



WEST VIRGINIA REGISTER

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

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Education

Ethics Commission

Health Care Authority

Highways

Insurance Commission

Miners Health Safety and Training

Real Estate Commission

Senior Services

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NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION
Education (126-12)	West Virginia Accountability System (2322) Legislative Exempt	§29A-3B-1	Written Comments Only May 14, 2018, 4:00 pm Michele Blatt, Assistant Superintendent WVDE Capitol Bldg., Room 700 Charleston, WV 25305 mblatt@k12.wv.us
Education (126-14)	West Virginia Measures of Academic Progress (2340) Legislative Exempt	§29A-3B-1	Written Comments Only May 14, 2018, 4:00 pm Vaughn G. Rhudy, Executive Director WVDE Capitol Bldg., Room 652 Charleston, WV 25305 vrhudy@k12.wv.us
Education (126-32)	Issuance of the State of West Virginia High School Equivalency Diploma and Option Pathway (2444.4) Legislative Exempt	§29A-3B-1	Written Comments Only May 14, 2018, 4:00 pm Ellen Killison, Coordinator WVDE Capitol Building 6, Room 243 Charleston, WV 25305 ekillison@k12.wv.us
Education (126-44E)	WV College- and Career- Readiness Standards for Wellness Education (2520.5) Legislative Exempt	§29A-3B-1	Written Comments Only May 14, 2018, 4:00 pm Joshua Grant, Coordinator WVDE Capitol Bldg., Room 620 Charleston, WV 25305 jgrant@k12.wv.us
Education (126-44f)	WV College- and Career- Readiness Standards for the Arts (2520.9) Legislative Exempt	29A-3B-1	Written Comments Only May 14, 2018, 4:00 pm Ray Lowther, Coordinator WVDE Capitol Bldg., Room 620 Charleston, WV 25305 ray.lowther@k12.wv.us

CHRONOLOGICAL INDEX, VOLUME XXXV ISSUE 15

NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>HEARING/COMMENT PERIOD/LOCATION</u>
Senior Services (76-03)	West Virginia State Plan for Aging Programs Interpretive	§16-5P-1	Written Comments Only May 18, 2018, 4:00 pm Commissioner Robert E Roswell WV Bureau of Senior Services 1900 Kanawha Boulevard East Charleston, WV 25305

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	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 135	COMMUNITY & TECHNICAL COLLEGE EDUCATION
TITLE 143	PERSONNEL
TITLE 144	TOURISM
TITLE 145	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 198	EXPLOSIVES & BLASTING
TITLE 204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-01)	Board Rules and Rules of Professional Conduct Legislative	6/23/2017	7/23/2017	7/28/2017	7/28/2017	Modified & Approved 9/20/2017 Filed 9/28/2017	Bundled HB 4079		
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	Bundled HB 4079	3/28/2018	4/29/2018
Agriculture (61-2)	West Virginia Aquary Law Legislative	6/15/2017	7/16/2017	7/16/2017	7/16/2017	Modified & Approved 8/29/2017 Filed 9/18/2017	Bundled HB 4079	3/21/2018	4/20/2018
Agriculture (61-11B)	Auctioneers Legislative	6/26/2017	7/26/2017	7/28/2017	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	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	7/17/2017	Modified & Approved 8/28/2017 Filed 9/18/2017	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	7/17/2017	Modified & Approved 9/20/2017 Filed 9/28/2017	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 1/29/2018	1/19/2018				
Air Quality (45-8)	Ambient Air Quality Standards Legislative	6/6/2017	7/11/2017	7/11/2017	7/11/2017	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	7/11/2017	7/11/2017	Approved 8/29/2017	Bundled SB 163	3/22/2018	6/1/2018

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LEMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-18)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	6/7/2017	7/11/2017	7/21/2017	7/21/2017	Modified & Approved 8/29/2017 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	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	6/6/2017	7/11/2017	7/21/2017	7/21/2017	Approved 8/29/2017	Bundled SB 163	3/22/2018	6/1/2018
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/6/2017	7/11/2017	7/21/2017	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	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	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	1/16/2018	1/16/2018	Amended by LOCEA & Approved 2/6/2018 Filed 2/8/2018	Bundled HB 4622	3/16/2018	4/16/2018
Comm. & Tech. College Education (135-12)	Capital Project Management Legislative	12/11/2017	1/16/2018	1/26/2018	1/26/2018	Approved 2/6/2018	Bundled HB 4622	3/16/2018	4/16/2018
Comm. & Tech. College Education (135-55)	Human Resources Administration Legislative	12/8/2017	1/16/2018	1/26/2018	1/26/2018	Approved 2/6/2018	Bundled HB 4622	3/16/2018	4/16/2018
Contractor Licensing Board (28-4)	Contractor Licensing Board Procedural	1/10/2018	2/8/2018	2/8/2018	2/8/2018	Modified & Approved 12/2/2017 Filed 12/13/2017	Bundled SB 161	4/2/2018	7/1/2018
Crime Delinquency and Correction (149-2)	Law Enforcement Training and Certification Standards Legislative	6/21/2017	7/24/2017	7/26/2017	7/26/2017	Modified & Approved 12/2/2017 Filed 12/13/2017	Bundled SB 161	4/2/2018	7/1/2018

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Crime Delinquency and Correction (149-03)	Protocol for Law Enforcement Response to Domestic Violence Legislative	6/28/2017	7/28/2017	7/28/2017	7/28/2017	Modified & Approved 12/2/2017 Filed 12/14/2017	Bundled SB 161	4/6/2018	7/1/2018
Education (126-12)	WV Accountability System (2322) Legislative Exempt	4/12/2018	5/14/2018						
Education (126-14)	WV Measures of Academic Progress (2340) Legislative Exempt	4/12/2018	5/14/2018						
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 (126-32)	Issuance of the State of WV High School Equivalency Diploma and Option Pathway (2444.4) Legislative Exempt	4/12/2018	5/14/2018						
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 (126-44E)	WV College-and Career-Readiness Standards for Workforce Education (2520.5) Legislative Exempt	4/12/2018	5/14/2018						
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 (126-44I)	WV College-and Career-Readiness Standards for the Arts (2520.9) Legislative Exempt	4/12/2018	5/14/2018						
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

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LSMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-440)	WV Pre-K Standards (Ages 3-5) (2520.15) (126-440) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2019
Education (126-44P)	WV Alternate Academic Achievement Standards (2520.16) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2019
Ethics Commission (158-17)	Ethics Commission Hearings Procedural	3/14/2018	4/13/2018						
Ethics Commission (158-19)	West Virginia Ethics Commission Procedural	3/14/2018	4/13/2018						
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	Bundled SB 181		
Fire Marshal (103-3)	Electricians Licensing Rules Legislative	12/21/2017	1/20/2018		1/25/2018		Bundled SB 181		
Health (84-12)	Hospital Licensure Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 7/28/2017 Filed 8/30/2017	Bundled SB 105	3/14/2018	6/1/2018
Health (84-109)	General Rules-Medical Cannabis Program Legislative			4/3/2018 ERD by 5/15/2018					
Health (84-110)	Growth Processors-Medical Cannabis Program Legislative			4/4/2018 ERD by 5/16/2018					
Health (84-111)	Laboratories-Medical Cannabis Program Legislative			4/4/2018 ERD by 5/16/2018					
Health (84-112)	Dispensaries-Medical Cannabis Program Legislative			4/4/2018 ERD by 5/16/2018					
Health (84-113)	Safe Harbor Letter-Medical Cannabis Program Legislative			4/4/2018 ERD by 5/16/2018					
Hearing Aid Dealers (8-21)	WV Board of Hearing Aid Dealers Legislative	6/23/2017	7/24/2017		7/26/2017	Approved 8/29/2017	Bundled HB 4079		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	4/26/2018						
Higher Education Policy Comm. (133-12)	Capital Project Management Legislative	11/20/2017	12/20/2017		1/22/2018	Amended by LOCLA & Approved 2/6/2018 Filed 2/6/2018	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		
Higher Education Policy Comm. (133-35)	Human Resources Administration Legislative	11/21/2017	12/21/2017		2/9/2018	Approved 2/9/2018	Bundled HB 4622		
Highways (157-2)	Disposal, Lease and Management of Real Property and Appointment, Sanctions and Relocation Assistance Legislative	6/22/2017	7/24/2017		7/28/2017	Modified & Approved 7/27/2017 Filed 7/27/2017	Bundled SB 184	4/6/2018	4/6/2018
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		
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 (11-018)	Licensure, Discipline 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 (36-23)	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	Bundled SB 230	4/9/2018	4/18/2018
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Legislative	6/6/2017	7/18/2017		7/27/2017	Modified & Approved 7/27/2017 Filed 12/6/2017	Bundled SB 163	3/21/2018	7/1/2018

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-02)	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 (58-11)	Hunting, Fishing and Other Outlets and Guides Legislative	6/23/2017	7/24/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/18/2017	Bundled SB 230		
Natural Resources (58-45)	General Hunting Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017	Bundled SB 230		
Natural Resources (58-56)	Special Migratory Bird Hunting Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017	Bundled SB 230		
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 8/29/2017	Bundled HB 4079		
Osteopathic Medicine (24-2)	Osteopathic Physician Assistants Legislative	9/13/2017	10/13/2017	11/6/2017 Effective 12/18/2017	10/17/2017	Modified & Approved 12/3/2017 Filed 12/6/2017	Bundled HB 4079		
Pharmacy (15-2)	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		
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		
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 (18-3)	Government of Electric Utilities Legislative Exempt	11/8/2017	12/11/2017						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC STATE	LSMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	3/8/2016	4/8/2016						
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/19/2017	7/19/2017	7/27/2017	7/27/2017	Approved w/certain amendments 12/1/2017		3/29/2018	6/27/2018
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	7/27/2017	Modified & Approved 12/1/2017 Filed 12/6/2017	Bundled HB 4079	4/12/2018	7/1/2018
Real Estate Commission (174-02)	Schedule of Fees Legislative	6/28/2017	7/28/2017	7/27/2017	7/27/2017	Approved 12/1/2017	Bundled HB 4079		
Real Estate Commission (174-03)	Requirements for Real Estate Courses, Course Providers and Instructors Legislative	6/28/2017	7/28/2017	7/27/2017	7/27/2017	Modified w/ certain amendments & Approved 12/1/2017 Filed 12/6/2017	Bundled HB 4079	4/12/2018	7/1/2018
Secretary of State (153-18)	Procedures for Conveying Elections Legislative	6/28/2017	7/28/2017	7/28/2017	7/28/2017	Modified & Approved 12/2/2017 Filed 12/12/2017	Bundled HB 4079		
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	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 - Vote by Mail - Recall Legislative	6/27/2017	7/27/2017	7/28/2017	7/28/2017	Approved 8/28/2017	Bundled HB 4079		
Senior Services (76-3)	West Virginia State Plan for Aging Programs Interpretive	4/9/2018	5/18/2018						
State Police (81-14)	WV Sex Offender Registration Act Procedural	7/20/2017	8/22/2017						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LSMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-41)	Railroad Diesel Locomotive Refundable Exemption from the Variable Rate Component of the Motor Fuel Excise Tax Proceeding	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 8/28/2017 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 8/20/2017 Filed 8/20/2017	Bundled HB 4079		
Veterinary Medicine (26-6)	Schedule of Fees Legislative	6/12/2017	7/13/2017	7/18/2017		Modified & Approved 8/28/2017 Filed 8/28/2017	Bundled HB 4079		
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	Bundled SB 163	3/9/2018	6/1/2018
Waste Mgmt., Div. of Water & Waste Mgmt (33-50)	Underground Storage Tanks Legislative	6/5/2017	7/6/2017	7/25/2017		Modified & Approved 12/1/2017 Filed 12/4/2017	Bundled SB 163	3/9/2018	6/1/2018



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
 ADMINISTRATIVE LAW DIVISION

#FILED
 4/6/2018 10:32 AM
 Office of West Virginia
 Secretary Of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
 ADMINISTRATIVE LAW DIVISION

#FILED
 4/12/2018 11:05 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: Crime Delinquency And Correction TITLE-REFS: 148-03
 RULETYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 RULE NAME: Protocol For Law Enforcement Response to Domestic Violence
 CITE STATUTORY AUTHORITY: 48-27-1102

The above rule has been authorized by the West Virginia Legislature.
 Authorization is cited in (house or senate bill number): 68381

Section 58.18 (d) 64.6-3 Passed On 3/20/2018 12:00:00 AM

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

JUL-1-2018

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

June 30, 2023

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

Yes
 Charles A Sautter - By my signature, I certify that I am the person authorized to file legislative rules. In accordance with West Virginia Code §25A-3-11 and §39A-3-2.

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-REFS: 136-012
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 RULE NAME: West Virginia Accountability System (2022)
 CITE STATUTORY AUTHORITY: W. Va. Code §20A-3B-1, et seq., W. Va. Board of Education v. HENNER, 186 W. Va. 451; 218 S.E.2d 839 (1968)

COMMENTS LIMITED TO:
 Written

DATE OF PUBLIC HEARING:
 LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/14/2018 4:00 PM
 COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Michele Blair, Assistant Superintendent
 ADDRESS: WVDE, Capitol Bldg., 6, Room 700

EMAIL: mblair@wvde.wv.us
 PHONE NUMBER: 204-628-0200

PLEASE INDICATE IF THIS FILING INCLUDES:
 RELEVANT FEDERAL STATUTES OR REGULATIONS: No
 (IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No
 (IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

#FILED
 4/12/2018 11:04 AM
 Office of West Virginia
 Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

#FILED
 4/12/2018 11:08 AM
 Office of West Virginia
 Secretary of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education
RULE TYPE: Legislative Example
RULE NAME: West Virginia Measures of Academic Progress (2044)
CITE STATUTORY AUTHORITY: W. Va. Code §20A-2B-1, et seq.; W. Va. Board of Education v. Hooper, 180 W. Va. 451; 2018-2-24 (2/18/18)
COMMENTS LIMITED TO:
 Within

DATE OF PUBLIC HEARING:
LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/14/2018 4:00 PM
COMMENTS MAY BE EMAILED OR EMAILED TO:
NAME: Vaughn G. Rhydy, Executive Director
ADDRESS: WVDE, Capitol Bldg. 6, Room 602
 Charleston, WV 25305
EMAIL: vrrhydy@WVDE.wv.gov
PHONE NUMBER: 304-558-2546

PLEASE INDICATE IF THIS FILING INCLUDES:
RELEVANT FEDERAL STATUTES OR REGULATIONS: No
(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)
INCORPORATED BY REFERENCE: No
(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education
RULE TYPE: Legislative Example
RULE NAME: Measures of the State of West Virginia High School Examining Diploma and Option Pathway (2044.4)
CITE STATUTORY AUTHORITY: W. Va. Code §20A-2B-1, et seq.; W. Va. Board of Education v. Hooper, 180 W. Va. 451; 2018-2-24 (2/18/18)
COMMENTS LIMITED TO:
 Within

DATE OF PUBLIC HEARING:
LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/14/2018 4:00 PM
COMMENTS MAY BE EMAILED OR EMAILED TO:
NAME: Ellen Kilian, Coordinator
ADDRESS: WVDE, Capitol Bldg. 6, Room 243
 Charleston, WV 25305
EMAIL: ekilian@WVDE.wv.gov
PHONE NUMBER: 304-558-0315

PLEASE INDICATE IF THIS FILING INCLUDES:
RELEVANT FEDERAL STATUTES OR REGULATIONS: No
(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)
INCORPORATED BY REFERENCE: No
(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)



WEST VIRGINIA SECRETARY OF STATE
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 4/12/2018 11:58 AM
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 Secretary Of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

#FILED
 4/12/2018 11:07 AM
 Office of West Virginia
 Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-044E
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 Example

RULE NAME: West Virginia College and Career Readiness Standards for Wellness Education (2820.5)

CITE STATUTORY AUTHORITY: W. Va. Code §20A-08-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 370 S.E.2d 839 (1988)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/14/2018 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Joshua Grant, Coordinator

ADDRESS: WVDE, Capitol Bldg. 6, Room 020

CHARLESTON, WV 25305

EMAIL: jgrant@12.wv.us

PHONE NUMBER: 304-559-5325

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-044E
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 Example

RULE NAME: West Virginia College and Career Readiness Standards for The Arts (2820.9)

CITE STATUTORY AUTHORITY: W. Va. Code §20A-08-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 370 S.E.2d 839 (1988)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/14/2018 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Ray Lowther, Coordinator

ADDRESS: WVDE, Capitol Bldg. 6, Room 020

CHARLESTON, WV 25305

EMAIL: ray.lowther@12.wv.us

PHONE NUMBER: 304-559-5325

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
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#FILED
 4/8/2018 1:06 PM
 Office of West Virginia
 Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
 ADMINISTRATIVE LAW DIVISION

#FILED
 4/8/2018 10:10 AM
 Office of West Virginia
 Secretary of State

LEGISLATIVE

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

AGENCY: Highways **TITLE SERIES:** 157-02
RULE TYPE: Legislative **Amendment to Existing Rule:** Yes **Repeal of existing rule:** No
RULE NAME: Deposit, Lease and Management of Real Property and Appurtenant Structures and Relocation Assistance
CITE STATUTORY AUTHORITY: WVCS §17-2A-4, § 17-2A-5, § 17-2A-17, §17-2A-18, §17-2A-20 and §64-3-1 et seq.

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

Authorization is cited in (house or senate bill number) SB104

Section 664(8.3) Passed On 2/16/2018 3:20:00 AM

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

APR 8, 2018

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

April 6, 2023

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

Yes
 Rita A. Pruvey -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §25A-3-11 and §10A-3-2.

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

AGENCY: Mines Health Safety Acid Training **TITLE SERIES:** 5F-23
RULE TYPE: Legislative **Amendment to Existing Rule:** No **Repeal of existing rule:** No
RULE NAME: Operating Diesel Equipment in Underground Mines in West Virginia

CITE STATUTORY AUTHORITY: W. Va. Code §25A-3A-1001(a), 25A-3A-504(a)

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

Authorization is cited in (house or senate bill number) S.B. 887 (2017 Legislative Session)

Section 54205-2A-5001(a) Passed On 4/8/2017 12:00:00 AM

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

APR 18, 2018

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

April 16, 2023

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

Yes
 Wils J Young -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §25A-3-11 and §39A-3-2.



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
 ADMINISTRATIVE LAW DIVISION

#FILED
 4/12/2018 3:32:15 PM
 Office of West Virginia
 Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
 ADMINISTRATIVE LAW DIVISION

#FILED
 4/12/2018 3:59:57 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: Real Estate Commission TITLE/SERIES: 174-01
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 RULE NAME: LICENSING REAL ESTATE BROKERS,
 ASSOCIATE BROKERS, AND SALESPERSONS
 AND THE CONDUCT OF BROKERAGE
 BUSINESS

CITE STATUTORY AUTHORITY: §10-40-8

The above rule has been authorized by the West Virginia Legislature.
 Authorization is cited in (House or Senate bill
 number) **HB6273**

Section **§6A-8.12** 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:

4/10/1, 2018

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

JUNE 30, 2023

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

Yes
 Jerry A Forman - 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: Real Estate Commission TITLE/SERIES: 174-03
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 RULE NAME: REQUIREMENTS FOR REAL ESTATE
 COURSES, COURSE PROVIDERS AND
 INSTRUCTORS

CITE STATUTORY AUTHORITY: §10-40-6

The above rule has been authorized by the West Virginia Legislature.
 Authorization is cited in (House or Senate bill
 number) **HB6229**

Section **§6A-8.12** Passed On **3/8/2018 12:00:00 AM**

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

July 1, 2018

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

JUNE 30, 2023

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

Yes
 Jerry A Forman - 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
4/8/2018 10:41 AM
Office of West Virginia
Secretary of State

INTERPRETIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Senior Services TITLE-SERIES: 76-43
RULE TYPE: Interpretive Amendment to Existing Rule: Yes Repeat of existing rule: No
RULE NAME: West Virginia State Plan for Aging Programs
CITE STATUTORY AUTHORITY: 16-59-1
COMMENTS LIMITED TO:
Written

DATE OF PUBLIC HEARING:
LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/18/2018
COMMENTS MAY BE MAILED OR EMAILED TO:
NAME: Commissioner Robert E. Rowell WV Bureau of Senior Services
ADDRESS: 1000 Kanawha Blvd East

CHARLESTON, WV 25305
EMAIL: robert.e.rowell@wv.gov
PHONE NUMBER:

PLEASE INDICATE IF THIS FILING INCLUDES:
RELEVANT FEDERAL STATUTES OR REGULATIONS: No
(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)
INCORPORATED BY REFERENCE: No
(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

Orders Report

Docket Number	Agency	Respondent	Date Rendered
	Health Care Authority	Discovery Ridge Recovery Center	3/26/2018
	Health Care Authority	Highland-Clarksburg Hospital Inc	3/28/2018
	Health Care Authority	Hometown Care LLC	3/29/2018
	Health Care Authority	Hospital Development Co	3/29/2018
	Health Care Authority	Rainelle Medical Center Inc	3/27/2018
	Health Care Authority	Rainelle Medical Center Inc	3/27/2018
	Health Care Authority	St. Mary's Medical Center	3/28/2018
	Health Care Authority	Thomas Health System Inc	3/27/2018
	Insurance Commission	Turonia Weese-Shultz	3/29/2018

WEST VIRGINIA ETHICS COMMISSION ADVISORY OPINIONS

NO.

OPINION SOUGHT

2018-07

A County Commission asks whether it may allow the Sheriff to live rent-free in a house located in the county park because the Sheriff's presence would enhance security at the park and he would repair and maintain the house.

WEST VIRGINIA ETHICS COMMISSION CONTRACT EXEMPTION

NO.

OPINION SOUGHT

2018-03

The Kanawha County Commission requests a Contract Exemption to allow it to continue purchasing publication services and daily newspaper subscriptions from Charleston Newspapers in which Commissioner Ben Salango has an ownership interest.

WEST VIRGINIA HEALTH CARE AUTHORITY

FILED

OTHER

CERTIFICATE OF NEED

100 Doe Drive
Charleston, West Virginia 25311-1600

WV / R / I / P / Q / S / R

April 9, 2018

CITY OF MARTINSBURG
SECRETARY OF STATE

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending April 6, 2018.

LETTERS OF INTENT RECEIVED

April 3, 2018 – Claire-Francois Health Services LLC, Ashland, Kentucky, CON File #18-3-1137-P, for the development of an ambulatory infusion center at the existing infusion pharmacy located at 5528 MacCorkle Ave., SE, Charleston, Kanawha County; capital expenditure: \$13,766.38.

April 3, 2018 – East Mountain Health Advantage, Inc., Winchester, Virginia, CON File #18-0-11348-P, for the construction of a medical office building in Berkeley County; capital expenditure: \$16,988,000.

CERTIFICATE OF NEED APPLICATIONS RECEIVED

April 2, 2018 – Hometown Care LLC, Bellington, Blair County, CON File #18-6-11334-PC, for the provision of personal care services in Harrison and Preston counties; capital expenditure: \$1,500.

April 2, 2018 – St. Joseph's Hospital of Buchanan, Inc., Buchanan, Upshur County, CON File #18-7-11335-P, for the development of an ambulatory health care facility in Putnam County through the provision of podiatric medicine services; capital expenditure: \$10,000.

April 5, 2018 – Jackson General Hospital, Ripley, Jackson County, CON File #18-5-11336-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.

APPLICATIONS FOR EXEMPTION RECEIVED

April 2, 2018 – Diversified Assessment & Therapy Services, Kenova, Wayne County, CON File #18-2/34-11344-X, for the development of an additional office at 33 Erin Lane, Scott Depot, Putnam County.

April 3, 2018 – University Physicians & Surgeons, Inc. dba Marshall Health, Huntington, Cabell County, CON File #18-2-11346-X, for the development of an outpatient behavioral health and substance abuse treatment center known as PRO-ACT.

April 3, 2018 - University Physicians & Surgeons, Inc. dba Marshall Health, Huntington, Cabell County, CON File #18-2-11346-X, for the development of a residential behavioral health and substance abuse treatment center known as Project Hope.

April 5, 2018 – The Remore Center LLC, Keamsyorkville, Jefferson County, CON File #18-0-11350-X, for the development of outpatient behavioral health and substance abuse services.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

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

EXPEDITED APPLICATIONS

March 21, 2018 - Appalachia Regional Healthcare, Inc., Lexington, KY, CON File #18-1-11317-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 - Appalachia Regional Healthcare, Inc., Lexington, KY, CON File #18-1-11318-P, for the establishment of an ambulatory health care facility through the acquisition of Appalachian Gastroenterology located at 429 Carriage Drive, Beckley, Putnam County; capital expenditure: \$80,410.

March 29, 2018 - St. Joseph's Hospital of Buchanan, Inc., Buchanan, Upshur County, CON File #18-7-11319-P, for the development of an ambulatory health care facility in Brantley 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 care center to provide pediatric subspecialty services in Morgantown, Monongalia County; capital expenditure: \$212,682.

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

March 30, 2018 – Review cycle begins;

April 30, 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.

May 4, 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.

May 29, 2018 – Decision on the project will be issued by the Authority.

PROJECT DETERMINED NOT REVIEWABLE

April 2, 2018 - War Memorial Hospital, Inc., Berkeley Springs, Morgan County, CON File #18-6-11301-X, for the construction of a new medical office building; the total relocation of an existing, off campus, hospital-owned physician practice; and, the construction of existing blood draws and related private practice laboratory services at the new location; capital expenditure: \$3,800,000.

EXEMPTION APPLICATIONS APPROVED

April 4, 2018 - Sweetbriar Assisted Living, LLC, Dunbar, Kanawha County, CON File #18-3-11324-X, for the acquisition of the existing 110-bed assisted living facility known as Sweetbriar located in Dunbar, Kanawha County.

April 4, 2018 - Recover Together, Inc. db/a Groups, New York, NY, CON File #18-1-11331-X, for the development of an office based medication assisted treatment program in Fairmont, Marion County.

April 5, 2018 - KVC Healthcare West Virginia, Inc., Charleston, Kanawha County, CON File #18-5-11321-X, for the expansion of the Jackson KVC Office located in Ripley, Jackson County, to add a total of 600 square feet at the address 229 South Church Street, Suite C.

April 5, 2018 - Bridgport AI Investors, LLC, Roanoke, VA, CON File #18-3-11323-X, for the development of a 110-licensed bed assisted living facility in Bridgeport, Harrison County.

April 5, 2018 - New Hope Counseling, Omar, Logan County, CON File #18-2-11328-X, for the provision of school based therapy to kids in the Logan County School System.

April 5, 2018 - Recover Together Inc. db/a Groups, New York, NY, CON File #18-6-11332-X, for the development of an office based medication assisted treatment program in Burfield, Mercer County.

April 6, 2018 - New Living Youth Services, LLC, Cross Lanes, Kanawha County, CON File #18-5-11329-X, for the development of a behavioral health and substance abuse treatment program for children ages 10-17 that are in need of long or short-term home placement in Cross Lanes, Kanawha County.

EXTENSIONS GRANTED

April 6, 2018 - West Virginia University Hospitals, Inc. (WVUHI), Morgantown, Monongalia County, and Davis Memorial Hospital (DMH), Elkins, Randolph County, CON File #18-7-10976-E, for the formation of a joint venture to improve the services provided at

the Cancer Center on the campus of DMH. Under this structure, DMH would continue to operate the Medical Oncology Program and Radiation Oncology Program as an outpatient department of DMH WVUHI and DMH would form a limited liability company (LLC). The LLC will acquire the land, building, and existing equipment used by the Cancer Center; acquire new equipment for the Radiation Oncology Program; and lease the land, building, existing equipment, and new radiation oncology equipment to DMH for use in connection with the Cancer Center; capital expenditure, \$6,200,000.

Extension granted through August 31, 2018.

April 6, 2018 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #17-6-10977-H, for the acquisition of 10.55-acre parcels of property totaling approximately 32.6 acres near the new interchanges located on Interstate-79 (I-79) between exits 162 and 165 in Morgantown, West Virginia; capital expenditure, \$14,000,000.

Extension granted through September 30, 2018.

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

OTHER