



WEST VIRGINIA REGISTER

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CONTENTS

Chronological Index

Rule Monitor

Notices

- a. Legislative Rules
- b. Interpretive Rules
- c. Procedural Rules
- d. Emergency Rules
- e. Legislative Rule-Making Review Committee

Legislative Interims

Orders

Ethics Commission Opinions

Office of Tax Appeal Decisions

Other Documents or Information Filed

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

Athletic Commission

Crime, Delinquency and Correction

Environmental Protection, Secretary's office

Health

Health Care Authority

Pharmacy

Real Estate Appraiser Licensing and Certification Bd.

Senior Services

CHRONOLOGICAL INDEX, VOLUME XXXY ISSUE 14

NO NEW PROPOSED RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

NEW EMERGENCY RULES FILED THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	EFFECTIVE DATE	DATE NOTICE FOR HEARING
Health (64-109)	Medical Cannabis Program – General Rules	§16A-3-1(b)	ERD by May 15, 2018	May 3, 2018
Health (64-110)	Medical Cannabis Program – Grower/Processors	§16A-3-1(b)	ERD by May 16, 2018	May 4, 2018
Health (64-111)	Medical Cannabis Program – Laboratories	§16A-3-1(b)	ERD by May 16, 2018	May 4, 2018
Health (64-112)	Medical Cannabis Program – Dispensaries	§16A-3-1(b)	ERD by May 16, 2018	May 4, 2018
Health (64-113)	Medical Cannabis Program – Safe Harbor Letter	§§16A-3-5 and 16A-10-6	ERD by May 16, 2018	May 4, 2018



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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 AGENCIESTITLE NUMBERNAME 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	DIETITIANS
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 136	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 160	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	MESSAGE THERAPY LICENSURE BOARD
TITLE 199	EXPLOSIVES & BLASTING
TITLE 204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRNRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy, WV Bd. Of (1-01)	Board Rules and Rules of Professional Conduct Legislative	5/23/2017	7/23/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 9/29/2017	Bundled HB 4079		
Agriculture (61-01)	Animal Disease Control Legislative	6/26/2017	7/26/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/19/2017	Bundled HB 4079	3/23/2018	4/28/2018
Agriculture (61-2)	West Virginia Apsley Law Legislative	6/15/2017	7/16/2017		7/18/2017	Modified & Approved 8/25/2017 Filed 9/18/2017	Bundled HB 4079	3/21/2018	4/20/2018
Agriculture (61-11B)	Audiotones Legislative	6/26/2017	7/26/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/19/2017	Bundled HB 4079		
Agriculture (61-14A)	Noxious Weeds Legislative	6/22/2017	7/22/2017 Hearing 11/3/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/19/2017	Bundled HB 4079	3/22/2018	4/22/2018
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	6/15/2017	7/16/2017		7/17/2017	Modified & Approved 8/29/2017 Filed 9/15/2017	Bundled HB 4079	3/22/2018	4/22/2018
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	Bundled HB 4079	3/22/2018	4/22/2018
Agriculture (61-36)	Farm to Food Bank Tax Credit Legislative	12/18/2017	1/18/2018	12/18/2017 Effective 1/25/2018	1/19/2018				
Air Quality (45-8)	Ambient Air Quality Standards Legislative	6/5/2017	7/11/2017		7/21/2017	Approved 8/29/2017	Bundled SB 163	3/22/2018	6/1/2018
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	Bundled SB 163	3/22/2018	6/1/2018

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LMRRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 8/23/2017 Filed 8/24/2017	Bundled SB 163	3/22/2018	6/1/2018
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	Bundled SB 163	3/22/2018	6/1/2018
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/8/2017	7/11/2017		7/21/2017	Approved 8/23/2017	Bundled SB 163	3/22/2018	6/1/2018
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/8/2017	7/11/2017		7/21/2017	Approved 8/29/2017	Bundled SB 163	3/22/2018	6/1/2018
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	Bundled HB 4079	4/4/2018	6/1/2018
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	Bundled HB 4079	4/4/2018	6/1/2018
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		1/28/2018	Amended by LOCEA & Approved 2/6/2018 Filed 2/8/2018	Bundled HB 4622		
Comm. & Tech. College Education (135-55)	Human Resources Administration Legislative	1/28/2017	1/10/2018		1/26/2018	Approved 2/6/2018	Bundled HB 4622		
Contractor Licensing Board (28-4)	Contractor Licensing Board Procedural	1/10/2018	2/9/2018					3/16/2018	4/16/2018
Crime Delinquency and Correction (149-2)	Law Enforcement Training and Certification Standards Legislative	6/21/2017	7/24/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/13/2017	Bundled SB 181	4/2/2018	7/1/2018

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Crimc Delinquency and Correction (149-03)	Protocol for Law Enforcement Response to Domestic Violence Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/14/2017	Bundled SB 181		
Education (126-28)	West Virginia's Universal Access to a Quality Early Education System (2520.3) 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	11/09/2017	12/11/2017					1/11/2018	7/1/2018
Education (126-42)	Assuring the Quality of Education: Regulations for Education Programs (2510) Legislative Exempt	11/09/2017	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) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2018
Education (126-44P)	WV Alternate Academic Achievement Standards (2520.16) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2018
Environmental Protection - Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2017	7/6/2017		7/11/2017	Approved 12/1/2017	Bundled SB 163	3/20/2018	4/1/2018
Ethics Commission (158-16)	Complaints, Probable Cause Review Board and Investigations Procedural	2/2/2018	3/5/2018					3/12/2018	4/1/2018
Ethics Commission (158-17)	Hearings Procedural	3/14/2018	4/13/2018						
Ethics Commission (158-19)	West Virginia Ethics Commission Procedural	3/14/2018	4/13/2018						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Commission (87-3)	Hazardous Substance Emergency Response Training Programs Legislative	6/18/2017	7/19/2017		7/25/2017	Modified & Approved 12/2/2017 Filed 12/7/2017	Bundled SB 181		
Fire Marshal (103-5)	Elictrcims Licensing Rules Legislative	12/21/2017	1/20/2018		1/26/2018		Bundled SB 181		
Health (64-12)	Hospital Licensure Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 8/30/2017 Filed 8/30/2017	Bundled SB 165	3/14/2018	6/1/2018
Health (64-109)	General Rules-Medical Cannabis Program Legislative			4/3/2018 ERD by 5/15/2018					
Health (64-110)	Growth/Professions-Medical Cannabis Program Legislative			4/4/2018 ERD by 5/16/2018					
Health (64-111)	Laboratories-Medical Cannabis Program Legislative			4/4/2018 ERD by 5/16/2018					
Health (64-112)	Dispensaries-Medical Cannabis Program Legislative			4/4/2018 ERD by 5/16/2018					
Health (64-113)	Sale Herbor Lefter-Medical Cannabis Program Legislative			4/4/2018 ERD by 5/16/2018					
Hearing Aid Dealers (8-01)	WV Board of Hearing Aid Dealers Legislative	6/23/2017	7/24/2017		7/26/2017	Approved 8/28/2017	Bundled HB 4079		
Higher Education Policy Comm. (133-11)	Submission of Proposals for Academic Programs at Public Regional Institutions and the Monitoring and Discontinuance of Existing Programs Procedural	3/26/2018	4/28/2018						
Higher Education Policy Comm. (133-12)	Capitol Project Management Legislative	11/20/2017	12/20/2017		1/22/2018	Amended by LOCEA & Approved 2/6/2018 Filed 2/8/2018	Bundled HB 4622		
Higher Education Policy Comm. (133-32)	Tuition and Fee Policy Legislative	11/20/2017	12/20/2017		1/16/2018	Approved 1/16/2018	Bundled HB 4622		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Education Policy Comm. (133-55)	Human Resources Administration Legislative	11/21/2017	12/27/2017		2/9/2018	Approved 2/6/2018	Bundled HB 4622		
Highways (157-2)	Dispose, Lease and Management of Real Property and Appointment Structure and Rehabilitation Assistance Legislative	6/22/2017	7/24/2017		7/26/2017	Modified & Approved 7/27/2017 Filed 7/27/2017	Bundled SB 184		
Highways (157-12)	Employment Procedures Legislative	11/2/2017	12/2/2017	11/1/2017 Effective 12/13/2017	1/22/2018		Bundled SB 184		
Labor (42-10)	Zipline and Canyoneer Tour Responsibility Act Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017	Bundled SB 230	3/23/2018	3/30/2018
Medicine (11-6)	Continuing Education for Physicians and Podiatrists Legislative	6/21/2017	7/21/2017		7/26/2017	Approved 8/29/2017	Bundled HB 4079		
Medicine (11-01B)	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 12/3/2017 Filed 12/6/2017	Bundled HB 4079		
Mines' Health, Safety and Training (59-23)	Operating Diesel Equipment in Underground Mines in WV Legislative	6/22/2017	7/24/2017	6/22/2017 Approved 7/20/2017	7/27/2017	Approved 12/2/2017	Bundled SB 230		
Mining and Reclamation (39-02)	West Virginia Surface Mining Reclamation Legislative	6/6/2017	7/18/2017		7/27/2017	Modified & Approved 12/1/2017 Filed 12/5/2017	Bundled SB 163	3/21/2018	7/1/2018
Natural Resources (59-02)	Rules Controlling the Public Land Corporations Sale, Lease, Exchange or Transfer of Land or Minerals Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 8/29/2017	Bundled SB 230		
Natural Resources (59-11)	Hunting, Fishing and Other Outfitters and Guides Legislative	6/23/2017	7/24/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/16/2017	Bundled SB 230		
Natural Resources (59-46)	General Hunting Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017	Bundled SB 230		
Natural Resources (59-55)	Special Migratory Bird Hunting Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017	Bundled SB 230		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-64)	Miscellaneous Permits and Licenses Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017	Bundled SB 230		
Optometry (14-01)	WV Board of Optometry Legislative	6/28/2017	7/28/2017		7/28/2017	Approved 8/28/2017	Bundled HB 4079		
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	Bundled HB 4079		
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	6/22/2017	7/24/2017		7/28/2017	Approved 9/20/2017	Bundled HB 4079	4/2/2018	4/2/2018
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	Bundled HB 4079		
Pharmacy (15-7)	Registration of Pharmacy Technicians Legislative	5/12/2017	6/12/2017		7/28/2017	Modified & Approved 12/3/2017 Filed 12/18/2017	Bundled HB 4079	4/2/2018	4/2/2018
Pharmacy (15-8)	Controlled Substances Mentoring Program Legislative	6/15/2017	7/17/2017	6/15/2017 Approved 9/19/2017	7/28/2017	Modified & Approved 9/20/2017 Filed 11/7/2017	Bundled HB 4079	4/2/2018	4/2/2018
Pharmacy (15-10)	Pharmacist Recovery Networks Legislative	5/12/2017	6/12/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 11/7/2017	Bundled HB 4079	4/2/2018	4/2/2018
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/15/2017	7/17/2017		7/28/2017	Modified & Approved 12/3/2017 Filed 12/18/2017	Bundled HB 4079	4/2/2018	4/2/2018
Psychologists (17-01)	Fees Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/1/2017 Filed 12/13/2017	Bundled HB 4079		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LWRM-C ACTION	LK/IS	FINAL FILE	EFFECTIVE
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	Bundled HB 4079		
Psychologists (17-06)	Code of Ethics Legislative	6/28/2017	7/28/2017		7/28/2017	Approved 12/1/2017	Bundled HB 4079		
Public Service Commission (150-3)	Government of Electric Utilities Legislative Exempt	11/8/2017	12/11/2017						
Public Service Commission (150-4)	Government of Gas Utilities and Gas Pipeline Safety Legislative Exempt	11/8/2017	12/11/2017						
Public Service Commission (150-25)	Telephone Emergency Service Legislative Exempt	3/9/2018	4/9/2018						
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/19/2017	7/19/2017		7/27/2017	Approved w/certain amendments 12/1/2017		3/23/2018	6/27/2018
Real Estate Appraiser Licensing (180-2)	Requirements for Licensure and Certification & Cert. Bd. Legislative	6/14/2017	7/17/2017		7/28/2017	Approved 12/1/2017	Bundled HB 4079	4/5/2018	4/5/2018
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers and Salespersons and the Conduct of Brokerage Business Legislative	6/23/2017	7/24/2017		7/27/2017	Modified & Approved 12/1/2017 Filed 12/6/2017	Bundled HB 4079		
Real Estate Commission (174-02)	Schedule of Fees Legislative	6/26/2017	7/26/2017		7/27/2017	Approved 12/1/2017	Bundled HB 4079		
Real Estate Commission (174-03)	Requirements for Real Estate Courses, Course Providers and Instructions Legislative	6/26/2017	7/26/2017		7/27/2017	Modified w/ certain amendments & Approved 12/1/2017 Filed 12/6/2017	Bundled HB 4079		
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	Bundled HB 4079		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LMRCACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled HB 4079		
Secretary of State (153-39)	Vote by Mail Pilot Project Phase 2: Voting by Mail – Repeat Legislative	6/27/2017	7/27/2017		7/28/2017	Approved 8/29/2017	Bundled HB 4079		
Senior Services (76-3)	WV State Plan for Aging Programs Interpretive	7/7/2016	8/8/2016						
THE ABOVE RULE EXPIRED FEBRUARY 22, 2017									
State Police (81-14)	WV Sex Offender Registration Act Procedural	7/20/2017	8/22/2017						
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						
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	Bundled HB 4079		
Veterinary Medicine (26-5)	Certified Animal Euthanasia Technicians Legislative	6/12/2017	7/13/2017		7/18/2017	Approved & Modified 9/20/2017 Filed 9/20/2017	Bundled HB 4079		
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	Bundled HB 4079		
Waste Mgmt., Div. of Water & Waste (33-20)	Hazardous Waste Management System Legislative	6/5/2017	7/6/2017		7/21/2017	Approved 12/11/2017	Bundled SB 163	3/9/2018	6/1/2018
Waste Mgmt., Div. of Water & Waste (33-30)	Underground Storage Tanks Legislative	6/5/2017	7/6/2017		7/25/2017	Modified & Approved 12/11/2017 Filed 12/4/2017	Bundled SB 163	3/9/2018	6/1/2018



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/20/2018 4:30 PM
Office of West Virginia
Secretary Of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/16/2018 4:27 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: AHEHS Commission TITLE SERIES: 177-41
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 RULE NAME: West Virginia State AHEHS Commission
 CITE SWRUTORY AUTHORITY: W. Va. Code §29-5A-6, W. Va. Code §29-5A-10, W.

The above rule has been authorized by the West Virginia Legislature.
 Authorization is closed in (house or senate bill HOUSE BILL #209

Section W. Va. Code §64-6-3 Passed On 3/22/2018 12:20:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:
 JUNE 1, 2018

This rule shall terminate and have no further force or effect from the following date:

June 1, 2023

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

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

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: AHEHS Commission TITLE SERIES: 177-40
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 RULE NAME: Regulation of Mixed Martial Arts
 CITE SWRUTORY AUTHORITY: W. Va. Code §29-5A-4, W. Va. Code §29-5A-5(a), W. Va. Code §29-5A-8,
 W. Va. Code §29-5A-11, W. Va. Code §29-5A-24(b)

The above rule has been authorized by the West Virginia Legislature.
 Authorization is closed in (house or senate bill HOUSE BILL #279

Section W. Va. Code §64-6-3 Passed On 3/22/2018 12:20:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:
 JUNE 1, 2018

This rule shall terminate and have no further force or effect from the following date:

June 1, 2023

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

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



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/27/2018 2:26 AM
Office of West Virginia
Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
3/25/2018 12:13 PM

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Crime Delinquency And Correction
RULE TYPE: Legislative
RULE NAME: Law Enforcement Training and Certification Standards
TITLE SERIES: 30-28-3
Amendment to Existing Rule: Yes
Repeal of existing rule: No

CITE STATUTORY AUTHORITY: 30-28-3

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) SB181
Section Legislation Passed On
3/27/2018 12:00:00 AM
This rule is filed with the Secretary of State. This rule becomes effective on the following date:

APR 5, 2018

This rule shall commence and have no further force or effect from the following date:

06/30/2023

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

Yes
Charles A Sailer - By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §20A-3-11 and §10A-3-2.

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Environmental Protection Secretarys Office
RULE TYPE: Legislative
RULE NAME: Voluntary Remediation and Remediation Rule
TITLE SERIES: 60-03
Amendment to Existing Rule: Yes
Repeal of existing rule: No

CITE STATUTORY AUTHORITY: W. VA. CODE § 22-22-3

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) SB18103
Section 664-3-1, Department of Environmental Protection Passed On
2/15/2018 12:00:00 AM
This rule is filed with the Secretary of State. This rule becomes effective on the following date:

APR 1, 2018

This rule shall terminate and have no further force or effect from the following date:

06/30/2023



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

FILED
4/2/2018 11:16 AM
Office of West Virginia
Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

FILED
4/2/2018 12:51 AM
Office of West Virginia
Secretary of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Pharmacy TITLE-SERIES: 15-01
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: Licensure and Practice of Pharmacy

CITE STATUTORY AUTHORITY: §30-5-7
The above rule has been authorized by the West Virginia Legislature.
Authorization is cited in (house or senate bill number) 4029

Session: MA Passed On: 3/30/2018, 12:00:00 AM
This rule is filed with the Secretary of State. This rule becomes effective on the following date:
April 2, 2018

This rule shall terminate and have no further force or effect from the following date:
04/02/2028

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

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

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Pharmacy TITLE-SERIES: 15-07
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: Registration of Pharmacy Technicians

CITE STATUTORY AUTHORITY: §30-5-7
The above rule has been authorized by the West Virginia Legislature.
Authorization is cited in (house or senate bill number) 4029

Session: MA Passed On: 3/30/2018, 12:00:00 AM
This rule is filed with the Secretary of State. This rule becomes effective on the following date:
April 2, 2018

This rule shall terminate and have no further force or effect from the following date:
04/02/2028

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

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



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
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*FILED
4/27/2018 10:57 AM
Office of West Virginia
Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

*FILED
4/27/2018 10:03 AM
Office of West Virginia
Secretary of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Pharmacy TITLE-SERIES: 15-26
RULE TYPE: Legislative Amendment to Existing Rule: Yes Recall of existing rule: No
RULE NAME: Controlled Substance Monitoring Program

CITE EVOLUTIONARY AUTHORITY: §30-5-7

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number): 4073

Section: 1A Passed On: 3/29/2018 12:00:00 AM

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

April 2, 2018

This rule shall terminate and have no further force or effect from the following date:

04/02/2028

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

Yes

Michael L. Goff - By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §26A-3-11 and §39A-3-2.

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Pharmacy TITLE-SERIES: 15-10
RULE TYPE: Legislative Amendment to Existing Rule: Yes Recall of existing rule: No
RULE NAME: Pharmacists Recovery Networks

CITE EVOLUTIONARY AUTHORITY: §30-5-7

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number): 4073

Section: 1A Passed On: 3/29/2018 12:00:00 AM

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

April 2, 2018

This rule shall terminate and have no further force or effect from the following date:

04/02/2028

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

Yes

Michael L. Goff - By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §26A-3-11 and §39A-3-2.



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/5/2018 11:21 AM
Office of West Virginia
Secretary of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Pharmacy TITLE-SERIES: 15-14
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: Controlled Prescription Processing

CITIZEN/STAFF AUTHORITY: §10-5-7
The above rule has been authorized by the West Virginia Legislature.
Authorization is cited in (house or senate bill number) 6029

Section: NA Passed On: 3/9/2018, 12:00:00 AM
This rule is filed with the Secretary of State. This rule becomes effective on the following date:
Act 2, 2018

This rule shall terminate and have no further force or effect from the following date:
04/02/2028

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

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

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Rev'd Estate Appraiser Licensing And Certification TITLE-SERIES: 19B-02
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: Requirements for Licensure and Certification

CITIZEN/STAFF AUTHORITY: 30-1-4b, 30-38-4, 30-38-5, 30-38-6, 30-38-7, 30-38-9, 30-38-11
The above rule has been authorized by the West Virginia Legislature.
Authorization is cited in (house or senate bill number) HB6022

Section: 11.2d Passed On: 3/9/2018, 12:00:00 AM
This rule is filed with the Secretary of State. This rule becomes effective on the following date:
Act 5, 2018

This rule shall terminate and have no further force or effect from the following date:

April 5, 2023

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

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

WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION

Do Not Mark in This Box

FILED

MAR 03 A 9:00

OFFICE OF THE
SECRETARY OF STATE
PROCEDURAL

EXPIRATION OF FILING OF PROCEDURAL RULE

AGENCY: Senior Services TITLE NUMBER: 78

SERIES NUMBER OF RULE: 3

TITLE OF RULE: WV State Plan for Aging Programs

THE ABOVE RULE EXPIRED FEBRUARY 22, 2017 FOR FAILURE TO FINAL FILE WITHIN
200 MONTHS OF CLOSE OF COMMENT

Judith Cooper
DIRECTOR, ADMINISTRATIVE LAW DIVISION



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

#FILED
4/20/2018 4:45 PM
Office of West Virginia
Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

#FILED
4/20/2018 8:17 AM
Office of West Virginia
Secretary of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Health TITLE SERIES: 64-109
RULE TYPE: Legislative Amendment to Existing Rule: No
RULE NAME: Medical Cannabis Program - General Rules
CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:
W. Va. Code §§ 64A-3-10)

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

NOTICE OF AN EMERGENCY RULE

AGENCY: Health TITLE SERIES: 64-110
RULE TYPE: Legislative Amendment to Existing Rule: No
RULE NAME: Medical Cannabis Program - Grower/Processors
CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:
W. Va. Code §§ 64A-3-10b)

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

PRIMARY CONTACT:

NAME: Heather McDaniel
ADDRESS: One Davis Square Suite 100 Charleston WV 25301
EMAIL: heather.j.mcdaniel@wv.gov
PHONE NUMBER: 304-560-3719

PRIMARY CONTACT:

NAME: Heather McDaniel
ADDRESS: One Davis Square Suite 100 Charleston WV 25301
EMAIL: heather.j.mcdaniel@wv.gov
PHONE NUMBER: 304-560-3719

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 30th DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 30th DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

#FILED
4/4/2018 8:22 AM
Office of West Virginia
Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

#FILED
4/4/2018 8:32 AM
Office of West Virginia
Secretary of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Health TITLE SERIES: 64-111
RULE TYPE: Legislative Amendment to Existing Rule: No
RULE NAME: Medical Cannabis Program - Laboratories
CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:
W. Va. Code §§16A-3-(1b).

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN.

PRIMARY CONTACT:

NAME: Heather McDaniel
ADDRESS: One Davis Square Suite 100 Charleston WV 25301

EMAIL: heather.j.mcdaniels@wv.gov
PHONE NUMBER: 304-593-3719

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

NOTICE OF AN EMERGENCY RULE

AGENCY: Health TITLE SERIES: 64-112
RULE TYPE: Legislative Amendment to Existing Rule: No
RULE NAME: Medical Cannabis Program - Dispensaries
CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:
W. Va. Code §§16A-3-(1b).

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN.

PRIMARY CONTACT:

NAME: Heather McDaniel
ADDRESS: One Davis Square Suite 100 Charleston WV 25301

EMAIL: heather.j.mcdaniels@wv.gov
PHONE NUMBER: 304-593-3719

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/4/2018 8:39 AM
Office of West Virginia
Secretary of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Health TITLE SERIES: 64-113

RULE TYPE: Legislative Amendment to Existing Rule: No

RULE NAME: Medical Cannabis Program - Safe Harbor Letter

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §§ 16A-3-6 & 16A-10-6

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

PRIMARY CONTACT:

NAME: Heather McCreel
ADDRESS: One Davis Square Suite 100 Charleston WV 25301

EMAIL: heather.j.mccreel@wv.gov

PHONE NUMBER: 304-550-3719

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE ON THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

Orders Report

Docket Number	Agency	Respondent	Date Rendered
18-5-11322-X	Health Care Authority	Discovery Ridge Recovery Center	3/26/2018
18-6-11326-X	Health Care Authority	Highland-Clarksburg Hospital Inc	3/28/2018
17-6/7-11207-PC	Health Care Authority	Hometown Care LLC	3/29/2018
18-5-11286-P	Health Care Authority	Hospital Development Co	3/29/2018
18-4-11312-X	Health Care Authority	Rainelle Medical Center Inc	3/27/2018
18-4-11313-X	Health Care Authority	Rainelle Medical Center Inc	3/27/2018
18-2-11327-X	Health Care Authority	St. Mary's Medical Center	3/28/2018
18-3-11299-X	Health Care Authority	Thomas Health System Inc	3/27/2018



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
West Virginia Health Care Authority

Bill J. Crouch
Governor Secretary

Hennett Fitzgerald
Executive Director

OTHER

Notice of Review
Page 2
April 2, 2018

NOTICE OF REVIEW
FOR IMMEDIATE RELEASE

April 2, 2018

NEWS ITEM

FILED
APR 2 2018
SECRETARY OF STATE

The Health Care Authority (Authority), pursuant to the Certificate of Need Program, has declared complete and accepted for review the expediting applications referenced below:

March 21, 2018 - Appalachian Regional Healthcare, Inc., Lexington, KY, CON File #18-1-1317-P, for the establishment of an ambulatory health care facility through the acquisition of the Beaver Family Clinic located at 703 Ritter Drive, Beaver, Raleigh County; capital expenditure: \$63,123.

March 21, 2018 - Appalachian Regional Healthcare, Inc., Lexington, KY, CON File #18-1-1318-P, for the establishment of an ambulatory health care facility through the acquisition of Appalachian Gastroenterology located at 428 Carnegie Drive, Beckley, Raleigh County; capital expenditure: \$50,410.

March 20, 2018 - St. Joseph's Hospital of Buckhannon, Inc., Buckhannon, Upshur County, CON File #18-7-1319-P, for the development of an ambulatory health care facility in Brandon County, West Virginia, through the provision of podiatric medicine services; capital expenditure: \$10,000.

March 30, 2018 - Children's Hospital of Pittsburgh of UPMC, Pittsburgh, PA, CON File #18-6-11274-P, for the development of an ambulatory health care facility to provide podiatric subspecialty services in Morgantown, Monongalia County; capital expenditure: \$219,692.

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

The review cycle begins on **March 30, 2018**.

On or before **April 30, 2018**, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will be **May 4, 2018**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications.

The Decision on the projects referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decisions will be issued on or before **May 28, 2018**.

A press release will be issued after the decisions are made. Anyone wishing to be directly notified of the Decisions should submit a written request to Barbara Swann, Director, Certificate of Need, Health Care Authority, 100 Doe Drive, Charleston, West Virginia, 25311-1600. Further information on any project referenced in the news release may be obtained by contacting the Certificate of Need office at telephone number (304) 558-7000.

Barbara Swann
Barbara Swann, Director, Certificate of Need
Health Care Authority

4/2/18
Date

WEST VIRGINIA HEALTH CARE AUTHORITY FILED
CERTIFICATE OF NEED

100 Dee Drive
Charleston, West Virginia 25311-1600

APR -4 A 9 24

OFFICE: WEST VIRGINIA
SECRETARIAT OF STATE

April 2, 2018

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending March 30, 2018.

LETTERS OF INTENT RECEIVED

March 26, 2018 – Jackson General Hospital, Ripley, Jackson County, CON File #18-5-11338-P, for the development of an ambulatory health care facility in Jackson County through the development of a primary care practice; capital expenditure: \$80,000.

March 30, 2018 – United Hospital Center, Inc., Bridgeport, Harrison County, CON File #18-7-11340-P, for the development of two ambulatory health care facilities through the provision of specialty physician services in an office based practice and at Davis Memorial Hospital in Randolph County; capital expenditure: \$34,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

March 26, 2018 – Lots of Hearts Homecare, LLC, Charleston, Kanawha County, CON File #18-3-11325-Z, for the provision of home health services in Kanawha County; capital expenditure: \$10,000.

APPLICATIONS FOR EXEMPTION RECEIVED

March 26, 2018 – Rainelle Medical Center, Inc., Rainelle, Summers County, CON File #18-1-11340-X, for the provision of behavioral health services at Hinton Area Elementary School.

March 29, 2018 – Rainelle Medical Center, Inc., Rainelle, Summers County, CON File #18-1-11341-X, for the provision of behavioral health services at Summers County Middle School.

ORDERS TO WITHDRAW CON APPLICATION ISSUED

March 29, 2018 – Homestead Care, LLC, Beffington, Boone County, CON File #17-6/7-11207-PC, for the provision of personal care services in Putnam, Harrison, Marion and Upshur counties; capital expenditure: \$1,500.

March 29, 2018 – Hospital Development Co. dba Roane General Hospital, Spencer, Roane County, CON File #18-5-11280-P, for the development of an outpatient

ambulatory care building; capital expenditure: \$7,000,000.

PROJECTS DETERMINED NOT REVIEWABLE

March 27, 2018 – Thomas Health System, Inc., South Charleston, Kanawha County, CON File #18-3-11289-X, for the health reorganization of the skilled nursing unit currently located at Saint Francis Hospital in Charleston, Kanawha County, to the campus of Thomas Memorial Hospital in South Charleston, Kanawha County; capital expenditure is less than the expenditure minimum.

March 28, 2018 – Highland-Clarksburg Hospital, Inc., Clarksburg, Harrison County, CON File #18-6-11326-X, for the development of a distinct part unit for 62 of its 115 licensed beds, which are used for forensic patients, and decertification of those beds for Medicare and Medicaid; no capital expenditure.

EXEMPTION APPLICATIONS APPROVED

March 26, 2018 – Discovery Ridge Recovery Center, Parkersburg, Wood County, CON File #18-6-11322-X, for the development of a behavioral health center providing medication assisted treatment services in Wood County.

March 27, 2018 – Rainelle Medical Center, Inc., Rainelle, Greenbrier County, CON File #18-4-11312-X, for the development of school based behavioral health services at Ansted Elementary School.

March 27, 2018 – Rainelle Medical Center, Inc., Rainelle, Greenbrier County, CON File #18-4-11313-X, for the development of school based behavioral health services at Ansted Middle School.

March 28, 2018 – St. Mary's Medical Center, Inc., Huntington, Cabell County, CON File #18-2-11327-X, for the conversion of four of its 261 medical-surgical beds to intensive care unit (ICU) beds.

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

OTHER

