



WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

CONTENTS

Volume XXIX

Issue 12

March 23, 2012

Pages 415 - 443

A Weekly Publication

Administrative Law Division
Judy Cooper, Manager

Natalie E. Tennant
Secretary of State
Administrative Law Division
Bldg. 1, Suite 157K
1900 Kanawha Blvd. E.
Charleston, WV 25305-0770

(304) 558-6000
www.wvsos.com

- I. Chronological Index
- II. Open Government Meetings Listing
- III. Price List
- IV. Rule Monitor
- V. Notices
 - a. Legislative Rules
 - b. Interpretive Rules
 - c. Procedural Rules
 - d. Emergency Rules
 - e. Legislative Rule-Making Review Committee
- VI. Legislative Interims
- VII. Orders
- VIII. Ethics Commission Opinions
- IX. Office of Tax Appeal Decisions
- X. Other Documents or Information Filed
- XI. Publication Deadlines and Publication Dates

INDEX

<u>AGENCY</u>	<u>PAGE(S)</u>
Agriculture	416
Center for Professional Development, WV	416
Commerce	416
Courthouse Facilities Improvement Authority	416
Development Office, WV	437
Eastern WV Comm. & Tech. College	416
Education	415-6,420,437-40
Fairmont State University	416-7
Family Protection Services Board	417
Glenville State College	417
Health and Human Resources	442
Health Care Authority	441-3
Health Information Network, WV	417
Justice and Community Services, WV Div. of	417
Kanawha Co. Solid Waste Authority	417
Labor	417
Occupational Therapy Board	418
Pierpont Comm. & Tech. Center	418
Public Defender Services, WV	418
Public Employees Grievance Board	418
Public Service Commission	418
Public Works, WV Board of	418
Real Estate Appraiser Board	418
Region II Planning and Development Council	419
Ron Yost Personal Assistance Services Program	419
Southern WV Comm. & Tech. College	419
Speech-Language Pathology & Audiology, WV Bd. of	419
Statewide Independent Living Council, WV	419
Transportation, Dept. of	419
Veterinary Medicine, Bd. of	419

CHRONOLOGICAL INDEX, VOLUME XXIX, ISSUE 12

NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>HEARING/COMMENT PERIOD/LOCATION</u>
Education (126-44A)	21 st Century Reading and English Language Arts Content Standards and Objectives for WV Schools (2520.1) Legislative Exempt	§§18-2-5 and 18-9A-22	Written Comments Only April 16, 2012, 4:00 p.m. Edwina Howard-Jack, English Lang. Arts Coord. WVDE Office of Instruction Capitol Building 6, Room 603 1900 Kanawha Boulevard East Charleston, WV 25305-0330
Education (126-44B)	21 st Century Mathematics Content Standards and Objectives for WV Schools (2520.2) Legislative Exempt	§§18-2-5 and 18-9A-22	Written Comments Only April 16, 2012, 4:00 p.m. Lou Maynus, Mathematics Coordinator WVDE Office of Instruction Capitol Building 6, Room 603 1900 Kanawha Boulevard East Charleston, WV 25305-0330

NO NEW EMERGENCY RULES WERE FILED THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>EFFECTIVE DATE</u>	<u>DATE NOTICE FOR HEARING</u>

MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Agriculture, WV Department of WV Agricultural Land Protection Authority Financial Subcommittee	3/12/2012 11:39:11 AM	Authority business	3/29/2012 10:00:00 AM NRCS Office Earl Core Road Morgantown, WV
Center for Professional Development, WV	3/14/2012 1:35:05 PM	Quarterly meeting - Action Items, Discussion Items, Information Items	3/30/2012 10:00:00 AM WVCPD Professional Development Annex 209 Hale Street Charleston, WV 25301
Board of Directors Commerce	3/15/2012 2:17:47 PM	Regular Monthly meeting	4/3/2012 10:00:00 AM Charleston Civic Center
Minor Training, Education & Certification Bd			
Courthouse Facilities Improvement Authority	3/8/2012 2:23:09 PM	Board of Directors March Meeting - Focus Contract Negotiation Phase for Courthouse Needs Assessment	3/30/2012 11:00:00 AM Via Conference Call - 2003 Quarrier Street, Charleston, WV
Board of Directors Eastern WV Community & Technical College	*3/19/2012 2:52:14 PM	Regular meeting of the Board of Governors (meeting rescheduled from 3-21-12)	3/26/2012 10:00:00 AM 316 Eastern Drive; Moorefield, WV 26836
Board of Governors Education	3/8/2012 8:33:18 AM	The West Virginia Board of Education will meet to review and discuss the Governor's Education Efficiency Audit. The agenda for this meeting will be posted at http://wvde.state.wv.us at least three business days prior to the meeting. NOTICE: If the agenda for this meeting is not completed on March 29, 2012, the agenda will resume on March 30, 2012.	3/29/2012 10:00:00 AM Stonewall Resort 940 Resort Drive Roanoke, West Virginia
Education	3/8/2012 8:38:50 AM	The West Virginia Board of Education will meet to continue the review and discussion of the Governor's Education Efficiency Audit. This meeting will be cancelled if the review/discussion is completed on March 29, 2012. The March 29, 2012, agenda will be posted at http://wvde.state.wv.us at least three business days prior to the meeting.	3/30/2012 9:00:00 AM Stonewall Resort 940 Resort Drive Roanoke, West Virginia
Education WVBE Institutional Education Facilities Committee	3/20/2012 5:08:57 PM	The West Virginia Board of Education's Institutional Education Facilities Committee will meet to conduct routine business. The agenda will be posted at http://wvde.state.wv.us at least three business days prior to the meeting.	4/4/2012 10:00:00 AM Capitol Building 6, Room 353 1900 Kanawha Boulevard, East Charleston, West Virginia
Fairmont State University Presidential Search Committee	3/16/2012 12:26:31 PM	Presidential Search Committee Meeting	3/28/2012 4:00:00 PM Board Room Falcon Center, 3rd Floor 1201 Locust Avenue Fairmont, WV

*This meeting was filed late and does not comply with the Open Governmental Proceedings Act
! This meeting was filed as an emergency and does comply with the Open Governmental Proceedings Act

MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Fairmont State University Board of Governors <i>Finance & Facilities Committee</i>	3/12/2012 1:13:27 PM	1. February Financial Report (April meeting consent agenda along with January Financial Report and February Capital Project Report). 2. Approval of Tuition and Fee Request (April meeting). 3. 2013 budgets for three auxiliary enterprises: - Facilities (Parking/Security) (2013 budget); - Falcon Center (2013 and 20-year Master Plan budgets); - Housing/Residence Life (2013 and 20-year Master Plan budgets); - Auxiliary Proforma for 2013. 4. Bond Refunding Progress Report. 5. Tuition and Fee Policy 16 Update (30 day comment period due to a new HEPC Legislative Rule Title 133-Series 32 required by Legislative Action-SB 360 enacted in the 2011 Legislative Session) April meeting. 6. Feaster Center Pool Facility (approval for April meeting). 7. Housing Master Plan Presentation to full board (April meeting to inform the Board of the plan to allow for 60 day review and discussion prior to the June BOG meeting when we hope to request approval of the Housing Master Plan).	3/29/2012 7:30:00 AM Fairmont State University 1201 Locust Avenue - 219 Hardway Fairmont, WV 26554
Family Protection Services Board	3/15/2012 9:45:36 AM	Review WV Code 48-26	4/2/2012 10:30:00 AM Division of Justice & Community Services 2nd floor conference room 1204 Kanawha Boulevard, East, Charleston
Glenville State College <i>Board of Governors</i>	3/21/2012 1:53:22 PM	Special meeting to vote on adopting and executing all forms and provisions necessary to accept a USDA Community Facilities Grant.	3/28/2012 11:00:00 AM Glenville State Campus Harry B. Heflin Administration Building Main Floor President's Office Conference Room
Glenville State College Board of Governors <i>Executive Committee of the Board</i>	2/7/2012 4:22:09 PM	To set agenda for the April 2012 meeting.	3/28/2012 11:00:00 AM Glenville State College Campus Harry B. Heflin Administration Building President's Conference Room
Health Information Network, WV <i>WVHIN Board of Directors</i>	11/18/2011 9:38:10 AM	B-monthly Board of Directors Meeting	3/29/2012 1:30:00 PM WV Health Care Authority 100 Dee Drive Charleston, WV 25311
Justice and Community Services (DJCS), WV Div. of <i>Law Enforcement Professional Standards (LEPS) Subcommittee</i>	12/2/2011 10:35:18 AM	To address training and certification matters pertaining to West Virginia law enforcement officers.	3/29/2012 9:00:00 AM Professional Development Center (PDC) grounds of WV State Police Academy Dunbar, WV
Kanawha County Solid Waste Authority	3/20/2012 2:28:56 PM	Discussion on Short Term / Long Term Solutions	3/28/2012 10:00:00 AM 600 Slack Street Charleston
Labor <i>Manufactured Housing</i>	3/9/2012 1:00:58 PM	Manufactured Housing Board Meeting. Agenda: 1. Disciplinary Hearings; 2. Cease & Desist Orders; 3. General Discussion	3/29/2012 10:00:00 AM Office of the WV Division of Labor Building 6, Room B-749, Capitol Complex Charleston, West Virginia 25305

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act
! This meeting was filed as an emergency and does comply with the Open Governmental Proceedings Act*

MEETING NOTICES

Open Governmental Proceedings Act §6-9A et seq.

Agency	Date Filed	Purpose	Meeting Date/Location
Occupational Therapy Board	3/5/2012 9:56:13 AM	Approve and review Jan. 20, 2012 minutes, Executive Session, review purchase card purchases, treasurer's report, approve invoices, general correspondence	3/30/2012 11:00:00 AM 3041 University Ave. 2nd Floor, Suite 6 Morgantown, WV 26505
Pierpont Community & Technical Center	11/21/2011 5:14:49 PM	To conduct regular Finance Committee business.	4/3/2012 11:30:00 AM Falcon Center Conference Room 3
<i>Pierpont Finance Committee</i>			
Public Defender Services, West Virginia	3/13/2012 12:51:58 PM	To discuss indigent criminal defense within West Virginia	3/30/2012 1:30:00 PM One Players Club Driver Charleston, WV 25301
<i>Indigent Defense Commission</i>			
Public Employees Grievance Board	3/21/2012 3:47:15 PM	To conduct routine business. The Agenda will be posted on the Board's web site, www.pegb.wv.gov, at least three days prior to the meeting.	3/29/2012 3:00:00 PM 1596 Kanawha Boulevard, E. Charleston, WV 25311
PUBLIC SERVICE COMMISSION	3/8/2012 3:09:16 PM	This will be a regular monthly meeting of the TAAFRFC. The agenda is below: 1. Roll call and determination of whether a voting quorum is present.; 2. Approval of minutes of previous meeting.; 3. Financial report.; 4. Media items, if any.; 5. WTAAF matters dealt with by any TAAFRFC member due to outside contact.; 6. Status reports regarding uncompleted Projects which have received grant funds: A.TAF WYOMING 09a TWIN FALLS; COMPLETE, still no word from AT&T about their commitment.; B.TAF LEWIS 10A STATE HILL; C.TAF MARSHALL 11A CAMERON; D.TAF KANAWHA 11A CAMPBELLS CREEK; 7. Additional items as appropriate.; 8. Next meeting will be held at 10:00 a.m., in the small first floor conference room of the WVPS Building (201 Brooks Street, Charleston, WV), on Tuesday, April 24, 2012.; NOTE: Order and/or subject matter of agenda items may change during the meeting.; 2012 Meetings: (Last Tuesday of Month, except December in 2012), May 29, June 26, July 31, August 28, September 25, October 30, November 27, December 18, 2012	3/27/2012 10:00:00 AM PUBLIC SERVICE COMM. BUILDING 201 BROOKS STREET HEARING ROOM NO. 2 (1ST FLOOR) CHARLESTON, WV
TOWER ACCESS ASSISTANCE FUND REVIEW COMMITTEE (TAAFRFC)			
Public Works, WV Board of	3/12/2012 9:15:37 AM	This meeting is being conducted pursuant to Chapter 11, Article 8, Section 8 of the WV Code to certify tax rates on each class of property and prior to April 15. The Board will also consider transfers of property and any other business that may be properly presented. A detailed agenda will be available prior to the meeting in the Secretary of State's office.	4/4/2012 10:00:00 AM Governor's Cabinet and Conference Room Building 1, Suite 10 State Capitol Complex Charleston, WV
Real Estate Appraiser Board	3/20/2012 1:27:18 PM	To discuss complaints & disciplinary actions and make recommendations to the Board.	4/3/2012 9:00:00 AM 2110 Kanawha Blvd., East Charleston, WV 25311
<i>Standards Committee</i>			
Real Estate Appraiser Board	3/13/2012 4:20:49 PM	Regular Board Meeting	4/4/2012 10:00:00 AM 2110 Kanawha Blvd., East Charleston, WV 25311

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act
! This meeting was filed as an emergency and does comply with the Open Governmental Proceedings Act*

MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Region II Planning and Development Council	3/8/2012 2:40:33 PM	Annual Meeting	3/30/2012 12:00:00 PM Heritage Farm 3300 Harvey Road Huntington, WV
<i>Policy Meeting</i> Ron Yost Personal Assistance Services Program	1/17/2012 12:09:33 PM	Board Meeting	4/3/2012 1:30:00 PM WV Statewide Independent Living Council 5010 C Fairlawn Ave. Institute
<i>Ron Yost Personal Assistance Services Program</i> Southern West Virginia Community and Technical College <i>Board of Governors Agenda Committee</i>	7/19/2011 10:56:21 AM	To establish the agenda for the April 17, 2012 meeting of the Southern West Virginia Community and Technical College Board of Governors.	4/3/2012 9:00:00 AM Southern West Virginia Community and Technical College 2900 Dempsey Branch Road Room 428-Building C Mount Gay, WV and by Teleconference
Speech-Language Pathology & Audiology, WV Board of	2/17/2012 2:37:21 PM	Complaint and other Board Business	3/29/2012 4:00:00 PM WVSHA Convention Days Hotel Flatwoods, WV 26621 Meeting Room will be posted at convention
Statewide Independent Living Council, WV <i>Statewide Independent Living Council, WV</i>	1/17/2012 11:53:15 AM	Regular Council Meeting	4/4/2012 9:00:00 AM Mountain State Centers for Independent Living 821 4th AV Huntington WV
Transportation, Department of <i>Public Port Authority</i>	3/16/2012 9:39:54 AM	To discuss Mission Statement for the Port Authority.	3/29/2012 10:00:00 AM West Virginia Public Port Authority Room A-125
Veterinary Medicine, Board of	2/6/2012 12:39:39 PM	Regular quarterly meeting of the Board for review of complaints and other pertinent issues having arisen since the last meeting held January 9, 2012.	4/2/2012 9:00:00 AM Stonewall Resort Roanoke, WV

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act
! This meeting was filed as an emergency and does comply with the Open Governmental Proceedings Act*

<u>PRICE LIST</u>		
<u>AGENCY</u>	<u>RULE/ORDER</u>	<u>AMOUNT</u>
Education (126-44A)	21 st Century Reading and English Language Arts Content Standards and Objectives for WV Schools (2520.1)	\$16.50
Education (126-44B)	21 st Century Mathematics Content Standards and Objectives for WV Schools (2520.2)	\$17.80



Natalie E. Tennant

Secretary of State
State of West Virginia

Office of the Secretary of State
Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, West Virginia 25305

Telephone: (304) 558-6000
Toll Free: 1-866-SOS-VOTE
Fax: (304) 558-0900
www.wvsos.com

GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1.	Agency Name, (Title and Series Number)
Column	2.	Rule Title, Price and Type
Column	3.	Date Notice of Public Hearing or Comment Period Filed
Column	4.	Date of Public Hearing or Last Date Comments Will Be Received
Column	5.	Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule)
Column	6.	Date Agency Approved Legislative Rules Filed.
Column	7.	Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee
Column	8.	Legislative Action
Column	9.	Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules
Column	10.	Date Rule is Effective

-
- Titles followed by an asterisk (**) indicate that the rule is in effect as an emergency
 - Emergency rules will not have a "Notice" date until the agency files one but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
 - If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)
 - If a particular step is not required by law for a particular rule, the "N/A" will appear in the excluded step column
 - Once a rule becomes effective & the effective date appears in Column 10, the rule will be removed from the monitor after the rule is distributed in the loose leaf version of the Code of State Rules

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
TITLE 3	BARBERS AND COSMETOLOGISTS
TITLE 7	PROFESSIONAL ENGINEERS
TITLE 10	LICENSED PRACTICAL NURSES
TITLE 11	MEDICINE
TITLE 13	OCCUPATIONAL THERAPY
TITLE 14	OPTOMETRY
TITLE 15	PHARMACY
TITLE 16	PHYSICAL THERAPY
TITLE 17	PSYCHOLOGISTS
TITLE 20	SANITARIANS
TITLE 24	OSTEOPATHY
TITLE 25	SOCIAL WORK EXAMINERS
TITLE 26	VETERINARY MEDICINE
TITLE 27	COUNSELING
TITLE 29	SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY
TITLE 33	OFFICE OF WASTE MANAGEMENT (FORMERLY PART OF TITLE 47)
TITLE 35	OFFICE OF OIL AND GAS
TITLE 36	COAL MINE HEALTH & SAFETY
TITLE 38	MINING & RECLAMATION
TITLE 42	LABOR
TITLE 45	OFFICE OF AIR QUALITY
TITLE 47	OFFICE OF WATER RESOURCES
TITLE 48	MINES TRAINING EDUCATION & CERTIFICATION
TITLE 56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE 58	NATURAL RESOURCES
TITLE 60	ENVIRONMENTAL PROTECTION, SECRETARY'S OFFICE
TITLE 61	AGRICULTURE
TITLE 63	CONSERVATION AGENCY
TITLE 64	HEALTH
TITLE 65	HEALTH CARE AUTHORITY
TITLE 69	HEALTH & HUMAN RESOURCES
TITLE 76	SENIOR SERVICES
TITLE 78	HUMAN SERVICES
TITLE 81	STATE POLICE
TITLE 82	CULTURE AND HISTORY
TITLE 85	WORKERS COMPENSATION BY THE INSURANCE COMMISSION
TITLE 86	VETERANS AFFAIRS
TITLE 87	FIRE COMMISSION
TITLE 90	CORRECTIONS
TITLE 91	MOTOR VEHICLES
TITLE 94	REGIONAL JAIL & CORRECTIONAL FACILITY AUTHORITY
TITLE 96	WORKFORCE WEST VIRGINIA
TITLE 110	TAX DEPARTMENT
TITLE 112	TREASURER
TITLE 113	HEALTH INSURANCE PLAN
TITLE 114	INSURANCE
TITLE 126	EDUCATION
TITLE 127	SECONDARY SCHOOLS ACTIVITIES COMM.
TITLE 133	HIGHER EDUCATION POLICY COMMISSION
TITLE 135	COMMUNITY & TECHNICAL COLLEGE EDUCATION
TITLE 143	PERSONNEL
TITLE 144	TOURISM
TITLE 146	STATE ELECTION COMMISSION
TITLE 148	ADMINISTRATION
TITLE 149	CRIME, DELINQUENCY AND CORRECTION
TITLE 150	PUBLIC SERVICE COMMISSION
TITLE 153	SECRETARY OF STATE
TITLE 157	DIVISION OF HIGHWAYS
TITLE 158	ETHICS COMMISSION
TITLE 162	CONSOLIDATED PUBLIC RETIREMENT BOARD
TITLE 172	STATE RAIL AUTHORITY
TITLE 175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE 176	ALCOHOL BEVERAGE CONTROL COMMISSION – BEER
TITLE 177	ATHLETIC COMMISSION
TITLE 178	RACING COMMISSION
TITLE 179	LOTTERY
TITLE 184	PARKWAYS ECONOMIC DEV. & TOURISM AUTHORITY
TITLE 190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE 191	FAMILY PROTECTION SERVICES BOARD
TITLE 199	EXPLOSIVES & BLASTING
TITLE 204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY
TITLE 205	OUTDOOR HERITAGE CONSERVATION FUND
TITLE 207	COALFIELD COMMUNITY DEVELOPMENT
TITLE 210	GOHELP

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-1)	Board Rules and Rules of Professional Conduct \$8.00 Legislative	6/22/2011	7/22/2011	6/22/2011 Effective 8/3/2011 Amendment 7/28/2011 Effective 9/8/2011	7/28/20011	Approved 9/14/2011	SB 226 HB 4134 Bundled HB 4139		
Administration (148-22)	Certification for Small, Women and Minority-Owned Business \$4.40 Legislative	5/31/2011	7/1/2011		7/15/2011	Modified & Approved 9/14/2011 Filed 9/19/2011	SB 227 HB 4180 Bundled HB 4142		
Agriculture (61-2A)	Labeling of Imported Honey, Honey Products or Honey Bee By-Products, Adulterated Honey, Honey Products or Honey Bee By-Products Rule \$3.00 Legislative	6/27/2011	7/27/2011		7/29/2011	Modified & Approved 10/12/2011 Filed 10/19/2011	SB 229 HB 4181 Bundled HB 4139		
Agriculture (61-6D)	Nutrient Management Certification \$3.00 Legislative	6/10/2011	7/13/2011		7/29/2011	Modified & Approved 10/12/2011 Filed 10/19/2011	SB 230 HB 4182 Bundled HB 4139		
Agriculture (61-16)	Inspection of Meat and Poultry \$4.60 Legislative	6/2/2011	7/15/2011		7/27/2011	Approved 10/12/2011	SB 228 HB 4135 Bundled HB 4139		
Air Quality (45-8)	Ambient Air Quality Standards \$17.70 Legislative	6/8/2011	7/11/2011		7/29/2011	Approved 1/8/2012	SB 256 HB 4153 Bundled SB 253		
Air Quality (45-14)	Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration of Air Quality \$15.20 Legislative	6/8/2011	7/11/2011		7/29/2011	Approved 1/8/2012	SB 247 HB 4144 Bundled SB 253		
Air Quality (45-16)	Standards of Performance for New Stationary Sources \$22.90 Legislative	6/8/2011	7/11/2011		7/29/2011	Approved 1/8/2012	SB 248 HB 4145 Bundled SB 253		
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste \$23.10 Legislative	6/8/2011	7/11/2011		7/29/2011	Approved 1/8/2012	SB 249 HB 4146 Bundled SB 253		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-19)	Permits for Construction and Major Modification of Major Stationary Sources Which Cause or Contribute to Nonattainment Areas \$14.20 Legislative	6/8/2011	7/11/2011		7/29/2011	Approved 1/8/2012	SB 250 HB 4147 Bundled SB 253		
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities \$12.40 Legislative	6/8/2011	7/11/2011		7/29/2011	Approved 1/8/2012	SB 251 HB 4148 Bundled SB 253		
Air Quality (45-30)	Requirements for Operating Permits \$12.80 Legislative	1/11/2011 6/8/2011	2/14/2011 7/11/2011	12/21/2010 Effective 2/1/2011	3/16/2011	Approved 1/8/2012	SB 252 HB 4149 Bundled SB 253		
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants \$41.60 Legislative	6/8/2011	7/11/2011		7/29/2011	Approved 1/8/2012	SB 253 HB 4150 Bundled SB 253		
Air Quality (45-35)	Determining Conformity of General Federal Actions to Applicable Implementation Plans \$11.80 Legislative	6/8/2011	7/11/2011		7/29/2011	Approved 1/8/2012	SB 254 HB 4151 Bundled SB 253		
Air Quality (45-42)	Repeal of - Greenhouse Gas Emissions Inventory Program \$8.60 Legislative	6/8/2011	7/11/2011		7/29/2011	Approved 1/8/2012	SB 255 HB 4152 Bundled SB 253		
Alcohol Beverage Control Comm. (175-1)	Licensed Retailer Operations \$6.40 Legislative	6/2/2011	7/5/2011		7/13/2011	Modified & Approved 11/14/2011 Filed 11/21/2011	SB 231 HB 4183 Bundled SB 287		
Alcohol Beverage Control Comm. (175-5)	Licensing of Retail Outlets \$10.20 Legislative	6/2/2011	7/5/2011		7/13/2011	Approved 11/14/2011	SB 232 HB 4136 Bundled SB 287		
Athletic Commission (177-2)	Administrative Rules of the WV State Athletic Comm. Regulating Mixed Martial Arts \$7.40 Legislative	6/17/2011	7/18/2011	9/21/2011 Approved 11/1/2011	7/28/2011	Modified & Approved 12/14/2011 Filed 1/6/2012	SB 233 HB 4184 Bundled SB 287		
Auditor's Office (155-4)	Transaction Fee and Rate Structure \$4.20 Legislative	6/23/2011	7/23/2011		7/29/2011	Approved 9/14/2011	SB 234 HB 4137 Bundled HB 4139		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Banking (106-5)	Rule Pertaining to Residential Mortgage Lenders, Brokers and Loan Originators \$6.80 Legislative	5/27/2011	7/1/2011		7/21/2011	Approved 9/14/2011	SB 235 HB 4138 Bundled SB 287		
Barbers & Cosmetologists (3-1)	Procedures, Criteria and Curricula for Examination and Licensure of Barbers, Cosmetologists, Manicurists and Aestheticians \$12.50 Legislative	6/13/2011	7/18/2011		7/29/2011	Approved 9/14/2011	SB 236 HB 4139 Bundled HB 4139		
Barbers & Cosmetologists (3-3)	Rules and Regulations for Licensing Schools of Barbering and Beauty Culture \$3.20 Legislative	6/13/2011	7/18/2011		7/29/2011	Modified & Approved 9/14/2011 Filed 9/20/2011	SB 237 HN 4185 Bundled HB 4139		
Barbers & Cosmetologists (3-8)	Shampoo Assistants \$5.00 Legislative	6/13/2011	7/18/2011		7/29/2011	Approved 9/14/2011	SB 238 HB 4140 Bundled HB 4139		
Coal Mine Health and Safety (36-47)	Hoisting Machinery; Telephones; Safety Devices; Hoisting Engineers and Drum Runners Legislative Exempt	10/5/2011	11/6/2011						
THE ABOVE RULE HAS BEEN MIS-NUMBERED									
Community & Technical College Ed. (135-27)	Workforce Development Initiative Program \$4.80 Legislative	4/22/2011	5/23/2011		6/15/2011	Approved 10/11/2011	SB 170		
Community & Technical College Ed. (135-32)	Tuition and Fees \$5.40 Legislative	8/24/2011	9/26/2011		10/26/2011	Approved 11/15/2011	SB 170		
Consolidated Public Retirement Board (162-5)	Public Employees Retirement System \$4.00 Legislative	6/3/2011	7/5/2011		7/27/2011	Modified & Approved 9/14/2011 Filed 9/23/2011	SB 239 HB 4186 Bundled HB 4142		
Consolidated Public Retirement Board (162-7)	Refund, Reinstatement, Retroactive Service, Loan and Employer Error Interest Factors \$5.00 Legislative	6/3/2011	7/5/2011		7/27/2011	Approved 9/14/2011	SB 240 HB 4141 Bundled HB 4142		
Consolidated Public Retirement Board (162-9)	West Virginia State Police \$5.60 Legislative	6/3/2011	7/5/2011		7/27/2011	Approved 9/14/2011	SB 241 HB 4142 Bundled HB 4142		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMFC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Corrections (90-8)	Fees for Electronic Monitoring of Offenders \$3.60 Legislative	4/11/2011	5/16/2011		5/23/2011	Modified & Approved 7/13/2011 Filed 7/20/2011	SB 242 HB 4187 Bundled SB 321		
Courthouse Facilities Improvement Auth. (203-1)	Courthouse Facilities Improvement Authority \$3.00 Legislative	7/26/2011	8/31/2011		9/1/2011	Modified & Approved 1/8/2012 Filed 1/11/2012	SB 243 HB 4188 Bundled HB 4139		
Crime, Delinquency and Correction (149-2)	Law Enforcement Training Standards \$8.60 Legislative	6/2/2011	7/6/2011	6/2/2011 Approved 7/6/2011	7/28/2011	Modified & Approved 12/14/2011 Filed 1/3/2012	SB 268 HB 4196 Bundled SB 321		
Crime, Delinquency and Correction (149-6)	Motor Vehicle Search Standards \$2.80 Legislative	6/3/2011	7/6/2011		7/28/2011	Modified & Approved 12/14/2011 Filed 1/3/2012	SB 269 HB 4197 Bundled SB 321		
Deaf and Hard of Hearing (192-1)	Fees for Qualified Interpreters \$5.80 Legislative	6/30/2011	7/29/2011		7/29/2011	Approved 11/14/2011	SB 244 HB 4143 Bundled SB 245		
Deaf and Hard of Hearing (192-3)	Establishment of Required Qualifications and Ethical Standards for Interpreters and Transliferators \$3.80 Legislative	6/30/2011	7/29/2011		7/29/2011	Modified & Approved 11/14/2011 Filed 12/1/2011	SB 245 HB 4189 Bundled SB 245		
Dental Examiners (5-3)	Fees Established by the Board \$3.00 Legislative	6/24/2011	7/26/2011		7/29/2011	Modified & Approved 10/11/2011 Filed 10/21/2011	SB 246 HB 4190 Bundled HB 4139		
Development Office (145-7)	Neighborhood Investment Program Act \$5.80 Procedural	8/3/2011	9/3/2011					1/6/2012	2/6/2012
Development Office (145-11)	Brownfield Economic Development Districts \$4.80 Legislative	6/1/2011	7/1/2011		7/5/2011	Modified & Approved 12/14/2011 Filed 12/23/2011	SB 260 HB 4191 Bundled HB 4220	3/16/2012	3/16/2012

RULE MONITOR										
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE	
Development Office (145-13)	Use of Coalbed Methane Severance Tax Proceeds \$3.20 Legislative	6/13/2011	7/13/2011	6/13/2011 Approved 7/6/2011 Amendment 12/16/2011 Effective 1/27/2012	7/14/2011	Modified & Approved 12/14/2011 Filed 12/16/2011	SB 261 HB 4192 Bundled HB 4220			
Education (126-7)	Education in WV's Correctional Institutions: Mission & Goals (1471) \$5.00 Legislative Exempt	2/9/2012	3/12/2012							
Education (126-16)	Regulations for the Education of Students with Exceptionalities (2419) \$21.00 Legislative Exempt	12/19/2011	1/10/2012 1/24/2012 2/7/2012 2/13/2012					3/16/2012	7/1/2012	
Education (126-41)	Educational Purpose and Acceptable Use of Electronic Resources, Technologies and the Internet (2460) \$6.60 Legislative Exempt	1/12/2012	2/13/2012					3/16/2012	4/16/2012	
Education (126-44A)	21 st Century Reading & English Language Arts Content Standards & Objectives for WV Schools (2520.1) \$16.50 Legislative Exempt	3/16/2012	4/16/2012							
Education (126-44B)	21 st Century Mathematics Content Standards & Objectives for WV Schools (2520.2) \$17.80 Legislative Exempt	3/16/2012	4/16/2012							
Education (126-44D)	Next Generation Content Standards and Objectives for Social Studies in WV Schools (2520.4) \$19.50 Legislative Exempt	1/12/2012	2/13/2012					3/16/2012	7/1/2012	
Education (126-69)	Regs. For the Education of Juveniles Placed in Secure Predispositional Juvenile Centers (2800) \$5.20 Legislative Exempt	2/9/2012	3/12/2012							

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (5202) \$23.20 Legislative Exempt	11/9/2011	12/9/2011						
Environmental Protection Secretary's Office (60-3)	Voluntary Remediation and Redevelopment Rule \$18.60 Legislative	6/10/2011	7/12/2011	7/29/2011	Approved 1/8/2012	SB 257 HB 4154 Bundled SB 253			
Foresters (200-1)	Certification of Registered Foresters \$3.40 Legislative	6/30/2011	7/29/2011	8/3/2011	Modified & Approved 11/14/2011 Filed 12/5/2011	SB 262 HB 4193 Bundled HB 4220			
Foresters (200-4)	Schedule of Fees \$2.40 Legislative	6/30/2011	7/29/2011	8/3/2011	Modified & Approved 11/14/2011 Filed 12/5/2011	SB 263 HB 4194 Bundled HB 4220			
Foresters (200-5)	Code of Ethics \$2.80 Legislative	6/30/2011	7/29/2011	8/3/2011	Modified & Approved 11/14/2011 Filed 12/5/2011	SB 264 HB 4195 Bundled HB 4220			
Forestry (22-2)	Sediment Control During Commercial Timber-Harvesting Operations-Licensing \$4.40 Legislative	5/27/2011	6/28/2011	7/20/2011	Approved 9/14/2011	SB 265 HB 4157 Bundled HB 4220			
Forestry (22-3)	Sediment Control During Commercial Timber-Harvesting Operations-Logger Certification \$4.20 Legislative	5/27/2011	6/28/2011	7/20/2011	Approved 9/14/2011	SB 266 HB 4158 Bundled HB 4220			
Health (64-3)	Public Water Systems \$4.00 Legislative	6/17/2011	7/18/2011	7/29/2011	Modified & Approved 11/16/2011 Filed 12/1/2011	SB 273 HB 4200 Bundled SB 245			
Health (64-4)	Public Water Systems Operators Regulations \$4.80 Legislative	6/17/2011	7/18/2011	7/29/2011	Modified & Approved 12/14/2011 Filed 12/30/2011	SB 275 HB 4202 Bundled SB 245			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-5)	Wastewater Systems and Operators \$5.40 Legislative	6/17/2011	7/18/2011		7/29/2011	Modified & Approved 12/14/2011 Filed 12/30/2011	SB 277 HB 4204 Bundled SB 245		
Health (64-32)	Vital Statistics \$6.20 Legislative	6/17/2011	7/18/2011		7/29/2011	Modified & Approved 11/16/2011 Filed 12/1/2011	SB 274 HB 4201 Bundled SB 245		
Health (64-40)	Manufactured Home Communities \$5.40 Legislative	6/17/2011	7/18/2011		7/29/2011	Modified & Approved 11/16/2011 Filed 12/1/2011	SB 276 HB 4203 Bundled SB 245		
Health (64-64)	Aids-Related Medical Testing and Confidentiality \$5.00 Legislative	6/17/2011	7/18/2011		7/29/2011	Modified & Approved 11/16/2011 Filed 12/1/2011	SB 278 HB 4205 Bundled SB 245		
Health (64-77)	Public Water Systems Design Standards \$16.50 Legislative	6/17/2011	7/18/2011		7/29/2011	Approved 12/14/2011	SB 279 HB 4161 Bundled SB 245		
Health (64-89B)	Credentiaing Verification Organization \$3.60 Legislative	6/8/2011	7/8/2011		7/28/2011	Modified & Approved 11/16/2011 Filed 12/9/2011	SB 271 HB 4199 Bundled SB 245		
Health (64-98)	Safety and Treatment Program \$3.40 Legislative	6/30/2011	7/29/2011	6/30/2011 Effective 8/11/2011	7/29/2011	Modified & Approved 11/16/2011 Filed 12/14/2011	SB 270 HB 4198 Bundled SB 245		
Health Care Authority (65-28)	WV Health Information Network Rule \$6.40 Legislative	12/12/2011 2/8/2012	1/11/2012 3/9/2012	2/8/2012 Approved 2/16/2012					
Health Insurance Plan (113-1)	Premium Subsidy \$4.00 Legislative	6/8/2011	7/8/2011	6/9/2011 Approved 6/30/2011	7/28/2011	Approved 10/1/2011	SB 272 HB 4160 Bundled SB 287		
Higher Education Policy Comm. (133-32)	Tuition and Fee Policy \$5.80 Legislative	8/9/2011 9/13/2011	9/8/2011 10/13/2011		12/12/2011	Approved 12/13/2011	SB 170		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Highways (157-3)	Construction and Reconstruction of State Roads \$16.80 Legislative	5/27/2011	6/27/2011		7/21/2011	Modified & Approved 1/8/2012 Filed 1/10/2012	SB 280 HB 4206 Bundled HB 4206		
Highways (157-7)	Transportation of Hazardous Wastes Upon the Roads and Highways \$4.80 Legislative	5/27/2011	6/27/2011		7/8/2011	Approved 1/8/2012	SB 281 HB 4162 Bundled HB 4206		
Human Rights Comm. (77-9)	Housing Discrimination Against Persons with Disabilities Who Utilize Assistance Animals \$4.20 Legislative	6/29/2011	7/29/2011		7/29/2011	Approved 1/8/2012	SB 282 HB 4163 Bundled HB 4139		
Human Services (78-18)	Family Child Care Facility Licensing Requirements \$10.00 Legislative	6/24/2011	7/27/2011		7/29/2011	Modified & Approved 11/14/2011 Filed 11/23/2011	SB 283 HB 4207 Bundled SB 245		
Human Services (78-19)	Family Child Care Home Registration Requirements \$9.60 Legislative	6/24/2011	7/25/2011		7/29/2011	Modified & Approved 11/14/2011 Filed 11/23/2011	SB 284 HB 4208 Bundled SB 245		
Human Services (78-22)	Child Care Quality Rating and Improvement System \$9.80 Legislative	6/24/2011	7/27/2011		7/29/2011	Modified & Approved 11/14/2011 Filed 11/23/2011	SB 285 HB 4209 Bundled SB 245		
Insurance Commission (114-2)	Licensing and Conduct of Insurance Producers and Agencies \$5.80 Legislative	6/8/2011	7/8/2011		7/28/2011	Approved 10/11/2011	SB 286 HB 4164 Bundled SB 287		
Insurance Commission (114-20)	Surplus Lines Insurance \$11.20 Legislative	6/8/2011	7/8/2011	6/9/2011 Approved 6/30/2011 Amendment 8/3/2011 Effective 9/14/2011	7/28/2011	Approved 10/11/2011	SB 287 HB 4165 Bundled SB 287		
Insurance Commission (114-35)	Insurance Holding Company Systems \$10.40 Legislative	6/8/2011	7/8/2011		7/28/2011	Modified & Approved 10/12/2011 Filed 10/21/2011	SB 288 HB 4210 Bundled SB 287		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Commission (114-42)	Continuing Education for Individual Insurance Producers \$4.60 Legislative	6/8/2011	7/8/2011		7/28/2011	Modified & Approved 10/11/2011 Filed 10/21/2011	SB 289 HB 4211 Bundled SB 287		
Insurance Commission (114-93)	Mini COBRA \$5.80 Legislative	6/8/2011	7/8/2011		7/28/2011	Approved 10/11/2011	SB 290 HB 4166 Bundled SB 287		
Insurance Commission (114-94)	Workers' Compensation Insurance for State Agencies \$4.40 Legislative	6/24/2011	7/25/2011	6/24/2011 Approved 7/15/2011	7/28/2011	Approved 10/11/2011	SB 291 HB 4167 Bundled SB 287		
Labor (42-10)	Zipline and Canopy Tour Responsibility Act \$3.40 Legislative	6/8/2011	7/8/2011	6/8/2011 Approved 6/23/2011	7/28/2011	Modified & Approved 10/12/2011 Filed 10/25/2011	SB 292 HB 4212 Bundled HB 4220		
Labor (42-17)	Amusement Rides and Amusement Attractions Safety Act \$4.60 Legislative	6/27/2011	7/27/2011		7/28/2011	Modified & Approved 10/12/2011 Filed 10/25/2011	SB 293 HB 4213 Bundled HB 4220		
Labor (42-21A)	Supervision of Elevator Mechanics and Apprentices \$4.00 Legislative	6/27/2011	7/27/2011		7/28/2011	Modified & Approved 10/12/2011 Filed 10/25/2011	SB 294 HB 4214 Bundled HB 4220		
Lottery Commission (179-1)	State Lottery Rules \$7.00 Legislative			2/27/2012 Approved 3/1/2012					
Massage Therapy Licensure Bd. (194-1)	General Provisions \$9.60 Legislative	6/17/2011	7/18/2011	6/17/2011 Approved 7/22/2011	7/29/2011	Approved 9/14/2011	SB 295 HB 4168 Bundled HB 4139		
Massage Therapy Licensure Bd. (194-4)	Schedule of Fees \$8.40 Legislative	6/17/2011	7/18/2011	6/17/2011 Approved 7/22/2011	7/29/2011	Approved 11/14/2011	SB 296 HB 4169 Bundled HB 4139		
Medicine (11-7)	Formation and Approval of Professional Limited Liability Companies \$4.60 Legislative	5/18/2011	6/24/2011		7/12/2011	Approved 9/14/2011	SB 297 HB 4170 Bundled HB 4139		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Miners' Health, Safety and Training (56-14)	Rules & Regulations Governing the Application Process for the WV Innovative Mine Safety Technology Tax Credit Act \$3.00 Legislative	6/28/2011	7/28/2011		7/29/2011	Modified & Approved 11/14/2011 Filed 11/22/2011	SB 298 HB 4215 Bundled HB 4220		
Motor Vehicles (91-13)	Compulsory Motor Vehicle Liability Insurance \$4.80 Legislative	6/14/2011	7/19/2011		7/29/2011	Modified & Approved 10/12/2011 Filed 10/20/2011	SB 299 HB 4216 Bundled HB 4206		
Natural Resources (58-26)	Special Boating Rules \$3.40 Legislative	6/10/2011	7/11/2011		7/25/2011	Modified & Approved 9/14/2011 Filed 9/22/2011	SB 300 HB 4217 Bundled HB 4220		
Natural Resources (58-27)	Special Motorboating Regulations \$2.60 Legislative	6/8/2011	7/8/2011	5/25/2011 Effective 7/6/2011	7/26/2011	Modified & Approved 9/14/2011 Filed 9/22/2011	SB 301 HB 4218 Bundled HB 4220		
Natural Resources (58-45A)	Hunting, Trapping and Fishing Provisions \$3.60 Legislative	6/10/2011	7/11/2011		7/26/2011	Approved 9/14/2011	SB 302 HB 4171 Bundled HB 4220		
Natural Resources (58-46)	Terms Defining the Terms to be Used Concerning All Hunting and Trapping Rules \$2.60 Legislative	6/10/2011	7/11/2011		7/25/2011	Modified & Approved 9/14/2011 Filed 9/22/2011	SB 303 HB 4219 Bundled HB 4220		
Natural Resources (58-47)	Prohibitions When Hunting and Trapping \$2.80 Legislative	6/10/2011	7/11/2011		7/25/2011	Modified & Approved 9/14/2011 Filed 9/22/2011	SB 304 HB 4220 Bundled HB 4220		
Natural Resources (58-53)	General Trapping Rule \$2.60 Legislative	6/10/2011	7/11/2011		7/25/2011	Modified & Approved 9/14/2011 Filed 9/22/2011	SB 305 HB 4221 Bundled HB 4220		
Natural Resources (58-61)	Special Fishing Rule \$3.20 Legislative	6/10/2011	7/11/2011		7/25/2011	Modified & Approved 9/14/2011 Filed 9/22/2011	SB 306 HB 4222 Bundled HB 4220		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	I.LEGIS	FINAL FILE	EFFECTIVE
Nursing Home Administrators Licensing Bd. (21-1)	Nursing Home Administrators \$5.00 Legislative	2/14/2011	3/16/2011		3/28/2011	Modified & Approved 10/11/2011 Filed 10/18/2011	SB 307 HB 4223 Bundled HB 4139		
Occupational Therapy (13-3)	Fees for Services Rendered by the Board \$4.00 Legislative	5/17/2011	6/30/2011		7/14/2011	Approved 9/14/2011	SB 308 HB 4172 Bundled HB 4139		
Oil and Gas (35-8)	Rules Governing Horizontal Well Development \$49.80 Legislative	9/8/2011	10/11/2011	8/22/2011 Approved 8/29/2011	11/21/2011				
Osteopathy (24-1)	Licensing Procedures for Osteopathic Physicians \$14.40 Legislative	6/1/2011	7/1/2011		7/28/2011	Approved 9/14/2011	SB 309 HB 4173 Bundled HB 4139		
Personnel (143-1)	Administrative Rule of the WV Div. of Personnel \$14.30 Legislative	5/20/2011	6/30/2011		7/22/2011	Modified & Approved 11/14/2011 Filed 11/18/2011	SB 310 HB 4224 Bundled HB 4142		
Personnel (143-3)	Workers' Compensation Temporary Total Disability \$3.20 Legislative	5/20/2011	6/30/2011		7/22/2011	Modified & Approved 11/14/2011 Filed 11/18/2011	SB 311 HB 4225 Bundled HB 4142		
Pharmacy (15-2)	Rules of the Bd. of Pharmacy for the Uniform Controlled Substances Act \$9.40 Legislative	6/23/2011	7/25/2011		7/29/2011	Approved 10/12/2011	SB 313 HB 4175 Bundled HB 4139		
Pharmacy (15-3)	Bd. of Pharmacy Rules for the Continuing Education for Licensure of Pharmacists \$5.60 Legislative	6/23/2011	7/25/2011		7/29/2011	Approved 10/12/2011	SB 314 HB 4176 Bundled HB 4139		
Pharmacy (15-5)	Licensure of Wholesale Drug Distributors \$5.80 Legislative	6/23/2011	7/25/2011		7/29/2011	Approved 10/12/2011	SB 315 HB 4177 Bundled HB 4139		
Pharmacy (15-12)	Bd. of Pharmacy Rules Regarding Immunizations Administered by Pharmacists \$6.20 Legislative	9/14/2011	10/20/2011		12/8/2011	Approved 12/14/2011	SB 312 HB 4174 Bundled HB 4139		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Professional Surveyors (23-1)	Examination and Licensing of Professional Surveyors in WV \$4.40 Legislative	5/17/2011	6/21/2011		7/12/2011	Modified & Approved 11/14/2011 Filed 11/21/2011	SB 323 HB 4231 Bundled HB 4139		
Public Service Commission (150-9)	Rules Governing Motor Carriers, Private Commercial Carriers, and the Filing of Evidence of Insurance and Financial Responsibility by Motor Carriers \$15.50 Legislative Exempt	7/28/2011	8/29/2011						
Racing Commission (178-6)	Due Process & Hearings \$5.80 Procedural	1/19/2012	2/21/2012						
Racing Commission (178-7)	Simulcast Pari-Mutuel Wagering at Authorized Gaming Facility in Historic Resort Hotel \$5.20 Legislative	7/15/2011	8/15/2011	7/14/2011 Approved 7/22/2011	9/13/2011	Approved 12/14/2011	SB 316 HB 4178 Bundled SB 287		
School Building Authority (164-1)	School Building Authority Policy & Procedures Handbook \$44.50 Procedural	7/6/2011 12/30/2011	8/8/2011 2/5/2012						
Secretary of DHHR; Insurance Comm.; and Chair of the Health Care Authority (114A-1)	All-Payer Claims Database – Data Submission Requirements \$3.80 Legislative	6/14/2011	7/14/2011		7/28/2011	Modified & Approved 10/11/2011 Filed 10/21/2011	SB 319 HB 4228 Bundled SB 245		
Secretary of DHHR; Chair of the Health Care Authority (114A-2)	All-Payer Claims Database Program's Privacy and Security Rule \$4.60 Legislative	6/8/2011	7/8/2011		7/28/2011	Approved 10/11/2011	SB 320 HB 4179 Bundled SB 245		
Secretary of State (153-39)	Vote-by-Mail Pilot Project Phase 2: Voting by Mail \$5.60 Legislative	6/30/2011	7/29/2011		7/29/2011	Modified & Approved 12/14/2011 Filed 12/23/2011	SB 317 HB 4226 Bundled HB 4139		
Secretary of State (153-42)	Rules for General Management and Preservation of State Records \$3.20 Legislative	6/30/2011	7/29/2011		7/29/2011	Modified & Approved 1/8/2012 Filed 1/12/2012	SB 318 HB 4227 Bundled HB 4139		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
State Police (81-3)	WV State Police Career Progression System \$5.20 Legislative	5/18/2011	6/21/2011		7/25/2011	Modified & Approved 12/14/2011 Filed 1/6/2012	SB 321 HB 4229 Bundled SB 321		
State Police (81-4)	Modified Vehicle Inspection Manual \$5.00 Legislative	6/16/2011	7/18/2011		7/25/2011	Modified & Approved 12/14/2011 Filed 1/6/2012	SB 322 HB 4230 Bundled SB 321		
Tax Department (110-10D)	Use and Acceptance of Electronic Records \$4.40 Procedural	10/28/2011	11/28/2011					11/29/2011	12/30/2011
Tax Department (110-10F)	Payment of Taxes by Electronic Funds Transfer \$5.60 Legislative	1/26/2011	2/24/2011	12/29/2010 Approved 2/8/2011	4/21/2011	Modified & Approved 7/13/2011 Filed 8/5/2011	SB 324 HB 4232 Bundled SB 287		
Tax Department (110-13Q)	Commercial Patent Incentives Tax Credit \$4.80 Legislative	6/1/2011	7/1/2011		7/18/2011	Modified & Approved 9/14/2011 Filed 11/22/2011	SB 325 HB 4233 Bundled SB 287		
Tax Department (110-15J)	Per se Exemption for Purchases by Contractors Performing Contracting for Government-owned Water or Sewer Utilities or Public Service District Water or Sewer Utilities \$3.00 Interpretive	8/19/2011	9/23/2011					10/13/2011	11/15/2011
Tax Department (110-50G)	Exchange of Information Agreement Between the State Tax Dept and the Dept of Commerce, the Dept of Transportation and the Dept of Environmental Protection \$3.00 Legislative	6/17/2011	7/18/2011		7/29/2011	Modified & Approved 9/14/2011 Filed 11/22/2011	SB 326 HB 4234 Bundled SB 287		
Waste Management, Div. of Water & Waste Mgmt. (33-1)	Solid Waste Management Rule \$26.50 Legislative	6/13/2011	7/12/2011		7/29/2011	Approved 11/14/2011	SB 258 HB 4155 Bundled SB 253		
Waste Management, Div. of Water & Waste Mgmt.. (33-20)	Hazardous Waste Management System \$10.00 Legislative	6/9/2011	7/12/2011		7/28/2011	Approved 11/14/2011	SB 259 HB 4156 Bundled SB 253		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Water Resources (47-10)	National Pollutant Discharge Elimination System (NPDES) Program Legislative	Called up by the 2012 Legislature					Bundled SB 253		
Workers' Comp. by the Insurance Comm. (85-11)	Employer Default, Enforcement, Collections and Related Matters \$8.20 Legislative Exempt	1/17/2012	2/16/2012						

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

LEGISLATIVE

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**



Do Not Mark in This Box

FILED

2012 MAR 16 AM 10:38

OFFICE OF THE
SECRETARY OF STATE

FILED

3/16/2012 11:22:33 AM

Form #6

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: WV Development Office TITLE NUMBER: 145

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 11

TITLE OF RULE BEING AMENDED: Brownfield Economic Development Districts

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB4220

SECTION §64-10-1, PASSED ON March 6, 2012

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE

FOLLOWING DATE: 3/16/2012


Authorized Signature

FORM 5 -- NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: Education AMENDMENT TO EXISTING RULE: Yes
 RULE TYPE: Legislative Exempt SERIES NUMBER OF RULE BEING AMENDED: 16
 RULE IS LEGISLATIVE EXEMPT: Yes

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW:
W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE, THE EFFECTIVE DATE OF THIS RULE IS Sunday, July 01, 2012

BY CHOOSING 'YES' I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
 Charles K Heinlein -- 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-Series: 126-016

Rule Id: 8458

Document 23475

**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

LEGISLATIVE

eFILED

3/16/2012 11:34:27 AM



**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

eFILED

3/16/2012 1:59:19 PM

FORM 5 -- NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY Education
RULE TYPE AMENDMENT TO EXISTING RULE
Legislative Exempt Yes
SERIES NUMBER OF RULE BEING AMENDED 44
RULE IS LEGISLATIVE EXEMPT
Yes
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW
W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE (Page 1)
AGENCY Education
RULE TYPE AMENDMENT TO EXISTING RULE
Legislative Exempt Yes
SERIES NUMBER OF RULE BEING AMENDED 44A
COMMENTS LIMITED TO
Written
DATE OF PUBLIC HEARING
LOCATION OF PUBLIC HEARING

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE, THE EFFECTIVE DATE OF THIS RULE IS
Monday, April 16, 2012

DATE WRITTEN COMMENT PERIOD ENDS
Monday, April 16, 2012 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Edwina Howard-Jack, English Language Arts Coord.
WV DE Office of Instruction
Capitol Building 6, Room 603
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Charles K. Heinlein -- 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.

Yes
Charles K. Heinlein -- 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.



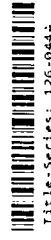
Title-Series: 126-041
Document 23479



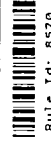
Rule Id: 8485



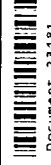
Title-Series: 126-041
Document 23479



Title-Series: 126-044A



Rule Id: 8570



Document 23481

416.50



WEST VIRGINIA BOARD OF EDUCATION
 Capitol Building 6, Room 331
 1900 Kanawha Boulevard East
 Charleston, West Virginia 25305-0330

Telephone: 304-538-3660
 Fax: 304-538-0198

March 16, 2012

The Honorable Natalie E. Tennant
 Secretary of State
 State of West Virginia
 Capitol Building 1, Suite 157-K
 1900 Kanawha Boulevard, East
 Charleston, West Virginia 25305

Dear Secretary Tennant:

The West Virginia Board of Education, at its March 14, 2012, meeting voted to repeal, effective upon the effective date (April 16, 2012) of 126CSR41, Policy 2460, Educational Purpose and Acceptable Use of Electronic Resources, Technologies and the Internet, the following rules:

- 126CSR43, Policy 2470, Use of Technology by Students and Educators, filed December 16, 1996, and effective July 1, 1997; and,
- 126CSR153, Policy 5711, Copyright Protected Computer Software Print and Non-Print Media, filed December 18, 1992, and effective January 22, 1993.

Furthermore, nothing in the repeal of these rules shall be interpreted by any school system as not having to comply with said rule prior to its repeal.

Thank you for your attention to this matter.

Sincerely,

Charles K. Heinlein

Charles K. Heinlein
 Deputy State Superintendent of Schools

LEGISLATIVE



**WEST VIRGINIA
 SECRETARY OF STATE**
 NATALIE E. TENNANT
 ADMINISTRATIVE LAW DIVISION

eFILED

3/16/2012 2:04:08 PM

FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE (Page 1)

AGENCY: Education
 RULE TYPE: AMENDMENT TO EXISTING RULE
 Legislative Exempt: Yes
 SERIES NUMBER OF RULE BEING AMENDED: 44B
 COMMENTS LIMITED TO: Written
 DATE OF PUBLIC HEARING:
 LOCATION OF PUBLIC HEARING:
 TITLE NUMBER: 126
 CITE AUTHORITY: W. Va. Code §§29A-3B, 29A-3C, 29A-3D, 29A-3E, 29A-3F, 29A-3G, 29A-3H, 29A-3I, 29A-3J, 29A-3K, 29A-3L, 29A-3M, 29A-3N, 29A-3O, 29A-3P, 29A-3Q, 29A-3R, 29A-3S, 29A-3T, 29A-3U, 29A-3V, 29A-3W, 29A-3X, 29A-3Y, 29A-3Z, 29A-3AA, 29A-3AB, 29A-3AC, 29A-3AD, 29A-3AE, 29A-3AF, 29A-3AG, 29A-3AH, 29A-3AI, 29A-3AJ, 29A-3AK, 29A-3AL, 29A-3AM, 29A-3AN, 29A-3AO, 29A-3AP, 29A-3AQ, 29A-3AR, 29A-3AS, 29A-3AT, 29A-3AU, 29A-3AV, 29A-3AW, 29A-3AX, 29A-3AY, 29A-3AZ, 29A-3BA, 29A-3BB, 29A-3BC, 29A-3BD, 29A-3BE, 29A-3BF, 29A-3BG, 29A-3BH, 29A-3BI, 29A-3BJ, 29A-3BK, 29A-3BL, 29A-3BM, 29A-3BN, 29A-3BO, 29A-3BP, 29A-3BQ, 29A-3BR, 29A-3BS, 29A-3BT, 29A-3BU, 29A-3BV, 29A-3BW, 29A-3BX, 29A-3BY, 29A-3BZ, 29A-3CA, 29A-3CB, 29A-3CC, 29A-3CD, 29A-3CE, 29A-3CF, 29A-3CG, 29A-3CH, 29A-3CI, 29A-3CJ, 29A-3CK, 29A-3CL, 29A-3CM, 29A-3CN, 29A-3CO, 29A-3CP, 29A-3CQ, 29A-3CR, 29A-3CS, 29A-3CT, 29A-3CU, 29A-3CV, 29A-3CW, 29A-3CX, 29A-3CY, 29A-3CZ, 29A-3DA, 29A-3DB, 29A-3DC, 29A-3DD, 29A-3DE, 29A-3DF, 29A-3DG, 29A-3DH, 29A-3DI, 29A-3DJ, 29A-3DK, 29A-3DL, 29A-3DM, 29A-3DN, 29A-3DO, 29A-3DP, 29A-3DQ, 29A-3DR, 29A-3DS, 29A-3DT, 29A-3DU, 29A-3DV, 29A-3DW, 29A-3DX, 29A-3DY, 29A-3DZ, 29A-3EA, 29A-3EB, 29A-3EC, 29A-3ED, 29A-3EE, 29A-3EF, 29A-3EG, 29A-3EH, 29A-3EI, 29A-3EJ, 29A-3EK, 29A-3EL, 29A-3EM, 29A-3EN, 29A-3EO, 29A-3EP, 29A-3EQ, 29A-3ER, 29A-3ES, 29A-3ET, 29A-3EU, 29A-3EV, 29A-3EW, 29A-3EX, 29A-3EY, 29A-3EZ, 29A-3FA, 29A-3FB, 29A-3FC, 29A-3FD, 29A-3FE, 29A-3FF, 29A-3FG, 29A-3FH, 29A-3FI, 29A-3FJ, 29A-3FK, 29A-3FL, 29A-3FM, 29A-3FN, 29A-3FO, 29A-3FP, 29A-3FQ, 29A-3FR, 29A-3FS, 29A-3FT, 29A-3FU, 29A-3FV, 29A-3FW, 29A-3FX, 29A-3FY, 29A-3FZ, 29A-3GA, 29A-3GB, 29A-3GC, 29A-3GD, 29A-3GE, 29A-3GF, 29A-3GG, 29A-3GH, 29A-3GI, 29A-3GJ, 29A-3GK, 29A-3GL, 29A-3GM, 29A-3GN, 29A-3GO, 29A-3GP, 29A-3GQ, 29A-3GR, 29A-3GS, 29A-3GT, 29A-3GU, 29A-3GV, 29A-3GW, 29A-3GX, 29A-3GY, 29A-3GZ, 29A-3HA, 29A-3HB, 29A-3HC, 29A-3HD, 29A-3HE, 29A-3HF, 29A-3HG, 29A-3HH, 29A-3HI, 29A-3HJ, 29A-3HK, 29A-3HL, 29A-3HM, 29A-3HN, 29A-3HO, 29A-3HP, 29A-3HQ, 29A-3HR, 29A-3HS, 29A-3HT, 29A-3HU, 29A-3HV, 29A-3HW, 29A-3HX, 29A-3HY, 29A-3HZ, 29A-3IA, 29A-3IB, 29A-3IC, 29A-3ID, 29A-3IE, 29A-3IF, 29A-3IG, 29A-3IH, 29A-3II, 29A-3IJ, 29A-3IK, 29A-3IL, 29A-3IM, 29A-3IN, 29A-3IO, 29A-3IP, 29A-3IQ, 29A-3IR, 29A-3IS, 29A-3IT, 29A-3IU, 29A-3IV, 29A-3IW, 29A-3IX, 29A-3IY, 29A-3IZ, 29A-3JA, 29A-3JB, 29A-3JC, 29A-3JD, 29A-3JE, 29A-3JF, 29A-3JG, 29A-3JH, 29A-3JI, 29A-3JJ, 29A-3JK, 29A-3JL, 29A-3JM, 29A-3JN, 29A-3JO, 29A-3JP, 29A-3JQ, 29A-3JR, 29A-3JS, 29A-3JT, 29A-3JU, 29A-3JV, 29A-3JW, 29A-3JX, 29A-3JY, 29A-3JZ, 29A-3KA, 29A-3KB, 29A-3KC, 29A-3KD, 29A-3KE, 29A-3KF, 29A-3KG, 29A-3KH, 29A-3KI, 29A-3KJ, 29A-3KK, 29A-3KL, 29A-3KM, 29A-3KN, 29A-3KO, 29A-3KP, 29A-3KQ, 29A-3KR, 29A-3KS, 29A-3KT, 29A-3KU, 29A-3KV, 29A-3KW, 29A-3KX, 29A-3KY, 29A-3KZ, 29A-3LA, 29A-3LB, 29A-3LC, 29A-3LD, 29A-3LE, 29A-3LF, 29A-3LG, 29A-3LH, 29A-3LI, 29A-3LJ, 29A-3LK, 29A-3LL, 29A-3LM, 29A-3LN, 29A-3LO, 29A-3LP, 29A-3LQ, 29A-3LR, 29A-3LS, 29A-3LT, 29A-3LU, 29A-3LV, 29A-3LW, 29A-3LX, 29A-3LY, 29A-3LZ, 29A-3MA, 29A-3MB, 29A-3MC, 29A-3MD, 29A-3ME, 29A-3MF, 29A-3MG, 29A-3MH, 29A-3MI, 29A-3MJ, 29A-3MK, 29A-3ML, 29A-3MN, 29A-3MO, 29A-3MP, 29A-3MQ, 29A-3MR, 29A-3MS, 29A-3MT, 29A-3MU, 29A-3MV, 29A-3MW, 29A-3MX, 29A-3MY, 29A-3MZ, 29A-3NA, 29A-3NB, 29A-3NC, 29A-3ND, 29A-3NE, 29A-3NF, 29A-3NG, 29A-3NH, 29A-3NI, 29A-3NJ, 29A-3NK, 29A-3NL, 29A-3NM, 29A-3NN, 29A-3NO, 29A-3NP, 29A-3NQ, 29A-3NR, 29A-3NS, 29A-3NT, 29A-3NU, 29A-3NV, 29A-3NW, 29A-3NX, 29A-3NY, 29A-3NZ, 29A-3OA, 29A-3OB, 29A-3OC, 29A-3OD, 29A-3OE, 29A-3OF, 29A-3OG, 29A-3OH, 29A-3OI, 29A-3OJ, 29A-3OK, 29A-3OL, 29A-3OM, 29A-3ON, 29A-3OO, 29A-3OP, 29A-3OQ, 29A-3OR, 29A-3OS, 29A-3OT, 29A-3OU, 29A-3OV, 29A-3OW, 29A-3OX, 29A-3OY, 29A-3OZ, 29A-3PA, 29A-3PB, 29A-3PC, 29A-3PD, 29A-3PE, 29A-3PF, 29A-3PG, 29A-3PH, 29A-3PI, 29A-3PJ, 29A-3PK, 29A-3PL, 29A-3PM, 29A-3PN, 29A-3PO, 29A-3PP, 29A-3PQ, 29A-3PR, 29A-3PS, 29A-3PT, 29A-3PU, 29A-3PV, 29A-3PW, 29A-3PX, 29A-3PY, 29A-3PZ, 29A-3QA, 29A-3QB, 29A-3QC, 29A-3QD, 29A-3QE, 29A-3QF, 29A-3QG, 29A-3QH, 29A-3QI, 29A-3QJ, 29A-3QK, 29A-3QL, 29A-3QM, 29A-3QN, 29A-3QO, 29A-3QP, 29A-3QQ, 29A-3QR, 29A-3QS, 29A-3QT, 29A-3QU, 29A-3QV, 29A-3QW, 29A-3QX, 29A-3QY, 29A-3QZ, 29A-3RA, 29A-3RB, 29A-3RC, 29A-3RD, 29A-3RE, 29A-3RF, 29A-3RG, 29A-3RH, 29A-3RI, 29A-3RJ, 29A-3RK, 29A-3RL, 29A-3RM, 29A-3RN, 29A-3RO, 29A-3RP, 29A-3RQ, 29A-3RR, 29A-3RS, 29A-3RT, 29A-3RU, 29A-3RV, 29A-3RW, 29A-3RX, 29A-3RY, 29A-3RZ, 29A-3SA, 29A-3SB, 29A-3SC, 29A-3SD, 29A-3SE, 29A-3SF, 29A-3SG, 29A-3SH, 29A-3SI, 29A-3SJ, 29A-3SK, 29A-3SL, 29A-3SM, 29A-3SN, 29A-3SO, 29A-3SP, 29A-3SQ, 29A-3SR, 29A-3SS, 29A-3ST, 29A-3SU, 29A-3SV, 29A-3SW, 29A-3SX, 29A-3SY, 29A-3SZ, 29A-3TA, 29A-3TB, 29A-3TC, 29A-3TD, 29A-3TE, 29A-3TF, 29A-3TG, 29A-3TH, 29A-3TI, 29A-3TJ, 29A-3TK, 29A-3TL, 29A-3TM, 29A-3TN, 29A-3TO, 29A-3TP, 29A-3TQ, 29A-3TR, 29A-3TS, 29A-3TT, 29A-3TU, 29A-3TV, 29A-3TW, 29A-3TX, 29A-3TY, 29A-3TZ, 29A-3UA, 29A-3UB, 29A-3UC, 29A-3UD, 29A-3UE, 29A-3UF, 29A-3UG, 29A-3UH, 29A-3UI, 29A-3UJ, 29A-3UK, 29A-3UL, 29A-3UM, 29A-3UN, 29A-3UO, 29A-3UP, 29A-3UQ, 29A-3UR, 29A-3US, 29A-3UT, 29A-3UU, 29A-3UV, 29A-3UW, 29A-3UX, 29A-3UY, 29A-3UZ, 29A-3VA, 29A-3VB, 29A-3VC, 29A-3VD, 29A-3VE, 29A-3VF, 29A-3VG, 29A-3VH, 29A-3VI, 29A-3VJ, 29A-3VK, 29A-3VL, 29A-3VM, 29A-3VN, 29A-3VO, 29A-3VP, 29A-3VQ, 29A-3VR, 29A-3VS, 29A-3VT, 29A-3VU, 29A-3VV, 29A-3VW, 29A-3VX, 29A-3VY, 29A-3VZ, 29A-3WA, 29A-3WB, 29A-3WC, 29A-3WD, 29A-3WE, 29A-3WF, 29A-3WG, 29A-3WH, 29A-3WI, 29A-3WJ, 29A-3WK, 29A-3WL, 29A-3WM, 29A-3WN, 29A-3WO, 29A-3WP, 29A-3WQ, 29A-3WR, 29A-3WS, 29A-3WT, 29A-3WU, 29A-3WV, 29A-3WW, 29A-3WX, 29A-3WY, 29A-3WZ, 29A-3XA, 29A-3XB, 29A-3XC, 29A-3XD, 29A-3XE, 29A-3XF, 29A-3XG, 29A-3XH, 29A-3XI, 29A-3XJ, 29A-3XK, 29A-3XL, 29A-3XM, 29A-3XN, 29A-3XO, 29A-3XP, 29A-3XQ, 29A-3XR, 29A-3XS, 29A-3XT, 29A-3XU, 29A-3XV, 29A-3XW, 29A-3XX, 29A-3XY, 29A-3XZ, 29A-3YA, 29A-3YB, 29A-3YC, 29A-3YD, 29A-3YE, 29A-3YF, 29A-3YG, 29A-3YH, 29A-3YI, 29A-3YJ, 29A-3YK, 29A-3YL, 29A-3YM, 29A-3YN, 29A-3YO, 29A-3YP, 29A-3YQ, 29A-3YR, 29A-3YS, 29A-3YT, 29A-3YU, 29A-3YV, 29A-3YW, 29A-3YX, 29A-3YY, 29A-3YZ, 29A-3ZA, 29A-3ZB, 29A-3ZC, 29A-3ZD, 29A-3ZE, 29A-3ZG, 29A-3ZH, 29A-3ZI, 29A-3ZJ, 29A-3ZK, 29A-3ZL, 29A-3ZM, 29A-3ZN, 29A-3ZO, 29A-3ZP, 29A-3ZQ, 29A-3ZR, 29A-3ZS, 29A-3ZT, 29A-3ZU, 29A-3ZV, 29A-3ZW, 29A-3ZX, 29A-3ZY, 29A-3ZZ

FILED
 2012 MAR 16 AM 11:40
 OFFICE OF THE WEST VIRGINIA
 SECRETARY OF STATE

Title-Series: 126-0448
 Rule Id: 8569
 Document 23482

17-80

LEGISLATIVE

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**



FILED

3/16/2012 1:57:13 PM

OFFICE OF THE SECRETARY OF STATE

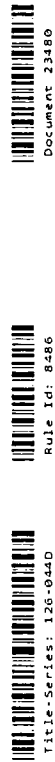
FORM 5 -- NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY	Education	TITLE NUMBER	126
RULE TYPE	AMENDMENT TO EXISTING RULE	CITE AUTHORITY	W. Va. Code §§29A-3B-
Legislative Exempt	Yes		440
SERIES NUMBER OF RULE BEING AMENDED	440		Dec.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)
RULE IS LEGISLATIVE EXEMPT	Yes		
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW	W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)		

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE, THE EFFECTIVE DATE OF THIS RULE IS Sunday, July 01, 2012

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT

Yes
Charles K. Heinlein -- 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-Series: 126-0440
Rule Id: 8486
Document 23480

4/9.50

Orders Report

Docket Number	Agency	Respondent	Decision Date
11-3-9556-E	Health Care Authority	Pulmonary Associates of Charleston PLLC	3/12/2012
11-3-9520-NH	Health Care Authority	Edgewood Summit, Inc.	3/16/2012
12-4-9578-E	Health Care Authority	Greenbrier Valley Medical Center	3/16/2012
09-2-8982-P	Health Care Authority	Logan Regional Medical Center	3/16/2012
12-3-9599-X	Health Care Authority	Mountaineer HomeCare, LLC	3/16/2012
12-WV-9596-X	Health Care Authority	Recovery Help	3/16/2012
09-9-8923-H	Health Care Authority	War Memorial Hospital	3/16/2012

OTHER

PUBLIC NOTICE
FILED
2012 MAR 20 AM 10: 50
OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA MEDICAID PROGRAM
STATE PLAN AMENDMENT
REGARDING

HEALTHCARE ACQUIRED CONDITIONS

Pursuant to 42 U.S.C. §1396a(a)(13)(1997) and 42 C.F.R. §447.205, the Department of Health and Human Resources ("Department"), Bureau for Medical Services ("Bureau") provides notice of the filing of a state plan amendment to implement payment adjustments for healthcare acquired conditions.

The purpose and rationale for this plan amendment is to comply with section 2702 of the Affordable Care Act that amends section 1902(a) of the Social Security Act. This plan amendment will be effective January 1, 2012.

The financial impact is unknown.

Documents detailing these proposed actions will be available for public inspection in each county office of the Department of Health and Human Resources during normal business hours, 8:30 a.m. to 4:30 p.m., beginning March 26, 2012 through April 26, 2012 and on the web at: www.dhhr.wv.gov/bms under Public Notices.

Written comments may be sent to the West Virginia Department of Health and Human Resources, Bureau for Medical Services, 350 Capitol Street, Suite 251, Charleston, WV 25301-3706 or on the web at www.dhhr.wv.gov/bms under Public Notices or by email to SPAComments@wv.gov. Any written comments received will be available for review at the above address during normal business hours of 8:30 a.m. to 4:30 p.m., beginning March 26, 2012 through April 26, 2012 or on the web at www.dhhr.wv.gov/bms under Public Notices.

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
FILED
2012 MAR 20 AM 11: 25
100 Dee Drive
Charleston, West Virginia 25311-1600
OFFICE WEST VIRGINIA
SECRETARY OF STATE

March 19, 2012
LEGAL NOTICE

James L. Pitrolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending March 16, 2012.

AMENDED LETTER OF INTENT RECEIVED

March 15, 2012 – West Virginia University, Morgantown, Monongalia County, CON File #12-6-9574-XP, for the construction of a student health and wellness facility on the campus of West Virginia University. The estimated capital expenditure has been amended from \$8,800,000 to \$19,400,000.

CORRECTION

March 16, 2012 – United Summit Center, Glenville, Gilmer County, CON File #12-6-9603-H, for the provision of primary care physician services on the United Hospital Center Campus in Bridgeport, Harrison County; capital expenditure: \$50,000. The correction is to change CON File # 12-6-9603-H to #12-6-9603-P.

LETTER OF INTENT FOR EXPEDITED REVIEW RECEIVED

March 16, 2012 – Recovery Help, Salt Lake City, Utah, CON File #12-WV-9596-X/BH, for the development of an intensive outpatient program for substance abuse rehabilitation in West Virginia; no capital expenditure.

PROJECT DETERMINED REVIEWABLE

March 16, 2012 – Recovery Help, Salt Lake City, Utah, CON File #12-WV-9596-X, for the development of an intensive outpatient program for substance abuse rehabilitation in West Virginia; no capital expenditure.

PROJECT DETERMINED NOT REVIEWABLE

March 16, 2012 – Mountaineer HomeCare, LLC, Charleston, Kanawha County, CON File #12-3-9599-X, for the complete relocation of the administrative offices for its home health services from Suite 210 to Suite 300 at 888 Oakwood Road, Charleston, Kanawha County; capital expenditure: \$15,000.

CERTIFICATE OF NEED APPROVALS ISSUED

March 12, 2012 – Pulmonary Associates of Charleston PLLC, South Charleston,

OTHER

Kanawha County, CON File #11-4-9556-E, for the development of computed tomography ("CT") services; capital expenditure: \$870,000.

March 16, 2012 – Edgewood Summit, Inc., Charleston, Kanawha County, CON File #11-3-9520-NH, for the expansion of services to its residents for the development of a 20-bed skilled nursing unit and a memory care unit licensed as an assisted living facility; capital expenditure: \$12,850,000.

EXEMPTION FROM CERTIFICATE OF NEED REVIEW ISSUED

March 16, 2012 – Greenbrier Valley Medical Center, Lewisburg, Greenbrier County, CON File #12-4-9578-E, for the provision of mobile magnetic resonance imaging (MRI) services; no capital expenditure.

RENEWALS GRANTED

March 16, 2012 – Logan Regional Medical Center, Logan, Logan County, CON File #09-2-8982-P, for the development of an ambulatory care facility in Logan County; capital expenditure: \$200,000.

Renewal granted through July 31, 2012.

March 16, 2012 – War Memorial Hospital, Berkeley Springs, Morgan County, CON File #09-9-8923-H, for the construction of a replacement Critical Access Hospital located in Berkeley Springs, Morgan County; capital expenditure: \$46,573,600.

Renewal granted through June 30, 2012.

Further information may be obtained on any of the above-referenced projects by contacting Timothy E. Adkins, Director, Certificate of Need Division.

THE FOLLOWING ARE PUBLICATION DATES OF THE STATE REGISTER FOR 2012

DATES ARE THE DATES ALL FILINGS ARE TO BE RECEIVED IN THE SECRETARY OF STATE'S OFFICE IN ORDER FOR THE MATERIAL TO APPEAR IN THE STATE REGISTER PUBLISHED ON THE DATE LISTED.

<u>Deadline Date</u>	<u>Publication Date</u>	<u>Meeting may be held on or after</u>	<u>Deadline Date</u>	<u>Publication Date</u>	<u>Meeting may be held on or after</u>
January 4, 2012	January 6, 2012	January 11, 2012	July 3, 2012	July 6, 2012	July 10, 2012
January 11, 2012	January 13, 2012	January 18, 2012	July 11, 2012	July 13, 2012	July 18, 2012
January 18, 2012	January 20, 2012	January 25, 2012	July 18, 2012	July 20, 2012	July 25, 2012
January 25, 2012	January 27, 2012	February 1, 2012	July 25, 2012	July 27, 2012	August 1, 2012
February 1, 2012	February 3, 2012	February 8, 2012	August 1, 2012	August 3, 2012	August 8, 2012
February 8, 2012	February 10, 2012	February 15, 2012	August 8, 2012	August 10, 2012	August 15, 2012
February 15, 2012	February 17, 2012	February 22, 2012	August 15, 2012	August 17, 2012	August 22, 2012
February 22, 2012	February 24, 2012	February 29, 2012	August 22, 2012	August 24, 2012	August 29, 2012
February 29, 2012	March 2, 2012	March 7, 2012	August 29, 2012	August 31, 2012	September 5, 2012
March 7, 2012	March 9, 2012	March 14, 2012	September 5, 2012	September 7, 2012	September 12, 2012
March 14, 2012	March 16, 2012	March 21, 2012	September 12, 2012	September 14, 2012	September 19, 2012
March 21, 2012	March 23, 2012	March 28, 2012	September 19, 2012	September 21, 2012	September 26, 2012
March 28, 2012	March 30, 2012	April 4, 2012	September 26, 2012	September 28, 2012	October 3, 2012
April 4, 2012	April 6, 2012	April 11, 2012	October 3, 2012	October 5, 2012	October 10, 2012
April 11, 2012	April 13, 2012	April 18, 2012	October 10, 2012	October 12, 2012	October 17, 2012
April 18, 2012	April 20, 2012	April 25, 2012	October 17, 2012	October 19, 2012	October 24, 2012
April 25, 2012	April 27, 2012	May 2, 2012	October 24, 2012	October 26, 2012	October 31, 2012
May 2, 2012	May 4, 2012	May 9, 2012	October 31, 2012	November 2, 2012	November 7, 2012
May 9, 2012	May 11, 2012	May 16, 2012	November 7, 2012	November 9, 2012	November 14, 2012
May 16, 2012	May 18, 2012	May 23, 2012	November 14, 2012	November 16, 2012	November 21, 2012
May 23, 2012	May 25, 2012	May 30, 2012	November 19, 2012	November 21, 2012	November 26, 2012
May 30, 2012	June 1, 2012	June 6, 2012	November 28, 2012	November 30, 2012	December 5, 2012
June 6, 2012	June 8, 2012	June 13, 2012	December 5, 2012	December 7, 2012	December 12, 2012
June 13, 2012	June 15, 2012	June 20, 2012	December 12, 2012	December 14, 2012	December 19, 2012
June 19, 2012	June 22, 2012	June 26, 2012	December 19, 2012	December 21, 2012	December 26, 2012
June 27, 2012	June 29, 2012	July 4, 2012	December 26, 2012	December 28, 2012	January 2, 2013

