

Form #3

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Suzanne Steadman Rhodes
Authorized Signature

Laura S. Rhodes, M.S.N., R.N.
Executive Director

email:westvirginiarn@ncsbn.org
web address:www.state.wv.us/nurses/rn



TELEPHONE:

(304) 558-3596

(304) 558-3728

FAX (304) 558-3666

STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
101 Dee Drive, Suite 102
Charleston, WV 25311-1620

August 17, 2004

The Honorable Joe Manchin III
Secretary of State
Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

Re: Proposed Rule: Title 19 Series 12 Fees for Services
Rendered by the Board and Supplemental Fee for the
Center for Nursing

Dear Secretary Manchin:

The West Virginia Board of Examiners for Registered Professional Nurses in session August 13, 2004 voted to approve legislative rule Title 19 Series 12 related to Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. The comments filed related to this rule and the response to the comments are provided.

This legislative rule has one (1) emergency portion which relates to the supplemental fee for the Center for Nursing. The other changes in the rule are for the purposes of providing the Board with the funds to accomplish their legislative charge to protect the citizens of West Virginia through the accomplishment of their mission and goals.

Pursuant to WV Code §30-7A-7a the Board is required to promulgate rules to provide for the collection of a supplemental fee to be assessed with the license renewal fee to be used for funding the West Virginia Center for Nursing. The Center is to be established on July 1, 2004. The license renewals occur each year between September and December. In order to collect the fee during this renewal season and at the beginning of the establishment of the Center, the fee needs to be established through an emergency rule.

Page 2
Series 12

Pursuant to WV Code §30-7-4 the Board has the authority to promulgate rules to establish fees to support the business of the Board. The increase in the fees for endorsement, reinstatement, midwife initial license and midwife renewal will provide some of the revenue required for the Board to accomplish its legislative mandates, mission and goals.

Should you have any questions or require more information, do not hesitate to contact me.

For the Board,

A handwritten signature in cursive script, reading "Laura Skidmore Rhodes".

Laura Skidmore Rhodes, MSN, RN
Executive Director

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: August 17, 2004

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) West Virginia Board of Examiners for Reg. Prof. Nurs.
101 Dee Drive, Suite 102
Charleston, Wv 25311

FILED
2004 AUG 18 A 11:11
OFFICE WEST VIRGINIA
SECRETARY OF STATE

LEGISLATIVE RULE TITLE: Title 19 Series 12 Fees for Services Rendered by the Board and
Supplemental Fee for the Center for Nursing

1. Authorizing statute(s) citation §30-7-4; §30-1-4; §30-7A-7a

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

June 30, 2004

b. What other notice, including advertising, did you give of the hearing?
Public comment period only.

c. Date of Public Hearing(s) or Public Comment Period ended:

August 5, 2004

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached X

No comments received

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

August 17, 2004

- f. Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Laura Skidmore Rhodes, MSN, RN

Executive Director

West Virginia Board of Examiners for Registered Professional Nurses

101 Dee Drive, Suite 102

Charleston, WV 25311

(304) 558-3596

(304) 558-3666 -fax

rnboard@state.wv.us

- g. **IF DIFFERENT FROM ITEM 'f',** please give Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

- b. Date of hearing or comment period:

- c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

- d. Attach findings and determinations and reasons:

Attached _____

SERIES 12

FILED

**FEEES FOR SERVICES RENDERED BY THE BOARD
AND
SUPPLEMENTAL RENEWAL FEE FOR THE CENTER FOR NURSING**

2004 AUG 17 A 11:11
OFFICE WEST VIRGINIA
SECRETARY OF STATE

§ 19-12-1. General

1.1. Scope. - This legislative Rule establishes the fees to be charged by the Board for services rendered and the supplemental fee for the West Virginia center for nursing.

1.2. Authority. - W. V. §§ 30-7-4, 30-7-8a and 30-1-4.

1.3. Filing Date. -

1.4. Effective Date. -

§ 19-12-2. Schedule of Fees for Services Rendered by the West Virginia Board of Examiners for Registered Professional Nurses and Supplemental Fee for the West Virginia Center for Nursing

Fees collected by the Board are not refundable.

2.1. Licensure Examination	\$51.50
2.2. Re-Examination	\$51.50
2.3. Temporary Permit (Endorsement)	\$10.00 (Money Order or Cashiers Check) Good for 90 days from date os issue; Not renewable
2.4. Endorsement into West Virginia	\$30.00 <u>100.00</u> (Money Order or Cashier's Check)
2.5. Verification of Licensure	\$30.00 (Money Order or Cashier's Check)
2.6. Renewal of License	\$25.00
2.7. <u>Supplemental Renewal Fee for the Center for Nursing</u>	\$10.00
2.7.8. Reinstatement of Inactive License	\$25.00
2.8.9. Reinstatement of Lapsed License	\$25 <u>90.00</u>

2.9. <u>10</u> .	Duplicate License	\$5.00
2. 10 . <u>11</u> .	Name Change	\$5.00
2. 11 . <u>12</u> .	Transcripts	\$5.00
2.42. <u>13</u> .	Frameable Certificate (Free to new Graduate)	\$5.00
2.43. <u>14</u> .	Insufficient Funds Penalty	\$20.00 (Money Order)
2.44. <u>15</u> .	Diskette of Licensees	\$350.00
2.45. <u>16</u> .	Computer <u>Listing</u>	\$25.00 Program Fee and \$16.00 per 1,000 names
2.46. <u>17</u> .	Mailing Labels	\$25.00 Program Fee and \$45.00 per 1,000 names
2.47. <u>18</u> .	<u>Copy of Code and Rule and copy of Criteria for Determining Scope of Practice for Licensed Nurses and Guidelines for Determining Acts That May Be Delegated Or Assigned By Licensed Nurses, "Purple Book"</u>	\$5.00 <u>\$7.50</u>
2.18.	Copy of Criteria for Determining Scope of Practice for Licensed Nurses and Guidelines for Determining Acts That May Be Delegated Or Assigned By Licensed Nurses, "Purple Book"	\$2.50
2.19.	Copy of Files	\$3.00 for the first page then \$.25 per page thereafter
2.20.	Prescriptive Authority	\$125.00
2.21.	Prescriptive Authority Renewal	\$125.00
2.22.	Prescriptive Authority Reinstatement	\$125.00
2.23.	Midwife License	\$20 <u>35.00</u>
2.24.	Midwife License Renewal	\$10 <u>25.00</u>
2.25.	Announcement of Advanced Practice	\$35.00
2.26.	Continuing Education Provider Fee	\$100.00
2.27.	Continuing Education Provider Maintenance Fee	\$25.00

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Fees for Services Rendered by the Board and Supplemental Fee for the Center for

Type of Rule: ☒ Legislative ☐ Interpretive ☐ Procedural

Agency: West Virginia Board of Exam. for Reg. Prof. Nurses

Address: 101 Dee Drive, Suite 102

Charleston, WV 25311

1. Effect of Proposed rule:

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	0	0	0	0	0
PERSONAL SERVICES	0	0	0	0	0
CURRENT EXPENSE	0	0	0	0	0
REPAIRS & ALTERATIONS	0	0	0	0	0
EQUIPMENT	0	0	0	0	0
OTHER	0	0	0	0	0

2. Explanation of Above Estimates:

The fees rule is budget neutral. Should the rule not pass as proposed, then the Center for Nursing would not receive the required funding.

3. Objectives of These Rules:

To establish fees for the Center for Nursing and provide for additional fees required to implement the law and support the legislative charge to the Board.

Rule Title: Fee for Services Rendered by the Board and Supplemental Fees for the Center fo

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:
None

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of
Citizens:
None

C. Economic Impact on Citizens/Public at Large.
The impact would be on the persons required to pay the fees.

Date: June 30, 2004

Signature of Agency Head or Authorized Representative:

Tanya Skidmore Rhodes

EMERGENCY RULE QUESTIONNAIRE

DATE: June 24, 2004

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) West Virginia Board of Exam. for Reg. Prof. Nurses

101 Dee Drive, Suite 102

Charleston, WV 25311

EMERGENCY RULE TITLE: _____

1. Date of filing June 30, 2004
2. Statutory authority for promulgating emergency rule:
§30-7-4; §30-1-4; §30-7A-7a
3. Date of filing of proposed legislative rule: June 30, 2004
4. Does the emergency rule adopt new language or does it amend or appeal a current legislative rule? Yes
5. Has the same or similar emergency rule previously been filed and expired?
No
6. State, with particularity, those facts and circumstances which make the emergency rule necessary for the **immediate** preservation of public peace, health, safety or welfare.

The Nursing Shortage is a concern for West Virginia. The citizens need nurses to provide nursing care and maintain a positive health care status for the well and improve the health care status of the ill.

The non-emergency portion of the rule will provide for required funds for the Board to continue to fulfill their legislative obligations.

7. If the emergency rule was promulgated in order to comply with a time limit established by the Code or federal statute or regulation, cite the Code provision, federal statute or regulation and time limit established therein.

§30-7B-3(a) and §30-7A-7a

8. State, with particularity, those facts and circumstances which make the emergency rule necessary to prevent substantial harm to the public interest.

~~The Nursing Shortage is a concern for West Virginia. The citizens need nurses to~~
provide nursing care and maintain a positive health care status for the well and improve
~~the health care status of the ill. Any activity or work which increases the number of~~
nurses coming to West Virginia or staying in West Virginia and working is paramount
~~to the continued health care of the citizens of West Virginia. The Center for Nursing~~
was developed to address these and other related issues. Funding for this Center is
through a supplemental ten dollar (\$10.00) fee assessed with the renewal of the license.

WV Bd of Exam for RNs
101 Dee Drive, Suite 102
Charleston, WV 25311-1620

RECEIVED
APR 10 11:01 AM '97
OFFICE OF THE SECRETARY
OF HEALTHCARE SERVICES

Dear Bd of Nursing,

I am writing regarding the Series 12 Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. This is silly. We are experiencing a shortage of Registered Nurses. We are over-worked and under-paid, and now we are subject to additional fees to research why there is a nursing shortage. How can we alleviate the nursing shortage? I know let's raise the fees of the good nurses we do have and charge higher fees to the ones coming from out of state! NOT!!!! I will tell you why there is a nursing shortage. It is because regulations and mandates get enacted without consulting those affected. Just like the End of Life Continuing Education requirement. It was required for everyone, when most of us do not deal with death and dying. Now it has been reconsidered. There has been previous committees looking at this issue and what has come from those? Nothing. So what else is there to be researched? You do not need researchers, you need activists. You need people who strive for higher pay, shorter hours, better benefits, and recruiting others into the field. We are supposed to already have those people on board (our legislators). Are they for or against us? There is one thing that will come out of doing this research... fees, and more of them. I really think this needs reconsidered. Please do not make quick, reactionary decisions that affect all RNs. Think this through.

Sincerely,

Pam Tarsan RN
Jenith McClennen RN
C. J. S.
Dickie Lambert RN
Ruthleen Napier, RN

Laura S. Rhodes, M.S.N., R.N.
Executive Director

email: westvirginiarn@ncsbn.org
web address: www.state.wv.us/nurses/rn



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FAX (304) 558-3666

STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
101 Dee Drive, Suite 102
Charleston, WV 25311-1620

August 17, 2004

Dear: Judith McClennen
Vicki Lambert
Kathleen Napier

Thank you for your comments related to West Virginia Code of State Rules Title 19, Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. The organizing framework, including the funding source, for the Center was established in the law which passed during the 2004 legislative session. The work of the Nursing Shortage Study Commission was reported to the registered nurses of West Virginia in the Board's newsletter as well as during meetings held throughout the state.

Your comments were reviewed by the Board, however no changes were made to the proposed rule.

A copy of the most recent Nursing Shortage Study Commission Report is being mailed to the address on file for you. After reviewing it, perhaps you will agree that the planned efforts should have a positive effect on the nursing shortage in West Virginia.

There are two individual's signature we could not read. If you would either share a copy of the report with those persons or let us know who they are, we will gladly send along a report to them as well.

Should you have any questions or desire more information please contact this office.

Sincerely,

Laura Rhodes
Laura Rhodes, MSN, RN
Executive Director

Cyndy R Haynes
Director of Education & Practice

West Virginia Board of Examiners for Registered Professional Nurses

I am NOT in favor of the new Center of Nursing Bill: House Bill 41443

I am Not in favor of increasing license fees to fund the committee to study the nursing shortage.

Thank you,

Patricia M. Lewis RN, MPA, CNOR
West Virginia Registered Nurse

RECEIVED
JUL 23 PM 1:48
WEST VIRGINIA BOARD
OF REGISTERED NURSES

Laura S. Rhodes, M.S.N., R.N.
Executive Director

email: westvirginiarn@ncsbn.org
web address: www.state.wv.us/nurses/rn



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STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
101 Dee Drive, Suite 102
Charleston, WV 25311-1620

August 17, 2004

Patricia Januszkiewicz
1020 13th Avenue
Huntington, WV 25701

Dear Ms. Januszkiewicz:

Thank you for your comments related to West Virginia Code of State Rules Title 19, Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. The organizing framework, including the funding source, for the Center was established in the law which passed during the 2004 legislative session.

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Sincerely,

Laura Rhodes / Cyndy R Haynes
Laura Rhodes, MSN, RN
Executive Director
Director of Education & Practice

West Virginia Board of Examiners for Registered Professional Nurses

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Thank you,

Jamaia J Bragg

West Virginia Registered Nurse

RECEIVED
JUL 26 PM 1:00
STATEMENT HOUSES

Laura S. Rhodes, M.S.N., R.N.
Executive Director

email:westvirginiarn@ncsbn.org
web address:www.state.wv.us/nurses/rn



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August 17, 2004

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Should you have any questions or desire more information please contact this office.

Sincerely,

COPY

Laura Rhodes, MSN, RN
Executive Director

West Virginia Board of Examiners for Registered Professional Nurses

I am NOT in favor of the new Center of Nursing Bill: House Bill 41443

I will be putting my West Virginia license on inactive status.

I work in Ohio and have
both WV and Ohio RN.
I do part time in Huntington but
will not now if this passes.

RECEIVED
JUN 22 2018
OFFICE OF THE CLERK
WEST VIRGINIA BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES

Laura S. Rhodes, M.S.N., R.N.
Executive Director

email: westvirginiarn@ncsbn.org
web address: www.state.wv.us/nurses/rn



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STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
101 Dee Drive, Suite 102
Charleston, WV 25311-1620

August 17, 2004

Patricia Januszkiewicz
1020 13th Avenue
Huntington, WV 25701

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Should you have any questions or desire more information please contact this office.

Sincerely,

Laura Rhodes, MSN, RN
Executive Director

Copy

RNBoard

From: Chris [veraion@comcast.net]
Sent: Saturday, July 24, 2004 10:28 PM
To: rnboard@state.wv.us
Subject: Supplemental nursing fee

I object to the issue of a ten dollar increase in my license for the issue of the nursing shortage. We already know why we left the bedside. Let's look at correcting the issues: the changes in nurse/patient ratios to the point that you are not permitted time to CARE for your patient. The continued decline in benefits and income with the increased number of hours worked are a just the begining.

I became a nurse 24 years ago when we worked as a team and the patients were cared for. We did AM and PM care and they new we were there and that they were important. Now the acuity of the patient that is allowed to stay in the hospital is much greater and the time allotted for their care is much less.

Why is it the farther away the employee is from the patient, the higher their salary is?

Why are we decreasing the amount of education nurses are required to have to sit for the boards? New graduates can not function as nurses. 24 years ago you could put one of us anywhere, we knew how to be a nurse. We earned our stripe!

Why is it men are promoted faster in the nursing field?

I truly miss bedside nursing and hope I will someday find a place that I can return to it in. But as for now the hospital politics and abuse are driving us away.

Good luck with your research, but until we change the root of the issues and go back to "CARING" the smart ones are not coming back. Chris Powell RN

RNBoard**To:** Chris**Subject:** RE: Supplemental nursing fee

Dear Ms. Powell:

Thank you for your comments related to West Virginia Code of State Rules Title 19, Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. The organizing framework, including the funding source, for the Center was established in the law which passed during the 2004 legislative session.

Your comments were reviewed by the Board, however no changes were made to the proposed rule.

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Sincerely,

Laura Rhodes, MSN, RN
Executive Director

by Cyndy Haynes
Director of Education and Practice

-----Original Message-----

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Good luck with your research, but until we change the root of the issues and go back to "CARING" the smart ones are not coming back. Chris Powell RN

West Virginia Board of Examiners for Nurses
101 Lee Drive, Suite 105
Charleston, WV 25311-1620

July 27, 2004
Deanna DeCapis
RD #2, Box 53
Chesler, WV 260034

I would like to submit my objection to the \$10.00 supplemental fee that will be added to the license renewal fee as provided for by the Emergency Rule Series of Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. While I have many views on this, I will try to be concise. Please remember that many nurses living on the border states hold multiple licenses. A \$10 fee may not seem like much but it does add up when multiple fees are assessed and WV does charge their fee every year. Fees that are added barely go away, if the nursing shortage was relieved and the Center for Nursing disbanded would the fee be rescinded or is this a permanent increase? You must also consider the current economy and the rising inflation, all utilities and gas prices are rising as well as food costs, people are having difficulty paying all these increases. My other concern is that creating a Center for Nursing to evaluate this issue may not be the answer. This is a typical

and charge fees. Who pays the fees?
The nurses! I think unless
someone is willing to admit and
stand up to the insurance
companies and the CEO/businessmen
who are running the healthcare
industry the Center will be for
naught. Are you sure there is a
true shortage or is it a businessman's
induced shortage? When you try to
run an OB dept. (Nursery, PP, OBN, & L&D)
with 2 RN's you are creating the
problem. When nursing supervisors
receive bonuses for calling off
nurses as much as possible and
running their units short-staffed
you are creating the problem. Even if an
RN is willing to work under these
conditions for a few years for top-notch
pay - they don't do that forever.

Also, the physical labor is so great
that you have decreased the lifespan
of a nurse. For a nurse to work as
a staff/bedside nurse till she is 65
or 70 is almost impossible. Employers
must change, they have to maintain safe
staffing levels - you must cover for anticipated
admissions - you can't send Sally home because
it is slow & short her pay. Perhaps they need to hire
orderly for each unit to spare or decrease the
lifting and dressing, maybe nurses could work bps.
I think the nurses are out there and want
to work, they just need to work for health care not

Laura S. Rhodes, M.S.N., R.N.
Executive Director

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web address: www.state.wv.us/nurses/rn



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**STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
101 Dee Drive, Suite 102
Charleston, WV 25311-1620**

August 17, 2004

Deanna DeCapio
RD #2, Box 53
Chester, WV 26034

Dear Ms. DeCapio:

Thank you for your comments related to West Virginia Code of State Rules Title 19, Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. The organizing framework, including the funding source, for the Center was established in the law which passed during the 2004 legislative session.

The additional fee increases are for the purposes of providing the Board with the resources needed to continue their mission to protect the citizens of West Virginia.

Your comments were reviewed by the Board, however no changes were made to the proposed rule.

A copy of the most recent Nursing Shortage Study Commission Report is being mailed to the address on file for you. After reviewing it, perhaps you will agree that the planned efforts should have a positive effect on the nursing shortage in West Virginia.

Should you have any questions or desire more information please contact this office.

Sincerely,

Laura Rhodes / Cyndee R. Haynes
Laura Rhodes, MSN, RN Director of Education & Practice
Executive Director

from the desk of
Celeste S. Makrevis

335 Church St. • Lewisburg, WV 24901

WV Board of Examiners for
Professional Nurses July 18, 2004

I find it difficult to believe
that your answer to the
nursing shortage is to charge
people more to be licensed to
nurse in the State of West
Virginia.

I think you should seriously
reconsider this concept.

Celeste S. Makrevis
RN, MSN

Laura S. Rhodes, M.S.N., R.N.
Executive Director

email:westvirginiarn@ncsbn.org
web address:www.state.wv.us/nurses/rn



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BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
101 Dee Drive, Suite 102
Charleston, WV 25311-1620

August 17, 2004

Celeste S. Makrevis
335 Church St.
Lewisburg, WV 24901

Dear Ms. Markrevis:

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Should you have any questions or desire more information please contact this office.

Sincerely,

Laura Rhodes / Cindy R. Haynes
Laura Rhodes, MSN, RN Director of Education & Practice
Executive Director

RNBoard

From: Burns, Pamela [Pamela.Burns@unisys.com]
Sent: Thursday, July 29, 2004 11:32 AM
To: RNBoard
Subject: RE: House bill 4143

7/29/2004 I would like to comment on House Bill 4143 that creates the WV Center for nursing to review and gather information on the nursing shortage at a 10.00 fee to every R.N. and L.P.N. in the state. This fee further injures the already injured parties. It is quite evident to anyone currently practicing nursing or who has left hospital nursing what the problems are. Why not simply do a survey of all nurses and you'll have your answers right from the horse's mouth? Why pay a special group to research this when you have the answers at your fingertips? I left the hospital system for multiple reasons: Too much paperwork, poor salary and lack of raises because evaluations were impossible to meet due to patient load. Also managers that didn't give raises got bonuses at the end of the year. Also, having to pay for continuing education courses, management not empathetic re. work schedules (like it or leave it attitude). Then you see the administrators salaries, office renovations, hospital buying more property and they can't even take care of patients. Most people who go into nursing are unable to deal with giving less than adequate patient care. My current desk job pays more, I can't cause undue harm to a patient and can sleep at night. I miss the patients and would probably go back to hospital work if it was simplified with less paperwork and bogus programs like clinical ladders that in no way show what kind of nurse you are. Simplicity, adequate pay and quality patient time are the key. Thank you for letting me express my opinion.

-----Original Message-----

From: RNBoard [mailto:rnboard@state.wv.us]
Sent: Thursday, July 29, 2004 10:20 AM
To: Burns, Pamela
Subject: RE: House bill 4143

yes you can comment here or fax 304-558-3666

> -----Original Message-----

> From: Burns, Pamela [mailto:Pamela.Burns@unisys.com]
> Sent: Thursday, July 29, 2004 9:55 AM
> To: rnboard@state.wv.us
> Subject: House bill 4143

>

>

> 7/29/2004 After reading the newsletter re. this bill, would like
> to comment. Is this the correct site to do this? If not, please
> give correct site. Thank you.
> Pamela Burns, R.N.

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RNBoard

To: Burns, Pamela
Subject: RE: House bill 4143

Dear Ms. Burns:

Thank you for your comments related to West Virginia Code of State Rules Title 19, Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. The organizing framework, including the funding source, for the Center was established in the law which passed during the 2004 legislative session.

Your comments were reviewed by the Board, however no changes were made to the proposed rule.

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Laura Rhodes by Cyndy Haynes
Executive Director Director of Education and Practice

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> To: RNBoard

> Subject: RE: House bill 4143

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> Sent: Thursday, July 29, 2004 10:20 AM

> To: Burns, Pamela

> Subject: RE: House bill 4143

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RNBoard

From: Hill, Jacqueline [Jacqueline.Hill@unisys.com]
Sent: Thursday, July 29, 2004 11:26 AM
To: rnboard@state.wv.us
Subject: Re: House Bill 4143

I recently received the R.N. Newsletter and was very disturbed by the emergency rule to implement collection of an additional \$10 per nurse to fund the creation of the West Virginia Center for Nursing in regard to the nursing shortage. Instead of creating a panel to gather information related to the causes of the nursing shortage, why do they not ask the actual working nurses by a request for information to be included with their nursing license renewal. I have left the actual hospital setting back in 1997 due to short staffing by the hospital resulting in substandard nursing care, mandatory overtime, and hospital administration buying property and building buildings when they say there is no money in the budget for more nurses. I was not going to have my license placed in jeopardy for a hospital that does not care about its' employees, patients, and/or any outpatient person that entered that hospital that had an expected standard of care. Until the hospitals change their views and make the patients welfare come first by adequate staffing and a descent pay scale for their nursing staff, I see no resolution that a panel can produce. I have been asked by several young people coming out of High School about a career in nursing and my responses have been negative due to the above reasons, and I have heard from several other nurses that say they have replied in the same manner. It is my opinion that an additional \$10 fee is further punishing the nurses for a problem that I am sure if they were asked would verbalize the reasons. I do not wish to pay this additional fee and I am sure that others feel the same as I do. Take a stand for our nurses and ask their opinions on these matters and then maybe we can look for solutions that are in the best interests of all.

Thank you in advance for your time and for giving me the chance to voice my opinion.

Jacqueline Hill, RN, CCM
Medical Review Specialist
Unisys Corporation
Phone (304) 348-3273
Fax (304) 348-3380

[This e-mail was scanned for viruses by F-Prot/Declude Antivirus]

RNBoard

To: Hill, Jacqueline
Subject: RE: House Bill 4143

Dear Ms. Hill:

Thank you for your comments related to West Virginia Code of State Rules Title 19, Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. The organizing framework, including the funding source, for the Center was established in the law which passed during the 2004 legislative session.

Your comments were reviewed by the Board, however no changes were made to the proposed rule.

A copy of the most recent Nursing Shortage Study Commission Report is being mailed to the address on file for you. After reviewing it, perhaps you will agree that the planned efforts should have a positive effect on the nursing shosrtage in West Virginia.

Should you have any questions or desire more information please contact this office.

Sincerely,
Laura Rhodes by Cyndy Haynes
Executive Director Director of Education and Practice

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> Sent: Thursday, July 29, 2004 11:26 AM

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> Subject: Re: House Bill 4143

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> Medical Review Specialist
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> Phone (304) 348-3273
> Fax (304) 348-3380
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RNBoard

From: stephanie casto [scollazo10@hotmail.com]
Sent: Tuesday, August 03, 2004 9:39 PM
To: rnboard@state.wv.us
Subject: House Bill 4143

Dear WV Board of Nursing,

I understand that you are wanting to add \$10 to our licensure fee to supplement a committee that will review and gather information related to the causes of nursing shortage in WV. As a practicing RN, I believe that it is obvious and the need to pay for additional research is absurd. Institutions do not appreciate the staff that they have and they do almost nothing to retain or reward the RNs that work the overtime or take on heavy assignments. May I suggest a SURVEY instead of funding a new committee. Please, reconsider the need for increasing our annual fee.

Thank you,
Stephanie Casto, RN

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<http://toolbar.msn.click-url.com/go/onm00200415ave/direct/01/>

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RNBoard

To: stephanie casto
Subject: RE: House Bill 4143

Dear Ms. Casto:

Thank you for your comments related to West Virginia Code of State Rules Title 19, Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. The organizing framework, including the funding source, for the Center was established in the law which passed during the 2004 legislative session.

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Sincerely,
Laura Rhodes by Cyndy Haynes
Executive Director Director of Education and Practice

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> From: stephanie casto [mailto:scollazo10@hotmail.com]

> Sent: Tuesday, August 03, 2004 9:39 PM

> To: rnboard@state.wv.us

> Subject: House Bill 4143

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>

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RNBoard

From: michelle swor [mswor@hotmail.com]
Sent: Tuesday, August 03, 2004 4:46 PM
To: rnboard@state.wv.us
Subject: House Bill 4143 Center for Nursing Bill

Dear Board Staff,

I do not agree with adding a supplemental fee to fund data collection and evaluation of the causes of the nursing shortage. Isn't it obvious why there is a nursing shortage? Poor working conditions, and lack of recognition coupled with the increase demand for services are the major factors fueling our nursing crisis. Improve any of these areas and you will help to resolve the crisis. Do you really believe that "another committee" formed to investigate this crisis will alleviate the problem? Here is one, get out and ask any nurse about working conditions and you will find a wealth of information at your fingertips. Until changes are made within organizations to improve treatment of nurses, the marketability for our profession will continue to decline. I am sure that studies have already been exhausted on this subject. Please do not added a fee to our license renewal to reiterate what the "practicing nurse" and most of the publice already know!!!!

Michelle Evans RN

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RNBoard

To: michelle swor
Subject: RE: House Bill 4143 Center for Nursing Bill

Dear Ms. Evans:

Thank you for your comments related to West Virginia Code of State Rules Title 19, Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. The organizing framework, including the funding source, for the Center was established in the law which passed during the 2004 legislative session.

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Laura Rhodes by Cyndy Haynes
Executive Director Director of Education and Practice

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> Michelle Evans RN

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RNBoard

From: Daniel and Stephanie Morrison [dandsm@charter.net]
Sent: Wednesday, August 04, 2004 5:58 PM
To: rnboard@state.wv.us
Subject: Emergency Rule for Center of Nursing- House Bill 4143

Dear Board Members:

I am writing to state my opinion on the supplemental license fees to be set into place for the creation of the West Virginia Center for Nursing. Creating a committee to study the nursing shortage in West Virginia is unnecessary and requesting additional funding be taken from the state's nurses is not appropriate. This data can easily be obtained (free) by simply questioning any practicing nurse. Poor working conditions including the treatment of nurses in the workplace and an ever increasing demand for health care services in the state are reason enough for individuals to not enter the field. Again, I do NOT support the supplemental license fees to be set into place through Emergency Rule Series 12 Fees for Services Rendered by the Board and Supplemental Fee for the Center of Nursing.

Thank you,

Stephanie Morrison RN, BSN

RNBoard

To: Daniel and Stephanie Morrison

Subject: RE: Emergency Rule for Center of Nursing- House Bill 4143

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Thank you,

Stephanie Morrison RN, BSN

RNBoard

From: Barb Stamp [BSTAMP@gw.odh.state.oh.us]
Sent: Wednesday, August 04, 2004 12:38 PM
To: rnboard@state.wv.us
Subject: Center for Nursing Bill

To all Board Members

I absolutely disagree with the West Va Board adding a supplemental fee to help finance the West Va Center for Nursing.. As a past member of the Ohio Board of Nursing I do not believe that a "Regulatory Board" has any business being financially attached or otherwise attached to a Center for Nursing.. This, I believe creates a "Conflict of interest" and questionable moral and legal issues.

Please consider withdrawing this Bill and recruit other health care provider organizations to take up the call and the expense...

At the present time the Ohio Board of Nursing is doing exactly as I have stated and I urge you to contact them in regards to a "Center for Nursing"

Sincerely,
Barbara Stamp, RN

(Registered in Ohio, West Virginia and Pennsylvania)

"This e-mail is intended for the sole use of the intended recipient and may contain privileged, sensitive, or protected health information. If you are not the intended recipient, be advised that any unauthorized use, disclosure, copying, distribution, or action taken in reliance on the contents of this communication is prohibited. If you have received this e-mail in error, please notify the sender via telephone or return e-mail and immediately delete this e-mail."

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RNBoard

To: Barb Stamp
Subject: RE: Center for Nursing Bill

Dear Ms. Stamp:

Thank you for your comments related to West Virginia Code of State Rules Title 19, Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. The organizing framework, including the funding source, for the Center was established in the law which passed during the 2004 legislative session.

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WV Board of Examiners for Registered Professional Nurses
101 Dee Drive, Suite 102
Charleston, WV 25311-1620

Dear Board of Nursing,

I am writing regarding the Series 12 Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. This is the most ludicrous thing I have ever heard. We are experiencing a shortage of Registered Nurses. We are over-worked and under-paid, and now we are subject to additional fees to research why there is a nursing shortage. You are contributing to the exploitation of the qualified professional nurses that you are trying so hard to recruit and protect. I will tell you why there is a nursing shortage. It is because bureaucracy enacts regulations without consulting those affected. Why aren't higher education institutions, hospitals, or the general public paying for this research? They are the ones to benefit from it. Instead the burden is placed on a much smaller group of people (RNs) who are already suffering from the shortage and fees. Spread the cost out among the larger group which has more money anyway. How are you encouraging nurses to come to or stay in West Virginia when you raise fees for licensure and increase (drastically) the endorsement into West Virginia fee?

I really think this needs reconsidered. Please do not make quick, reactionary decisions that affect all RNs. This was done with the End of Life Continuing Education requirement. It was needed for a small group, but was applied to everyone. Now it has been reversed. Think this through. It just doesn't make sense.

Sincerely,

Jennifer R Walks, RN
Zicki Lambert RN
V. Kathleen Napier, RN
D. Nicole Jackson, RN

RECEIVED
NURSING BOARD
JAN 10 2013

Laura S. Rhodes, M.S.N., R.N.
Executive Director

email: westvirginiarn@ncsbn.org
web address: www.state.wv.us/nurses/rn



TELEPHONE:
(304) 558-3596
(304) 558-3728
FAX (304) 558-3666

STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
101 Dee Drive, Suite 102
Charleston, WV 25311-1620

August 17, 2004

Dear: Jennifer R. Walls, RN
Vicki Lambert, RN
V. Kathleen Napier, RN
D. Nicole Jackson, RN

Thank you for your comments related to West Virginia Code of State Rules Title 19, Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. The organizing framework, including the funding source, for the Center was established in the law which passed during the 2004 legislative session. The work of the Nursing Shortage Study Commission was reported to the registered nurses of West Virginia in the Board's newsletter as well as during meetings held throughout the state.

Your comments were reviewed by the Board, however no changes were made to the proposed rule.

A copy of the most recent Nursing Shortage Study Commission Report is being mailed to the address on file for you. After reviewing it, perhaps you will agree that the planned efforts should have a positive effect on the nursing shortage in West Virginia.

Should you have any questions or desire more information please contact this office.

Sincerely,

Laura Rhodes / Cyn by R. Rhodes

Laura Rhodes, MSN, RN
Executive Director

Director of Education & Practice

RNBoard

From: Welch, Lynne [welch@marshall.edu]
Sent: Wednesday, July 28, 2004 10:00 AM
To: rnboard@state.wv.us
Subject: Comment Bill 4143 emergency rule

Laura: I think that the fee change for the endorsement into WV as a RN is set too high. I would suggest that you increase it only to \$50 instead of \$100. We want too be sure not to create financial barriers for nurses who wish to practice in WV. Lynne Welch, Ed.D, RN, C-FNP

RNBoard

To: Welch, Lynne
Subject: RE: Comment Bill 4143 emergency rule

Lynne,
 Thank you for your comments related to the Board's rule Title 19:Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. Your particular concern related to the endorsement fee is one of the fees increased by the Board to provide some of the necessary funding to support the work of the Board in fulfilling their mission to protect the citizens of West Virginia.

As you are aware, the endorsement fee is a one time fee paid by a person already licensed in another state, and applying for initial licensure in West Virginia. Once the license has been issued through endorsement, the licensee is subject to the yearly renewal fee. The renewal fee is twenty-five (\$25.00) dollars and the supplemental renewal fee for the Center for Nursing is ten (\$10.00) dollars, for a total of thirty-five dollars (\$35.00) every year.

The Board does not consider the increased endorsement fee to be an excessive one time fee. The proposed rule was not changed.

The Board did review the endorsement fees for border states.

Washington, D.C.	Endorsement fee is \$176.00
Kentucky	Endorsement fee is \$120.00
Maryland	Endorsement fee is \$75.00 and the Temporary Permit is \$25.00
Ohio	Endorsement fee is \$75.00; unable to determine Temporary Permit fee
Pennsylvania	Endorsement fee is \$100.00 and the Temporary Permit is \$35.00
Virginia	Endorsement fee is \$130.00

Incidentally, the renewal fees for these states are as follows:

Kentucky	\$105 for a two (2) year cycle
Maryland	\$62
Ohio	\$65 for a two (2) year cycle
Pennsylvania	\$45
Virginia	\$95 for a two (2) year cycle

West Virginia has fewer licensees and therefore a smaller revenue base than any of these states with higher fees. The Board will continue to be fiscally responsible in fulfilling their mission to protect the citizens of West Virginia.

Sincerely,
 Laura Rhodes, MSN, RN by Cyndy R. Haynes
 Executive Director Director of Education and Practice

-----Original Message-----

From: Welch, Lynne [mailto:welch@marshall.edu]
Sent: Wednesday, July 28, 2004 10:00 AM
To: rnboard@state.wv.us
Subject: Comment Bill 4143 emergency rule

Laura: I think that the fee change for the endorsement into WV as a RN is set too high. I would suggest that you increase it only to \$50 instead of \$100. We want too be sure not to create financial barriers for nurses who wish to practice in WV. Lynne Welch, Ed.D, RN, C-FNP



S H E P H E R D
C O L L E G E

Department of Nursing Education • P.O. Box 3210 • Shepherdstown, West Virginia 25443-3210 • 304|876|5341

August 2, 2004

West Virginia Board of Examiners for Registered Professional Nurses
101 Dee Drive
Charleston, WV 25311-1620

Re: Proposed Emergency Rule Series 12

Dear Colleagues:

I am concerned about the proposed increase in fee for endorsement of licensure into West Virginia, from \$30 to \$100. All nursing education programs in West Virginia are either experiencing or facing the prospect of faculty shortages. I believe that this fee will be a powerful disincentive to recruiting potential faculty members from other states. Salary scales are not high enough in West Virginia to attract qualified nursing faculty members as it is, and this fee on top of a low salary offer might discourage a potential faculty member. Yes, the fee probably is tax deductible as an unreimbursed business expense, but most of my faculty members would be unwilling to pay that fee initially and wait for the deduction.

I also see this as an issue related to the recent decision to require graduate nursing students doing teaching practica in West Virginia nursing programs to meet all Board requirements for faculty, including licensure in West Virginia. If a graduate student at a school in a neighboring state wishes to do a teaching practicum in West Virginia, he or she must apply for West Virginia licensure, and the proposed fee for endorsement into West Virginia is prohibitively expensive. I cannot in all good conscience ask a graduate student to pay \$100 for endorsement into West Virginia, above and beyond the fee charged by the originating state for licensure endorsement, for a maximum of 90-120 hours of practicum activities. Additionally, the fee might not qualify as a tax deduction for all graduate students.

Additionally, if the emergency rule fee increases are designed to fund the Center for Nursing, and if one of the Center's mandated responsibilities is to monitor the causes of the nursing shortage in WV, how will a considerable increase in the fee to endorse into West Virginia help that situation?

Yours truly,

Kathleen B. Gaberson

Kathleen B. Gaberson, PhD, RN, CNOR
Professor and Chair, Department of Nursing Education
Shepherd University

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TO: WV BOERP

FROM: Kathleen Gaberson

DATE: August 2, 2004

COMMENTS:

Hard Copy to follow by USPS

Number of pages sent (including this page): 2

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STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
101 Dee Drive, Suite 102
Charleston, WV 25311-1620

August 17, 2004

Kathleen B. Gaberson, PhD, RN, CNOR
Professor and Chair, Department of Nursing Education
Shepherd University
PO Box 3210
Shepherdstown, WV 25443-3210

Dear Dr. Gaberson:

Thank you for your comments related to the Board's rule Title 19; Series 12: Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. Your particular concern related to the endorsement fee. This is one of the fees increased by the Board to provide some of the necessary funding to support the work of the Board in fulfilling their mission to protect the citizens of West Virginia.

As you are aware, the endorsement fee is a one time fee paid by a person already licensed in another state, and applying for initial licensure in West Virginia. Once the license has been issued through endorsement, the licensee is subject to the yearly renewal fee. The renewal fee is twenty-five (\$25.00) dollars and the supplemental renewal fee for the Center for Nursing is ten (\$10.00) dollars, for a total of thirty-five dollars (\$35.00) every year.

The Board does not consider the increased endorsement fee to be an excessive one time fee. The proposed rule was not changed.

The Board did review the endorsement fees for border states.

Washington, D.C.	Endorsement fee is \$176.00
Kentucky	Endorsement fee is \$120.00
Maryland	Endorsement fee is \$75.00 and the Temporary Permit is \$25.00
Ohio	Endorsement fee is \$75.00; unable to determine Temporary Permit fee
Pennsylvania	Endorsement fee is \$100.00 and the Temporary Permit is \$35.00
Virginia	Endorsement fee is \$130.00

Incidentally, the renewal fees for these states are as follows:

Kentucky	\$105 for a two (2) year cycle
Maryland	\$62
Ohio	\$65 for a two (2) year cycle
Pennsylvania	\$45
Virginia	\$95 for a two (2) year cycle

West Virginia has fewer licensees and therefore a smaller revenue base than any of these states with higher fees.

You also offered a comment on graduate student licensure requirements in West Virginia. While this rule doesn't address licensure of graduate students, and the comment has no direct relevance to this particular rule, it does bear discussion and will be addressed under separate cover.

The Board will continue to be fiscally responsible in fulfilling their mission to protect the citizens of West Virginia.

Should you have any questions or require more information please do not hesitate to contact me.

For the Board,

Laura Skidmore Rhodes / Cyndy R. Haynes
Laura Skidmore Rhodes, MSN, RN
Executive Director
Director of Education & Practice