

**WEST VIRGINIA
SECRETARY OF STATE**

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #2

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MAY 8 9 39 AM '98

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West-Virginia Board of Osteopathy TITLE NUMBER: 24

RULE TYPE: Legislative; CITE AUTHORITY §30-14

AMENDMENT TO AN EXISTING RULE: YES ☐ NO ☒

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

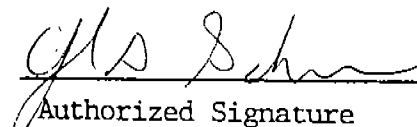
IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 5

TITLE OF RULE BEING PROPOSED: Fees for Services Rendered By the
Board of Osteopathy.

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 June 10, 1998 AT 4:30 p.m.
ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING
ADDRESS.

Joseph E. Schreiber, D.O.
Secretary
West Virginia Board of Osteopathy
334 Penco Road
Weirton WV 26062

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


Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

\$3.40



STATE OF WEST VIRGINIA
BOARD OF OSTEOPATHY

JOSEPH E. SCHREIBER, D.O.
SECRETARY

334 PENCO ROAD
WEIRTON, WV 26062

TELEPHONE
304-723-4638

The facts and circumstances constituting the emergency are as follows. The filing of the rules on an emergency basis is necessitated by several factors:

The West Virginia Board of Osteopathy has determined that the rule should be filed on an emergency basis. HB4605 removed all fees from our Code Section §30-14. The Board is to set fees by rule. The Board does not have fees listed in our rules. Physician licenses expire on June 30 and we need to renew these licenses so our physicians can continue to practice. Our fees had not been updated in more than 10 years, and our current funds are almost depleted. If we do not adjust our fees, we will not be able to maintain our mandated functions to the public, our licensees, and our financial obligations in so doing. With this rule our fees shall be comparable to the Board of Medicine's fees.

DATE: May 7, 1998

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: West Virginia Board of Osteopathy

EMERGENCY RULE TITLE: Fees for services rendered by the Board of Osteopathy

1. Date of Filing May 7, 1998
2. Statutory authority for promulgating emergency rule:
§30-14
3. Date of filing of proposed legislative rule: May 7, 1998
4. Does the emergency rule adopt new language or does it amend or appeal a current legislative rule?
This emergency rule adopt new language and repeals fees listed in §24-1-4.2.5 dated April 5, 1994.
5. Has the same or similar emergency rule previously been filed and expired?
No.
6. State, with particularity, those facts and circumstances which make the emergency rule necessary for the immediate preservation of public peace, health, safety or welfare.
HB4605 states Board will set fees by rule. Currently ^{it is} not done this way, so Board will have no fees unless approved emergency rule. Board must collect fees to carryout mandated state functions. Board does not receive state funds.

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

N/A

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

Without adequate funding we probably cannot maintain the
level of services law requires that we provide and to preserve
the public health.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Fees for services rendered by the Board of Osteopathy

Type of Rule: X Legislative Interpretive Procedural

Agency: West Virginia Board of Osteopathy

Address: 334 Penco Road

Weirton WV 26062

1. Effect of Proposed Rule

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<u>ESTIMATED TOTAL COST</u>	\$	\$	\$	\$	\$
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERNATIONS					
EQUIPMENT					
OTHER					

2. Explanation of above estimates:

No increase in state funding will be needed.

3. Objectives of these rules:

To fulfill HB 4605, passed on March 12, 1998. All relating to board of osteopathy; permitting license, registration, examination, and other such fees to be set by board rules.

Rule Title: Fees for services rendered by the Board of Osteopathy

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

Not aware that there will be any.

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

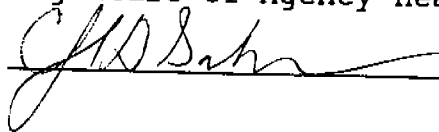
It will mainly impact licensed Osteopathic Physicians, who will be responsible for paying fees to maintain their license.

C. Economic Impact on Citizens/Public at Large.

Not aware that there will be any.

Date: May 7, 1998

Signature of Agency Head or Authorized Representative



**TITLE 24
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF OSTEOPATHY**

**SERIES 5
FEES FOR SERVICES RENDERED BY
THE BOARD OF OSTEOPATHY**

FILED
MAY 8 9 39 AM '98
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

§ 24-5-1. General.

- 1.1. Scope. - this legislative rule establishes the fees to be charged by the Board of Osteopathy for services rendered.
- 1.2. Authority. - W.Va. Code §30-14-4,14-6,14-7,14-9a,14-9b,14-10,14-12.
- 1.3. Filing Date. -
- 1.4. Effective Date. -
- 1.5. This rule repeals the application fee listed in §24-1-4.2.5 dated April 5, 1994.

§ 24-5-2. Schedule of Fees For Services Rendered By the West Virginia Board of Osteopathy for Physicians.

- 2.1. Examination - \$100.00 above the board's cost of preparing & processing the exam
- 2.2. Reciprocity or Endorsement Application - \$200.00
- 2.3. Osteopathic Physician Corporation Application Fee - \$500.00
- 2.4. Osteopathic Physician Corporation Annual Registration - \$250.00
- 2.5. Osteopathic Physician Endorsement or Written Licensure Verification - \$25.00
- 2.6. Osteopathic Physician State Board Scores - \$10.00
- 2.7. Late renewal fee - \$50.00
- 2.8. Osteopathic Physician Duplicate Wallet License - \$10.00
- 2.9. Osteopathic Physician Wall Certificate - \$20.00
- 2.10. Osteopathic Physician Educational Training Permit - \$50.00