



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

7/31/2017 5:07:02 PM

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

AGENCY: Licensed Practical Nurses TITLE-SERIES: 10-04

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: 10-04 Schedule of Fees for Services Rendered by the West Virginia State Board of Examiners for Licensed Practical Nurses

PRIMARY CONTACT

NAME: Michelle Mayhew

ADDRESS: 101 Dee Drive Suite 100
Charleston, WV 25311

EMAIL: michelle.l.mayhew@wv.gov

PHONE NUMBER: 304-558-3572

CITE STATUTORY AUTHORITY: WV Code §30-7A-7

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

WV Code §30-7A-7

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/28/2017

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/28/2017

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

N/A

SUMMARY OF THE CONTENT OF THE LEGISLATIVE RULE, AND A DETAILED DESCRIPTION OF THE RULE'S PURPOSE AND ALL PROPOSED CHANGES TO THE RULE:

SUMMARY OF PROPOSAL

Proposed changes and additions to this Rules include the fees for the following items:

Current Fees Increase

Licensure Examination Fee \$75.00 \$100.00

Re-Examination Fee \$75.00 \$100.00

Temporary permit for a new graduate \$10.00 \$30.00

Licensure Endorsement into the state \$50.00 \$70.00

Endorsement out of the state \$30.00 \$30.00

Renewal of Licensure \$40.00 \$60.00

Reinstatement of Inactive License \$40.00 \$75.00

Limited License (Valid for 90 Days) \$10.00 \$30.00

Transcripts \$5.00 \$20.00

Duplicate Frameable Certificate \$10.00 \$25.00

Reinstatement of Lapsed License \$80.00 \$100.00

Roster of all Active Licensees in Excel Format \$100.00 \$200.00

Mailing labels: Name/Address per 1000 \$50.00 \$75.00

Programming Fee for Labels \$25.00 \$50.00

Per County requested \$5.00 \$10.00

Per specific State requested \$5.00 \$10.00

Copy of Rules and Regulations \$5.00 \$5.00

Application for New LPN School \$250.00 \$750.00

Copies - First Page \$2.00 \$3.00

Each Additional Page \$0.20 \$0.25

"Retired" Licensure Status \$0.00 \$10.00

Endorsement Permit \$0.00 \$30.00

Verification of a Licensure to another Licensing Board \$0.00 \$50.00

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THE RULE:

The purpose of this proposed fee increase is to help with the implementation of the Nurse Licensure Compact which was placed into law at the 2017 Legislative Session. The fees at the LPN Board have not been increased since 1995. With the introduction of the compact, the LPN's will now have the opportunity to work in 26 states with one license. The surrounding states of KY, MD, OH and PA were contacted and their fees were compared to those of our Board. The difference was grossly less in WV. There will be no additional cost to state government. Although the Treasurer's Office will benefit from the fee increase by the convenience fee charge for each credit card purchase. All transactions at the LPN Board are online, therefore the Treasurer's office is required to process every transaction.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED LEGISLATIVE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

None at present.

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

The purpose of this proposed fee increase is to help with the implementation of the Nurse Licensure Compact which was placed into law at the 2017 Legislative Session. The fees at the LPN Board have not been increased since 1995. With the introduction of the compact, the LPN's will now have the opportunity to work in 26 states with one license. The surrounding states of KY, MD, OH and PA were contacted and their fees were compared to those of our Board. The difference was grossly less in WV. There will be no additional cost to state government. Although the Treasurer's Office will benefit from the fee increase by the convenience fee charge for each credit card purchase. All transactions at the LPN Board are online, therefore the Treasurer's office is required to process every transaction.

C. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2017 Increase/Decrease (use "-")	2018 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00		0.00
Personal Services			
Current Expenses			
Repairs and Alterations			
Assets			
Other			
2. Estimated Total Revenues	61,295.00		211,295.00

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. -- W. Va. Code §30-7A-5; 30-1-6

1.3. Filing Date. -- ~~April 7, 2014.~~

1.4. Effective Date. ~~May 15, 2014.~~

1.4. Effective Date. -- ~~May 15, 2014.~~

1.5 Sunset Provision. – This rule shall terminate and have no further force or effect upon the expiration of 10 years from its 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 <u>100.00</u>
2.2. Re-Examination..... (Third attempt free)	\$75.00 <u>100.00</u>
2.3. Temporary Permit for New Graduate.....	\$10.00 <u>30.00</u>
2.4. Endorsement into West Virginia	\$50.00 <u>70.00</u>
2.5. Endorsement Permit..... Valid for 6 months – May not be renewed.	\$30.00
2.5. <u>2.6</u> Endorsement out of West Virginia	\$30.00
<u>2.7 Verification of West Virginia Licensure to another Licensing Board Other than Nursing</u> <u>\$50.00</u>	
2.8. Renewal of license.....	\$40.00 <u>60.00</u>
2.7. <u>2.9</u> Supplemental renewal fee for the Center for Nursing	\$10.00
2.8. <u>2.10</u> Reinstatement of a license from non-practicing status	\$40.00 <u>60.00</u>

2.9. 2.11 Limited License.....	\$10.00	30.00
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	20.00
2.13. Frameable Certificate (Free to New Graduate).....	\$10.00	25.00
2.14. Reinstatement of a license from lapsed status	\$80.00	100.00
2.15. Insufficient Funds Penalty.....		\$15.00
2.16. Roster of Active Licensees.....	\$100.00	200.00
One County.....	\$5.00	10.00
One State.....		\$10.00
2.17. Mailing Labels		
Name and Address/per 1000.....	\$50.00	75.00
Minimum Charge.....	\$50.00	75.00
2.18. Copy of Law		\$2.00
2.19. Rules and Regulations		\$5.00
2.20. Application Fee New School.....	\$250.00	500.00
2.21. Special Request for Data Listings Minimum Programming Fee		\$25.00
2.22. 2.21 Miscellaneous copies (first page).....	\$2.00	3.00
each additional page	\$0.20	0.25
2.22 Retired Licensure		\$10.00