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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:

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Executive Order

Grievances Report

Health and Human Resources

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CHRONOLOGICAL INDEX, VOLUME XXXIII ISSUE 25			
NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Barbers and Cosmetologists (3-2)	Qualifications, Training, Examination and Certification of Instructors in Barbering and Cosmetology Legislative	§§30-27-6 and 30-27-16	Written Comments Only July 25, 2016, 5:00 pm Amanda Smith, Executive Director WV Bd. Of Barbers and Cosmetologists 1201 Dunbar Avenue Dunbar, WV 25064

NEW EMERGENCY RULES 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

- 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)

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
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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	SB 148 HB 4081 BUNDLED SB 159		
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	SB149 HB 4046 BUNDLED HB 4046	6/22/2016	6/22/2016
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	SB 151 HB 4083 BUNDLED SB 159		
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	SB 152 HB 4084 BUNDLED SB 159		
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	SB 153 HB 4085 BUNDLED SB 159		
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	SB 154 HB 4086 BUNDLED SB 159		
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	SB 172 HB 4049 BUNDLED HB 4053	6/16/2016	7/1/2016
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	SB 173 HB 4050 BUNDLED HB 4053	6/16/2016	7/1/2016

RULE MONITOR

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	SB 174 HB 4051 BUNDLED HB 4053	6/16/2016	7/1/2016
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015	SB 175 HB 4052 BUNDLED HB 4053	6/16/2016	7/1/2016
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	SB 176 HB 4053 BUNDLED HB 4053	6/17/2016	7/1/2016
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	SB 177 HB 4054 BUNDLED HB 4053	6/16/2016	7/1/2016
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	SB 178 HB 4055 BUNDLED HB 4053	6/17/2016	7/1/2016
Alcohol Beverage Control Comm. (175-2)	Private Club Licensing Legislative	6/10/2015	7/11/2015		7/31/2015	Approved 10/22/2015	SB 155 HB 4047 BUNDLED SB 157		
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	SB 156 HB 4087 BUNDLED SB 157		
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	SB 157 HB 4088 BUNDLED SB 157		
Barbers and Cosmetologists (3-1)	Procedures, Criteria and Curricual for Examination and Licensure of Barbers, Cosmetologists, Nail Technicians, Aestheticians and Hair Stylists Legislative	6/3/2016	7/8/2016						
Barbers and Cosmetologists (3-2)	Qualifications, Training, Examination and Certification of Instructors in Barbering & Cosmetology Legislative	6/23/2016	7/25/2016						

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	SB 158 HB 4089 BUNDLED SB 159		
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	SB 163 HB 4091 BUNDLED HB 4046		
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	SB 164 HB 4092 BUNDLED HB 4046		
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	SB 165 HB 4093 BUNDLED HB 4046		
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	SB 166 HB 4094 BUNDLED HB 4046		
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	SB 167 HB 4048 BUNDLED HB 4046		
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	SB 168 HB 4095 BUNDLED HB 4046		
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	SB 169 HB 4090 BUNDLED HB 4046		
Counseling (27-1)	Licensing Rule Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 10/20/2015	SB 129 HB 4096 BUNDLED SB 159		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	SB 160 HB 4098 BUNDLED SB 159		
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	SB 161 HB 4099 BUNDLED SB 159		
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	SB 162 HB 4097 BUNDLED SB 159		
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	SB 214 HB 4019 BUNDLED SB 159	6/22/2016	7/1/2016
Dangerous Wild Animal Board (74-1)	Dangerous Wild Animals Legislative	1/11/2016	2/10/2016		2/11/2016				
Dentistry (5-1)	Rule for the WV Bd of Dentistry Legislative	6/16/2016	7/18/2016						
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	SB170 HB 4100 BUNDLED SB 159		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	SB171 HB 4101 BUNDLED SB 159		
Education (126-13)	A Process for Improving Education: Performance Based Accreditation System (2320) Legislative Exempt	4/14/2016	5/16/2016					6/9/2016	7/11/2016
Education (126-28)	WV's Universal Access to a Quality Early Education System (2525) Legislative Exempt	5/12/2016	6/13/2016						
Education (126-42)	Assuring the Quality of Education: Regulations for Education Programs (2510) Legislative Exempt	2/12/2016	3/14/2016					4/14/2016	7/1/2016
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
Education (126-44D)	Next Generation Content Standards and Objectives for Social Studies in WV Schools (2520.4) Legislative Exempt	4/14/2016	5/16/2016					6/9/2016	7/11/2016
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					2/12/2016	7/1/2016
Education (126-81)	Attendance (4110) Legislative Exempt	4/14/2016	5/16/2016					6/9/2016	7/11/2016
Education (126-114)	Approval of Educator Preparation Programs (5100) Legislative Exempt	4/14/2016	5/16/2016					6/9/2016	7/11/2016
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (5202) Legislative Exempt	4/14/2016	5/16/2016					6/9/2016	7/11/2016

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-149)	Professional Development for WV Educators (5500) Legislative Exempt	12/18/2015	1/19/2016					2/12/2016	7/1/2016
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	SB 207 HB 4140 BUNDLED SB 159	6/23/2016	7/1/2016
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	SB 208 HB 4105 BUNDLED SB 159	6/23/2016	7/1/2016
Ethics Commission (158-6)	Private Gain Legislative	5/17/2016	6/16/2016						
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	SB 210 HB 4143 BUNDLED HB 4046	Disapproved by Legislature HB 4046 §64-2-3 Effective 6/10/2016	
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	SB 211 HB 4060 BUNDLED HB 4060	5/3/2016	7/1/2016
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	SB 212 HB 4107 BUNDLED HB 4060	5/3/2016	8/1/2016
Fire Marshal (103-4)	Regulation of Fireworks and Related Explosive Materials Legislative	5/12/2016	6/13/2016	5/12/2016 Approved 6/1/2016					
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	SB 186 HB 4112 BUNDLED SB 195	4/28/2016	7/1/2016

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-51)	Fees for Service Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 10/22/2015	SB 187 HB 4061 BUNDLED SB 195	4/28/2016	7/1/2016
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	SB 188 HB 4113 BUNDLED SB 195	4/28/2016	7/1/2016
Health (64-64)	Aids-Related Medical Testing and Confidentiality Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 9/16/2015	SB 189 HB 4062 BUNDLED SB 195	4/28/2016	7/1/2016
Health (64-76)	Tuberculosis Testing, Control, Treatment and Commitment Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 9/16/2015	SB 190 HB 4063 BUNDLED SB 195	4/28/2016	7/1/2016
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	SB 191 HB 4110 BUNDLED SB 195	4/28/2016	7/1/2016
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	SB 192 HB 4111 BUNDLED SB 195	4/28/2016	7/1/2016
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	SB 194 HB 4116 BUNDLED SB 195	4/28/2016	7/1/2016
Health Care Authority (65-29)	Exemption From Certificate of Need Legislative	6/8/2016	7/11/2016	6/8/2016 Approved 6/10/2016					
Health Care Authority (65-30)	Rural Health Systems Grant Program Legislative	6/9/2016	7/11/2016	6/7/2016 Approved 6/17/2016					
Health Care Authority (65-31)	Hospital Assistance Grant Program Legislative	6/7/2016	7/11/2016	6/7/2016 Approved 6/10/2016					

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health Care Authority (65-32)	Certificate of Need Rule Legislative	6/8/2016	7/11/2016	6/8/2016 Approved 6/10/2016					
Health Care Authority (65-33)	Exemption for Kidney Disease Treatment Centers Legislative	6/13/2016	7/14/2016	6/13/2016 Approved 6/17/2016					
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						
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	SB 216 HB 4140	4/21/2016	7/20/2016
Human Services (78-1)	Child Care Center Licensing Requirements Legislative	6/25/2015	7/25/2015		7/31/2015	Approved 10/22/2015	SB 196 HB 4064 BUNDLED SB 195	4/28/2016	7/1/2016
Human Services (78-18)	Family Child Care Facility Licensing Requirements Legislative	6/25/2015	7/25/2015		7/31/2015	Approved 10/22/2015	SB 197 HB 4065 BUNDLED SB 195	4/28/2016	7/1/2016
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	SB 198 HB 4117 BUNDLED SB 195	4/28/2016	7/1/2016
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	SB 199 HB 4118 BUNDLED SB 195	4/28/2016	7/1/2016
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	SB 200 HB 4119 BUNDLED SB 195	4/28/2016	7/1/2016
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	SB 201 HB 4120 BUNDLED SB 195	4/28/2016	7/1/2016

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Livestock Care Standards Bd (73-1)	Livestock Care Standards Legislative	1/11/2016	2/10/2016		2/11/2016				
Lottery (179-5)	Limited Video Lottery Legislative (Called up by the 2016 Legislature)						SB 157		
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	SB 221 HB 4067 BUNDLED SB 159		
Medicine (11-1A)	Licensing and Disciplinary Procedures: Physicians, Podiatrists Legislative	6/1/2016	6/30/2016						
Medicine (11-1B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	5/31/2016	6/30/2016						
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	SB 223 HB 4125 BUNDLED SB 159		
Miners' Health Safety and Training (56-22)	Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors Legislative	4/29/2016	6/3/2016	4/29/2016 Amendment 6/7/2016 Approved 6/9/2016					
Mining and Reclamation (38-2)	WV Surface Mining Reclamation Legislative	6/23/2015	7/24/2015		7/27/2015	Approved 11/19/2015	SB 182 HB 4056 BUNDLED HB 4053	6/8/2016	7/1/2016
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	SB 225 HB 4028 BUNDLED SB 159		
Oil and Gas (35-8)	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	SB 179 HB 4102 BUNDLED HB 4053	6/9/2016	7/9/2016

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	SB 226 HB 4072 BUNDLED HB 4046	6/13/2016	7/1/2016
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	SB 227 HB 4129 BUNDLED SB 159		
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	SB 228 HB 4130 BUNDLED SB 159		
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	SB 229 HB 4131 BUNDLED SB 159		
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	SB 230 HB 4132 BUNDLED SB 159		
Physical Therapy (16-4)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	3/16/2016	4/18/2016						
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	SB 206 HB 4106 BUNDLED SB 159		
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	SB 231 HB 4133 BUNDLED SB 159		
Public Service Commission (150-9)	Motor Carriers, Private Commercial Carriers, and the Filing of Evidence of Insurance and Financial Responsibility by Motor..... Legislative Exempt	5/13/2016	6/16/2016						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Public Service Commission (150-37)	Telephone Conduit Occupancy Legislative	6/7/2016	7/15/2016						
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/11/2015	7/13/2015		7/22/2015	Approved 11/19/2015	SB 232 HB 4073 BUNDLED SB 157		
Racing Commission (178-3)	Organization and Meeting Notices Procedural	5/4/2016	6/6/2016					6/22/2016	7/22/2016
Racing Commission (178-5)	Pari-Mutuel Wagering Legislative	6/11/2015	7/13/2015		7/22/2015	Approved 11/19/2015	SB 233 HB 4074 BUNDLED SB 157		
Real Estate Commission (174-5)	Compliance with Requirement that Broker's Trust Fund Accounts be Insured Against Loss Interpretive	4/29/2016	5/31/2016					6/9/2016	7/11/2016
Registered Professional Nurses (19-5)	Contested Case Hearing Procedure Legislative	4/4/2016	5/5/2016						
Registered Professional Nurses (19-6)	Open Meetings and Bylaws Procedural	4/1/2016	5/2/2016						
Registered Professional Nurses (19-8)	Limited Prescriptive Authority for Nurses in Advanced Practice Legislative	6/15/2016	7/22/2016						
Risk and Insurance Management (115-1)	Mine Subsidence Insurance Legislative	6/13/2016	7/14/2016	6/13/2016 ERD by 7/25/2016					
Risk and Insurance Management (115-7)	Patient Injury Compensation Fund Legislative	6/7/2016	7/7/2016	6/6/2016 ERD by 7/18/2016					
Secondary School Activities Comm. (127-3)	Provisions Governing Contests Legislative Exempt	5/12/2016	6/13/2016						
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	SB 235 HB 4076 BUNDLED SB 159	6/23/2016	7/1/2016
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	SB 236 HB 4077 BUNDLED SB 159	6/23/2016	7/1/2016

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Veterans' Assistance (86-4)	VA Headstones or Markers Legislative	5/28/2014	6/28/2014		8/1/2014	Approved 9/16/2015	SB 245 HB 4080 BUNDLED SB 4080		
Veterinary Medicine (26-4)	Standards of Practice Legislative	3/10/2016	4/11/2016		6/15/2016				
Water Resources, Div. of Water & Waste Mgmt. (47-2)	Requirements Governing Water Quality Standards Legislative	6/17/2015	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	SB 180 HB 4103 BUNDLED HB 4053	6/8/2016	7/8/2016
Water Resources, Div. of Water & Waste Mgmt	Requirements Governing Water Quality Standards Legislative	6/16/2016	8/9/2016						
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	SB 183 HB 4057 BUNDLED HB 4053	6/8/2016	7/1/2016
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	SB 181 HB 4104 BUNDLED HB 4053		
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	SB 184 HB 4058 BUNDLED HB 4053		
Water Resources, Div. of Water & Waste Mgmt. (47-65)	Aboveground Storage Tank Fee Assessments Legislative	6/25/2015	7/30/2015		7/31/2015	Approved 1/26/2016	SB 185 HB 4059 BUNDLED HB 4053		
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	SB 222 HB 4140 BUNDLED SB 202		

LEGISLATIVE

FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Administration**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **148-01**
RULE NAME **Purchasing Division**

CITE AUTHORITY §5A-3-4(a)

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
4046	1	03/12/2016

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

Wednesday, June 22, 2016

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

Yes
Jennelle H Jones -- 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: 148-01 Rule Id: 9950 Document: 27612

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

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FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Air Quality**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **45-39**
RULE NAME **Control of Annual Nitrogen Oxides Emissions - Repeal**

CITE AUTHORITY W. Va. Code §22-5-4

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
H.B. 117	64-3-1(t)	06/08/2016

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

Friday, July 01, 2016

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: 45-39 Rule Id: 9817 Document: 27609

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LEGISLATIVE

FORM 6 – NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Air Quality**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **45-41**

RULE NAME **Control of Annual Sulfur Dioxide Emissions - Repeal**

CITE AUTHORITY **W. Va. Code §22-5-4**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
H.B. 117	**64-3-1(y)**	**06/08/2016**

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

Friday, July 01, 2016

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: 45-41 Rule Id: 9819 Document: 27610

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6/23/2016 9:25:06 AM

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

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

AGENCY **Barbers And Cosmetologists**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **3-02**

RULE NAME **Qualifications, Training, Examination and Certification of Instructors in Barbering and Cosmetology**

CITE AUTHORITY **30-27-6 and 30-27-16**

COMMENTS LIMITED TO

Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS

Monday, July 25, 2016 5:00 PM

WRITTEN COMMENTS MAY BE MAILED TO

Amanda Smith
Executive Director
WV Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

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

Yes

Amanda D Smith -- 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: 3-02 Rule Id: 10139 Document: 27613

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NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #6

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2016 JUN 22 P 12:32

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LEGISLATIVE

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

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

AMENDMENT TO AN EXISTING RULE: YES XX NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 2

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

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: N/A

TITLE OF RULE BEING PROPOSED: ___

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

AUTHORIZATION IS CITED IN (house or senate bill number) SB1017

SECTION ___, PASSED ON June 14, 2016 First Special Session

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: July 1, 2016

Authorized Signature

W Richard Staton
Executive Director

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

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OFFICE OF WEST VIRGINIA SECRETARY OF STATE

FORM 6 -- NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Election Commission**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **146-03**
RULE NAME **Regulation of Campaign Finance**

CITE AUTHORITY **3-1A-5**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
HB 1017	**64-9-7**	**06/16/2016**

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

Friday, July 01, 2016

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

Yes

Natalie E Tennant -- 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: 146-03 Rule Id: 9778 Document: 27617

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NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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FORM 6 -- NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Election Commission**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **146-**
RULE NAME **West Virginia Supreme Count of Appeals Public Campaign financing Program** **05**

CITE AUTHORITY **3-1A-5, 3-12-11, 3-12-14**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
HB 1017	**64-9-7**	**06/16/2016**

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE
Friday, July 01, 2016

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.
Yes
Natalie E Tennant -- 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: 146-05 Rule Id: 9779 Document: 27618

LEGISLATIVE

West Virginia Secretary of State Natalie Tennant Administrative Law Division

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OFFICE WEST VIRGINIA SECRETARY OF STATE

Changes to Social Services Manuals

Agency: West Virginia Department of Health and Human Resources

Bureau: Children and Families, Division of Children and Adult Services

Rule: 78-5

Change Number: _____

Revision existing manual: Yes X No _____

Please delete the entire Adult Guardianship Policy Chapter dated March 1, 2016 and Health Care Surrogate Policy dated March 01, 2016 of the Social Services Manual and replace it with this new combined version titled Substitute Decision Maker with an effective date of July 1, 2016.

I am enclosing two copies; please file one and send the Bureau back a stamped copy.
Please send to:
Rebecca Nicholas
Health and Human Resource Specialist, Senior
350 Capitol Street, Room 691
Charleston, WV 25301-3704

WEST VIRGINIA SECRETARY OF STATE

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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LEGISLATIVE

FORM 6 -- NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Secretary Of State**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **153-03**

RULE NAME **Registration Forms and Receipts**

CITE AUTHORITY **3-1A-6**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
H.B. 1017	**64-9-16**	**06/16/2016**

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

Friday, July 01, 2016

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

Yes

Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Title-Series: 153-03 Rule Id: 9801 Document: 27614

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NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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FORM 6 -- NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Secretary Of State**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **153-09**

RULE NAME **Elimination of Precinct Registration Books**

CITE AUTHORITY **3-1A-6**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
H.B. 1017	**64-9-16**	**06/16/2016**

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

Friday, July 01, 2016

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

Yes

Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Title-Series: 153-09 Rule Id: 9802 Document: 27619

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NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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LEGISLATIVE

FORM 6 -- NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Secretary Of State**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **153-23**

RULE NAME **Absentee Voting by Military Voters Who Are Members of Reserve Units Called to Active Duty**

CITE AUTHORITY **3-1A-6**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
H.B. 1017	**64-9-16**	**06/16/2016**

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

Friday, July 01, 2016

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

Yes

Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Title-Series: 153-23 Rule Id: 9803 Document: 27615

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NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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FORM 6 -- NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY **Secretary Of State**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **No** TITLE-SERIES **153-52**

RULE NAME **Freedom of Information Act Database**

CITE AUTHORITY **29B-1-3a(b)**

HOUSE OR SENATE BILL NUMBER	SECTION	PASSED ON
HB 1017	**64-9-46**	**06/16/2016**

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

Friday, July 01, 2016

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

Yes

Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Title-Series: 153-52 Rule Id: 9776 Document: 27616

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NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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6/22/2016 10:34:30 AM

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PROCEDURAL

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

AGENCY **Racing Commission**
RULE TYPE **Procedural** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **178-03**
RULE NAME **Organization and Meeting Notices**

CITE AUTHORITY **WV Code § 6-9A-3 and § 19-23-6(3)**

RULE IS LEGISLATIVE EXEMPT
Yes
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW
WV Code 29A-3-8

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE EFFECTIVE DATE OF THIS RULE IS
Friday, July 22, 2016

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

Yes
Douglas P Buffington -- 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: 178-03 Rule Id: 10119 Document: 27611

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

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2016 JUN 17 A 11:52

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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

EMERGENCY

June 17, 2016

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Health Care Authority

RULE: New Rule, 65-30, Rural Health Systems Grant Program

DATE FILED AS AN EMERGENCY RULE: June 7, 2016

DECISION NO. 7-16

Following review under W. Va. Code §29A-3-15a, it is the decision of the Secretary of State that the above emergency rule is **approved**. A copy of the complete decision with required findings is available from this office.

/s/ Natalie E. Tennant

NATALIE E. TENNANT
Secretary of State

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

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2016 JUN 17 A 11:52

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June 17, 2016

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Health Care Authority

RULE: New Rule, 65-33, Exemption for Kidney Disease Treatment Centers

DATE FILED AS AN EMERGENCY RULE: June 13, 2016

DECISION NO. 6-16

Following review under W. Va. Code §29A-3-15a, it is the decision of the Secretary of State that the above emergency rule is **approved**. A copy of the complete decision with required findings is available from this office.

/s/ Natalie E. Tennant

NATALIE E. TENNANT
Secretary of State

Orders Report

Docket Number	Agency	Respondent	Date Rendered
16-WV-10820-X	Health Care Authority	Burlington United Methodist Family Services Inc	6/16/2016
10-3-9227-H	Health Care Authority	Charleston Area Medical Center	6/16/2016
12-3-9697-H	Health Care Authority	Charleston Area Medical Center	6/16/2016
16-1-10818-X	Health Care Authority	KVC West Virginia	6/16/2016
16-11-10817-X/PV	Health Care Authority	Ohio Valley Home Health Services Inc	6/16/2016
15-2-10477-R	Health Care Authority	Total Renal Care Inc	6/16/2016
15-2-10477-R	Health Care Authority	Ravine Dialysis LLC	6/16/2016
16-9-10739-Z	Health Care Authority	VJL Health Services LLC	6/15/2016
15-10-10573-NH	Health Care Authority	Wheeling Hospital	6/15/2016
16-10-10796-X	Health Care Authority	Wheeling Hospital	6/16/2016
16-1-10819-X	Health Care Authority	Willow Creek Health Clinic	6/16/2016
16-7-10821-X	Health Care Authority	Youth Health Services Inc	6/16/2016
15-AP-PRLC-02067	Insurance Commission	Jared Noah Helfant	6/14/2016
15-AP-PRLC-02069	Insurance Commission	Ashley Grande	6/14/2016
16-AP-PRLC-02006	Insurance Commission	Robert T. Langford	5/19/2016

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2015-1148-CONS	Shannon Blackburn, et al.	Mingo County Board Of Education	6/1/2016
2015-1236-BooED	Pamela Lorraine Bias	Boone County Board Of Education	6/2/2016
2016-0883-DHHR	Rick Garner	Health And Human Resources	6/8/2016
		Jackie Withrow Hospital	6/8/2016
2015-1561-BroED	Beverley J. Sizemore	Brooke County Board Of Education	6/8/2016
2014-1777-CONS	Kimberly Cale, et al.	West Virginia University	6/13/2016
2016-0353-DEP	John Kearney	Environmental Protection	6/13/2016
2016-0897-DOT	Deborah Hensley	West Virginia Parkways Authority	6/15/2016
2015-0823-WVU	Rick Moore	West Virginia University	6/15/2016
2015-1319-KanED	Paula E. Smith	Kanawha County Board Of Education	6/15/2016

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 3-16

By the Governor

WHEREAS, Armistice Day has been marked on November 11 every year since 1918, commemorating the day the Allies signed an agreement with the Germans ending World War I; and

WHEREAS, the cost in human suffering during World War I, originally known as the Great War, was on a scale unprecedented in human history; and

WHEREAS, between 1914 and 1918, over 58,000 West Virginians served in World War I, with over 5,000 soldiers paying the ultimate sacrifice or returning home wounded; and

WHEREAS, West Virginia and West Virginians played an historic role in World War I; and

WHEREAS, Lieutenant Louis Bennett, Jr. of Weston, West Virginia, established the West Virginia Flying Corps, and after joining the fight overseas with the British Royal Flying Corps, he became known as the leading American "balloon buster" of the day; Lieutenant Bennett died in combat on August 24, 1918 and, thereafter, his mother, Sallie Maxwell Bennett, sought solace through the dedication of several memorials to her son, including a stained glass window in London's Westminster Abbey overlooking the grave of the Unknown Warrior; and

EXECUTIVE ORDER

WHEREAS, the last living American veteran of World War I, Frank Buckles, a Charles Town, West Virginia, resident, died on February 27, 2011; he had enlisted at age sixteen and served as an ambulance driver in France throughout the War; and

WHEREAS, West Virginia and West Virginians take pride in commemorating and honoring those who served in World War I; and

WHEREAS, the Kimball War Memorial in Kimball, McDowell County, West Virginia, was the first building in the country erected to honor African-Americans who fought in World War I, including the 1,500 African-American soldiers McDowell County mustered to serve in the Great War; and

WHEREAS, the "Doughboy" memorial in Logan County, West Virginia, one of over one hundred statutes remembering "The Spirit of the American Doughboy," and located in small towns across the Nation, honors the brave foot soldiers who fought, were injured, or made the ultimate sacrifice during World War I; and

WHERAS, World War I memorials are also visible throughout the state in Welch, Logan, Martinsburg, Huntington, and at the West Virginia Veterans Memorial in Charleston; and

WHEREAS, it is altogether fitting and proper to establish the West Virginia World War I Centennial Commission, to provide for appropriate activities for residents and visitors to remember, commemorate, and learn about the significance of World War I and the role West Virginians played in the conflict, as well as to honor those who lost their lives; and

WHEREAS, the West Virginia World War I Centennial Commission also will develop and execute plans for projects and activities recognizing the 100 year anniversary of World War I, with particular emphasis on the West Virginians who paid the ultimate sacrifice or returned home wounded.

PUBLIC NOTICE

FILED

2016 JUN 24 A 11:05

OFFICE WEST VIRGINIA SECRETARY OF STATE

WEST VIRGINIA MEDICAID PROGRAM CHANGE TO THE REIMBURSEMENT METHODOLOGY FOR ACUTE CARE HOSPITALS

OTHER

Pursuant to 42 U.S.C. §1396a(a)(13)(1997) and 42 C.F.R. §447.205, the Department of Health and Human Resources (Department), Bureau for Medical Services (Bureau) provides notice of the filing of a state plan amendment to modify reimbursement to West Virginia acute care hospitals.

Effective October 1, 2015, the Bureau will revise its acute care hospital reimbursement to provide for interim payments, subject to final settlement, from a pool of funds to be directed toward acute care prospective payment system (PPS) hospitals and hospitals providing tertiary and rural safety net services. This plan amendment will continue to classify hospitals based on U.S. Census classification for rural and metropolitan statistical areas.

The purpose and rationale for this plan amendment is to renew the PPS and tertiary and rural safety net hospitals' supplemental payment pools and set new pool amounts.

This plan amendment is expected to result in an annual aggregate amount $55,081,739 for fiscal year 2015.

Documents detailing these proposed actions will be available for public inspection in each county office of the Department of Health and Human Resources during normal business hours, 8:30 a.m. to 4:30 p.m., beginning June 27, 2016 to July 27, 2016 and on the web at: www.dhhr.wv.gov/bms then Public Notices.

Written comments may be sent to the West Virginia Department of Health and Human Resources, Bureau for Medical Services, 350 Capitol Street, Suite 251, Charleston, WV 25301-3706. Any written comments received will be available for review at the above address during normal business hours, 8:30 a.m. to 4:30 p.m., beginning June 27, 2016 to July 27, 2016.

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

FILED

2016 JUN 17 P 3:15

OFFICE WEST VIRGINIA SECRETARY OF STATE

June 17, 2016

LEGAL NOTICE

James L. Pitrolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending **June 17, 2016.**

LETTERS OF INTENT FOR EXPEDITED REVIEW RECEIVED

June 14, 2016 – Total Renal Care, Inc., Denver, Colorado, CON File #16-10-10823-A, for the acquisition of the outpatient dialysis facilities operated by Wheeling Renal Care, LLC, in Wheeling, Ohio County and New Martinsville, Wetzel County; capital expenditure: $23,500,000.

June 17, 2016 – Bio-Medical Applications of West Virginia, Inc. d/b/a Fresenius Kidney Care Greenbrier Home Dialysis, Fayetteville, North Carolina, CON File #16-4-10829-R, for the establishment of a new dialysis facility focused on home dialysis patients residing in or near Greenbrier County; capital expenditure: $878,320.

APPLICATIONS FOR EXEMPTION RECEIVED

June 16, 2016 – CHANGE, Inc., Weirton, Hancock County, CON File #16-11-10826-X, for the addition of a service delivery site to be located at 1151 Washington Street, Newell, Hancock County, that will provide mental health, dental, pediatrics, family practice, OB/GYN services and social services; capital expenditure: $1,000,000.

June 16, 2016 – Highland-Clarksburg Hospital, Inc., Clarksburg, Harrison County, CON File #16-6-10827-X, for the development of an eighteen (18) bed adult inpatient psychiatric unit for adults; capital expenditure: $20,000.

ORDERS ISSUED

June 15, 2016- VJL Health Services, LLC, Bowie, Maryland, CON File #16-9-10739-Z, for the establishment of a home health agency in Martinsburg, Berkeley County to serve the residents of Berkeley and Jefferson counties.

June 15, 2016 – Wheeling Hospital, Wheeling, Ohio County, CON File #15-10-10573-NH, for the relocation and replacement of Bishop Joseph H. Hodges Continuous Care Center nursing home, including Wheeling Hospital's 24 bed skilled nursing unit, to a new building on the hospital campus and renovate the existing Bishop Joseph H. Hodges Continuous Care Center building for other purposes.

It is ORDERED that the files in these matters be reopened to accept the additional information and that the files be closed immediately after receipt of the information.

PROJECT DETERMINED REVIEWABLE

June 16, 2016 – Ohio Valley Home Health Services, Inc., Chester, Hancock County, CON File #16-11-10817-X/PV, for the acquisition of Ohio Valley Home Health Services, Inc. by Prime Healthcare Foundation.

PROJECTS DETERMINED NOT REVIEWABLE

June 16, 2016 – Burlington United Methodist Family Services, Inc., Burlington, Mineral County, CON File #16-WV-10820-X, for the expansion of community-based, out-patient behavioral health services into all 55 counties in West Virginia.

June 16, 2016 – KVC West Virginia, Charleston, Kanawha County, CON File #16-1-10818-X, for the reopening of its office in Princeton, Mercer County; no capital expenditure.

June 16, 2016 – Willow Creek Health Clinic, Premier, McDowell County, CON File #16-1-10819-X, for a change in its name from Willow Creek Health Clinic, LLC to Willow Creek Health Clinic, Inc.; no capital expenditure.

June 16, 2016 – Youth Health Services, Inc., Elkins, Randolph County, CON File #16-7-10821-X, for the expansion of community-based, out-patient behavioral health services into Lewis County.

PROJECT EXEMPT FROM REVIEW

June 16, 2016 – Wheeling Hospital, Wheeling, Ohio County, CON File #16-10-10796-X, for the development of a hospital ambulatory health care facility in Ohio County through an employed primary care physician practicing in Ohio County. The office will be located at 1608 Warwood Avenue, Wheeling, Ohio County and will be staffed by one primary care physician; capital expenditure: $152,000.

EXTENSION GRANTED

June 16, 2016 – Total Renal Care, Inc. and Ravine Dialysis, LLC, Denver, Colorado, CON File #15-2-10477-R, for the development of an eleven station (plus one isolation station) outpatient dialysis facility in Wayne County; capital expenditure: $1,533,890.

Extension granted through December 23, 2016.

RENEWALS GRANTED

June 16, 2016 – Charleston Area Medical Center, Charleston, Kanawha County, CON File #10-3-9227-H, for the construction of a four (4) story clinic building at Women and Children's Hospital campus; capital expenditure: $9,500,000.

Renewal granted through November 30, 2016.

OTHER

June 16, 2016 – Charleston Area Medical Center, Charleston, Kanawha County, CON File #10-3-9697-H, for the construction of three floors and the addition of 48 acute care beds at Memorial Hospital; capital expenditure: $30,892,000.

Renewal granted through November 30, 2016.

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