

Regulatory Analysis Form

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(1) Agency

Department of State, Bureau of Professional and Occupational Affairs, State Board of Nursing

2003 AUG 26 AM 11:03

REVIEW COMMISSION

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

16A-5116

IRRC Number: 2353

(3) Short Title

Prescriptive Authority Fees

(4) PA Code Cite

49 Pa. Code § 21.253

(5) Agency Contacts & Telephone Numbers

Primary Contact: Martha H. Brown, Counsel
 State Board of Nursing (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 Nursing by implementing certain application and renewal fees for certified registered nurse practitioners who wish to prescribe and dispense drugs. The new fees are needed following promulgation of final rulemaking by the State Boards of Medicine and Nursing, effective November 18, 2000 (30 Pa. B. 5943) and codified by Act 206 of 2002 (P.L. 1567, No. 206), permitting qualified certified registered nurse practitioners (CRNPs) to prescribe and dispense drugs pursuant to the regulations at 49 Pa. Code §§ 21.283-21.287 (relating to CRNP practice). CRNPs wishing to prescribe are required to apply for prescriptive authority approval by submitting an application to the State Board of Nursing. Successful applicants are issued prescriptive authority approval. Current regulations do not provide for fees which 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 sections 11.2(a) and (d) of the Professional Nursing Law, Act of May 22, 1951, P.L. 317, (63 P.S. §§221.2(a) and (d)).

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 the 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 the 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. There are currently 5,130 registered nurse practitioners certified by the Board, as compared with approximately 188,218 currently licensed registered nurses. There are also 54,590 licensed practical nurses who possess current licenses. The Board anticipates that over half of the registered nurse practitioners currently certified in the Commonwealth will apply for and maintain prescriptive authority approval.

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 CRNP prescriptive authority approval and CRNPs wishing to maintain and renew prescriptive authority approval will be required to pay the applicable fees. The Board estimates that approximately 2,500 CRNPs will avail themselves of the application for prescriptive authority in the first biennium following the adoption of the regulations permitting CRNPs to prescribe and, of that number, approximately 500 CRNPs may apply for prescriptive authority approval with additional collaborative agreements. Thereafter, the volume of CRNPs applying for prescriptive authority approval is projected to be about 1,200 biennially. The Board estimates that the holders of 3,000 prescriptive authority approvals will be required to renew the approvals biennially.

(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 3,000 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 \$557,500.00. However, only those requesting the services will be affected. No legal, accounting or consulting procedures will be implicated in complying with the regulatory amendments.

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 cost by implementing the regulation. Rather, 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 +1	FY +2	FY +3	FY +4	FY +5
SAVINGS:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government						
State Government						
Total Savings						
COSTS:						
Regulated Community	\$206,250.00	\$147,750.00	\$147,750.00	\$147,750.00	\$147,750.00	\$147,750.00
Local Government						
State Government						
Total Costs						
REVENUE LOSSES:	N/A	N/A	N/A	N/A	N/A	N/A
Regulated Community						
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>Number of people per year</u>		<u>Cost (c) or Savings (s)</u>	
a) application for prescriptive authority				
first cycle only	1,250	X	\$90(c)	= \$112,500(c)
subsequent cycles	600	X	\$90(c)	= \$ 54,000(c)
b) each additional collaborative agreement for prescriptive authority	250	X	\$75(c)	= \$ 18,750(c)
c) biennial renewal of prescriptive authority	1,500	X	\$50(c)	= \$ 75,000(c)

Regulatory Analysis Form

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

Program	FY 98-99	FY 99-00	FY 00-01	Budgeted FY 01-02
State Board of Nursing	\$3,922,622.16	\$4,514,839.67	\$4,934,157.00	\$4,827,000.00

(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.

No alternative regulatory schemes were considered.

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?

Because the fees established by the proposed regulation represent the Board's actual costs in providing the services requested, it is difficult to compare the fees with those of other states. However, a survey of the surrounding states indicates that initial and renew fees for prescriptive authority approval in West Virginia are both \$125, while Ohio requires an initial application (approval and prescriptive authority) fee of \$100, with biennial renewal of the certificate to prescribe costing \$50. These fees are in addition to certification or licensure fees to become a nurse practitioner. The four other surrounding states combine nurse practitioner certification/licensure fees with prescriptive authority fees. In Maryland, the initial nurse practitioner certification is \$82.00 and the annual renewal fee \$67—there is no distinct fee for prescriptive authority. The fee for nurse practitioner certification covers approval of the written (collaborative) agreement needed to prescribe. If the nurse practitioner wishes to prescribe controlled substances, there is \$60 biennial fee for registration with the Office of Maryland Drug Control. New York has a similar scheme, in which the initial nurse practitioner certification and registration fee are \$80. The triennial certification renewal fee is \$80. If the individual satisfies all requirements for certification as a nurse practitioner, he or she will be authorized to issue prescriptions—there is no distinct fee for prescriptive authority. New Jersey also has no separate prescriptive authority approval fee; however, the nurse practitioner application fee is \$100, initial certification fee is \$100, and biennial renewal of certification costs \$100. A written joint protocol for prescriptive practice with a collaborating physician is needed in order to apply for controlled dangerous substance registration with the State of New Jersey Drug Control Unit. This registration is available for a fee of \$20 for both the application and annual renewal. Delaware nurse practitioners pay a \$67 fee for advanced practice certification and renew biennially for \$67. Those wishing to prescribe non-controlled substances complete a separate application, for which there is no fee. Delaware nurse practitioners who wish to prescribe controlled substances must register biennially with the Delaware Office of Narcotics and Dangerous Drugs, for a fee of \$20 for both initial registration and annual renewal.

The regulation should not put Pennsylvania at a competitive disadvantage with 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 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. Meetings are held in the Board's offices at 116-124 Pine Street, Harrisburg, Pennsylvania, and after May 12, 2003, at the Board's offices at 2601 North Third Street, Harrisburg, Pennsylvania. The meeting dates are posted on the internet at <http://www.dos.state.pa.us> and are available by calling the Board office at (717) 783-7142.

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, record keeping 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 upon final 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.

FEE REPORT FORM

Agency: State - BPOA
Contact: David Williams
Phone No. 783-7194

Date: 2/27/01

Fee Title, Rate and Estimated Collections:

Application Fee – CRNP Prescriptive Authority: \$90.00

Covers processing of basic application consisting of one (1) CRNP Prescriptive Authority Application, one (1) Verification of Advanced Pharmacology form and one (1) Collaborative Agreement.

PLUS

\$75.00 for EACH additional Collaborative Agreement

Estimated Biennial Revenue: \$225,000.00 (2,500 applications x \$90.00)

(1st cycle only – thereafter volume projected to be 1,200 biennially)

Fee Description:

The fee will be charged to every person who applies for CRNP Prescriptive Authority.

Fee Objective:

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

Fee-Related Activities and Costs:

(for basic application)

Staff time-(CT2) review/prepare application	(.50 hr)	11.94
Board administrator- avg. cost per app.		.08
Professional staff -evaluate application	(1.50 hr)	60.74
Exec. Sec. - avg. cost per app.		.12
Board Meeting - avg. cost per app-review/evaluate		5.56
Legal Office – avg. cost per app		.11
Administrative Overhead:		<u>9.48</u>
	Total Estimated Cost	88.03
	Proposed Fee:	\$ 90.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$90.00 be established to process a basic application for CRNP Prescriptive Authority.

Staff receives application, enters data into computer system, forwards to Nurse Practice Advisor who evaluates for compliance with requirements. If pharmacology courses are from non-board approved programs, reviews to determine if required critical content elements are evident in the course objectives, overview and content; determines whether total number of hours meets the regulations and if course is equivalent to an advanced pharmacology course in a Board-approved CRNP program; analyzes course outline and evaluates the collaborative agreement to ascertain compliance with regulations.

Following review and analysis by the Nurse Practice Advisor, the application is returned to clerical staff for processing which may include preparation of discrepancy notification(s) or updating of information in the computer system.

In situations where the Nurse Practice Advisor cannot make a determination regarding compliance, the application may require review and processing by the Board Administrator, Executive Secretary, the full board and the legal office. Costs of the additional review(s) have been averaged over the total number of applications anticipated in a biennial cycle as follows:

It is estimated that 1% of the applications (25) will require further review by the Executive Secretary, Board Administrator and the full board and 12 applications will also require review and processing by the Legal Office.

FEE REPORT FORM

Agency: State - BPOA

Date: 2/27/01

Contact: David Williams

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Each Additional Collaborative Agreement for CRNP Prescriptive Authority: \$75.00

Estimated Biennial Revenue: \$37,500.00 (500 applications x \$75.00)

Fee Description:

The fee will be charged to evaluate each additional Collaborative Agreement for CRNP Prescriptive Authority approval.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Nursing to review and evaluate each additional Collaborative Agreement for CRNP Prescriptive Authority and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

Staff time-review and prepare app	(.50 hr)	11.94
Professional staff -evaluate application	(1.25 hr)	52.38
Exec. Sec. - avg. cost per app		.12
Legal Office - avg. cost per app		.11
Administrative Overhead:		<u>9.48</u>
	Total Estimated Cost	74.03
	Proposed Fee:	\$75.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$75.00 be established to process each additional Collaborative Agreement for CRNP Prescriptive Authority.

Staff receives application, dates stamps and forwards to Nurse Practice Advisor who reviews for completeness, verifies that supporting documents are attached, contacts applicant to request any missing information, and evaluates to ascertain compliance with regulations.

Following review, analysis and decision by the Nurse Practice Advisor, the application is returned to clerical staff for processing which may include preparation of discrepancy notification(s) or letter of approval and updating of information in the computer system.

In situations where the Nurse Practice Advisor cannot make a determination regarding compliance, the application may require additional review and processing by the Legal Office and the Executive Secretary. Costs of the additional review(s) have been averaged over the total number of applications anticipated in a biennial cycle.

FEE REPORT FORM

Agency: State - BPOA

Date: February 1, 2001

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Biennial Renewal Fee: Each Prescriptive Authority (CRNP): \$50.00

Estimated Biennial Revenue: \$150,000.00 (3,000 applications x \$50.00)

Fee Description:

The fee will be biennially to every applicant for license renewal.

Fee Objective:

The fee should defray a portion of the State Board of Nursing administrative overhead, specifically helping to defray the difference between the Board's total biennial expenditures and its total biennial revenues from non-renewal sources.

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$50.00 be established for renewal of each Prescriptive Authority approval.

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FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU

REVIEW COMMISSION

(Pursuant to Commonwealth Documents Law)

DO NOT WRITE IN THIS SPACE

2353

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.

Cristina L. Roman
BY: _____
(DEPUTY ATTORNEY GENERAL)

State Board of Nursing

(AGENCY)

David J. J...
BY: _____
Executive or Independent Agencies.

JUL 22 2003

16A-5116

DOCUMENT/FISCAL NOTE NO. _____

DATE OF APPROVAL

DATE OF ADOPTION: _____

6/30/03

DATE OF APPROVAL

BY: *Janet Hunter Shields*
Janet Hunter Shields, MSN, CRNP, CS

Executive
Deputy General Counsel
(~~Chief Counsel~~)
(~~Independent Agency~~)
(Strike inapplicable title)

Chairperson

TITLE: _____
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

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

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

PROPOSED RULEMAKING
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF NURSING
49 PA. CODE, CHAPTER 21
CRNP PRESCRIPTIVE AUTHORITY FEES

The State Board of Nursing (Board) proposes to amend its regulations at 49 Pa. Code §21.253 by implementing certain application and renewal fees for certified registered nurse practitioners who wish to prescribe and dispense drugs, as set forth in Annex A.

Effective Date

The amendments will be effective upon publication of the final-form rulemaking in the Pennsylvania Bulletin.

Statutory Authority

The amendments are authorized under Section 11.2(a) and (d) of the Professional Nursing Law, Act of May 22, 1951, P.L. 317 (63 P.S. §221.2(a) and (d)).

Background and Purpose

Pursuant to final rulemaking jointly promulgated by the State Boards of Medicine and Nursing, effective November 18, 2000 (30 Pa. B. 5943) and codified by Act 206 of 2002 (P.L. 1567, No. 206), qualified certified registered nurse practitioners (CRNPs) may prescribe and dispense drugs under Section 8.3 of the Professional Nursing Law (63 P.S. §218.3) and the regulations 49 Pa. Code §§ 21.283-21.287 (relating to CRNP practice). A CRNP may not prescribe and dispense drugs without prior approval by the State Board of Nursing. CRNPs wishing to prescribe are required to apply for prescriptive authority approval by submitting an application to the State Board of Nursing demonstrating successful completion of not less than 45 hours of coursework in advanced pharmacology and a signed, written collaborative agreement between the prescribing CRNP and a supervising physician. (See 49 Pa. Code § 21.283(2) (relating to prescribing and dispensing drugs) and 49 Pa. Code § 21.285 (relating to collaborative agreement)). Successful applicants are issued prescriptive authority approval.

Sections 11.2(a) and (d) of the Professional Nursing Law (63 P.S. § 221.2(a) and (d)) require 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 individual licensees or applicants are excluded from general operating revenues and are funded through fees in which the actual cost of providing the service forms the basis for the fee. Actual cost calculations are based upon the following formula:

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

As a result of the regulations providing for prescriptive authority, the Board proposes to implement three new fees for the application for prescriptive authority, each additional collaborative agreement for prescriptive authority and biennial renewal of prescriptive authority. The application and additional collaborative agreement fees are proposed to reflect the actual cost of providing these services. The biennial renewal fee will ensure that the current revenues raised by fees, fines and civil penalties are sufficient to meet projected expenditures and that adequate revenues are raised to meet the required enforcement efforts, as the Board is required by law to support its operations from revenue it generates from fees, fines and civil penalties.

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

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>
Application for prescriptive authority	none	\$90
Additional collaborative agreement for prescriptive authority	none	\$75
Biennial renewal of prescriptive authority	none	\$50

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.

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.

Sunset Date

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), the Board submitted a copy of this proposed regulation on August 26, 2003, to the Independent Regulatory Review Commission (IRRC), the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. In addition to submitting the proposed rulemaking, the Board has provided IRRC and the committees with a copy of a detailed Regulatory Analysis Form prepared by the Board. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)), if IRRC has comments, recommendations or objections regarding any portion of the proposed rulemaking, it will notify the Board approximately 30 days from the close of the public comment period. The notification will specify the regulatory review criteria that have not been met. The Regulatory Review Act specifies detailed procedures for review of comments, recommendations and objections by the Board, the General Assembly, and the Governor prior to publication of the regulations.

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Ann Steffanic, Administrative Assistant, State Board of Nursing, Post Office Box 2649, Harrisburg, Pennsylvania 17105-2649, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Please reference No. 16A-5116 (Prescriptive Authority Fees) when submitting comments.

JANET HUNTER SHIELDS, MSN, CRNP, CS
Chairperson

ANNEX

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS
PART I. DEPARTMENT OF STATE
SUBPART A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS
CHAPTER 21. STATE BOARD OF NURSING
SUBCHAPTER C. CERTIFIED REGISTERED NURSE PRACTITIONERS
GENERAL PROVISIONS

* * *

§21.253. Fees.

The following fees are charged by the Board:

Certification.....	\$100
Biennial renewal of certification.....	\$50
Verification of certification.....	\$15
<u>Application for prescriptive authority.....</u>	<u>\$90</u>
<u>Each additional collaborative agreement for prescriptive authority</u>	<u>\$75</u>
<u>Biennial renewal of prescriptive authority.....</u>	<u>\$50</u>



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) 783-7142

August 26, 2003

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

Re: Proposed Regulation
State Board of Nursing
16A-5116: CRNP Prescriptive Authority Fees

Dear Chairman McGinley:

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

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

Sincerely,

Janet Hunter Shields, MSN, CRNP, CS
Janet Hunter Shields, MSN, CRNP, CS, Chairperson
State Board of Nursing

JHS/MHB/kmh

Enclosure

cc: Scott J. Messing, Deputy Commissioner
Bureau of Professional and Occupational Affairs
Andrew Sislo, Chief Counsel
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel
Department of State
Herbert Abramson, Senior Counsel in Charge
Department of State
Martha H. Brown, Counsel
State Board of Nursing
State Board of Nursing

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 16A-5116
 SUBJECT: CRNP Prescriptive Authority Fees
 AGENCY: DEPARTMENT OF STATE

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

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FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
8/26/03	<i>Sandra J. Harper</i>	HOUSE COMMITTEE ON PROFESSIONAL LICENSURE
8/26/03	<i>Mary Walmer</i>	SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE
8/26/03	<i>Elina Pagan</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL (for Final Omitted only)
8/26/03	<i>C. Lee Brown</i>	LEGISLATIVE REFERENCE BUREAU (for Proposed only)