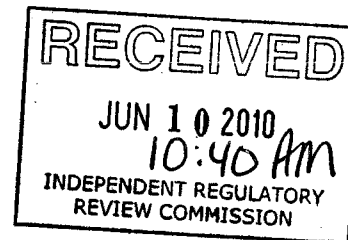


# Regulatory Analysis Form

(Completed by Promulgating Agency)



## SECTION I: PROFILE



(1) Agency:

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

(2) Agency Number:

Identification Number: 16A-5136

IRRC Number: 2809

(3) Short Title:

Biennial Renewal Fees

(4) PA Code Cite:

49 Pa. Code §§21.5, 21.147, 21.253, 21.705

(5) Agency Contacts (List Telephone Number, Address, Fax Number and Email Address):

Primary Contact: Teresa Lazo, Counsel, State Board of Nursing, tlazo@state.pa.us

Secondary Contact: Joyce McKeever, Deputy Chief Counsel, jmckeever@state.pa.us

2601 N. Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649

telephone: 717-783-7200; fax: 717-787-0251

(6) Primary Contact for Public Comments (List Telephone Number, Address, Fax Number and Email Address) – Complete if different from #5:

Ann Steffanic, Board Administrator, State Board of Nursing

ST-NURSING@state.pa.us

(All Comments will appear on IRRC'S website)

(7) Type of Rulemaking (check applicable box):

☒ Final Regulation

(8) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

## Regulatory Analysis Form

The regulation increases the biennial renewal fee for licensed practical nurses (LPNs), professional nurses (RNs), certified registered nurse practitioners (CRNPs), and licensed dietitian-nutritionists (LDNs). The new fees are necessary to cover the costs of sustaining the Board's operations.

(9) Include a schedule for review of the regulation including:

A. The date by which the agency must receive public comments: N/A

B. The date or dates on which public meetings or hearings will be held: N/A

C. The expected date of promulgation of the proposed regulation as a final-form regulation: Fall 2010

D. The expected effective date of the final-form regulation: The new fees will be collected for the first time beginning in April 2011.

E. The date by which compliance with the final-form regulation will be required: April 2011

F. The date by which required permits, licenses or other approvals must be obtained: N/A

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

The Department of State, Bureau of Finance and Operations, makes annual reports to the Board in November or December. After receiving this report, the Board determines whether to make any amendments to the biennial renewal fees.

## Regulatory Analysis Form

### **SECTION II: STATEMENT OF NEED**

(11) State the statutory authority for the regulation. Include specific statutory citation.

Section 11.2 of the Professional Nursing Law, Act of December 20, 1985, P.L. 409, as amended, 63 P.S. §221.2.

Section 17.5 of the Practical Nurse Law, Act of December 20, 1985, P.L. 423, as amended, 63 P.S. §667.5.

(12) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

Yes. The Board is required by section 11.2(b) of the Professional Nursing Law (63 P.S. §221.2) and section 17.5 of the Practical Nurse Law (63 P.S. §667.5(b)) to set fees to raise sufficient revenue to meet expenditures. It is anticipated that without raising fees the Board will realize a significant deficit.

(13) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

Nonregulation would adversely impact the fiscal integrity of the Board.

## Regulatory Analysis Form

(14) If scientific data, studies, references are used to justify this regulation, please submit material with the regulatory package. Please provide full citation and/or links to internet source.

The BFO provided information to the Board, which can be sent directly from BFO upon request. No other data, studies or references were used in developing this rulemaking.

(15) Describe who and how many will be adversely affected by the regulation. How are they affected?

Licensees will pay higher biennial renewal fees. There are 53,635 LPNs, 206,565 RNs, 3,072 LDNs and 6,481 CRNPs that will pay increased renewal fees.

(16) 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.

Licensees will be required to comply with the regulation. The Board licenses 206,565 RNs; 53,635 LPNs; 6,481 CRNPs; and 3,072 LDNs.

## Regulatory Analysis Form

### **SECTION III: COST AND IMPACT ANALYSIS**

(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. Explain how the dollar estimates were derived.

Upon implementation, the increased biennial cost will be as follows:

LPNs 53,635 x \$20 increase = \$1,072,700

RNs 206,565 x \$20 increase = \$4,131,300

LDNs 3,072 x \$ 20 increase = \$61,440

CRNPs 6,481 x \$25 increase = \$162,025

Total increase per biennium = \$5,427,465

Annual costs are based on one-half the RN population renewing annually. CRNPs renew at the same time as the CRNP's RN license is renewed. LPNs and LDNs renew in even-numbered years.

(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. Explain how the dollar estimates were derived.

Local governments will not be affected by the 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. Explain how the dollar estimates were derived.

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 its operations.

## 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.

	<b>FY 2009-2010</b>	<b>FY +1 Year</b>	<b>FY +2 Year</b>	<b>FY +3 Year</b>	<b>FY +4 Year</b>	<b>FY +5 Year</b>
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
<b>Regulated Community</b>	0	0	0	0	0	0
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Savings</b>	0	0	0	0	0	0
<b>COSTS:</b>						
<b>Regulated Community</b>	0	2,146,662	3,280,802	2,146,662	3,280,802	2,146,662
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Costs</b>	0	2,146,662	3,280,802	2,146,662	3,280,802	2,146,662
<b>REVENUE LOSSES:</b>						
<b>Regulated Community</b>	0	0	0	0	0	0
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Revenue Losses</b>	0	0	0	0	0	0

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

<b>Program</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	<b>FY 08-09</b>	<b>FY 09-10 (projected)</b>
State Board of Nursing	\$7,455,049	\$7,959,885	\$9,077,904	\$10,187,500

(21) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The amendments to the existing regulations are mandated by section 11.2 of the Professional Nursing Law (63 P.S. §221.2) and section 17.5 of the Practical Nurse Law (63 P.S. §667.5).

## Regulatory Analysis Form

(22) Describe the communications with and input from the public and any advisory council/group in the development and drafting of the regulation. List the specific persons and/or groups who were involved.

The reconciliation of its budget is an administrative function for which public input is not required. However, the Board receives its budget reports and discusses fee increases in public sessions.

(23) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

The Board based its fee increase on the recommendations from the BFO. The Board concludes that its proposal is the least burdensome acceptable alternative.

(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 regulations.

No federal standards apply.

(25) How does this regulation compare with those of other states? How will this affect Pennsylvania's ability to compete with other states?

The Board's biennial renewal fees compare favorably with those in surrounding states. Local LPN fees range from a low of \$65 per triennial period in New York to a high of \$120 per biennial period in New Jersey. Intermediate biennial fees for LPNs are as follows: Maryland \$110, Delaware \$97, West Virginia \$100.

Local RN fees range from a low of \$65 per triennial period in New York to a high of \$142 per biennial period in Maryland. Intermediate biennial fees for RNs are as follows: Delaware \$97, New Jersey \$120, West Virginia \$70.

Local CRNP fees range from a low of \$30 per triennial period in New York to a high of \$160 per biennial period in New Jersey. Intermediate biennial fees for CRNPs are as follows: Maryland \$152, Delaware \$97, West Virginia \$70.

The increases for LDNs compare favorably to those in surrounding states. In New York, LDNs pay \$155 triennially and in Delaware LDNs pay \$192 biennially.

The Board does not believe that the increases will affect Pennsylvania's ability to compete with other states to attract nurses and LDNs.

## Regulatory Analysis Form

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

No.

(27) Submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

There are no legal, accounting or consulting procedures or additional recordkeeping or other paperwork which will be required for implementation of the regulation.

(28) 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.

There are no affected groups such as minorities, elderly, small businesses or farmers know to the Board.



# FEE REPORT FORM

**Agency:** State - BPOA

**Date:** February 4, 2009

**Contact:** Basil Merenda

Commissioner, Bureau of Professional and Occupational Affairs

**Phone No.** 783-7192

## Fee Title, Rate and Estimated Collections:

Registered Nurse Biennial Renewal Fee:	\$70.00
Practical Nurse Biennial Renewal Fee:	\$60.00
Certified Nurse Practitioner Biennial Renewal Fee:	\$75.00
Prescriptive Authority Biennial Renewal Fee:	\$25.00
Dietician-Nutritionist (LDN) Biennial Renewal Fee:	\$70.00

### Estimated Biennial Revenue:

Registered Nurse - \$14,650,160.00 (209,288 renewals x \$70.00)
Practical Nurse - \$3,169,320.00 (52,822 renewals x \$60.00)
Certified Nurse Practitioner - \$487,650.00 (6,502 renewals x \$75.00)
Prescriptive Authority - \$131,800.00 (5,272 renewals x \$25.00)
Dietician-Nutritionist (LDN) - \$208,880.00 (2,984 renewals x \$70.00)

Total Estimated Biennial Revenue: \$18,647,810.00

## Fee Description:

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

## Fee Objective:

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

## Fee-Related Activities and Costs:

Estimated balance at end of 08/09 cycle:	4,309,467.31
<b>FOR BIENNIAL CYCLE 7/01/09-6/30/10</b>	
Estimated non-renewal revenue:	1,837,500.00
Estimated renewal revenue @ above rates:	9,745,000.00
Total revenue available:	15,891,967.31
Estimated expenditures:	10,405,000.00
<b>Estimated ending balance on 6/30/10:</b>	<b>5,486,967.31</b>
<b>FOR BIENNIAL CYCLE 7/01/10-6/30/11</b>	
Estimated non-renewal revenue:	1,837,500.00
Estimated renewal revenue @ above rates:	8,902,500.00
Estimated expenditures:	10,900,000.00
<b>Estimated ending balance on 6/30/11:</b>	<b>5,326,967.31</b>

**Analysis, Comment, and Recommendation:**

It is recommended that the above renewal fees be established to cover projected funding shortfalls between the Board's total biennial expenditures and its total biennial revenues from non-renewal sources.

CDL-1

FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

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BY: \_\_\_\_\_  
(DEPUTY ATTORNEY GENERAL)

State Board of Nursing  
\_\_\_\_\_  
(AGENCY)

BY: \_\_\_\_\_  
Andrew C. Clark

DOCUMENT/FISCAL NOTE NO. 16A-5136

JUN -7 2010

DATE OF APPROVAL

DATE OF ADOPTION: \_\_\_\_\_

DATE OF APPROVAL

BY: \_\_\_\_\_  
Ann L. O'Sullivan, Ph.D., FAAN, CRNP

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.

FINAL RULEMAKING  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF NURSING  
49 PA. CODE, CHAPTER 21  
BIENNIAL RENEWAL FEES

The State Board of Nursing (Board) amends §§ 21.5, 21.147, 21.253 and 21.705, to read as set forth in Annex A. The amendments provide for a new biennial renewal fee for licensed practical nurses (LPNs), professional nurses (RNs), Certified Registered Nurse Practitioners (CRNPs) and Licensed Dietitian-Nutritionists (LDNs) .

### **Effective Date**

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

### **Statutory Authority**

Section 11.2 of the Professional Nursing Law (RN act) (63 P.S. § 221.2) and section 17.5 of the Practical Nurse Law (63 P.S. § 667.5) require the Board to set fees sufficient to meet expenditures.

### **Response to Comments**

The proposed rulemaking was published on December 19, 2009. The Board received comments from the Pennsylvania Association of Nurse Anesthetists (PANA), the Pennsylvania Health Care Association (PHCA), Judith Giannuzzi, R.N., the House Professional Licensure Committee (HPLC) and the Independent Regulatory Review Commission (IRRC). PANA wrote that it had no objection to the proposed rulemaking. PHCA, an organization representing approximately 324 long term care and senior service providers, wrote in opposition to the proposed increase in biennial renewal fees. PHCA opined that the increase could create an impediment for individuals seeking to become and to work as nurses. Ms. Giannuzzi objected to the proposed increase and asked what obligations the Board could not meet without the increase, and whether other cost-cutting options had been explored.

HPLC submitted three comments. First, HPLC requested the rationale for the proposed 45% - 50% increase after 9 years of no increases and after having been notified of the need for increases in the fall of 2008. Second, HPLC recommended a duplicate listing of the fee for examination and licensure be stricken. Third, the Committee recommended that website references be checked and questioned the wisdom of placing website addresses in a regulation. IRRC echoed the HPLC's second comment, recommended that the website link be corrected but remain in the regulation, and requested that the Board submit a "fee report form" for the increases in the final-form regulation.

In determining that a fee increase was necessary, the Board considered both its operational expenses and the ability of its licensees to pay the increased fees. The majority of

the Board's expenses arise from the investigation and prosecution of individuals who have violated the nursing practice acts. Individuals who violate the practice acts place patients at risk. The Board's obligation to protect the public would be compromised if it did not have the funds necessary to investigate and prosecute violations of the practice acts. The Department of State and the Bureau of Professional and Occupational Affairs have explored and implemented various cost-cutting measures over the past several years.

HPLC requested the rationale for the amount of the increase after 9 years of no increases and after having been notified of the need for an increase in the fall of 2008. The Board last increased biennial renewal fees in November 2000. The Board anticipates that the first implementation of the new fee will be in the April 2011.

The Board is statutorily required to monitor revenues and expenditures and to increase fees when it appears that the Board's revenues will not meet its expenditures over a 2-year period. After monitoring revenues and expenses on a biennial basis, the Department's Bureau of Finance and Operations informed the Board, in the late fall of 2008, that the Board's revenues were not projected to meet its expenses over a 2-year period. The Board began drafting its proposed rulemaking and submitted a draft for an incremental fee increase over the coming 10-year period for internal review in January 2009. The incremental increase was an approach that had been suggested by HPLC in its review of other board's biennial renewal fee regulations, but that had not previously been adopted by any other board.

Ongoing discussions ensued between the Board's regulatory officers and the Bureau of Finance and Operations regarding the uncertainty surrounding the approval of an incremental fee increase and the urgency of the Board's need to balance its budget. The Board decided to propose a traditional, one-time increase. The proposal was published in December 2009. In accordance with the Regulatory Review Act, comment periods were provided for the public, the Committees and the Commission. The Board considered the comments at its next meeting on April 13, 2010, and on that same date finalized a draft of the final rulemaking package.

In determining the proposed biennial fee increases, the Board also reviewed nursing salary data compiled by the Pennsylvania Department of Labor and Industry. This data shows the average Pennsylvania salary for an LPN is \$39,920, for an RN \$61,390 and for an LDN \$44,420. Data from the United States Department of Labor, Bureau of Labor Statistics (BLS) showed a median salary for CRNPS in 2007 was \$82,590. The increases proposed by the Board would increase the licensure fees for LDNs, LPNs and RNs by \$10 per year, to \$32.50 per year. The increase proposed by the Board would increase the licensure fee for CRNPs by \$12.50 per year, to \$37.50 per year. These fees are significantly lower than the nurse licensure fees charged in most of the surrounding states. The Board does not anticipate that the increases will place an undue burden on licensees or on employers who pay the fees for their employees.

Regarding the web addresses in regulations, licensing boards within the Bureau began including web addresses in regulations at the suggestion of IRRC. Although the Board questioned, as does HPLC, the advisability of putting web addresses, which are subject to change, in regulations, the Board agreed with IRRC that its regulations should provide as much

information as possible to licensees. The Legislative Reference Bureau has agreed to publish corrections to web addresses without requiring the Board to promulgate a rulemaking to effectuate a change. On balance, therefore, it appears that the benefit to including web and email addresses outweighs the possible negative effects when these addresses are changed. The Board has corrected the web addresses for the Commission on Dietetic Registration and the Certification Board for Nutrition Specialists in the final rulemaking.

The Board has deleted the repetitious provision in the fee schedule for registered nurses and has provided the fee report forms as requested by IRRC.

### **Fiscal Impact and Paperwork Requirements**

The amendments will have a fiscal impact on nurses and licensed dietitian-nutritionists in the Commonwealth in that the amendments increase the biennial licensure renewal fees for these licensees. The amendments will not otherwise have any fiscal impact nor impose additional paperwork on the private sector, the general public and the Commonwealth and its political subdivisions.

### **Sunset Date**

The Board continuously monitors the 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 December 7, 2009, the Board submitted notice of this proposed rulemaking, published at 39 Pa.B. 7105 (December 19, 2009), to IRRC and the Chairpersons of the House Professional Licensure Committee (HPLC) and the Senate Consumer Protection and Professional Licensure Committee (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 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 \_\_\_\_\_, 2010, the final-form rulemaking was approved by the HPLC. On \_\_\_\_\_, 2010, the final-form rulemaking was deemed approved by the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on \_\_\_\_\_, 2010, and approved the final-form rulemaking.

### **Additional Information**

Additional information may be obtained by writing to Ann Steffanic, Board Administrator, State Board of Nursing, P.O. Box 2649, Harrisburg, PA 17105-2649.

### **Findings**

The State Board of Nursing finds that:

- (1) Public notice of intention to adopt a regulation at 49 Pa. Code, Chapter 21, was given under sections 201 and 202 of the Act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201-1202) and the regulations promulgated under those sections at 1 Pa. Code §§ 7.1-7.2.
- (2) A public comment period was provided as required by law and all comments were considered in drafting this final-form rulemaking.
- (3) The amendments made to the final-form rulemaking do not enlarge the original purpose of the proposed rulemaking as published under section 201 of the Act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1201).
- (4) These amendments to the regulations of the State Board of Nursing are necessary and appropriate for the regulation of the practice of professional nurses in the Commonwealth.

### **Order**

The Board therefore ORDERS that:

- (A) The regulations of the State Board of Nursing, 49 Pa. Code, Chapter 21, are amended to read as set forth in Annex A.
- (B) The Board shall submit a copy of Annex A to the Office of the Attorney General and the Office of General Counsel for approval as required by law.
- (C) The Board shall certify this Order and Annex and shall deposit them with the Legislative Reference Bureau as required by law.

- (D) The regulations shall take effect immediately upon publication in the Pennsylvania Bulletin.

Ann O'Sullivan, Ph.D., FAAN, CRNP, Chairman  
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 A. REGISTERED NURSES**

**GENERAL PROVISIONS**

**§ 21.5. Fees.**

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

\* \* \* \* \*

[Application for approval of new nursing program..... \$935]

\* \* \* \* \*

[Biennial renewal of license..... \$45]

\* \* \* \* \*

~~Examination and licensure.....\$35~~

\* \* \* \* \*

[Request under § 21.134(b) by a provider of a continuing education activity not listed in § 21.134(a) or an individual seeking credit for a continuing education activity not pre-approved by the Board for approval of each hour of continuing education for which credit is requested.....\$75]

(b) [In addition to the examination and licensure fee of \$35 prescribed in subsection (a), which is payable directly to the Board, a candidate for the registered nurse licensing examination shall also pay a fee of \$40 to the National Council of the State Board of Nursing to cover costs associated with the preparation and administration of the registered nurse licensing

examination. Effective April 1994, or upon implementation of the computer adaptive examination, the fee paid directly to the National Council of the State Boards of Nursing or its designated agent is \$88.]

The following fees are charged by the Board to support its operations:

Biennial renewal of license.....\$65

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

Application for approval of new nursing program.. .....\$935

(d) The following fees related to continuing education are charged by the Board:  
Request, under § 21.134(b) by a provider of a continuing education activity not listed in § 21.134(a) or an individual seeking credit for a continuing education activity not pre-approved by the Board, for approval of each hour of continuing education for which credit is requested.....\$75

(e) In addition to the examination and licensure fee prescribed in subsection (a), which is payable directly to the Board, a candidate for the registered nurse licensing examination shall also pay a fee to the National Council of the State Board of Nursing ([www.ncsbn.org](http://www.ncsbn.org)) to cover costs associated with the preparation and administration of the registered nurse licensing examination.

\* \* \* \* \*

## Subchapter B. PRACTICAL NURSES

\* \* \* \* \*

### GENERAL PROVISIONS

#### § 21.147. Fees.

- (a) The following fees are charged by the Board for services to licensees:

\* \* \* \* \*

[Application of approval of new nursing program ..... \$935]

\* \* \* \* \*

[Biennial renewal of license..... \$40]

\* \* \* \* \*

(b) [In addition to the examination and licensure fee of \$35 prescribed in subsection (a), which is payable directly to the Board, a candidate for the practical nurse licensing examination shall also pay a fee of \$40 to the National Council of the State Boards of Nursing to cover costs associated with the preparation and administration of the practical nurse licensing examination. Effective April 1994, or upon implementation of the computer adaptive examination, the fee paid directly to the National Council of the State Boards of Nursing or its designated agent is \$88.]

The following fees are charged by the Board to support its operations:

Biennial renewal of license.....\$60

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

Application for approval of new nursing program.. \$935

(d) In addition to the examination and licensure fee prescribed in subsection (a), which is payable directly to the Board, a candidate for the practical nurse licensing examination shall also pay a fee to the National Council of the State Boards of Nursing ([www.ncsbn.org](http://www.ncsbn.org)) to cover costs associated with the preparation and administration of the practical nurse licensing examination.

\* \* \* \* \*

## **Subchapter C. CERTIFIED REGISTERED NURSE PRACTITIONERS**

### **GENERAL PROVISIONS**

#### **§ 21.253. Fees.**

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

[Certification] CRNP Certification.....\$100

[Biennial renewal of certification ..... \$50]

\* \* \* \* \*

[Biennial renewal of prescriptive authority .....\$25

Application for approval of new nursing program .....\$735

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

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

Biennial renewal of CRNP certification .....\$75

Biennial renewal of prescriptive authority approval.....\$25

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

Application for approval of new nursing program .....\$735

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

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

\* \* \* \* \*

## **Subchapter G.**

## **DIETITIAN-NUTRITIONISTS**

### **GENERAL PROVISIONS**

\* \* \* \* \*

#### **§ 21.705. Fees.**

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

\* \* \* \* \*

[Renewal fee ..... \$45]

\* \* \* \* \*

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

Biennial renewal of license.....\$65

(c) In addition to the application fee prescribed in subsection (a), which is payable directly to the Board, a candidate for the Registration Examination for Registered Dietitians will also pay an additional examination fee. A candidate may contact the Commission on Dietetic Registration, ~~216 West Jackson Blvd.~~ 120 SOUTH RIVERSIDE PLAZA, SUITE 2000, Chicago, IL 60606-6995, {[www.cdrnet.org](http://www.cdrnet.org)} ~~[www.cdrnet.org](http://www.cdrnet.org)~~ for more information regarding the examination and examination fee.

[(c)](d) In addition to the application fee prescribed in subsection (a), which is payable directly to the Board, a candidate for the Certification Board for Nutrition Specialists examination for Certified Nutrition Specialists will also pay an additional examination fee. A candidate may contact the Certification Board for Nutrition Specialists, 300 S. Duncan Avenue, Suite 225, Clearwater, FL 33755, ~~[www.cert-nutrition.org](http://www.cert-nutrition.org)~~ [WWW.CBNS.ORG](http://WWW.CBNS.ORG) for more information regarding the examination and examination fee.

COMMENTATORS LIST 16A-5136

JUDITH M GIANNUZZI RN BSN  
1064 MCALLISTER DRIVE  
NEW KENSINGTON PA 15068

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PA ASSOC OF NURSE ANESTHETISTS  
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HARRISBURG PA 17101

ANNE HENRY NHA  
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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

June 10, 2010

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


Re: Final Regulation  
State Board of Nursing  
16A-5136: Biennial Renewal Fees

Dear Chairman Coccodrilli:

Enclosed is a copy of a final rulemaking package of the State Board of Nursing pertaining to Biennial Renewal Fees.

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

Sincerely,

  
Ann L. O'Sullivan, PhD, RN, CRNP,  
Chairperson  
State Board of Nursing

ALO/TL:rs

Enclosure

cc: Basil L. Merenda, Commissioner  
Bureau of Professional and Occupational Affairs  
Steven V. Turner, Chief Counsel  
Department of State  
Joyce McKeever, Deputy Chief Counsel  
Department of State  
Cynthia Montgomery, Regulatory Counsel & Senior Counsel in Charge  
Department of State  
Teresa Lazo, Counsel  
State Board of Nursing  
State Board of Nursing



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

I.D. NUMBER: 16A-5136

SUBJECT: BIENNIAL RENEWAL FEES

AGENCY: DEPARTMENT OF STATE  
STATE BOARD OF NURSING

**TYPE OF REGULATION**

Proposed Regulation

X Final Regulation

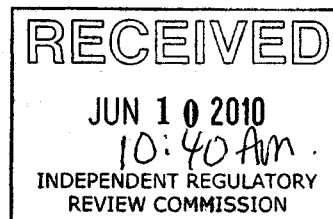
Final Regulation with Notice of Proposed Rulemaking Omitted

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	DESIGNATION
6/10/10	<i>Ernie Nichols</i>	HOUSE COMMITTEE ON PROFESSIONAL LICENSURE
_____	_____	MAJORITY CHAIRMAN <u>Michael P. McGeehan</u>
6/10/10	<i>Mary Walmer</i>	SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE
_____	_____	MAJORITY CHAIRMAN <u>Robert M. Tomlinson</u>
6/10/10	<i>K Cooper</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
_____	_____	ATTORNEY GENERAL (for Final Omitted only)
_____	_____	LEGISLATIVE REFERENCE BUREAU (for Proposed only)

June 8, 2010