



NORTH CAROLINA RESPIRATORY CARE BOARD

1100 Navaho Drive, Suite 242
Raleigh, NC 27609

October 7, 2010

Representative Joe Hackney
Speaker of the House
16 W. Jones Street, Room 2304
Raleigh, NC 27601-1096

Senator Marc Basnight
President Pro Tempore of the Senate
16 W. Jones Street, Room 2007
Raleigh, NC 27601-2808

RE: Consultation with the Joint Legislative Commission on Governmental Operations

Dear Senator Basnight and Representative Hackney:

As Executive Director of the North Carolina Respiratory Care Board (the "Board"), I am writing to you on behalf of the Board regarding the amendment of a rule increasing the fee for licensure renewal.

The Rule 21 NCAC 61 .0204 was published in the Notice of Text in the May 3, 2010 North Carolina Register 24:31 NCR 1839 – 1842. I have included a copy of the specific rule and the statutory authority with the amended language underlined.

21 NCAC 61 .0204 FEES

(a) Fees are as follows:

- (1) For an initial application, a fee of fifty dollars (\$50.00);
- (2) For issuance of an active license, a fee of one hundred twenty-five dollars (\$125.00);
- (3) For the renewal of an active license, a fee of ~~sixty-five dollars (\$65.00)~~ seventy-five dollars (\$75.00);
- (4) For the late renewal of any license, an additional late fee of seventy-five dollars (\$75.00);
- (5) For a license with a provisional or temporary endorsement, a fee of fifty dollars (\$50.00);
- (6) For official verification of license status, a fee of twenty dollars (\$20.00);

(b) Fees shall be nonrefundable and shall be paid in the form of a cashier's check, certified check or money order made payable to the North Carolina Respiratory Care Board. However, personal checks shall be accepted for payment of renewal fees.

History Note: Authority G.S. 90-652(2);(9); 90-660;

§ 90-660. Expenses; fees.

(a) All salaries, compensation, and expenses incurred or allowed for carrying out the purposes of this Article shall be paid by the Board exclusively out of the fees received by the Board as authorized by this Article or funds received from other sources. In no case shall any salary, expense, or other obligations of the Board be charged against the State.

(919) 878-5595
FAX (919) 878-5565
Email: fboyer@ncrcb.org



NORTH CAROLINA RESPIRATORY CARE BOARD

1100 Navaho Drive, Suite 242
Raleigh, NC 27609

(b) All monies received by the Board pursuant to this Article shall be deposited in an account for the Board and shall be used for the administration and implementation of this Article. The Board shall establish fees in amounts to cover the cost of services rendered for the following purposes:

- (1) For an initial application, a fee not to exceed fifty dollars (\$50.00).
 - (2) For examination or reexamination, a fee not to exceed two hundred dollars (\$200.00).
 - (3) For issuance of any license, a fee not to exceed one hundred and fifty dollars (\$150.00).
 - (4) For the renewal of any license, a fee not to exceed seventy-five dollars (\$75.00).**
 - (5) For the late renewal of any license, an additional late fee not to exceed seventy-five dollars (\$75.00).
 - (6) For a license with a provisional or temporary endorsement, a fee not to exceed fifty dollars (\$50.00).
 - (7) For copies of rules adopted pursuant to this Article and licensure standards, charges not exceeding the actual cost of printing and mailing.
 - (8) For official verification of licensure status, a fee not to exceed twenty dollars (\$20.00).
 - (9) For approval of continuing education programs, a fee not to exceed one hundred fifty dollars (\$150.00).
- (2000-162, s. 1; 2001-455, s. 7; 2003-384, s. 4., 2007-418,)

Reason for Request: To meet budgetary requirements due to an increase in legal expenses for the Board and a decrease in income. The Board has seen a decrease in annual income of approximately \$33,000 due to a decrease in renewals possibly due to the economic turndown. Based on 4227 renewals, for fiscal year 2009, this would increase private expenditures by \$42,270.00 per year.

Regards,

Floyd E. Boyer, RRT, RCP
Executive Director