

WEST VIRGINIA SECRETARY OF STATE

BETTY IRELAND

ADMINISTRATIVE LAW Division

Form #3~

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FILED

2005 JUL 29 P 4: 06

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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

AGENCY: WV Board of Optometry TITLE NUMBER: 14-5

RULE TYPE: Legislative CITE AUTHORITY: Chapter 30-8

AMENDMENT TO AN EXISTING RULE: YES NO


IF YES, SERIES NUMBER OF RULE BEING AMENDED: 14-5

TITLE OF RULE BEING AMENDED: SCHEDULE OF FEES

IF NO, SERIES NUMBER OF 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.

Authorized Signature 

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: 7/29/05

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency name, address, & phone no.) WV Board of Optometry

723 Kanawha Boulevard, Suite 804

Charleston, WV 25301-2733 304-558-5901

LEGISLATIVE RULE TITLE: §14-5 Schedule of Fees

1. Authorizing statute(s) citation §30-8

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
06/27/05

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

E-mail to the Governor's Office, Roger Price, WVOA, Posted on the website, www.wvbo.org, newspaper advertisements in the Charleston Gazette, Parkersburg Sentinel, Beckley Herald, Clarksburg Telegram, Morgantown Dominion Post

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

7/27/05 at 12:00 p.m.

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

Attached _____ No comments received XX

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

7/29/05

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

Pamela Carper, Executive Administrator

723 Kanawha Boulevard East, Suite 804

Charleston, WV 25301-2733

(p) 304-558-5901, (f) 304-558-5908, email: wvbdopt@verizon.net

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

3. If the statute under which you promulgated the submitted rules requires certain findings and determination 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 evidency and a general description of the issues to be decided.

The Board chose a comment period.

b. Date of hearing or comment period:

_____6/27/04 – 7/27/04 at 12:00 p.m._____

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

_____no comments, no change_____

e. Attach findings and determinations and reasons:

Attached _____

WEST VIRGINIA BOARD OF OPTOMETRY

Proposed Rule Amendment §14-5

Summary

The purpose of the rule is to increase the license renewal fee by \$100 per biennial renewal from \$550 to \$650 every two years.

The amendment also increases the late fee for biennial renewal by \$50 per biennial period from \$150.00 to \$200.00.

APPENDIX B
FISCAL NOTE FOR PROPOSED RULES

Rule Title: §14-5 Schedule of Fees

Type of Rule: Legislative

Agency: WV Board of Optometry

Address: 723 Kanawha Blvd, Suite 804

Charleston, WV 25301-2733

Phone: 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.

The renewal fee increase is needed due to an increase in BRIM premiums and increases in charges from state government for fiscal and computer services. The increase in the renewal fee should bring an additional \$29,000 (290 x \$100) per two-year period to the Board of Optometry beginning with the 7/1/06 renewal.

The late fee should bring in around 15% of licensees (44) x \$50 = \$2200 per two-year period beginning with the 7/1/06 renewal.

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	2005 Increase (use “ “)	2006 Increase/Decrease (use “ “)	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0	0	0
Personal Services	0	0	0
Current Expenses	0	0	0
Repairs & Alterations	0	0	0
Assets	0	0	0
Equipment	0	0	0
Other	0	0	0
2. Estimated Total Revenues	0	15,600	15,600

Rule Title: §14-5 Schedule of Fees

3. Explanation of above estimates (including long-range effect):
Please include any increase or decrease in fees in your estimated total revenues.

The fee increases the biennial renewal fee and late fee. The increase will bring in a total of \$31,200. This will result in an annual increase of \$15,600. Please see the Fiscal Note Summary.

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.

Date: 7/29/25

Signature of Agency Head or Authorized Representative

E. Alberto Hernandez

TITLE 14
EMERGENCY LEGISLATIVE RULE
WEST VIRGINIA BOARD OF OPTOMETRY

SERIES 5
SCHEDULE OF FEES

FILED

2005 JUL 29 P 4: 06

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.

1.3. Filing Date. -- ~~June 21, 2002~~. June 21, 2005

1.4. Effective Date. -- ~~June 21, 2002~~. March 15, 2006

§14-5-2. Schedule of Fees.

- 2.1. Examination\$300.00
- 2.2. Endorsement\$300.00
- 2.3. License and Certificate\$100.00
- 2.4. Duplicate license\$15.00
- 2.5. Duplicate certificate\$25.00
- 2.6. Biennial renewal fee .. ~~\$550.00~~ \$650.00
- 2.7. Late Renewal Fee..... ~~\$150.00~~ \$200.00
- 2.8. Confirmation of licensure\$ 25.00
- 2.9. Corporation application fee..... \$75.00
- 2.10. Corporation biennial registration\$ 50.00
- 2.11. Roster of WV Optometrists\$ 200.00
- 2.12. Rules and Practice Act.....\$ 25.00

- 2.13. Facility inspection fee..... \$200.00
- 2.14. Facility re-inspection fee \$200.00
- 2.15. Written change of name..... \$ 10.00
- 2.16. Written change of address \$ 10.00
- 2.17. Copies of public records (Per page)..... \$.50
- 2.18. Fees are payable to the West Virginia Board of Optometry by check, money order, or certified check, or credit card.