

**WEST VIRGINIA  
SECRETARY OF STATE  
JOE MANCHIN, III  
ADMINISTRATIVE LAW DIVISION**

Form #2

Do Not Mark In This Box

**FILED**

2001 JUN 11 A 8:58

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: WV Board of Optometry TITLE NUMBER: 14

RULE TYPE: Legislative CITE AUTHORITY: Chapter 30-8

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 5

TITLE OF RULE BEING PROPOSED: Schedule of Fees

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 July 16, 2001 AT 12:00 Noon ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

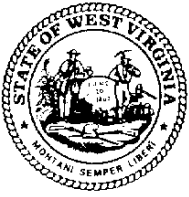
101 Michael Street

Clarksburg, WV 26301-3937

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

*E. Clayton Hays, OSJ*  
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL



# West Virginia Board Of Optometry

101 Michael Street

Clarksburg, West Virginia 26301-3937

Phone: (304) 627-2106

Fax: (304) 627-2282

e-mail: wvbdopt@westvirginia.net

March 14, 2001

Secretary of State  
State of West Virginia  
Charleston, WV

Re: 14-5 Schedule of Fees

Dear Sir:

Since all of our fees have been removed from Chapter 30-Article 8 of the West Virginia State Code, it is necessary to have a schedule of fees in place in order for the Board to conduct its business of protecting the eye health of the citizens of West Virginia.

We are streamlining our licensing fees to make them more equitable to all optometrists. There will be one overall fee for every optometrist. There will be some increase in license renewal fees for some optometrists and a decrease for other optometrists.

I approve of the filing of this legislative rule.

Sincerely,

A handwritten signature in cursive script that reads "Clifton Hyre".

Clifton Hyre, O. D.  
President

## MISSION STATEMENT

To ensure that all applicants for licensure and all Doctors of Optometry currently licensed, practice their profession in a manner that benefits and protects the public, and to ensure that the highest quality optometric eye and vision care is provided in a professional, competent, and ethical manner.

**QUESTIONNAIRE**

(Please include a copy of this form with each filing of your rule.)

DATE: 4-16-01

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) WV Board of Optometry (304) 627-2106  
101 Michael Street, Clarksburg, WV 26301-3937

LEGISLATIVE RULE TITLE: 14-5 Schedule of Fees

1. Authorizing statute(s) citation Chapter 30-8 Optometrists

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

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

Newspapers and mailings

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

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

Attached \_\_\_\_\_ No comments received \_\_\_\_\_

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

\_\_\_\_\_

f. 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)

Barbara L. Palmer, Administrative Secretary (304) 627-2106

WV Board of Optometry

101 Michael Street

Clarksburg, WV 26301-3937

g. Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all written correspondence regarding 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.

\_\_\_\_\_  
\_\_\_\_\_

b. Date of hearing or comment period:

\_\_\_\_\_

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

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d. Attach findings and determinations and reasons:

Attached 

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**Circumstances Requiring Emergency Rule 14-5  
Schedule of Fees**

Chapter 30 – Article 8 and Title 14-Series 1 –Rules of the West Virginia Board of Optometry have not had an increase in fees since 1976.

Fees are to be taken out of Chapter 30 and 14-1 and put into 14-5 Schedule of Fees  
This schedule establishes fees to be charged by the West Virginia Board of Optometry.

**SUMMARY OF PROPOSED EMERGENCY RULE,  
TITLE 14-SERIES 5 SCHEDULE OF FEES**

The fees have been removed from Chapter 30-Article 8-Optometrists. This schedule establishes the fees to be charged by the West Virginia Board of Optometry.

■  
APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Title 14-Series 5- Schedule of Fees

Type of Rule:  X  Legislative           Interpretive           Procedural

Agency: West Virginia Board of Optometry (304) 627-2106

Address: 101 Michael Street

Clarksburg, WV 26301-3937

1. Effect of Proposed rule:

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<b>ESTIMATED TOTAL COST</b>	None	None	<u>None</u>	None	None
<b>PERSONAL SERVICES</b>	"	"	"	"	"
<b>CURRENT EXPENSE</b>	"	"	"	"	"
<b>REPAIRS &amp; ALTERATIONS</b>	"	"	"	"	"
<b>EQUIPMENT</b>	"	"	"	"	"
<b>OTHER Revenues</b>					

2. Explanation of Above Estimates:

3. Objectives of These Rules: ~~to~~ make licensing fees more equitable to all optometrists who practice. This schedule of fees will streamline fees by reducing current fees being charged to one overall fee for licensing.

Rule Title: Title 14-5 Schedule of Fees

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: There will be some increase in license renewal fees for some Optometrists and a decrease for other Optometrists.

C. Economic Impact on Citizens/Public at Large. None

Date: 4-16-01

Signature of Agency Head or Authorized Representative:

X E. L. Lyttle, OD President

**TITLE 14  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF OPTOMETRY**

**SERIES 5  
SCHEDULE OF FEES**

**FILED**  
2001 JUN 11 A 8:58  
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 §30-10-4(c).

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. License and Certificate.....\$100.00

2.4. Duplicate license ..... \$15.00

2.5. Duplicate certificate.....\$25.00

2.6. Biennial renewal fee.....\$550.00

2.7. Late Renewal Fee..... \$150.00

2.8. Confirmation of licensure ....\$ 25.00

2.9. Corporation application fee ..\$75.00

2.10. Corporation biennial registration  
fee.....\$ 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

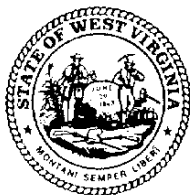
2.14. Facility re-inspection fee.....\$200.00

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 shall be payable to the West Virginia Board of Optometry by check, money order, or certified check.



# West Virginia Board Of Optometry

101 Michael Street

Clarksburg, West Virginia 26301-3937

Phone: (304) 627-2106

Fax: (304) 627-2282

e-mail: wvbdopt@westvirginia.net

April 16, 2001

Secretary of State  
Administrative Law Division  
Building 1, Suite 157-K  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0770

RE: Title 14-Series 5

Dear Sir:

Since all of our fees have been removed from Chapter 30-Article 8 of the West Virginia State Code, it is necessary to have a schedule of fees in place in order for the Board to conduct its business of protecting the eye health of the citizens of West Virginia.

We are streamlining our licensing fees to make them more equitable to all optometrists. There will be one overall fee for every optometrists. There will be some increase in license renewal fees for some optometrists and a decrease for other optometrists.

Please fax us the cover page for this rule when the comment commences.

Sincerely,

*Clifton Hyre, O.D.*

Clifton Hyre, O. D.  
President

Enclosures  
CH/bp

## MISSION STATEMENT

To ensure that all applicants for licensure and all Doctors of Optometry currently licensed, practice their profession in a manner that benefits and protects the public, and to ensure that the highest quality optometric eye and vision care is provided in a professional, competent, and ethical manner.