

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

Do Not Mark In This Box

**FILED**

JUL 3 2 36 PM '00

Form #2

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: West Virginia Board of Examiners in Counseling TITLE NUMBER: 27

RULE TYPE: Legislative CITE AUTHORITY: 30-31-5(a)(2)

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 2

TITLE OF RULE BEING PROPOSED: Fees

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 August 15, 2000 AT 4:00 pm ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

\_\_\_\_\_  
West Virginia Board of Examiners in  
Counseling @MUGC  
100 Angus E. Peyton Drive  
S. Charleston, WV 25303-1600  
\_\_\_\_\_  
\_\_\_\_\_

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

  
\_\_\_\_\_  
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

# West Virginia Board of Examiners in Counseling

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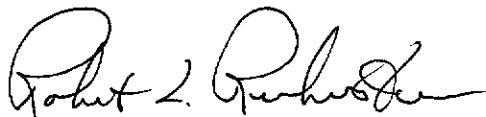
At Marshall University Graduate College  
100 Angus E. Peyton Drive  
South Charleston, West Virginia 25303-1600  
Phone: (304) 746-2512 Fax: (304) 746-1942

**July 3, 2000**

## **Approval of Filing**

### **Fees, Series 2**

**The Board of Examiners in Counseling has given their approval for the filing of this legislative rule.**



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**Robert L. Rubenstein, Chair**

# West Virginia Board of Examiners in Counseling

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At Marshall University Graduate College  
100 Angus E. Peyton Drive  
South Charleston, West Virginia 25303-1600  
Phone: (304) 746-2512 Fax: (304) 746-1942

## **Brief Summary of Proposed Rule Fees Title 27 Series 2**

Since July 1986, the Board of Examiners in Counseling has only had one series of rules. After working with this rule for all these years and dealing with the applicants and the public, it became obvious that a clearer and more concise set of rules were needed.

Series 2 pertains to all fees charged by the Board in order to operate properly. The major changes have been the addition of fees that will be charged to the agency, organization, institution or professional associations that will be offering continuing education to the West Virginia LPC. These charges are to review and monitor their programs.

The only change in the fees paid by the LPC is the pro-rated licensure fee that PERD found we needed to charge each new licensee. This was in their last report in spring 1999. It was too late at that time to do anything about it.

# **West Virginia Board of Examiners in Counseling**

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## **Statement of Circumstances**

The Board decided to Repeal and Replace, Series 1 Licensing Rule, effective April 1, 1999 and replaces it with three (3) individual series.

Series 1, Licensing Rule. Series 2, Fees. Series 3, License Renewal and Continuing Education Requirements.

Purpose is to make the rules easier to read, update information and make some changes that are noted in the summary.

□  
APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title:       Fees      

Type of Rule:  Legislative     Interpretive     Procedural

Agency:       West Virginia Board of Examiners in Counseling      

Address:       100 Angus E. Peyton Drive, South Charleston, WV 25303-1600      

1. Effect of Proposed rule:

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

2. Explanation of Above Estimates:

N/A

3. Objectives of These Rules:

N/A

Rule Title: Fees

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

N/A

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:


N/A

C. Economic Impact on Citizens/Public at Large.

N/A

Date: July 3, 2000

Signature of Agency Head or Authorized Representative:



**TITLE 27  
LEGISLATIVE RULE  
BOARD OF EXAMINERS IN COUNSELING**

**SERIES 2  
FEES**

**FILED**

**JUL 3 2 36 PM '00**

**OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE**

**§27-4-1. General.**

1.1. Scope. -- This rule establishes fee requirements related to the licensing of professional counselors, renewal of the licensee, and application and monitoring of continuing professional education providers and their programs.

1.2. Authority. —W. Va. Code §§30-31-5.

1.3. Filing Date.—

1.4. Effective Date.—

**§27-4-2. Definitions.**

2.1. Application fee -- Fee that is due at the time the initial application is submitted.

2.2. Bad check fee. -- Fee for a payment made by a check that is returned due to insufficient funds, closed account or similar failure to negotiate payment.

2.3. Initial licensing fee. -- Fee for the pro-rate amount due when licensee is initially licensed. This fee is based on the date licensee is licensed through the next scheduled expiration date.

**§27-4-3. Application of Rule.**

This legislative rule applies to all persons applying to become a licensed professional counselor, all licensed professional counselors and providers of continuing professional education programs.

**§27-4-4. Fee Schedule**

4.1. All fees paid to the Board are not refundable.

4.2. All fees, with the exception of those for examination, are payable to the West Virginia Board of Examiners in Counseling (WVBEC).

4.3. License fees.

4.3.a. The fee for the initial application for licensure is one hundred twenty dollars (\$120.00);

4.3.b. The fee for reciprocity application processing is one hundred twenty dollars (\$120.00);

4.3.c. The fee required for the issuance of the initial license certificate shall be based on the current renewal rate set in this rule;

4.3.d. The fee for biennial license renewal is seventy-five dollars (\$75.00);

(1). The fee for resubmitting the renewal application for the third time in one renewal period is seventy-five dollars (\$75.00).

4.3.e. The fee for examination score endorsement is twenty dollars (\$20.00);

4.3.f. The fee for name change of all records is five dollars (\$5.00);

4.3.g. The fee for endorsement to another state or a National and/or State certification is twenty dollars (\$20.00);

4.3.h. The fee for a duplicate certificate is ten dollars (\$10.00);

4.3.i. The fee for filling a request for public information, print or electronic data, and/or other services relating to the Board, its members, or licensed professional counselors, is calculated based on the actual cost of materials, employee time, and/or services required to comply with the request;

4.3.j. The fee for a bad check is twenty dollars (\$20.00); and,

4.3.k. The annual fee for monitoring the Restricted Practice License counselors is twenty-five dollars (\$25.00).

4.4. Continuing professional education provider and programs fees.

4.4.a. The application fee to become an approved provider of continuing professional education biennially is one hundred fifty dollars (\$150.00);

4.4.b. The application fee to become an approved provider of continuing professional education for one event only is fifty dollars (\$50.00);

4.4.c. The fee to monitor the continuing professional education records and activities of an approved provider for the purpose of quality assurance is fifty dollars (\$50.00) for one event in each biennial and one hundred dollars (\$100.00) for more than one event in each biennial; and,

4.4.d. The biennial fee to re-certify as an approved provider is one hundred dollars (\$100.00), payable only after the Board has notified the provider that it is eligible to re-certify.

(1). An approved provider who does not pay a fee to re-certify within thirty (30) days of notice forfeits all rights and privileges of an approved provider.

4.5. Examination fees.

4.5.a. The fee for the examination required by the Board is established by and payable to the National Board for Certified Counselors (NBCC) or its designee; and,

4.5.b. The additional fee to administer the exam will be based on the current cost of the facilities, number of proctors for the exam, and the employee's time to process the exam.