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

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Health Care Authority

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Registered Professional Nurses, WV Bd. Of Exam. For

Sanitarians, WV Board of

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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>

NO NEW EMERGENCY RULES WERE FILED THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>EFFECTIVE DATE</u>	<u>DATE NOTICE FOR HEARING</u>

Secretary of State
State Capitol Building
Charleston, WV 25305

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 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 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			

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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			
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			
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			

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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					2/1/2017	3/1/2017
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 Filed 1/25/2017			
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 Amendment 1/26/2017 ERD by 3/9/2017	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	
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 12/6/2016				
				Approved 6/10/2016		Approved 12/6/2016				
				Amendment 8/22/2016		Filed 1/6/2017				
				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	8/24/2016	Modified & Approved 12/6/2016				
				Approved 6/17/2016		Approved 12/6/2016				
				Amendment 8/24/2016		Filed 12/16/2016				
				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	8/24/2016	Modified & Approved 12/6/2016				
				Approved 6/10/2016		Approved 12/6/2016				
				Amendment 8/24/2016		Filed 12/16/2016				
				Approved 9/14/2016						
				Amendment 12/16/2016						
				Approved 12/29/2016						
Health Care Authority (65-32)	Certificate of Need Rule Legislative	6/8/2016	7/11/2016	6/8/2016	8/23/2016	Modified & Approved 12/6/2016				
				Approved 6/10/2016		Approved 12/6/2016				
				Amendment 8/23/2016		Filed 12/19/2016				
				Approved 9/29/2016						
				Amendment 12/19/2016						
				Approved 12/29/2016						

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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 (133-42)	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			
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			

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

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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			
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			
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			

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

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

Orders Report

Docket Number	Agency	Respondent	Date Rendered
15-9-10687-A	Health Care Authority	Bio-Medical Applications of West Virginia Inc	1/31/2017
16-3-10971-E	Health Care Authority	Charleston Area Radiation Therapy Centers LLC	1/31/2017
17-3-11093-C	Health Care Authority	Charleston Area Radiation Therapy Centers LLC	1/31/2017
16-3-10942-X	Health Care Authority	Charleston Treatment Center LLC	1/31/2017
16-11-10962-A	Health Care Authority	Prime Healthcare Foundation - East Liverpool LLC	2/2/2017
15-8-10657-A	Health Care Authority	Renal Treatment Centers-Northeast Inc	1/31/2017
17-AP-WCCFTA-02004	Insurance Commission	BrickStreet Mutual Insurance Co	2/3/2017
16-AP-MCSI-02004	Insurance Commission	Federal Express Corporation	12/19/2016
16-AP-WCCFTA-02034	Insurance Commission	Great American Alliance Insurance Co	12/19/2016
16-AP-WCCFTA-02035	Insurance Commission	Indemnity Insurance Co. of North America	12/19/2016
16-AP-WCCFTA-02026	Insurance Commission	American Mining Insurance Co	12/19/2016
16-AP-WCCFTA-02031	Insurance Commission	American Zurich Insurance Co	12/21/2016
16-AP-WCCFTA-02050	Insurance Commission	Continental Indemnity Company	12/21/2016
16-AP-WCCFTA-02027	Insurance Commission	Healthsmart Casualty Claims Solutions	12/21/2016
16-AP-WCCFTA-02025	Insurance Commission	Guarantee Insurance Co	12/21/2016
16-AP-WCCFTA-02028	Insurance Commission	Healthsmart Casualty Claims Solutions	12/21/2016
16-AP-WCCFTA-02029	Insurance Commission	Healthsmart Casualty Claims Solutions	12/21/2016
16-AP-WCCFTA-02073	Insurance Commission	Lowes Home Centers Inc	12/21/2016
17-AP-WCCFTA-02000	Insurance Commission	Liberty Insurance Corporation	1/12/2017
17-AP-WCCFTA-02001	Insurance Commission	Zurich American Insurance Co	1/12/2017
17-AP-WCCFTA-02002	Insurance Commission	BrickStreet Mutual Insurance Co	1/13/2017
17-AP-WCCFTA-02023	Insurance Commission	BrickStreet Mutual Insurance Co	1/13/2017
16-AP-MCSI-07012	Insurance Commission	Kroger Limited Partnership	1/23/2017
16-AP-MCSI-02010	Insurance Commission	Wheeling Hospital Inc	12/16/2016

16-AP-MCSF-02007	Insurance Commission	Homer Laughlin China Co	12/16/2016
14-AP-MCSF-02006	Insurance Commission	Family Dollar Stores of WV Inc	12/14/2016
15-AP-MCSF-02009	Insurance Commission	Weyerhaeuser Company	11/16/2016
16-AP-MCSF-02011	Insurance Commission	Wheeling Park Commission	10/5/2016
N/A	Medicine, West Virginia Board Of	Diane Elaine Shafer, MD	12/20/2016
N/A	Registered Professional Nurses, West Virginia Board Of Examiners For	Terry Ann May	2/7/2017

WEST VIRGINIA ETHICS COMMISSION ADVISORY OPINIONS

NO.	OPINION SOUGHT
2017-03	A State Agency asks whether its directors and deputy directors are required to file Financial Disclosure Statements.

WEST VIRGINIA ETHICS COMMISSION'S COMMITTEE FOR SCHOOL BOARD ADVISORY OPINIONS

NO. OPINION SOUGHT

2017-01

A County Board of Education Member asks whether she must resign from the board of education before she applies to fill a vacant seat on a county commission.



OTHER

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

February 1, 2017

NEWS ITEM

The 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 24, 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. The capital expenditure associated with the project is \$14,500,000.

January 27, 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. The capital expenditure associated with the project is \$10,000.

January 27, 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. The capital expenditure associated with the project is \$10,000.

January 27, 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. The capital expenditure associated with the project is \$10,000.

January 27, 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. The capital expenditure associated with the project is \$10,000.

January 31, 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 31, 2017 – Elder Aide Services, Inc. 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 31, 2017 – Elder Aide Services, Inc. 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 31, 2017 – Elder Aide Services, Inc. d/b/a Right at Home, Charleston, Kanawha County, CON File #17-3-11001-PC, for the provision of personal care services in Kanawha County; capital expenditure: \$5,000.

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 **February 1, 2017**.

On or before **March 2, 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 **March 7, 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 **April 3, 2017**.

A press release will be issued after the decisions are made. Anyone wishing to be directly notified of the decisions should submit a written request to Timothy E. Adkins, Director, Certificate of Need, Health Care Authority, 100 Dee Drive, Charleston, West Virginia, 25311-1600. 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.

2/01/17
Date

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

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

February 6, 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 **February 3, 2017.**

LETTERS OF INTENT FOR EXPEDITED REVIEW RECEIVED

January 30, 2017 – BayMark Health Services of West Virginia, Inc., Lewisville, Texas, CON File #17-6-11008-A, for the acquisition of the medication-assisted treatment services provided by Valley-Alliance Treatment Services, Inc. to persons with substance use disorder located in Morgantown, Monongalia County; capital expenditure: \$3,320,000.

February 1, 2017 – LHCG LXXXIX, LLC and LHCG XC, LLC, Lafayette, Louisiana, CON File #17-5-11015-A, for the acquisition and joint venture of Pleasant Valley Hospital, Inc.'s home health and hospice agency providing services in West Virginia and Ohio; capital expenditure: \$1,150,000.

EXPEDITED APPLICATIONS RECEIVED

January 30, 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 31, 2017 – Elder Aide Services, Inc. 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 31, 2017 – Elder Aide Services, Inc. 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 31, 2017 – Elder Aide Services, Inc. d/b/a Right at Home, Charleston, Kanawha County, CON File #17-3-11001-PC, for the provision of personal care services in Kanawha County; capital expenditure: \$5,000.

APPLICATIONS FOR EXEMPTION RECEIVED

January 30, 2017 – Greenbrier Health Care Center, LLC and Vandailia Acq., LLC, Lewisburg, Greenbrier County, CON File #17-4-11012-X, for the acquisition of the licensed

operations of Greenbrier County Nursing Home Association d/b/a Greenbrier Manor.

January 30, 2017 – Greenbrier Health Care Center, LLC, Grayleaf Holdings, LLC and Evergreen, LLC, Lewisburg, Greenbrier County, CON File #17-4-11013-X, for the acquisition of the real property and equipment of Greenbrier County Nursing Home Association d/b/a Greenbrier Manor.

January 30, 2017 – WomenCare, Inc. d/b/a FamilyCare Health Centers, Scott Depot, Putnam County, CON File #17-3-11014-X, for the addition of medical services to women recovering from addictions at Recovery Point of Charleston.

APPLICATIONS 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.

January 24, 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. The capital expenditure associated with the project is \$14,500,000.

January 27, 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. The capital expenditure associated with the project is \$10,000.

January 27, 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. The capital expenditure associated with the project is \$10,000.

January 27, 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. The capital expenditure associated with the project is \$10,000.

January 27, 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. The capital expenditure associated with the project is \$10,000.

January 31, 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 31, 2017 – Elder Aide Services, Inc. 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 31, 2017 – Elder Aide Services, Inc. d/b/a Right at Home, Charleston, Kanawha County, CON File #17-2-11000-PC, for the provision of personal care services in

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2017 FEB -6 A 6 34 OTHER

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Raleigh County; capital expenditure: \$5,000.

January 31, 2017 – Elder Aide Services, Inc. d/b/a Right at Home, Charleston, Kanawha County, CON File #17-3-11001-PC, for the provision of personal care services in Kanawha County; capital expenditure: \$5,000.

EXPEDITED APPLICATIONS

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

February 1, 2017 – Review cycle begins;

March 2, 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;

March 7, 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;

April 3, 2017 – Decision on the project will be issued by the Authority.

AMENDED HEARING NOTICE

The Administrative Hearing and Prehearing Conference have been SCHEDULED in the following matter:

February 2, 2017 – Prime Healthcare Foundation – East Liverpool, LLC, CON File #16-11-10962-A, for the acquisition of Ohio Valley Home Health Services, Inc.

Prehearing Conference: **Tuesday, April 18, 2017, at 1:30 p.m.**
Administrative Hearing: **Tuesday, April 25, 2017, at 9:00 a.m.**

The prehearing conference and administrative hearing in the above-referenced matter will be held in the offices of the Health Care Authority, 100 Dee Drive, Charleston, West Virginia 25311-1800, unless otherwise noted.

AMENDED HEARING ORDER

February 2, 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.

ORDER TO WITHDRAW CON APPLICATION ISSUED

January 31, 2017 – Charleston Area Radiation Therapy Centers, LLC, Charleston, Kanawha County, CON File #16-3-10971-E, for the acquisition of a third linear accelerator to be located in the CAMC Cancer Center.

OTHER

PROJECT DETERMINED NOT REVIEWABLE

January 31, 2017 – Charleston Area Radiation Therapy Centers, LLC, Charleston, Kanawha County, CON File #17-3-11003-X, for the acquisition of a third linear accelerator to be located in the CAMC Cancer Center in Charleston, Kanawha County; capital expenditure: \$4,024,725.

AMENDED PROJECT DETERMINED NOT REVIEWABLE

January 31, 2017 – Charleston Treatment Center, LLC d/b/a Charleston Comprehensive Treatment Center, Charleston, Kanawha County, CON File #16-3-10942-X, for the provision of primary care services to its patients; capital expenditure: less than \$10,000.

EXTENSIONS GRANTED

January 31, 2017 – Bio-Medical Applications of West Virginia, Inc. d/b/a Fresenius Medical Care Charles Town, Eastover, North Carolina, CON File #15-9-10687-R, for the addition of four (4) dialysis stations to its Fresenius Medical Care Charles Town facility, Charles Town, Jefferson County; capital expenditure: \$1,292,694.

Extension granted through July 31, 2017.

January 31, 2017 – Renal Treatment Centers-Northeast, Inc., Denver, Colorado, CON File #15-8-10657-A, for the acquisition of Renal Ventures Limited, LLC, the indirect parent of the operators of two West Virginia renal dialysis facilities located in Keyser, Mineral County, and Moorefield, Hardy County; capital expenditure: \$4,423,715.

Extension granted through 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.



**WEST VIRGINIA
STATE BOARD OF SANITARIANS**

350 Capitol Street, Room 313
Charleston, West Virginia 25301-3713
(304) 356-4328
356-4288
December 27, 2017

OTHER

Mac Warner
West Virginia Secretary of State
Building 1, Suite 157-K
1900 Kanawha Blvd, East
Charleston, West Virginia 25305-0770

Dear Secretary Warner:

As required by West Virginia Code, enclosed is the 2016 Annual Report for the West Virginia State Board of Sanitarians.

Should you have any questions or need additional information, please let me know.

Sincerely,

David P. Thornton, RS
Executive Director
WV State Board of Sanitarians

Enclosure