



**WEST VIRGINIA SECRETARY OF STATE**

**MAC WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

8/7/2019 12:03:05 PM

Office of West Virginia  
Secretary Of State

**NOTICE OF PUBLIC COMMENT PERIOD**

AGENCY: Veterinary Medicine

TITLE-SERIES: 26-06

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

RULE NAME: Schedule of Fees

CITE STATUTORY AUTHORITY: §30-10-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/08/2019 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Patricia Holstein

ADDRESS: 5509 Big Tyler Road, Suite 3

EMAIL: patricia.a.holstein@wv.gov

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:

This Rule establishes the fees to be charged by the WV Board of Veterinary Medicine.

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

The purpose of the Rule change is to update the Rule to be in compliance with HB118, §30-1-24. Use of criminal records as disqualification from authorization to practice.

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

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

N/A

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

N/A

C. FISCAL NOTE DETAIL:

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

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

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

Yes

Patricia A Holstein -- 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 26  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF VETERINARY MEDICINE

SERIES 6  
SCHEDULE OF FEES

**§26-6-1. General.**

1.1. Scope. -- This rule establishes the fees to be charged by the Board.

1.2. Authority. -- W. Va. Code §30-1-22. and W. Va. Code §30-10-6.

1.3. Filing Date. -- ~~April 23, 2018~~

1.4. Effective Date. -- ~~July 1, 2018.~~

1.5. Sunset Provision. -- This rule shall terminate and have no further force ~~on July 1, 2028.~~ or effect upon the expiration of 10 years from its effective date.

**§26-6-2. Definitions.**

2.1. "Initial" means obtaining a license in West Virginia for the practice of veterinary medicine, veterinary technology, or animal euthanasia technology for the first time.

2.2 "Local labor market" means every county in West Virginia, and any county outside of West Virginia if any portion of that county is within fifty miles of the border of West Virginia, pursuant to W.Va. Code §21-1C-2.

2.3. "Low-income individual" means an individual in the local labor market as defined in W. Va. Code §21-1C-2, whose household adjusted gross income is below 130 percent of the federal poverty line. This term also includes any person enrolled in a state or federal public assistance program including, but not limited to, the Temporary Assistance for Needy Families Program (TANF), Medicaid, or the Supplemental Nutrition Assistance Program (SNAP).

2.4. "Military families" means any person who serves as an active member of the armed forces of the United States, the National Guard, or a reserve component as described in 38 U. S. C. §101, honorably discharged veterans of those forces, and their spouses. This term also includes surviving spouses of deceased service members who have not remarried.

**§26-6-23. Schedule of Fees.**

<u>23.1.</u> Veterinary application, examination and license fee .....	\$300.00
<u>23.2.</u> Veterinary license renewal fee .....	\$250.00
<u>23.3.</u> Veterinary inactive license fee .....	\$75.00
<u>23.4.</u> Veterinary inactive license reactivation fee .....	\$250.00

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<del>23.5.</del> North America Veterinary License Exam (NAVLE) eligibility processing fee .....	\$75.00
<del>23.6.</del> Veterinary Technician application, examination and registration fee .....	\$100.00
<del>23.7.</del> Veterinary Technician registration renewal fee .....	\$80.00
<u>3.8. Veterinary Technician inactive registration fee .....</u>	<u>\$25.00</u>
<u>3.9. Veterinary Technician inactive license reactivation fee.....</u>	<u>\$80.00</u>
<del>23.8</del> <u>10.</u> Certified Animal Euthanasia Technician application, Rules and Practice Act, examination and certification fee .....	\$110.00
<del>23.9</del> <u>11.</u> Certified Animal Euthanasia Technician training program fee.....	\$225.00
<del>23.10</del> <u>12.</u> Certified Animal Euthanasia Technician certification renewal fee .....	\$50.00
<del>23.11</del> <u>13.</u> Certified Animal Euthanasia Technician continuing education program fee.....	\$250.00
<del>23.12</del> <u>14.</u> Animal Euthanasia Facility initial registration and renewal fee .....	\$50.00
<del>23.13</del> <u>15.</u> Inspection of a facility which employs a Certified Animal Euthanasia Technician and <u>is performing euthanasia</u> <del>are euthanizing</del> .....	\$250.00
<del>23.14</del> <u>16.</u> Veterinary facility inspection fee.....	\$300.00
<u>3.17. Veterinary ambulatory inspection fee.....</u>	<u>\$200.00</u>
<del>23.-15</del> <u>18.</u> Veterinary facility re-inspection fee .....	\$400.00
<del>23.16</del> <u>19.</u> Veterinary facility initial registration and renewal fees .....	\$100.00
<del>23.4</del> <u>7</u> <u>20.</u> Continuing education program review and evaluation.....	\$50.00
<del>23.4</del> <u>8</u> <u>21.</u> Rules and Practice Act <u>Booklet</u> .....	<u>\$35.00</u>
<u>3.21.a. Office Generated .....</u>	<u>\$35.00</u>
<u>3.21.b. Online .....</u>	<u>No fee</u>
<del>23.19</del> <u>22.</u> Written confirmation of licensure, registration, or certification <del>by West Virginia</del> .....	\$25.00
<del>23.20</del> <u>3-</u> Duplicate license, registration, or certification certificate	
<u>23.20</u> <u>3.a.</u> Office Generated .....	\$25.00
<u>23.20</u> <u>3.b.</u> Online .....	No fee
<u>3.24. Veterinary application petitioning for a licensure eligibility.....</u>	<u>\$150.00</u>

3.25. Veterinary technician application petitioning for a registration eligibility.....\$50.00

~~23.246.~~ All fees shall be payable to the West Virginia Board of Veterinary Medicine by check, cashier's check, money order, credit card or electronic transfer, if and when such credit card or electronic transfer services are available.

~~23.227.~~ All fees not received by the due date shall be assessed, a penalty, to be determined by the Board, not to exceed 25% of the original fee required.

~~2.23.~~ Upon approval of a waiver request, the Board shall waive fees for:

~~2.23.a.~~ Renewals of licenses, registrations or certifications for a military veteran, and their accompanying spouse, during their qualified deployment;

~~2.23.b.~~ Licensing, registration or certification for a military veteran and their accompanying spouse, for one year following their discharge from active duty;

~~2.23.c.~~ Inspection of a veterinary facility solely owned by a military veteran and/or their accompanying spouse, during their qualified deployment; and

~~2.23.d.~~ Inspection of a veterinary facility solely owned by a military veteran and/or their accompanying spouse, for one year following their discharge from active duty.

**§26-6-4. Application for Waiver of Fees.**

4.1. The Board may issue a license to an applicant who meets the requirements of W. Va. Code§30-31-1 et seq. and the rules promulgated by the Board, and the Board shall waive the initial licensure fee if the applicant qualifies as a "low-income individual" or as a member of one or more "military families" as defined in this rule.

4.2. Low-income individuals, as defined in this rule, may seek a waiver of the initial licensure, registration, or certification fee by submitting with their complete application a low-income waiver of initial licensure fee form, provided by the Board, and all required verification documents as prescribed by the Board. The Board shall review the application and issue a decision within 30 days of receipt of the complete application.

4.3. Military families, as defined in this rule, may seek a waiver of the initial or renewals of licensure, registration, or certification fee by submitting by submitting with their complete application a military service verification form, provided by the Board, and all required verification documents as prescribed by the Board. The Board shall review the application and issue a decision within 30 days of receipt of the complete application.

4.4. Military families, as defined in this rule, may seek a waiver of inspection fee of a veterinary facility solely owned by the licensee or registrant, by submitting by submitting with their complete application a military service verification form, provided by the Board, and all required verification documents as prescribed by the Board. The Board shall review the application and issue a decision within 30 days of receipt of the complete application.