

**2016 WV Board of Examiners in Counseling Proposed Rule Changes
PUBLIC COMMENTS RECEIVED
7/26/2016 to 8/25/2016**

Series 2, Licensed Professional Counselor Fees Rule
Series 3, Licensed Professional Counselor License Renewal & Continuing Education Requirements
Series 9, Licensed Marriage and Family Therapist Fees Rule
Series 10, Licensed Marriage & Family Therapist License Renewal & Continuing Education Requirement

- A total of Six (6) comments and five (5) questions were received.
- Beginning on Page 13 is a summary of the **board's responses** from the 8/26/2016 board meeting. Please note, **responses are also included** immediately after comments if it appeared some of the information initially provided was not reviewed.

#1-Comment

Thomas Miller, MA, LPC, ALPS

Miller, Thomas D <Thomas.D.Miller@wv.gov>

To: rclay27@msn.com; Cc: chris.walters@vNsenate.gov; ed gaunch@wvsenate.gov; ron.walters@wvhouse.gov;tim.armstead@wv.gov

Reply all

Today 2:42 PM

From: Miller,Thomas D <Thomas.D.Miller@wv.gov> Sent: Wed 7/27/2016 2:42 PM

To: rclay27@msn.com;

Cc: chriswalters@vNsenate.gov; ed.gaunch@wvsenate.gov;ron.walters@vNhouse.gov; tim.armstead@wvhouse.gov; ron@rnwalters.com; chris@rnwalters.com; lgk@suddenlink.net; lbplay@suddenlink.net; brubenstein@marshall.edu; burton15@marshall.edu;

Roxanne,

Pursuant to Chapter 298-1 of the West Virginia Code, otherwise known as the "Freedom of Information Act", please provide me a copy of the financials for the Board for the past three (3) years including statement(s) of all income, debits and/or expenses and the fiscal note(s), actuarial, and/or other budget(ing) process(es), Board meeting minutes and/or other calculations upon which the proposed Rule change(s) were based. Please include the balance statements from any and/or all accounts held and/or managed by the Board. The information requested may be provided to me in an electronic format in order to save expense(s) and to help keep the Board in compliance with the Paperwork Reduction Act.

Also, please accept this e-mail as my formal objection and protest to the proposed license renewal structure(s) and fee(s). My objection(s) is/are based on the fact that just about every other professional license in the State is on a biennial renewal cycle - not an annual renewal cycle as proposed by the Board in this Rule. Switching to an annual renewal cycle would seem to be not only onerous to those applying for and/or seeking licensure and/or renewal but also on the Board in having to process all those renewals. To me, the proposed Rule change(s) will result in additional expense to the Board and the State as well as place a tremendous burden on those seeking licensure, renewing their credentials, and/or seeking other authority under the Board. The same should be said about the process for being an approved CEU provider.

Respectfully,

Thomas Miller, MA, LPC, A LPS

Fri 7/29/2016 12:30 PMthomas.d.miller@wv.gov

To: Thomas Miller,

Thank you for your comments regarding WVBECE's proposed rule changes.

All comments will be taken to the August 26, 2016 board meeting for review and consideration. A response to all comments will be provided thereafter.

In following through with your FOIA request received on July 27, 2016, please see below:

WVBEC board minutes are posted on our website and available for review at the direct link provided below:

<http://www.wvbec.org/allaboutwvbec/boardminutes.html>

The approved minutes for the Finance Committee meetings will not be available until after our next meeting. I am in the process of scheduling the meeting for the week of August 8. I will email the approved minutes as soon as they are available.

Additionally, I was not completely sure exactly what you wanted in regards to the financials for the board; however, I have attached the documents listed below that I believe is responsive to your request. If additional information is needed, please let me know.

1. FY 2014 Revenue vs. Expenditure
2. FY 2015 Revenue vs. Expenditure
3. FY 2016 Revenue vs. Expenditure
4. FY2017 Expenditure Schedule
5. Proposed Revenue Plan document
6. Detailed Explanation of Proposed Rule Changes for fee increase. (This document was previously provided in the initial email notice and on our website.)

Thank you and please let me know if I can be of further help.

Respectfully,

Roxanne Clay
Executive Director

Fri 8/19/2016 10:36 AM thomas.d.miller@wv.gov

Please acknowledge receipt of this email for board records. Thank you.

To: Thomas Miller,

As a follow up to my previous email and your FOIA request, please find attached the approved meeting minutes for WVBEC's Finance committee.

Thank you and please let me know if I can be of further help.

*Please check the home page of our website periodically for important notices and updates@
www.wvbec.org

Thank you,
Roxanne Clay
Executive Director

#2- Comment**Joy D. Messenger, MS, CRC, LPC, LCSW, ALPS****July 28, 2016****West Virginia Board of Examiners in Counseling****815 Quarrier Street****Suite 212****Charleston, WV 25301****Dear WVBE:**

I strongly oppose Series 2, Proposed LPC Fee Rules changes to 27CSR2 in particular 2.3.a.1 and 2.4.c. that propose changing license renewal from biannual to annual with a doubling of the fee. It is difficult to bring members into the Counseling profession at this time and to burden professional counselors with an annual renewal verses biannual does not make the field of practice any more inviting. The economic reality for providers is that reimbursement is becoming more difficult with payers demanding more and paying less. I would propose keeping biannual re-certification and implementing a more reasonable fee increase for biannual recertification of 250.00.

Furthermore, the administrative cost for the WVBE to implement an annual re-certification would seem to be an unnecessary burden for both the Board and the providers.

Thank you for considering this feedback.

Sincerely,

Joy D. Messenger, MS, CRC, LPC, LCSW, ALPS

 Thu 7/28/2016 5:48 PM Joy Messenger (jmessenger@achcinc.org)

To: Joy Messenger,

Thank you for your comments regarding WVBE's proposed rule changes.

All comments will be taken to the August 26, 2016 board meeting for review and consideration. A

response to all comments will be provided thereafter.

Please let me know if I can be of further help.

 Fri 7/29/2016 9:52 AM Joy Messenger (jmessenger@achcinc.org)

Joy,

In addition to the email I sent yesterday, I wanted to add the following for clarification.

You included in your letter to the board your opposition to "proposed LPC Fee Rules to 27CSR2 in particular 2.3.a.1 and 2.4.c. that propose changing license renewal from biannual to annual with a doubling of the fee". Please see the information below that helps provide clarification to the proposed changes:

Section 2.4.c. relates to the renewal of the Approved Provider of Continuing Education with WVBE. The proposed changes include the transition to an annual renewal for this approved provider-ship, in place of the current biennial renewal and includes the following language "Biennial Annual fee to re-certify as an approved provider -- \$100.00 \$200.00 payable only after the Board has notified the provider that it is eligible to re-certify."

Section 2.3.c. is the portion of the rule that relates to the proposed renewal fee for the licensed professional counselor and reads: "Biennial Annual license renewal -- \$220.00 \$145.00

This proposed increase represents a 31.8% increase.

I hope this information is helpful to you. Please let me know if you have further questions or if I can be of further help.

Please acknowledge receipt of this email for board records. Thank you.

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www.wvbec.org

Thank you,
Roxanne Clay
Executive Director

Mon 8/1/2016 11:29 AM 'Counseling Board' (rclay27@msn.com)
Roxanne,

You are absolutely correct. I stand corrected. My statement was a misprint and I fully acknowledge the proposed fee.

**Thank you for the feedback and keeping me straight.
Joy Messenger**

**#3-Comment
Jeff Bryson, LPC/ALPS (WV), IMFT (OH)
CCSOTS, AAMFT Clinical Fellow**

Mon 8/1/2016 6:49 AM Counseling Board (RClay27@msn.com)

I oppose the annual fee in two areas:

1. First, I do not see any justification for moving from biennial to annual fees. Most licensing authorities operate biennially. Without knowledge of how the board decided to propose this change, it is not possible for us to make an informed consent type of agreement with this change.

2. Second, I do not see any justification in raising the fee.

A. The fee is too high for WV Counselors who work in agencies who either do not provide CEU and license fee assistance, or where this is very limited.

B. Salaries have not increased in the last 10 or more years for many LPCs in WV. Because the rate of pay for LPCs has been stagnate, raising the fees would be unjustified.

C. Currently, the board prints new expiration dates on a printer using address labels purchased at any office supplier. My friends and colleagues in other states make fun of this. It's appearance is not professional. Raising the fee without improving this system, is unjustified. Options would be - provide new License certificates with only the original date of licensure and no expiration date, with a computer database where the public can check the standing with the board, or provide a wallet card with the new expiration date each for each renewal.

D. Without knowledge of the reasons for raising the fee, it is not possible for us to give an informed consent type agreement to this change. What will the increase in fees cover? What is the break-down in how our fees are used? Questions such as this are necessary for us to make comments.

Jeff Bryson, LPC/ALPS (WV), IMFT (OH)

CCSOTS, AAMFT Clinical Fellow
 Ph.D. in Criminal Justice
 MAR in Counseling
 BA in Bible and Religion

Mon 8/1/2016 12:35 PM Jeff Bryson (mftman@gmail.com)

Please acknowledge receipt of this email for board records. Thank you.

To: Jeff Bryson,

Thank you for your email and comments regarding WVBECE's proposed rule changes.

All comments will be taken to the August 26, 2016 board meeting for review and consideration. A response to all comments will be provided thereafter.

Additionally, based on the statements below and that are included in your comments, I want to ensure that you were able to review the information provided in WVBECE's Notice of the Proposed Rule Changes.

"Without knowledge of how the board decided to propose this change, it is not possible for us to make an informed consent type of agreement with this change."

And,

"D. Without knowledge of the reasons for raising the fee, it is not possible for us to give an informed consent type agreement to this change. What will the increase in fees cover? What is the break-down in how our fees are used? Questions such as this are necessary for us to make comments."

The information below is included on our website at the direct link below and provides reasons for the proposed rule changes:

<http://www.wvbec.org/boardrules/proposedrules2016.html>

In summary, WVBECE must increase its fee structure to continue its charge of ensuring the general welfare and public interest of the state and its citizens and to meet the demands placed upon it to provide licensure to professional counselors and marriage and family therapists. Please click 'Explanation of Rule Change for Fee Increase' for a detailed description.

Additionally, the proposed amendments include transitioning from a biennial to an annual license renewal. This change would require the submission of;

- (1) The 2 page renewal application, and
- (2) payment of the renewal fee (proposed \$145), on an annual basis.

The reporting of completed continuing education will not change and will remain on an biennial bases (every odd numbered year).

The information gathered on page 2 of the renewal application includes reporting violations per WV Code §30, Article 31, including felony convictions. Obtaining this information on an annual basis is critical in order for the board to follow through with its statutory duty of protection of the public. Furthermore, this change will allow the board to maintain up-to-date contact information and efficiently manage the budgeting process and stream of monthly revenue and expenses.

An annual license renewal will enable the board to more effectively meet the statutory duties of protection of the public and make it more palpable for those requiring the services of WVBECE.

It should be noted, If approved, the proposed rules that include the annual renewal and annual renewal fee, would not go into effect July 1, 2017. The LPC will have already renewed their license by this time and receive a new expiration date of 6/30/2019, which means the LPC will not begin the 'annual'

renewal and pay the proposed renewal fee until before their license expires on 6/30/2019. The LMFT will not begin the proposed 'annual' renewal and pay the proposed renewal fee until before 6/30/2018.

Additionally, the following document is included in the Notice of the Proposed Rule Change and the direct link is below:

'Explanation of Rule Change for Fee Increase'.

http://www.wvbec.org/images/PROPOSED_FEES_RULE_Supporting_Document7.2016.pdf

Thank you Jeff and I am hopeful the information provided is helpful to you and your consideration for the proposed rule changes. Please let me know if I can be of further help.

Respectfully,
Roxanne Clay
Executive Director

#4 - Comment

Elizabeth Kantor-Bright, MS, LPC, ALPS, NCC, CRC

on 8/15/2016 9:12 PM

Counseling Board (rclay27@msn.com)

Dear Board of Examiners,

I have read the proposed changes to Series 2, LPC Fee Rules and Series 3, LPC License Renewal and Continuing Education Requirements

I am in agreement with the changes and am very supportive of the increase in the fee structure. It will be much easier to renew each year and pay a smaller amount than make a larger payment every two years. This change also give the Board the increased revenue needed to provide continued quality services to those licensed in WV.

Sincerely,

Elizabeth Kantor-Bright, MS, LPC, ALPS, NCC, CRC

Your comments for the proposed rule changes have been received. Thank you Elizabeth.

*Please check the home page of our website periodically for important notices and updates@
www.wvbec.org

Thank you,
Roxanne Clay
Executive Director

#5- Comment

**Andrew Burck, Ph.D.
President, WVLPAC**

August 24, 2016

**West Virginia Board of Examiners in Counseling
815 Quarrier Street**

WVBEAC – Title 27, Series 2, 3, 9, & 10 Public Comments Received and Responses to Comments

Suite 212
 Charleston, West Virginia 25301
 West Virginia Board of Examiners in Counseling,

The West Virginia Licensed Professional Counseling Association Executive Board has reviewed the proposed rule changes and has provided some recommendations for your consideration. We look forward to hearing from the board about the rule changes. Please feel free to contact us regarding our suggestions.

Warmly,

Andrew M. Burck, Ph.D.
 President, WVLPCA

WVLPCA Response to WVBE Proposed Rule Changes 2016

Proposed Rule Changes 2016 Series 3	WVLPCA Concerns	Suggestions
<p>3.1. A licensee shall renew his or her license biennially <u>annually</u> on or before July 1, every odd numbered <u>of each year</u>. A licensee shall file the <u>required licensure renewal application in the manner prescribed by the Board and shall pay the appropriate renewal fee.</u></p>	<p>We believe this wording creates confusion between two separate processes; 1) an annual fee and 2) the biennial documentation of CE</p>	<p>3.1. A licensee is required to pay an annual license fee on or before July 1, in the manner prescribed by the Board.</p>
<p>4.1.b. At least 2 of the 35 contact hours shall be in mental health conditions specific to veterans and family members of veterans. Each licensee shall complete these 2 contacts hours of continuing education <u>on a biennium basis beginning as a prerequisite to license renewal</u> on or after July 1, 2017. Training specific to veterans and family members of veterans may include, but not be limited to, inquiring about whether clients are veterans or family members of veterans; screening for conditions such as post-traumatic stress disorder; readjustment issues; risk of suicide and prevention of suicide; military sexual assault; and depression and grief. The contact hours will be approved by the Board through requirements established in section §27-3-6.2.a of this rule.</p>	<p>Concerns are related to current enlisted military personnel. The term veteran can be associated with those of whom are retired. The terminology should encompass all military personnel current and past.</p> <p>Per the family Readiness Program with the WV National Guard: the term "Veteran" is used for all military personnel who have experienced a deployment or a person serving 20 plus years.</p> <p>The rule appears to look at mental health conditions that are related to deployments/combat related issues, but sexual assault etc. can occur without experiencing a deployment or combat tour.</p>	<p>4.1.b. At least 2 of the 35 contact hours shall be in mental health conditions specific to veterans <u>military personnel in all branches of service both current and past as well as their and family members of veterans</u> . Each licensee shall complete these 2 contacts hours of continuing education <u>on a biennium basis beginning as a prerequisite to license renewal</u> on or after July 1, 2017. Training <u>specific to veterans and family members of veterans</u> may include, but is not be <u>is not limited to</u>, inquiring about whether clients are veterans or family members of veterans; screening for conditions such as post-traumatic stress disorder; readjustment issues; risk of suicide and prevention of suicide; military sexual assault; and depression and grief. The contact hours will be approved by the Board through requirements established in section §27-3-6.2.a of this rule.</p> <p>4.2.</p>

4.9. The Board shall grant a maximum of 20 contact hours within each renewal <u>biennium</u> period for home study programs. Only home study programs pre-approved by the National Board for Certified Counselors (NBCC) and the American Counseling Association (ACA) are granted home study program approval.	WVLPCA is a chapter of the American Mental Health Counselors Association (AMHCA). We strongly believe it should either be included in this section or, given that the vast majority of CE provided by both national associations is qualified by NBCC, that ACA should be removed.	WVLPCA would like to include AMHCA
4.10. Any out-of-state counseling related continuing education programs or conferences pre-approved by the National Board for Certified Counselors and/or the American Counseling Association are automatically granted approval by the board.	The same issue as 4.9	WVLPCA would like to include AMHCA
Series 2		
2.3.c. Biennial Annual license renewal -- \$220.00 ; 145.00	Concern about the confusion about the term "renewal"	2.3.c. Annual license renewal <u>fee</u> -- 145.00

8/24/2016 8:50PM

Burck, Andrew (burck@marshall.edu) Harris, Renee (renee.harris2@anthem.com); Ellison, Marc (ellison13@marshall.edu)

Hello Andrew,

Thank you for your comments, on behalf of the WVLPCA, regarding WVBE's proposed rule changes.

All comments will be taken to the August 26, 2016 board meeting for review and consideration. A response to all comments will be provided thereafter.

Sincerely,
Roxanne Clay
Executive Director

#6 - Comment
Kelly Carter, LPC

From: wheelsnmotion@netzero.net <wheelsnmotion@netzero.net>
Sent: Wednesday, August 24, 2016 10:31 PM
To: RCLAY27@msn.com
Subject: proposed rule changes

to the board i am fine with the proposed rule changes. Series 2 lpc fee increase and series 3 lpc continuing education changes
 thanks kelly carter lpc# 1461.

wheelsnmotion@netzero.net

8/25/2016 9:23AM

Hello Kelly,

Thank you for your comments regarding WVBECE's proposed rule changes.

All comments will be taken to the August 26, 2016 board meeting for review and consideration.

Sincerely,

Thank you,
 Roxanne Clay
 Executive Director

The following are questions asked by licensees to gain clarification of the proposed rules:

#1-Question

Andi Paolo, LPC

7/27/2016You

Hi Roxanne! I have a question regarding paying for health care coverage for the previous executive director. I just retired and neither the Hancock county board of education nor the state pay for my health care coverage. (Not old enough for Medicare). I have to pay for eye and dental now too \$1,020 per year and no life insurance. Why are we going to pay for someone who is no longer employed by the WVBECE? Thanks, Andi

Sent from my iPhone

Hi Andi,

Thanks for your email. The link below takes you directly to the WV Division of Personnel's Administrative Rule.

<http://www.personnel.wv.gov/SiteCollectionDocuments/DOPRules/SPB%20Filing%20Approval%20-%20Proposed%20143CSR1%202016%203-16%20-%20Final%20File%20-%20w%20Table%20of%20Contents.pdf>

Page 44 includes the following:

14.4.e.1. Retirement.-

An employee eligible to retire at the time of separation from employment may use unused sick leave to purchase extended insurance coverage upon retirement under guidelines established by the Public Employees Insurance Agency or upon retirement to acquire additional credited service in the state

WVBECE – Title 27, Series 2, 3, 9, & 10 Public Comments Received and Responses to Comments

retirement system under guidelines established by the Consolidated Public Retirement Board.

Additionally, below is the link to the PEIA Benefit Coordinator Manual. Pages 24 - 25 outlines the requirements for retirees using accrued and unused sick leave toward extended coverage.

http://www.peia.wv.gov/Forms-Downloads/Documents/benefit_coordinators/Benefit-Coordinator-Reference-Manual-Eligibility-7-31-14.pdf

I hope this helps to answer your questions Andi, please let me know if I can be of further help.

*Please check the home page of our website periodically for important notices and updates@ www.wvbec.org

Thank you,

Roxanne Clay
Executive Director

Thank you Roxanne. You are always helpful and quick. Since I just retired in March, I guess I will be needing those retirement status papers. I haven't done any part-time employment searching - I am enjoying my time too much. Hope all is well! **Andi**

Sent from my iPhone

#2-Question

Dr. Carole A Riley, CDP, Ph.D

Wed 7/27/2016 4:01 PM rclay27@msn.com

Roxanne:

How will I know how to pay according to the new fee schedule?

1228

Sister Carole Anne Riley, CDP, Ph.D

Professor of Piano and Music Education

Associate, American Music Therapy Association

Fellow: AA Pastoral Counselors; LPC #1228

Mary Pappert School of Music

Duquesne University, Pittsburgh Pa. 15282

Executive Director, volunteer community-engagement

WV Institute for Spirituality

1601 Virginia St. E

Charleston WV 25311 wviscr@aol.com

412 901 42 59 (cell)

rileyc@duq.edu

www.duq.edu

www.WVInstituteForSpirituality.org

Write the vision; wait for it, even if it is late. Hab: 2.2
Hay diversos dones, pero un solo Dios que nos inspira (1 Cor)

Thu 7/28/2016 10:55 AM
 Dr. Carole A Riley, CDP, Ph.D (wviscr@aol.com)
 Good morning,

If approved, the proposed rules that includes the new fee schedule would not go into effect July 1, 2017. The LPC will have already renewed their license by this time and receive a new expiration date of 6/30/2019, which means the LPC will not begin the 'annual' renewal and pay the new fee until before their license expires on 6/30/2019.

Email notifications will be sent to all licensees with the renewal applications and directions 4 months before the expiration date of the license.

Thank you and please let me know if I can be of further help.

Please acknowledge receipt of this email for board records. Thank you.
 *Please check the home page of our website periodically for important notices and updates@
 www.wvbec.org

Thank you,
 Roxanne Clay
 Executive Director

#3-Question
Kari McCrobie, LPC

Wed 7/27/2016 8:42 PMrclay27@msn.com
 Thank you Roxanne. I also wanted to let you know that I mailed out my change of status form today and have purchased my first home! It's a very exciting time and I am scheduled to close this Friday the 29th!

I browsed through all the changes but as I read through them it appeared they all still read the same. I may just have missed something. Correct me if I'm wrong but for the 3 hours in Veteran's affairs will I need to do that since I'm newly licensed? My renewal will be due July of 2017.

Thanks so much for all you do!!
 Kari Blizzard, MA, MA, NCC, Licensed Professional Counselor #2208

Thu 7/28/2016 7:06 AM
 Kari Mccrobie (karimccrobie@yahoo.com)
 Good morning Kari,
 Congrats on your new home! That's very exciting! We'll look to receive your updated contact information soon.

If you go to the home page of our website and click on the links provided, one will be for the 'new rules' passed and that will be effective August 15. Those rules are clean copies, however, include the new approved language. These include the 2 hour CE requirement for the mental health needs common the VA's and their family members. You'll see there is a note that reads that this requirement does not begin

until July 1, 2017. The LPC will not be required to complete the 2 hours until after this date which will be the next renewal cycle. This requirement is for all LPCs.

The second link takes you to the proposed rule changes that have been filed. You will these copies include 'strike through' and 'underlines'(proposed changes).

I hope this helps Kari. Let me know if I can be of further help.

Thank you,
Roxanne Clay
Executive Director

#4- Question

Ric Hardison, LPC

Thu 7/28/2016 8:15 AMRClay27@msn.com

Roxanne,

Am I reading the new rule correctly to think I won't be required to obtain two hours of training related to military until the 2017-2019 period?

Ric Hardison
KPCC

Thu 7/28/2016 9:15 AMRic Hardison (ric@kpcc.com)

Good morning Ric,

Yes, you are correct.

Let me know if you have further questions.

Thank you,

*Please check the home page of our website periodically for important notices and updates@
www.wvbec.org

Thank you,
Roxanne Clay
Executive Director

#5-Question

Glendy Africano, LPC

Thu 7/28/2016 8:50 AMrclay27@msn.com

Hi, Does this mean I have until next years to complete 35 CEU hours. (or) I need to complete 35 CEU hours this year and submit this year?

Thanks,

~Glendy Africano

Thu 7/28/2016 9:25 AMfamiliaafricano@aol.comCounseling Board (rclay27@msn.com)

Good morning,

The requirement for completing and reporting of continuing education will not change with the new proposed rules. The LPC will continue to complete and report to the board the 35 hours of CE on a biennial basis, every odd numbered year.

The only change to the completion of the continuing education requirement is, beginning July 1, 2017 (the CE reporting period of July 1, 2017 through June 30, 2019), two hours of CE specific to Veterans will be required. Additional instructions and information for this 2 hour requirement will be sent prior to the effective date of this new requirement.

Thank you and let me know if I can be of further help.

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www.wvbec.org

Thank you,
Roxanne Clay
Executive Director

On 8/26/2016, WVBECE held its meeting in which all comments and questions received were reviewed. Below is an outline of the board's responses:

Included in the comments above: "Annual renewal cycle would seem to be not only onerous to those applying...will result in additional expense to the Board and the state..."

1) The proposed annual renewal requires the LPC (1) Complete and submit a two page application and (2) Submit the renewal fee.

The application document is unchanged and includes contact information of home address, business address and email address and identifying counseling specialty areas, other licenses and certifications held, membership of the professional counseling associations.

Page 2 includes the reporting of any violations of WV Code Chapter 30, Article 1, including felony convictions. This information is critical to the board in order to follow through with its statutorily mandated duties of protection of the public. This enables the board to attend to such violations immediately as opposed to the risk taken when such reporting via the renewal application is done on a biennial basis. (Note to board, Case 02-16 is example.)

2) Communication is vital between the board and licensees. The board uses email as the primary means of communication. Plannings are in place to begin distributing a quarterly E-newsletter to licensees and approved supervisors. Annual reporting of updated contact information, including email addresses, helps to ensure the board will be able to reach the licensee with important notifications, updates and matters pertaining to their licensure.

3) The reporting of completed continuing education remains on a biennial basis. Annually, WVBECE staff would process the 2 page application and payment and update the WVBECE database with any changes. This would require approximately 40-80 man hours to complete on an annual basis. The benefits of an annual license renewal, as described above, far outweigh the additional clock hours required in completing these tasks.

Included in the comments above: “Just about every other professional license in the State is on a biennial renewal cycle”

As a result of a straw poll of WV state licensing boards, it is determined that 65 % of those respondents conduct annual license renewals, many of which require the reporting of completed continuing education on a biennial basis. The boards that require an annual renewal include, but are not limited to;

Board of Chiropractors
 Board of Licensed Practical Nurses
 Board of Registered Professional Nurses
 Board of Dentistry
 Board of Veterinary Medicine
 Real Estate Commission
 Real Estate Appraiser
 Board of Optometry
 Board of Accountancy
 Medical Imaging and Radiation therapy
 Board of Forestry
 Nursing Home Administrators
 Board of Barbers and Cosmetology
 Board of Dieticians
 Board of Architects

Included in the comments above: “Currently the board prints new expiration dates on a printer using address labels purchased at any office supplier. Raising the fee without improving this system, is unjustified.”

This subject was discussed previously by the board at the April, 2015 board meeting. The board requested a cost analysis be completed for their review.

WVBEC’s finance committee completed a cost analysis of transitioning to issuing ‘renewal cards’ in place of distributing mailing labels with expiration dates. FC reported its finding to the board at the 8/26/2016 meeting. A new method would initially require issuing a new license certificate to each licensee with the omission of the expiration date. Along with the new license, and at each renewal period, each licensee will receive 2 business sized cards that serve as the renewal card.

The initial cost of issuing a new license certificate to all licensees is projected at \$1,911. This amount includes \$1,036 cost of postage. It was determined, given the very time consuming process of creating the ‘renewal stickers’, there would be no additional costs incurred for issuing renewal cards in place of the stickers. Leaving the estimated materials cost at roughly \$200 and postage at \$470 each renewal cycle.

If adopted, the first renewal cycle implementing this new method would include issuing the new license certificate and the renewal cards. The postage for the renewal cards will not be incurred leaving the net cost \$1,411.

The FC concluded this new method of issuing renewal cards would provide a professional and authentic display of the license, additionally meets audits standards. In regards to ongoing maintenance, this new method would be more efficient. In conclusion, the FC recommended to the board this new method of handling license renewal. The board accepted the FC’s recommendation and motioned to approve the new license renewal method pending approval of the proposed fee increases.

Included in the comments above:

Proposed Rule Changes 2016 Series 3	WVLP/CA Concerns	Suggestions
<p>3.1. A licensee shall renew his or her license biennially <u>annually</u> on or before July 1, every odd numbered <u>of each year</u>. <u>A licensee shall file the required licensure renewal application in the manner prescribed by the Board and shall pay the appropriate renewal fee.</u></p>	<p>We believe this wording creates confusion between two separate processes; 1) an annual fee and 2) the biennial documentation of CE</p>	<p>3.1. A licensee is required to pay an annual license fee on or before July 1, in the manner prescribed by the Board.</p>

The board decided to keep the language as filed. The language regarding ‘licensure renewal’ needs to be maintained since the licensee must submit both the 2 page application and pay the fee in order to ‘renew’ their license.

However, to help with the confusion, WVBE/EC will provide detailed and clear instructions when distributing the license renewal application notices. Additionally, the board has restructured the layout of Series 3 and 10 License Renewal and Continuing Education Rules, (3.1 and 3.2 and 10.1 and 10.2) to include the following:

3.1 A licensee shall renew his or her license ~~biennially~~ annually on or before ~~July 1~~ June 30. ~~every odd numbered year.~~

3.1.a. A licensee shall file the required licensure renewal application in the manner prescribed by the Board and shall pay the appropriate renewal fee.

~~3.1.b. 3.2. A licensee shall file the required license renewal application in the manner prescribed by the Board and shall pay the appropriate renewal fee.~~ Every odd numbered renewal year, The licensee shall provide a signed statement certifying that the continuing education requirements have been met, as set forth in section 4 of this rule. The certification statement will be included on the renewal application form on a biennial basis except as noted in section 3.4.

Included in the comments above:

<p>4.1.b. At least 2 of the 35 contact hours shall be in mental health conditions specific to veterans and family members of veterans. Each licensee shall complete these 2 contacts hours of continuing education <u>on a biennium basis</u></p>	<p>Concerns are related to current enlisted military personnel. The term veteran can be associated with those of whom are retired. The terminology should encompass all military personnel current and past.</p>	<p>4.1.b. At least 2 of the 35 contact hours shall be in mental health conditions specific to veterans <u>military personnel in all branches of service both current and past as well as their and family members of</u></p>
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<p>beginning as a prerequisite to license renewal on or after July 1, 2017. Training specific to veterans and family members of veterans may include, but not be limited to, inquiring about whether clients are veterans or family members of veterans; screening for conditions such as post-traumatic stress disorder; readjustment issues; risk of suicide and prevention of suicide; military sexual assault; and depression and grief. The contact hours will be approved by the Board through requirements established in section §27-3-6.2.a of this rule.</p>	<p>Per the family Readiness Program with the WV National Guard: the term “Veteran” is used for all military personnel who have experienced a deployment or a person serving 20 plus years.</p> <p>The rule appears to look at mental health conditions that are related to deployments/combat related issues, but sexual assault etc. can occur without experiencing a deployment or combat tour.</p>	<p>veterans . Each licensee shall complete these 2 contacts hours of continuing education <u>on a biennium basis beginning as a prerequisite to license renewal</u> on or after July 1, 2017. Training <u>specific to veterans and family members of veterans</u> may include, but <u>is not be</u> limited to, inquiring about whether clients are veterans or family members of veterans; screening for conditions such as post-traumatic stress disorder; readjustment issues; risk of suicide and prevention of suicide; military sexual assault; and depression and grief. The contact hours will be approved by the Board through requirements established in section §27-3-6.2.a of this rule. 4.2.</p>
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The board decided to keep the language as filed. The rule needs to mirror the statute and the intent behind the passed legislation - HB 4318. The note included with HB 4318 reads: “The purpose of this bill is to require the Cabinet Secretary of the Department of Veterans Assistance to work with the various medical, social work, and counseling boards to propose continuing education requirements focused on mental health issues faced by veterans and their families.”

However, WVBECC will provide clarity in the instructions provided to the licensee prior to the effective date of this portion of the rule and can include some of the suggested language in the instructions, while also maintaining the intent of the passed legislation.

Included in the comments above:

<p>4.9. The Board shall grant a maximum of 20 contact hours within each renewal <u>biennium</u> period for home study programs. Only home study programs pre-approved by the National Board for Certified Counselors (NBCC) and the American Counseling Association (ACA) are granted home study program approval.</p>	<p>WVLPCA is a chapter of the American Mental Health Counselors Association (AMHCA). We strongly believe it should either be included in this section or, given that the vast majority of CE provided by both national associations is qualified by NBCC, that ACA should be removed.</p>	<p>WVLPCA would like to include AMHCA</p>
<p>4.10. Any out-of-state counseling related continuing education programs or conferences pre-approved by the National Board for Certified Counselors and/or the American Counseling Association are automatically granted approval by the board.</p>	<p>The same issue as 4.9</p>	<p>WVLPCA would like to include AMHCA</p>

The board discussed the concerns and requests presented and determined further time and study is needed on this subject. Additionally, the board determined that researching our surrounding state’s rules to determine how this issue has been addressed will be helpful to this board. A decision will be made about what the board finds and the determinations will be provided to WVLP. If it is determined that changes need to be made, we will wait until we reopen the license renewal and continuing education requirements rules to make such changes.

Included in the comments above:

<p>2.3.c. Biennial Annual license renewal -- \$220.00; 145.00</p>	<p>Concern about the confusion about the term “renewal”</p>	<p>2.3.c. Annual license renewal <u>fee</u>-- 145.00</p>
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The fee is payment for license “renewal” and not an annual license fee, therefore, the language needs to remain, however, to provide clarity, the board has added the word “fee”. See below for changes:

2.3.c. ~~Biennial~~ Annual license renewal fee -- ~~\$220.00~~; 145.00