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Administrative Law Division
Judy Cooper, Manager

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

(304) 558-6000
www.wvsos.com

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This week's publication includes documents submitted by the following agencies:

Health and Human Resources

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Insurance Commission

Tax Department

CHRONOLOGICAL INDEX, VOLUME XXXIII ISSUE 3			
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**

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

Natalie E. Tennant
Secretary of State
State of West Virginia

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

GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

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

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

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
Accountancy (1-1)	Board Rules and Rules of Professional Conduct Legislative	6/15/2015	7/15/2015		7/24/2015	Modified & Approved 10/22/2015 Filed 11/5/2015			
Administration (148-1)	Purchasing Division Legislative	7/27/2015	8/26/2015	7/23/2015 Approved 7/31/2015	9/1/2015	Approved 11/19/2015			
Administrative Hearings (105-1)	Appeal Procedures Legislative	6/22/2015	7/22/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/5/2015			
Agriculture (61-23D)	Inspection of Nontraditional, Domesticated Animals Legislative	6/10/2015	7/17/2015	6/10/2015 Effective 7/22/2015	7/30/2015	Modified & Approved 10/22/2015 Filed 11/3/2015			
Agriculture (61-28)	Poultry Litter and Manure Movement Into Primary Poultry Breeder Rearing Areas Legislative	6/30/2015	7/30/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/5/2015			
Agriculture (61-30)	Dangerous Wild Animal Rule-Repeal Legislative	1/11/2016	2/10/2016						
Agriculture (61-31)	Livestock Care Standards Legislative	6/30/2015	7/30/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/5/2015			
Agriculture (61-31)	Livestock Care Standards-Repeal Legislative	1/11/2016	2/10/2016						
Agriculture (61-34)	Captive Cervid Farming Legislative	4/28/2015	5/28/2015	4/28/2015 Approved 5/12/2015	7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015			
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015			
Air Quality (45-39)	Control of Annual Nitrogen Oxides Emissions - Repeal Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 11/19/2015			
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 11/19/2015			
Air Quality (45-41)	Control of Annual Sulfur Dioxide Emissions - Repeal Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 11/19/2015			
Alcohol Beverage Control Comm. (175-2)	Private Club Licensing Legislative	6/10/2015	7/11/2015		7/31/2015	Approved 10/22/2015			
Alcohol Beverage Control Comm. (175-10)	Distilleries and Mini-Distilleries Legislative	6/10/2015	7/11/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/4/2015			
Alcohol Beverage Control Comm – Beer (176-1)	Nonintoxicating Beer Licensing and Operations Procedures Legislative	6/10/2015	7/11/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/4/2015			
Community & Technical College Ed. (135-21)	Freshman Assessment and Placement Standards Procedural	8/24/2015 10/26/2015	9/28/2015 11/30/2015					12/14/2015	1/14/2016
Conservation Committee (63-2)	WV Conservation Agency Financial Assistance Program Legislative	4/29/2015	5/29/2015	4/29/2015 Approved 5/12/2015	6/5/2015	Modified & Approved 9/15/2015 Filed 9/16/2015			
Consolidated Public Retirement Board (162-2)	Benefit Determination and Appeal Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Consolidated Public Retirement Board (162-3)	Teachers' Defined Contribution Retirement System Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 9/15/2015 Filed 9/22/2015			
Consolidated Public Retirement Board (162-4)	Teachers Retirement System Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 9/15/2015 Filed 9/22/2015			
Consolidated Public Retirement Board (162-7)	Refund, Reinstatement, Retroactive Service,Loan and Correction of Error Interest Factors Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 9/15/2015 Filed 9/22/2015			
Consolidated Public Retirement Board (162-8)	Service Credit for Accrued and Unussed Sick and Annual Leave Legislative	6/4/2015	7/6/2015		7/28/2015	Approved 9/15/2015			
Consolidated Public Retirement Board (162-9)	West Virginia State Police Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015			
Consolidated Public Retirement Board (162-10)	Deputy Sheriff Retirement System Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015			
Counseling (27-1)	Licensing Rule Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 10/20/2015			
Counseling (27-3)	Licensed Professional Counselor License Renewal and Continuing Professional Education Requirements Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 9/16/2015 Filed 9/29/2015			
Counseling (27-5)	Disciplinary and Complaint Procedures for Counselors Procedural	6/17/2015	7/20/2015						
Counseling (27-8)	Marriage and Family Therapists Licensing Rule Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 10/20/2015			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Counseling (27-10)	Marriage and Family License Renewal and Continuing Professional Education Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 9/16/2015 Filed 9/29/2015			
Counseling (27-11)	Disciplinary and Complaint Procedures for Marriage and Family Therapists Procedural	6/17/2015	7/20/2015						
Counseling (27-12)	Contested Case Hearing Procedure for Marriage and Family Therapist Procedural	6/17/2015	7/20/2015						
Crime, Delinquency and Correction (GCCDC) (149-2)	Law Enforcement Training and Certification Standards Legislative	6/15/2015	7/22/2015		7/27/2015	Modified & Approved 10/22/2015 Filed 11/5/2015			
Dangerous Wild Animal Board (74-1)	Dangerous Wild Animals Legislative	1/11/2016	2/10/2016						
Dentistry (5-11)	Continuing Education Requirements Legislative	5/13/2015	6/13/2015		7/23/2015	Modified & Approved 9/16/2015 Filed 9/23/2015			
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	5/13/2015	6/13/2015		7/23/2015	Modified & Approved 9/16/2015 Filed 9/23/2015			
Education (126-14)	WV Measurers of Academic Progress (2340) Legislative Exempt	11/13/2015	12/14/2015					12/18/2015	1/19/2016
Education (126-15)	Programs of Study for Limited English Proficient Students (2417) Legislative Exempt	11/13/2015	12/14/2015					12/18/2015	1/19/2016
Education (126-44AA)	WV College and Career-Readiness Standards for English Language Arts (2520.1A) Legislative Exempt	11/13/2015	12/14/2015					12/18/2015	7/1/2016
Education (126-44BB)	WV College and Career-Readiness Standards for Mathematics (2520.2B) Legislative Exempt	11/13/2015	12/14/2015					12/18/2015	7/1/2016

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-44P)	Alternate Academic Achievement Standards for Science in WV Schools (2520.16) Legislative Exempt	8/13/2015	9/14/2015					10/15/2015	7/1/2016
Education (126-73)	School Calendar (3234) Legislative Exempt	12/18/2015	1/19/2016						
Education (126-142)	Performance Evaluation of School Personnel (5310) Legislative Exempt	7/9/2015	8/10/2015						
Education (126-149)	Professional Development for WV Educators (5500) Legislative Exempt	12/18/2015	1/19/2016						
Election Commission (146-3)	Regulation of Campaign Finance Legislative	5/20/2015	6/19/2015		7/31/2015	Modified w/certain amendments and approved 11/19/2015 Filed 11/30/2015 2nd Filed 12/22/2015			
Election Commission (146-5)	WV Supreme Court of Appeals Campaign Financing Program Legislative	5/20/2015	6/19/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 11/30/2015 2nd Filed 12/22/2015			
Ethics Commission (158-21)	Public Use of Names or Likeness Legislative	5/12/2015	6/12/2015	5/12/2015 Effective 6/23/2015	6/30/2015	Approved w/certain amendments 11/19/2015			
Fire Commission (87-1)	Fire Code Legislative	5/1/2015	5/29/2015 Written Comments 6/1/2015		6/29/2015	Approved 11/19/2015			
Fire Commission (87-4)	State Building Code Legislative	5/1/2015	6/1/2015		6/29/2015	Modified & Approved 11/19/2015 Filed 12/10/2015			
Fire Commission (87-7)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Officials, Inspectors and Plans Examiners Legislative	5/1/2015	6/1/2015		6/29/2015	Modified & Approved 11/19/2015 Filed 12/10/2015			

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Health (64-48)	Emergency Medical Services Legislative	6/25/2015	7/25/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015			
Health (64-51)	Fees for Service Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 10/22/2015			
Health (64-56)	Infectious Medical Waste Legislative	6/25/2015	7/25/2015		7/27/2015	Modified & Approved 9/16/2015 Filed 9/23/2015			
Health (64-64)	Aids-Related Medical Testing and Confidentiality Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 9/16/2015			
Health (64-76)	Tuberculosis Testing, Control, Treatment and Commitment Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 9/16/2015			
Health (64-102)	Farmers Market Vendors Legislative	6/25/2015	7/25/2015		7/27/2015	Modified & Approved 10/22/2015 Filed 10/23/2015			
Health (64-104)	Certification of Opioid Overdose Prevention and Treatment Training Programs Legislative	6/25/2015	7/25/2015		7/27/2015	Modified & Approved 9/16/2015 Filed 9/23/2015			
Health & Human Resources (69-8)	Chronic Pain Management Clinic Licensure Legislative	6/26/2015	7/26/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015			
Health & Human Resources (69-9)	Neonatal Abstinence Centers Legislative	6/25/2015	7/25/2015	6/25/2015 Approved 7/29/2015 Amendment 12/8/2015 Approved 12/15/2015	7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015			

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Health & Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	6/26/2015	7/26/2015	6/26/2014 Amendment 7/17/2015 Approved 7/29/2015 Amendment 10/23/2015 ERD by 12/4/2015	7/31/2015	Modified & Approved 10/22/2015 Filed 10/23/2015			
Higher Education Policy Comm. (133-19)	Guidelines for the Offering of Early Enrollment Courses for High School Students Procedural	11/24/2015	12/24/2015						
Higher Education Policy Comm. (133-26)	Underwood-Smith Teacher Scholarship Program Legislative	6/4/2015	7/4/2015			Approved 10/28/2015			
Higher Education Policy Comm. (133-58)	Nursing Scholarship Program Legislative	6/4/2015	7/4/2015			Approved 10/28/2015			
Highways (157-11)	State Transportation Infrastructure Fund Program Legislative	6/29/2015	7/29/2015		7/31/2015	Modified & Approved 9/15/2015 Filed 9/30/2015			
Human Rights Commission (77-10)	Pregnant Workers' Fairness Act Legislative	6/29/2015	7/30/2015		7/31/2015	Modifed w/certain amendments & Approved 11/19/2015 Filed 12/8/2015			
Human Services (78-1)	Child Care Center Licensing Requirements Legislative	6/25/2015	7/25/2015		7/31/2015	Approved 10/22/2015			
Human Services (78-18)	Family Child Care Facility Licensing Requirements Legislative	6/25/2015	7/25/2015		7/31/2015	Approved 10/22/2015			
Human Services (78-19)	Family Child Care Home Registration Requirements Legislative	6/25/2015	7/25/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 10/28/2015			
Human Services (78-23)	W. Va. Works Program Sanctions Legislative	6/25/2015	7/25/2015	6/25/2015 Amendment 7/31/2015 Approved 9/4/2015	7/31/2015	Modified & Approved 10/22/2015 Filed 11/13/2015			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Human Services (78-24)	Qualifications for a Restricted Provisional License to Practice as a Social Worker Within the Dept. of Health & Human Resources Legislative	6/25/2015	7/25/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015			
Human Services (78-25)	Goals for Foster Children Legislative	6/26/2015	7/26/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/22/2015			
Labor (42-5)	Wage Payment and Collection Legislative	6/25/2015	7/25/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/9/2015			
Labor (42-8)	Minimum Wages and Maximum Hours Standards Regulations Legislative	6/26/2015	7/27/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/9/2015			
Labor (42-21)	Elevator Safety Act Legislative	6/26/2015	7/27/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 11/17/2015			
Labor (42-21A)	Licensing of Elevator Mechanics and Technicians and Registration of Apprentices Legislative	6/26/2015	7/27/2015		7/31/2015	Approved 11/19/2015			
Livestock Care Standards Bd (73-1)	Livestock Care Standards Legislative	1/11/2016	2/10/2016						
Medical Imaging & Radiation Therapy Tech. Bd. of Exam. (18-1)	Rules of the WV Medical Imaging & Radiation Therapy Tech Bd of Exam Legislative	3/6/2015	5/1/2015		6/8/2015	Approved 10/22/2015			
Medicine (11-11)	Establishment and Regulation of Limited License to Practice Medicine and Surgery at Certain State Veterans Nursing Home Facilities Legislative	6/12/2015	7/13/2015	6/12/2015 Approved 6/30/2015	7/27/2015	Modified & Approved 10/22/2015 Filed 10/23/2015			
Miners' Health, Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/26/2015	7/27/2015	6/26/2015 Effective 8/7/2015	7/30/2015	Approved 10/22/2015			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Mining and Reclamation (38-2)	WV Surface Mining Reclamation Legislative	6/23/2015	7/24/2015		7/27/2015	Approved 11/19/2015			
Natural Resources (58-47)	Prohibition When Hunting and Trapping Legislative	6/23/2015	7/22/2015		7/30/2015	Modified & Approved 9/15/2015 Filed 10/8/2015			
Natural Resources (58-49)	General Hunting Legislative	6/23/2015	7/22/2015		7/30/2015	Approved 9/15/2015			
Natural Resources (58-50)	Deer Hunting Rule Legislative	6/23/2015	7/22/2015		7/30/2015	Approved 9/15/2015			
Natural Resources (58-52)	Wild Boar Hunting Rule Legislative	6/23/2015	7/22/2015		7/30/2015	Approved 9/15/2015			
Natural Resources (58-60)	Fishing Regulations Legislative Exempt							12/16/2015	1/1/2016
Natural Resources (58-74)	Elk Restoration and Management Rule Legislative	6/23/2015	7/22/2015		7/30/2015	Modified & Approved 10/22/2015 Filed 10/29/2015			
Nursing Home Administrators Licensing Bd. (21-1)	Nursing Home Administrators Legislative	6/9/2015	7/10/2015		7/17/2015	Modified & Approved 10/22/2015 Filed 11/2/2015			
Oil and Gas (35-08)	Horizontal Well Development Legislative	7/24/2015	Hearing 7/23/2015 Written 7/27/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 11/23/2015			
Personnel (143-1)	Administrative Rule of the WV Div. of Personnel Legislative	5/19/2015	6/30/2015		7/21/2015	Approved 11/19/2015			
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 10/22/2015 Filed 12/17/2015			
Pharmacy (15-2)	Rules of the Bd. Of Pharmacy for the Uniform Controlled Substances Act Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 11/19/2015 Filed 12/17/2015			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-4)	Record Keeping and Automated Data Processing Systems Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 10/22/2015 Filed 12/17/2015			
Pharmacy (15-5)	Licensure of Wholesale Drug Distributors, Third-Party Logistics Providers and Manufacturers Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 10/22/2015 Filed 12/17/2015			
Professional Engineers (7-1)	Examination, Licensure and Practice of Professional Engineers Legislative	4/3/2015	5/4/2015	4/3/2015 Withdrawn 5/11/2015 5/11/2015 Approved 6/2/2015	5/11/2015	Modified & Approved 9/16/2015 Filed 9/22/2015			
Property Valuation Training & Procedures Commission (189-5)	Tax Map Sales Legislative	6/11/2015	7/13/2015		7/29/2015	Modified & Approved 10/22/2015 Filed 10/27/2015			
Public Transit (225-1)	Rail Fixed Guideway Systems State Safety Oversight Legislative	7/1/2015	7/30/2015		7/31/2015	Modified & Approved 9/15/2015 Filed 9/30/2015			
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/11/2015	7/13/2015		7/22/2015	Approved 11/19/2015			
Racing Commission (178-5)	Pari-Mutuel Wagering Legislative	6/11/2015	7/13/2015		7/22/2015	Approved 11/19/2015			
Secretary of State (153-3)	(Repeal of) Registration Forms and Receipts Legislative	5/27/2015	6/30/2015		6/30/2015	Approved 11/19/2015			
Secretary of State (153-9)	(Repeal of) Elimination of Precinct Registration Books Legislative	5/27/2015	6/30/2015		7/1/2015	Approved 11/19/2015			
Secretary of State (153-23)	(Repeal of) Absentee Voting by Military Voters Who Are Members of Reserve Units Called to Active Duty Legislative	5/27/2015	6/30/2015		6/30/2015	Approved 11/19/2015			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-52)	Freedom of Information Act Database Legislative	5/18/2015	6/19/2015	7/1/2015 Effective 8/12/2015	6/30/2015	Modified & Approved 11/19/2015 Filed 11/30/2015 2nd Filed 12/22/2015			
Senior Services (76-3)	WV State Plan for Aging – Title V Interpretive	10/17/2014	11/17/2014						
Social Work, WV Bd of (25-1)	Qualifications for the Profession of Social Work Legislative	6/9/2015	7/10/2015	5/26/2015 Approved 6/9/2015	7/21/2015	Modified & Approved 11/19/2015 Filed 12/4/2015			
Speech-Language Pathology & Audiology (29-1)	Licensure of Speech-Pathology and Audiology Legislative	4/22/2015	6/5/2015		6/8/2015	Modified & Approved 11/19/2015			
Speech-Language Pathology & Audiology (29-2)	Rule Governing Speech-Language Pathology and Audiology Assistants Legislative	4/22/2015	6/5/2015		6/8/2015	Modified w/certain amendments & Approved 11/19/2015			
Tax Department (110-10D)	Use and Acceptance of Electronic Records Procedural	11/9/2015	12/10/2015					12/23/2015	1/25/2016
Tax Department (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/11/2015	7/13/2015		7/29/2015	Modified & Approved 9/16/2015 Filed 9/18/2015			
Tax Department (110-10L)	Claiming Tax Refund or Credit Procedural	11/9/2015	12/10/2015					12/23/2015	1/25/2016
Tax Department (110-14C)	Motor Fuel Excise Tax Interpretive	11/5/2015	12/4/2015						
Tax Department (110-50H)	Exchange of Info Agreement Between the Comm of the Tax Div of the Dept of Rev and the Sec of the Dept of Commerce, the Sec of the Dept of Environmental Protection, the Dir of the Div of Forestry of the Dept of Commerce and the Comm of the PSC Legislative	6/11/2015	7/13/2015		7/29/2015	Approved 9/16/2015			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Veterans' Assistance (86-2)	State Home for Veterans-Fiscal Legislative	5/29/2014	6/28/2014	5/28/2014 Approved 6/2/2014 Expired 9/2/2015	8/1/2014	Approved 9/16/2015			
Veterans' Assistance (86-4)	VA Headstones or Markers Legislative	5/28/2014	6/28/2014		8/1/2014	Approved 9/16/2015			
Water Resources, Div. of Water & Waste Mgmt. (47-2)	Requirements Governing Water Quality Standards Legislative	6/15/2015	Hearing 7/21/2015 Written Comments 7/31/2015	6/29/2015 Effective 8/10/2015 Amendment 9/21/2015 Approved 10/22/2015	7/31/2015	Modified & Approved 11/19/2015 Filed 11/24/2015			
Water Resources, Div. of Water & Waste Mgmt. (47-30B)	Administrative Proceedings and Civil Penalty Assessment Legislative	6/23/2015	7/24/2015		7/27/2015	Approved 11/19/2015			
Water Resources, Div. of Water & Waste Mgmt. (47-63)	Aboveground Storage Tanks Legislative	6/25/2015	7/30/2015		7/31/2015	Modified & Approved 11/19/2015			
Water Resources, Div. of Water & Waste Mgmt. (47-64)	Aboveground Storage Tank Administrative Proceedings and Civil Penalty Assessment Legislative	6/25/2015	7/30/2015		7/31/2015	Approved 11/19/2015			
Water Resources, Div. of Water & Waste Mgmt. (47-65)	Aboveground Storage Tank Fee Assessments Legislative	6/25/2015	7/30/2015		7/31/2015				
WorkForce West Virginia (96-4)	WV Prevailing Wage Act Legislative	9/22/2015	10/22/2015	8/28/2015 ERD by 10/9/2015	11/6/2015	Modified & Approved 11/19/2015 Filed 12/4/2015			

WV INCOME MAINTENANCE MANUAL
MANUAL MATERIAL TRANSMISSION

FILED
2016 JAN 20 P 12: 19
OFFICE WEST VIRGINIA SECRETARY OF STATE

DATE:	January 1, 2016	CHANGE NUMBER:	721
TO:	ALL INCOME MAINTENANCE MANUAL HOLDERS		

DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
21 – 22	13	8/6/15	21 – 22	13	1/16
11	24	6/12	11	24	6/12
12	24	1/15	12	24	1/16
14a	24	11/12	14a	24	1/16
15	24	8/12	15 – 16	24	1/16
16	24	8/15			
41 – 42	24	7/15	41	24	7/15
			42	24	1/16
50a	24	1/15	50a	24	1/16
50b	24	5/09	50b	24	5/09
50c	24	1/15	50c	24	1/16
50d	24	9/14	50d	24	9/14
50k	24	1/15	50k	24	1/16
53	24	12/09	53	24	12/09
54	24	1/15	54	24	1/16
54a	24	1/15	54a	24	1/16
13	25	2/09	13	25	7/15
14	25	7/15	14	25	1/16

This change is being made to update references to the FLSA to the new State minimum wage of $8.75 effective January 1, 2016, to clarify 4th and subsequent sanctions and to add Family Stability to OW activities.

Chapter 13:
13.9,A: 4th and subsequent sanction policy clarified.

LEGISLATIVE

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2016 JAN 20 P 12: 30
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WV INCOME MAINTENANCE MANUAL
MANUAL MATERIAL TRANSMISSION

DATE:	January 1, 2016	CHANGE NUMBER:	722
TO:	ALL INCOME MAINTENANCE MANUAL HOLDERS		

DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
Appendix - B-1 – B-2	2	3/15	Appendix - B-1 – B-2	2	1/16
Appendix – B-3 – B-4	2	3/08	Appendix – B-3	2	1/16
			Appendix – B-4	2	3/08

This change is being made as a result of annual updates which are effective January 2016. NOTE: Many amounts have remained constant.

The following Manual Sections were updated, based on the new amounts detailed in this DW-17: Chapter 2 Appendix B.

SPOUSAL ASSET LIMITS AND SPOUSAL MAINTENANCE STANDARD MAXIMUM UPDATES

The minimum and maximum community spouse asset limit remains at $23,844, and $119,220.

The maximum and SMS also remains at $2,981. The minimum amount changes in July 2016.

RAPIDS will provide a list of AG's affected by the maximum SMS change. The new amounts are effective in RAPIDS beginning January 2016. RAPIDS will also update the Asset Assessment with the new minimum and maximum amounts effective January 2016.

Chapter 10, Appendix A remains the same effective January 2016.

SSI UPDATES

The updated SSI and RSDI amounts apply to all applicants beginning January 1, 2016. New SSI and RSDI amounts for recipients are updated at the time of the RAPIDS Mass Change for the 2016 COLA update which is effective March 2016. Any other updated amounts, such as the payee representative fee or SSI student earned income disregard, are changed at the next redetermination or contact.

WV INCOME MAINTENANCE MANUAL
MANUAL MATERIAL TRANSMISSION

FILED LEGISLATIVE

DATE:	January 1, 2016	**CHANGE NUMBER:**	723
TO:	ALL INCOME MAINTENANCE MANUAL HOLDERS		

2016 JAN 20 P 12:30

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DELETE			INSERT OR CHANGE		
PAGES	**CHAPTER**	**DATED**	**PAGES**	**CHAPTER**	**DATED**
6b – 7	1	10/13	6b - 7	1	1/16
8	1	11/13	8	1	1/16
25 – 26	1	11/14	25 – 26	1	1/16
29	1	7/14	29	1	1/16
30	1	11/11	30	1	1/16
32a	1	11/14	32a	1	1/16
32b	1	8/14	32b	1	1/16
Appendix E DFA-RR-1	1	4/15	Appendix E DFA-RR-1	1	1/16
Appendix E DFA-SNAP-1	1	9/14	Appendix E DFA-SNAP-1	1	1/16
Appendix E DFA-2	1	5/15	Appendix E DFA-2	1	1/19
3	2	10/11	3	2	1/16
8a	2	3/14	8a	2	1/16
9	2	7/14	9	2	1/16
Appendix D DFA-SNAP-2	2	10/14	Appendix D DFA-SNAP-2	2	1/16
14 – 15	4	10/13	14 – 15	4	1/16
3	6	10/13	3	6	1/16
4	6	9/14	3	6	1/16
5 - 6	6	10/13	5 - 6	6	1/16

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Earl Ray Tomblin
Governor

Bureau for Children and Families
Office of Children and Family Policy
Division of Family Assistance
350 Capitol Street, Room B-18
Charleston, West Virginia 25301-3705
Telephone: (304) 356-4619 Fax: (304) 558-2059

Karen L. Bowling
Cabinet Secretary

MEMORANDUM

FILED
2016 JAN 20 P 12:33
OFFICE WEST VIRGINIA SECRETARY OF STATE

DATE: January 1, 2016

TO: The Honorable Natalie Tennant
Secretary of State

FROM: Rodney Wright, Interim Director

SUBJECT: Income Maintenance Manual – Change 724

This change is released under Emergency Rule and is effective January 1, 2016.

The purpose of this change is because HB 2790 provided that beginning January 1, 2016, the minimum limits of liability will change to $25,000/ $50,000/ $25,000. This change is to update to the new minimum vehicle insurance requirements.

If you have any questions, please call me at (304) 356-4619.

RW:nm

Attachment - Income Maintenance Manual Change 724

WEST VIRGINIA Department of Health & Human Resources
BUREAU FOR MEDICAL SERVICES

LEGISLATIVE

519.1 PRACTITIONER SERVICES OVERVIEW

BACKGROUND

Chapter 519 of the West Virginia (WV) Bureau for Medical Services (BMS) Provider Manual includes policies governing the provision of practitioner services in the WV Medicaid Program. The policies within this chapter are specific to enrolled physicians, non-physician practitioners (NPP), podiatrists and chiropractors who provide services to WV Medicaid members.

For Out-of-Network services / provider information please refer to *Chapter 100, General Administration and Information* and *Chapter 300, Provider Participation Requirements*.

The following services are included in Chapter 519, Practitioner Services:

- 519.1 Practitioner Services Overview
- 519.2 Anesthesia Services
- 519.3 Antigen and Allergy Services
- 519.4 Bariatric Services
- 519.5 Cancer Screenings
- 519.6 Cardiac Rehabilitative Services
- 519.7 Chiropractic Services
- 519.8 Evaluation and Management Services
- 519.9 Hyperbaric Oxygen Therapy (HBOT) Services
- 519.10 Immunization Services
- 519.11 Osteopathic Manipulative Treatment (OMT) Services
- 519.12 Reserved for Future Use
- 519.13 Podiatry Services
- 519.14 Pulmonary Rehabilitative Services
- 519.15 Reproductive Health Services
  - Family Planning
  - Sterilization
- 519.16 Surgical Services
- 519.17 Telehealth Services
- 519.18 Tobacco Cessation Services
- 519.19 Women's Health Services
  - Gynecological Services
  - Maternity
  - Emergency Contraception
  - Pregnancy Termination
  - Hysterectomy
- 519.20 Wound Care
- 519.21 Pain Management
- 519.22 Mental Health Counceling and Substance Abuse Treatment

The J Code Drug List previously covered in Chapter 519 is now located in *Chapter 518, Pharmacy Services*.

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2016 JAN 21 A 11:57
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DISCLAIMER: This chapter does not address all the complexities of Medicaid policies and procedures, and must be supplemented with all State and Federal Laws and Regulations. Contact BMS Fiscal Agent for coverage, prior authorization requirements, service limitations and other practitioner information.

Orders Report

Docket Number	Agency	Respondent	Date Rendered
13-4-9813-R	Health Care Authority	Bio-Medical Applications of West Virginia Inc	1/12/2016
13-6-9947-R	Health Care Authority	Bio-Medical Applications of West Virginia Inc	1/12/2016
15-1-10688-X	Health Care Authority	Community Health Systems Inc	1/12/2016
15-1-10689-X	Health Care Authority	Community Health Systems Inc	1/12/2016
15-3-10626-X	Health Care Authority	Herbert J. Thomas Memorial Hospital	1/12/2016
15-3-10611-P	Health Care Authority	Integrated Health Care Providers Inc	1/15/2016
14-1/2/3/4/5/6/7/8/9/11-10300-A	Health Care Authority	Skilled HealthCare Group Inc	1/15/2016
14-1/2/3/4/5/6/7/8/9/11-10300-A	Health Care Authority	Sun Healthcare Group Inc	1/15/2016
14-1/2/3/4/5/6/7/8/9/11-10300-A	Health Care Authority	Genesis Holdings LLC	1/15/2016
15-6/10-10682-X	Health Care Authority	Stonerise Home Health Services LLC	1/15/2016
15-WV-10524-P	Health Care Authority	University of Pittsburgh Physicians	1/15/2016
15-2-10678-X	Health Care Authority	Valley Health	1/15/2016
15-11-10684-X	Health Care Authority	Weirton Medical Center	1/15/2016
15-THP-02020/15-AP-THP-02020	Insurance Commission	National Casualty Company	1/13/2016

FILED
2016 JAN 19 P 2:39
OFFICE WEST VIRGINIA SECRETARY OF STATE

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

OTHER

January 19, 2016

LEGAL NOTICE

James L. Pitrolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending **January 15, 2016**.

LETTER OF INTENT FOR EXPEDITED REVIEW RECEIVED

January 12, 2015 – United Physicians Care, Inc., Bridgeport, Harrison County, CON File #16-6-10722-H, for the provision of emergency room physician, emergency room mid-level practitioner, and hospitalist physician services at Grant Memorial Hospital; capital expenditure: $10,000.

ORDER DENYING MOTION TO DISMISS

January 15, 2016 – University of Pittsburgh Physicians, Pittsburgh, Pennsylvania, CON File #15-WV-10524-P, for the provision of telemedicine services in West Virginia; no capital expenditure.

It is ORDERED that the motions to dismiss WVUH, WUVMC and Highmark as affected parties are DENIED.

ORDER TO WITHDRAW CON APPLICATION ISSUED

January 15, 2016 – Stonerise Home Health Services LLC, Charleston, Kanawha County, CON File #15-6/10-10682-X, for the acquisition of the home health services offered by Reliable Healthcare Solutions, LLC in Monongalia, Taylor, Marion, Preston and Wetzel counties; capital expenditure: $950,000.

PROJECTS EXEMPT FROM REVIEW

January 12, 2016 – Community Health Systems, Inc., Beckley, Raleigh County, CON File #15-1-10688-X, for the establishment of a school-based health center treating students and staff at Woodrow Wilson High School located at 400 Stanaford Road, Beckley, Raleigh County; no capital expenditure.

January 12, 2016 – Community Health Systems, Inc., Beckley, Raleigh County, CON File #15-1-10689-X, for the establishment of a school-based health center treating students and staff at Woodrow Wilson/ACT Wellness Center located at 390 Stanford Road, Beckley, Raleigh County; no capital expenditure.

January 12, 2016 – Herbert J. Thomas Memorial Hospital d/b/a Thomas Memorial Hospital, Charleston, Kanawha County, CON File #15-3-10676-X, for the development of a hospital ambulatory health care facility in Kanawha County. The facility is located at 506 Chestnut Street, South Charleston, and will provide primary care services. The office will be staffed by five (5) or less primary care physicians; capital expenditure: $100,000.

January 15, 2016 – Valley Health, Huntington, Cabell County, CON File #15-2-10678-X, for the provision of services at a new location, which is intended to be part of the Valley Health system of patient care, at 540 10th Street, Huntington, Cabell County. These services will target the homeless population, but will be available to all; capital expenditure: $40,000.

January 15, 2016 – Weirton Medical Center, Weirton, Brooke County, CON File #15-11-10684-X, for the development of a hospital based ambulatory health care facility in Hancock County through the employment of a physician currently practicing in Weirton; capital expenditure: $25,000.

EXTENSION GRANTED

January 15, 2016 – 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, to (i) restructure the indirect parent entities of Genesis to add three applicants, SHCG, Sun HCG and GHL as indirect parents; and (ii) through a series of indirect interest transfers, obtain new indirect investor entities and shareholders.

Extension granted through July 12, 2016.

RENEWAL GRANTED AND DECISION ON SUBSTANTIAL CHANGE

January 12, 2016 – Bio-Medical Applications of West Virginia, Inc. d/b/a FMC Hawk's Nest – Montgomery, Raleigh, North Carolina, CON File #13-4-9813-R, for the development of a 13-station dialysis facility in Montgomery, Fayette County; capital expenditure: $2,076,769.

The Authority determines that the increase in the approved capital expenditure in excess of the allowed 20% does constitute a substantial change to the project as defined in W.Va. C.S.R. § 65-7-21.1.h. Based upon a review of the audited financial reports, FMC Holdings, Inc. is financially viable and has sufficient funds to absorb the additional costs for this project. Therefore, the Authority further determines that the increase in the project cost shall not be subject to further review.

Renewal granted through December 31, 2016.

DECISION ON SUBSTANTIAL CHANGE ISSUED

January 12, 2016 – Bio-Medical Applications of West Virginia, Inc. d/b/a FMC

Grafton, Raleigh, North Carolina, CON File #13-6-9947-R, for the establishment of a new 13-station dialysis facility in Grafton, Taylor County; capital expenditure: $2,326,274.

The Authority determines that the increase in the approved capital expenditure in excess of the allowed 20% does constitute a substantial change to the project as defined in W. Va. C.S.R. § 65-7-21.1.h. Based upon a review of the audited financial reports, FMC Holding, In. is financially viable and has sufficient funds to absorb the additional costs for the project. Therefore, the Authority further determines that the increase in the project cost shall not be subject to further review.

NOTICE OF SUBSTANTIAL COMPLIANCE

The following project has been implemented in substantial compliance with the decision issued in this matter and the case file is now closed:

January 15, 2016 – Integrated Health Care Providers, Inc., Charleston, Kanawha County, CON File #15-3-10611-P, for the development of an ambulatory health care facility at 3456 Winfield Road, Winfield, Putnam County; capital expenditure: $300,000.

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

OTHER

STATE OF WEST VIRGINIA
Department of Revenue
State Tax Department

Earl Ray Tomblin
Governor

Mark W. Matkovich
State Tax Commissioner

MEMORANDUM

FILED
2016 JAN 19 A 11:04
OFFICE WEST VIRGINIA
SECRETARY OF STATE

TO: **Administrative law**

FROM: **WV State Tax Department**

Date: **January 15, 2016**

RE: **Administrative Notice 2015-20**

On November 12, 2015, Administrative Notice 2015-20 was filed with the Secretary of State and published in the register.
On November 24, 2015, a different version of Administrative Notice 2015-20 was filed with the Secretary of State and published in the register.

Please consider the November 24, 2015 version as withdrawn and consider the November 12, 2015 version as the correct and active Administrative Notice 2015-20. This will be the version published to the Tax Department website.

LEGAL DIVISION, P.O. BOX 1005, CHARLESTON, WV 25324-1005
TELEPHONE (304) 558-5330
FAX (304) 558-8728