

Regulatory Analysis Form

This space for use by IRRC

(1) Agency

Department of State, Bureau of Professional and Occupational Affairs, State Board of Examiners of Nursing Home Administrators

(2) I.D. Number (Governor's Office Use)

16A-626

RECEIVED
99 APR 30 PM 2:22
Coccodrilli

IRRC Number: #2035

(3) Short Title

Fees

(4) PA Code Cite

49 Pa. Code §39.72

(5) Agency Contacts & Telephone Numbers

Primary Contact: Robert G. Cameron, Counsel
State Board of Examiners of Nursing Home Administrators (717) 783-7200
Secondary Contact: Joyce McKeever, Deputy Chief Counsel, Department of State (717) 783-7200

(6) Type of Rulemaking (check one)

Proposed Rulemaking
 Final Order Adopting Regulation
 Final Order, Proposed Rulemaking Omitted

(7) Is a 120-Day Emergency Certification Attached?

No
 Yes: By the Attorney General
 Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

The regulation amends the fee schedule for the State Board of Examiners of Nursing Home Administrators by amending fees for license applications, the N.A.B. examination, the complete nursing home administration examination, temporary permits, certification of examination scores, verification of licensure/temporary permits, continuing education provider applications, and continuing education program applications. The new fees are needed because the current fees established in 1988 and 1990 no longer reflect the cost of providing the enumerated services.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

The regulatory amendments are adopted under Section 7.1(a) of the Nursing Home Administrators License Act, Act of June 22, 1970, P.L. 378, as amended, 63 P.S. §1107.1(a).

Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

Yes. The Board is required by statute to adopt regulations setting fees. See Item No. 9 for the specific law.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

The enabling statute of the Board requires that the Board set fees by regulation so that revenues meet or exceed expenditures over a biennial period. The operating expenses of the Board are generally borne by the licensee population through biennial renewal revenue. Expenses related to services which are provided directly to individual licensees or applicants are excluded from general operating revenues so that only the licensee who uses a particular service pays for a service being provided to him or her. By this regulation, the cost of providing the service will be apportioned to users, rather than burdening the entire licensee population.

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

Nonregulation could potentially adversely impact fiscal integrity of the Board. If left unregulated, the costs of providing services would be borne by the general licensing population, some of whom did not or would not receive a benefit from the service.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

The licensing population generally will benefit by having costs of services, which are utilized by only a portion of the licensees or applicants, paid by those actually receiving the service.

Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

The Board has identified no group of individuals or entities who will be adversely affected by the regulation. Applicants for services or licenses will be required to bear up-to-date costs of providing the services involved.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

Applicants for licenses, the N.A.B. examination, the complete nursing home administration examination, temporary permits, continuing education providers, continuing education programs, and certification of examination scores and verification of licensure/temporary permit will be required to pay the applicable fees. The Board estimates that approximately 1,070 persons will avail themselves of one or more of the enumerated services in a two year period.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

These regulations do not place requirements on licensees concerning their conduct or compliance with state law regarding the performance of a licensing duty under licensing statutes. The regulation embodies the fees which capture the cost of providing the service an applicant or licensee requests. Therefore, the information requested in this item is not applicable.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

The Board estimates that 1,070 persons will avail themselves of one or more of the enumerated services within a biennial period. Total aggregate additional cost for the regulated community for a biennial period would be approximately \$69,260.00, of which \$52,760.00 will generate revenue to cover Board costs for services rendered and \$16,500.00 will be submitted directly to the professional testing agency by the test applicants pursuant to the Commonwealth's contract with the agency.

Regulatory Analysis Form

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

Local governments would not be affected by this regulation.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

The Board will not incur an increase in administrative costs by implementing the regulation. Indeed, the regulatory amendments will permit the Board to recoup the costs of providing the enumerated services.

Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY	FY +1	FY +2	FY +3	FY +4	FY +5
SAVINGS:						
Regulated	\$350.0	\$350.0	\$350.0	\$350.0	\$350.0	\$350.0
Local Government						
State Government						
Total Savings						
COSTS:						
Regulated	\$34,980.0	\$34,980.0	\$34,980.0	\$34,980.0	\$34,980.0	\$34,980.0
Local Government						
State Government						
Total Costs						
REVENUE LOSSES:	N/A	N/A	N/A	N/A	N/A	N/A
Regulated						
Local Government						
State Government						
Total Revenue Losses						

(20a) Explain how the cost estimates listed above were derived.

The cost estimates are based upon the following number of persons which the Board estimates will avail themselves of the specified service over a fiscal year (one-half biennium) period multiplied by the savings or additional cost to the applicant for the service:

	<u># of people/year</u>		<u>Cost(c) or Savings (s)</u>		
a) license application fee	150	X	\$10(c)	=	\$1,500(c)
b) N.A.B examination fee	150	X	\$65(c)	=	\$9,750(c)*
c) complete NHA examination	150	X	\$110(c)	=	\$16,500(c)**
d) temporary permit fee	10	X	\$5(s)	=	\$50(s)
e) certification of exam scores	7.5	X	\$10(c)	=	\$75(c)
f) verification of licensure/ temporary permit	37.5	X	\$5(c)	=	\$187.50(c)
g) continuing education provider application	30	X	\$10(s)	=	\$300(s)
h) continuing education program application fee per credit (Credits)	3343.5	X	\$5(c)	=	\$16,717.5(c)

* Fee submitted directly to professional testing agency pursuant to contract with the Commonwealth.

** Fee submitted directly to professional testing agency pursuant to contract with Commonwealth.

This fee includes the N.A.B. examination fee.

Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

N/A

Program	FY-95-96	FY- 96-97	FY -97-98	Current FY
See attached fee report forms				

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

The amendments to the existing regulations will assure that the costs of providing the specified services to certain applicants and licensees will be borne by individuals who receive the service.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

No non-regulatory alternatives were considered because the Board's enabling statute requires the Board to promulgate regulations to establish fees or changes thereto.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

See No. 22 above.

Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No federal licensure standards apply.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

These questions are not applicable to this regulation. Because the fees established by the regulation represent the Board's actual costs in providing the services requested, it is not possible to compare the fees with those of other states.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This regulation will have no effect on other regulations of the Board or other state agencies.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

The Board reviews its regulatory proposals at regularly scheduled public meetings each month, generally on the second Wednesday of every month. Meetings are held in the Board's offices at 116-124 Pine Street, Harrisburg, Pennsylvania.

Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

No changes to reporting, recordkeeping or other paperwork is required by this regulation.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

The Board has perceived no special needs of any subset of its licensees for whom special provisions should be made.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The regulation will be effective on publication in the Pennsylvania Bulletin.

(31) Provide the schedule for continual review of the regulation.

The Board reviews its revenues and costs of its programs on a fiscal year and biennial basis.

FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU

RECEIVED

99 APR 30 PM 2:22

(Pursuant to Commonwealth Documents Law)

LEGISLATIVE
REVIEW COMMISSION

#2035

DO NOT WRITE IN THIS SPACE

Copy Below is hereby approved as to form and legality. Attorney General

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Copy below is approved as to form and legality. Executive or Independent Agencies.

BY: *[Signature]*
(DEPUTY ATTORNEY GENERAL)

Bureau Of Professional and Occupational Affairs (AGENCY)

BY: *[Signature]*

DOCUMENT/FISCAL NOTE NO. 16A-626

APR 27 1999
DATE OF APPROVAL

DATE OF ADOPTION:

4/1/99
DATE OF APPROVAL

BY: *[Signature]*
Robert H. Morrow

(Deputy General Counsel
(Chief Counsel,
Independent Agency
(Strike inapplicable
title)

TITLE: Chairman
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

[] Check if applicable
Copy not approved.
Objections attached.

[] Check if applicable. No Attorney General approval or objection within 30 day after submission.

PROPOSED RULEMAKING
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
49 PA. CODE, CHAPTER 39
STATE BOARD EXAMINERS OF NURSING HOME ADMINISTRATORS
FEES

The State Board of Examiners of Nursing Home Administrators ("Board") proposes to amend its regulations at 49 Pa. Code §39.72 by revising certain fees as set forth in Annex A.

A. Effective Date

The amendments would be effective upon publication of the final form regulations in the Pennsylvania Bulletin.

B. Statutory Authority

The amendments are authorized under Section 7.1(a) of the Nursing Home Administrators License Act (Act), Act of June 22, 1970, P.L. 378, as amended, 63 P.S. §1107.1(a).

C. Background and Purpose

Section 7.1(a) of the Act, 63 P.S. §1107.1(a), requires the Board to set fees by regulation so that revenues meet or exceed expenditures over a biennial period. General operating expenses of the Board are funded through biennial license renewal fees. Expenses related to applications or services which are provided directly to applicants are excluded from general operating revenues and are funded through fees in which the cost of providing a service forms the basis for the fee.

In a recent systems audit of the operations of the Board within the Bureau of Professional and Occupational Affairs, the fees for services to licensees and applicants were analyzed to determine if the fees reflected the actual cost of providing the services. Actual costs are based upon the following formula:

$$\begin{array}{r} \text{Number of minutes to perform the function} \\ \times \\ \text{Pay rate for the classification of personnel performing the function} \\ + \\ \text{A proportionate share of administrative overhead} \end{array}$$

The analysis determined that current fees do not accurately reflect the actual cost of processing license applications, or the cost of the National Association of Examiners of Long Term Care Administrators (N.A.B.) examination or the complete licensing examination. Current fees do not reflect the actual costs of issuing temporary permits, certification of examination scores, verification of licensure, verification of temporary permits, continuing education provider applications, and continuing education individual program applications. Fees for temporary permits, certification of examination scores, verification of licensure, continuing education provider applications and continuing education program applications have not been revised since July 23, 1988. While the fee for license applications has not been revised since December 22, 1990, fees for the N.A.B. examination and the complete licensing examination were last revised on January 27, 1996. The Board fee for verification of temporary permits is a new fee. The fee charged to continuing education providers exceeded the actual cost of the service provided, but all other fees fell short of the cost to provide the service.

In this proposal, fees for the services identified would be adjusted to allocate costs to those who use the service or application. The Board would continue to apportion the enforcement and operating costs to the general licensing population when the Board makes its biennial reconciliation of revenues and expenditures.

D. Description of Proposed Amendments

The following table outlines the affected application fees and proposed changes:

<u>Application/Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
License application fee	\$30.00	\$40.00
N.A.B. examination fee	\$170.00	\$235.00 (effective 1-1-2000)
Complete nursing home administration examination	\$212.00	\$322.00 (effective 1-1-2000)
Temporary permit fee	\$150.00	\$145.00
Certification of examination scores	\$15.00	\$25.00
Verification of licensure/ temporary permit fee	\$10.00	\$15.00
Continuing education provider application fee	\$50.00	\$40.00
Continuing education program application fee per credit	\$10.00	\$15.00

E. Compliance with Executive Order 1996-1

In accordance with the requirements of Executive Order 1996-1 (February 6, 1996), in drafting and promulgating the regulation, the Board considered the least restrictive alternative to regulate costs for services requested by licensees and applicants.

F. Fiscal Impact and Paperwork Requirements

The proposed amendments will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The fees will have a modest fiscal impact on those members of the private sector who apply for services from the Board. The amendments will impose no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

G. Sunset Date

The Board continuously monitors the cost effectiveness of its regulations. Therefore, no sunset date has been assigned.

H. Regulatory Review

Pursuant to Section 5(a) of the Regulatory Review Act, the Act of June 3, 1989 (P.L. 73, No. 19), as amended, 71 P.S. §§745.5(a), the Board submitted a copy of this proposed regulation on _____, to the Independent Regulatory Review Commission ("Commission") and the Chairmen of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee ("Committees"). In addition to submitting the regulation, the Board has provided the Commission and the Committees with a copy of a detailed regulatory analysis form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Pursuant to Section 5(g) of the Regulatory Review Act, if the Commission has any objections to any portion of the proposed regulation, it will notify the Board within 10 days of the close of the committees' review period. Such notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the regulation, by the Board, the General Assembly and the Governor, of objections raised.

I. Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendments to Melissa Wilson, Board Administrator, State Board of Examiners of Nursing Home Administrators, 116 Pine Street, Post Office Box 2649, Harrisburg, Pennsylvania 17105-2649, within thirty days of publication of this proposed rulemaking. Please reference No. 16A-626 (Fees), when submitting comments.

ANNEX A

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS
PART I. DEPARTMENT OF STATE
SUBPART A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS
CHAPTER 39. STATE BOARD OF EXAMINERS OF
NURSING HOME ADMINISTRATORS**

FEES

§39.72. Fees.

The following is a schedule of fees charged by the Board:

Biennial renewal of nursing home administrators license.....	\$108
License application fee.....	[\$30] <u>\$40</u>
N.A.B. examination fee.....	\$170
<u>Effective January 1, 2000.....</u>	<u>\$235</u>
State rules and regulations examination.....	\$87
Complete nursing home administration examination.....	\$212
<u>Effective January 1, 2000.....</u>	<u>\$322</u>
Temporary permit fee.....	[\$150] <u>\$145</u>
Certification of examination scores.....	[\$15] <u>\$25</u>
Verification of licensure <u>or temporary permit</u>	[\$10] <u>\$15</u>
Continuing education provider application fee.....	[\$50] <u>\$40</u>
Continuing education program application fee per credit.....	[\$10] <u>\$15</u>
Continuing education individual program application fee.....	\$20

FEE REPORT FORM

Agency: State - BPOA Date: 12/09/98
Contact: C. Michael Weaver
Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

License Application Fee = \$40.00
Estimated Biennial Revenue: \$ 12,000(300 applications x \$40.00)

Fee Description:

The fee will be charged to each applicant for licensure as a Nursing Home Administrator.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Nursing Home Administrators to review and process an application for licensure as a Nursing Home Administrator and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

Board Staff- review application:	(0.75/hr)	15.23
Board Administrator - prepare & process application	(0.25/hr)	7.55
Board Member: (avg.)evaluate credentials:	(0.02/hr)	6.73
Administrative Overhead:		<u>10.41</u>

Total Estimated Cost:	\$39.92
Proposed Fee:	\$40.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$40.00 be established to review an application for licensure as a Nursing Home Administrator.

Staff receives application, reviews for completeness, contacts applicant to request any missing information. Board Administrator forwards application to board member for evaluation of credentials. Following review and decision by board member, the application is presented to full board for vote. Applicant is scheduled for examination if approved or notified of disapproval. After examination(s) are passed, a license is issued.

FEE REPORT FORM

Agency: State - BPOA

Date: 01/20/99

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Effective 1/1/2000:

National Assoc. Boards of Nursing Home Adm. (NAB) Exam Fee = \$235.00

Estimated Biennial Revenue: \$ 0 (fee submitted directly to professional testing agency).

Fee Description:

The fee will be charged to each applicant for the NAB Examination.

Fee Objective:

The fee should offset the actual, contractual cost to purchase, grade and administer the NAB portion of the licensing examination, including CBT (Computer Based Testing).

Fee-Related Activities and Costs:

Actual, contractual cost of the NAB examination:	175.00
Actual, contractual fee for administration (CBT):	<u>60.00</u>
Total Estimated Cost:	\$235.00
Proposed Fee:	\$235.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$235.00 be established for the NAB portion of the licensing examination for the State Board of Examiners of Nursing Home Administrators.

FEE REPORT FORM

Agency: State - BPOA

Date: 01/20/99

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Effective 1/1/2000:

Complete N.H.A. Licensing Examination Fee: \$322.00

Estimated Biennial Revenue: \$ 0 (fee submitted directly to professional testing agency).

Fee Description:

The fee will be charged to each applicant for the complete Nursing Home Administrator Licensing Examination.

Fee Objective:

The fee should offset the actual, contractual cost to purchase, grade and administer the complete Nursing Home Administrator licensing examination.

Fee-Related Activities and Costs:

Actual, contractual cost of the NAB examination:	175.00
Actual, contractual fee for administration (CBT):	60.00
State Rules and Regulations Examination:	<u>87.00</u>
Total Estimated Cost:	\$322.00
Proposed Fee:	\$322.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$322.00 be established for the State Board of Examiners of Nursing Home Administrators complete licensing examination.

FEE REPORT FORM

Agency: State - BPOA Date: 12/09/98
Contact: C. Michael Weaver
Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Temporary Permit Application Fee = \$145.00
Estimated Biennial Revenue: \$ 2,900(20 applications x \$145.00)

Fee Description:

The fee will be charged to each applicant for a Temporary Permit to work as a Nursing Home Administrator until next scheduled examination is given or examination results are available.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Nursing Home Administrators to review and process an application for a Temporary Permit and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

Board Administrator - prepare & process application (1.00/hr)	30.20
Board Meeting (avg.) evaluate credentials: (0.25/hr)	101.00
Administrative Overhead:	<u>10.41</u>
Total Estimated Cost:	\$141.61
Proposed Fee:	\$145.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$145.00 be established to review an application for a Temporary Permit as a Nursing Home Administrator.

Licensure applicants may request a Temporary Permit to work as a Nursing Home Administrator in a position created by an emergency situation. The application is received by the Board Administrator who verifies that all required information is present. The application is placed on the board agenda and the applicant appears before the Board for a personal interview. After the interview, a vote is taken to approve or deny the request. The Board Administrator then notifies applicant by either issuing Temporary Permit or letter of denial.

FEE REPORT FORM

Agency: State - BPOA

Date: 12/09/98

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Certification of Scores: \$25.00
Estimated Biennial Revenue: \$375.00 (15 certifications x \$25.00)

Fee Description:

The fee will be charged to every applicant who requests certification of scores.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Nursing Home Administrators to review and process a request for certification and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

Staff time- process request for certification (.75 hr)	15.23
Bureau Average Administrative Overhead:	9.76
Total Estimated Cost:	<u>\$24.99</u>
Proposed Fee:	\$25.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$25.00 be established for certification of scores.

Staff reviews request for certification of scores; researches computer and microfilm files to retrieve pertinent information, transfers that information onto document submitted by requester, affixes Bureau seal onto documents, forwards as instructed by applicant.

FEE REPORT FORM

Agency: State - BPOA

Date: 12/09/98

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Verification of Licensure or Temporary Permit: \$15.00

Estimated Biennial Revenue: \$1,125.00 (75 verifications x \$15.00)

Fee Description:

The fee will be charged to every applicant who requests verification of licensure or temporary permit.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Nursing Home Administrators to review and process a request for verification and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

Staff time- process request for verification	(.08 hr)	1.62
Bureau Average Administrative Overhead:		9.76
	Total Estimated Cost:	<u>\$11.38</u>
	Proposed Fee:	\$15.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$15.00 be established for verification of licensure or temporary permit.

Page 2

Verification of Licensure or Temp. Permit

12/09/98

Staff reviews request for verification, researches computer, microfilm or other files to retrieve pertinent information, issues letter of good standing via computer, affixes Bureau seal onto document, forwards as instructed by applicant.

FEE REPORT FORM

Agency: State - BPOA

Date: 12/09/98

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Continuing Education Provider Application Fee = \$40.00

Estimated Biennial Revenue: \$ 2,400.00 (60 applications x \$40.00)

Fee Description:

The fee will be charged to each applicant for continuing education provider approval.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Nursing Home Administrators to review and process an application for approval as a provider (sponsor) of continuing education programs and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

Staff time- prepare and process application	(.50 hr)	10.15
Board Administrator - review application:	(0.25 hr)	7.55
Avg. Time/Board Member Review	(1.0 hr.)	8.00
Administrative Overhead:		<u>10.41</u>
	Total Estimated Cost:	\$36.11
	Proposed Fee:	\$40.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$40.00 be established to review an application for approval as a provider of continuing education programs.

Continuing Education providers wishing to offer courses for credit by licensees toward the mandatory continuing education requirement apply to the board for approval as a provider or sponsor. Individual courses are not approved at this time, rather, the sponsorship is determined. Staff receives the provider application and reviews for completeness, contacts the provider to request any missing information. Following their review, the provider application is forwarded to the Education Committee for evaluation. The Education Committee makes the determination to approve or disapprove the provider. Staff then notifies the provider of approval or denial of application. Following approval as a provider, the provider can submit courses/seminars for approval as described under the "Continuing Education Program" Fee. Approval as a provider is required once per biennium.

FEE REPORT FORM

Agency: State - BPOA **Date:** 12/09/98
Contact: C. Michael Weaver
Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Continuing Education Program Application Fee = \$15.00 per credit

Estimated Biennial Revenue: \$ 100,305 (6,687 credits x \$15.00)

Fee Description:

The fee will be charged to each applicant for approval of a continuing education program.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Nursing Home Administrators to review and process an application for approval of a continuing education program and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

Board Staff- review and process application:	(0.08/hr)	1.62
C.E. Committee: evaluate curriculum:	(0.17hr)	1.33
Administrative Overhead:		<u>10.41</u>

Total Estimated Cost: \$ 13.36

Proposed Fee: \$ 15.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$15.00 per credit be established for evaluating an application for continuing education program approval.

Staff receives request from a provider of continuing education asking that credit be granted by the Board for courses/seminars they provide to licensees for the purpose of obtaining mandatory continuing education. The request is reviewed for completeness and supporting documents, is forwarded to a board member for evaluation of course content. Board member makes approval or rejection determination and returns application to board staff. Staff issues approval letters to approved providers and rejection letters to those not approved.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF NURSING

Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-3658

April 30, 1999

The Honorable John R. McGinley, Jr., Chairperson
INDEPENDENT REGULATORY REVIEW COMMISSION
14th Floor, Harrisstown 2
333 Market Street
Harrisburg, Pennsylvania 17101

Re: Proposed Regulation
State Board of Nursing
Fees: 16A-626

Dear Chairman McGinley:

Enclosed is a copy of a proposed rulemaking package of the State Board of Nursing pertaining to fees.

The Board will be pleased to provide whatever information the Committee may require during the course of its review of the rulemaking.

Sincerely,


M. Christine Alchin, Ph.D., RN, Chairperson
State Board of Nursing

MCA:RGC:eco

Enclosure

c: C. Michael Weaver, Deputy Secretary for Regulatory Programs
Department of State
Dorothy Childress, Commissioner
Bureau of Professional and Occupational Affairs
Deborah M. Griffiths, Regulatory Review Officer
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Robert G. Cameron, Counsel
State Board of Nursing
State Board of Nursing

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT

RECEIVED

I.D. NUMBER: STATE *16A-626 EOO*
SUBJECT: State Board of Examiners of Nursing Home Administrators
AGENCY: DEPARTMENT OF STATE

99 APR 30 PM 2:22

INDEPENDENT REGULATORY REVIEW COMMISSION

TYPE OF REGULATION

- X Proposed Regulation
Final Regulation
Final Regulation with Notice of Proposed Rulemaking Omitted
120-day Emergency Certification of the Attorney General
120-day Emergency Certification of the Governor
Delivery of Tolled Regulation
a. With Revisions b. Without Revisions

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
<i>4-30-99</i>	<i>Ann A. Clark</i>	HOUSE COMMITTEE ON PROFESSIONAL LICENSURE
<i>4/30/99</i>	<i>Charlotte C. Fisher</i>	
<i>4/30/99</i>	<i>Janet E Zubry</i>	SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE
<i>4/30/99</i>	<i>Stephan Smith</i>	
<i>4/30/99</i>	<i>Kim C Garner</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL
<i>4/30/99</i>	<i>Cynthia J. Lee</i>	LEGISLATIVE REFERENCE BUREAU

April 26, 1999