

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

Form #3

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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: West Virginia Board of Veterinary Medicine TITLE NUMBER: 26

CITE AUTHORITY: 30-10-4

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: _____

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.



Authorized Signature

\$3.40

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 29, 2005

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) West Virginia Board of Veterinary Medicine
5509 Big Tyler Road, Suite 3, Cross Lanes, WV 25313
Phone (304) 776-8032

LEGISLATIVE RULE TITLE: Schedule of Fees

1. Authorizing statute(s) citation 30-10-4

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
June 24, 2005

b. What other notice, including advertising, did you give of the hearing?
None

c. Date of Public Hearing(s) *or* Public Comment Period ended:
July 24, 2005

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)

July 29, 2005

- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Wanda Goodwin, Executive Director

WV Board of Veterinary Medicine

5509 Big Tyler Road, Suite 3

Cross Lanes, WV 25313

Phone (304) 776-8032, FAX (304) 776-8256 e-mail: wgoodwin@wvnet.edu

- 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 26
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF VETERINARY MEDICINE

SERIES 6
SCHEDULE OF FEES

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§ 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(c)
- ~~1.3. Filing Date. -- May 31, 2005~~
- 1.4. Effective Date. -- ~~June 1, 2005~~

§ 26-6-2. Schedule of Fees.

- 2.1. Veterinarian ~~application~~ license fee\$5.00
- 2.2. Veterinarian application and examination ~~and license~~ fee... \$295.00
- 2.3. Duplicate license or renewal certificate.....\$15.00
- 2.4. Annual renewal fee \$225.00
- 2.5. Temporary permit\$100.00
- 2.6. Temporary permit renewal fee \$ 25.00
- 2.7. Written confirmation of licensure, registration or certification by West Virginia.....
\$25.00
- 2.8. North America Veterinary License Exam (NAVLE) eligibility processing fee\$50.00
- ~~2.9. Veterinary Medical Corporation annual registration fee.....\$ 100.00~~
- 2.9. Certified Animal Euthanasia Technician continuing education program fee....\$200.00
- 2.10. Professional Limited Liability Company annual registration fee.....\$100.00
- 2.11. Veterinary Technician application, exam & registration fee.....\$80.00
- 2.12. Veterinary Technician annual renewal fee..... \$60.00
- 2.13. Veterinary Technician National Examination.....\$200.00

- 2.14. Certified Animal Euthanasia Technician application, exam & certification fee.
.....\$50.00
- 2.15. Certified Animal Euthanasia Technician training program fee..... \$200.00
- 2.16. WV State Police Background Check\$30.00
- 2.17. Inspection of a facility which employs a Certified Animal Euthanasia Technician..
\$250.00
- 2.18. 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. Rules and Practice Act \$ 25.00
- 2.20. Relief permit fee \$ 25.00
- 2.21. Relief permit renewal fee...\$ 25.00
- 2.22. Emergency relief permit.... \$100.00
- 2.23. Facility inspection fee\$250.00
- 2.24. Facility re-inspection fee....\$300.00
- | 2.25. Veterinary facility annual permit....\$50.00
- 2.26. Written change of name.....\$ 10.00
- 2.27. Written change of address.....\$ 10.00
- | 2.28. Copies of public records (per page).....\$.50
- 2.29. Continuing education program review and evaluation....\$50.00
- 2.30. 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. All fees shall be payable to the West Virginia Board of Veterinary Medicine by check, cashiers check, money order, or cash.

Statement of Circumstances

Title 26 Series 6

As referenced in Series 5 for CAET's, the Board would like to have c.e. courses for CAET's until there is more availability of approved programs. A fee for the program provided by the Board is being added to the Schedule of Fees.

Also, we are removing the fee for veterinary corporations as it is listed in the practice act.

We also are changing the fees regarding veterinary licensure to indicate the \$5.00 fee as the "license" fee and the \$295.00 as the application and examination fee.

Brief Summary

Proposed Legislative Rule Change Filed June, 2005 for 2006 Legislature

Series 6- Schedule of Fees

The proposed rule changes to Series 6 are in reference to 2.1 as an application fee and insert instead the fee as the "license" fee, while 2.2. is the veterinarian application and examination fee. We are defining the duplicate license fee as a duplicate license or renewal certificate fee. The fee for Veterinary Corporations is removed, as it is addressed in the practice act. A fee is set for the CAET c.e. program.

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 have no effect on costs and revenues of state government beyond creating a fee for the continuing education provided to CAET's by the Board.

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.

Effect of Proposal	FISCAL YEAR		
	2005 Increase/Decrease (use "-")	2006 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services	0.00	0.00	0.00
Current Expenses	0.00	0.00	0.00
Repairs & Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Equipment	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	0.00	0.00	0.00

Rule Title: Schedule of Fees

3. **Explanation of above estimates (including long-range effect):**
Please include any increase or decrease in fees in your estimated total revenues.

None

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.

This legislative rule applies to the Board of Veterinary Medicine, and has no language added, deleted or modified which would have any fiscal impact on state government beyond adding a fee for the continuing education program provided by the Board to CAET's.

Date: July 29, 2005

Signature of Agency Head or Authorized Representative

Paula Gordon

APPENDIX B

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Fiscal Note Summary

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This measure will have no effect on costs and revenues of state government beyond creating a fee for the continuing education provided to CAET's by the Board.

FILED
 2005 AUG 25 A 11: 22
 OFFICE WEST VIRGINIA
 SECRETARY OF STATE

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	0.00	0.00
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Current Expenses	0.00	0.00	0.00
Repairs & Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	0.00	0.00	0.00

Rule Title: _____

Rule Title: Schedule of Fees

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

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

None

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.

This legislative rule applies to the Board of Veterinary Medicine and has no language added, deleted or modified which would have any fiscal impact on state government beyond adding a fee for the continuing education program by the Board to cover the costs of providing the program for CAET's. .

Date: August 24, 2005

Signature of Agency Head or Authorized Representative

Stanley Goodwin

Statement of Circumstances

Title 26 Series 6

As referenced in Series 5 for CAET's, the Board would like to have c.e. courses for CAET's until there is more availability of approved programs. A fee for the program provided by the Board is being added to the Schedule of Fees.

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