

**WEST VIRGINIA  
SECRETARY OF STATE  
BETTY IRELAND  
ADMINISTRATIVE LAW DIVISION**

Form #3

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RECEIVED  
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OFFICE OF 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 Dental Examiners TITLE NUMBER: 5

CITE AUTHORITY: §30-1-6; §30-4-6; §30-4A-15 & §30-4A-18

AMENDMENT TO AN EXISTING RULE: YES  NO


IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: Fees Established by the Board

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

Richard D. Smith, DDS  
President  
1501 Seventh Avenue  
Charleston, WV 25312

Mrs. Dina Agnone Vaughan, BSDH, MS  
Secretary  
10 Francis Way  
Lewisburg, WV 24901

John C. Dixon, DDS  
1961 Parkwood Road  
Charleston, WV 25314

Bernard J. Grubler, DDS  
154 Leewood Farms Road  
Wheeling, WV 26003

James W. Vargo, DDS  
92 Brookshire Lane  
Beckley, WV 25801

David G. Edwards, DDS  
1512 Commerce Street  
Wellsburg, WV 26070



WEST VIRGINIA BOARD OF DENTAL EXAMINERS  
207 S. HEBER STREET  
BECKLEY, WV 25801  
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Mrs. Dolores L. Gribble  
11 Davis Place  
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Staff

John F. Parkulo  
Executive Secretary

Susan M. Combs  
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Carolyn A. Brewer  
Office Assistant

July 26, 2005

The Honorable Betty Ireland  
Secretary of State  
Building 1, Suite 157-K  
1900 Kanawha Blvd., East  
Charleston, WV 25305-0770

Dear Secretary Ireland:

The West Virginia Board of Dental Examiners, in session July 25, 2005, approved for filing the enclosed Notice of Agency Approval of a Proposed Rule concerning a proposed legislative rule CSR §5-3 titled Fees Established by the Board. Further, please be advised the initial Fiscal Note indicated additional revenues for fiscal year 2005, which has already passed. The information initially cited in the 2005 year should have been placed in the column for fiscal year 2006, the same has been corrected.

Please return to us one copy of the enclosed filing with the filing date shown for our records.

If further information is needed, please do not hesitate to contact me at your earliest convenience.

Very truly yours,

  
JOHN F. PARKULO  
Executive Secretary

JFP/smc  
Enclosures

**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: July 26, 2005

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) West Virginia Board of Dental Examiners  
207 South Heber Street  
Beckley, WV 25801  
304-252-8266

LEGISLATIVE RULE TITLE: Fees Established by the Board

1. Authorizing statute(s) citation §30-1-6; §30-4-6; §30-4A-15 and §30-4A-18

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:  
June 16, 2005

b. What other notice, including advertising, did you give of the hearing?  
The following people were notified directly by letter:  
All licensed Dentists and Hygienists (see attached); WV Dental Association; WV Dental Hygiene Association; WV Dental Assistants Association; Governor Manchin; Senate President Tomblin; Senators Bowman, Kessler, and Minard; House Speaker Kiss; Delegates Amores, Beane, and Mahan. This information was also posted on the Board's website

c. Date of Public Hearing(s) *or* Public Comment Period ended:  
July 20, 2005 at 4:00 pm

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached yes No comments received \_\_\_\_\_

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

July 18, 2005

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

John E. Parkulo  
WV Board of Dental Examiners  
207 South Heber Street  
Beckley, WV 25801  
304-252-8266  
304-253-9454 (fax)  
wvbde@charterinternet.com

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- 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)

same

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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.

~~Comment period only, which ended July 20 2005 at 4:00 pm.~~

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b. Date of hearing or comment period:

July 20, 2005 at 4:00 pm

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

July 28, 2005

d. Attach findings and determinations and reasons:

Attached yes

George D. Conard, Jr., DDS  
President  
6353 East Pea Ridge Road  
Huntington, WV 25705

Richard D. Smith, DDS  
Secretary  
1501 Seventh Avenue  
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Beckley, WV 25801

John F. Parkulo  
Executive Secretary  
207 S. Heber Street  
Beckley, WV 25801



WEST VIRGINIA BOARD OF DENTAL EXAMINERS  
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Susan M. Combs  
Office Manager  
207 S. Heber Street  
Beckley, WV 25801

June 15, 2005

**RE: Emergency Rules - 5CSR3; Proposed Rules - 5CSR3; 5CSR7; 5CSR8 & 5CSR9**

Dear Licensee:

Please find enclosed a copy of an Emergency Rule for fees as a result of HB2929, a complete re-write of the Dental Anesthesia Law.

Also, find enclosed a copy of proposed rules concerning the Board's fee schedule. This proposed rule is scheduled for a comment period to end on July 20, 2005 at 4:00 pm. Comments are to be mailed to the Board's address, 207 South Heber Street, Beckley, West Virginia 25801. *Any comments received after 4:00 pm July 20, 2005 will not be considered.*

Also, please be advised the Board has also set a comment period for new proposed rules Series 7, Meeting Procedures; Series 8, Dental Advertising; and Series 9, Application Procedures for Licensure or Certificate.

All of the Board's proposed rules may be viewed on the Board's website at [www.wvdentalboard.org](http://www.wvdentalboard.org) or you may call the Board's office or the Secretary of State's Office for a copy of these proposed rules. The comment period for these proposed rules ends on July 20, 2005 at 4:00 pm. Comments are to be mailed to the Board's address, 207 South Heber Street, Beckley, West Virginia 25801. *Any comments received after 4:00 pm July 20, 2005 will not be considered.*

As always, if you have any questions please do not hesitate to contact this office.

Very truly yours,

Handwritten signature of John F. Parkulo in black ink.  
JOHN F. PARKULO  
Executive Secretary

JFP/smc  
Enclosures

**WEST VIRGINIA  
SECRETARY OF STATE  
BETTY IRELAND  
ADMINISTRATIVE LAW DIVISION**

Do Not Mark In This Box  
Filing Date

Effective Date

**NOTICE OF AN EMERGENCY RULE**

AGENCY: West Virginia Board of Dental Examiners TITLE NUMBER: 5

CITE AUTHORITY: §30-4-6; §30-4A-15 of HB2929 and §30-4A-18 of HB2929

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES  NO  3

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

TITLE OF RULE BEING AMENDED: Fees Established by the Board

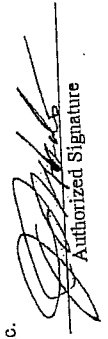
IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY SECRETARY OF STATE OR 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST.

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

The emergency rule relates to section §5-3-7 which results from the passage of HB2929, a complete re-write of the laws concerning Dental Anesthesia. Pursuant to §30-4A-15 of HB2929 the Board is required to set the fees necessary for collections of application and renewal fees by rules. HB2929 goes into effect on or about the 8th of July, 2005. There are over 100 new applicants expected to be regulated by this new law, which necessitates this emergency filing to enable the Board to effectively protect the public.

  
Authorized Signature

Use additional sheets if necessary



**WEST VIRGINIA BOARD OF DENTAL EXAMINERS**

207 S. HEBER STREET  
BECKLEY, WV 25801

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June 15, 2005

The Honorable Betty Ireland  
Secretary of State  
Building 1, Suite 157-K  
1900 Kanawha Blvd., East  
Charleston, WV 25305-0770

Dear Secretary Ireland:

The West Virginia Board of Dental Examiners in session June 10, 2005, approved for filing, the proposed emergency rule CSR §5-3 titled Fees Established by the Board, to establish fees for the regulation of dental anesthesia. **The rules are not to become effective earlier than July 8, 2005.**

**A brief summary of the rule follows:**

The legislative rule has one section of emergency portion. The emergency portion relates to section §5-3-7, which results from the passage of HB2929, a complete re-write of the laws concerning dental anesthesia. The establishment of said fees are necessary to provide the Board with funds to accomplish their legislative mandate to protect the citizens of the Great State of West Virginia in regulating dental anesthesia.

**A statement of circumstances requiring the rule follows:**

Pursuant to §30-4A-15 in HB2929 the Board will be required to set the fees necessary for collections of application and renewal fees for Dental Anesthesia by rules. HB 2929 goes into effect on or about the 8<sup>th</sup> of July, 2005. There are over 100 new applicants expected to be regulated by this new law, which necessitates this emergency filing whereas the fees were in the prior statute.

According to §30-4A-18 in HB2929, the Board has the authority to promulgate rules

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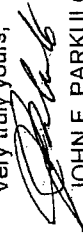
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John F. Parhalo  
Executive Secretary  
207 S. Heber Street  
Beckley, WV 25801

to establish fees to support the business of the Board.

WV Code §§30-1-6 and 30-4-6 also give the Board authority to promulgate rules.

May I thank you in advance for your prompt attention in this matter. If you have any questions or further information is needed, please do not hesitate to contact me at your earliest convenience.

Very truly yours,  
  
JOHN F. PARKULO  
Executive Secretary

JFP/smc  
Enclosures

EMERGENCY RULE QUESTIONNAIRE

DATE: 6/15/05

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) West Virginia Board of Dental Examiners

207 South Heber Street  
Beekley, WV 25801  
304-252-8266

EMERGENCY RULE TITLE: Fees Established by the Board

1. Date of filing June 16, 2005 - not to become effective earlier than July 8, 2005
2. Statutory authority for promulgating emergency rule:  
§30-1-6, §30-4-6, §30-4A-15 of HR2929; §30-4A-18 of HB2929
3. Date of filing of proposed legislative rule: June 16, 2005
4. Does the emergency rule adopt new language or does it amend or appeal a current legislative rule? yes
5. Has the same or similar emergency rule previously been filed and expired?  
no

6. State, with particularity, those facts and circumstances which make the emergency rule necessary for the immediate preservation of public peace, health, safety or welfare.

As a result of HB2929, new classes of anesthesia permits were created which will necessitate the need for regulation of possibly over 100 new permittees. It also necessitates the need for additional committee members to the Subcommittee on Anesthesia to effectively regulate the current permittees as well as the new permittees. The new Anesthesia Law directs the Board to establish fees by rule. The prior law established fees by statute. Thus, the fees are necessary to effectuate the new law and continue to protect the public health, safety and welfare in the area of Dental Anesthesia.

APPENDIX B  
**FISCAL NOTE FOR PROPOSED RULES**

Fees Established by the Board

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

Type of Rule:  Legislative  Interpretive  Procedural

Agency: West Virginia Board of Dental Examiners

Address: 207 South Heber Street  
Beckley, WV 25801

Phone Number: 304-252-8266 Email: wvbd@charterinternet.com

**Fiscal Note Summary**

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

This rule will budgetarily support the Board in its efforts to effectively carry out its Legislative mandated duties as set forth in the West Virginia Code, more specifically as set forth in the newly passed §30-4A et seq. or HB2929 of the 2005 Legislative Session which comes into effect July 2005. It will support the increased number of members on its Subcommittee on Anesthesia necessary to implement HB2929 in regards to the new permit classes. This is necessary to regulate and promote the safe use of oral sedation and enteral sedation to protect the health, safety and welfare of the Citizens of the State of West Virginia.

**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.

Effect of Proposal	FISCAL YEAR		Fiscal Year (Upon Full Implementation)
	2005 Increase/Decrease (use "-")	2006 Increase/Decrease (use "-")	
1. Estimated Total Cost			
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Equipment			
Other			
2. Estimated Total Revenues	16,000.00	10,000.00	10,000.00

If the emergency rule was promulgated in order to comply with a time limit established by the Code or federal statute or regulation, cite the Code provision, federal statute or regulation and time limit established therein.

~~To comply with the effective date of HB2929.~~

~~Note: There is no time limit established within the code as it relates to setting fees by rule. However, the effective date of HB2929 is 90 days from passage and the fees are necessary to implement the new law.~~

8. State, with particularity, those facts and circumstances which make the emergency rule necessary to prevent substantial harm to the public interest.

~~The use of oral sedation and enteral sedation (oral sedation with the use of nitrous oxide) needs to be properly regulated by the Board for the protection of the public in light of several deaths across the country due to the improper training of individual dentists wherein these deaths occurred. In order to ensure proper training of the Dentists of the State of West Virginia the Board and its Subcommittee on Anesthesia need these funds to effectively carry out the duties as set forth in HB2929.~~

TITLE 5  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF DENTAL EXAMINERS

SERIES 3  
FEES ESTABLISHED BY THE BOARD

§5-3-1. General.

- 1.1. Scope. -- This legislative rule establishes fees for the Board of Dental Examiners.
- 1.2. Authority. -- W. Va. Code §§30-1-6 and 30-4-44g.
- 1.3. Filing Date. --
- 1.4. Effective Date. --

§5-3-2. Schedule of Fees for Dentists.

- 2.1. Dental Licensure Application \$50.00
- 2.2. Out of State Dentist - Dental Licensure Application \$100.00
- 2.3. Temporary Permit \$100.00
- 2.4. Dental Intern/Dental Residency Permit \$50.00
- 2.5. Teaching Permit \$100.00
- 2.6. Investigation of Qualification for Temporary, Dental Intern/Dental Residency or Teaching Permits \$50.00
- 2.7. Annual Information & Renewal fee for a Dentist \$125.00

§5-3-3. Schedule of Fees for Hygienists.

- 3.1. Dental Hygiene Licensure Application \$35.00
- 3.2. Re-examination fee for Dental Hygienists \$10.00
- 3.3. Out of State Dental Hygienist - Dental Hygienist Licensure Application \$50.00
- 3.4. Temporary Permit \$100.00

Rule Title: Fees Establish by the Board

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

Estimates are based on projections of the addition of new applications and renewal fees. The Board estimates an increase of approximately \$10,000 per year upon full implementation of this rule. The Board estimates an increase of \$16,000 for the first year because of an influx of initial application fees for new permit classes. Such increases will enable the Board to engage additional committee members to the Board's Subcommittee on Anesthesia for the regulation of dental anesthesia for the protection of the residents of the State of West Virginia.

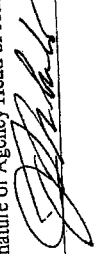
MEMORANDUM

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 fiscal impact of this rule is expected to be on those individuals regulated by the Board who will be paying an application and/or renewal fee pertaining to the regulation of dental anesthesia. These emergency rules are not to become effective earlier than July 8, 2005.

Date: 6/15/05

Signature of Agency Head or Authorized Representative



3.5. Teaching Permit	\$100.00
3.6. Investigation of Qualification for Temporary, Dental Intern/Dental Residency or Teaching Permits	\$50.00
3.7. Annual Information & Renewal fee for a Dental Hygienist	\$50.00
<b>§5-3-4. Schedule of Fees for Dental Corporations.</b>	
4.1. Application to Form a Dental Corporation	\$200.00
4.2. Annual Registration fee for a Dental Corporation	\$150.00
<b>§5-3-5. Schedule of fees for Specialty Licensure for Dentists.</b>	
5.1. Dental Specialty Licensure Application	\$300.00
<b>§5-3-6. Schedule for Miscellaneous Fees.</b>	
6.1. Verification of Licensure to another State	\$10.00
<b><u>§5-3-7. Schedule of fees for Anesthesia.</u></b>	
7.1. <u>Class Two Certification Application Fee</u>	<u>\$50.00</u>
7.2. <u>Class Two Certification Renewal Fee</u>	<u>\$25.00</u>
7.3. <u>Class Three or Four Permit Application Fee</u>	<u>\$300.00</u>
7.4. <u>Class Three or Four Permit Renewal Fee</u>	<u>\$100.00</u>

**WEST VIRGINIA  
SECRETARY OF STATE  
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**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: West Virginia Board of Dental Examiners TITLE NUMBER: 5  
30-1-6; 30-4-6; 30-4A-15 of HB2929; 30-4A-18 of HB2929  
RULE TYPE: Legislative CITE AUTHORITY:  
AMENDMENT TO AN EXISTING RULE: YES  NO   
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: Fees Established by the Board

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE 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 July 20, 2005 AT 4:00 pm ONLY WRITTEN  
COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

WV Board of Dental Examiners  
207 South Heber Street  
Beckley, WV 25801

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

JFP/smc  
Enclosures

ATTACH A BRIEF SUMMARY OF YOUR PROPOSAL

June 15, 2005

The Honorable Betty Ireland  
Secretary of State  
Building 1, Suite 157-K  
1900 Kanawha Blvd., East  
Charleston, WV 25305-0770

Dear Secretary Ireland:

The West Virginia Board of Dental Examiners in session June 10, 2005, approved for filing, the proposed rule CSR \$5-3 titled Fees Established by the Board.

Enclosed is a Notice of a Comment Period on a Proposed Rule with attachments for filing. Please return to us one copy of the proposed rule with the filing date shown for our records.

If further information is needed, please do not hesitate to contact me at your earliest convenience.

Very truly yours,  
  
JOHN F. PARKULO  
Executive Secretary

APPENDIX B  
**FISCAL NOTE FOR PROPOSED RULES**

Fees Established by the Board

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

Type of Rule:  Legislative  Interpretive  Procedural

Agency: West Virginia Board of Dental Examiners

Address: 207 South Heber Street  
 Beckley, WV 25801

Phone Number: 304-252-8266 Email: [wbde@charterinternet.com](mailto:wbde@charterinternet.com)

**Fiscal Note Summary**

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

This rule will budgetarily support the Board in its efforts to effectively carry out its Legislative mandated duties as set forth in the West Virginia Code, more specifically as set forth in §30-1 et seq.; §30-4 et seq.; §30-4B et seq.; and the newly passed §30-4A et seq. or HB2929 of the 2005 Legislative Session which comes into effect July 2005. This rule will allow the Board to recoup administrative costs of services the Board has always rendered and not charged for. The Board expects increased costs for rent at the end of their current lease which expires 6/30/2006. The Board needs the funds to implement a hearing examiner process, to increase the number of regularly scheduled meetings per year, increase salaries of their employees, and support the increased number of members on its subcommittee on anesthesia necessary to implement HB2929 in regards to the new permit classes. It will also support the Board in the ever increasing costs of employee benefits and other typical business increases that occur every year.

**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.

Effect of Proposal	FISCAL YEAR		Fiscal Year (Upon Full Implementation)
	2005 Increase/Decrease (use "+,-")	2006 Increase/Decrease (use "+,-")	
1. Estimated Total Cost			
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Equipment			
Other			
2. Estimated Total Revenues	21,000.00	83,000.00	83,000.00

**STATEMENT OF CIRCUMSTANCES**

These rules will budgetarily support the Board in its efforts to carry out its duties prescribed in West Virginia Code. This rule will allow the Board to recoup administrative costs of services the Board has always rendered and not charged for. The Board expects pay an increased rental fee beginning July 1, 2006. The Board needs funding to implement a hearing examiner process and establish funds for contracting hearing examiners and/or investigators, increase the number of regularly scheduled meetings per year, increase salaries of their employees and restructure employee responsibilities, and support the increased number of members on its Subcommittee on Anesthesia necessary to implement HB2929 in regards to new permit classes. It will also support the Board in the ever increasing costs of employee benefits and other typical business increases that occur every year.

The fiscal impact of this rule is expected to be on those individuals regulated by the board whom pay application, renewal, permit and miscellaneous fees.

**SUMMARY OF RULE**

All proposed additional fees or fee increases are proposed to provide additional revenue for the Board of Dental Examiners to continue to effectively carry out its duties by Legislative mandate. The fees are necessary to add 2 additional Board Meetings per year, allow for revenue to contract (2) Hearing Examiners, and or contract (1-2) investigators, increase employee salaries and restructure employee responsibilities, offset operating expenses that have increased with no corresponding revenue source. Some fees are included herein to effectively carry out duties of the Board and its Subcommittee on Anesthesia in accordance with HB2929 of the 2005 Legislative Session to regulate different types of dental anesthesia while protecting the health, safety and welfare of the Citizens of the State of West Virginia.

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

Estimates are based on projections of increase in application, renewal and permit fees. The Board estimates an increase of at least \$83,000 per year upon full implementation of these rules. With such increases the Board will act at least two regularly scheduled meetings per year, consider salary increases for its employees, pay increased rental costs, implement a hearing examiner process and establish funds for contracting hearing examiners and/or investigators, and use increases to help support the additional committee members to the Board's Subcommittee on Anesthesia.

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 fiscal impact of this rules is expected to be on those individuals regulated by the Board whom pay application, renewal, permit and miscellaneous fees.

Date: 6/15/05

Signature of Agency Head or Authorized Representative

TITLE 5  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF DENTAL EXAMINERS  
SERIES 3  
FEES ESTABLISHED BY THE BOARD

- §5-3-1. General.
  - 1.1. Scope. -- This legislative rule establishes fees for the Board of Dental Examiners.
  - 1.2. Authority. -- W. Va. Code §§30-1-6 and 30-4-4A6.
  - 1.3. Filing Date. --
  - 1.4. Effective Date. --

§5-3-2. Schedule of Fees for Dentists.

- 2.1. Dental Licensure Application \$50-00 \$150.00
- 2.2. Re-examination fee for Dentists (Law Exam) \$20.00
- 2.2. 2.3. Out of State Dentist - Dental Licensure Application \$100-00 \$250.00
- 2.3. 2.4. Temporary Permit \$100-00 \$150.00
- 2.4. 2.5. Dental Intern/Dental Residency Permit \$50-00 \$100.00
- 2.5. 2.6. Teaching Permit \$100-00 \$150.00
- 2.6. 2.7. Investigation of Qualification for Temporary, Dental Intern/Dental Residency or Teaching Permits \$50.00
- 2.7. 2.8. Annual Information & Renewal fee for a Dentist - \$125-00 \$150.00

§5-3-53. Schedule of fees for Specialty Licensure for Dentists.

- 53.1. Dental Specialty Licensure Application \$500-00 \$450.00

§5-3-34 Schedule of Fees for Hygienists.

- 34.1. Dental Hygiene Licensure Application \$75-00 \$60.00
- 34.2. Re-examination fee for Dental Hygienists (Law Exam) \$10-00 \$20.00

- §5-3-62. Schedule for Miscellaneous Fees.
- 62.1. Verification of Licensure to another State (Charge for licensure) \$10.00 \$25.00
- 9.2. Verification of Licensure (other entities) \$25.00 per name
- 9.3. Course approval application fee \$100.00
- 9.4. Duplicate renewal license \$5.00
- 9.5. Duplicate wall certificate \$10.00
- 9.6. Roster of Active Dental/Hygiene Licensees (paper, email or cd) \$50.00 per list
- 9.7. Roster of Active Dental/Hygiene Licensees (labels) \$100.00 per list
- 9.8. Roster of Active Dental/Hygiene Licensees (one county) (paper, email or labels) \$10.00 per list
- 9.9. Miscellaneous Copies (first page) additional pages \$3.00 \$0.25
- 9.10. Retrieval Fee \$25.00

§5-3-10. Late Renewal and Late Continuing Education Fees

- 10.1. Any Dental, Dental Specialty, Hygiene, Anesthesia, Corporation, PLLC, etc. that fail to renew by the specified renewal date, either by statute or rule, shall be assessed a penalty fee equal to the renewal fee as required by statute or rule, in addition to other conditions of renewal as set forth by statute or rule.
- 10.2. Any Licensee that fails to report their continuing education requirements as set forth by statute or rule by the required reporting date shall be assessed a penalty fee equal the annual renewal fee of said licensee.

§5-3-11. Returned Checks.

- 11.1. Returned Check Charge \$25.00
- 11.2. Failure to replace renewal or application fees due to a returned check and pay the returned check charge shall constitute grounds for denial, revocation or suspension of a license.

§5-3-12. Non Refundable.

- 12.1. All fees are non-refundable.

- 34.3. Out of State Dental Hygienist - Dental Hygienist Licensure Application \$50.00 \$100.00
- 34.4. Temporary Permit \$100.00
- 34.5. Teaching Permit \$100.00
- 34.6. Investigation of Qualification for Temporary, Dental Intern/Dental-Residency or Teaching Permits \$50.00
- 34.7. Annual Information & Renewal fee for a Dental Hygienist \$50.00 \$65.00
- 4.8. Local Anesthesia Permit Application fee \$25.00
- 4.9. Nitrous Oxide Monitoring Permit Application fee \$25.00
- 4.10. Bleaching Permit Application fee \$25.00
- §5-3-5. Schedule of Fees for Dental Assistants.
- 5.1. Nitrous Oxide Monitoring Permit Application fee \$25.00
- 5.2. Orthodontic and/or Restorative Expanded Duties Permit Application fee \$25.00

§5-3-46. Schedule of Fees for Dental Corporations.

- 46.1. Application to Form a Dental Corporation \$200.00
- 46.2. Annual Registration renewal fee for a Dental Corporation \$150.00

§5-3-7. Schedule of fees for Anesthesia.

- 7.1. Class Two Certification Application Fee \$50.00
- 7.2. Class Two Certification Renewal Fee \$25.00
- 7.3. Class Three or Four Permit Application Fee \$600.00
- 7.4. Class Three or Four Permit Renewal Fee \$200.00

§5-3-8. Schedule of fees for Professional Limited Liability Companies.

- 8.1. Application to Form a Dental Professional Limited Liability Company \$200.00
- 8.2. Annual Renewal fee for a Professional Limited Liability Company \$150.00

## SUMMARY OF RULE

All proposed additional fees or fee increases are proposed to provide additional revenue for the Board of Dental Examiners to continue to effectively carry out its duties by Legislative mandate. The fees are necessary to add 2 additional Board Meetings per year, allow for revenue to contract (2) Hearing Examiners, and or contract (1-2) Investigators, increase employee salaries and restructure employee responsibilities, offset operating expenses that have increased with no corresponding revenue source. Some fees are included herein to effectively carry out duties of the Board and its Subcommittee on Anesthesia in accordance with HB2929 of the 2005 Legislative Session to regulate different types of dental anesthesia while protecting the health, safety and welfare of the Citizens of the State of West Virginia.

## STATEMENT OF CIRCUMSTANCES

These rules will budgetarily support the Board in its efforts to carry out its duties as prescribed in West Virginia Code. This rule will allow the Board to recoup administrative costs of services the Board has always rendered and not charged for. The Board expects to pay an increased rental fee beginning July 1, 2006. The Board needs funding to implement a hearing examiner process and establish funds for contracting hearing examiners and/or investigators, increase the number of regularly scheduled meetings per year, increase salaries of their employees and restructure employee responsibilities, and support the increased number of members on its Subcommittee on Anesthesia necessary to implement HB2929 in regards to new permit classes. It will also support the Board in the ever increasing costs of employee benefits and other typical business increases that occur every year.

The fiscal impact of this rule is expected to be on those individuals regulated by the Board whom pay application, renewal, permit and miscellaneous fees.

APPENDIX B  
**FISCAL NOTE FOR PROPOSED RULES**

Rule Title: Fees Established by the Board

Type of Rule:  Legislative     Interpretive     Procedural

Agency: West Virginia Board of Dental Examiners

Address: 207 South Heber Street  
Beckley, WV 25801

Phone Number: 304-252-8266                      Email: wvbd@charterinternet.com

**Fiscal Note Summary**

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

This rule will budgetarily support the Board in it's efforts to effectively carry out it's Legislative mandated duties as set forth in the West Virginia Code, more specifically as set forth in §30-1 et seq.; §30-4 et seq.; §30-4B et seq.; and the newly passed §30-4A et seq. or HB2929 of the 2005 Legislative Session which comes into effect July 2005. This rule will allow the Board to recoup administrative costs of services the Board has always rendered and not charged for. The Board expects increased costs for rent at the end of their current lease which expires 6/30/2006. The Board needs the funds to implement a hearing examiner process, to increase the number of regularly scheduled meetings per year, increase salaries of their employees, and support the increased number of members on it's subcommittee on anesthesia necessary to implement HB2929 in regards to the new permit classes. It will also support the Board in the ever increasing costs of employee benefits and other typical business increases that occur every year.

**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	2005 Increase/Decrease (use "-")	2006 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost			
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Equipment			
Other			
2. Estimated Total Revenues		21,000.00	83,000.00

Rule Title: Fees Establish by the Board

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

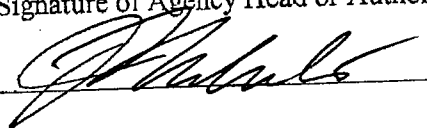
Estimates are based on projections of increase in application, renewal and permit fees. The Board estimates an increase of at least \$83,000 per year upon full implementation of these rules. With such increases the Board will add at least two regularly scheduled meetings per year, consider salary increases for it's employees, pay increased rental costs, implement a hearing examiner process and establish funds for contracting hearing examiners and/or investigators, and use increases to help support the additional committee members to the Board's Subcommittee on Anesthesia.

**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 fiscal impact of this rules is expected to be on those individuals regulated by the Board whom pay application, renewal, permit and miscellaneous fees.

Date: 6/15/05

Signature of Agency Head or Authorized Representative  


TITLE 5  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF DENTAL EXAMINERS

RECEIVED  
05 JUL 28 PM 3:47  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

SERIES 3  
FEES ESTABLISHED BY THE BOARD

§5-3-1. General.

- 1.1. Scope. -- This legislative rule establishes fees for the Board of Dental Examiners.
- 1.2. Authority. -- W. Va. Code §§30-1-6 and 30-4-4A6.
- 1.3. Filing Date. --
- 1.4. Effective Date. --

§5-3-2. Schedule of Fees for Dentists.

2.1. Dental Licensure Application	<del>\$50.00</del> <u>\$150.00</u>
2.2. <u>Re-examination fee for Dentists (Law Exam)</u>	<u>\$20.00</u>
<del>2.2.</del> <u>2.3.</u> Out of State Dentist - Dental Licensure Application	<del>\$100.00</del> <u>\$150.00</u>
<del>2.3.</del> <u>2.4.</u> Temporary Permit	<del>\$100.00</del> <u>\$150.00</u>
2.4. <u>2.5.</u> Dental Intern/Dental Residency Permit	<del>\$50.00</del> <u>\$100.00</u>
<del>2.5.</del> <u>2.6.</u> Teaching Permit	<del>\$100.00</del> <u>\$150.00</u>
2.6. <u>2.7.</u> Investigation of Qualification for Temporary, Dental Intern/Dental Residency or Teaching Permits	\$50.00
<del>2.7.</del> <u>2.8.</u> Annual Information & Renewal fee for a Dentist	<del>\$125.00</del> <u>\$150.00</u>

§5-3-53. Schedule of fees for Specialty Licensure for Dentists.

53.1. Dental Specialty Licensure Application	\$300.00
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§5-3-34 Schedule of Fees for Hygienists.

34.1. Dental Hygiene Licensure Application	<del>\$35.00</del> <u>\$60.00</u>
34.2. Re-examination fee for Dental Hygienists ( <u>Law Exam</u> )	<del>\$10.00</del> <u>\$20.00</u>

5CSR3

34.3. Out of State Dental Hygienist - Dental Hygienist Licensure Application	<del>\$50.00</del>	<u>\$60.00</u>
34.4. Temporary Permit	\$100.00	
34.5. Teaching Permit	\$100.00	
34.6. Investigation of Qualification for Temporary, <del>Dental Intern/Dental</del> <del>Residency</del> or Teaching Permits	\$50.00	
34.7. Annual Information & Renewal fee for a Dental Hygienist	<del>\$50.00</del>	<u>\$65.00</u>
4.8. <u>Local Anesthesia Certificate Application fee</u>	<u>\$25.00</u>	
4.9. <u>Nitrous Oxide Monitoring Certificate Application fee</u>	<u>\$25.00</u>	
4.10. <u>Bleaching Certificate Application fee</u>	<u>\$25.00</u>	

**§5-3-5. Schedule of Fees for Dental Assistants.**

5.1. <u>Nitrous Oxide Monitoring Certificate Application fee</u>	<u>\$25.00</u>	
5.2. <u>Orthodontic and/or Restorative Expanded Duties Certificate Application fee</u>		<u>\$25.00</u>

**§5-3-46. Schedule of Fees for Dental Corporations.**

46.1. Application to Form a Dental Corporation	\$200.00	
46.2. Annual <del>Registration</del> <u>renewal</u> fee for a Dental Corporation	\$150.00	

**§5-3-7. Schedule of fees for Anesthesia.**

7.1. <u>Class Two Certification Application Fee</u>	<u>\$50.00</u>	
7.2. <u>Class Two Certification Renewal Fee</u>	<u>\$25.00</u>	
7.3. <u>Class Three or Four Permit Application Fee</u>	<del>\$300.00</del>	<u>\$600.00</u>
7.4. <u>Class Three or Four Permit Renewal Fee</u>	<del>\$100.00</del>	<u>\$200.00</u>

**§5-3-8. Schedule of fees for Professional Limited Liability Companies.**

8.1. <u>Application to Form a Dental Professional Limited Liability Company</u>	<u>\$200.00</u>	
8.2. <u>Annual Renewal fee for a Professional Limited Liability Company</u>	<u>\$150.00</u>	

**§5-3-69. Schedule for Miscellaneous Fees.**

69.1. <u>Verification of Licensure to another State (Charge for licensee)</u>	<del>\$10.00</del> <u>\$25.00</u>
9.2. <u>Verification of Licensure (other entities)</u>	<u>\$25.00 per name</u>
9.3. <u>Course approval application fee</u>	<u>\$100.00</u>
9.4. <u>Duplicate renewal license</u>	<u>\$5.00</u>
9.5. <u>Duplicate wall certificate</u>	<u>\$10.00</u>
9.6. <u>Roster of Active Dental or Hygiene Licensees or Hygiene or Assistant Expanded Duties Certificate Holders (paper, email or cd)</u>	<u>\$50.00 per list</u>
9.7. <u>Roster of Active Dental or Hygiene Licensees or Hygiene or Assistant Expanded Duties Certificate Holders(labels)</u>	<u>\$100.00 per list</u>
9.8. <u>Roster of Active Dental or Hygiene Licensees or Hygiene or Assistant Expanded Duties Certificate Holders (one county) (paper, email or labels)</u>	<u>\$10.00 per list</u>
9.9. <u>Miscellaneous Copies (first page) additional pages</u>	<u>\$3.00</u> <u>\$0.25</u>
9.10. <u>Retrieval Fee</u>	<u>\$25.00</u>

**§5-3-10. Late Renewal and Late Continuing Education Fees**

10.1. Any Dental, Dental Specialty, Hygiene, Anesthesia, Corporation, PLLC, etc. that fail to renew by the specified renewal date, either by statute or rule, shall be assessed a penalty fee equal to the renewal fee as required by statute or rule, in addition to other conditions of renewal as set forth by statute or rule.

10.2. Any Licensee that fails to report their continuing education requirements as set forth by statute or rule by the required reporting date shall be assessed a penalty fee equal the annual renewal fee of said licensee.

**§5-3.11. Returned Checks.**

11.1. Returned Check Charge \$25.00

11.2. Failure to replace renewal or application fees due to a returned check and pay the returned check charge shall constitute grounds for denial, revocation or suspension of a license.

**§5-3-12. Non Refundable.**

12.1. All fees are non-refundable.

## Susan Combs

---

**From:** Susan Combs [wvbde@charterinternet.com]  
**Sent:** Tuesday, July 19, 2005 5:00 PM  
**To:** BJGwv (E-mail); DALINDOC (E-mail); Dent, Debra (E-mail); Dgribble5 (E-mail); Dina Vaughan (E-mail); Duff (E-mail); GConard266 (E-mail); John Dixon (E-mail); Nonerve (E-mail)  
**Subject:** FW: Proposed fee increases

This will be comment #1. Dolores let me know that you rec'd this. Thanks.

-----Original Message-----

From: Edwin V Kluth [mailto:evkpros@juno.com]  
Sent: Tuesday, July 19, 2005 4:25 PM  
To: wvbde@charterinternet.com  
Cc: ev-rckluth@juno.com; jcaveney@earthlink.net; kkinderknecht@hsc.wvu.edu; wvrds@aol.com; terrysterling@wheelingchamber.com; wheelingtoothdoc@wmconnect.com; andy\_mckenzie@prusec.com; psapon@comcast.net; paullassoc5@wvds1.net  
Subject: Proposed fee increases

Edwin V. Kluth, DDS, MS  
21 12th Street, Suite 305  
Wheeling, WV 26003  
304-233-4246

West Virginia Board of Dental Examiners  
207 South Heber Street  
Beckley, WV 25801

RE: Proposed Fee Increases.

The information provided in your notice of 06/15/05 regarding fee increases is not very clear or detailed, but as far as I can see, there are insufficient numbers and explanations to support the need for the substantial fee increases proposed. Much like last year, I note that many fees double and some increase even more than that, and on basis of information supplied with the proposal, there just aren't the details and data needed to support any increases let alone the large ones proposed. Additional information supplied in response to my request RE: the Board's finances for the last two years shows a balanced budget that would even have some surplus if it's assumed that last year's equipment expenses wouldn't be repeated every year. Plus, it would seem that an increase in anesthesia permits, at the present fee structure, would result in increased revenues to cover the work described in the proposal. Overall, it appears that the proposal represents a total tax and budget increase of 33% (\$83,000 in addition to the present \$250,000 budget) which isn't enough of a reduction from last year's proposed 40% increase which was completely rejected by the legislature for lack of justification. A 33% (\$83,000) tax increase is still excessive and totally unrealistic.

If any fee increases at all are to be supported, a public hearing needs to be held so that the Board's situation, finances, etc can be fully examined and discussed. In that setting, an appropriate advise and consent process can take place to assure that the Board's necessary functions are carried out effectively, efficiently, and at reasonable cost. Without significant reductions in the request, I would expect an effort to lobby the legislature for a more realistic approach to funding and operating the board.

Finally, governor Manchin is enthusiastically trying to improve and grow the economy in our state to have "West Virginia Open For Business." I don't see how a 33% increase in these business taxes is consistent with this goal.

Thank you for your attention to my comments. Please feel free to contact me at anytime RE: clarification of my thoughts.

Very Sincerely

Edwin V Kluth, DDS, MS

C WVDA Office/officers

**Susan Combs**

---

**From:** Susan Combs [wvbde@charterinternet.com]  
**Sent:** Wednesday, July 20, 2005 9:54 AM  
**To:** BJGwv (E-mail); DALINDOC (E-mail); Dent, Debra (E-mail); Dgribble5 (E-mail); Dina Vaughan (E-mail); Duff (E-mail); GConard266 (E-mail); John Dixon (E-mail); Nonerve (E-mail)  
**Subject:** FW: Comments On Proposed Fee Increases

This will be comment #2.

-----Original Message-----

**From:** R. E. Brossman [mailto:rebross@orthoman.com]  
**Sent:** Tuesday, July 19, 2005 11:32 PM  
**To:** wvbde@charterinternet.com  
**Cc:** ev-kluth@juno.com  
**Subject:** Comments On Proposed Fee Increases

Robert E. Brossman, D.D.S., M.S.  
#3 Elm Grove Crossings Mall  
Wheeling, West Virginia 26003  
204.242.3485

19 July, 2005

Sent Via Email To: wvbde@charterinternet.com  
West Virginia Board of Dental Examiners  
207 South Heber Street  
Beckley, West Virginia 25801

RE: PROPOSED FEE INCREASES

In the Board's letter of 6-15-2005 purportedly explaining proposed increases in fees for Board services, the main thing that appears to be lacking is an explanation and justification of just why the Board feels the necessity for increasing the fees.

Inflation seems to be a fact of life, but outside of necessary increases in items such as Board salaries, office expenses, or facility rents, it appears to me that the proposed fee increases would greatly exceed the actual expenditures and result in a budgetary surplus.

In the proposed modifications, some fees double, and some increase rather radically, but without any background information given to the West Virginia dental professionals as to why the Board feels these increases are necessary for it's proper function.

While I am not against fee increases in the event they are truly necessary for the proper and efficient functioning of the Board of Dental Examiners, I believe that there are sufficient questions regarding the necessity for these proposed fee increases among many of the dentists of West Virginia to make sure they receive a thorough exposure and airing in future public hearings.

I believe the West Virginia Legislature should also be advised of what appears to be a need to consider

7/22/2005

different approaches to funding the Board of Dental Examiners in the future, and that this might be the proper time to open this discussion in the political arena.

Thank you for your consideration of my comments in this matter.

Sincerely,

Robert E. Brossman, D.D.S., M.S.

Cc: File, WVDA

Mary Ann Yandrich, RDH  
126 Asbury Circle  
Wheeling, WV 26003  
July 13, 2005

West Virginia Board of Dental Examiners  
207 S. Heber Street  
Beckley, WV 25801

Members of the Board;

I am writing in response to a letter received from WVBODE dated June 15, 2005. The letter pertains to Emergency Rules-5CSR3; Proposed Rules 5CSR3, 5CSR7, 5CSR8 & 5CSR9. 5CSR3 addresses fee increases as well as permit application fees for Dental Hygienists and Dental Assistants. At present, I hold Dental Hygiene licenses in Ohio, Pennsylvania and West Virginia, and have completed the coursework required by WVBODE for nitrous oxide monitoring and have successfully passed the NERB examination for administration of local anesthesia. I continue to renew my Dental Hygiene licenses as required by the states mentioned above.

My point being, there is a tracking system in each state that confirms I am eligible to continue to practice my profession. A Dental Hygienist is appointed to the WVBODE---that person is a representative for the Dental Hygienists within West Virginia. Dentists are appointed to the board, a consumer and a Dental Assistant. To my knowledge, I am not aware of a recognized organization of Dental Assistants within the state that this person formally represents. Is there a roster for Dental Assistants that they may be kept informed by the WVBODE in the same manner that Dentists and Dental Hygienists are notified of matters? A one time application fee for Dental Assistants is proposed for certain duties, but is there a system to identify who our assistants are?

Keeping quality professionals within West Virginia is a priority and will only better serve the public. Before fee increases and implementation of application fees are initiated, the matter of HCR-63 needs investigated or resolved.

Thanking you for your time.

Sincerely

*Mary Ann Yandrich*

**JUL 18 2005**

4

**Jennifer D. Blaskovich, RDH**  
**1578 Girty's Point Road**  
**Wheeling WV 26003**

July 14, 2005

West Virginia Board of Dental Examiners  
207 South Heber Street  
Beckley, WV 25801

Dear Board Members:

Thank you for the opportunity to comment on the proposed rules concerning the Board's fee schedule. I am pleased to see that you have removed the out-of-state licensure fee from your proposed increases. I am also glad to see that there is a fee to register the Dental Assistants for their Permits.

There are still a few areas which I feel need changes. There needs to be a yearly registration fee for dental assistants. At the very least, asking the assistants to pay a small registration fee, after reading and signing a copy of the allowable dental assisting duties, would enable the board to track those persons employed within the state as assistants. Also, since the dental assistants have equal board representation as the dental hygienists then it is only fair all dental assistants incur a yearly fee adequate to cover their representation.

Additionally, Dentists and Hygienists already pay a fee for their license. Any additional fees as listed under Miscellaneous Fees should be deleted. Many states allow you to view online the Board's list of licensees within the state (see [www.dos.state.pa](http://www.dos.state.pa)). Charging to verify licensure is not necessary if the website is utilized. Also, as the rule is written, there is no charge to dental assistants should they request a list of the assistants with permits. If the Schedule for Miscellaneous Fees stands then there should be a fee established to include the dental assistant's roster.

I would also like to request in the future, when the Board wishes to make changes to the Rules and Statutes that a representative attend one of the WV Dental Hygienists' spring or fall meetings. This representative could explain the need for changes, answer Dental Hygienists' questions and address their concerns. This may eliminate the need for rewrites and legislative recommendations to make changes to the proposals, saving time and money.

Sincerely,

  
Jennifer D. Blaskovich, RDH

JUL 20 2005

Jeanette Gryskevich RDH  
179 Marilyn Lane  
New Cumberland WV 26047

West Virginia Board of Dental Examiners  
207 South Heber Street  
Beckley, WV 25801

7/16/05

Dear Board Members;

This letter is in regards to the increase in the dental hygienists' licensure fee, particularly the proposed fee for anesthesia and bleaching.

It seems unfair that the board is seeking additional revenues from the hygienists who obtain the required, proper training for anesthesia and bleaching. The board, itself along with the legislators, passed the law for hygienists to administer anesthesia who successfully pass a "board-approved" 29-hour course from a school of dental hygiene and a written board exam.

Since there has not been a final decision on HCR63 due to an investigation, a fee increase is inappropriate.

Also, how can the board properly monitor the dental assistants, performing expanded duties, when there is no yearly registry of their names with the board? Since a dental assistant is a member of the board to represent the dental assistants, would it not be advantageous to require assistants to be registered, or to take an exam to be certified to work in the state of West Virginia?

Why does the burden lie with the dentists and the hygienists to financially support the board, when the dental assistants are also an important component of the dental team?

I am not totally against the additional licensure fee for hygienists, as long as the dental assistants are required to send in their fair share.

Respectfully yours,

*Jeanette Gryskevich, RDH*

Jeanette Gryskevich, RDH

Cc: Secretary of State, the Honorable Betty Ireland

JUL 20 2005

## FINDINGS, DETERMINATIONS AND REASONS

The Board received 5 written comments during the comment period. (The comments are specifically referenced herein.)

Written comments were taken one by one for purposes of the Board's review and consideration, as follows:

# 1 - Dr. Edwin V. Kluth opposed to the fee increases as proposed by the Board due to insufficient justification.

# 2 - Dr. Robert E. Brossman opposed to the fee increases as proposed by the Board due to insufficient justification and different approaches to funding the Board.

# 3 - Ms. Mary Ann Yandrich opposed to fee increases before the investigation and/or resolution of HCR-63 and has issues with dental assistants not being licensed.

# 5 - Ms. Jennifer D. Blaskovich requests a yearly fee to register assistants or licensure of assistants, suggests a fee for dental assistant's roster and requests for future purposes a Board representative attend one of the WV Dental Hygienists' Association meetings for an explanation of proposed rules and answer questions.

# 6 - Jeanette Gryskevich opposed to fee increases before the investigation and/or resolution of HCR-63 and has issues with dental assistants not being licensed.

After the Board's review of these comments, the Board addresses them as follows:

1. The Board is of the opinion fee increases are justified to conduct the business of the Board in the protection of the public as legislatively mandated. The projected revenue is necessary and will be appropriated according to the attached.
2. The Board must continue to conduct the business of the Board during the investigation and/or resolution of HCR-63. Currently the Board is undergoing an Audit by the Performance Evaluation and Research Division of the West

Virginia Legislature, pursuant to "Sunset Legislation", which review will be presented to the Legislature.

3. The Board can not charge an annual registration fee by Legislative rules to dental assistants. The Board is of the opinion it would take a change in the Dental Practice Act to impose a fee upon the dental assistants practicing in the State of West Virginia, whereas licensure of professionals is set by statute.
4. A roster of Assistants, as well as Hygienists, who hold a certificate for expanded duties is available.

The Board has made the following amendments to the proposed rule during it's meeting of July 14, 2005:

Section 2.3, Out of State Dentist - Dental Licensure Application, was reduced to \$150 the same as an in State dentist;

Section 3.1, Dental Specialty Licensure Application, was reduced back down to the current fee of \$300; and

Section 4.3, Out of State Dental Hygienist - Dental Hygiene Licensure Application, was reduced to \$60 the same as an in State hygienist.

The Board made the following amendments to the proposed rule due to written comments received and reviewed during it's meeting of July 25, 2005:

Sections 9.6; 9.7; and 9.8 to include a fee for roster of hygiene or assistant expanded duties certificate holders;

The Board made the following amendments to the proposed rule for consistency, clarity or correction of spelling:

Sections 4.8; 4.9; 4:10; 5.1; and 5.2 the word permit has been changed to certificate;

Sections 9.6; 9.7; and 9.8 the “/” was removed and the word “or” inserted between the words “dental” and “hygiene”;

Section 10.1 the second instance of the word “statute” was misspelled and has been corrected; and

Section 7.3 and 7.4 reflect the emergency fee rule decision by the Secretary of State dated July 26, 2005, as well as reflects a requested increase by the Board under proposed legislative rule filed June 16, 2005. (Note: Prior statute dealing with Dental Anesthesia Law had fees for 7.3 and 7.4. The emergency rule reflects the prior statutory fees for these areas. The Board is requesting fee increases for these two areas as well as final approval of emergency rule.)

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Carolyn A. Brewer  
Office Assistant

July 26, 2005

Dr. Edwin V. Kluth  
21 12<sup>th</sup> Street, Suite 305  
Wheeling, WV 26003

Dear Dr. Kluth:

The Board would like to thank you for your letter and comments concerning the Board's proposed fee increases. I would like to take this opportunity to provide you with the same information that has been requested by the WV Dental Association with documentation to support the West Virginia Board of Dental Examiner's Rule 5CSR3 for a request of increase in fees. For your information, I have enclosed Actual Expenditures for FY 2005, Statement of Moneys Received for FY's 2004 and 2005, Expenses Paid FY 2005 for each Board member, and submitted budget information for FY 2006.

The monies- received document is self- explanatory, but I wish to comment on the FY 2005 Expenditures Sheet. Lines items 001 and 002 include all salaried personnel, per diem for board members, and temporary positions that the Budget Office required us to implement for all board members and specialty examiners, anesthesia committee members, and the like. However, the coding is not in our hands, as the Financial Accounting Section of the Department of Administration processes the Board's payroll. W-2 information for calendar year 2004 is attached for your information and review.

To further clarify the request for salary increases, we request additional funds for needed salary increases for clerical and office manager staff, and additional funds for a part-time executive secretary salary increase. This request for funding of approximately \$20,000 will also be used for investigative services as needed. The Peer Review Committee has dwindled down over the years from attrition, and these funds will also be used for securing committee training and reviews. You will notice the 2004 W-2 report included a few individuals who provide peer review services

to the board. If memory serves me, the Board has requested peer review for 3-4 complaint cases we reviewed earlier this month at our meeting in Lewisburg. Each of these cases will require a minimum of three (3) individuals per diem for at least one day and expenses.

Presently we are working on negotiating a lease with JGA III Rentals, we expect an increase from \$600 to \$1,000 per month effective FY 2007.

The Hearing Examiner requested funding of \$20,000, which figure was secured from two other boards that actually use them. Susan Combs, Board Office Manager, thinks it was the RN Board and the Medical Board. They both use two \$10,000 contracts per fiscal year with two different hearing examiners, according to information she received. Additionally, we have spent \$2,500 this year for a consultant for one case, and he is still on the clock.

We try to spend around \$5,000 per year for equipment and have been in the process of upgrading our computer and technical equipment. We don't always spend it, but to put \$10,000 in that allotment is not unreasonable. This year we bought four laptops for \$5,000, three for member's use and one for our executive secretary whose laptop needed replacing.

We have upgraded software for our databases and replaced our server with costs of approximately \$2,000. The Board won't have to replace computers every year, but the office manager's machine is over four years old, and it has had its motherboard replaced and memory upgraded to keep from replacing it. The all-in-one fax machine needs replaced and the office manager's printer is 13 years old.

The PEIA increase of \$5,000 is not unreasonable for each year. BRIM goes up at least \$500 per year. A postage increase request of \$1,000 is due to the work load increases with more certificates being issued for assistants, hygiene bleaching, local anesthesia, new dental anesthesia permits, etc., in addition to renewal mailings for new dental anesthesia permits. If more rules are changed as were done in the last two years, this will also increase postage costs.

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Currently, the costs of operating the WV Board of Dental Examiners is approximately \$250,000, and income received is about the same amount. In order to be able to increase our abilities to enforce the law and become more efficient, the Board needs additional funding of approximately \$80,000. The proposed fee increase submitted in 5CSR3 should cover these sorely-needed monies.

A copy of this letter and attachments are being made a part of the agency approved filing of the proposed rules 5CSR3, a copy of which is attached. Should you or your committee members require any further information, kindly contact me.

Very truly yours,

  
RICHARD D. SMITH, DDS  
President

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Office Assistant

July 26, 2005

Dr. Robert E. Brossman  
#3 Elm Grove Crossings Mall  
Wheeling, WV 26003

Dear Dr. Brossman:

The Board would like to thank you for your letter and comments concerning the Board's proposed fee increases. I would like to take this opportunity to provide you with the same information that has been requested by the WV Dental Association with documentation to support the West Virginia Board of Dental Examiner's Rule 5CSR3 for a request of increase in fees. For your information, I have enclosed Actual Expenditures for FY 2005, Statement of Moneys Received for FY's 2004 and 2005, Expenses Paid FY 2005 for each Board member, and submitted budget information for FY 2006.

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July 26, 2005

Mrs. Mary Ann Yandrich  
126 Asbury Circle  
Wheeling, WV 26003

Dear Mrs. Yandrich:

The Board would like to thank you for your letter and comments concerning the Board's proposed fee increases. I would like to take this opportunity to provide you with the same information that has been requested by the WV Dental Association with documentation to support the West Virginia Board of Dental Examiner's Rule 5CSR3 for a request of increase in fees. For your information, I have enclosed Actual Expenditures for FY 2005, Statement of Moneys Received for FY's 2004 and 2005, Expenses Paid FY 2005 for each Board member, and submitted budget information for FY 2006.

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Very truly yours,

A handwritten signature in black ink that reads "Richard D. Smith, DDS". The signature is written in a cursive style with a large, prominent "R" and "S".

RICHARD D. SMITH, DDS  
President

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July 26, 2005

Mrs. Jennifer D. Blaskovich  
1578 Girty's Point Road  
Wheeling, WV 26003

Dear Mrs. Blaskovich:

The Board would like to thank you for your letter and comments concerning the Board's proposed fee increases. I would like to take this opportunity to provide you with the same information that has been requested by the WV Dental Association with documentation to support the West Virginia Board of Dental Examiner's Rule 5CSR3 for a request of increase in fees. For your information, I have enclosed Actual Expenditures for FY 2005, Statement of Moneys Received for FY's 2004 and 2005, Expenses Paid FY 2005 for each Board member, and submitted budget information for FY 2006.

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July 26, 2005

Mrs. Jeanette Gryskevich  
179 Marilyn Lane  
New Cumberland, WV 26047

Dear Mrs. Gryskevich:

The Board would like to thank you for your letter and comments concerning the Board's proposed fee increases. I would like to take this opportunity to provide you with the same information that has been requested by the WV Dental Association with documentation to support the West Virginia Board of Dental Examiner's Rule 5CSR3 for a request of increase in fees. For your information, I have enclosed Actual Expenditures for FY 2005, Statement of Moneys Received for FY's 2004 and 2005, Expenses Paid FY 2005 for each Board member, and submitted budget information for FY 2006.

The monies- received document is self- explanatory, but I wish to comment on the FY 2005 Expenditures Sheet. Lines items 001 and 002 include all salaried personnel, per diem for board members, and temporary positions that the Budget Office required us to implement for all board members and specialty examiners, anesthesia committee members, and the like. However, the coding is not in our hands, as the Financial Accounting Section of the Department of Administration processes the Board's payroll. W-2 information for calendar year 2004 is attached for your information and review.

To further clarify the request for salary increases, we request additional funds for needed salary increases for clerical and office manager staff, and additional funds for a part-time executive secretary salary increase. This request for funding of approximately \$20,000 will also be used for investigative services as needed. The Peer Review Committee has dwindled down over the years from attrition, and these funds will also be used for securing committee training and reviews. You will notice the 2004 W-2 report included a few individuals who provide peer review services

to the board. If memory serves me, the Board has requested peer review for 3-4 complaint cases we reviewed earlier this month at our meeting in Lewisburg. Each of these cases will require a minimum of three (3) individuals per diem for at least one day and expenses.

Presently we are working on negotiating a lease with JGA III Rentals, we expect an increase from \$600 to \$1,000 per month effective FY 2007.

The Hearing Examiner requested funding of \$20,000, which figure was secured from two other boards that actually use them. Susan Combs, Board Office Manager, thinks it was the RN Board and the Medical Board. They both use two \$10,000 contracts per fiscal year with two different hearing examiners, according to information she received. Additionally, we have spent \$2,500 this year for a consultant for one case, and he is still on the clock.

We try to spend around \$5,000 per year for equipment and have been in the process of upgrading our computer and technical equipment. We don't always spend it, but to put \$10,000 in that allotment is not unreasonable. This year we bought four laptops for \$5,000, three for member's use and one for our executive secretary whose laptop needed replacing.

We have upgraded software for our databases and replaced our server with costs of approximately \$2,000. The Board won't have to replace computers every year, but the office manager's machine is over four years old, and it has had its motherboard replaced and memory upgraded to keep from replacing it. The all-in-one fax machine needs replaced and the office manager's printer is 13 years old.

The PEIA increase of \$5,000 is not unreasonable for each year. BRIM goes up at least \$500 per year. A postage increase request of \$1,000 is due to the work load increases with more certificates being issued for assistants, hygiene bleaching, local anesthesia, new dental anesthesia permits, etc., in addition to renewal mailings for new dental anesthesia permits. If more rules are changed as were done in the last two years, this will also increase postage costs.

Attorney General costs have increased from \$0.00 in 2002 to approximately \$3,400 in 2003 and \$2,500 in 2004. The Attorney General is the legal representative for the Board and has represented the Board in various matters. The Attorney General is consulted when legal questions arise for their opinion and guidance. I would expect Attorney General costs to increase in the future.

By looking at the attached Expenses Paid FY 2005, and factoring in costs for per diem, meeting rooms, refreshments, and the like, it is not unreasonable for additional meetings of the board to approach \$10,000 per meeting. These requested funds will also allow the board to afford to send our executive secretary and additional members to national forums, attorney roundtables, and continuing education aspects of regulation and enforcement. For example, at the fall AADE Annual Session, there is a whole-day session dealing with wellness, which equates to drug and alcohol enforcement, regulation, rehabilitation and the like. Monies spent last year for education, development, and training were less than \$500, because other funds were not available. To protect the public, which is our only agenda, board members and staff should be well trained to

deal with the complex issues that the board faces today.

Currently, the costs of operating the WV Board of Dental Examiners is approximately \$250,000, and income received is about the same amount. In order to be able to increase our abilities to enforce the law and become more efficient, the Board needs additional funding of approximately \$80,000. The proposed fee increase submitted in 5CSR3 should cover these sorely-needed monies.

A copy of this letter and attachments are being made a part of the agency approved filing of the proposed rules 5CSR3, a copy of which is attached. Should you or your committee members require any further information, kindly contact me.

Very truly yours,

  
RICHARD D. SMITH, DDS  
President

RDS/smc  
Enclosures

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President  
1501 Seventh Avenue  
Charleston, WV 25312

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11 Davis Place  
Clarksburg, WV 26301

Staff

John F. Parkulo  
Executive Secretary

Susan M. Combs  
Office Manager

Carolyn A. Brewer  
Office Assistant

July 26, 2005

Mr. Richard D. Stevens, Executive Director  
West Virginia Dental Association  
2016 ½ Kanawha Blvd. E.  
Charleston, WV 25311

Dear Mr. Stevens:

As has been requested by the West Virginia Dental Association, I am providing you with several documents to support the West Virginia Board of Dental Examiner's Rule 5CSR3 for a request of increase in fees. For your information, I have enclosed Actual Expenditures for FY 2005, Statement of Moneys Received for FY's 2004 and 2005, Expenses Paid FY 2005 for each Board member, and submitted budget information for FY 2006.

The monies- received document is self- explanatory, but I wish to comment on the FY 2005 Expenditures Sheet. Lines items 001 and 002 include all salaried personnel, per diem for board members, and temporary positions that the Budget Office required us to implement for all board members and specialty examiners, anesthesia committee members, and the like. However, the coding is not in our hands, as the Financial Accounting Section of the Department of Administration processes the Board's payroll. W-2 information for calendar year 2004 is attached for your information and review.

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Currently, the costs of operating the WV Board of Dental Examiners is approximately \$250,000, and income received is about the same amount. In order to be able to increase our abilities to enforce the law and become more efficient, the Board needs additional funding of approximately \$80,000. The proposed fee increase submitted in 5CSR3 should cover these sorely-needed monies.

A copy of this letter and attachments are being made a part of the agency approved filing of the proposed rules 5CSR3, a copy of which is attached. Should you or your committee members require any further information, kindly contact me.

Very truly yours,



RICHARD D. SMITH, DDS

President

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1512 Commerce Street  
Wellsburg, WV 26070

Carolyn A. Brewer  
Office Assistant

July 26, 2005

West Virginia Dental Assistants Association  
Debra Skeen, CDA  
11 Cook Drive  
Charleston, WV 25314

Dear Mrs. Skeen:

I would like to take this opportunity to provide you with the same information that has been requested by the WV Dental Association with documentation to support the West Virginia Board of Dental Examiner's Rule 5CSR3 for a request of increase in fees. For your information, I have enclosed Actual Expenditures for FY 2005, Statement of Moneys Received for FY's 2004 and 2005, Expenses Paid FY 2005 for each Board member, and submitted budget information for FY 2006.

The monies- received document is self- explanatory, but I wish to comment on the FY 2005 Expenditures Sheet. Lines items 001 and 002 include all salaried personnel, per diem for board members, and temporary positions that the Budget Office required us to implement for all board members and specialty examiners, anesthesia committee members, and the like. However, the coding is not in our hands, as the Financial Accounting Section of the Department of Administration processes the Board's payroll. W-2 information for calendar year 2004 is attached for your information and review.

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to the board. If memory serves me, the Board has requested peer review for 3-4 complaint cases we reviewed earlier this month at our meeting in Lewisburg. Each of these cases will require a minimum of three (3) individuals per diem for at least one day and expenses.

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RICHARD D. SMITH, DDS  
President

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Carolyn A. Brewer  
Office Assistant

July 26, 2005

West Virginia Dental Hygiene Association  
Mrs. Jennifer H. Grilli  
Rt. 1, Box 304A  
Clarksburg, WV 26301

Dear Mrs. Grilli:

I would like to take this opportunity to provide you with the same information that has been requested by the WV Dental Association with documentation to support the West Virginia Board of Dental Examiner's Rule 5CSR3 for a request of increase in fees. For your information, I have enclosed Actual Expenditures for FY 2005, Statement of Moneys Received for FY's 2004 and 2005, Expenses Paid FY 2005 for each Board member, and submitted budget information for FY 2006.

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RICHARD D. SMITH, DDS,  
President

RDS/smc  
Enclosures

## EXPENDITURES FY 2005

001	Personal	101,642.67
002	Other Personal Services	7,950.00
004	Annual Increment	2950.00
010	Division of Personnel	712.51
011	Matching Social Security Funds	7,989.63
012	WVPE Insurance Agency	31,291.69
014	Worker's Compensation	525.33
016	WVPE Retirement	9,626.61
020	Office Expenses	2,178.22
021	Printing	1,159.00
022	JGA III Rentals & Meeting Rooms	8,217.00
024	Telephone	6,503.29
025	Attorney General/Computer Consulting	3,742.75
026	Travel	33,760.63
027	IS&C/WVNet	2,997.58
030	Rentals, Machines	7,195.20
031	Association Dues	4,550.00
032	Insurance, Fire, etc.	3,272.00
037	Research, Education & Medical	60.00
038	Equipment Maintenance	79.98
042	Hospitality	655.02
043	Educational Training	23.60
052	Training & Development	340.00
053	Postal & Freight	7,191.97
054	Computer Supplies & Equipment	1920.00
058	Misc. Equipment	399.00
061	Office & Communication Repairs	939.88
077	Books & Periodicals	35.00
110	PEIA Reserve Fund required by law	848.00
*120	Contractor Payments	1228.92-
170	Computer Equipment	4696.00
171	Computer Software	26.45
	<b>Total</b>	<b>\$252,250.09</b>

\*120 This was a refund back into our account for a mistake that was made when issuing increment checks. Increments were not as much as is stated in the 004 column.

**STATEMENT OF MONIES RECEIVED FOR THE  
FISCAL YEARS 2004 & 2005**

	<u>2004</u>	<u>2005</u>
Renewals -Dentists	148,100.00	151,150.00
Renewals-Hygienist	52,975.00	54,600.00
Renewals-Dental Corporations	20,400.00	19,200.00
Renewal--Gen. Anesthesia	5,200.00	4,600.00
Renewal--PLLC's	6,600.00	8,850.00
Application fees-Specialists	2,700.00	1,200.00
Application fees-Dentists	3,550.00	3,050.00
Intern Permits	0.00	100.00
Application fees-Hygienists	1,990.00	2,615.00
Application fees-Gen. Anesthesia	600.00	300.00
Application fees-Corporation	2,400.00	1,600.00
Application fees-P. L. L. C's	3,600.00	2,200.00
Reinstatement fees	100.00	1,925.00
License Verifications	770.00	720.00
Anderson & Associates	300.00	0.00
Costs & Fines	3,500.00	1,500.00
<b>TOTAL MONIES RECEIVED:</b>	<b>\$252,785.00</b>	<b>\$253,610.00</b>

**Expenses Paid FY 2005**

**GEORGE D. CONARD, JR.**

June Board Meeting	299.65
July Board Meeting	392.02
September Board Meeting & AADE Meeting	1,644.07
National Examination Committee Meeting	962.71
December Board Meeting	603.48
National Examination Committee Meeting	905.88
Legislative Meeting w/ legislature or legislators	38.43
Legislative Meeting w/ legislature or legislators	40.86
March Board Meeting	36.48
AADE Registration Fees	275.00
Total	5,198.58

**DEBRA D. DENT**

June Board Meeting	513.08
July Board Meeting	51.00
Orientation for Boards	253.31
September Board Meeting	356.62
December Board Meeting	646.23
March Board Meeting	399.98
AADE Meeting	1,525.99
Total	3,746.21

**JOHN C. DIXON**

March 2004 Board Meeting	460.38
July Board Meeting	463.59
Registration Fees Southern Deans & Dental Ex.	225.00
September Board Meeting	18.50
December Board Meeting	441.52
March Board Meeting	214.22
Meeting Southern Deans & Dental Examiners	1,028.24
Total	2,851.50

**DAVID G. EDWARDS**

September Board Meeting	415.37
December Board Meeting	78.75
March Board Meeting	446.82
Total	940.94

**DOLORES L. GRIBBLE**

June Board Meeting	432.46
July Board Meeting	436.50
Orientation for Boards	251.44
September Board Meeting	351.62
December Board Meeting	531.23
March Board Meeting	371.30
Total	2,374.55

**BERNARD J. GRUBLER**

June Board Meeting	517.21
July Board Meeting	640.21
September Board Meeting	428.50
AADE Meeting	1,527.92
Total	3,113.84

**H. RICHARD MARSHALL, JR.**

June Board Meeting	740.94*
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**RICHARD D. SMITH**

June Board Meeting	481.21
July Board Meeting	321.22
September Board Meeting	17.50
AADE Meeting	1251.68
December Board Meeting	570.48
March Board Meeting	170.66
AADE Meeting	624.26
Total	3,437.01

**JAMES W. VARGO**

June Board Meeting	537.46
July Board Meeting	173.11
September Board Meeting	55.75
December Board Meeting	485.07
March Board Meeting	228.31
Total	1,479.70

**DINA A. VAUGHAN**

June Board Meeting	738.69
September Board Meeting	345.37
December Board Meeting	495.32
March Board Meeting	387.12
Total	1,966.50

**ROBERT W. GRAVES**

Anesthesia Exam	92.25*
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**WILLIAM R. MARSHALL**

Anesthesia Exam	65.62
Anesthesia Exam	104.62
Anesthesia Exam	77.36
Total	247.60

**DON E. SKAFF**

Anesthesia Exam	60.00
Anesthesia Exam	57.50
Total	117.50

**BRYAN D. WEAVER**

Anesthesia Exam	113.25
Facility Inspection	31.50
Total	144.75

**DAVID E. YATES**

Anesthesia Exam	74.75*
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**CHARLES L. SEITA**

Ortho Exam	212.50*
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**HUBERT KISER, JR.**

Ortho Exam	274.75*
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**JOHN F. PARKULO**

July Board Meeting	105.00
File Agency Approved Rules at SOS Office	58.50
Orientation for Boards	62.50
September Board Meeting	307.87
AADE Meeting	1,679.31
December Board Meeting	642.23
Rule Making Meeting	66.70
Rule Making Meeting	66.70
Gov. Org Meeting	63.20
Senate Judiciary Meeting	63.20
March Board Meeting	328.37
Health & Human Resources Meeting	63.70
House Judiciary Meeting	63.70
Senate Judiciary	56.60
Legislative Session	55.60
Legislative Session	55.60
Anesthesia Committee Meeting (cancelled)	105.80
Meeting with Attorney in Case # 2004-DB-0014D	53.60
June Bd Meeting and Anes Committee Meeting	299.16
Total	4,197.34

**SUSAN M. COMBS**

July Board Meeting	289.22
P Card Coordinator Training	56.25
Payment Processing Seminar	165.00
September Board Meeting	315.37
December Board Meeting	514.07
March Board Meeting	448.08
June Board Meeting	298.66
Total	2,086.65

**BRADFORD A. VAUGHAN**

Investigation of Non Renewed Licensees	252.37
Investigation of Non Renewed Licensees	100.50
Court Proceeding In Wood County Denturist Case	109.90
Total	462.77
Grand Total All Expenses	37,760.63







**ESTIMATE OF DISBURSEMENTS**  
**Fiscal Year 2006**

Page No. 4

- Appropriated Federal Funds Accounts (Listed In Budget Act)
- Appropriated Special Revenue Accounts (Listed in Budget Act)
- Federal Block Grants (Listed in Budget Act)
- Other Federal Funds
- Other Special Revenue Accounts

Amended \_\_\_\_\_  
 Amendment No. \_\_\_\_\_

WVFIMS Account No. \_\_\_\_\_

Spending Unit: WV Board of Dental Examiners Fund \_\_\_\_\_  
 Department/Bureau of: Misc. Boards and Commissions FY \_\_\_\_\_  
 Org \_\_\_\_\_

Account Name: Dentists/Dental Hygienists Operating Fund

Is this Account Established by Statute? Yes/No Yes Statutory Reference 30-4-4A

Purpose of this Account: Operating Fund to regulate licensed dentists, dental hygienists, dental anesthesia, dental corporations and dental plics

Activity	Item of Expenditure	
	<b>EXPENDITURES:</b>	
O99	PERSONAL SERVICES*	
	Number of Positions	3.75
	Personal Services	117,760
	Number of Increment Positions	1.75
	Annual Increment	700
O99	TOTAL PERSONAL SERVICES	\$ 118,460
O99	EMPLOYEE BENEFITS	800
	10 - Personnel Division & Public Employees' Insurance	10,000
	11 - Social Security Matching	25,000
	12 - Public Employees' Insurance	0
	13 - Other Health Insurance	1,000
	14 - Workers' Compensation (Rate: 0.7 )	0
	15 - Unemployment Compensation	10,000
	16 - Pension & Retirement	\$ 46,800
O99	TOTAL EMPLOYEE BENEFITS	
O99	CURRENT EXPENSES	2,000
	20 - Office Expenses	1,400
	21 - Printing & Binding	10,000
	22 - Rental Expense	0
	23 - Utilities	5,000
	24 - Telecommunications	15,000
	25 - Contractual & Professional	35,000
	26 - Travel	3,500
	27 - Computer Services	0
	28 - Higher Education Interagency Contract Agreements/Fees	0
	29 - Vehicle Rental	7,300
	30 - Rentals (Machine & Miscellaneous)	4,650
	31 - Association Dues & Professional Memberships	3,136
	32 - Fire, Auto, Bond & Other Insurance	0
	33 - Food Products	0
	34 - Clothing, Household & Recreational Supplies	200
	35 - Advertising & Promotional	0
	36 - Vehicle Operating Expense	0
	37 - Research, Educational & Medical	300
	38 - Routine Maintenance Contracts/Warranties	0
	39 - Manufacturing Supplies	0
	40 - Merchandise for Resale	0
	41 - Cellular Charges	1,000
	42 - Hospitality	0
	43 - Educational Training (Stipends)	0
	45 - Farm Expense	0
	46 - Subsistence	0
	48 - Discharge & Parole Allowance	0
	51 - Miscellaneous	600
	52 - Training & Development	6,000
	53 - Postal & Freight	500
	54 - Computer Supplies & Equipment	0
	56 - Attorney Legal Service Payments	0
	57 - Attorney Reimbursable Expenses	500
	58 - Miscellaneous Equipment Purchases	0
	59 - Student Activities	\$ 96,086
	TOTAL CURRENT EXPENSES	

\* If amounts for Personal Services are to be paid from this account, include total here and submit detail on Personal Services expenditure schedule worksheet.



**EXPENDITURE SCHEDULE DETAIL SUMMARY**  
Fiscal Year 2006

Page No. 6  
Amended \_\_\_\_\_  
Amend No. \_\_\_\_\_

Spending  
Unit: WV Board of Dental Examiners

WVFIMS Account No. \_\_\_\_\_  
General Revenue/Special Revenue \_\_\_\_\_  
Fund FY 2005 Org \_\_\_\_\_

Department/  
Bureau Misc. Boards and Commissions

Federal Funds  
Fund \_\_\_\_\_ FY \_\_\_\_\_ Org \_\_\_\_\_

Activity	FY 2006 Budgeted				Total
	General	Federal	Special	Other	
O99				2.75	2.75
	Number of Positions			117,760	117,760
	PERSONAL SERVICES			1.75	1.75
O99	Number of Positions			700	700
	ANNUAL INCREMENT			118,460	118,460
	TOTAL PERSONAL SERVICES	0	0		
O99	EMPLOYEE BENEFITS			800	800
	10 - Pers. Div. & Public Employees' Ins.			10,000	10,000
	11 - Social Security Matching			25,000	25,000
	12 - Public Employees' Insurance			0	0
	13 - Other Health Insurance			1,000	1,000
	14 - Workers' Comp. (Rate: .70 )			0	0
	15 - Unemployment Compensation			10,000	10,000
	16 - Pension & Retirement			46,800	46,800
	TOTAL EMPLOYEE BENEFITS	0	0	0	46,800
O99	CURRENT EXPENSES			2,000	2,000
	20 - Office Expenses			1,400	1,400
	21 - Printing & Binding			10,000	10,000
	22 - Rental Expense			0	0
	23 - Utilities			5,000	5,000
	24 - Telecommunications			15,000	15,000
	25 - Contractual & Professional			35,000	35,000
	26 - Travel			3,500	3,500
	27 - Computer Services			0	0
	28 - Higher Ed Interagency Contracts/Fee			0	0
	29 - Vehicle Rental			7,300	7,300
	30 - Rentals (Machine & Miscellaneous)			4,650	4,650
	31 - Assoc. Dues & Prof. Memberships			3,136	3,136
	32 - Fire, Auto, Bond & Other Insurance			0	0
	33 - Food Products			0	0
	34 - Clothing, Household & Recrtnl. Sup.			200	200
	35 - Advertising & Promotional			0	0
	36 - Vehicle Operating Expense			0	0
	37 - Research, Education & Medical Sup.			300	300
	38 - Routine Mtce Contracts/Warranties			0	0
	39 - Manufacturing Supplies			0	0
	40 - Merchandise for Resale			0	0
	41 - Cellular Charges			1,000	1,000
	42 - Hospitality			0	0
	43 - Educational Training (Stipends)			0	0
	45 - Farm Expense			0	0
	46 - Subsistence			0	0
	48 - Discharge & Parole Allowance			0	0
	51 - Miscellaneous			600	600
	52 - Training & Development			6,000	6,000
	53 - Postal & Freight			500	500
	54 - Computer Supplies & Equipment			0	0
	56 - Attorney Legal Service Payments			0	0
	57 - Attorney Reimbursable Expenses			500	500
	58 - Misc. Equipment Purchases			0	0
	59 - Student Activities			96,086	96,086
	TOTAL CURRENT EXPENSES	0	0	0	96,086
099	REPAIRS & ALTERATIONS			1,000	1,000
	61 - Office & Communication Eqp. Rep.			0	0
	62 - Resrch., Educ. & Med. Equip. Rep.			0	0
	63 - Building & Household Equip. Rep.			0	0
	64 - Routine Maintenance of Buildings			0	0
	65 - Vehicle Repairs			0	0
	66 - Routine Maintenance of Grounds			0	0
	67 - Farm & Construction Equip. Rep.			0	0
	68 - Other Repairs & Alterations			1,000	1,000
	TOTAL REPAIRS & ALTERATIONS	0	0	0	1,000
	Subtotal / Total	\$0	\$0	\$0	\$262,346

\*Amounts for Personal Services must be detailed.







EPICS W2 INFORMATION REPORT FOR 2004 01/01/2004 THRU 12/31/2004

STATE ADDITORS OFFICE DEPARTMENT: DENTISTS & DENTAL HYGIENISTS BO  
 ROOM WEST 100  
 CHARLESTON, WV 25305 FEIN: 550543971

SOC SEC NO	POS	GROSS EMP NO.	RETIREMENT TIPS	JX SHELTER	FICA SHELTER	FED TAXABLE ST TAXABLE DEP. CARE	FICA WAGES MED WAGES MOVING EXP	FEDERAL TAX S T A T E	FICA TAX T A X	MED TAX ETC
MARSHALL, WILLIAM R	00014T	900.00	0.00	0.00	0.00	900.00	900.00	0.00	55.80	13.06
		340770	0.00	0.00	0.00	900.00	900.00	0.00	0.00	0.00
MEADOWS, CRAIG L	00014T	150.00	0.00	0.00	0.00	150.00	150.00	0.00	9.30	2.18
		373150	0.00	0.00	0.00	150.00	150.00	4.50	0.00	0.00
NIJUSWA, GERALD E	00021T	150.00	0.00	0.00	0.00	150.00	150.00	0.00	9.30	2.18
		334605	0.00	0.00	0.00	150.00	150.00	4.50	0.00	0.00
NOORBAHSH, BARAK D	00018T	150.00	0.00	0.00	0.00	150.00	150.00	0.00	9.30	2.18
		380577	0.00	0.00	0.00	150.00	150.00	4.50	0.00	0.00
PARKULO, JOHN F	00002	50,350.16	2,265.75	5,166.55	2,900.80	45,183.61	47,449.36	8,162.99	2,941.85	688.07
		203856	0.00	0.00	0.00	45,183.61	47,449.36	2,239.29	0.00	0.00
PAUNOE, ASHLEY J	00020T	150.00	0.00	0.00	0.00	150.00	150.00	0.00	9.30	2.18
		381017	0.00	0.00	0.00	150.00	150.00	4.50	0.00	0.00
REED, HAROLD H	00014T	150.00	0.00	0.00	0.00	150.00	150.00	0.00	9.30	2.18
		373152	0.00	0.00	0.00	150.00	150.00	4.50	0.00	0.00
ROSE, PAUL T	00014T	150.00	0.00	0.00	0.00	150.00	150.00	0.00	9.30	2.18
		311327	0.00	0.00	0.00	150.00	150.00	0.00	0.00	0.00
SEITA, CHARLES L	00014T	150.00	0.00	0.00	0.00	150.00	150.00	0.00	9.30	2.18
		379031	0.00	0.00	0.00	150.00	150.00	4.50	0.00	0.00
SHAHAN, MICHAEL H	00014T	150.00	0.00	0.00	0.00	150.00	150.00	0.00	9.30	2.18
		373149	0.00	0.00	0.00	150.00	150.00	4.50	0.00	0.00
SHAIHOUP, NICHOLAS	00011T	375.00	0.00	0.00	0.00	375.00	375.00	4.17	23.25	5.44
		375203	0.00	0.00	0.00	375.00	375.00	11.25	0.00	0.00
SKARFF, DON B	00015T	600.00	0.00	0.00	0.00	600.00	600.00	0.00	37.20	8.72
		327147	0.00	0.00	0.00	600.00	600.00	0.00	0.00	0.00

EPICS W2 INFORMATION REPORT FOR 2004      01/01/2004 THRU 12/31/2004

STATE AUDITORS OFFICE      DEPARTMENT:      DENTISTS & DENTAL HYGIENISTS BO  
 ROOM WEST 100      CHARLESTON, WV 25305      PRIN: 550543971

SOC SEC NO	POS	GROSS EMP NO.	RETIREMENT TIPS	TX SHELTER FICA SHELTER	FED TAXABLE ST DEP. CARE	FICA WAGES MED WAGES MOVING EXP	FEDERAL TAX S T A T E	FICA TAX T A X	MED TAX EIC
SMITH, RICHARD D	00008T	2,850.00	0.00	0.00	2,850.00	2,850.00	0.00	176.70	41.33
		348055	0.00	0.00	2,850.00	0.00	0.00	0.00	0.00
STONE, APRIL D	00004	13,416.82	603.75	1,790.31	11,626.51	12,230.26	396.06	758.35	177.31
		371321	0.00	1,186.56	11,626.51	0.00	369.24	0.00	0.00
SZARKO, JAMES F	1 00012T	300.00	0.00	0.00	300.00	300.00	0.00	18.60	4.35
		375202	0.00	0.00	300.00	0.00	9.00	0.00	0.00
THOMPSON, KIMBERLY S		150.00	0.00	0.00	150.00	150.00	0.00	9.30	2.18
		367982	0.00	0.00	150.00	0.00	0.00	0.00	0.00
VARGO, JAMES W	00009T	1,350.00	0.00	0.00	1,350.00	1,350.00	0.00	83.70	19.58
		364335	0.00	0.00	1,350.00	0.00	0.00	0.00	0.00
VAUGHAN, BRADFORD A	00001	12,060.00	542.82	1,486.82	10,573.18	11,116.00	813.40	689.22	161.21
		203854	0.00	944.00	10,573.18	0.00	337.06	0.00	0.00
VAUGHAN, DINA A	00010T	1,650.00	0.00	0.00	1,650.00	1,650.00	0.00	102.30	23.94
		304957	0.00	0.00	1,650.00	0.00	0.00	0.00	0.00
WEAVER, BRYAN D	00016T	600.00	0.00	0.00	600.00	600.00	0.00	37.20	8.71
		327155	0.00	0.00	600.00	0.00	0.00	0.00	0.00
WHITAKER, JOEL R	00013T	300.00	0.00	0.00	300.00	300.00	0.00	18.60	4.35
		375201	0.00	0.00	300.00	0.00	9.00	0.00	0.00
YATES, DAVID E	00017T	450.00	0.00	0.00	450.00	450.00	0.00	27.90	6.54
		321110	0.00	0.00	450.00	0.00	0.00	0.00	0.00

\*\* PRIN TOTAL \* \*      121,311.98      4,369.14      12,335.70      108,976.28      113,345.42      10,120.37      7,027.53      1,643.76

