

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #3

Do Not Mark In this Box

FILED

AUG 3 1 19 PM '98

OFFICE OF THE SECRETARY OF STATE
WEST VIRGINIA

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

AGENCY: BOARD OF ACUPUNCTURE TITLE NUMBER: 32

CITE AUTHORITY WVa Code §§ 30-36-7 & 30-36-8

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 32 CRS 4

TITLE OF RULE BEING PROPOSED: FEES OF THE BOARD
OF ACUPUNCTURE

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

Darrell E. Samples ND, OMD

Authorized Signature

\$4.00

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period, Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: July 28, 1998

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) W Va Board of Acupuncture
P.O. Box 252
Huntington WV 25707-0252

LEGISLATIVE RULE TITLE: Fees of the Board of
Acupuncture

1. Authorizing statute(s) citation W.Va. Code §§
30-36-7 and 30-36-8

2. a. Date filed in State Register with Notice of Hearing or
Public Comment Period:
April 15, 1998

b. What other notice, including advertising, did you give
of the hearing?
copies sent to state acupuncture
association and to other state boards
and to Governor

c. Date of Public Hearing(s) or Public Comment Period ended:
May 20, 1998

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached _____ No comments received X

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing:
(be exact)

July 30, 1998

f. Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all written correspondence regarding this rule: (Please type)

DR. Darrell E. Samples, ND, OMD
Secretary, Board of Acupuncture
P.O. Box 252
Huntington WU 25707 - 0252

g. IF DIFFERENT FROM ITEM 'f', please give Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a

hearing for the taking of evidence and a general description of the issues to be decided.

b. Date of hearing or comment period:

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

d. Attach findings and determinations and reasons:

Attached

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: BOARD OF ACUPUNCTURE TITLE NUMBER: 32

RULE TYPE: Legislative; CITE AUTHORITY Code §§ 30-36-7

AMENDMENT TO AN EXISTING RULE: YES NO 30-36-8

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: SERIES 4

TITLE OF RULE BEING PROPOSED: FEES of the BOARD OF ACUPUNCTURE

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON MAY 20, 1998 AT 12:00 NOON ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

WV BOARD OF ACUPUNCTURE
P.O. Box 252
HUNTINGTON WV
25907-0252

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Darrell E. Samples MD, OMB

Authorized Signature

ATTACH A BRIEF SUMMARY OF YOUR PROPOSAL

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: FEES OF THE BOARD OF ACUPUNCTURE
 Type of Rule: Legislative Interpretive Procedural
 Agency: W.Va. Board of Acupuncture
 Address: P.O. Box 252
HUNTINGTON WV 25707-0252

1. Effect of Proposed Rule *NA*

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<u>ESTIMATED TOTAL COST</u>	\$	\$	\$	\$	\$
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERNATIONS					
EQUIPMENT					
OTHER					

2. Explanation of above estimates:

NA

3. Objectives of these rules: *to establish the fees charged by the Board for services*

Rule Title: FEES OF THE BOARD OF ACUPUNCTURE

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

NA

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.

NA

C. Economic Impact on Citizens/Public at Large.

NA

Date: April 15, 1998

Signature of Agency Head or Authorized Representative

Warren E. Samples, NP, OMD

32 CRS 4

This rule is establishes the fees for services of the Board of Acupuncture.

32 CRS 4

This rule is being promulgated pursuant to requirements of Legislative intent requiring the Board to collect fees for services.

32 CRS 4
Title 32
Legislative Rule
Board of Acupuncture

FILED
AUG 3 1 19 PM '98
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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. --
- 1.4. Effective 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).
- 3.2. License fee. -- The biennial license fee is four hundred and twenty-five dollars (\$425).
- 3.3. Renewal fee. --The renewal fee 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) for a period of two years.
- 3.6. Delinquency fee. --The delinquency fee for late filing is fifty dollars (\$50.00) per year.
- 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).

32-4-4. Acupuncture Tutorials.

The annual registration renewal fee for acupuncture tutorial instructors and acupuncture tutorial students are due within 30 days of completion of one (1) year of an approved acupuncture tutorial.

32-4-5. Continuing Education Providers.

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

32-4-5. Expired License Renewal.

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