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

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NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Housing Development Fund (88-03)	Purchasing Procedure Procedural	§31-18-6	Written Comments Only May 22, 2020, 5:00 pm Erica Boggess 5710 MacCorkle Avenue SE Charleston, WV 25304 procurementcomments@wvhdf.com
Medicine (11-14)	Registration to Practice During Declared State of Emergency Legislative	§§30-3-7(a)(1), 30-3E-3(a)	Written Comments Only May 23, 2020, 4:30 pm Mark A Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov

NEW EMERGENCY RULES FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE OF HEARING**
Health (64-114, amendment)	Public Health Standards for Businesses Remaining Open During the COVID-19 Outbreak	§§16-3-1, 16-1-4, 29A-3-15	Approved April 21, 2020	Must be put out for public comment by May 21, 2020
Pharmacy (15-12)	Immunizations Administered by Pharmacists and Pharmacy Interns	§§30-5-7, 29A-3-15	Approved April 20, 2020	Must be put out for public comment by May 20, 2020

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

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

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	2	ARCHITECTS
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
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TITLE	31	DIETITIANS
TITLE	32	ACUPUNCTURE
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TITLE	35	OIL AND GAS
TITLE	36	COAL MINE HEALTH AND SAFETY
TITLE	38	MINING AND RECLAMATION
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TITLE	45	AIR QUALITY
TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
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RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	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 9/27/2019	Modified & Approved 10/24/2019 Filed 11/8/2019	BUNDLED HB4252	4/9/2020	7/1/2020
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	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252	4/20/2020	4/30/2020
Acupuncture (32-14)	Auricular Detoxification Therapy Certificate Legislative	6/13/2019	7/14/2019	6/13/2019 Effective 7/25/2019	7/22/2019	Modified & Approved 9/26/2019 Filed 10/17/2019	BUNDLED HB4252	4/20/2020	4/30/2020
Acupuncture (32-15)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019		7/22/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252	4/20/2020	4/30/2020
Acupuncture (32-16)	Consideration of Prior Criminal Convictions In Initial Licensure Determinations Legislative	8/19/2019	9/19/2019		9/24/2019	Modified & Approved 10/24/2019 Filed 11/14/2019	BUNDLED HB4252	4/20/2020	4/30/2020
Agriculture (61-11B)	Auctioneers Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/1/2019	BUNDLED HB4252		
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	Approved 9/26/2019	BUNDLED HB4252		
Agriculture (61-15)	Grade "A" Pasteurized Milk Legislative	12/5/2019	1/6/2020	12/6/2019 Approved 12/20/2019	1/7/2020	Approved 1/7/2020	BUNDLED HB4252		
Agriculture (61-19)	WV Manufacture-Grade Milk Legislative	12/5/2019	1/6/2020		1/6/2020	Approved 1/7/2020	BUNDLED HB4252		
Agriculture (61-20)	Employment Reference and Inquiries and Background Checks Legislative	6/24/2019	7/24/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/1/2019	BUNDLED HB4252		
Agriculture (61-24)	West Virginia Spay Neuter Assistance Program Legislative	6/26/2019	7/26/2019		7/26/2019	Approved 12/18/2019	BUNDLED HB4252		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-29)	Industrial Hemp Legislative	6/21/2019	7/22/2019		7/26/2019	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED HB4252		
Agriculture (61-30)	Hemp Products Legislative	6/21/2019	7/22/2019		7/26/2019	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED HB4252		
Agriculture (61-34)	Captive Cervid Farming Legislative	6/21/2019	7/22/2019		7/22/2019	Approved 9/26/2019	BUNDLED HB4252		
Agriculture (61-38)	Farmers Markets Legislative	6/24/2019	7/24/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/2/2019	BUNDLED HB4252		
Agriculture (61-40)	WV Exempted Dairy Farms and Milk and Milk Products Processing Rules Legislative	12/5/2019	1/6/2020		1/6/2020	Approved 1/7/2020	BUNDLED HB4252		
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		
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	Modified & Approved 9/26/2019 Filed 10/2/2019	BUNDLED HB4217		
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		
Architects (2-01)	Registration of Architects Legislative	6/5/2019 8/22/2019	7/9/2019 9/22/2019		7/16/2019 9/24/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252	4/20/2020	7/1/2020
Architects (2-03)	Fees for Registration of Architects Legislative	6/5/2019	7/9/2019		7/16/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252	4/20/2020	7/1/2020

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Chiropractic Examiners (4-07)	Request for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/10/2019	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED HB4252	3/30/2020	7/1/2020
Chiropractic Examiners (4-08)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/5/2019	9/9/2019		9/10/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252	3/30/2020	7/1/2020
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						
THE ABOVE RULE HAS BEEN WITHDRAWN 4/17/2020									
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						
THE ABOVE RULE HAS BEEN WITHDRAWN 4/17/2020									
Coal Mine Health and Safety (36-07)	Rules and Regulation Governing Shortwall Mining Within The State of West Virginia Legislative Exempt	10/15/2019	11/25/2019						
Coal Mine Health and Safety (36-11)	Rules and Regulations Governing When Underground Mine Foreman-Boss Required; Assistants;Certifications; The Reopening of Abandoned Mines and the Deenergization of Self-Propelled Electric Coal Feeders; Performance Requirements Legislative Exempt	10/15/2019	11/25/2019						
Coal Mine Health and Safety (36-12)	Rules and Regulations Governing Electrical Provisions for Underground Mining Legislative Exempt	10/11/2019	11/25/2019						
THE ABOVE RULE HAS BEEN WITHDRAWN 4/22/2020									

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Coal Mine Health and Safety (36-13)	Rules and Regulations Governing The Authority, Accountability, and Responsibility of Underground Mine Foreman; Responsibility of Operator In Relation To Mine Foreman; And Regulatory Review Procedures Legislative Exempt	10/11/2019	11/25/2019						
THE ABOVE RULE HAS BEEN WITHDRAWN 4/22/2020									
Coal Mine Health and Safety (36-18)	The Responsibility For Care and Maintenance of Equipment Legislative Exempt	10/24/2019	12/9/2019						
Coal Mine Health and Safety (36-57)	Rules Governing Proximity Detection Systems and Haulage Safety Generally Legislative Exempt	10/24/2019	12/9/2019						
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	Approved 10/4/2019	BUNDLED HB4480		
Counseling (27-13)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/9/2019	BUNDLED HB4252		
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 9/20/2019	Approved 11/17/2019	BUNDLED HB4252	4/10/2020	6/1/2020
Dentistry, WV Board of (5-08)	Dental Advertising Legislative	5/31/2019	7/1/2019		7/19/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252	4/10/2020	6/1/2020
Development Office, Commerce (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	Modified & Approved 11/17/2019 Filed 12/5/2019	BUNDLED SB449		
Education (126-042)	Assuring the Quality of Education: Regulations for Education Programs (Policy 2510) Legislative Exempt	12/12/2019	1/24/2020					2/13/2020	7/1/2020
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	Modified & Approved 11/17/2019 Filed 12/2/2019	BUNDLED HB4252		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 11/17/2019 Filed 12/2/2019	BUNDLED HB4252		
Environmental Protection - Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2019	7/8/2019		7/25/2019	Approved 11/17/2019	BUNDLED HB4217		
Fire Commission (87-01)	State Fire Code Legislative	6/13/2019	7/16/2019		7/25/2019	Modified & Approved 12/18/2019 Filed 1/6/2020	BUNDLED HB4275		
Fire Commission (87-04)	State Building Code Legislative	6/13/2019	7/16/2019		7/25/2019	Modified & Approved 12/18/2019 Filed 1/6/2020	BUNDLED HB4275		
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	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Funeral Service Examiners (6-06)	Consideration of Prior Criminal Convictions in Initial Licensure Determination Legislative	8/22/2019	9/22/2019		9/27/2019	Modified & Approved 10/24/2019 Filed 11/7/2019	BUNDLED HB4252		
Health (64-48)	Emergency Medical Services Legislative	6/14/2019	7/15/2019		7/16/2019	Modified & Approved 10/24/2019 Filed 11/4/2019	BUNDLED SB339		
Health (64-109)	Medical Cannabis Program General Provisions Legislative	6/21/2019	7/22/2019	4/3/2018 Effective 4/3/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339	4/21/2020	4/21/2020
Health (64-110)	Medical Cannabis Program Grower/Processors Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339	4/21/2020	4/21/2020

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-111)	Medical Cannabis Program Laboratories Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339	4/21/2020	4/21/2020
Health (64-112)	Medical Cannabis Program Dispensiaries Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339	4/21/2020	4/21/2020
Health (64-113)	Medical Cannabis Program Safe Harbor Letter Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/24/2019	Modifed & Approved 12/18/2019 Filed 12/19/2019	BUNDLED SB339	4/21/2020	4/21/2020
Health (64-114)	Public Health Standards for Businesses Remaining Open During the COVID-19 Outbreak Legislative			4/16/2020 Approved 4/16/2020 Amendment 4/21/2020 Approved 4/21/2020					
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	Modified & Approved 9/26/2019 Filed 10/21/2019	BUNDLED HB4252		
Hearing Aid Dealers (8-05)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/22/2019	9/22/2019		9/27/2019	Modified & Approved 10/24/2019 Filed 11/7/2019	BUNDLED HB4252		
Higher Education Policy Commission (133-03)	Higher Education Accountability System Legislative	6/17/2019	7/17/2019		9/30/2019		BUNDLED 4480		
Higher Education Policy Commission (133-26)	Underwood-Smith Teacher Scholarship Legislative	9/30/2019	10/30/2019		11/5/2019		BUNDLED 4480		
Higher Education Policy Commission (133-49)	Accountability System Legislative	6/17/2019	7/17/2019		7/18/2019	Approved 10/4/2019	BUNDLED 4480		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Housing Development Fund (88-03)	Purchasing Procedure Procedural	4/22/2020	5/22/2020						
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	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED SB339		
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	Modified & Approved 11/17/2019 Filed 11/25/2019	BUNDLED SB339	4/15/2020	6/3/2020
Labor (42-32)	Supervision of Plumbing Work Legislative	6/10/2019	7/11/2019		7/17/2019	Approved 10/24/2019	BUNDLED SB449	3/16/2020	5/1/2020
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/10/2019	7/11/2019		7/17/2019	Approved 10/24/2019	BUNDLED SB449	3/16/2020	5/1/2020
Landscape Architects (9-05)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/22/2019	9/22/2019		9/27/2019	Modified & Approved 11/17/2019 Filed 11/21/2019	BUNDLED HB4252		
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	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252	4/16/2020	4/30/2020
Massage Therapy Licensure Board (194-06)	Consideration of Prior Criminal Convictions in Initial Licensure Determination Legislative	8/19/2019	9/19/2019		9/24/2019	Modified & Approved 10/24/2019 Filed 11/7/2019	BUNDLED HB4252	4/16/2020	4/30/2020
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	Modified & Approved 9/26/2019 Filed 10/8/2019	BUNDLED HB4252		
Medicine (11-13)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/19/2019	7/19/2019		7/25/2019	Modified & Approved 9/26/2019 Filed 10/8/2019	BUNDLED HB4252		
Medicine (11-14)	Registration to Practice During Declared State of Emergency Legislative	4/23/2020	5/23/2020	3/26/2020 Approved 3/26/2020					

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Rule Legislative	6/5/2019	7/8/2019		7/25/2019	Authorized with Certain Amendments 12/18/2019	BUNDLED HB4217		
Mining and Reclamation (38-02F)	Groundwater Protection Rules Coal Mining Operations Legislative	6/5/2019	7/8/2019		7/25/2019	Approved 12/18/2019	BUNDLED HB4217		
Natural Resources (58-36)	Cabwaylingo State Forest Trail System Two Year Pilot Project Permitting ATVs and ORVs Legislative				Sunset Extension 2/26/2020				
Occupational Therapy (13-03)	Fees For Services Rendered By the Board Legislative	5/8/2019	7/1/2019		7/3/2019	Approved 9/26/2019	BUNDLED HB4252	4/8/2020	7/1/2020
Occupational Therapy (13-07)	Request for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/13/2019	7/1/2019		7/3/2019	Modified & Approved 9/26/2019 Filed 9/30/2019	BUNDLED HB4252	4/8/2020	7/1/2020
Occupational Therapy (13-08)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	10/30/2019	11/30/2019		12/2/2019	Approved 12/18/2019	BUNDLED HB4252	4/8/2020	7/1/2020
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	Modififed & Approved 12/19/2019 Filed 1/3/2020	BUNDLED HB4217		
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 10/1/2019	Modified & Approved 11/17/2019 Filed 11/26/2019	BUNDLED HB4252		
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	Modified & Approved 10/24/2019 Filed 11/14/2019	BUNDLED HB4252		
Osteopathic Medicine (24-08)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/28/2019	7/29/2019		7/30/2019	Modified & Approved 10/24/2019 Filed 11/14/2019	BUNDLED HB4252		
Osteopathic Medicine (24-09)	Emergency Temporary Permits to Practice During States of Emergency or State of Preparedness Legislative	4/15/2020	5/15/2020	3/26/2020 Approved 3/26/2020					

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/26/2019	7/26/2019	3/21/2020 Approved 3/21/2020 Amendment 4/1/2020 Approved 4/1/2020	7/26/2019	Modified & Approved 11/17/2019 Filed 12/2/2019	BUNDLED HB4252		
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative			4/1/2020 Approved 4/1/2020					
Pharmacy (15-04)	Record Keeping and Automated Data Processing Systems Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Pharmacy (15-12)	Immunizations Administered by Pharmacist and Pharmacy Interns Legislative			4/20/2020 Approved 4/20/2020					
Pharmacy (15-18)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/11/2019	BUNDLED HB4252		
Physical Therapy (16-09)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/4/2019	7/5/2019		7/18/2019	Modified & Approved 11/17/2019 Filed 11/27/2019	BUNDLED HB4252	4/1/2020	6/1/2020
Psychologists (17-07)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/30/2019	9/30/2019		10/11/2019	Modified & Approved 12/192019 Filed 1/8/2020	BUNDLED HB4252		
Public Service Commission (150-30)	Rules Governing Siting Certificates for Exempt Wholesale Generators Legislative Exempt	1/27/2020	2/26/2020					3/20/2020	5/19/2020
Racing Commission (178-01)	Throughbred Racing Legislative	6/10/2019	7/10/2019		7/18/2019	Modified & Approved 12/18/2019 Filed 12/20/2019	BUNDLED SB357	3/11/2020	6/9/2020
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 9/9/2019	Modified & Approved 11/17/2019 Filed 12/6/2019	BUNDLED HB4252		
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	Modified & Approved 9/26/2019 Filed 10/7/2019	BUNDLED HB4252	4/1/2020	7/1/2020

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Real Estate Commission (174-07)	Conisderation of Prior Criminal Convictions In Initial License Eligibility Determination Legislative	8/27/2019	9/26/2019		9/27/2019	Modified & Approved 11/17/2019 Filed 12/3/2019	BUNDLED HB4252	4/1/2020	7/1/2020
Registered Professional Nurses (19-03)	Requirements for Registration and Licensure and Constituting Professional Misconduct Legislative	8/29/2019	9/30/2019		10/11/2019	Approved 11/17/2019	BUNDLED HB4252		
Registered Professional Nurses (19-15)	Request for Waiver of Initial Licensing Fees for Certain Individuals Legislative	7/17/2019	8/17/2019		8/22/2019	Modified & Approved 9/26/2019 Filed 10/7/2019	BUNDLED HB4252		
Respiratory Care (30-02)	Establishment of Fees Legislative	5/7/2019	6/7/2019		6/27/2019	Modified & Approved 9/26/2019 Filed 10/1/2019	BUNDLED HB4252		
Respiratory Care (30-09)	Student Temporary Permits Legislative	5/22/2019	6/24/2019		6/27/2019	Modified & Approved 9/26/2019 Filed 10/2/2019	BUNDLED HB4252		
Respiratory Care (30-10)	Conideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	11/7/2019	12/9/2019		12/10/2019	Approved 12/19/2019	BUNDLED HB4252		
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 11/1/2019	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED HB4252		
School Building Authority of WV (164-05)	School Building Authority Contracts and Agreements; Post-Project Evaluation; Suspension of Right to Bid Legislative	11/4/2019	12/4/2019		12/16/2019		SB652	4/1/2020	5/1/2020
Secretary of State (153-10)	Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Election Systems, Software, Services and Upgrades Legislative			3/25/2020 ERD by 5/6/2020					
Secretary of State (153-45)	Guidelines and Standards for Electronic Notarization Legislative			3/27/2020 Amendment 3/31/2020 Approved 4/1/2020					

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-53)	Election Processes and Absentee Eligibility During State of Emergency			3/20/2020 Effective 3/20/2020					
Senior Services (76-03)	West Virginia State Plan for Aging Programs- Title V Interpretive	3/9/2020	4/8/2020						
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	8/27/2019	9/26/2019		9/27/2019	Modified & Approved 10/24/2019 Filed 11/1/2019	BUNDLED HB4252		
Social Work Examiners (25-03)	Fee Schedule Legislative	6/5/2019	7/5/2019		7/10/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Speech-Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	5/14/2019	6/17/2019		6/28/2019	Modified & Approved 10/24/2019 Filed 11/4/2019	BUNDLED HB4252		
Speech-Language Pathology and Audiology (29-04)	Disciplinary & Complaint Procedures for Speech-Language Pathology & Audiology Legislative	8/8/2019	9/13/2019		9/17/2019	Modified & Approved 10/24/2019 Filed 11/5/2019	BUNDLED HB4252		
Tax (110-21F)	The Coal Severance Tax Rebate Interpretive	9/26/2019	10/26/2019						
Tax (110-43)	Special Valuation Method for Certain Wireless Technology Property Interpertive	7/3/2019 1/28/2020	8/2/2019 2/27/2020					4/10/2020	5/10/2020
Veterinary Medicine (26-01)	Organization and Operation and Licenisng of Veterinarians Legislative	8/7/2019	9/8/2019		9/9/2019	Modified & Approved 12/19/2019 Filed 1/2/2020	BUNDLED HB4252	4/1/2020	7/1/2020
Veterinary Medicine (26-03)	Registration of Veterinary Technicians Legislative	5/30/2019 8/7/2019	7/7/2019 9/8/2019		7/11/2019 9/9/2019	Modified & Approved 12/19/2019 Filed 1/2/2020	BUNDLED HB4252	4/1/2020	7/1/2020
Veterinary Medicine (26-06)	Schedule of Fees Legislative	5/30/2019 8/7/2019	7/7/2019 9/8/2019		7/11/2019 9/9/2019	Authorized as Modified with Certain Amendments 12/19/2019 Filed 1/2/2020	BUNDLED HB4252	4/1/2020	7/1/2020

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Waste Management, Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/5/2019	7/8/2019		7/25/2019	Approved 10/25/2019	BUNDLED HB4217		
Water Development Authority (44-04)	Purchasing Procedure Procedural	4/15/2020	5/18/2020						
Water Resources Division of Water and Waste Management (47-02)	Requirements Governing Water Quality Standards Legislative	3/31/2020	5/19/2020						
Water Resources Division of Water and Waste Management (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	2/7/2020 3/20/2020	3/26/2020 4/20/2020						

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/20/2020 11:30:10 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Acupuncture TITLE-SERIES: 32-04

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

RULE NAME: Fees of the Board of Acupuncture

CITE STATUTORY AUTHORITY: 30-36-7 and 30-36-8

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

Authorization is cited in (house or senate bill number) HB 4252

Section 64-9-2 Passed On 3/6/2020 12:00:00 AM

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

April 30, 2020

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

April 30, 2030

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

Yes

Linda Lyter -- 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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4/20/2020 10:12:54 AM
Office of West Virginia
Secretary Of State

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

AGENCY: Acupuncture TITLE-SERIES: 32-14

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

RULE NAME: Auricular DetoxificationTherapy Certificate

CITE STATUTORY AUTHORITY: 30-36-7(d) and 30-36-10

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

Authorization is cited in (house or senate bill number) HB 4252

Section 64-9-2 Passed On 3/6/2020 12:00:00 AM

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

April 30, 2020

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

April 30, 2030

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

Yes

Linda Lyter -- 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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4/20/2020 11:27:53 AM

Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Acupuncture TITLE-SERIES: 32-15

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

RULE NAME: Application For Waiver of Initial Licensing Fees For Certain Individuals

CITE STATUTORY AUTHORITY: 30-1-23 and 30-36-7

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

Authorization is cited in (house or senate bill number) HB 4252

Section 64-9-2 Passed On 3/6/2020 12:00:00 AM

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

April 30, 2020

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

April 30, 2030

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

Yes

Linda Lyter -- 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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4/20/2020 11:51:53 AM

Office of West Virginia
Secretary Of State

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

AGENCY: Acupuncture TITLE-SERIES: 32-16

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

RULE NAME: Considertion of Prior Criminal Convictions In Initial Licensure Determinations

CITE STATUTORY AUTHORITY: 30-1-24 and 30-36-7

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

Authorization is cited in (house or senate bill number) HB 4252

Section 64-9-2 Passed On 3/6/2020 12:00:00 AM

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

April 30, 2020

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

April 30, 2030

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

Yes

Linda Lyter -- 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.

FILED

2020 APR 23 P 12: 47

LEGISLATIVE

OFFICE WEST VIRGINIA
SECRETARY OF STATE

STATE OF WEST VIRGINIA
DEPARTMENT OF REVENUE
ALCOHOL BEVERAGE CONTROL ADMINISTRATION

900 Pennsylvania Ave., 4th Floor
Charleston, West Virginia 25302

FREDRIC L. WOOTON
COMMISSIONER

DAVE HARDY
CABINET SECRETARY

April 23, 2020

VIA EMAIL to: mlewis@wvsos.com and dkersey@wvsos.com
Mac Warner, The Honorable Secretary of State,
Secretary of State's Office – Administrative Law
Bldg. 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770

Re: West Virginia Code of State Rules
– Administrative Notice for 176 CSR 1 §6.3.h.1.A.

Dear Secretary of State Warner:

The Honorable Governor of the State of West Virginia, Jim Justice, has declared a State of Emergency on March 16, 2020, to address the emergency created by the worldwide COVID-19 pandemic, or more commonly known as the novel coronavirus.

As declared in the State of Emergency Proclamation, the Governor, in accordance with emergency powers granted to the Governor pursuant to W. Va. Code §15-5-6, and more specifically §15-5-6(c)(7), and as also stated in Executive Order No. 2-20 issued on March 18, 2020,

> "I hereby **DELEGATE** to all state agencies the ability to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency"

The West Virginia Alcohol Beverage Control Administration (WVABCA) at the direction of the Governor seeks to temporarily suspend a nonintoxicating beer rule that would hinder the ability of distributors to price certain nonintoxicating beer products that are subject to certain conditions set forth in West Code §47-11A-8, to avert loss to the wholesaler by spoilage or depreciation.

Based on the above conditions arising from COVID-19 and in the best interest of the public health, safety and welfare of West Virginia citizens, the Governor, per the State of Emergency and Executive Order 2-20, directed the WVABCA to temporarily suspend the West Virginia Code of State Rules at 176 CSR 1, specifically §6.3.h.1.A., in part, by editing the rule and providing for distributor price adjustments in certain conditions. The temporary suspension of this rule, as noted herein, shall be effective April 22, 2020, and shall endure for the remainder of the entire period of the State of Emergency, which was declared on March 16, 2020, and shall expire as noted below.

The temporary rule suspension is accomplished by editing pricing timelines for beer distributors as specified in W. Va. Code R. § 176-1-6.3.h.1.A. by adding, after the last sentence of this rule, a new sentence to read as follows:

> "Provided further, distributors are permitted to make price adjustments during the distributor's quarterly pricing period in accordance with W. Va. Code §47-11A-8, during the State of Emergency declared on March 16, 2020, upon 2 days' notice to the Commissioner, on a form provided by the Commissioner. Any such distributor price adjustment per W. Va. Code §47-11A-8 will be reviewed, and if approved shall expire at the end of the distributor's quarterly pricing period or until the price adjustment is refiled by the distributor upon 2 days' notice to return the quarterly price to the original price set for that quarterly pricing period since the W. Va. Code §47-11A-8 price adjustment reasons no longer apply."

This rule suspension shall not relieve distributors of filing their quarterly pricing as required by the West Virginia Code and rules.

Distributors must still maintain written documentation of their W. Va. Code §47-11A-8 reasons for a price adjustment.

If you have any further questions, please feel free to contact the WVABCA at 304-356-5500 or toll free at 800-642-8202, or via email at the appropriate contact noted on the WVABCA's website (www.abca.wv.gov).

Sincerely,

/s/ Fredric L. Wooton, Commissioner

WVABCA
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/20/2020 5:19:53 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: Architects TITLE-SERIES: 2-01

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

RULE NAME: Registration of Architects

CITE STATUTORY AUTHORITY: W.Va. Code 30-12-1, 30-1-4, 30-1-24

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

Authorization is cited in (house or senate bill number) Senate Bill 396

Section Article 1 Passed On 3/8/2019 12:00:00 AM

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

July 1, 2020

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

June 30, 2025

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

Yes

Emily B Papadopoulos -- 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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4/20/2020 5:14:23 PM

Office of West Virginia
Secretary Of State

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

AGENCY: Architects TITLE-SERIES: 2-03

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

RULE NAME: Fees for Registration of Architects

CITE STATUTORY AUTHORITY: W.Va. Code 30-12-3, 30-1-4, 30-1-23

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

Authorization is cited in (house or senate bill number) Senate Bill 396

Section Article 1 Passed On 3/8/2019 12:00:00 AM

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

July 1, 2020

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

June 30, 2025

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

Yes

Emily B Papadopoulos -- 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.

FILED

2020 APR 17 P 3:26

OFFICE WEST VIRGINIA
SECRETARY OF STATE

LEGISLATIVE

State of West Virginia
Office of the Attorney General
Tax & Revenue, Legislative Claims Commission, and Transportation Division
State Capitol, Building 1, Room W-435, 1900 Kanawha Boulevard East
Charleston, WV 25305

Patrick Morrisey
Attorney General

(304) 558-2522
Fax (304) 558-2525

April 17, 2020

Maureen Lewis
Director, Administrative Law Division
West Virginia Secretary of State's Office
1900 Kanawha Blvd., East
Charleston, WV 25303

Re: West Virginia Board of Coal Mine Health & Safety
- Withdrawal of Proposed Rule 36-01 and Proposed Rule 36-03

Dear Ms. Lewis:

On September 5, 2019, the West Virginia Board of Coal Mine Health & Safety filed for comment proposed Legislative Rules 36-01 and 36-03.

On April 14, 2020, the West Virginia Board of Coal Mine Health & Safety resolved to withdraw proposed Legislative Rules 36-01 and 36-03.

If you have any further questions regarding this issue, please feel free to contact me.

PATRICK MORRISEY
ATTORNEY GENERAL

William C. Ballard
ASSISTANT ATTORNEY GENERAL
1900 Kanawha Boulevard, East
Building 1, Room W-435
Charleston, West Virginia 25305
304-558-2522

FILED

2020 APR 22 A 10:57

OFFICE WEST VIRGINIA
SECRETARY OF STATE

State of West Virginia
Office of the Attorney General
Tax & Revenue, Legislative Claims Commission, and Transportation Division
State Capitol, Building 1, Room W-435, 1900 Kanawha Boulevard East
Charleston, WV 25305

Patrick Morrisey
Attorney General

(304) 558-2522
Fax (304) 558-2525

April 22, 2020

Maureen Lewis
Director, Administrative Law Division
West Virginia Secretary of State's Office
1900 Kanawha Blvd., East
Charleston, WV 25303

Re: West Virginia Board of Coal Mine Health & Safety
- Withdrawal of Proposed Rule 36-12 and Proposed Rule 36-13

Dear Ms. Lewis:

On October 11, 2019, the West Virginia Board of Coal Mine Health & Safety filed for comment proposed Legislative Rules 36-12 and 36-13.

On April 14, 2020, the West Virginia Board of Coal Mine Health & Safety resolved to withdraw proposed Legislative Rules 36-12 and 36-13.

If you have any further questions regarding this issue, please feel free to contact me.

PATRICK MORRISEY
ATTORNEY GENERAL

William C. Ballard
ASSISTANT ATTORNEY GENERAL
1900 Kanawha Boulevard, East
Building 1, Room W-435
Charleston, West Virginia 25305
304-558-2522

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Bureau for Public Health
Commissioner's Office

Bill J. Crouch
Cabinet Secretary

Catherine C. Slemp, MD, MPH
Commissioner & State Health Officer

LEGISLATIVE

ORDER REGARDING 64 CSR 7

The Commissioner of the Bureau for Public Health (the Bureau) has determined that due to an outbreak of the Coronavirus Disease 2019 (COVID-19), and subsequent declaration of a state of emergency by the Governor, that the outbreak constitutes a public health emergency, that it requires public health follow up, and that the collection of data or other information on the disease can assist in determining the need for or effectively implementing public health programs to protect and promote the health of the people of West Virginia.

Further, that on March 5, 2020, the Commissioner entered an Order amending the Legislative Rule titled *Reportable Diseases, Events and Conditions* to include the COVID-19 as a Category I.A. reportable disease in accordance with W. Va. Code R. §64-7-3.3.b.

And now, based upon the foregoing, in accordance with the provisions of W. Va. Code §§16-3-1 *et seq.* and W. Va. Code R. §64-7-3.1.a, which authorize the Commissioner to add or delete a disease or condition in any category of the rule, the Commissioner does hereby ORDER as follows:

1. That in accordance with W. Va. Code R. §64-7.3.1.c., all required reporters shall report to the Bureau, in the manner prescribed by the Commissioner, any death of a COVID-19 positive patient as a condition;

2. That this ORDER shall be effective immediately upon its filing with the Office of the Secretary of State; and

3. That the ORDER shall be made as an Appendix to W. Va. Code R. §64-7-1 *et seq.* until such time as the Legislature amends the rule series pursuant to W. Va. Code §§29A-3-1 *et seq.*

ENTERED THIS DATE: April 22, 2020

BY: Catherine C. Slemp
Catherine C. Slemp, MD, MPH
Commissioner and State Health Officer
Bureau for Public Health

FILED
2020 APR 22 A 11:52
OFFICE WEST VIRGINIA
SECRETARY OF STATE

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Bureau for Public Health
Commissioner's Office

Bill J. Crouch
Cabinet Secretary

Catherine C. Slemp, MD, MPH
Commissioner & State Health Officer

FILED
2020 APR 22 P 4:36
OFFICE WEST VIRGINIA
SECRETARY OF STATE

ORDER REGARDING 64 CSR 7

The Commissioner of the Bureau for Public Health (the Bureau) has determined that due to an outbreak of the Coronavirus Disease 2019 (COVID-19), and subsequent declaration of a state of emergency by the Governor, that the outbreak constitutes a public health emergency, that it requires public health follow up, and that the collection of data or other information on the disease can assist in determining the need for or effectively implementing public health programs to protect and promote the health of the people of West Virginia.

Further, that on March 5, 2020, the Commissioner entered an Order amending the Legislative Rule titled *Reportable Diseases, Events and Conditions* to include COVID-19 as a Category I.A. reportable disease in accordance with W. Va. Code R. §64-7-3.3.b., and now makes additional findings with regard to long-term care facilities:

That long-term care facility residents are a highly vulnerable population of individuals living in a congregate setting, and COVID19 can readily enter a facility unknowingly through pre-symptomatic or asymptomatic individuals infected with the virus;

That the presence of COVID19 in a long-term care facility does not in and of itself reflect the quality of care or strength of infection control practices within the facility. COVID19 cases may occur in the best of long-term care facilities, and due to significant connections between the local community of long-term care facilities and persons residing and working in those facilities, there exists the potential for COVID-19 to transmit across those connections;

That the release of summary information regarding the presence of COVID-19 in long-term care facilities will protect the public's health by promoting an understanding of disease spread within the community, an understanding of the impact of COVID-19 on vulnerable populations, and by emphasizing the importance of individual and collective action aimed at preventing spread of disease to those at significant risk of complications; and

Therefore, based upon the foregoing and in accordance with W. Va. Code R. §64-7.20.3., the Commissioner hereby FINDS there to be a clear and convincing need to allow the public release of summary information related to COVID-19, within and related to, long-term care facilities in the state of West Virginia, and hereby ORDERS as follows:

1. That in the interest of public health as established in this ORDER, facility-specific information regarding COVID-19 positive cases may be published *in summary form*. In no instance shall such public release identify any individual or provide personal health information;

350 Capitol Street, Room 702 • Charleston, West Virginia 25301 • 304-558-2971 • 304-558-1035 (fax) • dhhr.wv.gov

2. That nothing in this ORDER shall abrogate or otherwise waive a facility's obligation under any other rule to notify patients, residents, guardians, employees or any other person directly related to a facility within 24 hours of identification of positive COVID-19 cases related to the facility;

3. That this ORDER shall be effective immediately upon its filing with the Office of the Secretary of State; and

4. That the ORDER shall be made as an Appendix to W. Va. Code R. §64-7-1 *et seq.* until such time as the Legislature amends the rule series pursuant to W. Va. Code §§29A-3-1 *et seq.*

ENTERED THIS DATE: 4/22/2020

BY: Catherine C. Slemp
Catherine C. Slemp, MD, MPH
Commissioner and State Health Officer
Bureau for Public Health

FILED
2020 APR 22 P 4:36
OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/21/2020 8:46:55 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Health TITLE-SERIES: 64-109

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

RULE NAME: medical cannabis program-general provisions

CITE STATUTORY AUTHORITY: 16A-3-1(b)

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

Authorization is cited in (house or senate bill number) SB 339

Section 64-5-1(g) Passed On 3/5/2020 12:00:00 AM

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

April 21, 2020

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

April 21, 2025

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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/21/2020 8:59:48 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Health TITLE-SERIES: 64-110

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

RULE NAME: medical cannabis program-grower/processors

CITE STATUTORY AUTHORITY: 16A-3-1(b)

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

Authorization is cited in (house or senate bill number) SB 339

Section 64-5-1(h) Passed On 3/5/2020 12:00:00 AM

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

April 21, 2020

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

April 21, 2025

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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/21/2020 9:40:02 AM
Office of West Virginia
Secretary Of State

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

AGENCY: Health TITLE-SERIES: 64-111

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

RULE NAME: medical cannabis program--laboratories

CITE STATUTORY AUTHORITY: 16A-3-1(b)

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

Authorization is cited in (house or senate bill number) SB 339

Section 64-5-1(i) Passed On 3/5/2020 12:00:00 AM

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

April 21, 2020

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

April 21, 2025

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

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/21/2020 9:43:55 AM

Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Health TITLE-SERIES: 64-112

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

RULE NAME: medical cannabis program-dispensaries

CITE STATUTORY AUTHORITY: 16A-3-1(b)

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

Authorization is cited in (house or senate bill number) SB 339

Section 64-5-1(i) Passed On 3/5/2020 12:00:00 AM

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

April 21, 2020

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

April 21, 2025

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/21/2020 9:45:57 AM

Office of West Virginia
Secretary Of State

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

AGENCY: Health TITLE-SERIES: 64-113

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

RULE NAME: medical cannabis program-safe harbor letter

CITE STATUTORY AUTHORITY: 16A-3-1(b)

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

Authorization is cited in (house or senate bill number) SB 339

Section 64-5-1(k) Passed On 3/5/2020 12:00:00 AM

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

April 21, 2020

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

April 21, 2025

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

Yes

April L Robertson -- 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.

FILED
2020 APR 23 P 2:09
OFFICE WEST VIRGINIA
SECRETARY OF STATE

LEGISLATIVE

WV DHHR INCOME MAINTENANCE MANUAL UPDATES

Chapter 1 – pages 11, 21-81, 102,115-116, 125, 131, 135, 142-143, 147, 157, 159, 161-162, 166-167, 170, 173, 180, 184, 191, 195, Appendix A

Chapter 3 – pages 14, 17

Chapter 6 – page 9

Chapter 9 – page 1

Chapter 10 – pages 8, 16

Chapter 12 – pages 3, 4, 10

Chapter 16 – page 6

Chapter 18 – page 193

Chapter 19 – pages 5–8

Chapter 20 – pages 68, 72

Chapter 21 – pages 18-19, 44

Chapter 23 - page 63

Chapter 24 – 7, 152-154

Chapter 26 – page 8

Acronyms, Forms, and Glossary – pages 17, 46, 52

FILED
2020 APR 17 P 2:25
OFFICE WEST VIRGINIA
SECRETARY OF STATE

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Bill J. Crouch
Cabinet Secretary

MEMORANDUM

DATE: April 17, 2020

TO: Mac Warner
Secretary of State

FROM: Bill J. Crouch, Cabinet Secretary BJC
Department of Health and Human Resources

RE: **Child Placing Agencies Licensure**
W. Va. C.S.R. §78-2

The Bureau for Children and Families of the Department of Health and Human Resources requests that W.V a. C.S.R. §78-2 be temporarily suspended in part effective immediately pursuant to W. Va. Code §15-5-6(c)(7) and the State of Emergency declared by Governor Justice on March 16, 2020.

W. Va. C.S.R. §78-2 establishes and sets forth the requirements for child placing agencies. Strict compliance with the following provisions will hinder and delay necessary action in coping with the emergency declared by the Governor in so far as these provisions require a fingerprint-based criminal background check:

W. Va. C.S.R. §78-2.4.2.b.3.

W. Va. C.S.R. §78-2.7.4

W. Va. C.S.R. §78-2.13.6.

If granted, the Bureau for Children and Families further requests that these rule provisions be suspended until such time as the State of Emergency is lifted.

One Davis Square, Suite 100, East • Charleston, West Virginia 25301 • 304 558-0684 • 304-558-1130 (fax) • dhhr.wv.gov

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Bill J. Crouch
Cabinet Secretary

MEMORANDUM

FILED

2020 APR 17 P 2: 21

OFFICE WEST VIRGINIA
SECRETARY OF STATE

LEGISLATIVE

DATE: April 17, 2020

TO: Mac Warner
Secretary of State

FROM: Bill J. Crouch, Cabinet Secretary
Department of Health and Human Resources

BJC

RE: **Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults in West Virginia W. Va. C.S.R. §78-3**

The Bureau for Children and Families of the Department of Health and Human Resources requests that W. Va. C.S.R. §78-3 be temporarily suspended in part effective immediately pursuant to W. Va. Code §15-5-6(c)(7) and the State of Emergency declared by Governor Justice on March 16, 2020.

W. Va. C.S.R. §78-3 establishes and sets forth the requirements for residential child care and treatment facilities for child and transitioning adults. Strict compliance with the following subdivision will hinder and delay necessary action in coping with the emergency declared by the Governor in so far as **W. Va. C.S.R. §78-3.10.2.h.** requires a fingerprint-based criminal background check.

If granted, the Bureau for Children and Families further requests that this rule provision be suspended until such time as the State of Emergency is lifted.

One Davis Square, Suite 100, East • Charleston, West Virginia 25301 • 304 558-0684 • 304-558-1130 (fax) • dhhr.wv.gov

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/23/2020 9:44:24 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine TITLE-SERIES: 11-14

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

RULE NAME: Registration to Practice During Declared State of Emergency

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-3-7(a)(1) and 30-3E-3(a)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/23/2020 4:30 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mark A. Spangler, Executive Director

ADDRESS: 101 Dee Drive, Suite 103

Charleston, West Virginia 25311

EMAIL: mark.a.spangler@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)

State of West Virginia

WV Office of Miners' Health, Safety & Training
Eugene White, Director
#7 Players Club Drive, Suite 2 • Charleston, West Virginia • 25311-1626
Telephone 304-558-1425 • Fax 304-558-1282
minesafety.wv.gov

FILED
2020 APR 17 A 10: 4' LEGISLATIVE
OFFICE WEST VIRGINIA
SECRETARY OF STATE

April 17, 2020

The Honorable Mac Warner
Secretary of State
Bldg. 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305

Re: West Virginia Office of Miners' Health, Safety and Training
Suspension of parts of Titles 36-11-.2.1.c and Title 48 of the Code of State Rules

Dear Secretary Warner:

By Proclamation dated March 16, 2020, the Governor of the State of West Virginia declared a statewide State of Emergency to address the emergency created by the Covid-19 pandemic. In the March 16, 2020 Proclamation declaring that State of Emergency, the Governor also delegated to all state agencies the ability to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency.

By Executive Order 9-20 dated March 23, 2020, the Governor Declared and Ordered that coal mining and coal-fired electric generation facilities, as well as all ancillary and support functions ranging from transportation, maintenance, equipment, and supply vendors are essential businesses and shall remain open.

One ancillary and support function of coal mining is the testing of Apprentice Miners, Experienced Miners, Mine Foremen, and Certified Electricians by the West Virginia Office of Miners Health, Safety and Training (WVOMHST). However, due to the Covid-19 pandemic, all offices of the WVOMHST has been closed to the public and no testing has occurred since March 18, 2020. Additionally, another ancillary and support function of coal mining is the presence of trained primary and back-up mine rescue teams located throughout the state that are available to respond immediately to any mine disaster that might occur in this state. Every mine rescue team member must, on an annual basis, pass a mine rescue physical exam performed by a licensed medical professional. Due to the Covid-19 pandemic, some of these mine rescue team members may be unable to find a medical professional to timely perform the mine rescue physical exam.

The West Virginia Board of Coal Mine Health and Safety (Board) met on April 14, 2020 and unanimously supports the Director of WVOMHST using his discretion regarding extending/suspending all training/retraining timeframes for certifications, specifically, but not limited to Title 48 of the Code of State Rules, W. Va. Code § 22A-8-1 *et seq.*, and Title 36 of the Code of State Rules (see attached letter).

Following the directives of the Board, the Director of the WVOMHST suspends the following time periods:

W. Va. Code R. § 36-11-4(c) – The words "but not to exceed a maximum of ninety (90) days" are suspended.

W. Va. Code R. § 48-2-2.7(a) – The words "provided that such person passes the examination within forty-five (45) days after completing the eighty (80) hour program" are suspended.

W. Va. Code R. § 48-2-2.7(b) – The words "for one (1) year" are suspended.

W. Va. Code R. § 48-2-2.7(e) – The words "provided that such person retakes and passes the exam within forty-five (45) days after completing the eight (80) hour program" are suspended.

W. Va. Code R. § 48-2-2.8(b) – The words "for twelve (12) months" are suspended.

W. Va. Code R. § 48-2-2.8(e) – The words "provided that such person retakes and passes the exam within thirty (30) days" are suspended.

W. Va. Code R. § 48-3-2.7(a) – The words "Provided, That such person passes the examination within forty-five (45) days after completing the forty (40) hour program" are suspended.

W. Va. Code R. § 48-3-2.7(b) – The words "for one year" are suspended.

W. Va. Code R. § 48-3-2.7(e) – The words "Provided, That such person retakes and passes the exam within forty-five (45) days after completing the forty (40) hour program" are suspended.

W. Va. Code § 48-3-2.8(b) – The words "for twelve (12) months" are suspended.

W. Va. Code R. § 48-3-2.8(e) – The words "Provided, That such person retakes and passes the exam within thirty (30) days" are suspended.

W. Va. Code R. § 48-4-2.1(c) – The word "annually" is suspended.

W. Va. Code R. § 48-7-6.1 - The words "within thirty (30) days of completion or the apprentice program" are suspended.

W. Va. Code R. § 48-7-7.2 – The words "but for a period not to exceed a maximum of ninety (90) days" are suspended.

W. Va. Code R. § 48-7-8.1 – The words "for eighteen months" are suspended.

W. Va. Code R. § 48-7-8.4 – The words "Provided, that the time period extension may not exceed two (2) years" aresuspended.

These rule suspensions shall continue until WVOMHST terminates this notice or the State of Emergency is lifted, whichever occurs first.

Thank you for your time and attention to this matter.

Very truly yours,

Eugene White

Eugene White
Director

LEGISLATIVE

FILED
2020 APR 22 P 12: 21
OFFICE WEST VIRGINIA
SECRETARY OF STATE

ROBERT D. KENNEN
CHAIRMAN

JAMES S. WALKER
VICE CHAIRMAN

GREGORY A. DUCKWORTH
COMMISSIONER

STATE OF WEST VIRGINIA
REAL ESTATE COMMISSION
300 CAPITOL STREET, SUITE 400
CHARLESTON, WV 25301
(304) 558-3555
FAX (304) 558-6442
<rec.wv.gov>

DENISE NIBERT
STATE SECRETARY

ROBERT L. WRIGHT II
COMMISSIONER

JERRY A. FORREN
EXECUTIVE DIRECTOR

MEMORNDUM

Date: April 22, 2020

To: Mac Warner
Secretary of State

From: Jerry A. Forren
Executive Director, West Virginia Real Estate Commission

RE: **Suspension of Rules in Response to COVID-19**

The West Virginia Real Estate Commission requests that the rule described below be temporarily suspended, effective immediately, pursuant to pursuant to W. Va. Code § 15-5-6(c)(7) and the State of Emergency declared by Governor Justice on March 16, 2020. The Commission further requests that the subject rule remain suspended until the Commission terminates this Notice or the State of Emergency is lifted, whichever occurs first.

Pursuant to WV CSR § 174-2-2.17.b, licensees are required to pay a $35.00 dollar processing fee when submitting a paper renewal form. However, the Commission understands that paying for internet service for online renewal could be a hardship for many during this difficult economic time and could potentially cause some licensees to forgo renewing their license. A formal request for the paper form will still be required.

Suspension of this requirement will allow the Commission to waive the processing fee for the paper form set forth in code. Strict compliance with this rule could hinder or delay necessary action in acquiring a license with the emergency declared by the Governor.

Thank you,

Jerry A. Forren

Jerry A. Forren
Executive Director
West Virginia Real Estate Commission

Dr. Sue Painter, DNP RN
Executive Director

Telephone: (304) 744-0900
email: rnboard@wv.gov
FAX (304) 744-0600
web address:wvrnboard.w

LEGISLATIVE

STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
90 MacCorkle Avenue, SW
Suite 203
South Charleston, WV 25303-1443

April 17, 2020

FILED
2020 APR 17 P 3:34
OFFICE WEST VIRGINIA
SECRETARY OF STATE

Mac Warner, The Honorable Secretary of State,
Secretary of State's Office — Administrative Law
Bldg. 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770

RE: West Virginia Code of State Rules
Administrative Notice of Suspension of 19 CSR 13-6.1.f.

The Honorable Governor of the State of West Virginia, Jim Justice, declared a State of Emergency on March 16, 2020, to address the emergency created by the worldwide COVID-19 pandemic, or more commonly known as the novel coronavirus. With surrounding states having confirmed COVID-19 cases and now West Virginia having multiple confirmed case, the Governor, in accordance with emergency powers granted to the Governor pursuant to W. Va. Code §15-5-6, and more specifically W. Va. Code §15-5-6(c)(7) and as stated in the Governor's Proclamation Declaring a State of Emergency issued on March 16, 2020, the West Virginia Board of Examiners for Registered Professional Nurses (Board) at the direction of the Governor seeks to temporarily suspend the requirements of certain rules as set forth below.

§19-13-6. Minimum Standards of a Dialysis Technician Training Programs.

6.1.f. The curriculum offered by the training program shall include both classroom and clinical instruction of at least three hundred twenty (320) clock hours in length and content which ensures sufficient preparation for safe and effective practice as a dialysis technician. Of the three hundred twenty (320) clock hours, at least one hundred sixty (160) clock hours shall be theoretical instruction with at least one hundred (100) hours face to face instruction in a classroom setting and a minimum of one hundred sixty (160) hours of supervised clinical experience. Supervised clinical experience shall provide opportunities for the student to apply theory and to achieve stated objectives in a patient care setting and shall include clinical learning experiences to develop the skills required by dialysis technicians to provide safe patient care. The registered professional nurse ~~educator~~ or clinical preceptor shall be physically present and accessible to the student when the student is in the patient care area. Board approved programs shall file a report with the Board at least thirty days prior to its October Board meeting outlining how the clinical requirements were met during the declared state of emergency.

Suspension of the above rules shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first.

If you have any questions, please feel free to contact the Board at:

West Virginia Board of Examiners for
Registered Professional Nurses
90 MacCorkle Ave. SW, Suite 203
South Charleston, WV 25303
Phone: (304) 744-0900 or 1-877-743-NURS(6877)
Fax: (304) 744-0600
Web Address: www.wvrnboard.wv.gov
Email: rnboard@wv.gov

Sincerely,

Sue Painter

Sue Painter, DNP, RN
Executive Director

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/22/2020 2:53:37 PM
Office of West Virginia
Secretary Of State

PROCEDURAL

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Housing Development Fund

TITLE-SERIES: 88-03

RULE TYPE: Procedural

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Purchasing Procedural Rule

CITE STATUTORY AUTHORITY: 31-18-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/22/2020 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: ERICA BOGGESS

ADDRESS: 5710 MacCorkle Ave SE

Charleston WV 25304

EMAIL: procurementcomments@wvhdf.com

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
4/21/2020 10:00:50 AM

Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY AMENDMENT TO AN EMERGENCY RULE

AGENCY: Health TITLE-SERIES: 64-114

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Public Health Standards for Businesses Remaining Open During the COVID-19 Outbreak

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§§16-3-1, 16-1-4, 29A-3-15

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

n/a

DATE EMERGENCY RULE WAS ORIGINALLY FILED: 04/16/2020

DATE(S) OF PREVIOUS EMERGENCY AMENDMENT(S)

n/a

PRIMARY CONTACT:

NAME: April Robertson

ADDRESS: 1 Davis Square Suite 100

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PHONE NUMBER: 304-558-9149

FILED

2020 APR 21 A 10: 50

OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Bureau for Public Health, Department of Health and Human Resources

RULE: 64 CSR 114. Public Health Standards for Businesses Remaining Open During the COVID-19 Outbreak

STATUTORY AUTHORITY: W. Va. Code § 16-1-4, 16-3-1 and 29A-3-15.

DATE FILED AS AN EMERGENCY RULE: April 21, 2020

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is **Approved**.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

_X_ (1) For the immediate preservation of the public peace, health, safety and welfare;

____ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

_X_ (3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): The amendment filed on April 21, 2020, amends only Section 1.6 of previously approved 64 CSR 114 Emergency Rule, which amendment clarifies that the Rule does not apply to health care providers.

Donald Kersey, General Counsel
WV Secretary of State's Office

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/20/2020 11:53:26 AM
Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Pharmacy TITLE-SERIES: 15-12

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Board of Pharmacy Rules for Immunizations Administered by Pharmacist and Pharmacy Interns

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

30-5-7, 39A-3-15, and SB544

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

State of Emergency and Companion Rule will be filed in June. Intent is for this rule to stay in place until approved by legislature next session.

PRIMARY CONTACT:

NAME: Ryan Hatfield

ADDRESS: 2310 Kanawha Blvd E

EMAIL: ryan.l.hatfield@wv.gov

PHONE NUMBER: 304-208-3145

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

FILED
2020 APR 20 P 12: 30
OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Board of Pharmacy

RULE: 15 CSR 12. Board of Pharmacy Rules for Immunizations Administered by Pharmacists and Pharmacy Interns

STATUTORY AUTHORITY: W. Va. Code §§ 30-5-7 and 29A-3-15.

DATE FILED AS AN EMERGENCY RULE: April 20, 2020

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is (Approved/Disapproved).

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

_X_ (1) For the immediate preservation of the public peace, health, safety and welfare;

____ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

____ (3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): See SB 544 (eff. May 18, 2020), which authorizes pharmacists and interns to administer vaccines.

Donald Kersey, General Counsel
WV Secretary of State's Office

Orders Report

Docket Number	Agency	Respondent	Date Rendered
[redacted]	**Health**	COVID-19 as a Reportable Disease or Condition	4/16/2020
[redacted]	**Health Care Authority**	Summersville Regional Medical Center	4/13/2020
[redacted]	**Health Care Authority**	PACE Enterprises of West Virginia, Inc	4/13/2020
[redacted]	**Health Care Authority**	Community Hospices of America, LLC	4/13/2020
[redacted]	**Health Care Authority**	First Center LLC	4/13/2020
[redacted]	**Health Care Authority**	Citenik Properties LLC	4/13/2020
[redacted]	**Insurance Commission**	State Farm Mutual Automobile Insurance Company	3/11/2020
[redacted]	**Medicine, West Virginia Board Of**	Parth Sarathi Bharill, MD	3/17/2020
[redacted]	**Public Health, Bureau for**	Death of a COVID-19 positive patient shall be reported	4/22/2020
[redacted]	**Public Health, Bureau for**	Public Release of Information Related to COVID-19 Within Long-Term Care Facilities	4/22/2020

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 27-20

By the Governor

WHEREAS, a State of Emergency was declared on the Sixteenth Day of March, Two Thousand Twenty for all counties in West Virginia (the "State of Emergency Declaration"), to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19; and

WHEREAS, Chapter 15, Article 5, Section 6 of the Code of West Virginia authorizes the Governor, among other things, to enforce all laws and rules relating to the provision of emergency services and to assume direct operational control of any or all emergency service forces and helpers in the state, to use available resources of the state and of its political subdivisions that are reasonably necessary to cope with the emergency, and to perform and exercise other functions, powers, and duties that are necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS, individuals who reside in nursing homes throughout the state are some of the most vulnerable in our population and any instance of the COVID-19 virus at such a facility presents a serious issue that must be immediately identified and responded to; and

WHEREAS, the doctors, nurses, staff, and employees working in those nursing homes must likewise be closely monitored and protected for their own safety and to ensure the safety of the residents of such facilities.

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me pursuant to the provisions of Chapter 15, Article 5, Section 6 and Chapter 15, Article 5, Section 1 of the Code of West Virginia, hereby **DECLARE** and **ORDER**, as follows:

1. The West Virginia Division of Health and Human Resources and its Bureau for Public Health (the "DHHR"), with the assistance and coordination of the West Virginia National Guard (the "WVNG"), shall immediately test or cause to be tested all individuals who reside or work in the nursing homes throughout the State, such testing to be conducted pursuant to the terms of this Order without regard to whether such individuals have or have not been previously tested.
2. Local health departments and other county or city agencies throughout the State shall provide any and all assistance and/or resources to the DHHR and/or the WVNG as may be requested by the DHHR and/or the WVNG in effecting the terms of this Order.

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 Seventeenth day of April, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-seventh year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 28-20

By the Governor

WHEREAS, a State of Emergency was declared on the Sixteenth Day of March, Two Thousand Twenty for all counties in West Virginia (the "State of Emergency Declaration"), to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19; and

WHEREAS, Chapter 15, Article 5, Section 6 of the Code of West Virginia authorizes the Governor to, among other things, control ingress and egress to and from a disaster area or an area where large-scale threat exists, the movement of persons within the area, and the occupancy of premises therein, and to perform and exercise other functions, powers, and duties that are necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS, Executive Order 16-20 declared all elective medical procedures to be prohibited, but provided that patients would still have access to urgent, medically necessary procedures like those needed to preserve the patient's life or long-term health, and that the prohibition would apply equally to all types of elective medical procedures performed in hospitals, offices, and clinics throughout the state; and

WHEREAS, since the issuance of Executive Order 16-20, implementation of successful public health measures has resulted in revised projections of rates of infection and COVID-19 related deaths in West Virginia, as well as ever-strengthening supply chains for personal protective equipment ("PPE") and other medical equipment and supplies, resulting in greater hospital preparedness and response capacity; and

WHEREAS, resumption of more urgent elective medical procedures at such hospitals or ambulatory surgical centers as are regulated by the West Virginia Office of Health Facility Licensure and Certification ("OHFLAC") and are able to certify to OHFLAC that an established plan exists to safely allow more urgent elective medical procedures to resume and that sufficient PPE and other medical equipment and resources are sufficiently available is in the best interests of the citizens of West Virginia; and

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me pursuant to the provisions of Chapter 15, Article 5, Section 6 and Chapter 15, Article 5, Section 1 of the Code of West Virginia, hereby **DECLARE** and **ORDER,** effective as of 12:00 AM, Eastern Standard Time, on the Twentieth day of April, Two Thousand Twenty, that Executive Order 16-20 is hereby amended and supplemented by the following:

1. More urgent elective medical procedures may be resumed at a hospital or ambulatory surgical center that is regulated by OHFLAC, and by health care providers at such hospital or ambulatory surgical center, upon application to and approval by OHFLAC. In such application to OHFLAC, the applicant hospital or ambulatory surgical center must certify that it satisfies the following criteria:
    a. There is an established plan in place to safely phase in surgeries based on sound clinical judgment; provided that such plan should use guidelines established by the American College of Surgeons as a benchmark in developing individual resumption plans.
    b. The established plan provides for the prioritization of surgical/procedural care and highly complex chronic disease management needs of patients; provided that select preventive services may also be necessary and appropriate as more urgent elective medical procedures.
    c. The established plan and all policies governing resumption of more urgent elective medical procedures ensure services can be timely and effectively adjusted in response to any change in public health conditions or surge in COVID-19 cases.

d. There are measures in place to ensure necessary PPE for medical staff and patients, following Centers for Disease Control and Prevention guidelines; such measures shall include at a minimum ensuring that providers have the following:

   i. Adequate inventories of PPE, supplies, equipment, and medicine in their facilities for at least a 14-day supply;

   ii. A plan for conserving PPE, supplies, equipment, and medicine; and

   iii. Access to a reliable supply chain to support continued operations and to effectively respond to an unexpected surge in a timely manner; provided that providers who practice in specialties or practice settings that may not experience a surge in COVID-19 patients must be aware of statewide PPE, supplies, equipment, and medicine needs and must be prepared to contribute as necessary.

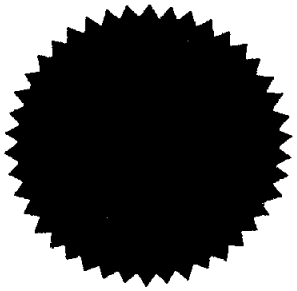
e. Guidelines developed by the Centers for Disease Control and Prevention, the Centers for Medicare and Medicaid Services, the West Virginia Department of Health and Human Resources and its agencies, and other regulatory agencies will be followed.

2. OHFLAC shall review submitted applications to ensure the applicant hospital or ambulatory surgical center has certified that it has satisfied the foregoing criteria and, upon a determination by OHFLAC that the applicant has certified that it satisfies such criteria, OHFLAC shall provide approval to such hospital or ambulatory surgical center of its ability to resume more urgent elective medical procedures pursuant to this Order.

3. Hospitals and ambulatory surgical centers that have applied to and received approval from OHFLAC may resume more urgent elective medical procedures no earlier than April 28, 2020.

4. The West Virginia Department of Health and Human Resources, with the assistance and coordination of other relevant state agencies, will work with hospitals and ambulatory surgical centers to help provide support for any testing needed at such facilities.

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



By the Governor

DONE at the Capitol in the City of Charleston, State of West Virginia, this Twentieth day of April, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-seventh year of the State.

GOVERNOR

Mac Warner

SECRETARY OF STATE

THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
CHARLESTON, WEST VIRGINIA

FILED

2020 APR 22 P 12: 32 OTHER

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ABSTRACT FROM THE RECORDS OF THE
COMMISSIONER'S ORDERS
DATED

April 17, 2020

DISTRIBUTION

SC
OM
DD
PR
CE
DT
DISTRICT TEN
BOARD OF EDUCATION
CONT. ASSOC. OF WV
WV MOTOR TRUCK ASSOC.
WV STATE POLICE
PUBLIC SERVICE COM.

The Commissioner, upon determining that the hereinafter described bridge has previously been designated as part of the **80,000 Pound Route System** in accordance with and pursuant to the authority vested in the Commissioner by Chapter 17C, Article 17, Section 12, Subparagraph (d) of the Official Code of West Virginia, 1931, as amended, and upon the recommendation of the District Ten Engineer/Manager and the concurrence of the Deputy State Highway Engineer-Operations, hereby **ORDERS** the **PROHIBITION** of the use of the following described bridge to all trucks and commercial vehicles exceeding the hereinafter specified gross loads of:

MERCER COUNTY, DISTRICT TEN

TRUCK TYPE	MAXIMUM GROSS LOAD
Truck (2 axles)	40,000 pounds (20 tons)
Trucks (3 axles)	60,000 pounds (30 tons)
Trucks (4 or more axles)	64,000 pounds (32 tons)
Semi-Trailer (4 axles)	72,000 pounds (36 tons)
Semi-Trailer (5 axles)	80,000 pounds (40 tons)

Bridge No. 28-104-2.66 (2294), on WV 104, located 0.01 mile east of WV 20, spanning Daves Fork.

The structure has been reevaluated and the recommended restriction is required to prevent serious damage to the bridge by vehicular traffic.

This restriction is effective from the time signs advising the public of this restriction are erected. All other requirements for vehicle design and axle weights otherwise established by statute or legislative rule remain applicable.

An analysis and justification report dated February 20, 2020, upon which this order is based, is on file in the Maintenance Division of the West Virginia of Division of Highways.

Entered this 17th day of April, 2020

Jimmy Wriston, P.E.
Jimmy Wriston, P. E.
Deputy Secretary/
Deputy Commissioner

STATE OF WEST VIRGINIA
WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

Given under my hand and seal of the Division of Highways, I do hereby certify that the foregoing is a true abstract from the Orders of the West Virginia Commissioner of Highways, entered of record on April 17, 2020.

Division of Highways