

**WEST VIRGINIA
SECRETARY OF STATE**

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #3

JUL 21 10 42 AM '99

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: West Virginia Board of Medicine TITLE NUMBER: 11

CITE AUTHORITY Legislative

AMENDMENT TO AN EXISTING RULE: YES ^{XX} NO

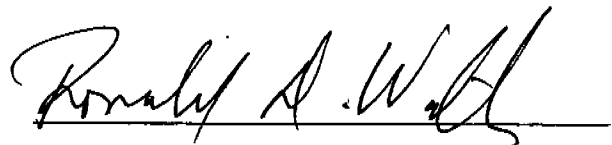
IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 4

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: _____

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.



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 21, 1999

TO: **LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

FROM: (Agency Name, Address & Phone No.) West Virginia Board of Medicine

101 Dee Drive

Charleston, West Virginia 25311

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

1. Authorizing statute(s) citation West Virginia Code §30-3-7(a) (1)

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

May 14, 1999

b. What other notice, including advertising, did you give of the hearing?

May 17, 1999, Memorandum to all M.D.'s and D.P.M.'s licensed
in West Virginia (attached as Exhibit A)

c. Date of Public Hearing(s) or Public Comment Period ended:

Comment period ended June 30, 1999.

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

Attached See Exhibit B No comments received
Attached See Exhibit C for Response to Comments

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

July 21, 1999

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

Ronald D. Walton

101 Dee Drive

Charleston, West Virginia 25311

(304) 558-2921

FAX: (304) 558-2084

- 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)

Same as above.

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.

N/A.

b. Date of hearing or comment period:

N/A.

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

N/A.

d. Attach findings and determinations and reasons:

Attached N/A.

R. Curtis Arnold, D.P.M.
South Charleston

Rev. Richard Bowyer
Fairmont

A. Paul Brooks, Jr., M.D.
Parkersburg

Ahmed D. Faheem, M.D.
Beckley

Mr. Roger Foster
Morgantown

Angelo N. Georges, M.D.
Wheeling



State of West Virginia

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311
Telephone (304) 558-2921
Fax (304) 558-2084

Phillip B. Mathias, M.D.
Glen Dale

Mr. Jewel F. McClanahan
Nitro

Carmen R. Rexrode, M.D.
Moorefield

Lee Elliott Smith, M.D.
Princeton

S. Kenneth Wolfe, M.D.
Huntington

Kenneth Dean Wright, P.A.-C.
Huntington

Statement of Circumstances Which Require The Proposed Rule and Summary of Content Of Proposed Rule

This proposed rule would eliminate the six hundred dollar (\$600) fee for medical examination as the Board of Medicine no longer administers such examinations.

The proposed rule raises fees for active medical and podiatric licensure and for renewal of such licensure, to recoup the costs to the Board of processing those applications, particularly at renewal time. The fees have remained at \$200 for more than a decade. In addition to the normal increases in the costs of doing business, the Department of Health and Human Resources now makes an annual assessment for its services to the Board in the amount of \$32,000 in 1998 rising to more than \$36,000 in 1999. This amount is expected to continue to increase.

The proposed rule raises fees for the Board giving the podiatric examination commensurate with an increase in the fees to the Board for such examination.

Without such increases, the Board will not have adequate funds to perform its statutory responsibilities. In the calendar year 1998, Board of Medicine disbursements exceeded receipts by \$189,941.23.

PRESIDENT
Sarjit Singh, M.D.
Weirton

VICE PRESIDENT
Leonard Simmons, D.P.M.
Fairmont

SECRETARY
Henry G. Taylor, M.D., M.P.H.
Charleston

COUNSEL
Deborah Lewis Rodecker
Charleston

EXECUTIVE DIRECTOR
Ronald D. Walton
Charleston

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: FEES FOR SERVICES RENDERED BY THE BOARD OF MEDICINE

Type of Rule: ☒ 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
<u>ESTIMATED TOTAL COST</u>	\$	\$	\$	\$	\$
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of above estimates:

NO INCREASE IN STATE FUNDING WILL BE NEEDED.

3. Objectives of these rules:

TO RECOUP THE COSTS OF THE BOARD OF PROCESSING LICENSURE APPLICATIONS AND RENEWAL APPLICATIONS, AND PROVIDING THE PODIATRIC EXAMINATION.

Rule Title: FEEES FOR SERVICES RENDERED BY THE BOARD OF MEDICINE

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

NO CHANGE.

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

NO CHANGE.

C. Economic Impact on Citizens/Public at Large.

NO CHANGE.

Date: May 13, 1999

Signature of Agency Head or Authorized Representative

Ronald J. Walk

TITLE 11
LEGISLATIVE RULE
BOARD OF MEDICINE

SERIES 4
FEES FOR SERVICES RENDERED BY
THE BOARD OF MEDICINE

FILED
JUL 21 10 43 AM '99
OFFICE OF THE CLERK OF THE VIRGINIA
SENATE

§11-4-1. General

- 1.1. Scope. – This legislative rule establishes the fees to be charged by the Board of Medicine for services rendered.
- 1.2. Authority. – W.Va. Code §30-3-7(a) (1).
- 1.3. Filing Date. - May 14, 1999
- 1.4. Effective Date. –

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

- ~~2.1.~~ ~~Medical Examination—\$600.00.~~
- ~~2.2.~~ 2.1. ~~Reciprocity or Endorsement~~ Medical Licensure Application –
~~\$200.00.~~ \$300.00.
- ~~2.3.~~ 2.2. Temporary Medical or Podiatric License Until Board Meets
- Not to exceed \$100.00
- ~~2.4.~~ 2.3. Medical and/or Podiatry Corporation Application Fee –
\$500.00
- ~~2.5.~~ 2.4. Medical and/or Podiatry Corporation Biennial Registration –
\$250.00
- ~~2.6.~~ 2.5. Medical and/or Podiatry Examination Score Endorsement or
Written Licensure Verification - \$25.00
- ~~2.7.~~ 2.6. Active Medical and/or Podiatry Biennial Registration fee
- ~~\$200.00~~ \$300.00
- ~~2.8.~~ 2.7. Inactive Medical and/or Podiatry Biennial Registration fee
- \$100.00
- ~~2.9.~~ 2.8. ~~Podiatry~~ Podiatric Examination – Not to exceed ~~\$500.00.~~
\$650.00
- ~~2.10.~~ 2.9. ~~Podiatry~~ Podiatric Licensure Application - ~~\$200.00.~~ \$300.00



R. Curtis Arnold, D.P.M.
South Charleston

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Fairmont

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Huntington

Kenneth Dean Wright, P.A.-C.
Huntington

State of West Virginia

West Virginia Board of Medicine

101 Dee Drive

Charleston, WV 25311

Telephone (304) 558-2921

Fax (304) 558-2084

MEMORANDUM

TO: ALL M.D.'S AND D.P.M.'S, LICENSED IN WEST VIRGINIA
FROM: WEST VIRGINIA BOARD OF MEDICINE
DATE: MAY 17, 1999
RE: PROPOSED RULE, FEES FOR SERVICES RENDERED BY THE BOARD OF MEDICINE

The following proposed rule is sent pursuant to West Virginia Code §30-1-6(c). Any comments should be filed in writing at this office by June 30, 1999, at 4:30 p.m. Thank you.

SERIES 4: FEES FOR SERVICES RENDERED BY THE BOARD OF MEDICINE

§11-4-1. General

- 1.1. Scope. - This legislative rule establishes the fees to be charged by the Board of Medicine for services rendered
- 1.2. Authority. - W.Va. Code §30-3-7(a) (1)
- 1.3. Filing Date. - May 14, 1999
- 1.4. Effective Date. -

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

- ~~2.1.~~ ~~Medical Examination - \$600.00.~~
- ~~2.2.~~ ~~2.1.~~ ~~Reciprocity or Endorsement~~ Medical Licensure Application -
~~\$200.00.~~ \$300.00.
- ~~2.3.~~ ~~2.2.~~ Temporary Medical or Podiatric License Until Board Meets
- Not to exceed \$100.00
- ~~2.4.~~ ~~2.3.~~ Medical and/or Podiatry Corporation Application Fee -
\$500.00
- ~~2.5.~~ ~~2.4.~~ Medical and/or Podiatry Corporation Biennial Registration -
\$250.00
- ~~2.6.~~ ~~2.5.~~ Medical and/or Podiatry Examination Score Endorsement or
Written Licensure Verification - \$25.00
- ~~2.7.~~ ~~2.6.~~ Active Medical and/or Podiatry Biennial Registration fee
- ~~\$200.00~~ \$300.00
- ~~2.8.~~ ~~2.7.~~ Inactive Medical and/or Podiatry Biennial Registration fee
- \$100.00
- ~~2.9.~~ ~~2.8.~~ ~~Podiatry Podiatric Examination - Not to exceed \$500.00.~~
\$650.00
- ~~2.10.~~ ~~2.9.~~ ~~Podiatry Podiatric Licensure Application - \$200.00.~~ \$300.00

PRESIDENT
Sarjit Singh, M.D.
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Charleston

COUNSEL
Deborah Lewis Rodecker
Charleston

EXECUTIVE DIRECTOR
Ronald D. Walton
Charleston

BIPIN H. AVASHIA, M.D.

Diplomate American Board of Internal Medicine
Diplomate American Board of Preventive Medicine in Occupational Medicine
Fellow American College of Occupational and Environmental Medicine

304 776-4802

5303 Pamela Circle
Cross Lanes, WV 25313

EXHIBIT B

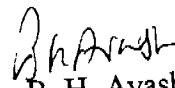
1 June 1999

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

Subject: Regarding proposed fees for
services rendered by Board of
Medicine.

I would like to go on record as being opposed to the increase in medical licensure fees from \$200 every 2 years to \$300 every 2 years. Earlier this year I received my application for renewal of license which I have had since 1975 continuously. On the application the first or second line asked the question as to how long I have had a West Virginia license, either through oversight and or some other reason I forgot to complete just that one line and the board staff instead of looking up on a computer or file to see how long I had that license sent the whole thing back to me necessitating another trip to the post office for certified mail. I called the board office to find out why I received the application back and the secretary who answered the phone told me she was too busy to look up this one error in 25 years but not too busy to readdress and send the application back. I believe it is unfair to call this a fee for services rendered by board of medicine if this is the kind of service this board provides. I believe that the board staff needs to learn a little bit about what customer service means and not act like they are the Lords of medical profession. West Virginia which has chronic shortages of physicians can ill afford this type of attitude.

Very truly yours,


B. H. Avashia, M.D.

BHA/ald

Stephen H. Goldberger, M.D., F.A.C.S.

600 Fairway St.
Bluefield, VA 24605

Tel: 540/322-1389
FAX 540/326-6729
Email: AuenHands@aol.com

5/30/99

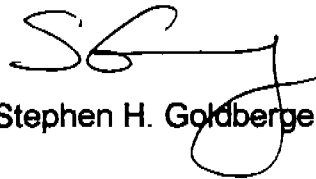
WV Board of Medicine
101 Dee Drive
Charleston, WV 25311

Dear Sirs:

I have just received the notice of a 50% increase in the fees for medical license registration. There was no explanation of the need for this increase. It would seem that in these days of high tech efficiency and regular lowering of the cost of technology that the fees might go down rather than up. Please explain what has increased 50% to justify the fee increase.

Thank you.

Sincerely,



Stephen H. Goldberger, M.D.



Terry A. Athari, M. D., F.A.C.O.G.
Angela Thompson, C.F.N.P.

GYNECOLOGY & INFERTILITY
VALLEY PROFESSIONAL CENTER, SUITE 206
2115 CHAPLINE STREET
WHEELING, WEST VIRGINIA 26003
(304) 232-9000

NEW MARTINSVILLE OFFICE
(304) 455-3589

May 27, 1999

WEST VIRGINIA BOARD OF MEDICINE
101 DEE DRIVE
CHARLESTON, WV 25311

Re: PROPOSED RULE, FEES FOR
SERVICES RENDERED BY THE
BOARD OF MEDICINE

Dear Sir:

I feel that the proposed increase of 50% of the
Active Medical and/or Podiatry Biennial Registration
is too much.

Sincerely,

A handwritten signature in black ink, appearing to read "T. A. Athari", written over a horizontal line.

T. A. Athari, M. D.

TAA/ml

West Virginia State Medical Association

June 30, 1999

Mr. Ronald D. Walton, Executive Director
West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

Re: Proposed Rule, Fees for Services Rendered by the Board of Medicine

Dear Mr. Walton:

The West Virginia State Medical Association ("WVSMA") files this objection to the Board of Medicine's ("Board") proposed fee increase.

The West Virginia State Medical Association is a membership organization that advocates on behalf of physicians, medical students and medical residents throughout West Virginia. A significant percentage of the state's approximately 3,200 active practicing physicians are part of our more than 2,700 member organization.

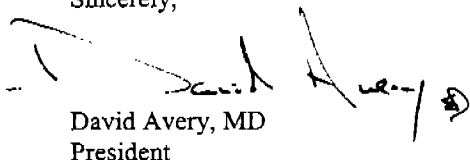
Our members rely and expect us to speak with one voice on their behalf. While it is always impossible to have complete unanimity, on this issue many of our members have contacted us to encourage our objection to the proposed increases. Additionally, our Executive Committee, the physician leaders of the WVSMA voted to officially oppose the Board's proposed increases.

Our opposition is primarily based on the significance of the percentage increase and lack of information from the Board justifying the need for any additional fees.

The Board proposed increases are significant in terms of their percentage over the current fee structure. Three of the four proposed increases are 50 percent over the current fees. Moreover, the May 17 one page memorandum from the Board to the affected parties merely pointed out the proposed fee increases without any accompanying statement or explanation of the need for the proposed increase. No fee increase should be approved without reasonable justification.

While we are aware that some physicians have filed objections directly with the Board, others have contacted us personally expressing reluctance to go on record with the Board because of the Board's disciplinary functions. Thus, we are confident that in addition to the written objections on file with the Board, many other physicians feel strongly that the proposed increases are not warranted.

Sincerely,



David Avery, MD
President

Phone: 304-925-0342 • Toll Free: 800-257-4747 • Fax: 304-925-0345

4307 MacCorkle Ave., S.E. WVSMA@aol.com www.wvsma.com
Charleston, WV 25304

P.O. Box 4106
Charleston, WV 25364

WVSMA



Committed to Excellence



Committed to You



WVVA Nephrology Associates, Ltd.



St. Luke's Professional Building Suite 9
Bluefield, WV 24701
Ph. (304) 325-5788 & 325-5789

IN YOUNG PARK, M.D.
DIPLOMATE OF
AMERICAN BOARD OF
INTERNAL MEDICINE
& NEPHROLOGY

KIDNEY DISEASES
HYPERTENSION
FLUID & ELECTROLYTES
& ACID BASE
DIALYSIS

State of West Virginia
West Virginia Board of Medicine
101 Dee Drive
Charleston, Wv 25311

Dear Sir:

Regarding the proposed increase in the fees for services rendered by the board of medicine, I would like to express my opinion.

Since the physicians have already been making payments for several services such as biannual license application, drug dispensing license, and business license for practice etc., and on the other hand, the reimbursement for medical services have been decreasing year by year, I do not think that this increase in the fee for active medical biannual registration is a good idea.

Sincerely,

In Young Park, M.D.

v.s.

Heiskell & King

SURGICAL ASSOCIATES INC.
4000 HAMPTON CENTER, MORGANTOWN, WV 26505

• C. ANDREW HEISKELL, M.D., F.A.C.S. •

• ROGER E. KING, M.D., F.A.C.S. •

• WILLIAM H. BURNS, M.D. •

June 28, 1999

*The Board Of Medicine
101 Dee Drive
Charleston, WV 25311*

Dear Sirs:

I have recently been aware that The Board of Medicine is considering raising the biennial registration fee from \$200.00 to \$300.00 for physicians who are actually practicing medicine.

The physicians are already paying a Medicaid tax which assesses us 2% of our gross revenues, which should be more than adequate to pay for this expense. At a time when the State of West Virginia is lowering the reimbursements for medical services, which includes PEIA, Medicaid and Medicare, I think the Board needs to reassess the increased fee. This is an undue burden for those who wish to keep their license active even though they may have retired.

In closing, I think the Board needs to strongly reconsider this assessment.

Sincerely,



Roger E. King, M.D.

REK/kc

June 17, 1999

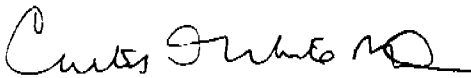
West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

re: proposed license for increase

Dear Sirs:

With declining reimbursement from managed care and the medical insurance industry as well as West Virginia medicaid to obstetricians, I asked that you reconsider the proposed 50% increase in medical licensure.

Sincerely,

A handwritten signature in cursive script, appearing to read "Curtis D. White M.D.", with a stylized flourish at the end.

Curtis D. White, M.D.

Raleigh St. Podiatry
411 S. Raleigh St.
Martinsburg, WV 25401
(304) 264-9525

.....

Raleigh St. Podiatry

June 17, 1999

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

Dear Ladies and Gentlemen of the Board,

I have read your memorandum regarding fee increases for 1999 and beyond.

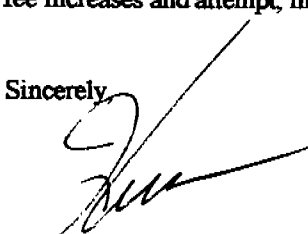
I find these fee increases especially disheartening in light of the present system of declining insurance reimbursements through overall managed care. Further, I find them insulting since we providers continually have to pay increasing taxes for the privilege of providing health care.

It seems that everyone is raising his or her fees/prices (local governments, utility companies and now the Medical Board) while the health care provider's fee structure is being diminished by managed care.

After speaking to some of the more senior physicians in my area, they reminded me that for many years the corporation application and biennial fees were much less than now. Your proposed increase for medical licensure and biennial registration represents a 60% increase.

For new providers, such fee increases present an ever increasing and potential insurmountable hardship. Established and new providers may avoid West Virginia or be unable to practice privately in the near future. If the Board does represent health care providers, I ask the they reconsider these fee increases and attempt, like practitioners in the field, to do more with less.

Sincerely,



J. Thomas Acree, DPM

.....

670 Fairway Avenue
Fort Walton Beach, FL 32547
June 22, 1999

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

Dear West Virginia Board of Medicine,

I am opposed to your proposed fee increase included in my license renewal packet. The increased fee will most likely result in my election not to have a WV license when it is time for my next renewal. A military physician's salary is considerably lower than the average civilian physician. From comparison to my classmates at Marshall University, I estimate military physicians earn 65% less than experience matched civilians.

I am a native West Virginian educated at West Virginia University and then Marshall University Medical School. Due to lack of scholarship opportunities within the state, I accepted an Air Force scholarship. This required me to leave WV to repay my service obligation. Currently, I am required by the military to maintain an **active** medical license in the state of my choice. I chose WV because I want to return there one day as a family doctor. Your fee increase is not a good incentive. I owe four more years to the Air Force and will pay your fee two more times before I can practice medicine in West Virginia. I would elect to maintain an inactive status but the military will not accept an inactive license.

If your fee proposal is approved, I recommend a **fee waiver for active duty military physicians** stationed outside the state as an incentive to attract well trained, young physicians to our state when looking for practice opportunities after service obligations.

Respectfully yours,

A handwritten signature in black ink, reading "Jon F. Petersen MD". The signature is fluid and cursive, with the "MD" being particularly prominent at the end.

Jon F. Petersen, MD, Major, USAF
16 MDOS Chief of Medical Services

**TRI-STATE OTOLARYNGOLOGY
HEAD AND NECK SURGERY, INC.**

Diplomates American Board of Otolaryngology Head and Neck Surgery

PHILLIP R. STEVENS, M.D.
R. ARTURO ROA, M.D.
THOMAS M. JUNG, M.D., PH.D.
MARK SHERIDAN, M.D.
PAMELA K. VANNOY, M.S., CCC-A
KATHERYN S. MONK, CCC-A

June 18, 1999

Ronald D. Walton, Executive Director
West Virginia Board of Medicine
101 Dee Street
Charleston, WV 25311

Dear Mr. Walton:

I have recently been notified of the proposed fee increase for medical licensure from the Board of Medicine. This increase from 200 to \$300.00 represents a 50 percent hike in your fee. This is an outrageous increase at this point in time. My practice expenses continue to escalate on an annual basis. At the same time my reimbursement continues to decline.

This decline is driven in no small part by very poor reimbursement from various state agencies, including Medicaid and PEIA. Private insurers have jumped on this band wagon as well, proposing draconian cuts in reimbursement schedules. On top of that, this state is one of two states that still continues to unfairly single out physicians with a two percent provider tax.

For all of the above reasons, I am strongly opposed to this proposed increase in fees. If the Board of Medicine is truly short of funds, then they should look to the legislature for increased funding.

Page 2
Ronald D. Walton

Your attention to this matter is greatly appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read "P. Stevens", with a long, sweeping horizontal line extending to the right.

Phillip R. Stevens, M.D.

PRS/mgb

PC: Evan Jenkins
West Virginia State Medical Association
P.O. Box 4106
Charleston, WV 25364

**TRI-STATE OTOLARYNGOLOGY
HEAD AND NECK SURGERY, INC.**

Diplomates American Board of Otolaryngology Head and Neck Surgery

PHILLIP R. STEVENS, M.D.
R. ARTURO ROA, M.D.
THOMAS M. JUNG, M.D., Ph.D.
MARK SHERIDAN, M.D.
PAMELA K. VANNOY, M.S., CCC-A
KATHERYN S. MONK, CCC-A

June 15, 1999

Sargent Singh, President
State of West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

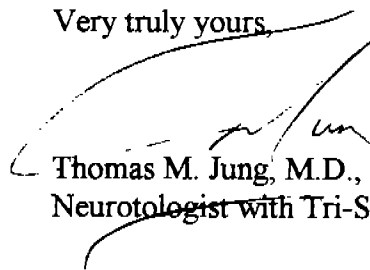
Dear Dr. Singh:

Today I received in the mail the letter stating the proposed fee increases for active medical licensure would go from \$200.00 to \$300.00. I would like to know why our fees are being raised 50 percent for renewal of licenses, especially in this time of decreasing reimbursements in all areas of medicine. Physicians are being continually strapped for less and less funds. Why do we need a proposed fee increase at this time?

I would appreciate your prompt response in this matter.

For the record, I am opposed to any fee increase at this time without any documentation or mention of why these fee increases are necessary.

Very truly yours,



Thomas M. Jung, M.D., Ph.D.
Neurotologist with Tri-State Otolaryngology

TMJ/mgb



MELVIN R. JOHNSON, M.D., P.C.

June 14, 1999

State of West Virginia
Board of Medicine
101 Dee Drive
Charleston, WV 25311

Re: Proposed Rule, Fees for Services Rendered by
The Board of Medicine

President Sarjit Singh, M.D.

It would appear that the current fees for medical examination, reciprocity and biennial registration for West Virginia are among the highest of surrounding states in the region. The current proposal for a 50 percent increase in fees is an unbelievable level of increase.

Your memorandum provided no facts or rationale for the proposed increases. If this is for information and comment from physicians licensed in West Virginia, some explanations supporting the increases would be helpful. Otherwise, there would appear to be no basis for this increase in fees.

Sincerely,

A handwritten signature in cursive script, appearing to read "Melvin R. Johnson".

Melvin R. Johnson, MD

mrj/rh

KENNETH M. FINK, M.D.

1112 - SIXTH AVENUE

HUNTINGTON, WEST VIRGINIA 25701
PSYCHIATRY, ADULT CHILD AND ADOLESCENT

TELEPHONE (304) 525-8191

DIPLOMATE
AMERICAN BOARD OF
PSYCHIATRY AND
NEUROLOGY IN
GENERAL PSYCHIATRY

June 11, 1999

MAILING ADDRESS:
P. O. BOX 2282
HUNTINGTON, WV
25724-2282

DIPLOMATE
AMERICAN BOARD OF
PSYCHIATRY AND
NEUROLOGY IN
CHILD PSYCHIATRY

FELLOW
AMERICAN
PSYCHIATRIC
ASSOCIATION

Ronald D. Walton, Executive Director
West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

Re: Proposed Rule, Fees for
services rendered by the
Board of Medicine

Dear Mr. Walton:

On May 26, 1999 I received the memorandum dated May 17, 1999 from the WV Board of Medicine notifying me of proposed fee increases. I appreciate the opportunity to comment on the matter.

I must and will strenuously object to the proposed increase from \$200.00 to \$300.00 for an active medical and/or podiatry biannual registration fee. This appears to continue the trend of the State Board of Medicine to progressively increase their fees in recent years and I believe the increase to be unwarranted and inappropriate. The proposed increase is a 50% "hike" while my practice expenses continue to rise. I note my reimbursement rate does not increase but, in fact, is reduced progressively by various state/federal agencies and private insurers given the ever present "managed care" assault on private practice psychiatric medicine.

The proposed increase is egregious, inappropriate, unwarranted, flagrant and certainly abominably outrageous. I would respectfully suggest that if the Board of Medicine is truly short of funds, perhaps they could obtain a loan or a line-item disbursement from the funds that are generated from the 2% taxation on physicians' gross monthly income.

I thank you for the opportunity to express my opinion about the matter and I trust you shall take it under advisement.

Sincerely yours,



Kenneth M. Fink, M. D.

KMF:pgm

cc: Sarjit Singh, M. D.
David Avery, M. D.
Evan Jenkins
Sen. Marie Redd
Del. Margarett Leach
Pam Sullivan, M. D.

KENNETH M. FINK, M.D.

1112 - SIXTH AVENUE

HUNTINGTON WEST VIRGINIA 25701
PSYCHIATRY ADULT CHILD AND ADOLESCENT

TELEPHONE (304) 525-8191

DIPLOMATE.
AMERICAN BOARD OF
PSYCHIATRY AND
NEUROLOGY IN
GENERAL PSYCHIATRY

DIPLOMATE.
AMERICAN BOARD OF
PSYCHIATRY AND
NEUROLOGY IN
CHILD PSYCHIATRY

FELLOW.
AMERICAN
PSYCHIATRIC
ASSOCIATION

MAILING ADDRESS
P. O. BOX 2282
HUNTINGTON, WV
25724-2282

June 11, 1999

Ronald D. Walton, Executive Director
West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

Re: Proposed Rule, Fees for
services rendered by the
Board of Medicine

Dear Mr. Walton:

On May 26, 1999 I received the memorandum dated May 17, 1999 from the WV Board of Medicine notifying me of proposed fee increases. I appreciate the opportunity to comment on the matter.

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I thank you for the opportunity to express my opinion about the matter and I trust you shall take it under advisement.

Sincerely yours,



Kenneth M. Fink, M. D.

KMF:pgm

cc: Sarjit Singh, M. D.
David Avery, M. D.
Evan Jenkins
Sen. Marie Redd
Del. Margarette Leach
Pam Sullivan, M. D.



Total Life Family Practice Center, Inc.

118 12th Street • Princeton, WV 24740 • Phone: (304) 425-9568 • Fax: (304) 425-2744

FAMILY PRACTICE

David Hopper, M.D.
Stan Hamaker, M.D.
Robert Abell, M.D.
William C. Bird, M.D.
Walter Novikoff, D.O.

June 11, 1999

WV Board of Medicine
101 Dee Drive
Charleston, WV 25311

Re: Proposed changes in the rules and fees for services rendered by the WV Board of Medicine.

TO WHOM IT MAY CONCERN:

I am writing to express my opinion on the proposed rule changes I received in a memo dated May 17, 1999. It is my opinion that the fees for medical licensure and other examinations need not be increased. I feel that the current fees should cover any expenses rendered by the Board.

I thank you for allowing me to express my opinion on this matter.

Sincerely,

William C. Bird, M. D.

WCB:jc



**ASSOCIATED
RADIOLOGISTS, INC.**

Charleston, WV 25336

(304) 344-3457

☐ Suite B-16 3100 MacCorkle Avenue, S.E.

Charleston, WV 25304

(304) 345-R390

☐ 102 H. S. P. La Patrick Street

Charleston, WV 25317

(304) 345-XRAY

James T. Smith MD, FACR
J. Lee Jr. MD, FACR
Ronald E. Cordell MD, FACR
Kenneth L. Dwyer MD
Robert Smith MD
David A. Sparks MD

John E. Reistreck MD
John A. Willis MD
Timothy A. Conner, MD
Mark S. Younis, MD
Joseph L. Skeens MD
Mary L. McJunkin MD
Christopher A. Schiarb, MD

June 16, 1999

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

Dear sir:

I am writing to express my opposition to any increase in fees for physician licensing in the state of West Virginia. If the legislature has mandated changes to be implemented by the board, then the legislature, not physicians, should provide the appropriate funding from general revenues. Physicians in this state have absorbed cuts in reimbursement for services from all state payers. We should not then be asked to increase our funding of the Board of Medicine from these decreasing revenues. The work of the board benefits the entire populace and funding should be broad-based. We already have one of the only states that selectively taxes physicians for the Medicaid program instead of using broad-based tax revenues (the infamous 2% "provider" tax). Let us not heap any more selective taxes or fees on the physicians of this state.

Sincerely,

Ronald E. Cordell, M.D., FACR

John E Sampson MD CCFP(EM)

800 Parkway
Bluefield, WV 24701
USA
Home Phone 304 325 7743
wv license # 18920

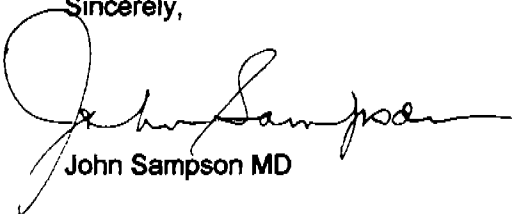
June 15, 1999

Mr. Ronald D Walton
Executive Director
West Virginia Board of Medicine
101 Dee Drive
Charleston, WV
25311

Dear Mr. Walton,

I am writing to object to an increase from \$200.00 to \$300.00 for Medical Licensure Application. This 50% increase seems unwarranted when inflation in general has been under 3% yearly and Physicians as a group are under intense cost containment pressure.. At the very least an explanation outlining why such an increase is needed should be brought to license holders. I look forward to your reply.

Sincerely,



John Sampson MD

As you know everybody is trying to lower cost in health care industry - We physician are struggling to maintain our independence with a managed care - raising License fee by 50% is out of line - Money generated by this goes to state General Revenue - We pay enough in Medicaid enhancement tax & various other state Tax - Please give us a break & maintain status Que

WV BOARD OF MEDICINE

99 JUN 15 PM 1:16

RECEIVED

UROLOGY CLINIC OF WINCHESTER, P. C.

1712 Amherst Street
Winchester, Virginia 22601
Tel: (540) 667-1712 • Fax: (540) 665-0045

RAYMOND W. HILLYARD, JR., M.D.
THOMAS W. OLIVER, M.D., F.R.C.S. (C.), F.A.C.S
NICOLAS C. RESTREPO, M.D.
MARK E. LEVINSON, M.D.

EMERITUS
ADEL B. GUIRGUIS, M.D., F.R.C.S., F.A.C.S.
RETIRED 1998

June 1, 1999

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

Dear Dr. Singh:

I am writing in response to the May 17, 1999 memorandum regarding fees for services rendered by the Board of Medicine. I have no objections to the fee schedule changes but will make the opportunity to comment regarding medical licensure.

- ① Having recently completed my application for renewal of my license, it struck me that this is the last licensure application that I have to completely refill by hand each time. I am sure your board has considered a computerized system which allows one to check off only changes to prior information. If not, I would encourage the board to consider such an investment.
- ② I was surprised to see under proposed Rule 11-4-2.2 that temporary medical licenses are available. I would support the board if it were to delete temporary medical licenses from the categories of licenses available. This would prevent practice in West Virginia until the board has had an opportunity to formally review the application.

Yours sincerely,



Thomas W. Oliver, M.D.

rhs

CARL R. FISCHER, III, M.D., F.A.C.S.

GENERAL SURGERY

TELEPHONE: (304) 622-0267
FAX: (304) 622-5211

UNITED HOSPITAL CENTER
DOCTORS OFFICE BUILDING, SUITE 103
4 HOSPITAL PLAZA
CLARKSBURG, WV 26301

May 28, 1999

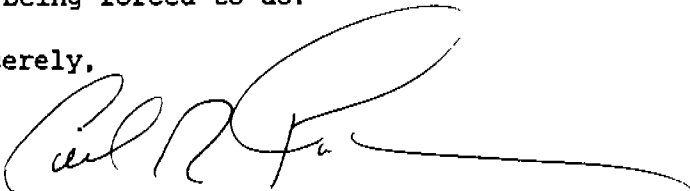
Sarjit Singh, M.D.
President
West Virginia Board of Medicine
101-D Drive
Charleston, WV 25311

RE: Proposed Fee Increases

Dear Dr. Singh:

I wish to protest the proposed fee increases outlined in your notification of May 17, 1999. At a time when the cost of practicing medicine or podiatry in the State of West Virginia is continuously rising, and the reimbursements continuously falling, I find it difficult to see how the Board could justify these increases. The State of West Virginia is putting increasing practice pressures on all providers. Medicaid has re-formulated its rules for co-payments of Medicare patients in a fashion to reduce those. P.E.I.A. has initiated restrictions on the reimbursements of co-payments for Evaluation and Management services on the days that procedures are done, even if those Evaluation and Management services are appropriately documented and allowed by Medicare. Health maintenance organizations throughout the State are progressively reducing reimbursements to providers, and limiting the choices available for medical care and management to the citizens of this state. I can only surmise that the members of the Board are insensitive to these realities which face providers throughout this state. May I suggest that rather than raising the registration and examination fees, that the Board cuts back and "tighten its belt" as the rest of your colleagues in West Virginia are being forced to do.

Sincerely,



Carl R. Fischer, III, M.D., F.A.C.S.

CRF/ks

JAMES A. KAPLAN, M.D.
Chief Medical Examiner
(South Charleston, WV)

JAMES L. FROST, M.D.
Deputy Chief Medical Examiner
(Morgantown, WV)

ZIA SABET, M.D.
Assistant Medical Examiner
(South Charleston, WV)

DONELL CASH, Ph.D.
Chief Toxicologist
(South Charleston, WV)



CECIL H. UNDERWOOD
Governor

STATE OF WEST VIRGINIA
OFFICE OF THE CHIEF MEDICAL EXAMINER

North Central Region
2567 University Avenue, Suite 5025
Morgantown, West Virginia 26505
Phone: (304) 285-3133
FAX: (304) 285-3137

June 10, 1999

Re: Proposed Rule, Fees for Services
Rendered by the Board of Medicine as
stated in West Virginia Board of Medicine
memorandum of May 17, 1999

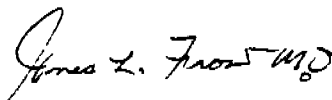
State of West Virginia
West Virginia Board of Medicine
101 Dee Drive
Charleston, West Virginia 25311

Dear Sirs:

What is the justification for these fee increases?

Items 2.1 and 2.6, for example, are 50% increases.

Yours truly,


James L. Frost, M.D.

JLF:djd

Urology Center

Douglas E. McKinney, M.D.

Effective, private care since 1976

June 8, 1999

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

Douglas E. McKinney,
MD, FACS

Diplomate:
Am. Board of Urology

President:
W.V. Urological Society

Member:
AACU, AUA, AFS, SGSU, AMA

Over 20 years experience
providing expert care
for your most
personal problems:

Vasectomies
Bladder control
Impotence
Prostate disorders
Kidney stones
Urinary infections

Convenient & affordable:
In-office procedures
save you time
& money

Same-day &
lunchtime
appointments
usually available

Most insurance
accepted & filed

Easy pay plans
Visa, MasterCard
& Discover

20% cash discount
on vasectomies

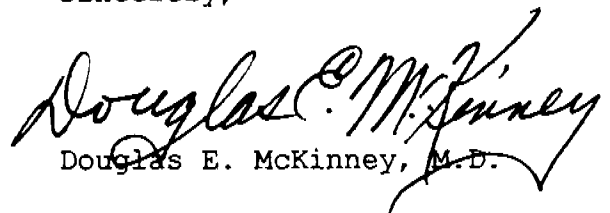
Dear Sirs:

I am writing to protest the proposed increase in the activity medical biennial registration free from \$200.00 to \$300.00.

In view of the current situation in West Virginia with the 2% Medicaid tax, PEIA's decreased payments, and refusal to pay evaluation and management codes at the time of procedures along with the insultingly low rates paid by Medicaid and the refusal of Medicaid to continue paying co-payments and deductibles for Medicare/Medicaid dual eligibles, I believe that it is a real hardship to impose even a \$100.00 fee increase.

Secondly, I believe that such a notice through common courtesy should include the reasons for making this increase. I suspect that it has something to do with the amount of legal feeds that the board has incurred over the past couple of years. However, it would be nice to hear from the board the rationale for making fee increases.

Sincerely,


Douglas E. McKinney, M.D.

DEM/tj

11 Chenoweth Drive
Suite B
Bridgeport, WV 26330-1689

304-842-3446



ROBERT C. BYRD
HEALTH SCIENCES CENTER
OF WEST VIRGINIA UNIVERSITY

West Virginia University Health Service

June 7, 1999

Board of Medicine
101 Dee Dr.
Charleston WV 25311

Dear Board Members,

I am writing in response to the announcement of a significant fee increase for board renewal. This significant fee increase seems excessive. If you are raising it in light of the office costs incurred for the renewal process, may I suggest that you require renewal every three years instead of every two years. This will reduce the cost of the process to the Board of Medicine, and help to maintain high standards of licensure. Three hundred dollars spread over three years would be agreeable.

Perhaps the initial application fee should be increased, but renewal for established, active, non-problematic, in-state physicians should not be raised. This may encourage physicians to remain licensed in the state.

The Drug Enforcement Act requires application every three years. May I suggest that the year of state licensing correlate with each physician's DEA application. This will likely be the year of medical school graduation, and every three years thereafter. This will help some obtain sufficient professional fees in a single calendar year to increase chance to obtain an Internal Revenue Service deduction for the year (albeit only every three years).

As an academic physician a three hundred dollar license fee for two years is seen as a hardship. As a part-time physician a three hundred dollar fee IS a hardship. I hope you will reconsider the fee schedule.

Sincerely,

A handwritten signature in cursive script that reads "CBanvard-Fox".

Christine Banvard-Fox, MD, FAAP

RICHARD L. RAUCH, D.P.M.

Diplomate, American Board of Podiatric Orthopedics

2000 Professional Court, Suite B

Martinsburg, West Virginia 25401

Telephone: (304) 267-5544

June 7, 1999

West Virginia Board of Medicine
101 D Drive
Charleston, WV 25311

Re: Memorandum 5/17/99 regarding proposed rule, fees for services rendered by the Board of Medicine

Dear Sirs:

This letter is in response to the above Memorandum requesting any comments regarding the changes listed in this Memorandum. I feel the biennial registration fee for an active podiatry license is adequate at \$200 per year. I do not feel that the fee should be raised to \$300 given the fact that physicians pay a monthly Medicaid tax as well as all other reimbursements being constantly delayed and reduced by managed care and other insurance companies including Medicare. Physicians on a whole are constantly getting squeezed by either decreased reimbursements or increased fees of which this is an example. My feeling is that the biennial registration fee should remain at \$200.

Thank you for the opportunity to voice my concerns regarding this matter.

Fraternally,

A handwritten signature in black ink, appearing to read 'RL Rauch', written over the word 'Fraternally,'.

Richard L. Rauch, DPM

The Cabell County Medical Society

Huntington, West Virginia

President: Marc A. Subik, M.D.
President-Elect: Joseph A. LoCascio, III, M.D.
Vice President: R. Arturo Roa, M.D.
Secretary: Janet N. Wallace, M.D.
Treasurer: Omayma Touma, M.D.
Program Co-Chairman: Debra Stultz, M.D./Jeffrey Leaberry, M.D.
Imm. Past President: Michael E. Kilkenny, M.D.

Cabell Huntington Hospital
1340 Hal Greer Boulevard
Huntington, West Virginia 25701
Phone (304) 522-3450
Fax (304) 522-3450

June 4, 1999

WV Board of Medicine
101 Dee Drive
Charleston, WV 25311

RE: Increased Licensure Fees

Dear Gentlemen:

I must protest your proposed fee increase in Medical Licensure Application, as well as your other medical and podiatry fee increases. None of the members of the Cabell County Medical Society, with whom I have talked, are in favor of this proposed fee increase. There appears to be no justification for this increase and, furthermore, I am opposed to fee increases which most likely will be used to investigate and scrutinize the practices of West Virginia physicians and podiatrists.

Sincerely,



Marc Subik, M.D., President
Cabell County Medical Society

MAS/kdb

pc: West Virginia State Medical Association
Evan Jenkins, Executive Director



Office Hours
By Appointment

STEPHEN I. LESTER, M.D., P.C.
Diplomate American Board of Orthopedic Surgery
P.O. BOX 1306
301 ORCHARD STREET
ELKINS, WEST VIRGINIA 26241
—
Telephone 636-9305

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

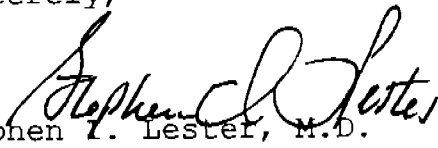
Gentlemen and Ladies,

With all due respect I feel that the proposed increase in fees for licensure in West Virginia are excessive.

Considering the low rate of inflation the past 10 years I do not believe that a 50 percent increase in the licensing fee is indicated and on this basis could not be justified. Also should be noted that the reimbursement for the services provided by the physicians practicing in West Virginia has actually been reduced over the past 10 years. In my opinion this would be a reason to justify not raising the fees charged.

I hope that these comments are taken in the spirit that they are intended and this does not imply any criticism of the West Virginia Board of Medicine.

Sincerely,


Stephen I. Lester, M.D.

SIL/nr

THE PEOPLE of
LOGAN GENERAL HOSPITAL

Chanchai Tivitmahaisoon, M.D., F.A.C.S.

General Surgery

MEDICAL OFFICE BUILDING

38 Hospital Drive

Logan, WV 25601

Telephone: (304) 792-1255

Fax: (304) 792-1679

June 2, 1999

Sarjit Singh, M.D.
WV Board of Medicine
101 Dee Drive
Charleston, WV 25311

Re: Proposed rule to increase the
service fee by the Board of Medicine

Dear Dr. Singh:

I have received the memorandum regarding to the proposed rule to increase the fee of the medical licensure to \$300.00 from \$200.00. I am strongly opposed to the increase for medical licensing application from \$200.00 to \$300.00. Physicians in the state of West Virginia pay a licensing fee higher than Virginia and North Carolina. Our medical malpractice is also much higher than our neighboring states. Payment by the insurance companies, Medicare and DPA has been declining. In addition, we have to pay a tax to support the Medicaid system of West Virginia. As I have mentioned above, the income of the state physicians has already been subject to financial pressure from all of the above I have mentioned.

In conclusion, I am strongly opposed to raising the fee from \$200.00 to \$300.00 for the medical licensure.

Thank you very much for considering my opinion, regarding to this matter.

Sincerely,



Chanchai Tivitmahaisoon, M.D.

CT/re



BENNETT E. WERNER, M.D., F.A.C.C.

CARDIOLOGY

Professional Center IV
40 Medical Park
Wheeling, West Virginia 26003
(304) 242-3043

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

June 5, 1999

To Whom It May Concern:

In reference to the proposed rule change pursuant to West Virginia Code 30-1-6(c), please accept the following comment respectfully submitted:

I oppose the rule change. The rule change raises fees charged to medical practitioners at a time when reimbursements from virtually all third party payers, especially Medicare, are declining yearly, managed care competition has eroded revenues, and the WV provider tax continues to selectively burden medical practitioners. Overhead expenses, especially malpractice, rise annually. The cost of providing medical care cannot be passed on to consumers as it can in other endeavors.

One might have hoped that the medical board, being composed of health care providers, would be the *most* sympathetic. Instead, it proposes contributing to the problem.

Thank you for your attention.

Sincerely,

Bennett E. Werner, M.D.



R. Curtis Arnold, D.P.M.
South Charleston

Rev. Richard Bowyer
Fairmont

A. Paul Brooks, Jr., M.D.
Parkersburg

Ahmed D. Faheem, M.D.
Beckley

Mr. Roger Foster
Morgantown

Angelo N. Georges, M.D.
Wheeling

State of West Virginia
West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311
Telephone (304) 558-2921
Fax (304) 558-2084

Phillip B. Mathias, M.D.
Glen Dale

Mr. Jewel F. McClanahan
Nitro

Carmen R. Rexrode, M.D.
Moorefield

Lee Elliott Smith, M.D.
Princeton

S. Kenneth Wolfe, M.D.
Huntington

Kenneth Dean Wright, P.A.-C.
Huntington

MEMORANDUM

TO: ALL M.D.'S AND D.P.M.'S, LICENSED IN WEST VIRGINIA
FROM: WEST VIRGINIA BOARD OF MEDICINE
DATE: MAY 17, 1999
RE: PROPOSED RULE, FEES FOR SERVICES RENDERED BY THE BOARD OF MEDICINE

The following proposed rule is sent pursuant to West Virginia Code §30-1-6(c). Any comments should be filed in writing at this office by June 30, 1999, at 4:30 p.m. Thank you.

SERIES 4: FEES FOR SERVICES RENDERED BY THE BOARD OF MEDICINE

§11-4-1. General

- 1.1. Scope. - This legislative rule establishes the fees to be charged by the Board of Medicine for services rendered
- 1.2. Authority. - W.Va. Code §30-3-7(a)(1).
- 1.3. Filing Date. - May 14, 1999
- 1.4. Effective Date. -

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

- ~~2.1.~~ ~~Medical Examination - \$600.00.~~
- ~~2.2.~~ ~~2.1.~~ ~~Reciprocity or Endorsement Medical Licensure Application -~~
~~\$200.00. \$300.00.~~
- ~~2.3.~~ ~~2.2.~~ Temporary Medical or Podiatric License Until Board Meets
- Not to exceed \$100.00
- ~~2.4.~~ ~~2.3.~~ Medical and/or Podiatry Corporation Application Fee -
\$500.00
- ~~2.5.~~ ~~2.4.~~ Medical and/or Podiatry Corporation Biennial Registration -
\$250.00
- ~~2.6.~~ ~~2.5.~~ Medical and/or Podiatry Examination Score Endorsement or
Written Licensure Verification - \$25.00
- ~~2.7.~~ ~~2.6.~~ Active Medical and/or Podiatry Biennial Registration fee
- ~~\$200.00~~ \$300.00
- ~~2.8.~~ ~~2.7.~~ Inactive Medical and/or Podiatry Biennial Registration fee
- \$100.00
- ~~2.9.~~ ~~2.8.~~ ~~Podiatry Podiatric Examination - Not to exceed \$500.00.~~
~~\$650.00~~
- ~~2.10.~~ ~~2.9.~~ ~~Podiatry Podiatric Licensure Application - \$200.00. \$300.00~~

This is a significant percentage of increase \$ 250 more appropriate Tarck Anderson Lic # 18922

RESIDENT
arjit Singh, M.D.
Fairton

VICE PRESIDENT
Leonard Simmons, D.P.M.
Fairmont

SECRETARY
Henry G. Taylor, M.D., M.P.H.
Charleston

COUNSEL
Deborah Lewis Rodecker
Charleston

EXECUTIVE DIRECTOR
Ronald D. Walton
Charleston



R. Curtis Arnold, D.P.M.
South Charleston

Rev. Richard Bowyer
Fairmont

A. Paul Brooks, Jr., M.D.
Parkersburg

Ahmed D. Faheem, M.D.
Beckley

Mr. Roger Foster
Morgantown

Angelo N. Georges, M.D.
Wheeling

State of West Virginia
West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311
Telephone (304) 558-2921
Fax (304) 558-2084

Phillip B. Mathias, M.D.
Glen Dale

Mr. Jewel F. McClanahan
Nitro

Carmen R. Rexrode, M.D.
Moorefield

Lee Elliott Smith, M.D.
Princeton

S. Kenneth Wolfe, M.D.
Huntington

Kenneth Dean Wright, P.A.-C.
Huntington

MEMORANDUM

TO: ALL M.D.'S AND D.P.M.'S, LICENSED IN WEST VIRGINIA
FROM: WEST VIRGINIA BOARD OF MEDICINE
DATE: MAY 17, 1999
RE: PROPOSED RULE, FEES FOR SERVICES RENDERED BY THE BOARD OF MEDICINE

The following proposed rule is sent pursuant to West Virginia Code §30-1-6(c). Any comments should be filed in writing at this office by June 30, 1999, at 4:30 p.m. Thank you.

SERIES 4: FEES FOR SERVICES RENDERED BY THE BOARD OF MEDICINE

§11-4-1 General

- 1.1. Scope. – This legislative rule establishes the fees to be charged by the Board of Medicine for services rendered
- 1.2. Authority. – W.Va. Code §30-3-7(a) (1).
- 1.3. Filing Date. – May 14, 1999
- 1.4. Effective Date. –

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

- ~~2.1. Medical Examination - \$600.00.~~
- ~~2.2. 2.1. Reciprocity or Endorsement Medical Licensure Application - \$200.00. \$300.00.~~
- ~~2.3. 2.2. Temporary Medical or Podiatric License Until Board Meets - Not to exceed \$100.00~~
- ~~2.4. 2.3. Medical and/or Podiatry Corporation Application Fee - \$500.00~~
- ~~2.5. 2.4. Medical and/or Podiatry Corporation Biennial Registration - \$250.00~~
- ~~2.6. 2.5. Medical and/or Podiatry Examination Score Endorsement or Written Licensure Verification - \$25.00~~
- ~~2.7. 2.6. Active Medical and/or Podiatry Biennial Registration fee - \$200.00 \$300.00~~
- ~~2.8. 2.7. Inactive Medical and/or Podiatry Biennial Registration fee - \$100.00~~
- ~~2.9. 2.8. Podiatry Podiatric Examination - Not to exceed \$500.00- \$650.00~~
- ~~2.10. 2.9. Podiatry Podiatric Licensure Application - \$200.00- \$300.00~~

PRESIDENT
Harjit Singh, M.D.
Weirton

VICE PRESIDENT
Leonard Simmons, D.P.M.
Fairmont

SECRETARY
Henry G. Taylor, M.D., M.P.H.
Charleston

COUNSEL
Deborah Lewis Rodecker
Charleston

EXECUTIVE DIRECTOR
Ronald D. Walton
Charleston

Abdur Rouf Chowdhury, M.D.

Diplomate, American Board of Pediatrics
Fellow, American Academy of Pediatrics
General Pediatrician

Hampshire Memorial Hospital, Inc.
549 Center Avenue
Romney, West Virginia 26757

Home: (304) 822-7379
Office: (304) 822-4561
Fax: (304) 822-7809
Email: abrochy@mountain.net

access

June 03, 1999.

To
West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311.

Please reduce the fee for written licensure varification to \$10.00.

Thanks,

Sincerely yours,

A Chowdhury
A. CHOWDHURY.

Recd. 5-27-99



Phillip B. Mathias, M.D.
Glen Dale

Mr. Jewel F. McClanahan
Nitro

Carmen R. Rexrode, M.D.
Moorefield

Lee Elliott Smith, M.D.
Princeton

S. Kenneth Wolfe, M.D.
Huntington

Kenneth Dean Wright, P.A.-C.
Huntington

State of West Virginia

West Virginia Board of Medicine

101 Dee Drive

Charleston, WV 25311

Telephone (304) 558-2921

Fax (304) 558-2084

MEMORANDUM

R. Curtis Arnold, D.P.M.
South Charleston

Rev. Richard Bowyer
Fairmont

A. Paul Brooks, Jr., M.D.
Parkersburg

Ahmed D. Faheem, M.D.
Beckley

Mr. Roger Foster
Morgantown

Angelo N. Georges, M.D.
Wheeling

TO: ALL M.D.'S AND D.P.M.'S, LICENSED IN WEST VIRGINIA
FROM: WEST VIRGINIA BOARD OF MEDICINE
DATE: MAY 17, 1999
RE: PROPOSED RULE, FEES FOR SERVICES RENDERED BY THE BOARD OF MEDICINE

The following proposed rule is sent pursuant to West Virginia Code §30-1-6(c). Any comments should be filed in writing at this office by June 30, 1999, at 4:30 p.m. Thank you.

SERIES 4: FEES FOR SERVICES RENDERED BY THE BOARD OF MEDICINE

§11-4-1. General

- 1.1 Scope. - This legislative rule establishes the fees to be charged by the Board of Medicine for services rendered.
- 1.2 Authority. - W.Va. Code §30-3-7(a) (1). *"I feel \$25.00/yr is more than enough just for registering in this board for recs."*
- 1.3 Filing Date. - May 14, 1999
- 1.4 Effective Date. -

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

- 2.1 ~~Medical Examination~~ - \$600.00.
- 2.2 ~~2.1. Reciprocity or Endorsement Medical Licensure Application -~~
~~\$200.00 - \$300.00.~~
- 2.3 ~~2.2. Temporary Medical or Podiatric License Until Board Meets~~
~~- Not to exceed \$100.00~~
- 2.4 ~~2.3. Medical and/or Podiatry Corporation Application Fee -~~
~~\$500.00~~
- 2.5 ~~2.4. Medical and/or Podiatry Corporation Biennial Registration -~~
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~~\$650.00~~
- 2.10 ~~2.9. Podiatry Podiatric Licensure Application - \$200.00 - \$300.00~~

*Please give all details for increase fee > \$50/-
Also you should notify public (via newspapers) of this action. which will lead to increase cost of medical care to pts. (Dr's. fee will go up!)*

RESIDENT
arjit Singh, M.D.
Fairton

VICE PRESIDENT
Leonard Simmons, D.P.M.
Fairmont

SECRETARY
Henry G. Taylor, M.D., M.P.H.
Charleston

COUNSEL
Deborah Lewis Rodecker
Charleston

EXECUTIVE DIRECTOR
Ronald D. Walton
Charleston

BRAXTON HEALTH ASSOCIATES, INC.

707 ELK STREET

GASSAWAY, WEST VIRGINIA 26624

TELEPHONE: (304) 364-8941

May 4, 1999

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

Dear Sirs:

Re: Increase in medical license or fees

I feel that increasing the biannual registration fee
from \$200.00 to \$300.00 is not warranted at this time
and would express my opposition to that.

Sincerely yours,



Doug Given, M.D.

WDG|jf

KEITH A. RECHT, M.D.

UROLOGY

DIPLOMATE OF AMERICAN BOARD OF UROLOGY

BRIARWOOD PROFESSIONAL PARK

1004 SUSHRUTA DRIVE, SUITE A

MARTINSBURG, WEST VIRGINIA 25401

304-263-9418

June 2, 1999

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25331

Dear Sirs:

This is in response to your letter suggesting increase fees for medical license. I suggest the fee increases are extremely excessive. If an increase is felt necessary, it should be in the range of 10-15%. Most of these fees increases represent approximately 30% increases. I don't believe the fee increase schedule will be supported by the physicians of West Virginia.

Sincerely,



Keith A. Recht, M.D.

KAR/clw



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South Charleston

Rev. Richard Bowyer
Fairmont

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Do not raise fees!

? why no increase?

*They should pay
an equitable
share!*

PRESIDENT
Sarjit Singh, M.D.
Weirton

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Leonard Simmons, D.P.M.
Fairmont

SECRETARY
Henry G. Taylor, M.D., M.P.H.
Charleston

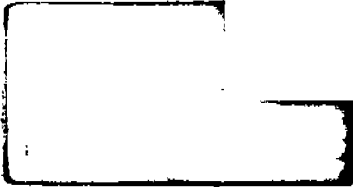
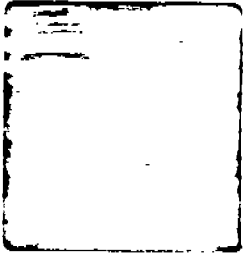
COUNSEL
Deborah Lewis Rodecker
Charleston

EXECUTIVE DIRECTOR
Ronald D. Walton
Charleston



I oppose the
fee hike for
medical license

Dennis C Tumbosa, M.D.



A note from the doctor...

6/1 '99

I would like to
protest the proposed
rate increase in medical
licensure fees (5/17/99
communication). For
some academic physicians,
such rate increases
present a significant
extra burden - especially
when you consider the many
other out-of-pocket fees we
~~must pay~~.
Sincerely, Greg Juckett MD



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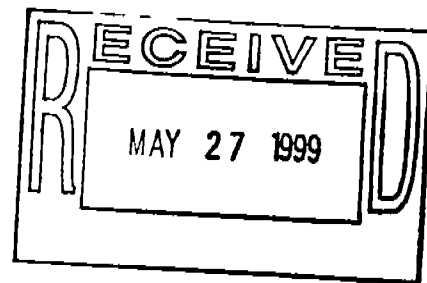
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5/27/99
Too high!!!
stay at 2000
Hug Street



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200.00 fee is enough. NO escalation needed. M. O. Smith

RESIDENT arjit Singh, M.D. Fairton	VICE PRESIDENT Leonard Simmons, D.P.M. Fairmont	SECRETARY Henry G. Taylor, M.D., M.P.H. Charleston	COUNSEL Deborah Lewis Rodecker Charleston	EXECUTIVE DIRECTOR Ronald D. Walton Charleston
--	---	--	---	--



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South Charleston

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6-1-99
Dear Sir
M19 is to support
keeping active
medical biennial
registration at
\$200.00
I do oppose any
increase
Thanks
Frank Rivas, MD

FRANK RIVAS, M.D., INC.
1302 Fourth Avenue
P.O. Box 9129
HUNTINGTON WV 25704

RESIDENT
arjit Singh, M.D.
Fairton

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Leonard Simmons, D.P.M.
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COUNSEL
Deborah Lewis Rodecker
Charleston

EXECUTIVE DIRECTOR
Ronald D. Walton
Charleston

Walter K Yates , MD
5308 Forest Heights
Huntington WV 25705

West Virginia Board of Medicine
101 Dee Drive
Charleston ,West Virginia 25311
27 May 1999

Dear Sirs:

The memorandum concerning fees for services rendered by the Board of Medicine was received today. Indeed, Persons who earn their livelihood in a profession should expect to pay license fees and regulatory expense. If Increased fees are justified; The memorandum seems reasonable in all respects, except one.

Following retirement from active practice I, and others, are asked to donate medical services as volunteers. This can be enjoyable and one hopes It may be of benefit and comfort to those who need help. Conceivably, It may lighten the load for West Virginia Medicaid and/or charitable agencies. However, rising insurance costs,CME expense and increasing registration fees can make volunteering rather expensive. I wonder if it would be possible or practical to freeze the registration cost for such practitioners who are totally uncompensated and not in active practice. Any such concession would necessarily be of limited duration, due to the age of the practitioner involved.

Perhaps you may have already considered this situation and, for adequate reason, chosen not to address it. If that is the case, I acquiesce to your expertise in the matter. Otherwise,I would respectfully invite you to give it some thought. Thank You!

Sincerely


Walter K Yates MD

West Virginia Urological Society

DOUGLAS E. McKINNEY, M.D.
President
11 Chenoweth Drive, Suite B
Bridgeport, WV 26330
(304) 842-3446

May 27, 1999

SHRIKANT VAIDYA, M.D.
Secretary
1 Valley Drive
Point Pleasant, WV 25550
(304) 675-6060

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

Dear Sirs:

I am writing on behalf of the West Virginia Urological Society's seventy-odd members to protest the increase in the Active Medical Biennial Registration fee from \$200 to \$300.

This is a particularly onerous act to increase this fee at a time when Medicaid has stopped paying nearly all copayments and deductibles for Medicare/Medicaid Dual Eligibles (more than 48,000 individuals) as of 1 November 1998.

At the same time, PEIA has decreed that they will pay no Evaluation and Management (E & M) codes at the time of procedures. In fact, PEIA will not pay the co-payments on the E & M codes of Medicare recipients even when Medicare has allowed and paid its 80% on those E & M codes.

Aetna U.S. Healthcare, as of 1 April 1999, reduced their fees from 180% of Medicare rates to 130% of Medicare rates. Other insurers are certain to follow suit.

The question is why do you need a 50% increase in fees?

Surely, after the rather scathing report of last summer, you do not need to further incur the ire of physicians by raising this fee with no explanation for it. A letter explaining the reasons for this increase would lessen its severity and the animosity it is sure to engender.

All of the above are in addition to the egregious 2% Medicaid tax paid by WV physicians. We are the ONLY state to have this tax.

Sincerely,



Douglas E. McKinney, M.D.
President

DEM/ar

Neurology East West

Board Certified Neurology & Electrodiagnostic Testing

Colin T. Iosso, M.D.

2010 Oates Drive, Suite 100, Martinsburg, West Virginia 25401

(304) 264-0704

FAX 264-0804

06/01/99

West Virginia Board of Medicine
101 Dee Drive
Charleston, WV 25311

To Whom It May Concern:

I am writing with regard to the request for comment regarding a proposed fee increase for medical licensure, application, and registration fee from \$200.00 to \$300.00. It appears that this fee increase is not warranted. This fee increase is, of course, a fifty percent fee increase which does not seem insignificant. There was no information provided as to what the additional \$100.00 per medical license per two years would provide. I believe a physician in good standing would require their credentials to be reconfirmed every two years and, at that time, would be issued a booklet of rules and regulations, as well as a small card indicating current registration. It is certainly possible that, if complaints were filed or special concerns are raised or credentials need to be rechecked and reviewed, this would require additional time and work and thus money, however, in a state with a low physician to population ratio, it would seem that, in order to enhance the number and quality of physicians coming to this state, keeping costs to a minimum would be a benefit. If an increase in the fees were necessary, it would seem that an incremental increase would be more appropriate and I would wish that a review of budget could be performed to see whether a fifty percent increase in fees would be warranted at this time.

Sincerely,



Colin Iosso, M.D.

CTI/mcl



PSYCHIATRIC ASSOCIATES

DAVID F. COLVIN, MD
300 DAVISSON RUN RD., SUITE 205
CLARKSBURG, WV 26301

SIMON McCLURE, MD

PHONE 623-4162

FOR

ADDRESS

DATE

June 2/99

R_x

Thank you for
your letter to
my comments.

REFILL _____ TIMES

Label With Drug Name []

DEA No. _____

M.D.

THIS PRESCRIPTION MAY BE FILLED WITH A GENERICALLY EQUIVALENT DRUG PRODUCT UNLESS THE WORDS "BRAND NECESSARY" OR "BRAND MEDICALLY NECESSARY" ARE WRITTEN, IN THE PRACTITIONER'S OWN HANDWRITING, ON THIS PRESCRIPTION FORM.



To: West Virginia Board of Medicine
RE: Fees for Services Rendered
June 2/99

Dear Board,

I question why there is a 50% increase in the Active Medical Biennial Registration fee. All expenses per physician noted to be 50% higher. What new/increased service are noted to be necessary. When was the last increase in this/other fees.

I have a suggestion that would ~~reduce~~ the burden of regulatory fees on active physicians caring for patients in this state:

Why not establish a fee for expert witnesses who are from out of State? I believe that they do have an effect on the population's perceived expectation of standard of care. If the fees were large enough then the Board could manage random audits of the experts' court testimony/transcripts. At the moment this expert activity is completely unregulated and has an erosive effect.


SIMON MCCUNE

Board Certified in Neurology
Board Certified in Clinical Neurophysiology
American Board of Psychiatry and Neurology

Shiv Uchila Navada, M.D.

4 Hospital Plaza, Suite 110
Clarksburg, West Virginia 26301
(304) 623-4071
Fax (304) 623-4072

Diplomate, American Board of
Electrodiagnostic Medicine

Diplomate, American Academy of
Pain Management

Diplomate, American Board of Electroencephalography
and Neurophysiology in Sleep Disorders

June 28, 1999

ATT: Sargit Singh, M.D., President
West Virginia Board of Medicine
101 Dee Drive
Charleston WV 25311

Dear Dr. Singh:

Physicians practicing in this state were recently informed of the Board's intent to increase the licensing fee by 50%. It is astounding that the Board is planning to do this in an environment where physicians' reimbursements are being drastically cut. I strongly object to the increase in the licensing fee and urge you and other members of the West Virginia Board of Medicine to reconsider this position.

Sincerely,



Shiv Navada, M.D.

SUN/ls



State of West Virginia

West Virginia Board of Medicine

101 Dee Drive

Charleston, WV 25311

Telephone (304) 558-2921

Fax (304) 558-2084

RESPONSE TO COMMENTS

R. Curtis Arnold, D.P.M.
South Charleston

Rev. Richard Bowyer
Fairmont

A. Paul Brooks, Jr., M.D.
Parkersburg

Ahmed D. Faheem, M.D.
Beckley

Mr. Roger Foster
Morgantown

Angelo N. Georges, M.D.
Wheeling

Phillip B. Mathias, M.D.
Glen Dale

Mr. Jewel F. McClanahan
Nitro

Carmen R. Rexrode, M.D.
Moorefield

Lee Elliott Smith, M.D.
Princeton

S. Kenneth Wolfe, M.D.
Huntington

Kenneth Dean Wright, P.A.-C.
Huntington

The comments received as to the Board's proposed rule were almost exclusively directed to the proposed increase in the two year renewal fee for active medical licensure and for active podiatric licensure, from \$200 to \$300. The West Virginia Board of Medicine is the regulatory entity responsible for licensure and professional discipline of physicians and podiatrists in the State. The fee increases sought by the Board are necessary for the Board to perform its statutory responsibilities. There has been no increase in the active licensure renewal fees for more than ten years.

In 1998, Board disbursements (\$1,049,028.98) exceeded receipts (\$859,087.75), and it is projected that this trend will continue. In addition to the normal increases in the costs of doing business, there are substantial costs incurred by the Board at the annual renewal time for the processing of applications, and in the last two years there has been an annual assessment for its services to the Board by the Department of Health and Human Resources, over which the Board of Medicine has no control. In 1998, the assessment was \$32,000 and this past year the assessment rose to more than \$38,000. The projection is that the assessment will continue to rise.

The Board's proposed increases in active licensure renewal fees from \$200 to \$300 are not inconsistent with the renewal fees physicians are assessed in surrounding states, (attachment) and remain, even with approval of the proposed increases, equivalent to or less than the renewal fees for attorneys in this state, \$150 to \$195 annually.

PRESIDENT
Sarjit Singh, M.D.
Weirton

VICE PRESIDENT
Leonard Simmons, D.P.M.
Fairmont

SECRETARY
Henry G. Taylor, M.D., M.P.H.
Charleston

COUNSEL
Deborah Lewis Rodecker
Charleston

EXECUTIVE DIRECTOR
Ronald D. Walton
Charleston

**RENEWAL FEES OF
SURROUNDING STATES**

<u>STATE</u>	<u>FEE</u>
Kentucky	\$100 1 year (proposed increase to \$125)
Maryland	\$400 2 years
North Carolina	\$100 1 year
Ohio	\$305 2 years
Pennsylvania	\$ 80 2 years (proposed increase to \$125)
Virginia	\$125 2 years (proposed increase to \$240)

07/99 (eb)