

**ADOPTED REGULATION OF THE
STATE BOARD OF NURSING**

LCB File No. R051-03

Effective October 30, 2003

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 632.120 and 632.345; §2, NRS 632.073 and 632.120.

Section 1. NAC 632.190 is hereby amended to read as follows:

632.190 The following fees are established:

1. For a registered nurse:

Application for a temporary license	\$50.00
Application for a license	100.00
NCLEX Verification or the National Disciplinary Data Bank Verification	5.00
Application for certification as an advanced practitioner of nursing	200.00
Fee for examination on law relating to pharmacy for advanced practitioner of nursing.....	150.00
Application for certification as a certified registered nurse anesthetist	200.00
Biennial fee for renewal of certification as an advanced practitioner of nursing or a certified registered nurse anesthetist	200.00

2. For a practical nurse:

Application for a temporary license	\$50.00
Application for a license	90.00
NCLEX Verification or the National Disciplinary Data Bank Verification	5.00

3. For *a* registered ~~nurses and practical nurses:~~ *nurse or practical nurse:*

Biennial renewal fee	\$100.00
Duplicate license	30.00
Fee for the reinstatement of a license	100.00
Proctoring an examination	150.00

4. For *a* nursing ~~assistants:~~ *assistant:*

Application for a certificate	[\$15.00] \$50.00
Biennial renewal fee	[20.00] 50.00
Duplicate certificate	[5.00] 30.00
Certification examination	90.00
Approval of proctors for certification examination	50.00
Approval of training programs:	
If using model curriculum	[150.00] 250.00
If using alternate curriculum	[150.00] 250.00

Annual approval of instructors of training programs~~50.00~~ 100.00

Annual fee for review of training programs~~60.00~~ 100.00

5. Validation of licensure or certification:

For a registered nurse\$25.00

For a licensed practical nurse25.00

For a nursing assistant25.00

6. Survey and evaluation of school of practical nursing, or school and course of professional nursing.....\$150.00

per day

7. Miscellaneous:

For duplicating the records of the board\$0.60 per page

For taking disciplinary action against a licensee.....Actual costs, including the costs incurred which are related to any assistance received from the Office of the Attorney General.

For monitoring a licensee who has been placed on probationActual costs

Sec. 2. NAC 632.210 is hereby amended to read as follows:

632.210 *1.* The Board will appoint ~~[a]~~ *an advisory* committee to advise and report to the Board on matters related to ~~[nurses impaired by a disability.]~~:

(a) The protection of the public through the safe practice of nursing by any person licensed or certified pursuant to the provisions of this chapter or chapter 632 of NRS, including, without limitation, a person who has practiced nursing while, with or without good cause, his physical, mental or emotional condition impaired his ability to act in a manner consistent with established or customary standards of nursing.

(b) The Alternative Program for Chemically Dependent Nurses established by the Board to serve as an alternative to disciplinary action of persons who are licensed or certified pursuant to the provisions of this chapter or chapter 632 of NRS and who are chemically dependent. The advisory committee shall evaluate and monitor any licensee or holder of a certificate who is a participant in the Alternative Program for Chemically Dependent Nurses.

2. The *advisory* committee will consist of at least six persons who are knowledgeable concerning ~~[disabilities, including]~~ *any conditions, diagnoses or addictions that may negatively impact the safe practice of nursing. The Board will designate a member of the advisory committee, who may be* a member of the Board ~~[or its representative, who shall]~~, *to* serve as the chairperson ~~[.]~~ *of the advisory committee.*

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R051-03

The State Board of Nursing adopted regulations assigned LCB File No. R051-03 which pertain to chapter 632 of the Nevada Administrative Code on July 23, 2003.

Notice date: 6/9/2003 & 6/10/2003
Hearing date: 7/23/2003

Date of adoption by agency: 7/23/2003
Filing date: 10/30/2003

INFORMATIONAL STATEMENT

Public comment was solicited at the Public Hearing conducted July 23, 2003 at the regular Board of Nursing meeting, a public workshop held in Las Vegas on June 9, 2003, and a public workshop in Reno on June 10, 2003. The proposed amendment was posted on the Board's web site and also noticed to the Board's customary posting places, all interested parties on the Board's agenda mailing list, a list of affected businesses, 17 county libraries, and the Reno Gazette Journal and the Las Vegas Review Journal newspapers.

The number of persons who:

- (a) Attended workshops/hearing: 11
- (b) Testified at workshops/hearing: 4
- (c) Written comments were submitted by Samantha Haefeli, CNA.

The Board adopted the regulation as written by the LCB. The regulation change is needed to offset a decrease in the amount of federal funding received to administer the program and an increase in the cost of the program's discipline cases.

In the short-term, the proposed regulation change will have an adverse economic effect on individual CNAs, who will pay more for certification fees, and on businesses that run training programs for CNAs, which will pay more for approval and review fees. However, this is mitigated by the fact that most of the current fees have been at or near the bottom of the fee range since the Board was first given the statutory responsibility of regulating CNAs in 1989.

In the long-term, the proposed regulation change will have the beneficial effect of reducing the financial shortfall in the CNA program; thereby reducing the subsidy currently provided by RN and LPN licensure fees.

The Board of Nursing does not anticipate an increase in costs for enforcement of the adopted regulation.

There is no duplication or overlap with any other local, state, or federal agencies.

There is no provision in this regulation that is more stringent than the federal regulations regulating the same activities.

This regulation increases existing fees. The total annual amount the Board expects to collect is \$140,000. This amount will be used to partially offset the decrease in federal funding used to administer the CNA program. Administration includes certification and disciplinary costs.

Information regarding this regulation may be obtained by contacting the Nevada State Board of Nursing at, 5011 Meadowood Mall Way, Suite 201, Reno, Nevada, 89502, 775-688-2620.