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NO NEW PROPOSED RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

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 Filed 9/16/2014			
Administration (148-3)	State Owned Vehicles Legislative	6/18/2014	7/18/2014		7/29/2014	Modified & Approved 9/11/2014 Filed 9/16/2014			
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 Filed 9/16/2014			
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				

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-33)	Rural Rehabilitation Loan Program Legislative	7/1/2014	7/31/2014	7/8/2014 Approved 7/10/2014	8/1/2014				
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			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Consolidated Public Retirement Board (162-10)	Deputy Sheriff Retirement System Legislative	6/24/2014	7/24/2014		7/31/2014	Approved 9/11/2014			
Crime, Delinquency and Correction (149-1)	Contested Case Hearings and Declaratory Rulings Legislative	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 (126-14)	WV Measures of Academic Progress (2340) Legislative Exempt	9/12/2014	10/14/2014						
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					9j/12/2014	10/14/2014
Education (126-44B)	21st Century Mathematics Content Standards and Objectives for WV Schools (2520.2) Legislative Exempt	7/11/2014	8/11/2014					9/12/2014	10/14/2014

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					9/12/2014	10/14/2014
Education (126-75)	Education Innovation Zones (3236) Legislative Exempt	7/11/2014	8/11/2014					9/12/2014	10/14/2014
Education (126-81)	Attendance (4110) Legislative Exempt	9/12/2014	10/14/2014						
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 Filed 9/18/2014			
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					

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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			
Insurance Commission (114-11E)	Annuity Disclosure Legislative	6/24/2014	7/24/2014		8/1/2014	Modifed & Approved 9/11/2014 Filed 9/15/2014			
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 Filed 9/16/2014			
Motor Vehicles (91-4)	Examination and Issuance of Driver's License Legislative	6/26/2014	7/27/2014		8/1/2014				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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				
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				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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				
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						
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						
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			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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				
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						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Workers' Compensation by the Insurance Comm. (85-1)	Claims Management and Administration Legislative Exempt	8/1/2014	9/4/2014						

FILED LEGISLATIVE
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

WV INCOME MAINTENANCE MANUAL MANUAL MATERIAL TRANSMISSION

DATE:	October 1, 2014
CHANGE NUMBER:	693
TO:	ALL INCOME MAINTENANCE MANUAL HOLDERS

DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
Appendix A	10	2/10/14	Appendix A	10	10/14
Appendix B B-3	10	10/11	Appendix B B-3	10	10/11
Appendix B B-4	10	10/13	Appendix B B-4	10	10/14
Appendix C Part 1	10	11/13	Appendix C Part 1	10	10/14
Appendix C Part 2	10	11/13	Appendix C Part 2	10	10/14
43	24	6/12	43	24	10/14
44	24	1/10	44	24	1/10
Appendix A A-1 – A-2	26	10/13	Appendix A A-1 – A-2	26	10/14
Appendix C DFA-LIEAP-1a	26	1/14	Appendix C DFA-LIEAP-1a	26	10/14
LIEAP Fact Sheet		2013	LIEAP Fact Sheet		2014
Appendix E FORM DFA-RR-1	1	5/14	Appendix E FORM DFA-RR-1	1	10/14
Appendix D FORM DFA-SNAP-2	2	3/13	Appendix D FORM DFA-SNAP-2	2	10/14
Appendix D FORM DFA-TA-3	19	11/13	Appendix D FORM DFA-TA-3	19	10/14

This change is being made to update income limits for LIEAP and SNAP.

Chapter 1, Appendix E: DFA-RR-1 form – added privacy statement.

Chapter 2:
DFA-SNAP-2 form: Requested additional information.

Chapter 10:
Appendix A: Change LIEAP income limits and SNAP limits for FPL 130%, 200%, 165%, 100%.
Appendix B: Updated standard deduction, standard utility allowance, shelter utility CAP.
Appendix C: Updated Basis of Issuance Chart.

Chapter 19:
DFA-TA-3: Updated 135% Federal Poverty Guidelines.

Chapter 24:
24.8: Updated link - if we are a needy state.

Chapter 26:
Appendix A: Changed LIEAP income limits.
Appendix C: Updated DFA-LIEAP-1a.
Updated LIEAP Fact Sheet.

Policy questions should be directed to the DFA Policy Units.

RAPIDS questions should be directed to the RAPIDS Help Desk.

Attachment

DW-17
Rev. 10/04

Orders Report

Docket Number	Agency	Respondent	Date Rendered
14-6-10184-A	**Health Care Authority**	Alecto Healthcare Services Fairmont LLC	9/16/2014
14-6-10184-A	**Health Care Authority**	MPT of Fairmont-Alecto LLC	9/16/2014
14-6-10184-A	**Health Care Authority**	MPT of Fairmont-Alecto Hospital LLC	9/16/2014
14-3-10212-X	**Health Care Authority**	Autism Management Group LLC	9/15/2014
14-2/3-10156-A	**Health Care Authority**	Cabell Health Care Center LLC	9/16/2014
14-2/3-10156-A	**Health Care Authority**	Clay Health Care Center LLC	9/16/2014
14-2/3-10156-A	**Health Care Authority**	Hillcrest Health Care Center LLC	9/16/2014
14-2/3-10156-A	**Health Care Authority**	Cedar Holdings LLC	9/16/2014
14-2/3-10156-A	**Health Care Authority**	Southern Investment and Leasing Company LLC	9/16/2014
14-3-10258-X	**Health Care Authority**	Charleston Area Medical Center Inc	9/16/2014
14-1-10239-X	**Health Care Authority**	Community Health System Inc	9/16/2014
11-3-9397-X/BH	**Health Care Authority**	Domestic Violence Survivors Support Group Inc	9/16/2014
14-4/5-10160-A	**Health Care Authority**	PWNR LLC	9/16/2014
14-4/5-10160-A	**Health Care Authority**	PNCN LLC	9/16/2014
14-4/5-10160-A	**Health Care Authority**	ARHC NCRWDWV01 LLC	9/16/2014
14-4/5-10160-A	**Health Care Authority**	ARHC WNPBGWV01 LLC	9/16/2014
13-6-9932-H	**Health Care Authority**	United Hospital Center	9/16/2014
13-7-10094-P	**Health Care Authority**	United Hospital Center Inc	9/16/2014
14-5-10255-X	**Health Care Authority**	Westbrook Health Services Inc	9/16/2014
13-THP-02148/13-AP-THP-02150	**Insurance Commission**	National Union Fire Insurance Company of Pittsburgh, PA	9/11/2014
14-AP-MCSI-02009	**Insurance Commission**	Royal Vendors Inc	9/23/2014
14-AP-MSCI-02012	**Insurance Commission**	Residence Inn By Marriott LLC	8/1/2014
14-AP-MCSI-02010	**Insurance Commission**	Huntington Alloys Corporation	8/4/2014
14-AP-MCSI-02008	**Insurance Commission**	Dominion Transmission Inc	8/4/2014

14-AP-MCSI-02005	**Insurance Commission**	Pepsi-Cola Metropolitan Bottling Company Inc	8/4/2014
14-AP-WCCFTA-02031	**Insurance Commission**	Arch Coal Inc/BrickStreet Mutual Insurance Co	7/28/2014
14-AP-WCCFTA-02026	**Insurance Commission**	State Electric Supply Co/Federal Insurance Co/Chubb Group of Insurance	8/4/2014
14-AP-WCCFTA-02034	**Insurance Commission**	Amherst Industries Inc/BrickStreet Mutual Insurance Co	8/4/2014
14-AP-WCCFTA-02032	**Insurance Commission**	Capitol Beverage Company/Employers Insurance Co of Wausau	8/26/2014
14-AP-WCCFTA-02036	**Insurance Commission**	Eastern Associated Coal LLC/York Risk Services Group	8/20/2014
14-AP-WCCFTA-02037	**Insurance Commission**	Phillips Machine Service Inc/Zurich American Insurance Co	8/20/2014
14-AP-WCCFTA-02041	**Insurance Commission**	Huntington Alloys Corporation/York Risk Services	8/20/2014
13-THP-02122/13-AP-THP-02124	**Insurance Commission**	Northland Insurance Company	9/16/2014
N/A	**Osteopathic Medicine, WV Board of**	Joel Smithers, D.O.	9/17/2014
P-14-015, P-14-016, P-14-019	**Real Estate Commission**	Stanley P. Norman	9/23/2014
C-14-035	**Real Estate Commission**	Spruce School of Real Estate and Robert Wade Caskey	9/23/2014
0414B, 0414C	**Veterinary Medicine**	Pamela Harrold	9/18/2014

OFFICE OF TAX APPEAL DECISIONS		
NO.	**SYNOPOSIS**	**DATE ISSUED**
13-143 W	The Petitioner, a bookkeeper/office manager argued that she was not personally responsible for her employers unpaid withholding taxes. The Office of Tax Appeals ruled that, pursuant to West Virginia Code Section 11-10-19 and Internal Revenue Code Section 6672 she was both required to pay over the corporations' withholding taxes and did she willfully fail to do so.	February 26, 2014
14-456 CU	The Petitioner, a small corporation, argued that its usage of an enrolled agent to provide accounting services was exempt from sales/use tax because the enrolled agent was providing a professional service. The Office of Tax Appeals ruled that the service provided was not professional and that when an enrolled agent is providing accounting services, which are not considered professional services the exemption does not apply.	January 28, 2014
08-211 TSE C	The Petitioner, a small corporation that provides inventory to convenience stores, argued that it should not have been assessed a money penalty for selling cigarette brands that were not on West Virginia's list of approved brands. The Petitioner argued that the Tax Commissioner failed to give it adequate notice of the brands' removal. The Office of Tax Appeals ruled that pursuant to West Virginia Code Section 16-9D-3(b)(3)(C) the Tax Commissioner was not obligated to give the Petitioner notice of the removals and thus the penalty was warranted.	April 18, 2014
13-381 RPD	Petitioners, retired federal law enforcement officers argued that their retirement income should be excluded from West Virginia personal income tax pursuant to the holding in *Dodson v. Palmer*, Civil Action No. 00-C-AP. The Office of Tax Appeals ruled that it should be so excluded.	May 12, 2014
13-238 RPD C	Petitioner is a retired federal law enforcement officer. He argued that his retirement income should be excluded from West Virginia personal income tax pursuant to the holding in *Dodson v. Palmer*, Civil Action No. 00-C-AP. The Office of Tax Appeals ruled that that it should be so excluded.	April 7, 2014
12-340 CU	Petitioner operates fitness clubs and argued that it is entitled to the exemption from sales tax relating to charges for memberships or services provided by health and fitness organizations relating to personalized fitness programs." W. Va. Code Ann. §11-15-9(a)(34). The Office of Tax Appeals ruled that the Petitioner was providing a personalized fitness program. The OTA further ruled that the rules of statutory construction do not require West Virginia Code Section 11-15-9(a)(34) and West Virginia Code Section 11-15-8 to be read in *pari materia*. Therefore, the Tax Commissioner reliance on the legislative rules that inform West Virginia Code Section 11-15-8 was misplaced.	May 7, 2014
12-464 RMFE	Petitioner, a state agency appealed the Tax Commissioner's denial of a refund claim for motor fuel taxes. The Petitioner claimed that the filing deadline for such refunds, found in West Virginia Code Section 11-14C-31(c)(3) should be equitably tolled. The Office of Tax Appeals ruled that Section 11-14C-31(c)(3) uses the mandatory designation of "shall" when setting the filing deadline for motor fuel refunds. As a result the OTA ruled that it had no authority to toll a clear and unambiguous statutory filing deadline.	March 24, 2014

OFFICE OF TAX APPEAL DECISIONS		
NO.	**SYNOPOSIS**	**DATE ISSUED**
13-143 W	The Petitioner, a bookkeeper/office manager argued that she was not personally responsible for her employers unpaid withholding taxes. The Office of Tax Appeals ruled that, pursuant to West Virginia Code Section 11-10-19 and Internal Revenue Code Section 6672 she was both required to pay over the corporations' withholding taxes and did she willfully fail to do so.	February 26, 2014
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2014 SEP 23 P 4:17

OTHER

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

OFFICE WEST VIRGINIA SECRETARY OF STATE

SEP 18 2014

Mr. Scott Mandirola, Director
Division of Water & Waste Management
West Virginia Department of Environmental Protection
601 57th Street, S.E.
Charleston, West Virginia 25304

Dear Scott Mandirola:

Recently the State of West Virginia completed the triennial review of its water quality standards regulation. The review resulted in the revision of several provisions of the regulation. In this letter, the U.S. Environmental Protection Agency (EPA) is taking action on those water quality standards revisions in accordance with the Clean Water Act (CWA) Section 303(c).

On March 8, 2014, the West Virginia Legislature adopted the revisions to the State's water quality standards regulation, and the Governor signed the revisions on April 1, 2014. The West Virginia Department of Environmental Protection's (WVDEP) General Counsel certified on June 24, 2014 that the regulations were duly adopted in accordance with State law. In accordance with Section 303(c)(2)(A) of the Clean Water Act (CWA), 33 U.S.C. §1313(c)(2)(A), and 40 CFR §131.20(c), WVDEP forwarded the amended regulation to the Environmental Protection Agency, Region III, on June 24, 2014, and we received it on July 14, 2014.

Based on EPA's review of the submission and supporting documentation, EPA finds that the new or revised provisions of West Virginia's regulation are consistent with CWA Section 303(c) and its implementing regulations at 40 CFR §131. Enclosure 1 to this letter includes all the new or revised provisions that EPA is approving in this action, as well as a brief rationale for our approval. On a separate table in Enclosure 1 are several revisions that EPA does not consider to be new or revised water quality standards subject to review under CWA Section 303(c), and we therefore do not have to take a 303(c) action on those provisions. Those provisions are mostly revisions to regulatory citations or corrections, and therefore do not change the desired condition or level of protection of surface waters in the State.

Under Section 7 of the Endangered Species Act (ESA), 42 U.S.C. §1536, EPA has the obligation to determine if the Agency's approval of these modifications to the State's water quality standards regulation will adversely affect Federally-listed threatened and endangered species and their critical habitat in West Virginia. To fulfill our obligation, EPA prepared an evaluation of the new and revised provisions of West Virginia's regulation, included here as Enclosure 2, and made a finding that our approval of the new and revised provisions which impact aquatic species either may affect, but is not likely to adversely affect threatened and endangered species, or will have no effect. The U.S. Fish and Wildlife Service (USFWS) concurred with this finding on September 11, 2014 (Enclosure 3)

EPA would like to commend WVDEP's water quality standards staff for the completion of this review of West Virginia's water quality standards regulation. My staff is prepared to assist WVDEP as you embark on the next triennial review. We anticipate that WVDEP will address the issues of ammonia criteria and bacteria criteria for the protection of recreational uses. We also look forward to your continued efforts to establish nutrient criteria.

If you have any questions regarding this action, please do not hesitate to contact me or have your staff contact Denise Hakowski, at 215-814-5726.

Sincerely,

Jon M. Capacasa, Director
Water Protection Division

Enclosures

cc: Kevin Coyne (WVDEP)
John E. Schmidt (USFWS)

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Enclosure 1

Summary of West Virginia's New and Revised Water Quality Standards
2014 Triennial Review

Citation	Description	EPA Approval Rationale
2.2	Revise definition of "Cool water lakes"	Definitions in of themselves are not water quality standards subject to EPA's CWA Section 303(c) action. How the terms are used in the description of designated uses, criteria or antidegradation provisions could constitute a change to water quality standards subject to EPA's review under CWA Section 303(c) action. WVDEP made this revision to be inclusive of lakes that support cool water fish species regardless of whether these waterbodies are managed by the WV Division of Natural Resources and to exclude lakes which do not have the capacity to support year-round trout populations.
2.2.a	Add definition of "Warm water lakes"	Definitions in of themselves are not water quality standards subject to EPA's CWA Section 303(c) action. How the terms are used in the description of designated uses, criteria or antidegradation provisions could constitute a change to water quality standards subject to EPA's review under CWA Section 303(c) action. WVDEP added this definition to address EPA's request that WV have a definition for both cool water and warm water lakes in the definition section of the water quality standards rule to assist in the application of the lakes nutrient criteria.
7.2.d.8.1	Add Category A (Water Supply, Public) use exception to unnamed tributary of Daugherty Run and Fly Ash Run	The West Virginia Department of Environmental Protection (WVDEP) has determined that (1) Public Water Supply is not an existing use in this stream; (2) is not a use specified in CWA Section 101(a) (i.e., "fishable/swimmable"); and, (3) the use is not attainable due to "natural, ephemeral, intermittent, or low-flow conditions." All other uses (water contact recreation and aquatic life use) still apply.
7.2.d.19.3	Delete Union Carbide variance for chlorides in Ward Hollow of Davis Creek	This chloride variance is being removed because chloride levels in Ward Hollow are now meeting water quality standards. The previously approved statewide chloride criteria found in 47CSR2 Appendix E Table 1 now applies in this stream.
7.2.d.29.1	Add site-specific dissolved zinc criteria in Marr Branch (New River basin)	The site-specific criteria is based on EPA's recalculation procedure. EPA has reviewed the supporting information and finds that it is consistent with EPA's guidance.

OTHER

8.3.a.3	Delete "A lake shall not be considered impaired based upon an average total phosphorus concentration in excess of the criterion established in section 8.3.a.2, unless the chlorophyll a criterion established therein is also exceeded."	Deleted per EPA's recommendation when this provision was disapproved by EPA on December 16, 2011. WVDEP has determined that classification of lakes as impaired is to be made by assessment of total phosphorus and chlorophyll-a independently.
Appendix E, Table 1 8.6	Revise human health beryllium criterion from 0.0077 µg/l to 4 µg/l	Revised criterion is based on the Maximum Contaminant Level Goal (MCLG) under the Safe Drinking Water Act. EPA finds it to be scientifically defensible and protective of the State's Category A designated use.
Appendix E, Table 1 8.12.1	Delete site-specific dissolved oxygen criterion for Kanawha River	Dissolved oxygen levels in the Kanawha River mainstem are meeting the statewide dissolved oxygen minimum criterion of 5 mg/l found in 47CSR2 Appendix E Table 1. The less stringent site-specific dissolved oxygen criterion of 4 mg/l is being removed and the previously approved statewide dissolved oxygen criterion now apply.
Appendix E, Table 1 8.29.2	Delete site-specific temperature criteria for Bluestone R., Bluestone Lake, East River, New River, Gauley R. and Greenbrier River	Temperature levels in these waterbodies are meeting the statewide temperature criteria for the protection of Category B2 (Trout Waters) found in 47CSR2 Appendix E Table 1. The less stringent site-specific temperature criteria are being removed and the previously approved statewide temperature criteria now apply.

EPA is not taking action on the following revisions to West Virginia's water quality standards regulations as they are not considered a change to water quality standards (i.e., designated uses, criteria or antidegradation provisions).

Citation	Description	EPA Comment
8.3.a.2	Revise provision to be more streamlined	This revision combines into one sentence reference to the use of the narrative criteria at 467CSR2 3.2 to determine impairment for nutrients in lieu of sampling for phosphorus or chlorophyll-a, instead of addressing them individually. Use of narrative criteria to determine impairment previously approved.
Appendix E, Table 1 8.23 Organics	Correct spelling of Indeno(1,2,3-cd)Pyrene	Correction, does not revise the criteria

Public Notice

FILED OTHER

The Department of Health and Human Resources, Bureau for Public Health (BPH), Office of Environmental Health Services, has completed the 2014 Report to the Governor on the West Virginia Public Water System Capacity Development Program. The report provides an overview of activities completed, currently underway or planned by the BPH's Capacity Development Program (CDP). The West Virginia Public Water System CDP helps adult State's public water systems improve their finances, management, infrastructure and operations so they can consistently provide safe drinking water. In addition, the report fulfills our obligation under Section 1420(c)(3) of the Safe Drinking Water Act (SDWA) to report the status of our CDP to the Governor every three years by September 30.

2014 SEP 22 P 1:34

OFFICE WEST VIRGINIA SECRETARY OF STATE

Copies of the Report are available for the public to view at the following locations:

Charleston Central Office
Bureau for Public Health
Office of Environmental Health Services
Environmental Engineering Division
350 Capitol Street, Room 313
Charleston, WV 25301-1798
(304) 558-2981

Wheeling District Office
Bureau for Public Health
Office of Environmental Health Services
Environmental Engineering Division
Methodist Building, Suite 117
1060 Chapline Street
Wheeling, WV 26003
(304) 238-1145

Philippi District Office
Bureau for Public Health
Office of Environmental Health Services
Environmental Engineering Division
209 South Main Street
Philippi, WV 26416
(304) 457-2296

St. Albans District Office
Bureau for Public Health
Office of Environmental Health Services
Environmental Engineering Division
808 B Street, Suite G
St. Albans, WV 25177
(304) 722-0611

Kearneysville District Office
Bureau for Public Health
Office of Environmental Health Services
Environmental Engineering Division
1948 Wiltshire Road, Suite 6
Kearneysville, WV 25430
(304) 725-9453

Beckley District Office
Bureau for Public Health
Office of Environmental Health Services
Environmental Engineering Division
100 East Prince Street
Beckley, WV 25801
(304) 256-6666

A copy of the report will also be available for the public to view on or before September 30, 2014 on the BPH Website at www.wvdhhr.org/oehs/eed/i&cd/Governors_Report_Page.asp.

Earl Ray Tomblin
Governor

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

HEALTHCARE AUTHORITY

James L. Pitrolo, Jr.
Chairman

Board Members
Sonia D. Chambers
Marilyn G. White

FILED

2014 SEP 19 A 11:12

OFFICE WEST VIRGINIA SECRETARY OF STATE

In re: **APPALACHIAN REGIONAL HEALTHCARE, INC. and ARH TUG VALLEY SERVICES, INC.**

CON File No. 14-2-10123-A

NOTICE OF CONTINUED 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, that James L. Pitrolo, Jr., Chairman of the West Virginia Health Care Authority, wishes to announce that the **ADMINISTRATIVE HEARING**, which took place on September 12, 2014, has been **continued**.

A continuation of the ADMINISTRATIVE HEARING will be held **Thursday, October 9, 2014, at 10:00 a.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

This application concerns the acquisition of Williamson Memorial Hospital (WMH), located in Williamson, West Virginia.

You and any other "affected persons" as defined by W. Va. Code §16-2D-2 wishing to participate in the hearing of this application are directed to be present at the administrative hearing.

In a hearing, any person has the right to be present or to be represented by counsel and to present oral or written arguments and relevant evidence. Any person affected by the matter which is the subject of the hearing may conduct reasonable questioning of persons who make factual allegations relevant to such matters.

OTHER

The file on this application is available for examination in the offices of the Health Care Authority from 9:00 a.m. to 4:00 p.m., Monday through Friday. If you have questions concerning this matter, please contact Timothy Adkins, Director of Certificate of Need, at (304) 558-7000 or toll free 1-888-558-7002.

Date: September 17, 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 23 A 8:40
OFFICE WEST VIRGINIA
SECRETARY OF STATE

September 22, 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 19, 2014.**

LETTERS OF INTENT FOR EXPEDITED REVIEW RECEIVED

August 28, 2014 – Westbrook Health Services, Inc., Parkersburg, Wood County, CON File #14-5-10255-X/BH, for the expansion of services with the intent to integrate primary health care into its behavioral health practice; no capital expenditure.

September 4, 2014 – Charleston Area Medical Center, Charleston, Kanawha County, CON File #14-3-10258-X/H, for the transfer of the former Watt Powell ballpark property (upon which the new CAMC Cancer Center is being constructed) from CAMC Foundation, Inc. to CAMC; capital expenditure: $5,000,055.

REQUEST FOR EXEMPTION DECLARED COMPLETE

September 16, 2014 – Symphony Diagnostic Services No. 1, LLC and American Diagnostics Services, Inc., Sparks, Maryland, CON File #14-2-10244-X, for the acquisition of substantially all of the assets of Quality Mobile Imaging, LLC, a West Virginia limited liability company, a provider of portable x-ray, ultrasound, EKG, DEXA scan, Holter monitoring and related health services in West Virginia; capital expenditure: $1,850,000.

PROJECTS DETERMINED REVIEWABLE

September 16, 2014 – Charleston Area Medical Center, Charleston, Kanawha County, CON File #14-3-10258-X, for the transfer of the former Watt Powell ballpark property (upon which the new CAMC Cancer Center is being constructed) from CAMC Foundation, Inc. to CAMC; capital expenditure: $5,000,055.

September 16, 2014 – Westbrook Health Services, Inc., Parkersburg, Wood County, CON File #14-5-10255-X/BH, for the expansion of services with the intent to integrate primary health care into its behavioral health practice; no capital expenditure.

PROJECT EXEMPT FROM REVIEW

September 16, 2014 – Community Health System, Inc., Beckley, Raleigh County, CON File #14-1-10239-X, for the opening of two school-based health centers at Shady Spring Middle School and Shady Spring High School located in Raleigh County; no capital expenditure.

EXEMPTION FROM CERTIFICATE OF NEED REVIEW ISSUED

September 15, 2014 – Autism Management Group, LLC, Lavalette, Wayne County, CON File #14-3-10212-X, for the acquisition of Behavioral Health Solutions, LLC, a behavioral health agency located in St. Albans, Kanawha County; capital expenditure: $1,000,000.

OTHER

HEARING NOTICE

The Administrative Hearing has been CONTINUED in the following matter:

September 17, 2014 – Appalachian Regional Healthcare, Inc. and ARH Tug Valley Services, Inc., Lexington, Kentucky, CON File #14-2-10123-A, for the acquisition of Williamson Memorial Hospital, Williamson, Mingo County, certain assets of WMH's wholly owned subsidiary, Williamson HMA Physician Management, LLC and the consolidation of WMH with Williamson ARH Hospital located in South Williamson, Kentucky.

Administrative Hearing **Thursday, October 9, 2014, at 10:00 a.m.**

The administrative hearing in the above-referenced matter will be held in the offices of the Health Care Authority, 100 Dee Drive, Charleston, West Virginia 25311-1600, unless otherwise noted.

AMENDED CERTIFICATE OF NEED DECISION ISSUED

September 16, 2014 – Alecto Healthcare Services Fairmont LLC, Los Angeles County, Los Angeles, California, MPT of Fairmont-Alecto, LLC and MPT of Fairmont-Alecto Hospital, LLC, Birmingham, Jefferson County, Alabama, CON File #14-6-10184-A, for the acquisition of Fairmont General Hospital, located in Fairmont, Marion County, and any related health care facilities; capital expenditure: $15,705,000.

DECISION ON REQUEST FOR EXTENSION AND DECISION ON SUBSTANTIAL CHANGE

September 16, 2014 – United Hospital Center, Bridgeport, Harrison County, CON File #13-6-9932-H, for the development of a medical office building on UHC's campus to house a muscular skeletal center; capital expenditure: $17,000,000.

The Authority determines that the increase in the project cost does not constitute a substantial change as defined in W.Va. C.S.R. § 65-7-21.1(h).

Extension granted through March 11, 2015.

NOTICES OF SUBSTANTIAL COMPLIANCE

The following projects have been implemented in substantial compliance with the Decision issued in this matter and the case files are now closed:

September 16, 2014 – Cabell Health Care Center, LLC, Clay Health Care Center, LLC, Hillcrest Health Care Center, LLC, Cedar Holdings, LLC and Southern Investment and Leasing Company, LLC, Huntington, Cabell County, CON File #14-2/3-10156-A, for the acquisition of Rose Terrace Health and Rehabilitation Center, Laurel Nursing and Rehabilitation Center and Boone Health Care Center, the real property of Rose Terrace Health and Rehabilitation Center, and the leasehold interests in Laurel Nursing and Rehabilitation Center and Boone Health Care Center; capital expenditure: $16,308,357.

September 16, 2014 – PWNR, LLC and PNCN, LLC, Skokie, Illinois, and ARHC NCRWDWV01, LLC and ARHC WNPBGWV01, LLC, New York, New York, CON File #14-4/5-10160-A, for the acquisition of the real estate, tangible personal property and operations associated with Nicholas County Nursing and Rehabilitation Center, a 97 bed nursing home located in Richwood, Nicholas County and Worthington Nursing and Rehabilitation Center, a 105 bed nursing home located in Parkersburg, Wood County; capital expenditure: $33,105,000.

September 16, 2014 – United Hospital Center, Inc. d/b/a United Hospital Center, Bridgeport, Harrison County, CON File #13-7-10094-P, for the employment of a plastic surgeon who would see patients for office visits in Upshur County; capital expenditure: $7,318.

LETTER OF INTENT EXPIRED

Certificate of Need Regulation § 11-3, (C.S.R. § 65-7-11.3) states, in part, that letters of intent shall be effective for one year. The following represents a letter of intent that has expired:

September 18, 2014 – Braley & Thompson, Inc., South Charleston, Kanawha County, CON File #13-3-10009-X/BH, for the expansion of its Outpatient Mental Health Services to incorporate adult clients; no capital expenditure.

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