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X. Other Documents or Information Filed

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NO NEW PROPOSED RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Water Resources, Div. of Water and Waste Mgmt. (47-62)	Initial Inspection, Certification and Spill Prevention Response Plan Requirements (Interpretive)	§22-30-23	Public Hearing: October 9, 2014, 6:30 pm WVDEP - Headquarters 601 57th Street SE Charleston, WV 25304 Written Comments: October 9, 2014, 8:30 pm WVDEP – Public Information Office 601 57th Street SE Charleston, WV 25304

NO NEW EMERGENCY RULES WERE FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE FOR HEARING**

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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

TITLE NUMBER		NAME OF AGENCY
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	WORKERSCOMPENSATION 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 HIGWAYS
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
Administration (148-1)	Purchasing Division Legislative	6/18/2014	7/21/2014		7/30/2014	Modified & Approved 9/11/2014			
Administration (148-3)	State Owned Vehicles Legislative	6/18/2014	7/18/2014		7/29/2014	Modified & Approved 9/11/2014			
Administration (148-4)	State Plan for the Operation of the WV State Agency for Surplus Property Legislative	6/26/2014	7/28/2014		7/30/2014	Modified & Approved 9/11/2014			
Administrative Hearings (105-1)	Appeal Procedures Legislative	7/1/2014	7/31/2014		7/31/2014				
Agriculture (61-1)	Animal Disease Control Legislative	7/2/2014	8/1/2014		8/1/2014				
Agriculture (61-4B)	Frozen Desserts and Imitation Frozen Desserts Legislative	6/27/2014	7/282014		7/29/2014				
Agriculture (61-11B)	Auctioneers Legislative	7/1/2014	7/31/2014		8/1/2014				
Agriculture (61-12)	Fee Structure for the Pesticide Control Act of 1990 Legislative	6/27/2014	7/28/2014		7/29/2014				
Agriculture (61-14)	WV Plant Pest Act Legislative	7/1/2014	7/31/2014		8/1/2014				
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	5/15/2014	7/3/2014		7/22/2014				
Agriculture (61-24)	WV Spay Neuter Assistance Program Legislative	6/25/2014	7/25/2014		8/1/2014				
Agriculture (61-29)	Industrial Hemp Legislative	7/2/2014	8/1/2014		8/1/2014				
Agriculture (61-30)	Dangerous Wild Animal Rule Legislative	7/2/2014	8/1/2014		8/1/2014				
Agriculture (61-31)	Livestock Care Standards Legislative	7/1/2014	7/31/2014		8/1/2014				
Agriculture (61-32)	Equine Rescue Facilities Legislative	7/1/2014	7/31/2014		8/1/2014				
Agriculture (61-33)	Rural Rehabilitation Loan Program Legislative	7/1/2014	7/31/2014	7/8/2014 Approved 7/10/2014	8/1/2014				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-35)	Aquaculture Importation Legislative	7/1/2014	7/31/2014		8/1/2014				
Air Quality (45-14)	Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration of Air Quality Legislative	6/4/2014	7/7/2014		7/23/2014	Approved 9/11/2014			
Air Quality (46-16)	Standards of Performance for New Stationary Sources Legislative	6/4/2014	7/7/2014		7/23/2014	Approved 9/11/2014			
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/4/2014	7/7/2014		7/23/2014	Approved 9/11/2014			
Air Quality (45-30)	Requirements for Operating Permits Legislative	6/4/2014	7/7/2014		7/23/2014	Approved 9/11/2014			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/4/2014	7/7/2014		7/25/2014	Approved 9/11/2014			
Alcohol Beverage Control Comm. (175-2)	Private Club Licensing Legislative	6/13/2014	7/13/2014		8/1/2014				
Alcohol Beverage Control Comm-Beer (176-1)	Nonintoxicating Beer Licensing and Operations Procedures Legislative	6/24/2014	7/24/2014		8/1/2014				
Community & Technical College Ed. (135-12)	Capital Project Management Legislative	12/16/2013	1/16/2014		1/28/2014				
Conservation Committee (63-2)	WV Conservation Agency Financial Assistance Programs Legislative	6/13/2014	7/14/2014		7/28/2014				
Consolidated Public Retirement Board (162-7)	Refund, Reinstatement, Retroactive Service, Loan and Employer Error Interest Factors Legislative	6/24/2014	7/24/2014		7/31/2014	Approved 9/11/2014			
Consolidated Public Retirement Board (162-8)	Service Credit for Accrued and Unused Sick and Annual Leave Legislative	6/24/2014	7/24/2014		7/31/2014	Approved 9/11/2014			
Consolidated Public Retirement Board (162-10)	Deputy Sheriff Retirement System Legislative	6/24/2014	7/24/2014		7/31/2014	Approved 9/11/2014			

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Crime, Delinquency and Correction (149-1)	Contested Case Hearings and Declaratory Rulings Procedural	8/4/2014	9/5/2014		9/9/2014				
Crime, Delinquency and Correction (149-2)	Law Enforcement Training and Certification Standards Legislative	8/4/2014	9/5/2014		9/9/2014				
Dentistry (5-1)	Rule for the WV Bd. of Dentistry Legislative	5/14/2014	6/13/2014		7/25/2014				
Dentistry (5-2)	Formation and Approval of Professional Limitied Liability Companies Legislative	5/14/2014	6/13/2014		7/25/2014				
Dentistry (5-6)	Formation and Approval of Dental Corporations; and Dental Practice Ownership Legislative	5/14/2014	6/13/2014		7/25/2014				
Dentistry (5-15)	Dental Recovery Networks Legislative	6/11/2014	7/11/2014	6/11/2014 Approved 7/10/2014	7/25/2014				
Education (126-7)	Education in WV's Correctional Institutions: Mission and Goals (1471) Legislative Exempt	5/15/2014 7/11/2014	6/16/2014 8/11/2014						
Education (126-16)	Regulations for the Education of Students with Exceptionalities (2419) Legislative Exempt	5/15/2014	7/14/2014					8/15/2014	9/15/2014
Education (126-22)	Driver Education Regulations (2422.2) Legislative Exempt	6/13/2014	7/14/2014					8/15/2014	9/15/2014
Education (126-30)	Transformative System of Support for Early Literacy (2512) Legislative Exempt	8/15/2014	9/15/2014						
Education (126-32)	Issuance of the State of WV High School Equivalency Diploma Legislative Exempt	4/11/2013	5/13/2013						
Education (126-44AA)	Next Generation Content Standards and Objectives for English Language Arts in WV Schools (2520.1A) Legislative Exempt	7/11/2014	8/11/2014						
Education (126-44B)	21st Century Mathematics Content Standards and Objectives for WV Schools (2520.2) Legislative Exempt	7/11/2014	8/11/2014						

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-44BB)	Next Generation Content Standards and Objectives for Mathematics in WV Schools (2520.2B)	7/11/2014	8/11/2014						
Education (126-75)	Education Innovation Zones (3236) Legislative Exempt	7/11/2014	8/11/2014						
Education (126-86)	Standards for School Nutrition (4321.1) Legislative Exempt	6/17/2014	7/18/2014					8/15/2014	9/15/2014
Education (126-114)	Approval of Educational Personnel Preparation Programs (5100) Legislative Exempt	8/15/2014	9/15/2014						
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (5202) Legislative Exempt	8/15/2014	9/15/2014						
Enterprise Resource Planning Board (213-1)	Enterprise Resouce Planning System User Fee Legislative	4/7/2014	5/9/2014	4/7/2014 Approved 4/22/2014	6/26/2014				
Environmental Protection – Secretary's Office (60-4)	Awarding of WV Stream Partners Program Grants Rule Legislative	6/26/2014	7/25/2014		7/29/2014				
Ethics Commission (158-19)	WV Ethics Commission Procedural	8/27/2014	9/26/2014						
Family Protection Services Board (191-1)	Operation of the Family Protection Advisory Board Legislative	6/27/2014	7/28/2014		7/30/2014				
Family Protection Services Board (191-2)	Family Protection Programs, Outreach Services and Shelter Legislative	6/27/2014	7/28/2014		7/30/2014				
Family Protection Services Board (191-3)	Perpetrator Intervention Programs Licensure Legislative	6/27/2014	7/28/2014		7/30/2014				
Family Protection Services Board (191-4)	Monitored Parenting and Exchange Program Certification Legislative	6/27/2014	7/28/2014		7/30/2014				
Family Protection Services Board (191-5)	Perpetrator Intervention Programs Licensure for Correctional Institutions Legislative	6/27/2014	7/28/2014		7/30/2014				

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Commission (87-8)	Volunteer Firefighters' Training, Equipment and Operating Standards Legislative	5/23/2014	6/24/2014	7/1/2014 Approved 8/11/2014	7/1/2014				
Fire Marshal (103-3)	Supervision of Fire Protection Work Legislative	5/29/2014	6/30/2014		7/1/2014				
Forestry (22-1)	Ginseng Regulations Legislative	6/27/2014	7/31/2014		8/1/2014	Modified & Approved 9/11/2014			
Health (64-3)	Public Water Systems Legislative	7/1/2014	7/31/2014		8/1/2014				
Health (64-13)	Nursing Home Licensure Rule Legislative	6/27/2014	7/28/2014		8/1/2014				
Health (64-27)	Statewide Trauma/Emergency Care System Legislative	6/27/2014	7/28/2014		7/31/2014	Modified & Approved 9/11/2014			
Health (64-29)	Fatality and Mortality Review Team Legislative	6/27/2014	7/28/2014		7/31/2014	Modified & Approved 9/11/2014			
Health (64-60)	Medication Administered and Performance of Health Maintenance Tasks by Unlicensed Personnel Legislative	6/27/2014	7/28/2014		7/31/2014				
Health & Human Resources (69-6)	Nurse Aide Abuse Registry Legislative	6/27/2014	7/28/2014		8/1/2014				
Health & Human Resources (69-8)	Chronic Pain Management Clinic Licensure Legislative	6/18/2014	7/18/2014	5/20/2014 Approved 6/30/2014	7/31/2014				
Higher Education Policy Comm. (133-12)	Capital Project Management Legislative	12/12/2013	1/13/2014		1/24/2014				
Higher Education Policy Comm. (133-26)	Underwood-Smith Teacher Scholarship Program Legislative	2/24/2014	3/26/2014	2/24/2014 Effective 2/24/2014	4/4/2014	Approved 6/2/2014			
Higher Education Policy Comm. (133-58)	Nursing Scholarship Program Legislative	8/4/2014	9/4/2014	8/1/2014 Effective 8/1/2014					
Information Services and Communications Division (161-3)	Procedures for Sanitization, Retirement and Disposition of Information Technology Equipment Legislative	6/24/2014	7/24/2014		7/30/2014	Modified & Approved 9/11/2014			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Commission (114-11E)	Annuity Disclosure Legislative	6/24/2014	7/24/2014		8/1/2014	Modifed & Approved 9/11/2014			
Insurance Commission (114-45)	Recognizing Annuity Mortality Tables for Use in Determining Reserve Liabilities for Annuities Legislative	6/24/2014	7/24/2014		8/1/2014	Approved 9/11/2014			
Labor (42-9)	Child Labor Legislative	6/23/2014	7/23/2014		7/30/2014				
Labor (42-17)	Amusement Rides and Amusement Attractions Safety Act Legislative	6/18/2014	7/18/2014		7/30/2014				
Labor (42-26)	Weights and Measures Calibration Fees Legislative	6/18/2014	7/18/2014		7/30/2014				
Labor (42-31)	Verifying the Legal Employment Status of Workers Legislative	6/18/2014	7/18/2014		7/30/2014				
Labor (42-32)	Supervision of Plumbing Work Legislative	6/18/2014	7/18/2014		7/30/2014				
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/18/2014	7/18/2014		7/30/2014				
Medicine (11-1B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	4/30/2014	5/30/2014	4/30/2014 Approved 6/6/2014 Amendment 6/12/2014 Approved 6/17/2014	7/22/2014				
Miners' Health, Safety and Training (56-20)	Rules Governing the Safety of Those Employed In and Around Quarries in WV Legislative	6/25/2014	7/25/2014		7/29/2014	Modified & Approved 9/11/2014			
Motor Vehicles (91-4)	Examination and Issuance of Driver's License Legislative	6/26/2014	7/27/2014		8/1/2014				
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	7/2/2014	8/1/2014		8/1/2014				
Natural Resources (58-26)	Special Boating Rules Legislative	6/23/2014	7/23/2014		7/30/2014				

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-41)	Wildlife Damage Control Agents Legislative	6/23/2014	7/23/2014		7/30/2014	Modified & Approved 9/11/2014			
Natural Resources (58-46)	Defining the Terms Used In All Hunting and Trapping Legislative	6/23/2014	7/23/2014		7/30/2014	Approved 9/11/2014			
Natural Resources (58-49)	General Hunting Legislative	6/23/2014	7/23/2014		7/30/2014				
Natural Resources (58-67)	Lifetime Hunting, Trapping and Fishing Licenses Legislative	6/23/2014	7/23/2014		7/30/2014	Approved 9/11/2014			
Natural Resources (58-71)	Hunting, Trapping and Fishing License and Stamp Fees Legislative	6/23/2014	7/23/2014		7/30/2014	Approved 9/11/2014			
Osteopathic Medicine (24-2)	Osteopathic Physician Assistants Legislative	6/3/2014	7/3/2014	5/12/2014 Approved 6/6/2014	7/31/2014				
Osteopathic Medicine (24-5)	Fees for Services Rendered by the Board of Osteopathy Legislative	6/3/2014	7/3/2014	5/12/2014 Approved 6/6/2014	7/31/2014				
Parole Board (92-1)	Eligibility, Decisions and Discharge Procedural							8/7/2014	10/7/2014
Parole Board (92-2)	Sanction, Recission and Revocation Procedural							8/7/2014	10/7/2014
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	6/27/2014	7/27/2014		8/1/2014				
Pharmacy (15-7)	Registration of Pharmacy Technicians Legislative	6/25/2014	7/26/2014		8/1/2014				
Pharmacy (15-8)	Controlled Substances Monitoring Legislative	6/27/2014	7/27/2014		8/1/2014				
Pharmacy (15-12)	Immunizations Administered by Pharmacists Legislative	6/25/2014	7/26/2014		8/1/2014				
Physical Therapy (16-4)	Fees for Physical Therapist and Physical Therapists Assistant Legislative	3/31/2014	5/1/2014		5/9/2014				
Professional Engineers (7-1)	Examination, Licensure and Practice of Professional Engineers Legislative	1/27/2014	3/3/2014	12/27/2013 Approved 1/2/2014	3/27/2014				

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Public Service Comm. (150-2)	Rules & Regs. For the Government of the Construction and Filing of Tariffs of Public Utilities and Common Carrier by Motor Vehicle Legislative Exempt	5/20/2014	7/18/2014 Written Comments 7/8/2014	5/20/2014 Approved 6/6/2014					
Public Service Comm. (150-34)	Rules Governing Alternative and Renewable Energy Portfolio Standard Legislative	11/14/2013	1/30/2014					7/28/2014	9/26/2014
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/24/2014	7/24/2014		7/29/2014	Approved 9/11/2014			
Real Estate Appraiser Licensing & Cert. Bd. (190-5)	Requirements for Registration and Renewal of Appraisal Management Companies Legislative	6/6/2014	7/9/2014	6/6/2014 Approved 7/10/2014	8/1/2014				
Registered Professional Nurses (19-9)	Disciplinary Action Procedural	4/18/2014	5/21/2014						
Secondary School Activities Comm (127-1)	Constitution Legislative Exempt	5/15/2014	6/16/2014					7/11/2014	9/9/2014
Secondary School Activities Comm (127-2)	Athletics, Provisions Governing Eligibility Legislative Exempt	5/15/2014	6/16/2014					7/11/2014	9/9/2014
Secondary School Activities Comm (127-3)	Provisions Governing Contests Legislative Exempt	5/15/2014	6/16/2014					7/11/2014	9/9/2014
Secretary of State (153-20)	Procedures for Recount of Election Results Legislative	6/16/2014	7/21/2014		7/22/2014	Modified & Approved 9/11/2014 Filed 9/9/2014			
Secretary of State (153-45)	Standards and Guidelines for Electronic Notarization Legislative	5/28/2014	6/26/2014	5/20/2014 Approved 6/30/2014	8/1/2014	Modified & Approved 9/11/2014 Filed 9/9/2014			
Secretary of State (153-46)	Notaries Public Legislative	5/28/2014	6/26/2014	5/20/2014 Approved 6/30/2014	8/1/2014	Modified & Approved 9/11/2014 Filed 9/9/2014			
Secretary of State (153-47)	Administrative Hearings for Notaries Public Procedural	6/6/2014	7/7/2014						

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-50)	Schedule of Fees Legislative	5/28/2014	6/26/2014	5/20/2014 Approved 6/30/2014	8/1/2014	Modified & Approved 9/11/2014 Filed 9/9/2014			
State Police (81-9)	WV DNA Databank Legislative	6/25/2014	7/25/2014		7/25/2014				
Tax Department (110-1Q)	Appointment of Special Assessors by the State Tax Commissioner	6/24/2014	7/24/2014		7/31/2014	Modified & Approved 9/11/2014			
Treasurer's Office (112-15)	WV College Prepaid Tuition & Savings Program Bd. of Trustees Bylaws Procedural	6/2/2014	7/3/2014					9/3/2014	10/3/2014
Veterans' Assistance (86-1)	State Home for Veterans Procedural	5/28/2014	6/28/2014						
Veterans' Assistance (86-2)	State Home for Veterans-Fiscal Legislative	5/29/2014	6/28/2014	5/28/2014 Approved 6/2/2014	8/1/2014				
Veterans' Assistance (86-3)	Operation of the Division of Veterans Affairs Procedural	5/28/2014	6/28/2014						
Veterans' Assistance (86-4)	VA Headstones or Markers Legislative	5/28/2014	6/28/2014		8/1/2014				
Waste Management, Div. of Water & Wast Mgmt. (33-1)	Solid Waste Management Rule Legislative	6/30/2014	7/30/2014	6/30/2014 Approved 7/10/2014					
Waste Management, Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/24/2014	Hearing 7/24/2014 Written Comments 7/28/2014		7/30/2014				
Water Resources, Div. of Water & Waste Mgmt. (47-2)	Requirements Governing Water Quality Standards Legislative	6/4/2014	Hearing 7/1/2014 Written Comments 7/21/2014		8/1/2014				
Water Resources, Div. of Water & Waste Mgmt. (47-30)	WV/NPDES Rule for Coal Mining Facilities Legislative	6/24/2014	7/24/2014		7/25/2014				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Water Resources, Div. of Water & Waste Mgmt. (47-62)	Initial Inspection, Certification and Spill Prevention Response Plan Requirements Interpretive	9/9/2014	10/9/2014						
Workers' Compensation by the Insurance Comm. (85-1)	Claims Management and Administration Legislative Exempt	8/1/2014	9/4/2014						

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

Form #3

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NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Governor's Committee on Crime, Delinquency and Correction TITLE NUMBER: 149

CITE AUTHORITY: West Virginia Code 30-29-3

AMENDMENT TO AN EXISTING RULE: YES XX NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Rule for Procedure for Contested Case Hearings and Declaratory Rulings

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

Authorized Signature

W Richard Staton, Executive Director

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

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LEGISLATIVE

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Governor's Committee on Crime, Delinquency and Correction TITLE NUMBER: 149

CITE AUTHORITY: West Virginia Code 30-29-3

AMENDMENT TO AN EXISTING RULE: YES XX NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 2

TITLE OF RULE BEING AMENDED: Law Enforcement Training and Certification Standards

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

Authorized Signature

W Richard Staton, Executive Director

FORM 4 – NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY Secretary Of State
RULE TYPE Legislative AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 153-20
RULE NAME Procedures for Recount of Election Results

CITE AUTHORITY 3-1A-6

THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MOFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

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

Sheryl Webb -- 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: 153-20 Rule Id: 9491 Document: 26201

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NATALIE E. TENNANT
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FORM 4 – NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY Secretary Of State
RULE TYPE Legislative AMENDMENT TO EXISTING RULE No TITLE-SERIES 153-45
RULE NAME Standards and Guidelines for Electronic Notarization

CITE AUTHORITY 39-4-25

THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MOFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

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

Sheryl Webb -- 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: 153-45 Rule Id: 9426 Document: 26200

LEGISLATIVE

FORM 4 – NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY Secretary Of State
RULE TYPE Legislative AMENDMENT TO EXISTING RULE No TITLE-SERIES 153-46
RULE NAME Notaries Public

CITE AUTHORITY 39-4-25

THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MOFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

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

Sheryl Webb -- 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: 153-46 Rule Id: 9439 Document: 26202

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NATALIE E. TENNANT
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FORM 4 – NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY Secretary Of State
RULE TYPE Legislative AMENDMENT TO EXISTING RULE No TITLE-SERIES 153-50
RULE NAME Schedule of Fees

CITE AUTHORITY 39-4-20(a) and 39-4-25(a)(7)

THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MOFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

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

Sheryl Webb -- 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: 153-50 Rule Id: 9447 Document: 26203

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INTERPRETIVE

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

AGENCY **Water Resources Division Of Water And Waste Management**
RULE TYPE **Interpretive** AMENDMENT TO EXISTING RULE **No** TITLE-SERIES **47-62**
RULE NAME **Initial Inspection, Certification and Spill Prevention Response Plan Requirements**

CITE AUTHORITY **22-30-23**

COMMENTS LIMITED TO
Oral And Written

DATE OF PUBLIC HEARING
Thursday, October 09, 2014 6:30 PM

LOCATION OF PUBLIC HEARING
WVDEP - HQ
601 57th St. SE
Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS
Thursday, October 09, 2014 8:30 PM

WRITTEN COMMENTS MAY BE MAILED TO
WVDEP - Public Information Office
601 57th Street, SE
Charleston, WV 25304

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

Yes
Kristin A Boggs -- 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: 47-62 Rule Id: 9623 Document: 26199

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LRMRC

WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Herb Snyder, Co-Chair
Delegate Mesha Poore, Co-Chair
Debra A. Graham, Chief Counsel
Jared Wyrick, Legislative Analyst
Mark White, Legislative Analyst
Trina Hartley, Committee Clerk

Ari Lezin, Associate Counsel
Brian Skinner, Associate Counsel
Kevin Baker, Associate Counsel
Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Donna Lipscomb Spano
Administration, WV Department of
1900 Kanawha Blvd. East
Building 1, Room E-119
Charleston, WV 25305

FROM: Legislative Rule-Making Committee

Proposed Rule: Purchasing Division, 148CSR1

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
4. Recommends that the Legislature rule be withdrawn; a statement of reasons for the recommendation is attached. ____

Building 1, Room MB-49 1900 Kanawha Boulevard, East Chararleston , WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: debra.graham@wvlegislature.gov : jared.wyrick@wvsenate.gov

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WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Herb Snyder, Co-Chair
Delegate Mesha Poore, Co-Chair
Debra A. Graham, Chief Counsel
Jared Wyrick, Legislative Analyst
Mark White, Legislative Analyst
Trina Hartley, Committee Clerk

Ari Lezin, Associate Counsel
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Kevin Baker, Associate Counsel
Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Donna Lipscomb Spaner
Administration, WV Department of
1900 Kanawha Blvd. East
Building 1, Room E-119
Charleston, WV 25305

FROM: Legislative Rule-Making Committee

Proposed Rule: State Owned Vehicles, 148CSR3

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
4. Recommends that the Legislature rule be withdrawn; a statement of reasons for the recommendation is attached. ____

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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Herb Snyder, Co-Chair
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Debra A. Graham, Chief Counsel
Jared Wyrick, Legislative Analyst
Mark White, Legislative Analyst
Trina Hartley, Committee Clerk
Jay Lazell, Associate Counsel
Brian Skinner, Associate Counsel
Kevin Baker, Associate Counsel
Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Donna Lipscomb Spano
Administration, WV Department of
1900 Kanawha Blvd. East
Building 1, Room E-119
Charleston, WV 25305

FROM: Legislative Rule-Making Committee

Proposed Rule: State Plan for the Operation of the West Virginia State Agency for Surplus Property, 148CSR4

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
4. Recommends that the Legislature rule be withdrawn; a statement of reasons for the recommendation is attached. ____

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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

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Jared Wyrick, Legislative Analyst
Mark White, Legislative Analyst
Trina Hartley, Committee Clerk
Jay Lazell, Associate Counsel
Brian Skinner, Associate Counsel
Kevin Baker, Associate Counsel
Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Kristin A. Boggs
DEP - Air Quality
601 57th Street, SE
Charleston, WV 25304

FROM: Legislative Rule-Making Committee 45-14

Proposed Rule: Permits for Construction and Major Modification of Major Stationary Sources for the Prevention

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed X
   - (B) as modified by the agency ____
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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4. Recommends that the Legislature rule be withdrawn; a statement of reasons for the recommendation is attached. ____

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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Herb Snyder, Co-Chair
Delegate Mesha Poore, Co-Chair
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Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Kristin A. Boggs
DEP - Air Quality
601 57th Street, SE
Charleston, WV 25304

FROM: Legislative Rule-Making Committee

Proposed Rule: Standards of Performance for New Stationary Sources, 45CSR16

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed — X
   - (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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4. Recommends that the Legislature rule be withdrawn; a statement of reasons for the recommendation is attached. —

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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

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Senator Herb Snyder, Co-Chair
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Debra A. Graham, Chief Counsel
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Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Kristin A. Boggs
DEP - Air Quality
601 57th Street, SE
Charleston, WV 25304

FROM: Legislative Rule-Making Committee 45-25

Proposed Rule: Control of Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities,

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed — X
   - (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Herb Snyder, Co-Chair
Delegate Mesha Poore, Co-Chair
Debra A. Graham, Chief Counsel
Jared Wyrick, Legislative Analyst
Mark White, Legislative Analyst
Trina Hartley, Committee Clerk

Joy Lovell, Associate Counsel
Brian Skinner, Associate Counsel
Kevin Baker, Associate Counsel
Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Kristin A. Boggs
DEP - Air Quality
601 57th Street, SE
Charleston, WV 25304

FROM: Legislative Rule-Making Committee

Proposed Rule: Requirements for Operating Permits, 45CSR30

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed X
   - (B) as modified by the agency ____
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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Legislative Rule-Making Review Committee

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Delegate Mesha Poore, Co-Chair
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Joy Lovell, Associate Counsel
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Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Kristin A. Boggs
DEP - Air Quality
601 57th Street, SE
Charleston, WV 25304

FROM: Legislative Rule-Making Committee

Proposed Rule: Emission Standards for Hazardous Air Pollutants, 45CSR34

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed X
   - (B) as modified by the agency ____
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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4. Recommends that the Legislature rule be withdrawn; a statement of reasons for the recommendation is attached. ____

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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Herb Snyder, Co-Chair
Delegate Mesha Poore, Co-Chair
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Trina Hartley, Committee Clerk

Brian Skinner, Associate Counsel
Kevin Baker, Associate Counsel
Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Jeffery Fleck
Consolidated Public Retirement Board
4101 MacCorkle Ave, SE
Charleston, WV 25304

FROM: Legislative Rule-Making Committee 162-7

Proposed Rule: Refund, Reinstatement, Retroactive Service, Loan and Employer Error Interest Factors,

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed — X
   - (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
4. Recommends that the Legislature rule be withdrawn; a statement of reasons for the recommendation is attached. —

Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: debra.graham@wvlegislature.gov : jared.wyrick@wvsenate.gov

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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Herb Snyder, Co-Chair
Delegate Mesha Poore, Co-Chair
Debra A. Graham, Chief Counsel
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Brian Skinner, Associate Counsel
Kevin Baker, Associate Counsel
Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Jeffery Fleck
Consolidated Public Retirement Board
4101 MacCorkle Ave, SE
Charleston, WV 25304

FROM: Legislative Rule-Making Committee

Proposed Rule: Service Credit for Accrued and Unused Sick and Annual Leave, 162CSR8

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed — X
   - (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
4. Recommends that the Legislature rule be withdrawn; a statement of reasons for the recommendation is attached. —

Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: debra.graham@wvlegislature.gov : jared.wyrick@wvsenate.gov

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WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

LRMRC

Senator Herb Snyder, Co-Chair
Delegate Mesha Poore, Co-Chair
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Kevin Baker, Associate Counsel
Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Jeffery Fleck
Consolidated Public Retirement Board
4101 MacCorkle Ave, SE
Charleston, WV 25304

FROM: Legislative Rule-Making Committee

Proposed Rule: Deputy Sheriff Retirement System, 162CSR10

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed — X
   - (B) as modified by the agency — ____
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. — ____
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Herb Snyder, Co-Chair
Delegate Mesha Poore, Co-Chair
Debra A. Graham, Chief Counsel
Jared Wyrick, Legislative Analyst
Mark White, Legislative Analyst
Trina Hartley, Committee Clerk

Jay Lazell, Associate Counsel
Brian Skinner, Associate Counsel
Kevin Baker, Associate Counsel
Robert Williams, Associate Counsel
Jeff Johnson, Associate Counsel
Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Greg Cook
Forestry, WV Division of
1900 Kanawha Blvd. East
Charleston, WV 25305-1080

FROM: Legislative Rule-Making Committee

Proposed Rule: Ginseng, 22CSR1

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed — ____
   - (B) as modified by the agency — X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. — ____
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. — ____
4. Recommends that the Legislature rule be withdrawn; a statement of reasons for the recommendation is attached. — ____

Building 1, Room MB-49 1900 Kanawha Boulevard, East Chararleston , WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: debra.graham@wvlegislature.gov : jared.wyrick@wvsenate.gov

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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Herb Snyder, Co-Chair
Delegate Mesha Poore, Co-Chair
Debra A. Graham, Chief Counsel
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Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Ann Goldberg
Health, WV Bureau for Public
350 Capitol Street, Room 702
Charleston, WV, 25301

FROM: Legislative Rule-Making Committee

Proposed Rule: State-wideTrauma/Emergency Care System, 64CSR27

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
   (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

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Sarah Stewart, Associate Counsel
Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Ann Goldberg
Health, WV Bureau for Public
350 Capitol Street, Room 702
Charleston, WV, 25301

FROM: Legislative Rule-Making Committee

Proposed Rule: Fatality and Mortality Review Team, 64CSR29

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
   (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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WEST VIRGINIA LEGISLATURE
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September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Information Services and Communications Div.
Donna Lipscomb Spaner
Administration, WV Department of
1900 Kanawha Blvd. East
Building 1, Room E-119
Charleston, WV 25305

FROM: Legislative Rule-Making Committee

Proposed Rule: 161-3
Procedures for Sanitization, Retirement and Disposition of Information Technology Equipment,

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
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2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

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September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Andrew R. Pauley
Insurance Commission, WV
P.O. Box 50540
Charleston, WV 25305-0540

FROM: Legislative Rule-Making Committee

Proposed Rule: Annuity Disclosure, 114CSR11E

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
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WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

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September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Andrew R. Pauley
Insurance Commission, WV
P.O. Box 50540
Charleston, WV 25305-0540

FROM: Legislative Rule-Making Committee 114-45

Proposed Rule: Recognizing Annuity Mortality Tables for Use in Determining Reserve Liabilities for Annuities,

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed — X
   - (B) as modified by the agency —
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WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Herb Snyder, Co-Chair
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September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Eugene White
Miners' Health, Safety and Training, WV Office of
7 Players Club Drive, Suite 2
Charleston, WV 25311

FROM: Legislative Rule-Making Committee

Proposed Rule: Safety of Those Employed In and Around Quarries in West Virginia, 56CSR20

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed —
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2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Curtis I. Taylor
Natural Resources, WV Division of
324 4th Avenue
South Charleston, WV 25303

FROM: Legislative Rule-Making Committee

Proposed Rule: Wildlife Damage Control Agents, 58CSR41

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Curtis I. Taylor
Natural Resources, WV Division of
324 4th Avenue
South Charleston, WV 25303

FROM: Legislative Rule-Making Committee

Proposed Rule: Defining the Terms Used In All Hunting and Trapping Rules, 58CSR46

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed X
   - (B) as modified by the agency ____
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Curtis I. Taylor
Natural Resources, WV Division of
324 4th Avenue
South Charleston, WV 25303

FROM: Legislative Rule-Making Committee

Proposed Rule: Lifetime Hunting, Trapping and Fishing Licenses, 58CSR67

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed — X
   - (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Curtis I. Taylor
Natural Resources, WV Division of
324 4th Avenue
South Charleston, WV 25303

FROM: Legislative Rule-Making Committee

Proposed Rule: Hunting, Trapping and Fishing License and Stamp Fees, 58CSR71

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed — X
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Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Jon Amores
Racing Commission, WV
900 Pennsylvania Ave
Suite 533
Charleston, WV 25302

FROM: Legislative Rule-Making Committee

Proposed Rule: Thoroughbred Racing, 178CSR1

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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Brandon Hatfield, Associate Counsel

September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Tim Leach
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, WV 25305

FROM: Legislative Rule-Making Committee

Proposed Rule: Procedures for Recount of Election Results, 153CSR20

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed —
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September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Sheryl Webb
Secretary of State
1900 Kanawha Boulevard East
Bldg. 1, Suite 157K
Charleston, WV 25305

FROM: Legislative Rule-Making Committee

Proposed Rule: Standards and Guidelines for Electronic Notarization, 153CSR45

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
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2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Sheryl Webb
Secretary of State
1900 Kanawha Boulevard East
Bldg. 1, Suite 157K
Charleston, WV 25305

FROM: Legislative Rule-Making Committee

Proposed Rule: Notaries Public, 153CSR46

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
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September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Sheryl Webb
Secretary of State
1900 Kanawha Boulevard East
Bldg. 1, Suite 157K
Charleston, WV 25305

FROM: Legislative Rule-Making Committee

Proposed Rule: Schedule of Fees, 153CSR50

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
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September 11, 2014

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register

TO: Mark Morton
Tax and Revenue, WV Department of
P.O. Box 1005
Charleston, WV 25324

FROM: Legislative Rule-Making Committee

Proposed Rule: Appointment of Special Assessors by State Tax Commissioner, 110CSR1Q

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
4. Recommends that the Legislature rule be withdrawn; a statement of reasons for the recommendation is attached. ____

Building 1, Room MB-49 1900 Kanawha Boulevard, East Chararleston , WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: debra.graham@wvlegislature.gov : jared.wyrick@wvsenate.gov

Orders Report

Docket Number	Agency	Respondent	Date Rendered
14-6-10184-A	**Health Care Authority**	Alecto Healthcare Services Fairmont LLC	8/29/2014
14-2-10249-X	**Health Care Authority**	TERPAX, Inc	8/29/2014
14-10-10167-PV	**Health Care Authority**	Wheeling Hospital	8/27/2014
14-11-10097-X/P	**Health Care Authority**	Weirton Medical Center	8/27/2014
14-1-25-C	**health care authority**	Beckley Appalachian Regional Hospital	8/26/2014
HFY15-14-4-S	**Health Care Authority**	Weirton Medical Center	8/29/2014
MORATORIUM ORDER	**Health Care Authority**	Megavoltage Radiation Therapy	9/10/2014
MORATORIUM ORDER	**Health Care Authority**	End Stage Renal Disease	9/10/2014
12-11-9717-X	**Health Care Authority**	Change, Inc.	9/2/2014
14-11-10113-PV	**Health Care Authority**	Trinity Health System	9/2/2014
14-11-10120-PV	**Health Care Authority**	Trinity Health System	9/2/2014
14-10-10214-X	**Health Care Authority**	Wheeling Hospital	9/2/2014
14-AP-FINCON-02013	**Insurance Commission**	West Virginia Mutual Insurance Company	8/28/2014
13-AP-FP-02049	**Insurance Commission**	State Farm Mutual Automobile Insurance Company	9/3/2014
13-AP-FP-02009	**Insurance Commission**	Auto Club Property Casualty Insurance Company	8/22/2014
14-C-1504	**Osteopathic Medicine, WV Board of**	Roland F. Chalifoux, Jr, DO	8/28/2014

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Assistant Attorney General

OTHER

September 4, 2014

FILED
2014 SEP -9 P 1:25
OFFICE WEST VIRGINIA
SECRETARY OF STATE

Honorable Natalie Tennant
Secretary of State
State Capitol Building
Charleston, WV 25305

Dear Mrs. Tennant:

Pursuant to Chapter 30, Article 1, Section 12 of the West Virginia Code, please find attached the annual report of the biennium for the Fiscal Years 2013 & 2014 for the West Virginia Board of Dentistry.

Very truly yours,

Susan M. Combs

SUSAN M. COMBS
Interim Executive Secretary

Attachments

RECEIVED
SEP 09 2014

Earl Ray Tomblin
Governor

Karen L. Bowling, Cabinet Secretary
West Virginia Department of
Health and Human Resources

HEALTH CARE AUTHORITY

James L. Pitrolo, Jr.
Chairman

Board Members
Sonia D. Chambers
Marilyn G. White

FILED
2014 SEP 10 A 11:
OFFICE WEST VIRGINIA
SECRETARY OF STATE

In re:

CHARLESTON RADIATION THERAPY CONSULTANTS, LLC

CON File No. 14-3-10159-E

NOTICE OF CANCELLATION OF PREHEARING CONFERENCE AND ADMINISTRATIVE HEARING

PLEASE TAKE NOTICE that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, James L. Pitrolo, Jr., Chairman of the West Virginia Health Care Authority, wishes to announce that the proceedings previously scheduled for **September 29, 2014 and October 6, 2014**, for the above-noted application **have been CANCELED.**

By letter dated September 5, 2014, Thomas Memorial Hospital, by Counsel James W. Thomas, withdrew its request for administrative hearing in this matter.

This application concerns the provision of radiation therapy services on a third linear accelerator at Charleston Radiation Consultants.

If you have questions concerning this matter, please contact Timothy Adkins, Director of Certificate of Need, at (304)558-7000.

Date: September 8, 2014

James L. Pitrolo, Jr.
Chairman

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600

FILED

2014 SEP -9 P 1:42

OFFICE WEST VIRGINIA SECRETARY OF STATE

OTHER

September 8, 2014

LEGAL NOTICE

James L. Pitrolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending **September 5, 2014**.

LETTER OF INTENT FOR EXPEDITED REVIEW RECEIVED

September 5, 2014 – Wheeling Hospital, Wheeling, Ohio County, CON File #14-10-10259-P, for the development of an ambulatory care facility to offer office-based physician services in Marshall County; capital expenditure: $25,000.

AMENDED REQUEST FOR EXEMPTION RECEIVED

August 20, 2014 – Community Care of West Virginia, Inc. (CCWV), Rock Cave, Upshur County, CON File #14-4-10251-X, request for an exemption from Certificate of Need review, pursuant to W.Va. Code § 16-2D-4(a)(5), for the acquisition of the Browning Family Practice, located at 7576 Seneca Trail, Hillsboro, Pocahontas County. CCWV, which is a federally qualified health center (FQHC), will acquire the practice and maintain primary care services at that location.

The capital expenditure association with the project is less than the expenditure minimum.

Any affected person may oppose this proposal by submitting a letter stating the reason for opposition within thirty (30) days of the first date of publication of the public notice to: Marianne Kapinos, General Counsel, West Virginia Health Care Authority, Certificate of Need Program, 100 Dee Drive, Charleston, West Virginia 25311-1600.

The last date upon which an affected party may file a letter of opposition to this proposal is October 3, 2014.

DECISION ON REQUEST FOR EXEMPTION

September 2, 2014 – Wheeling Hospital, Wheeling, Ohio County, CON File #14-10-10214-X, for the development of a hospital ambulatory health care facility in Ohio County by way of the employment of Robert B. Altmeyer, M.D., a physician whose specialty is pulmonary disease. The physician office is located at 1131 National Road, Wheeling, Ohio County; capital expenditure: $30,000.

REQUEST FOR RECONSIDERATION DENIED

September 2, 2014 – Change, Inc. d/b/a Family Medical Care, Weirton, Hancock County, CON File #12-11-9717-X, for the establishment of a School Based Health Center to be located within Weirton Elementary School.

It is ORDERED that the Request for Reconsideration by Weirton Medical Center and First Steps Pediatric & Adolescent Medicine, PLLC is DENIED.

POTENTIAL VIOLATION ORDERS

September 2, 2014 – Trinity Health System, Steubenville, Ohio, CON File #14-11-10113-PV, for the development of an ambulatory health care facility located at 753 Main Street, Follansbee, Brooke County without first obtaining a Certificate of Need.

The Authority FINDS that Dr. Lynch's office is REVIEWABLE as the development of an ambulatory health care facility. Since this facility was developed by Trinity without Certificate of Need approval, it is in violation of applicable Certificate of Need law and is subject to applicable penalties both in law and equity. Trinity is directed to file a Certificate of Need application, within forty-five days, to come into compliance.

September 2, 2014 – Trinity Health System, Steubenville, Ohio, CON File #14-11-10120-PV, for the development of an ambulatory health care facility located at 701 Colliers Way, Weirton, Brooke County, without first obtaining a Certificate of Need.

The Authority FINDS that Dr. Licata's office is REVIEWABLE as the development of an ambulatory health care facility. Since this facility was developed by Trinity without Certificate of Need approval, it is in violation of applicable Certificate of Need law and is subject to all applicable penalties both in law and equity. Trinity is directed to file a Certificate of Need application, within forty-five days, to come into compliance.

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