



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Massage Therapy Licensure Board

RULE TYPE: Legislative

TITLE-SERIES: 194-04

RULE NAME: Schedule of Fees

CITE AUTHORITY: §30-37-6 and §30-37-13

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Linda Lyter -- 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 194
LEGISLATIVE RULE
MASSAGE THERAPY LICENSURE BOARD

SERIES 4
SCHEDULE OF FEES

§194-4-1. General.

- 1.1. Scope. -- This rule establishes the schedule of fees for the Massage Therapy Licensure Board.
- 1.2. Authority. -- W. Va. Code §30-37-6 and W. Va. Code §30-37-13.
- 1.3. Filing Date. -- ~~May 4, 2012~~
- 1.4. Effective Date. -- ~~May 4, 2012~~
- 1.5. Sunset Provision – This rule shall terminate and have no further effect on August 1, 2034.

§194-4-2. Licensure and Administrative Fees.

- 2.1. Each applicant for licensure is responsible for paying the appropriate fees specified in this rule.
- 2.2. The fees authorized to be established by the Board and necessary to the operation of the Board are as follows:
 - 2.3. Application fee -- ~~Fifty dollars~~ (\$50.00) -- a non-refundable fee to be paid by all applicants for a massage therapy license including those seeking a reciprocal license or to re-apply for a license.
 - 2.4. Two (2) year license fee -- ~~Three hundred dollars~~ (\$300.00) -- a fee to be paid at the time of application for initial or reciprocal license. This fee does not include the fifty dollars (\$50.00) application fee. This fee is non-refundable after issuance of a license.
 - 2.5. Two (2) year licensure renewal fee -- ~~Two hundred dollars~~ (\$200.00) -- a fee to be paid prior to the issuance of the license. This fee must be received by June 30 of the renewal year or by the end of the month before the license expires. This fee is non-refundable after issuance of license.
 - 2.6. Late fee -- ~~Fifty dollars~~ (\$50.00) -- a non-refundable fee to be paid when a licensee fails to submit application and fees on or after July 1 or the date the license expires. This is in addition to the other required fees.
 - 2.7. Duplicate or replacement license fee -- ~~Twenty-five dollars~~ (\$25.00) -- a non-refundable fee to be paid when a licensee requests a replacement for a lost or destroyed license, renewal or duplicate license or a license request due to a name change.
 - 2.8. Certified statement fee -- ~~Thirty dollars~~ (\$30.00) -- a fee to be paid at the time of request the Board verify that a licensee is licensed in West Virginia.
 - 2.9. Failure to report change of address fee in writing fee -- ~~Twenty-five dollars~~ (\$25.00) -- a fee that is to be paid by the applicant when he or she has failed to notify the Board in writing within thirty (30) days of changing his or her address.

2.10. Re-application fee -- ~~Three hundred dollars~~ (\$300.00) -- a fee to be paid when re-applying for licensure after the license lapsed sixty days after the expiration date of the license.

2.11. Failure to report name change in writing fee -- ~~Twenty five dollars~~ (\$25.00) -- a fee that is to be paid by the applicant when he or she has failed to notify the Board in writing within thirty (30) days of changing their name.

2.12. Roster fee -- ~~One hundred dollars~~ (\$100.00) -- a fee that is to be paid by at the time of the request for a copy of the roster of current licensees.

~~2.13. License fee for a new license issued after the effective date of this rule. --- Three hundred dollars (\$300.00) --- the license will be renewable two (2) years from the end of the month it was issued. This fee is non-refundable after issuance of a license.~~

2.14-3. Photocopy per page fee -- a ~~twenty five cent~~ (\$.50) per page photocopying fee shall be paid at the time information is requested.

~~§194 4 3. Expiration of fee increases.~~

~~3.1. The fee increases enacted by emergency rule in 2011 and by legislative rule in 2012 will expire as of July 1, 2014.~~

§194-4-4.3. Establishment License Fee.

~~—4.3.1. The initial a Application fee and renewal for an establishment license fee shall be -- (\$100.00) – a non-refundable fee to be paid at the time of application for the initial two (2) year establishment license. This fee must be received by October 1, 2023 and thereafter biennially, upon the renewal of the establishment license submitted with the applicable board issued renewal form.~~

~~—4.3.2. Two (2) year establishment license renewal fee -- (\$100.00) – a fee to be paid prior to the issuance of the license. This fee must be received by the end of the month of the renewal year before the license expires. This fee is non-refundable after issuance of the license.~~

§194-4-5 -4 Payment of Fees.

5.4.1. All fees and any money to be paid to the board shall be on a personal bank check, a certified check, or by money order. The board may not accept cash payments.