

WEST VIRGINIA STATE BOARD OF EXAMINERS FOR
LICENSED PRACTICAL NURSES

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April 26, 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 Agency Approval of a Proposed Rule and Filing with the Legislative Rule-Making Review Committee. A Comment Period regarding 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. No comments were received. 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:

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: April 22, 2013

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* West Virginia State Board of Examiners for Licensed

Practical Nurses

LEGISLATIVE RULE TITLE: Fees for Services Rendered by the Board

1. Authorizing statute(s) citation WV Code 30-7A-7a

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
March 1, 2013

b. What other notice, including advertising, did you give of the hearing?
Full text of proposed changes to Rules posted on Board Website

c. Date of Public Hearing(s) *or* Public Comment Period ended:
April 12, 2013

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

Attached _____ No comments received X

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

April 22, 2013

- f. Name, title, address and **phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

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- g. **IF DIFFERENT FROM ITEM 'f'**, please give Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

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.

N/A

b. Date of hearing or comment period:

March 11, 2013 to April 12, 2013

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 _____

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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.

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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.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Other			
2. Estimated Total Revenues	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: April 26, 2013

Signature of Agency Head or Authorized Representative

Janette J. Anderson

10 CSR 4

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

§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