

TO: ALL INTERESTED PARTIES

FROM: HOLLY MERCER
EXECUTIVE DIRECTOR

DATE: October 22, 2009

SUBJECT: ADMINISTRATIVE RULEMAKING HEARING REGARDING THE ADOPTION OF THE AMENDMENTS TO ADMINISTRATIVE RULES OAR 851-002-0010 AND 851-002-0040 (RULES REGARDING ELIMINATION OF FEES FOR ISSUANCE OF A DUPLICATE WALLET-SIZED LICENSURE OR CERTIFICATE CARD).

On Thursday, November 19, 2009 at 9:00 a.m., the Oregon State Board of Nursing will hold a hearing regarding amendments to the proposed administrative rules regarding agency fees. These rule amendments reflect the elimination of fees for issuance of a duplicate wallet-sized licensure or certificate card. Senate Bill 139 (Legislative Session 2009) eliminated the need for these cards. This hearing will be held in the conference room of the Oregon State Board of Nursing, 17938 S.W. Upper Boones Ferry Road, Portland, Oregon 97224.

Attached is a copy of the Notice of Proposed Rulemaking for this hearing. The Board is authorized by ORS 678.410 to establish and amend such rules.

If you are unable to attend the hearing, you may submit your comments to me in writing by November 17, 2009 and I will see that they are incorporated into the testimony received at the hearing and considered by the Board at their November 19, 2009 meeting.

The Board looks forward to receiving your input.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
 A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon State Board of Nursing
 Agency and Division

851
 Administrative Rules Chapter Number

In the Matter of: OAR 851-002-0010, 851-002-0040

Oregon State Board of Nursing to Eliminate Fees for Issuance of a Duplicate Wallet-Sized Card.

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Statutory Authority: ORS 678.410

Other Authority:

Stats. Implemented: ORS 678.101, 678.410

Need for the Rule(s): The Governor signed Senate Bill 139 on March 31, 2009. This bill eliminated the requirement for the Oregon State Board of Nursing to issue a wallet-sized card as evidence of current licensure.

These fee deletions eliminate fees for issuing or producing a duplicate license/certificate for RN/LPN and CNA. The plan is for the Oregon State Board of Nursing to eliminate issuing hard plastic cards on January 1, 2010, and transition to real-time electronic verification only.

Documents Relied Upon, and where they are available:

- ◆ Division 2 of the Nurse Practice Act
- ◆ Senate Bill 139 (Legislative Session 2009)

Fiscal and Economic Impact, including Statement of Cost of Compliance:

Active licenses as of August 31, 2009		72,000
Estimated cost savings per wallet card		
Cost per card	\$ 0.24	
Lamination cost per card	0.17	
Postage cost to mail wallet card less postcard	0.16	
Miscellaneous	0.01	
Total estimated agency cost savings per wallet card		0.58
Estimated Biennial Savings upon elimination of a Duplicate Wallet-sized Card		\$ 41,760

How were small businesses involved in the development of this rule?

Senate Bill 139 went through the entire legislative process, which gave small businesses the opportunity to participate in hearings.

Administrative Rule Advisory Committee consulted?: No

If not, why?: This amendment is rule clean-up. The existing fee is for a process that does not exist.

 Authorized Signer KC Cotton _____
Date
 Printed name

~~[Bracketed and strikethrough material is proposed to be deleted.]~~

Bolded and underlined material is proposed to be added.

To submit comments concerning these draft rules, e-mail comments to: **DeWayne Hatcher, Licensing Manager, at dewayne.hatcher@state.or.us**

Division 2 Agency Fees

851-002-0010

RN/LPN Schedule of Fees

(1)	License Renewal	\$105
(2)	Delinquent Renewal	\$12
(3)	License by Endorsement	\$155
(4)	Licensure by Examination	\$120
(5)	Written Verification of License	\$12
{(6)}	Duplicate License	\$12
{(7)}	(6) Limited Licenses:	
	(a) License Memorandum	\$25
	(b) Reentry	\$95
	(c) Extension of Reentry	\$25
{(8)}	(7) Limited Licenses for Educational Experience:	
	(a) International Graduate Nursing Students	\$65
	(b) Extension of International Graduate Nursing Students	\$25
	(c) International RN in Short-Term Educational Experience	\$35
	(d) International Exchange Students	\$25
	(e) U.S. RNs in Distance Learning	\$15
	(f) Extension of Distance Learning	\$15
{(9)}	(8) Reexamination for Licensure	\$25
{(10)}	(9) Reactivation	\$120
{(11)}	(10) Reinstatement	\$120
{(12)}	(11) Retired Nurse Status.....	\$20

Stat. Auth: ORS 678.150, 678.410

Stats. Implemented: ORS 678.410

851-002-0040

Nursing Assistant Schedule of Fees

(1)	Certification by Examination	\$106
(2)	Certification by Endorsement	\$60
(3)	Reexamination — Manual Skills	\$45
(4)	Reexamination — Written	\$25
(5)	Oral Administration of Written Examination	\$35
(6)	Written Verification of Certification	\$10
{(7)}	Duplicate Certificate	\$10
{(8)}	(7) CNA Certificate Renewal	\$50
{(9)}	(8) CNA Reactivation Fee	\$5
{(10)}	(9) CNA Certification for RN or LPN	\$60
{(11)}	(10) CNA Certification for Student Nurses	\$60
{(12)}	(11) Initial Approval CNA Training Program	\$100
{(13)}	(12) Approval of Revised CNA Training Program	\$75
{(14)}	(13) Reapproval of CNA Training Program	\$50
{(15)}	(14) CNA Primary Instructor Approval	\$10
{(16)}	(15) Initial Approval of CNA Program Director	\$25
{(17)}	(16) CNA 2 Registration (each category)	\$5

Stat. Auth: ORS 678.150, 678.410

Stats. Implemented: ORS 678.410