

**State of California  
Office of Administrative Law**

**In re:**  
**Board of Vocational Nursing and Psychiatric  
Technicians**

**Regulatory Action:**

**Title 16, California Code of Regulations**

**Amend sections: 2537, 2537.1, 2591, 2590.1**

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2022-0728-02**

**OAL Matter Type: Regular (S)**

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The Board is increasing its licensee and continuing education course provider application and renewal fees from the statutory minimum level to the statutory maximum level in order to meet the Board's projected expenditures for the 2022-2023 fiscal year and continue to operate.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 9/9/2022.

Date: September 9, 2022



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Ashita Mohandas  
Attorney

For: Kenneth J. Pogue  
Director

Original: Elaine Yamaguchi, Executive  
Officer

Copy: Doris Pires

# REGULAR

For use by Secretary of State only

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-2022-0114-01</b>	REGULATORY ACTION NUMBER <b>2022-0728-02S</b>	EMERGENCY NUMBER
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REGULATIONS - FILED  
in the office of the Secretary of State  
of the State of California

SEP 09 2022

2:01 pm

For use by Office of Administrative Law (OAL) only	
NOTICE	REGULATIONS

OFFICE OF ADMIN. LAW  
2022 JUL 28 PM3:07

AGENCY WITH RULEMAKING AUTHORITY Board of Vocational Nursing and Psychiatric Technicians	AGENCY FILE NUMBER (if any)
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### A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Fee Schedule	TITLE(S) 16	FIRST SECTION AFFECTED 2537	2. REQUESTED PUBLICATION DATE 01/28/2022
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Doris Pires	TELEPHONE NUMBER (916) 263-7864	FAX NUMBER (Optional)
OAL USE ONLY: <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE	

### B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Fee Schedule	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 28, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) 16	ADOPT AMEND Amend Sections 2537, 2537.1, 2590 and 2590.1 REPEAL

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmission of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmission of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify)		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)  
The public comment period for modified text began on April 18, 2022 and ended on May 3, 2022.

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6680)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input checked="" type="checkbox"/> Other (Specify) Kimberly Kirchmeyer, Director of Consumer Affairs			

7. CONTACT PERSON Doris Pires	TELEPHONE NUMBER 916-263-7864	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Doris.Pires@dca.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Elaine Yamaguchi</i>	DATE Jul 8, 2022
TYPED NAME AND TITLE OF SIGNATORY Elaine Yamaguchi, Executive Officer of BVNPT	

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**ENDORSED APPROVED**

SEP 09 2022

Office of Administrative Law

California Code of Regulations  
Title 16 Professional and Vocational Regulations  
Division 25. Board of Vocational Nursing and Psychiatric Technicians

New language is underlined. Deleted language is shown in ~~strikeout~~.

**ORDER OF ADOPTION**

Amend Sections 2537 and 2537.1 in Article 6 of Chapter 1 of Division 25 of Title 16 of the California Code of Regulations, and amend Sections 2590 and 2590.1 in Article 6 of Chapter 2 of Division 25 of Title 16 of the California Code of Regulations as follows:

Chapter 1. Vocational Nurses

Article 6. Revenue

§ 2537. Fees.

Pursuant to Section 2895 of the Code, the following fees are established:

- (a) The fee to be paid upon the filing of an application for licensure by examination by applicants who have successfully completed the prescribed course of study in a California approved vocational nursing program is ~~two~~three hundred ~~twenty~~ dollars (~~\$220~~300).
- (b) The fee to be paid upon the filing of an application for licensure by examination by applicants who are qualified to take the examination by methods other than that specified in section 2537(a) is ~~two~~three hundred ~~fifty~~thirty dollars (~~\$250~~330).
- (c) The fee to be paid upon the filing of an application for licensure by endorsement is ~~two~~three hundred ~~twenty~~ dollars (~~\$220~~300).
- (d) The fee to be paid for any re-examination for licensure after the first attempt is ~~two~~ three hundred ~~twenty~~ dollars (~~\$220~~300).
- (e) The biennial renewal fee to be paid upon the filing of an application for renewal is ~~two~~ three hundred ~~twenty~~ dollars (~~\$220~~300). In addition, an assessment of five dollars (\$5) shall be collected and credited to the Vocational Nurse Education Fund, pursuant to Section 2895.5 of the Code. If a license is renewed more than 30 days after its expiration, the renewal fee for the current cycle shall be the renewal fee in effect on the date the renewal fee is paid.
- (f) Notwithstanding Section 163.5 of the Code, the delinquency fee for failure to pay the biennial renewal fee within the prescribed time is one hundred ~~ten~~fifty dollars (~~\$140~~ 150).
- (g) The initial license fee is an amount equal to the biennial renewal fee in effect on the date the application for the license is filed.
- (h) The fee to be paid for an interim permit is ~~twenty~~fifty dollars (~~\$20~~50).
- (i) The fee to be paid for a duplicate license or wall certificate is ~~twenty~~ fivefifty dollars (~~\$25~~550).
- (j) The fee to be paid for processing verification of licensure papers to other states is one hundred fifty dollars (~~\$400~~150).
- (k) The fee to be paid for post-licensure certification in intravenous therapy, blood withdrawal or intravenous therapy with blood withdrawal is ~~twenty~~fifty dollars (~~\$20~~50).

(l) The penalty fee for submitting insufficient funds or fictitious check, draft, or money order on any bank or depository for payment of any fee to the Board is twenty-five dollars (\$25).

Note: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2867.5, 2892.1, 2895, 2895.1 and 2895.5, Business and Professions Code; and Section 6157, Government Code.

#### § 2537.1. Provider's Fees.

Pursuant to Sections 2892.6 and 2892.7 of the Code, the following fees are established:

- (a) The fee to be paid upon filing of an application for any provider of a course in continuing education is ~~one~~two hundred fifty dollars (~~\$150~~250).
- (b) The biennial renewal fee for any provider of a course in continuing education is ~~one~~two hundred fifty dollars (~~\$150~~250).
- (c) The fee to be paid upon filing of an application from any provider of a course in Intravenous Therapy is ~~one~~two hundred fifty dollars (~~\$150~~250).
- (d) The biennial renewal fee for any provider of a course in Intravenous Therapy is ~~one~~two hundred fifty dollars (~~\$150~~250).
- (e) The fee to be paid upon filing of an application from any provider of a course in Blood Withdrawal is ~~one~~two hundred fifty dollars (~~\$150~~250).
- (f) The biennial renewal fee for any provider of a course in Blood Withdrawal is ~~one~~two hundred fifty dollars (~~\$150~~250).
- (g) The fee to be paid upon filing of an application from any provider of a course in Intravenous Therapy with Blood Withdrawal is ~~one~~two hundred fifty dollars (~~\$150~~250).
- (h) The biennial renewal fee for any provider of a course in Intravenous Therapy with Blood Withdrawal is ~~one~~two hundred fifty dollars (~~\$150~~250).

Note: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2892.6 and 2892.7, Business and Professions Code.

### Chapter 2. Psychiatric Technicians

#### Article 6. Revenue

#### § 2590. Fees.

Pursuant to Section 4548 of the Code, the following fees are established:

- (a) The fee to be paid upon the filing of an application for licensure by examination by applicants who have successfully completed the prescribed course of study in a California approved school for preparation of psychiatric technicians is ~~two~~three hundred ~~sixty five~~forty five dollars (~~\$265~~345).
- (b) The fee to be paid upon the filing of an application for licensure by examination by applicants qualified to take the examination by methods other than that specified in Section 2590 (a) is ~~two~~three hundred ~~ninety seven~~seventy five dollars (~~\$295~~375).

- (c) The fee to be paid upon the filing of an application for licensure by endorsement is ~~two~~three hundred ~~twenty~~ dollars (\$~~220~~300).
- (d) The fee to be paid for any re-examination for licensure after the first attempt is ~~two~~ three hundred ~~sixty~~forty-five dollars (\$~~265~~345).
- (e) The biennial renewal fee to be paid upon the filing of an application for renewal is ~~two~~three hundred ~~twenty~~ dollars (\$~~220~~300). If a license is renewed more than 30 days after its expiration, the renewal fee for the current cycle shall be the renewal fee in effect on the date the renewal fee is paid.
- (f) Notwithstanding Section 163.5 of the Code, the delinquency fee for failure to pay the biennial renewal fee within the prescribed time is one hundred ~~ten~~fifty dollars (\$~~140~~ 150).
- (g) The initial license fee is an amount equal to the biennial renewal fee in effect on the date the application for the license is filed.
- (h) The fee to be paid for an interim permit is ~~twenty~~fifty dollars (\$~~20~~50).
- (i) The fee to be paid for a duplicate license or wall certificate is ~~twenty~~-~~five~~fifty dollars (\$~~25~~50).
- (j) The fee to be paid for processing endorsement verification of licensure papers to other states is ~~twenty~~fifty dollars (\$~~20~~50).
- (k) The fee to be paid for post-licensure certification in blood withdrawal is ~~twenty~~fifty dollars (\$~~20~~50).
- (l) The penalty fee for submitting insufficient funds or fictitious check, draft, or money order on any bank or depository for payment of any fee to the Board is twenty-five dollars (\$25).

Note: Authority cited: Section 4504, Business and Professions Code. Reference: Sections 152.6, 4544, 4545 and 4548, Business and Professions Code; and Section 6157, Government Code.

#### § 2590.1. Provider Fees.

Pursuant to Section 4518.1 of the Code, the following fees are established:

- (a) The fee to be paid upon the filing of an application for any provider of a course in continuing education is ~~one~~two hundred fifty dollars (\$~~150~~250).
- (b) The biennial renewal fee for any provider of a course in continuing education is ~~one~~two hundred fifty dollars (\$~~150~~250).
- (c) The fee to be paid upon the filing of an application from any provider of a course in Blood Withdrawal is ~~one~~two hundred fifty dollars (\$~~150~~250).
- (d) The biennial renewal fee for any provider of a course in Blood Withdrawal is ~~one~~two hundred fifty dollars (\$~~150~~250).

Note: Authority cited: Section 4504, Business and Professions Code. Reference: Sections 4518 and 4518.1, Business and Professions Code.