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NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION
Waste Management, Div. of Water & Waste Mgmt (33-01A)	Disposal of Completion Waste Interpretive	§§22-15-5, 22-15-8(e) and (g)	Written Comments Only April 16, 2017, 12:00 pm Suchit D Patel, Waste Permitting Supervisor Div. of Water & Waste Management WV Dept. of Environmental Protection 601 57 th Street SE Charleston, WV 25304

NO NEW EMERGENCY RULES WERE FILED THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	EFFECTIVE DATE	DATE NOTICE FOR HEARING



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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	SB 82 HB 2223		
Agriculture (61-30)	Dangerous Wild Animal (repeal) Legislative	7/19/2016	8/19/2016		8/23/2016	Approved 9/21/2016	SB 83 HB 2218		
Agriculture (61-31)	Livestock Care Standards-Repeal Legislative	7/19/2016	8/19/2016		8/23/2016	Approved 9/21/2016	SB 84 HB 2219		
Agriculture (61-34)	Captive Cervid Legislative	7/27/2016	8/26/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 9/23/2016	SB 85 HB 2234		
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	SB 105 HB 2221 Bundled SB 113		
Air Quality (45-8)	Ambient Air Quality Standards Legislative	6/29/2016	8/1/2016		8/26/2016	Approved 12/6/2016	SB 111 HB 2222 Bundled SB 113		
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	SB 106 HB 2223 Bundled SB 113		
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	SB 107 HB 2224 Bundled SB 113		
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	SB 108 HB 2225 Bundled SB 113		
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	SB 109 HB 2226 Bundled SB 113		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	7/1/2016	8/1/2016		8/26/2016	Approved 12/6/2016	SB 110 HB 2227 Bundled SB 113		
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	SB 86 HB 2235		
Athletic Commission (177-1)	Administrative Rules of the WV State Athletic Commission Legislative	7/1/2016	8/12/2016		8/24/2016	Modified & Approved 12/6/2016 Filed 12/20/2016	SB 87 HB 2236		
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	SB 88 HB 2237		
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	SB 89 HB 2297		
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	SB 90 HB 2238		
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	SB 95 HB 2239		
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	SB 96 HB 2220		
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	SB 91 HB 2240		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Barbers and Cosmetologists (3-5)	Operation of Barber, Beauty, Nail and Aesthetic Shops/Salons, and Schools of Barbering and Beauty Legislative	7/13/2016	8/12/2016		8/24/2016	Modified & Approved 1/10/2017 Filed 1/19/2017	SB 92 HB 2241		
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	SB 98 HB 2242		
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	SB 93 HB 2298		
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	SB 94 HB 2243		
Barbers and Cosmetologists (3-14)	Waxing Specialist Legislative	7/6/2016	8/8/2016		8/24/2016	Recommendations Rejection 1/10/2017	SB 91 HB 2229		
Comm. & Tech. College Education (135-35)	Correspondence, Business, Occupational and Trade Schools Legislative	12/12/2016	1/13/2017				HB 2706		
Comm. & Tech. College Education (135-52)	Annual Reauthorization of Degree-Granting Institutions Legislative	12/12/2016	1/13/2017				HB 2706		
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	SB 100 HB 2244		
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	SB 101 HB 2245		
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	SB 102 HB 2246		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Counseling (27-10)	Marriage and Family 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	SB 99 HB 2247		
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	SB 118 HB 2252 Bundled SB 116		
Dangerous Wild Animal Board (74-1)	Dangerous Wild Animals Legislative	1/11/2016	2/10/2016		2/11/2016		SB 103 HB 2248		
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	SB 104 HB 2249		
Education (126-14)	WV Measures of Academic Progress (2340) Legislative Exempt	1/11/2017	2/10/2017					2/16/2017	3/20/2017
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					3/9/2017	7/1/2017
Education (126-81)	Attendance (4110) Legislative Exempt	1/11/2017	2/10/2017					3/9/2017	4/10/2017
Education (126-126)	Procedures for Designated Hiring and Transfer of School Personnel (Policy 5000) Legislative Exempt	3/9/2017	4/10/2017						
Education (126-161)	Alternative Certification Programs for the Education of Teachers (5901) Legislative Exempt	1/11/2017	2/10/2017					3/9/2017	4/10/2017
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	SB 112 HB 2228 Bundled SB 113		

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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	SB 114 HB 2250 Bundled SB 151		
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	SB 115 HB 2251 Bundled SB 116		
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	SB 119 HB 2254 Bundled SB 125		
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	SB 120 HB 2255 Bundled SB 125		
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	SB 118 HB 2256 Bundled SB 125		
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	SB 121 HB 2257 Bundled SB 125		
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 Approved 3/7/2017	8/26/2016	Modified & Approved 1/10/2017 Filed 1/25/2017	SB 122 HB 2258 Bundled SB 125		

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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		12/20/2016		HB 2706		
Higher Ed. Policy Commission (133-42)	WV Higher Education Grant Program Legislative	11/18/2016	12/18/2016		12/20/2016		HB 2706		
Higher Ed. Policy Commission (133-48)	Research Trust Fund Legislative	11/18/2016	12/18/2016		12/21/2016		HB 2706		
Higher Ed. Policy Commission (133-52)	Annual Reauthorization of Degree-Granting Institutions Legislative	11/18/2016	12/18/2016		12/21/2016		HB 2706		
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	SB 127 HB 2230		
Justice and Community Services (224-1)	William R. Laird IV Second Chance Driver's License Program Legislative	2/17/2017	3/20/2017	2/17/2017 Approved 3/7/2017					
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	SB 128 HB 2263 Bundled SB 127		
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	SB 129 HB 2264		
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	SB 130 HB 2265		
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	SB 131 HB 2266		

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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 12/25/2016 Filed 9/6/2016	SB 132 HB 2267 Bundled SB 134		
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	SB 133 HB 2268 Bundled SB 134		
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	SB 134 HB 2231 Bundled SB 134		
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	SB 135 HB 2269 Bundled SB 134		
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	SB 136 HB 2270 Bundled SB 134		
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	SB 137 HB 2271 Bundled SB 134		
Optometry (14-10)	Continuing Education Legislative	7/19/2016	8/22/2016		8/26/2016	Modified & Approved 9/21/2016 Filed 10/3/2016	SB 138 HB 2272		
Osteopathic Medicine (24-1)	Licensing Procedures for Osteopathic Physicians Legislative	7/22/2016	8/22/2016		8/26/2016	Modified & Approved 9/21/2016	SB 139 HB 2273		
Osteopathic Medicine (24-2)	Osteopathic Physician Assistants Legislative	7/25/2016	8/25/2016		8/29/2016	Modified & Approved 9/21/2016	SB 140 HB 2274		
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	SB 141 HB 2275		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-6)	Mail-Order and Non-Resident Pharmacies Legislative	7/1/2016	8/4/2016	1/19/2017 Approved 1/23/2017	8/18/2016	Modified & Approved 12/7/2016 Filed 12/19/2016	SB 142 HB 2276		
Pharmacy (15-7)	Registration of Pharmacy Technicians Legislative	1/18/2016	2/20/2017		2/24/2017				
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	SB 143 HB 2277		
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	SB 144 HB 2232		
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	SB 145 HB 2278		
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	SB 146 HB 2279 Bundled SB 127		
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	SB 147 HB 2280 Bundled SB 127		
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	SB 148 HB 2281		
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	SB 149 HB 2282		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	SB 150 HB 2283 Bundled SB 151		
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	SB 151 HB 2284 Bundled SB 151		
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	SB 152 HB 2285		
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	SB 153 HB 2286		
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	SB 154 HB 2287		
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	SB 155 HB 2288		
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	SB 156 HB 2289		
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	SB 159 HB 2290		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	SB 160 HB 2291		
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	SB 161 HB 2292		
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	SB 162 HB 2293		
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	HB 2294		
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	HB 2295		
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	SB 163 HB 2296		
Waste Mgmt., Div. of Water & Waste Mgmt (33-01A)	Disposal of Completion Waste Interpretive	3/16/2017	4/16/2017						
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	SB 113 HB 2229 Bundled SB 113		



**WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER**

ADMINISTRATIVE LAW DIVISION

CFILED

3/16/2017 3:17:09 PM

INTERPRETIVE

WEST VIRGINIA SECRETARY OF STATE

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

(Page 1)

AGENCY Waste Management Division Of Water And Waste Management

RULE TYPE Interpretive AMENDMENT TO EXISTING RULE No 33-01A
RULE NAME Disposal of Completion Waste

CITE AUTHORITY W. Va. Code § 22-15-5 and § 22-15-8(e) and (g)

COMMENTS LIMITED TO

Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

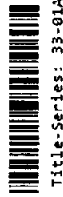
DATE WRITTEN COMMENT PERIOD ENDS
Sunday, April 16, 2017 12:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Sudhir D. Patel, Waste Permitting Supervisor
Division of Water and Waste Management
WV Department of Environmental Protection
601 57th Street SE
Charleston, WV 25304

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

Yes

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



Title-Series: 33-01A

Rule Id: 16406

Document: 49254

Orders Report

Docket Number	Agency	Respondent	Date Rendered
15-1-1007	Health Care Authority	Beckley Vascular Associates and Vein Care Institute PLLC	3/2/2017
16-9-10781-P	Health Care Authority	Genesis Eldercare Rehabilitation Services LLC	3/6/2017
16-1-203/205/6/7	Health Care Authority	Genesis Eldercare Rehabilitation Services LLC	3/6/2017
17-3-11026	Health Care Authority	Kanawha County Emergency Ambulance Authority	3/2/2017
16-3-1081-1/10	Health Care Authority	Ohio Valley Home Health Services Inc	2/27/2017
17-1-1010-X	Health Care Authority	Princeton Community Hospital Association Inc	2/27/2017
16-9-11030-X	Health Care Authority	Youth Advocate Programs Inc	3/2/2017
17-6-11028-X	Health Care Authority	Grafton-Taylor County Health Department	3/8/2017
17-6-11029-X	Health Care Authority	Grafton-Taylor County Health Department	3/10/2017
17-6-11030-X	Health Care Authority	United Physicians Care	3/8/2017
17-5-10928-X	Health Care Authority	Total Renal Care Inc	3/8/2017
17-7-11025-X	Health Care Authority	Valley Health Care Inc	3/7/2017
17-7-11026-X	Health Care Authority	West Virginia University Hospitals Inc	3/10/2017
17-7-11027-X	Health Care Authority	Davis Memorial Hospital	3/10/2017
16-10-10707-X	Health Care Authority	Wetzel County Hospital	3/8/2017
17-3-10997-X	Health Care Authority	Advantage Home Care LLC	3/7/2017
15-6-10488-X	Health Care Authority	Bio-Medical Applications of West Virginia Inc	3/10/2017
17-1-10599-X	Health Care Authority	Elder Aide Services Inc	3/7/2017
17-1-10600-X	Health Care Authority	American Guarantee and Liability Insurance Company	1/27/2017
17-1-10601-X	Insurance Commission	American Zurich Insurance Company	1/27/2017
17-1-10602-X	Insurance Commission	Zurich American Insurance Company	1/27/2017
17-1-10603-X	Insurance Commission	Zurich American Insurance Company of Illinois	1/27/2017
17-1-10604-X	Insurance Commission	Tina Marie Yarish	2/23/2017

2014-01-01 to 2014-01-01	Insurance Commission	The Health Plan of the Upper Ohio Valley Inc	1/27/2017
2014-01-01 to 2014-01-01	Insurance Commission	THP Insurance Company	1/27/2017
2014-01-01 to 2014-01-01	Osteopathic Medicine, WV Board of	Brandon Cestaric, DO	3/14/2017
2014-01-01 to 2014-01-01	Osteopathic Medicine, WV Board of	Bruce Gorby, DO	2/22/2017
2014-01-01 to 2014-01-01	Osteopathic Medicine, WV Board of	James Blume, DO	2/22/2017
2014-01-01 to 2014-01-01	Osteopathic Medicine, WV Board of	Craig Swann, DO	3/8/2017
2014-01-01 to 2014-01-01	Osteopathic Medicine, WV Board of	Brian J. McDevitt, DO	2/28/2017

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED

100 Dee Drive
Charleston, West Virginia 25311-1600

March 13, 2017

LEGAL NOTICE

Sonia D. Chambers, Chair, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending **March 10, 2017**.

EXPEDITED APPLICATION RECEIVED

March 6, 2017 – Charleston Area Medical Center, Charleston, Kanawha County, CON File #17-3-11031-P, for the establishment of an ambulatory care facility in South Charleston, Kanawha County; capital expenditure: \$639,820.

APPLICATION FOR EXEMPTION RECEIVED

March 10, 2017 – Thirty Six Leasing Co., LLC, Cincinnati, Ohio, CON File #17-5-11043-X, to acquire the assets and operations of a skilled nursing facility located in Wood County, West Virginia and operated by PWNR, LLC d/b/a Worthington Nursing & Rehabilitation Center and entering into a leasing arrangement with the current real property owner, CCP Worthington 1160 LLC f/k/a ARHC WNPBGW01, LLC.

ORDERS ISSUED

A telephonic status conference will be conducted on **Monday, March 13, 2017, at 2:00 p.m.** for the purpose of establishing a Hearing Order in the following matters:

March 6, 2017 - Southern Home Care Services, Inc., Louisville, Kentucky, CON File #17-1-10989-PC, for the provision of personal care services in Mercer County.

March 6, 2017 - Southern Home Care Services, Inc., Louisville, Kentucky, CON File #17-5-10990-PC, for the provision of personal care services in Wood County.

March 6, 2017 - Southern Home Care Services, Inc., Louisville, Kentucky, CON File #17-2-10994-PC, for the provision of personal care services in Cabell County.

March 6, 2017 - Southern Home Care Services, Inc., Louisville, Kentucky, CON File #17-3-10995-PC, for the provision of personal care services in Kanawha County.

A telephonic status conference will be conducted on **Wednesday, March 15, 2017, at 2:00 p.m.** for the purpose of establishing a Hearing Order in the following matter:

March 7, 2017 - Advantage Home Care LLC, Clay, Clay County, CON File #17-3-10993-PC, for the provision of personal care services in Clay County.

A telephonic status conference will be conducted on **Wednesday, March 15, 2017, at 3:00 p.m.** for the purpose of establishing a Hearing Order in the following matters:

March 7, 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.

March 7, 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.

March 7, 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.

HEARING NOTICES

The Administrative Hearing and Prehearing Conference have been **CONTINUED** in the following matters:

March 6, 2017 - Genesis Eldercare Rehabilitation Services, LLC, Kennett Square, Pennsylvania, CON File #16-9-10781-P, for the provision of medically necessary rehabilitation services, including physical therapy, occupational therapy and speech therapy, as well as respiratory therapy and wellness services in patients' homes or in other community settings in Berkeley and Jefferson counties.

March 6, 2017 - Genesis Eldercare Rehabilitation Services, LLC, Kennett Square, Pennsylvania, CON File #16-1/2/3/4/5/6/7-10782-P, for the provision of medically necessary rehabilitation services, including physical therapy, occupational therapy and speech therapy, as well as respiratory therapy and wellness services in patients' homes or in other community settings in Barbour, Boone, Cabell, Fayette, Greenbrier, Harrison, Jackson, Kanawha, Lewis, Lincoln, Marion, Mason, Mercer, Monongalia, Putnam, Nicholas, Summers, Taylor, Raleigh, and Wayne counties.

PROJECTS DETERMINED NOT REVIEWABLE

March 7, 2017 – Valley Health Care, Inc., Mill Creek, Randolph County, CON File #17-7-11032-X, for the complete relocation of its current Elkins site, from 105 Nathan Street, to 196 US 33E, Elkins, Randolph County; capital expenditure: \$2,500,000.

March 8, 2017 – Wetzel County Hospital, New Martinsville, Wetzel County, CON File #17-10-11025-X, for the designation of its Wetzel Primary Care clinic into a Rural Health Clinic; no capital expenditure.

March 8, 2017 – United Physicians Care, Bridgeport, Harrison County, CON File #17-6-11030-X, for the provision of hospitalist physician services on the campus of United Hospital Center; no capital expenditure.

FILED
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OTHER

OFFICE WEST VIRGINIA
SECRETARY OF STATE

March 8, 2017 – Grafton-Taylor County Health Department, Grafton, Taylor County, CON File #17-6-11028-X, for the complete relocation of its facility to a new location adjacent to the existing facility located at 718 West Main Street, Grafton, Taylor County; capital expenditure: \$2,500,000.

OTHER

PROJECTS EXEMPT FROM REVIEW

March 10, 2017 – Grafton-Taylor County Health Department, Grafton, Taylor County, CON File #17-6-11029-X, for the provision of behavioral health services at a facility to be constructed adjacent to the existing facility located at 718 West Main Street, Grafton, Taylor County.

CERTIFICATE OF NEED APPROVAL ISSUED

March 10, 2017 – West Virginia University Hospitals, Inc. (WVUH), Morgantown, Monongalia County, and Davis Memorial Hospital (DMH), Elkins, Randolph County, CON File #16-7-10976-E, for the formation of a joint venture to improve the services provided at the Cancer Center on the campus of DMH. Under this structure, DMH would continue to operate the Medical Oncology Program and Radiation Oncology Program as an outpatient department of DMH. WVUH and DMH would form a limited liability company (LLC). The LLC will acquire the land, building, and existing equipment used by the Cancer Center; acquire new equipment for the Radiation Oncology Program; and lease the land, building, existing equipment, and new radiation oncology equipment to DMH for use in connection with the Cancer Center; capital expenditure: \$6,200,000.

DECISION ON REMAND

March 10, 2017 – Bio-Medical Applications of West Virginia, Inc. d/b/a Fresenius Medical Care Monongalia County Eastover, North Carolina, CON File #15-6-10438-R, for the establishment of a new 9 station dialysis facility in Morgantown, Monongalia County; capital expenditure: \$1,558,582.

NOTICE OF SUBSTANTIAL COMPLIANCE AND DECISION ON SUBSTANTIAL CHANGE

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

March 8, 2017 – Total Renal Care, CON File #15-5-10478-R, for the development of an 11 station (plus one isolation station) outpatient renal dialysis facility in Wood County; capital expenditure: \$1,768,684.

The Authority determines that the increase in the project cost does not constitute a substantial change as defined in W. Va. C.S.R. §65-7-21.1(h).

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

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