

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

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Form #3

**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(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 :

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

\$4.20

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 3, 1998

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) West Virginia Board of Veterinary Medicine 1900 Kanawha Boulevard, East, Charleston, West Virginia 25305-0119

LEGISLATIVE RULE TITLE : Schedule of Fees

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

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

June 29, 1998

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 29, 1998

- 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 3, 1998

- 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 1900 Kanawha Blvd., E., Charleston, WV 25305-0119 Phone (304) 558-2016 Fax (304) 558-0891 e-mail goodww@mail.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.

N/A

- b. Date of hearing or comment period:

N/A

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

N/A

- d. Attach findings and determinations and reasons:

Attached N/A

FILED

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

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Form #2

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

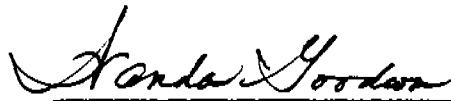
TITLE OF RULE BEING AMENDED : Schedule of Fees

IF NO, SERIES NUMBER OF RULE BEING PROPOSED:

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 7/29/98 AT 4:00 p.m. . ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

1900 Kan. Div. E.
Char., WV 25305-0119
Attn: W. L. Gordon

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



Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

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: 1900 Kanawha Boulevard, East, Charleston, West Virginia 25305-0119

1. **Effect of Proposed rule**

N/A

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST					
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. **Explanation of Above Estimates:**

N/A

3. **Objectives of These Rules:** To specify fees for CAET legislation passed in 1998 legislative session and to fund needed revenue increases to carry out operations of the West Virginia Board of Veterinary Medicine

Rule Title: Schedule of Fees

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: 6/29/98

Signature of Agency Head or Authorized Representative



Statement of Circumstances §26CSR6

The West Virginia Board of Veterinary Medicine is a self-appropriated board, with the responsibility of protecting the interest of the citizens of West Virginia relative to veterinary care. As we have expanded our services for this purpose, now operating a full time office, employing a full time Executive Director, meeting three to four times annually, preparing and distributing a semi-annual newsletter and utilizing the services of an investigator and inspector on an as needed basis, our costs have risen proportionately. Additionally, the computer age in which we must now operate requires equipment which can accommodate the needs of a modern licensing board.

As we were operating with surplus funds adequate to accommodate our costs above income for several years, it was not necessary to ask for rate increases. This is now essential for the continued stable operations of this board. In the event of our being faced with a substantial hearing, our operations could be halted or considerably crippled.

The passage in the 1998 West Virginia Legislature of the Certified Animal Euthanasia Technician law also requires the opening of Series 6 (Schedule of Fees) to specify fees for the training, application, examination and certification of such certifications.

Summary of Rule §26CSR6

In complying with the rule which specifies that veterinary facilities are to be inspected, we must fund this operation. As these inspections are being performed by our contracted investigator, at an hourly rate plus mileage, it can cost greater than receipt for an inspection. Additionally, if a facility fails and requires a re-inspection, it is not possible to inspect additional premises on the trip, which is the reason for the greater fee for re-inspections.

New fees are listed for the Certified Animal Euthanasia Technician legislation, and to accommodate inspection of the facilities where such CAET's are employed, if necessary.

We are deleting inactive license fees, as there is no specification in the practice act for this. Also, we do not have license by endorsement, as all candidates must now sit for a West Virginia jurisprudence exam on the veterinary laws.

Annual veterinary license fees are being increased to accommodate needed funding to carry out the increased operations of the board, as specified in Summary of Circumstances. We allow for some attrition on renewals in altering these fees, by veterinarians who retain a license in West Virginia while not practicing. However, we anticipate the drop in numbers will be more than covered by increased rates.

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TITLE 26
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF VETERINARY MEDICINE

SERIES 6
SCHEDULE OF FEES

§26-6-1. General.

- 1.1. Scope. -- This schedule establishes the fees to be charged licensed veterinarians by the Board.
- 1.2. Authority. -- West Virginia Code §30-10-4(c)
- 1.3. Filing Date. -- April 28, 1992
- 1.4. Effective Date. -- April 28, 1992

§26-6-2. Schedule of Fees.

- 2.1. Veterinarian application, examination, and license fee ~~\$ 95.00~~ \$150.00
- 2.2. License fee.....\$ 5.00
- 2.3. ~~2.2.~~ Duplicate license..... ~~\$ 5.00~~ \$10.00
- 2.4. ~~2.3.~~ Annual renewal fee ~~\$ 100.00~~ \$125.00
- 2.5. ~~Non-practicing veterinarian renewal fee: Veterinarians outside state of W. Va.; Veterinarians not operating in private practice of veterinary medicine, including veterinarians performing governmental work; Veterinarians on inactive list~~ \$ 50.00
- 2.6. ~~Veterinarians wishing to change status from inactive status must pay difference of renewal fee listed in subsection 2.4 and 2.5 above~~ \$ 50.00
- 2.7. ~~2.4.~~ Temporary permit..... ~~\$ 25.00~~ \$50.00
- 2.8. ~~2.5.~~ Temporary permit renewal fee\$ 25.00
- 2.9. ~~Endorsement into West Virginia.....application fee plus license fee plus \$10.00 a month until the end of current licensing year.~~
- 2.10. ~~2.6.~~ Written confirmation of licensure by West Virginia..\$ 25.00
- 2.11. ~~2.7.~~ Veterinary Medical Corporation application fee ~~\$ 25.00~~ \$50.00
- 2.12. ~~2.8.~~ Veterinary Medical Corporation annual registration fee \$ 50.00

2.9. Professional Limited Liability Company annual registration fee... \$ 50.00

~~2.13.~~ ~~2.10.~~ Veterinary Technician application, exam & registration fee.. ~~\$ 25.00~~ \$40.00

~~2.11.~~ Veterinary Technician registration..... \$ 5.00

~~2.15.~~ 2.11. Veterinary Technician annual renewal fee. ~~\$ 20.00~~ \$25.00

2.12. Certified Animal Euthanasia Technician application, exam & certification fee
..... \$25.00

2.13. Certified Animal Euthanasia Technician training program fee..
..... \$200.00

2.14. Inspection of a facility which employs a Certified Animal
Euthanasia Technician \$200.00

~~2.16.~~ 2.15. Roster

a. Veterinarians \$ 25.00

b. Veterinary Technicians \$ 10.00

~~2.17.~~ 2.16. Rules and Regulations and Practice Act \$ 25.00

~~2.18.~~ 2.17. Relief permit fee \$ 25.00

~~2.19.~~ 2.18. Relief permit renewal fee..... \$ 25.00

2.19. Emergency relief permit..... \$ 50.00

~~2.20.~~ 2.20. Facility inspection fee ~~\$ 150.00~~ \$200.00

~~2.21.~~ 2.21. Facility re-inspection fee ~~\$ 150.00~~ \$250.00

2.22. Veterinary facility annual permit..... \$ 25.00

2.23. Written change of name..... \$ 10.00

2.24. Written change of address.... \$ 10.00

2.25. Copies of public records (per page) \$.50

~~2.22.~~ 2.26. All fees not paid by the due date shall be assessed a penalty to be determined by the Board not to exceed 25% of the original fee required.

~~2.23.~~ 2.27. All fees shall be payable to the West Virginia Board of Veterinary Medicine by check, cashiers check, money order, or cash.