

**WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION**

Form #2

Do Not Mark In This Box

FILED

2004 JUN 11 P 12:20

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

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

RULE TYPE: Legislative CITE AUTHORITY: 30-1-6 30-4-1 et seq

AMENDMENT TO AN EXISTING RULE: YES X 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 12, 2004 AT 4:00 pm ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

West Virginia Board of Dental Examiners

207 South Heber Street

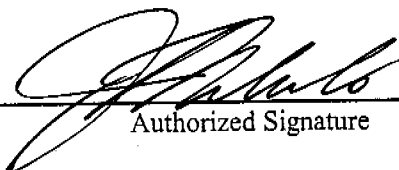
Beckley, WV 25801

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

RECEIVED

JUN 11 2004

JOE MANCHIN III
WV SECRETARY OF STATE


Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

SUMMARY OF PROPOSED RULE

To increase various application and renewal fees as well as charging for services currently supplied by the board that are not recouped at this time but are services charged by other State boards.

STATEMENT OF CIRCUMSTANCES

To enable the Board to continue to carry out effectively their responsibilities of licensure registration and discipline of individuals subject to their authority by increasing the various application and renewal fees as well as charging for services currently supplied by the board that are not recouped at this time, in order to prepare for increased costs of office expenses anticipated in the short term, including but not limited to, rent increase/relocation costs, additional legal expenses, increased costs associated with two additional Board Members, anticipated costs of hiring a hearing examiner; increased costs of insurance premiums, and future considerations to salary increases to current employees.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Fees Established By The Board

Type of Rule: X Legislative Interpretive Procedural

Agency: West Virginia Board of Dental Examiners

Address: 207 South Heber Street

Beckley, WV 25801

1. Effect of Proposed rule: These amounts are only estimated and would be appropriated to the proper budget line items to meet the boards needs if increases are passed.

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	100,000.00	0	273,000.00	273,000.00	373,000.00
PERSONAL SERVICES	30,450.00	0	129,550.00	129,420.00	160,000.00
CURRENT EXPENSE	52,850.00	0	90,150.00	88,980.00	143,000.00
REPAIRS & ALTERATIONS	2,000.00	0	1,000.00	500.00	3,000.00
EQUIPMENT	4,500.00	0	7,500.00	6,500.00	12,000.00
OTHER Emp. Benefits	10,200.00	0	44,800.00	47,600.00	55,000.00

2. Explanation of Above Estimates:

Estimates are based on projections of increase in application, renewal and permit fees only, misc. fees not included due to lack of supportive data.

3. Objectives of These Rules:

To increase the Annual Budget of the Board as set forth in the Statement of Circumstances.

Rule Title: Fees Established By The Board

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

To allow the Board of Dental Examiners to effectively discharge their responsibilities as set forth in the Statement of Circumstances.

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

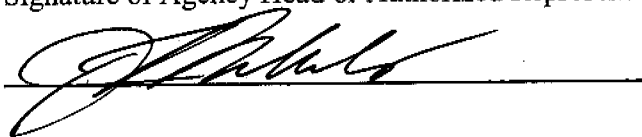
Nominal increase in application, renewal and permit fees associated with the practice of dentistry in the State of West Virginia.

C. Economic Impact on Citizens/Public at Large.

Possible nominal increase in costs of Dental Services in the State of West Virginia.

Date: June 10, 2004

Signature of Agency Head or Authorized Representative:



**TITLE 5
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF DENTAL EXAMINERS**

**SERIES 3
FEES ESTABLISHED BY THE BOARD**

FILED
2004 JUN 11 P 12:20
WEST VIRGINIA
SECRETARY OF STATE

§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 30-4-4A.
- 1.3. Filing Date. --
- 1.4. Effective Date. --

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

2.1. Dental Licensure Application	\$50.00 <u>\$150.00</u>
2.2. <u>Re-examination fee for Dentists (Law Exam)</u>	<u>\$20.00</u>
2.2. <u>2.3.</u> Out of State Dentist - Dental Licensure Application	\$100.00 <u>\$250.00</u>
2.3. <u>2.4.</u> Temporary Permit	\$100.00 <u>\$150.00</u>
2.4. <u>2.5.</u> Dental Intern/Dental Residency Permit	\$50.00 <u>\$100.00</u>
2.5. <u>2.6.</u> Teaching Permit	\$100.00 <u>\$150.00</u>
2.6. <u>2.7.</u> Investigation of Qualification for Temporary, Dental Intern/Dental Residency or Teaching Permits	<u>\$50.00</u>
—2.7. <u>2.8.</u> Annual Information & Renewal fee for a <u>General</u> Dentist Practicing In State	\$125.00 <u>\$150.00</u>
<u>2.9.</u> <u>Annual Information & Renewal fee for an Out of State General Dentist</u>	<u>\$200.00</u>

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

<u>53.1.</u> Dental Specialty Licensure Application	\$300.00 <u>\$450.00</u>
<u>3.2.</u> <u>Annual Information & Renewal fee for Dental Specialty</u>	<u>\$200.00</u>

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June 10, 2004

Ms. Judy Cooper
Office of the Secretary of State
Administrative Law Division
Capitol Complex
Charleston, WV 25305

RE: 5CSR3

Dear Ms. Cooper:

It would be appreciated if the Secretary of State's office would file the enclosed Notice of Comment Period on a Proposed Rule with attachments and place the same on the State Register. Please return to us a copy of the same with the filing date shown for our records. If additional information is needed please do not hesitate to contact this office.

I wish to thank you for your help and cooperation. The Board greatly appreciates it.

Very truly yours,


JOHN F. PARKULO
Executive Secretary

JFP/smc
Enclosure