



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Occupational Therapy TITLE-SERIES: 13-03
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: FEES FOR SERVICES RENDERED BY THE BOARD

CITE STATUTORY AUTHORITY: 30-28-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/01/2024 12:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: WV Board of Occupational Therapy

ADDRESS: 1063 Maple Dr., Suite 4B

Morgantown, WV 26505

EMAIL: wvbot@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:

Fees for services rendered by the Board of Occupational Therapy

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

Reduction of initial licensure and limited permit fees for occupational therapists and occupational therapy assistants to be more in line with border state fees;
Add fee for compact privilege to practice as a result of the addition of article §30-28A

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

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

As the Board is fully funded by licensee fees, there will be no impact to general revenue of state government.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

Expected impact to Board revenue is a reduction of approximately \$10,000 annually.

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

Occupational Therapist and Occupational Therapy Assistant licenses will be reduced by \$75 and \$50, respectively.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2024 Increase/Decrease (use "-")	2025 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			-10,000

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

Estimated revenue reduction is based on the following:

Initial OT licenses per year: $100 * \$75$ fee reduction = \$7,500

Initial OTA licenses per yr: $50 * \$50$ fee reduction = \$2,500

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

Yes

Vonda K Malnikoff -- 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 13
LEGISLATIVE RULE
BOARD OF OCCUPATIONAL THERAPY

SERIES 3
FEES FOR SERVICES RENDERED BY THE BOARD

§13-3-1. General.

1.1. Scope. -- This legislative rule establishes the fees to be charged by the Board for services rendered.

1.2. Authority. -- W. Va. Code §30-28-6.

1.3. Filing Date. -- ~~April 8, 2020.~~

1.4. Effective Date. -- ~~July 1, 2020.~~

1.5. Sunset Provision. -- This rule shall terminate and have no further force or effect upon ~~July August 1, 2030~~2035.

§13-3-2. Schedule of Fees for Services Rendered by the West Virginia Board of Occupational Therapy.

Fees collected by the Board are not refundable.

2.1. Initial licensure fees:

2.1.a. Licensed Occupational Therapist a fee of ~~\$150.00~~75.00; and

2.1.b. Licensed Occupational Therapy Assistant a fee of ~~\$100.00~~50.00.

2.2. Limited Permit fees (to be applied to permanent license fee):

2.2.a. Occupational Therapist a fee of ~~\$120.00~~45.00; and

2.2.b. Occupational Therapy Assistant a fee of ~~\$70.00~~20.00.

2.3. Biennial license renewal fees:

2.3.a. Licensed occupational therapist a fee of \$120.00; and

2.3.b. Licensed occupational therapy assistant a fee of \$100.00.

2.4. Late renewal a fee of \$100.00.

2.5. Verification of licensure a fee of \$30.00.

2.6. Mailing list fees:

2.6.a. Mailing labels a fee of \$15.00.

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- 2.7. Insufficient funds penalty a fee as provided for in statute §61-3-39e.
- 2.8. Duplicate license cards a fee of \$25.00.
- 2.9. Duplicate certificate a fee of \$30.00.
- 2.10. Occupational Therapy Compact Privilege to Practice a fee of \$50.00.