



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia  
Secretary Of State

**NOTICE OF AN EMERGENCY RULE**

AGENCY: Acupuncture TITLE-SERIES: 32-04

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Fees Of The Board Of Acupuncture

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§30-36-7 and §30-36-8

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

PRIMARY CONTACT:

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THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

To allow other licensed professionals to assist with the auricular detoxification therapy in the treatment of the opioid and controlled substance abuse addiction crisis that has been devastating in WV. This would permit them to begin practicing this method of treatment as soon as possible. And the passage of HB2324

DOES THIS EMERGENCY RULE REPEAL A CURRENT RULE? No

HAS THE SAME OR SIMILAR EMERGENCY RULE PREVIOUSLY BEEN FILED AND OR EXPIRED? No

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED LEGISLATIVE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

N/A

B. ECONOMIC IMPACT ON THE STATE OR ITS RESIDENTS:

N/A

C. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2019 Increase/Decrease (use "-")	2020 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
<b>1. Estimated Total Cost</b>		0	500.00
<b>Personal Services</b>		0	200.00
<b>Current Expenses</b>		0	300.00
<b>Repairs and Alterations</b>		0	0
<b>Assets</b>		0	0
<b>Other</b>		0	0
<b>2. Estimated Total Revenues</b>		0	500.00

D. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

The cost of implementation initially may be the same as the revenue generated.

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.**

Yes

Linda Lyter--By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 32  
LEGISLATIVE RULE  
BOARD OF ACUPUNCTURE

SERIES 4  
FEES OF THE BOARD OF ACUPUNCTURE

**§32-4-1. General.**

- 1.1. Scope. -- This rule establishes the fees relating to the Board.
- 1.2. Authority. -- W. Va. Code §§ 30-36-7 and §30-36-8.
- 1.3. Filing Date. -- ~~May 21, 1999.~~
- 1.4. Effective Date. -- ~~May 21, 1999.~~
- 1.5. Sunset Provision -- This rule shall terminate and have no further force and effect upon the expiration of ten (10) years from the filing date

**§32-4-2. Application.**

This rule applies to all applicants, licensed acupuncturists, student acupuncturists, apprenticed acupuncturists, and continuing education instructors.

**§32-4-3. Fees.**

- 3.1. Application fee. -- The nonrefundable application fee is seventy-five dollars (\$75.00).
- 3.2. License fee. -- The initial license fee for a period of two years is four hundred and twenty five dollars (\$425.00).
- 3.3. Renewal fee. -- The renewal fee for a period of two years is four hundred and twenty-five dollars (\$425.00).
- 3.5. Inactive license. -- The biennial fee for an inactive license is three hundred and twenty-five (\$325.00).
- 3.6. Delinquency fee. -- The delinquency fee for late filing is fifty dollars (\$50.00).
- 3.7. Duplicate license fee. -- The fee for a duplicate or replacement engraved wall license is twenty-five dollars (\$25). The fee for a duplicate or replacement renewal receipt or pocket license is ten dollars (\$10).
- 3.9. Endorsement fee. -- The fee for a letter of endorsement is ten dollars (\$10).
- 3.10. Auricular acudetox certificate fee. -- The fee for a two-year certificate to perform auricular acudetox is sixty dollars (\$60.00). The certificate of authorization to practice auricular detoxification therapy shall be valid for two years from the month ending of the date of issuance.

3.11. Auricular acudetox certificate renewal fee. – The fee for a two-year renewal of a certificate to perform auricular acudetox is fifty dollars (\$50.00). A renewed certificate of authorization to practice auricular detoxification therapy shall be valid for two years from the month ending of the date of issuance.

**§32-4-4. Acupuncture Tutorials.**

Acupuncture tutorial instructors and acupuncture tutorial students shall pay on annual registration renewal fee of one hundred dollars (\$100.00) within 30 days of completion of one (1) year of an approved acupuncture tutorial.

**§32-4-5. Continuing Education Providers.**

The annual fee for approval for each provider of continuing education is \$50.

**§32-4-6. Expired License Renewal.**

A lapsed or expired license may be renewed at any time within three years after its expiration. The licensee shall pay all accrued and unpaid renewal fees, plus the delinquency fee with the application for renewal.