

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #1

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**FILED**

MAY 9 3 28 PM '94

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF PUBLIC HEARING ON A PROPOSED RULE**

West Virginia Board of Examiners for  
AGENCY: Registered Professional Nurses TITLE NUMBER: 19

RULE TYPE: Legislative; CITE AUTHORITY §30-7-4

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: Requirements for Licensure and  
Registration

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

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

DATE OF PUBLIC HEARING: July 29, 1994, Friday TIME: 8:30 am - 9:30 am

LOCATION OF PUBLIC HEARING: Large Conference Room  
adjacent to Board office at  
101 Dee Drive  
Charleston, WV 25311-1620

COMMENTS LIMITED TO: ORAL , WRITTEN , BOTH

COMMENTS MAY ALSO BE MAILED TO THE FOLLOWING ADDRESS:


Attn: Janet H. Fairchild, MS RN  
Executive Secretary  
WV Board of Examiners for  
Registered Professional Nurses  
101 Dee Drive  
Charleston, WV 25311-1620

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.

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

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

7.40

  
Authorized Signature

**APPENDIX B**

**FISCAL NOTE FOR PROPOSED RULES**

**Rule Title:** 19CSR3 Requirements for Licensure and Registration

**Type of Rule:**  **Legislative**     **Interpretive**     **Procedural**

**Agency** WV Board of Examiners for Registered Professional Nurses

**Address** 101 Dee Drive  
Charleston, WV 25311-1620

**1. Effect of Proposed Rule**

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<u>ESTIMATED TOTAL COST</u>	\$ NONE	\$ -	\$ -	\$ -	\$ -
PERSONAL SERVICES	-	-	-	-	-
CURRENT EXPENSE	-	-	-	-	-
REPAIRS & ALTERNATIONS	-	-	-	-	-
EQUIPMENT	-	-	-	-	-
OTHER	-	-	-	-	-

**2. Explanation of above estimates:**

This rule repeals and replaces 19CSR3 Requirements for Licensure and Registration and will not result in additional expenses to the Board.

**3. Objectives of these rules:**

This rule has not been revised or updated since December 1982. The overall format has been changed. There has been updating of licensure and registration procedures.

Rule Title: 19CSR3 Requirements for Licensure and Registration

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

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

C. Economic Impact on Citizens/Public at Large.

Date: May 9, 1994

Signature of Agency Head or Authorized Representative

Janet H. Fairchild

Janet H. Fairchild, M.S., R.N.  
Executive Secretary



TELEPHONE:  
(304) 558-3596  
(304) 558-3728  
FAX (304) 558-3666

STATE OF WEST VIRGINIA  
**BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES**

101 Dee Drive  
Charleston, WV 25311-1620

May 9, 1994

The Honorable Ken Heckler  
Secretary of State  
Building 1, Suite 157-K  
1900 Kanawha Blvd., East  
Charleston, WV 25305-0770

Dear Mr. Heckler,

The Board in session May 4 - 5, 1994 approved for filing proposed legislative rule 19CSR3 titled Requirements for Registration and Licensure. This is a repeal and replacement of the rule by the same title and name.

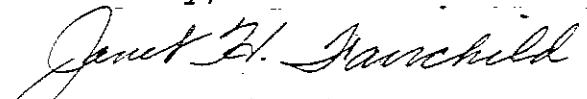
A brief summary of the rule follows:

This legislative rule establishes requirements for licensure and registration of registered professional nurses. It defines terms used in the rule; sets forth examination application procedures and fees; sets forth conditions for temporary permit for first-time examination applicant; establishes the examination used for licensure of registered professional nurses; sets forth conditions for re-testing of candidates who previously failed the licensure examination; sets forth requirements for licensure by endorsement and the issuance of a temporary permit to an applicant for licensure by endorsement; requires notification of Board of change in name and/or address; sets forth license renewal requirements, reinstatement of lapsed license, verification of licensure to another state board of nursing, replacement of lost certificate or licensure card; and establishes a penalty for presentation of a non-negotiable check.

The Board's rationale for proposing a repeal and replacement of this rule follows:

This rule has not been revised or updated since December 1982. The overall format has been changed. There has been updating of licensure and registration procedures.

Sincerely,

  
Janet H. Fairchild M.S., R.N.  
Executive Secretary

FILED

TITLE 19  
LEGISLATIVE RULES  
WEST VIRGINIA BOARD OF EXAMINERS FOR  
REGISTERED PROFESSIONAL NURSES

MAY 9 3 28 PM '94

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

SERIES 3

REQUIREMENTS FOR REGISTRATION AND LICENSURE

§ 19-3-1. General.

1.1. Scope. - This rule establishes the registration and licensure of a registered professional nurse.

1.2. Authority. W.Va. Code §30-7-4.

1.3. Filing Date. - \_\_\_\_\_.

1.4. Effective Date. - \_\_\_\_\_.

1.5. Repeal of former rule. - This legislative rule repeals and replaces WV 19CSR3 "Requirements for Registration and Licensure" filed December 17, 1982 and effective December 17, 1982.

§ 19-3-2. Definitions.

The following words and phrases as used in this rule shall have the following meanings, unless the context otherwise requires:

- 2.1. "Board" shall mean the West Virginia Board of Examiners for Registered Professional Nurses;
- 2.2. "Certificate of registration" means a document issued by the Board upon original licensure by examination in West Virginia;
- 2.3. "Licensure card" means the wallet-sized document issued annually to indicate current registration or re-registration;

2.4. "Temporary permit" means a permit authorizing the holder to practice registered professional nursing in this state until such permit is no longer effective or the holder is granted a license by the board (West Virginia Code §30-7-1). The holder of a temporary permit shall be subject to all provisions of West Virginia Code § 30-7-1 *et.seq.*, and all other relevant sections of the West Virginia Code and rules.

**§ 19-3-3. Application for Examination.**

3.1. Qualifications for application.

3.1.1. Preliminary education of applicant. - An applicant for a license to practice as a Registered Professional Nurse in West Virginia must have completed an approved four-year high school course of study or the equivalent thereof, as determined by the appropriate educational agency.

3.1.2. Personal qualifications of applicant. - An applicant must be of good moral character.

3.1.3. Educational qualifications of applicant. - An applicant must have completed the basic curriculum in a program in nursing education approved by the West Virginia Board of Examiners for Registered Nurses, or in a school accredited by a comparable board in another jurisdiction. He/she must hold a diploma from that school and be recommended to the Board by the faculty of the school of nursing.

3.1.4. In lieu of the educational qualifications specified in paragraph 3.1.3. of this rule, an applicant qualifying under West Virginia Code §30-24 shall

meet the following requirements:

- 3.1.4.1. An applicant must have served on active duty in the medical corps of any of the armed forces of the United States and must have successfully completed the course of instruction(s) required to qualify her/him for rating as a medical specialist advanced, medical service technician or advanced hospital corpsman technician, or other equivalent rating in her/his particular branch of the armed forces.
- 3.1.4.2. The applicant must have had extensive military education in nursing science while serving on active duty in any branch of the armed forces. Military education courses in non-nursing fields are not credited toward eligibility requirements. Non-military (civilian) courses in nursing science are not credited toward the eligibility requirements. Military education courses in the field of nursing science will be evaluated on the basis of length of study, course content and comparability to state approved nursing education programs for registered professional nursing.
- 3.1.4.3. The applicant must have had extensive military service in the field of nursing while serving on active duty in any branch of the armed forces. Military service in the field of nursing will be evaluated on the basis of length of time

served and/or type of nursing service experience for comparability to professional nursing practice authorized by West Virginia Code §30-7.

3.1.4.4. The applicant must have been honorably discharged from military service.

### 3.2. Filing of Application.

#### 3.2.1. Applicant educated in the United States.

3.2.1.1. An applicant for licensure by examination shall submit or cause to be submitted the information as specified in the following paragraphs to the Board office:

3.2.1.1.1. A completed Board application forty-five (45) days prior to the date the candidate wishes to sit for the examination. If the application is filed before all requirements for graduation have been met, a letter from the director of the school of nursing should be attached, stating that the candidate is in good standing and is expected to graduate. Furthermore, if an applicant for licensure by examination files an application prior to completion of all graduation requirements, and subsequently does not complete all

graduation requirements prior to the scheduled examination, the director of the nursing education program shall immediately notify the Board office. This does not replace the requirement set forth in section 3.2.1.1.4 below, for a completed transcript to be submitted to the Board following graduation.

3.2.1.1.2. The required fee for licensure by examination of fifty-one dollars and fifty cents (\$51.50). Payment must be in the form of a certified or cashier's check or money order, and made payable to the West Virginia Board of Examiners for Registered Professional Nurses. Application fees are not refundable, nor applicable to other test dates.

3.2.1.1.3. One (1) passport type identification photograph of applicant signed on the front by both the applicant and the director of the nursing education program.

3.2.1.1.4. An official transcript shall be sent directly to

the office of the Board from a Board approved nursing education program. The official transcript may be submitted after the forty-five (45) day filing deadline, but at least two weeks prior to the examination date. The applicant will not be admitted to the examination until the transcript is received in the Board office.

3.2.2. An applicant for licensure by examination shall submit the information as specified in the following paragraphs directly to the test service:

3.2.2.1. A completed NCLEX application with the application fee forty-five (45) days prior to the date the candidate wishes to sit for the examination.

3.2.2.2. The authorization to test for any one application will be valid for ninety (90) days, and may not be extended.

3.3. Applicant educated in another country.

3.3.1 An applicant who was educated in another country and who seeks licensure by examination shall submit or cause to be submitted the information as specified in the following paragraphs:

3.3.1.1. A completed Board application forty-five (45) days prior to the date the candidate wishes to sit for the examination.

3.3.1.2. The required fee for licensure by examination of fifty-one

dollars and fifty cents (\$51.50). Payment must be in the form of a certified or cashier's check or money order, and made payable to the West Virginia Board of Examiners for Registered Professional Nurses. Application fees are not refundable, nor applicable to other test dates.

3.3.1.3. One (1) passport type identification photographs of applicant signed on the front by both the applicant and the director of the nursing education program.

3.3.1.4. A copy of the certificate issued by the Commission on Graduates of Foreign Nursing Schools (CGFNS).

3.3.1.5. A copy of the transcript from a professional nursing education program, translated in the English language, is to be submitted, if requested by the Board.

3.3.2. An applicant for licensure by examination shall submit the information as specified in the following paragraphs directly to the test service:

3.3.2.1. A completed NCLEX application with the application fee forty-five (45) days prior to the date the candidate wishes to sit for the examination.

3.3.2.2. The authorization to test for any one application will be valid for ninety (90) days, and may not be extended.

3.3.3. Applicant Pursuant to West Virginia Code §30-24 (Veterans).

3.3.3.1 An applicant for licensure by examination who qualifies

under West Virginia Code §30-24 (Veterans) shall submit or cause to be submitted the information as specified in the following paragraphs to the Board office:

3.3.3.1.1. A completed Board application forty-five (45) days prior to the date the candidates wishes to sit for the examination.

3.3.3.1.2. The required fee for licensure by examination of fifty-one dollars and fifty cents (\$51.50). Payment must be in the form of a certified or cashier's check or money order, and made payable to the West Virginia Board of Examiners for Registered Professional Nurses. Application fees are not refundable, nor applicable to other test dates.

3.3.3.1.3. One (1) passport type identification photograph of applicant signed on the front by both the applicant and the director of the nursing education program.

3.3.3.1.4. An official copy of military form DD214 shall be submitted directly from the National Personnel Records Center. The official

copy of military form DD214 may be submitted after the forty-five (45) day filing deadline, but at least two week prior to the examination date.

3.3.3.1.5. Additional information may be requested by the Board to include but not be limited to:

(a). Copies of certificates of completion for military education.

(b). Course outlines for military education documenting nursing science content in training program.

3.3.3.1.6. An applicant for licensure by examination who qualifies under West Virginia Code §30-24 shall submit the information as specified in the following paragraphs directly to the test service:

(a). A completed NCLEX application with the application fee forty-five (45) days prior to the date the candidates wishes to sit for the examination.

(b). The authorization to test for any one application will be valid for ninety (90)

days, and may not be extended.

**§ 19-3-4. Temporary permit to practice as a registered professional nurse.**

Section six, article seven, chapter thirty, Code of West Virginia states: "...The board shall, upon receipt of a duly executed application for licensure and of the accompanying fee, issue a temporary permit to practice registered professional nursing to any applicant who has received a diploma from a school of nursing approved by the board pursuant to this article after the date the board last scheduled a written examination for persons eligible for licensure: *Provided however,* That no such temporary permit shall be renewable nor shall any such permit be valid for any purpose subsequent to the date the board has announced the results of the first written examination given by the board following the issuance of such permit."

- 3.4.1. A temporary permit issued to an applicant awaiting initial examination for licensure as a registered professional shall be valid until three (3) days from the date the applicant's licensing examination results are mailed from the office of the Board.
- 3.4.2. A temporary permit may be issued to a candidate for examination following graduation from a state approved nursing education program. Such temporary permit shall expire ninety (90) days following graduation, or at the time licensure examination results are announced, whichever comes first. No temporary permit is renewable.
- 3.4.3. No temporary permit which permits the holder to practice registered

professional nursing while awaiting initial examination for licensure and the reporting of the results of such examination shall be issued until an application for licensure by examination has been received and approved by the Board.

3.4.4. The holder of a temporary permit is subject to all provisions of West Virginia Code § 30-7-1 *et.seq.* and all other relevant provisions of West Virginia Code and rules.

**§ 19-3-1-5. Licensure Examination.**

3.1.5.1. Board may determine licensure examination.

West Virginia Code §30-7-6 states: . . . "The applicant shall also be required to pass a written examination in such subjects as the board may determine. Each written examination may be supplemented by an oral examination. Upon successfully passing such examination or examinations, the board shall issue to the applicant a license to practice registered professional nursing. The board shall determine the times and places for examinations. . ."

3.1.5.2. The licensure examination shall be the National Council Licensure Examination for registered nurses (NCLEX-RN) which is owned and controlled by the National Council of

State Boards of Nursing. The computer adaptive version of this examination (NCLEX-RN) shall be the licensure examination following its adoption and implementation by the National Council of State Boards of Nursing.

3.1.5.3. The board determines the examination dates, times, and places of administration.

**§ 19-3-6. Failure to pass licensure examination.**

3.6.1. An applicant for licensure by examination who fails to attain a passing score on the examination shall, upon notification of examination results, immediately return any temporary permit to practice registered professional nursing to the office of the Board.

3.6.2. Conditions for repeating an examination following failure.  
West Virginia Code §30-7-6 states: . . . "In the event an applicant shall have failed to pass examinations on two occasions, the applicant shall, in addition to the other requirements of this section, present to the board such other evidence of his or her qualifications as the board may prescribe."

3.6.3. In considering an application for licensure by examination, the number of times the applicant has taken the licensing examination shall include each time that the applicant has taken an examination for licensure as a registered professional nurse in any jurisdiction.

- 3.6.4. In the event a candidate fails the licensure examination two times, he or she may petition the board for permission to repeat the licensure examination. Approval by the board to repeat an examination after two failures may be denied if more than two years has lapsed since the candidate graduated from a nursing education program. In addition, approval to repeat the examination after two failures may be denied if the candidate cannot show in petition to repeat the examination more than two times that any definitive action has been taken by the candidate to correct deficiencies in nursing knowledge.
- 3.6.5. An examination candidate may not repeat the licensure examination more than four times per year, nor more often than every ninety (90) days, even if such examination may be available from the testing service at more frequent intervals.
- 3.6.6. A repeat examination candidate shall complete a board application for examination prior to the date the candidate wishes to sit for the examination along with the required examination fee.

**§ 19-3-7. Licensure by endorsement.**

- 3.7.1. Licensure by endorsement. Pursuant to West Virginia Code § 30-7-6,  
"The board, may upon application, issue a license to practice registered professional nursing by endorsement to an applicant who has been duly

licensed as a registered professional nurse under the laws of another state, territory or foreign country if in the opinion of the board the applicant meets the qualifications required of registered professional nurses at the time of graduation."

3.7.1.1. An application for licensure by endorsement must be completed and submitted to the office of the Board;

3.7.1.2. A non-refundable fee of thirty dollars (\$30.00) must be submitted to the Board at the time of application.

3.7.2. Licensure by endorsement of person not a citizen of the United States. Pursuant to West Virginia Code § 30-7-7, "The board may, upon application, issue a license to practice registered professional nursing by endorsement to any person who is not a citizen of the United States of America if such person (a) has been duly licensed as a registered professional nurse under the laws of another state, territory or foreign country, and (b) shall, in any such state, territory or foreign country have passed a written examination in the English language which, in the opinion of the board, is comparable in content and scope to the type of written examination which is authorized in the second paragraph of section six, [§ 30-7-6] of this article. All other provisions of this article shall be applicable to any application for or license issued pursuant to this section."

3.7.2.1 An application for licensure by endorsement must be

completed and submitted to the office of the Board;

3.7.2.2. A non-refundable fee of thirty dollars (\$30.00) must be submitted to the Board at the time of application.

3.7.3. Temporary Permit for Endorsement Candidate. West Virginia Code §30-7-6 states: . . ."The board may, upon application and proper identification determined by the board, issue a temporary permit to practice registered professional nursing by endorsement to an applicant who has been duly licensed as a registered professional nurse under the laws of another state, territory or foreign country. Such temporary permit authorized the holder to practice registered professional nursing in this state while the temporary permit is effective. A temporary permit shall be effective for ninety days, unless the board revokes such permit prior to the expiration, and such permit may not be renewed. Any person applying for a temporary license under the provisions of this paragraph shall, with his or her application, pay to the board a non-refundable fee of ten dollars." The holder of a temporary permit is subject to all provisions of West Virginia Code §30-7-1 *et. seq.* and all other relevant sections of West Virginia Code and rules.

3.7.3.1. A complete endorsement application shall be on file in the board office prior to the issuance of a temporary permit including the notarized form, passport type photo, and endorsement application fee of thirty (\$30.00) dollars.

3.7.3.2. A complete board application for temporary permit for

endorsement applicant shall be on file in the board office including the form and the ten (\$10.00) dollar fee prior to the issuance of a temporary permit.

3.7.3.3. Said temporary permit shall expire ninety (90) days from the date of issuance and said expiration date shall be printed on the temporary permit.

3.7.3.4. The holder of said temporary permit shall immediately return said temporary permit upon request of the board. Failure to complete the endorsement application for full license does not entitle the temporary permit holder to an extension of the temporary permit. In the event that the ninety (90) day period expires prior to the completion of the required procedure for licensure by endorsement by an applicant licensed as a registered professional nurse in another state, territory, or foreign country, a satisfactory explanation must be furnished to the board prior to any subsequent request for endorsement by that applicant. If said explanation is deemed acceptable by the board, the applicant must repeat the process for endorsement in its entirety.

3.7.3.5. A temporary permit shall not be renewable, and the initial ninety (90) day period shall not be extended.

- 3.7.3.6. The holder of any temporary permit to practice registered professional nursing shall furnish the board with his or her address and telephone number, and the name, address, and telephone number of his or her employer at all times while said permit is effective.
- 3.7.3.7. A temporary permit shall not be issued if it is determined by the board upon satisfactory proof that the applicant has in any way falsified his or her qualifications for said permit.
- 3.7.3.8. Said temporary permit shall not be issued if the board is presented with satisfactory proof that the applicant has any action pending against his or her license to practice registered professional nursing in another state, territory, or foreign country, or if said license is encumbered in any way.
- 3.7.3.9. A temporary permit will become void during said ninety (90) days if it is determined by the board upon satisfactory proof that full licensure will be denied for any of the causes set forth in section six, article seven, chapter thirty, Code of West Virginia. In addition, the expiration of said temporary permit may occur prior to ninety (90) days in

the event that the board revokes the permit.

**§ 19-3-8. Change of name and/or address.**

3.8.1. Change of Name. - If a nurse licensed in West Virginia legally changes his or her name through marriage, divorce court order or other means, he or she must send this information to the office of the Board, including both the full prior name and the new name, in a properly executed affidavit. The licensee must submit this affidavit along with the fee of five (5) dollars.

3.8.2. Change of residence/ mailing address. - A licensee shall also notify the board of any change in residence and/or mailing address within thirty (30) days of the change. This notification must be in submitted in writing to the Board office.

**§ 19-3-9. Renewal of license.**

West Virginia Code §30-7-8 states "The license of every person licensed and registered under the provisions of this article shall be annually renewed except as hereinafter provided. At such time or times as the board in its discretion may determine, the board shall mail a renewal application to every person whose license was renewed during the previous year and every such person shall fill in such application blank and return it to the board with a renewal fee of twenty-five dollars within thirty days after receipt of said renewal application: Provided,

That the board in its discretion by rule may increase or decrease the renewal fee. Upon receipt of the application and fee, the board shall verify the accuracy of the application and, if the same be accurate, issue to the applicant a certificate of renewal for the current year. Such certificate of renewal shall entitle the holder thereof to practice registered professional nursing for the period stated on the certificate of renewal. . ."

3.9.1. Annual renewal of license is required of all nurses who practice in West Virginia. Such renewal shall be accomplished by filing an application together with the fee, prior to December 31, each year.

3.9.2. Request for inactive status. West Virginia Code §30-7-8 states ". . . A person licensed under the provisions of this article desiring to retire from practice temporarily shall send a written notice of such desire to the Board. Upon receipt of such notice the board shall place the name of such person upon the inactive list. While remaining on this list the person shall not be subject to the payment of any renewal fees and shall not practice registered professional nursing in this state. When the person desires to resume active practice, application for renewal of license and payment of the renewal fee for the current year shall be made to the board." If not practicing, and in the absence of disciplinary action pending against the license, the nurse may request his/her name be entered on the inactive list by the executive secretary of the West Virginia Board of Examiners for Registered Nurses by completing the renewal application furnished by the board and indicating his or her desire to be placed on

inactive status. His or her records will then be designated "inactive". The inactive licensee may, upon application and payment of current fee, receive an active license to practice registered professional nursing in West Virginia. The Board may inquire into activities and events during the term of the inactive license period. No fee is required for inactive status and no license is issued.

**§ 19-3-10. Reinstatement of lapsed license.**

West Virginia Code §30-7-8 states " . . . Any licensee who allows his or her license to lapse by failing to renew the license as provided above may be reinstated by the board on satisfactory explanation for such failure to renew his or her license and on payment to the board of the renewal fee hereinabove provided and a reinstatement fee of fifty dollars. Any person practicing registered professional nursing during the time his or her license has lapsed shall be considered an illegal practitioner and shall be subject to the penalties provided for violation of this article.":

Non-renewal of license. - A nurse who does not have in her/his possession a current license to practice nursing for the upcoming year upon expiration of the current year's license shall be considered delinquent or lapsed. To be reinstated, a nurse whose license has lapsed must pay an additional fee of fifty dollars (\$50.00).

**§ 19-3-11. Verification of licensure to another state board of nursing.**

The Board will furnish a certified statement verifying West Virginia licensure to the

board responsible for the licensure of registered professional nurses in another state upon submission of a written request by the licensee for verification by the licensee and payment of a thirty dollar (\$30.00) fee. If the licensee is a graduate of a school which has closed and his/her records are on file in the board office, the board will provide a copy of school records upon written request and payment of five dollars (\$5.00) for copying.

**§19-3-12. Loss of certificate of registration or current licensure card.**

- 3.12.1. To replace a lost or destroyed certificate of registration the nurse shall send an affidavit certifying the loss or destruction and a fee of five dollars (\$5.00) to the West Virginia Board of Examiners for Registered Professional Nurses.
- 3.12.2. To replace a lost or destroyed current licensure card the nurse shall send an affidavit certifying the loss and a fee of five dollars (\$5.00) to the board.
- 3.12.3. The board may publish notice of the issuance of a duplicate certificate of registration or current licensure card.

**§19-3-13. Penalty for presentation of non-negotiable check.**

- 3.13.1. A fee not to exceed fifteen (\$15.00) dollars shall be assessed to any individual who presents a check payable to the board that is later returned by the bank. The check shall be redeemed by payment of the amount of the check and the aforementioned fee

made by cash, certified check, or money order within 14 days of notification by certified mail of the returned check. This fee is in addition to any reinstatement or other fee which may additionally become due because the applicant or licensee submits an application or registration form after a Board deadline.

- 3.13.2. If fees are not paid within 14 days for a check submitted with an application for renewal or reinstatement, the license of a registered professional nurse is no longer valid. The status of the license will be returned to status that existed prior to the submission of the check of insufficient funds. If a license for the current year was issued prior to acknowledgement of the check with insufficient funds this license will not be valid. The status of the license will be returned to what it would have been had this license not been issued.