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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**
Health and Human Resources (69-16)	Purchasing Procedures Procedural	§5A-1-12	Written Comments Only November 30, 2020, 5:00 pm April L Robertson One Davis Square, Suite 100 E Charleston, WV 25301 april.l.robertson@wv.gov

NO NEW EMERGENCY RULES FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE OF HEARING**

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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
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TITLE	5	DENTISTRY
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TITLE	7	PROFESSIONAL ENGINEERS
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TITLE	11	MEDICINE
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TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE	30	RESPIRATORY CARE
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TITLE	89	PUBLIC DEFENDER SERVICES
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TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
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TITLE	114	INSURANCE COMMISSION
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TITLE	145	DEVELOPMENT OFFICE
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE	150	PUBLIC SERVICE COMMISSION
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TITLE	155	AUDITOR
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TITLE	177	ATHLETIC COMMISSION
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TITLE	179	LOTTERY COMMISSION
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RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Administration (148-01)	Purchasing Legislative	7/7/2020	8/6/2020		8/10/2020				
Agriculture (61-01)	Animal Disease Control Legislative	7/28/2020	8/27/2020		8/27/2020				
Agriculture (61-09)	WV Seed Law Legislative	7/28/2020	8/27/2020		8/27/2020				
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	7/14/2020	8/13/2020		8/17/2020				
Agriculture (61-28)	Poultry Litter and Manure Movement Into Primary Poultry Breeder Rearing Areas Legislative				Sunset Extension 7/27/2020				
Agriculture (61-39)	Seed Certification Program Legislative	7/27/2020	8/26/2020		8/26/2020				
Agriculture (61-40)	WV Exempted Dairy Farms and Milk and Milk Products Processing Rule Legislative	8/21/2020	9/20/2020		9/21/2020				
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-23)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-33)	Acid Rain Provisions and Permits Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-44)	Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units Legislative	6/24/2020	7/28/2020		8/26/2020	Modified & Approved 9/25/2020 Filed 9/28/2020			
Alcohol Beverage Control Comm. (175-02)	Private Club Licensing Legislative	6/18/2020	7/20/2020		7/24/2020				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Alcohol Beverage Control Comm. (175-10)	Distilleries, Mini-Distilleries and Micro-Distilleries Legislative	6/22/2020	7/23/2020		7/24/2020				
Auditor (155-01)	Standards for Requisitions for Payment Issued by State Officers on the Auditor Legislative	7/13/2020	8/13/2020		8/17/2020				
Coal Mine Health & Safety (36-04)	The Movement of Mining Equipment Within Coal Mines in the State of WV Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-10)	Roof Control Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-12)	Electrical Provisions for Underground Mining Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-13)	Regulatory Review Procedures Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-18)	The Responsibility for Care and Maintenance of Equipment Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-19)	Written Reports of Accidents Legislative Exempt	10/13/2020	11/16/2020						
Coal Mine Health & Safety (36-20)	Independent Contractors Legislative Exempt	10/13/2020	11/16/2020						
Coal Mine Health & Safety (36-22)	The Prohibition of Acts Endangering Security of Mines; Search for Intoxicants, Matches, Etc. Legislative Exempt	10/13/2020	11/16/2020						
Coal Mine Health & Safety (36-24)	The Record Keeping of all Certified Persons Employed in all Mines Throughout the State of WV Legislative Exempt	10/1/2020	11/16/2020						
Coal Mine Health & Safety (36-27)	Surface Areas on Mine Property and Limitations on Mining Adjacent to Gas Facilities Legislative Exempt	10/1/2020	11/16/2020						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Coal Mine Health & Safety (36-41)	Additional Requirements for Sheathed Explosive Units Legislative Exempt	10/13/2020	11/16/2020						
Coal Mine Health & Safety (36-57)	Proximity Detection Systems and Haulage Safety Generally Legislative Exempt	10/1/2020	11/16/2020						
Corrections (90-10)	Purchasing Procedure Procedural	9/1/2020	10/2/2020					10/5/2020	11/5/2020
Development Office (145-07)	Neighborhood Investment Program Act Procedural	7/22/2020	8/28/2020						
Development Office (145-16)	Tourism Development Districts Legislative	7/20/2020	8/21/2020	7/1/2020 Approved 7/2/2020	8/25/2020				
Education (126-026)	Participation in Extracurricular Activities (2436.10) Legislative Exempt	9/9/2020	10/13/2020						
Education (126-081)	Attendance (Policy 4110) Legislative Exempt	10/15/2020	11/16/2020						
Education (126-114)	Approval of Educator Preparation Programs (Policy 5100) Legislative Exempt	10/15/2020	11/16/2020						
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202) Legislative Exempt	10/15/2020	11/16/2020						
Education (126-142)	Performance Evaluation of Professional Personnel and Athletic Coaches (Policy 5310) Legislative Exempt	10/15/2020	11/16/2020						
Environmental Protection – Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	7/2/2020	8/11/2020		8/25/2020				
Financial Institutions, Div. of (106-21)	Rule Pertaining to the Fintech Regulatory Sandbox Legislative	6/26/2020	7/31/2020	6/26/2020 Approved 7/1/2020	8/13/2020				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Commission (87-07)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code (Repeal) Legislative	6/22/2020	7/22/2020		8/24/2020				
Fire Marshal (103-06)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Legislative	6/22/2020	7/22/2020		8/13/2020				
Funeral Service Examiners (6-01)	Funeral Director, Embalmer, Apprentice, Courtesy Card Holders and Funeral Establishment Requirements Legislative	7/22/2020	8/24/2020		8/26/2020				
Funeral Service Examiners (6-02)	Crematory Requirements Legislative	7/22/2020	8/24/2020		8/24/2020				
Funeral Service Examiners (6-07)	Fee Schedule Legislative	7/21/2020	8/24/2020		8/24/2020				
Health (64-07)	Reportable Diseases, Events, and Conditions Legislative	7/2/2020	8/3/2020		8/28/2020				
Health (64-11)	Behavioral Health Centers Licensure Legislative	7/1/2020	7/31/2020		8/25/2020				
Health (64-12)	Hospital Licensure Legislative	7/1/2020	7/31/2020		8/21/2020				
Health (64-13)	Nursing Home Licensure Legislative	7/1/2020	7/31/2020		8/25/2020				
Health (64-23)	Radiological Health Legislative	7/6/2020	8/5/2020		8/28/2020				
Health (64-45)	Lead Abatement Licensing Legislative	7/2/2020	8/3/2020		8/21/2020				
Health (64-48)	Emergency Medical Services	9/4/2020	10/5/2020	9/4/2020 Approved 9/30/2020 Amendment 10/1/2020 Approved 10/1/2020					

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-59)	Client Rights at State-Operated Mental Health Facilities Legislative	7/1/2020	7/31/2020		8/26/2020				
Health (64-60)	Delegation of Medication Administration and Health Maintenance Tasks to Approved Medication Assistive Personnel Legislative	7/1/2020	7/31/2020		8/21/2020				
Health (64-114)	Public Health Standards for Businesses Remaining Open During the COVID-19 Outbreak Legislative	5/15/2020 5/18/2020	6/15/2020 6/17/2020	4/16/2020 Approved 4/16/2020 Amendment 4/21/2020 Approved 4/21/2020 Amendment 5/15/2020 Approved 5/15/2020	8/28/2020				
Health (64-115)	Diabetes Self-Management Education Legislative	7/2/2020	8/3/2020		8/26/2020				
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	7/1/2020	7/31/2020		8/21/2020				
Health and Human Resources (69-15)	Recovery Residence Certification and Accreditation Program Legislative	5/8/2020	6/8/2020	4/29/2020 Effective 6/10/2020	7/1/2020				
Health and Human Resources (69-16)	Purchasing Procedures Procedural	10/27/2020	11/30/2020						
Health Care Authority (65-29)	Exemption from Certificate of Need Legislative	8/24/2020	9/23/2020		9/28/2020				
Hearing Aid Dealers (8-01)	Rule Governing the WV Bd. Of Hearing Aid Dealers Legislative	7/21/2020	8/22/2020		8/28/2020				
Higher Education Policy Comm. (133-63)	Mental Health Loan Repayment Program Legislative	6/26/2020	7/27/2020	6/26/2020 Effective 6/26/2020	7/29/2020				
Highways (157-05)	Traffic and Safety Rules Legislative	7/28/2020	8/28/2020		8/28/2020				
Human Services (78-02)	Child Placing Agencies Licensure Legislative	7/1/2020	7/31/2020		8/25/2020				

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults and Vulnerable and Transitioning Youth Group Homes and Programs in WV Legislative	7/1/2020	7/31/2020		8/25/2020				
Human Services (78-27)	Procedure to Contest the Substantiation of Child Abuse or Neglect Legislative	7/1/2020	7/31/2020		8/26/2020				
Insurance Comm. (114-02A)	Fingerprinting Requirements for Applicants for Insurance Producer License and Insurance Adjuster License Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-25)	Insurance Adjusters Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-40)	Credit for Reinsurance Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-42)	Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters Legislative	6/18/2020	7/24/2020		7/27/2020	Approved 9/25/2020			
Insurance Comm. (114-64)	Mental Health Parity Legislative	6/22/2020	7/24/2020		8/11/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-100)	Health Benefit Plan Network Access and Adequacy Legislative	6/22/2020	7/24/2020		8/11/2020				
Labor (42-03)	Steam Boiler Inspection Legislative	7/16/2020	8/17/2020		8/24/2020				
Landscape Architects (9-01)	Registration of Landscape Architects Legislative	7/23/2020	8/24/2020		8/27/2020				

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Landscape Architects (9-04)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	7/23/2020	8/24/2020		8/26/2020				
Livestock Care Standards Bd. (73-01)	Livestock Care Standards Legislative	7/21/2020	8/20/2020		8/21/2020				
Lottery (179-10)	WV Lottery Interactive Wagering Rule Legislative	6/11/2020	7/11/2020	5/15/2020 Approved 5/18/2020	8/10/2020				
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	6/24/2020				
Miners' Health Safety and Training (56-08)	The Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of WV Legislative	7/14/2020	8/13/2020		8/19/2020				
Motor Vehicles (91-04)	Examination and Issuance of Driver's License Legislative	7/8/2020	8/9/2020		8/11/2020	Modified & Approved 9/25/2020 Filed 9/29/2020			
Motor Vehicles (91-05)	Denial, Suspension, Revocation, Disqualification, Restriction, Non-Renewal, Cancellation, Administrative Appeals and Reinstatement of Driving Privileges Legislative	7/15/2020	8/17/2020		8/19/2020	Approved 9/25/2020			
Motor Vehicles (91-13)	Compulsory Motor Vehicle Liability Insurance Legislative	7/29/2020	8/28/2020		8/28/2020	Modified & Approved 9/25/2020 Filed 9/29/2020			
Motor Vehicles (91-25)	Special Purpose Vehicles Legislative	7/1/2020	7/31/2020		8/7/2020				
Municipal Pensions Oversight Bd. (211-02)	Exempt Purchasing Legislative	6/26/2020	7/27/2020		8/7/2020				
Natural Resources (58-36)	Cabwaylingo State Forest Trail System Two Year Pilot Project Permitting ATVs and ORVs Legislative				Sunset Extension 2/26/2020	Approved 9/25/2020			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-46)	Defining the Terms Used in All Hunting and Trapping Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020			
Natural Resources (58-50)	Deer Hunting Rule Legislative	7/29/2020	8/28/2020		8/28/2020	Modified & Approved 9/25/2020 Filed 9/29/2020			
Natural Resources (58-56)	Special Migratory Game Bird Hunting Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020			
Natural Resources (58-58)	Special Waterfowl Hunting Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020			
Occupational Therapy (13-09)	Telehealth Practice; Requirements; Definitions Legislative	6/15/2020	8/1/2020		8/10/2020				
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	7/28/2020	8/28/2020	7/28/2020 Effective 9/8/2020	8/28/2020				
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	6/22/2020				
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	4/30/2020	5/31/2020	4/30/2020 Approved 4/30/2020 Amendment 8/26/2020 ERD by 10/7/2020	6/5/2020				
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	7/22/2020	8/21/2020		8/26/2020				
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative	4/30/2020	5/31/2020	4/1/2020 Approved 4/1/2020	6/5/2020				
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative	7/22/2020	8/21/2020		8/26/2020				
Pharmacy (15-03)	Continuing Education for Licensure of Pharmacists Legislative	7/22/2020	8/21/2020		8/26/2020				

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-05)	Licensure of Wholesale Drug Distributors, Third Party Logistics Providers, and Manufacturers Legislative	7/22/2020	8/21/2020		8/26/2020				
Pharmacy (15-08)	Controlled Substances Monitoring Program Legislative	7/22/2020	8/21/2020		8/26/2020				
Pharmacy (15-12)	Immunizations Administered by Pharmacist and Pharmacy Interns Legislative	5/1/2020 7/22/2020	6/2/2020 8/21/2020	4/20/2020 Approved 4/20/2020	6/5/2020 9/4/2020				
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistants Legislative	9/17/2020	10/19/2020		10/19/2020				
Physical Therapy (16-04)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	7/28/2020	8/27/2020		8/28/2020				
Physical Therapy (16-05)	General Provisions for Athletic Trainers Legislative	9/17/2020	10/19/2020		10/19/2020				
Physical Therapy (16-06)	Fees for Athletic Trainers Legislative	7/29/2020	8/28/2020		8/28/2020				
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in WV Legislative	7/13/2020	8/14/2020		8/24/2020				
Protective Services (99-06)	Purchasing Policy Procedural	9/2/2020	10/2/2020						
Public Service Commission (150-02)	Rules for the Construction and Filing of Tariffs Legislative Exempt	8/4/2020	10/5/2020						
Public Service Commission (150-09)	Rules Governing Motor Carriers, Private Commercial Carriers, and the Filing of Evidence of Insurance and Financial Responsibility by Motor Carriers Legislative Exempt	8/4/2020	10/5/2020						
Public Service Commission (150-16)	Rules Governing the Transportation of Natural Gas Legislative Exempt	10/7/2020	11/16/2020						
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/18/2020	7/20/2020		8/21/2020				
Racing Commission (178-02)	Greyhound Racing Legislative	6/18/2020	7/20/2020		8/17/2020				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Racing Commission (178-10)	Advance Deposit Account Wagering (ADW) Legislative	7/1/2020	7/31/2020	7/1/2020 Approved 7/1/2020	8/17/2020				
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers, and Salespersons and the Conduct of Brokerage Business Legislative	7/21/2020	8/20/2020		8/24/2020				
Rehabilitation Services (198-01)	Ron Yost Personal Assistance Services Act Bd. Legislative	7/24/2020	8/26/2020		8/26/2020				
Respiratory Care (30-01)	Criteria for Licensure Legislative	7/20/2020	8/21/2020		8/26/2020				
Risk and Insurance Management (115-01)	Mine Subsidence Insurance Legislative	7/9/2020	8/8/2020		8/18/2020				
Risk and Insurance Management (115-02)	Public Entities Insurance Program Legislative	7/9/2020	8/8/2020		8/18/2020				
Risk and Insurance Management (115-05)	Procedure for Providing Written Notification of Claims of Potential Liability to the State or Its Employees (Repeal) Legislative	7/9/2020	8/8/2020		8/18/2020				
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	4/24/2020	5/29/2020	3/25/2020 Amendment 4/24/2020 Amendment 4/27/2020 Effective 6/8/2020	6/23/2020				
Secretary of State (153-45)	Guidelines and Standards for Electronic Notarization Legislative	4/30/2020	6/1/2020	3/27/2020 Amendment 3/31/2020 Approved 4/1/2020	6/25/2020				
Secretary of State (153-53)	Election Processes and Absentee Eligibility During State of Emergency			3/20/2020 Effective 3/20/2020					
Senior Services (76-06)	Shared Table Initiative for Senior Citizens Legislative	7/24/2020	8/24/2020		8/25/2020				
State Emergency Response Comm. (55-01)	Emergency Planning and Community Right to Know Legislative	7/13/2020	8/12/2020		8/28/2020				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
State Emergency Response Comm. (55-02)	Emergency Planning Grant Program Legislative	7/13/2020	8/12/2020		8/28/2020				
State Police (81-18)	WV State Police Purchasing Rule Procedural	8/31/2020	9/30/2020					10/13/2020	11/13/2020
Tax (110-01J)	Valuation of Producing and Reserve Oil and Natural Gas Property for Ad Valorem Property Tax Purposes Legislative	8/21/2020	9/21/2020						
Tax (110-13FF)	Tax Credit for Providing Vehicles to Low-Income Workers Legislative	6/22/2020	7/22/2020		8/17/2020	Modified & Approved 9/25/2020 Filed 10/5/2020			
Tax (110-13GG)	Downstream Natural Gas Manufacturing Investment Tax Credit Legislative	6/22/2020	7/22/2020		7/29/2020				
Tax (110-13II)	High-Wage Growth Business Tax Credit Legislative	6/22/2020	7/22/2020		7/29/2020	Modified & Approved 9/25/2020 Filed 10/5/2020			
Tourism (144-03)	Purchasing Procedures Procedural	8/31/2020	9/30/2020						
Treasurer (112-17)	Exempt Purchasing Procedural	8/31/2020	9/30/2020					10/16/2020	12/1/2020
Waste Mgmt., Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	7/8/2020	8/11/2020		8/25/2020	Approved 9/25/2020			
Water Resources Division of Water and Waste Management (47-02)	Requirements Governing Water Quality Standards Legislative	3/31/2020	5/19/2020		8/17/2020				
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						

State of West Virginia
Board of Examiners in Counseling

LEGISLATIVE

815 Quarrier Street, Suite 212
Charleston, West Virginia 25301
(800) 520-3852
counselingboard@msn.com
www.wvbec.org

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2020 OCT 29 P 4: 28
OFFICE WEST VIRGINIA
SECRETARY OF STATE

Wednesday, October 28, 2020

Via U.S. Mail
Mac Warner, The Honorable Secretary of State
Secretary of State's Office – Administrative Law
Bldg. 1, Suite 157-K
1900 Kanawha Blvd E
Charleston, WV 25305

Re: West Virginia Board of Examiners in Counseling
Temporary Suspension of W. Va. Code R. § 27-1-7.7

Dear Secretary of State Warner:

The Honorable Governor of the State of West Virginia, Jim Justice, has declared a State of Emergency to address the emergency created by the worldwide coronavirus (COVID-19) pandemic. In a Proclamation issued March 16, 2020, the Governor 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."

The West Virginia Board of Examiners in Counseling ("Board") is actively monitoring the effects of the COVID-19 pandemic. The Board is dedicated to fulfilling its primary mission of protecting the public during this time, while continuing to ensure that West Virginia has the workforce it needs to provide professional counseling services throughout the State.

At its meeting held October 23, 2020, and pursuant to the Governor's Proclamation, the Board voted to temporarily suspend its rule requiring a provisional licensee to pay a fee in order to renew his or her provisional license for an additional 24 months, W. Va. Code R. § 27-1-7.7. The suspension of this rule applies only during the declared State of Emergency.

Therefore, a provisional licensee of the Board, who does not complete his or her supervised counseling experience within 36 months, may renew his or her provisional license for an additional 24 months without having to pay a fee. The Board finds it necessary and appropriate to temporarily suspend the fee provision of W. Va. Code R. § 27-1-7.7 in response to the COVID-19 outbreak and to protect the public health, safety, and welfare.

In communicating this decision to its licensees, the Board will note that the remaining provisions of W. Va. Code R. § 27-1-1 et seq. are unaffected and still apply. The Board will issue to licensees any further guidance or instructions deemed necessary.

The Board would respectfully request that the Secretary of State's Office accept this correspondence as notice of the temporary suspension of W. Va. Code R. § 27-1-7.7 and post a copy of this correspondence on its website.

Should you have any questions regarding this correspondence, please contact the Board's office by telephone, (304) 558-5494, or by email, counselingboard@msn.com.

Sincerely,

Cheryl Henry

Cheryl Henry, Executive Director
West Virginia Board of Examiners in Counseling

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
Division of Motor Vehicles
5707 MacCorkle Avenue, Southeast
Post Office Box 17200
Charleston, West Virginia 25317-0010 • (304) 558-3900
TDD: (800) 742-6991 • (800) 642-9066

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SECRETARY OF STATE

Byrd E. White, III
Secretary of Transportation

MEMORANDUM

DATE: October 27, 2020

TO: Mac Warner
Secretary of State

FROM: Everett Frazier, Commissioner
Division of Motor Vehicles

RE: Suspension of Examination and Issuance of Driver's Licenses
CSR 91-4.

On March 16, 2020, the Governor issued a proclamation declaring a State of Emergency in response to the public health risks posed by the Coronavirus epidemic in West Virginia, which proclamation "delegate[s] 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" pursuant the Governor's authority set forth in W. Va. Code 15-5-6(c)(7).

91 CSR 4 establishes a process for the examination of drivers and the issuance of driver's licenses and provides guidance for the renewal of a driver's license or identification card online. The rule currently prohibits the online renewal of any driver's license or identification card online with, among other things, a change of address. This provision limits the ability of citizens to renew a driver's license or identification card remotely and requires face to face service when a change of address has occurred since last issuance. 91 CSR 4.7A.1.b. concerning the online renewal of driver's licenses and identification cards with changes is suspended for the sole purpose of allowing a change of address to be accomplished through an online process.

All previous rule suspensions for 91 CSR 4 remain in effect and the rules hereby suspended shall remain suspended until such time as the State of Emergency is lifted.

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

PROCEDURAL

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health And Human Resources TITLE-SERIES: 69-16

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

RULE NAME: Purchasing Procedures

CITE STATUTORY AUTHORITY: 5A-1-12

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 11/30/2020 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L Robertson

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: april.l.robertson@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)

Orders Report

Docket Number	Agency	Respondent	Date Rendered
2020-DB-0003D	Dentistry, WV Board of	Jaclyn E. Rominger, DDS	10/16/2020
2019-DB-0034D	Dentistry, WV Board of	Helen D. Rymer, DDS	10/16/2020
20-3-11628-X	Health Care Authority	Gentiva Certified HealthCare Corp.	10/13/2020
18-873-11510-2	Health Care Authority	Stonerise Reliable Healthcare LLC	10/13/2020
18-8[illegible]-11[illegible]-2	Health Care Authority	Stonerise Reliable Healthcare LLC	10/13/2020
20-[illegible]	Health Care Authority	Braxton County Memorial Hospital	10/13/2020
19-6-11[illegible]	Health Care Authority	Personal Touch Home Care of W. Va., Inc.	10/13/2020
20-1-11[illegible]-X	Health Care Authority	Princeton Community Hospital Association, Inc.	9/28/2020
20-[illegible]	Health Care Authority	West Virginia United Health System, Inc.	9/28/2020
20-[illegible]-X	Health Care Authority	Boone Memorial Hospital, Inc.	9/28/2020
[illegible]	Health Care Authority	Personal Touch Home Care of W. Va., Inc.	9/28/2020
19-[illegible]	Health Care Authority	Personal Touch Home Care of W. Va., Inc.	9/28/2020
20-[illegible]	Health Care Authority	Preston Memorial Hospital Corporation	9/23/2020
[illegible]	Health Care Authority	Beckley Surgery Center, Inc.	9/18/2020
20-[illegible]	Health Care Authority	Diversified Assessment & Therapy Services	9/16/2020
20-[illegible]	Health Care Authority	Diversified Assessment & Therapy Services	9/16/2020
[illegible]	Health Care Authority	Starlight Behavioral Health	9/16/2020
[illegible]	Health Care Authority	Linx Community Services	9/16/2020
[illegible]	Health Care Authority	Stonerise Reliable Healthcare LLC	9/16/2020
[illegible]	Health Care Authority	Mulberry Street Management Services, Inc.	9/16/2020
[illegible]	Health Care Authority	Employee Stock Ownershhip Plan Trust, Sharon A. Hayes, Trustee	9/16/2020
[illegible]	Health Care Authority	Mulberry's Independent Home Services, Inc.	9/16/2020
20-[illegible]	Health Care Authority	Integrated Resources, Inc.	9/14/2020
20-[illegible]-X	Health Care Authority	St. Albans Operating Company LLC	9/14/2020

20-10-11903-C	**Health Care Authority**	Wetzel County Hospital	9/14/2020
19-TNP-02113	**Insurance Commission**	Erie Insurance Exchange	9/29/2020
N/A	**Registered Professional Nurses, West Virginia Board Of Examiners For**	Anthony Lasica	10/23/2020

Proposed West Virginia Section 111(d) State Plan
Control of Greenhouse Gas Emissions from
Existing Coal-Fired Electric Utility Generating Units

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2020 OCT 27 A 10: 22
OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

Notice of Public Hearing and Public Comment Period

The West Virginia Department of Environmental Protection (DEP), Division of Air Quality (DAQ) is developing a Clean Air Act (CAA) section 111(d) partial State Plan for the Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units (EGUs) for submittal to the United States Environmental Protection Agency (U.S. EPA). This partial State Plan was developed in response to the U.S. EPA promulgation of 40 C.F.R. Part 60, Subpart UUUUa, *Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units*; the implementing regulations under 40 C.F.R. Part 60, Subpart Ba, *Adoption and Submittal of State Plans for Designated Facilities*; and the voluntary air quality permit application submitted to the DAQ by Longview Power LLC on June 1, 2020. The U.S. EPA published the Affordable Clean Energy Rule (ACE) consisting of emission guidelines for greenhouse gas (GHG) emissions from existing EGUs under section 111(d) of the CAA at 84 Fed. Reg. 32520 on July 8, 2019.

Section 111(d) of the CAA requires all states to submit a plan to the U.S. EPA which establishes standards of performance for any existing source for any air pollutant to which a standard of performance would apply if the existing source were a new source and provides for the implementation and enforcement of such standards of performance. Such plans are commonly referred to as State Plans.

This partial State Plan applies to Longview Power LLC that owns and operates one existing coal fired EGU located in Maidsville, WV. This proposed State Plan will establish the standard of performance for Longview Power LLC and will provide for the implementation and enforcement of such standard of performance.

DAQ will hold a public hearing on the proposed ACE partial State Plan at 6:00 p.m. on Tuesday, December 1, 2020. The public hearing will be held virtually to prevent the spread of COVID-19 in accordance with the WVDEP COVID-19 Policy. Instructions for participating and for providing oral comments at the virtual public hearing are provided below.

The public comment period begins October 30, 2020 and ends at the conclusion of the public hearing on December 1, 2020. Written comments may be submitted at any time during the public comment period as instructed below. Both oral and written comments will be made part of the State Plan record. Comments received after the conclusion of the public comment period will not be accepted.

The proposed partial WV ACE State Plan is available at:

- The DAQ website at https://dep.wv.gov/daq/publicnoticeandcomment/Pages/default.aspx.
- If you do not have internet capability, please contact DAQ for alternatives at the phone numbers provided below.

Written Comments

- E-mail written comments to Laura.M.Jennings@wv.gov with "WV ACE State Plan Comments" in the subject line, or
- Mail hard copy comments to the attention of Laura Jennings at the WV Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston, WV 25304.

Public Hearing Participation

The public hearing is being held to satisfy the requirements for submitting a CAA §111(d) State Plan. The purpose of the public hearing is to accept comments concerning the proposed WV ACE partial State Plan. Comments will be responded to in writing at a later date.

Members of the public can participate online or listen via telephone. **Participant pre-registration is required by 5:00 p.m. on Tuesday, December 1, 2020.** To register, please complete the participant registration form at https://apps.dep.wv.gov/daq-register/ace. A confirmation e-mail will be sent with information on how to join the public hearing. If you do not have internet access and want to register, please contact Sandie Adkins or Stephanie Hammonds at (304) 926-0475 by 5:00 p.m. on Monday, November 30, 2020. Registration is required to fulfill the state's obligation under federal air quality regulations to include a list of participants.

If you wish to speak at the virtual public hearing, you must pre-register by 5:00 p.m. on Monday, November 30, 2020. Please limit testimony to one witness for each organization. Verbal testimony is limited to 5 minutes for each witness. Video demonstrations and screen sharing by witnesses will not be permitted. To register to speak, please indicate "yes" you want to provide oral comments on the record when you register with the previously provided link. A confirmation e-mail will be sent with information on how to join the public hearing. If you do not have internet access and want to register to speak, please contact Sandie Adkins or Stephanie Hammonds at (304) 926-0475 by 5:00 p.m. on Monday, November 30, 2020.

Witnesses are requested to submit a written copy of their verbal testimony by email to Laura.M.Jennings@wv.gov.

Event title: Public hearing for proposed WV ACE Partial State Plan
Date and time: Tuesday, December 1, 2020 at 6:00 p.m.
Location: Virtual. PRE-REGISTRATION IS REQUIRED as described in this notice.
Your registration confirmation will have the log-in and call-in number details.

Contact Information

For more information on the proposed WV ACE State Plan call 304-926-0475.

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

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2020 OCT 26 A 11: 20
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OTHER

October 26, 2020

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **October 23, 2020**.

LETTER OF INTENT RECEIVED

October 19, 2020 – Monongalia Health System, Inc., Morgantown, Monongalia County, CON File #20-6/7-11966-A, for the acquisition of Morgantown Physical Therapy Associates, Inc. d/b/a HealthWorks Rehab and Fitness with offices in Monongalia, Marion and Upshur counties; capital expenditure: $4,500,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

October 19, 2020 - Potomac Valley Hospital, Inc., Keyser, Mineral County, CON File #20-8-11959-P, for the development of an ambulatory health care facility in Mineral County through the acquisition of a physician practice and conversion of that practice to a rural health clinic; capital expenditure: $150,000.

APPLICATIONS FOR EXEMPTION RECEIVED

October 19, 2020 – Camden on Gauley Medical Center, Inc., Camden on Gauley, Webster County, CON File #20-4-11964-X, for the development of Camden Family Health – Ansted to be located at 52 Florence Street, Ansted, Fayette County, which will provide primary care and behavioral health services.

October 21, 2020 – CHANGE, Inc., Weirton, Brooke County, CON File #20-11-11969-X, for the development of Family Medical Care Community Health Center Weir Complex SBHC to be located at 100 Red Rider Road, Weirton, Brooke County.

October 21, 2020 – CHANGE, Inc., Weirton, Brooke County, CON File #20-11-11970-X, for the development of Family Medical Care Community Health Center to be located at 114 Taylor Street, Weirton, Brooke County.

EXEMPTION APPLICATIONS APPROVED

October 19, 2020 - Mountain State Recovery Center, Charleston, Kanawha County, CON File #20-2-11936-X, for the provision of behavioral health outpatient services and medication assisted treatment at 650 Washington Avenue, Huntington, Cabell County.

October 21, 2020 - Delta Lifestyle Solutions, Bridgeport, Harrison County, CON File #20-6-11924-X, for the development of an outpatient opiate addiction (Suboxone) clinic to be located at 27 Trovato Street, Suite 103, Bridgeport.

October 21, 2020 – Necco, Inc., South Point, Ohio, CON File #20-1-11932-X, for the expansion of its current outpatient behavioral health, substance abuse and in-home services to youth and adults up to 64 years of age in Wyoming and McDowell counties.

October 21, 2020 – Necco, Inc., South Point, Ohio, CON File #20-3/5/7-11933-X, for the expansion of its current outpatient behavioral health, substance abuse and in-home services to youth and adults up to 64 years of age in Calhoun, Lewis, Clay, Braxton, Wirt and Wood counties.

October 21, 2020 – Necco, Inc., South Point, Ohio, CON File #20-4/5/6/7/8/9/10/11-11934-X, for the expansion of its current outpatient behavioral health, substance abuse and in-home services to youth and adults up to 64 years of age in Barbour, Berkeley, Brooke, Doddridge, Gilmer, Grant, Hampshire, Hancock, Hardy, Harrison, Jefferson, Marion, Marshall, Mineral, Monongalia, Morgan, Ohio, Pendleton, Pleasants, Preston, Randolph, Ritchie, Taylor, Tucker, Tyler, Upshur, Webster and Wetzel counties.

October 21, 2020 – Necco, Inc., South Point, Ohio, CON File #20-1/4-11935-X, for the expansion of its current outpatient behavioral health, substance abuse and in-home services to youth and adults up to 64 years of age in Fayette, Greenbrier, Mercer, Monroe, Pocahontas, Nicholas, Raleigh and Summers counties.

October 21, 2020 - Bluestone Health Association, Inc., Princeton, Mercer County, CON File #20-1-11937-X, for the development of BHA d/b/a Bluestone Primary Care in Princeton, Mercer County.

October 21, 2020 – Rainelle Medical Center, Inc., Rainelle, Greenbrier County, CON File #20-4-11955-X, for the development of the RMC Lewisburg Behavioral Health Center to be located at 149 Goheen Street, Lewisburg, Greenbrier County.

October 21, 2020 - Huntington Mental Health Associates, Huntington, Cabell County, CON File #20-2-11957-X, for the development of a licensed behavioral health center in Huntington, Cabell County.

October 23, 2020 - Lavender Fields Assisted Living, Beverly, Randolph County, CON File #20-7-11930-X, for an addition to the existing facility located in Beverly, Randolph County.

October 23, 2020 - Burlington United Methodist Family Services Inc., Burlington, Mineral County, CON File #20-8-11946-X, for the provision of behavioral health services to children and adults in Keyser, Mineral County.

October 23, 2020 – Burlington United Methodist Family Services, Inc., Burlington, Mineral County, CON File #20-6-11947-X, for the provision of behavioral health services to children and adults in Grafton, Taylor County.

October 23, 2020 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #20-6-11961-X, for the acquisition of a magnetic resonance imaging scanner (MRI) to be located at Fairmont Medical Center, a campus of J.W. Ruby Memorial Hospital.

October 23, 2020 – Lotus Healthcare Group, LLC, Comfort, Boone County, CON File #20-3-11974-X, for the development of a new residential substance use treatment program in Comfort, Boone County.

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

OTHER

NOTICE OF PUBLIC HEARING
2021 AND 2022 ALLOCATION PLAN
FOR THE
WEST VIRGINIA HOUSING DEVELOPMENT FUND'S
LOW-INCOME HOUSING TAX CREDIT PROGRAM

FILED
2020 OCT 28 A 10 06
OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Section 42(m)(1)(A)(i) of the Internal Revenue Code ("Code"), that the West Virginia Housing Development Fund (the "Fund") has developed a proposed 2021 and 2022 Allocation Plan for the Fund's Low-Income Housing Tax Credit Program for the State of West Virginia, pursuant to which eligible low-income residential rental properties will be selected for allocations of low-income housing tax credits. The State's Housing Credit Ceiling for 2021 is estimated to be approximately $5,040,413.

The Fund will conduct a hearing to provide information to and to receive comments from the public on the proposed 2021 and 2022 Allocation Plan for its Low-Income Housing Tax Credit Program for the State of West Virginia. Interested members of the public are invited to attend as described below. There will be a question and answer period and persons will have an opportunity to make brief statements or comments. Comments can be oral or written. This hearing will be conducted on Tuesday, November 17, 2020, at 1:00 p.m., and any interested person or persons may attend and participate by toll-free call. Interested individuals may also submit written comments on or before November 17, 2020, to the Fund, Attention: Michelle Wilshere, 5710 MacCorkle Avenue SE, Charleston, West Virginia 25304.

The proposed 2021 and 2022 Allocation Plan may be found on the Fund website (www.wvhdf.com) or by contacting the Fund at 1-800-933-9843.

To participate by toll-free telephone call, please use the following information:

Telephone #:	800-804-5051
Conference #:	8722267
PIN:	5348