

NOTICE OF INTENT

Department of Health and Hospitals Board of Practical Nurse Examiners

Regular Admissions; Advanced Standing; Licensure; Fees
(LAC 46:XLVII.937, 939 and 1715)

The Board of Practical Nurse Examiners proposes to amend LAC 46:XLVII.901, 939, and 1715, in accordance with the provisions of the Administrative Procedure Act, R.S. 950 et seq., and the Practical Nursing Practice Act, R.S. 37:961-979.

The purpose of the proposed Rule change to Section 937 is to raise the minimum standards of placement tests taken prior to entering the practical nursing program to ensure that the applicant is qualified to enter into the practical nursing program.

The purpose of the proposed Rule change to Section 939 is to ensure that the practical nursing student has retained the material as well as the knowledge of the most current revisions of the subject matter.

The proposed Rule change to Section 1715.A.2 and 4 will increase certain fees that will be utilized for operating funds which will further the mission of the LPN Board in protecting the public. Funding expenditures will address key operation issues and process improvements including: disaster preparedness, paperless systems, personnel costs and related benefits, caseload complexity in investigative, legal services and monitoring services due to an increase in drug and criminally related complaints received. It is projected that the LSBPNE's annual operational expenses will exceed the revenues currently generated. The fundamental purpose of the LSBPNE is to protect the public. The increased revenue generated from the modest fee increase will impact the LSBPNE's ability to better serve the public.

The proposed Rule change to Section 1715.A.5 is to remove the word revoked, due to revocation in the state of Louisiana being permanent. This Section does not apply to a licensee whose license is revoked.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLVII. Nurses: Practical Nurses and Registered Nurses

Subpart 1. Practical Nurses

Chapter 9. Program Projection

Subchapter F. Admissions

§937. Regular Admissions

A. ...

1. receive a grade placement of at least 12.0 in mathematics, reading and language on an achievement test approved by the board;

2. - 8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:969 and 37:976

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Practical Nurse Examiners, LR 3:197 (April 1977), amended LR 5:65 (March 1979), LR 6:339 (April 1984), amended by the Department of Health and Hospitals, Board of Practical Nurse Examiners, LR 18:1128 (October 1992), repromulgated LR 18:1261 (November 1992), amended LR 21:684 (July 1995), LR 40:

§939. Advanced Standing

A. - C. ...

D. At the discretion of the nursing faculty and based upon individual evaluation, a student who has withdrawn and/or dropped from an approved or accredited practical nursing program within the previous three years may be granted advanced credit for units previously completed.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:969 and 37:976.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Practical Nurse Examiners, LR 3:197 (April 1977), amended LR 5:65 (March 1979), LR 10:339 (April 1984), amended by the Department of Health and Hospitals, Board of Practical Nurse Examiners, LR 18:1128 (October 1992), repromulgated LR 18:1261 (November 1992), amended LR 26:2617 (November 2000), LR 40:

Chapter 17. Licensure

§1715. Approved Fees

A. - A.1. ...

2. license by endorsement—\$60;

3. ...

4. renewal of license—\$60;

5. reinstatement of license which has been suspended, or which has lapsed by nonrenewal—\$150;

A.6. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:969 and 37:977 as amended Act 272, 1982 and Act 54, 1991.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Practical Nurse Examiners, LR 3:200 (April 1977), amended LR 10:342 (April 1984), amended by the Department of Health and Hospitals, Board of Practical Nurse Examiners LR 18:1130 (October 1992), repromulgated LR 18:1263 (November 1992), amended LR 26:2618 (November 2000), LR 34:874 (May 2008), LR 40:

Family Impact Statement

The proposed amendments to LAC 46:XLVII.Subpart 1 should not have any impact on family as defined by R.S. 49:972. There should not be any effect on: the stability of the family; the authority and rights of parents regarding the education and supervision of their children; the functioning of the family; family earnings and family budget; the behavior and personal responsibility of children; and/or the ability of the family or 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, it is anticipated that the proposed amendments will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Provider Impact Statement

The proposed amendments should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known foreseeable effect on:

1. Is there an effect on the staffing level requirements or qualifications required to provide the same level of service? There will be no effect on the staffing level requirements or qualifications required to provide the same level of service.

2. Is there a total direct and indirect effect on the cost to the providers to provide the same level of service? There is not a direct or indirect effect on the cost to the providers to provide the same level of service.

3. What is the overall effect on the ability of the provider to provide the same level of service? There is no effect on the ability of the provider to provide the same level of service.

1408#007

Legislative Fiscal Office

Public Comments

Interested persons may submit written comments until 4 p.m., September 9, 2014, to M. Lynn Ansardi, RN, Board of Practical Nurse Examiners, 131 Airline Dr., Suite 301 Metairie, LA 70001.

M. Lynn Ansardi, RN
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Regular Admissions; Advanced Standing; Licensure; Fees

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

The estimated implementation cost for this rule change totals approximately \$164 in FY 15. This cost is related to the publication of the notice of intent and the final rule in the Louisiana Register. The proposed rule change increases certain licensure and renewal fees for licensed practical nurses, makes changes to regular admissions criteria and provides advanced standing for certain students entering the practical nursing program.

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

The proposed rule amendments to Sections 937 and 939 will have no effect on revenue collections of state or local governmental units.

The proposed rule change to Section 1715 will increase board revenue by approximately \$222,500 in FY 15 and each year thereafter. It will allow the board to eliminate deficits in its operating budget and address key operation issues and process improvements including: disaster preparedness, paperless systems, personnel costs and related benefits, caseload complexity in investigative and legal services, monitoring services due to an increase in drug and criminally related complaints received.

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

The proposed rule amendment to Section 937 increases the grade placement minimums for acceptance into the practical nursing program, which may eliminate an unknown number of applicants from admission. The proposed rule amendments to Section 939 allows discretion among nursing faculty to issue advanced credit for units previously completed by students that may have withdrawn or dropped from an authorized nursing program. This discretion may create positive economic benefits to students that may no longer be required to repeat coursework.

The proposed rule change to Section 1715 will increase certain licensure fees for practical nurses as follows: license by endorsement fee by \$10 and will affect approximately 250 applicants per year; renewal fee by \$10 and affects approximately 22,000 renewal applicants per year.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment.

M. Lynn Ansardi
Executive Director

John D. Carpenter
Legislative Fiscal Officer