

**WEST VIRGINIA
SECRETARY OF STATE
BETTY IRELAND
ADMINISTRATIVE LAW DIVISION**

Form #2

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2008 JUL 31 PM 3:41

OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Board of Veterinary Medicine TITLE NUMBER: 26

RULE TYPE: Legislative CITE AUTHORITY: §30-10-4(c)

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 6

TITLE OF RULE BEING AMENDED: Schedule of Fees

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

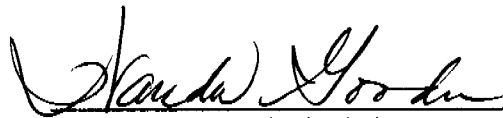
IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON August 29, 2008 AT 4:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

West Virginia Board of Veterinary Medicine

5509 Big Tyler Road, Suite 3

Cross Lanes, WV 25313

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



Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

BRIEF SUMMARY

Proposed Legislative Rule Change Filed July 2008 for 2009 Legislature

Series 6- Schedule of Fees

The proposed rule changes to Series 6 are for:

Consolidating the license fee for veterinarians with the application, exam and license fee.

Increasing the fee for veterinary license renewals.

Removing fee for temporary permit renewal, as legal counsel has informed the Board that the language in our veterinary practice act and rules regarding temporary permit renewals does not apply.

Removing PLLC annual registration fee as we are changing the veterinary practice act, and have been advised that we should not have any fees in the code or rules pertaining to corporations or PLLCs.

Increasing the veterinary technician fee for application, exam and registration.

Increasing the fee for the veterinary technician national exam , due to the fee for the VTNE being increased by the national testing organization, which fee increase is passed on to the veterinary boards.

Increasing the application, exam and certification fee for CAET's.

Increasing the fee for the continuing education program offered by the Board for CAET's.

Statement of Circumstances

The Board of Veterinary Medicine is amending the Schedule of Fees to reflect necessary fee increases. These fee increases are largely due to increased costs of the Board.

The fees for legal costs in fiscal year 2008 have risen 49.5 % over fiscal year 2007. In FY2007 our contractual and professional expenses totaled 7.9% of our gross income. In FY2008, this same expense was 11.8% of total revenue (FY07 costs \$16,339.60 /FY08 costs \$24,425.64). There are other fees that increased greatly, but which do not consume as large a portion of our total revenue.

Other fee increases include a rise in utilities of 31.1% over the previous year, and an 88.1% increase in Workers Compensation charges, with no claims.

We have been told that we will lose the revenue of veterinary corporation fees and veterinary PLLC's when we have changes made to our veterinary code, such losses totaling approximately \$9,000. annually. We have lost the fee of temporary permit renewals, as counsel has advised the Board not to renew temporary permits, but to allow the permit to extend until the next examination date.

Based on an anticipated loss of revenue from removal of veterinary corporation fees and PLLC fees, the loss already of temporary permit renewal fees, the increase in the fee for the VTNE exams and the current as well as anticipated increase in expenses, especially legal fees, we find it necessary to plan for these losses of revenue and increases in expenses by raising fees within the next year.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Schedule of Fees

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia Board of Veterinary Medicine

Address: 5509 Big Tyler Road, Suite 3, Cross Lanes, WV 25313

Phone Number: 304-776-8032 Email: wgoodwin@wvnet.edu

Fiscal Note Summary

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

This measure will not impact general revenue. As a special revenue account of state government, it will impact veterinarians, with an increase in annual renewal fees from \$225.00 to \$250.00. The CAET continuing education program offered annually by the Board will increase from \$200.00 to \$225.00. The veterinary technician application, exam and registration fee will increase from \$80.00 to \$100.00. The VTNE exam will increase from \$200.00 to \$250.00. CAET's application, exam and certification fees will increase from \$50.00 to \$75.00, and the training program will go from \$200.00 to \$225.00. The renewal fee will increase from \$25.00 (code) to \$50.00 (moving to rules. We will lose the veterinary corporation fees and the veterinary PLLC fees. We are not renewing temporary permits, so that income has been lost.

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	197,000.00	215,140.00	215,140.00
Personal Services	90,000.00	96,300.00	96,300.00
Current Expenses	87,000.00	97,440.00	97,440.00
Repairs & Alterations			
Assets			
Other	20,000.00	21,400.00	21,400.00
2. Estimated Total Revenues	206,000.00	215,700.00	215,700.00

Rule Title: Schedule of Fees

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3. Explanation of above estimates (including long-range effect):

Please include any increase or decrease in fees in your estimated total revenues.

We anticipate an increase of 7% in personnel (staff and board member expenses) in the coming year and a similar increase in other expenses, which are for workers comp, insurance, retirement and related expenses of staff and board members benefits. We anticipate a 12% increase in current expenses. With the proposed increases in our Schedule of Fees, offset by approximately \$9000. in losses of revenue for corporations and PLLCs, we should have an annual revenue increase of \$9,700.

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 fee for CAETs renewals in the Schedule of Fees is a new entry there. However, it is not a new fee. It was placed in §30-10A. We wish to remove it from code and enter it with other fees. The fee does increase from \$25. to \$50.

Date: 7/31/08

Signature of Agency Head or Authorized Representative

Shanku Gord

TITLE 26
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF VETERINARY MEDICINE

FILED

SERIES 6
SCHEDULE OF FEES

2008 JUL 31 PM 3:41

OFFICE WEST VIRGINIA
SECRETARY OF STATE

§ 26-6-1. General.

1.1. Scope. This rule establishes the fees to be charged by the Board.

1.2. Authority. -- West Virginia Code §30-10-4(e)

1.3. Filing Date. -- April 20, 2006

1.4. Effective Date. -- April 20, 2006

§ 26-6-2. Schedule of Fees.

~~2.1. Veterinarian license fee\$5.00~~

~~2.2. 2.1. Veterinarian application, and examination and license fee... \$295.00~~
~~\$300.00~~

~~2.3. 2.2. Duplicate license or renewal certificate.....\$15.00~~

~~2.4. 2.3. Annual veterinary license renewal fee\$225.00\$250.00~~

~~2.5. 2.4. Temporary permit\$100.00~~

~~2.6. Temporary permit renewal fee ...\$ 25.00~~

~~2.7. 2.5. Written confirmation of licensure, registration or certification by West Virginia..... \$25.00~~

~~2.8. 2.6. North America Veterinary License Exam (NAVLE) eligibility processing fee.....\$50.00~~

~~2.9. 2.7. Certified Animal Euthanasia Technician continuing education program fee.... \$200.00 \$250.00~~

~~2.10. Professional Limited Liability Company annual registration fee.....\$100.00~~

~~2.11. 2.8. Veterinary Technician application, exam & registration fee...\$80.00~~
~~\$100.00~~

~~2.12. 2.9. Veterinary Technician annual renewal fee..... \$60.00~~

~~2.13. 2.10. Veterinary Technician National Examination.....\$200.00- \$250.00~~

- ~~2.14.~~ 2.11. Certified Animal Euthanasia Technician application, exam & certification fee.\$50.00 \$75.00
- ~~2.15.~~ 2.12. Certified Animal Euthanasia Technician training program fee.....
\$200.00 \$225.00
- 2.13. Certified Animal Euthanasia Technician annual renewal fee.....\$50.00
- ~~2.16.~~ 2.14. WV State Police Background Check\$30.00
- ~~2.17.~~ 2.15. Inspection of a facility which employs a Certified Animal Euthanasia Technician.... \$250.00
- ~~2.18.~~ 2.16. Roster; (written or electronic)
- a. Veterinarians.....\$ 25.00
 - b. Veterinary Technician...\$ 10.00
 - c. Certified Animal Euthanasia Technicians ...\$10.00
 - d. Registered Veterinary Facilities ..\$25.00
- ~~2.19.~~ 2.17. Rules and Practice Act.... \$ 25.00
- ~~2.20.~~ 2.18. Relief permit fee..... \$ 25.00
- ~~2.21.~~ 2.19. Relief permit renewal fee...\$ 25.00
- ~~2.22.~~ 2.20. Emergency relief permit.... \$100.00
- ~~2.23.~~ 2.21. Facility inspection fee\$250.00
- ~~2.24.~~ 2.22. Facility re-inspection fee....\$300.00
- ~~2.25.~~ 2.23. Veterinary facility annual permit....\$50.00
- ~~2.26.~~ 2.24. Written change of name.....\$ 10.00
- ~~2.27.~~ 2.25. Written change of address.....\$ 10.00
- ~~2.28.~~ 2.26. Copies of public records (per page).....\$.50
- ~~2.29.~~ 2.27. Continuing education program review and evaluation....\$50.00
- ~~2.30.~~ 2.28. A penalty to be determined by the Board, not to exceed 25% of the original fee required, shall be assessed on all fees not paid by the due date.

2-31.2.29. All fees shall be payable to the West Virginia Board of Veterinary Medicine by check, cashiers check, money order, or cash.