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COMMITTEES

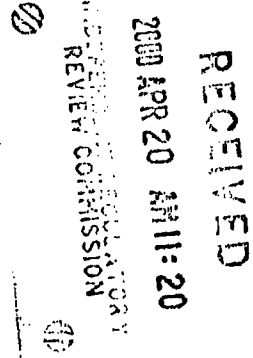
PROFESSIONAL LICENSURE,  
MAJORITY CHAIRMAN  
LIQUOR CONTROL  
FIREFIGHTERS' CAUCUS,  
COCHAIRMAN EMERITUS

Original: 2031

*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

April 18, 2000

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



Dear Chairman McGinley:

I am writing to inform you that the House Professional Licensure Committee held a meeting on April 18, 2000, and voted to approve Regulation 16A-5710, Regulation 16A-673, Regulation 16A-5112, Regulation 16A-566, and Regulation 16A-633.

In addition, the Committee voted to table Regulation 16A-657 until the committee meeting scheduled for May 2, 2000.

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

Sincerely,

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

Mario J. Civera, Chairman  
House Professional Licensure Committee

MJC/sms  
Enclosures

cc: Brian V. Harpster, V.M.D., Chairman  
State Board of Veterinary Medicine  
Hanna Gruen, Chairperson  
State Board of Occupational Therapy  
Education and Licensure  
K. Stephen Anderson, CRNA, Chairman  
State Board of Nursing  
Joseph Tarantino, Jr., Chairman  
State Real Estate Commission  
Joseph L. French, Ed.D., Chairman  
State Board of Psychology  
James J. Irrgang, Chairman  
State Board of Physical Therapy  
Honorable Kim H. Pizzingrilli, Secretary of the Commonwealth  
Department of State

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PROFESSIONAL LICENSURE  
REVIEW COMMISSION

**Regulation 16A-5112**

**State Board of Nursing**

**PROPOSAL:** Regulation 16A-5112 amends 49 PA Code, Chapter 21, regulations of the State Board of Nursing. The amendment makes revisions to the schedule of Board fees by increasing fees for providing certain services, decreasing the fee in one instance, and adding four new fees for services for which there is currently no charge.

Regulation 16A-5112 is Final Rulemaking which was delivered to the Professional Licensure Committee on April 7, 2000. The Professional Licensure Committee has until April 27, 2000, to approve or disapprove the regulation.

**ANALYSIS:** Pursuant to Sec. 11.2(a) of the Professional Nursing Law, 63 P.S. Sec. 221.2(a), and Sec. 17.5(a) of the Practical Nursing Law, 63 P.S. Sec. 667.5(a), the Board is required to meet expenditures through revenues raised by fees, fines and civil penalties. The Board states that a recent systems audit determined that the fees for certain services did not accurately reflect the actual cost involved in providing the service. Accordingly, the Board proposes to amend the schedule of fees as follows:

<u>Application/Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
License Application by Endorsement	\$ 25.00	\$100.00
Temporary Practice Permit	\$ 20.00	\$ 35.00
Extension of Temporary Practice Permit	\$ 0.00	\$ 60.00
Application for Approval of New Nursing Program	\$300.00	\$475.00
Review and Challenge of the PN Exam	\$130.00	\$170.00
Review and Challenge of the RN Exam	\$220.00	\$170.00
Application Fee for Out-of-State Graduates	\$ 30.00	\$100.00
Reactivation After 5 Years of Inactivity	\$ 20.00	\$ 50.00
Restoration After Suspension of Revocation	\$ 0.00	\$ 50.00
Certification of Scores	\$ 0.00	\$ 25.00
Certification of License History	\$ 0.00	\$ 40.00
CRNP Certification	\$ 45.00	\$100.00

The Committee questioned under what circumstances the Board would "certify" an examination score. The Board explained that certification of examination scores is requested by licensees who are seeking licensure by reciprocity in other states. Generally, the state of original licensure is the only source of exam scores in that testing agencies do not maintain that information. Additionally, the boards of other states require that the Pennsylvania Board and other boards certify the exam scores.

The administrative overhead listed on the fee report form for certification of scores is listed as 9.76, whereas the administrative overhead for all other services is listed as 8.21. The Committee questioned the reason for this differential. The Board states that the cost for this service represents the cost of processing for all licensees in the Bureau, whereas the other costs are incurred for licensees of the Board only.

The Committee requested an explanation as to why the proposed fees to be charged are always rounded up to the nearest five dollar increment. The Board explained that the rounding up process creates a minimal but necessary cushion or surplus to accommodate unexpected needs and expenditures.

The Board estimates that the total aggregate additional cost for licensees per biennial period would be approximately \$1,204,345.00. The Committee requested an explanation as to what board expenses or services would justify such an increase. The Board states that many fees have not been increased in 13 years, and in the past six years the number of licensees has risen by 26,200. The aggregate increase reflects both the increase in Board costs to provide each service and the estimated number of licensees who will use the services.

The Board includes as a fee-related activity a fee for Board meeting time to review or vote on applications. The Committee requested an explanation as to what Board costs are reflected in that fee. The Board states that the fees are for services which require the attention of the Board and for which the cost is excluded from the general operating expenses of the Board. The cost for Board review is not borne by the general licensee population, but by those who use the service, such as applicants for approval of a new nursing education program.

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

House of Representatives  
Professional Licensure Committee  
April 10, 2000