

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #1

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FILED
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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF PUBLIC HEARING ON A PROPOSED RULE

AGENCY: West Virginia State Board of Examiners for Licensed Practical Nurses TITLE NUMBER: 10

RULE TYPE: Legislative; CITE AUTHORITY W.V. Code 30-7A-1 et seq.

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 NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

DATE OF PUBLIC HEARING: Wednesday, June 19, 1991 TIME: 1:00 p.m.

LOCATION OF PUBLIC HEARING: Board Office at 922 Quarrier Street, Room 506
Charleston, West Virginia 25301

COMMENTS LIMITED TO: ORAL , WRITTEN , BOTH

COMMENTS MAY ALSO BE MAILED TO THE FOLLOWING ADDRESS: West Virginia State Board of Examiners for L.P.N.
922 Quarrier St. Room 506

The Department requests that persons wishing to make comments at the hearing make an effort to submit written comments in order to facilitate the review of these comments. Charleston, WV 25301

The issues to be heard shall be limited to the proposed rule.

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Fees for Services Rendered by the Board

Type of Rule: XXX Legislative Interpretive Procedural

Agency WV State Board of Examiners for L.P.N. Address

922 Quarrier Street, Room 506

Charleston, West Virginia 25301

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 and Alterations					
Equipment					
Other					

2. Explanation of above estimates:

3. Objectives of these rules:

Increase fees charges by the Board to cover costs of implementing Continuing Competence requirements for renewal of licensure through Series 6, of Board rules being proposed.

Complete projections of revenue and expenditures through FY-2000 attached.

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: _____

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 _____

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

Proposed fees increase is based on the added costs of implementing continuing competence requirements and provides for substantial reprogramming of the computer system to accommodate recordkeeping for continuing education. An additional staff position will be necessary to initially handle publicity of rules and develop procedures and reporting forms and conduct licensee audits for compliance with continuing competence requirements once implemented.

The last fees increase was effective in 1986. Legislature captured \$75,000.00 in Board funds 1990, which were transferred to general revenue.

WEST VIRGINIA STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES

Projected Revenue and Expenditures With Increases

Fund Balance as of June 30, 1990, per Board records - \$152,333

Fiscal Year	Expenditures Projected	Revenue Projected	Fund Balance Projected
FY 1990-91	\$143,500	\$159,030	\$167,863
FY 1991-92	160,000	161,530	169,393
FY 1992-93	226,580	224,830	167,643
FY 1993-94	\$60,000 for CC 234,909	225,830	158,564
FY 1994-95	\$60,000 for CC 223,654	228,530	163,440
FY 1995-96	\$40,000 for CC 234,836	231,030	159,634
FY 1996-97	246,577	232,530	145,587
FY 1997-98	258,905	234,030	120,712
FY 1998-99	271,850	235,530	84,392
FY 1999-2000	285,442	237,030	35,980

Assumptions: Development costs have been spread over two fiscal years with requirements for Continuing Competence beginning with renewals for 1995, which are processed between March and June 30, 1994. FY 1982-83, as well as the first three quarters of FY 1993-94 will be used to provide information to licensees, prepare and install computer programs and develop renewal forms, auditing procedures, etc. Costs for maintaining Continuing Competence requirements will increase by 5% per year after 1994-95. Inflation for all other budgetary items is estimated at the level of 5%. Income is projected based on increase in licensees of less than 100 per year following a loss of approximately 1,500 who are not employed and will not renew due to CC requirements. Level of numbers of examination candidates was projected as remaining constant. As is apparent, an increase in fees would be needed by FY 1998, as the \$84,392 balance by FY 1999 would not sustain board operation through the first three quarters of the next fiscal year until the bulk of the revenue is received.

TITLE 10
 LEGISLATIVE RULES
 STATE BOARD OF EXAMINERS
 FOR LICENSED PRACTICAL NURSES
 SERIES 4
 FEES FOR SERVICES RENDERED BY THE BOARD

§10-4-1. General.

- 1.1. Scope. -- These legislative Rules establish the fees to be charged by the Board for services rendered.
- 1.2. Authority. -- WV Code §30-72-1 et seq.
- 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 . . . ~~\$50.00~~ \$75.00
- 2.2. Re-Examination . . . ~~\$50.00~~ \$75.00
(Third attempt free)
- 2.3. Temporary Permit for New Graduate . . . ~~\$5.00~~ \$10.00
- 2.4. Endorsement into West Virginia . . . ~~\$30.00~~ \$50.00
- 2.5. Endorsement out of West Virginia . . . \$30.00
- 2.6. Renewal of license . . . ~~\$15.00~~ \$25.00
- 2.7. Renewal of a Nonpracticing license . . . ~~\$15.00~~ \$25.00
- 2.8. Limited Licensure Renewal (Nonpracticing . . . \$35.00
(Provides 90 day Limited License and renewal of
of nonpracticing license at the end of the 90
day period)
- 2.9. Duplicate License . . . ~~\$5.00~~ \$10.00
- 2.10. Change of Name and/or Address (Duplicate license issued . . . ~~\$5.00~~ \$10.00
- 2.11. Transcripts . . . \$5.00
- 2.12. Framable Certificate (Free to New Graduate) . . . \$10.00
- 2.13. Renewal of Lapsed License . . . ~~\$30.00~~ \$40.00
- 2.14. Limited Licensure Renewal (Lapsed) . . . \$50.00
(Provides 90 day Limited License and renewal of
lapsed license at the end of the 90 day period)
- 2.15. Insufficient Funds Penalty . . . \$10.00
- 2.16. Roster of Active Licensees . . . ~~\$50.00~~ \$100.00
One County . . . \$5.00
- 2.17. Mailing Labels (Name and Address/per 1000) . . . ~~\$45.00~~ \$50.00
(Minimum Charge . . . \$50.00)
- 2.16. Copy of Law . . . \$2.00
- 2.17. Rules and Regulations . . . \$5.00
- 2.18. Application Fee New School . . . ~~\$200.00~~ \$250.00
- 2.19. Special Request for Data Listings (Minimum Programming Fee) . . . \$25.00

2.20. Miscellaneous copies \$2.00 per page

2.21. Certified copy of an original documents . . . \$10.00
(In addition to per page charge)