

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #4

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JAN 8 12 47 PM '99

OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: BOARD OF ACUPUNCTURE TITLE NUMBER: 32
CITE AUTHORITY WVa Code §§ 30-36-7 & 30-36-8
AMENDMENT TO AN EXISTING RULE: YES ___ NO X

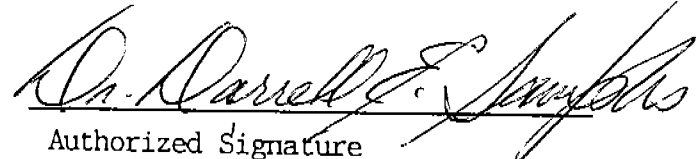
IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

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

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

THE ABOVE PROPOSED LEGISLATIVE RULE, 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

\$2.48

32 CRS 4
Title 32
Legislative Rule
Board of Acupuncture

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JAN 8 12 41 PM '99
OFFICE OF THE CLERK OF THE SENATE
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 (\$75.00).
- 3.2. License fee. -- The biennial license fee for West Virginia residents is three hundred dollars (\$300.00). The biennial licence fee for out of state residents is five hundred and fifty dollars (\$550.00).
- 3.3. Renewal fee. --The renewal fee for West Virginia residents is three hundred dollars (\$300.00). The renewal fee for out of state residents is five hundred and fifty dollars (\$550.00).
- 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).

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.

25 On page six, by adding a new subsection 5.2 to read as
26 follows:

27 "5.2 A dispatcher, who receives a domestic call for an
28 incident which occurred or is occurring outside the
29 jurisdiction of the police department or police departments
30 which supervise the dispatcher, shall immediately notify
31 a police department in the appropriate jurisdiction.";

32 And,

33 On pages six and seven, by renumbering the remaining
34 subsections.

§64-9-4. Board of acupuncture.

1 (a) The legislative rule filed in the state register on the
2 third day of August, one thousand nine hundred ninety-
3 eight, under the authority of section seven, article thirty-
4 six, chapter thirty, of this code, modified by the board of
5 acupuncture to meet the objections of the legislative rule-
6 making review committee and refiled in the state register
7 on the eighth day of January, one thousand nine hundred
8 ninety-nine, relating to the board of acupuncture (applica-
9 tions for licensure to practice acupuncture, 32 CSR 3), is
10 authorized.

11 (b) The legislative rule filed in the state register on the
12 third day of August, one thousand nine hundred ninety-
13 eight, under the authority of section seven, article thirty-
14 six, chapter thirty, of this code, modified by the board of
15 acupuncture to meet the objections of the legislative rule-
16 making review committee and refiled in the state register
17 on the eighth day of January, one thousand nine hundred
18 ninety-nine, relating to the board of acupuncture (fees of
19 the board of acupuncture, 32 CSR 4), is authorized with
20 the following amendments:

21 On page 1, section 3 by striking out subsection 3.2 and
22 inserting in lieu thereof the following:

23 "3.2. License fee. - The biennial license fee is four
24 hundred and twenty-five dollars (\$425.00).";

25 And,

26 On page 1, section 3 by striking out subsection 3.3 and
27 inserting in lieu thereof the following:

28 "3.3. Renewal fee. – The renewal fee is four hundred and
29 twenty-five dollars (\$425.00)."

30 (c) The legislative rule filed in the state register on the
31 third day of August, one thousand nine hundred ninety-
32 eight, under the authority of section seven, article thirty-
33 six, chapter thirty, of this code, modified by the board of
34 acupuncture to meet the objections of the legislative rule-
35 making review committee and refiled in the state register
36 on the eighth day of January, one thousand nine hundred
37 ninety-nine, relating to the board of acupuncture (adver-
38 tising by licensed acupuncturists, 32 CSR 5), is authorized.

39 (e) The legislative rule filed in the state register on the
40 third day of August, one thousand nine hundred ninety-
41 eight, under the authority of section seven, article thirty-
42 six, chapter thirty, of this code, modified by the board of
43 acupuncture to meet the objections of the legislative rule-
44 making review committee and refiled in the state register
45 on the eighth day of January, one thousand nine hundred
46 ninety-nine, relating to the board of acupuncture (stan-
47 dards of practice of acupuncture by licensed acupunctur-
48 ists, 32 CSR 6), is authorized.

49 (f) The legislative rule filed in the state register on the
50 third day of August, one thousand nine hundred ninety-
51 eight, under the authority of section seven, article thirty-
52 six, chapter thirty, of this code, modified by the board of
53 acupuncture to meet the objections of the legislative rule-
54 making review committee and refiled in the state register
55 on the eighth day of January, one thousand nine hundred
56 ninety-nine, relating to the board of acupuncture (disci-
57 plinary and complaint procedures for acupuncturists, 32
58 CSR 7), is authorized with the following amendment:

59 On page four, subsection 4.1.18, after the word "activ-
60 ity" by inserting the following:

61 "*Provided*, That upon termination of a patient-practitio-
62 ner relationship nothing in this rule shall be construed to