

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)

The proposed rule change will not affect competition or employment.

Vincent A Culotta, Jr.
Executive Director
1904#059

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Board of Nursing**

**Application Fee for Compact Licensure
(LAC 46:XLVII.3341)**

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:917-918, that the Louisiana State Board of Nursing (LSBN) is implementing a law that became final during the 2018 Regular Legislative Session. Act 577 was passed which allowed Louisiana to participate in the Nurse Licensure Compact (NLC) for registered nurses and licensed practical nurses. As a result, the Louisiana State Board of Nursing (LSBN) will incur a slight increase in administrative costs and a relative increase in salary expenditures based on the number of registered nurse applications submitted.

In order to be party to the Multi-State Nurse Licensure Compact, an annual administrative fee of \$6,000 will be paid to the compact's Interstate Commission for which LSBN will be responsible for \$3000 and the Louisiana State Board of Practical Nurse Examiners (LSBPNE) will be responsible for \$3000. The LSBN anticipates having to attend quarterly Commission meetings costing approximately \$4,000 annually. The LSBN anticipates funding the compact membership fee and travel expenses utilizing existing resources and budget authority.

As identified in Article III of La. R.S. 37:1018, staff must review applications to ensure that the applicant meets the criteria for compact licensure. By requiring a fee, the board will be able to offset administrative costs associated with reviewing applications and converting current licensees from a single-state license to a multi-state license.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

**Part XLVII. Nurses: Practical Nurses and Registered
Nurses**

Subpart 2. Registered Nurses

Chapter 33. General

**Subchapter C. Registration and Registered Nurse
Licensure**

§3341 Application Fee for Compact Licensure

A. Notwithstanding any provisions of this Chapter, the board shall collect in advance fees for licensure and administrative services as follows;

1. Licensure Fees:
 - a. RN examination application—\$100;
 - b. RN endorsement application—\$100;
 - c. Enrollment application—\$50;
 - d. RN renewal application—\$100;

- e. RN late fee - \$50 (plus renewal fee);
- f. Retired license application (one-time fee)—\$100;
- g. RN reinstatement application—\$100;
- h. Initial APRN licensure application—\$100;
- i. RN/APRN endorsement temporary permit fee—\$100;
- j. APRN endorsement application—\$100;
- k. APRN renewal application—\$100;
- l. APRN late fee - \$100 (plus renewal fee);
- m. APRN reinstatement application—\$100;
- n. APRN prescriptive authority application—\$100
- o. APRN prescriptive authority site change fee—\$50;
- p. Reinstatement of prescriptive authority privileges—\$100;
- q. Verification of licensure—\$25;
- r. LARN Compact Conversion application—\$50
2. Miscellaneous
 - a. Consultation—\$100/hour;
 - b. Photo copies—\$0.50/page;
 - c. Certified Documents—\$1.00/page;
 - d. Listing of Registered Nurses/Advanced Practice
 - i. Registered Nurses—\$10 programming fee plus costs as follows \$0.02/per name on disk
 - e. Special Programming Request Actual Costs—minimum \$100 per program

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918 and R.S. 37:927.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 8:417 (August 1982), amended by the Department of Health and Hospitals, Board of Nursing, LR 14:533 (August 1988), LR 22:981 (October 1996), repromulgated LR 24:1293 (July 1998), amended LR 26:84 (January 2000), LR 30:2829 (December 2004), LR:31:2027 (August 2005), LR 36:1246 (June 2010), LR 37:3027 (October 2011). LR 40:1696 (September 2014), LR

Family Impact Statement

The proposed additions and/or changes to the rules of the board, Louisiana State Board of Nursing should not have any known or foreseeable impact on any family as defined by R.S. 49.972(D) or on family formation, stability and autonomy. Specifically, there should be no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. a family's earnings and budget;
5. the behavior and personal responsibility of the children; or
6. the family's ability or that of the local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an impact on child, individual, or family poverty in relation to individual or community asset development as described on R.S. 49:973.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana

Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments on the proposed Rule to Karen C. Lyon, 17373 Perkins Road, Baton Rouge, LA 70810, or by facsimile to (225) 755-7585. All comments must be submitted by 5 p.m. on or before May 10, 2019.

Dr. Karen C. Lyon
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Application Fee for Compact Licensure

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes will not result in additional costs or savings for state or local governmental units. The proposed rule changes add a one-time \$50 fee to offset costs for the LA State Board of Nursing (LSBN) to convert licenses of registered nurses (RNs) licensed prior to June 30, 2019, from a single-state license to a multi-state license under the auspices of the Nurse Licensure Compact (NLC) for RNs (See Part II). Act 577 of the 2018 Regular Session codified Louisiana's participation in the NLC, which allows for RNs with multi-state licensure to practice in states that belong to the Compact. For reference, RNs licensed on or after July 1, 2019, will receive multi-state licensure during the process of normal licensure. As a result, the amount of people who may convert their license from a single-state to a multi-state is limited only to persons licensed prior to June 30, 2019.

The LSBN will utilize the fee to offset administrative costs and overtime costs as needed associated with its duty to review and process applications for multi-state licensure to ensure that the applicant meets the criteria for NLC licensure. Once the applicant submits the application, LSBN staff estimate that it will take two hours to review and process each application. Additional processing time may be needed if the applicant has current disciplinary issues or has a criminal background check report that warrants additional investigatory review. The board anticipates the fee will offset any aforementioned administrative and overtime costs.

For reference, LSBN currently has 66,534 active RNs. Based on information gathered from other compact states, the LSBN anticipates that 5% of licensees will elect to convert their single state license to the multi-state license in the first year, resulting in 3,327 applications to be processed. Using the application review and processing estimate of two hours, it will take 6,654 man-hours (3,327 * 2) to process 3,327 new applications. The current hourly rate for LSBN licensure staff is \$23 per hour. To the extent all applications require overtime expenses, the LSBN's expenditures for this service will total \$153,042 in FY 20.

Furthermore, the proposed rule changes make technical revisions.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will increase SGR collections for the LSBN by an indeterminable amount beginning in FY 20 and in subsequent fiscal years. The proposed rule changes add a

one-time \$50 fee for registered nurses (RNs) regulated by the LA State Board of Nursing (LSBN) licensed prior to June 30, 2019, who elect to convert their license to practice from a single-state license to a multi-state license under the auspices of the Nurse Licensure Compact (NLC) for RNs. The LSBN will begin processing license conversions in FY 20. For reference, RNs licensed on or after July 1, 2019, will receive multi-state licensure during the process of their normal licensure, which limits the number of persons who may convert their license from a single-state to a multi-state.

For reference, LSBN currently has 66,534 active RNs. Based on information gathered from other compact states, the LSBN anticipates that 5% of licensees will elect to convert their single state license to the multi-state license in the first year, resulting in 3,327 applications to be processed. To the extent this occurs, the LSBN will realize an aggregate one-time SGR increase of \$166,350 in FY 20. However, because the number of licensees who will seek license conversion is unknown, the exact FY 20 revenue increase is indeterminable. Furthermore, to the extent additional RNs holding single-state licenses seek conversion to multi-state licensure in FY 21 or after, the LSBN will realize an additional \$50 per licensee.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes benefit Louisiana RNs licensed prior to June 30, 2019, who elect to convert their single state license to a multi-state license, which will allow them expanded mobility and will help eliminate duplicative licensure when practicing in multiple states. However, RNs seeking multi-state licensure will be required to pay an application fee of \$50 to offset expenses incurred because of the additional workload associated with the new application.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated material effect on competition and employment as a result of the proposed rule changes.

Wanda Matthews
Chief Regulatory Officer
1904#033

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Board of Nursing

Undergraduate Clinical Courses (LAC 46:XLVII.3324)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:917-918, that the Louisiana State Board of Nursing (LSBN) is proposing rule changes to LAC 46:XLVII 3324.C. and E. that will allow discretion in rendering a decision for nursing students who falsify their application or fail to disclose information which should have been reported to LSBN. Some students are being penalized for actions that were taken at a young age or that they assumed were expunged from their record. The current rule denies enrollment/progression in clinical courses and the ability to resubmit an application for a minimum of five years. Because of the broad range of case-by-case circumstances, all students should be evaluated individually and decisions rendered in accordance with our current Just Culture philosophy as we do for other disciplinary actions. The proposed rule change will state "up to five years"