



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

6/29/2021 4:48:16 PM

Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Counseling

TITLE-SERIES: 27-02

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

RULE NAME: Series 2 Licensed Professional Counselor Fees
Rule

CITE STATUTORY AUTHORITY: Board of Examiners in Counseling

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cheryl Henry

ADDRESS: 815 Quarrier Street, Suite 212

Charleston, WV 25301

EMAIL: cheryl.j.henry@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:

LPC licensing fees

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

The Board has procured a database and some fees will be obsolete. Also, the Board is asking to add Inactive Status pertaining to licensure and the fee schedule needed to be revised to capture this change. The Board is removing two unnecessary fees and adding a minimal inactive status and inactive status renewal fee.

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

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

There will not be an economic impact on revenues of state government.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

There will not be an economic impact on special revenue accounts.

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

There will not be an economic impact on the state or its residents.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2021 Increase/Decrease (use "-")	2022 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			

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

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

Yes

Cheryl Henry -- 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 27
LEGISLATIVE RULE
BOARD OF EXAMINERS IN COUNSELING

SERIES 2
LICENSED PROFESSIONAL COUNSELOR FEES RULE

§27-2-1. General.

1.1. Scope. -- This rule establishes fee requirements related to the licensing of professional counselors, renewal of the licenses, and application and monitoring of continuing professional education providers and their programs.

1.2. Authority. -- W. Va. Code §30-31-6.

1.3. Filing Date. ~~June 5, 2017.~~

1.4. Effective Date. ~~July 1, 2017.~~

1.5. Sunset Provision. -- This rule shall terminate and have no further force or effect upon the expiration of ~~July 1, 2027~~ August 1, 2027.

§27-2-2. Fee Schedule.

2.1. Fees paid to the Board are ~~not~~ non-refundable.

2.2. Fees, with the exception of those for examination, are payable to the West Virginia Board of Examiners in Counseling (WVBEC).

2.3. Fees.

2.3.a. Initial application for licensure -- \$250.00;

2.3.a.1. The fee required for the issuance of the initial license certificate shall be calculated on the current renewal rate set in this rule, the date the license is issued and the number of quarters remaining in the current annual renewal cycle;

2.3.b. Endorsement application processing -- \$300.00;

2.3.c. Annual license renewal fee -- \$145.00;

2.3.d. Retirement Status application and renewal fee -- \$72.50

2.3.e. Late renewal during 60 day period -- \$100.00;

2.3.f. Reinstatement for licensure renewal after the end of the 60 day period or reinstatement following revocation or suspension of license -- \$250.00;

2.3.g. Examination score endorsement -- \$25.00;

2.3.h. Certification of supervised clinical experience endorsement -- \$25.00.

2.3.i. ~~Name change on all records — \$5.00;~~ Inactive Status application fee -- \$50.00

2.3.j. Endorsement to another state or a National or State certification -- \$25.00;

2.3.k. ~~Duplicate certificate — \$10.00;~~ Inactive Status renewal fee -- \$25.00

2.3.l. Filling a request for public information, print or electronic data, or other services relating to the Board, its members, or licensed professional counselors, is calculated based on the actual cost of materials, employee time, and services required to comply with the request; and,

2.3.m. Bad check fee -- As provided for in W. Va. Code §61-3-39e.

2.4. Continuing professional education provider and programs fees.

2.4.a. Initial certification as an approved provider of continuing professional education \$250.00;

2.4.b. Single event continuing education certification -- \$100.00 per event for non-profit and no fee to attending participants, or \$250.00 per event for-profit and/or fee charged to attending participants.

2.4.c. Annual fee to re-certify as an approved provider -- \$200.00 payable only after the Board has notified the provider that it is eligible to re-certify.

2.5. Examination fees.

2.5.a. Fee for the examination required by the Board is established by and payable to the National Board for Certified Counselors (NBCC) or its designee.