



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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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: Physical Therapy TITLE-SERIES: 16-04
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: 16-04 Fees for Physical Therapist and Physical Therapist Assistant

PRIMARY CONTACT

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CITE STATUTORY AUTHORITY: W. Va. Code §30-20-1, 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: 7/28/2020

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

COMMENTS RECEIVED: Yes

(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 email sent out 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:

The purpose of the rule change is to update the rule by breaking down the fees of continuing education course reviews for providers of continuing education courses. 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

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THE RULE:

The purpose of the rule change is to update the rule by breaking down the fees of continuing education course reviews for providers of continuing education courses. 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

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

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

This rule will have no impact on cost or revenue of state government. This rule will only impact the Board's special revenue account.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

It is unknown as to how this may impact the Board's special revenue account. So far, for calendar year 2020 the Board has received 881 courses submitted for approval with less than 10 hours from providers of continuing education courses for WV PT's and PTA's. Although this may seem like a large decrease, it is expected that the Board will receive more continuing education opportunities for our physical therapists and physical therapist assistants with the lower fee.

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 4
FEES FOR PHYSICAL THERAPIST AND PHYSICAL THERAPIST ASSISTANT

§16-4-1. General.

1.1. Scope. -- This legislative rule describes and defines requirements for licensure as well as nature of practice for Physical Therapists, Physical Therapist Assistants and support personnel.

1.2. Authority. -- W. Va. Code §30-20-1, 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.

§16-4-2. Fees.

2.1. The West Virginia Board of Physical Therapy is an autonomous State Licensing Board Agency and as such 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 §30-20-1, et. seq., except as provided in W. Va. Code §30-1-23.

2.2.1. Physical Therapist Application	\$25
2.2.2. Physical Therapist License	\$220
2.2.3. Physical Therapist Temporary Permit	\$35
2.2.4. Physical Therapist Biennial Renewal	\$100
2.2.5. Physical Therapist Delinquent License	\$250
2.2.6. Physical Therapist Assistant Application	\$25
2.2.7. Physical Therapist Assistant License	\$140
2.2.8. Physical Therapist Assistant Temporary Permit	\$20
2.2.9. Physical Therapist Assistant Biennial Renewal	\$60
2.2.10. Physical Therapist Assistant Delinquent License	\$170

16CSR4

2.2.11. Permanent License Verification	
2.2.11.a. Office Generated	\$25
2.2.11.b. Online	No Charge
2.2.12. Duplicate Wallet Card/License	\$5
2.2.13. Duplicate Wall Certificate	\$15
2.2.14. Name Change Requiring New Card/License (Outside of Renewal Season)	\$5
2.2.15 Exam Processing Fee	\$25
2.2.16. Physical Therapy Compact Fee	\$50
2.2.17. Continuing Education Course Review	
2.2.17.a. Provider	\$50
<u>2.2.17.a.1. Zero-nine hour course</u>	<u>\$25</u>
<u>2.2.17.a.2. 10 + hour course</u>	<u>\$50</u>
2.2.17.b. Individual Licensee Review	\$15
2.2.18. Continuing Education Non-Compliance	\$200

2.2.19. 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.