agency 107 Washington State Health Care Authority
-----------------------------------	--	---

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts **Partially Indeterminate Cash Receipts** **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code												
---------------------------	------------------	--	--	--	--	--	--	--	--	--	--	--	--

Agency Preparation: Marcia Boyle	Phone: 360-725-0850	Date: 1/31/2024 11:17:00 an
Agency Approval: Cliff Hicks	Phone: 360-725-0875	Date: 1/31/2024 11:17:00 an
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 5271 E S SB	Title DOH facilities/enforcement	Agency 303 Department of Health
-----------------------------------	--	---

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts

 Partially Indeterminate Cash Receipts

 Indeterminate Cash Receipts

Estimated Cash Receipts

Name of Tax or Fee	Acct Code											
Total												

Biennial Totals

Narrative Explanation (Required for Indeterminate Cash Receipts)

Civil Fines
 Fines will be assessed during the enforcement process. The department estimates taking 175 enforcement actions each fiscal year. Fines collected will be used to provide training or technical assistance to the respective facility type and to offset costs associated with licensing facilities. While the department estimates taking 175 formal enforcement actions, the value of revenue collected from civil fines is indeterminate until the severity matrix is established for fines and cost-recovery and rules are adopted.

Licensing Fees
 Current law, RCW 43.70.250 (License fees for professions, occupations, and businesses.) requires that a business-licensing program be self-supporting and sufficient revenue be collected through fees to fund expenditures. The department anticipates the need to increase licensing fees to support the changes proposed in this bill. The department will monitor the program fund balance and adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures.

Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 1/31/2024 2:31:27 pm
Agency Approval: Amy Burkel	Phone: 3602363000	Date: 1/31/2024 2:31:27 pm
OFM Review:	Phone:	Date: