

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Form #3

Do Not Mark In This Box

FILED

2013 JUL 26 PM 12: 32

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: 30-10-6

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

**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: 7/26/13

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* WV Board of Veterinary Medicine

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

304-776-8032 phone  
304-776-8256 fax

LEGISLATIVE RULE TITLE: Schedule of Fees

1. Authorizing statute(s) citation \_\_\_\_\_

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

June 26, 2013

b. What other notice, including advertising, did you give of the hearing?  
published in newsletter which was sent to all licensees and posted on website

c. Date of Public Hearing(s) *or* Public Comment Period ended:

July 26, 2013 noon

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 26, 2013

---

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

Carey Fleming, Executive Director, WV Board of Veterinary Medicine, 5509 Big  
Tyler Road, Suite 3, Cross Lanes, WV 25313  
304-776-8032 phone  
304-776-8256 fax  
cfleming@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 

---

Brief Summary

West Virginia Code of State Regulations

Title 26, Series 6

After review of H.B. 4037, the Board of Veterinary Medicine has determined that the schedule of fees should be modified to eliminate financial obstacles for returning military veterans and their accompanying spouses.

Statement of Circumstances

West Virginia Code of State Regulations

Title 26, Series 6

The West Virginia Board of Veterinary Medicine has determined that to comply with H.B. 4037 the Schedule of Fees required modification to allow for waiving of fees for veterans and their accompanying spouses upon return from active duty.

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: cfleming@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.

No anticipated costs or revenue of state government for this rule.

**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
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
Other	0.00	0.00	0.00
2. Estimated Total Revenues	0.00	0.00	0.00

Schedule of Fees

Rule Title: \_\_\_\_\_

Rule Title: \_\_\_\_\_

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

no anticipated increase or decrease in total revenues

### 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 purpose of the proposed change is to aid military veterans and their accompanying spouses in returning to their profession. The Board has removed the financial stress of licensing, inspection and renewal fees for their first year back from active duty.

To date, the Board has not knowingly had any experience with returning veterans seeking licensure, registration or certification, therefore, the financial impact is assumed to be minimal.

Date: 6/26/13

Signature of Agency Head or Authorized Representative

\_\_\_\_\_

FILED

TITLE 26  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF VETERINARY MEDICINE

2013 JUL 26 PM 12:32

SERIES 6  
SCHEDULE OF FEES

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. -- W. Va. Code §30-10-5.
- 1.3. Filing Date. -- June 13, 2013.
- 1.4. Effective Date. -- September 9, 2013.

§26-6-2. Schedule of Fees.

2.1. Veterinarian application, examination and license fee .....	\$300.00
2.2. Duplicate license, registration or certification certificate .....	\$25.00
2.3. Duplicate license, registration or certification renewal certificate .....	\$25.00
2.4. Annual veterinary license renewal fee.....	\$250.00
2.5. Temporary permit .....	\$100.00
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.....	\$75.00
2.8. Certified Animal Euthanasia Technician continuing education program fee.....	\$250.00
2.9. Veterinary Technician application, exam & registration fee.....	\$100.00
2.10. Veterinary Technician annual renewal fee .....	\$80.00
2.11. Animal euthanasia gas chamber inspection administrative fee .....	\$100.00
2.12. Certified Animal Euthanasia Technician application, exam & certification fee .....	\$75.00
2.13. Certified Animal Euthanasia Technician training program fee .....	\$225.00
2.14. Certified Animal Euthanasia Technician annual renewal fee.....	\$50.00
2.15. Animal Euthanasia Facility annual registration fee.....	\$50.00
2.16. WV State Police Background Check .....	\$45.00
2.17. Inspection of a facility which employs a Certified Animal Euthanasia Technician.....	\$250.00

2.18. Roster; (written or electronic)	
2.18.a. Veterinarians .....	\$25.00
2.18.b. Veterinary Technician.....	\$10.00
2.18.c. Certified Animal Euthanasia Technicians.....	\$10.00
2.18.d. Registered Veterinary Facilities.....	\$25.00
2.19. Rules and Practice Act.....	\$35.00
2.20. Facility inspection fee.....	\$300.00
2.21. Facility re-inspection fee .....	\$400.00
2.22. Veterinary facility annual permit.....	\$100.00
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
2.26. Continuing education program review and evaluation.....	\$50.00

2.27. A penalty to be determined by the Board, not to exceed 25% of the original fee required, shall be assessed on all fees not received by the board by the due date.

2.28. All fees shall be payable to the West Virginia Board of Veterinary Medicine by check, cashiers check, money order, cash, credit card or electronic transfer, if and when such credit card or electronic transfer services are available.

2.29. Fees for licensing, registration, or certification will be waived for a military veteran and their accompanying spouse, for the first year upon return from active duty. Fees for renewals of licenses, registrations or certifications for a military veteran, and their accompanying spouse, will be waived during their deployment. Fees for inspection of a veterinary facility solely owned by a military veteran and/or their accompanying spouse, will be waived for the first year upon return from active duty.

5509 Big Tyler Road, Suite 3  
Cross Lanes, WV 25313  
Phone (304) 776-8032  
FAX (304) 776-8256



WEST VIRGINIA  
BOARD OF VETERINARY MEDICINE

MEMO

TO: Office of the Secretary of State

FROM: Carey Fleming, Executive Director, WV Board of Veterinary Medicine

RE: Comment Period for Rule Amendment submitted June 26, 2013

DATE: July 26, 2013

The WV Board of Veterinary Medicine posted a Notice of a Comment Period on a Proposed Rule (Series 6 – Schedule of Fees) on June 26, 2013. No written or oral public comments were received by the end of the comment period and therefore, no amendments were made to the originally submitted rule amendments.