

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Form #2

Do Not Mark In This Box

2013 MAR -4 PM 1:09

STATE OF WEST VIRGINIA

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

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

RULE TYPE: Legislative CITE AUTHORITY: WV Code 30-7A-7

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 and Supplemental Renewal Fee for the  
Center for Nursing

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

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

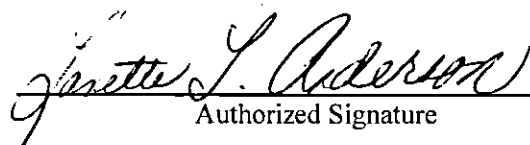
IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON April 12, 2013 AT 4:00 pm ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

West Virginia State Board of Examiners for LPNs

101 Dee Drive, Suite 100

Charleston, WV 25311

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

  
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA STATE BOARD OF EXAMINERS FOR  
LICENSED PRACTICAL NURSES

LANETTE L. ANDERSON, MSN, JD, RN  
EXECUTIVE DIRECTOR  
E-MAIL: Lanette.L.Anderson@wv.gov

MICHELLE L. WINTERS, MSN, MBA/HCM, RN, NHA, LNCC  
ASSOCIATE EXECUTIVE DIRECTOR  
E-MAIL: Michelle.L.Winters@wv.gov

WEB: <http://www.lpnboard.state.wv.us>  
E-MAIL: LPN.Board@wv.gov



101 DEE DRIVE, SUITE 100  
CHARLESTON, WEST VIRGINIA 25311-1688

TELEPHONE  
(304) 558-3572

FAX  
(304) 558-4367

TOLL FREE  
1-877-558-LPNS

CHARLESTON AREA  
558-LPNS

March 1, 2013

Ms. Judy Cooper  
Administrative Law Division  
Office of the Secretary of State  
Building 1 Room 157-K  
1900 Kanawha Boulevard, E.  
Charleston, West Virginia 25311

Dear Ms. Cooper:

Enclosed please find required documentation for the filing of a Notice of a Comment Period for proposed revisions to Legislative Rules 10 C.S.R. 4, Fees for Services Rendered by the Board and Supplemental Renewal Fee for the Center for Nursing. The West Virginia State Board of Examiners for Licensed Practical Nurses has approved said Rule during its meeting on February 7, 2013.

If any problems exist with what is submitted herein, please feel free to contact me. Your assistance is greatly appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Lanette L. Anderson".

Lanette L. Anderson, MSN, JD, RN  
Executive Director

LLA/a

Enclosures:

WEST VIRGINIA STATE BOARD OF EXAMINERS FOR  
LICENSED PRACTICAL NURSES

LANETTE L. ANDERSON, MSN, JD, RN  
EXECUTIVE DIRECTOR  
E-MAIL: Lanette.L.Anderson@wv.gov

MICHELLE L. WINTERS, MSN, MBA/HCM, RN, NHA, LNCC  
ASSOCIATE EXECUTIVE DIRECTOR  
E-MAIL: Michelle.L.Winters@wv.gov

WEB: <http://www.lpnboard.state.wv.us>  
E-MAIL: LPN.Board@wv.gov



101 DEE DRIVE, SUITE 100  
CHARLESTON, WEST VIRGINIA 25311-1688

TELEPHONE  
(304) 558-3572

FAX  
(304) 558-4367

TOLL FREE  
1-877-558-LPNS

CHARLESTON AREA  
558-LPNS

TITLE 10  
LEGISLATIVE RULES  
WEST VIRGINIA 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

SUMMARY OF PROPOSAL

Proposed changes to this Rule increase the fee for payments returned to the Board for insufficient funds from \$10.00 to \$15.00. No other fees are affected.

WEST VIRGINIA STATE BOARD OF EXAMINERS FOR  
LICENSED PRACTICAL NURSES

LANETTE L. ANDERSON, MSN, JD, RN  
EXECUTIVE DIRECTOR  
E-MAIL: Lanette.L.Anderson@wv.gov

MICHELLE L. WINTERS, MSN, MBA/HCM, RN, NHA, LNCC  
ASSOCIATE EXECUTIVE DIRECTOR  
E-MAIL: Michelle.L.Winters@wv.gov

WEB: <http://www.lpnboard.state.wv.us>  
E-MAIL: LPN.Board@wv.gov



101 DEE DRIVE, SUITE 100  
CHARLESTON, WEST VIRGINIA 25311-1688

TELEPHONE  
(304) 558-3572

FAX  
(304) 558-4367

TOLL FREE  
1-877-558-LPNS

CHARLESTON AREA  
558-LPNS

TITLE 10  
LEGISLATIVE RULES  
WEST VIRGINIA STATE BOARD OF EXAMINERS  
FOR LICENSED PRACTICAL NURSES

SERIES 4 - FEES FOR SERVICES RENDERED BY THE BOARD AND SUPPLEMENTAL  
RENEWAL FEE FOR THE CENTER FO NURSING

STATEMENT OF CIRCUMSTANCES REQUIRING RULE

The purpose of the proposed increase for the insufficient funds penalty from \$10.00 to \$15.00 is due to a new fee effective July 1, 2012 imposed by the WV State Treasurer's Office for returned checks. This fee to all state agencies has been increased to \$15.00. Although returned checks are not a frequent occurrence for the Board it is prudent for us to at least impose the fee that we are paying to the Treasurer's Office for their services in processing.

APPENDIX B

**FISCAL NOTE FOR PROPOSED RULES**

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

Type of Rule:  Legislative  Interpretive  Procedural

Agency: West Virginia State Board of Examiners for Licensed Practical Nurses

Address: 101 Dee Drive, Suite 100  
Charleston, WV 25311

Phone Number: 304-558-3572 Email: Lanette.L.Anderson@wv.gov

**Fiscal Note Summary**

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

The purpose of this proposed increase for the insufficient funds penalty from \$10.00 to \$15.00 is due to a new fee effective July 1, 2012 imposed by the WV State Treasurer's Office for returned checks. This fee to all state agencies has increased to \$15.00. Although returned checks are not a frequent occurrence for the Board it is prudent to at least impose the fee that we are paying to the Treasurer's Office for their services in processing payments.

**Fiscal Note Detail**

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

<b>FISCAL YEAR</b>			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
<b>1. Estimated Total Cost</b>	0.00	0.00	0.00
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Other			
<b>2. Estimated Total Revenues</b>	0.00	0.00	0.00

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

Rule Title: \_\_\_\_\_

3. **Explanation of above estimates (including long-range effect):**  
Please include any increase or decrease in fees in your estimated total revenues.

The proposed change will not provide any revenue to the Board.

### MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule would not have a fiscal impact, and/or any special issues not captured elsewhere on this form.

Please see above comment.

Date: March 1, 2013

Signature of Agency Head or Authorized Representative

Janelle J. Anderson

**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**

2013 MAR -4 PM 1:09

**§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. --

**§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
- 2.8. Reinstatement of a license from nonpracticing  
status ..... \$40.00
- 2.9. Limited License ..... \$10.00  
Valid for 90 days - May not be renewed.
- 2.10. Duplicate License ..... \$10.00
- 2.11. Change of Name and/or Address  
(Duplicate license issued) ..... \$10.00
- 2.12. Transcripts ..... \$5.00
- 2.13. Framable Certificate  
(Free to New Graduate). ..... \$10.00
- 2.14. Reinstatement of a license from  
lapsed status. .... \$80.00
- 2.15. Insufficient Funds Penalty ..... ~~\$10.00~~  
\$15.00

- 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.. 18. Copy of Law ..... \$2.00
- 2..19. Rules and Regulations ..... \$5.00
- 2.. 20. Application Fee New School ..... \$250.00
- 2. 21. Special Request for Data Listings  
Minimum Programming Fee. .... \$25.00
- 2..22. Miscellaneous copies (first page). .... \$2.00  
each additional page. .... \$0.20

STATE