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INDEPENDENT REGULATORY
REVIEW COMMISSION

Regulatory Analysis Form

(1) Agency

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

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

16A-5128

IRRC Number: 2595

(3) Short Title

CRNP CE Course Approval Fee

(4) PA Code Cite

49 Pa. Code § 21.253

(5) Agency Contacts & Telephone Numbers

Primary Contact: **Thomas A. Blackburn, 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
- Policy Statement

(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 final rulemaking sets a fee for the service provided by the Board in reviewing an application for approval of a CRNP continuing education (CE) course. Each CRNP must complete at least 30 hours of Board-approved CE as a condition of biennial license renewal. Under its current regulations, the Board provides a mechanism for CE providers to apply to for course approval and pre-approves certain CE providers.

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

The final rulemaking is be adopted under Sections 8.1(c), 11.2(a) and 11.2(d) of the Professional Nursing Law (63 P.S. §§ 218.1(c), 221.2(a), 221.2(d)).

(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. See response to question 11. This final rulemaking is not mandated by any federal law or regulation or by any court order.

Regulatory Analysis Form

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

Section 11.2(a) of the Professional Nursing Law requires that the Board set fees by regulation so that revenues meet or exceed expenditures over a biennial period. The Board sets this fee in order to recover the cost of providing this service. The balance of the operating expenses of the Board must be borne by the licensee population through biennial renewal revenue.

(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 this fee is not set, the Board may have to increase its renewal fee in order to meet its statutory obligation of public protection.

(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 general public and licensees will benefit from the final rulemaking because those who utilize the Board's service in applying for CRNP CE course approval will be the ones to pay for that service without imposing that burden upon all licensees through the biennial renewal fee in order to remain fiscally sound and able to meet the Board's statutory obligation of public protection.

(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.)

Each provider (not on the pre-approved provider list) of CRNP CE courses will be adversely affected by the final rulemaking by having to pay a fee for review of an application for CE course approval. Any CRNP who wishes to receive credit for a CE course offered by a provider not on the list and who does not seek approval on its own will similarly be adversely affected by the final rulemaking. The Board has not identified any other groups or subsets of groups that will be adversely affected by the final rulemaking.

(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.)

Each entity that wishes to provide a CRNP CE program will be required to pay the new fee for review of its proposed programs. The Board anticipates that it will receive approximately 48 applications for approval of CRNP CE courses during each biennial renewal period.

Regulatory Analysis Form

(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.

Because this final rulemaking does not place requirements on licensees concerning their conduct or compliance with state law regarding the performance of a licensing duty under licensing statutes, but only sets a fee for a service provided by the Board based upon the cost to provide that service, the Board did not seek input from the regulated community or the public.

(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 during each biennial renewal period it will receive approximately six applications for CRNP CE course approval, imposing an aggregate additional cost for the regulated community of approximately \$600. The Board estimates that there will be no other costs or savings to the regulated community associated with compliance with this final rulemaking.

(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.

There are no costs or savings to local governments associated with compliance with the final rulemaking.

(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.

There are no other costs or savings to state government associated with implementation of the final rulemaking.

(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:	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Regulated Community						
Local Government						
State Government						
Total Savings	N/A	N/A	N/A	N/A	N/A	N/A
COSTS:						
Regulated Community	\$300	\$300	\$300	\$300	\$300	\$300

Regulatory Analysis Form

Local Government						
State Government						
Total Costs	\$300	\$300	\$300	\$300	\$300	\$300
REVENUE LOSSES:						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses	N/A	N/A	N/A	N/A	N/A	N/A

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

The Board anticipates that it will receive approximately six applications each biennial renewal period for approval of CRNP CE courses, each with a fee of \$100.

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

Program	FY-3 (FY 04-05)	FY-2 (FY 05-06)	FY-1 (FY 06-07)	Current FY (FY 07-08)
Pa. State Board of Nursing	\$5,946,037	\$6,545,014	\$7,335,354	\$8,660,000

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

Because the Board is required by statute to raise its fees to match expenditures, the need to assure fiscal integrity of the Board outweighs the limited increased cost to the regulated community.

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

Because the Act requires the Board to promulgate regulations to set its fees, the Board considered no non-regulatory alternatives.

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

The Board considered no alternative regulatory schemes, because the Act requires the Board to promulgate regulations to set or change fees.

(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.

The final rulemaking does not overlap or conflict with any federal requirements.

Regulatory Analysis Form

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

In each state surrounding Pennsylvania, a CRNP must obtain continuing education credits for license renewal from sources approved by the state board of nursing. Each state board of nursing recognizes the same continuing education providers that are pre-approved by the Board. Because none of the surrounding states approve continuing education by other providers, those states do not have a fee for approval of courses. The regulation allows entities that are not pre-approved to offer continuing education courses in Pennsylvania if the Board approves them.

The final rulemaking will not put Pennsylvania at a competitive disadvantage with these 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 final rulemaking 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, generally every six weeks, at One Penn Center, 2601 North Third Street in Harrisburg. More information can be found on the Board's web-site (www.dos.state.pa.us/nurse), or by calling the Board office at (717) 783-7142.

(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 change 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 determined that there are no special needs of any subset of its applicants or licensees for whom special accommodations should be made.

Regulatory Analysis Form

(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 publication in final form 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.

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INDEPENDENT REGULATORY
REVIEW COMMISSION

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FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

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.

State Board of Nursing

(AGENCY)

BY: _____
(DEPUTY ATTORNEY GENERAL)

BY: Andrew C. Clark

DOCUMENT/FISCAL NOTE NO. 16A-5128

MAR 24 2008

DATE OF APPROVAL

DATE OF APPROVAL

DATE OF ADOPTION:

BY: Mary E. Bowen
Mary E. Bowen, RN CRNP

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

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

TITLE: Chairperson
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

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

FINAL RULEMAKING

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

49 Pa. Code § 21.253

FEE FOR APPROVAL OF CONTINUING EDUCATION COURSES FOR
CERTIFIED REGISTERED NURSE PRACTITIONERS

The State Board of Nursing (Board) amends § 21.253 (relating to fees) to read as set forth in Annex A. Section 21.253 is amended by setting an application fee for approval of certified registered nurse practitioner (CRNP) continuing education courses.

Description and Need for the Rulemaking

Section 8.1 of the Professional Nursing Law (act) (63 P.S. § 218.1) requires each CRNP to complete, in the 2 years prior to CRNP certification renewal, at least 30 hours of continuing education approved by the Board. For a CRNP with prescriptive authority, the 30 hours of continuing education must include at least 16 hours in pharmacology. In initially promulgating regulations to implement CRNP continuing education in 2004, the Board pre-approved continuing education courses offered by certain providers whom the Board anticipated would develop and offer the vast majority of programs for CRNP continuing education. However, the Board also recognized that other entities would provide CRNP continuing education and provided in that rulemaking that any other provider of CRNP continuing education and individual CRNPs could seek approval of a continuing education course. The rulemaking provided that an applicant for approval of a CRNP continuing education course must pay the required fee; however, the rulemaking did not set the fee.

Section 11.2(a) and (d) of the act (63 P.S. § 221.2(a) and (d)) requires the Board to set fees by regulation so that revenues meet or exceed expenditures over a biennial period. General operating expenses for enforcement of the act are funded through biennial license renewal fees. The various licensing boards of the Bureau of Professional and Occupational Affairs attempt to recover expenses related to specific services directly through fees based upon the actual cost of providing the service. The Department of State has determined that the cost to review an application for approval of a CRNP continuing education course is \$100. In order to implement the fee necessary for this service of reviewing an application for approval of a CRNP continuing education course offered by a provider that is not on the pre-approved provider list, the Board now sets this fee at \$100.

Summary of Comments and Responses to Proposed Rulemaking

The Board published notice of proposed rulemaking at 37 Pa.B. 1035 (March 3, 2007) with a 30-day public comment period. The Board received no written comments from members of the public during the public comment period.

On April 18, 2007, the House Professional Licensure Committee (HPLC), as part of its review of proposed rulemaking under the Regulatory Review Act (71 P.S. §§ 745.1-745.12), notified the Board that the HPLC had no comments and would take no formal action on this proposed rulemaking until final promulgation. The Board received no comments from the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) as part of its review of proposed rulemaking under the Regulatory Review Act. On May 2, 2007, the Independent Regulatory Review Commission (IRRC), as part of its review of proposed rulemaking under the Regulatory Review Act, notified the Board that IRRC had no objection, comments or recommendations to offer on the proposed rulemaking.

Subsequent to the close of the public comment period, the Board received comments from the American College of Nurse-Midwives (ACNM). ACNM first suggested, in order to minimize costs to the Board, that the Board form a committee of CRNP educators to review courses on a volunteer basis. Because section 8.1(c) of the act requires the Board to approve courses, the Board cannot delegate this authority. Additionally, the scope of this rulemaking is limited to setting the course approval fee. ACNM also suggested enlarging the scope of pre-approved providers. Although the Board considers this to be a valuable suggestion and will seek to implement it in other rulemakings, the scope of this rulemaking is limited to setting the course approval fee. Finally, ACNM suggested lowering the fee to an affordable amount, such as \$25, to cover the resources needed to review the course by a Board member. Because the Department of State has determined that the cost to review an application is \$100, in order to cover the costs of providing the service, the Board will set the fee at \$100. No amendments were made to the final rulemaking in response to these comments.

Fiscal Impact and Paperwork Requirements

The final-form rulemaking will have no adverse fiscal impact and will impose no additional paperwork requirements on the Commonwealth or its political subdivisions. The rulemaking will have a modest fiscal impact on members of the private sector who seek approval of CRNP continuing education courses.

Effective date

The final-form rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

Statutory Authority

The final rulemaking is authorized under sections 8.1(c) and 11.2(a) and (d) of the Professional Nursing Law (63 P.S. §§ 218.1(c) and 221.2(a) and (d)).

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on February 21, 2007, the Board submitted a copy of the notice of proposed rulemaking, published at 37 Pa.B. 1035 (March 3, 2007), to IRRC and the chairpersons of the HPLC and the SCP/PLC for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC, the HPLC and the SCP/PLC were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments received from IRRC, the HPLC, the SCP/PLC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on _____, 2008, the final-form rulemaking was approved by the HPLC. On _____, 2008, the final-form rulemaking was deemed approved by the SCP/PLC. Under section 5.5(g) of the Regulatory

Review Act (71 P.S. § 845.5(g)), IRRC was deemed to have approved the final-form rulemaking.

Additional Information

Persons who require additional information about the final-form rulemaking should submit inquiries to Ann Steffanic, Administrator, State Board of Nursing, by mail to P.O. Box 2649, Harrisburg, PA 17105-2649, or by e-mail at st-nurse@state.pa.us.

Findings

The Board finds that:

- (1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) and regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.
- (2) A public comment period was provided as required by law and all comments were considered.
- (3) There are no amendments to this final-form rulemaking that would enlarge the scope of proposed rulemaking published at 37 Pa.B. 1035.
- (4) The final-form rulemaking adopted by this order is necessary and appropriate for the administration of the Professional Nursing Law.

Order

The Board, acting under its authorizing statute, orders that:

- (a) The regulations of the Board at 49 Pa. Code Chapter 21 are amended, by amending § 21.253, to read as set forth in Annex A.
- (b) The Board shall submit this order and Annex A to the Office of Attorney General and the Office of General Counsel for approval as required by law.
- (c) The Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.
- (d) The final-form rulemaking shall take effect upon publication in the *Pennsylvania Bulletin*.

Mary E. Bowen, RN, CRNP, Chairperson
State Board of Nursing

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 C. CERTIFIED REGISTERED NURSE PRACTITIONERS

GENERAL PROVISIONS

§ 21.253. Fees.

The following fees are charged by the Board:

* * * * *

Application for approval of CRNP continuing education course.....\$100

8. The contact persons for this matter are Elizabeth Lion Januzzi, Assistant Counsel, Law Bureau, (717) 772-0696, elionjanuz@state.pa.us; and Holly Frymoyer, Telecommunications Policy and Evaluation Unit Supervisor, Bureau of Consumer Services, (717) 783-1628, mfrymoyer@state.pa.us. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, Law Bureau, (717) 772-4597, sdelbiondo@state.pa.us.

9. Pending the final resolution of this rulemaking, the Chapter 64 separate billing requirement, including 52 Pa. Code §§ 64.14(a)(4) and (5), 64.17, 64.18, 64.21(a), and 64.63(1) and (2), are temporarily waived to the extent necessary to permit all LECs to offer bundled services packages, provided that the LEC agrees to the conditions set forth in the Secretarial Letter issued September 23, 2003, at Docket No. M-00031747.

JAMES J. MCNULTY,
Secretary

Fiscal Note: 57-251. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

CHAPTER 64. STANDARDS AND BILLING PRACTICES FOR RESIDENTIAL TELEPHONE SERVICE

Subchapter B. PAYMENT AND BILLING STANDARDS

(Editor's Note: The following section is new. It has been printed in regular type to enhance readability.)

§ 64.24. Provision of bundled service packages at a single monthly rate.

An LEC may offer bundled packages of services including nontariffed, competitive, noncompetitive, basic service or services of an affiliate, combined in a single package plan at a single monthly rate, under the following conditions:

(1) The LEC may not suspend or terminate a customer's basic service when the customer fails to make payment on the bundled service package, in accordance with § 64.21(b) (relating to separate billing for basic service).

(2) When a customer fails to make payment on a bundled service package, the LEC shall convert the customer's service to a basic service plan, subject to future suspension or termination for nonpayment in accordance with Commission regulations in §§ 64.61—64.63, 64.71—64.74 and 64.101—64.111 for suspension, and §§ 64.121—64.123 for termination.

(3) The LEC provides a disclosure statement to customers subscribing to or being offered a bundled service package. The bundled service package disclosure statement must contain the following:

(i) A statement that a customer's basic service may not be suspended or terminated when the customer fails to make payment in full on the monthly charge for the bundled service package.

(ii) A statement that, in the event of nonpayment or partial payment on a bundled service package, a customer shall receive a notice of suspension for the bundled

service package advising the customer that the bundled service package will be converted to a basic service plan at the current basic service rate in the LEC's tariff, stated in dollar amount.

(4) The LEC may offer payment agreements for past-due amounts on bundled service packages.

(5) Notices issued by the LEC pertaining to the bundled service package, including the disclosure statement, a suspension or termination notice, or other communication, will be subject to Commission review and approval for compliance with Commission regulations and consistency with plain language guidelines in § 69.251 (relating to plain language—statement of policy).

[Pa.B. Doc. No. 07-349. Filed for public inspection March 2, 2007, 9:00 a.m.]

STATE BOARD OF NURSING

[49 PA. CODE CH. 21]

Continuing Education Fee for Certified Registered Nurse Practitioners

The State Board of Nursing (Board) proposes to amend § 21.253 (relating to fees) to read as set forth in Annex A. Section 21.253 is amended by setting an application fee for approval of certified registered nurse practitioner (CRNP) continuing education courses.

Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*.

Statutory Authority

The proposed rulemaking is authorized under sections 8.1(c) and 11.2(a) and (d) of the Professional Nursing Law (act) (63 P. S. §§ 218.1(c) and 221.2(a) and (d)).

Background and Purpose

Section 8.1 of the act requires each CRNP to complete, in the 2 years prior to CRNP certification renewal, at least 30 hours of continuing education approved by the Board. For a CRNP with prescriptive authority, the 30 hours of continuing education must include at least 16 hours in pharmacology. In initially promulgating regulations to implement CRNP continuing education in 2004, the Board preapproved continuing education courses offered by the following providers: Board-approved CRNP programs, the American Nurses Credentialing Center's Commission on Accreditation, the American Academy of Nurse Practitioners, the National Association of Pediatric Nurse Practitioners and the American Medical Association. See § 21.334(a) (relating to sources of continuing education). Although the Board anticipated that these providers would develop and offer the vast majority of programs for CRNP continuing education, the Board also recognized that other entities would provide CRNP continuing education. Accordingly, by that rulemaking the Board also provided in § 21.334(b) that any other provider of CRNP continuing education could seek approval of its courses and in § 21.334(c) that an individual CRNP could seek approval of a continuing education course the CRNP intended to take. Section 21.336(b) (relating to continuing education course approval) provides that an applicant for approval of a CRNP continuing education

course must pay the fee required by § 21.253. That section, however, did not set the fee.

Section 11.2(a) and (d) of the act requires the Board to set fees by regulation so that revenues meet or exceed expenditures over a biennial period. General operating expenses for enforcement of the act are funded through biennial license renewal fees. The various licensing boards of the Bureau of Professional and Occupational Affairs (Bureau) attempt to recover expenses regarding services which are provided directly to individuals, such as applications, verification of licensure or provision of required review and approval, directly through fees in which the actual cost of providing the service forms the basis for the fee. Actual cost calculations are based upon the product of the average time necessary to perform the function and the pay rate for the classification of the personnel performing the function, together with a proportionate share of administrative overhead.

The Board now proposes to implement the fee necessary for an application for approval of CRNP continuing education courses offered by providers that are not on the preapproved provider list. In this proposed rulemaking, the fee for the service provided would be implemented to allocate costs to those who use the service or application.

Description of Proposed Amendment

Based on estimates provided by the Bureau's Revenue Office, the Board proposes a fee of \$100 for approval of a CRNP continuing education course. The fee was calculated based on an estimate of the Board staff and resources that will be expended to review and approve a CRNP continuing education course.

Fiscal Impact and Paperwork Requirements

The proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The fees will have a modest fiscal impact on members of the private sector who apply for services from the Board. The proposed rulemaking 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)), on February 21, 2007, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which 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 or objections raised.

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Ann Steffanic, Board Administrator, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649 within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-5128 (CRNP CE course approval fee) when submitting comments.

MARY E. BOWEN, R. N., CRNP,
Chairperson

Fiscal Note: 16A-5128. 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 C. CERTIFIED REGISTERED NURSE PRACTITIONERS

GENERAL PROVISIONS

§ 21.253. Fees.

The following fees are charged by the Board:

* * * * *

Application for approval of CRNP continuing education course..... \$100

[Pa.B. Doc. No. 07-350. Filed for public inspection March 2, 2007, 9:00 a.m.]

STATE BOARD OF PHARMACY

[49 PA. CODE CH. 27]

Supplies and Equipment

The State Board of Pharmacy (Board) proposes to amend §§ 27.14 and 27.16 (relating to supplies; and construction and equipment requirements) to read as set forth in Annex A. The proposed rulemaking would delete references to specific supplies that a pharmacy must maintain and instead allow pharmacies to maintain equipment to enable them to prepare and dispense prescriptions properly within their scope of practice. The proposed rulemaking would also delete the reference to the specific measurement of a pharmacy sink.

Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*.

Statutory Authority

The proposed rulemaking is authorized under sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act (act) (63 P. S. §§ 390-4(j) and 390-6(k)(1) and (9)).

Background and Need for Amendments

Section 27.14(c) currently lists specific supplies and equipment that pharmacies must maintain (except phar-

FEE REPORT FORM

Agency: State - BPOA

Date: 01/04/2006

Contact: Basil Merenda
Commissioner, Bureau Of Professional & Occupational Affairs

Phone No. 783-7192

Fee Title, Rate and Estimated Collections:

Continuing Education Course Application Fee: \$100.00

Estimated Biennial Revenue: \$600.00 (6 applications x \$100.00)

Fee Description:

The fee will be charged to every applicant for continuing education course approval.

Fee Objective:

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

Fee-Related Activities and Costs:

Staff time- receive application/send results	(.08hr)	1.76
Nurse Practice Advisor – evaluate content	(2.0 hr)	86.04
Administrative Overhead:		<u>11.50</u>
	Total Estimated Cost:	\$99.30
	Proposed Fee:	\$100.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$100.00 be established to review an application for approval of a continuing education course.

Continuing Education Course Approval Fee:

Continuing Education providers and Nurse's applying for individual approval of CE must submit an application to the board for approval. Nursing Practice Advisor reviews, evaluates and analyzes CE application. Determines if critical elements required by regulation are evident in the application course objectives, overview and content, assigns a course number and determines the number of hours awarded. Contacts program director if additional clarification is needed. Prepares and presents a written summary of findings for the Board of Nursing. If necessary, Advisor requests additional information as required by the Board.

P. MICHAEL STURLA, MEMBER
MAJORITY DEPUTY WHIP
333 MAIN CAPITOL BUILDING
P.O. BOX 202096
HARRISBURG, PENNSYLVANIA 17120-2096
PHONE: (717) 787-3555
FAX: (717) 705-1923

THE GRIEST BUILDING
8 NORTH QUEEN STREET
SUITE 1100
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PHONE: (717) 295-3157
FAX: (717) 295-7816



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

PROFESSIONAL LICENSURE - MAJORITY CHAIRMAN
AGRICULTURE & RURAL AFFAIRS
FINANCE
RULES
MAJORITY POLICY
CAPITOL PRESERVATION

April 18, 2007

Ms. Mary E. Bowen, RN, CRNP
Chairperson
State Board of Nursing
P.O. Box 2649
Harrisburg, PA 17105-2649

RE: Proposed Regulation
State Board of Nursing
16A-5128: Fee for Approval of Continuing Education Courses for CRNPs

Dear Chairperson Bowen:

The House Professional Licensure Committee on this date voted to submit no comments and take no formal action on Regulation 16A-5128 until final promulgation.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Michael Sturla".

P. Michael Sturla
Chairman, House Professional Licensure Committee

STATE BOARD
OF NURSING

2007 APR 19 PM 12:06

RECEIVED

PUBLIC COMMENTATORS FOR 16A-5128

There were no public comments received relating to Regulation 16A-5128.



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

March 31, 2008

The Honorable Arthur Coccodrilli, Chairman
INDEPENDENT REGULATORY REVIEW COMMISSION
14th Floor, Harristown 2, 333 Market Street
Harrisburg, Pennsylvania 17101

Re: Final Regulation
State Board of Nursing

16A-5128: Fee for Approval of Continuing Education Courses for Certified
Registered Nurse Practitioners

Dear Chairman Coccodrilli:

Enclosed is a copy of a final rulemaking package of the State Board of Nursing pertaining to Fee for Approval of Continuing Education Courses for Certified Registered Nurse Practitioners.

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

Sincerely,

A handwritten signature in cursive script that reads "Mary E. Bowen".

Mary E. Bowen, RN, CRNP, Chairperson
State Board of Nursing

MEB/TAB:rs

Enclosure

cc: Basil L. Merenda, Commissioner
Bureau of Professional and Occupational Affairs
Albert H. Masland, Chief Counsel
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel & Senior Counsel in Charge
Department of State
Thomas A. Blackburn, Counsel
State Board of Nursing
State Board of Nursing

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT

RECEIVED

I.D. NUMBER: 16A-5128

SUBJECT: FEE FOR APPROVAL OF CONTINUING EDUCATION COURSES FOR
CERTIFIED REGISTERED NURSE PRACTITIONERS

APR 3 AM 9: 52

AGENCY: DEPARTMENT OF STATE
STATE BOARD OF NURSING

INDEPENDENT REGULATORY
REVIEW COMMISSION

TYPE OF REGULATION

Proposed Regulation

X 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

3/31/08 Jan M. ...

DESIGNATION

HOUSE COMMITTEE ON PROFESSIONAL LICENSURE

MAJORITY CHAIRMAN Mike Sturka

3/31/08 Mary Walmer

SENATE COMMITTEE ON CONSUMER PROTECTION &
PROFESSIONAL LICENSURE

MAJORITY CHAIRMAN Robert Tomlinson

3/31/08 St. Belmont

INDEPENDENT REGULATORY REVIEW COMMISSION

ATTORNEY GENERAL (for Final Omitted only)

LEGISLATIVE REFERENCE BUREAU (for Proposed only)

March 25, 2008