



WEST VIRGINIA SECRETARY OF STATE
KRIS 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: Counseling TITLE-SERIES: 27-09
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: 27-09 Marriage and Family Therapist Fees Rule

PRIMARY CONTACT

NAME: West Virginia Board of Examiners in Counseling
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CITE STATUTORY AUTHORITY: W. Va. Code §30-31-6

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:

- W. Va. Code §30-31-6

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

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? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED:

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

PUBLIC HEARING:

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

RELEVANT FEDERAL STATUTES OR REGULATIONS:

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

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 fee requirements related to the licensing of marriage and family therapists, renewal of the licenses, and application and monitoring of continuing professional education providers and their programs. The sunset provision needs to be updated.

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THE RULE:

This rule sets the fees for licensure and renewals. Fees are required for the operation of the WV Board of Examiners in Counseling.

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

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

There is no economic impact on revenues of state government.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

There is no economic impact on special revenue accounts.

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

Any WV resident that applies for licensure is required to pay the application fee and renewal fees to maintain licensure.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2026 Increase/Decrease (use "-")	2027 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 9
MARRIAGE AND FAMILY THERAPIST FEES RULE**

§27-9-1. General.

1.1. Scope. -- This rule establishes fee requirements related to the licensing of marriage and family therapists, 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~~ August 1, 2032.

§27-9-2. Fee Schedule.

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

2.2. Fees, 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 days 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. Filling a request for public information, print or electronic data, or other services relating to the Board, its members, or marriage and family therapists, 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 §61-3-39e.

2.3.n. Temporary Permit Fee -- \$50.00

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 Association of Marital and Family Therapy Regulatory Boards (AMFTRB) or its designee.