



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-
MAKING REVIEW COMMITTEE**

AGENCY: Acupuncture TITLE-SERIES: 32-04
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: 32-04 Fees of the Board of Acupuncture

PRIMARY CONTACT

NAME: WV Board of Acupuncture
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CITE STATUTORY AUTHORITY: §30-36-7 & §30-36-8

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

Passage of HB 2324 to allow other licensed professionals to practice auricular acudetox with the appropriate training

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/13/2019

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/14/2019

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

Posted on website & mailed letters to licensees.

SUMMARY OF THE CONTENT OF THE LEGISLATIVE RULE, AND A DETAILED DESCRIPTION OF THE RULE'S PURPOSE AND ALL PROPOSED CHANGES TO THE RULE:

Passage of HB 2324. To allow other licensed professionals to practice auricular acudetox to assist with the opioid addiction crisis in WV as well other health related problems.

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THE RULE:

Passage of HB 2324. To allow other licensed professionals to practice auricular acudetox therapy.

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 OF THE LEGISLATIVE RULE 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)
1. Estimated Total Cost			500.00
Personal Services			200.00
Current Expenses			300.00
Repairs and Alterations			0
Assets			0
Other			0
2. Estimated Total Revenues			500.00

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

The cost of implementation 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.