

PROPOSED RULEMAKING

BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS STATE BOARD OF NURSING

[49 PA. CODE CH. 21]

Fees; General Provisions

The State Board of Nursing (Board) and the Commissioner of Professional and Occupational Affairs (Commissioner) jointly propose to amend §§ 21.5, 21.147, 21.253, 21.705 and 21.805 to read as set forth in Annex A. This proposed rulemaking provides for new and increased application fees and increased biennial renewal fees for Licensed Practical Nurses (LPN), Registered Nurses (RN), Certified Registered Nurse Practitioners (CRNP), Licensed Dietitian-Nutritionists (LDN) and Clinical Nurse Specialists (CNS), as well as new and increased application fees relating to nursing education programs.

Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*. It is anticipated that the fees will be implemented in the last quarter of Fiscal Year (FY) 2018-2019.

Statutory Authority

Section 11.2(a) and (b) of the Professional Nursing Law (RN Law) (63 P.S. § 221.2(a) and (b)) and section 17.5(a) and (b) of the Practical Nurse Law (LPN Law) (63 P.S. § 667.5(a) and (b)) require the Board to fix and increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures over a 2-year period. Additionally, section 810(a)(3) and (7) of The Administrative Code of 1929 (71 P.S. § 279.1(a)(3) and (7)) authorizes the Commissioner to issue all certificates and other official documents of the various professional and occupational examining boards and, unless otherwise provided by law, to fix the fees to be charged by the boards within the Bureau of Professional and Occupational Affairs (Bureau).

Background and Purpose

Under section 11.2(a) of the RN Law and section 17.5(a) of the LPN Law, the Board is required to support its operations from the revenue it generates from fees, fines and civil penalties. In addition, these acts provide that the Board shall increase fees if the revenue raised by fees, fines and civil penalties is not sufficient to meet expenditures over a 2-year period. The Board raises approximately 80% of its revenue through biennial renewal fees. The remaining 20% of its revenue comes from other fees, fines and civil penalties. If revenue is inadequate to meet the minimum enforcement efforts required, section 11.2(b) of the RN Law and section 17.5(b) of the LPN Law require the Bureau, after consultation with the Board, to increase the fees such that adequate revenues are raised to meet the required enforcement effort.

The Board receives an annual report from the Department of State's Bureau of Finance and Operations (BFO) regarding the Board's income and expenses. On February 23, 2015, the BFO advised the Board that it would be necessary to raise its biennial renewal fees to meet current and projected expenses and recommended an

increase for RNs, LPNs and LDNs. The BFO noted that the Board has incurred significant increases in legal, hearing examiner and enforcement and investigation expenses. The Board attributes these increases to the rapid rise in the number of disciplinary matters that have resulted based upon the criminal information that the Board receives from the Pennsylvania Justice Network, the disciplinary information it receives from the National Council of State Boards of Nursing's NURSIS verification databases, as well as self-reports by licensees required by §§ 21.29a and 21.156b (relating to reporting of crimes and disciplinary action). The BFO expects these increases to continue as these information-generating methods have resulted in increased open cases, the performance of additional mental and physical examinations by contractors on behalf of the Board, and increased investigations and data collection by the Bureau of Enforcement and Investigation.

Unlike the licensees of other licensing Boards within the Bureau, RNs, CRNPs and CNSs biennially renew in four cohorts over the biennial period (April and October each year) in addition to the biennial renewal for LPNs (June of even-numbered years) and LDNs (September of even-numbered years). During their conversations, the BFO and the Board discussed the fact that, other than an increase in biennial renewal fees for the licensure classes in 2010, none of the Board's other applications and services had been analyzed to determine whether the Board was recouping the actual costs associated with the services being provided. The Board noted that some of its application fees had not been increased since about 1987. The BFO suggested that rather than promulgating the recommended biennial renewal fee increase, the Board may wish to review its operations and determine whether the application fees sufficiently covered the costs of the services being provided. Thereafter, if necessary, the amount of the biennial renewal increases could be determined.

As a result of these discussions, the Bureau's Revenue Office and Board staff conducted a review of the operations conducted by the Board. The fees for services for licensees, applicants and nursing education programs were analyzed to determine if the fees reflected the actual cost of providing the services. Actual cost calculations are based upon the following formula:

$$\begin{aligned} & \text{number of minutes to perform the function} \\ & \qquad \qquad \qquad \times \\ & \text{pay rate for the classification of the personnel} \\ & \qquad \qquad \qquad \text{performing the function} \\ & \qquad \qquad \qquad + \\ & \text{a proportionate share of administrative overhead} \end{aligned}$$

The analysis determined that current fees do not accurately reflect the actual cost of processing the following applications and services: licensure by examination, licensure by endorsement, re-examination, initial and extension of graduate nurse (GPP) and temporary practice permits (TPP), review and challenge of examinations, reactivation (after 5 years), restoration (following revocation or suspension), verification of licensure with and without histories, approval of new nursing education programs, review of stand-alone courses requiring Board approval, review of non-preapproved continuing education activities, review of nursing education program annual

reports and curriculum changes after initial approval, and survey visits of new nursing education programs.

Following the Board's review of all of the services being provided by the Board and the costs associated with those services, on September 16, 2016, the BFO again met with the Board and provided an updated recommendation regarding biennial fee increases. The BFO offered three options for increases to RN, LPN and LDN biennial renewal fees: \$27, \$45 or \$50. The Board determined that: (1) the lower recommendations would not stem the deficits appropriately; (2) CRNPs with prescriptive authority authorizations (CRNP-PA) and CNSs should also pay increased renewal fees as there are additional costs associated with these additional authorizations/licenses; (3) LPNs should pay a lower renewal fee accounting for the disparity in the number of LPNs and the Board's disciplinary and administrative workload related to LPNs; and (4) the CRNP-PA renewal fee should be 50% of the determined CRNP renewal fee. The Board asked the BFO to offer another recommendation based on this discussion. The BFO returned to the Board's October 27, 2016, meeting to present its revised recommendation, at which time the Board agreed to initiate the rulemaking process to raise fees accordingly.

During the BFO's presentations in 2015–2017 and again at its January 19, 2018, meeting, the BFO reported that the Board would face an inability to meet its obligations if fees were not increased. Using the most recent fiscal information, the BFO advised the Board that for the biennial period that included FY 2013-2014 and FY 2014-2015, the Board's 2-year expenditures were \$23,444,076 and its revenue was \$22,056,032, for an operating deficit of \$1,388,044. For the biennial period FY 2015-2016 and FY 2016-2017, the Board's 2-year expenditures were \$28,659,470 and its revenue was \$22,376,417, for an operating deficit of \$6,283,053. These operational deficits have depleted the Board's reserves, leaving the Board with a negative balance of \$415,132 at the end of FY 2015-2016 and a negative balance of \$4,821,865.67 at the end of FY 2016-2017. The BFO estimates a projected negative balance of \$6,908,865.67 at the conclusion of FY 2017-2018 and \$11,241,865.67 by the end of FY 2018-2019. Without a fee increase, the BFO projects accumulating deficits increasing to approximately \$57 million by the end of FY 2026-2027.

However, if the application and renewal fees are increased as proposed, the BFO projects biennial revenues of \$41,027,000, while projected expenditures for the next 5 biennial periods are projected at \$31,698,000 for FY 2019-2020 and FY 2020-2021, \$33,776,000 for FY 2021-2022 and FY 2022-2023, \$36,728,000 for FY 2023-2024 and FY 2024-2025 and \$39,725,000 for FY 2025-2026 and FY 2026-2027. These increases would permit the Board to recoup the accumulated deficits and result in a positive balance in the Board's account, estimated at approximately \$15 million by the end of FY 2026-2027 (an amount that is less than 1 year's operating budget).

Accordingly, the BFO recommended, and the Board agreed, to amend a total of 68 fees, consisting of 39 existing application fees, 6 existing biennial renewal fees and 23 new and existing fees for education-related services, some of which had previously not resulted in a charge to applicants or licensees. The Board sent the proposal to its stakeholders on November 4, 2016, inviting their input. On January 31, 2017, the Board reviewed the stakeholder comments and voted to adopt the fees in proposed form. The Board believes that the proposed fees will be adequate to cover operating expenses through at least FY 2027-2028.

The last increase to RN and LPN licensure by examination fees for graduates of Board-approved nursing education programs, RN and LPN re-examination fees, and RN and LPN verification of licensure fees was on December 26, 1987, when the RN examination and re-examination fees increased from \$24 to \$35, the LPN examination and re-examination fees increased from \$18 to \$35 and a new verification of licensure fee for RNs and LPNs was established at \$15. See 17 Pa.B. 5329.

The last increase to RN and LPN licensure by examination fees for graduates of out-of-State nursing education programs, RN and LPN licensure by endorsement (with and without examination) fees, RN and LPN TPP initial and extension fees, RN and LPN review and challenge of examination fees, RN and LPN reactivation (after 5 years) fees, RN and LPN restoration (after revocation or suspension) fees, RN and LPN verification of licensure (with histories) fees, and CRNP application for certification fees (graduates of Board-approved and out-of-State nursing education programs) was on June 17, 2000. See 30 Pa.B. 3040. The RN and LPN licensure by examination fees for graduates of out-of-State nursing education programs increased from \$30 to \$100, the RN and LPN licensure by endorsement without examination fees increased from \$25 to \$100, the RN and LPN TPP fees increased from \$20 to \$35, the RN and LPN review and challenge of examination fees increased from \$130 to \$170, the RN and LPN reactivation (after 5 years) fees increased from \$20 to \$50, the RN and LPN restoration (after revocation or suspension) fees increased from \$20 to \$50, and the CRNP application for certification fees for graduates of Board-approved nursing education programs increased from \$45 to \$100. Additionally, the \$135 fee for RN and LPN licensure by endorsement with examination, the \$60 RN and LPN TPP/GPP extension fees, the \$40 RN and LPN verification of licensure (with histories) fees, and the \$100 CRNP application for certification fees for graduates of out-of-State nursing education programs were also added on June 17, 2000.

The last increase to the application fees for approval of new RN, LPN and CRNP nursing education programs was on June 3, 2006, when the RN and LPN nursing education program fees increased from \$475 to \$935 and the CRNP nursing education program fees increased from \$475 to \$735. See 36 Pa.B. 2673.

The last increase to biennial renewal fees for nurses occurred on August 21, 2010, when the fee for LPNs was increased from \$40 to \$60, the fee for RNs was increased from \$45 to \$65, the fee for CRNPs was increased from \$50 to \$75 and the fee for LDNs was increased from \$45 to \$65. See 40 Pa.B. 4755. The biennial renewal fee for CNSs of \$50 was established on July 17, 2010. See 40 Pa.B. 3944. The biennial renewal fee for CRNP-PA of \$25 was established on November 19, 2005. 35 Pa.B. 6658. Neither the CNS nor CRNP-PA biennial renewal fees have ever been adjusted since their inception.

The \$50 CRNP-PA application fees and the \$30 additional prescriptive authority fee were established on November 19, 2005. See 35 Pa.B. 6658. The \$100 approval of a non-preapproved CRNP continuing education provider fee was established on July 5, 2008. See 38 Pa.B. 3656. The \$75 per hour approval of a non-preapproved RN continuing education provider fee was established on July 12, 2008. See 38 Pa.B. 3796. All LDN application fees were established on April 19, 2006 while all CNS fees were established on July 17, 2010. See 36 Pa.B. 2396 and 40 Pa.B. 3944. None of these fees have been revised since their establishment.

Currently there are no fees being charged for the approval of non-preapproved LDN continuing education activities/providers, renewal of non-preapproved RN, CRNP, LDN and CNS continuing education activities/providers, review of the annual compliance report for Board-approved nursing education programs, review of Board-approved nursing education program curriculum changes, and survey visits for new nursing education programs. The Board's nursing education advisers dedicate significant time to these activities, the costs of which are not covered by the initial approval fee. There are also no fees being imposed for the Board's review of stand-alone course evaluations that require Board approval such as the reactivation courses, IV-therapy courses and advanced pharmacology courses. Additionally, no fees are currently being charged for CRNP verification of certification with or without histories and restoration of CRNP certifications and prescriptive authority authorizations (after suspension or revocation).

Description of Proposed Amendments

The Board proposes to amend §§ 21.5, 21.147, 21.253, 21.705 and 21.805 to update its fee schedules. Specifically, the proposal would amend §§ 21.5 and 21.147 (relating to fees) to increase fees for RN and LPN licensure by examination for graduates of Board-approved nursing education programs from \$35 to \$95 and applications for graduates of out-of-State nursing education programs from \$100 to \$115. The difference in cost for graduates of Board-approved programs and out-of-State programs is related to the evaluation of transcripts to determine equivalency with the course of study required in the Commonwealth as required by section 7 of the RN Law (63 P.S. § 217) and section 6 of the LPN Law (63 P.S. § 656). RN and LPN re-examination fees would increase from \$30 to \$75. Currently all RN and LPN licensure by endorsement applicants pay a \$100 application fee. For those who are also required to take the licensure examination as part of the endorsement application, a processing fee is charged to make the applicants eligible to take the examination. In this proposed rulemaking, the application fee for licensure by endorsement (without examination) would increase from \$100 to \$120. Additionally, for ease of calculation for applicants for licensure by endorsement who are required to take the licensure examination, the Board included a new fee for RN and LPN licensure by endorsement applications with examination of \$145 (to incorporate the processing fee previously mentioned).

RN and LPN TPP applications would increase from \$35 to \$70 and TPP extensions would increase from \$60 to \$85. The cost for the extensions are greater than for the initial TPP because the extension applications require a review of the applicants' compliance with §§ 21.7 and 21.149 (relating to temporary practice permits).

RN and LPN applications to review and challenge the licensure examinations would increase from \$170 to \$435. Challenges to the licensure examinations require an advisor to schedule a review time for the examination vendor and the applicant, attend the meeting wherein the challenged questions and responses are discussed and report the vendor's results to the applicant. The proposed fee captures these costs.

Reactivations of RN and LPN licenses that have lapsed or been inactive for 5 or more years would increase from \$50 to \$130 to assure compliance with the continued competency requirements in §§ 21.30a and 21.156a (relating to continued competency). No change is being made in §§ 21.705 and 21.805 (relating to fees) to the related LDN and CNS fees for reactivation after 5 or more years

as the current fee covers the review conducted. No additional fee is being charged for CRNP reactivations as minimal additional review services are required. Restorations following a revocation or suspension of RN, LPN, LDN and CNS licenses would increase from \$50 to \$60. The proposal would also add restoration fees following a revocation or suspension of certification for CRNPs in § 21.253.

Currently the public may verify a professional/occupational license online for free from the Department's Pennsylvania Licensing System at www.pals.pa.gov/verify. Nonetheless, there are times when licensees or their employers desire verifications that include the Bureau's seal. In this proposed rulemaking, the Board would increase the verification of licensure/certification for RNs, LPNs, CRNPs, LDNs and CNSs to \$45. Verifications with history for RNs and LPNs would increase from \$40 to \$50, for LDNs from \$25 to \$50 and CNSs from \$30 to \$50. A new fee of \$50 will be added for CRNP verification of certification with history. In addition to the licensure/certification information, verifications with history include examination, education and discipline information.

The application fee for CRNP certification for graduates of Board-approved nursing education programs does not change in this proposed rulemaking. The certification applications for CRNPs who graduated from out-of-State nursing education programs would increase from \$100 to \$140 in the same way that the RN and LPN licensure by examination fees for out-of-State programs are slightly higher than for Board-approved programs. Additionally, CRNP initial prescriptive authority applications would increase from \$50 to \$95 and additional prescriptive authority applications would increase from \$30 to \$45. These fees include the costs associated with processing subsequent updates to the prescriptive authority collaborative agreements as required by § 21.285(b) (relating to prescriptive authority collaborative agreements). The Board receives approximately 200 prescriptive authority updates weekly.

Licensure applications for LDNs would increase from \$45 to \$95. CNS certification application fees would increase from \$100 to \$115.

The Board and the Commissioner also propose increases to existing application fees and additional fees for Board-approved nursing education programs. The Board's review of nursing education programs is three-fold under sections 6.1 and 6.2 of the RN Law (63 P.S. §§ 216.1 and 216.2) and section 9 of the LPN Law (63 P.S. § 659): (1) review and approve new nursing education programs; (2) monitor Board-approved programs' compliance with the Board's regulations through annual report submissions, and for RN programs, triennial site visits; and (3) prepare and make available for public distribution lists of all approved nursing education programs. The review of a new nursing education program is extensive as it requires consideration of the program's rationale, organization and administrative policies, administrative structure, proposed curriculum (including a review of course descriptions, curriculum plan of study, syllabi, course sequencing and clinical sites), student policies, budgets, facilities for administration and teaching, and faculty qualifications. In addition to requiring a significant amount of review time by the Board's advisors, new nursing education program applications are reviewed by the entire Board following a presentation by the program at a Board meeting. Thereafter, a survey of the nursing education program is conducted by an advisor in accordance with §§ 21.31(a), 21.51(h), 21.172(d) and 21.365(e) to assure

conformity with the information in the application. Often, there are several supplementary submissions from the nursing education programs prior to their Board presentation. After a nursing education program is approved, the program is placed on initial status until after a first class is graduated wherein the advisors conduct a second survey, and if the nursing education program achieves the minimum pass rate required in §§ 21.33b and 21.162b (relating to minimum rate for graduates of nursing education programs to pass the National licensure examination), the program receives full approval status.

Annually the 217 total RN, LPN and CRNP Board-approved nursing education programs are required to submit annual compliance reports to the Board through a web-based education program portal and information communication channel. This information technology system, deployed in 2007, fully replaced the traditional paper-based system for the submission of information and documentation regarding faculty, administration, clinical agencies and curriculum. This information and documentation is reviewed by the advisors to assure compliance with Board regulations. Additionally, throughout the year, as faculty directors, clinical agencies and curriculum changes, Board-approved programs are required to report those changes to the Board. Annually, there is about 15–20% turnover in faculty members. In addition, curriculum is updated triennially to comport with changes made to the licensure examination test plan. Significant expenditures of time are allocated by the advisors to review the annual reports and the curriculum changes.

Currently, RN and LPN nursing education programs pay a new program application fee of \$935, while CRNP programs pay a new program application fee of \$735. The Board proposes to increase the fee for applications for approval of new programs to \$2,195 and add a new survey visit fee of \$1,525. Because the survey visit is not conducted until the Board provisionally approves the nursing education program, the \$1,525 fee would not be charged until the survey visit is scheduled after the Board's action. Initially, the Board contemplated conducting the survey visit and charging the fee when the new program application is submitted, however, because physical changes are made while the Board's review is being conducted, the Board believes that it is appropriate to conduct the survey visit before the program actually accepts students rather than when the program is being conceptualized. Additionally, for RN, LPN and CRNP nursing education programs, the Board proposes to add a \$430 fee for review of Board-approved nursing education programs' annual compliance reports and a \$585 fee for review of curriculum revisions. Currently, there are no fees associated with these activities, although the Board expends significant resources reviewing these reports and curriculum revisions. Because the existing fees do not adequately cover the significant costs incurred by the Board in reviewing, approving and assuring ongoing compliance of nursing education programs, the individual licensees essentially cover these costs through their biennial renewal fees. This proposed rulemaking corrects that inequity. Nursing education programs seeking Board approval should be required to cover all associated costs.

The Board also proposes to add a \$285 application fee for the review and approval of stand-alone courses that require Board-approval. Reactivation programs for RNs and LPNs referenced in §§ 21.30a(a)(2) and 21.156a(a)(2) require Board approval as well as LPN IV therapy courses referenced in § 21.145b(b) (relating to IV therapy curriculum requirements) and CRNP advanced pharma-

cology courses referenced in § 21.283(b)(1)(i) (relating to authority and qualifications for prescribing, dispensing and ordering drugs).

In the area of continuing education, the Board proposes to set the fee for approval for non-preapproved RN, CRNP, LDN and CNS continuing education programs at \$115 per course-hour and \$35 for the renewal of these programs. Currently, the fee for RN and CNS non-preapproved programs is \$75 per course-hour and \$100 total for CRNP non-preapproved programs. There is currently no fee for the approval of LDN non-preapproved continuing education programs or the renewal of any non-preapproved continuing education courses.

This proposed rulemaking would amend biennial renewal fees for each of the licensure classes. RN renewal fees would increase from \$65 to \$122; LPN renewal fees would increase from \$60 to \$76; CRNP renewal fees would increase from \$75 to \$81; LDN renewal fees would increase from \$65 to \$71; CNS biennial renewal fees would increase from \$50 to \$56; and CRNP prescriptive authority biennial renewal fees would increase from \$25 to \$41. Initially, the Board considered increasing only the biennial renewal fees for RNs, LPNs and LDNs, and making no changes for CRNP, CRNP prescriptive authority and CNS renewal because renewal of the RN license is required as a prerequisite for CRNP, CRNP prescriptive authority and CNS renewal. In subsequent discussions, the Board determined that CRNPs and CNSs should also pay increased renewal fees as there are additional costs associated with the additional licenses/authorizations.

Finally, the Board would combine and amend § 21.705(c) and (d) to clarify that applicants for licensure as LDNs are required to pay the examination fee to either the Commission on Dietetic Registration or the Board for Certification of Nutrition Specialists, as applicable, in addition to the application fee payable to the Board.

Fiscal Impact and Paperwork Requirements

This proposed rulemaking will increase the application and biennial renewal fees for licensees of the Board. As of January 19, 2018, there are approximately 221,633 RNs, 54,210 LPNs, 12,371 CRNPs, 4,304 LDNs, 232 CNSs and 12,542 CRNP prescriptive authority authorizations, for a total of approximately 305,292 licensees/certificate holders who will be required to pay more to renew their licenses/certifications/authorizations when they expire. There are also 217 Board-approved nursing education programs who will be required to pay more for review of their programs. Additionally, there are approximately 38,895 applications filed with the Board annually, including 10,250 applications for licensure by examination, 5,150 applications for licensure by endorsement, 1,400 reexamination applications, 3,740 initial and TPP/GPP extension applications, 450 reactivation applications, 38 restoration applications, 426 applications for verifications of licensure/certifications, 12,135 applications for verifications of licensure/certifications with histories, 300 LDN licensure applications, 1,350 CRNP certification applications, 3,300 prescriptive authority authorizations, 30 CNS certification applications and 326 applications involving nursing education programs. These fees may be paid by applicants/licensees while others may be paid by their employers should their employers choose to pay these fees. This proposed rulemaking should have no other fiscal impact on the private sector, the general public or political subdivisions of the Commonwealth.

This proposed rulemaking will require the Board to alter/create applications and biennial forms to reflect the new fees; however, the amendments will not create additional paperwork for the regulated community or for the private sector.

Sunset Date

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned. Additionally, the BFO provides the Board with an annual report detailing the Board's financial condition. In this way, the Board continuously monitors the adequacy of its fee schedule.

Regulatory Review

Under section 5(f) of the Regulatory Review Act (71 P.S. § 745.5(f)), on January 17, 2019, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC). A copy of this material is available to the public upon request. On the same date, the Board submitted this proposed rulemaking to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin. The Board will submit this proposed rulemaking and required material to the standing committees of the House and Senate no later than the second Monday after the date by which both committee designations have been published in the Pennsylvania Bulletin.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days from the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria that have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations and objections raised.

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to the Regulatory Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523, RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the Pennsylvania Bulletin. Reference (16A-5142—Fees) when submitting comments.

ANN M. COUGHLIN, MBA, MSN, RN, Chairperson

IAN HARLOW, Commissioner

Bureau of Professional and Occupational Affairs

Fiscal Note: 16A-5142. No fiscal impact; (8) recommends adoption.

ANNEX A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 21. STATE BOARD OF NURSING

Subchapter A. REGISTERED NURSES

GENERAL PROVISIONS

§ 21.5. Fees.

(a) The following application fees are charged by the Board for services provided to licensees and applicants:

[Examination and licensure] Licensure by examination—Board-approved nursing education program graduates	[\$35]	<u>\$95</u>
Reexamination	[\$30]	<u>\$75</u>
Licensure by endorsement	[\$100]	<u>\$120</u>
Licensure by endorsement with examination		<u>\$145</u>
Temporary practice permit	[\$35]	<u>\$70</u>
Extension of temporary practice permit	[\$60]	<u>\$85</u>
Fee for review and challenge of RN [exams] exam	[\$170]	<u>\$435</u>
[Application fee for out-of-State graduates] Licensure by examination—Graduates of out-of-State nursing education programs	[\$100]	<u>\$115</u>
Verification of licensure	[\$15]	<u>\$45</u>
Reactivation of inactive or lapsed license (5 years or longer)	[\$50]	<u>\$130</u>
Restoration after suspension or revocation	[\$50]	<u>\$60</u>
Certification of scores		\$25
[Certification of license] Verification of licensure with history	[\$40]	<u>\$50</u>
(b) The following renewal fees are charged by the Board to support its operations:		
Biennial renewal of license	[\$65]	<u>\$122</u>

(c) The following fees are charged by the Board for services provided to nursing education programs:

Application for approval of new nursing education program	[\$935]	\$2,195
Review of curriculum revisions fee		\$585
Review of annual compliance report fee		\$430
New nursing education program survey visit fee		\$1,525

(d) The following fees related to continuing education are charged by the Board:

[Request, under § 21.134(b) (relating to continuing education sources) by a provider of a] Approval of each hour of registered nurse continuing education activity by sources not listed in § 21.134(a) [or an individual seeking credit for a continuing education activity not pre- approved by the Board, for approval of each hour of continuing education for which credit is requested] (relating to continuing education sources)	[\$75]	\$115
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Renewal of approval of registered nurse continuing education activity by sources not listed in § 21.134(a)		\$35
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(e) The following fee is charged for evaluations of programs requiring Board approval under § 21.30a(a)(2) (relating to continued competency).....		\$285
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(f) In addition to the **[examination and licensure fee] fees** prescribed in subsection (a), which **[is] are** payable directly to the Board, a candidate for the registered nurse licensing examination shall also pay a fee to the National Council of the State Board of Nursing (www.ncsbn.org) to cover costs associated with the preparation and administration of the registered nurse licensing examination.

**Subchapter B. PRACTICAL NURSES
GENERAL PROVISIONS**

§ 21.147. Fees.

(a) The following **application** fees are charged by the Board for services to licensees **and applicants**:

[Examination and licensure] Licensure by examination—Board-approved nursing education program graduates	[\$35]	\$95
Reexamination.....	[\$30]	\$75
Licensure by endorsement.....	[\$100]	\$120
Licensure by endorsement with examination		\$ 145
Temporary practice permit	[\$35]	\$70
Extension of temporary practice permit	[\$60]	\$85
Fee for review and challenge of PN [exams] exam	[\$170]	\$435
[Application fee for out-of-State graduates] Licensure by examination—Graduates of out-of-State nursing education programs	[\$100]	\$115
Verification of licensure	[\$15]	\$45
Reactivation of inactive or lapsed license (5 years or longer).....	[\$50]	\$130
Restoration after suspension or revocation.....	[\$50]	\$60
Certification of scores		\$25
[Certification of license] Verification of licensure with history.....	[\$40]	\$50

(b) The following **renewal** fees are charged by the Board to support its operations:

Biennial renewal of license	[\$60]	\$76
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(c) The following fees are charged by the Board for services to nursing education programs:

Application for approval of new nursing education program	[\$935]	\$2,195
Review of curriculum revisions fee		\$585
Review of annual compliance report fee		\$430
New nursing education program survey visit fee		\$1,525

(d) The following fee is charged for evaluations of curricula and programs requiring Board approval under §§ 21.145b(b) and 21.156a(2) (relating to IV therapy curriculum requirements; and continued competency)		\$285
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(e) In addition to the [**examination and licensure fee**] **fees** prescribed in subsection (a), which [**is**] **are** payable directly to the Board, a candidate for the practical nurse licensing examination shall also pay a fee to the National Council of the State Boards of Nursing (www.ncsbn.org) to cover costs associated with the preparation and administration of the practical nurse licensing examination.

**Subchapter C. CERTIFIED REGISTERED NURSE PRACTITIONERS
GENERAL PROVISIONS**

§ 21.253. Fees.

(a) The following **application** fees are charged by the Board for services to licensees **and applicants**:

CRNP [certification] Certification—Board-approved nursing education program graduates	\$100
CRNP Certification—graduates of out-of-State nursing education programs	\$140
Verification of certification.....	[\$15] \$45
Verification of certification with history	\$50
Application for prescriptive authority	[\$50] \$95
Each additional [collaborative agreement] application for prescriptive authority	[\$30] \$45
Restoration of CRNP certification after suspension or revocation	\$60
Restoration of CRNP prescriptive authority after suspension or revocation	\$60

(b) The following **renewal** fees are charged by the Board to support its operations:

Biennial renewal of CRNP certification.....	[\$75] \$81
Biennial renewal of prescriptive authority approval	[\$25] \$41

(c) The following fees for approval and review of CRNP education programs are charged by the Board:

Application for approval of new nursing education program	[\$735] \$2,195
Review of curriculum revisions fee	\$585
Review of annual compliance report fee	\$430
New nursing education program survey visit fee	\$1,525

(d) **The following fee is charged for course evaluations requiring Board approval under § 21.283(b)(1)(i) (relating to authority and qualifications for prescribing, dispensing and ordering drugs)**..... **\$285**

(e) The following fees related to continuing education are charged by the Board:

[Application for approval] Approval of each hour of CRNP continuing education [course] activity by sources not listed in § 21.334(a) (relating to sources of continuing education)	[\$100] \$115
Renewal of approval of CRNP continuing education activity by sources not listed in § 21.334(a)	\$35

**Subchapter G. DIETITIAN-NUTRITIONISTS
GENERAL PROVISIONS**

§ 21.705. Fees.

(a) The following **application** fees are charged by the Board for services to licensees **and applicants**:

Application for licensure	[\$45] \$95
Reactivation of inactive or lapsed license (after 5 years or longer)	\$50
[License verification fee] Verification of licensure	[\$15] \$45
[License certification fee] Verification of licensure with history	[\$25] \$50
Restoration after suspension or revocation.....	[\$50] \$60
Approval of each hour of LDN continuing education activity by sources not listed in § 21.724(b) (relating to continuing education)	\$115
Renewal of approval of LDN continuing education activity by sources not listed in § 21.724(b)	\$35

(b) The following **renewal** fees are charged by the Board to support its operations: Biennial renewal of license

	[\$65] \$71
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(c) In addition to the application fee prescribed in subsection (a), which is payable directly to the Board, a candidate [**for the Registration Examination for Registered Dietitians**] shall also pay an additional examination fee[. A candidate may contact] **to the Commission on Dietetic Registration[, 216 West Jackson Blvd., Chicago, IL 60606-6995, www.dcrnet.org for more information regarding the examination and examination fee.**

(d) In addition to the application fee prescribed in subsection (a), which is payable directly to the Board, a candidate for the Certification Board for Nutrition Specialists examination for Certified Nutrition Specialists will also pay an additional examination fee. A candidate may contact the Certification] or to the Board for Certification of Nutrition Specialists[, 300 S. Duncan Avenue, Suite 225, Clearwater, FL 33755, www.cbns.org for more information regarding the examination and examination fee] for the examinations set forth in § 21.722(b) (relating to education and examination of applicants).

Subchapter H. CLINICAL NURSE SPECIALISTS

GENERAL PROVISIONS

§ 21.805. Fees.

(a) The following application fees are charged by the Board:

Certification as a CNS	[\$100]	<u>\$115</u>
Biennial renewal fee	[\$50]	<u>\$56</u>
Restoration of certificate after [sanction] <u>suspension or revocation</u>	[\$50]	<u>\$60</u>
[Restoration of certificate after lapse of 5 years or greater] <u>Reactivation of inactive or lapsed certificate (5 years or longer)</u>		\$50
[Fee for verification] <u>Verification</u> of certification	[\$15]	<u>\$45</u>
[Fee for certification of license] <u>Verification of certification with</u> history	[\$30]	<u>\$50</u>
[Application for approval of a] <u>Approval of each hour of</u> CNS continuing education activity by sources not listed in § 21.825(a) (relating to sources of continuing education)	[\$75]	<u>\$115</u>
<u>Renewal of approval of CNS continuing education activity by sources not listed in § 21.825(a)</u>		<u>\$35</u>

(b) In addition to the application fee prescribed in subsection (a), which is payable directly to the Board, a candidate for National certification will also pay an additional fee to the certifying organization. A candidate may contact the certifying organization for more information regarding the National certification examination and examination fee.

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