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Grievances Report

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CHRONOLOGICAL INDEX, VOLUME XXXIV ISSUE 3

NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>HEARING/COMMENT PERIOD/LOCATION</u>
Pharmacy (15-7)	Registration of Pharmacy Technicians Legislative	§30-5-7	Written Comments Only February 20, 2017, 4:00 pm WV Bd. Of Pharmacy 2310 Kanawha Boulevard East Charleston, WV 25311

NEW EMERGENCY RULES FILED THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>EFFECTIVE DATE</u>	<u>DATE NOTICE FOR HEARING</u>
Pharmacy (15-7)	Registration of Pharmacy Technicians	§30-5-7	ERD by March 2, 2017	February 20, 2017



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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

- 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

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
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	WORKERS COMPENSATION 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 HIGHWAYS
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
Agriculture (61-1)	Animal Disease Control Legislative	7/18/2016	8/17/2016		8/23/2016	Modified & Approved 9/21/2016 Filed 9/23/2016			
Agriculture (61-30)	Dangerous Wild Animal (repeal) Legislative	7/19/2016	8/19/2016		8/23/2016	Approved 9/21/2016			
Agriculture (61-31)	Livestock Care Standards-Repeal Legislative	7/19/2016	8/19/2016		8/23/2016	Approved 9/21/2016			
Agriculture (61-34)	Captive Cervid Legislative	7/27/2016	8/26/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 9/23/2016			
Air Quality (45-1)	Alternative Emission Limitations During Startup, Shutdown and Maintenance Operations Legislative	6/29/2016	8/1/2016		8/26/2016	Approved 12/6/2016			
Air Quality (45-8)	Ambient Air Quality Standards Legislative	6/29/2016	8/1/2016		8/26/2016	Approved 12/6/2016			
Air Quality (45-13)	Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements Legislative	6/29/2016	8/1/2016		8/26/2016	Approved 12/6/2016			
Air Quality (45-14)	Permits for Construction and Major Modifications of Major Stationary Sources for the Prevention of Significant Deterioration of Air Quality Legislative	6/29/2016	8/1/2016		8/26/2016	Approved 12/6/2016			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/29/2016	8/1/2016		8/26/2016	Approved 12/6/2016			
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/29/2016	8/1/2016		8/26/2016	Approved 12/6/2016			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	7/1/2016	8/1/2016		8/26/2016	Approved 12/6/2016			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Architects (2-1)	Registration of Architect Legislative	7/7/2016	8/8/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/5/2016			
Athletic Commission (177-1)	Administrative Rules of the WV State Athletic Commission Legislative	7/13/2016	8/12/2016		8/24/2016	Modified & Approved 12/6/2016 Filed 12/20/2016			
Athletic Commission (177-2)	Regulation of Mixed Martial Arts Legislative	7/13/2016	8/12/2016		8/24/2016	Modified & Approved 12/6/2016 Filed 12/20/2016			
Auditor (155-1)	Standards for Requisitions for Payment Issued by State Officers on the Auditor Legislative	7/27/2016	8/26/2016		8/26/2016	Modified w/certain amendments & Approved 9/21/2016 Filed 9/21/2016			
Auditor (155-8)	Procedure for Local Levying Bodies to Apply for Permission to Extend Time to Meet as Levying Body Legislative	7/26/2016	8/26/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 9/21/2016			
Barbers and Cosmetologists (3-2)	Qualifications, Training, Examination and Certification of Instructors in Barbering & Cosmetology Legislative	6/23/2016	7/25/2016		8/24/2016	Modified & Approved 1/10/2017			
Barbers and Cosmetologists (3-3)	Licensing Schools to Barbering, Cosmetology, Nail Technology and Aesthetics Legislative	6/29/2016	8/1/2016		8/19/2016	Approved 1/10/2017			
Barbers and Cosmetologists (3-4)	Operational Standards for Schools of Barbering, Cosmetology, Hair Styling, Nail Technology and Aesthetics Legislative	6/29/2016	8/1/2016		8/24/2016	Modified & Approved 1/10/2017			
Barbers and Cosmetologists (3-5)	Operation of Barber, Beauty, Nail and Aesthetic Shops/Salons, and Schools of Barbering and Beauty Culture Legislative	7/13/2016	8/12/2016		8/24/2016	Modified & Approved 1/10/2017 Filed 1/19/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Barbers and Cosmetologists (3-6)	Schedule of Fees Legislative	7/6/2016	8/8/2016		8/24/2016	Modified & Approved 1/10/2017 Filed 1/19/2017			
Barbers and Cosmetologists (3-11)	Continuing Education Legislative	7/5/2016	8/8/2016		8/24/2016	Modified w/Certain Amendments & Approved 1/10/2017 Filed 1/19/2017			
Barbers and Cosmetologists (3-13)	Barber Apprenticeship Legislative	7/5/2016	8/8/2016		8/24/2016	Modified & Approved 1/10/2017 Filed 1/19/2017			
Barbers and Cosmetologists (3-14)	Waxing Specialist Legislative	7/6/2016	8/8/2016		8/24/2016	Recommendations Rejection 1/10/2017			
Comm. & Tech. College Education (135-35)	Correspondence, Business, Occupational and Trade Schools Legislative	12/12/2016	1/13/2017						
Comm. & Tech. College Education (135-52)	Annual Reauthorization of Degree-Granting Institutions Legislative	12/12/2016	1/13/2017						
Counseling (27-2)	Licensed Professional Counselor Fees Legislative	7/26/2016	8/25/2016		8/26/2016	Modified & Approved 1/10/2017			
Counseling (27-3)	Licensed Professional Counselor License Renewal and Continuing Professional Education Requirements Legislative	7/26/2016	8/25/2016		8/26/2016	Modified & Approved 1/10/2017			
Counseling (27-9)	Marriage and Family Therapist Fees Legislative	7/26/2016	8/25/2016		8/26/2016	Modified & Approved 1/10/2017			
Counseling (27-10)	Marriage and Family Therapist License Renewal and Continuing Professional Education Legislative	7/26/2016	8/25/2016		8/26/2016	Modified & Approved 1/10/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Crime, Delinquency and Correction (149-2)	Law Enforcement Training and Certification Standards Legislative	7/22/2016	8/24/2016		8/26/2016	Modified & Approved 12/7/2016 Filed 12/20/2016			
Crime, Delinquency and Correction (149-9)	William R. Laird IV – Second Chance Driver's License Program Legislative	7/22/2016	8/24/2016	7/22/2016 Approved 8/12/2016	8/26/2016	Modified & Approved 12/7/2016 Filed 12/20/2016			
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		7/26/2016	Modified & Approved 8/22/2016 Filed 9/2/2016			
Education (126-14)	WV Measures of Academic Progress (2340) Legislative Exempt	1/11/2017	2/10/2017						
Education (126-44N)	21 st Century Learning Skills & Tech. Tools Content Standards & Objectives for WV Schools (2520.14) Legislative Exempt	1/11/2017	2/10/2017						
Education (126-44U)	WV College and Career Readiness Dispositions and Standards for Student Success for Grades K-12 (2520.19) Legislative Exempt	1/11/2017	2/10/2017						
Education (126-81)	Attendance (4110) Legislative Exempt	1/11/2017	2/10/2017						
Education (126-126)	Procedures for Designated Hiring and Transfer of School Personnel (5000) Legislative Exempt	1/11/2017	2/10/2017						
Education (126-161)	Alternative Certification Programs for the Education of Teachers (5901) Legislative Exempt	1/11/2017	2/10/2017						
Environmental Protection-Secretary's Office (60-3)	Voluntary Remediation and Redevelopment Rule Legislative	6/27/2016	7/28/2016		8/25/2016	Approved 12/6/2016			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Ethics Commission (158-6)	Private Gain Legislative	5/17/2016	6/16/2016		8/23/2016	Modified & Approved 12/7/2016 Filed 12/19/2016			
Fire Marshal (103-4)	Regulation of Fireworks and Related Explosive Materials Legislative	5/12/2016	6/13/2016	5/12/2016 Expired 8/10/2016	8/26/2016	Modified & Approved 12/7/2016 Filed 12/21/2016			
Forestry (22-5)	Procedure for the WV Forest Legacy Program Procedural	7/29/2016	8/31/2016						
Health (64-57)	Clinical Laboratory Technician & Technologists Licensure and Certification Legislative	7/8/2016	8/7/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/6/2016			
Health (64-92)	Clandestine Drug Laboratory Remediation Legislative	7/8/2016	8/7/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/11/2016			
Health (64-103)	Expedited Partner Therapy Legislative	7/8/2016	8/7/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/6/2016			
Health and Human Resources (69-11)	Medication-Assisted Treatment-Opioid Treatment Programs Legislative	7/8/2016	8/7/2016	8/31/2016 Approved 9/14/2016	8/26/2016	Modified & Approved 1/10/2017			
Health and Human Resources (69-12)	Medication-Assisted Treatment-Office-Based Medication Assisted Treatment Legislative	7/8/2016	8/7/2016	8/31/2016 Approved 9/14/2016	8/26/2016	Modified & Approved 1/10/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE	
Health Care Authority (65-29)	Exemption From Certificate of Need Legislative	6/8/2016	7/11/2016	6/8/2016	8/22/2016	Modified & Approved				
				6/10/2016		Approved				12/6/2016
				8/22/2016		Amendment				Filed
				9/14/2016		Approved				1/6/2017
				12/19/2016		Amendment				
				12/29/2016		Approved				
				1/6/2017		Amendment				
				1/6/2017		Approved				
				1/6/2017		Approved				
				1/6/2017		Approved				
Health Care Authority (65-30)	Rural Health Systems Grant Program Legislative	6/9/2016	7/11/2016	6/7/2016	8/24/2016	Modified & Approved				
				6/17/2016		Approved				12/6/2016
				8/24/2016		Amendment				Filed
				9/14/2016		Approved				12/16/2016
				12/16/2016		Amendment				
				12/16/2016		Approved				
				12/29/2016		Approved				
				12/29/2016		Approved				
				12/29/2016		Approved				
				12/29/2016		Approved				
Health Care Authority (65-31)	Hospital Assistance Grant Program Legislative	6/7/2016	7/11/2016	6/7/2016	8/24/2016	Modified & Approved				
				6/10/2016		Approved				12/6/2016
				8/24/2016		Amendment				Filed
				9/14/2016		Approved				12/16/2016
				12/16/2016		Amendment				
				12/16/2016		Approved				
				12/29/2016		Approved				
				12/29/2016		Approved				
				12/29/2016		Approved				
				12/29/2016		Approved				
Health Care Authority (65-32)	Certificate of Need Rule Legislative	6/8/2016	7/11/2016	6/8/2016	8/23/2016	Modified & Approved				
				6/10/2016		Approved				12/6/2016
				8/23/2016		Amendment				Filed
				9/29/2016		Approved				12/19/2016
				12/19/2016		Amendment				
				12/19/2016		Approved				
				12/29/2016		Approved				
				12/29/2016		Approved				
				12/29/2016		Approved				
				12/29/2016		Approved				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Ed. Policy Commission (133-7)	WV Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship Program Legislative	11/18/2016	12/18/2016	12/18/2016	12/20/2016				
Higher Ed. Policy Commission (133-13)	Change in the Organization of Colleges or Schools Procedural	11/18/2016	12/18/2016					12/20/2016	1/20/2017
Higher Ed. Policy Commission (133-25)	Residency Classification for Admission and Fee Purposes Procedural	11/18/2016	12/18/2016					12/20/2016	1/20/2017
Higher Ed. Policy Commission (133-42)	WV Higher Education Grant Program Legislative	11/18/2016	12/18/2016		12/20/2016				
Higher Ed. Policy Commission (133-48)	Research Trust Fund Legislative	11/18/2016	12/18/2016						
Higher Ed. Policy Commission (133-52)	Annual Reauthorization of Degree-Granting Institutions Legislative	11/18/2016	12/18/2016		12/21/2016				
Insurance Commission (114-98)	Adoption of Valuation Manual Legislative	7/13/2016	8/15/2016	8/22/2016 Approved 8/24/2016	8/22/2016	Approved 9/21/2016			
Lottery (179-5)	Limited Video Lottery Legislative	7/18/2016	8/17/2016		8/22/2016	Modified & Approved 12/6/2016 Filed 12/7/2016			
Medicine (11-1A)	Licensing and Disciplinary Procedures: Physicians, Podiatrists Legislative	6/1/2016	6/30/2016		7/12/2016	Modified & Approved 8/22/2016 Filed 9/1/2016			
Medicine (11-1B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	5/31/2016	6/30/2016		7/12/2016	Modified & Approved 8/22/2016 Filed 9/1/2016			
Medicine (11-5)	Dispensing of Legend Drugs by Practitioners Legislative	7/12/2016	8/11/2016		8/24/2016	Modified & Approved 9/21/2016 Filed 9/26/2016			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	7/6/2016	Modified & Approved 8/25/2016 Filed 9/6/2016		1/3/2017	2/2/2017
Natural Resources (58-15)	Permits to Kill Deer or Other Wildlife Causing Damage to Cultivated Crops, Fruit Trees or Commercial Nurseries Procedural	11/3/2016	12/9/2016						
Natural Resources (58-18)	Bear Damage Procedural	11/3/2016	12/9/2016					1/3/2017	2/2/2017
Natural Resources (58-23)	Revocation of Hunting and Fishing Licenses Legislative	7/26/2016	8/26/2016		8/29/2016	Modified & Approved 12/6/2016 Filed 1/3/2017			
Natural Resources (58-24)	Point System for the Revocation of Hunting - Repeal Legislative	7/26/2016	8/26/2016		8/29/2016	Approved 12/6/2016			
Natural Resources (58-58)	Special Waterfowl Hunting Legislative	7/25/2016	8/26/2016		8/26/2016	Modified & Approved 12/6/2016 Filed 1/3/2017			
Natural Resources (58-63)	Commercial Sale of Wildlife Legislative	7/25/2016	8/26/2016		8/26/2016	Modified & Approved 12/6/2016 Filed 1/3/2017			
Natural Resources (58-64)	Miscellaneous Permits and Licenses Legislative	7/25/2016	8/26/2016		8/26/2016	Modified & Approved 12/6/2016 Filed 1/3/2017			
Optometry (14-10)	Continuing Education Legislative	7/19/2016	8/22/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/3/2016			
Osteopathic Medicine (24-1)	Licensing Procedures for Osteopathic Physicians Legislative	7/22/2016	8/22/2016		8/26/2016	Modified & Approved 9/21/2016			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Osteopathic Medicine (24-2)	Osteopathic Physician Assistants Legislative	7/25/2016	8/25/2016		8/29/2016	Modified & Approved 9/21/2016			
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	7/1/2016	8/4/2016		8/18/2016	Modified & Approved 12/7/2016 Filed 12/19/2016			
Pharmacy (15-6)	Mail-Order and Non-Resident Pharmacies Legislative	7/1/2016	8/4/2016		8/18/2016	Modified & Approved 12/7/2016 Filed 12/19/2016			
Pharmacy (15-7)	Registration of Pharmacy Technicians Legislative	1/18/2016	2/20/2017	1/19/2017 ERD by 3/2/2017					
Pharmacy (15-8)	Controlled Substances Monitoring Program Legislative	7/1/2016	8/4/2016		8/18/2016	Modified & Approved 12/7/2016 Filed 12/19/2016			
Physical Therapy (16-4)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	3/16/2016	4/16/2016		4/22/2016	Approved 9/1/2016			
Public Service Commission (150-37)	Telephone Conduit Occupancy Legislative	6/7/2016	7/15/2016		8/26/2016	Modified & Approved 12/7/2016 Filed 12/13/2016			
Racing Commission (178-1)	Thoroughbred Racing Legislative	7/13/2016	8/12/2016		8/18/2016	Modified & Approved 9/21/2016 Filed 9/19/2016			
Racing Commission (178-5)	Pari-Mutuel Wagering Legislative	7/13/2016	8/12/2016		8/18/2016	Modified & Approved 9/21/2016 Filed 9/19/2016			
Racing Commission (178-6)	Due Process and Hearings Procedural	10/27/2016	11/28/2016					12/22/2016	1/21/2017

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Registered Professional Nurses (19-3)	Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct Legislative	6/24/2016	7/23/2016	8/12/2016 Effective 9/23/2016	7/29/2016	Modified & Approved 8/22/2016			
Registered Professional Nurses (19-8)	Limited Prescriptive Authority for Nurses in Advanced Practice Legislative	6/15/2016	7/22/2016	8/12/2016 Effective 9/23/2016	8/2/2016	Modified & Approved 8/22/2016			
Risk and Insurance Management (115-1)	Mine Subsidence Insurance Legislative	6/13/2016	7/14/2016	6/13/2016 ERD by 7/25/2016 Withdrawn 7/1/2016 9/15/2016 Approved 9/29/2016	8/22/2016	Modified & Approved 12/6/2016 Filed 12/12/2016			
Risk and Insurance Management (115-7)	Patient Injury Compensation Fund Legislative	6/7/2016	7/7/2016	6/6/2016 Approved 7/1/2016	8/22/2016	Modified & Approved 12/6/2016			
Sanitarians (20-4)	Practice of Public Health Sanitation Legislative	7/1/2016	8/1/2016		8/11/2016	Modified & Approved 9/21/2016 Filed 10/3/2016			
School Building Authority of WV (164-1)	School Building Authority Policy and Procedures Handbook Procedural	12/22/2016	1/23/2017						
Secretary of State (153-3)	Voter Registration at the Div. of Motor Vehicles Legislative	7/22/2016	8/22/2016		8/24/2016	Modified & Approved 1/10/2017 Filed 1/17/2016			
Secretary of State (153-5)	Voter Registration List Maintenance by the Secretary of State Legislative	7/22/2016	8/22/2016		8/24/2016	Modified & Approved 1/10/2017 Filed 1/17/2016			
Senior Services (76-3)	WV State Plan for Aging Programs Interpretive	7/7/2016	8/8/2016						
Social Work Examiners (25-5)	Continuing Education for Social Workers and Providers Legislative	7/26/2016	8/25/2016		8/26/2016	Modified & Approved 9/21/2016			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Speech-Language Pathology & Audiology (29-1)	Licensure of Speech-Pathology and Audiology Legislative	7/15/2016	8/18/2016		8/22/2016	Modified & Approved 1/10/2017			
Tax Department (110-14C)	Motor Fuel Excise Tax Interpretive	11/5/2015	12/4/2015						
Treasurer (112-4)	Procedures for Deposit of Monies with the State Treasurer's Office by State Agencies Legislative	7/27/2016	8/26/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/21/2016			
Treasurer (112-6)	Selection of State Depositories for Disbursement Accounts through Competitive Bidding Legislative	7/27/2016	8/26/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/21/2016			
Treasurer (112-7)	Selection of State Depositories for Receipt Accounts Legislative	7/27/2016	8/26/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/21/2016			
Treasurer (112-8)	Procedures for Processing Payments from the State Treasury Legislative	7/27/2016	8/26/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/21/2016			
Treasurer (112-12)	Procedure for Fees in Collections by Charge, Credit or Debit Card or by Electronic Payment Legislative	7/27/2016	8/26/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/21/2016			
Treasurer (112-13)	Procedures for Providing Services to Political Subdivisions Legislative	7/27/2016	8/26/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/21/2016			
Veterinary Medicine (26-4)	Standards of Practice Legislative	3/10/2016	4/11/2016		6/15/2016	Modified & Approved 9/21/2016 Filed 9/28/2016			
Waste Mgmt., Div. of Water & Waste Mgmt (33-41)	Awarding of Matching Grants for Local Litter Control Program Legislative	6/29/2016	8/11/2016		8/25/2016	Approved 12/6/2016			

WEST VIRGINIA
SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION



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1/19/2017 4:44:14 PM

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LEGISLATIVE

FORM 4 - NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY Barbers And Cosmetologists
RULE TYPE Legislative AMENDMENT TO EXISTING RULE No TITLE-SERIES 3-05
RULE NAME Operation of Barber, Beauty, Nail and Aesthetic Shops/Salons, and Schools of Barbering
and Beauty Culture

CITE AUTHORITY §30-27

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

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

Charles E. Persinger - 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: 3-05



Rule Id: 10228



Document: 38221

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1/19/2017 11:26:59 AM

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LEGISLATIVE
FORM 4 - NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY Barbers And Cosmetologists
RULE TYPE Legislative AMENDMENT TO EXISTING RULE No TITLE-SERIES 3-06
RULE NAME Schedule of Fees

CITE AUTHORITY §30-27

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

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Yes

Charles E. Persinger - 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: 3-06



Rule Id: 10144



Document: 37223

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1/19/2017 2:54:47 PM

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LEGISLATIVE

FORM 4 -- NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY Barbers And Cosmetologists
RULE TYPE Legislative AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 3-11
RULE NAME Continuing Education

CITE AUTHORITY §30-27

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

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Yes

Charles E. Persinger -- 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: 3-11



Rule Id: 10171



Document: 38220

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SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION



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1/19/2017 2:52:04 PM

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FORM 4 -- NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY Barbers And Cosmetologists
RULE TYPE Legislative AMENDMENT TO EXISTING RULE No TITLE-SERIES 3-13
RULE NAME Barber Apprenticeship

CITE AUTHORITY §30-27

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

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

Charles E. Persinger -- 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: 3-13



Rule Id: 10170



Document: 38219



CHAPTER 505 DENTAL, ORTHODONTICS, AND ORAL HEALTH SERVICES

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RECEIVED
 12/11/2016
 10:00 AM
 STATE OF WEST VIRGINIA
 DEPARTMENT OF HEALTH & HUMAN RESOURCES

BMS Provider Manual
 Chapter 505 Dental, Orthodontics, and Oral Health Services
 Page 1
 Revised 12/11/2016

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.

**WEST VIRGINIA
 SECRETARY OF STATE
 MAC WARNER**



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1/18/2017 4:42:13 PM

OFFICE OF THE CLERK OF THE SUPREME COURT OF WEST VIRGINIA

ADMINISTRATIVE LAW DIVISION

LEGISLATIVE

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

AGENCY: Pharmacy
 RULE TYPE: Legislative
 RULE NAME: Registration of Pharmacy Technicians
 AMENDMENT TO EXISTING RULE: Yes
 TITLE-SERIES: 15-07

CITE AUTHORITY: WV Code Section 30-5-7

COMMENTS LIMITED TO: Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: Monday, February 20, 2017 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
 West Virginia Board of Pharmacy
 2310 Kanawha Boulevard East
 Charleston, WY 25311

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

Yes

David E. Potters - 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: 15-07

Rule Id: 10381

Document: 37221

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT**



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1/17/2017 9:02:01 AM

OFFICE OF
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ADMINISTRATIVE LAW DIVISION

LEGISLATIVE

FORM 4 - NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

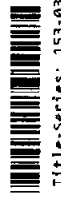
AGENCY **Secretary Of State**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE No TITLE-SERIES 153-03
RULE NAME **Voter Registration at the Division of Motor Vehicles**

CITE AUTHORITY 3-2-11(m)

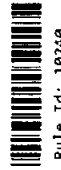
THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

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

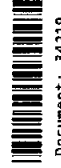
Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 153-03



Rule Id: 10240



Document: 34219

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT**



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1/17/2017 9:05:33 AM

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ADMINISTRATIVE LAW DIVISION

FORM 4 - NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

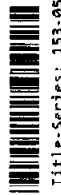
AGENCY **Secretary Of State**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE No TITLE-SERIES 153-05
RULE NAME **Voter Registration List Maintenance by the Secretary of State**

CITE AUTHORITY 3-2-23a

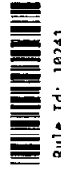
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BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.
Yes

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: 153-05



Rule Id: 10241



Document: 34220



**WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER**

ADMINISTRATIVE LAW DIVISION

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1/19/2017 9:09:00 AM

EMERGENCY

OFFICE OF THE
WEST VIRGINIA SECRETARY OF STATE

FORM 7 - NOTICE OF AN EMERGENCY RULE (Page 1)

AGENCY Pharmacy
 RULE TYPE Legislative AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 15-07
 RULE NAME Registration of Pharmacy Technicians

CITE AUTHORITY WV CODE SEC. 30-5-7

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY SECRETARY OF STATE OR 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

This minor change will allow high school students enrolled in a high school pharmacy technician training program to be eligible for registration as a pharmacy technician trainee. Current rules would prohibit it to the detriment of the students currently enrolled in these programs.

When rules revisions were made in 2015 implementing certain statutory changes dealing with pharmacy technicians, high school programs were not at all contemplated. This oversight was recently pointed out, and the Board seeks to allow the students enrolled in these longstanding programs the opportunity to get real experiential education as a part of their programs by allowing them to be registered as pharmacy technician trainees. In short, the new rule had unintended consequences, and this change is needed immediately to enhance the ongoing high school training programs for the students currently enrolled in these high school based PTT programs.

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

Yes

David E. Potters - 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: 15-07



Rule Id: 10381



Document: 37222

Orders Report

Docket Number	Agency	Respondent	Date Rendered
16-1-10969-X	Health Care Authority	Amedisys West Virginia LLC	1/9/2017
16-1-10970-X	Health Care Authority	Amedisys West Virginia LLC	1/9/2017
13-4-9813-R	Health Care Authority	Bio-Medical Applications of West Virginia Inc	1/11/2017
16-3-10979-X	Health Care Authority	Glasgow Operating Company LLC	1/11/2017
16-3-10977-X	Health Care Authority	Herbert J. Thomas Memorial Hospital Association	1/9/2017
16-6-10976-X	Health Care Authority	Morgantown Operating Company LLC	1/9/2017
16-3-10972-X	Health Care Authority	Pollen8, Inc	1/9/2017
16-6-10973-X	Health Care Authority	R. Legacy Investment LLC	1/9/2017
16-3-10980-X	Health Care Authority	St. Albans Operating Company LLC	1/9/2017
16-2-10477-R	Health Care Authority	Total Renal Care Inc	1/11/2017
15-2-10477-X	Health Care Authority	Ravine Dialysis LLC	1/11/2017
16-11-10919-P	Health Care Authority	Weirton Medical Center	1/9/2017
16-10-10751-A	Health Care Authority	West Virginia University Health System Inc	1/9/2017

WEST VIRGINIA ETHICS COMMISSION ADVISORY OPINIONS

NO.	OPINION SOUGHT
2017-02	A County Commissioner asks whether his company may bid on contracts with contractors when those contractors will subsequently bid on county contracts. The Requester additionally asks whether his company may directly bid on contracts to provide materials and supplies to other county agencies.

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2016-1512-DHHR	Erin Kirk	Health And Human Resources	12/16/2016
2016-1187-CONS	Barry Jividen et al.	Children And Families	12/16/2016
2016-1138-MAPS	John Gill	Personnel	12/16/2016
2016-1809-DOT	Danyale Lane Sibray	Highways	12/19/2016
2016-1690-CONS	Rose Skinner	Corrections	12/20/2016
2016-0968-DHHR	Michelle Hamilton	Mount Olive Correctional Complex	12/20/2016
2016-0539-MAPS	Angela M. Booth	Personnel	12/20/2016
2016-1507-DOT	Jeffery P. Milam	Motor Vehicles	12/20/2016
		Health And Human Resources	12/21/2016
		William R. Sharpe, Jr. Hospital	12/21/2016
		Health And Human Resources	12/22/2016
		Welch Community Hospital	12/22/2016
		Corrections	12/30/2016
		Huttonsville Correctional Center	12/30/2016
		Highways	12/30/2016
		Personnel	12/30/2016

**WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED**

100 Dee Drive
Charleston, West Virginia 25311-1600

January 17, 2017

LEGAL NOTICE

Sonia D. Chambers and Marilyn G. White, Board Members, West Virginia Health Care Authority, announce the following Certificate of Need activities for the week ending **January 13, 2017**.

LETTERS OF INTENT FOR EXPEDITED REVIEW RECEIVED

January 9, 2017 – Advantage Home Care, LLC, Clay, Clay County, CON File #17-1/3/4/5/7-10991-PC, for the provision of personal care services in Braxton, Calhoun, Clay, Fayette, Kanawha, Nicholas, Raleigh, and Roane counties; capital expenditure: \$10,000.

January 9, 2017 – Southern Home Care Services, Inc., Jefferson County, Kentucky, CON File #17-2/3-10988-PC, for the provision of personal care services in Cabell, Kanawha and Putnam counties; capital expenditure: \$10,000.

January 9, 2017 – Southern Home Care Services, Inc., Jefferson County, Kentucky, CON File #17-1-10989-PC, for the provision of personal care services in Mercer County; capital expenditure: \$10,000.

January 9, 2017 – Southern Home Care Services, Inc., Jefferson County, Kentucky, CON File #17-5-10990-PC, for the provision of personal care services in Wood County; capital expenditure: \$10,000.

January 9, 2017 – West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #17-6-10987-H, for the acquisition of two tracts of land near I-79 in Monongalia County; capital expenditure: \$14,500,000.

January 11, 2017 – Advantage Home Care, LLC, Clay, Clay County, CON File #17-3-10993-PC, for the provision of personal care services in Clay County; capital expenditure: \$1,500.

January 12, 2017 – Southern Home Care Services, Inc., Jefferson County, Kentucky, CON File #17-2-10994-PC, for the provision of personal care services in Cabell County; capital expenditure: \$10,000.

January 12, 2017 – Southern Home Care Services, Inc., Jefferson County, Kentucky, CON File #17-3-10995-PC, for the provision of personal care services in Kanawha County; capital expenditure: \$10,000.

OTHER

LETTERS OF INTENT WITHDRAWN

January 9, 2017 – Pro Careers, Inc., Cross Lanes, Kanawha County, CON File #17-1/2/3/4/5/7-10986-PC, for the provision of personal care services in Boone, Braxton, Cabell, Calhoun, Fayette, Greenbrier, Jackson, Kanawha, Lincoln, Logan, McDowell, Mercer, Mingo, Monroe, Nicholas, Pleasants, Pocahontas, Putnam, Raleigh, Ritchie, Roane, Summers, Tyler, Wayne, Webster, Wirt, Wood and Wyoming counties; capital expenditure: \$5,000.

January 11, 2017 – Advantage Home Care, LLC, Clay, Clay County, CON File #17-1/3/4/5/7-10991-PC, for the provision of personal care services in Braxton, Calhoun, Clay, Fayette, Kanawha, Nicholas, Raleigh, and Roane counties; capital expenditure: \$10,000.

January 13, 2017 – Southern Home Care Services, Inc., Jefferson County, Kentucky, CON File #17-2/3-10988-PC, for the provision of personal care services in Cabell, Kanawha and Putnam counties; capital expenditure: \$10,000.

PROJECTS DETERMINED NOT REVIEWABLE

January 9, 2017 – Amedisys West Virginia, LLC d/b/a Amedisys Home Health of West Virginia, Baton Rouge, Louisiana, CON File #16-1-10969-X, for the complete relocation of its branch home health agency from 3887 Maple Acres Road, Bluefield to 545 Airport Road, Bluefield, both in Mercer County; no capital expenditure.

January 9, 2017 – Amedisys West Virginia, LLC d/b/a Amedisys Hospice of Bluefield, Baton Rouge, Louisiana, CON File #16-1-10970-X, for the complete relocation of its parent hospice agency from 3879 Maple Acres Road, Bluefield to 545 Airport Road, Bluefield, both in Mercer County; no capital expenditure.

January 9, 2017 – Herbert J. Thomas Memorial Hospital Association d/b/a Thomas Memorial Hospital, South Charleston, Kanawha County, CON File #16-3-10977-X, to permit the Bureau for Medical Services to activate subacute revenue codes for services provided to Medicaid beneficiaries for substance abuse treatment services at Thomas Memorial Hospital; no capital expenditure.

PROJECTS EXEMPT FROM REVIEW

January 9, 2017 – Morgantown Operating Company LLC, Atlanta, Georgia, CON File #16-6-10978-X, for the acquisition of the licensed operations of the nursing home known as Golden Living Center – Morgantown located at 1379 Van Voorhis Road, Morgantown, Monongalia County, West Virginia.

January 9, 2017 – Pollen8, Inc., Charleston, Kanawha County, CON File #16-3-10972-X, for the provision of behavioral health services to be located at 815 Quarrier Street, Suite 203-204, Charleston, Kanawha County.

January 9, 2017 – R. Legacy Investment, LLC, Bridgeport, Harrison County, CON

Earl Ray Tomblin
Governor

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



Board Members
Sonia D. Chambers
Marilyn G. White

OTHER

File #16-6-10973-X, for the acquisition of an existing assisted living facility known as Beulah Land Personal Care home located at 4706 Knottsville Road, Grafton, Taylor County.

January 9, 2017 -- St. Albans Operating Company LLC, Atlanta, Georgia, CON File #16-3-10980-X, for the acquisition of the licensed operations of Golden Living Center - Riverside located at 6500 MacCorkle Avenue, S.W., St. Albans, Kanawha County.

January 11, 2017 - Glasgow Operating Company LLC, Atlanta, Georgia, CON File #16-3-10979-X, or the acquisition of the licensed operations of Golden Living Center - Glasgow, located at 120 Melrose Drive, Glasgow, Kanawha County.

CERTIFICATE OF NEED APPROVAL ISSUED

January 9, 2017 - Weirton Medical Center, Weirton, Brooke County, CON File #16-11-10919-P, for the development of a school based health program at Allen T. Allison Elementary School located in Chester, Hancock County. WMC will staff this site with a mid-level practitioner providing primary health care services to the students, faculty and other school staff; capital expenditure: \$15,000.

NOTICES OF SUBSTANTIAL COMPLIANCE

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

January 9, 2017 - West Virginia University Health System, Inc., Morgantown, Monongalia County, CON File #16-10-10751-A, for the acquisition of Reynolds Memorial Hospital, Inc., an acute care hospital located in Glen Dale, Marshall County; capital expenditure: \$11,379,000.

January 11, 2017 - Bio-Medical Applications of West Virginia, Inc. d/b/a FMC Hawk's Nest - Montgomery, Eastover, North Carolina, CON File #13-4-9813-R, for the development of a 13-station dialysis facility in Montgomery, Fayette County; capital expenditure: \$2,066,769.

January 11, 2017 - Total Renal Care, Inc. and Ravine Dialysis, LLC, Denver, Colorado, CON File #15-2-10477-R, for the development of an 11 station outpatient dialysis center in Wayne County; capital expenditure: \$1,474,429.

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

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

January 17, 2017

NEWS ITEM

The West Virginia Health Care Authority (Authority), Sonia D. Chambers and Marilyn G. White, Board Members, pursuant to the Certificate of Need program, has declared complete and accepted for review the expedited applications referenced below:

January 6, 2017 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County and Davis Memorial Hospital, Elkins, Randolph County, CON File #16-7-10976-E, to renovate and expand the Cancer Center on the campus of Davis Memorial Hospital, replace existing equipment at the Cancer Center, including the linear accelerator, and acquire additional equipment, including a computed tomography scanner to be used for oncology patients, primarily in conjunction with radiation therapy; capital expenditure: \$6,200,000.

An application that has been declared complete is one in which there is sufficient information for the Authority to make an informed decision. It does not mean that the approval of the application is warranted.

The review cycle begins on January 17, 2017.

On or before February 16, 2017, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.


If no public hearing is requested, the file closing date will be February 21, 2017. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the application.

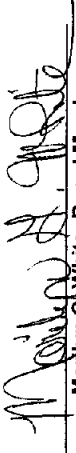
The Decision on the project referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decision will be issued on or before March 20, 2017.

OTHER

A press release will be issued after the Decision is made. Anyone wishing to be directly notified of the Decision should submit a written request to Timothy E. Adkins, Director, Certificate of Need, West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia, 25311-1800. Further information on any project referenced in this news release may be obtained by contacting the Certificate of Need office at telephone number (304) 558-7000.

1/17/17
Date


Sonia D. Chambers, Board Member
West Virginia Health Care Authority


Marilyn G. White, Board Member
West Virginia Health Care Authority