

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Form #2

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**FILED**

2012 JUN 18 PM 2:01

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: West Virginia Board of Exam. for Reg. Prof. Nurses TITLE NUMBER: 19

RULE TYPE: Legislative CITE AUTHORITY: W.V. §§ 30-7-4, 30-7-8a and 30-1-4.

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 12

TITLE OF RULE BEING AMENDED: FEES FOR SERVICES RENDERED BY THE BOARD AND SUPPLEMENTAL  
RENEWAL FEE FOR THE CENTER FOR NURSING

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 18, 2012 AT 4:00 PM ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

West Virginia Board of Examiners for Registered

Professional Nurses

101 Dee Drive, Suite 102

Charleston, WV 25311

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

  
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

TITLE 19  
LEGISLATIVE RULE  
BOARD OF REGISTERED PROFESSIONAL NURSES

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SERIES 12  
FEES FOR SERVICES RENDERED BY THE BOARD  
AND  
SUPPLEMENTAL RENEWAL FEE FOR THE CENTER FOR NURSING

OFFICE OF 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 .....	<del>\$51.50</del> <u>70.00</u>
2.2.	Re-Examination .....	<del>\$51.50</del> <u>70.00</u>
2.3.	Temporary permit (Endorsement) <del>\$10.00</del> <u>25.00</u> (Money Order or Cashiers Check Good for <u>six (6) months</u> <del>90 days</del> from date of issue; Not renewable.	
2.4.	Endorsement into West Virginia .....	<del>\$30.00</del> <u>100.00</u> (Money Order or Cashiers Check)
2.5.	Verification of Licensure .....	\$30.00 (Money Order or Cashiers Check)
2.6.	Renewal of License .....	<del>\$25.00</del> <u>65.00</u> <u>*\$10.00 of this fee is designated for the West Virginia Center for Nursing.</u> <u>\$15.00 shall be deposited directly into a Fund designated for programs</u> <u>related to the monitoring of nurses with substance use disorders and</u> <u>qualifying mental health conditions.</u>
2.7.	Supplemental Renewal Fee for the Center for Nursing .....	\$10.00
2.8.	Reinstatement of Inactive License .....	\$25.00
2.9.	Reinstatement of Lapsed License .....	<del>\$75.00</del> <u>115.00</u>
2.10.	Duplicate License <u>and Name Change</u> .....	<del>\$5.00</del> <u>10.00</u>
<del>2.11</del>	<del>Name Change</del> .....	<del>\$5.00</del>
2.12	1. Transcripts .....	\$5.00
2.13	2. Frameable Certificate (Free to new Graduate Licensee) .....	\$5.00
2.14	3. Insufficient Funds Penalty .....	<del>\$20.00</del> <u>\$50.00</u> (Money Order)

19CSR12

2.1.54.	Diskette of Licensees .....	\$350.00
2.165.	Computer Listing .....	\$25.00 Program Fee and \$16.00 per 1,000 Names
2.176.	Mailing Labels .....	\$25.00 Program Fee and \$45.00 per 1,000 Names
2.18:	<del>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"</del> .....	<del>\$7.50</del>
2.197.	Copy of Files .....	<del>\$3.00</del> <u>5.00</u> for the first page then ..... <del>\$.25</del> <u>.50</u> per page thereafter
2.2018	Prescriptive Authority .....	\$125.00
2.2119.	Prescriptive Authority Renewal .....	\$125.00
2.2220.	Prescriptive Authority Reinstatement .....	\$125.00
2.2321.	Midwife License .....	\$20.00
2.2422.	Midwife Renewal .....	\$10.00
2.2523.	<del>Announcement of Advanced Practice Registered Nurse License</del> ...	\$35.00
2.2624.	Continuing Education Provider Fee .....	\$100.00
2.2725.	Continuing Education provider Maintenance Fee .....	\$25.00

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

email: rnboard@wv.gov  
web address: www.wvrnboard.com



TELEPHONE:

(304) 558-3596

FAX (304) 558-3666

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

June 18, 2012

The Honorable Natalie Tennent  
Secretary of State  
Building 1, Suite 157-K  
1900 Kanawha Blvd  
Charleston, WV 25305-0770

RE: Board Approved Proposed Rule WV 19 CSR 8

Dear Secretary Tennant:

The West Virginia Board of Examiners for Registered Professional Nurses (Board) in session June 15, 2012 approved the proposed rule WV 19 CSR 12 Fees for Services Rendered by the Board and Supplemental Fee for the Center for Nursing. This letter serves to notify your office of the agency approval and to provide the required brief summary for the proposed changes.

The Board regulates over 29,000 registered professional nurses. The last fee increase for Board operations was in 1992 when the annual renewal fee increased from \$15.00 to \$25.00. In 2005, a fee increase of \$10.00 to support the West Virginia Center for Nursing was approved raising the annual renewal fee to \$35.00 with the Board continuing to receive \$25.00 of this amount. The increase proposed at this time provides for a total of a \$30.00 increase in the annual renewal fee resulting in an annual renewal fee of \$65.00. The fee increase will be divided providing \$15.00 to Board operations and \$15.00 deposited directly into a fund for nurse health programs.

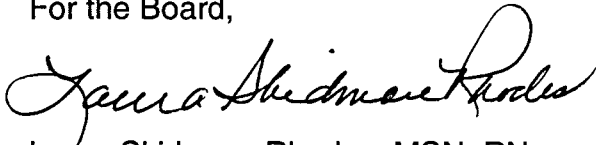
The nurse health programs are monitoring programs that will assist in public protection by providing monitoring and recovery support for nurses with substance use disorders and qualifying mental health conditions. The program is similar to that which already exists for the West Virginia Board of Medicine for monitoring physicians with similar diagnoses. The monitoring program also includes further educating all nurses about the disease of addiction, how to identify addiction in one's self and others, the importance of, and how to, seek assistance, and initiating support groups across the state all in an effort to reduce the occurrence of the disease of addiction and how to provide support for those in recovery.

Agency Approval and Explanation  
Secretary of State  
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Registered Professional Nurses (RN) have been notified of this change and the Comment Period through a news magazine sent to all actively licensed RN's in March and early June 2012.

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

For the Board,

A handwritten signature in black ink, reading "Laura Skidmore Rhodes". The signature is written in a cursive style with a large, prominent initial "L".

Laura Skidmore Rhodes, MSN, RN  
Executive Director

**FISCAL NOTE FOR PROPOSED RULES**

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

Type of Rule:  Legislative  Interpretive  Procedural

Agency: West Virginia Board of Examiners for Registered Professional Nurses

Address: 101 Dee Drive, Suite 102, Charleston, WV 25311

Phone Number: (304) 558-3596 Email: rnboard@wv.gov

**Fiscal Note Summary**

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

The Board has not had a renewal fee increase in twenty years, since 1992. The increase in Board fees will have no impact on the general revenue of state government. The revenue increase to the Board will help to meet the current increase in expenses to the Board. Approximately \$435,000 will go towards the new Nurse Health Program created during the 2012 Legislative Session. Approximately \$478,000 will go to the Board to cover other expenses.

**Fiscal Note Detail**

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

<b>FISCAL YEAR</b>			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	913,000.00
Personal Services	0.00	0.00	
Current Expenses	0.00	0.00	
Repairs & Alterations	0.00	0.00	
Assets	0.00	0.00	
Other	0.00	0.00	
2. Estimated Total Revenues	0.00	0.00	0.00

"Fees for Services Rendered by the Board and Supplemental Renewal Fee for the Center for Nursing"

Rule Title: \_\_\_\_\_

Rule Title: \_\_\_\_\_

**3. Explanation of above estimates (including long-range effect):**

Please include any increase or decrease in fees in your estimated total revenues.

The \$435,000 for the new Nurse Health Program will be put in a fund specifically for that program. All other increase in fees, which is the remaining \$478,000, will be used to meet Board expenses. Additionally, the Board has not been approved to fill at least two vacant positions because we do not have the income to support the positions.

**MEMORANDUM**

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not** have a fiscal impact, and/or any special issues **not** captured elsewhere on this form.

Date: June 18, 2012

Signature of Agency Head or Authorized Representative

*Janice Gudniere Rhodes*