Proposed No. BOH14-02.1

Sponsors

A RULE AND REGULATION relating to fees for the secure medicine return regulations; adding a new chapter to BOH Title 2; enacted pursuant to RCW 70.05.060, including the latest amendments or revisions thereto.

BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

SECTION 1. Sections 2, 3, 4, 5 and 6 of this rule should constitute a new chapter in BOH Title 2.

NEW SECTION. SECTION 2. Applicability. This chapter applies to activities regulated by the director under BOH chapter 11.50.

NEW SECTION. SECTION 3. Plan review fees.

Part 1

Effective Through December 31, 2015

A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following plan review fee:

Plan review base fee (includes 137 hours of review time), $15,750.00
due with submittal of proposed plan pursuant to BOH 11.50.120

Each additional hour over 137 hours $116.00 per hour

Part 2

Effective January 1, 2016, Through December 31, 2016
A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following plan review fee:

Plan review base fee (includes 137 hours of review time), $16,500.00
due with submittal of proposed plan pursuant to BOH 11.50.120
Each additional hour over 137 hours $122.00 per hour

**Part 3**

**Effective January 1, 2017, and Thereafter**

A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following plan review fee:

Plan review base fee (includes 137 hours of services), $17,500.00
due with submittal of proposed plan pursuant to BOH 11.50.120 $128.00 per hour
Each additional hour over 137 hours

**NEW SECTION. SECTION 4. Annual operating fees.**

**Part 1**

**Effective Through December 31, 2015**

A. A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following annual operating fee:

Annual operating base fee (includes 259 hours of services), $30,000.00
due in advance of annual operations and upon notification by the director
Each additional hour over 259 hours $116.00 per hour
B. If the plan review base fee paid by a producer or group of producers exceeds the actual costs of plan review, the director shall reduce the annual operating base fee for the first year of operations by the same amount.

Part 2

Effective January 1, 2016, Through December 31, 2016

A. A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following annual operating fee:

- Annual operating base fee (includes 259 hours of services), $31,500.00 due in advance of annual operations and upon notification by the director

- Each additional hour over 259 hours $122.00 per hour

B. If the plan review base fee paid by a producer or group of producers exceeds the actual costs of plan review, the director shall reduce the annual operating base fee for the first year of operations by the same amount.

Part 3

Effective January 1, 2017, and Thereafter

A. A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following annual operating fee:

- Annual operating base fee (includes 259 hours of services), $33,000.00 due in advance of annual operations and upon notification by the director
Each additional hour over 259 hours $128.00 per hour

B. If the plan review base fee paid by a producer or group of producers exceeds the actual costs of plan review, the director shall reduce the annual operating base fee for the first year of operations by the same amount.

NEW SECTION. SECTION 5. Review of plan changes.

Part 1

Effective Through December 31, 2015

A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following fee for review of proposed changes to an approved stewardship plan:

Plan change base fee (includes 4 hours of services), $464.00

due with submittal of proposed change pursuant to

BOH 11.50.130

Each additional hour over 4 hours $116.00 per hour

Part 2

Effective January 1, 2016, Through December 31, 2016

A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following fee for review of proposed changes to an approved stewardship plan:

Plan change base fee (includes 4 hours of services), $488.00

due with submittal of proposed change pursuant to

BOH 11.50.130

Each additional hour over 4 hours $122.00 per hour
Part 3

Effective January 1, 2017, and Thereafter

A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following fee for review of proposed changes to an approved stewardship plan:

Plan change base fee (includes 4 hours of services), $512.00
due with submittal of proposed change pursuant to BOH 11.50.130

Each additional hour over 4 hours $128.00 per hour

NEW SECTION. SECTION 6. Miscellaneous fees.

Part 1

Effective Through December 31, 2015

A. A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following miscellaneous fees, as applicable:

Review of revised plan pursuant to BOH 11.50.120.D. $116.00 per hour

Agency plan development pursuant to BOH 11.50.120.E. $116.00 per hour

Review of petition for alternative disposal methodology $116.00 per hour

pursuant to BOH 11.50.080.C.

Agency activities to enforce against noncompliance $116.00 per hour

pursuant to BOH 11.50.140 (separate from assessed penalties,

if applicable)
B. A producer who is not participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following miscellaneous fees, as applicable:

Agency activities to enforce against noncompliance pursuant to BOH 11.50.140 (separate from assessed penalties, if applicable)

$116.00 per hour

Part 2

Effective January 1, 2016, Through December 31, 2016

A. A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following miscellaneous fees, as applicable:

Review of revised plan pursuant to BOH 11.50.120.D.

Agency plan development pursuant to BOH 11.50.120.E.

Review of petition for alternative disposal methodology.

Agency activities to enforce against noncompliance pursuant to BOH 11.50.080.C.

$122.00 per hour

$122.00 per hour

$122.00 per hour

B. A producer who is not participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following miscellaneous fees, as applicable:

Agency activities to enforce against noncompliance pursuant to BOH 11.50.140 (separate from assessed penalties, if applicable)

$122.00 per hour
Part 3

Effective January 1, 2017, and Thereafter

A. A producer or group of producers participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following miscellaneous fees, as applicable:

- Review of revised plan pursuant to BOH 11.50.120.D. $128.00 per hour
- Agency plan development pursuant to BOH 11.50.120.E. $128.00 per hour
- Review of petition for alternative disposal methodology $128.00 per hour
- Pursuant to BOH 11.50.080.C. $128.00 per hour

B. A producer who is not participating in the standard stewardship plan or an independent stewardship plan shall pay to the director the following miscellaneous fees, as applicable:

- Agency activities to enforce against noncompliance pursuant to BOH 11.50.140 (separate from assessed penalties, if applicable) $128.00 per hour

SECTION 7. Severability. If any provision of this rule or its application to any
person or circumstance is held invalid, the remainder of the rule or the application of the provision to other persons or circumstances is not affected.

R&R BOH14-02 was introduced on and passed by the Board of Health on 5/15/2014, by the following vote:

Yes: 10 - Ms. Lambert, Ms. Clark, Dr. Nicola, Dr. Baker, Mr. McDermott, Ms. Wales and Mr. Dembowski
No: 0
Excused: 3 - Mr. Licata, Dr. Danielson and Ms. Sawant

BOARD OF HEALTH
KING COUNTY, WASHINGTON

Joe McDermott, Chair

ATTEST:

Anne Noris, Clerk of the Board

Attachments: None