

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

Form #3

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2010 JUL 30 PM 1:07

OFFICE WEST VIRGINIA
SECRETARY OF STATE

**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 6

TITLE OF RULE BEING PROPOSED: FEES 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.

Leslie Sprague, PT, OPT
Authorized Signature

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

FEEES 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: WVBOPT@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 IMPACT ON COSTS AND REVENUES TO THE AGENCY ITSELF. THE BOARD WILL BE RECEIVING REVENUES FROM FEES TO REGISTER ATHLETIC TRAINERS.

THE ESTIMATED REVENUE IS \$25,000.

THE BOARD WILL HAVE COST TO OFFER THE SERVICE OF REGISTERING THE ATHLETIC TRAINERS. THE BOARD COST CONSIST OF PERSONNEL, SOFTWARE CHANGES, AND OFFICE SUPPLIES.

THE ESTIMATED COST IS \$22,000.

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	22,000.00	22,000.00
Personal Services		20,000.00	20,000.00
Current Expenses		2,000.00	2,000.00
Repairs & Alterations			
Assets			
Other			
2. Estimated Total Revenues	0.00	25,000.00	25,000.00

Rule Title: _____

Rule Title: FEES 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.

THE BOARD WILL BE REGISTERING ATHLETIC TRAINERS IN 2011. THERE IS A REGISTRATION FEE AND RENEWAL FEES. THE BOARD WILL HAVE COST FROM PERSONNEL, ADMINISTRATION, AND OFFICE SUPPLIES.

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 WEST VIRGINIA BOARD OF PHYSICAL THERAPY IS AN AUTONOMOUS STATE LICENSING BOARD AGENCY AND AS SUCH RECEIVES NO MONIES FROM THE STATE'S GENERAL REVENUE FUND; NOR DOES IT RECEIVE ANY FEDERAL MONEY. ALL MONEY NECESSARY TO EFFICIENTLY STAFF AND EQUIP A PUBLIC OFFICE MUST BE GENERATED BY SERVICES PERFORMED BY THE BOARD IN BEHALF OF ITS LICENSEES OR OTHER INTERESTED PARTIES.

Date: July 29, 2010

Signature of Agency Head or Authorized Representative

Lesly Sprance, 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: FEES 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 _____ No comments received X

- 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 6
FEES 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 and fees 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

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SERIES 6
FEES FOR ATHLETIC TRAINERS

OFFICE WEST VIRGINIA
SECRETARY OF STATE

§16-6-1. General.

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

§16-6-2. Fees.

2.1. The West Virginia Board of Physical Therapy is an autonomous State Licensing Board Agency and as such receives no monies from the State's general revenue fund; nor does it receive any Federal money. All money necessary to efficiently staff and equip a public office must be generated by services performed by the Board in behalf of its licensees or other interested parties.

2.2. Applicants shall pay to the Board the fees established and authorized by WV Code §30-20A-1, et. seq.

- 2.2. a. Athletic Trainers Registration Application.....\$25.00
- 2.2. b. Athletic Trainers Registration Fee.....\$100.00
- 2.2. c. Biennial Registration Fee.....\$75.00
- 2.2. d. Registration Verification.....\$25.00
- 2.2. e. Duplicate Wall Certificate.....\$15.00
- 2.2. f. Name Change Requiring New Card/Certificate
(Outside of Renewal Season)\$5.00
- 2.2. g. Mailing List/Directory
 - 2.2. g.1. Label-ready List Rate @ 10 cents/name and address
 - 2.2. g.2. Hard-copy Directory Rate @ 15 cents/name and address
 - 2.2. g.3. Labels Rate @ 30 cents/name and address

2.2. h. All fees not paid by the due date shall be assessed a penalty to be determined by the Board not to exceed 25% of the original fee required.