

Adverse impact notification sent to Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04.C): Yes Not Needed

If/when this economic impact analysis (EIA) is published in the *Virginia Register of Regulations*, notification will be sent to each member of the General Assembly (COV § 2.2-4007.04.B).



Virginia Department of Planning and Budget Economic Impact Analysis

18 VAC 90-20 Regulations of the Board of Nursing
Department of Health Professions
Town Hall Action/Stage: 4618/7649
August 31, 2016

Summary of the Proposed Amendments to Regulation

The proposed regulation will clarify that compliance with continuing education requirements is required to reactivate an inactive license and to reinstate a lapsed license.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

The Board of Nursing (Board) currently expects nurses reactivating or reinstating their licenses within one renewal cycle to meet the continuing education requirements for nurses renewing their active licenses. That is a nurse who has not kept his or her knowledge and skills up-to-date is expected to obtain 30 hours of continuing education and a nurse who actively practiced in another state and is returning to Virginia is expected to obtain 15 hours of continuing education. However, the current regulation does not specify these requirements. The proposed language clarifies that nurses reactivating or reinstating their licenses are subject to the same continuing education requirements established in 18 VAC 90-20-221(8&9). Since compliance with the proposed requirements is already expected by the Board and enforced, no significant economic effect is expected other than improving the clarity of the regulation.

Businesses and Entities Affected

In June 2016, there were 217,195 registered nurses and 29,718 licensed practical nurses in Virginia. Of this population, 1,013 registered nurses and 631 licensed practical nurses had their licenses go inactive or lapse and, later, in fiscal year 2016, applied for reactivation or reinstatement.

Localities Particularly Affected

The proposed changes apply statewide.

Projected Impact on Employment

No impact on employment is expected.

Effects on the Use and Value of Private Property

No impact on the use and value of private property is expected.

Real Estate Development Costs

No impact on real estate development costs is expected.

Small Businesses:**Definition**

Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

Costs and Other Effects

No costs or other effects on small businesses are expected.

Alternative Method that Minimizes Adverse Impact

The proposed amendments do not have an adverse impact on small businesses.

Adverse Impacts:**Businesses:**

The proposed amendments do not have an adverse impact on non-small businesses.

Localities:

The proposed amendments do not adversely affect localities.

Other Entities:

The proposed amendments do not adversely affect other entities.

Legal Mandates

General: The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order Number 17 (2014). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

Adverse impacts: Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.

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