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

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Insurance Commission

Real Estate Commission

CHRONOLOGICAL INDEX, VOLUME XXXIV ISSUE 13

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>



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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	7/13/2016	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 for 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 Culture 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	Recommends 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	
Health Care Authority (65-29)	Exemption From Certificate of Need Legislative	6/8/2016	7/11/2016	6/8/2016 Approved 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	8/22/2016	Modified & Approved 12/6/2016 Filed 1/6/2017	SB 123 HB 2259			
		6/9/2016	7/11/2016	6/7/2016 Approved 6/17/2016 Amendment 8/24/2016 Approved 9/14/2016 Amendment 12/16/2016 Approved 12/29/2016	8/24/2016	Modified & Approved 12/6/2016 Filed 12/16/2016	SB 124 HB 2260			
		6/7/2016	7/11/2016	6/7/2016 Approved 6/10/2016 Amendment 8/24/2016 Approved 9/14/2016 Amendment 12/16/2016 Approved 12/29/2016	8/24/2016	Modified & Approved 12/6/2016 Filed 12/16/2016	SB 125 HB 2261			
		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	SB 126 HB 2262			
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	SB 126 HB 2262			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Ed. Policy Commission (133-7)	WV Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship Program Legislative	11/18/2016	12/18/2016		12/20/2016		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 8/25/2016 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		

RULE MONITOR

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		

RULE MONITOR

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		

Orders Report

Docket Number	Agency	Respondent	Date Rendered
17-2-11005-X	Health Care Authority	Cabell Huntington Hospital Inc	3/16/2017
17-7-11021-X	Health Care Authority	Genesis Youth Crisis Center Inc	3/16/2017
17-1-10999-PC, 17-2-11000-PC, 17-3-11001-PC	Health Care Authority	Elder Aide Services Inc	3/16/2017
17-1-10989-PC, 17-5-10990-PC, 17-2-10994-PC, 17-3-10995-PC	Health Care Authority	Elder Aide Services Inc	3/20/2017
17-3-10993-PC	Health Care Authority	Southern Home Care Services Inc	3/15/2017
17-1-11038-X	Health Care Authority	Advantage Home Care LLC	3/23/2017
17-9-11041-X	Health Care Authority	Appalachian Regional Healthcare Inc	3/23/2017
17-10-11033-X	Health Care Authority	Family Preservation Services of West Virginia Inc	3/23/2017
17-10-11042-X	Health Care Authority	Guardian Elder Care at Wheeling Home Base Inc	3/23/2017
17-2-110405-X	Health Care Authority	Logan Mingo Area Mental Health Inc	3/23/2017
16-6-10964-P	Health Care Authority	Monongalia County General Hospital Company	3/23/2017
17-3-11039-X	Health Care Authority	Partnership of African American Churches	3/22/2017
17-3-11029-X	Health Care Authority	Solutions Positive Behavior Strategies LLC	3/23/2017
17-4-11039-X	Health Care Authority	Summersville Regional Medical Center	3/23/2017
17-6-10987-H	Health Care Authority	West Virginia University Hospitals Inc	3/22/2017
16-MC-HP-02000	Insurance Commission	Amerisure Mutual Insurance Company	3/27/2017
C-17-010	Real Estate Commission, West Virginia	Teresa R. Johnson	2/17/2017

**STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
AT CHARLESTON**

EXECUTIVE ORDER

EXECUTIVE ORDER NO. 2-17

By the Governor

WHEREAS, the State of West Virginia is honored that the Boy Scouts of America ("BSA") selected the New River Gorge region of West Virginia as the permanent home of the National Scout Jamboree; and

WHEREAS, The Summit, Bechtel Family National Scout Reserve ("The Summit") is the ideal location to help the BSA realize its mission of serving America's youth and helping to build the future leaders of America; and

WHEREAS, significant events and activities will be held at The Summit that will greatly enhance the economic and educational opportunities available to our youth, our citizens, and the State, including the 2017 National Scout Jamboree and the 2019 World Scout Jamboree; and

WHEREAS, this State and its relevant agencies, boards, commissions, and their resources will be actively engaged with all endeavors in support of this worldwide, prestigious organization; and

WHEREAS, there will be need for coordination and cooperation between all levels of State government, including other state governments, to ensure that BSA activities and events operate efficiently and safely; and

WHEREAS, all resources used in conjunction with the State's support of the BSA's activities and events will require that an organized, capable, and fully equipped agency serve as the principal agency responsible for the coordination, direction, and management of all State agency activities associated with BSA activities and events; and

WHEREAS, the principal agency responsible for such coordination, direction and management will report directly to the Governor as the sole liaison for all BSA activities and events held now and in the future; and

WHEREAS, the West Virginia Division of Homeland Security and Emergency Management ("DHSEM") has expertise in the organization of complex, interagency synchronization; and

WHEREAS, the Director of the DHSEM also serves as the Governor's Homeland Security Advisor and works on a daily basis with agencies at all levels of State government that will be required to support these important events; and

WHEREAS, it is in the best interest of the public that all State resources tasked to assist the BSA organization consult with a principal advisor, or his/her designee, on all decisions regarding development, planning, coordination, roles and responsibilities, as well as other duties as needed to ensure that all events and activities associated with the BSA are a success.

NOW, THEREFORE, I, JIM JUSTICE, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **ORDER** that:

1. The DHSEM is hereby designated as the principal agency to coordinate all State agency planning and response for activities and events of the BSA at The Summit.
2. The Director of the DHSEM ("Director") shall serve as the sole liaison to the Governor for the planning, coordination, direction and management of all details of

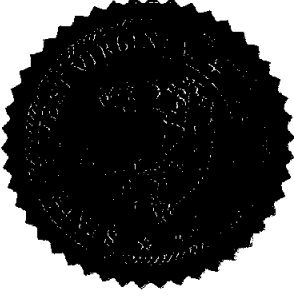
all events sponsored by, or related to, the BSA that take place in West Virginia for which any major State assistance is required.

3. The Director shall work with appropriate federal agencies to secure the relevant security designations for events of the magnitude of the upcoming 2017 National Scout Jamboree, and shall secure the appropriate federal support for these events.
4. All other State agencies, resources or entities that aid, assist or participate in any such events related to the BSA shall coordinate through the Director, or his or her designee, all development, planning, coordination and roles and responsibilities, and the Director will advise the Governor on all emerging, current or future plans necessary for a successful partnership with the BSA.
5. The Director shall serve as the State's primary public and media contact for progress, events and activities associated with any BSA venture and shall make all decisions necessary to carry out directives as provided by the Governor of the State of West Virginia.
6. The West Virginia DHSEM shall coordinate with key agencies that will have major roles in the support of the 2017 National Scout Jamboree, and shall provide to the Governor, within sixty (60) days of this Order, a financial impact statement outlining the needs that such agencies will have in order to provide the proper support for a successful event.
7. The West Virginia DHSEM will partner with the West Virginia Military Authority to serve as the State's sole Office of Primary Executive Responsibility to solicit and manage funding for the State from our federal agency partners.
8. All agencies and entities utilized in conjunction with BSA activities shall coordinate all actions, assignments, roles and responsibilities through the Director and shall be responsible for keeping the Director informed, at all times, as to all critical or key issues, problems or concerns.

EXECUTIVE ORDER

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, this the twenty-fourth day of March, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fourth year of the State.



Joe Manchin
GOVERNOR

By the Governor

Mae Harn
SECRETARY OF STATE

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

100 Dee Drive
Charleston, West Virginia 25311-1600

March 27, 2017

LEGAL NOTICE

Sonia D. Chambers, Chair, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending **March 24, 2017**.

LETTER OF INTENT RECEIVED

March 20, 2017 – St. Francis Hospital, Charleston, Kanawha County, CON File #17-3-11049-P, for the development of an ambulatory health care facility/outpatient rehabilitation in Charleston, Kanawha County; capital expenditure: \$10,000.

EXPEDITED APPLICATION RECEIVED

March 23, 2017 – Collaborative Healthcare Solutions, LLC, Staten Island, New York, CON File #17-2-11044-A, for the acquisition of Williamson Memorial Hospital located in Williamson, Mingo County, and several related health care facilities; capital expenditure: \$1,300,000.

HEARING NOTICE

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

March 21, 2017 – Alecto Healthcare Services Wheeling LLC, Alecto Healthcare Services Ohio Valley LLC, CON File #17-10-11007-A, for the acquisition of Ohio Valley Medical Center.

Prehearing Conference:
Administrative Hearing:

Friday, April 14, 2017 at 1:30 p.m.
Thursday, April 20, 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 25311-1600, unless otherwise noted.

HEARING ORDER ISSUED

March 21, 2017 – Alecto Healthcare Services Wheeling LLC, Alecto Healthcare Services Ohio Valley LLC, Irvine, California, CON File #17-10-11007-A, for the acquisition of Ohio Valley Medical Center.

OTHER

AMENDED HEARING ORDER ISSUED

March 20, 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 20, 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 20, 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.

PROJECTS EXEMPT FROM REVIEW

March 22, 2017 – Partnership of African American Churches, Charleston, Kanawha County, CON File #17-3-11023-X, to develop an integrated wellness and recovery center with therapy intervention and support services for individuals at risk for substance abuse and/or mental health disorders or actively abusing substances.

March 23, 2017 – Guardian Elder Care at Wheeling d/b/a Peterson Healthcare & Rehabilitation Hospital, Wheeling, Ohio County, CON File #17-10-11033-X, to renovate the nursing stations located on Wings 1, 2, 3 and 4 of the first floor in its existing facility.

CERTIFICATE OF NEED APPROVAL ISSUED

March 22, 2017 – West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #17-6-10987-H, for the acquisition of two adjacent parcels of property totaling approximately 32.5 acres near the new interchange being constructed on Interstate-79 (I-79) between exits 152 and 155 in Morgantown, West Virginia; capital expenditure: \$14,500,000.

AMENDED DECISION

March 23, 2017 – Monongalia County General Hospital Company, Morgantown, Monongalia County, CON File #16-6-10964-P, for the acquisition of the assets of Suncrest Obstetrics and Gynecology, PLLC (Suncrest), operated by Kerri George Hail, M.D. Suncrest is a full-time private OB/GYN practice located at 1272 Suncrest Towne Centre, Morgantown, Monongalia County, West Virginia; capital expenditure: \$225,000.

ORDER TO WITHDRAW CON APPLICATION ISSUED

March 23, 2017 – Advantage Home Care, LLC, Clay, Clay County, CON File #17-3-10993-PC, for the provision of personal care services in Clay County.

FILED

2017 MAR 27 P 3:05

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Jim Justice
Governor

Bill J. Crouch, Cabinet Secretary
West Virginia Department of
Health and Human Resources



FILED
2017 MAR 29 P 12:25
Marilyn G. White, Registrar
OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

ORDER TO WITHDRAW EXEMPTION APPLICATION

March 23, 2017 – Solutions Positive Behavior Strategies, LLC, South Charleston, Kanawha County, CON File #17-3-11024-X, relating to the provision of Applied Behavior Analysis therapy services for children on the autism spectrum in West Virginia.

PROJECTS DETERMINED REVIEWABLE

March 23, 2017 – Appalachian Regional Healthcare, Inc., Lexington, Kentucky, CON File #17-1-11038-X, to renovate the Beckley Appalachian Regional Hospital ICU & Ground Level (Kitchen and Central Sterile Supply) and HVAC; capital expenditure: \$1,664,205.

PROJECTS DETERMINED NOT REVIEWABLE

March 23, 2017 – Family Preservation Services of West Virginia, Inc., Moorefield, Berkeley County, CON File #17-9-11041-X, for the complete relocation of its Kearneysville regional office from 71 Edmond Road Unit 6, Kearneysville, Jefferson County, to 300 Foxcroft Avenue #301, Martinsburg, Berkeley County; no capital expenditure.

March 23, 2017 – Home Base, Inc., Charleston, Kanawha County, CON File #17-10-11042-X, for the complete relocation of its facility from 1231 Warwood Plaza to 21 Armory Drive in Wheeling, Ohio County; no capital expenditure.

March 23, 2017 – Logan Mingo Area Mental Health, Inc., Logan, Logan County, CON File #17-2-11040-X, for the provision of integrated primary health care services; no capital expenditure.

March 23, 2017 – Summersville Regional Medical Center, Summersville, Nicholas County, CON File #17-4-11034-X, for the conversion of six (6) licensed obstetric beds to six (6) licensed medical/surgical beds; capital expenditure: \$10,000.

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

In Re: Alecto Healthcare Services Wheeling LLC
Alecto Healthcare Services Ohio Valley LLC
CON File # 17-10-11007-A

**NOTICE OF PREHEARING CONFERENCE
AND ADMINISTRATIVE HEARING**

PLEASE TAKE NOTICE that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, that Sonia D. Chambers, Chair of the West Virginia Health Care Authority, wishes to announce that the following proceedings have been scheduled for the above-noted application:

A PREHEARING CONFERENCE will be held **Friday, April 14, 2017, at 1:30 p.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

An ADMINISTRATIVE HEARING will be held **Thursday, April 20, 2017, at 9:00 a.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

This application concerns the acquisition of Ohio Valley Medical Center.

You and any other "affected persons" as defined by W. Va. Code §16-2D-2 wishing to participate in the hearing of this application are directed to be present at both the prehearing conference and the administrative hearing.

OTHER

The purpose of the prehearing conference is to designate parties to the hearing, to designate the issues for the hearing, resolve any procedural matters, receive any motions, establish the order of proceedings, receive a listing of the witnesses and a summary of direct testimony that will be offered at the hearing, receive a listing of evidence to be offered and copies of any documents to be offered such as reports or analysis prepared by expert witnesses including any financial reports and any other procedural matters. The prehearing conference will be conducted in conformance to Rule 16, West Virginia Rules of Civil Procedures for pretrial conferences.

In a hearing, any person has the right to be present or to be represented by counsel and to present oral or written arguments and relevant evidence. Any person affected by the matter which is the subject of the hearing may conduct reasonable questioning of persons who make factual allegations relevant to such matters.

PLEASE TAKE NOTICE that if the party who requested the hearing withdraws that request, then the hearing will be canceled.

The file on this application is available for examination in the offices of the Health Care Authority from 9:00 a.m. to 4:00 p.m., Monday through Friday. If you have questions concerning this matter, please contact Tim Adkins, Certificate of Need Director, at (304) 558-7000 or toll free 1-888-558-7002.

Date: March 21, 2017


Sonia D. Chambers, Chair

WEST VIRGINIA
HEALTH CARE AUTHORITY

FILED
2017 MAR 29 P 12:1

OFFICE WEST VIRGINIA
SECRETARY OF STATE

In Re: Alecto Healthcare Services Wheeling LLC
Alecto Healthcare Services Ohio Valley LLC

CON File # 17-10-11007-A

HEARING ORDER

The following shall apply to and govern the above-captioned action and activities conducted in connection with it. In the absence of a specific date or deadline for a given activity, it is anticipated that such activity will be scheduled and conducted within a reasonable time prior to the hearing.

The parties may not amend, modify or adjust any provision of this order except by leave of the Authority.

1. Hearing date: **April 20, 2017, at 9:00 a.m.**
2. Prehearing conference date: **April 14, 2017, at 1:30 p.m.**
3. Settlement conference (optional): **N/A**
4. All replacement pages to CON application to be filed by: **March 22, 2017 Pursuant to CSR §65-32-6, if the applicant submits a substantial amendment to the application the Authority may withdraw the application from review. The board may examine the extent of additional information or any amendment made by the applicant to the application and its impact on the new institutional health service, and determine the application to be a new proposal subject to a new review cycle.**
5. Motions for discovery to be filed by: **March 27, 2017**
6. Discovery completed on or before: **April 7, 2017**
Parties engaging in discovery are required to file a copy of the certificate of service attached to the discovery request or response with the board. Affected parties shall not file copies of the actual discovery and responses with the board. To the extent that an affected party intends to introduce a document obtained through the discovery process at the administrative hearing, the document and two (2) copies must be filed at the prehearing conference.

7. Dispositive and preliminary motions to be filed by: **April 11, 2017**
Parties shall file all prehearing motions with the board a minimum of three (3) days prior to the prehearing conference.

8. All requests for subpoena and/or subpoena duces tecum to be filed by **April 11, 2017**

Done this 21st day of March, 2017.

OTHER


Sonia D. Chambers, Chair


Marilyn G. White, Board Member

WEST VIRGINIA
HEALTH CARE AUTHORITY

FILED
2017 MAR 29 P
OFFICE WEST VIRGINIA
SECRETARY OF HEALTH

OTHER

conference.

7. Dispositive and preliminary motions to be filed by: **May 24, 2017**
Parties shall file all prehearing motions with the board a minimum of three (3) days prior to the prehearing conference.
8. All requests for subpoena and/or subpoena duces tecum to be filed by **June 7, 2017**

In Re: Elder Aide Services, Inc. d/b/a/ Right at Home CON File # 17-1-1000-PC
Elder Aide Services, Inc. d/b/a/ Right at Home CON File # 17-2-0000-PC
Elder Aide Services, Inc. d/b/a/ Right at Home CON File # 17-3-11001-PC

AMENDED HEARING ORDER

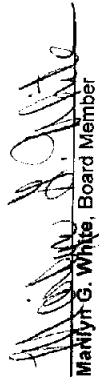
The following shall apply to and govern the above-captioned action and activities conducted in connection with it. In the absence of a specific date or deadline for a given activity, it is anticipated that such activity will be scheduled and conducted within a reasonable time prior to the hearing.

The parties may not amend, modify or adjust any provision of this order except by leave of the Authority.

1. Hearing date: **June 14, 2017, at 9:00 a.m.**
2. Prehearing conference date: **June 7, 2017, at 1:30 p.m.**
3. Settlement conference (optional): **N/A**
4. All replacement pages to CON application to be filed by: **April 5, 2017**
Pursuant to CSR §65-32-6, if the applicant submits a substantial amendment to the application the Authority may withdraw the application or from review. The board may examine the extent of additional information or any amendment made by the applicant to the application and its impact on the new institutional health service, and determine the application to be a new proposal subject to a new review cycle.
5. Motions for discovery to be filed by: **April 14, 2017**
6. Discovery completed on or before: **May 15, 2017**
Parties engaging in discovery are required to file a copy of the certificate of service attached to the discovery request or response with the board. Affected parties shall not file copies of the actual discovery and responses with the board. To the extent that an affected party intends to introduce a document obtained through the discovery process at the administrative hearing, the document and two (2) copies must be filed at the prehearing

Done this 20th day of March, 2017.


Sonia D. Chambers, Chair


Marilyn G. White, Board Member

OTHER

Jim Justice
Governor

Honorable Mac Warner
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

Dear Secretary Warner,

Pursuant to Legislative Rule 65 C.S.R. §28 5.6.a, the West Virginia Health Information Network is to publish its written patient notice and a list of all then current participating organizations during the first week of January, April, July, and October of each year in the State Register.

The current participating organizations as of April 1, 2017:

- ABC Pediatrics
- Adena Health & Rehabilitation Center
- Advanced Diabetes & Endocrine Center
- Aldade, Inc.
- American Medical Facilities Management
- Appalachian Highway Med Surgical Clinic
- Appalachian Surgical Associates
- Arbors at Woodfield
- Associates Specialists, Inc.
- Astoria Place of Barnesville
- Bassam N. Shamma, MD
- Beckley Raleigh County Health Dept.
- Belington Community Medical Services
- Berkeley County Health Dept.
- Blue Ridge Internal Medicine
- Bluestone Health Association
- Boone Memorial Hospital
- Brandon Cestarc Family Practice
- Braxton County Memorial Hospital
- Brian D. Houston, MD
- Brooke County Health Dept.
- Cabell Huntington Hospital
- CAMC Physicians Group
- Camden Clark Physicians Corp.
- Carclaven of Pleasants
- Charles D. Bess, MD
- Charleston Area Medical Center
- Charleston Endocrinology
- Charleston Gastroenterology Assoc.
- Charleston Medical Associates
- Charleston Neurology Associates, Inc.
- Acuity Specialty Hospital
- Advanced Cardiovascular Services
- Advantage Healthcare for Women
- Alternative Home Health
- Andres L. Rago, MD
- Appalachian Regional Healthcare
- Arbors at Marietta
- Arturo Y. Lim, MD
- Asthma & Allergy Center
- Barbour County Health Dept.
- Beckley Physicians Group
- Bee Healthy Pediatrics
- Belmont Manor
- Big Creek Medical Center
- Bluefield Hematology-Oncology Associates
- Boone County Health Dept.
- Brackenrich Family Medicine
- Braxton County Health Dept.
- Braxton Primary Health Care
- Bridgeport Express Care
- Cabell Huntington Health Dept.
- Cabin Creek Health Systems
- Camden Clark Medical Center
- Cardinal Pediatrics
- Change, Inc.
- Charles F. Whitaker, MD
- Charleston Digestive Disease
- Charleston Family Practice Group
- Charleston Internal Medicine
- Charleston Nephrology Hypertension & Transplant
- Charleston Obstetrics & Gynecology



Sonia Chambers
Interim Chief Operations Officer
March 28, 2017

FILED
2017 MAR 29 P 1:37
Joe Letourneau, Chair
OFFICE WEST VIRGINIA
SECRETARY OF STATE

Re: State Register
Entry of Notice

Charleston Pain Management Consult
 CHH Family Medicine Merritt's Creek
 Clarksburg Surgical Specialists
 Clay-Battelle Health Services Association
 Community Care of WV
 Comprehensive Surgical Associates
 Convenience Clinics of America
 Cornerstone Health Care
 David Patton, MD
 Davis Medical Center Provider Group
 Digestive Care Center
 Dignity Hospice
 Doctor's Urgent Care
 Dr. John E. Capito
 Dr. Raghada Sahloul
 Dr. Saima Khan
 E. Brad McCoy, DO
 Eastbrook
 Eastern Panhandle Pediatrics
 Elkins Express Care
 Express Med Pharmaceuticals, Inc.
 Fairmont ENT Associates, Inc.
 Fairmont Regional Medical Center
 Family Care Health Center
 Family Healthcare Associates
 Fayette County Health Dept.
 Forest Hill Care Center
 Genesis Administrative Services, Inc.
 Glenwood Park
 Grant County Health Dept.
 Greenbrier County Health Dept.
 Greenbrier Physicians
 Gregory Scott Harrah, MD
 Hampshire Memorial Hospital
 Health Access, Inc.
 HealthSouth Rehabilitation Hospital of Huntington
 Healthy Habits Wellness Center
 Heartland of Martinsburg
 Highland Hospital Association
 Holbrook Nursing Home
 Hospice Care Corp.
 Hospice of Potomac Valley Hospital
 Hospice of the Panhandle
 Interim Healthcare of Morgantown
 Intrepid USA Home Health
 Jackson County Health Dept.
 Jarrell Family Medicine
 Jayne Canterbury, DO
 Jefferson Pharmacy
 John D. Holloway, MD
 John Manchina, Sr. Healthcare
 Kanawha Hospice Care
 Kanawha Nephrology
 Kendall L. Wilson, Jr., DO
 Kidney Associates
 Lewis County Health Dept.
 Lisa Hill, MD
 Logan Regional Medical Center
 Love Family Practice Group
 Mapleshire Nursing & Rehabilitation Center

Chesapeake Medical Center
 City Pediatrics
 Clay County Health Dept.
 Coalfield Health Center
 Comprehensive Health Solutions
 Comprehensive Womens Care
 Core Health Care
 Country Club Rehabilitation Campus
 Davis Medical Center
 Derm One
 Digestive Disease Center of Ohio Valley
 DLM Internal Medicine
 Dr. David S. Ruffiff, Inc.
 Dr. Leonard A. Fichter
 Dr. Rick L. Houdersheldt
 Dunbar Medical Associates
 E.A. Hawse Health Center
 Eastern Panhandle CARE Clinic
 Edward A. Filcheck, PLLC
 Erin V. Stoehr, DO
 F.G. Powderly, MD
 Fairmont Physicians Network
 Family Care Clinic
 Family Health Associates of the Kanawha Valley
 Family Medicine of Berkeley Springs
 Foot & Ankle Clinic
 Friday G. Simpson, MD
 Genesis Health Care
 Grafton City Hospital
 Grant Memorial Hospital
 Greenbrier Manor
 Gregory Borowski, MD
 Hampshire County Health Dept.
 Hasan Medical, Inc.
 HealthSouth Mountainview Regional Rehab Hospital
 HealthSouth Western Hills
 Heartland of Lansing
 HHP Internal Medicine Associates
 HIMG
 Hopemont Hospital
 Hospice of Huntington
 Hospice of Southern WV
 Inager Family Clinic
 Interim Health Care of SE Ohio, Inc.
 Jackie Withrow Hospital
 Jackson General Hospital
 Jana Peters, DO
 Jefferson Med Peds, Inc.
 John A. Wade, Jr., MD
 John M. Clark, MD & Associates
 Kanawha Charleston Health Dept.
 Kanawha Medical Center
 Kelly M. Pitsenbarger, MD
 Kid Care West Pediatrics
 Lakin Hospital
 Lincoln County Health Dept.
 Logan Pediatrics
 Lori Tucker, DO
 Madison Medical
 Marilyn Horacek, MD

Mark J. Chialli, OD
 Martinsburg Internal Medicine Associates
 Matthew A. Cupp, MD
 Medi Home Health Agency
 Mely Lim, MD
 Mercer Medical Group
 Mid-Ohio Valley Medical Group
 Milan Puskar Health Right
 Modern Care Ob/Gyn
 Monongalia Pediatric & Youth Associates
 Monongalia General Hospital
 Montgomery General Hospital
 Morgantown Pulmonary Associates
 Mountain Medical Associates
 Mountain State Medicine & Rheumatology
 MVA-Fairmont Clinic
 Nephrology Associates, Inc.
 Northern WV Home Health
 Our Medical Services
 Ohio Valley Health Services & Education
 Ohio Valley Sleep Diagnostics
 Orthopedic Healthcare Associates
 Panhandle Home Health
 Park Health
 Parkersburg Surgical Associates
 Pediatric & Family Physicians of Morgan County
 Pediatric Partners
 Peterson Rehab Hospital
 Pleasant Valley Hospital
 Pleasant Valley Hospital Nursing & Rehab Center
 Potomac Valley Hospital
 Prestra Center for Mental Health Services, Inc.
 Preston Memorial Hospital
 Prime Care II
 Princeton Family Health Care
 Process Strategies
 Pulmonary Associates of Charleston
 Pyramid Counseling
 Raleigh Cardiology
 Raleigh Street Podiatry
 Randolph County Eye Care Center
 Ravenswood Chiropractic Center
 Reynolds Medical Group
 Ritchie Regional Health Center
 Riverview Pediatrics
 Roane General Hospital
 Robert C. Yee, MD
 Ronald D. Pearse, EdD
 Rowena Gonzales-Chambers, MD
 Salem Family Medicine
 Sanjay Bharti, MD
 Scott C. Losterer, DO
 Shenandoah Valley Medical Systems
 Sistersville General Hospital
 South Charleston Dermatology
 Southeastern Home Care
 Spring Hill Primary Care Physicians
 St. George Medical Clinic
 St. Mary's Medical Center
 Stanaford Medical Clinic

Marshall U. SOM/Marshall Health
 Martinsburg Pediatrics
 Meadowbrook Acres Nursing Center
 Melrose Family Medicine
 Michael M. Boustany, MD
 Mid-Ohio Valley Health Dept.
 Midland Behavioral Health
 Mid-Ohio Valley Medicine & Pediatrics
 Minnie Hamilton Health System
 Monongahela Valley Association of Health Centers
 Monongalia General Hospital
 Monroe Health Center
 Morgantown Obstetrics & Gynecology
 Mountain Hospice
 Mountain State Medical Specialties
 Mountaineer Community Health Center
 Neurology & Hypertension Associates
 Neurological Associates
 Northwood Health Systems
 Ohio Valley Asthma & Allergy Institute
 Ohio Valley Physicians
 Orthopedic & Spine Surgery Associates
 Parkersburg Podiatry
 Partners in Women's Health Care
 Patel, Inc.
 Pediatric Associates
 Pendleton Community Care
 Pineview Gynecology
 Pleasant Valley Hospital Home Health & Hospice
 Pochontas Memorial Hospital
 Premier Medical Group
 Prestige Primary Care Associates
 Preston-Taylor Community Health Centers
 Princeton Community Hospital Association
 Princeton Health Care Center
 Professional Endocrinology Associates
 Putnam Family Practice Associates
 Raimelle Medical Center
 Raleigh General Hospital
 Randall J. Hill, MD
 Randolph Elkins Health Dept.
 Renal Consultants
 Reynolds Memorial Hospital
 River Valley Medicine & Pediatrics
 Riverview Primary Care
 Robert C. Byrd Clinic
 Robert E. Jones, MD
 Rosewood Center
 Rural Emergency Trauma Institute
 Samuel K. Roberts, MD
 Schwarzenberg & Schwarzenberg
 Shady Side Care Center
 Shirey & Shirey
 South Branch Surgical Associates
 South Charleston Pediatrics
 Southern Highlands CMHC, Inc.
 St. Francis Hospital
 St. Joseph's Hospital of Buckhannon
 St. Mary's Medical Management
 Stanton Cardiology Center

OTHER

Stoncise Healthcare
 Summersville Pediatrics
 Summit Health Care, Inc.
 Sundale Nursing Home
 Tays Internal Medicine
 Thacker Family Physicians
 The Maples Health Care
 The Orthoclinic
 Thomas Memorial Hospital
 THS Physician Partners
 Tug River Health Association
 Valco Medical
 Valley Health Systems
 Ward Pain, MD
 Webster Memorial Hospital
 Wee Care Pediatrics
 Welch Community Hospital
 West Virginia Primary Care
 Wetzel County Hospital
 Wheeling Hospital
 William C. Mercer, MD
 Willow Ridge
 Womancare, Inc.
 Women's Health Center of WV
 Worthington Nursing & Rehab Center
 WV Center of End of Life Care
 WV Center of End of Life Care
 WV Heart & Vascular Institute
 WVMI
 Yeager & Smith Family Medicine
 Ziad Kahlwash, MD

Stonewall Jackson Memorial Hospital
 Summersville Regional Medical Center
 Suncrest Ob/Gyn
 Susan C. Capelle, MD
 Tays Pediatrics
 The Doctor's House
 The Myers Clinic
 The Rheumatology Group
 Thoracic and Cardiovascular Associates
 Travel MD
 United Hospital Center, Inc.
 Valley Health System
 Valley Hospice
 Wayne County Health Dept.
 Wedgewood Family Practice
 Weirton Medical Center
 West Virginia Eye Consultants
 Westbrook Health Services
 Wheeling Health Right
 William A. Cline, DO
 Williams Family Practice
 Wirt County Health Services Association
 Women's Health Care of Morgantown
 Wood County Senior Citizens Association
 WV Bureau of Public Health
 WV Department of Health & Human Resources
 WV Health Right
 WV Primary Care, Inc.
 WVU Health Research Center
 Wyoming County Health Dept.
 Youth Health Service, Inc.

OTHER

PATIENT NOTICE



Your health care provider has agreed to participate in the West Virginia Health Information Network ("WVHIN"), a Health Information Exchange (HIE). The WVHIN's HIE provides the fast and secure exchange of test results and reports among hospitals, labs, x-ray facilities, doctors and insurance companies.

WHO WILL HAVE ACCESS TO MY HEALTH RECORD?

Doctors, hospitals, pharmacies, other health care providers and insurance companies that are participants of the WVHIN's HIE will be able to see your health records when they are treating you or when paying for your health care. They may receive an alert when you become hospitalized or are seen for emergency care.

WHAT INFORMATION IS IN MY ELECTRONIC MEDICAL RECORD?

Your health care provider uses an electronic medical record to keep track of the treatment provided to you. This electronic record may include your...

- medical history
- lab and imaging results
- medications
- allergies
- known drug reactions
- doctor's and nurse's notes

WVHIN's HIE is not a complete record of your health history. It is simply a way for your health care providers to access the health information they need to provide you with the best possible care.

WHAT ABOUT MY SENSITIVE HEALTH RECORDS?

Federal and State laws protect the privacy of certain kinds of medical records. These include...

- drug or alcohol abuse treatment records
- psychotherapy notes
- mental health records
- goods and services that you have paid for out-of-pocket and request to keep private

When required by law, your consent will be obtained before the WVHIN's HIE will allow the sharing of your sensitive health records.

WHAT ARE THE BENEFITS TO ME?

WVHIN's HIE allows doctors and hospitals, pharmacies, other health care providers and insurance companies to view all of your available health records in order to provide you with better care, to coordinate your care, and/or to ensure proper payment is made for the services you receive. WVHIN's HIE may prevent you from having to fill out the same forms and carry your lab, x-ray results and medications to different doctors. Sharing your health record through the WVHIN's HIE may prevent you from having to have tests repeated. Most

Please publish this notice in its entirety in the State Register in accordance with the Administrative Procedures Act. Also, we request that you return one copy to us with your stamp acknowledging receipt.

Thank you for your assistance in this matter.

Sincerely,

Pam Carte

Pam Carte, Secretary
Enclosures

OTHER

importantly, sharing your health record through the WVHIN's HIE may allow your doctors to have access to life saving information in the event of a medical emergency.

ARE THERE PRIVACY RISKS AND HOW IS MY PRIVACY PROTECTED?

Doctors, hospitals and anyone else who is treating you are already responsible for keeping your health records private. The only added risk is that your health record will now be seen through the computer rather than by mail or fax.

The WVHIN uses modern technology to keep your health records private and safe. The WVHIN protects your privacy by...

- encrypting your health record so only the people who need to see it can
- requiring use of passwords
- tracking who looks at your health record through the WVHIN's HIE

DO I HAVE TO PARTICIPATE IN THE WVHIN?

To allow your health record to be shared through the WVHIN's HIE you do not need to take action.

If you do not want to participate you must complete a Request to Opt-Out. This form is available from your Health Care Provider. Opting-out means that doctors and other health care providers will not be able to access your health record through the WVHIN's HIE.

EVEN IF YOU CHOOSE NOT TO PARTICIPATE (OPT-OUT):

The WVHIN will keep your personal information (name, address, birth date, etc.) on file in its Master Patient Index to permanently record your decision to opt-out.

Your doctor or health care provider will still be able to use the WVHIN's HIE to report and/or view...

- communicable diseases
- immunization data
- quality reports
- other required public health information to state and federal agencies.
- dispensed controlled substances

It is important to understand that choosing to opt-out of the WVHIN's HIE does not mean your health information cannot be shared electronically. Health care providers may use other electronic methods such as secure email or electronic lab results delivery to share patient information. Read your health care provider's notice of privacy practices for more information.

IF I HAVE CHOSEN TO OPT-OUT CAN I CHANGE MY MIND?

If you have previously completed a Request to Opt-Out, you can change your mind. Talk to your health care provider about reversing your request to Opt-Out.

Please talk to your health care provider if you have questions about the WVHIN, or visit our website at www.wvhin.org.