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Highways

Insurance Commission

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Medicine

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NO NEW PROPOSED RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK

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

NO NEW EMERGENCY RULES WERE FILED THIS WEEK

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



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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

TITLE NUMBER	NAME OF AGENCY
TITLE 1	ACCOUNTANCY
TITLE 3	BARBERS AND COSMETOLOGISTS
TITLE 7	PROFESSIONAL ENGINEERS
TITLE 8	HEARING AID DEALERS
TITLE 10	LICENSED PRACTICAL NURSES
TITLE 11	MEDICINE
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 31	DIEETITIANS
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 164	SCHOOL BUILDING AUTHORITY
TITLE 172	STATE RAIL AUTHORITY
TITLE 174	REAL ESTATE COMMISSION
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 194	MASSAGE THERAPY LICENSURE BOARD
TITLE 199	EXPLOSIVES & BLASTING
TITLE 204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LMRCC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy, WV Bid Of Professional Conduct (1-01)	Board Rules and Rules of Professional Conduct Legislative	6/23/2017	7/23/2017	7/28/2017	7/28/2017	Modified & Approved 8/20/2017 Filed 9/29/2017			
Administration (148-03)	State Owned Vehicles Legislative	6/26/2017	7/26/2017	7/26/2017	7/26/2017	Modified & Approved 12/1/2017 Filed 12/11/2017			
Administration (148-5)	Parking Legislative	6/21/2017	7/21/2017	7/25/2017	7/25/2017	Approved 8/29/2017			
Agriculture (61-01)	Animal Disease Control Legislative	6/28/2017	7/28/2017	7/28/2017	7/28/2017	Modified & Approved 12/2/2017 Filed 12/19/2017			
Agriculture (61-2)	West Virginia Advisory Law Legislative	6/15/2017	7/16/2017	7/18/2017	7/18/2017	Modified & Approved 7/29/2017 Filed 8/18/2017			
Agriculture (61-86)	Schedule of Charges for Inspection Services Fruit Legislative	11/10/2017	12/1/2017	11/13/2017 Effective 12/26/2017	12/1/2017	Modified & Approved 12/2/2017 Filed 12/19/2017			
Agriculture (61-118)	Auctioneers Legislative	6/26/2017	7/26/2017	7/26/2017	7/26/2017	Modified & Approved 12/2/2017 Filed 12/19/2017			
Agriculture (61-14A)	Noxious Weeds Legislative	6/22/2017	7/22/2017 Hearing 11/3/2017	7/28/2017	7/28/2017	Modified & Approved 12/2/2017 Filed 12/19/2017			
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	6/15/2017	7/16/2017	7/17/2017	7/17/2017	Modified & Approved 8/29/2017 Filed 9/18/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LMRCC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-23D)	Inspection of Nontraditional, Domesticated Animals Legislative	6/15/2017	7/16/2017		7/17/2017	Modified & Approved 9/20/2017 Filed 9/29/2017			
Agriculture (61-3E)	Farm to Food Bank Tax Credit Legislative	12/16/2017	1/18/2018	12/18/2017 ERO by 1/28/2018	1/18/2018				
Air Quality (45-8)	Ambient Air Quality Standards Legislative	6/8/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/7/2017	7/11/2017		7/21/2017	Modified & Approved 9/20/2017 Filed 8/24/2017			
Air Quality (45-23)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	6/7/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Athletic Commission (177-1)	WV State Athletic Commission Legislative	6/16/2017	7/16/2017		7/27/2017	Modified & Approved 9/20/2017 Filed 10/3/2017			
Athletic Commission (177-2)	Regulation of Mixed Martial Arts Legislative	6/16/2017	7/16/2017		7/27/2017	Modified & Approved 9/20/2017 Filed 10/3/2017			
Board of Review (84-1)	Procedural Rule Board of Review Procedural	12/12/2017	1/16/2018						
Comm. & Tech. College Education (135-12)	Capital Project Management Legislative	12/11/2017	1/16/2018						

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LSMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Comm. & Tech. College Education (135-55)	Human Resources Administration College Education Legislative	12/8/2017	1/10/2018						
Contractor Licensing Board (28-4)	Contractor Licensing Board Procedural	1/10/2018	2/9/2018						
Crim. Delinquency and Correction (149-2)	Law Enforcement Training and Certification Standards Legislative	6/21/2017	7/24/2017	7/26/2017		Modified & Approved 12/2/2017 Filed 12/13/2017			
Crim. Delinquency and Correction (149-03)	Protocol for Law Enforcement Response to Domestic Violence Legislative	6/29/2017	7/28/2017	7/28/2017		Modified & Approved 12/2/2017 Filed 12/14/2017			
Deicians (31-1)	Licensure and Renewal Requirements Legislative	6/8/2017	7/17/2017	7/24/2017		Modified & Approved 12/3/2017 Filed 12/4/2017			
Education (126-28)	West Virginia's Universal Access to a Quality Early Education System (2525) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2018
Education (126-41)	Safe and Acceptable Use of the Internet by Students and Educators (2460) Legislative Exempt	11/9/2017	12/11/2017					1/11/2018	7/1/2018
Education (126-42)	Assuring the Quality of Education: Regulations for Education Programs (2510) Legislative Exempt	11/9/2017	12/11/2017					1/11/2018	7/1/2018
Education (126-44G)	WV College and Career Readiness Standards for World Languages (2520.7) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2018
Education (126-44M)	WV College and Career Readiness Programs of Study Standards for Career and Technical Education (2520.13) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2018
Education (126-44O)	WV Pre-K Standards (Ages 3-5) (2520.15) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2019

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-44P)	WV Alternate Academic Achievement Standards (2020.16) Legislative Exempt	8/10/2017	8/11/2017					10/12/2017	7/1/2018
Environmental Protection - Secretary's Office (80-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2017	7/6/2017		7/11/2017	Approved 12/1/2017			
Fire Commission (87-2)	Electrician Licensing Rules Legislative	6/16/2017	7/17/2017		7/25/2017	Modified & Approved 12/2/2017 Filed 12/13/2017			
Fire Commission (87-3)	Hazardous Substance Emergency Response Training Programs Legislative	6/19/2017	7/19/2017		7/25/2017	Modified & Approved 12/2/2017 Filed 12/13/2017			
Fire Marshal (103-5)	Electricians Licensing Rules Legislative	1/22/2017	1/20/2018		1/26/2018				
Health (64-03)	Public Water Systems Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 10/19/2017 Filed 10/25/2017			
Health (64-12)	Hospital Licensure Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 8/29/2017 Filed 8/30/2017			
Health (64-17)	Food Establishments Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 10/19/2017 Filed 10/25/2017			
Health (64-48)	Emergency Medical Services Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017			
Health and Human Resources (89-10)	WV Clearance for Access, Registry and Employment Screening Legislative	6/28/2017	7/26/2017		7/27/2017	Approved 8/29/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LMRCACTION	LEGIS	FINAL FILE	EFFECTIVE
Health and Human Resources (69-13)	Development of Methodologies to Examine Needs for Substance Use Disorder Treatment Facilities within the State Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 Effective 9/21/2017 Amendment 10/25/2017 Effective 12/6/2017	7/28/2017	Modified & Approved 10/19/2017 Filed 10/25/2017			
Health and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 Effective 9/21/2017 Amendment 12/11/2017 Effective 1/22/2018	7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017			
Health Care Authority (65-13)	Financial Disclosure Rule Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017	7/28/2017	Modified & Approved 10/19/2017 Filed 10/25/2017			
Hearing Aid Dealers (8-01)	WV Board of Hearing Aid Dealers Legislative	6/23/2017	7/24/2017		7/26/2017	Approved 8/29/2017			
Higher Education Policy Comm. (133-12)	Capitol Project Management Legislative	11/20/2017	12/20/2017						
Higher Education Policy Comm. (133-32)	Tuition and Fee Policy Legislative	11/20/2017	12/20/2017		1/16/2018	Approved 1/16/2018			
Higher Education Policy Comm. (133-55)	Human Resources Administration Legislative	11/21/2017	12/21/2017						
Highways (157-2)	Disposal, Lease and Management of Real Property and Appurtenant Structures and Relocation Assistance Legislative	6/22/2017	7/24/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/13/2017			
Highways (157-12)	Employment Procedures Legislative	11/20/2017	12/20/2017	11/1/2017 Effective 12/13/2017	1/22/2018				

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Human Services (78-01)	Child Care Licensing Legislative	6/26/2017	7/26/2017	7/27/2017	7/27/2017	Modified & Approved 9/20/2017 Filed 10/4/2017			
Human Services (78-18)	Family Child Care Facility Licensing Requirements Legislative	6/27/2017	7/26/2017	7/28/2017	7/28/2017	Modified & Approved 9/20/2017 Filed 10/4/2017			
Human Services (78-19)	Family Child Care Home Registration Requirements Legislative	6/26/2017	7/26/2017	7/27/2017	7/27/2017	Approved 9/20/2017			
Human Services (78-20)	Informal and Relative Family Child Care Home Registration Requirements Legislative	6/26/2017	7/26/2017	7/28/2017	7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017			
Human Services (78-21)	Out-of-School Time Child Care Center Legislative	6/26/2017	7/26/2017	7/28/2017	7/28/2017	Approved 9/20/2017			
Human Services (78-25)	Drug Screening of Applicants for Cash Assistance Under the Temporary Assistance for Needy Families Program (TANF) Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 Effective 9/9/2017 Amendment 12/11/2017 Effective 1/22/2018	7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017			
Labor (42-10)	Zipline and Canopy Tour Responsibility Act Legislative	6/15/2017	7/17/2017	7/27/2017	7/27/2017	Approved 9/20/2017			
Labor (42-12)	Bedding and Upholstered Furniture Legislative	6/15/2017	7/17/2017	7/27/2017	7/27/2017	Approved 9/20/2017			
Labor (42-17)	Amusement Rides and Amusement Attractions Safety Act Legislative	6/15/2017	7/17/2017	7/27/2017	7/27/2017	Approved 9/20/2017			
Labor (42-21)	Elevator Safety Act Legislative	6/21/2017	7/22/2017	7/27/2017	7/27/2017	Approved with Amendments 9/21/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LMRRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Labor (42-33)	Employer Wage Bonds Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017			9/20/2017
Labor (42-35)	Registration of Service Persons and Service Agencies Legislative	6/15/2017	7/17/2017	6/16/2017 Approved 7/20/2017	7/27/2017	Approved 9/20/2017			9/20/2017
Labor (42-36)	Registration of Weighing and Measuring Devices Used by Businesses in Commercial Transactions Legislative	6/15/2017	7/17/2017	6/16/2017 Approved 7/20/2017 Amendment Effective 12/8/2017	7/27/2017	Approved 9/20/2017 Modified & Approved 12/1/2017 Filed 12/8/2017			9/20/2017
Labor (42-37)	Jobs Act Procedures Procedural	12/21/2017	1/22/2018	1/19/2018				1/24/2018	3/1/2018
Lottery Commission (17B-1)	State Lottery Rules Legislative	6/19/2017	7/21/2017		7/28/2017	Modified & Approved Filed 12/11/2017			
Medicine (11-6)	Continuing Education for Physicians and Podiatrists Legislative	6/21/2017	7/21/2017		7/26/2017	Approved 8/29/2017			
Medicine (11-016)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	7/11/2017	8/10/2017	9/11/2017 Approved 10/20/2017	8/29/2017	Modified & Approved Filed 12/3/2017			
Miners' Health, Safety and Training (56-23)	Operating Diesel Equipment in Underground Mines in WV Legislative	6/22/2017	7/24/2017	6/23/2017 Approved 7/20/2017	7/27/2017	Approved 12/2/2017			
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Legislative	6/6/2017	7/19/2017		7/27/2017	Modified & Approved Filed 12/1/2017			12/5/2017
Natural Resources (58-02)	Rules Controlling the Public Land Concessions Sale, Lease, Exchange or Transfer of Land or Minerals Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 8/28/2017			
Natural Resources (58-11)	Hunting, Fishing and Other Outfitters and Guides Legislative	6/23/2017	7/24/2017		7/28/2017	Modified & Approved Filed 12/2/2017			12/2/2017

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LSMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-45)	General Hunting Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017			
Natural Resources (58-56)	Special Migratory Bird Hunting Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017			
Natural Resources (58-84)	Miscellaneous Permits and Licenses Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017			
Natural Resources (58-89)	Wildlife Disease Management Legislative	6/28/2017	7/28/2017		7/28/2017	Modified w/certain amendments & Approved 12/2/2017 Filed 12/11/2017			
Osteometry (14-01)	WV Board of Optometry Legislative	6/28/2017	7/28/2017		7/28/2017	Approved 8/28/2017			
Osteopathic Medicine (24-2)	Osteopathic Physician Assistants Legislative	9/12/2017	10/12/2017	11/6/2017 Effective 12/18/2017	10/17/2017	Modified & Approved 12/3/2017 Filed 12/6/2017			
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	6/22/2017	7/24/2017		7/28/2017	Approved 9/20/2017			
Pharmacy (15-2)	Uniform Controlled Substances Act Legislative	5/11/2017	6/12/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 11/6/2017			
Pharmacy (15-7)	Registration of Pharmacy Technicians Legislative	5/12/2017	6/12/2017		7/28/2017	Modified & Approved 12/3/2017 Filed 12/19/2017			
Pharmacy (15-8)	Controlled Substances Monitoring Program Legislative	6/15/2017	7/17/2017	6/15/2017 Approved 8/18/2017	7/28/2017	Modified & Approved 9/20/2017 Filed 11/7/2017			
Pharmacy (15-10)	Pharmacists' Recovery Networks Legislative	5/12/2017	6/12/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 11/7/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-12)	Immunizations Administered by Pharmacists and Pharmacy Interns Legislative	6/22/2017	7/24/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 11/6/2017			
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/15/2017	7/17/2017		7/28/2017	Modified & Approved 12/3/2017 Filed 12/16/2017			
Psychologists (17-01)	Fees Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/1/2017 Filed 12/13/2017			
Psychologists (17-02)	Organization and Procedures of the Board of Examiners of Psychologists Procedural	6/28/2017	7/28/2017					12/14/2017	1/31/2018
Psychologists (17-03)	Requirements for Licensure as a Psychologist and/or a School Psychologist Legislative	6/28/2017	7/28/2017		7/28/2017	Approved 12/1/2017			
Psychologists (17-06)	Code of Ethics Legislative	6/28/2017	7/28/2017		7/28/2017	Approved 12/1/2017			
Public Service Commission (190-3)	Government of Electric Utilities Legislative Exempt	1/18/2017	12/11/2017						
Public Service Commission (150-4)	Government of Gas Utilities and Gas Pipeline Safety Legislative Exempt	1/18/2017	12/11/2017						
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/19/2017	7/19/2017		7/27/2017	Approved amendments 12/1/2017			
Real Estate Appraiser Licensing (174-01)	Requirements for Licensure and Certification Legislative	6/14/2017	7/17/2017		7/28/2017	Approved 12/1/2017			
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers and Salespersons and the Conduct of Mortgage Business Legislative	6/23/2017	7/24/2017		7/27/2017	Modified & Approved 12/1/2017 Filed 12/8/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Real Estate Commission (174-02)	Schedule of Fees Legislative	6/26/2017	7/26/2017		7/27/2017	Approved 12/1/2017			
Real Estate Commission (174-03)	Requirements for Real Estate Courses, Course Providers and Instructors Legislative	6/26/2017	7/26/2017		7/27/2017	Modified w/ certain amendments & approved 12/1/2017 Filed 12/6/2017			
Secretary of State (153-18)	Procedures for Canvassing Elections Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/12/2017			
Secretary of State (153-27)	Procedures for Handling Ballots and Counting Write-In Votes in Counties Using Optical Scan Ballots Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/12/2017			
Secretary of State (153-30)	Vote by Mail Pilot Project Phase 2: Voting by Mail – Repeal Legislative	6/27/2017	7/27/2017		7/28/2017	Approved 8/29/2017			
Senior Services (76-3)	WV State Plan for Aging Programs	7/7/2016	8/8/2016						
State Police (81-14)	WV Sex Offender Registration Act Procedural	7/20/2017	8/22/2017						
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/16/2017	7/17/2017		7/27/2017	Approved 8/29/2017			
Tax (110-13DD)	Farm-To-Food Bank Tax Credit Legislative	6/16/2017	7/17/2017		7/27/2017	Modified & Approved 8/29/2017 Filed 9/1/2017			
Tax (110-22)	Property Transfer Tax Legislative	6/19/2017	7/20/2017		7/27/2017	Approved 8/29/2017			
Tax (110-28)	Municipal Sales and Service and Use Tax Administration Act Legislative	6/16/2017	7/17/2016	6/13/2017 Approved 7/20/2017	7/28/2017	Modified & Approved 8/29/2017 Filed 9/8/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-41)	Railroad Diesel Locomotive Refundable Exemption from the Variable Rate Component of the Motor Fuel Excise Tax Procedural	12/26/2017	1/26/2018	12/6/2017 Effective 1/17/2018	11/2/2018				
Tax (110-42)	Personnel Rule for the Tax Division Legislative	12/6/2017	1/6/2018						
Veterinary Medicine (26-1)	Organization and Operation and Licensing of Veterinarians Legislative	6/12/2017	7/13/2017		7/18/2017	Modified & Approved 8/29/2017 Filed 8/29/2017			
Veterinary Medicine (26-5)	Certified Animal Euthanasia Technicians Legislative	6/12/2017	7/13/2017		7/18/2017	Approved & Modified 8/29/2017 Filed 8/29/2017			
Veterinary Medicine (26-6)	Schedule of Fees Legislative	6/12/2017	7/13/2017		7/18/2017	Modified & Approved 8/29/2017 Filed 8/29/2017			
Waste Mgmt., Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/5/2017	7/6/2017		7/21/2017	Approved 12/1/2017			
Waste Mgmt., Div. of Water & Waste Mgmt. (33-30)	Underground Storage Tanks Legislative	6/5/2017	7/6/2017		7/25/2017	Modified & Approved 12/1/2017 Filed 12/6/2017			



WEST VIRGINIA SECRETARY OF STATE
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1/16/2018 10:17:11 AM



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MAC WARNER
ADMINISTRATIVE LAW DIVISION

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1/25/2018 8:43:54 AM

LEGISLATIVE

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-
MAKING REVIEW COMMITTEE

AGENCY: Agriculture TITLE SERIES: 61-36
RULE TYPE: Legislative Amendment to Existing Rule: No Repeat of existing rule: No
RULE NAME: 61-36 Farm to Food Bank Tax Credit

PRIMARY CONTACT

NAME: Jodie Martin
ADDRESS: 1800 Kanawha Boulevard East
Charleston, WV 25305
EMAIL: jodemartin@wvrb.us
PHONE NUMBER: 304-558-3550

CITE STATUTORY AUTHORITY: §11-1800-5(b)

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION.

This statute gives WVDA the option to promulgate rules. The rule sets both procedures and requirements for WVDA's administration of the farm to food bank tax credit that is established by §11-1800-5(b). This section states that the credit shall be allowed after 1/31/17.

DATE FILED FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 12/19/2017
DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 1/16/2018

COMMENTS RECEIVED: No
(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No
(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No
WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-
MAKING REVIEW COMMITTEE

AGENCY: Fire Marshal TITLE SERIES: 103-08
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeat of existing rule: No
RULE NAME: 103-08 Electronic Learning Rules

PRIMARY CONTACT

NAME: Kenneth Tyne
ADDRESS: 1201 Quarrier Street
Ste 2
Charleston, WV 25301
EMAIL: kenneth.tyne@wv.gov
PHONE NUMBER: 304-558-2181

CITE STATUTORY AUTHORITY: 28-3B-5

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION.

Bring the Rule in line with practice

DATE FILED FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 12/21/2017
DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 1/22/2018

COMMENTS RECEIVED: No
(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No
(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No
WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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1/22/2018 3:27:48 PM

LEGISLATIVE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-
MAKING REVIEW COMMITTEE**

AGENCY: Highways
RULE TYPE: Legislative Amendment to Existing Rule: No
TITLE SERIES: 157-12
RULE NAME: 157-12 Employment Procedures: Repeal of existing rule: No

PRIMARY CONTACT

NAME: Rob A Pusary
ADDRESS: 1960 Kanawha Blvd E
Building 2 Room109 110
Charleston, WV 25305
EMAIL: rob.a.pusary@wv.gov
PHONE NUMBER: 304-558-6337

CITE STATUTORY AUTHORITY: §17-2A-24

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CORRELATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION.

§17-2A-24 requires the DCH to establish special employment procedures for promotions, appointments, and other matters consistent with establishment of a merit based employment process.

DATE #FILED FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 11/02/2017

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 12/2/2017

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING:

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?



WEST VIRGINIA SECRETARY OF STATE
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10/4/2018 9:47 AM

PROCEDURAL

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL
RULE

AGENCY: Labor TITLE SERIES: 42-37
RULE TYPE: Procedural Amendment to Existing Rule: No Report of existing rule: No
RULE NAME: Jobs Act Procedures
CITE EXISTING AUTHORITY: W. Va. Code §21-10C-5(a)

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

March 1, 2018

Orders Report

Docket Number	Agency	Respondent	Date Rendered
	Dentistry, WV Board of	Antoine E. Skaaf, DDS	1/20/2018
	Health Care Authority	Bellington Community Medical Services Association Inc	1/8/2018
	Health Care Authority	Mental Health Balance & Development	1/8/2018
	Health Care Authority	Potomac Valley Hospital of West Virginia Inc	1/8/2018
	Health Care Authority	West Virginia University Hospitals-East	1/8/2018
	Health Care Authority	West Virginia University Hospitals Inc	1/8/2018
	Health Care Authority	WV IL-AL Investors, LLC	1/8/2018
	Insurance Commission	Liberty Mutual Fire Insurance Company	1/16/2018
	Medicine, West Virginia Board Of	George Michael Dwyer, MD	1/8/2018
	Real Estate Commission, West Virginia	E. Kay Booth	12/15/2017

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
AT CHARLESTON

EXECUTIVE ORDER NO. 4-18

By the Governor

WHEREAS, Dr. Martin Luther King, Jr., was an African-American (ingrown) who advanced social equality through non-violent means and became the leader of the modern civil rights movement in America in the 1950s and 1960s; and

WHEREAS, Dr. Martin Luther King, Jr., gained international recognition for leading the struggle for social equality that changed the United States of America, and today he remains an inspiration to individuals in this nation and throughout the world; and

WHEREAS, to honor the life and achievements of this great American and the principles in which he believed and struggled to bring to fruition, and for which he eventually gave his life, the people of West Virginia join each year in a statewide celebration of the birthday of Martin Luther King, Jr., the third Monday of each January; and

WHEREAS, a statewide holiday celebration of this magnitude requires planning, development, promotion, coordination and review by citizens across the State to maximize widespread public participation and to assure the events are successful and in keeping with the symbolism by which they should be observed; and

WHEREAS, these responsibilities can be accomplished effectively by a State Commission; and

WHEREAS, the Martin Luther King, Jr. State Holiday Commission was established by Executive Order No. 12-45 and amended by Executive Order No. 17-48, No. 8-91, No. 12-98, No. 21-42, No. 14-02, No. 13-09, No. 8-13, Executive Order No. #13 updated on June 30, 2011.

EXECUTIVE ORDER

NOW, THEREFORE, I, JIM JUSTICE, by virtue of the authority vested in me as the Governor of West Virginia, do hereby REPEAL and ORDER, as follows:

1. The Martin Luther King, Jr. State Holiday Commission shall be continued and shall exercise the following powers and duties:

- (a) Develop, promote, coordinate and review plans and make recommendations for specific activities to be undertaken by state government for the general public to commemorate the birthday and achievements of Dr. Martin Luther King, Jr.;
- (b) Encourage state, local and county government agencies, educational institutions, organizations and the general public to plan activities for observance of the holiday, and provide them with assistance and information;

(c) Coordinate plans with other state and federal counterparts for observance of the holiday; and

(d) Provide annual reports to the Governor informing on commemorative activities held throughout the State, including findings, proposals, conclusions and recommendations for future annual State celebrations of the birthday and achievements of Dr. Martin Luther King, Jr.

2. The Executive Director of the Herbert Honaman Office of Minority Affairs shall serve as the Chair of the Commission.

3. The members of the Commission shall be appointed by the Governor and shall serve at his will and pleasure. The members shall receive no compensation for their

services, however, all state departments, divisions and agencies are hereby authorized to provide assistance, as requested by the Chair of the Commission, in order to facilitate the progress of this Order.

EXECUTIVE ORDER

4. The Chair of the Commission may require general assistance from the Division of Culture and History, the Herbert Honcharow Office of Minority Affairs, or both, to further the goals of the Commission, including reasonable staffing, financial and administrative resources, and the use of grants-contract facilities. The Division of Culture and History and the Herbert Honcharow Office of Minority Affairs shall provide reasonable assistance upon request.
5. The Commission shall expire on the thirtieth day of June, Two Thousand Twenty-Two, or as amended by a subsequent 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

DOCK at the Capital, in the City of Charleston, State of West Virginia, this the twenty-third day of January, in the year of our Lord, Two Thousand Eighteen, and in the One Hundred Fifty-ninth year of the State.



GOVERNOR

By the Governor

Mae Hain
SECRETARY OF STATE

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED

100 Dee Drive
Charleston, West Virginia 25311-1600

OTHER

January 22, 2018

OFFICE OF LEGAL
SECURITY OF STATE

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending January 19, 2018.

LETTERS OF INTENT RECEIVED

January 16, 2018 – Children's Hospital of Pittsburgh of UPMC, Pittsburgh, PA, CON File #18-9-11274-P, for the development of an ambulatory care center to provide pediatric subspecialty services in Morgantown, Monongalia County, capital expenditure: \$712,682.

January 19, 2018 – Kentucky Homecare Parent, Inc. and Kentucky Homecare Holdings, Inc., Louisville, KY, CON File #18-102/3/4/5/6-11277-A, for the acquisition of Gentiva Health Services, Inc.; capital expenditure: \$50,639,325.

APPLICATIONS FOR EXEMPTION RECEIVED

January 16, 2018 – Countywide Assisted Living, LLC, Inwood, Berkeley County, CON File #18-9-11273-X, for the development of an assisted living facility in Martinsburg, Berkeley County.

January 18, 2018 – Reynolds Memorial Hospital, Glen Dale, Marshall County, CON File #18-10-11276-X, for the development of a birthing center in Reynolds Memorial Hospital.

APPLICATION DECLARED COMPLETE AND UNDER REVIEW

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

EXPEDITED APPLICATION

January 12, 2018 - Berkeley Medical Center, Martinsburg, Berkeley County, CON File #17-9-11283-P, for the development of an ambulatory health care facility in Jefferson County through the acquisition of a physician practice, capital expenditure: \$83,000.

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

January 16, 2018 – Review cycle begins.

February 15, 2018 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to affected persons.

February 20, 2018 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application.

March 19, 2018 – Decision on the project will be issued by the Authority.

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



State of West Virginia

Jim Justice, Governor

WV Office of Mine Health, Safety & Training

Greg Norman, Director

47 Payne Club Drive, Charleston, West Virginia 25311-1426

Telephone: 304-558-1420 • Fax: 304-558-1322

www.wvminehealth.com

West Virginia Coal Industry and Interest Parties

FROM: Greg Norman, Director

DATE: January 19, 2018

RE: List of Innovative Mine Safety Technology Approved for Purposes of the West Virginia Innovative Mine Safety Technology Tax Credit Act

By letter dated December 20, 2017, the West Virginia Mine Safety Technology Task Force (task force) submitted to me its list of innovative mine safety technology safety items as required by WV Code §12-1216-4(a) (copy enclosed). Pursuant to the requirements of WV Code §12-1216-4(b), I am enclosing in this letter the list of approved innovative mine safety technology items for this tax year as follows:

1. Detrilllers, on all permitted sprainners and areas, prep plants, quarries, loadout, river docks, and surface mines.
2. Proximity detectors that have been approved by MSHA - for additional equipment beyond required by state and Federal requirements.
3. Through the Earth Mine Communication Systems.
4. Personal dust monitors.
5. Cameras on underground mine mobile equipment that is not currently required to possess a camera under state law.
6. Parabolic communication systems for: bleeders, returns, and other isolated areas.
7. Air stream blowers.
8. Early upgrades to refuge alternatives and refuge alternative components.
9. Unmanned aerial vehicles for safety enhancement.

Reggie Owe - 14 Calumet Dr. Box 1 - Summers, West Virginia 26051 • Telephone: 304-262-3348 • Fax: 304-262-3275
Angie Thompson - 1077 Virginia Ave. Welch, West Virginia 26061-3211 • Telephone: 304-264-8411 • Fax: 304-435-2180
Cory G. Hays - 1000 1/2 Main Street, Box 1000 - Hurricane, West Virginia 25933 • Telephone: 304-464-4100 • Fax: 304-464-4629
Angie Pinner - 158 Belmont Dr. - Oak Hill, West Virginia 25901-0214 • Telephone: 304-464-4100 • Fax: 304-464-4629

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JAN 23 10 11 AM '18
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OFFICE OF MINE HEALTH, SAFETY & TRAINING
SECRETARY OF STATE



WEST VIRGINIA MINE SAFETY TECHNOLOGY TASK FORCE

390 Kanawha Blvd East, 8th Floor, Charleston, West Virginia 25301 • Telephone: 304-557-5266 • Fax: 304-558-0282

20 December 2017

Mr. Greg Norman, Director
Office of Mine Health, Safety and Training
Number 7 Payne Club Drive
Charleston, West Virginia 25311

Re: Technology Tax Credit List

Director Norman:

This letter is being submitted by the West Virginia Board of Coal Mine Health and Safety in order to comply with the requirements of §12-1216-4, "List of Approved Innovative Mine Safety Technology."

The West Virginia Mine Safety Technology Task Force would like to recommend to you the follow:

1. Detrilllers, on all operations and areas, prep plants, quarries, loadout, river docks and surface mines.
2. Proximity detectors that have been approved by MSHA - for additional equipment beyond required by state & federal requirements.
3. Through the Earth Mine Communication Systems.
4. Personal dust monitors.
5. Cameras on underground mine mobile equipment for all mobile equipment that is not currently required to possess a camera under state law.
6. Parabolic communication systems for: bleeders, returns, and other isolated areas.
7. Air stream blowers.
8. Early upgrades to refuge alternatives and refuge alternative components.
9. Unmanned aerial vehicles for safety enhancement.

Sincerely,

Joel L. Werts, Administrator
WV Board of Coal Mine Health & Safety
On behalf of: