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

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Coal Mine Health and Safety

Counseling

Dentistry

Executive Order

Health and Human Resources

Health Care Authority

Insurance Commission

Pharmacy

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Speech-Language Pathology and Audiology

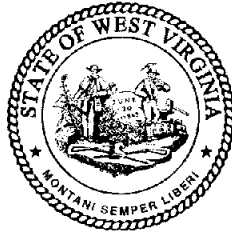
CHRONOLOGICAL INDEX, VOLUME XXXIV ISSUE 4

NO NEW PROPOSED RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>HEARING/COMMENT PERIOD/LOCATION</u>

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>
Health and Human Resources (69-12, amendment)	Medication – Assisted Treatment – Office – Based Medication Assisted Treatment	§16-5Y-1 et seq	ERD by March 9, 2017	August 7, 2016



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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 Filed 1/25/2017			
Barbers and Cosmetologists (3-3)	Licensing Schools for 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 Filed 1/26/2017			
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	Recommends Rejection 1/10/2017			
Coal Mine Health and Safety (36-2)	Emergency Communications Requirements for Shaft and/or Slope Operations and Arrangements for Emergency Medical Assistance and Transporting for Legislative Exempt							1/23/2017	1/24/2017
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 Filed 1/25/2017			
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 Filed 1/25/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Counseling (27-9)	Marriage and Family Therapist Fees Legislative	7/26/2016	8/25/2016		8/26/2016	Modified & Approved 1/10/2017 Filed 1/25/2017			
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 Filed 1/25/2017			
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						

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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			
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 11/10/2017 Filed 1/25/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC- ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	8/26/2016	Modified & Approved 1/10/2017 Filed 1/25/2017			
				9/14/2016 Amendment 1/26/2017 ERD by 3/9/2017					
Health Care Authority (65-29)	Exemption From Certificate of Need Legislative	6/8/2016	7/11/2016	6/8/2016 Approved	8/22/2016	Modified & Approved 12/6/2016 Filed 1/6/2017			
				6/10/2016 Amendment					
				8/22/2016 Approved					
				9/14/2016 Amendment					
				12/19/2016 Approved					
				12/29/2016 Amendment					
				1/6/2017 Approved					
1/6/2017									
Health Care Authority (65-30)	Rural Health Systems Grant Program Legislative	6/9/2016	7/11/2016	6/7/2016 Approved	8/24/2016	Modified & Approved 12/6/2016 Filed 12/16/2016			
				6/17/2016 Amendment					
				8/24/2016 Approved					
				9/14/2016 Amendment					
				12/16/2016 Approved					
				12/29/2016					
Health Care Authority (65-31)	Hospital Assistance Grant Program Legislative	6/7/2016	7/11/2016	6/7/2016 Approved	8/24/2016	Modified & Approved 12/6/2016 Filed 12/16/2016			
				6/10/2016 Amendment					
				8/24/2016 Approved					
				9/14/2016 Amendment					
				12/16/2016 Approved					
				12/29/2016					

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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 Amendment 8/23/2016 Approved 9/29/2016 Amendment 12/19/2016 Approved 12/29/2016	8/23/2016	Modified & Approved 12/6/2016 Filed 12/19/2016			
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		12/20/2016				
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			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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			
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			
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					1/3/2017	2/2/2017
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			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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			
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 Approved 1/23/2017					
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	4/18/2016		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			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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
Registered Professional Nurses (19-3)	Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct Legislative	6/24/2016	7/23/2016		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 1/17/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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			
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 Filed 1/23/2017			
Tax Department (110-14C)	Motor Fuel Excise Tax Interpretive	11/5/2015	12/4/2015					8/25/2016	10/1/2015
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			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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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1/25/2017 2:16:03 PM

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1/26/2017 1:11:42 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 3-02
RULE NAME Qualifications, Training, Examination and Certification of Instructors in Barbering and Cosmetology

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: 3-02



Rule Id: 10139



Document: 40219

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

AGENCY Barbers And Cosmetologists
RULE TYPE Legislative AMENDMENT TO EXISTING RULE No TITLE-SERIES 3-04
RULE NAME Operational Standards for Schools of Barbering, Cosmetology, Hair Styling, Nail Technology, and Aesthetics

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: 3-04



Rule Id: 10142



Document: 41219

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MAC WARNER



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1/23/2017 10:43:07 AM

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ADMINISTRATIVE LAW DIVISION

LEGISLATIVE

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

AGENCY Coal Mine Health And Safety
RULE TYPE Legislative Exempt AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 36-02
RULE NAME Emergency Communications Requirements for Shaft and/or Slope Operations and Arrangements for Emergency Medical Assistance and Transporting for ... (truncated)

CITE AUTHORITY 22A-6-4

RULE IS LEGISLATIVE EXEMPT

Yes

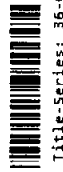
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW
22A-6-4

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE, THE EFFECTIVE DATE OF THIS RULE IS
Tuesday, January 24, 2017

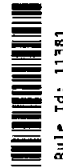
BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

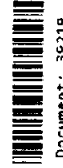
Mallory Yates Hicks - By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 36-02



Rule Id: 11381



Document: 36219

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1/25/2017 4:40:53 PM

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ADMINISTRATIVE LAW DIVISION

LEGISLATIVE

FORM 4 - NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY Counseling
RULE TYPE Legislative AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 27-02
RULE NAME Licensed Professional Counselor Fees

CITE AUTHORITY 30-31

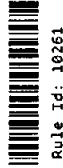
THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

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

Roxanne E. Clay - 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: 27-02



Rule Id: 10261



Document: 40222

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MAC WARNER

ADMINISTRATIVE LAW DIVISION



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1/25/2017 4:42:19 PM

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LEGISLATIVE

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

AGENCY **Counseling**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **27-03**
RULE NAME **Licensed Professional Counselor License Renewal and Continuing Professional Education Requirements**

CITE AUTHORITY **30-31**

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

Roxanne E. Clay -- 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: 27-03



Rule Id: 10162



Document: 40223

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MAC WARNER

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1/25/2017 4:43:38 PM

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LEGISLATIVE

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

AGENCY **Counseling**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **27-09**
RULE NAME **Marriage and Family Therapist Fees**

CITE AUTHORITY **30-31**

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

Roxanne E. Clay -- 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: 27-09



Rule Id: 10260



Document: 40224

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LEGISLATIVE

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

AGENCY Counseling
RULE TYPE Legislative
RULE NAME Marriage and Family Therapist License Renewal and Continuing Professional Education Requirements

AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 27-10

CITE AUTHORITY 30-31

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

Roxanne E Clay -- 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: 27-10



Rule Id: 10264



Document: 40226

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LEGISLATIVE

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

AGENCY Health And Human Resources
RULE TYPE Legislative
RULE NAME Medication-Assisted Treatment - Opioid Treatment Programs

AMENDMENT TO EXISTING RULE No TITLE-SERIES 69-11

CITE AUTHORITY 16-53-1 et seq

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

Melanie A Pagliaro -- 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: 69-11



Rule Id: 10219



Document: 40221

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ADMINISTRATIVE LAW DIVISION



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1/25/2017 4:45:21 PM

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LEGISLATIVE

FORM 4 - NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY Health And Human Resources
RULE TYPE Legislative AMENDMENT TO EXISTING RULE No TITLE-SERIES 69-12
RULE NAME Medication - Assisted Treatment - Office - Based Medication Assisted Treatment

CITE AUTHORITY 16-5V-13(b)

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

Melanie A. Pagliaro - 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: 69-12



Rule Id: 10220



Document: 40225

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1/23/2017 1:23:41 PM

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LEGISLATIVE

FORM 4 - NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY Speech-Language Pathology And Audiology
RULE TYPE Legislative AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 29-01
RULE NAME Licensure of Speech-Pathology and Audiology

CITE AUTHORITY 30-32-7

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

Patty Nesbitt - 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: 29-01



Rule Id: 9758



Document: 36220

**WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER**



ADMINISTRATIVE LAW DIVISION

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1/26/2017 2:59:20 PM

OFFICE OF THE SECRETARY OF STATE
WEST VIRGINIA

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

FORM 8 -- NOTICE OF AN EMERGENCY AMENDMENT TO AN EMERGENCY RULE (Page 1)

AGENCY: Health And Human Resources
RULE TYPE: Legislative
RULE NAME: Medication - Assisted Treatment - Office - Based Medication Assisted Treatment
AMENDMENT TO EXISTING RULE No TITLE-SERIES 69-12

CITE AUTHORITY 16-SY-1 01309

DATE EMERGENCY RULE WAS ORIGINALLY FILED
Wednesday, August 31, 2016

FIRST EMERGENCY AMENDMENT TO AN EXISTING RULE

SECOND EMERGENCY AMENDMENT TO AN EXISTING RULE

DATE OF FIRST EMERGENCY AMENDMENT

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

January 23, 2017

AGENCY: Board of Pharmacy

RULE: Amendment, 15CSR7, Registration of Pharmacy Technicians

DATE FILED AS AN EMERGENCY RULE: January 19, 2017

DECISION NO. 1-17

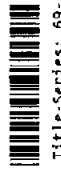
Following review under W. Va. Code §29A-3-15a, it is the decision of the Secretary of State that the above emergency rule is **approved**. A copy of the complete decision with required findings is available from this office.

Mac Warner
Mac Warner
Secretary of State

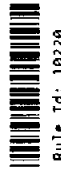
BY CHOOSING YES, I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Melanie A. Pagliaro -- 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 §29A-3-2.



Title-Series: 69-12



Rule Id: 10220



Document: 41221

Orders Report

Docket Number	Agency	Respondent	Date Rendered
2015-DB-0025D	Dentistry, WV Board of	David M. Ross, DDS	1/20/2017
2015-DB-0055D-02	Dentistry, WV Board of	Christy Kenna Fox, DDS	1/20/2017
2016-DB-0035D	Dentistry, WV Board of	Arthur V. Yacenda, DDS	1/20/2017
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
16-4-9813-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
16-6-10978-X	Health Care Authority	Morgantown Operating Company LLC	1/9/2017
16-3-10972-X	Health Care Authority	Pollen8, Inc	1/9/2017
16-6-10975-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
15-2-10477-R	Health Care Authority	Total Renal Care Inc	1/11/2017
15-2-10477-R	Health Care Authority	Ravine Dialysis LLC	1/11/2017
16-11-10958-P	Health Care Authority	Weirton Medical Center	1/9/2017
16-10-10751-X	Health Care Authority	West Virginia University Health System Inc	1/9/2017
15-2-10570-R	Health Care Authority	FMS Cabell Huntington Dialysis Centers LLC	1/20/2017
16-11-10967-A	Health Care Authority	Prime Healthcare Foundation - East Liverpool LLC	1/25/2017
17-3-10985-D	Health Care Authority	Kanawha Hospice Care Inc	1/17/2017
16-1-10959-X	Health Care Authority	Relational Management Services LLC	1/17/2017
16-5-10963-X	Health Care Authority	Reliance Ridge LLC	1/17/2017
16-1-10962-X	Health Care Authority	REM West Virginia	1/17/2017
16-1-10965-PC	Health Care Authority	Southern Home Care Services Inc	1/18/2017
16-6-10984-X	Health Care Authority	United Hospital Center Inc	1/19/2017

17-6-109972-X	Health Care Authority	West Virginia University Medical Corporation	1/17/2017
16-AP-FINCON-02012	Insurance Commission	Preferred Care, Inc.	1/20/2017
16-AP-PRIC-02071	Insurance Commission	Travis Wingrove	12/27/2016
16-AP-PRIC-02075	Insurance Commission	Joshua Vela	12/27/2016
16-AP-PRTER-02027	Insurance Commission	Sandra Fowler	12/27/2016
16-MAP-02003	Insurance Commission	Safe Insurance Company	1/12/2017
N/A	Registered Professional Nurses, West Virginia Board Of Examiners For	Emily Arthur	1/23/2017

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
CHARLESTON
EXECUTIVE ORDER NO. 1-17

By the Governor

WHEREAS, the orderly transition of government is a matter of immense complexity; and

WHEREAS, the coordination of transition activities between the incoming Justice Administration and the outgoing Tomblin Administration has been underway for several weeks; and

WHEREAS, the actual transfer of executive authority occurred at 12:01 a.m. on Monday, the sixteenth day of January, 2017; and

WHEREAS, appointments will be made to certain agencies and departments in the Executive Branch of State Government and the individuals assuming those offices must be given signature authority to assure continuity in the operation of State Government; and

WHEREAS, current authorizations to execute documents that have been issued to various officials in the Executive Branch of State Government must remain in effect in order to assure continuity of the operation of State Government; and

WHEREAS, certain agency and department heads retained their current offices after the aforementioned transition on the sixteenth day of January, 2017; and

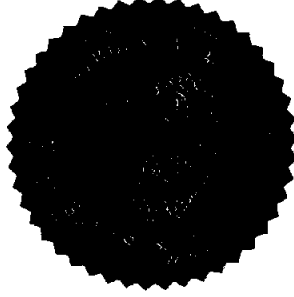
WHEREAS, certain other Cabinet Secretaries, agency, and department heads will no longer hold their current offices effective at 12:01 a.m. on the sixteenth day of January, 2017.

NOW, THEREFORE, I, JIM JUSTICE, Governor of the State of West Virginia, pursuant to the authority vested in me as the Chief Executive Officer of this State, do hereby ORDER and DIRECT that all authorizations to execute documents in State Government heretofore granted and effective as of the fifteenth day of January, 2017 that have not otherwise been expressly revoked pursuant to the transfer of executive authority at 12:01 a.m. on the sixteenth day of January, 2017 shall continue in effect until such authorizations may be revoked or amended in accordance with state law.

FURTHER, pursuant to this Order, those cabinet secretaries and their designees, and agency or department heads and their designees, who are newly appointed to their respective positions, shall be given signature authority as of the effective date of their respective appointment.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, on this twenty-fourth day of January, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fourth year of the State.



Jim Justice
GOVERNOR

By the Governor
Mae Wanner
SECRETARY OF STATE

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

100 Dee Drive
Charleston, West Virginia 25311-1600

January 23, 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 20, 2017**.

LETTERS OF INTENT FOR EXPEDITED REVIEW RECEIVED

January 17, 2017 – Elder Aide Services d/b/a Right at Home, Charleston, Kanawha County, CON File #17-1/3-10996-PC, for the provision of personal care services in Kanawha, Raleigh and Mercer counties; capital expenditure: \$20,000.

January 20, 2017 – United Physicians Care, Inc., Shinnston, Harrison County, CON File #17-10-10998-P, for the development of ambulatory health care facilities in Marshall and Wetzel counties through the acquisition of two physician practices; capital expenditure: \$228,750.

January 20, 2017 – Elder Aide Services d/b/a Right at Home, Charleston, Kanawha County, CON File #17-1-10999-PC, for the provision of personal care services in Mercer County; capital expenditure: \$12,000.

January 20, 2017 – Elder Aide Services d/b/a Right at Home, Charleston, Kanawha County, CON File #17-2-11000-PC, for the provision of personal care services in Raleigh County; capital expenditure: \$5,000.

January 20, 2017 – Elder Aide Services d/b/a Right at Home, Charleston, Kanawha County, CON File #17-3-11001-PC, for the provision of personal care services in Kanawha, Putnam counties: \$5,000.

LETTERS OF INTENT WITHDRAWN

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

January 20, 2017 – Elder Aide Services d/b/a Right at Home, Charleston, Kanawha County, CON File #17-1/3-10996-PC, for the provision of personal care services in Kanawha, Raleigh and Mercer counties; capital expenditure: \$20,000.

EXPEDITED APPLICATIONS RECEIVED

January 19, 2017 – Southern Home Care Services, Inc., Louisville, Kentucky, CON File #17-1-10989-PC, for the provision of personal care services in Mercer County; capital expenditure: \$10,000.

January 19, 2017 – Southern Home Care Services, Inc., Louisville, Kentucky, CON File #17-5-10990-PC, for the provision of personal care services in Wood County; capital expenditure: \$10,000.

January 19, 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.

APPLICATION DECLARED COMPLETE AND UNDER REVIEW

An application 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.

EXPEDITED APPLICATION

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.

The review cycle for the above-referenced project is as follows:

January 17, 2017 – Review cycle begins;

February 16, 2017 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to affected persons;

February 21, 2017 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application;

March 20, 2017 – Decision on the project will be issued by the Authority.

EXEMPTION APPLICATIONS RECEIVED

FILED
311 MAR 23 11
OTHER
Sonia D. Chambers
Marilyn G. White
Secretary

January 20, 2017 – St. Mary's Medical Center, Inc., Huntington, Cabell County, CON File #17-2-10997-X, for the replacement of one of its four cardiac catheterization laboratory and related renovation.

January 20, 2017 – Harrison County Day Report Center, Clarksburg, Harrison County, CON File #17-6-11002-X, for the development of an alcohol and drug outpatient treatment facility providing behavioral health/substance abuse treatment needs to court-ordered offenders in the judicial system.

ORDER ISSUED

January 20, 2017 – Prime Healthcare Foundation – East Liverpool, LLC, CON File #16-11-10962-A, for the acquisition of Ohio Valley Home Health Services, Inc.; capital expenditure: \$116,054.90.

Scheduling telephonic status conference to be conducted on Wednesday, January 25, 2017, at 10:00 a.m., for the purpose of establishing a Hearing Order.

ORDER TO WITHDRAW

January 18, 2017 – Southern Home Care Services, Inc., Louisville, Kentucky, CON File #16-1/2/3/5-10965-PC, for the provision of personal care services in Cabell, Clay, Jackson, Kanawha, Mason, Mercer, Putnam, Raleigh, and Wood counties.

PROJECTS DETERMINED NOT REVIEWABLE

January 17, 2017 – Kanawha Hospice Care, Inc. d/b/a HospiceCare, Charleston, Kanawha County, CON File #17-3-10985-X. For the development of an administrative office in a leased space located in Putnam County; capital expenditure: \$10,000.

January 17, 2017 – REM West Virginia, Benwood, Marshall County, CON File #16-1-10982-X, for the complete relocation of its residential crisis unit from 1 Alford Street, Poca, Putnam County to 409 Massey St., Beckley, Raleigh County; no capital expenditure.

January 17, 2017 – West Virginia University Medical Corporation d/b/a University Health Associates, Morgantown, Monongalia County, CON File #17-6-10992-X, for the acquisition of an additional fixed magnetic resonance imaging unit; capital expenditure: less than expenditure minimum of \$5,100,000.

PROJECTS EXEMPT FROM REVIEW

January 17, 2017 – Relational Management Services, LLC d/b/a Greenbrier Academy for Girls, Pence Springs, Summers County, CON File #16-1-10981-X, for the development of behavioral health services for adolescent girls to be located at 158 Greenbrier Academy Lane, Pence Springs, Summers County.

January 17, 2017 – Reliance Ridge, LLC, Waverly, Wood County, CON File #16-5-

10983-X, for the development of a 75-bed residential treatment facility to provide services to persons with substance use disorder to be located at 2172 Volcano Road, Waverly.

OTHER

January 19, 2017 – United Hospital Center, Inc., Bridgeport, Harrison County, CON File #16-6-10984-X, for provision of imaging services at an ambulatory health care facility located at 177 Middletown Road, Suite 1 in Fairmont, Marion County.

EXTENSION GRANTED AND DECISION ON SUBSTANTIAL CHANGE

January 20, 2017 – FMS Cabell Huntington Dialysis Centers, LLC d/b/a Fresenius Medical Care Hamlin, LLC, Eastover, North Carolina, CON File #15-2-10570-R, for the development of a seven (7) station dialysis facility in Hamlin, Lincoln County; capital expenditure: \$1,288,786.

The Authority determines that the change in the project name from FMS Cabell Huntington Dialysis Centers, LLC d/b/a Fresenius Medical Care Hamlin to FMS Cabell Huntington Dialysis Centers, LLC d/b/a Fresenius Medical Care West Hamlin does not constitute a substantial change as defined in W.Va. C.S.R. § 65-7-21.

Extension granted until July 31, 2017.

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