



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

9/5/2023 11:47:59 AM

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: W. Va. Code §30-31-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 10/05/2023 11:59 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:

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.

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

The rule was revised to include the telehealth registration 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 is no economic impact on revenues of the state government.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

There is no economic impact on the special revenue accounts.

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

There is no economic impact on the state or its residents because the fee will be imposed on counselors and therapists not licensed in the state of WV.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2023 Increase/Decrease (use "-")	2024 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. -- ~~July 21, 2022.~~

1.4. Effective Date. -- ~~July 21, 2022.~~

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

§27-2-2. Fee Schedule.

2.1. Fees paid to the Board are non-refundable.

2.2. Fees, ~~with the exception of~~ apart from 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. Inactive Status application fee -- \$50.00

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

2.3.k. Inactive Status renewal fee -- \$25.00

2.3.l. Temporary telehealth registration fee -- \$50.00

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 providers when no fee is charged 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. The fee for the examination required by the Board is established by and payable to the National Board for Certified Counselors (NBCC) or its designee.