

**WEST VIRGINIA  
SECRETARY OF STATE  
JOE MANCHIN, III  
ADMINISTRATIVE LAW DIVISION**

Do Not Mark In This Box

FILED

2004 AUG -9 P 3:28

Form #3

OFFICE 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

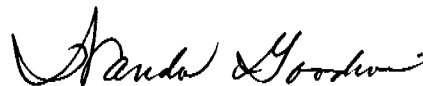
IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 6

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

SCANNED

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

1. Effect of Proposed rule: *2*

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<b>ESTIMATED TOTAL COST</b>					
<b>PERSONAL SERVICES</b>					
<b>CURRENT EXPENSE</b>					
<b>REPAIRS &amp; ALTERATIONS</b>					
<b>EQUIPMENT</b>					
<b>OTHER</b>					

2. Explanation of Above Estimates:  
Not Applicable

3. Objectives of These Rules:  
To fund needed revenue increases to carry out the operations of the Board of Veterinary Medicine. Expenses have increased dramatically relative to costs of rent, utilities, internet service, administrative fees and insurance costs.

Rule Title: Schedule of Fees

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4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:  
None (self appropriating board)

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens: None

C. Economic Impact on Citizens/Public at Large.  
None

Date: August 9, 2004

Signature of Agency Head or Authorized Representative:



**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: August 9, 2004

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 22, 2004

b. What other notice, including advertising, did you give of the hearing?  
None: Filed for Comment Period

c. Date of Public Hearing(s) *or* Public Comment Period ended:  
July 22, 2004

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)

August 9, 2004

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- 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

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West Virginia Board of Veterinary Medicine

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5509 Big Tyler Road, Suite 3

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Cross Lanes, WV 25313 Phone: 776-8032 Fax: 776-8256  
(due to move, no e-mail access at present time)

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- 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)

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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.

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b. Date of hearing or comment period:

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

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d. Attach findings and determinations and reasons:

Attached 

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**West Virginia Board of Veterinary Medicine  
1900 Kanawha Boulevard, East  
Charleston, WV 25305-0119**

**Phone: (304) 558-2016**

**Fax: (304) 558-0891**

**Wanda Goodwin  
Executive Director**

**Statement of Circumstances 26CSR6**

The West Virginia Board of Veterinary Medicine is a self appropriating board, with the responsibility of protecting the interests of the citizens of West Virginia relative to veterinary care.

Our costs have risen drastically during the last year. One of the principle increases has been loss of our current rental location, where our rent was \$100.00 per month, including utilities. We were informed April 19, 2004 by the Department of Agriculture that we must find another location for our office by July 1, 2004. We have found another location, but our rent monthly will be \$500.00 plus electric. Other expenses of operating this board have been increasing over this past year, including insurance, administrative fees by the Department of Administration (FARS) and escalating legal costs.

Legal costs have been rising due to cases which are not quickly resolved. We have several open cases which continue to drain funds.

As a result of our recent PERD evaluation by the West Virginia Legislature, we were instructed to cease allowing our expenditures to be greater than income during fiscal years. During the past two fiscal years expenses exceeded revenue. Much of the reasons for this were legal fees and increases in fees from other agencies of government. This problem will only increase with our new rental expenses and utility payments, causing the need for increased revenue.

**West Virginia Board of Veterinary Medicine  
1900 Kanawha Boulevard, East  
Charleston, WV 25305-0119**

**Phone: (304) 558-2016  
Fax: (304) 558-0891**

**Wanda Goodwin  
Executive Director**

**Summary of Rule 26CSR6**

In resolving the problem of expenses being greater than revenue, and increases in costs of operation, largely due to rental expenses rising drastically, implementation of charges for services formerly not expensed to the board, such as administrative fees by the Department of Administration (FARS) and increases in other expenses such as BRIM, we must increase revenue.

We are adding a fee for review of continuing education programs, which is time consuming and costly, particularly if the program is lengthy.

We are increasing fees for veterinarian, veterinary technicians and certified animal euthanasia technician application fees, and for the veterinarian and veterinary technician annual renewals. We propose fee increases as well for temporary permits. Veterinary medical corporation fees and PLLCs annual registration fees are also increasing. The national veterinary technician exam is increasing, largely due to increased costs being charged to the board's for administration of the exam. We are also increasing the cost of the veterinary facility annual permit.

Written confirmation of licensure will have added "registration or certification" to cover technicians and CAETs as well. The roster of persons or facilities registered, certified or licensed will now indicate either in "written or electronic" formats to allow us the option of e-mailing the lists, if requested in that format.

FILED

TITLE 26  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF VETERINARY MEDICINE

2004 AUG 19 P 3 28

SERIES 6  
SCHEDULE OF FEES

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**26-6-1. General.**

- 1.1. Scope. B 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. --
- 1.4. Effective Date. -- ~~July 1, 2003~~

**26-6-2. Schedule of Fees.**

- 2.1. Veterinarian application, examination, and license fee ~~..\$200.00~~ \$300.00
- 2.2. Duplicate license ~~\$10.00~~ \$15.00
- 2.3. Annual renewal fee ..... ~~\$150.00~~ \$225.00
- 2.4. Temporary permit ...~~\$50.00~~ \$100.00
- 2.5. Temporary permit renewal fee ..... \$ 25.00
- 2.6. Written confirmation of licensure, registration or certification by West Virginia  
\$25.00
- 2.7. North America Veterinary License Exam (NAVLE) eligibility processing fee \$50.00
- 2.8. Veterinary Medical Corporation annual registration fee ~~..\$75.00~~ \$100.00
- 2.9. Professional Limited Liability Company annual registration fee ~~....\$75.00~~ \$100.00
- 2.10. Veterinary Technician application, exam & registration fee ~~-\$60.00~~ \$80.00
- 2.11. Veterinary Technician annual renewal fee.....~~\$40.00~~ \$60.00
- 2.12. Veterinary Technician National Examination ~~---\$175.00~~ \$200.00
- 2.13. Certified Animal Euthanasia Technician application, exam & certification fee.  
~~\$25.00~~ \$50.00

- 2.14. Certified Animal Euthanasia Technician training program fee \$200.00
- 2.15. WV State Police Background Check \$30.00
- 2.16. Inspection of a facility which employs a Certified Animal Euthanasia Technician..  
\$250.00
- 2.17. 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
- 2.18. Rules and Practice Act \$ 25.00
- 2.19. Relief permit fee \$ 25.00
- 2.20. Relief permit renewal fee...\$ 25.00
- 2.21. Emergency relief permit ~~-\$ 50.00~~ \$100.00
- 2.22. Facility inspection fee \$250.00
- 2.23. Facility re-inspection fee \$300.00
- 2.24. Veterinary facility annual permit.... ~~\$ 25.00~~ \$50.00
- 2.25. Written change of name \$ 10.00
- 2.26. Written change of address \$ 10.00
- 2.27. Copies of public records (per page) \$ .50
- 2.28. Continuing education program review and evaluation..\$50.00
- ~~2.28-29.~~ 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.
- ~~2.29~~30... All fees shall be payable to the West Virginia Board of Veterinary Medicine by check, cashiers check, money order, or cash.