

WEST VIRGINIA BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES
FOR THE PERIOD
JULY 1, 1988 - MARCH 31, 1995

WEST VIRGINIA LEGISLATURE
Joint Committee on Government and Finance



Theodore L. Shanklin, CPA, Director
Legislative Post Audit Division
Building 5, Room 751A
Capitol Complex

Area Code (304)
Phone: 347-4880
Fax: 347-4889

CHARLESTON, WEST VIRGINIA 25305

The Joint Committee on Government and Finance:

In compliance with the provisions of the West Virginia Code, Chapter 4, Article 2, as amended, we have examined the accounts of the West Virginia Board of Examiners for Registered Professional Nurses.

Our examination covers the period July 1, 1988 through March 31, 1995. The results of this audit are set forth on the following pages of this report. However, only the financial statements for the period ended March 31, 1995 and the years ended June 30, 1994, and June 30, 1993 are included in this report. The financial statements covering the period July 1, 1988 through June 30, 1992 are included in our audit workpapers.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Theodore L. Shanklin".

Theodore L. Shanklin, CPA, Director
Legislative Post Audit Division

TLS/tnt

**WEST VIRGINIA BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES**

TABLE OF CONTENTS

| | |
|--|----|
| Exit Conference | 1 |
| Introduction | 2 |
| Board Members and Staff | 5 |
| Summary of Findings, Recommendations and Responses. | 6 |
| General Remarks | 12 |
| Independent Auditors' Opinion | 35 |
| Statement of Revenues, Expenditures and Changes in Cash Balance-Budget and Actual | 37 |
| Notes to Financial Statement | 39 |
| Supplemental Information | 40 |
| Certificate of Director, Legislative Post Audit Division | 53 |

**WEST VIRGINIA BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES
EXIT CONFERENCE**

We held an exit conference on November 29, 1995, with the Executive Secretary of the West Virginia Board of Examiners for Registered Professional Nurses. All findings and recommendations were reviewed and discussed. The above official's responses are included in italics in the Summary of Findings, Recommendations and Responses and after our recommendations in the General Remarks section of this report.

**WEST VIRGINIA BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES**

INTRODUCTION

The Governor shall appoint, by and with the advise and consent of the Senate, a board consisting of five members who shall constitute and be known as the West Virginia Board of Examiners of Registered Professional Nurses.

Appointments hereunder shall be made by the Governor, by and with the advise and consent of the Senate, from lists submitted to the Governor by the West Virginia Nurses' Association. Such lists shall contain the names of at least three persons eligible for membership for each membership or vacancy to be filled and shall be submitted to the Governor on or before the end of June of each year and at such other time or times as a vacancy on the Board shall exist. Appointment under the provisions of this article shall be for a term of five years each or for the unexpired term, if any, of the present members. Any member may be eligible for reappointment, but no member shall serve longer than two successive terms. Vacancies shall be filled in the same manner as is provided for appointment in the first instance. The Governor may remove any member for appointment in the first instance. The governor may remove any member for neglect of duty for incompetence, or for unprofessional or dishonorable conduct.

Each member of the Board hereafter appointed shall (a) be a citizen of the United States and a resident of this State, (b) be a graduate from an accredited educational program in this or any

other state for the preparation of practitioners of registered professional nursing, or be a graduate from an accredited college or university with a major in the field of nursing, (c) be a graduate from an accredited college or university, (d) be a registered professional nurse licensed in this State or eligible for licensure as such, (e) have had at least five years of experience in teaching in an educational program for the preparation of practitioners of registered professional nursing, or in a combination of such teaching and either nursing service administration or nursing education administration, and (f) have been actually engaged in registered professional nursing for at least three within the past five years preceding his or her appointment or reappointment.

Each member of the Board shall receive fifty dollars for each day actually spent in attending meetings of the Board or of its committees, and shall also be reimbursed for actual and necessary expenses.

The Board shall meet at least once each year and shall elect from its members a president and a secretary. The secretary shall also act as treasurer of the Board. The Board may hold such meetings during the year as it may deem necessary to transact its business. A majority, including one officer, of the Board shall constitute a quorum at any meeting. The Board is hereby authorized and empowered to:

- (a) Adopt and, from time to time, amend such rules and regulations, not inconsistent with this article, as may be necessary to enable it to carry into effect the provisions of this article;

- (b) Prescribe standards for educational programs preparing persons for licensure to practice registered professional nursing under this article;
- (c) Provide for surveys of such educational programs at such times as it may deem necessary;
- (d) Accredit such educational programs for the preparation of practitioners of registered professional nursing as shall meet the requirements of this article and of the Board;
- (e) Deny or withdraw accreditation of educational programs for failure to meet or maintain prescribed standards required by this article and by the Board;
- (f) Examine, license and renew the licenses of duly qualified applicants;
- (g) Conduct hearings upon charges calling for discipline of a licensee or revocation or suspension of a license;
- (h) Keep a record of all proceedings of the Board;
- (i) Make a biennial report to the Governor;
- (j) Appoint and employ a qualified person, who shall not be a member of the Board, to serve as executive secretary to the Board;
- (k) Define the duties and fix the compensation for the executive secretary; and,
- (l) Employ such other persons as may be necessary to carry on the work of the Board.

All fees and other moneys collected by the Board pursuant to the provisions of this article shall be kept in a separate fund and expended solely for the purpose of this article. No part of this special fund shall revert to the general funds of this state. The compensation provided by this article and all expenses incurred under this article shall be paid from this special fund. No compensation or expense incurred under this article shall be a charge against the general fund of this state.

**WEST VIRGINIA BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES**

BOARD MEMBERS AND STAFF

MARCH 31, 1995

| <u>MEMBER</u> | <u>TERM EXPIRES</u> |
|--|---------------------|
| Lorraine Ritz, President Wheeling | June 30, 1995 |
| Ruth Pearson Huntington | June 30, 1996 |
| Patsy Haslam Beckley | June 30, 1997 |
| Joan Propst Philippi | June 30, 1999 |
| Diana Boyle Fairmont | June 30, 1998 |

PUBLIC BOARD MEMBER

| | |
|---------------------------------|---------------|
| Judy Nystrom Welch | June 30, 1999 |
| Vacancy | June 30, 1998 |

STAFF

| | |
|--------------------------------|-------------------------------|
| Janet H. Fairchild | Executive Secretary |
| Laura S. Rhodes | Assistant Executive Secretary |
| Sue Burnard | Computer Operator |
| Doris Mickles | Clerk |
| Nancy Wickline | Secretary Audit Clerk |
| Lora Mullins (Price) | Clerk III |

**WEST VIRGINIA BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES
SUMMARY OF FINDINGS, RECOMMENDATIONS AND RESPONSES**

Account Balance

1. Our audit indicates the Board has been accumulating a cash balance since Chapter 30, Article 7, Section 8 of the West Virginia Code was amended effective March 6, 1992, which increased the annual license fee from \$10.00 to \$25.00.

We recommend the Board utilize the provisions of Chapter 30, Article 7, Section 8 of the West Virginia Code, as amended, to modify the fee structure by rule to bring revenues in line with expenditures.

AGENCY'S RESPONSE

The Board anticipates additional expenses with the implementation of continuing education requirements and decreased revenues because fewer licensees will choose to renew their license. (See pages 13-16)

Duties of the Board and Board Minutes

2. We believe the Board minutes were deficient because they did not reflect the results of the votes by the Board regarding employee compensation issues.

We recommend the Board comply with Chapter 30, Article 7, Section 4, as amended, and Chapter 6, Article 9A, Section 5, as amended, of the West Virginia Code.

AGENCY'S RESPONSE

We will comply with the audit recommendation. (See pages 16-19)

Per Diem Payments

3. We believe each Board member was overcompensated by a total of \$100.00 in per diem related to the Board meeting held on August 10 and 11, 1993.

We recommend the Board comply with Chapter 30, Article 7, Section 3 of the West Virginia Code, as amended. Also, we recommend each affected Board member be asked to reimburse the \$100.00 overpayment.

AGENCY'S RESPONSE

We will comply with the audit recommendation. (See pages 19-20)

License Renewals

4. We believe four registered nurses paid twice for their license fee during the renewal period for 1993 licenses and each is due a \$25.00 refund. Also, one registrant was incorrectly assessed a \$50.00 reinstatement fee.

We recommend the Board comply with Chapter 30, Article 7, Section 8 of the West Virginia Code, as amended. Further, we recommend the Board refund \$25.00 to each of the four licensees who overpaid their 1993 license fee and \$50.00 to the licensee who was incorrectly assessed the reinstatement fee.

AGENCY'S RESPONSE

We will comply with the audit recommendation. (See pages 20-22)

Meal Reimbursements for Single Day Travel

5. We noted Board members and staff were reimbursed for meal expenses totaling \$620.25 during the audit period where the trips involved did not require an overnight stay (single day travel); however, these payments were not reported to these individuals on a Form W-2 (Employee Withholding Statement) or where appropriate, a Form 1099.

We recommend the Board comply with Chapter 11, Article 21, Section 72 of the West Virginia Code.

AGENCY'S RESPONSE

We will comply with the audit recommendation. (See pages 22-24)

Travel Expenses

6. Our examination of travel showed an employee was reimbursed twice for the same travel expenses totaling \$4.63.

We recommend the Board comply with Chapter 12, Article 3, Section 9 of the West Virginia Code, as amended, and seek reimbursement of \$4.63 for the overcharged travel expenses.

AGENCY'S RESPONSE

We will comply with the audit recommendation. (See pages 24-25)

Annual Inventory

7. The Board maintained an internal inventory of equipment; however, we determined several pieces of equipment with a total cost of \$3,386.00 has not been tagged and added to the inventory. Also, the Board did not submit the inventory annually to the Purchasing Division of the West Virginia Department of Administration.

We recommend the Board comply with Chapter 5A, Article 3, Section 35 of the West Virginia Code. Also, we recommend the Board tag all reportable equipment as required by the West Virginia State Property Handbook.

AGENCY'S RESPONSE

We will comply with the audit recommendation. (See pages 25-27)

Lack of Time Sheets

8. Our audit shows the Board's employees were not required to maintain time sheets reflecting the hours worked each workweek resulting in our inability to determine whether the Board complied with the provisions of the labor law covering overtime compensation.

We recommend the Board comply with Chapter 21, Article 5C, Section 5 of the West Virginia Code.

AGENCY'S RESPONSE

We will comply with the audit recommendation. (See pages 27-28)

Leave Request Forms

9. Because leave request forms were not required and time sheets were not maintained, we were unable to perform an audit of the annual and sick leave taken by employees, as well as, the accrued balances of the respective leave.

We recommend the Board strengthen internal controls in the area of employee leave.

AGENCY'S RESPONSE

We have implemented the audit recommendation. (See pages 32-33)

Board Vacancy - Lay Member

10. The Board has a lay member vacancy for a term ending June 30, 1998; meaning, the Board had only six members as of August 9, 1995.

We recommend the Board comply with Chapter 30, Article 1, Section 4a of the West Virginia Code and take the necessary steps to secure appointment of the additional lay member.

AGENCY'S RESPONSE

We have complied with the audit recommendation. (See pages 28-30)

Report Due State Auditor

11. Our audit indicates the Board does not file the detailed statement of moneys received with the State Auditor every six months as required by law.

We recommend the Board comply with Chapter 30, Article 1, Section 10 of the West Virginia Code.

AGENCY'S RESPONSE

The Board believes the annual report submitted to the Governor and monthly financial reports submitted to the Secretary of Administration fulfill the spirit of the law. However, the Board will submit reports twice yearly to the State Auditor if directed to do so by the Postaudit Subcommittee. (See page 30)

Receipts Not Deposited Timely

12. We believe the State lost approximately \$110.00 in interest income during the period July 1, 1992 through March 31, 1995, because some fee remittances were not deposited within 24 hours of collection.

We recommend the Board strengthen internal controls in the area of collections to ensure the State earns as much interest as possible.

AGENCY'S RESPONSE

We have recently implemented changes designed to effectuate the audit recommendation. (See pages 33-34)

**WEST VIRGINIA BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES
GENERAL REMARKS**

INTRODUCTION

We have completed a post audit of the West Virginia Board of Examiners for Registered Professional Nurses. The audit covered the period July 1, 1988 through March 31, 1995.

SPECIAL REVENUE ACCOUNT

All expenditures required for the general operations of the West Virginia Board of Examiners for Registered Professional Nurses are made from the Special Revenue Operating Fund Number 8519, formerly Account Number 8110-55.

COLLECTIONS

Income is derived from the receipt of license and service fees paid by registered nurses throughout the State and those fees are as follows:

| <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|----------------------------------|----------------------|
| Examination | \$ 51.50 |
| Endorsement In | \$ 30.00 |
| Endorsement Out | \$ 30.00 |
| License Renewals: | |
| RN Renewals | \$ 25.00 |
| Reinstatement (Lapsed Renewal) | \$ 75.00 |
| Reinstatement (Inactive Renewal) | \$ 25.00 |
| Mid-Wife Renewal | \$ 10.00 |
| Duplicate License | \$ 3.00 |
| Name Change | \$ 1.00 |
| Transcripts | \$ 5.00 |
| State Board | \$ 5.00 |
| Legal Accreditation Fees | \$ 50.00 |
| Verification Fee | \$ 1.00 |

| | |
|---------------------------|----------|
| Bad Check Service Fee | \$ 10.00 |
| Address Change | \$ 1.00 |
| Update | \$ 3.00 |
| Endorsed Temporary Permit | \$ 10.00 |
| Prescriptive Authority | \$125.00 |

COMPLIANCE MATTERS

Chapter 30, Articles 1 and 7 of the West Virginia Code generally govern the Board. We tested applicable sections of the above plus general State regulations and other applicable chapters, articles, and sections of the West Virginia Code as they pertain to fiscal matters. Our findings are discussed as follows.

Account Balance

Chapter 30, Article 7, Section 8 of the West Virginia Code, as amended, states in part,

"The license of every person licensed and registered under the provisions of this article shall be renewed annually...every such person shall fill in such application blank and return it to the board with a renewal fee of twenty-five dollars... Provided, That the board in its discretion by rule may increase or decrease the renewal fee..." (Emphasis Added)

Our audit of the financial transactions of the Board indicates the Board has been accumulating a cash surplus since the aforementioned Code section was amended effective March 6, 1992, which increased the annual license fee from \$10.00 to \$25.00.

The following schedule shows the cash balance available to the Board and the number of months the Board could operate from the cash balance, assuming no fees were collected during the ensuing fiscal year as of June 30 of each year since the change in the licensing fee:

| <u>Year Ended June 30,</u> | <u>Cash Balance</u> | <u>Disbursements</u> | <u>Number of Months Operations Funded by Cash Balance</u> |
|------------------------------------|-------------------------|----------------------|---|
| 1992 | \$260,186.17 | \$301,604.86 | 10.35 |
| 1993 | \$398,921.89 | 490,324.51 | 9.76 |
| 1994 | \$558,482.09 | 495,637.67 | 13.52 |
| 1995 | \$727,906.93 | 511,354.95 | 17.08 |
| Average | \$486,374.27 | \$450,480.50 | 12.96 |

Based on the schedule, we believe the Board is accumulating a cash surplus because the statute has set the licensing fee at \$25.00 per year and the Board has not acted to lower the fee through rule as provided by law to provide for budgetary needs. We believe the Board should utilize the flexibility provided in the law to modify the fee structure by rule to bring revenues in line with expenditures.

We recommend the Board utilize the provisions of Chapter 30, Article 7, Section 8 of the West Virginia Code, as amended, to modify the fee structure by rule to bring revenues in line with expenditures.

AGENCY'S RESPONSE

The Board believes this language to be appropriate and should remain as written. It provides that any change be made according to the established rule making process. The current and projected expenditures of the board support the established fee.

The income from the fee increase assists the Board in fulfilling its mission to protect the citizens of West Virginia in several ways.

1. *The board has as one of the goals set in August, 1995 to provide every licensed nurse with a copy of the current law*

and rule pertaining to the regulation of the practice of registered professional nurses along with a copy of a joint policy statement developed by the RN and LPN boards of nursing entitled "Criteria for Determining Scope of Practice for Licensed Nurses and Guidelines for Determining Acts that may be Delegated or Assigned by Licensed Nurses". There are approximately 22,000 registered professional nurses with an active West Virginia license. Based upon the current postage rate it will cost approximately \$1.70 per mailing for a total cost of \$37,400.00 excluding material, printing and labor for sorting.

2. The increase in the number of licensees and disciplinary cases requires additional staff, supplies and equipment. (See graphs related to increase in disbursements, licensees, discipline, etc.). (See Appendix)
3. The income is necessary to provide for the implementation of continuing education as a requirement for renewal; the Board has as two of its goals to provide education opportunities to nurses about the Board's function and mission, and for the Board to become more accessible to the public to address their concerns about registered professional nurses. A full list of goals is attached. (See Appendix). To achieve these educational goals the board approved an Assistant Executive Secretary for Education and Licensure and a Secretary I position. The current Assistant Executive Secretary position is for Discipline and Practice.

4. It is anticipated that the number of licensees will decrease after the implementation of continuing education as a requirement for licensure. One other board has experienced a decrease of 18% in total licensees since the implementation of a continuing education requirement for renewal. It is also anticipated that the overall increase in licensees will not occur. There are approximately 22,000 registered professional nurses with an active license in the state of West Virginia. An 18% decrease would result in 3960 fewer license renewal fees or \$99,000.00 decrease in fees received.

The fee increase has allowed the Board to relocate to a building that provides a better work environment by providing proper climate control which keeps equipment in better condition and a safer environment in which to work. The previous location was on Quarrier Street.

Equipment to operate the business of the Board has been purchased.

Duties of the Board and Board Minutes

Chapter 30, Article 7, Section 4 of the West Virginia Code, as amended, states in part,

"...The board is hereby authorized and empowered to:... (k) Define the duties and fix the compensation for the executive secretary; and (l) Employ such other persons as may be necessary to carry on the work of the board...."

Our audit disclosed the Board minutes did not reflect the results of the votes by the Board regarding employee compensation issues. Instead, it appears salary adjustments for employees were authorized through the approval of annual budgets by Board vote.

However, we did note the Personnel Action Forms (WV-11's) authorizing pay changes for the Executive Secretary were signed by the President of the Board. While the Executive Secretary signed the Personnel Action Forms (WV-11's) authorizing pay changes for all other staff members. During the period July 1, 1992 through March 31, 1995, we noted the following pay changes for members of the Board's staff:

| <u>EMPLOYEE</u> | <u>DATE OF SALARY ADJUSTMENT</u> | <u>ANNUALIZED SALARY</u> | <u>PERCENTAGE OF CHANGE 7/1/92 - 3/31/95</u> |
|----------------------------------|--|------------------------------|--|
| Executive Secretary | 7/01/92* | \$52,000.08 | |
| | 8/01/92 | \$60,000.00 | |
| | 7/16/93 | \$69,000.00 | |
| | 7/01/94 | \$70,008.00 | |
| | 7/16/94 | \$72,975.12 | 40.34% |
| Assistant Executive Secretary | 7/01/92* | \$42,500.16 | |
| | 11/01/92 | \$44,625.12 | |
| | 4/01/93 | \$46,750.08 | |
| | 3/01/94 | \$49,087.44 | |
| | 7/01/94 | \$50,095.44 | |
| | 7/16/94 | \$51,077.28 | 20.18% |
| Secretary - Audit Clerk | 7/01/92* | \$18,164.64 | |
| | 11/01/92 | \$18,764.64 | |
| | 3/01/94 | \$19,702.80 | |
| | 7/01/94 | \$20,710.80 | 14.02% |
| Clerk Computer Operator | 7/01/92* | \$17,454.00 | |
| | 11/01/92 | \$18,853.92 | |
| | 3/01/94 | \$19,419.36 | |
| | 7/01/94 | \$20,427.60 | 17.04% |

| <u>EMPLOYEE</u> | <u>DATE OF SALARY ADJUSTMENT</u> | <u>ANNUALIZED SALARY</u> | <u>PERCENTAGE OF CHANGE 7/1/92 - 3/31/95</u> |
|-----------------|--|------------------------------|--|
| Clerk | 7/01/92* | \$14,442.00 | |
| | 11/01/92 | \$15,241.92 | |
| | 7/01/94 | \$16,249.92 | 12.52% |
| Clerk III | 8/16/92* | \$15,576.00 | |
| | 4/01/93 | \$16,822.08 | |
| | 7/01/94 | \$17,830.08 | 14.47% |

* - Salary as of July 1, 1992 or date of hire, whichever is later.

Further, Chapter 6, Article 9A, Section 5 of the West Virginia Code, as amended, states in part,

"Each governing body shall provide for the preparation of written minutes of all of its meetings. All such minutes shall be available to the public within a reasonable time after the meeting and shall include, at least the following information:... (3) All motions, proposals, resolutions, orders, ordinances and measures proposed, the name of the person proposing the same and their disposition; and (4) The results of all votes and, upon the request of a member, the vote of each member, by name..."

Since two of the duties of the Board are to fix the compensation of the Executive Secretary, and employ other staff, we believe the Board minutes should have reflected the results of the votes affecting the salary adjustments for the Executive Secretary and other staff. We believe the Board minutes were deficient because as stated earlier, the Board minutes did not reflect the results of the votes by the Board regarding employee compensation issues. The Board minutes should clearly indicate the Board members were fully informed about these employee pay issues and the compensation paid them was authorized by majority vote of the Board.

We recommend the Board comply with Chapter 30, Article 7, Section 4, as amended, and Chapter 6, Article 9A, Section 5, as amended, of the West Virginia Code.

AGENCY'S RESPONSE

This requirement is noted and the Board will comply with Chapter 30, Article 7, Section 4, as amended, and Chapter 6, Article 9A, Section 5, as amended, of the West Virginia Code. The Board minutes will reflect this compliance.

Per Diem Payments

Chapter 30, Article 7, Section 3 of the West Virginia Code, as amended, states in part,

"...Each member of the board shall receive fifty dollars for each day **actually spent in attending meetings of the board, or of its committees**, and shall also be reimbursed for actual and necessary expenses..." (Emphasis Added)

Our audit showed all Board members attending the Board meeting held on August 10 and 11, 1993 received \$100.00 per diem rather than the \$50.00 per diem called for in the applicable statute. As a result, we believe each Board member was overcompensated by a total of \$100.00 as shown in the following schedule:

| <u>BOARD MEMBER</u> | <u>NUMBER OF DAYS</u> | <u>PER DIEM PAID</u> | <u>PER DIEM DUE</u> | <u>AMOUNT OVERPAID</u> |
|---------------------|-----------------------|----------------------|---------------------|------------------------|
| #1 | 2 | \$ 200.00 | \$100.00 | \$100.00 |
| #2 | 2 | 200.00 | 100.00 | 100.00 |
| #3 | 2 | 200.00 | 100.00 | 100.00 |
| #4 | 2 | 200.00 | 100.00 | 100.00 |
| #5 | 2 | 200.00 | 100.00 | 100.00 |
| #6 | 2 | <u>200.00</u> | <u>100.00</u> | <u>100.00</u> |
| | | <u>\$1,200.00</u> | <u>\$600.00</u> | <u>\$600.00</u> |

Upon inquiry of Board personnel, we were told the Board members were paid per diem for reviewing documents for two other days in preparation for the two-day meeting. However, we believe the law does not allow these Board members to be paid per diem for time spent preparing for Board meetings.

We recommend the Board comply with Chapter 30, Article 7, Section 3 of the West Virginia Code, as amended. Also, we recommend each affected Board member be asked to reimburse the \$100.00 overpayment.

AGENCY'S RESPONSE

Board members will be requested to reimburse to the Board the \$100.00 overpayment received with the exception of the member who passed away November 16, 1995. The Board members and staff will be apprised of this matter so there will be no future such occurrences.

License Renewals

Chapter 30, Article 7, Section 8 of the West Virginia Code, as amended, states in part,

"...At such time or times as the board in its discretion may determine, the board shall mail a renewal application to every person whose license was renewed during the previous year and every such person shall fill in such application blank and return it to the board with a renewal fee of twenty-five dollars within thirty days after receipt of said renewal application... Upon receipt of the application and fee, the board shall verify the accuracy of the application and, if the same be accurate, issue to the applicant a certificate of renewal for the current year...."

We noted four instances in the renewal period for 1993 licenses where we believe four registered nurses paid twice for their license fee. We believe these four registrants overpaid their license fee as shown in the following schedule:

| <u>LICENSEE</u> | <u>RECEIPT NUMBER</u> | <u>RECEIPT DATE</u> | <u>AMOUNT PAID</u> | <u>AMOUNT DUE</u> | <u>AMOUNT OVERPAID</u> |
|-----------------|---------------------------|-------------------------|------------------------|-----------------------|----------------------------|
| #1 | 26301 | 10/21/92 | \$ 25.00 | \$25.00 | \$ -0- |
| | 33399 | 11/05/92 | 25.00 | -0- | 25.00 |
| #2 | 31376 | 10/30/92 | 25.00 | 25.00 | -0- |
| | 36430 | 11/10/92 | 25.00 | -0- | 25.00 |
| #3 | 25550 | 10/20/92 | 25.00 | 25.00 | -0- |
| | 36724 | 11/12/92 | 25.00 | -0- | 25.00 |
| #4 | 24480 | 10/16/92 | 25.00 | 25.00 | -0- |
| | 37208 | 11/12/92 | <u>25.00</u> | <u>-0-</u> | <u>25.00</u> |
| | | | <u>\$200.00</u> | <u>\$100.00</u> | <u>\$100.00</u> |

We believe each of these registrants should be refunded \$25.00 related to their overpayment.

Also, Chapter 30, Article 7, Section 8 of the West Virginia Code, as amended, states in part,

"...A person licensed under the provisions of this article desiring to retire from practice temporarily shall send a written notice of such desire to the board. Upon receipt of such notice the board shall place the name of such person upon the inactive list.... When the person desires to resume active practice, application for renewal of license and payment of the renewal fee for the current year shall be made to the board...."

We identified one licensee who requested to be placed on the inactive list at the time of renewals for 1993. Subsequently, the licensee was reinstated to active status on November 23, 1993; however, she was required to pay a \$50.00 reinstatement fee plus

the \$25.00 license fee. We believe the registrant was not legally required to pay the \$50.00 reinstatement fee because she had requested to be placed on the inactive list as provided by law. After discussion, Board personnel agreed the reinstatement fee should not have been assessed.

We recommend the Board comply with Chapter 30, Article 7, Section 8 of the West Virginia Code, as amended. Further, we recommend the Board refund \$25.00 to each of the four licensees who overpaid their 1993 license fee and \$50.00 to the licensee who was incorrectly assessed the reinstatement fee.

AGENCY'S RESPONSE

Refunds in the amount of twenty-five dollars (\$25.00) will be issued to each of the four (4) individuals charged twice for a renewal fee in 1992. The database has been modified such that a two receipts for the same year will not be accepted by the computer.

A refund in the amount of fifty dollars (\$50.00) will be issued to the individual overcharged when reinstating from an inactive status.

Meal Reimbursements for Single Day Travel

Chapter 11, Article 21, Section 72 of the West Virginia Code states in part,

"Every employer required to deduct and withhold tax under this article from the wages of an employee, or who would have been required so to deduct and withhold tax if the employee had claimed no more than one withholding exemption, shall furnish to each such employee... a written statement as prescribed by the tax commissioner showing the

amount deducted and withheld as tax, and such other information as the tax commissioner shall prescribe."

In accordance with the provisions of the Governor's Travel Regulations, both Board members and staff were reimbursed for meal expenses incurred during the audit period where the trips involved did not require an overnight stay (single day travel); however, these amounts were not reported to these individuals on a Form W-2 (Employee Withholding Statement) or where appropriate, a Form 1099. Publication 334 of the Internal Revenue Service entitled "Tax Guide for Small Business (1994)" states on page 72 in Table 16-1 regarding deductible travel expenses,

"The cost of meals only if your business trip is overnight or long enough to require you to stop to get substantial sleep or rest. Includes amounts spent for food, beverages, taxes, and related tips."

Therefore, any reimbursements received for non-deductible travel expenses are considered as taxable income under both Federal and West Virginia tax law.

According to our audit, the following amounts were reimbursed for meals which did not require an overnight stay:

| <u>BOARD</u> <u>MEMBER</u> | <u>MEAL REIMBURSEMENTS FOR SINGLE DAY TRIPS</u> | | | |
|-------------------------------|---|-------------|-------------|--------------|
| | <u>1994</u> | <u>1993</u> | <u>1992</u> | <u>TOTAL</u> |
| #1 | \$ 19.50 | \$ 6.50 | \$ 45.50 | \$ 71.50 |
| #2 | -0- | -0- | 13.00 | 13.00 |
| #3 | -0- | -0- | 13.00 | 13.00 |
| #4 | -0- | 39.00 | -0- | 39.00 |
| #5 | 58.50 | 25.75 | 26.00 | 110.25 |
| #6 | 13.00 | -0- | 26.00 | 39.00 |

| <u>EMPLOYEE</u> | <u>MEAL REIMBURSEMENTS FOR SINGLE DAY TRIPS</u> | | | |
|-----------------|---|-----------------|-----------------|-----------------|
| | <u>1994</u> | <u>1993</u> | <u>1992</u> | <u>TOTAL</u> |
| #1 | 75.80 | 91.00 | 39.00 | 205.80 |
| #2 | <u>19.50</u> | <u>96.20</u> | <u>13.00</u> | <u>128.70</u> |
| | <u>\$186.30</u> | <u>\$258.45</u> | <u>\$175.50</u> | <u>\$620.25</u> |

We determined Board personnel were not aware of the requirement for employers to report meal reimbursements related to single day trips as compensation to the respective Board members and employees.

We recommend the Board comply with Chapter 11, Article 21, Section 72 of the West Virginia Code.

AGENCY'S RESPONSE

Board members and staff have been alerted to this regulation so that there will be no further such occurrences. The Board will comply with the laws as provided.

Travel Expenses

Our examination of travel revealed an employee was reimbursed twice for the same travel expenses. The details of the original payment and the duplicate payment are as follows:

| <u>TRANSMITTAL NUMBER</u> | <u>DATES OF TRAVEL</u> | <u>DATE PAID</u> | <u>TRAVEL EXPENSES PAID</u> | <u>OVERPAYMENT</u> |
|---------------------------|--------------------------------|------------------|-----------------------------|--------------------|
| I958393 | June 1-30/94 | 7/13/94 | \$4.63 | |
| I1026273 | June 1, 1994 - August 25, 1994 | 9/09/94 | <u>\$11.06</u> | <u>\$4.63</u> |
| | | | <u>\$15.69</u> | <u>\$4.63</u> |

We believe the employee was overpaid by a total of \$4.63. Chapter 12, Article 3, Section 9 of the West Virginia Code, as amended, states in part,

"Every board or officer authorized by law to issue requisitions upon the auditor for payment of money out of the state treasury, shall, before any such money is paid out of the state treasury, certify to the auditor that the money for which such requisition is made is needed for present use for the purpose for which it was appropriated..."

This travel expense reimbursement noted above would not comply with these provisions of State law because no additional expenses were incurred which would justify the requisitioning of funds. We believe the employee should be required to reimburse the Board for the overcharge.

We recommend the Board comply with Chapter 12, Article 3, Section 9 of the West Virginia Code, as amended, and seek reimbursement of \$4.63 for the overcharged travel expenses.

AGENCY'S RESPONSE

The Board will seek reimbursement of \$4.63 from the employ overpaid for travel expenses in 1994. The employees involved with reimbursement will be alerted to reviewing reimbursement forms for accuracy.

Annual Inventory

Chapter 5A, Article 3, Section 35 of the West Virginia Code states,

"The head of every spending unit of state government shall, on or before the fifteenth day of July of each year, file with the director an inventory of all real and personal property, and of all equipment, supplies and commodities in its possession as of the close of the last fiscal year, as directed by the director."

We determined during our audit, the Board does maintain an internal inventory of equipment. However, the Board had not submitted the inventory to the Purchasing Division of the West Virginia Department of Administration annually as called for in the law. As a result, the Director of the Purchasing Division did not have the information needed to have an accurate inventory of equipment owned by the State.

Also, Section 4B of the West Virginia State Property Handbook promulgated by the West Virginia State Agency for Surplus Property states in part,

"All reportable personal property owned by the State of West Virginia will be identified as such by the affixation of a property identification decal (tag) with an assigned Inventory Tag Number. The numbered tags are to be placed on all items of property/equipment in such a manner that it may be easily seen and read..."

Our examination of equipment revealed pieces of equipment which did not have inventory tags as reflected in the following schedule:

| <u>DESCRIPTION OF EQUIPMENT</u> | <u>LOCATION</u> | <u>COST OF EQUIPMENT</u> |
|---------------------------------|------------------------------|--------------------------|
| Two File, Lateras | Executive Secretary's Office | \$ 878.00 |
| Hutch | " " " | 629.00 |
| Desk, DBL Ped | " " " | 629.00 |
| Credenza | " " " | 579.00 |
| VDT Stand | " " " | 319.00 |
| Lighting | " " " | 139.00 |
| Keyboard Drawer | " " " | 107.00 |
| Corner Table | " " " | <u>106.00</u> |
| | | <u>\$3,386.00</u> |

Board personnel informed us the equipment had been purchased only recently and the employee responsible for equipment had not had an

opportunity to inventory and tag the equipment. According to the records available to us, the equipment had been in the Board's possession for approximately two months. Any failure to promptly tag newly purchased equipment increases the probability for equipment to be converted to personal use and inhibits the agency's ability to detect stolen equipment in a timely manner.

We recommend the Board comply with Chapter 5A, Article 3, Section 35 of the West Virginia Code. Also, we recommend the Board tag all reportable equipment as required by the West Virginia State Property Handbook.

AGENCY'S RESPONSE

Inventory tags have been placed on the equipment listed in the report. The Board will comply with Chapter 5A, Article 3, Section 35 of the West Virginia Code and tag all reportable equipment as required by the West Virginia State Property Handbook.

Lack of Time Sheets

Chapter 21, Article 5C, Section 5 of the West Virginia Code states,

"Every employer subject to the provisions of this article shall make or cause to be made, and shall keep and preserve at his place of business for a period of two years, a written record or records of the name and address of each of his employees as herein defined, his rate of pay, hours of employment, payroll deductions, and amount paid him for each pay period."

Our audit shows the Board's employees were not required to maintain time sheets reflecting the hours worked each workweek. As a result, we were unable to determine whether the Board complied with

the provisions of the labor law covering overtime compensation. Also, we were unable to test the annual and sick leave balances because time sheets were not maintained preventing us from verifying the accuracy of annual and sick leave taken.

We recommend the Board comply with Chapter 21, Article 5C, Section 5 of the West Virginia Code.

AGENCY'S RESPONSE

A time and attendance plan has been implemented referencing 42CSR8.4.2(h). A work schedule for each employee is maintained. Work hours, work days, lunch and requirements for a deviation in work hours are indicated on this form. A key to designate leave taken for vacation, holiday and sick leave is included on the form.

Board Vacancy - Lay Member

Chapter 30, Article 1, Section 4a of the West Virginia Code states in part,

"Notwithstanding any provisions of this code to the contrary, the governor, shall appoint at least one lay person to represent the interests of the public on every health professional licensing board, enumerated in section fifteen [§30-1-15] of this article. If the total number of members on any of such boards after the appointment of one such lay person is an even number, one additional lay person shall be appointed. Said lay members shall serve in addition to any other members otherwise provided by law or regulation...

Any person whose addition to a board as a lay member under the provisions of this section results in the addition of an odd number of lay additions to the board, shall serve for a term ending in an odd-numbered year on the date in that year on which terms of the professional members expire; of such members

first appointed, each shall serve for a term ending on such date in the year one thousand nine hundred seventy-nine, and the successor to each such person shall serve for a term equal in length to the terms of the other professional members of the board. Any person whose addition to a board as a lay member under the provisions of this section results in the addition of an even number of lay additions to the board, shall serve for a term ending in an even-numbered year on the date in that year on which terms of the professional members expire; of such members first appointed, each shall serve for a term ending on such date in the year one thousand nine hundred seventy-eight, and the successor to each such person shall serve for a term equal in length to the terms of the other professional members of the board."

Our audit shows the Board does not have the required two lay members as a part of its membership. We believe the Board has a lay member vacancy for a term ending June 30, 1998, as of the close of our current fieldwork (August 9, 1995). As a result, the Board had only six members, including one lay member as of that date.

We recommend the Board comply with Chapter 30, Article 1, Section 4a of the West Virginia Code and take the necessary steps to secure appointment of the additional lay member.

AGENCY'S RESPONSE

The lay member vacancy has existed since June 30, 1988. Files indicate that a letter dated February 13, 1991 to the Honorable Gaston Caperton, Governor of West Virginia regarding board member vacancies is acknowledged as being received by the Governor's office on February 18, 1991. Annual Reports submitted to the Governor and Legislators indicate that this position is vacant. A letter regarding this vacancy and pending vacancy of a

nurse member has been sent to the West Virginia Nurses Association and the Governor.

Report Due State Auditor

Chapter 30, Article 1, Section 10 of the West Virginia code regarding professional licensing boards states,

*"The secretary of every such board shall receive and account for all moneys derived by virtue of the provisions of this chapter applicable to such board, and shall pay them into the state treasury monthly, on or before the tenth day of the month succeeding the month in which such moneys were received. He shall also, on the first day of January and July in each year, or within five days thereafter, certify to the state auditor a detailed statement of all such moneys received by him during the preceding six months."
(Emphasis Added)*

Our audit indicates the Board does not file the detailed statement of moneys received with the State Auditor as required by law. Apparently, Board personnel were not aware of the statutorial requirement contained in the law.

We recommend the Board comply with Chapter 30, Article 1, Section 10 of the West Virginia Code.

AGENCY'S RESPONSE

The Board prepares and distributes an annual report which includes budget information and completes a monthly report to Chuck Polan, Cabinet Secretary, Department of Administration. It appears the intent of the statute Chapter 30, Article 1, Section 10 of the West Virginia Code is met by the filing of these reports. If the committee desires that such reports be filed the Board will comply by filing such reports.

INTERNAL CONTROLS AND ACCOUNTING SYSTEM

As a part of our examination, we reviewed and tested the system of internal accounting control to the extent we considered necessary to evaluate the system as required by generally accepted auditing standards. Under these standards the purpose of such evaluation is to establish a basis for reliance thereon in determining the nature, timing and extent of other auditing procedures that are necessary for expressing an opinion on the financial statements.

The objective of internal accounting control is to provide reasonable, but not absolute, assurance as to the safeguarding of assets against loss from unauthorized use or disposition, and the reliability of financial records for preparing financial statements and maintaining accountability for assets. The concept of reasonable assurance recognizes that the cost of a system of internal accounting control should not exceed the benefits derived and also recognizes that the evaluation of these factors necessarily requires estimates and judgments by management.

There are inherent limitations that should be recognized in considering the potential effectiveness of any system of internal accounting control. In the performance of most control procedures, errors can result from misunderstanding of instructions, mistakes of judgment, carelessness, or other personal factors. Control procedures whose effectiveness depends upon segregation of duties can be circumvented by collusion. Similarly, control procedures can be circumvented intentionally by management

with respect either to the execution and recording of transactions or with respect to the estimates and judgments required in the preparation of financial statements. Further projection of any evaluation of internal accounting control to future periods is subject to the risk that the procedures may become inadequate because of changes in conditions and that the degree of compliance with the procedures may deteriorate.

Our study and evaluation of the system of internal accounting control for the period July 1, 1988 to March 31, 1995, which was made for the purposes set forth in the first paragraph above, would not necessarily disclose all weaknesses in the system. However, such study and evaluation disclosed conditions that we believe to be weaknesses.

Leave Request Forms

We noted in our audit, the Board's employees are not required to complete leave request forms to indicate supervisory approval for annual and sick leave taken on specific work days. Because the leave request forms were not required and time sheets were not maintained as required by law, we were unable to perform an audit of the annual and sick leave taken by employees, as well as, the accrued balances of the respective leave. As such, the Board's employees were not required to account for all available work hours as either worked or on authorized leave.

We recommend the Board strengthen internal controls in the area of employee leave.

AGENCY'S RESPONSE

Forms to be completed for time away from the work place have been provided to all employees. These will be maintained in the personnel file. Time away from the office will be documented on the individual employee's time and attendance sheet.

Receipts Not Deposited Timely

Our audit revealed that 42 different fee remittances totaling \$1,175.60 of the 322 fee remittances tested were deposited between two and seven days after receipt by the Board. Our discussions with Board personnel indicate during the renewal period for licenses, it is not always possible to process all receipts within 24 hours of collection which is legally required of most State agencies, but not the professional licensing boards. Still, any failure to deposit collections timely results in lost interest income to the State. We believe the State lost approximately \$110.00 in interest income due to the late deposit of moneys received during the period July 1, 1992 through March 31, 1995.

We recommend the Board strengthen internal controls in the area of collections to ensure the State earns as much interest as possible.

AGENCY'S RESPONSE

The Board makes every attempt to deposit money on a daily basis even though §12.2.2 does not apply to licensing agencies. During the renewal process occurring during Fall, 1995 a new receipt and deposit process has been implemented which provides for deposits to be made within twenty-four (24) hours of receipt in

most instances. The exception being money receipted on Friday may not be deposited until the following Monday.

INDEPENDENT AUDITORS' OPINION

The Joint Committee on Government and Finance:

We have audited the statement of revenues, expenditures and changes in cash balance of the West Virginia Board of Examiners for Registered Professional Nurses for the period ended March 31, 1995 and the years ended June 30, 1994 and June 30, 1993. The financial statement is the responsibility of the management of the West Virginia Board of Examiners for Registered Professional Nurses. Our responsibility is to express an opinion on the financial statement based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note A, the financial statement was prepared on the basis of cash receipts and disbursements, which is a comprehensive basis of accounting other than generally accepted accounting principles.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the revenues collected and expenses paid of the West Virginia Board of Examiners for Registered Professional Nurses for the period ended March 31, 1995 and the years ended June 30, 1994 and June 30, 1993 on the basis of accounting described in Note A.

Our audit was conducted for the purpose of forming an opinion on the basic financial statement taken as a whole. The supplemental information is presented for purposes of additional analysis and is not a required part of the basic financial statement. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statement taken as a whole.

Respectfully submitted,


Theodora L. Shanklin, CPA, Director
Legislative Post Audit Division

August 9, 1995

Auditors: Michael E. Sizemore, CPA, Supervisor
Larry D. Bowman

**WEST VIRGINIA BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN CASH BALANCE
BUDGET AND ACTUAL**

| | <u>Period Ended March 31, 1995</u> | | |
|--------------------------------------|------------------------------------|---------------------|--------------------------------------|
| | <u>Budget</u> | <u>Actual</u> | <u>(Over) Under</u> <u>Budget</u> |
| Revenues: | | | |
| Fees and Licenses | \$641,000.00 | \$618,277.29 | \$22,722.71 |
| Expenditures: | | | |
| Personal Services | 211,512.00 | 152,910.63 | 58,601.37 |
| Employee Benefits | 60,800.00 | 38,267.33 | 22,532.67 |
| Current Expenses | 315,300.00 | 156,354.87 | 158,945.13 |
| Repairs and Alterations | 2,000.00 | 1,717.51 | 282.49 |
| Equipment | 52,500.00 | 23,599.51 | 28,900.49 |
| Refunds | 0.00 | 0.00 | 0.00 |
| Transfers to Bureau of Public Health | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> |
| | <u>642,112.00</u> | <u>372,849.85</u> | <u>269,262.15</u> |
| Revenues (Under) Over Expenditures | (1,112.00) | 245,427.44 | (246,539.44) |
| Beginning Balance | 525,000.00 | <u>558,482.09</u> | <u>(33,482.09)</u> |
| Ending Balance | <u>\$523,888.00</u> | <u>\$803,909.53</u> | <u>(\$280,021.53)</u> |

See Notes to Financial Statement

| <u>Year Ended June 30, 1994</u> | | | <u>Year Ended June 30, 1993</u> | | |
|---------------------------------|---------------------|----------------------------|---------------------------------|---------------------|----------------------------|
| <u>Budget</u> | <u>Actual</u> | <u>(Over) Under Budget</u> | <u>Budget</u> | <u>Actual</u> | <u>(Over) Under Budget</u> |
| \$641,030.00 | \$655,197.87 | (\$14,167.87) | \$623,450.00 | \$629,060.23 | (\$5,610.23) |
| 209,430.00 | 185,120.24 | 24,309.76 | 180,923.00 | 173,077.45 | 7,845.55 |
| 55,400.00 | 50,838.97 | 4,561.03 | 53,200.00 | 49,809.42 | 3,390.58 |
| 319,200.00 | 237,366.39 | 81,833.61 | 242,600.00 | 212,644.42 | 29,955.58 |
| 3,250.00 | 1,446.38 | 1,803.62 | 2,500.00 | 1,324.47 | 1,175.53 |
| 50,500.00 | 20,865.69 | 29,634.31 | 32,000.00 | 53,418.75 | (21,418.75) |
| 0.00 | 0.00 | 0.00 | 0.00 | 50.00 | (50.00) |
| 0.00 | 0.00 | 0.00 | 74,000.00 | 0.00 | 74,000.00 |
| <u>637,780.00</u> | <u>495,637.67</u> | <u>142,142.33</u> | <u>585,223.00</u> | <u>490,324.51</u> | <u>94,898.49</u> |
| 3,250.00 | 159,560.20 | (156,310.20) | 38,227.00 | 138,735.72 | (100,508.72) |
| 335,000.00 | 398,921.89 | (63,921.89) | 210,000.00 | 260,186.17 | (50,186.17) |
| <u>\$338,250.00</u> | <u>\$558,482.09</u> | <u>(\$220,232.09)</u> | <u>\$248,227.00</u> | <u>\$398,921.89</u> | <u>(\$150,694.89)</u> |

**WEST VIRGINIA BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES
NOTES TO FINANCIAL STATEMENT**

Note A - Accounting Policies

Accounting Method: The cash basis of accounting is followed. Therefore, certain revenues and the related assets are recognized when received rather than when earned and certain expenses are recognized when paid rather than when the obligation is incurred. Accordingly, the financial statement is not intended to present financial position and results of operations in conformity with generally accepted accounting principles.

Note B - Pension Plan

All eligible employees are members of the West Virginia Public Employees' Retirement System. Employee contributions are 4.5% of this compensation and employees are vested under certain circumstances. The West Virginia Board of Examiners for Registered Professional Nurses matches contributions at 9.5% of the compensation on which the employee made contributions. The West Virginia Board of Examiners for Registered Professional Nurses' pension expenditures were as follows:

| <u>Period Ended</u> <u>March 31, 1995</u> | <u>Year Ended June 30,</u> | |
|--|----------------------------|--------------------|
| | <u>1994</u> | <u>1993</u> |
| <u>\$14,274.72</u> | <u>\$17,220.60</u> | <u>\$16,176.45</u> |

SUPPLEMENTAL INFORMATION

**WEST VIRGINIA BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES
STATEMENT OF CASH RECEIPTS, DISBURSEMENTS
AND CHANGES IN CASH BALANCE**

| | <u>Period Ended</u> <u>March 31, 1995</u> | <u>Year Ended June 30,</u> | |
|-------------------------------------|--|----------------------------|---------------------|
| | | <u>1994</u> | <u>1993</u> |
| Cash Receipts: | | | |
| License Renewals: | | | |
| Registered Nurses | \$502,125.00 | \$487,475.00 | \$475,315.00 |
| Midwives | 240.00 | 820.00 | 485.00 |
| Lapsed and Inactive | 23,500.00 | 30,395.00 | 25,549.00 |
| Endorsement In | 22,470.00 | 25,770.00 | 26,880.00 |
| Endorsement Out | 24,035.00 | 27,740.00 | 27,136.00 |
| Examination Fees | 22,557.00 | 58,813.00 | 51,809.50 |
| Name and Address Changes | 2,017.00 | 2,329.00 | 2,415.00 |
| Print Outs and Labels | 5,426.14 | 5,933.72 | 5,973.48 |
| Workshops | 0.00 | 0.00 | 2,080.00 |
| Miscellaneous | <u>15,907.15</u> | <u>15,922.15</u> | <u>11,417.25</u> |
| | <u>618,277.29</u> | <u>655,197.87</u> | <u>629,060.23</u> |
| Disbursements: | | | |
| Personal Services | 152,910.63 | 185,120.24 | 173,077.45 |
| Civil Service Fees | 817.50 | 1,080.00 | 1,065.00 |
| Social Security Matching | 10,893.53 | 13,571.02 | 13,058.08 |
| Public Employees' Insurance | 11,469.72 | 18,020.00 | 18,818.00 |
| Workers' Compensation | 811.81 | 947.35 | 891.91 |
| Public Employees' Retirement | 14,274.77 | 17,220.60 | 16,176.45 |
| Office Supplies | 34,385.13 | 48,150.13 | 42,948.55 |
| Printing | 7,023.34 | 21,053.69 | 16,493.42 |
| Building Rental | 31,161.51 | 42,068.91 | 37,928.13 |
| Telephone | 3,422.59 | 5,185.33 | 4,150.97 |
| Contractual and Professional | 45,052.81 | 61,307.08 | 49,177.53 |
| Travel | 16,122.84 | 24,689.50 | 30,959.84 |
| Computer Services (IS&C) | 5,422.44 | 10,256.36 | 10,026.70 |
| Consulting Fees | 1,120.00 | 625.00 | 400.00 |
| Equipment Rental | 459.00 | 282.00 | 1,685.58 |
| Association Dues | 3,000.00 | 3,000.00 | 3,000.00 |
| Other Insurance (Fire and Bond) | 0.00 | 8,844.00 | 1,136.00 |
| Household Supplies | 0.00 | 0.00 | 0.00 |
| Advertising | 0.00 | 257.80 | 327.17 |
| Maintenance Contracts | 3,355.00 | 3,283.00 | 5,225.50 |
| Hospitality | 0.00 | 0.00 | 657.25 |
| Miscellaneous | 5,830.21 | 8,365.59 | 8,529.78 |
| Labor - Repairs and Alterations | 893.00 | 1,358.38 | 622.72 |
| Office Equipment Repairs | 0.00 | 90.00 | 512.50 |
| Building Repairs | 824.51 | 0.00 | 189.25 |
| Office and Communications Equipment | 21,191.42 | 17,452.54 | 45,865.09 |
| Books and Publications | 1,011.47 | 2,095.71 | 3,921.50 |
| Other Equipment | 796.62 | 1,317.44 | 3,632.16 |
| Refunds | <u>0.00</u> | <u>0.00</u> | <u>50.00</u> |
| | <u>372,849.85</u> | <u>495,637.67</u> | <u>490,324.51</u> |
| Cash Receipts Over Disbursements | 245,427.44 | 159,560.20 | 138,735.72 |
| Beginning Balance | <u>558,482.09</u> | <u>398,921.89</u> | <u>280,186.17</u> |
| Ending Balance | <u>\$803,909.53</u> | <u>\$558,482.09</u> | <u>\$398,921.89</u> |



APPENDIX

STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
101 Dee Drive
Charleston, WV 25311-1620

MISSION STATEMENT

The West Virginia Board of Examiners for Registered Professional Nurses is a legally constituted agency of state government established by the West Virginia Legislature to promote and protect public health, safety and welfare through the regulation of the practice of registered professional nurses.

Goals and Objectives

The regulation of the practice is through the following:

EDUCATION:

Quality nursing education is available to persons desiring to enter the field of nursing as a registered professional nurse through the review and approval of schools. (19CSR1)

- ♦ Implement the accreditation changes of 19CSR1
 - revise guidelines for on-site visits to nursing programs
 - review on-site visit procedure
 - provide orientation for on-site visitors
 - provide a report of each on-site for Board review
 - maintain public records
- ♦ Monitor the pass rate on NCLEX-RN for each state approved nursing program
- ♦ Evaluate nursing programs curricula to assure reflection of current nursing practice and changes in the health care delivery system.
 - Provide guidelines that assist nursing programs in improvements of nursing education

LICENSURE:

Competence and necessary monitoring of activities of individuals practicing as a registered professional nurse occurs through the licensing process which is the most restrictive form of monitoring. (§30-7 et seq., 19CSR3,4)

LICENSURE CON'T

- ◆ Implement the licensing process
 - issue registered professional nurse licenses
 - issue nurse midwife licenses
 - issue temporary permits
- ◆ Prepare applications for licensure
 - endorsement
 - reinstatement
 - exam
 - temporary permits
- ◆ Process renewal applications
- ◆ Verify licenses to the public and employers
- ◆ Survey employers to verify nurse employee licenses
- ◆ Review license applications for approval
- ◆ Maintain data base
 - assure availability of proper equipment to store information
 - update and modify information collected as required

CONTINUING COMPETENCE:

Continued competence is valued and is promoted through professional accountability (19CSR10) and through continuing education (19CSR11).

- ◆ Conduct continuing education regarding professional accountability
- ◆ Procure appropriate staff and equipment to implement 19CSR11
- ◆ Implement 19CSR11
 - educate staff about the continuing education process
 - educate licensees about the continuing education process beginning December, 1994
 - prepare the provider application by June, 1996
 - perform audits beginning in January, 1999
 - make needed changes in data base before June, 1998
 - arrange for record storage

PRACTICE:

The scope of practice is clearly defined and readily available to nurses and the public. (WV Code §30-7 et seq.)

- ◆ Monitor changes in health care delivery for impact on the regulation of registered professional nursing practice

PRACTICE CON'T

- ◆ Provide access to the WV Code and Rules pertaining to the regulation of the practice of registered professional nursing.
- ◆ Provide interpretations of the law as needed
- ◆ Provide guidelines for delegation

DISCIPLINE:

Promotion of public safety and the protection of public health and welfare is provided for through the disciplinary process. (19CSR9, WV Code §30-7-11)

- ◆ Procure personnel to continue to improve the disciplinary process to allow timely response to complaints.
- ◆ Refine the disciplinary process approved by the Board
- ◆ Educate employers and all nurses on the requirements for mandatory reporting of incompetent, unethical, illegal or impaired nursing practice.
- ◆ Develop guidelines on impaired practice to employers and nurses
 - prevention
 - detection
 - intervention
 - treatment
- ◆ Evaluate the implementation of an alternative program for impaired licensees
- ◆ Monitor individuals currently under disciplinary contract with the Board
 - Evaluate the use of a 1-800 number for drug screens
- ◆ Track discipline to establish trends

ADVANCED PRACTICE

The Board participates in the promotion of public health and safety by the recognition of advanced practice nurses.

- ◆ Implement the announcement of advanced practice
 - approve applications
 - prepare letters of approval
- ◆ Grant authority
 - authorize qualified nurses in advanced practice to prescribe prescription drugs in accordance with the provisions of W.V. Code §30-7-15a, 15b, 15c, and §30-15-1 through 7c

ADVANCED PRACTICE CON'T

- recognize the authority of qualified nurses to administer anesthesia
- ◆ Issue midwife license to qualified individuals

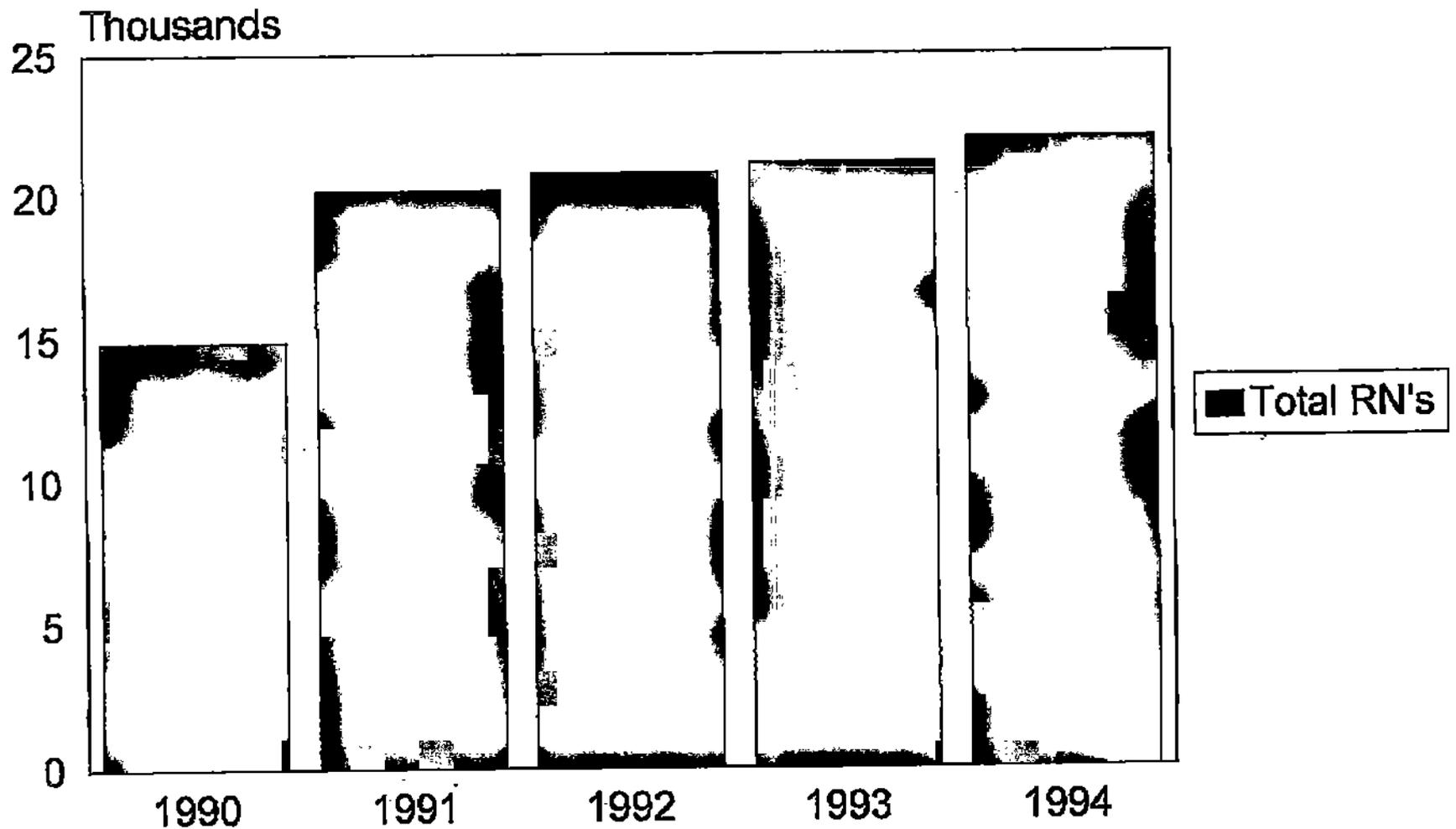
RESPONSIBILITY TO THE PUBLIC

The board is available to the public to respond to questions or concerns related to the regulation of the practice of registered professional nursing.

- ◆ Represent the Board in a positive manner to the public
 - increase visibility to consumers
 - implement meeting announcements/news releases
 - investigate a 1-800 number for consumer use
 - provide board business cards to board members
 - implement scheduled open public interactive time prior to board meetings
- ◆ Review periodically the need to adopt/amend legislative rules
- ◆ Obtain\Maintain adequate office personnel, equipment and space to carry out the business of the board.
 - periodically evaluate resources and respond to identified needs

Adopted by the West Virginia Board of Examiners for Registered Professional Nurses, August 18, 1995.

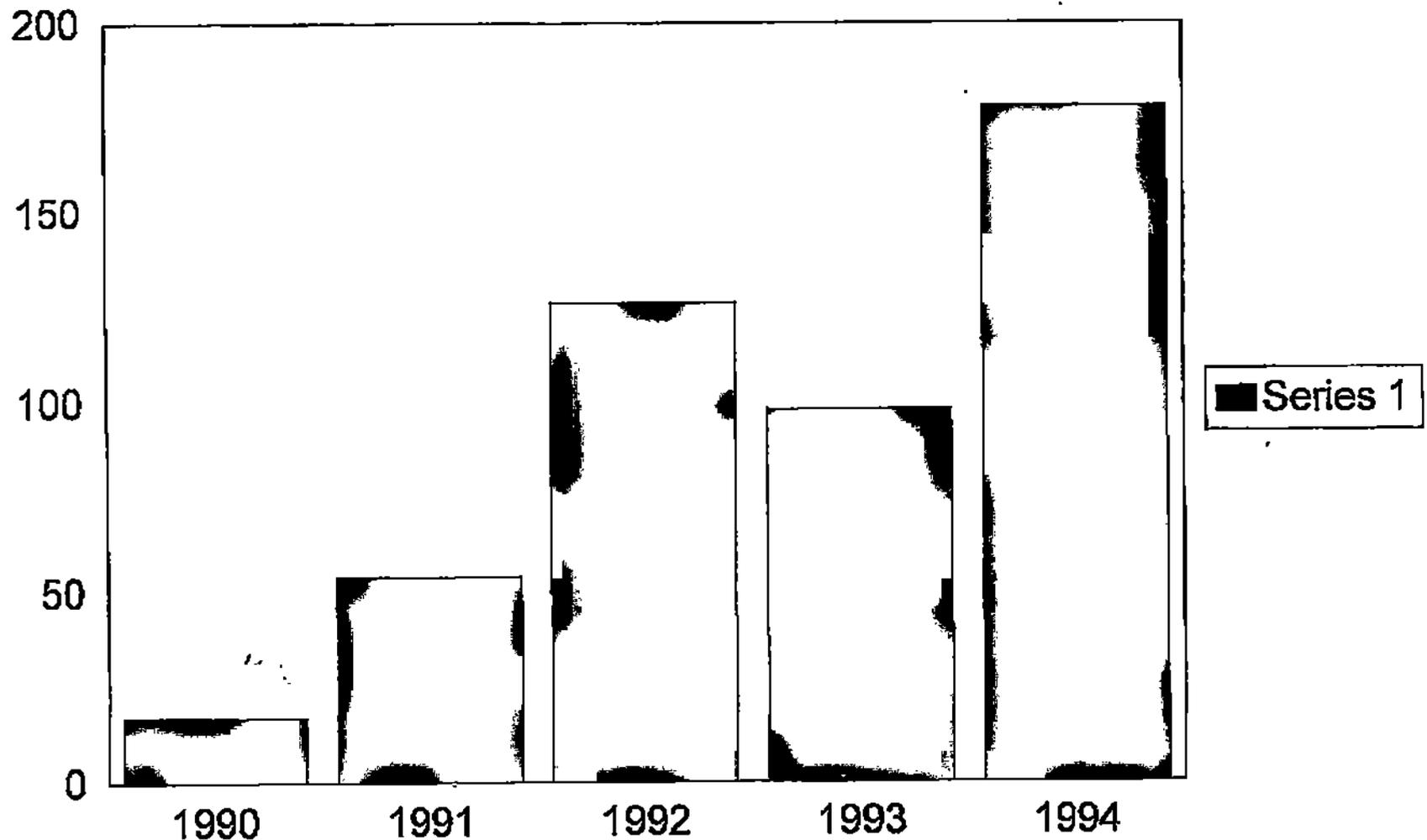
Total Number of Licensees



* 1990 = 14,892 +

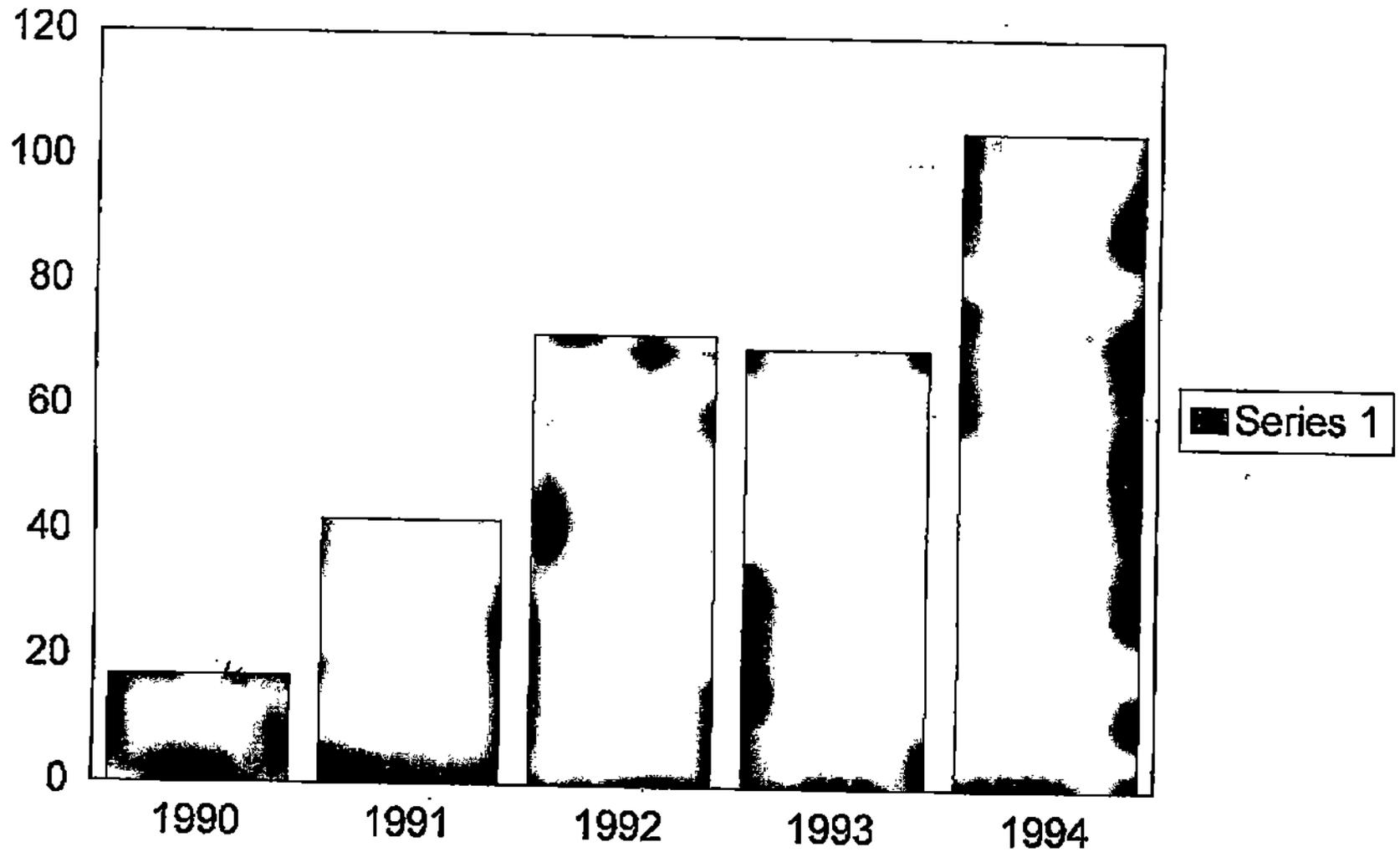
Disciplinary Cases

Cases receiving activity during indicated year

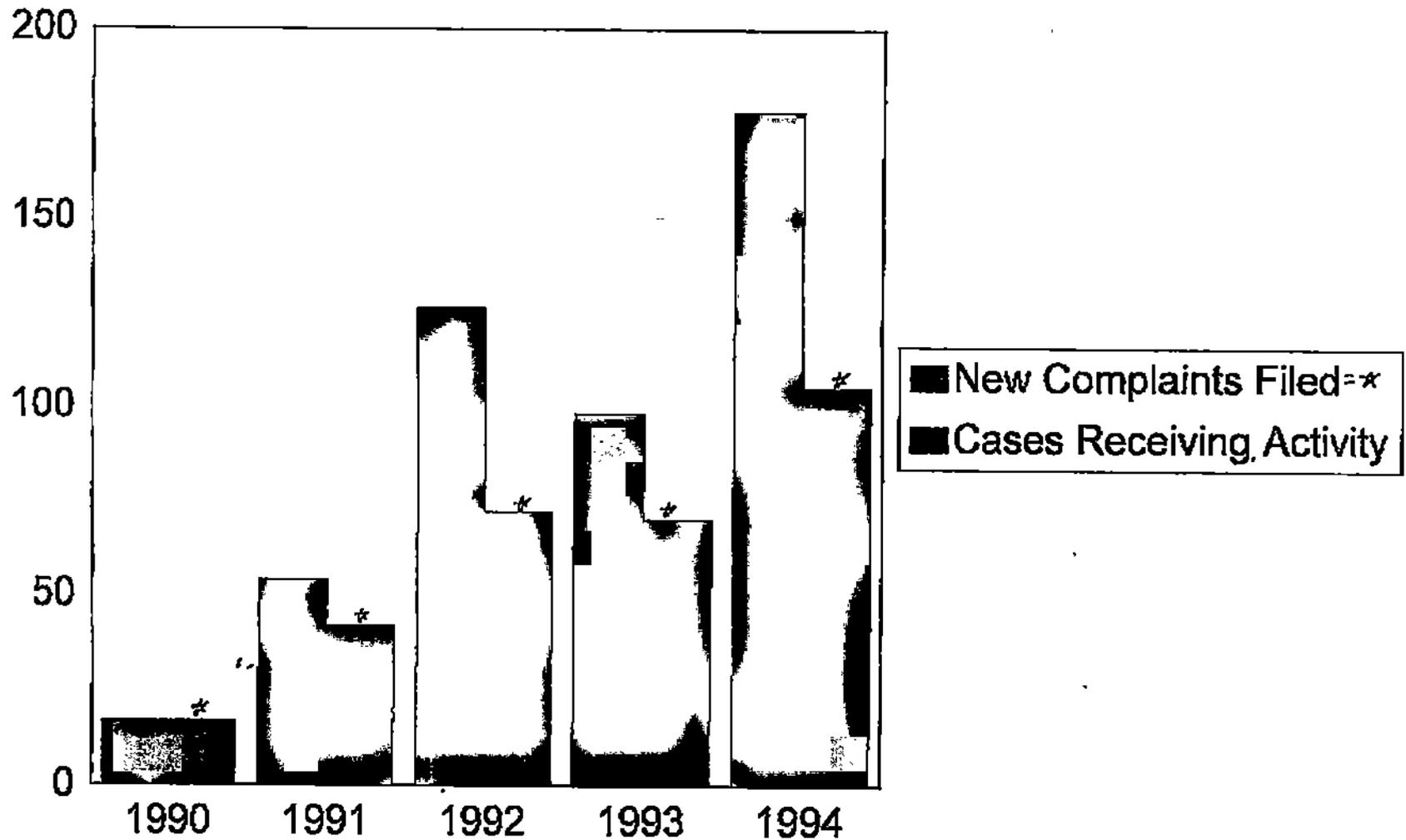


*1992 indicates resolution of backlog from 1991.

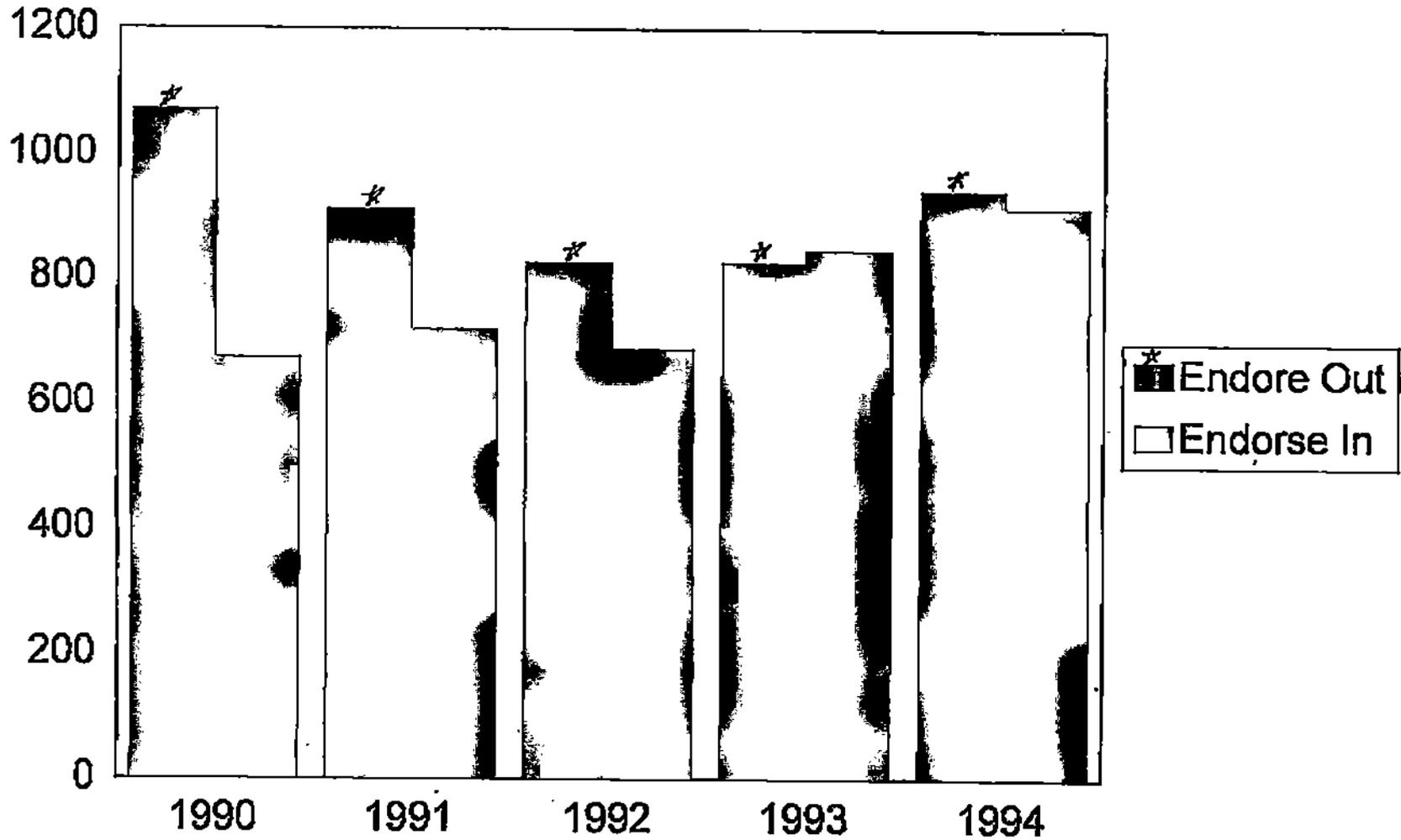
New Complaints Filed



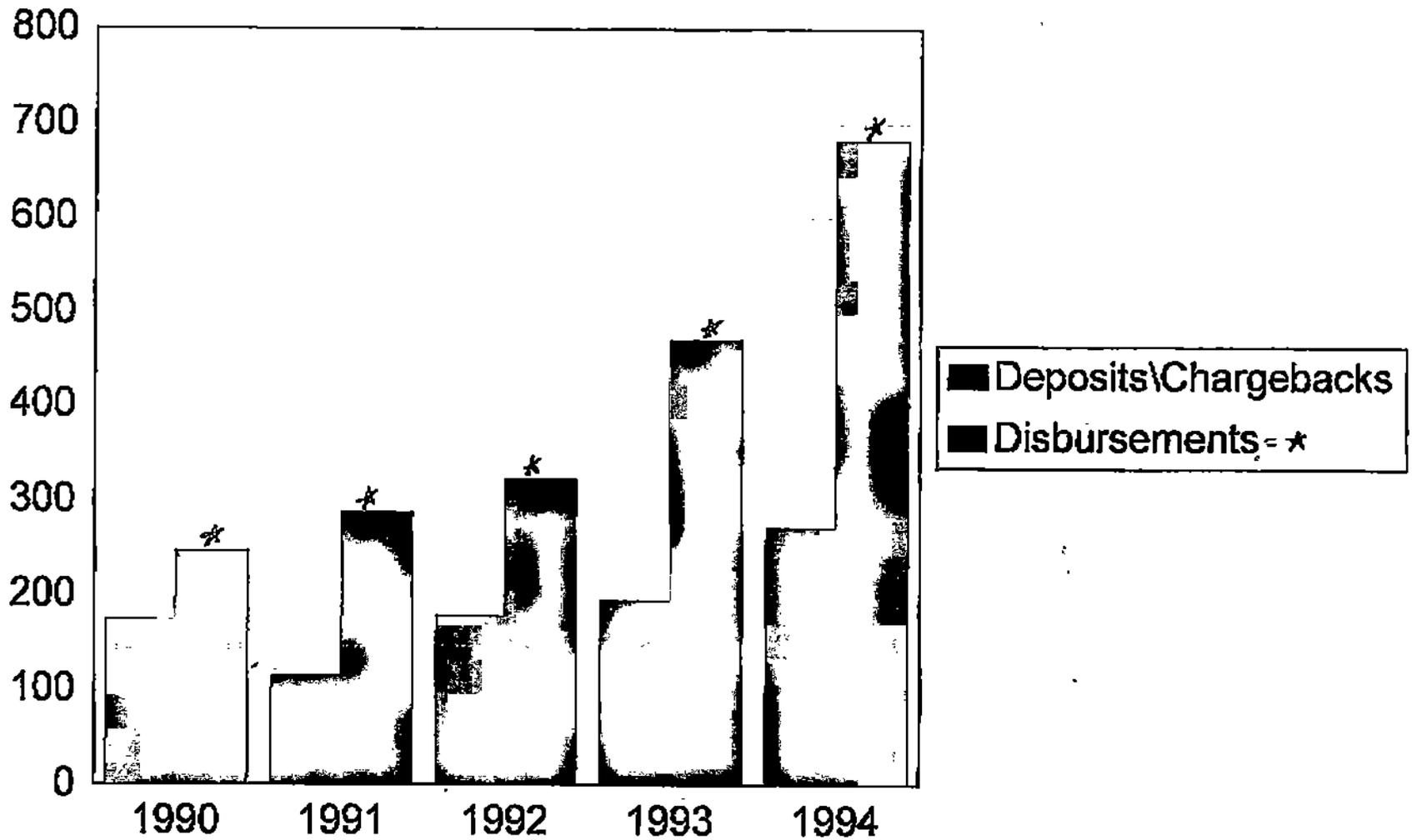
Total Discipline Activity



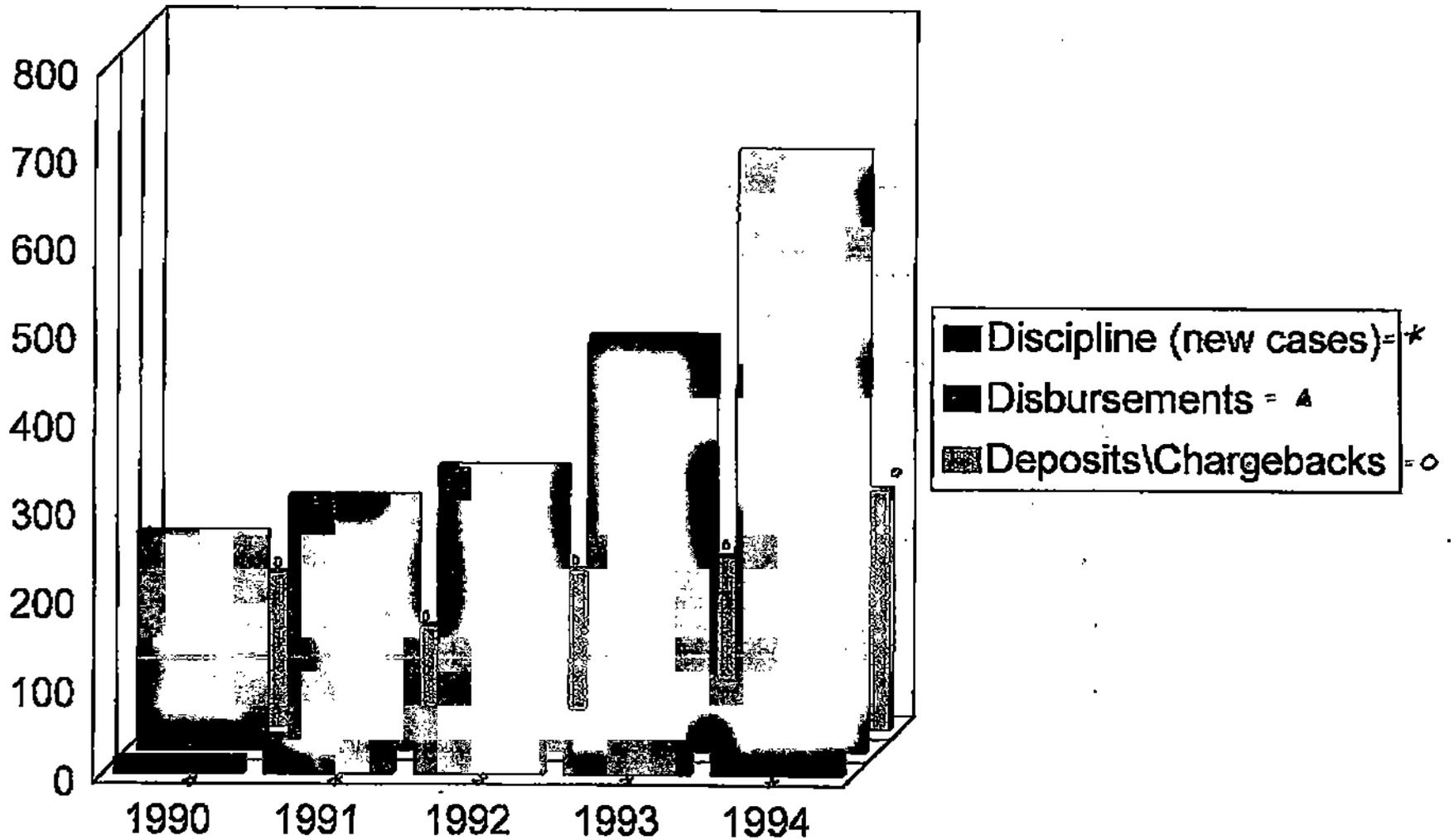
Endorsement Activity



Disbursements\Chargebacks



General Statistics



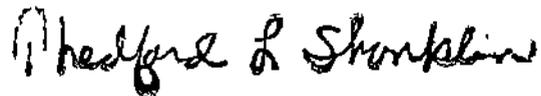
GRAPH C

STATE OF WEST VIRGINIA

OFFICE OF THE LEGISLATIVE AUDITOR, TO WIT:

I, Thedford L. Shanklin, CPA, Director of the Legislative Post Audit Division, do hereby certify that the report of audit appended hereto was made under my direction and supervision, under the provisions of the West Virginia Code, Chapter 4, Article 2, as amended, and that the same is a true and correct copy of said report.

Given under my hand this 10th day of December,
1995.



Thedford L. Shanklin, CPA, Director
Legislative Post Audit Division

Copy forwarded to the Secretary of the Department of Administration to be filed as a public record. Copies forwarded to the West Virginia Board of Examiners for Registered Professional Nurses; Each member of the Board; Governor; Attorney General; and, State Auditor.