

WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXVI

Issue 36

September 6, 2019

A Weekly Publication

Administration Law Division
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NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Coal Mine Health and Safety (36-01)	Rules and Regulations Governing Approvals and Permits, Explosives and Ventilation For The Construction of Shaft And/Or Slope Operations In The State Of West Virginia Legislative Exempt	§22A-6-4	Written Comments Only: October 21, 2019 5:00 pm Mallory Yates Hicks 106 Dee Drive Charleston, WV 25311 mallory.k.yates@wv.gov
Coal Mine Health and Safety (36-03)	Rules and Regulations Governing The Certification and Statutory Duties of Shaft And/Or Slope Superintendent Examiner Foreman and Examiner Foreman Legislative Exempt	§22A-6-4	Written Comments Only: October 21, 2019 5:00 pm Mallory Yates Hicks 106 Dee Drive Charleston, WV 25311 mallory.k.yates@wv.gov
Coal Mine Health and Safety (36-04)	Rules and Regulations Governing The Movement Of Mining Equipment Within Coal Mines In The State Of West Virginia Legislative Exempt	§22A-6-4	Written Comments Only: October 21, 2019 5:00 pm Mallory Yates Hicks 106 Dee Drive Charleston, WV 25311 mallory.k.yates@wv.gov
Coal Mine Health and Safety (36-06)	Longwall Mining Legislative Exempt	§22A-6-4	Written Comments Only: October 21, 2019 5:00 pm Mallory Yates Hicks 106 Dee Drive Charleston, WV 25311 mallory.k.yates@wv.gov
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistants Legislative	§30-20-1, et. seq.	Written Comments Only: September 30, 2019 12:00 pm Nonnie S. Ramsey, Executive Director 2 Players Club Drive, Suite 102 Charleston, WV 25311 nonnie.s.ramsey@wv.gov
Physical Therapy (16-04)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	§30-20-1, et. seq.	Written Comments Only: September 30, 2019 12:00 pm Nonnie S. Ramsey, Executive Director 2 Players Club Drive, Suite 102 Charleston, WV 25311 nonnie.s.ramsey@wv.gov

Psychologists (17-07)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	§30-21-6	Written Comments Only: September 30, 2019 2:00pm Kathy Lynch PO Box 3955 Charleston, WV 25339 kathy.g.lynch@wv.gov

NO NEW EMERGENCY RULES WERE FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE FOR 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	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED PROFESSIONAL NURSES
TITLE	20	SANITARIANS
TITLE	24	OSTEOPATHIC MEDICINE
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TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE	31	DIETITIANS
TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE	35	OIL AND GAS
TITLE	36	COAL MINE HEALTH AND SAFETY
TITLE	38	MINING AND RECLAMATION
TITLE	42	LABOR
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TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH AND HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	87	FIRE COMMISSION
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	157	HIGWAYS
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TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
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TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

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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)

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-01)	Board Rules and Rules of Professional Conduct Legislative	6/7/2019 8/22/2019	7/8/2019 9/22/2019		7/23/2019				
Acupuncture (32-04)	Fees of the Board of Acupuncture Legislative	6/13/2019	7/14/2019	6/13/2019 Effective 7/25/2019	7/22/2019				
Acupuncture (32-14)	Auricular Detoxification Therapy Certificate Legislative	6/13/2019	7/14/2019	6/13/2019 Effective 7/25/2019	7/22/2019				
Acupuncture (32-15)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019		7/22/2019				
Acupuncture (32-16)	Consideration of Prior Criminal Convictions In Initial Licensure Determinations Legislative	8/19/2019	9/19/2019						
Administration (148-12)	Rules for the General Administration of Records Management and Preservation Legislative	6/24/2019	7/24/2019		7/26/2019				
Administration (148-13)	Rules for Retention and Disposal Scheduling Legislative	6/24/2019	7/24/2019		7/26/2019				
Administration (148-14)	Rules for the Management of Records Maintained b the Records Center Legislative	6/24/2019	7/24/2019		7/26/2019				
Administration (148-23)	Exemptions from Management Services Provided by the Fleet Management Division Legislative	5/3/2019	6/3/2019	4/5/2019 Effective 5/17/2019	7/8/2019				
Administration (148-24)	Financial Services Reporting Legislative	6/24/2019	7/24/2019		7/26/2019				
Agriculture (61-01)	Animal Disease Control Legislative	6/21/2019	7/22/2019		7/22/2019				
Agriculture (61-10)	Fresh Food Act Legislative	6/26/2019	7/26/2019	7/31/2019 Approved 8/2/2019	7/26/2019				
Agriculture (61-11B)	Auctioneers Legislative	6/26/2019	7/26/2019		7/26/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-13A)	Poultry- Rules for Hatcheries, Growers and Contractors Pertaining to Poultry Disease Control and Eradication Legislative	6/11/2019	7/10/2019		7/11/2019				
Agriculture (61-20)	Employment Reference and Inquiries and Background Checks Legislative	6/24/2019	7/24/2019		7/26/2019				
Agriculture (61-24)	West Virginia Spay Neuter Assistance Program Legislative	6/26/2019	7/26/2019		7/26/2019				
Agriculture (61-29)	Industrial Hemp Legislative	6/21/2019	7/22/2019		7/26/2019				
Agriculture (61-30)	Hemp Products Legislative	6/21/2019	7/22/2019		7/26/2019				
Agriculture (61-34)	Captive Cervid Farming Legislative	6/21/2019	7/22/2019		7/22/2019				
Agriculture (61-38)	Farmers Markets Legislative	6/24/2019	7/24/2019		7/26/2019				
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/5/2019	7/9/2019		7/19/2019				
Architects (2-01)	Registration of Architects Legislative	6/5/2019 8/22/2019	7/9/2019 9/22/2019		7/16/2019				
Architects (2-03)	Fees for Registration of Architects Legislative	6/5/2019	7/9/2019		7/16/2019				
Auditor (155-06)	Local Government Purchasing Card Program Legislative	5/21/2019	6/20/2019		7/8/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Chiropractic Examiners (4-07)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/10/2019				
Chiropractic Examiners (4-08)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/5/2019	9/9/2019						
Coal Mine Health and Safety (36-01)	Rules and Regulations Governing Approvals and Permits, Explosives and Ventilation For The Construction of Shaft And/Or Slope Operations In The State Of West Virginia Legislative Exempt	9/5/2019	10/21/2019						
Coal Mine Health and Safety (36-03)	Rules and Regulations Governing The Certification and Statutory Duties of Shaft And/Or Slope Superintendent Examiner Foreman and Examiner Foreman Legislative Exempt	9/5/2019	10/21/2019						
Coal Mine Health and Safety (36-04)	Rules and Regulations Governing The Movement of Mining Equipment Within Coal Mines In The State of West Virginia Legislative Exempt	9/5/2019	10/21/2019						
Coal Mine Health and Safety (36-06)	Longwall Mining Legislative Exempt	9/5/2019	10/21/2019						
Community and Technical College Education (135-08)	West Virginia Invests Grant Program Legislative	4/29/2019	5/30/2019	4/29/2019 Effective 4/29/2019	6/3/2019				
Conservation Agency (63-03)	State Conservation Committee Grant Program Legislative	5/30/2019	6/29/2019		7/10/2019				
Counseling (27-13)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/26/2019				
Dentistry, WV Board of (5-01)	Rule for the West Virginia Board of Dentistry Legislative	5/31/2019 7/26/2019	7/1/2019 8/26/2019		7/19/2019				
Dentistry, WV Board of (5-08)	Dental Advertising Legislative	5/31/2019	7/1/2019		7/19/2019				

RULE MONITOR									
AGENCY/SERIES NO	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEAACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Development Office (145-15)	Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program Legislative	6/17/2019	7/17/2019	7/18/2019 Approved 7/30/2019	7/18/2019				
Dietitians (31-01)	Licensure and Renewal Requirements Legislative	7/29/2019	8/29/2019		8/30/2019				
Dietitians (31-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/24/2019	7/25/2019		7/25/2019				
Election Commision (146-01)	Corporate and Membership Organization Political Activity Legislative	6/6/2019	7/10/2019	6/6/2019 Effective 7/18/2019	7/26/2019				
Election Commission (146-03)	Regulation of Campaign Finance Legislative	6/6/2019	7/10/2019	6/6/2019 Effective 7/18/2019	7/26/2019				
Environmental Protection - Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2019	7/8/2019		7/25/2019				
Fire Commission (87-01)	Fire Code Legislative	6/13/2019	7/16/2019		7/25/2019				
Fire Commission (87-04)	State Building Code Legislative	6/13/2019	7/16/2019		7/25/2019				
Forestry (22-02)	Sediment Control During Commerical Timber-Harvesting Operations-Licensing Legislative	6/26/2019	7/26/2019	6/26/2019 Effective 8/7/2019	7/26/2019				
Forestry (22-03)	Sediment Control During Commercial Timber-Harvesting Operations-Logger Certification Legislative	6/26/2019	7/26/2019	6/26/2019 Effective 8/7/2019	7/26/2019				
Funeral Service Examiners (6-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/17/2019	7/18/2019		7/23/2019				
Funeral Service Examiners (6-06)	Consideration of Prior Criminal Convictions in Initial Licensure Determination Legislative	8/22/2019	9/22/2019						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-03)	Public Water Systems Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-13)	Nursing Home Licensure Rule Legislative	6/14/2019	7/12/2019 Extended to: 7/22/2019		7/25/2019				
Health (64-30)	Fees for Permits Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-32)	Vital Statistics Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-48)	Emergency Medical Services Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-70)	Primary Care Center Uncompensated Care Grants Legislative	6/21/2019	7/22/2019		7/25/2019				
Health (64-71)	Primary Care Seed Money Grants Legislative	6/26/2019	7/26/2019		7/26/2019				
Health (64-109)	Medical Cannabis Program General Provisions Legislative	6/21/2019	7/22/2019	4/3/2018 Effective 4/3/2018	7/25/2019				
Health (64-110)	Medical Cannabis Program Grower/Processors Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018	7/25/2019				
Health (64-111)	Medical Cannabis Program Laboratories Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018	7/25/2019				
Health (64-112)	Medical Cannabis Program Dispensiaries Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018	7/25/2019				
Health (64-113)	Medical Cannabis Program Safe Harbor Letter Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018	7/24/2019				
Heath and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/17/2019	7/17/2019	6/19/2019 Effective 7/31/2019	7/22/2019				
Health Care Authority (65-09)	Critical Access Hospitals Legislative	6/13/2019	7/15/2019		7/16/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Hearing Aid Dealers (8-04)	Application for Waiver of Initial Licensing Fee for Certain Individuals Legislative	6/24/2019	7/24/2019		7/25/2019				
Hearing Aid Dealers (8-05)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/22/2019	9/22/2019						
Higher Education Policy Commission (133-03)	Higher Education Report Card Legislative	6/17/2019	7/17/2019						
Higher Education Policy Commission (133-49)	Accountability System Legislative	6/17/2019	7/17/2019		7/18/2019				
Highways (157-06)	Use of State Road Rights of Way and Adjacent Areas Legislative	6/27/2019	7/29/2019		7/29/2019				
Highways (157-07)	Transportation of Hazardous Wastes Upon the Roads and Highways Legislative	6/26/2019	7/26/2019		7/26/2019				
Highways (157-13)	Small Wireless Facilities on Division of Highways Rigts-of-Way Legislative	6/27/2019	7/29/2019		7/29/2019				
Human Services (78-02)	Child Placing Agencies Licensure Legislative	6/17/2019	7/17/2019	8/16/2019 Effective 9/27/2019	7/26/2019				
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults in West Virginia Legislative	6/18/2019	7/18/2019	8/16/2019 Effective 9/27/2019	7/26/2019				
Human Services (78-24)	Qualifications for a Provisional License to Practice As A Social Worker Within the Department of Health and Human Resources Legislative	6/18/2019	7/18/2019		7/24/2019				
Human Services (78-26)	78-26 Pilot Program for Drug Screening of Applicants for Cash Assistance Legislative				9/4/2019 Sunset Extension				
Insurance Commission (114-24)	Medicare Supplement Insurance Legislative	6/10/2019	7/10/2019		7/26/2019				

RULE MONITOR									
AGENCY/SERIES NO	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEAACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Insurance Commission (114-40)	Credit for Reinsurance Legislative	2/8/2019	3/25/2019	1/18/2019 Effective 3/1/2019	3/26/2019				
Labor (42-19)	West Virginia Manufactured Housing Construction and Safety Standards Board Legislative	6/11/2019	7/11/2019		7/18/2019				
Labor (42-32)	Supervision of Plumbing Work Legislative	6/10/2019	7/11/2019		7/17/2019				
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/10/2019	7/11/2019		7/17/2019				
Landscape Architects (9-01)	Registration of Landscape Architects Legislative	6/24/2019	7/24/2019		7/25/2019				
Landscape Architects (9-05)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/22/2019	9/22/2019						
Massage Therapy Licensure Board (194-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019		7/22/2019				
Massage Therapy Licensure Board (194-06)	Consideration of Prior Criminal Convictions in Initial Licensure Determination Legislative	8/19/2019	9/19/2019						
Medical Imaging and Radiation Therapy Tech. Bd. of Exam. (18-01)	WV Medical Imaging and Radiation Therapy Technology Board of Examiners Legislative	6/5/2019 8/26/2019	7/7/2019 9/27/2019		7/25/2019				
Medicine (11-01B)	Licensure, Disciplinary and Compliant Procedures, Continuing Education, Physician Assistants Legislative	6/19/2019	7/19/2019	6/19/2019 Amendment 7/25/2019 Approved 7/30/2019	7/25/2019				
Medicine (11-13)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/19/2019	7/19/2019		7/25/2019				
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/19/2019	7/19/2019	6/19/2019 Effective 7/31/2019	7/25/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Miners Health Safety and Training (56-22)	Rules Governing the Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors Legislative	6/19/2019	7/19/2019	6/19/2019 Effective 7/31/2019	7/25/2019				
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Rule Legislative	6/5/2019	7/8/2019		7/25/2019				
Mining and Reclamation (38-02F)	Groundwater Protection Rules Coal Mining Operations Legislative	6/5/2019	7/8/2019		7/25/2019				
Motor Vehicles (91-15)	Safety and Treatment Program Legislative	7/17/2019	8/16/2019	7/16/2019 Approved 7/30/2019	8/19/2019				
Motor Vehicles (91-24)	State Vehicle Title, Registration and Relicensing Project of 2018 Legislative	6/27/2019	7/29/2019	6/27/2019 Effective 8/8/2019	7/29/2019				
Municipal Bond Commission (109-02)	Rules Covering Meetings of the WV Municipal Bond Commission Procedural	6/27/2019	7/29/2019					8/21/2019	10/1/2019
Natural Resources (58-12)	Commerical Whitewater Outfitters Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-16)	Transporting and Selling Wildlife Pelts and Parts Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-25)	Boating Rule Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-26)	Special Boating Rules Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-28)	Special Requirements Concerning Boating Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-32)	Public Use of Campgrounds in West Virginia State Parks and State Forests, and Campsites in State Rail Trails Under the Division of Natural Resources Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-34)	Special Projects and Grants for West Virginia State Parks, State Forests, and State Rail Trails Under the Division of Natural Resources Legislative	6/10/2019	7/10/2019		7/23/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-46)	Defining of Terms Used In All Hunting and Trapping Legislative	6/10/2019	7/10/2019		7/24/2019				
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-59)	Special Waterfowl and Migratory Bird Hunting Areas Legislative							8/30/2019	9/1/2019
Natural Resources (58-61)	Special Fishing Rule Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-62)	Catching and Selling Bait Fish Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-65)	Falconry Legislative	6/10/2019	7/10/2019		7/24/2019				
Occupational Therapy (13-03)	Fees For Services Rendered By the Board Legislative	5/8/2019	7/1/2019		7/3/2019				
Occupational Therapy (13-07)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/13/2019	7/1/2019		7/3/2019				
Oil & Gas Conservation Commission (39-01)	Rules of The Commission Legislative	6/14/2019	7/16/2019	6/14/2019 Withdrawn 7/26/2019	7/25/2019				
Optometry (14-01)	Rules of the West Virginia Board of Optometry Legislative	6/26/2019 8/29/2019	7/26/2019 9/29/2019		7/26/2019				
Osteopathic Medicine (24-02)	Osteopathic Phyician Assistants Legislative	6/28/2019	7/29/2019	6/28/2019 Amendment 7/31/2019 Approved 8/5/2019	7/31/2019				
Osteopathic Medicine (24-08)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/28/2019	7/29/2019		7/30/2019				
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/26/2019	7/26/2019		7/26/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-04)	Record Keeping and Automated Data Processing Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	6/26/2019 8/15/2019	7/26/2019 9/16/2019		7/26/2019				
Pharmacy (15-12)	Immunizations Administered by Pharmacists and Pharmacy Interns Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-16)	Licensure and Practice of Pharmacist Care Legislative	8/15/2019	9/16/2019						
Pharmacy (15-18)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/26/2019	7/26/2019		7/26/2019				
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistants Legislative	8/30/2019	9/30/2019						
Physical Therapy (16-04)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	8/30/2019	9/30/2019						
Physical Therapy (16-05)	General Provisions for Athletic Trainers Legislative	7/24/2019	8/26/2019						
Physical Therapy (16-06)	Fees for Athletic Trainers Legislative	7/25/2019	8/26/2019						
Physical Therapy (16-09)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/4/2019	7/5/2019		7/18/2019				
Professional Engineers (7-01)	Examination, Licensure and Practice of Professional Engineers Legislative	6/18/2019 8/19/2019	7/19/2019 9/18/2019		7/24/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in West Virginia Legislative	6/4/2019 8/12/2019	7/9/2019 9/13/2019		7/15/2019				
Psychologists (17-07)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/30/2019	9/30/2019						
Public Defender Services (89-01)	Payment of Fees and Reimbursement of Expenses of Court-Appointed Attorneys Legislative	5/20/2019	6/21/2019	5/21/2019 Effective 7/2/2019	7/22/2019				
Public Service Commission (150-33)	Rules Governing Electric Utility Net Metering Arrangements and Interconnections Legislative Exempt	9/6/2018 03/13/2019	11/8/2018 04/30/2019						
Racing Commission (178-01)	Throughbred Racing Legislative	6/10/2019	7/10/2019		7/18/2019				
Real Estate Appraiser Licensing & Certification Bd. (190-02)	Requirements for Licensure and Certification Legislative	6/26/2019 8/6/2019	7/26/2019 9/6/2019		7/26/2019				
Real Estate Commission (174-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/31/2019	6/30/2019		7/2/2019				
Real Estate Commission (174-07)	Conisderation of Prior Criminal Convictions In Initial License Eligibility Determination Legislative	8/27/2019	9/26/2019						
Registered Professional Nurses (19-03)	Requirements for Registration and Licensure and Constituting Professional Misconduct Legislative	8/29/2019	9/30/2019						
Registered Professional Nurses (19-15)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	7/17/2019	8/17/2019		8/22/2019				
Respiratory Care (30-02)	Establishment of Fees Legislative	5/7/2019	6/7/2019		6/27/2019				
Respiratory Care (30-09)	Student Temporary Permits Legislative	5/22/2019	6/24/2019		6/27/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Sanitarians (20-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/17/2019 8/29/2019	7/19/2019 9/29/2019		7/23/2019				
School Building Authority of WV (164-01)	Policy and Procedures Handbook of the School Building Authority of WV Procedural	6/5/2019	7/5/2019					9/5/2019	10/7/2019
Secondary School Activities Commission (127-01)	Constitution (WVSSAC Series1) Legislative Exempt	5/9/2019	6/10/2019					7/11/2019	9/9/2019
Secondary School Activities Commission (127-02)	Athletics, Provisions Governing Eligibility (WVSSAC Series 2) Legislative Exempt	5/9/2019	6/10/2019					7/11/2019	9/9/2019
Secondary School Activities Commission (127-03)	Provisions Governing Contests (WVSSAC Series 3) Legislative Exempt	5/9/2019	6/10/2019					7/11/2019	9/9/2019
Secondary School Activities Commission (127-04)	Provisions Governing Conduct (WVSSAC Series 4) Legislative Exempt	5/9/2019	6/10/2019					7/11/2019	9/9/2019
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	8/27/2019	9/26/2019						
Social Work Examiners (25-03)	Fee Schedule Legislative	6/5/2019	7/5/2019		7/10/2019				
Speech-Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	5/14/2019	6/17/2019		6/28/2019				
Speech-Language Pathology and Audiology (29-04)	Disciplinary & Complaint Procedures for Speech-Language Pathology & Audiology Legislative	8/8/2019	9/13/2019						
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/13/2019	7/13/2019		7/15/2019				
Tax (110-13AC)	Reduced Serverance Tax Rates for Thermal or Steam Coal Interpretive	7/22/2019	8/22/2019						

RULE MONITOR									
AGENCY/SERIES NO	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEAACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Tax (110-15C)	Consumers Sales and Service Tax and Use Tax Drugs, Durable Medical Goods, Mobility Enhancing Equipment and Prosthetic Devices Per SE Exemption; Motor Vehicles Per SE Exemption Legislative	6/13/2019	7/13/2019		7/16/2019				
Tax (110-43)	Special Valuation Method for Certain Wireless Technolgy Property Interpertive	7/3/2019	8/2/2019						
Tax (110-50C)	Exchange of Information Pursuant to Written Agreement Legislative	6/13/2019	7/13/2019		7/15/2019				
Veterinary Medicine (26-01)	Organization and Operation and Licenisng of Veterinarians Legislative	8/7/2019	9/8/2019						
Veterinary Medicine (26-03)	Registration of Veterinary Technicians Legislative	5/30/2019 8/7/2019	7/7/2019 9/8/2019		7/11/2019				
Veterinary Medicine (26-06)	Schedule of Fees Legislative	5/30/2019 8/7/2019	7/7/2019 9/8/2019		7/11/2019				
Waste Management, Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/5/2019	7/8/2019		7/25/2019				
Water Resources, Div. of Water & Waste Mgmt. (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	3/21/2019	5/6/2019						
Workers Compensation (85-12)	Comprise & Settlement of Workers' Compensation Issues Legislative Exempt	8/19/2019	9/19/2019						

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
9/5/2019 8:54:41 AM
Office of West Virginia Secretary Of State

Legislative

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Coal Mine Health And Safety TITLE-SERIES: 36-01

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: RULES AND REGULATIONS GOVERNING APPROVALS AND PERMITS, EXPLOSIVES AND VENTILATION FOR THE CONSTRUCTION OF SHAFT AND/OR SLOPE OPERATIONS IN THE STATE OF WEST VIRGINIA

CITE STATUTORY AUTHORITY: W. Va. Code § 22A-6-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 10/21/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mallory Yates Hicks

ADDRESS: 106 Dee Drive

Charleston, West Virginia 25311

EMAIL: mallory.k.yates@wv.gov

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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9/5/2019 3:20:30 PM
Office of West Virginia Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Coal Mine Health And Safety TITLE-SERIES: 36-03

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: RULES AND REGULATIONS GOVERNING THE CERTIFICATION AND STATUTORY DUTIES OF SHAFT AND/OR SLOPE SUPERINTENDENT EXAMINER FOREMAN AND EXAMINER FOREMAN

CITE STATUTORY AUTHORITY: W. Va. Code § 22A-6-4

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 10/21/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mallory Yates Hicks

ADDRESS: 106 Dee Drive

Charleston, West Virginia 25311

EMAIL: mallory.k.yates@wv.gov

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)

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9/5/2019 9:32:53 AM
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Secretary Of State

Legislative

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Coal Mine Health And Safety TITLE-SERIES: 36-04

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: RULES AND REGULATIONS GOVERNING THE MOVEMENT OF MINING EQUIPMENT WITHIN COAL MINES IN THE STATE OF WEST VIRGINIA

CITE STATUTORY AUTHORITY: W. Va. Code § 22A-6-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 10/21/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mallory Yates Hicks

ADDRESS: 106 Dee Drive
Charleston, West Virginia 25311

EMAIL: mallory.k.yates@wv.gov

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)

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9/5/2019 3:25:53 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Coal Mine Health And Safety TITLE-SERIES: 36-06

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: LONGWALL MINING

CITE STATUTORY AUTHORITY: W. Va. Code § 22A-6-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 10/21/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mallory Yates Hicks

ADDRESS: 106 Dee Drive
Charleston, West Virginia 25311

EMAIL: mallory.k.yates@wv.gov

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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8/30/2019 12:56:40 PM
Office of West Virginia Secretary Of State

Legislative

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

AGENCY: Dietitians TITLE-SERIES: 31-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: 31-01 Licensure and Renewal Requirements

PRIMARY CONTACT

NAME: WV BOARD OF LICENSED DIETITIANS

ADDRESS: 101 Dee Drive
Suite D
CHARLESTON, WV 25311

EMAIL: wvbold@wv.gov

PHONE NUMBER: 304-558-1024

CITE STATUTORY AUTHORITY: §30-35-4 & § 30-1-24

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

HB 118 REQUIRES THE AGENCY TO WRITE THIS RULE.

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 7/29/2019

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 8/29/2019

COMMENTS RECEIVED: No

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

PUBLIC HEARING: No

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

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

WEST VIRGINIA SECRETARY OF STATE
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ADMINISTRATIVE LAW DIVISION

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9/4/2019 3:46:03 PM
Office of West Virginia Secretary Of State

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

AGENCY: Human Services TITLE-SERIES: 78-26

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: 78-26 Pilot Program for Drug Screening of Applicants for Cash Assistance

PRIMARY CONTACT

NAME: April L Robertson

ADDRESS: One Davis Square Suite 100 East
Charleston, WestVirginia 25301

EMAIL: april.l.robertson@wv.gov

PHONE NUMBER: 304-558-9149

CITE STATUTORY AUTHORITY: W. Va. Code §9-3-6(n).

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

Pursuant to W. Va. Code §29A-3-19(e). The Agency is requesting a new sunset date. The original statutory authority for the drug screening pilot program was unable to be fully implemented until the department received approval from its federal partner, the Administration for Children and Families, therefore the pilot program has not been in full implementation for three (3) years as contemplated by statute.

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED: No

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

PUBLIC HEARING: No

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

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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8/30/2019 2:20 PM
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Secretary Of State

Legislative

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

AGENCY: Natural Resources TITLE-SERIES: 58-59

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: SPECIAL WATERFOWL AND MIGRATORY BIRD HUNTING AREAS

CITE STATUTORY AUTHORITY: §20-1-7(31)

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

September 1, 2019

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

Yes

Wesley H White -- 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

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8/30/2019 10:58:01 AM
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Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Physical Therapy TITLE-SERIES: 16-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: General Provisions for Physical Therapist and Physical Therapist Assistants

CITE STATUTORY AUTHORITY: W. Va. Code §30-20-1, et. seq.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/30/2019 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Nonnie S. Ramsey, Executive Director

ADDRESS: 2 Players Club Drive, Suite 102

Charleston, WV 25311

EMAIL: nonnie.s.ramsey@wv.gov

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

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8/30/2019 10:10:32 AM
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Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

Legislative

AGENCY: Physical Therapy TITLE-SERIES: 16-04

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Fees for Physical Therapist and Physical Therapist Assistant

CITE STATUTORY AUTHORITY: W. Va. Code §30-20-1, et. seq.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/30/2019 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Nonnie S. Ramsey, Executive Director

ADDRESS: 2 Players Club Drive, Suite 102
Charleston, WV 25311

EMAIL: nonnie.s.ramsey@wv.gov

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

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8/30/2019 12:24:54 PM
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Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Psychologists TITLE-SERIES: 17-07

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: Consideration of Prior Criminal Convictions in Initial Licensure Determinations

CITE STATUTORY AUTHORITY: §30-21-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/30/2019 2:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Kathy Lynch

ADDRESS: PO Box 3955
Charleston, WV 25339

EMAIL: kathy.g.lynch@wv.gov

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

eFILED

9/5/2019 3:16 PM

Office of West Virginia Secretary Of State

Procedural

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

AGENCY: School Building Authority Of WV TITLE-SERIES: 164-01

RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Policy and Procedures Handbook of the School Building Authority of West Virginia

CITE STATUTORY AUTHORITY: §18-9D-20

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

October 7, 2019

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

Yes

Benjamin Ashley – 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.

Orders Report

Docket Number	Agency	Respondent	Date Rendered
77731	Board of Examiners for Registered Professional Nurses	Maye W. Awad	7/30/2019
19-7-11677-X	Health Care Authority	Community Care of West Virginia, Inc.	8/29/2019
19-7-11678-X	Health Care Authority	Community Care of West Virginia, Inc.	8/29/2019
19-6-11674-X	Health Care Authority	Benchmark Therapies, Inc.	8/29/2019
18-9-11348-P	Health Care Authority	East Mountain Health Advantage, Inc.	8/29/2019
19-3-11669-X	Health Care Authority	Charleston Area Medical Center, Inc.	8/29/2019
19-6-11675-X	Health Care Authority	AppleGate Health Services, Inc.	8/27/2019
19-5-11676-X	Health Care Authority	AppleGate Health Services, Inc.	8/27/2019
19-8-11640-E	Health Care Authority	Potomac Valley Hospital	8/27/2019

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

Executive Order

EXECUTIVE ORDER NO. 4-19

By the Governor

WHEREAS, it is critically important that all students and employees of public schools in the State of West Virginia know that they are in a safe environment; and

WHEREAS, the resulting vigilance to protect health, safety and welfare has led schools and school districts to consider, procure or install temporary door locking devices to reduce the risks to students, employees, and faculty; and

WHEREAS, while these temporary door locking devices would allow necessary access to the schools by emergency personnel and first responders in the event of a fire or other emergency, they are not explicitly permitted or sanctioned by applicable regulatory standards; and

WHEREAS, the State Fire Marshal currently lacks the authority to grant a waiver of the applicable regulatory standards which would allow the installation and limited use of these temporary door locking devices absent legislative action; and

WHEREAS, the State recognizes the need to take all reasonable steps to ensure the safety of our children and school personnel from all hazards, and that steps can be immediately taken to best balance those safety concerns; and

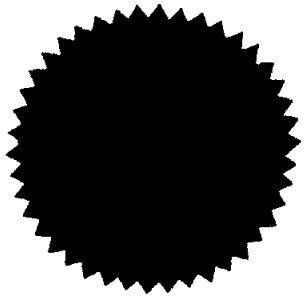
WHEREAS, it is imperative to create a procedure in which schools desirous of installing temporary door locking devices may seek approval for use and installation from the State Fire Marshal and, until there is proper legislation addressing the proper means of balancing the safety concerns arising from potential hazards, a State of Emergency exists.

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:

1. A State of Emergency exists in West Virginia as it pertains to the regulatory prohibition on the installation and limited use of temporary door locking devices; and

2. The State Fire Marshal is hereby empowered to develop standards upon which any school may obtain written approval for a variance from any applicable state regulation under the authority of his or her office for the installation of a temporary door locking device and its limited use during training exercises, drills, or in a hostile event, or for the use of any such device heretofore installed.

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



DONE at the Capitol, in the City of Charleston, State of West Virginia, this sixth day of September, in the year of our Lord, Two Thousand Nineteen, and in the One Hundred Fifty-Seventh year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

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

FILED
2019 SEP -3 A 11:08
Other

September 3, 2019

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **August 30, 2019**.

LETTERS OF INTENT RECEIVED

August 27, 2019 – Cavalier Mobile X-Ray Co., Youngstown, Ohio, CON File #19-WV-11691-P, for the expansion of mobile diagnostic imagining services to all counties in West Virginia; capital expenditure: $143,000.

August 29, 2019 – NUSkool Scholars, LLC, Beaver, Raleigh County, CON File #19-1/3/4-11693-BH, for the provision of services to individuals with intellectual and developmental disabilities in Fayette, Kanawha, McDowell, Mercer, Raleigh, Summers and Wyoming counties; no capital expenditure.

LETTER OF INTENT WITHDRAWN

August 27, 2019 – Cavalier Mobile X-Ray Co., Youngstown, Ohio, CON File #19-WV-11683-P, for the expansion of mobile diagnostic imaging services to all counties in West Virginia; capital expenditure: $143,000.

APPLICATIONS FOR EXEMPTION RECEIVED

August 26, 2019 – EC Opco Teays Valley, LLC, Louisville, Kentucky, CON File #19-3-11690-X, for the direct change of control in the licensed owner of Broadmore Senior Living at Teays Valley, Hurricane, Putnam County.

August 28, 2019 – Valley Health Care, Inc., Mill Creek, Randolph County, CON File #19-7-11692-X, for the provision of ultrasound imaging services at the Mill Creek Community Health Center.

August 29, 2019 – Community Health Systems, Inc., Beckley, Raleigh County, CON File #19-1-11694-X, for the development of a school-based clinic located at 351 4H Lake Road, Daniels, Raleigh County.

PROJECTS DETERMINED NOT REVIEWABLE

August 29, 2019 – Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #19-3-11669-X, for the development of the CAMC Wellness Center providing primary care services to its employees, spouses, and dependents who are covered by CAMC health insurance. Services will be provided free of charge; capital expenditure: less than the expenditure minimum.

August 29, 2019 – Benchmark Therapies, Inc., Huntingdon, PA, CON File #19-6-11674-X, for the provision of physical, occupational and speech therapy services to the residents of West Virginia Veterans Nursing Facility located in Clarksburg, Harrison County; no capital expenditure.

EXEMPTION APPLICATIONS APPROVED

August 27, 2019 - AppleGate Health Services, Inc., Lewisville, Texas, CON File #19-6-11675-X, for the acquisition of the medication-assisted treatment (MAT) services provided by Doctors Specialty Care, LLC located in Bridgeport, Harrison County.

August 27, 2019 – AppleGate Health Services, Inc., Lewisville, Texas, CON File #19-5-11676-X, for the acquisition of the medication-assisted treatment (MAT) services provided by Road to Recovery, LLC located in Ripley, Jackson County.

August 29, 2019 - Community Care of West Virginia, Inc., Rock Cave, Upshur County, CON File #19-7-11677-X, for the development of the Washington District Elementary School Wellness Center.

August 29, 2019 – Community Care of West Virginia, Inc., Rock Cave, Upshur County, CON File #19-7-11678-X, for the development of the Union Elementary School Wellness Center.

CERTIFICATE OF NEED APPROVAL ISSUED

August 27, 2019 - Potomac Valley Hospital, Keyser, Mineral County, CON File #19-8-11640-E, for the development of fixed site magnetic resonance imaging (MRI) services; capital expenditure: $1,550,000.

EXTENSION GRANTED

August 29, 2019 - East Mountain Health Advantage, Inc., Winchester, Virginia, CON File #18-9-11348-P, for the construction of a medical office building in Berkeley County; capital expenditure: $16,988,000.

Extension granted through March 31, 2020.

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

Dave Hardy
Secretary of Revenue

STATE TAX DEPARTMENT

Dale W. Steager
State Tax Commissioner

Other

September 3, 2019

FILED
2019 SEP -3 P 2:38

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Attached for filing in the State Register are final natural resource property valuation variables for the 2020 Tax Year that have been developed by the State Tax Department for use in determining the appraised value of coal, oil, natural gas, managed timberland, and other natural resource properties for ad valorem tax purposes.

In accordance with requirements of §§ 110 CSR 1-I, 1-J, and 1-K, tentative variables were made available for public comments on June 29, 2019. The Department received five comments on the tentative valuation variables, which all related to the expense allowance in the valuation of oil and gas properties. Based on the comments and data received, the operating expense allowance for Marcellus/Utica horizontal producing wells was increased from $100,000 to $125,000. Additionally, changes were made for the coal royalty rates and prices of Metallurgical and Steam coal based upon information that was unavailable on June 29, 2019.

Sincerely,

Dale W. Steager
State Tax Commissioner

DWS/ja/j

Attachment

cc: All County Assessors

Property Tax Division, 1124 Smith Street, P.O. Box 2389, Charleston, WV 25328-2389
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