

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

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2004 AUG 18 A 11:11

Form #3 □

OFFICE WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND**

FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

West Virginia State Board of Examiners
for Licensed Practical Nurses

AGENCY: _____ TITLE NUMBER: 10

CITE AUTHORITY: WV Code 30-7A-7a (HB 4143 - 2004)

AMENDMENT TO AN EXISTING RULE: YES X NO _____

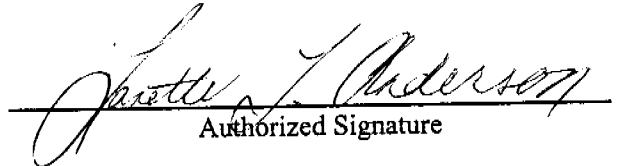
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 4

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: _____

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.


Authorized Signature

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.
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1-877-558-LPNS

CHARLESTON AREA
558-LPNS

August 18, 2004


Ms. Judy Cooper, Team Leader
Administrative Law Division
Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0770

Dear Ms. Cooper:

Enclosed please find the appropriate documentation required for filing an agency approved rule pursuant to the process of Legislative Rule-Making. The West Virginia State Board of Examiners for Licensed Practical Nurses approved said Rules during its regularly scheduled meeting on June 16, 2004. The Comment Period for these Rules ended on August 16, 2004 with no comments received.

If any problems exist with what is submitted herein, please advise. Your assistance in this matter is appreciated.

Very truly yours,


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

LLA/a

Enclosures:

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 18, 2004

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

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

101 Dee Drive, 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:
Commend period ended on August 16, 2004 at 5:00 pm

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

Attached _____ No comments received X

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

Filed on August 18, 2004 following end of comment period

- 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 State Board of Examiners for LPNs

101 Dee Drive, Suite 100 Charleston, WV 25311

Phone (304) 55803572 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

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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, established by the Legislature during the 2004 session.

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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 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 West Virginia 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:

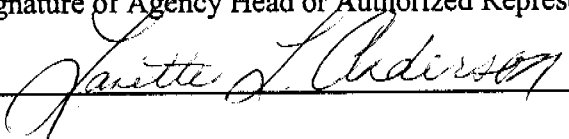
See above.

C. Economic Impact on Citizens/Public at Large.

See above.

Date: August 18, 2004

Signature of Agency Head or Authorized Representative:



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. --

2.45. 16. Roster of Active Licensees \$100.00
One County \$5.00

2.46. 17. Mailing Labels
Name and Address/per 1000 \$50.00
Minimum Charge \$50.00

2.47. 18. Copy of Law \$2.00

2.48. 19. Rules and Regulations \$5.00

2.49. 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) \$2.00
each additional page \$0.20

§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 \$75.00
(Third attempt free)

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. Supplemental renewal fee for the Center
for Nursing \$10.00

2.7.8. Reinstatement of a license from nonpracticing
status \$40.00

2.8.9. Limited License \$10.00
Valid for 90 days - May not be renewed.

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

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