

WEST VIRGINIA BOARD OF OPTOMETRY

14CSR5 Schedule of Fees

Summary

The amendment brings §14-5 to into compliance with the passage of Senate Bill 230, W. Va. Code §30-8, passed during the 2010 Legislative Session.

- The amendment creates a fee for the new Inactive License created by Senate Bill 230.
- The amendment creates an Active License Restoration Fee to comply with Senate Bill 230's Inactive License.
- It creates a Temporary Permit Fee to comply with the creation of a Temporary Permit in Senate Bill 230.
- The amendment takes the current fee for Expanded Prescriptive Authority from the body of §14-2 and places it into the fee schedule. It also renames the fee as the Oral Pharmaceutical Certificate Fee.
- It creates the Contact Lenses That Deliver Pharmaceuticals Certificate Fee for the contact lenses that deliver pharmaceuticals approved by the FDA as a drug certificate required by Senate Bill 230.
- The amendment creates the Pharmaceuticals By Injection Certificate fee to cover the costs of instituting and maintaining the new certificate required by Senate Bill 230.
- The amendment creates the Special Event Permit Fee.
- The amendment also creates the Continuing Education Application Fee for continuing education providers to cover the cost of reviewing course information for approval or rejection by the Board.
- The amendment changes the current Biennial Renewal Fee to an Annual Renewal Fee to comply with changes to §14-1, Rules of the West Virginia Board of Optometry.
- Optometric Corporations no longer exist. Senate Bill 230 has instituted Optometric Business Entities. Therefore the fee is changed to cover the costs of verifying licensure and providing the appropriate paper work to the Secretary of State for business entities.
- The Corporation Biennial Registration Fee has been eliminated.

WEST VIRGINIA BOARD OF OPTOMETRY

14CSR5
Schedule of Fees

Circumstances

The amendment is written in order to comply with the requirements of Senate Bill 230 passed during the 2010 Legislative Session rewriting the Board's enabling statute, W. Va. Code §30-8.

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Schedule of Fees, §14-5

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia Board of Optometry

Address: 179 Summers Street, Suite 231
Charleston, WV 25301

Phone Number: 304-558-5901 Email: wvbdopt@verizon.net

Fiscal Note Summary

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

SB 230 establishes new forms of licensure and includes costs for development of new programs, increased warehousing of data and creation of new data systems. It is unknown what the demand will be for some of the new programs. Therefore the Board calculated the cost based on one each of some services until a base of interest may be made known. Other gains and costs are more easily quantifiable.

The Board has calculated that the new fees created by Senate Bill 230 and the new costs associated with new programs may be calculated based on the effect on revenue. Calculations are on page 2 and in fiscal notes for rules associated with the new fees. The Board estimates that the overall effect on revenues for this fee package taking into account new estimated costs is an increase of \$13,331 in revenue. This revenue will be needed to cover unexpected costs of the new programs.

Fiscal Note Detail

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services	0.00	0.00	0.00
Current Expenses	0.00	0.00	0.00
Repairs & Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	117,000.00	13,331.00	130,331.00

Rule Title: Schedule of Fees, §14-5

Rule Title:

Schedule of Fees, §14-5

3. Explanation of above estimates (including long-range effect):

Please include any increase or decrease in fees in your estimated total revenues.

The best way to describe the effect of this fee package is its impact on revenue. Please refer to fiscal notes for rules that require the new fees for details.

The Board estimates that approximately 7% or 21 licensees will go to an inactive license. The inactive license fee is reduced by \$200 resulting in a \$4,200 decrease in revenue. The Board estimates that 5 applicants will apply for Temporary Permits and pay the \$300 fee for an increase in revenue of \$1,500. The \$75 increase in renewal fees will result in an increase to revenue of \$19,800 (10% of licensees will not renew reducing the number of licensees by 30 to 264. $264 \times \$75 = \$19,800$). This amount will be needed for increased legal fees to support the new rules, increased staff time in budgeting, creating new systems and an increase in Board Member expenses as they create the new programs required by Senate Bill 230. The CE Application Fee is \$50. Staff time needed to process the continuing education application is 3 hours $\times 18.27 = \$55$. This results in a net loss of \$5 per continuing education application processed. The staff time to process the Special Event Permit is 3 hours. $3 \times \$18.25 = \55 . The Special Event Permit Fee is \$50 leaving a net loss of \$5 per permit. It is not known what the demand for the services associated with the previous fees will be. This is why the Board chose to list an individual cost. The Pharmaceuticals By Injection Fee is equal to the Orals fee that has been charged for years. This fee should balance the cost of creating the new program and certifying licensees. The Contact Lenses That Contain and Deliver Pharmaceutical Agents fee is \$50. 290 licensees are eligible to apply. If all apply this will result in revenues of \$14,500. Costs for the certificate are estimated at \$12,869 for a gain of \$1631.

MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not have a fiscal impact**, and/or any special issues **not captured elsewhere** on this form.

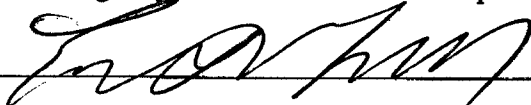
Revenue Effects Continued

The Oral Pharmaceuticals Certificate fee is the same, only renamed. There will be no positive or negative effect on revenue. The Business Entity Verification Fee is used to offset the cost of preparing paper work for the Secretary of State and to the licensee and was previously called the Corporation Application Fee. The revenue effect is neutral. The Board eliminated the Corporate Biennial Renewal Fee as requested by the Legislature. This will result in the loss of \$5400 in revenue ($\50×108 corporations = \$5400).

Date: _____

6/25/10

Signature of Agency Head or Authorized Representative



FILED

TITLE 14
EMERGENCY LEGISLATIVE RULE
WEST VIRGINIA BOARD OF OPTOMETRY

2018 JUN 25 AM 11: 07

SERIES 5
SCHEDULE OF FEES

OFFICE WEST VIRGINIA
SECRETARY OF STATE

§14-5-1. General.

- 1.1. Scope. -- This schedule establishes the fees to be charged by the Board.
- 1.2. Authority. -- W. Va. Code §30-8-3 §30-8-5.
- 1.3. Filing Date. -- .
- 1.4. Effective Date. -- .

§14-5-2. Schedule of Fees.

2.1. Examination	\$300.00
2.2. Endorsement	\$300.00
2.3. Inactive License Fee.....	\$200.00
2.4. Active License Restoration Fee.....	\$400.00
2.5. Temporary Permit.....	\$300.00
2.6. Oral Pharmaceutical Certificate.....	\$200.00
2.7. Contact Lenses That Deliver Pharmaceuticals Certificate.....	\$50.00
2.8. Pharmaceuticals By Injection Certificate.....	\$200.00
2.9. Special Event Certificate.....	\$50.00
2.3 2.10. License Card and Certificate	\$100.00
2.4 2.11. Duplicate License	\$15.00
2.5 2.12. Duplicate eCertificate	\$25.00
2.6 2.13. Biennial Annual Renewal Fee.....	\$650.00 400.00
2.7 2.14. Late Renewal Fee.....	\$200.00
2.15. Continuing Education Application Fee.....	\$50.00
2.8 2.16. Confirmation of Licensure.....	\$25.00

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2.9-2.17. Corporation application fee Business Entity Verification Fee....	\$75.00
2.10. Corporation biennial registration.....	\$ 50.00
2.11-18. Roster of WV Optometrists.....	\$200.00
2.12-19. Rules and Practice Act.....	\$25.00
2.13-20. Facility iInspection fFee.....	\$200.00
2.14-21. Facility rRe-inspection fFee.....	\$200.00
2.15-22. Written eChange of nName.....	\$10.00
2.16-23. Written eChange of aAddress.....	\$ 10.00
2.17-24. Copies of pPublic rRecords (Per page).....	\$.50

~~2.18-25.~~ Fees are payable to the West Virginia Board of Optometry by check, money order, certified check, or credit card.