

SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #2

FILED

JUL 30 9 38 AM '96

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: WV Board of Respiratory Care TITLE NUMBER: 30

RULE TYPE: Legislative ; CITE AUTHORITY 30-34

AMENDMENT TO AN EXISTING RULE: YES NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED:

TITLE OF RULE BEING AMENDED:

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 2

TITLE OF RULE BEING PROPOSED: Establishment of fees

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON August 30, 1996 AT 8:00 A.M.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

WV Board of Respiratory Care
PO BOX 3709
Charleston, WV 25337

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Handwritten signature: Anna St. Pedern
Authorized Signature

ATTACH A BRIEF SUMMARY OF YOUR PROPOSAL

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Establishment of fees

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia Board of Respiratory Care

Address: PO BOX 3709
Charleston, WV 25337

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:

The board is self-supporting with licensing fees as established in the law. The state will save money as quality providers ensure cost effective quality care. No additional expenses will be incurred by the state.

3. Objectives of these rules:

This rule establishes annual renewal fees, penalty fees and licensure upgrade fees.

Rule Title: Establishment of fees

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

None

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

None

C. Economic Impact on Citizens/Public at Large.

None

Date: 7/29/96

Signature of Agency Head or Authorized Representative

John W. Parkman

304-357-4837

Rule Summary

Article 30-34 established a self supporting state board of respiratory care practitioners to protect the life, health and safety of the public. This rule establishes the fees for renewal of license annually, allows the board to waive the fee for any given year, establishes fee reductions for early renewal, and penalties for late renewals.

Title 30
Legislative Rules
WV Board of Respiratory Care
Series #2
Establishment of Fees

This rule is necessary because the law did not specifically outline fees related to renewal of the license each year. There is also nothing in the law with regard to the cost of upgrading ones license or penalty fees. In order to encourage members to file early the board would like to offer a discount to members who file early thereby decreasing the mailing in December. The board also would like to have the ability to waive the fee in any given year that it deems necessary due to excessive funding in the account, or a year of particular hardship for our practitioners.

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Title 30
Legislative Rules
The West Virginia Board of Respiratory Care
Series #2
Establishment of Fees

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

30-2-1 General.

2.1 Scope. -- This legislative rule sets forth in detail all fees charged by the board.

1.2. Authority. -- W.Va. Code 30-34

1.3. Filing Date. --

1.4. Effective Date. --

30-2-2. Renewal fees schedule

2.1. Every licensee shall renew his or her license on or before the first of January of each year.

2.2. The renewal fee shall be seventy (75) dollars.

2.3. The board may waive the renewal fee for all licensees in any given year.

2.4. Any member who files for early renewal between the dates of November 1 - November 30, will receive a \$10.00 discount on license renewal.

2.5. The renewal fee, including penalty, for the 30 day grace period extending from January 1 to January 31 shall be one hundred (100) dollars.

2.6. The renewal fee for renewal of the inactive status shall be twenty (20) dollars.

2.7. Temporary or limited licenses are not subject to renewal.

2.8. Any license that is not renewed within the 30 day grace period will automatically lapse and will require a new application submission with payment of the two hundred (200) dollar application fee.

30-2-3. Licensure Upgrade Fee

3.1. The individual holding a Temporary Permit as a Respiratory Assistant may, upon passing the state licensure exam, submit evidence to the board of passing the exam, pay a ten (10) dollar upgrade fee, and be licensed as a Licensed Respiratory Care Associate (LRCA).

3.2. The individual holding a Temporary Permit as a Temporary Respiratory Care Technician (TRCT) may, upon passing the National Board for Respiratory Care (NBRC) Entry Level Exam, submit evidence to passing the exam, pay a ten (10) dollar upgrade fee, and be issued a license as a Licensed Respiratory Care Technician (LRCT).

3.3. The individual holding a License as a Respiratory Care Associate (LRCA) may, upon passing the NBRC (or its successor organization) Entry Level Exam, submit evidence to the board of passing the exam, pay a ten (10) dollar upgrade fee, and be issued a license as a Licensed Respiratory Care Technician (LRCT).

3.4. The individual holding a LRCT license may, upon passing the NBRC Advanced Practitioner Exams, submit evidence to the board of passing the exams, pay a ten (10) dollar upgrade fee, and be issued a license as a Licensed Respiratory Therapist License (LRT).