

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Do Not Mark In This Box

FILED

2010 JUL 30 PM 1:04

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

Form #3

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

AGENCY: WV BOARD OF PHYSICAL THERAPY TITLE NUMBER: TITLE 16

CITE AUTHORITY: 30-20A-4

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: SERIES 5

TITLE OF RULE BEING PROPOSED: GENERAL PROVISIONS FOR ATHLETIC TRAINERS

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.

Leslyl Spicane PT, DPT  
Authorized Signature

APPENDIX B

**FISCAL NOTE FOR PROPOSED RULES**

GENERAL PROVISIONS FOR ATHLETIC TRAINERS

Rule Title: \_\_\_\_\_

Type of Rule:  Legislative  Interpretive  Procedural

Agency: WV BOARD OF PHYSICAL THERAPY

Address: 101 DEE DRIVE  
CHARLESTON, WV 25311

Phone Number: 304-558-0367 Email: WVB OPT@WV.GOV

**Fiscal Note Summary**

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

THIS RULE WILL HAVE NO IMPACT ON COSTS OR REVENUES OF STATE GOVERNMENT; OR THE AGENCY ITSELF.

**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			
Current Expenses			
Repairs & Alterations			
Assets			
Other			
2. Estimated Total Revenues	0.00	0.00	0.00

Rule Title: \_\_\_\_\_

Rule Title: GENERAL PROVISIONS FOR ATHLETIC TRAINERS

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

N/A

### 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.

THE CHANGES IN THIS RULE WILL NOT INCUR ANY COSTS ASSOCIATED WITH ATHLETIC TRAINERS REGISTRATION.

Date: July 29, 2010

Signature of Agency Head or Authorized Representative

Leslie Spicure, PT, DPT

**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: JULY 30, 2010

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* WV BOARD OF PHYSICAL THERAPY  
101 DEE DRIVE  
CHARLESTON ,WV 25311  
(304) 558-0367

LEGISLATIVE RULE TITLE: \_\_\_\_\_  
GENERAL PROVISIONS FOR ATHLETIC TRAINERS

1. Authorizing statute(s) citation \_\_\_\_\_  
30-20A-4

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:  
06/29/10

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

c. Date of Public Hearing(s) *or* Public Comment Period ended:  
07/29/10 10:00 AM

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

Attached     X     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/fax/e-mail numbers** of agency person(s) to receive all written correspondence regarding this rule: (Please type)

---

LESLEIGH SPROUSE, BOARD CHAIR  
WV BOARD OF PHYSICAL THERAPY

---

101 DEE DRIVE CHARLESTON, WV

---

(304) 558-0367 PHONE (304) 558-0369 FAX  
WVBOPT@WV.GOV

- 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 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?

---

d. Attach findings and determinations and reasons:

Attached 

---

**TITLE 16  
LEGISLATIVE RULE  
WV BOARD OF PHYSICAL THERAPY**

**SERIES 5  
GENERAL PROVISIONS FOR ATHLETIC TRAINERS**

**SUMMARY OF PROPOSED RULE**

The WV Board of Physical Therapy's statute §30-20A (All related to Athletic Trainers) was added through the legislative process and H.B. 3152 passed March 13, 2010. Rules need to be proposed for legislative approval in accordance with the provisions of the statute §30-20A.

TITLE 16  
LEGISLATIVE RULE  
WV BOARD OF PHYSICAL THERAPY

SERIES 5  
GENERAL PROVISIONS FOR ATHLETIC TRAINERS

FILED  
2010 JUL 30 PM 1:04  
OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**§16-5-1. General.**

- 1.1. Scope. -- This legislative rule describes and defines requirements on registration for Athletic Trainers.
- 1.2. Authority. -- W. Va. Code §30-20A-1, et. seq.
- 1.3. Filing Date. --
- 1.4. Effective Date. --

**§16-5-2. Definitions.**

The following words and phrases as used in these rules shall have the following meanings, unless the context otherwise requires:

- 2.1. "Applicant" means any person making application for an original or renewal registration to act as an athletic trainer under the provisions of this article.
- 2.2. "Board" means the West Virginia Board of Physical Therapy established under article twenty of this chapter.
- 2.3. "Registrant" means a person registered as an athletic trainer under the provisions of this article.
- 2.4. "Registration" means a registration issued by the board to practice athletic training.

**§16-5-3. Application for Registration.**

- 3.1. The applicant must complete the application form provided by the Board and supply the following:
  - 3.1. a. Personal information;
  - 3.1. b. Proof of current certification by a National Certifying Board approved by the WV Board of Physical Therapy;
  - 3.1. c. Verification of Licensure, Certification, or Registration from other states;
  - 3.1. d. Written responses to questions regarding criminal offenses;
  - 3.1. e. Written responses to questions regarding child support obligations;
  - 3.1. f. Name and address of all employers;
  - 3.1. g. Photo Identification;
  - 3.1. h. Application Fee.

**§16-5-4. Renewal for Registration.**

4.1. The registrant must renew biennially.

4.2 Any change in personal contact and employer information must be submitted in writing to the Board as changes occur.