WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXI

Issue 43

October 24, 2014

A Weekly Publication

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CHRONOLOGICAL INDEX, VOLUME XXXI ISSUE 43			
NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Senior Services (76-3)	West Virginia State Plan for Aging – Title V (Interpretive)	§16-5P-1	Written Comments Only November 17, 2014, 4:30 pm WV Bureau of Senior Services 1900 Kanawha Boulevard East Charleston, WV 25305

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 2ND Comment Period Withdrawn 10/9/2014 10/9/2014	6/16/2014 8/11/2014 2ND Comment Period Withdrawn 10/9/2014 11/10/2014						
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					10/9/2014	11/10/2014
Education (126-32)	Issuance of the State of WV High School Equivalency Diploma Legislative Exempt	4/11/2013	5/13/2013						
Education (126-44C)	Next Generation Content Standards and Objectives for Science in West Virginia Schools (2520.3C)	10/9/2014	11/10/2014						
Education (126-72)	Establishment and Operation of Regional Education Service Aencies (3233)	10/9/2014	11/10/2014						

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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					10/9/2014	11/10/2014
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					10/9/2014	11/10/2014
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					10/9/2014	11/8/2014
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				
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				

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Filed 10/23/2014			
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 Filed 10/14/2014			
Health (64-29)	Fatality and Mortality Review Team Legislative	6/27/2014	7/28/2014		7/31/2014	Modified & Approved 9/11/2014 Filed 10/14/2014			
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			

THE ABOVE RULE HAS BEEN REASSIGNED TO "OFFICE OF TECHNOLOGY" 163-1

RULE MONITOR

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 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				
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	7/2/2014	8/1/2014		8/1/2014				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-26)	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 Filed 9/29/2014			
Natural Resources (58-45)	Hunting and Trapping Legislative Exempt							10/10/2014	10/10/2014
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 (58-55)	Migratory Bird Hunting Rule Legislative Exempt							10/10/2014	10/10/2014
Natural Resources (58-57)	Waterfowl Hunting Rule Legislative Exempt							10/10/2014	10/10/2014
Natural Resources (58-59)	Special Waterfowl Hunting Areas Legislative Exempt							10/10/2014	10/10/2014
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			
Office of Technology (163-1,formerly 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 Filed 10/3/2014			
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				
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	6/27/2014	7/27/2014		8/1/2014				

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 10/15/2014	3/3/2014 11/17/2014	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					
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			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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			
Senior Services (76-3)	WV State Plan for Aging -- Title V Interpretive	10/17/2014	11/17/2014						
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 Filed 9/26/2014			
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		Filed 10/22/2014			
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				

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. (47-30)	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					10/21/2014	11/20/2014
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 #4

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LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: DHHR BUREAU FOR PUBLIC HEALTH TITLE NUMBER: 64

CITE AUTHORITY: WV Code §16-1-4, §16-1-9, §16-1-9a, §16-1-9c and §16-1-9d.

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: PUBLIC WATER SYSTEMS

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

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 MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

Authorized Signature

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

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FORM 4 – NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY **Waste Management Division Of Water And Waste Management**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **33-01**
RULE NAME **Solid Waste Management Rule**

CITE AUTHORITY **W. Va. Code §22-15-8 and §22-15-11**

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

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: 33-01 Rule Id: 9530 Document: 26294

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ADMINISTRATIVE LAW DIVISION

Form #2

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INTERPRETIVE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Bureau of Senior Services TITLE NUMBER: 76

RULE TYPE: Interpretive CITE AUTHORITY: WV Code 16-P-1

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: West Virginia State Plan for Aging - Title V

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON November 17, 2014 AT 4:30 p. m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

West Virginia Bureau of Senior Services

1900 Kanawha Boulevard, East

Charleston, West Virginia 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

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

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OFFICE OF WEST VIRGINIA SECRETARY OF STATE

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

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**

RULE IS LEGISLATIVE EXEMPT
Yes
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW
W. Va. Code § 29A-3-8 AND W. Va. Code § 22-1-3

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE, THE EFFECTIVE DATE OF THIS RULE IS
Thursday, November 20, 2014

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: 26291

Orders Report

Docket Number	Agency	Respondent	Date Rendered
14-1-10283-X	**Health Care Authority**	Beverly Dialysis LLC	10/15/2014
13-1-9875-E	**Health Care Authority**	Bluefield Hospital Company LLC	10/15/2014
13-3-10057-A	**Health Care Authority**	Chesterfield Land Company LLC	10/15/2014
14-5-10263-X	**Health Care Authority**	Crittenton Services Inc	10/15/2014
11-7-9362-H	**Health Care Authority**	Davis Memorial Hospital	10/15/2014
12-4-9776-Y	**Health Care Authority**	Kanawha Hospice Care Inc	10/15/2014
14-2-10274-X	**Health Care Authority**	Logan-Mingo Area Mental Health Inc	10/15/2014
09-2-8982-P	**Health Care Authority**	Logan Regional Medical Center	10/15/2014
14-1/2/3/4/5/6/7/10-10251-X	**Health Care Authority**	PAIS - Independent Service Coordination	10/15/2014
14-10-10260-X	**Health Care Authority**	Ohio Valley Medical Center	10/15/2014
14-1-10253-X	**Health Care Authority**	Princeton Community Hospital Association Inc	10/15/2014
14-1-10203-X	**Health Care Authority**	Rainelle Medical Center Inc	10/15/2014
14-5-10275-X	**Health Care Authority**	Sistersville General Hospital	10/15/2014
14-6-10281-X	**Health Care Authority**	Therapy Services LLC	10/15/2014
14-3-10199-A	**Health Care Authority**	Total Renal Care Inc	10/15/2014
13-4-9876-X/P	**Health Care Authority**	Webster County Memorial Hospital	10/15/2014
12-6-9574-X/P	**Health Care Authority**	West Virginia University	10/15/2014
14-THP-02037/14-APOTHP-02037	**Insurance Commission**	Liberty Mutual Insurance Company	10/10/2014
N/A	**Medicine, West Virginia Board Of**	Robert Kent Ozon, MD	10/3/2014
2014-06-SMB	**Surface Mine Board**	Marfork Coal Company Inc	10/17/2014

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

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October 20, 2014

LEGAL NOTICE

James L. Pitrolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending **October 17, 2014**.

AMENDED LETTER OF INTENT RECEIVED

October 15, 2014 – Kindred Healthcare Operating, Inc. and Kindred Healthcare, Inc., Louisville, Kentucky, CON File #14-WV-10294-A, for the merger of a Kindred Ops subsidiary with Gentiva Health Services, Inc.; capital expenditure: $28,910,898.

The amendment is the addition of Kindred Healthcare, Inc. as an applicant.

LETTERS OF INTENT FOR EXPEDITED REVIEW RECEIVED

October 14, 2014 – Imagine Medispa, LLC, Charleston, Kanawha County, CON File #14-3-10298-P, for the development of a second clinic in Charleston, Kanawha County; capital expenditure: $7,500.

October 15, 2014 – Skilled HealthCare Group, Inc., Foothill Ranch, California, Sun Healthcare Group, Inc. and Genesis Holdings LLC, Kennett Square, Pennsylvania, CON File #14-1/2/3/4/5/6/7/8/9/11-10300-A, for the proposed restructuring of indirect parent entities and stock transaction that is related in part to thirty-four (34) West Virginia nursing homes operated by Genesis Healthcare LLC subsidiaries; capital expenditure: $63,691,000.

AMENDED PROJECT DETERMINED NOT REVIEWABLE

October 15, 2014 – VOCA Corporation of West Virginia, Inc., Lesage, Cabell County, CON File #14-2-10248-X, for the complete relocation of 16 intermediate care facility for individuals with intellectual disabilities beds (ICF/IID). The 16 ICF/IID beds are currently located in two buildings on the former Green Acres campus is Lesage, Cabell County, and would relocate to two new 8 bed group homes in Huntington, Cabell County. The current address of both facilities is 7830 Ohio River Road, Lesage, Cabell County. The proposed new address for both facilities is 6905 Merritts Creek Road, Huntington, Cabell County.

PROJECTS DETERMINED NOT REVIEWABLE

October 15, 2014 – Beverly Dialysis, LLC, Beckley, Raleigh County, CON File #14-1-10283-X, for the provision of dialyzer reuse for dialysis at its renal dialysis facility located in Beckley, Raleigh County; no capital expenditure.

October 15, 2014 – Crittenton Services, Inc., Wheeling, Ohio County, CON File #14-5-10263-X, for the relocation of the Wellspring Family Services office from 521 Market Street to 130 4th Street in Parkersburg, Wood County; capital expenditure: $1,000.

October 15, 2014 – Logan-Mingo Area Mental Health, Inc., Logan, Logan County, CON File #14-2-10274-X, for the change of venue from its current location in downtown Logan, Logan County, to the Lando Complex in Mingo County; no capital expenditure.

October 15, 2014 – Ohio Valley Medical Center, Wheeling, Ohio County, CON File #14-10-10260-X, for the assessment and possible contracting for a new electronic medical record system; no capital expenditure.

October 15, 2014 – PAIS – Independent Service Coordination, South Charleston, Kanawha County, CON File #14-1/2/3/4/5/6/7/10-10251-X, to provide Service Coordination in 43 counties: Fayette, Greenbrier, McDowell, Mercer, Monroe, Nicholas, Pocahontas, Raleigh, Summers, Webster, Wyoming, Barbour, Braxton, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Preston, Randolph, Taylor, Tucker, Upshur, Wetzel, Boone, Cabell, Kanawha, Lincoln, Logan, Mason, Mingo, Putnam, Wayne, Calhoun, Clay, Jackson, Pleasants, Ritchie, Roane, Tyler, Wirt and Wood counties; no capital expenditure.

October 15, 2014 – Sistersville General Hospital, Sistersville, Tyler County, CON File #14-5-10275-X, to discontinue the use of the hospital Chapel and to utilize the area as office space; no capital expenditure.

October 15, 2014 – Therapy Services, LLC, Morgantown, Monongalia County, CON File #14-6-10281-X, for the complete relocation of its parent office located at 1052 Maple Drive, Morgantown to 6000 Hampton Center, Suite B&C, Morgantown, both in Monongalia County; capital expenditure: $11,560.

PROJECT EXEMPT FROM REVIEW

October 15, 2014 – Rainelle Medical Center, Inc., Rainelle, Greenbrier County, CON File #14-1-10203-X, for the establishment of a School Based Health Center at Summers County High School located in Hinton, Summers County. The school based site will provide health care services to the students and faculty; no capital expenditure.

DECISION ON REQUEST FOR EXEMPTION

October 15, 2014 – Princeton Community Hospital Association, Inc., Princeton, Mercer County, CON File #14-1-10253-X, for the provision of part time physician services at Concord University located in Athens, Mercer County; will not exceed the capital expenditure minimum.

NOTICES OF SUBSTANTIAL COMPLIANCE

The following projects have been implemented in substantial compliance with the Decisions issued in these matters and the case files are now closed:

October 15, 2014 – Bluefield Hospital Company, LLC d/b/a Bluefield Regional Medical Center, Bluefield, Mercer County, CON File #13-1-9875-E, for the acquisition and installation of fixed site magnetic resonance imaging (MRI) unit; capital expenditure: $2,762,505.

October 15, 2014 – Chesterfield Land Company LLC, South Charleston, Kanawha County, CON File #13-3-10057-A, for the acquisition of the real property of Eastbrook Center LLC, a 184 bed nursing home located in Charleston, Kanawha County; capital expenditure: $2,506,186.

October 15, 2014 – Logan Regional Medical Center, Logan, Logan County, CON File #09-2-8982-P, for the development of an ambulatory care facility in Logan County; capital expenditure: $36,850.

October 15, 2014 – West Virginia University, Morgantown, Monongalia County, CON File #12-6-9874-X/P, for the development of the WVU Student Health Building; capital expenditure: $16,075,483.

October 15, 2014 – Webster County Memorial Hospital, Webster Springs, Webster County, CON File #13-4-9876-X/P, for the development of an ambulatory care facility in Cowen, Webster County, to provide a multi-disciplinary approach to pain management; capital expenditure: $48,731.

NOTICES OF SUBSTANTIAL COMPLIANCE AND DECISIONS ON SUBSTANTIAL CHANGE

October 15, 2014 – Davis Memorial Hospital, Elkins, Randolph County, CON File #11-7-9362-H, for the renovation of a portion of its facility and construction of an addition to the hospital consisting of (1) a new two story entrance; (2) one floor for inpatient admissions and outpatient registration; (3) one floor for outpatient services; and (4) an adjoining three story medical office building; capital expenditure: $13,507,000.

October 15, 2014 – Kanawha Hospice Care, Inc., Charleston, Kanawha County, CON File #12-4-9776-Y, for the development of an 8 bed inpatient hospice facility in Greenbrier County; capital expenditure: $2,885,919.

October 15, 2014 – Total Renal Care, Inc., El Segundo, California, CON File #14-3-10199-A, for the acquisition of the outpatient renal dialysis facilities operated by Greater Charleston Dialysis, PLLC and Greater Boone Dialysis, LLC; capital expenditure: $13,603,455.

The Authority determines that the increase in the project cost for each of the projects above referenced does not constitute a substantial change as defined in W.Va. C.S.R. § 65-7-21.1(h). The Authority further determines that the projects have been implemented in compliance with the decisions issued in these matters and the case files are now closed.

OTHER

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

Earl Ray Tomblin
Governor

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

James L. Pitrolo, Jr.
Chairman

Board Members
Sonia D. Chambers
Marilyn G. White

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NOTICE

In re: **Fairmont General Hospital**
RR File No. HFY15-14-29-SR

The West Virginia Health Care Authority has received an application for a rate increase from Fairmont General Hospital, of Fairmont, West Virginia. The hospital's application indicates an inpatient per discharge increase of 10.00% over projected actual and an outpatient per visit increase of 10.00% over projected actual to non-government payors over the previous year. Copies of the application are available to the public for inspection during normal working hours.

Any members of the public wishing to become affected parties or request a public hearing must file a written petition with the Authority no later than November 19, 2012, detailing reasons for objecting to the rate increase.

For further information, please contact Barbara Skeen, Director of Financial Analysis, telephone number 558-7000 or toll free 1-888-558-7002.

Date: October 20, 2014

James L. Pitrolo, Jr., Chairman

JLP:td

Earl Ray Tomblin
Governor

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

James L. Pitrolo, Jr.
Chairman

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October 20, 2014

Charles O'Brien, Jr., CEO
Weirton Medical Center
601 Colliers Way
Weirton, WV 26062

In re: RR File No. 14-11-26-RC
Addition of Oncology Infusion Services

Dear Mr. O'Brien:

The Authority has reviewed a request from Weirton Medical Center, for the addition of certain charges. A copy of that request and supporting documentation is attached hereto.

Because the proposed actions will not result in a change by the Authority in the approved nongovernmental acute care gross inpatient revenue limit of $26,116,907; the nongovernmental acute care inpatient discharge limit of $17,422.82; the nongovernmental acute care outpatient revenue per visit of $1,083.77; and, the nongovernmental acute care outpatient revenue limit of $87,000,720.52 as set by the Authority by Order dated June 27, 2014, for the hospital's 2015 fiscal year, no further action by the hospital, including the filing of a rate application, is deemed necessary.

Therefore, your request to change rates in ancillary departments as described in your letter dated September 3, 2014 is approved. Any change in the hospital's revenue limits will necessitate the complete filing of a rate application. However, any overages resulting from the new service provided by the hospital will be reviewed by the authority during its review of the hospital's next rate application. A determination will be made at the time regarding any justification of an overage for the new service.

Please note that W. Va. C.S.R. §65-5-13 requires the hospital to notify the community of this approved rate schedule by publishing an announcement in the newspaper serving the geographic location of the hospital thirty (30) days prior to implementing the new rate. A copy of said announcement has been provided to the Authority.

Should you have any questions, please feel free to contact Barbara Skeen, Director of Financial Analysis or Lisa Landers, Financial Analyst at (304) 558-7000.

Sincerely,

James L. Pitrolo, Jr.
Chairman

100 Dee Drive • Charleston, West Virginia 25311-1600 • 304.558.7000 • 304.558.7001/Fax • 1.888.558.7002/Toll Free
www.hca.wv.gov