

MARIO J. CIVERA, JR., MEMBER
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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

October 11, 2000

Original: 2110

COMMITTEES

PROFESSIONAL LICENSURE,
MAJORITY CHAIRMAN
LIQUOR CONTROL
FIREFIGHTERS' CAUCUS,
COCHAIRMAN EMERITUS

John R. McGinley, Jr., Chairman
Independent Regulatory Review Commission
14th Floor, Harrisburg 2
333 Market Street
Harrisburg, PA 17101

Dear Chairman McGinley:

I am writing to inform you that the House Professional Licensure Committee held a meeting on October 11, 2000, and voted to approve Regulation 16A-5113, State Board of Nursing; Regulation 16A-556, State Board of Accountancy; Regulation 16A-560, State Real Estate Commission; Regulation 16A-558, State Board of Accountancy; Regulation 16A-600, State Board of Vehicle Manufacturers, Dealers and Salespersons; and Regulation 16A-626, State Board of Examiners of Nursing Home Administrators.

Please feel free to contact my office if any questions should arise.

Sincerely,

A handwritten signature in cursive script that reads "Mario J. Civera".

Mario J. Civera, Chairman
House Professional Licensure Committee

MJC/sms
Enclosures

cc: K. Stephen Anderson, CRNA, Chairman
State Board of Nursing
Thomas J. Baumgartner, CPA, Chairman
State Board of Accountancy
Joseph Tarantino, Jr., Chairman
State Real Estate Commission
Robert G. Pickerill, Chairman
State Board of Vehicle Manufacturers, Dealers and Salespersons
Robert H. Morrow, Chairman
State Board of Examiners of Nursing Home Administrators
Honorable Kim H. Pizzigrilli, Secretary of the Commonwealth
Department of State

RECEIVED
2000 OCT 12 AM 11:05
INDEPENDENT REGULATORY
REVIEW COMMISSION

Regulation 16A-5113

State Board of Nursing

RECEIVED
2000 OCT 12 AM 11:06
LEGISLATIVE
REVIEW COMMISSION

PROPOSAL: Regulation 16A-5113 amends 49 PA Code, Chapter 21, regulations of the State Board of Nursing. The amendment makes revisions to the schedule of Board fees by increasing fees for biennial license renewal for licensed practical nurses, registered nurses and certified registered nurse practitioners. The increases will apply to biennial renewals commencing after July 1, 2000.

Regulation 16A-5113 is Final Rulemaking which was delivered to the Professional Licensure Committee on September 25, 2000. The Professional Licensure Committee has until October 15, 2000, to approve or disapprove the regulation.

ANALYSIS: Pursuant to Sec. 11.2(a) of the Professional Nursing Law, 63 P.S. Sec. 221.2(a), and Sec. 17.5(a) of the Practical Nursing Law, 63 P.S. Sec. 667.5(a), the Board is required to meet expenditures through revenues raised by fees, fines and civil penalties. The Board states that biennial renewal fees fund nearly all of the Board's costs. For the past four biennial renewal periods the Board's license renewal fees, which were established by regulation in 1992, were sufficient to meet expenditures.

The Board recorded a positive revenue/expenditure balance on June 30, 1998. However, as of June 30, 1999, the Board recorded a deficit of \$802,116.45, and a deficit of \$1,733,853.25 is projected for fiscal year 1999-2000. The Board states that there was a substantial increase over the prior fiscal year in administration, investigation and hearing costs. Administration costs included making licensing information available on the internet (\$37,000), a new phone system for enhanced customer service (\$60,000), new software and computers (\$16,000), and newsletter mailing (\$118,206.40).

The Board estimates that the proposed increases will generate \$13,175,515 in biennial revenue and be sufficient to fund anticipated expenditures through fiscal year 2003-2004. The proposed increases are as follows:

<u>License Renewal</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Licensed Practical Nurse	\$ 16.00	\$ 40.00
Registered Nurse	\$ 21.00	\$ 45.00
Certified Registered Nurse Practitioner	\$ 26.00	\$ 50.00

The House Professional Licensure Committee did not offer any comments on the regulations during the proposal stage.

RECOMMENDATIONS: It is recommended that the Professional Licensure Committee approve the regulation.

House of Representatives
Professional Licensure Committee
September 29, 2000

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2000 JUL 13 PM 3:40



REVIEW COMMISSION
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
P.O. BOX 2649
HARRISBURG, PA 17105-2649

OFFICE OF THE COMMISSIONER

Original: 2110

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July 10, 2000

Paula A. Bussard, Senior Vice President
Policy and Regulatory Services
The Hospital & Healthsystem Association of Pennsylvania
4750 Lindle Road, P.O. Box 8600
Harrisburg, PA 17105-8600

Dear Ms. Bussard:

RE: 16A-5113 Biennial Renewal Fees and
Comprehensive Data Collection

Your letter addressed to Ann Steffanic has been forwarded to me for response. Your letter recommended that the State Board of Nursing (Board) collect and disseminate comprehensive data (i.e. demographics, professional characteristics, employment characteristics, and educational characteristics) about licensed nurses in Pennsylvania as part of the biennial renewal process. For the reasons that follow, the Board is unable to collect and disseminate the requested comprehensive data about licensed nurses in Pennsylvania.

The purpose of the Board is to protect the health, safety and welfare of the citizens of Pennsylvania from unscrupulous or incompetent practitioners by regulating the licensees and nursing education programs. As you are aware, the Board currently collects a limited amount of information about nurses and nursing programs, such as the success rate of the voluntary recovery program (VRP) and NCLEX pass rates. This data collection is necessary to perform the Board's purpose and is premised upon specific statutory and regulatory requirements. For example, the VRP for impaired nurses is required under the Nurse Practice Acts and the type of program approval, which is premised in part upon NCLEX pass rates, is a specific regulatory requirement. The more comprehensive information that you suggest the Board collect (i.e. "employed in field other than nursing," "interest in obtaining higher degree," "serve as a volunteer," "full-time/part-time," etc.) does not further the Board's purpose and is not required by specific statutory or regulatory requirements.

July 10, 2000

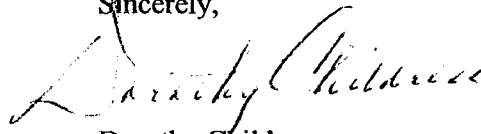
Page 2

The biennial renewal fees fund the Board costs for general operations, enforcement, and confirming continued eligibility for licensure, all of which have specific statutory and regulatory requirements. As explained above, comprehensive data collection is not the Board's purpose, nor is it part of specific statutory or regulatory requirements. Comprehensive data collection would result in increased fees to licensees for activities beyond the purview of the Board.

I do believe, however, that the issues you raise are important. Therefore, I have forwarded your letter to the Department of Labor and Industry (L & I). L & I collects and analyzes comprehensive data on employment and labor statistics within the Commonwealth for many professions and occupations and may be the source of the information you are seeking.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dorothy Childress".

Dorothy Childress
Commissioner

DC/RC:cms

cc: Honorable Kim Pizzigrilli, Secretary of the Commonwealth
K. Stephen Anderson, CRNA, Chairperson, State Board of Nursing
House Professional Licensure Committee
Senate Consumer Protection and Professional Licensure Committee
Independent Regulatory Review Commission ✓
Department of Labor and Industry