

TITLE 16. BOARD OF REGISTERED NURSING

NOTICE IS HEREBY GIVEN that the Board of Registered Nursing (hereinafter referred to as “Board”) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

**Board of Registered Nursing
1747 N. Market Blvd.
Hearing Room
Sacramento, CA 95834**

**July 27, 2015
9:00 a.m.**

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on July 27, 2015. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 2715 of the Business and Professions Code (Code), and to implement, interpret or make specific Sections 163.5 2815, 2815.1, 2815.5, 2815.7, 2816, 2830.7, 2831, 2833, 2836.3 and 2838.2 of said Code, the Board is considering changes to Division 14 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend Section 1417.

Existing laws authorize the Board to charge fees for initial licensure and certification applications; temporary licenses; interim permits; license and certificate renewals; delinquent renewals; and returned checks. The Board is a self-supporting, special fund agency that generates its revenues from licensing fees. The Board is proposing to increase fees as detailed in the table on page 2. The fee increases apply to renewal of licenses and certificates that expire after January 1, 2016, and to all other fees effective January 1, 2016.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATION:

The increases in fees are necessary to enable the Board to more effectively protect consumers and effectively support the Board’s functions.

FEES	EXISTING	PROPOSED
Biennial license renewal fee*	\$130	\$150
Penalty fee for failure to timely renew a license	\$65	\$75
Application fee for continuing education provider approval	\$200	\$300
Biennial continuing education provider approval renewal fee	\$200	\$300
Penalty fee for failure to renew a continuing education provider	\$100	\$150
Fee for processing endorsement papers to other states	\$60	\$100
Certified copy of a school transcript	\$30	\$50
Duplicate license fee	\$30	\$50
Fee for evaluation of qualifications to use the title “nurse-practitioner”	\$75	\$150
Application fee for certificate as a nurse-midwife	\$75	\$150
Biennial nurse-midwife certificate renewal fee	\$75	\$100
Penalty fee for failure to timely renew a nurse-midwife certificate	\$37	\$50
Fee for application for nurse-midwife equivalency examination	\$100	\$200
Application fee for nurse-anesthetist certificate	\$75	\$150
Biennial nurse-anesthetist certificate renewal fee	\$75	\$100
Penalty fee for failure to timely renew a nurse-anesthetist certificate	\$37	\$50
Application fee for public health nurse certificate	\$75	\$150
Application fee for clinical nurse specialist certificate	\$75	\$150
Biennial clinical nurse specialist certificate renewal fee	\$75	\$100
Penalty fee for failure to timely renew a clinical nurse specialist certificate	\$37	\$50

*With the proposed fee increase, registered nurses will pay \$160 at the time of license renewal. The fee includes a \$10 assessment for the RN Education Fund.

DETERMINATION OF INCONSISTENCY/INCOMPATIBILITY WITH EXISTING REGULATION:

During the process of developing these regulations and amendments, the Board of Registered Nursing has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 – 17630 Require Reimbursement: None

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Results of the Economic Impact Assessment: The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of

jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of the Proposed Action: The proposed regulation will benefit California residents by enabling the Board to be more effective in protecting them and effectively supporting the Board's functions.

Cost Impact on Representative Private Person or Business:

The proposed fee increases affect individuals and some small businesses. The affected individuals are the approximate: 4,795 applicants for advanced practice certificates; and 182,000 registered nurses renewing their licenses, and 3,070 renewing their Board-issued certificates. The affected small businesses are approximately 1,500 continuing education providers. The affected small businesses are also the approximate 240 continuing education provider applications. The remaining fee increases are penalties or fees for non-automatic particular services that licensees or applicants may request. The cost impact on the individual varies dependent on the type of application, i.e., initial certification, renewal of a license, or renewal of certificate. The increase in fees ranges from \$10.00 to \$100.00 and is detailed in the above table. The Board estimates revenues will increase approximately \$4,400,000 annually from the fee increases. The increased revenue will be used to support the Board's functions.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations affect small business.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the person designated in the Notice under Contact Person or by accessing the Board's website, www.rn.ca.gov.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the person named below. You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Ronnie Whitaker
Address: 1747 N. Market Blvd., Suite 150
Sacramento, CA 95834
Telephone No.: 916-574-8257
Fax No.: 916-574-7700
E-Mail Address: ronnie.whitaker@dca.ca.gov

The backup contact person is:

Name: Alcidia Valim
Address: 1747 N. Market Blvd., Suite 150
Sacramento, CA 95834
Telephone No.: 916-574-7684
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E-Mail Address: alcidia_valim@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.rn.ca.gov.