

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

Form #7

Do Not Mark In This Box
Filing Date

FILED

2004 JUN 30 P 4:45

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Effective Date

NOTICE OF AN EMERGENCY RULE

AGENCY: West Virginia Board of Exam. for Reg. Prof. Nurses TITLE NUMBER: 19

CITE AUTHORITY: §30-7-4; §30-1-7; §30-7A-7a

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 12

TITLE OF RULE BEING AMENDED: Fees for Services Rendered by the Board

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

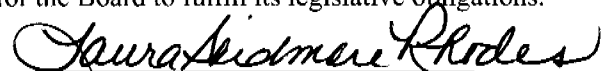
TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY SECRETARY OF STATE OR 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST.

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

The Emergency portion of this rule (§19-12.7.) relates to HB 4143 which provides for the establishment of the West Virginia Center for Nursing. The Center will be the central repository for information, research and other activities related to addressing the nursing shortage in West Virginia and the recruitment and retention of nurses in the state. Funding for the Center is through an additional fee assessed with the renewal of the nursing license. This rule addresses that fee.

This rule also changes other fees assessed by the Board which are not for consideration as an emergency rule. The additional revenue will provide the necessary funds for the Board to fulfill its legislative obligations.



Authorized Signature

Use additional sheets if necessary

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

SERIES 12

**FEES FOR SERVICES RENDERED BY THE BOARD
AND
SUPPLEMENTAL RENEWAL FEE FOR THE CENTER FOR NURSING**

FILED

2004 JUN 30 P 4:45
OFFICE WEST VIRGINIA
SECRETARY OF STATE

§ 19-12 -1. General.

- 1.1. Scope. -- This legislative Rule establishes the fees to be charged by the Board for services rendered.
- 1.2. Authority. -- W. Va. § 30-7 -4; § 30-1-4; and §30-7A7a.
- 1.3. Filing Date. -- _____.
- 1.4. Effective Date. -- _____.

19-12-2. Schedule of Fees for Services Rendered by the West Virginia Board of Examiners for Registered Professional Nurses.

Fees collected by the Board are not refundable.

- 2.1. Licensure Examination \$ 51.50
- 2.2. Re-Examination \$ 51.50
- 2.3. Temporary Permit (Endorsement) . . \$ 10.00 (Money Order or Cashier's's Check)
Good for 90 days from date of issue; Not renewable
- 2.4. Endorsement into West Virginia . \$ ~~30~~ 100.00 (Money Order or Cashier's Check)
- 2.5. Verification of Licensure \$ 30.00 (Money Order or Cashier's Check)
- 2.6. Renewal of License \$ 25.00
- 2.7. Supplemental Renewal Fee for the Center for Nursing \$ 10.00
- 2.7.8. Reinstatement of Inactive License \$ 25.00
- 2.8.9. Reinstatement of Lapsed License \$ ~~75~~ 90.00

2.9.10. Duplicate License	\$ 5.00
2.10.11. Name Change	\$ 5.00
2.11.12. Transcripts	\$ 5.00
2.12.13. Framable Certificate (Free to new Graduate)	\$ 5.00
2.13.14. Insufficient Funds Penalty	\$ 20.00 (Money Order)
2.14.15. Diskette of Licensees	\$ 350.00
2.15.16. Computer Printout	\$ 25.00 Program Fee and \$ 16.00 per 1,000 names
2.16.17. Mailing Labels	\$ 25.00 Program Fee and \$ 45.00 per 1,000 names
2.17.18. <u>Copy of Code and Rule and copy of Criteria for Determining Scope of Practice for Licensed Nurses and Guidelines for Determining Acts That May Be Delegated Or Assigned By Licensed Nurses, (Purple Book)</u>	\$ 5.00 7.50
2.18. Copy of Criteria for Determining Scope of Practice for Licensed Nurses and Guidelines for Determining Acts That May Be Delegated Or Assigned By Licensed Nurses, "Purple Book"	\$ 2.50
2.19. Copy of Files	\$ 3.00 for the first page then \$.25 per page thereafter
2.20. Prescriptive Authority Application	\$ 125.00
2.21. Prescriptive Authority Renewal	\$ 125.00
2.22. Prescriptive Authority Reinstatement	\$ 125.00
2.23. Midwife License	\$ 20 35.00
2.24. Midwife Renewal	\$ 10 25.00
2.25. Announcement of Advanced Practice	\$ 35.00
2.26. Continuing Education Provider Fee	\$ 100.00
2.27. Continuing Education Provider Maintenance Fee	\$ 25.00

Laura S. Rhodes, M.S.N., R.N.
Executive Director

email:westvirginiarn@ncsbn.org
web address:www.state.wv.us/nurses/rn



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, Suite 102
Charleston, WV 25311-1620

June 30, 2004

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

Dear Secretary Manchin:

The West Virginia Board of Examiners for Registered Professional Nurses in session June 29, 2004 approved for filing, the proposed emergency rule CSR §19-12 titled Fee for Services Rendered by the Board and Supplemental Renewal Fee for the Center for Nursing.

A brief summary of the rule follows:

This legislative rule has one (1) emergency portion. The other changes are not for emergency consideration. The emergency portion relates to §19-12-2.7 which results from HB 4143 providing for the establishment of the West Virginia Center for Nursing.

The other changes in the rule are for the purposes of providing the Board with the funds to accomplish their legislative charge to protect the citizens of West Virginia through the accomplishment of their mission and goals.

A statement of circumstances requiring the rule follows:

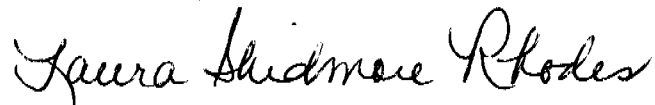
Pursuant to WV Code §30-7A-7a the Board is required to promulgate rules to provide for the collection of a supplemental fee to be assessed with the license renewal fee to be used for funding the West Virginia Center for Nursing. The Center is to be established on July 1, 2004. The license renewals occur each year between September and December. In order to collect the fee during this renewal season and at the beginning of the establishment of the Center, the fee needs to be established through an emergency rule.

Page 2
Series 12

Pursuant to WV Code §30-7-4 the Board has the authority to promulgate rules to establish fees to support the business of the Board. The increase in the fees for endorsement, reinstatement, midwife initial license application and midwife renewal will provide some of the revenue required for the Board to accomplish its legislative mandates, mission and goals.

Should you have any questions or require further information, do not hesitate to contact me.

For the Board,

A handwritten signature in black ink that reads "Laura Skidmore Rhodes". The signature is written in a cursive, flowing style.

Laura Skidmore Rhodes, MSN, RN
Executive Director

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Fees for Services Rendered by the Board and Supplemental Fee for the Center for

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia Board of Exam. for Reg. Prof. Nurses

Address: 101 Dee Drive, Suite 102

Charleston, WV 25311

1. Effect of Proposed rule:

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	0	0	0	0	0
PERSONAL SERVICES	0	0	0	0	0
CURRENT EXPENSE	0	0	0	0	0
REPAIRS & ALTERATIONS	0	0	0	0	0
EQUIPMENT	0	0	0	0	0
OTHER	0	0	0	0	0

2. Explanation of Above Estimates:

The fees rule is budget neutral. Should the rule not pass as proposed, then the Center for Nursing would not receive the required funding.

3. Objectives of These Rules:

To establish fees for the Center for Nursing and provide for additional fees required to implement the law and support the legislative charge to the Board.

Rule Title: Fee for Services Rendered by the Board and Supplemental Fees for the Center fo

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

None

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

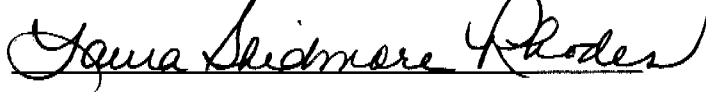
None

C. Economic Impact on Citizens/Public at Large.

The impact would be on the persons required to pay the fees.

Date: June 30, 2004

Signature of Agency Head or Authorized Representative:

A handwritten signature in cursive script that reads "Tanya Skidmore Rhodes". The signature is written in black ink and is positioned below the printed text "Signature of Agency Head or Authorized Representative:". The signature is written in a fluid, connected style with a large initial 'T' and 'R'.

EMERGENCY RULE QUESTIONNAIRE

DATE: June 24, 2004

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) West Virginia Board of Exam. for Reg. Prof. Nurses
101 Dee Drive, Suite 102
Charleston, WV 25311

EMERGENCY RULE TITLE: _____

1. Date of filing June 30, 2004

2. Statutory authority for promulgating emergency rule:
§30-7-4; §30-1-4; §30-7A-7a

3. Date of filing of proposed legislative rule: June 30, 2004

4. Does the emergency rule adopt new language or does it amend or appeal a current legislative rule? Yes

5. Has the same or similar emergency rule previously been filed and expired?
No

6. State, with particularity, those facts and circumstances which make the emergency rule necessary for the **immediate** preservation of public peace, health, safety or welfare.
The Nursing Shortage is a concern for West Virginia. The citizens need nurses to provide nursing care and maintain a positive health care status for the well and improve the health care status of the ill.
The non-emergency portion of the rule will provide for required funds for the Board to continue to fulfill their legislative obligations.

7. If the emergency rule was promulgated in order to comply with a time limit established by the Code or federal statute or regulation, cite the Code provision, federal statute or regulation and time limit established therein.

§30-7B-3(a) and §30-7A-7a

8. State, with particularity, those facts and circumstances which make the emergency rule necessary to prevent substantial harm to the public interest.

~~The Nursing Shortage is a concern for West Virginia. The citizens need nurses to provide nursing care and maintain a positive health care status for the well and improve the health care status of the ill. Any activity or work which increases the number of nurses coming to West Virginia or staying in West Virginia and working is paramount to the continued health care of the citizens of West Virginia. The Center for Nursing was developed to address these and other related issues. Funding for this Center is through a supplemental ten dollar (\$10.00) fee assessed with the renewal of the license.~~