

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #3

FILED
MAY 11 AM 11:54
OFFICE OF THE SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: West Virginia State Board of Examiners for TITLE NUMBER: 10
Licensed Practical Nurses
CITE AUTHORITY W.V. Code 30-7A-1 et seq

AMENDMENT TO AN EXISTING RULE: YES NO

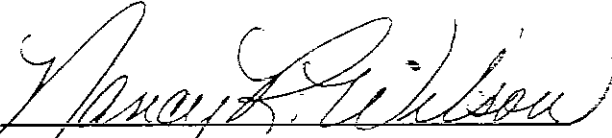
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 4

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: _____

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.


Nancy R. Wilson, Exec. Sec.

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.A. 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.

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 1992-93, as well as the first three quarters of FY 1993-94 will be use 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.

DATE: .

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: West Virginia State Board of Examiners for Licensed Practical Nurse

LEGISLATIVE RULE TITLE: Fees for Services Rendered by the Board

1. Authorizing statute(s) citation W.V. Code 30-7A-1 et seq

2. a. Date filed in State Register with Notice of Hearing:

May 7, 1991

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

List of those provided with notices of hearing is attached

c. Date of hearing(s): June 19, 1991

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

Attached XXX No comments received

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

f. Name and phone number(s) of agency person(s) to contact for additional information:

Nancy R. Wilson 348-3572

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, develop procedures and reporting forms and to 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.

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 §30-7A-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 . . . \$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 . . . \$25.00
- 2.7. Renewal of a Nonpracticing license . . . \$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 . . . \$10.00
- 2.10. Change of Name and/or Address (Duplicate license issued . . . \$10.00
- 2.11. Transcripts . . . \$5.00
- 2.12. Framable Certificate (Free to New Graduate) . . . \$10.00
- 2.13. Renewal of Lapsed License . . . \$50.00
- 2.14. Limited Licensure Renewal (Lapsed) . . . \$60.00
(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 . . . \$100.00
One County . . . \$5.00
- 2.17. Mailing Labels (Name and Address/per 1000) . . . \$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 . . . \$250.00
- 2.19. Special Request for Data Listings (Minimum Programing 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)

WEST VIRGINIA
STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES



FILED

1991 JUL 29 AM 9 11

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Nancy R. Wilson, R.N.
Executive Secretary

506 EMBLETON BUILDING
922 QUARRIER STREET
CHARLESTON, WEST VIRGINIA 25301

TELEPHONE
348-3572

July 25, 1991

Judy Cooper, Director
Administrative Law Division
Secretary of State
Building 1, Suite 157 K
Charleston, West Virginia 25305

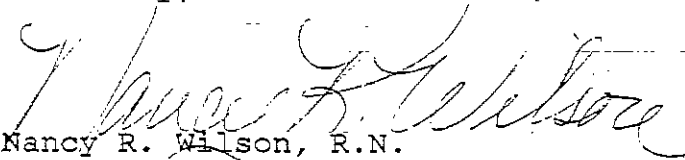
Dear Judy:

Enclosed is a revised copy of Series 3, Legal Standards of Nursing Practice for the Licensed Practical Nurse, and Series 4, Fees for Services Rendered by the Board. They were filed as Agency Approved Rules on July 11, 1991. The problem with them, which was called to my attention by the Legislative Rule Making Committee, is that I failed to include strike throughs for deleted language and underlining for new language.

Please replace the original copies which were filed with you with the new copies attached.

Thank you.

Sincerely,


Nancy R. Wilson, R.N.
Executive Secretary

NRW/w

Enclosure:

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

FILED
 1991 JUL 29 AM 9 11
 OFFICE OF WEST VIRGINIA
 SECRETARY OF STATE

§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 §30-7A-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 . . . ~~\$60.00~~ \$75.00
- 2.2. Re-Examination . . . ~~\$60.00~~ \$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 Nonpracticing license . . . \$25.00
- 2.8. Limited Licensure Renewal (Nonpracticing . . . \$35.00
Provides 90 day Limited License and renewal 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. Reinstatement Renewal of Lapsed License . . . ~~\$30.00~~ \$40.00
- 2.14. Limited Licensure Renewal (Lapsed) . . . \$60.00
(Provides 90 days 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)
- 2.18. Copy of Law . . . \$2.00
- 2.19. Rules and Regulations . . . \$5.00
- 2.20. Application Fee New School . . . \$200.00 \$250.00
- 2.21. Special Request for Data Listings (Minimum Programing Fee) . . . \$25.00

2.22. Miscellaneous copies \$2.00 per page

2.23. Certified copy of an original document . . . \$10.00
(in addition to per page charge)