

**WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION**

Form #2

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WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

West Virginia State Board of Examiners
for Licensed Practical Nurses

AGENCY: _____ TITLE NUMBER: 10
RULE TYPE: Legislative CITE AUTHORITY: WV Code 30-7A-7a (HB 4143)
AMENDMENT TO AN EXISTING RULE: YES NO
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 4
TITLE OF RULE BEING AMENDED: Fees for Services Rendered by the Board

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 August 16, 2004 AT 5:00 pm ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

West Virginia LPN Board
101 Dee Drive, Suite 100
Charleston, WV 25311-1688

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


Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA
STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES

LANETTE L. ANDERSON, R.N., B.S.N., J.D.
EXECUTIVE DIRECTOR
E-MAIL: landerson@state.wv.us

TAMMY L. CROOKSHANKS, R.N., B.S.N.
ASSOCIATE EXECUTIVE DIRECTOR
E-MAIL: tcrookshanks@state.wv.us

WEB ADDRESS: <http://www.lpnboard.state.wv.us>



101 DEE DRIVE, SUITE 100
CHARLESTON, WEST VIRGINIA 25311-1688

TELEPHONE
(304) 558-3572

FAX
(304) 558-4367

TOLL FREE
1-877-558-LPNS

CHARLESTON AREA
558-LPNS

July 2, 2004

Ms. Judy Cooper
Administrative Law Division
Office of the Secretary of State
Building 1 Room 157-K
1900 Kanawha Boulevard, E.
Charleston, West Virginia 25311

Dear Ms. Cooper:

Enclosed please find required documentation for the filing of a Notice of a Comment Period for proposed revisions to 10 C.S.R. 4, Fees for Services Rendered by the Board. The West Virginia State Board of Examiners for Licensed Practical Nurses has approved said Rule during its meeting on June 16, 2004, and it is hereby filed pursuant to HB 4143, passed during the 2004 Legislative Session.

If any problems exist with what is submitted herein, please feel free to contact me. Your assistance is greatly appreciated.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lanette L. Anderson".

Lanette L. Anderson, R.N., B.S.N., J.D.
Executive Director

LLA/a

Enclosures:

WEST VIRGINIA
STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES



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TITLE 10
LEGISLATIVE RULES
WEST VIRGINIA STATE BOARD OF
EXAMINERS FOR LICENSED PRACTICAL NURSES

SERIES 4 - FEES FOR SERVICES RENDERED BY THE BOARD

SUMMARY OF PROPOSAL

The proposed change to this Rule is pursuant HB 4143, passed by the West Virginia Legislature during its 2004 session. This legislation requires that a supplemental renewal fee of ten dollars be assessed to fund the West Virginia Center for Nursing.

**WEST VIRGINIA
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FOR LICENSED PRACTICAL NURSES**

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**TITLE 10
LEGISLATIVE RULES
WEST VIRGINIA STATE BOARD OF
EXAMINERS FOR LICENSED PRACTICAL NURSES**

SERIES 4- FEES FOR SERVICES RENDERED BY THE BOARD

STATEMENT OF CIRCUMSTANCES REQUIRING RULE

The proposed change to this Rule is pursuant to W. Va. Code 30-7A-7a (HB 4143), passed by the West Virginia Legislature during its 2004 session. This legislation requires that a supplemental renewal fee of ten dollars be assessed to fund the West Virginia Center for Nursing and carry out its purposes as set forth in the above-cited law.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Fees for Services Rendered by the Board

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia State Board of Examiners for LPNs

Address: 101 Dee Drive, Suite 100
Charleston, WV 25311

1. Effect of Proposed rule:

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	NONE	NONE	NONE	NONE	NONE
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of Above Estimates:

3. Objectives of These Rules:

Pursuant to the mandate set forth in HB 4143 (2004), a ten dollar fee will be assessed with each license renewal to fund the newly established WV Center for Nursing. The LPN Board will not receive any portion of the supplemental renewal fee.

Rule Title: Fees for Services Rendered by the Board

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

Fees will fund the West Virginia Center for Nursing, housed in the West Virginia Higher Education Policy Commission.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:

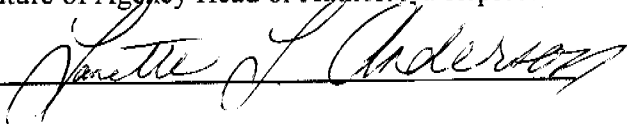
See above.

C. Economic Impact on Citizens/Public at Large.

See above.

Date: July 2, 2004

Signature of Agency Head or Authorized Representative:



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: July 2, 2004

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* WV State Board of Examiners for LPNs

101 Dee Dr., Suite 100 Charleston, WV 25311

(304) 558-3572

LEGISLATIVE RULE TITLE: Fees for Services Rendered by the Board

1. Authorizing statute(s) citation WV Code 30-7A-7a

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
July 2, 2004

b. What other notice, including advertising, did you give of the hearing?

Notices sent via first class mail to all WV LPN schools, hospitals, nursing homes, professional associations, and other interested parties

c. Date of Public Hearing(s) *or* Public Comment Period ended:
August 16, 2004 (end of comment period)

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

Attached _____ No comments received _____

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

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

Lanette L. Anderson, Executive Director

WV LPN Board 101 Dee Drive, Suite 100 Charleston, WV 25311

phone (304) 558-3572; fax (304) 558-4367 email landerson@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

10 CSR 4

TITLE 10
LEGISLATIVE RULES
STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES
SERIES 4
FEES FOR SERVICES RENDERED BY THE BOARD
AND SUPPLEMENTAL RENEWAL FEE FOR THE CENTER FOR NURSING

§10-4-1. General.

1.1. Scope. -- This legislative Rule establishes the fees to be charged by the Board for services rendered.

1.2. Authority. -- WV Code §30-7A-5; §30-7A-7a

1.3. Filing Date. --

1.4. Effective Date. --

§10-4-2. Schedule of Fees for Services Rendered by the West Virginia State Board of Examiners for Licensed Practical Nurses:

Fees collected by the Board are not refundable.

2.1. Licensure Examination	\$75.00
2.2. Re-Examination (Third attempt free)	\$75.00
2.3. Temporary Permit for New Graduate	\$10.00
2.4. Endorsement into West Virginia	\$50.00
2.5. Endorsement out of West Virginia	\$30.00
2.6. Renewal of license	\$40.00
2.7. <u>Supplemental renewal fee for the Center for Nursing</u>	\$10.00
2.7.8. Reinstatement of a license from nonpracticing status	\$40.00
2.8.9. Limited License Valid for 90 days - May not be renewed.	\$10.00
2.9.10. Duplicate License	\$10.00
2.10.11. Change of Name and/or Address (Duplicate license issued)	\$10.00
2.11. 12. Transcripts	\$5.00
2.12. 13. Framable Certificate (Free to New Graduate)	\$10.00
2.13.14. Reinstatement of a license from lapsed status.	\$80.00
2.14. 15. Insufficient Funds Penalty	\$10.00

2.15. 16. Roster of Active Licensees One County	\$100.00 \$5.00
2.16. 17. Mailing Labels Name and Address/per 1000. Minimum Charge	\$50.00 \$50.00
2.17. 18. Copy of Law	\$2.00
2.18. 19. Rules and Regulations	\$5.00
2.19. 20. Application Fee New School	\$250.00
2.20. 21. Special Request for Data Listings Minimum Programming Fee.	\$25.00
2.21. 22. Miscellaneous copies (first page) each additional page.	\$2.00 \$0.20

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WEST VIRGINIA
SECRETARY OF STATE

MAILING LIST FOR INTERESTED PERSONS

Administrative Law Division
Secretary of State's Office
Attn: Judy Cooper, Director
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

WV LPN SCHOOLS

HOSPITALS (With Notice to Post)

NURSING HOMES (With Notice to Post)

HOME HEALTH AGENCIES (With Notice to Post)

WV Division of Health
Building 3 Room 206
State Capitol Complex
Charleston, West Virginia 25305

Honorable Bob Wise
Governor, State of West Virginia
Office of the Governor
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

WVLPN Association
Cathy Vance, President

Capitol News Service
State Capitol Complex
Charleston, West Virginia 25305

ADDNE
Deborah Kisner
Fairmont State College

WV Nurses Association
Post Office Box 1946
Charleston, West Virginia 25327

WV Council of Home Health Agencies, Inc.
PO Box 1096
Fairmont, West Virginia 26554

West Virginia Medical Association
Post Office Box 4106
Charleston, West Virginia 25364

WV Hospital Association
100 Association Drive
Charleston, West Virginia 25311

WV LPN BOARD - MAILING LIST FOR INTERESTED PERSONS - PAGE 2

WV Health Care Association
#8 Capitol Street
Charleston, West Virginia 25301

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

FANEL
Twyla Wallace
Post Office Box 1233
Lewisburg, West Virginia 24901

Theresa Cox, Reporter
Charleston Daily Mail
1001 Virginia Street, East
Charleston, West Virginia 25301