



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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8/28/2020 3:31:39 PM

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: Physical Therapy TITLE-SERIES: 16-06
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: 16-06 Fees for Athletic Trainers

PRIMARY CONTACT

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CITE STATUTORY AUTHORITY: W. Va. Code §30-20A-1 et. seq.

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

This rule establishes the fees to be charged by the Board.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 7/29/2020

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 8/28/2020

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

Advertised on website and send email to all licensees.

SUMMARY OF THE CONTENT OF THE LEGISLATIVE RULE, AND A DETAILED DESCRIPTION OF THE RULE'S PURPOSE AND ALL PROPOSED CHANGES TO THE RULE:

This rule establishes the fees to be charged by the Board.

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THE RULE:

The purpose of this rule change is to update the rule by adding §16-6-2.2.2.4 athletic trainer delinquent license fee of \$210. This fee was not included in the fees introduced during the 2020 Legislative session due to an oversight. W. Va. Code §30-20A-9 refers to delinquent and expired licenses and states a fee shall be assessed.

The change in fees to §16-6-2.2.10.a. Continuing Education Course Review for Providers that will provide continuing education courses for Athletic Trainers. As it stands now, providers would pay \$50 per course submitted for review, regardless of the number of hours the course is for. With the fee reduction, providers will pay \$25 for a zero to nine hour course to be reviewed and the original fee would still stand at \$50 for a 10+ hour course to be reviewed.

The addition of §16-6-2.2.11 continuing education non-compliance fee is for the processing of audit submissions found to be in non-compliance of the required continuing education audit. This penalty would be assessed to all licensees who would fail a continuing education audit for their licensing reporting period.

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

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

None

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

There is no way to determine yet what impact this will have on the Board's special revenue account due to licensure of Athletic Trainers just being implemented in 2020.

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

None

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2020 Increase/Decrease (use "-")	2021 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			Unknown

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

Unknown

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

Yes

Nonnie S Ramsey -- 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 16
LEGISLATIVE RULE
WV BOARD OF PHYSICAL THERAPY

SERIES 6
FEES FOR ATHLETIC TRAINERS

§16-6-1. General.

1.1. Scope. -- This legislative rule describes and defines requirements for licensure as well as nature of practice for Athletic Trainers and support personnel.

1.2. Authority. -- W. Va. Code §30-20A-1, *et. seq.*

1.3. Filing Date. -- ~~April 1, 2020.~~

1.4. Effective Date. -- ~~April 1, 2020.~~

1.5. Sunset Provision. -- ~~This rule shall terminate and have no further force or effect on April 1, 2030.~~
This rule shall terminate and have no further force or effect upon the expiration of 10 years from its effective date.

§16-6-2. Fees.

2.1. The West Virginia Board of Physical Therapy is an autonomous State Licensing Board Agency and receives no monies from the State's general revenue fund; nor does it receive any Federal money. All money necessary to efficiently staff and equip a public office must be generated by services performed by the Board in behalf of its licensees or other interested parties.

2.2. Applicants shall pay to the Board the fees established and authorized by W. Va. Code §30-20A-1, *et. seq.*, except as provided in W. Va. Code §30-1-23.

2.2.1. Athletic Trainer Application	\$25
2.2.2. Athletic Trainers License	\$180
2.2.3. Biennial Renewal	\$80
<u>2.2.4. Athletic Trainer Delinquent License</u>	<u>\$210</u>
2.2. 4 <u>5</u> . License Verification	
2.2. 4 <u>5</u> .a. Office generated	\$25
2.2. 4 <u>5</u> .b. Online	No Charge
2.2. 5 <u>6</u> . Duplicate Wall Certificate	\$15
2.2. 6 <u>7</u> . Name Change Requiring New Card/ License (Outside of Renewal Season)	\$5

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2.2. 78	Athletic Trainer Temporary Permit	\$30
2.2. 89	Duplicate wallet card/license	\$5
2.2. 910	Continuing Education Course Review	
2.2. 910 .a.	Provider	\$50
2.2. 910 .a.1.	Zero-nine-hour course	\$25
2.2. 910 .a.2.	10 + hour course	\$50
2.2. 910 .b.	Individual licensee review	\$15
2.2.11.	Continuing Education Non-Compliance	<u>\$200</u>

2.2.~~40~~~~12~~. All fees not paid by the due date shall be assessed a penalty to be determined by the Board not to exceed 25% of the original fee required.