

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #7

FILED
Do not mark in this box
Filing Date

MAY 8 9 40 AM '98

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Effective Date

NOTICE OF AN EMERGENCY RULE

AGENCY: WV Board of Osteopathy TITLE NUMBER: 24

CITE AUTHORITY: W.Va. Code §30-14-4, 14-6, 14-7, 14-9a, 14-9b, 14-10, 14-12.

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES ☐ NO ☒

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: n/a

IF NO, SERIES NUMBER OF RULE BEING FILED AS AN EMERGENCY: 5

TITLE OF RULE BEING FILED AS AN EMERGENCY: Fees for Services Rendered By the
Board of Osteopathy

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME
EFFECTIVE AFTER APPROVAL BY SECRETARY OF STATE OR 42ND DAY
AFTER FILING, WHICHEVER OCCURS FIRST.

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE
AS FOLLOWS:

Use additional sheets if necessary

\$3.40

CHS
Signature

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.



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.

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.

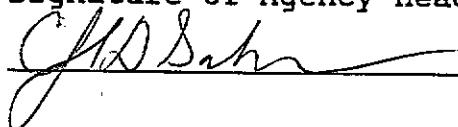
It will mainly impact licensed Osteopathic Physicians, who will be responsible for paying fees to maintain their license.

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**

FILED

MAY 8 9 40 AM '98

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

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