

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Form #4

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SECRETARY OF STATE

**NOTICE OF RULE MODIFICATION OF A PROPOSED RULE**

AGENCY: WV BOARD OF SOCIAL WORK TITLE NUMBER: 25

CITE AUTHORITY: WV CODE 30-30-6

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: FEE SCHEDULE

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

  
\_\_\_\_\_  
Authorized Signature



WEST VIRGINIA LEGISLATURE  
Legislative Rule-Making Review Committee

Senator Joseph Minard, Co-Chair  
Delegate Meshea Poore, Co-Chair  
Debra A. Graham, Chief Counsel

Charles Roskovensky, Associate Counsel  
Jay Lazell, Associate Counsel  
Brian Skinner, Associate Counsel  
Kevin Baker, Associate Counsel

RECEIVED JAN 11 2013

January 9, 2013

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register  
TO: Judy Williams  
WV Board of Social Work  
P.O. Box 5459  
Charleston, WV 25361  
FROM: Legislative Rule-Making Review Committee

Proposed Rule: Fee Schedule, 25CSR3

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature:

- 1. Authorize the agency to promulgate the Legislative rule:
  - (A) as originally filed \_\_\_\_\_
  - (B) as modified by the agency   X
- 2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached. \_\_\_\_\_
- 3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. \_\_\_\_\_
- 4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. \_\_\_\_\_
- 5. Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached. \_\_\_\_\_

**TITLE 25  
LEGISLATIVE RULE  
BOARD OF SOCIAL WORK EXAMINERS**

**SERIES 3  
FEE SCHEDULE**

**§25-3-1. General.**

1.1. Scope. -- This rule specifies the fees required for licensing as a social worker, certification as a continuing education, and fees for other services provided by the Board.

1.2. Authority. -- W. Va. Code §§~~30-30-6 5(b)(16) 1-6.(e), 30-30-3.(e)(1)(4), 30-30-11~~ §§30-30-19 (b); and §30-30-20(b).

1.3. Filing Date. -- ~~May 6, 2009.~~

1.4. Effective Date. ~~May 6, 2009.~~

**§25-3-2. Fee Schedule.**

2.1. Fees paid to the Board are not refundable.

2.1.1. All fees, with the exception of those for examination, are payable to the West Virginia Board of Social Work Examiners (WVBSWE).

2.1.2. The fee for the initial late payment of any required fee is fifty dollars (\$50) in addition to the amount of the required fee. The Board applies a the initial late payment fee ~~when a if renewal~~ payment is not received more than (30) days before or by the due date based upon the date of receipt of an application. ~~expiration date of a license or other recognizable date of transaction.~~ The "due" date is the day the certificate expires and becomes delinquent.

2.1.3 ~~The~~ An additional amount of twenty-five (\$25) dollars per month or fraction thereof, based upon date of receipt, will accumulate for up to a maximum of thirty-five additional months thereafter. The accumulated total due is payable upon receipt of the required application.

2.2. License fees.

2.2.1. The fee for issuance of a regular LSW, LGSW, LCSW, and LICSW biennial license certificate is one-hundred dollars (\$100).

2.2.2. The fee for a regular biennial license renewal is eighty-five dollars (\$85). The fee for the biennial temporary license renewal is ninety dollars (\$90).

2.2.3. The fee for a provisional temporary permit social work permit is fifty dollars (\$50).

2.2.4. The fee for a temporary provisional license is one hundred fifteen dollars (\$115).

2.2.5. The fee for a replacement license due to loss or name change ~~request~~ is twenty-five dollars (\$25).

2.2.6. The fee for biennial renewal of an emeritus status license is fifty dollars (\$50).

2.2.7 The application fee for inactive status that is made while the license is still active and in good standing is thirty dollars (\$30) and shall include evidence of continuing education earned after the issue date of the existing license as determined by the Board. Persons suffering critical health problems and military personnel called to active duty are exempt from this fee.

~~2.2.7~~ 2.2.8. The fee for activation of a biennial inactive regular status license is one-hundred dollars (\$100) Special accommodations may be made to military personnel families to waive the fee when called to active duty that caused an interruption in social work employment as determined by the Board.

~~2.2.8.~~ 2.2.9 The fee for upgrade to a higher level of license is fifty-five dollars (\$55).

### 2.3. Examination fees.

2.3.1. The fee for the examination ~~required by the Board~~ is established by and payable to the Association of Social Work Boards (ASWB) or its designee.

### 2.4. Application fees.

2.4.1. The application fee to become a certified provider of continuing social work education is one hundred dollars (\$100.00).

2.4.2. The application fee to become an individually approved provider ~~of~~ for a specifically dated and titled program of continuing social work education is sixty dollars (\$60) for each separate program application.

### 2.5. Fees for certified providers of continuing education.

2.5.1. The fee to re-certify biennially as a certified provider of continuing social work education is one hundred dollars (\$100)

2.5.1.a. A certified provider who does not pay the fee to re-certify within ~~sixty~~ ninety-five (6590) days of notice from the Board shall forfeit all rights and privileges as a certified provider of continuing education as defined by the Board.

2.5.1.b. A certified provider who does not complete a recording form provided by the board for the purpose of determining eligibility for re-certification as a certified provider of continuing education shall not be re-certified, regardless of fee payment status, until a satisfactory determination of eligibility to re-certify has been made by the Board or its designee.

### 2.6. Miscellaneous fees.

2.6.1. The fee for complying with a request for providing records as requested by the public information, such as for print, electronic information or data relating to the Board, its members, services, or licensed social workers is calculated based upon the actual cost of materials, employee time, and procedures required to comply with the request. Other fees for services and special status protection are based upon actual cost of material, staff time, postage, or other expenses incurred as a result of the request.

**25CSR3**

2.6.1.a. No fees shall be applied for compliance with initial requests for routine information regarding license application, continuation or renewal processes, or for the Board's annual report.

2.6.1.b. Requests for additional or bulk quantities may require payment of a fee.

# WEST VIRGINIA BOARD OF SOCIAL WORK

P.O. Box 5459 Charleston, WV 25361 Phone: (304) 558-8816 Fax: (304) 558-4189  
amypolcn@wvsocialworkboard.org & bswe2@suddenlink.net



January 23, 2013

Secretary of State  
Natalie E. Tennant  
Main Capitol Bldg, East Wing 1st Floor  
Charleston, WV 25305

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SECRETARY OF STATE

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Chair  
Kanawha

**Patricia O'Reilly, Ph.D.**  
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**Barbara K. Heasley, LICSW**  
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## Office Staff

**Judith K. Williams**  
Executive Director

**Amy S. Polen**  
Administrative Assistant

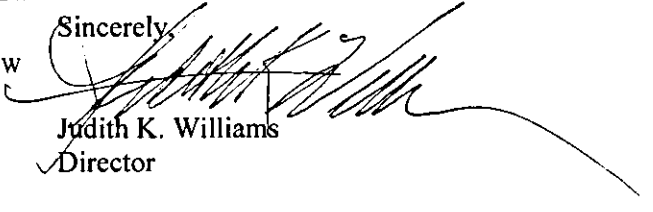
**Linda C. Dempsey**  
Clerk/Receptionist

Re: Filing of Modified Proposed Rule  
Authority: §30-30-6/Series 3/Fee Schedule

The Honorable Secretary of State,

The WV Board of Social Work accepts the advice of counsel for the House and has made minor technical modifications. The Notice of Rule Modification of a Proposed Rule is attached with the corrected Fee Schedule. If there is any problem, please contact me at 558-2988.

Sincerely,

  
Judith K. Williams  
Director

CC: Rules 2013  
LRMRC  
Counsel: C. Roskovinski