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Form #2

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Board of Medicine TITLE NUMBER Title 11

RULE TYPE: Legislative; CITE AUTHORITY West Virginia Code §30-3-7(a) (1)

AMENDMENT TO AN EXISTING RULE: YES X NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 4

TITLE OF RULE BEING AMENDED: Fees for Services Rendered by the Board of Medicine

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

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 August 9, 1990 AT 4:30 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

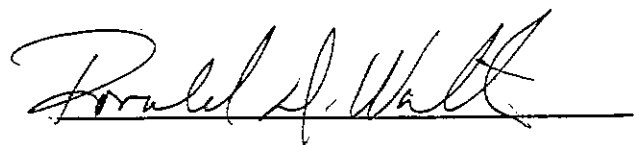
West Virginia Board of Medicine

101 Dee Drive

Charleston, West Virginia 25311

ATTENTION: Ronald D. Walton

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



ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Fees for Services Rendered by the Board of Medicine

Type of Rule: X Legislative Interpretive Procedural

Agency West Virginia Board of Medicine Address 101 Dee Drive
Charleston, West Virginia 25311

1. Effect of Proposed Rule:	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$	\$	\$
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates:

No increase in state funding will be needed.

3. Objectives of these rules:

To recoup losses to the Board experienced by insufficient fees presently charged for giving medical and podiatry examinations to applicants, and for issuing temporary licenses, which fees do not cover Board costs; to recoup losses to the Board experienced by fees presently charged for annual renewal of physician assistant certification which are insufficient to cover Board costs of processing same and to recoup losses experienced as a result of removal of the Board's funds by the legislature.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

None

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

Applicants for medical and podiatric licensure will pay more to sit for their examinations - they will pay the cost of the examination plus a small fee for the costs to the Board of giving the examination. Physician assistants will pay \$45.00 more annually for the renewal of their physician assistant certification which presently costs \$5.00, and is a ridiculously low fee which does not begin to cover the costs to the Board of processing the application renewals

C. Economic Impact on Citizens/Public at Large.

None

Date: 7/9/90

Signature of Agency Head or Authorized Representative

Ronald A. Wally

DATE: July 9, 1990

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: West Virginia Board of Medicine

EMERGENCY RULE TITLE: Fees for Services Rendered by the Board of Medicine

1. Date of filing: July 9, 1990

2. Statutory authority for promulgating the emergency rule: West Virginia Code §30-3-7 (a) (1)

3. Date of filing of proposed legislative rule: _____

4. Does the emergency rule adopt new language or does it amend or repeal a current legislative rule?
The emergency rule amends a current legislative rule 11 CSR 4

5. Has the same or similar emergency rule previously been filed and expired?
no

6. State, with particularity, those facts and circumstances which make the emergency rule necessary for the immediate preservation of public peace, health, safety or welfare.

The filing of the rules on an emergency basis is necessitated by several factors:

(1) the 1991 increase in fees owed by the Board to national medical examination boards which fees are in excess of what the Board is authorized to charge applicants for giving the examination; (2) the unrecouped costs to the Board of renting facilities to give the examination and the use of staff for the same purpose; (3) the cost of processing both temporary license applications and annual renewal applications for physician assistants, both of which exceeds the \$5.00 present fee charged to physician assistants for such renewals and the \$50.00 present fee charged for temporary licenses; (4) the repeated removal of large amounts of the Board's funds by the Legislature for purposes other than Board functions which render it increasingly difficult for the Board to carry out its purpose. In order to prevent substantial harm to the public interest and to immediately preserve the public peace, health, safety and welfare, these rules are necessary on an emergency basis to keep the Board solvent and able to carry out its duties of protecting the public interest pursuant to West Virginia Code §30-3-1 et seq.

7. If the emergency rule was promulgated in order to comply with a time limit established by the Code or federal statute or regulation, cite the Code provision, federal statute or regulation and time limit established therein.

8. State, with particularity, those facts and circumstances which make the emergency rule necessary to prevent substantial harm to the public interest.

See answer to 6 on previous page.

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EMERGENCY RULE

TITLE 11
LEGISLATIVE RULE
BOARD OF MEDICINE

SERIES 4
FEES FOR SERVICES RENDERED BY
THE BOARD OF MEDICINE

§11-4-1. General.

- 1.1. Scope. - These legislative rules establish the fees to be charged by the Board for services rendered.
- 1.2. Authority. - W.Va Code §30-3-7(a)(1).
- 1.3. Filing Date. -
- 1.4. Effective Date. -
- 1.5. Amendment to former Rule. - This emergency rule amends and replaces 11 CSR 4 "Fees for Services Rendered by the Board of Medicine" that was filed on April 11, 1988, and became effective on April 12, 1988.

§11-4-2. Schedule of Fees For Services Rendered By The West Virginia Board of Medicine For Physicians, Podiatrists and Physician Assistants:

- 2.1. Examination - ~~\$500.00~~. \$600.00
- 2.2. Reciprocity or Endorsement Application - \$200.00.
- 2.3. Temporary License Until Board Meets - ~~\$50.00~~. Not to exceed \$100.00.
- 2.4. Medical and/or Podiatry Corporation Application Fee - \$200.00.
- 2.5. Medical and/or Podiatry Corporation Biennial Registration \$200.00.

- 2.6. Medical and/or Podiatry Examination Score Endorsemen
\$25.00.
- 2.7. Active Biennial Registration - \$200.00.
- 2.8. Inactive Biennial Registration - \$50.00.
- 2.9. Podiatry Examination - ~~\$250.00.~~ Not to exceed \$400.00.
- 2.10. Podiatry Application - \$200.00.
- 2.11. Podiatry Temporary License Until Board Meets - \$50.00.
- 2.12. Active Podiatry Biennial Registration Fee - \$200.00.
- 2.13. Inactive Podiatry Biennial Registration Fee - \$50.00.
- 2.14. Physician Assistant Application - \$50.00.
- 2.15. Physician Assistant Annual Renewal - ~~\$5.00.~~ \$50.00