



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Occupational Therapy TITLE-SERIES: 13-03

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: FEES FOR SERVICES RENDERED BY THE BOARD

CITE STATUTORY AUTHORITY: 30-28-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/01/2019 11:59 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Vonda Malnikoff

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Morgantown, WV 26505

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PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

Reduction of biennial license renewal fees of WV Occupational Therapist and Occupational Therapy Assistant licenses.

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN THE RULE AND A STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE:

As the WV Board of Occupational Therapy is solely funded by licensee fees, the financial surplus generated by the Board over the past several years should be returned to licensees in the form of fee reductions. Biennial license renewal fees will be reduced by the changes to this Rule.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

As the Board is fully funded by licensee fees, this reduction in license renewal fees will have no impact on the general revenue of state government.

B. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

Occupational Therapists and Occupational Therapy Assistants licensed in WV will see a reduction in their biennial license renewal fee of \$20.

C. FISCAL NOTE DETAIL:

| Effect of Proposal | Fiscal Year | | |
|------------------------------------|--|--|--|
| | 2019 Increase/Decrease (use "-") | 2020 Increase/Decrease (use "-") | Fiscal Year (Upon Full Implementation) |
| 1. Estimated Total Cost | | | |
| Personal Services | | | |
| Current Expenses | | | |
| Repairs and Alterations | | | |
| Assets | | | |
| Other | | | |
| 2. Estimated Total Revenues | | | 11000 |

D. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

Reduction in revenue to the Board is based on approximately 550 license renewals at \$20 reduction per renewal.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Vonda K Malnikoff -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 13
LEGISLATIVE RULE
BOARD OF OCCUPATIONAL THERAPY

SERIES 3
FEES FOR SERVICES RENDERED BY THE BOARD

§13-3-1. General.

1.1. Scope. -- This legislative rule establishes the fees to be charged by the Board for services rendered.

1.2. Authority. -- W. Va. Code §30-28-6.

1.3. Filing Date. -- ~~April 20, 2012.~~

1.4. Effective Date. -- ~~May 1, 2012.~~

1.5. Sunset Provision. -- This rule shall terminate and have no further force or effect upon the expiration of ten (10) years from final filing date.

§13-3-2. Schedule of Fees for Services Rendered by the West Virginia Board of Occupational Therapy.

Fees collected by the Board are not refundable.

2.1. Initial licensure fees:

2.1.a. Licensed Occupational Therapist a fee of \$150.00; and

2.1.b. Licensed Occupational Therapy Assistant a fee of \$100.00.

2.2. Limited Permit fees (to be applied to permanent license fee):

2.2.a. Occupational Therapist a fee of \$120.00; and

2.2.b. Occupational Therapy Assistant a fee of \$70.00.

~~2.3. Application packet a fee of \$30.00.~~

2.43. Biennial license renewal fees:

2.43.a. Licensed occupational therapist a fee of ~~\$140.00~~ 120.00; and

2.43.b. Licensed occupational therapy assistant a fee of ~~\$120.00~~ 100.00.

2.54. Late renewal a fee of \$100.00.

2.65. Verification of licensure a fee of \$30.00.

2.76. Mailing list fees:

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~~2.7.a. Paper list a fee of \$100.00; and~~

~~2.76.b.a.~~ Mailing labels a fee of ~~\$110.00~~15.00.

2.~~8~~7. Insufficient funds penalty a fee as provided for in statute §61-3-39e.

2.~~9~~8. Duplicate license cards a fee of \$25.00.

2.~~40~~9. Duplicate certificate a fee of \$30.00.