

# Board of Nursing Overview

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The mission of the Board of Nursing (NUR) is to promote and protect the health of Ohioans through the safe and effective practice of nursing. Comprised of a thirteen-member Board appointed by the Governor and a staff of 45 employees, the Board regulates more than 180,000 individuals in the field of nursing. Under Sub. S.B. 111 of the 123<sup>rd</sup> General Assembly, the Board began certifying dialysis technicians.

Chapter 4723. of the Revised Code provides statutory authority for the Board's activities and requires the Board to protect the public against unqualified R.N.s and L.P.N.s. Additionally, the Board provides oversight for nursing education programs and continuing nurse education requirements.

## **Executive Budget Recommendations**

The executive budget recommends funding for the Board of Nursing of \$4,816,241 in fiscal year (FY) 2002 and \$5,205,776 in FY 2003. All of the funds appropriated to the Board of Nursing are located in the Occupational and Licensing Board Fund (4K9). This fund is the depository of all licensing fee revenue and fines for 20 occupational licensing boards. Compared to FY 2001 appropriations, this represents a 13.2 percent increase in FY 2002. The FY 2002 to FY 2003 increase is 8.1 percent. Around 2/3 of the Board's budget is for payroll and other related expenses. Approximately 28 percent of the executive recommendation covers rent and other maintenance expenses.

In the upcoming biennium, the Board must deal with expanded responsibilities as a result of legislative actions from the 123<sup>rd</sup> General Assembly. These include granting prescriptive authority to licensed R.N.'s holding a certificate of authority to practice in an advanced role. The other major change is the requirement for the Board to certify dialysis technicians. The Board estimates that it will receive applications for over 800 dialysis technicians and 2,250 prescriptive authority certificate requests starting in FY 2003.

### ***Fee Increase***

To deal with many of the issues facing the Board, the executive recommendations include a fee increase. The biennial license renewal fee will increase from \$35 to \$45, a \$10 increase for the two-year license. Even with this increase, the cost per license for the Nursing Board will remain among the lowest of Ohio's occupational licensing boards and among the nation's nursing boards.

In addition to the renewal fee increase, the executive recommendation includes a new \$25 "bad check" fee. In addition to the fee increases included in the executive recommendations, Sub. H.B. 511 of the 123<sup>rd</sup> General Assembly included a \$100 lapsed license reinstatement fee. Included all three fee increases, the Board estimates additional revenue of \$493,000 in FY 2002 and \$1,346,000 in FY 2003. The projected revenue increase is broken down as follows:

Category of Fee Increase	FY 2002	FY 2003
Renewal Fee Increase	\$400,000	\$1,300,000
Bad Check Fee	\$3,000	\$1,200
Reinstatement Fee	\$90,000	\$45,000

***Staff Increase***

Additional funding totaling \$283,868 in FY 2002 and \$448,498 in FY 2003 will allow the Board to increase staffing levels in the compliance unit. The Board will add three FTE's in FY 2002 and two more FTE's in FY 2003 to intensify enforcement efforts in this unit. The Board will also add one FTE in FY 2002 for administrative activities associated with the prescriptive authority and dialysis technician programs.

ADDITIONAL FACTS AND FIGURES

Board of Nursing Staffing Levels						
Program Series/Division	1998	1999	2000	2001	Estimated	
					2002	2003
Renewal	5	5	4.5	4.5	4.5	4.5
Examination/Endorsement	5	5	4.5	4.5	4.5	4.5
Continuing Nurse Education	1	1	1	1	1	1
Education	2	2	2	2	2	2
Advanced Practice Nurses	2	2	2	2	2	2
Compliance	13	13	15	15	17	19
Alternative Program for Chemically Dependent Nurses	4	6	6	6	6	6
Practice Improvement and Intervention Program	0	0	1	1	2	3
Administrative and Management	9	11	11	11	12	12
Practice			1	1	1	1
Dialysis			1	1	1	1
<b>Totals</b>	<b>41</b>	<b>45</b>	<b>49</b>	<b>49</b>	<b>53</b>	<b>56</b>

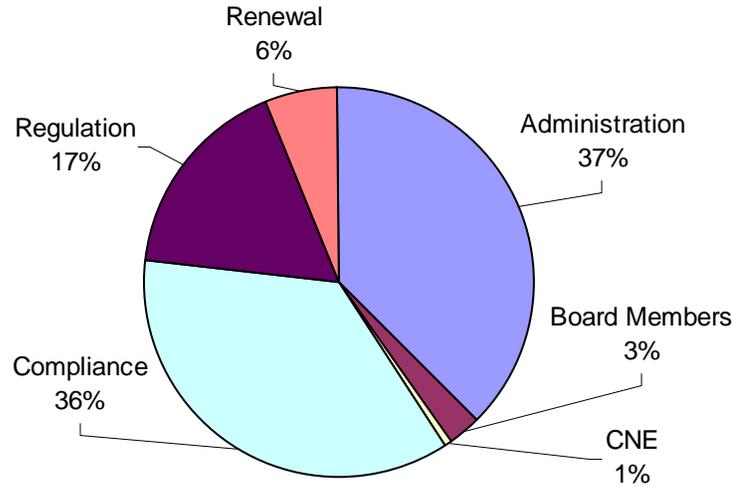
Nursing Education Graduation Statistics – As of July 2000 (from NUR 2000 Annual Report)

	1995	1996	1997	1998	1999	2000
<b>Approved Nursing Education Programs</b>						
Certificate in Professional Nursing	1	1	1	1	1	1
Baccalaureate	21	21	20	21	23	23
Diploma	13	13	11	10	8	8
Associate Degree	36	36	33	33	30	30
Practical – High School	4	4	4	4	4	4
Practical - Adult	39	39	39	41	41	41
<b>Program Graduates – Professional (RN) Programs</b>						
# of Baccalaureate Graduates	1,750	2,003	2,097	1,924	1,775	1,492
# of Diploma Graduates	669	659	503	436	401	371
# of Associate Degree Graduates	2,839	2,616	2,535	2,131	1,949	1,676
<b>Total RN Graduates</b>	<b>4,589</b>	<b>5,278</b>	<b>5,135</b>	<b>4,491</b>	<b>4,125</b>	<b>3,539</b>
<b>Total LPN Graduates</b>	<b>2,049</b>	<b>1,881</b>	<b>1,733</b>	<b>1,633</b>	<b>1,529</b>	<b>1,581</b>

**Income and Expenditures**

<b>Revenue – FY 2000</b>	
CNE	\$1,650
Endorsement	\$128,200
Examination	\$284,850
Advanced Practice	\$177,930
Renewal	\$2,153,280
Verification	\$74,775
Fines	\$1,450
Publications	\$16,629
Miscellaneous	\$447
<b>Total Revenue</b>	<b>\$2,839,211</b>
	<b>(\$244,265 transferred to Nurse Education Assistance Fund)</b>
<b>Expenditures – FY 2000</b>	
Payroll and Fringe Benefits	\$2,624,022
Training/Registrations	\$10,424
Court Reporter	\$11,059
Hearing Officer	\$30,762
Computer Services	\$109,426
Purchased Personal Services	\$29,658
Nursing Shortage	\$10,000
<b>Total Payroll</b>	<b>\$2,825,351</b>
Maintenance	\$1,197,833
Equipment	\$55,783
Refunds	\$1,580
<b>Total Expenditures</b>	<b>\$4,080,547</b>

**Expenditures by Program - FY 2000**



**Licensure Information**

Activity	FY 1997	FY 1998	FY 1999	FY 2000
<b>NUMBER OF LICENSEES</b>				
Registered Nurses	138,270	135,143	142,081	133,739
Licensed Practical Nurses	41,741	44,411	40,468	42,720
<b>TOTAL LICENSES</b>	<b>180,011</b>	<b>179,554</b>	<b>182,549</b>	<b>176,459</b>
<b>LICENSURE BY EXAMINATION</b>				
Applications Processed	7,352	6,692	6,433	6,357
Examinations Completed	7,061	6,355	5,914	5,697
Licenses Issued	6,446	6,186	5,222	4,662
RN Exam Pass Rate - Ohio	89%	89%	86%	86%
RN Exam Pass Rate – National	88%	88%	84%	84%
<b>ADVANCED PRACTICE NURSES</b>				
APN – University Pilots	28	61	118	334
Clinical Nurse Specialists (CNS)	24	1,404	1,529	1,536
Certified Nurse-Midwives (CNM)	14	205	241	245
Certified Nurse Practitioners (CNP)	49	1,408	1,692	1,913
Certified Registered Nurse Anesthetists (CRNA)	141	1,518	1,677	1,702

**Historical Board Revenues**

The following table lists Board revenues for fiscal years 1998 through 2002.

FY 1998	\$4,370,035
FY 1999	\$5,783,088
FY 2000	\$2,839,211
FY 2001	\$5,546,600*
FY 2002	\$2,704,900*
FY 2003	\$5,546,600*

\*The figures for FYs 2001, 2002, and 2003 are estimates.

## ANALYSIS OF EXECUTIVE PROPOSAL

### Ohio Board of Nursing

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**Purpose** The Ohio Board of Nursing (NUR) actively promotes and protects the health of the citizens of Ohio through the safe and effective practice of nursing as defined by law.

The following table shows the line items that are used to fund the Nursing Board, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2000	FY 2001
4K9	884-609	Operating	\$4,816,241	\$5,205,776
<b>Total funding: Ohio Board of Nursing</b>			<b>\$4,816,241</b>	<b>\$5,205,776</b>

#### ■ Board of Nursing

**Board of Nursing** *Program Description:* The Board of Nursing governs the practice of nursing, as defined by Chapter 4723. of the Revised Code, by licensing nursing professionals in a variety of specialties, as well as certifying dialysis technicians.

*Funding Source:* GSF. The activities of the Board are funded with licensure fees and fines collected for violations of the rules and laws governing the practice of nursing in Ohio.

*Line Items:* 884-609

*Implication of Recommendation:* The executive recommendations allow for the Board to maintain existing service levels and expand services to meet new legislative mandates by providing for a license renewal fee increase and the addition of a total of 6 FTE’s over the biennium.

**Compliance Unit Expansion:** The executive budget provides \$239,667 in FY 2002 and \$406,574 in FY 2003 to expand the Board’s compliance unit by three FTE’s in FY 2002 and by two FTE’s in FY 2003. This unit carries out the Board’s mandate to protect the health and welfare of Ohioans through investigations into potential violations of the Nursing Practice Act.

**Fees:** The executive recommendations include two fee increases for the Board. In addition to a brand new \$25 “bad check” fee, the executive recommendations include a \$10 license renewal fee increase, from \$35 to \$45. For the bad check fee, the Board estimates additional revenue of \$3,000 and \$1,200 in FY 2002 and FY 2003, respectively. The Board estimates that it will receive additional revenue totaling \$400,000 in FY 2002 and \$1,300,000 in FY 2003 for the \$10 renewal fee increase.

Additionally, Sub. H.B. 511 of the 123<sup>rd</sup> General Assembly added a new \$100 fee for the restoration of a lapsed license to serve as a deterrent to licensees that let their licenses lapse. Current law authorizes the Board to charge a fee of \$50 “for processing a late application for renewal of any license or certificate (ORC 4723.08(A)(8)).” The application is considered *late* if it is received between July 1

and August 31. Beginning on September 1, the license *lapses*. Under current law, these individuals would only pay the \$50 late application fee.

Based upon prior experience, the Board anticipates approximately 1,800 licenses to lapse in FY 2000 and 900 licenses in FY 2001. With the additional \$50 that the Board may collect, anticipated net revenues resulting from this fee increase are \$90,000 in FY 2000 and \$45,000 in FY 2001.

For the three fee increases, the Board estimates the total increase in revenues to be \$493,000 in FY 2002 and \$1,346,000 in FY 2003.

**Legislative Mandates:** During the 123<sup>rd</sup> General Assembly, legislation was enacted that required the Board of Nursing to certify dialysis technicians and to grant prescriptive authority to registered nurses holding a certificate of authority to practice in an advanced role. The executive recommendations include funding for one FTE beginning in FY 2002 for an administrative staff person to cover activities associated with these two new activities. The funding for this person's salary, fringe benefits, and office equipment totals \$44,201 in FY 2002 and \$41,924 in FY 2003.

***Permanent and Temporary Law:***

**Fee Changes (ORC Sections 4723.08 and 4723.79)**

As noted above, the executive recommendation includes some fee changes for the Board of Nursing. The Board is increasing the license renewal fee by \$10, from \$35 to \$45. The Board is also imposing a "bad check" fee totaling \$25. The Board estimates added revenue of about \$400,000 in FY 2002 and \$1.3 million in FY 2003. These changes also will lead to a net reduction in fee revenue due to modification to the renewal of certification to practice in an advanced role. For certificate of authority renewals that expire on or before August 31, 2005, the Board will collect \$100 only. Prior to this change, a registered nurse with a certificate of authority needed to pay for both the renewal of the certificate of authority as well as the R.N. renewal fee. Under a change included in Sub. H.B. 511 of the 123<sup>rd</sup> General Assembly, the certificate of authority renewal fee will decrease to \$85 for certificates that expire on or after September 1, 2005. According to the Board, the revenue currently collected from individuals with certificates of authority exceeds the expenses associated with that program.

## PERMANENT AND TEMPORARY LAW

This section describes permanent and temporary law provisions contained in the executive budget that will affect the department's activities and spending decisions during the next biennium.

### **Permanent Law Provisions**

#### **Fee Changes (ORC Section 4723.08 and 4723.79)**

The executive recommendation includes some fee changes for the Board of Nursing. The Board is increasing the license renewal fee by \$10, from \$35 to \$45. The Board is also imposing a "bad check" fee totaling \$25. The Board estimates added revenue of about \$400,000 in FY 2002 and \$1.3 million in FY 2003.

The permanent law changes also will lead to a net reduction in fee revenue due to modification to the renewal of certification to practice in an advanced role. For certificate of authority renewals that expire on or before August 31, 2005, the Board will collect \$100 only. Prior to this change, a registered nurse with a certificate of authority needed to pay for both the renewal of the certificate of authority as well as the R.N. renewal fee. Under a change included in Sub. H.B. 511 of the 123<sup>rd</sup> General Assembly, the certificate of authority renewal fee will decrease to \$85 for certificates that expire on or after September 1, 2005. According to the Board, the revenue currently collected from individuals with certificates of authority exceeds the expenses associated with that program.

### **Temporary Law Provisions**

There are no temporary law provisions affecting this agency.

## REQUESTS NOT FUNDED

<b>Board of Nursing</b>						
<b>Fund Line Item</b>	<b>FY 2002 Requested</b>	<b>FY 2002 Recommended</b>	<b>Difference</b>	<b>FY 2003 Requested</b>	<b>FY 2003 Recommended</b>	<b>Difference</b>
4K9 884-609	\$319,556	\$239,667	(\$79,889)	\$569,202	\$406,574	(\$162,628)

The Board received funding to add staff to bolster compliance unit/investigation staff. In FY 2002, the Board received 75.0 percent of its request. In FY 2003, it received 71.4 percent of its total request. If fully funded, the Board had planned to add a total of seven FTE's, four investigators, one case manager, and two Practice Intervention and Improvement Program (PIIP) case managers.

At the executive funding levels, the Board will add a total of five new FTE's for this program, three in FY 2002 and two in FY 2003. The new staff would include an adjudicator, a case manager, and two investigators. The fifth new FTE will most likely be one PIIP case manager.

<b>Board of Nursing</b>						
<b>Fund Line Item</b>	<b>FY 2002 Requested</b>	<b>FY 2002 Recommended</b>	<b>Difference</b>	<b>FY 2003 Requested</b>	<b>FY 2003 Recommended</b>	<b>Difference</b>
4K9 884-609	\$128,603	\$0	(\$128,603)	\$396,492	\$0	(\$396,492)

In this request, the Board sought statutory language and funding to establish a comprehensive nursing workforce planning center to attempt to address some of the workforce issues facing the nursing profession in the near future. Involving all stakeholders, this center would have probably dealt with issues related to data collection, role delineation, recruitment and retention, and collaborative educational reconfiguration. If this program were funded, the Board had planned to hire a program coordinator and secretary in FY 2002. In FY 2003, the Board would have added a researcher and begun to collect data. This center would have been funded through an increase in license renewal fees.

**LSC Budget Spreadsheet by Line Item, FY 2002 - FY 2003**

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>2000</i>	<i>Estimated 2001</i>	<i>Executive 2002</i>	<i>% Change 2001 to 2002</i>	<i>Executive 2003</i>	<i>% Change 2002 to 2003</i>
<b><i>NUR Nursing, Board of</i></b>								
4K9	884-609	Operating Expenses	\$ 3,685,892	\$4,255,544	\$ 4,816,241	13.2%	\$ 5,205,776	8.1%
<b>General Services Fund Group Total</b>			<b>\$ 3,685,892</b>	<b>\$ 4,255,544</b>	<b>\$ 4,816,241</b>	<b>13.2%</b>	<b>\$ 5,205,776</b>	<b>8.1%</b>
<b>Total All Budget Fund Groups</b>			<b>\$ 3,685,892</b>	<b>\$ 4,255,544</b>	<b>\$ 4,816,241</b>	<b>13.2%</b>	<b>\$ 5,205,776</b>	<b>8.1%</b>

## General Services Fund Group

### 203 884-606 Nurse Aide

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$218,843	\$0	\$0	\$0	\$0	\$0
	-100.0%	N/A	N/A	N/A	N/A

**Source:** GSF: Department of Health

**Legal Basis:** Originally established by Controlling Board on June 11, 1990. Contract with Department of Health is renewed biennially with the Nursing Board. Beginning in FY 1998, the Department ended the contract with the Board and assumed all responsibilities that were carried out by the Board for this program.

**Purpose:** These moneys were used by the Nursing Board for the evaluation and approval of the nurse aide training programs required by the Federal Omnibus Reconciliation Act of 1987 (OBRA). Effective July 1, 1997, the Department of Health assumed responsibility for these duties.

### 4K9 884-609 Operating Expenses

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$3,155,020	\$3,214,390	\$3,685,892	\$4,255,544	\$4,816,241	\$5,205,776
	1.9%	14.7%	15.5%	13.2%	8.1%

**Source:** GSF: license fees and fine revenue received by 20 of the occupational licensing boards

**Legal Basis:** originally established by Am. Sub. H.B. 152 of the 120th G.A.

**Purpose:** Funds are used for general operating expenses, including payroll, supplies, and new equipment. The individual board's appropriation may be greater or lesser than its amount of fee revenue for the fiscal year. The goal of the 4K9 Fund is for each board to become self-supporting. Additional appropriations are added in FYs 2002-2003 to cover activities associated with the implementation of prescriptive authority and the certification of dialysis technicians.