

## **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  
1625 N. Market Blvd., S-102  
First Floor Hearing Room  
Sacramento, CA 95834**

**November 9, 2009  
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 November 9, 2009. 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 Sections 2715 of the Business and Professions Code (Code), and to implement, interpret or make specific Sections 2815, 2815.1, 2815.5, 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 fees are set at the minimum level of the range established in Sections 2815 and 2838, and became effective July 1, 1991. 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 July 1, 2010, and to all other fees effective July 1, 2010. The increase in fees is necessary to enable the Board to more effectively protect consumers through enhancement of the Board’s enforcement functions, and to maintain a minimum four (4) month fund reserve for the next three (3) years. The proposal also adds clinical nurse specialist’s fee information to the regulation, and makes minor technical and grammatical changes.

FEES	EXISTING	PROPOSED
Application fee for licensure by examination	\$75	\$150
Application fee for licensure by endorsement	\$50	\$100
Biennial license renewal fee*	\$75	\$150
Penalty fee for failure to timely renew a license	\$37	\$75
Penalty fee for check returned unpaid	\$15	\$30
Interim permit fee	\$30	\$50
Temporary license fee	\$30	\$50
Biennial nurse-midwife certificate renewal fee	\$50	\$75
Penalty fee for failure to timely renew a nurse-midwife certificate	\$25	\$37
Biennial nurse-anesthetist certificate renewal fee	\$50	\$75
Penalty fee for failure to timely renew a nurse-anesthetist certificate	\$25	\$37
Application fee for clinical nurse specialist certificate**	\$75	\$75
Biennial clinical nurse specialist certificate renewal fee**	\$50	\$75
Penalty fee for failure to timely renew a clinical nurse specialist certificate**	\$25	\$37

\*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.

\*\*Clinical nurse specialist fees are based on statute, and are not included in existing 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.

Impact on Jobs/New Businesses: 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.

Cost Impact on Representative Private Person or Business:

The proposed fee increases affect individuals. The affected individuals are the approximate: 52,000 applicants for initial registered nurse licensure (42,000 by examination and 10,000 by endorsement); and 167,500 registered nurses renewing their licenses, and 2050 renewing their Board-issued certificates. The cost impact on the individual varies dependent on the type of application, i.e., initial licensure, renewal of a license, or renewal of certificate. The increase in fees ranges from \$12.00 to \$75.00 and is detailed in the above table. The Board estimates revenues will increase approximately \$16,800,000 annually from the fee increases. Approximately \$13,508,000 will be used to enhance the Board’s enforcement functions, and the remainder to maintain a minimum four (4) month fund reserve for the next three (3) years.

Effect on Housing Costs: None

### **EFFECT ON SMALL BUSINESS**

The Board has determined that the proposed regulations will not affect small businesses. The proposed amendments affect individual applicants for licensure as a registered nurse and registered nurses renewing a license or Board-issued certificate.

### **CONSIDERATION OF ALTERNATIVES**

The Board has determined 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 or would be as effective and less burdensome to affected private persons than the proposed action.

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](http://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: Alcidia Valim  
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The backup contact person is:

Name: Geri Nibbs  
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Website Access: Materials regarding this proposal can be found at [www.rn.ca.gov](http://www.rn.ca.gov).