

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

Form #2

Do Not Mark In This Box

FILED

2009 JUN 16 PM 3: 56

OFFICE 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: 30-31-7

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: 9

TITLE OF RULE BEING PROPOSED: Marriage and family therapists fee rule

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 July 17, 2009 AT 5:00 PM ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

WVBEC, Post Office Box 129, Ona, West Virginia 25545

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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Post Office Box 129

Ona, West Virginia 25545

800-520-3852

[www.wvbec.org](http://www.wvbec.org)

[counselingboard@msn.com](mailto:counselingboard@msn.com)

### Approval of Filing

#### Marriage and Family Therapists Fees Rule, Series 9

During the May 22, 2009 board meeting, members voted unanimously to approve and file this proposed legislative rule.

  
\_\_\_\_\_  
Jean Ann Johnson, Executive Director

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

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### **Statement of Circumstances**

#### **Marriage and Family Therapists (MFT) Fees Rule Series 9**

The 2009 legislature passed HB 2532 which allows the licensing of Marriage and Family therapists by the Board of Counseling, therefore; a rule is being established to set the fees required for operation of the Board.

### **Brief Summary**

- This new rule will establish the fee requirements for applying and maintaining licensure as a MFT. Included but not limited to:
  - Application Fee
  - Initial licensing fee
  - Renewal Fee
  - Renewal Late Fee
  - Reinstatement fee
  - Continuing Education Approved Provider fees

APPENDIX B

**FISCAL NOTE FOR PROPOSED RULES**

Rule Title: Marriage and Family Therapist Fees

Type of Rule:  Legislative  Interpretive  Procedural

Agency: West Virginia Board of Examiners in Counseling

Address: Post Office Box 129, Ona, West Virginia 25545

Jean Ann Johnson

Phone Number: 304-733-5494 Email: counselingboard@msn.com

**Fiscal Note Summary**

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

No impact on state government as the Board of Counseling is a non-appropriated board. WVBECE operates solely on the fees generated thru the collection of marriage and family therapist licensure fees.

**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.

<b>FISCAL YEAR</b>			
Effect of Proposal	Current Increase/Decrease (use "--")	Next Increase/Decrease (use "--")	Fiscal Year (Upon Full Implementation)
<b>1. Estimated Total Cost</b>			
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Other			
<b>2. Estimated Total Revenues</b>			

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

Rule Title: Marriage and Family Therapist Fees

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

This is a new licensure of marriage and family therapist (MFT) established under the Board of counseling. The amount of fees expected to be generated over the next five years is minimal.

Date: 06/15/09

Signature of Agency Head or Authorized Representative

Jean Ann Johnson

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

FILED

2009 JUN 16 PM 3:57

**SERIES 9  
MARRIAGE AND FAMILY THERAPIST  
FEES RULE**

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**§27-2-1. General.**

1.1. Scope. -- This rule establishes fee requirements related to the licensing of marriage and family therapists, renewal of the licenses, 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.— June 16, 2009

1.4. Effective Date.—

**§27-2-2. Definitions.**

2.1. “Bad check fee” means a fee for a payment made by a check that is returned due to insufficient funds, closed account or similar failure to negotiate payment.

**§27-2-3. Fee Schedule**

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

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

3.3 License fees.

3.3.a. The fee for the initial application for licensure is \$200.00;

3.3.a.1. The fee required for the issuance of the initial license certificate shall be calculated on the current renewal rate set in this rule, the date the license is issued and the number of days remaining in the current biennial renewal cycle;

3.3.b. The fee for reciprocity application processing is \$200.00;

3.3.c. The biennial fee for all licensees for the regulatory board membership is \$50.00. Fee will be due at the time of renewal.

3.3.d. The fee for biennial license renewal is \$220.00;

3.3.e. The fee for late renewal during the 60 day grace period is \$50.00;

3.3.f. The reinstatement fee for licensure renewal after the end of the 60 day grace period or reinstatement following revocation or suspension of license is \$250;

3.3.g. The fee for examination score endorsement is \$25.00;

3.3.h. The fee for name change on all records is \$5.00;

3.3.i. The fee for endorsement to another state or a National or State certification is \$25.00;

3.3.j. The fee for a duplicate certificate is \$10.00;

3.3.k. The fee for filling a request for public information, print or electronic data, or other services relating to the Board, its members, or marriage and family therapists, is calculated based on the actual cost of materials, employee time, and services required to comply with the request; and

3.3.l. The fee for a bad check is \$30.00.

#### 3.4. Continuing professional education provider and programs fees.

3.4.a. The application fee to be certified as an approved provider of continuing professional education biennially is \$150.00;

3.4.b. The application fee to be certified as an approved provider of continuing professional education for one event is \$50.00 per day of event.

3.4.c. The fee to monitor the continuing professional education records and activities of an approved provider for the purpose of quality assurance is \$50.00 for one event in each biennial year cycle and \$100.00 for more than one event in each biennial year cycle; and,

3.4.d. The biennial fee to re-certify as an approved provider is \$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 30 days of notice forfeits all rights and privileges of an approved provider.

#### 3.5. Examination fees.

3.5.a. The fee for the examination required by the Board is established by and payable to the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) or its designee.