

OCTOBER 13



Tuesday, October 13, 2009

10:00 a.m. to 12:00 p.m.

Legislative Rule-Making
Review Committee
(Code §29A-3-10)

Earl Ray Tomblin
ex officio nonvoting member

Richard Thompson
ex officio nonvoting member

Senate

Minard, Chairman
Snyder, Vice Chair
Prezioso
Unger Absent
Boley
Facemyer

House

Brown, Chairman
Poling, Vice Chair Absent
Miley
Talbot
Overington
Sobonya

The meeting was called to order by Delegate Brown, Chair.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Consolidated Public Retirement Board, Refund, Reinstatement and Loan Interest Factors, 162CSR7.**

Senator Minard moved to reconsider the proposed rule. The motion was adopted.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Charles Roskovensky, Associate Counsel, reviewed his abstract on the rule proposed by the **WV Board of Examiners for Licensed Practical Nurses, Policies and procedures for development and maintenance of education programs in practical nursing, 10CSR1,** stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Senator Snyder moved that the proposed rule be approved as modified. The motion was adopted.

Mr. Roskovensky explained his abstract on the rule proposed by the **WV Board of Osteopathy, Licensing Procedures for Osteopathic Physicians, 24CSR1,** stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved as modified. The motion was adopted.

Mr. Roskovensky reviewed his abstract on the rule proposed by the **WV Board of Osteopathy, Fees for Service Rendered by the Board of Osteopathy, 24CSR5**, stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Diana Shepard, new Executive Director for the Board, responded to questions from the Committee.

Brad Hall, Medical Director of the West Virginia Medical Health Program, responded to questions from the Committee.

Robert Knittle, Executive Director for the Board of Medicine, responded to questions from the Committee.

Senator Facemyer moved that the proposed rule be laid over until the next meeting. The motion was adopted.

Mr. Roskovensky explained his abstract on the rule proposed by the **Division of Tourism, Direct Advertising Grants Program, 144CSR1**, and responded to questions from the Committee.

Betty Carver, Commissioner for the Division, responded to questions from the Committee.

Anna Plantz, Director of Tourism, responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Roskovensky reviewed his abstract on the rule proposed by the **Board of Medicine, Fees for Services Rendered by the Board of Medicine Including Assistance to the Board-Designated Physician Health Program for Physicians, Podiatrists and Physician Assistants, 11CSR4**, and responded to questions from the Committee.

Senator Facemyer requested a copy of the Board's budget.

Robert Knittle, Executive Director for the Board of Medicine, responded to questions from the Committee.

Senator Facemyer moved that the proposed rule be laid over until the next meeting. The motion was adopted.

Jay Lazell, Associate Counsel, explained his abstract on the rule proposed by the **DEP - Division of Air Quality, Ambient Air Quality Standards, 45CSR8**.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell reviewed his abstract on the rule proposed by the DEP - Division of Air Quality, *Standards of Performance for New Stationary Sources*, 45CSR16.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell explained his abstract on the rule proposed by the DEP - Division of Air Quality, *Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities*, 45CSR25.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell reviewed his abstract on the rule proposed by the DEP - Division of Air Quality, *Acid Rain Provisions and Permits*, 45CSR33.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Lazell explained his abstract on the rule proposed by the DEP - Division of Air Quality, *Emission Standards for Hazardous Air Pollutants*, 45CSR34, and responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved. The motion was adopted.

Mr. Roskovensky reviewed his abstract on the rule proposed by the WV Board of Examiners in Counseling, *Licensed Professional Counselor Fees*, 27CSR2.

Jean Ann Johnson, Executive Director for the Board, responded to questions from the Committee.

Senator Minard moved that the proposed rule and 27CSR9 be laid over until the next meeting. The motion was adopted.

Mr. Roskovensky explained his abstract on the rule proposed by the WV Board of Examiners in Counseling, *Licensed Professional Counselor License Renewal and Continuing Professional Education Requirements*, 27CSR3, and stated that the Board has agreed to technical modifications.

Senator Minard moved that the proposed rule be approved as modified. The motion was adopted.

Mr. Roskovensky reviewed his abstract on the rule proposed by the **WV Board of Examiners in Counseling, Marriage and Family License Renewal and Continuing Education Rule, 27CSR10**, and stated that the Board has agreed to technical modifications.

Senator Minard moved that the proposed rule be approved as modified. The motion was adopted.

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **WV Conservation Committee, Operation of West Virginia State Conservation Committee and Conservation Districts, 63CSR1**, stated that the Commission has agreed to technical modifications and responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved as modified. The motion was adopted.

Mr. Skinner reviewed his abstract on the rule proposed by the **Division of Personnel, Administrative Rule of the West Virginia Division of Personnel, 143CSR1**, and responded to questions from the Committee.

Senator Minard moved that the proposed rule be approved as modified. The motion was adopted.

Mr. Skinner explained his abstract on the rule proposed by the **Department of Administration - Purchasing Division, State Owned Vehicles, 148CSR3**, stated that the Commission has agreed to technical modifications and responded to questions from the Committee.

Senator Minard moved to modify the proposed rule by prohibiting the use of cell phones except when using hands free devices while the vehicle is in motion. The motion was adopted.

Senator Snyder moved that the proposed rule be approved as modified. The motion was adopted.

Senator Minard moved to adjourn the meeting. The motion was adopted.

OCTOBER INTERIM ATTENDANCE
Legislative Interim Meetings
October 13, 14 and 15, 2009

Tuesday, October 13, 2009

10:00 am - 12:00 pm

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Thompson, ex
officio nonvoting member

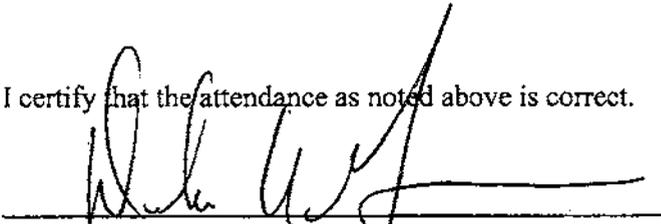
Senate

Minard, Chair ✓
Snyder, Vice Chair ✓
Prezioso _____
Unger _____
Boley ✓
Facemyer ✓

House

Brown, Chair ✓
Poling, D., Vice Chair _____
Miley ✓
Talbot ✓
Overington ✓
Sobonya ✓

I certify that the attendance as noted above is correct.



Staff Person

Debra Graham

Please return to Brenda in Room 132-E or Fax to 347-4819 ASAP, due to payroll deadline.

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Tuesday, October 13, 2009
10:00 a.m. to 12:00 p.m.
Senate Judiciary Committee Room

1. **Approval of Minutes** - Meetings of September 14, 2009
2. **Review of Legislative Rules:**
 - a. **Consolidated Public Retirement Board**
Refund, Reinstatement and Loan Interest Factors
162CSR7
 - Reconsideration
 - Approve
 - b. **Licensed Practical Nurses, WV Board of Examiners for**
Policies and procedures for development and maintenance of
education programs in practical nursing
10CSR1
 - Approve as Modified
 - c. **Osteopathy, WV Board of**
Licensing Procedures for Osteopathic Physicians
24CSR1
 - Approve as Modified
 - d. **Osteopathy, WV Board of**
Fees for Service Rendered by the Board of Osteopathy
24CSR5
 - Approve as Modified
 - e. **Tourism, Division of**
Direct Advertising Grants Program
144CSR1
 - Approve
 - f. **Medicine, Board of**
Fees for Services Rendered by the Board of Medicine
Including Assistance to the Board-Designated Physician
Health Program for Physicians, Podiatrists and Physician
Assistants
11CSR4
 - Approve

- g. **Air Quality, Division of - DEP**
Ambient Air Quality Standards
45CSR8
- Approve
- h. **Air Quality, Division of - DEP**
Standards of Performance for New Stationary Sources
45CSR16
- Approve
- i. **Air Quality, Division of - DEP**
*Control of Air Pollution from Hazardous Waste Treatment,
Storage and Disposal Facilities*
45CSR25
- Approve
- j. **Air Quality, Division of - DEP**
Acid Rain Provisions and Permits
45CSR33
- Approve
- k. **Air Quality, Division of - DEP**
Emission Standards for Hazardous Air Pollutants
45CSR34
- Approve
- l. **Counseling, WV Board of Examiners in**
Licensed Professional Counselor Fees
27CSR2
- Approve as Modified
- m. **Counseling, WV Board of Examiners in**
*Licensed Professional Counselor License Renewal and
Continuing Professional Education Requirements*
27CSR3
- Approve as Modified
- n. **Counseling, WV Board of Examiners in**
Marriage and Family Therapist Fee Rule
27CSR9
- Approve as Modified

- o. **Counseling, WV Board of Examiners in**
Marriage and Family License Renewal and Continuing
Education Rule
27CSR10
 - Approve as Modified

- p. **Conservation Committee, WV**
Operation of West Virginia State Conservation Committee
and Conservation Districts
63CSR1
 - Approve as Modified

- q. **Personnel, West Virginia Division of**
Administrative Rule of the West Virginia Division of
Personnel
143CSR1
 - Approve

- r. **Administration, Department of - Purchasing Division**
State Owned Vehicles
148CSR3
 - Approve as Modified

3. **Other Business**

OCTOBER INTERIM ATTENDANCE
Legislative Interim Meetings
October 13, 14 & 15, 2009

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Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
 officio nonvoting member

Richard Thompson, ex
 officio nonvoting member

Senate

House

Minard, Chair ✓
 Snyder, Vice Chair _____
 Prezioso _____
 Unger _____
 Boley ✓
 Facemyer ✓

Brown, Chair ✓
 Poling, Vice Chair _____
 Miley ✓
 Talbott ✓
 Overington ✓
 Sobonya ✓

Brown Chairing

Minard

Reconsidered CPRB rule. Approved

LPW

Minard

*Charlie explained and responded to questions.
 Approve as mod.*

Osteopathy 24CSR1

Minard

*Charlie explained and responded to questions
 Approve as mod.*

Osteopathy 24CSR5

*Charlie explained and responded to questions
 Diana Shepherd, Exec Dir. addressed C & responded
 to questions*

*Dr. Brad Hall, Med Dir of WV Health Prog.
 responded to C's questions*

Robt K, Exe Dir Bd of Medicine responded to
C's questions

Facemeyer
adopted

Shepherd
lay over til Wed - wants copy of budgets

Boley requested info on cost of combining the Bds
HB 2539 - Charlie explained. To check on E report
back

Tourism

Charlie explained E responded to q's

Betty Carver ^{C.Du.T} responded to questions

Anna Plantz, Dir

Approved

Medicine

Charlie explained

Facemeyer wants budget info

Robt Kinidle responded to q's

Facemeyer lay over til tomorrow

ORAQ 45 CSR 8

Jay explained

Approve

Minard

ORAQ 45 CSR 16

Jay explained

Approve

Minard

OAQ 45 CSR 25

Jay explained

Approve

Minard

OAQ 45 CSR 33

Jay explained

Approve

Minard

OAQ 45 CSR 34

Jay explained & responded to questions

Approve

Minard

Counseling 27 CSR 2 / 9 layover

Jean Anne Johnson addressed @

Counseling 27 CSR 3

Charlie explained

Approve as mod

Minard

Counseling 27 CSR 10

Charlie explained

Approve as mod

Minard

Conservation Committee

Brian explained & responded to questions

Approve as mod

Minard

Snyder

Administration
Brian explained & responded to questions
Appears as modified

Miraud

Dir of Personnel
Brian explained & responded to questions
Appears

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Tuesday, October 13, 2009
10:00 a.m. to 12:00 p.m.
Senate Judiciary Committee Room

1. ~~Approval of Minutes - Meetings of September 14, 2009~~

2. Review of Legislative Rules:

✓ a. **Consolidated Public Retirement Board**
Refund, Reinstatement and Loan Interest Factors
162CSR7

Reconsider
Approved

- Reconsideration
- Approve

Tax - Exemption for Flood

Licensed Practical Nurses, WV Board of Examiners for
Policies and procedures for development and maintenance of
education programs in practical nursing
10CSR1

- Approve as Modified

Osteopathy, WV Board of
Licensing Procedures for Osteopathic Physicians
24CSR1

- Approve as Modified

Laid over ~~to~~
til Wednesday **Osteopathy, WV Board of**
Fees for Service Rendered by the Board of Osteopathy
24CSR5

- Approve as Modified

Tourism, Division of
Direct Advertising Grants Program
144CSR1

- Approve

Laid over ~~to~~
til Wednesday **Medicine, Board of**
Fees for Services Rendered by the Board of Medicine
Including Assistance to the Board-Designated Physician
Health Program for Physicians, Podiatrists and Physician
Assistants
11CSR4

- Approve

Approved g.

Air Quality, Division of - DEP
Ambient Air Quality Standards
45CSR8

- Approve

Approved b.

Air Quality, Division of - DEP
Standards of Performance for New Stationary Sources
45CSR16

- Approve

Approved 1.

Air Quality, Division of - DEP
Control of Air Pollution from Hazardous Waste Treatment,
Storage and Disposal Facilities
45CSR25

- Approve

Approved d.

Air Quality, Division of - DEP
Acid Rain Provisions and Permits
45CSR33

- Approve

Approved k.

Air Quality, Division of - DEP
Emission Standards for Hazardous Air Pollutants
45CSR34

- Approve

Lat'd over 1.
til Wednesday

Counseling, WV Board of Examiners in
Licensed Professional Counselor Fees
27CSR2

- Approve as Modified

Approved m.
as modified

Counseling, WV Board of Examiners in
Licensed Professional Counselor License Renewal and
Continuing Professional Education Requirements
27CSR3

- Approve as Modified

Lat'd over n.
til Wednesday

Counseling, WV Board of Examiners in
Marriage and Family Therapist Fee Rule
27CSR9

- Approve as Modified

Approved
modified

10. **Counseling, WV Board of Examiners in
Marriage and Family License Renewal and Continuing
Education Rule**
27CSR10

- Approve as Modified

Approved
as modified

11. **Conservation Committee, WV
Operation of West Virginia State Conservation Committee
and Conservation Districts**
63CSR1

- Approve as Modified

Approved

12. **Personnel, West Virginia Division of
Administrative Rule of the West Virginia Division of
Personnel**
143CSR1

- Approve

Approved
as modified

13. **Administration, Department of - Purchasing Division
State Owned Vehicles**
148CSR3

- Approve as Modified

3. **Other Business**

OCTOBER INTERIM ATTENDANCE
Legislative Interim Meetings
October 13, 14 & 15, 2009

Tuesday, October 13, 2009

10:00 a.m. - 12:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Richard Thompson, ex
officio nonvoting member

Senate

House

Minard, Chair ✓
Snyder, Vice Chair ✓
Prezioso _____
Unger _____
Boley ✓
Facemyer ✓

Brown, Chair ✓
Poling, Vice Chair _____
Miley ✓
Talbott ✓
Overington ✓
Sobonya ✓

- Brown called meeting to order
- CBRB 162 CSR 7
Debra explained
Minard moved to reconsider - Approved
Minard moved rule -
Approved
- LPN 10 CSR 1
Charlie explained & responded to ?'s
Minard moved rule as modified
Approved

- Osteopathy 24CSR1

Charlie explained & responded to ?'s
Minard moved rule as modified
Approved

- Osteopathy 24CSR5

Charlie explained & responded to ?'s
Diana Shepard, Ex Director of Bd., responded to ?'s
Brad Hall, medical dir of WV medical Health Program,
responded to ?'s

Robert Knittle, Ex Dir of the Bd of Medicine,
responded to ?'s

Facemeyer moved to lay over until tomorrow
Approved

- Tourism 144CSR1

Charlie explained & responded to ?'s
Betty Carver, Commissioner of the Division
responded to ?'s

Anna Plantz, Director of Tourism responded to ?'s
Minard moved rule
Approved

- Medicine 11CSR4

Charlie explained & responded to ?'s

Facemys requested budget from Bd.

Robert Knittle, Ex Dir of Bd, responded to ?'s

Facemys moved to lay over until tomorrow

Approved

- Air Quality 45CSR8

Jay explained

Minard moved rule

Approved

- Air Quality 45CSR16

Jay explained

Minard moved rule

Approved

- Air Quality 45CSR25

Jay explained

Minard moved rule

Approved

- Air Quality 45CSR33

Jay explained

Minard moved rule

Approved

- Air Quality 45CSR34

Jay explained & responded to ?'s
Minard moved rule
Approved

- Counseling 27CSR2

Charlie explained

Jean Ann Johnson, Ex. Dir of Bd, addressed the
Committee and responded to ?'s
Minard moved to lay over this rule
and 27CSR9

Approved

- Counseling 27CSR3

Charlie explained

Minard moved as modified
Approved

- Counseling 27CSR10

Charlie explained

Minard moved rule as modified
Approved

Conservation 630821
-
Board explained & responded to 2a
Moved rule as modified
Approved

Poisoned 1430821
-
Board explained & responded to 2a
Moved rule
Approved

Administration 1480823
-
Board explained & responded to 2a
Single moved rule as modified
Moved to ~~2a~~ modified
- prohibition for cell phones except hands free
while vehicle is moving
Approved
Approved

Mural moved to adjacent
-
Approved

REGISTRATION OF PUBLIC
AT COMMITTEE MEETINGS

WEST VIRGINIA LEGISLATURE

Committee: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Date: 10/13/09

Please print or write plainly.

NAME	ADDRESS	REPRESENTING	RULE NUMBER	Please mark with an (X) if you desire to make a statement.
Susan Webb		AAMFT WAMFT	27CSR9	

OCTOBER 14



Wednesday, October 14, 2009

4:00 p.m. to 5:00 p.m.

Legislative Rule-Making
Review Committee
(Code §29A-3-10)

Earl Ray Tomblin
ex officio nonvoting member

Richard Thompson
ex officio nonvoting member

Senate

House

Minard, Chairman
Snyder, Vice Chair
Prezioso
Unger
Boley
Facemyer

Absent

Brown, Chairman
Poling, Vice Chair
Miley
Talbot
Overington
Sobonya
Absent
Absent

The meeting was called to order by Delegate Brown, Chair.

Senator Snyder moved that the minutes of the September 14, 2009, meeting be approved. The motion was adopted.

Rita Pauley, Associate Counsel, explained her abstract on the rule proposed by the **Secretary of State, Early Voting in Person Satellite Precincts, 153CSR13**, and stated that the Agency has agreed to technical modifications and responded to questions from the Committee.

Senator Prezioso moved that the proposed rule be laid over. The motion was adopted.

Mrs. Pauley reviewed her abstract on the rule proposed by the **WV Department of Transportation, Valuation of Used Rolling Stock and Equipment, 172CSR2**, and responded to questions from the Committee.

Senator Snyder moved that the proposed rule be approved. The motion was adopted.

Mrs. Pauley explained her abstract on the rule proposed by the **WV Virginia Division of Highways, Use of State Road Rights of Way and Adjacent Areas, 157CSR6**, and stated that the Division has agreed to technical modifications.

Senator Snyder moved that the proposed rule be approved as modified. The motion was adopted.

Mrs. Pauley reviewed her abstract on the rule proposed by the **WV Virginia Division of Highways, Transportation of Hazardous Wastes Upon the Roads & Highways, 157CSR7**, and stated that the Division has agreed to technical modifications.

Senator Snyder moved that the proposed rule be approved as modified. The motion was adopted.

Charles Roskovensky, Associate Counsel, explained his abstract on the rule proposed by the **WV Board of Osteopathy, Fees for Service Rendered by the Board of Osteopathy, 24CSR5**, and stated that the Board has agreed to technical modifications.

Diana Shepard, new Executive Director for the WV Board of Osteopathy, responded to questions from the Committee.

Cheryl Shriber, retiring Executive Director for the WV Board of Osteopathy, responded to questions from the Committee.

Senator Snyder moved that the proposed rule be approved as modified. The motion was adopted.

Mr. Roskovensky reviewed his abstract on the rule proposed by the **Board of Medicine, Fees for Services Rendered by the Board of Medicine Including Assistance to the Board-Designated Physician Health Program for Physicians, Podiatrists and Physician Assistants, 11CSR4**, and responded to questions from the Committee.

Robert Knittle, Executive Director for the Board of Medicine, responded to questions from the Committee.

Senator Snyder moved that the proposed rule be approved. The motion was adopted.

Mr. Roskovensky explained his abstract on the rule proposed by the **WV Board of Examiners in Counseling, Licensed Professional Counselor Fees, 27CSR2**, and stated that the Board has agreed to technical modifications.

Jean Ann Johnson, Executive Director for the Board of Examiners in Counseling, responded to questions from the Committee.

Senator Facemyer moved to adjourn the meeting. The motion was adopted.

OCTOBER INTERIM ATTENDANCE
Legislative Interim Meetings
October 13, 14 and 15, 2009

Wednesday, October 14, 2009

4:00 pm - 5:00 pm

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Thompson, ex
officio nonvoting member

Senate

Minard, Chair
Snyder, Vice Chair
Prezioso
Unger
Boley
Facemyer

✓
✓
✓
✓
✓
✓

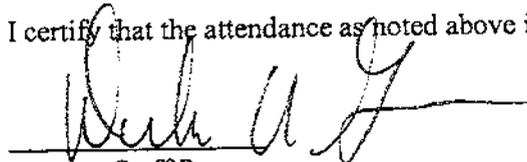
House

Brown, Chair
Poling, D., Vice Chair
Miley
Talbot
Overington
Sobonya

✓

✓
✓
✓

I certify that the attendance as noted above is correct.



Staff Person

Debra Graham

Please return to Brenda in Room 132-E or Fax to 347-4819 ASAP, due to payroll deadline.

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Wednesday, October 14, 2009
4:00 p.m. to 5:00 p.m.
Senate Judiciary Committee Room

1. **Approval of Minutes - Meetings of September 14, 2009**
2. **Review of Legislative Rules:**
 - a. **Secretary of State**
Early Voting in Person Satellite Precincts
153CSR13
 - b. **Transportation, WV Department of**
Valuation of Used Rolling Stock and Equipment
172CSR2
 - c. **Highways, WV Virginia Division of**
Use of State Road Rights of Way and Adjacent Areas
157CSR6
 - d. **Highways, WV Virginia Division of**
Transportation of Hazardous Wastes Upon the Roads & Highways
157CSR7
 - e. **Osteopathy, WV Board of**
Fees for Service Rendered by the Board of Osteopathy
24CSR5
 - Laid Over
 - f. **Medicine, Board of**
Fees for Services Rendered by the Board of Medicine Including Assistance to the Board-Designated Physician Health Program for Physicians, Podiatrists and Physician Assistants
11CSR4
 - Laid Over
 - g. **Counseling, WV Board of Examiners in**
Licensed Professional Counselor Fees
27CSR2
 - Laid Over
 - h. **Counseling, WV Board of Examiners in**
Marriage and Family Therapist Fee Rule
27CSR9
 - Laid Over
3. **Other Business**

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
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1. **Approval of Minutes - Meetings of September 14, 2009**
2. **Review of Legislative Rules:**
 - a. **Secretary of State**
Early Voting in Person Satellite Precincts
153CSR13
 - Approve as Modified
 - b. **Transportation, WV Department of**
Valuation of Used Rolling Stock and Equipment
172CSR2
 - Approve
 - c. **Highways, WV Virginia Division of**
Use of State Road Rights of Way and Adjacent Areas
157CSR6
 - Approve as Modified
 - d. **Highways, WV Virginia Division of**
Transportation of Hazardous Wastes Upon the Roads & Highways
157CSR7
 - Approve as Modified
 - e. **Osteopathy, WV Board of**
Fees for Service Rendered by the Board of Osteopathy
24CSR5
 - Laid Over
 - Approve as Modified
 - f. **Medicine, Board of**
Fees for Services Rendered by the Board of Medicine Including Assistance to the Board-Designated Physician Health Program for Physicians, Podiatrists and Physician Assistants
11CSR4
 - Laid Over
 - Approve

g. **Counseling, WV Board of Examiners in
Licensed Professional Counselor Fees**
27CSR2

- Laid Over
- Approve as Modified

h. **Counseling, WV Board of Examiners in
Marriage and Family Therapist Fee Rule**
27CSR9

- Laid Over
- Approve as Modified

3. **Other Business**

OCTOBER INTERIM ATTENDANCE

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4:00 p.m. - 5:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member _____

Richard Thompson, ex
officio nonvoting member _____

Senate

House

Minard, Chair _____ ✓
Snyder, Vice Chair _____ ✓
Prezioso _____ ✓
Unger _____ ✓
Boley _____ ✓
Facemyer _____ ✓

Brown, Chair _____ ✓
Poling, Vice Chair _____
Miley _____
Talbott _____ ✓
Overington _____ ✓
Sobonya _____ ✓

Sept 14th minutes approved

SOS

Rita explained & responded to questions

*Prezioso
adapted*

Lay over til next meeting - wants to see modifications

Transportation

Rita explained

Snyder

Approve

Highways 157 CSRG

Rita explained

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2. **Review of Legislative Rules:**

Laid over a. **Secretary of State**
✓
Early Voting in Person Satellite Precincts
153CSR13

- Approve as Modified

Approved b. **Transportation, WV Department of**
✓
Valuation of Used Rolling Stock and Equipment
172CSR2

- Approve

Approved as modified c. **Highways, WV Virginia Division of**
✓
Use of State Road Rights of Way and Adjacent Areas
157CSR6

- Approve as Modified

Approved as modified d. **Highways, WV Virginia Division of**
✓
Transportation of Hazardous Wastes Upon the Roads & Highways
157CSR7

- Approve as Modified

Approved as modified e. **Osteopathy, WV Board of**
✓
Fees for Service Rendered by the Board of Osteopathy
24CSR5

- Laid Over
- Approve as Modified

Approved f. **Medicine, Board of**
✓
Fees for Services Rendered by the Board of Medicine Including
Assistance to the Board-Designated Physician Health Program
for Physicians, Podiatrists and Physician Assistants
11CSR4

- Laid Over
- Approve

g. **Counseling, WV Board of Examiners in
Licensed Professional Counselor Fees**
27CSR2

- Laid Over
- Approve as Modified

h. **Counseling, WV Board of Examiners in
Marriage and Family Therapist Fee Rule**
27CSR9

- Laid Over
- Approve as Modified

3. **Other Business**

OCTOBER INTERIM ATTENDANCE

Legislative Interim Meetings

October 13, 14 & 15, 2009

Tuesday, October 14, 2009

4:00 p.m. - 5:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex
officio nonvoting member

Richard Thompson, ex
officio nonvoting member

Senate

House

Minard, Chair

Snyder, Vice Chair

Prezioso

Unger

Boley

Facemyer

Brown, Chair

Poling, Vice Chair

Miley

Talbott

Overington

Sobonya

✓
✓

✓
✓
✓

✓
✓
✓
✓

Brown called meeting to order
Snyder moved minutes - Approved

- Sec. of State 153CSR13
Rita explained & responded to ?'s
Prezioso moved to lay over
open discussion among members
Approved

- Transportation 172CSR2
Rita explained
Snyder moved rule
Approved

- Highways 157CSR6

Rita explained

Snyder moved as modified

Approved

- Highways 157CSR7

Rita explained

Snyder moved as modified

Approved

- Osteopathy 24CSR5

Charlie explained

Diana Shepard, Ex Dir, responded to ?'s

Sherry Shuber, Retiring Ex. Dir, responded to ?'s

Snyder moved as modified

Approved

- Medicine 11CSR4

Charlie explained & responded to ?'s

Robert Kittle, Ex. Dir. for Bd, responded to ?'s

Snyder moved rule

Approved

- Counseling 270822

Charlie explained

Jean Ann Johnson, Ex Dir, responded to ?'s

Facemeye moved to adjourn

REGISTRATION OF PUBLIC
AT COMMITTEE MEETINGS

WEST VIRGINIA LEGISLATURE

Committee: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Date: Oct. 14, 2009

Please print or write plainly.

NAME	ADDRESS	REPRESENTING	RULE NUMBER	Please mark with an (X) if you desire to make a statement.
Jason Webb		AA MFT WVA MFT	27CSR9	X
Joe Martens		LGCR GS LGCR GS	—	—

Financial Self Sufficiency for Regulatory Boards

One of the questions the Legislative Auditor must answer in conducting a Regulatory Board Review is if the board is financially self-sufficient (WVC 30-1-6(c))? This question is answered generally by determining if the board routinely operates in such a manner that its total revenues exceed total expenditures each year. However, in some cases a board may have years in which its expenditures exceeded revenues. In these cases the board would have to have cash reserves to make up the difference. Therefore, the Legislative Auditor must evaluate the amount of cash reserves that a board holds to cover revenue shortfalls. The Legislative Auditor makes a determination on the appropriateness of a board's cash reserves based on the level of cash as a percentage of the board's total annual expenditures. At a minimum, a board should hold in cash at least an amount that equals the amount of the board's annual expenditures. The less cash reserves are of a board's annual expenditures, the more concerning it is to the Legislative Auditor. The Legislative Auditor would recommend a fee increase or the board lower unnecessary expenditures if such is the cause. Holding more than a year's expenditures is acceptable. However, the Legislature apparently wanted to discourage boards from holding too much in cash reserves when it enacted WVC §30-1-10, which states that when a board's cash accumulates to an amount that exceeds twice the annual budget, the excess amount shall be transferred by the State Treasurer to the State General Revenue Fund. Therefore, the Legislative Auditor considers cash reserves in the amount of one to two times a board's annual expenditures to be a prudent level. Anything above or below this threshold is cause for concern by the Legislative Auditor.

ESTIMATE OF DISBURSEMENTS
Fiscal Year 2010

- Appropriated Federal Funds Accounts (Listed in Budget Act)
- Appropriated Special Revenue Accounts (Listed in Budget Act)
- Appropriated Lottery Funds (Listed in Budget Act)
- Federal Block Grants (Listed in Budget Act)
- Other Federal Funds
- Other Special Revenue Accounts

Page No. 4
Amendment Date _____
Amendment No. _____

Spending Unit: WV Board of Medicine
Department/ _____
Bureau of: _____

WVFIMS Account No. _____
Fund 9070
FY 2010
Org 0945

Name of Account: Medical Licensing Board Fund

Is this Account Established by Statute? Yes/No Yes Statutory Reference Chapter 30, Article 3-1

Purpose of this Account: _____

Activity	Item of Expenditure	
96	PERSONAL SERVICES*	
	Number of Budgeted FTE Positions	12.00
	Personal Services 001 555,830.00 002 Bd Members 21,600.00	577,430
96	Annual Increment	7,020
	TOTAL PERSONAL SERVICES	584,450
96	EMPLOYEE BENEFITS	
	10 - Personnel Division & Public Employees' Insurance	4,000
	11 - Social Security Matching	44,710
	12 - Public Employees' Insurance	56,837
	13 - Other Health Insurance	
	14 - Workers' Compensation (Rate:)	3,119
	15 - Unemployment Compensation	
	16 - Pension & Retirement	64,290
	TOTAL EMPLOYEE BENEFITS	\$172,956
96	CURRENT EXPENSES	
	20 - Office Expenses	22,000
	21 - Printing & Binding	8,000
	22 - Rental Expense	122,000
	23 - Utilities	
	24 - Telecommunications	15,000
	25 - Contractual & Professional	75,000
	26 - Travel	45,500
	27 - Computer Services	35,000
	28 - Higher Education Interagency Contract Agreements/Fees	
	29 - Vehicle Rental	2,000
	30 - Rentals (Machine & Miscellaneous)	20,000
	31 - Association Dues & Professional Memberships	4,325
	32 - Fire, Auto, Bond & Other Insurance	4,576
	33 - Food Products	
	34 - Clothing, Household & Recreational Supplies	
	35 - Advertising & Promotional	3,000
	36 - Vehicle Operating Expense	1,000
	37 - Research, Educational & Medical Supplies	
	38 - Routine Maintenance Contracts/Warranties	2,650
	39 - Manufacturing Supplies	
	40 - Merchandise for Resale	
	41 - Cellular Charges	
	42 - Hospitality	4,000
	43 - Educational Training (Stipends)	
	44 - Energy Expense-Motor Vehicles/Aircraft	
	45 - Farm Expense	
	46 - Subsistence	
	47 - Energy Expense-Utilities	
	48 - Discharge & Parole Allowance	
	49 - Inmate Per Diem Expense	
	51 - Miscellaneous	500
	52 - Training & Development	7,000
	53 - Postal & Freight	30,000
	54 - Computer Supplies & Equipment	10,000
	56 - Attorney Legal Service Payments	25,000
	57 - Attorney Reimbursable Expenses	
	58 - Miscellaneous Equipment Purchases	2,000
	59 - Student Activities	
	TOTAL CURRENT EXPENSES	\$438,551

*Amounts for Personal Services are to be paid from this account, include total here and submit detail on Personal Services expenditure schedule worksheet.

**Estimate of Disbursements
(Continued)
Fiscal Year 2010**

Page No. 5
Amended Date _____
Amend. No. _____

Spending Unit WV Board of Medicine

Department/Bureau of _____

WVFIMS Account No.
Fund 9070
FY 2010
Org 0945

Activity	
096	REPAIRS AND ALTERATIONS
	061 - Office & Communication Equipment Repairs 500
	062 - Research, Educational & Medical Equipment Repairs
	063 - Building & Household Equipment Repairs
	064 - Routine Maintenance of Buildings 500
	065 - Vehicle Repairs 1,875
	066 - Routine Maintenance of Grounds
	067 - Farm & Construction Equipment Repairs
	068 - Other Repairs and Alterations
	TOTAL REPAIRS AND ALTERATIONS \$2,875
096	ASSETS
	070 - Office & Communication Equipment 2,500
	071 - Medical Equipment
	072 - Research & Educational Equipment
	073 - Household Equipment & Furnishings
	074 - Building Equipment
	075 - Vehicles
	076 - Livestock, Farm & Construction Equipment
	077 - Books & Periodicals 3,500
	078 - Other Capital Equipment
	092 - Building Construction
	120 - Contractor Payments for Capital Asset Projects
	121 - Purchase of Materials & Supplies
	122 - Consultant Payments for Capital Asset Projects
	143 - Building Improvements
	144 - Reclamation of State Owned Property
	148 - Land Improvements
	149 - Land Purchases
	150 - Building Purchases
	157 - Leasehold Improvements
	170 - Computer Equipment
	171 - Computer Software
	TOTAL ASSETS
096	OTHER DISBURSEMENTS
096	110 - PEIA Reserve Transfer 7,000
096	100- Fund Transfer 5,340
	160- WV OPEB Contribution 20,160
	TOTAL OTHER DISBURSEMENTS \$32,500
TOTAL EXPENDITURES/APPROPRIATIONS	
	\$1,231,332

WEST VIRGINIA BOARD OF OSTEOPATHY

INCOME/EXPENSE SHEETS

2007 - 2009

WEST VIRGINIA BOARD OF OSTEOPATHY

YEAR ENDED JUNE 30, 2007

Receipts	\$ 181,229.50
Expenses	
1 Personal Service	50,049.91
2 PerDiem	4,331.25
4 Annual Increment	900.00
10 Personnel Division	445.00
11 Social Security	3,903.42
12 PEIA	13,784.88
14 Workers Comp	306.00
16 Retirement (10.5%)	5,036.51
20 Office Supplies	1,853.10
21 Printing & Binding	267.09
22 Rent	4,075.00
24 Telephone	3,045.12
25 Contractual & Prof	106,759.27
26 Travel	9,788.36
27 Computer Services	1,731.52
31 Association Dues	3,175.00
32 Ins	5,548.00
42 Hospitality	868.48
52 Training & Development	1,165.00
53 Postage	2,586.43
54 Computer Supplies & Equip	347.87
56 Attorney Legal Services	3,388.50
61 Equipment Repairs	325.00
89 Bank Costs	104.06
110 PEIA Ins Reserve Transfer	<u>472.00</u>
Total Expenses	<u>224,256.77</u>
Net Loss	<u>\$ (43,027.27)</u>

WEST VIRGINIA BOARD OF OSTEOPATHY

YEAR ENDED JUNE 30, 2008

Receipts	\$ 189,251.13
Expenses	
1 Personal Service	52,010.87
2 PerDiem	3,543.75
4 Annual Increment	950.00
10 Personnel Division	495.00
11 Social Security	3,939.14
12 PEIA	13,784.88
14 Workers Comp	588.00
16 Retirement (10.5%)	5,234.57
20 Office Supplies	3,761.72
22 Rent	3,450.00
24 Telephone	2,549.75
25 Contractual & Prof	118,707.84
26 Travel	4,919.36
27 Computer Services	1,498.90
31 Association Dues	3,175.00
32 Ins	5,055.55
42 Hospitality	1,484.61
52 Training & Development	99.00
53 Postage	2,809.64
54 Computer Supplies & Equip	49.99
56 Attorney Legal Services	4,216.50
89 Bank Costs	396.45
110 PEIA Ins Reserve Transfer	<u>489.00</u>
Total Expenses	<u>233,209.52</u>
Net Loss	<u>\$ (43,958.39)</u>

WEST VIRGINIA BOARD OF OSTEOPATHY

YEAR ENDED JUNE 30, 2009

Receipts	\$ 192,795.25
Expenses	
1 Personal Service	54,012.20
2 PerDiem	3,187.50
4 Annual Increment	1,260.00
10 Personnel Division	520.00
11 Social Security	4,082.46
12 PEIA	13,784.88
14 Workers Comp	374.00
16 Retirement (10.5%)	5,510.36
20 Office Supplies	2,303.13
22 Rent	3,975.00
24 Telephone	2,526.47
25 Contractual & Prof	153,343.63
26 Travel	2,858.68
27 Computer Services	1,450.48
31 Association Dues	3,000.00
32 Ins	2,776.00
35 Advertising	3,418.15
42 Hospitality	1,047.50
52 Training & Development	2,021.12
53 Postage	3,960.53
54 Computer Supplies & Equip	99.98
56 Attorney Legal Services	4,870.60
61 Office Equip Repairs	175.00
89 Bank Costs	787.16
96 Other Interest	0.41
110 PEIA Ins Reserve Transfer	<u>529.00</u>
Total Expenses	<u>271,874.24</u>
Net Loss	\$ <u>(79,078.99)</u>

WEST VIRGINIA BOARD OF OSTEOPATHY

BUDGET DOCUMENTS

FY 2008

ESTIMATE OF DISBURSEMENTS

Fiscal Year 2008

<input type="checkbox"/>	Appropriated Federal Funds Accounts (Listed in Budget Act)
<input type="checkbox"/>	Appropriated Special Revenue Accounts (Listed in Budget Act)
<input type="checkbox"/>	Federal Block Grants (Listed in Budget Act)
<input type="checkbox"/>	Other Federal Funds
<input checked="" type="checkbox"/>	Other Special Revenue Accounts

Page No. 4

Amendment Date _____

Amendment No. _____

WVFIMS Account No. _____

Spending Unit: Board of Osteopathy

Department/

Bureau of: Miscellaneous Boards & Commissions

Fund 8600

FY 2008

Org 0921

Name of Account: Osteopathy Operating Fund

Is this Account Established by Statute? Yes/No Yes Statutory Reference 30-14-1

Purpose of this Account: To administer and regulate doctors of Osteopathy for the safety and health of the public

Activity	Item of Expenditure	
	EXPENDITURES:	
<u>099</u>	PERSONAL SERVICES*	
	Number of Budgeted FTE Positions	1.60
	Personal Services	79,050
	Annual Increment	850
	TOTAL PERSONAL SERVICES	80,000
<u>099</u>	EMPLOYEE BENEFITS	
	10 - Personnel Division & Public Employees' Insurance	1,000
	11 - Social Security Matching	6,100
	12 - Public Employees' Insurance	20,000
	13 - Other Health Insurance	
	14 - Workers' Compensation (Rate: .26)	1,000
	15 - Unemployment Compensation	2,000
	16 - Pension & Retirement	8,000
	TOTAL EMPLOYEE BENEFITS	\$38,100
<u>099</u>	CURRENT EXPENSES	
	20 - Office Expenses	8,000
	21 - Printing & Binding	3,000
	22 - Rental Expense	5,000
	23 - Utilities	1,000
	24 - Telecommunications	10,000
	25 - Contractual & Professional	180,000
	26 - Travel	20,000
	27 - Computer Services	5,000
	28 - Higher Education Interagency Contract Agreements/Fees	
	29 - Vehicle Rental	1,000
	30 - Rentals (Machine & Miscellaneous)	5,000
	31 - Association Dues & Professional Memberships	5,000
	32 - Fire, Auto, Bond & Other Insurance	10,000
	33 - Food Products	
	34 - Clothing, Household & Recreational Supplies	
	35 - Advertising & Promotional	1,000
	36 - Vehicle Operating Expense	
	37 - Research, Educational & Medical Supplies	
	38 - Routine Maintenance Contracts/Warranties	2,000
	39 - Manufacturing Supplies	
	40 - Merchandise for Resale	
	41 - Cellular Charges	1,000
	42 - Hospitality	7,000
	43 - Educational Training (Stipends)	1,000
	45 - Farm Expense	
	46 - Subsistence	
	48 - Discharge & Parole Allowance	
	51 - Miscellaneous	2,000
	52 - Training & Development	3,000
	53 - Postal & Freight	5,000
	54 - Computer Supplies & Equipment	10,000
	56 - Attorney Legal Service Payments	40,000
	57 - Attorney Reimbursable Expenses	5,000
	58 - Miscellaneous Equipment Purchases	3,000
	59 - Student Activities	
	TOTAL CURRENT EXPENSES	\$337,000

* If amounts for Personal Services are to be paid from this account, include total here and submit detail on Personal Services expenditure schedule worksheet.

**Estimate of Disbursements
(Continued)
Fiscal Year 2008**

Page No. 5
Amended Date _____
Amend. No. _____

Spending Unit Board of Osteopathy

Department/Bureau of Miscellaneous Boards & Commissions

WVFIMS Account No.
Fund 8600
FY 2008
Org 0921

Activity		
<u>099</u>	REPAIRS AND ALTERATIONS	
	061 - Office & Communication Equipment Repairs	5,000
	062 - Research, Educational & Medical Equipment Repairs	
	063 - Building & Household Equipment Repairs	
	064 - Routine Maintenance of Buildings	
	065 - Vehicle Repairs	
	066 - Routine Maintenance of Grounds	
	067 - Farm & Construction Equipment Repairs	
	068 - Other Repairs and Alterations	1,000
	TOTAL REPAIRS AND ALTERATIONS	\$6,000
<u>099</u>	ASSETS	
	070 - Office & Communication Equipment	6,000
	071 - Medical Equipment	
	072 - Research & Educational Equipment	
	073 - Household Equipment & Furnishings	
	074 - Building Equipment	
	075 - Vehicles	
	076 - Livestock, Farm & Construction Equipment	
	077 - Books & Periodicals	
	078 - Other Capital Equipment	
	092 - Building Construction	
	120 - Contractor Payments for Capital Asset Projects	
	121 - Purchase of Materials & Supplies	
	122 - Consultant Payments for Capital Asset Projects	
	143 - Building Improvements	
	144 - Reclamation of State Owned Property	
	148 - Land Improvements	
	149 - Land Purchases	
	150 - Building Purchases	
	170 - Computer Equipment	
	171 - Computer Software	8,000
	TOTAL ASSETS	\$14,000
<u>099</u>	OTHER DISBURSEMENTS	
	<u>089 - Bank Cost</u>	<u>1,000</u>
	TOTAL OTHER DISBURSEMENTS	1,000
	TOTAL EXPENDITURES/APPROPRIATIONS	\$468,100

WEST VIRGINIA BOARD OF OSTEOPATHY

BUDGET DOCUMENTS

FY 2009

ESTIMATE OF DISBURSEMENTS
Fiscal Year 2009

Appropriated Federal Funds Accounts (Listed in Budget Act)
 Appropriated Special Revenue Accounts (Listed in Budget Act)
 Appropriated Lottery Funds (Listed in Budget Act)
 Federal Block Grants (Listed in Budget Act)
 Other Federal Funds
 Other Special Revenue Accounts

Page No. 4
 Amendment Date _____
 Amendment No. _____

WVFIMS Account No. _____

Spending Unit: Board of Osteopathy
 Department/ _____
 Bureau of: Miscellaneous Boards & Commissions

Fund 8600
 FY 2008
 Org 0921

Name of Account: Osteopathy Operating Fund

Is this Account Established by Statute? Yes/No Yes Statutory Reference 30-14-1

Purpose of this Account: To administer and regulate doctors of Osteopathy for the safety and health of the public

Activity	Item of Expenditure	
099	PERSONAL SERVICES*	
	Number of Budgeted FTE Positions	1,60
	Personal Services	80,740
099	Annual Increment	1,260
	TOTAL PERSONAL SERVICES	82,000
099	EMPLOYEE BENEFITS	
	10 - Personnel Division & Public Employees' Insurance	1,000
	11 - Social Security Matching	6,300
	12 - Public Employees' Insurance	20,000
	13 - Other Health Insurance	
	14 - Workers' Compensation (Rate:)	1,000
	15 - Unemployment Compensation*	2,000
	18 - Pension & Retirement	8,000
	TOTAL EMPLOYEE BENEFITS	\$36,300
099	CURRENT EXPENSES	
	20 - Office Expenses	8,000
	21 - Printing & Binding	3,000
	22 - Rental Expense	5,000
	23 - Utilities	1,000
	24 - Telecommunications	10,000
	25 - Contractual & Professional	180,000
	26 - Travel	20,000
	27 - Computer Services	5,000
	28 - Higher Education Interagency Contract Agreements/Fees	
	28 - Vehicle Rental	1,000
	30 - Rentals (Machine & Miscellaneous)	5,000
	31 - Association Dues & Professional Memberships	5,000
	32 - Fire, Auto, Bond & Other Insurance	5,000
	33 - Food Products	
	34 - Clothing, Household & Recreational Supplies	
	35 - Advertising & Promotional	1,000
	38 - Vehicle Operating Expense	
	37 - Research, Educational & Medical Supplies	
	38 - Routine Maintenance Contracts/Warranties	2,000
	39 - Manufacturing Supplies	
	40 - Merchandise for Resale	
	41 - Cellular Charges	1,000
	42 - Hospitality	7,000
	43 - Educational Training (Stipends)	1,000
	45 - Farm Expense	
	46 - Subsistence	
	48 - Discharge & Parole Allowance	
	49 - Inmate Per Diem Expense	
	51 - Miscellaneous	3,000
	52 - Training & Development	3,000
	53 - Postal & Freight	5,000
	54 - Computer Supplies & Equipment	10,000
	56 - Attorney Legal Service Payments	40,000
	57 - Attorney Reimbursable Expenses	5,000
	58 - Miscellaneous Equipment Purchases	3,000
	59 - Student Activities	
	TOTAL CURRENT EXPENSES	\$327,000

*If amounts for Personal Services are to be paid from this account, include total here and submit detail on Personal Services expenditure schedule worksheet.

**Estimate of Disbursements
(Continued)
Fiscal Year 2009**

Page No. 5
Amended Date _____
Amend. No. _____

Spending Unit Board of Osteopathy

Department/Bureau of Miscellaneous Boards & Commissions

WVFIMS Account No.
Fund 8600
FY 2009
Org 0921

Activity		
099	REPAIRS AND ALTERATIONS	
	061 - Office & Communication Equipment Repairs	5,000
	062 - Research, Educational & Medical Equipment Repairs	
	063 - Building & Household Equipment Repairs	
	064 - Routine Maintenance of Buildings	
	065 - Vehicle Repairs	
	066 - Routine Maintenance of Grounds	
	067 - Farm & Construction Equipment Repairs	
	068 - Other Repairs and Alterations	1,000
	TOTAL REPAIRS AND ALTERATIONS	\$6,000
099	ASSETS	
	070 - Office & Communication Equipment	6,000
	071 - Medical Equipment	
	072 - Research & Educational Equipment	
	073 - Household Equipment & Furnishings	
	074 - Building Equipment	
	075 - Vehicles	
	076 - Livestock, Farm & Construction Equipment	
	077 - Books & Periodicals	
	078 - Other Capital Equipment	
	092 - Building Construction	
	120 - Contractor Payments for Capital Asset Projects	
	121 - Purchase of Materials & Supplies	
	122 - Consultant Payments for Capital Asset Projects	
	143 - Building Improvements	
	144 - Reclamation of State Owned Property	
	148 - Land Improvements	
	149 - Land Purchases	
	150 - Building Purchases	
	157 - Leasehold Improvements	
	170 - Computer Equipment	
	171 - Computer Software	8,000
	TOTAL ASSETS	\$14,000
099	OTHER DISBURSEMENTS	
	089 - Bank Costs	3,000
	TOTAL OTHER DISBURSEMENTS	\$3,000
	TOTAL EXPENDITURES/APPROPRIATIONS	\$468,300

WEST VIRGINIA BOARD OF OSTEOPATHY

BUDGET DOCUMENTS

FY 2010

(Current Year)

ESTIMATE OF DISBURSEMENTS
Fiscal Year 2010

- Appropriated Federal Funds Accounts (Listed in Budget Act)
- Appropriated Special Revenue Accounts (Listed in Budget Act)
- Appropriated Lottery Funds (Listed in Budget Act)
- Federal Block Grants (Listed in Budget Act)
- Other Federal Funds
- Other Special Revenue Accounts

Page No. 4
Amendment Date _____
Amendment No. _____

Spending Unit: Board of Osteopathy
Department/ _____
Bureau of: Miscellaneous Boards & Commissions

WVFIMS Account No. _____
Fund 8600
FY 2010
Org 0921

Name of Account: Osteopathy Operating Fund

Is this Account Established by Statute? Yes/No Yes Statutory Reference 30-14-3

Purpose of this Account: To administer and regulate doctors of Osteopathy for the safety and health of the public.

Activity	Item of Expenditure	
099	PERSONAL SERVICES*	
	Number of Budgeted FTE Positions	1.60
	Personal Services	130,880
099	Annual Increment	1,320
	TOTAL PERSONAL SERVICES	132,000
099	EMPLOYEE BENEFITS	
	10 - Personnel Division & Public Employees' Insurance	1,500
	11 - Social Security Matching	10,500
	12 - Public Employees' Insurance	23,640
	13 - Other Health Insurance	
	14 - Workers' Compensation (R 0.27)	1,000
	15 - Unemployment Compensation	2,000
	18 - Pension & Retirement	15,000
	TOTAL EMPLOYEE BENEFITS	53,640
099	CURRENT EXPENSES	
	20 - Office Expenses	8,000
	21 - Printing & Binding	3,000
	22 - Rental Expense	25,000
	23 - Utilities	5,000
09	24 - Telecommunications	6,000
	25 - Contractual & Professional	180,000
	26 - Travel	10,000
	27 - Computer Services	10,000
	28 - Higher Education Interagency Contract Agreements/Fees	
	29 - Vehicle Rental	5,000
	30 - Rentals (Machine & Miscellaneous)	5,000
	31 - Association Dues & Professional Memberships	5,000
	32 - Fire, Auto, Bond & Other Insurance	5,000
	33 - Food Products	
	34 - Clothing, Household & Recreational Supplies	
	35 - Advertising & Promotional	3,000
	36 - Vehicle Operating Expense	
	37 - Research, Educational & Medical Supplies	
	38 - Routine Maintenance Contracts/Warranties	2,000
	39 - Manufacturing Supplies	
	40 - Merchandise for Resale	
	41 - Cellular Charges	2,000
	42 - Hospitality	5,000
	43 - Educational Training (Stipends)	1,000
	44 - Energy Expense-Motor Vehicles/Aircraft	
	45 - Farm Expense	
	46 - Subsistence	
	47 - Energy Expense-Utilities	5,000
	48 - Discharge & Parole Allowance	
	49 - Inmate Per Diem Expense	
	51 - Miscellaneous	3,000
	52 - Training & Development	5,000
	53 - Postal & Freight	5,000
	54 - Computer Supplies & Equipment	10,000
	56 - Attorney Legal Service Payments	40,000
	57 - Attorney Reimbursable Expenses	10,000
	58 - Miscellaneous Equipment Purchases	10,000
	59 - Student Activities	
	TOTAL CURRENT EXPENSES	\$368,000

If amounts for Personal Services are to be paid from this account, include total here and submit detail on Personal Services expenditure schedule worksheet.

**Estimate of Disbursements
(Continued)
Fiscal Year 2010**

Page No. 5
Amended Date _____
Amend. No. _____

Spending Unit Board of Osteopathy

Department/Bureau of Miscellaneous Boards & Commissions

WVFIMS Account No.
Fund 8600
FY 2010
Org 0921

Activity		
099	REPAIRS AND ALTERATIONS	
	061 - Office & Communication Equipment Repairs	3,000
	062 - Research, Educational & Medical Equipment Repairs	
	063 - Building & Household Equipment Repairs	
	064 - Routine Maintenance of Buildings	1,000
	065 - Vehicle Repairs	
	066 - Routine Maintenance of Grounds	1,000
	067 - Farm & Construction Equipment Repairs	
	068 - Other Repairs and Alterations	
	TOTAL REPAIRS AND ALTERATIONS	\$5,000
099	ASSETS	
	070 - Office & Communication Equipment	6,000
	071 - Medical Equipment	
	072 - Research & Educational Equipment	
	073 - Household Equipment & Furnishings	
	074 - Building Equipment	
	075 - Vehicles	
	076 - Livestock, Farm & Construction Equipment	
	077 - Books & Periodicals	
	078 - Other Capital Equipment	
	092 - Building Construction	
	120 - Contractor Payments for Capital Asset Projects	
	121 - Purchase of Materials & Supplies	
	122 - Consultant Payments for Capital Asset Projects	
	143 - Building Improvements	
	144 - Reclamation of State Owned Property	
	148 - Land Improvements	
	149 - Land Purchases	
	150 - Building Purchases	
	157 - Leasehold Improvements	
	170 - Computer Equipment	
	171 - Computer Software	10,000
	TOTAL ASSETS	\$16,000
099	OTHER DISBURSEMENTS	
	089 - Bank Costs	3,000
	160 - WV OPEB Contribution	3,360
	TOTAL OTHER DISBURSEMENTS	\$6,360
	TOTAL EXPENDITURES/APPROPRIATIONS	\$591,000

Counseling

Handout 10-14-09

CKET PAGE: 2

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STATE OF WEST VIRGINIA
FINANCIAL INFORMATION MANAGEMENT SYSTEM
EXPENDITURES VS EXPENDITURE SCHEDULE BY ORG 0904
EXPECTED AMOUNT SPENT AT END OF MONTH 100 %
MONTH 13, 2008

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DIST ORG: 0904

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RG: 0904 COUNSELING BOARD OF EXAMINERS IN
Y: 2008 PROCESS YEAR: 2008
UND: 8510 BOARD OF EXAMINERS IN COUNSELING FUND

BJ	PLANNED EXPENDITURES	DISBURSEMENTS	ACCOUNTS PAYABLE	TRANSFERS OUT	YTD EXPENDED AMOUNT	EXP%	ENCUMBRANCE	COMMITMENT	UNCOMMITTED BALANCE
CT: 099	UNCLASSIFIED								
ERS SERVICE(W/ PR DEDUC) 01	71,650.00	69,245.04	0.00	0.00	69,245.04	97	0.00	0.00	2,404.96
ERS SERV(W/O PR DEDUCT) 02	5,250.00	3,450.00	0.00	0.00	3,450.00	66	0.00	0.00	1,800.00
ANNUAL INCREMENT 04	0.00	200.00	0.00	0.00	200.00	*	0.00	0.00	-200.00
CIVIL SERV PEIA/PERS 10	300.00	0.00	0.00	2,298.74	2,298.74	766	0.00	0.00	-1,998.74
SOCIAL SECURITY MATCHING 11	5,400.00	5,306.74	0.00	0.00	5,306.74	98	0.00	0.00	93.26
PUBLIC EMPLOYEES INS 12	8,500.00	8,562.03	0.00	0.00	8,562.03	101	0.00	0.00	-62.03
WORKERS COMPENSATION 14	769.00	515.00	0.00	0.00	515.00	67	0.00	0.00	254.00
PENSION AND RETIREMENT 16	7,523.00	6,690.45	0.00	0.00	6,690.45	89	0.00	0.00	832.55
OFFICE EXPENSES 20	3,000.00	1,881.31	0.00	0.00	1,881.31	63	0.00	0.00	1,118.69
PRINTING AND BINDING 21	4,000.00	0.00	0.00	0.00	0.00	0	0.00	0.00	4,000.00
RENT EXP (REAL PROP) BLDG 22	1,000.00	495.00	0.00	0.00	495.00	50	0.00	0.00	505.00
TELECOMMUNICATIONS 24	3,000.00	981.73	0.00	396.45	1,378.18	46	0.00	0.00	1,621.82
CONTRACTUAL/PROFESSIONAL 25	7,500.00	4,612.02	0.00	0.00	4,612.02	61	0.00	0.00	2,887.98
TRAVEL 26	5,000.00	3,339.27	0.00	0.00	3,339.27	67	0.00	0.00	1,660.73

Counseling

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STATE OF WEST VIRGINIA
FINANCIAL INFORMATION MANAGEMENT SYSTEM
EXPENDITURES VS EXPENDITURE SCHEDULE BY ORG 0904
EXPECTED AMOUNT SPENT AT END OF MONTH 100 %
MONTH 13, 2008

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ORG: 0904 COUNSELING BOARD OF EXAMINERS IN
FY: 2008 PROCESS YEAR: 2008
FUND: 8510 BOARD OF EXAMINERS IN COUNSELING FUND

OBJ	PLANNED EXPENDITURES	DISBURSEMENTS	ACCOUNTS PAYABLE	TRANSFERS OUT	YTD EXPENDED AMOUNT	EXP%	ENCUMBRANCE	COMMITMENT	UNCOMMITTED BALANCE
COMPUTER SERVICES 027	2,000.00	58.40	0.00	2,091.61	2,150.01	108	0.00	0.00	-150.01
RENTAL (MACHINE & MISC) 030	300.00	0.00	0.00	0.00	0.00	0	0.00	0.00	300.00
ASSOC DUES & PROF MEMBERS 031	400.00	800.00	0.00	0.00	800.00	200	0.00	0.00	-400.00
FIRE/AUTO/BOND/ & OTHR IN 032	2,427.00	0.00	0.00	2,427.00	2,427.00	100	0.00	0.00	0.00
HOSPITALITY 042	1,000.00	488.55	0.00	0.00	488.55	49	0.00	0.00	511.45
MISCELLANEOUS 051	1,000.00	0.00	0.00	0.00	0.00	0	0.00	0.00	1,000.00
TRAINING & DEVELOPMENT 052	1,000.00	99.00	0.00	30.00	129.00	13	0.00	0.00	871.00
POSTAL AND FREIGHT 053	4,000.00	1,070.50	0.00	0.00	1,070.50	27	0.00	0.00	2,929.50
COMPUTER SUPPLIES/EQUIP 054	500.00	530.44	0.00	0.00	530.44	106	0.00	0.00	-30.44
BANK COSTS 089	400.00	0.00	0.00	0.00	0.00	0	0.00	0.00	400.00
PEIA RESERVE TRANSFER 110	716.00	0.00	0.00	734.00	734.00	103	0.00	0.00	-18.00
WV OPEB CONTRIBUTION 160	0.00	0.00	0.00	732.32	732.32	*	0.00	0.00	-732.32
ACT TOTAL	136,635.00	108,325.48	0.00	8,710.12	117,035.60	86	0.00	0.00	19,599.40
FUND TOTAL	136,635.00	108,325.48	0.00	8,710.12	117,035.60	86	0.00	0.00	19,599.40

STATE OF WEST VIRGINIA
 FINANCIAL INFORMATION MANAGEMENT SYSTEM
 EXPENDITURES VS EXPENDITURE SCHEDULE BY ORG 0904
 EXPECTED AMOUNT SPENT AT END OF MONTH 100 %
 MONTH 13, 2009

ORG: 0904 COUNSELING BOARD OF EXAMINERS IN
 FY: 2009 PROCESS YEAR: 2009
 FUND: 8510 BOARD OF EXAMINERS IN COUNSELING FUND

OBJ	PLANNED EXPENDITURES	DISBURSEMENTS	ACCOUNTS PAYABLE	TRANSFERS OUT	YTD EXPENDED AMOUNT	EXP%	ENCUMBRANCE	COMMITMENT	UNCOMMITTED BALANCE
ACT: . 099	UNCLASSIFIED								
PERS SERVICE(W/ PR DEDUC)									
001	81,246.00	71,516.46	0.00	0.00	71,516.46	88	0.00	0.00	9,729.54
PERS SERV(W/O PR DEDUCT)									
002	6,600.00	3,000.00	0.00	0.00	3,000.00	45	0.00	0.00	3,600.00
ANNUAL INCREMENT									
004	0.00	480.00	0.00	0.00	480.00	*	0.00	0.00	-480.00
CIVIL SERV PEIA/PERS									
010	450.00	0.00	0.00	750.00	750.00	167	0.00	0.00	-300.00
SOCIAL SECURITY MATCHING									
011	6,721.00	5,467.39	0.00	0.00	5,467.39	81	0.00	0.00	1,253.61
PUBLIC EMPLOYEES INS									
012	8,700.00	8,588.88	0.00	0.00	8,588.88	99	0.00	0.00	111.12
WORKERS COMPENSATION									
014	500.00	377.00	0.00	0.00	377.00	75	0.00	0.00	123.00
PENSION AND RETIREMENT									
016	8,550.00	7,559.61	0.00	0.00	7,559.61	88	0.00	0.00	990.39
OFFICE EXPENSES									
020	3,000.00	940.19	0.00	0.00	940.19	31	0.00	0.00	2,059.81
PRINTING AND BINDING									
021	4,000.00	0.00	0.00	0.00	0.00	0	0.00	0.00	4,000.00
RENT EXP (REAL PROP) BLDG									
022	7,700.00	7,734.52	0.00	0.00	7,734.52	100	0.00	0.00	-34.52
TELECOMMUNICATIONS									
024	3,000.00	2,215.11	0.00	914.45	3,129.56	104	0.00	0.00	-129.56
CONTRACTUAL/PROFESSIONAL									
025	7,500.00	1,050.83	0.00	0.00	1,050.83	14	0.00	0.00	6,449.17
TRAVEL									
026	4,000.00	2,543.66	0.00	0.00	2,543.66	64	0.00	0.00	1,456.34

ESTIMATE OF DISBURSEMENTS
Fiscal Year 2010

- Appropriated Federal Funds Accounts (Listed in Budget Act)
- Appropriated Special Revenue Accounts (Listed in Budget Act)
- Appropriated Lottery Funds (Listed in Budget Act)
- Federal Block Grants (Listed in Budget Act)
- Other Federal Funds
- Other Special Revenue Accounts

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Amendment Date _____
Amendment No. _____

WVFIMS Account No. _____
Fund 8510
FY 2010
Org 0904

Spending Unit: West Virginia Board of Examiners in Counseling
Department/ _____
Bureau of: Misc. Boards and Commissions

Name of Account: Board of Examiners in Counseling Fund

Is this Account Established by Statute? Yes/No Yes Statutory Reference 30-31-5

Purpose of this Account: To conduct business related to the licensing of Professional Counselors

Activity	Item of Expenditure	
099	PERSONAL SERVICES*	
	Number of Budgeted FTE Positions	2,00
	Personal Services 01 87846 02 6600	95,046
	Annual Increment 04 660	660
099	TOTAL PERSONAL SERVICES	95,706
	EMPLOYEE BENEFITS	
	10 - Personnel Division & Public Employees' Insurance	1,000
	11 - Social Security Matching	7,322
	12 - Public Employees' Insurance	8,700
	13 - Other Health Insurance	
	14 - Workers' Compensation (Rate:)	377
	15 - Unemployment Compensation	
	16 - Pension & Retirement	9,736
099	TOTAL EMPLOYEE BENEFITS	\$27,134
	CURRENT EXPENSES	
	20 - Office Expenses	3,000
	21 - Printing & Binding	2,000
	22 - Rental Expense	7,700
	23 - Utilities	
	24 - Telecommunications	3,500
	25 - Contractual & Professional	7,500
	26 - Travel	4,000
	27 - Computer Services	2,700
	28 - Higher Education Interagency Contract Agreements/Fees	
	29 - Vehicle Rental	
	30 - Rentals (Machine & Miscellaneous)	300
	31 - Association Dues & Professional Memberships	845
	32 - Fire, Auto, Bond & Other Insurance	2,915
	33 - Food Products	
	34 - Clothing, Household & Recreational Supplies	
	35 - Advertising & Promotional	
	36 - Vehicle Operating Expense	
	37 - Research, Educational & Medical Supplies	
	38 - Routine Maintenance Contracts/Warranties	
	39 - Manufacturing Supplies	
	40 - Merchandise for Resale	
	41 - Cellular Charges	
	42 - Hospitality	800
	43 - Educational Training (Stipends)	
	44 - Energy Expense-Motor Vehicles/Aircraft	
	45 - Farm Expense	
	46 - Subsistence	
	47 - Energy Expense-Utilities	
	48 - Discharge & Parole Allowance	
	49 - Inmate Per Diem Expense	
	51 - Miscellaneous	250
	52 - Training & Development	700
	53 - Postal & Freight	3,000
	54 - Computer Supplies & Equipment	2,500
	56 - Attorney Legal Service Payments	
	57 - Attorney Reimbursable Expenses	
	58 - Miscellaneous Equipment Purchases	800
	59 - Student Activities	
099	TOTAL CURRENT EXPENSES	\$42,510

If amounts for Personal Services are to be paid from this account, include total here and submit detail on Personal Services expenditure schedule worksheet.

**Estimate of Disbursements
(Continued)
Fiscal Year 2010**

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Amended Date _____
Amend. No. _____

Spending Unit West Virginia Board of Examiners in Counseling

Department/Bureau of Misc. Boards and Commissions

WVFIMS Account No.
Fund 8510
FY 2010
Org 0904

Activity		
099	REPAIRS AND ALTERATIONS	
	061 - Office & Communication Equipment Repairs	
	062 - Research, Educational & Medical Equipment Repairs	
	063 - Building & Household Equipment Repairs	
	064 - Routine Maintenance of Buildings	
	065 - Vehicle Repairs	
	066 - Routine Maintenance of Grounds	
	067 - Farm & Construction Equipment Repairs	
	068 - Other Repairs and Alterations	
	TOTAL REPAIRS AND ALTERATIONS	
099	ASSETS	
	070 - Office & Communication Equipment	
	071 - Medical Equipment	
	072 - Research & Educational Equipment	
	073 - Household Equipment & Furnishings	
	074 - Building Equipment	
	075 - Vehicles	
	076 - Livestock, Farm & Construction Equipment	
	077 - Books & Periodicals	
	078 - Other Capital Equipment	
	092 - Building Construction	
	120 - Contractor Payments for Capital Asset Projects	
	121 - Purchase of Materials & Supplies	
	122 - Consultant Payments for Capital Asset Projects	
	143 - Building Improvements	
	144 - Reclamation of State Owned Property	
	148 - Land Improvements	
	149 - Land Purchases	
	150 - Building Purchases	
	157 - Leasehold Improvements	
	170 - Computer Equipment	
	171 - Computer Software	500
099	TOTAL ASSETS	\$500
	OTHER DISBURSEMENTS	
	110 Public Employees Insurance Reserve Transfer	956
	160- WV OPEB Contribution	1,677
	TOTAL OTHER DISBURSEMENTS	\$2,633
	TOTAL EXPENDITURES/APPROPRIATIONS	\$168,483

FY 2010 Personal Services Expenditure Schedule Account Summary
(Attach to Worksheet)

Spending Unit: West Virginia Board of Examiners in Counseling
 Department/Bureau: Misc. Boards and Commissions
 Address: Street: Post Office Box 129
 City: Ona
 State: WV Zip: 25545
 County: Cabell

Organization No.: 0904
 Contact Person: Jean Ann Johnson
 Telephone No.: 800-520-3852
 E-mail Address: counselingboard@msn.com

Account Name	Account Number ⁽¹⁾				*Source of Funds	Personal Services**	Total Annual Increment**	Total Number of FTE Positions
	Fund	FY	ORG	Act				
Board of Examiners in Counseling	8510	2010	0904	096	05	95,706	660	2.00

Form PS-1

*Source of Funds: 01 = General Revenue 04 = Appropriated Special Revenue (not Lottery)
 02 = State Road Fund 05 = Non-appropriated Special Revenue
 03 = Federal Funds 06 = Appropriated Lottery Funds

**Must be the same as in Budget Act or reported on ES-1, 2B, 3 and 3A.

⁽¹⁾New accounts for FY 2010 must be typed in bold or red.