

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
KEN HECHLER  
**ADMINISTRATIVE LAW DIVISION**

Form #6

Do Not Mark In this Box

**FILED**

Jan 30 2 41 PM '93

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED  
BY THE WEST VIRGINIA LEGISLATURE.**

AGENCY: West Virginia Board of Examiners of Psychologists TITLE NUMBER: 17

AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Penalties & Fees

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

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

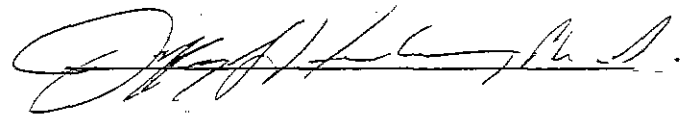
THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB 100

SECTION 64-9-21(c), PASSED ON May 26, 1993

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON

THE FOLLOWING DATE: June 30, 1993



KEN HECHLER  
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## STATE OF WEST VIRGINIA

### SECRETARY OF STATE

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help we can get)

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May 28, 1993

Dr. Jeff Harlow  
Psychologists, WV Bd. of Examiners  
P.O. Box 3146  
Charleston, WV 25331

**HB 100** authorizing, **Title 17, Series 1, Penalties & Fees**, passed the Legislature on **May 26, 1993**. It is now awaiting the Governor's signature.

You have sixty (60) days after the Governor signs HB 100, to final file the legislative rule with the Secretary of State's office. To final file your legislative rule, fill in the blanks on the enclosed form #6, the "Final Filing" form and file the form with our office. Authorization for your legislative rule is cited in **HB 100** section **64-9-21(c)**. The agency may set the effective date of the legislative rule up to ninety (90) days from the date the legislative rule is final filed with the Secretary of State's office. Please have an authorized signature on the bottom line.

**\*\*\*IMPORTANT: IF YOUR AGENCY HAS COMPLETED THE LEGISLATIVE RULE ON A COMPUTER SYSTEM THAT USES A 3 1/2" OR 5 1/4" DISK, PLEASE SUBMIT A CLEAN COPY, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, TO OUR OFFICE WHEN FINAL FILING THE RULE. STATE ON THE DISK THE FORMAT THE RULE IS IN AND THE TITLE IT IS FILED UNDER. THIS WILL MAKE IT QUICKER FOR US TO ENTER YOUR RULES ON THE LEGISLATIVE DATA BASE. REMEMBER THE TEXT OF THE COMPUTER FILED RULE MUST BE IDENTICAL - WORD FOR WORD, COMMA FOR COMMA, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, AS THE HARD COPY AUTHORIZED BY THE LEGISLATURE.**

After the final rule is entered into the legislative data base, the rule will be sent to the agency for review and proofing. Following confirmation or corrections, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records.

If you have any questions or need any assistance, please do not hesitate to call our office.

Thank You  
Administrative Law Division

FILED

TITLE 17 LEGISLATIVE RULES BOARD OF EXAMINERS OF  
PSYCHOLOGISTS

DEC 11 2 59 PM '92  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

SERIES 1 ~~PENALTIES AND~~ FEES

**17-1-1 General. 1.1 Scope.** This legislative rule establishes 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)."~~

Effective July 1, 1991 the West Virginia Legislature via House Bill 2765 amended West Virginia Code 30-21-1 et seq to eliminate designation of specific fees. Thus, all fees may be established in Title 17, Series 1. The Board was given the authority to establish fees under WV Code 30-21-6.

**17-1-2 Summary of Fees.** ~~2.1~~ The following fees were approved by the Board ~~West Virginia Legislature effective February 29, 1972.~~ May 1, 1993:

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 (\$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) and for those with licenses which have been placed on inactive status for whom there is 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 12, 1986.~~

~~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~~) (\$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.~~

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SENATE BILL NO. 232

(By Senator Manchin

[Introduced March 1, 1993; referred to the  
Committee on Health and Human Resources; and  
then to the Committee on the Judiciary.]

10 A BILL to amend and reenact section twenty-one, article nine,  
11 chapter sixty-four of the code of West Virginia, one thousand  
12 nine hundred thirty-one, as amended, relating to authorizing  
13 the board of examiners of psychologists to promulgate  
14 legislative rules relating to penalties and fees.

15 **Be it enacted by the Legislature of West Virginia:**

16 That section twenty-one, article nine, chapter sixty-four of  
17 the code of West Virginia, one thousand nine hundred thirty-one,  
18 as amended, be amended and reenacted, to read as follows:

19 **ARTICLE 9. AUTHORIZATION FOR MISCELLANEOUS AGENCIES AND BOARDS**  
20 **TO PROMULGATE LEGISLATIVE RULES.**

21 **§64-9-21. Board of examiners of psychologists.**

22 (a) The legislative rules filed in the state register on the  
23 twentieth day of December, one thousand nine hundred eighty-four,

1 relating to the board of examiners of psychologists (examination  
2 fee), are authorized.

3 (b) The legislative rules filed in the state register on the  
4 sixteenth day of September, one thousand nine hundred  
5 eighty-eight, modified by the board of examiners of psychologists  
6 to meet the objections of the legislative rule-making review  
7 committee and refiled in the state register on the twenty-third  
8 day of November, one thousand nine hundred eighty-eight, relating  
9 to the board of examiners of psychologists (penalties and fees),  
10 are authorized.

11 (c) The legislative rules filed in the state register on the  
12 first day of October, one thousand nine hundred ninety-one,  
13 modified by the board of examiners of psychologists to meet the  
14 objections of the legislative rule-making review committee and  
15 refiled in the state register on the eleventh day of December,  
16 one thousand nine hundred ninety-two, relating to the board of  
17 examiners of psychologists (penalties and fees).

18

19 NOTE: The purpose of this bill is to authorize the Board of  
20 Examiners of Psychologists to promulgate legislative rules  
21 relating to penalties and fees.

22

23 - Strike-throughs indicate language that would be stricken from  
24 the present law, and underscoring indicates new language that  
25 would be added.