

**WEST VIRGINIA  
SECRETARY OF STATE**

**KEN HECHLER**

**ADMINISTRATIVE LAW DIVISION**

Form #3

FILED  
1991 OCT -1 PM 4: 29  
OFFICE OF 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 EXAMINERS OF PSYCHOLOGISTS TITLE NUMBER: 17

CITE AUTHORITY 30-21-7

AMENDMENT TO AN EXISTING RULE: YES  NO

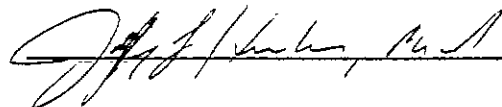
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: PENALTIES AND FEES (17-1-1 and 2)

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

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.

  
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## FISCAL NOTE FOR PROPOSED RULES

Rule Title: PENALTIES AND FEES (17-1)Type of Rule:  Legislative  Interpretive  Procedural

WV BOARD OF EXAMINERS

P.O. Box 3146

Agency OF PSYCHOLOGISTS [BOEP] Address CHARLESTON, WV 25331

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$	\$	\$
Personal Services	NONE	NONE	NONE	NONE	NONE
Current Expense	"	"	"	"	"
Repairs and Alterations	"	"	"	"	"
Equipment	"	"	"	"	"
Other	"	"	"	"	"

2. Explanation of above estimates:

BOEP IS SUPPORTED BY FEE PAYMENTS FROM PSYCHOLOGISTS

3. Objectives of these rules:

PROVIDE ENOUGH FUNDS TO SUPPORT  
THE OPERATION OF THE BOARD.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

NONE - STATE FUNDS ARE NOT USED.

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

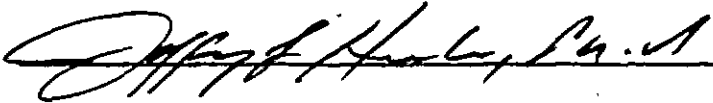
COST TO PSYCHOLOGISTS TO OBTAIN AND MAINTAIN THEIR LICENSES WILL INCREASE.

C. Economic Impact on Citizens/Public at Large.

NONE - PUBLIC FUNDS ARE NOT USED

Date: 6/26/91

Signature of Agency Head or Authorized Representative



DATE: 10 - 1 - 91

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: Board of Examiners of Psychologists

LEGISLATIVE RULE TITLE: PENALTIES AND FEES

1. Authorizing statute(s) citation 30-21-7

2. a. Date filed in State Register with Notice of Hearing:

6-26-91

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

ADVERTISEMENT (LEGAL) IN CHARLESTON GAZETTE

NOTIFIED ASSOCIATIONS FOR PSYCHOLOGISTS

AND SCHOOL PSYCHOLOGISTS.

c. Date of hearing(s): 7-30-91

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)

10-1-91

f. Name and phone number(s) of agency person(s) to contact for additional information:

JEFFREY HARLOW, PH.D.

P.O. Box 3146

CHARLESTON, W.V. 25331

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.

NA

b. Date of hearing: NA

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

NA

d. Attach findings and determinations and reasons:

Attached NA

7-30-41

HEARING

BEVERLY WINTER, PRESIDENT ELECT OF WEST VIRGINIA SCHOOL PSYCHOLOGISTS, ASSERTED THAT FEES WERE BEING RAISED JUST TO PENALIZE SCHOOL-PSYCHOLOGY LICENSURE GRANDPARENTING APPLICANTS. HOWEVER, IT WAS CLARIFIED THAT FEE RAISES WILL GO INTO EFFECT AFTER THE GRANDPARENTING PERIOD ENDS. THERE WERE NO OTHER COMMENTS. FULL TEXT OF HEARING IS AVAILABLE UPON REQUEST.

TITLE 17 LEGISLATIVE RULES BOARD OF EXAMINERS OF  
PSYCHOLOGISTS

SERIES 1 PENALTIES AND FEES

17-1-1 General. 1.1 Scope. These legislative rules establish the fees for applications, examinations, temporary permits, license renewals and registers and establish the penalties for licensees who do not abide by the Rules and Regulations of the Board. 1.2 Authority - West Virginia Code 30-21-6,7,8,9,10,13, & 14. 1.3 Filing Date - June 6, 1989. 1.4 Effective Date - June 6, 1989. 1.5 Repeal of former rule - this legislative rule repeals West Virginia Rule "Psychologists, Chapter 30-21, Board of Examiners of Psychologists Rules and Regulations, Chapter 1, Section 5 (legislative), and Chapter 1, Section 8 (a) (procedural)." 1.6 Effective July 1, 1991 the West Virginia Legislature via House Bill 2765 amended West Virginia Code Section 30, Article 21 to eliminate designation of specific fees in Section 30, Article 21. Thus, all fees may be established in Title 17, Series 1.

17-1-2 Summary of Fees. ~~2.1~~ The following fees were approved by the West Virginia Legislature effective ~~February 29, 1972~~; July 1, 1991: 2.1 ~~a~~ Application fee (whether by standard procedure, reciprocity, or verification by American Board of Examiners and Professional Psychology Diploma): ~~Fifty dollars (\$50.00)~~ Seventy-five dollars (\$75.00). ~~2.1 b~~ 2.2 Temporary permits: ~~Fifty~~ Seventy-five dollars ~~(\$50.00)~~ (\$75.00). ~~2.1 c~~ 2.3 License Renewal Fee - (every two years): ~~Thirty dollars (\$30.00)~~ One hundred dollars (\$100.00), except

for non-practicing and/or non-resident psychologists and school psychologists for whom the fee is fifty dollars (\$50.00). Another exception is for those with licenses which have been placed on inactive status who pay no renewal fee. ~~2.1~~ 2.4 Registers: Ten dollars (\$10.00). 2.5 Copies of licensure law and legislative rules: Ten dollars (\$10.00) each. ~~2.2~~ ~~The following fee was approved by the West Virginia Legislature effective February 17, 1985:~~ ~~2.2~~ 2.6 Examination Fee - the fee for Examination for Professional Practice in Psychology will cover the fee established by the American Association of State Psychology Boards plus ~~twenty~~ forty ~~(\$20.00)~~ dollars (\$40.00) for administrative costs. The fee must be paid to the Board at least thirty (30) days prior to the date of the examination. ~~2.3~~ 2.7 Oral Examination Fee for Each Examination: One hundred and twenty five dollars ~~(\$100.00)~~ (\$125.00). ~~2.4~~ 2.8 Annual supervision fee : fifty dollars (\$50.00). ~~2.5~~ 2.9 All the above fees are non-refundable.

**17-1-3. Penalties.** Failure by licensees to abide by the regulations shall be sufficient grounds to call for investigation by the Board and if found verified shall require revocation of the license as provided in Sub-Section (b), Section 10, Article 21, Chapter 30 of the Code; such infringements shall be subject to the legal remedies provided by the Sections 13 and 14, Article 21, Chapter 30 of the West Virginia Code.