



WEST VIRGINIA REGISTER

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Grievances Report
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CHRONOLOGICAL INDEX, VOLUME XXXV ISSUE 17

NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION
Community & Technical College Education (135-32)	Tuition and Fees Legislative	§§18B-1D-3(a)(2)(B), 18B-10-1	Written Comments Only May 25, 2018, 5:00 p.m. Sarah Tucker, Chancellor WV Council for Comm. & Tech. College Ed. 1018 Kanawha Blvd., E, Suite 700 Charleston, WV 25301 tucker@wvctcs.org

NO NEW EMERGENCY RULES WERE FILED THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	EFFECTIVE DATE	DATE NOTICE FOR HEARING



Office of the Secretary of State
State Capitol
Charleston, West Virginia 25305

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Secretary of State
State of West Virginia

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1. Agency Name, (Title and Series Number)
Column	2. Rule Title, Price and Type
Column	3. Date Notice of Public Hearing or Comment Period Filed
Column	4. Date of Public Hearing or Last Date Comments Will Be Received
Column	5. Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule)
Column	6. Date Agency Approved Legislative Rules Filed.
Column	7. Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee
Column	8. Legislative Action
Column	9. Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules
Column	10. Date Rule is Effective

- Emergency rules will not have a "Notice" date until the agency files one, but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
- If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
TITLE 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 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	SEC/STATE	LWRRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy, WV (1-01)	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 9/29/2017	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	3/29/2018	4/29/2018
Agriculture (61-118)	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 (61-36)	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	6/8/2017	7/11/2017	7/21/2017	7/21/2017	Approved 8/28/2017	Bundled SB 163	3/22/2018	6/1/2018
Air Quality (45-15)	Standards of Performance for New Stationary Sources Legislative	6/8/2017	7/11/2017	7/21/2017	7/21/2017	Approved 8/29/2017	Bundled SB 163	3/22/2018	6/1/2018
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste 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 8/28/2017	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

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		1/26/2018	Amended by LOCEA & Approved 2/6/2018 Filed 2/8/2018	Bundled HB 4622		
Comm. & Tech. College Education (135-32)	Tuition and Fees Legislative	4/24/2018	5/25/2018						
Comm. & Tech. College Education (135-55)	Human Resources Administration Legislative	12/8/2017	1/10/2018		1/26/2018	Approved 2/6/2018	Bundled HB 4622		
Crime Delinquency and Correction (149-2)	Law Enforcement Training and Certification Standards Legislative	6/21/2017	7/24/2017		7/25/2017	Modified & Approved 12/2/2017 Filed 12/13/2017	Bundled SB 181	4/2/2018	7/1/2018
Crime 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	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 Measure 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	9/14/2017					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						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Wellness Education (2520.5) Legislative Exempt	4/12/2018	5/14/2018						
Education (126-44G)	WV College and Career-Readiness Standards for World Languages (2520.1) 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 (2520.8) 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
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
Education (126-44P)	WV Alternate Academic Achievement Standards (2520.16) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2018
Ethics Commission (158-17)	Hearings Procedural	3/14/2018	4/13/2018					4/24/2018	5/25/2018
Ethics Commission (158-19)	West Virginia Ethics Commission Procedural	3/14/2018	4/13/2018					4/24/2018	5/25/2018
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 Filled 12/13/2017	Bundled SB 181	4/26/2018	7/1/2018
Fire Marshal (103-3)	Electricians Licensing Rules Legislative	12/21/2017	1/20/2018		1/26/2018		Bundled SB 181	4/26/2018	7/1/2018

RULE MONITOR

AGENCY/SERIES	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LM/RC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-12)	Hospital Licensure Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 8/29/2017 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/Processors-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 Harbor/Lotter-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 8/29/2017	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	4/26/2018						
Higher Education Policy Comm. (133-12)	Control 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		
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		
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	4/23/2018	7/1/2018

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMBC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Medicine (11-018)	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	4/23/2018	7/1/2018
Mining and Reclamation (38-02)	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 (58-02)	Rules Controlling the Public Land Corporations Sale, Leases, 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 Outfitters 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 (58-48)	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	9/12/2017	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 (15-2)	Uniform Controlled Substances Legislative	5/11/2017	6/12/2017		7/28/2017	Modified & Approved 8/29/2017 Filed 11/8/2017	Bundled HB 4079	4/10/2018	4/10/2018
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	4/25/2018	7/1/2018

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC STATE	LM/RC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Psychologists (174-03)	Requirements for Licensure as a Psychologist and/or a School Psychologist Legislative	6/28/2017	7/28/2017	7/28/2017	7/28/2017	Approved 12/1/2017	Bundled HB 4079	4/26/2018	7/1/2018
Psychologists (174-06)	Code of Ethics Legislative	6/28/2017	7/28/2017	7/28/2017	7/28/2017	Approved 12/1/2017	Bundled HB 4079	4/26/2018	7/1/2018
Public Service Commission (130-3)	Government of Electric Utilities Legislative Emergent	11/8/2017	12/11/2017						
Public Service Commission (150-4)	Government of Gas Utilities and Gas Pipeline Safety Legislative Emergent	11/8/2017	12/11/2017						
Public Service Commission (150-25)	Telephone Emergency Service Legislative Emergent	3/8/2018	5/8/2018						
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 12/8/2017	Bundled HB 4079	4/12/2018	7/1/2018
Real Estate Commission (174-02)	Schedule of Fees Legislative	6/26/2017	7/26/2017	7/27/2017	7/27/2017	Approved 12/1/2017	Bundled HB 4079	4/13/2018	7/1/2018
Real Estate Commission (174-03)	Requirements for Real Estate Courses, Course Providers and Instructors Legislative	6/26/2017	7/26/2017	7/27/2017	7/27/2017	Modified w/certain amendments & Approved 12/1/2017 Filed 12/8/2017	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		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LSMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-30)	Vote by Mail Pilot Project Phase 2. Voting by Mail – Reciprocal Legislative	6/27/2017	7/27/2017		7/28/2017	Approved 8/29/2017	Bundled HB 4079		
Senior Services (76-3)	West Virginia State Plan for Aging Programs Inauguration	4/9/2018	5/18/2018						
State Police (81-14)	WV Sex Offender Registration Act Procedural	7/20/2017	8/22/2017						
THE ABOVE RULE EXPIRED FEBRUARY 22, 2018									
Tax (110-41)	Reduced Diesel Locomotive Refundable Exemption from the Variable Rate Component of the Motor Fuel Excise Tax Procedural	12/29/2017	1/28/2018						
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	4/23/2018	7/1/2018
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	4/23/2018	7/1/2018
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	4/23/2018	7/1/2018
Waste Mgmt., Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Approval 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. (33-30)	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

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Secretary Of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

#FILED
4/26/2018 3:50 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Community And Technical College Education
TITLE/SERIES: 135-32
RULE TYPE: Legislative
Amendment to Existing Rule: Yes
Repeal of existing rule: No

RULE NAME: Tuition and Fees
CITE STATUTORY AUTHORITY: §14B-10-3(a)(2)(B), §14B-10-1

COMMENTS LIMITED TO:
Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/25/2018 5:00 PM

COMMENTS MAY BE EMAILED TO:

NAME: Chancellor Sarah Tucker, WV Council for Community and Technical College Education
ADDRESS: 1018 Kanawha Blvd., East, Suite 700

EMAIL: tsucker@wvccet.org
Charleston, WV 25301

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

AGENCY: Fire Commission
TITLE/SERIES: 87-03
RULE TYPE: Legislative
Amendment to Existing Rule: Yes
Repeal of existing rule: No
RULE NAME: Hazardous Substanc Emergency Response
Training Programs

CITE STATUTORY AUTHORITY: 20-3-5a, 21b-3-5d, 8-15a-9

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

Session: (M.B.) Passed On

3/2/2018 12:00:00AM

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:

July 01, 2023

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

Yes

Sarah L. Nowacki-Briggs - 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 §20A-3-2.



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/26/2018 3:44:24 PM
Office of West Virginia
Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/26/2018 3:18 PM
Office of West Virginia
Secretary of State

LEGISLATIVE

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

AGENCY: Fire Marshal
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeat of existing rule: No
TITLE SERIES: 103-50
RULE NAME: Electrical Licensing Rules
CITE STATUTORY AUTHORITY: 20-2B-5

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

Authorization is cited in (house or senate bill number) SB1

Session SB-5-2 Passed On 3/22/2018 12:00:00 AM

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

Aug. 1, 2018

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

Jul. 01, 2023

NOTICE OF TECHNICAL AMENDMENT

AGENCY: Highways
RULE TYPE: Legislative Employment Procedures
TITLE SERIES: 157-12
RULE NAME: Employment Procedures
CITE STATUTORY AUTHORITY: WVVC17-2A-24

LIST WITH DETAILS EACH SPECIFIC CHANGE MADE TO THE RULE AND WHERE IT CAN BE FOUND:
page one, "157-1-1" and "15-1-2" to "157-12-1 and 12-2"

FILING DATE: 04/25/2018

EFFECTIVE DATE: 04/13/2018

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

Yes

Rita A Peuley - 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 §29A-3-2.

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

Yes

Rita A Peuley - 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 §29A-3-2.



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

FILED
4/20/2018 2:32:13 PM
Office of West Virginia
Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

FILED
4/20/2018 2:30:32 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: Medicine TITLE SERIES: 11-01B
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 RULE NAME: Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants
 CITY/STATUTORY AUTHORITY: W. Va. Code §30-5-7(a), §30-5C-3(b)(1)-(3), and W. Va. Code §30-10-1(d)
 The above rule has been authorized by the West Virginia Legislature.
 Authorization is cited in (house or senate bill number) House Bill 4078
 Section: 66A-6-6(d) 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:

July 01, 2023

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

Yes
 Jenie C Frone - 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 §19A-3-2.

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

AGENCY: Medicine TITLE SERIES: 11-08
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 RULE NAME: Continuing Education for Physicians and Podiatrists
 CITY/STATUTORY AUTHORITY: W. Va. Code §40-3-7.
 The above rule has been authorized by the West Virginia Legislature.
 Authorization is cited in (house or senate bill number) House Bill 4079
 Section: 66A-6-6(b) 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:

July 01, 2023

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

Yes
 Jenie C Frone - 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 §19A-3-2.



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

FILED
4/10/2018 11:17 AM
Office of West Virginia
Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

FILED
4/25/2018 3:22:42 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: Pharmacy
RULE TYPE: Legislative
RULE NAME: Uniform Controlled Substances Act

TITLE/SERIES: 15-02
Repeal of existing rule: No

Amendment to Existing Rule: Yes

CITE STATUTORY AUTHORITY: §38-5-7

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

Authorization is cited in (house or senate bill number) 6028

Section: 165 Passed On: 3/8/2018 12:00:00AM

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

6/15, 2018

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

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

AGENCY: Psychologists
RULE TYPE: Legislative
RULE NAME: Fees

TITLE/SERIES: 17-01
Repeal of existing rule: No

Amendment to Existing Rule: Yes

CITE STATUTORY AUTHORITY: §30-21-6

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

Authorization is cited in (house or senate bill number) 4028

Section: §64-B-15(J)(1) Passed On: 3/8/2018 12:00:00AM

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:

JAN. 01, 2020

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

Yes

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

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

Yes

Kathy G Lynch - 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 §39A-3-2.



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

#FILED
4/26/2018 1:51:37 PM
Office of West Virginia
Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

#FILED
4/26/2018 1:48:19 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: Psychologists
RULE TYPE: Legislative
RULE NAME: REQUIREMENTS FOR LICENSURE AS A
PSYCHOLOGIST AND/OR A SCHOOL
PSYCHOLOGIST

TITLE SERIES: 17-23
Repeat of existing rule: No

Amendment to Existing Rule: Yes

CITE STATUTORY AUTHORITY: §30-2-14
The above rule has been authorized by the West Virginia Legislature.

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

Section: §46-5-32.2b Passed On
3/30/2018 12:00:00 AM

3/30/2018 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:

JUL 01, 2022

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

AGENCY: Psychologists
RULE TYPE: Legislative
RULE NAME: Code of Conduct

TITLE SERIES: 17-26

Repeat of existing rule: No

CITE STATUTORY AUTHORITY: §30-21-6
The above rule has been authorized by the West Virginia Legislature.

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

Section: §46-5-16.6g Passed On
3/30/2018 12:00:00 AM

3/30/2018 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:

JUL 01, 2022

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

Yes

Kathy G Lynch—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 §29A-3-2.

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

Yes

Kathy G Lynch—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 §29A-3-2.



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

FILED
4/23/2018 3:36:48 PM
Office of West Virginia
Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

FILED
4/23/2018 3:22:44 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: Veterinary Medicine
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: Organization and Operation and Licensing of Veterinarians
CITE STATUTORY AUTHORITY: 30-10-6

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

Authorization is cited in (house or senate bill number) HB4029

Section 30-10-6 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:

July 1, 2018

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

July 01, 2028

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

AGENCY: Veterinary Medicine
RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No
RULE NAME: CERTIFIED ANIMAL EUTHANASIA TECHNICIANS
CITE STATUTORY AUTHORITY: 30-10-6

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

Authorization is cited in (house or senate bill number) HB4029

Section 30-10-6 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:

July 1, 2018

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

July 31, 2028

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

Yes
Patrick A. Holstein - By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-1.1 and §39A-3-2.

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

Yes
Patrick A. Holstein - By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-1.1 and §39A-3-2.



WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

4PRLD
4/22/2018 3:41:11 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: Veterinary Medicine TITLE OF RULE: 20-06
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: SCHEDULE OF FEES

CITE STATUTORY AUTHORITY: 30-10-6

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

Authorization is cited in (house or senate bill number) HS5028

Section §66-8-10 Passed On 20/2018.12.09.09AM

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:

July 01, 2028

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

Yes

Patricia A. Nichols - 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 §30A-3-2.



WEST VIRGINIA SECRETARY OF STATE
MIC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/24/2018 9:18 AM
Office of West Virginia
Secretary of State



WEST VIRGINIA SECRETARY OF STATE
MIC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/24/2018 11:00 AM
Office of West Virginia
Secretary of State

PROCEDURAL

NOTICE OF TECHNICAL AMENDMENT

AGENCY: Contractor Licensing Board
RULE TYPE: Procedural
RULE NAME: Written Contracts for Services
CITE STATUTORY AUTHORITY: W. Va. Codes §21-11-10(c)

TITLE-SERIES: 28-04

AGENCY: Ethics Commission
RULE TYPE: Procedural
RULE NAME: Hearings

TITLE-SERIES: 15B-17
Repeat of existing rule: No

CITE STATUTORY AUTHORITY: W. Va. Code §§ 6B-2-2 and 6B-2-4.

LIST WITH SERIAL EACH SPECIFIC CHANGE MADE TO THE RULE AND WHERE IT CAN BE FOUND:
The numbering of the exhibits found at §28-4-2.1 through §28-4-2.7 have corrected.

This rule is filed with the Secretary of State. This rule becomes effective on the following date:
May 20, 2018

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

Yes
Theresa M Kirk - 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.

FILING DATE: 04/24/2018

EFFECTIVE DATE: 04/16/2018

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

Yes
Elizabeth Ferber - 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 EXEMPT, INTERPRETIVE OR PROCEDURAL RULE



WEST VIRGINIA SECRETARY OF STATE
 MAC WARNER
 ADMINISTRATIVE LAW DIVISION

#RULE
 4/24/2018 11:42 AM
 Office of West Virginia
 Secretary of State

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

Do Not Mark In This Box

FILED

2018 APR 26 P 11:41

OFFICE OF THE CLERK
 SECRETARY OF STATE

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

AGENCY: Ethics Commission TITLE-SERIES: 158-19
 RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeat of existing rule: No
 RULE NAME: West Virginia Ethics Commission
 CITE STATUTORY AUTHORITY: W. Va. Code §§ 6B-2-1 and 6B-2-2

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

Mar. 25, 2018

EXPIRATION OF FILING OF PROCEDURAL RULE

AGENCY: State Police TITLE NUMBER: 81

SERIES NUMBER OF RULE: 14

TITLE OF RULE: WV State Offender Registration Act

THE ABOVE RULE EXPIRES February 22, 2018 FOR FAILURE TO FINAL FILE WRITEN
 SIX MONTHS OF CLOSE OF COMMENT

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

Yes

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

Theresa M Kirk
 DIRECTOR, ADMINISTRATIVE LAW DIVISION

Orders Report

Docket Number	Agency	Respondent	Date Rendered
15-0-10-157	Health Care Authority	Total Renal Care Inc	4/13/2018
15-0-11-150	Health Care Authority	Valley Comprehensive Community Mental Health Center Inc	4/13/2018
15-0-11-151	Health Care Authority	Camden-Clark Memorial Hospital Corporation	4/20/2018
15-0-11-152	Health Care Authority	Elder-Aide Services	4/20/2018
15-0-11-153	Medicine, West Virginia Board Of	Scott Alan Nangole, MD	4/18/2018
15-0-11-154	Medicine, West Virginia Board Of	Stephen J. Mallott, MD	4/18/2018
15-0-11-155	Medicine, West Virginia Board Of	Isabella T. DeMesa, MD	4/18/2018
15-0-11-156	Medicine, West Virginia Board Of	Joseph Henry Matusic, MD	4/18/2018
15-0-11-157	Medicine, West Virginia Board Of	Michael Roy Spindel, MD	4/24/2018
15-0-11-158	Registered Professional Nurses, West Virginia Board Of Examiners For	Nakoshia Brooke Hairless	4/25/2018

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2017-2257-CONNS	Alex Conner	Highways	3/6/2017
2017-1384-0601	Jimmy Myers	Highways	3/6/2017
2017-2017-0601	David M. Austin	Highways	3/1/2018
2017-1384-0601	Nick Weaver	Personnel	3/1/2018
2017-1384-0601	James Karp	Highways	3/2/2018
2017-2117-0601	Raphael Adebulu	Health And Human Resources	3/2/2018
2017-2117-0601	Tracie Jane West	William R. Sharpe, Jr. Hospital	3/2/2018
2017-2117-0601	Gerald Hull	Juvenile Services	3/9/2018
2017-2117-0601	Marsha Watson	Lorrie Yeager Jr. Juvenile Center	3/9/2018
2017-2117-0601	Denny R. Morris	Marshall County Board Of Education	3/9/2018
2017-2117-0601	Meghan Evelyn Hutchinson	Health And Human Resources	3/13/2018
2017-2117-0601	Katherine G. Kiger	William R. Sharpe, Jr. Hospital	3/13/2018
2017-2117-0601	Sarder E. Sadique	Health And Human Resources	3/13/2018
2017-2117-0601	S. D. D.	Corrections	3/13/2018
2017-2117-0601	Julia Fleming	Northern Correctional Center	3/13/2018
2017-2117-0601	Andy Clark, et al.	Highways	3/14/2018
2017-2117-0601		Health And Human Resources	3/16/2018
2017-2117-0601		Children And Families	3/16/2018
2017-2117-0601		Marshall University	3/16/2018
2017-2117-0601		West Virginia State University	3/20/2018
2017-2117-0601		Logan County Board Of Education	3/20/2018
2017-2117-0601		Health And Human Resources	3/22/2018
2017-2117-0601		William R. Sharpe, Jr. Hospital	3/22/2018

2019-1835-CONS(R)
2017-2055-CONS
2017-1175-DHHR
2017-2054-CONS
2017-1530-2061
2018-0238-CONS
2017-2502-CONS
2017-1995-DHHR

allen Kaplan
Anita Simpson, et al.
Annette J. Brown

Charles Napier

Paul Hileman

Douglas Skeens

Leah Brisendine

Latosha Greene

Linda Mealey

Cabell County Board Of Education 3/23/2018
Veterans Assistance 3/23/2018
Health And Human Resources 3/26/2018
Public Health 3/26/2018
Personnel 3/26/2018
Regional Jail Authority And Correctional Facility 3/26/2018
Au
Southwestern Regional Jail 3/26/2018
Regional Jail Authority And Correctional Facility 3/26/2018
Au
Southwestern Regional Jail 3/26/2018
Logan County Board Of Education 3/26/2018
Insurance Commission 3/30/2018
Health And Human Resources 3/30/2018
Jackie Whitrow Hospital 3/30/2018
Health And Human Resources 3/30/2018
William R. Sharpe Jr Hospital 3/30/2018

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 9-18

By the Governor

WHEREAS, West Virginia's fair regulatory system over-protects our citizens; and
WHEREAS, over regulation has increased the complexity and expense of economic life for all West Virginians; and
WHEREAS, our State regulatory environment needs efficiency and modernization improvement; and

WHEREAS, this administration is focused on improving the functioning of our State regulatory environment by alleviating unnecessary regulatory burdens; and

WHEREAS, this administration has taken special recent actions to address over-regulation by removing problematic rules contained in the West Virginia Code of State Rules (CSR), and

WHEREAS, earlier this year I signed Executive Orders to establish a "Regulatory Maintenance" and "Regulatory Review" and Senate Bills 700 and 722 to address over-regulation; and

WHEREAS, due to recent regulatory reform efforts over 60% (over 1,100 rules) of the CSR has been repealed; and

WHEREAS, continuing to address over-regulation will promote economic development and job creation; and

WHEREAS, an expedited permitting process is a critical aspect of regulatory reform; and

WHEREAS, this action will provide certainty and certainty to job creators who are considering investing in West Virginia; and

WHEREAS, Article VII, Section 3 of the West Virginia Constitution vests the executive power of the State of West Virginia in the Governor; and

WHEREAS, the Governor's executive powers may be exercised through Executive Orders,

and

WHEREAS, the "Expedited Permitting Process" established by this Executive Order will be an important part of the regulatory reform efforts by this administration;

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

TITLE

1. This action shall be known and cited as the "Expedited Permitting Process".

PURPOSE

2. The purpose of this action is to provide an expedited permitting process for business and industry to secure all necessary permits.

EXPEDITED PERMITTING PROCESS

3. Executive Order agencies shall immediately review all completed permit applications upon receipt.

4. Executive Order agencies shall grant or reject all permits in an expeditious manner without compromising the integrity of a thorough analysis or statutory requirements.

DEFINITIONS

5. As used in this action, the following words and phrases shall have the meanings given to them below unless the context clearly indicates otherwise:

(a) "Certificate for a project of critical economic concern" means a certificate issued for a project by the Development Office after receiving a completed certificate application designating it as a project of critical economic concern.

(b) "Complete certificate application" means a certificate for a project of critical economic concern application submitted by a certificate applicant to the Development Office containing all required information without technical deficiencies or other inadequacies which require further information.

(c) "Complete permit application" means a permit application submitted by a permit applicant to an Executive State agency containing all required information without technical deficiencies or other inadequacies which require further information.

(d) "Development Office" is the West Virginia Development Office established pursuant to the provisions of West Virginia Code §§2-2-1 et seq.

(e) "Executive Director" is the Executive Director of the West Virginia Development Office established pursuant to the provisions of West Virginia Code §§2-2-2.

(f) "Executive State agency" means any executive office, department, board, commission, bureau, division, authority, public corporation, agency, or instrumentality of this State.

EXECUTIVE ORDER

(d) "Permit" means any contract, license, permit, certificate, or other regulatory authority of any kind necessary to conduct business in this State.

(e) "Permit" means any mineral lease, conveyance, cooperation, partnership, or any type of business entity.

(f) "Project of critical economic concern" means an undertaking designated by the executive director to be significant, in its operational stage, by its ability to attract economic development and job creation in West Virginia.

PROJECTS OF CRITICAL ECONOMIC CONCERN DETERMINATION

6. A person may submit a complete certificate application to the Development Office requesting a project be certified as a project of critical economic concern.

7. The Development Office shall issue a written decision on the request within 45 days of receiving a completed certificate application.

8. If a project is determined to be a project of critical economic concern, the Development Office shall issue a certificate of critical economic concern.

9. A certificate of critical economic concern expires two years from the date of issuance and may be extended for an additional period of two years at the discretion of the executive director.

ISSUING CERTIFICATES WITH EXECUTIVE STATE AGENCIES

10. A person shall file a certificate of critical economic concern with the appropriate Executive State agency that has governing authority over the project.

11. A person shall file a certificate of critical economic concern at the time of filing the necessary completed permit application required for the project with the Executive State agency.

PERMIT PRIORITIZATION & STATUS REPORTING

12. The Executive State agency shall give priority to projects of critical economic concern in the handling and processing of complete permit applications, without compromising statutory requirements.

13. The projects of critical economic concern if a permit has not been granted or rejected:
(a) Prior to 90 days after the submission of a complete permit application, the Executive State agency shall issue a written report on the status of the completed permit application. The report shall be sent to the permit applicant and the executive director.

(b) Prior to 135 days after the submission of a complete permit application, the Executive State agency shall issue another written report on the status of the completed permit application. The report shall be sent to the permit applicant and the executive director.

EXECUTIVE ORDER

(c) Prior to 180 days after the submission of a complete permit application, the Executive State agency shall issue a final written report on the status of the completed permit application. The report shall be sent to the permit applicant, the executive director and the Governor.

NO WAITER OR GUARANTEE

14. The filing of a certificate of critical economic concern with an Executive State agency is not a waiver of any consent, rule, regulation, or statute and does not guarantee a permit will be granted.

EXECUTIVE DIRECTOR ANNUAL REPORT

15. The executive director shall prepare and submit a written report to the Governor and the Joint Committee on Government and Finance on or before November 1, 2015, and on or before November 1 each year thereafter.

16. The written report shall specifically explain whether, in his or her professional opinion, this action is operating successfully.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed

DONNE M. CAPELLA, in the City of Charleston, State of West Virginia, this the twenty-third day of April, in the Year of Our Lord Two Thousand Eighteen, and to the One Hundred Fifty-Fifth year of the State.

GOVERNOR



By the Governor



Maec Haun
SECRETARY OF STATE

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
AT CHARLESTON

EXECUTIVE ORDER NO. 10-18

By the Governor

WHEREAS, September 4, 1990, Governor Glenn Caperton established the Equal Employment Opportunity Program, through Executive Order 8-99, for all agencies under the jurisdiction of the Governor; and

WHEREAS, the position of State Equal Employment Opportunity Officer was created within the Department of Administration by Executive Order 6-90; and

WHEREAS, in Executive Order 5-84, Governor Glenn Caperton transferred the functions, duties, staff and resources of the State Equal Employment Opportunity Office under the administration of the Office of the Governor; and

WHEREAS, the Equal Employment Opportunity Program can effectively and efficiently operate under the West Virginia Department of Administration;

NOW, THEREFORE, I, JIM JUSTICE, by the authority vested in me as the Governor of the State of West Virginia, do hereby ORDER and DIRECT the following:

1. The State Equal Employment Opportunity Program is hereby continued for all agencies which, or administered under, the Office of the Governor or its various departments or bureaus.
2. From the date of this Order, the State Equal Employment Opportunity Program is transferred to its entirety from the Governor's Office to the West Virginia Department of Administration, where it will be supervised and administered by the Department of Administration. The transfer of the Equal Employment Opportunity Program shall include the transfer of all personnel, property, equipment, records, documents, books, maps, charts, plans, grants, contracts, programs, thousands of any kind, and any and all state and special revenue funds heretofore obtained to the Equal Employment Opportunity Program.

3. The Director of the State Equal Employment Opportunity Program will continue to be appointed by the Governor. All staff of the Equal Employment Opportunity Program will continue to be classified except service and time at the will and pleasure of the Governor.

4. The West Virginia Division of Personnel within the Department of Administration shall continue to be directly responsible for gathering and compiling the yearly EEO-4 Report required of all public-sector entities by the Equal Employment Opportunity Commission and for compiling the yearly State Employee Distribution Report from the EEO-4 Statistics.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol, in the City of
Charleston, State of West Virginia, this the
twenty-third day of April, in the Year of Our
Lord Two Thousand Eighty-two and in the One
Hundred Fifty-Fifth year of the State.




GOVERNOR

By the Governor


SECRETARY OF STATE

WEST VIRGINIA HEALTH CARE AUTHORITY FILED
CERTIFICATE OF NEED
106 Dee Drive
Charleston, West Virginia 25311-1600

April 23, 2018

OFFICE OF THE
SECRETARY OF STATE

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending April 20, 2018.

LETTERS OF INTENT RECEIVED

April 20, 2018 – Camden Clark Medical Center and Camden Clark Physician Corporation, Putnam County, CON File #16-S-11384-P, for the development of a new ambulatory care facility through the acquisition of physician practice located at 1807 Ann Street, Parkersburg; capital expenditure: \$200,000.

April 20, 2018 – Camden Clark Medical Center, Parkersburg, Wood County, CON File #16-S-11381-P, for the development of an ambulatory health care facility in Parkersburg on the campus of the former St. Joseph's Hospital; no capital expenditure.

APPLICATIONS FOR EXEMPTION RECEIVED

April 16, 2018 – Coglin Health Systems, Elizabeth, Wood County, CON File #18-5-11354-X, for the expansion of a community-based nonprofit organization with a community board that provides primary care services to people without regard to ability to pay.

April 19, 2018 – Community Care of West Virginia, Inc., Rock Cave, Upshur County, CON File #16-T-11358-X, for the provision of primary care services to patients in and around Lewis County.

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

April 6, 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.

April 8, 2018 – Jackson General Hospital, Ripley, Jackson County, CON File #16-S-11336-F, for the development of an ambulatory health care facility in Jackson County.

through the development of a primary care practice; capital expenditure: \$80,000.
April 10, 2018 – St. Joseph's Hospital of Buckhannon, Inc., Buckhannon, Upshur County, CON File #18-T-11335-P, for the development of an ambulatory health care facility in Lewis County through the provision of podiatric medicine services; capital expenditure: \$10,000.

April 10, 2018 – United Hospital Center, Inc., Bridgeport, Harrison County, CON File #18-T-11343-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.

April 11, 2018 – Homelown Care LLC, Beitington, Barbour County, CON File #18-S-11334-PC, for the provision of personal care services in Harrison and Preston counties; capital expenditure: \$1,500.

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

April 16, 2018 – Review cycle begins;

May 16, 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 21, 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;

June 15, 2018 – Decision on the project will be issued by the Authority.

CERTIFICATE OF NEED DENIAL ISSUED

April 20, 2018 – Elder Aide Services dba Right at Home, Charleston, Kanawha County, CON File #17-3-11195-PC, for the provision of personal care services in Putnam County; no capital expenditure.

RENEWAL GRANTED

April 20, 2018 – Camden Clark Memorial Hospital Corporation, Parkersburg, Wood County, CON File #13-S-0948-H, for the continuation of its telehospital into one hospital campus; capital expenditure: \$47,273,000.

Renewal granted through January 31, 2019.

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

OTHER

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OFFICE OF THE CLERK
SUPERIOR COURT OF WISCONSIN

Legal Notice

Region 2 Workforce Investment Board is soliciting proposals for the Work Based Learning System.

The RFP has been posted to our website: www.wbiaonline2.org, as well as to: www.wbiaonline2.org.

A Mandatory Bidders Workshop will be held on Tuesday, May 8, 2018 at 10:00 AM in the Huntington One Stop Office.

Please see our website for further details.