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NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Highways (157-01)	Rules Relating Generally to Various Functions of the Commissioner of Highways Procedural	§§17-2A-4b, 17-2A-8	Written Comments Only December 18, 2020, 9:00 am Rita Pauley 1900 Kanawha Boulevard E Building 5, Room 110 Charleston, WV 25305 rita.a.pauley@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
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
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED PROFESSIONAL NURSES
TITLE	20	SANITARIANS
TITLE	22	FORESTRY
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TITLE	25	SOCIAL WORK EXAMINERS
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TITLE	27	COUNSELING
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TITLE	31	DIETITIANS
TITLE	32	ACUPUNCTURE
TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
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TITLE	38	MINING AND RECLAMATION
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TITLE	45	AIR QUALITY
TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
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TITLE	60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	64	HEALTH
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TITLE	69	HEALTH AND HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
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TITLE	87	FIRE COMMISSION
TITLE	89	PUBLIC DEFENDER SERVICES
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
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TITLE	112	TREASURER
TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
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TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

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			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Alcohol Beverage Control Comm. (175-02)	Private Club Licensing Legislative	6/18/2020	7/20/2020		7/24/2020	Modified & Approved 11/17/2020 Filed 11/18/2020			
Alcohol Beverage Control Comm. (175-10)	Distilleries, Mini-Distilleries and Micro-Distilleries Legislative	6/22/2020	7/23/2020		7/24/2020	Modified & Approved 11/17/2020 Filed 11/18/2020			
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	Modified & Approved 11/16/2020 Filed 11/19/2020			
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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						
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						
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	Modified & Approved 11/17/2020			
Education (126-026)	Participation in Extracurricular Activities (2436.10) Legislative Exempt	9/9/2020	10/13/2020					11/12/2020	12/14/2020
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				

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 11/17/2020			
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	Approved 11/16/2020			
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	Approved 11/16/2020			
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	Modified & Approved 11/16/2020 Filed 11/18/2020			
Funeral Service Examiners (6-02)	Crematory Requirements Legislative	7/22/2020	8/24/2020		8/24/2020	Modified & Approved 11/16/2020 Filed 11/18/2020			
Funeral Service Examiners (6-07)	Fee Schedule Legislative	7/21/2020	8/24/2020		8/24/2020	Modified & Approved 11/16/2020 Filed 11/18/2020			
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 (64-45)	Lead Abatement Licensing Legislative	7/2/2020	8/3/2020		8/21/2020	Modified & Approved 11/17/2020			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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					
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	Modified & Approved 11/17/2020			
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	7/1/2020	7/31/2020		8/21/2020	Modified & Approved 11/17/2020			
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	Modified & Approved 11/16/2020			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 (157-01)	Rules Relating Generally to Various Functions of the Commissioner of Highways Procedural	11/17/2020	12/18/2020						
Highways (157-05)	Traffic and Safety Rules Legislative	7/28/2020	8/28/2020		8/28/2020	Approved 11/17/2020			
Human Services (78-02)	Child Placing Agencies Licensure Legislative	7/1/2020	7/31/2020		8/25/2020				
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			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 11/16/2020 Filed 11/17/2020			
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	Modified & Approved 11/16/2020			
Landscape Architects (9-04)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	7/23/2020	8/24/2020		8/26/2020	Modified & Approved 11/16/2020			
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	Approved 11/16/2020			
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	Approved 11/17/2020			
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			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 11/16/2020 Filed 11/17/2020			
Municipal Pensions Oversight Bd. (211-02)	Exempt Purchasing Legislative	6/26/2020	7/27/2020		8/7/2020	Modified & Approved 11/17/2020 Filed 11/17/2020			
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			
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	Approved 11/16/2020			
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	Modified & Approved 11/16/2020			
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	Modified & Approved 11/16/2020			

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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	4/30/2020	5/31/2020	4/30/2020 Approved 4/30/2020 Amendment 8/26/2020 Effective 10/7/2020	6/5/2020				
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	7/22/2020	8/21/2020		8/26/2020	Approved 11/16/2020			
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	Modified & Approved 11/16/2020			
Pharmacy (15-03)	Continuing Education for Licensure of Pharmacists Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020			
Pharmacy (15-05)	Licensure of Wholesale Drug Distributors, Third Party Logistics Providers, and Manufacturers Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020			
Pharmacy (15-08)	Controlled Substances Monitoring Program Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020			
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	Modified & Approved 11/16/2020			
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				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in WV Legislative	7/13/2020	8/14/2020		8/24/2020	Modified & Approved 11/16/2020 Filed 11/19/2020			
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 (150-05)	Rules for the Government of Sewer Utilities Legislative Exempt	11/10/2020	1/11/2021						
Public Service Commission (150-07)	Rules for the Government of Water Utilities Legislative Exempt	11/10/2020	1/11/2021						
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				
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				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Respiratory Care (30-01)	Criteria for Licensure Legislative	7/20/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 11/17/2020			
Risk and Insurance Management (115-01)	Mine Subsidence Insurance Legislative	7/9/2020	8/8/2020		8/18/2020	Approved 11/17/2020			
Risk and Insurance Management (115-02)	Public Entities Insurance Program Legislative	7/9/2020	8/8/2020		8/18/2020	Modified & Approved 11/17/2020			
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	Approved 11/17/2020			
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	Modified & Approved 11/17/2020			
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	Modified & Approved 11/17/2020			
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	Modified & Approved 11/17/2020			
State Emergency Response Comm. (55-01)	Emergency Planning and Community Right to Know Legislative	7/13/2020	8/12/2020		8/28/2020	Approved 11/16/2020			
State Emergency Response Comm. (55-02)	Emergency Planning Grant Program Legislative	7/13/2020	8/12/2020		8/28/2020	Approved 11/16/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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						
THE ABOVE RULE HAS BEEN WITHDRAWN 11/18/2020									
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						

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
11/18/2020 3:23:06 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Alcohol Beverage Control Commission

RULE TYPE: Legislative TITLE-SERIES: 175-02

RULE NAME: Private Club Licensing

CITE AUTHORITY: 60-2-16, 60-2-17 and 60-7-10

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Allen R Prunty -- 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.

LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
11/18/2020 4:07:02 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Alcohol Beverage Control Commission

RULE TYPE: Legislative TITLE-SERIES: 175-10

RULE NAME: Distilleries, Mini-Distilleries and Micro-Distilleries

CITE AUTHORITY: 60-1-5,60-1-5b,60-1-5d,60-2-11, 60-2-15,60-2-16, 60-4-2, 60-4-3, 60-4-3a, 60-4-15, 60-6-1, and 60-6-2

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

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WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
11/19/2020 1:18:08 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Auditor

RULE TYPE: Legislative TITLE-SERIES: 155-01

RULE NAME: Standards For Requisitions For Payment Issued By State Officers On The Auditor

CITE AUTHORITY: 12-3-10(f)

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Stephen R Connolly -- 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.

LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
11/18/2020 3:27:29 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Funeral Service Examiners

RULE TYPE: Legislative TITLE-SERIES: 6-01

RULE NAME: FUNERAL DIRECTOR, EMBALMER, APPRENTICE, COURTESY CARD HOLDERS AND FUNERAL ESTABLISHMENT REQUIREMENTS

CITE AUTHORITY: § 30-8-1 et. seq.

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Grady M Bowyer -- 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
11/18/2020 3:30:48 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Funeral Service Examiners

RULE TYPE: Legislative TITLE-SERIES: 6-02

RULE NAME: CREMATORY REQUIREMENTS

CITE AUTHORITY: § 30-6-1 et. seq.

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Grady M Bowyer -- 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.

LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE
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ADMINISTRATIVE LAW DIVISION

eFILED
11/18/2020 3:35:16 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Funeral Service Examiners

RULE TYPE: Legislative TITLE-SERIES: 6-07

RULE NAME: FEE SCHEDULE

CITE AUTHORITY: § 30-6-1 et. seq.

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Grady M Bowyer -- 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
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ADMINISTRATIVE LAW DIVISION

eFILED
11/17/2020 11:35:40 AM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Insurance Commission

RULE TYPE: Legislative TITLE-SERIES: 114-100

RULE NAME: Health Benefit Plan Network Access and Adequacy

CITE AUTHORITY: W.Va. Code 33-2-10 and 33-55-9

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Allen R Prunty -- 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.

LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
11/17/2020 2:26:07 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Motor Vehicles

RULE TYPE: Legislative TITLE-SERIES: 91-25

RULE NAME: SPECIAL PURPOSE VEHICLES

CITE AUTHORITY: W. Va. Code §17A-13-1, W. Va. Code §17A-2-9, W. Va. Code § 17D-2-1 and W. Va. Code § 11-15-3c

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Ronald David Johnson Jr Mba -- 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
11/17/2020 4:35:36 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Municipal Pensions Oversight Board

RULE TYPE: Legislative TITLE-SERIES: 211-02

RULE NAME: Exempt Purchasing

CITE AUTHORITY: W. Va. Code §8-22-18a(g) and §5A-1-12

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Blair M Taylor -- 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.

LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
11/19/2020 10:08:21 AM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Professional Surveyors

RULE TYPE: Legislative TITLE-SERIES: 23-01

RULE NAME: 23CSR10 Examination and Licensing of Professional Surveyors in West Virginia

CITE AUTHORITY: W.Va. Code 30-1-24 and W. Va. Code 30 -13A-9

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Kristi Justice -- 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
11/17/2020 12:24:27 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Respiratory Care

RULE TYPE: Legislative TITLE-SERIES: 30-01

RULE NAME: CRITERIA FOR LICENSURE

CITE AUTHORITY: 30-34-6 &30-34-6a

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Nancy J Massey -- 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.

LEGISLATIVE

Dave Hardy
Secretary of Revenue

STATE TAX DEPARTMENT

Dale W. Steager
State Tax Commissioner

November 16, 2020

FILED
2020 NOV 18 P 2: 17
OFFICE WEST VIRGINIA
SECRETARY OF STATE

The Honorable Dave Sypolt, Chair
The Honorable Geoff Foster, Chair
Legislative Rule-Making Review Committee
State Capitol Complex
Charleston, WV 25305

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
1900 Kanawha Boulevard, East
Charleston, WV 25305

James Fuerhoff
Director for the Committee
Legislative Services
Building 1, Room MB-
1900 Kanawha Boulevard, East
Charleston, WV 25305

Re: Valuation of Producing and Reserve Oil and Natural Gas Property for Ad Valorem Property Tax Purposes, 110 CSR 1J.

Dear Senator Sypolt, Delegate Foster, Secretary Warner and Mr. Fuerhoff:

The Tax Commissioner and the Department of Revenue hereby respectfully withdraws the Tax Department's proposed Legislative Rule, Title 110, Series 1J – ***Valuation of Producing and Reserve Oil and Natural Gas Property for Ad Valore Property Tax Purposes*** from further consideration by the Legislative Rulemaking Review Committee and the Legislature. We anticipate submitting legislation on this subject during the 2021 regular session of the Legislature.

Please adjust your records and agenda accordingly.

Sincerely,

Dale W. Steager
State Tax Commissioner

Cc: Dave Hardy, Secretary of Revenue

Legal Division, 1001 Lee Street East, P.O. Box 1005, Charleston, WV 25324-1005
Telephone 304-558-5330
Fax 304-558-8728

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
11/17/2020 1:37:04 PM
Office of West Virginia
Secretary Of State

PROCEDURAL

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Highways

TITLE-SERIES: 157-01

RULE TYPE: Procedural

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Rules Relating Generally to Various Functions of the Commissioner of Highways

CITE STATUTORY AUTHORITY: W. Va. Code §17-2A-4b and §17-2A-8

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 12/18/2020 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Rita Pauley

ADDRESS: 1900 Kanawha Blvd. E., Bldg 5, Room 110

Charleston, WV 25305

EMAIL: rita.a.pauley@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair

FILED
2020 NOV 17 P 1:31
LRMRC
OFFICE WEST VIRGINIA
SECRETARY OF STATE

November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Anoop Bhasin anoop.k.bhasin@wv.gov
Alcohol Beverage Control Commission
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302

From: Legislative Rule-Making Review Committee

Proposed Rule: Private Club Licensing, 175-02

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
4. Recommends that the Legislative rule be withdrawn; a statement of reasons for the recommendation is attached. ____
5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached. ____

Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: james.fuerhoff@wvlegislature.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair

FILED
2020 NOV 17 P 1:31
OFFICE WEST VIRGINIA
SECRETARY OF STATE

November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Anoop Bhasin anoop.k.bhasin@wv.gov
Alcohol Beverage Control Commission
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302

From: Legislative Rule-Making Review Committee

Proposed Rule: Distilleries, Mini-Distilleries, and Micro-Distilleries, 175-10

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: james.fuerhoff@wvlegislature.gov

WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

FILED

2020 NOV 17 A 8:

LRMRC

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair
James Fuerhoff, Director

November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Vincent Smith vincent.smith@wvsao.gov
Auditor
1900 Kanawha Boulevard East, Suite W-100
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Standards for Requisitions for Payment Issued by State Officers on the Auditor, 155-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: james.fuerhoff@wvlegislature.gov

WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

FILED

2020 NOV 17 P 1:30

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair
James Fuerhoff, Director

November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jack Rife jack.m.rife@wv.gov
Development Office
1900 Kanawha Boulevard East, Building 3, Suite 600
Charleston, WV 25302

From: Legislative Rule-Making Review Committee

Proposed Rule: Tourism Development Districts, 145-16

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached. ____

Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: james.fuerhoff@wvlegislature.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair

James Fuerhoff, Director

FILED
2020 NOV 17 P 1:30 LRMRC
OFFICE WEST VIRGINIA
SECRETARY OF STATE

November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kathy Lawson klawson@wvdob.org
Financial Institutions
900 Pennsylvania Avenue, Suite 306
Charleston, WV 25302

From: Legislative Rule-Making Review Committee

Proposed Rule: Rule Pertaining to the Fintech Regulatory Sandbox, 106-21

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached. ____

Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: james.fuerhoff@wvlegislature.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair

James Fuerhoff, Director

FILED
2020 NOV 17 A 8:41
OFFICE WEST VIRGINIA
SECRETARY OF STATE

November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Ken Tyree kenneth.e.tyree@wv.gov
Fire Commission
1207 Quarrier Street
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code, 87-07

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed X
   - (B) as modified by the agency ____
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached. ____

Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: james.fuerhoff@wvlegislature.gov

WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Dave Sypolt, Co-Chair

Delegate Geoff Foster, Co-Chair

James Fuerhoff, Director

FILED

2020 NOV 17 A 8:41

LRMRC

OFFICE WEST VIRGINIA
SECRETARY OF STATE

November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Ken Tyree kenneth.e.tyree@wv.gov
Fire Marshal
1207 Quarrier Street
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Officials Building Code Inspectors and Plans Examiners, 103-06

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ___X___
   - (B) as modified by the agency _____
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: james.fuerhoff@wvlegislature.gov

WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Dave Sypolt, Co-Chair

Delegate Geoff Foster, Co-Chair

James Fuerhoff, Director

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Grady Bowyer wvfuneralboard@wv.gov
Funeral Service Examiners
179 Summers Street, Suite 319
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Funeral Director, Embalmer, Apprentice, Courtesy Card Holders and Funeral Establishments Requirements, 6-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed _____
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Legislative Rule-Making Review Committee

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November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Grady Bowyer wvfuneralboard@wv.gov
Funeral Service Examiners
179 Summers Street, Suite 319
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Crematory Requirements, 6-02

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
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James Fuerhoff, Director

November 16, 2020

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To: Mac Warner, Secretary of State, State Register

To: Grady Bowyer wvfuneralboard@wv.gov
Funeral Service Examiners
179 Summers Street, Suite 319
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Fee Schedule, 6-07

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
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NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: April Robertson april.l.robertson@wv.gov
DHHR
One Davis Square, Suite 100 East
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Lead Abatement Licensing, 64-45

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
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To: Mac Warner, Secretary of State, State Register

To: April Robertson april.l.robertson@wv.gov
DHHR
One Davis Square, Suite 100 East
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Diabetes Self-Management Education, 64-115

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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To: Mac Warner, Secretary of State, State Register

To: April Robertson april.l.robertson@wv.gov
DHHR
One Davis Square, Suite 100 East
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: West Virginia Clearance for Access, Registry, and Employment Screening, 69-10

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kendra Zamora boardofhearingaiddealers@frontier.com
Hearing Aid Dealers
179 Summers Street, Suite 715
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Rule Governing the West Virginia Board of Hearing Aid Dealers, 8-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Rita Pauley rita.a.pauley@wv.gov
Highways
1900 Kanawha Blvd., East, Building 5, Rm 109
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Traffic and Safety Rules, 157-05

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Victor Mullins victor.a.mullins@wv.gov
Insurance Commission
900 Pennsylvania Avenue
Charleston, WV 25302

From: Legislative Rule-Making Review Committee

Proposed Rule: Health Benefit Plan Network Access and Adequacy, 114-100

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kendra Zamora boardofhearingaiddealers@frontier.com
Landscape Architects
179 Summers Street, Suite 715
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Registration of Landscape Architects, 9-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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To: Mac Warner, Secretary of State, State Register

To: Kendra Zamora boardofhearingaiddealers@frontier.com
Landscape Architects
179 Summers Street, Suite 715
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Application for Waiver of Initial Licensing Fees for Certain Individuals, 9-04

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mark Spangler mark.a.spangler@wv.gov
Medicine
101 Dee Driver, Suite 103
Charleston, WV 25311

From: Legislative Rule-Making Review Committee

Proposed Rule: Registration to Practice During Declared State of Emergency, 11-14

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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Delegate Geoff Foster, Co-Chair
James Fuerhoff, Director

November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Eugene White eugene.e.white@wv.gov
Miners Health Safety and Training
7 Players Club Drive, Suite 2
Charleston, WV 25311

From: Legislative Rule-Making Review Committee

Proposed Rule: Rule Governing the Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of West Virginia, 56-08

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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Delegate Geoff Foster, Co-Chair

James Fuerhoff, Director

November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Adam Holley adam.holley@wv.gov
DMV
5707 MacCorkle Avenue SE
Charleston, WV 25317

From: Legislative Rule-Making Review Committee

Proposed Rule: Special Purpose Vehicles, 91-25

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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James Fuerhoff, Director

November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Blair Taylor blair.m.taylor@wv.gov
Municipal Pensions Oversight Board
301 Eagle Mountain Road, Suite 251
Charleston, WV 25311

From: Legislative Rule-Making Review Committee

Proposed Rule: Exempt Purchasing, 211-02

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Vonda Malnikoff vmalnikoff@wvbot.org
Occupational Therapy
1083 Maple Drive, Suite 4B
Morgantown, WV

From: Legislative Rule-Making Review Committee

Proposed Rule: Telehealth Practice; Requirements, Defintions, 13-09

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jonathan Osborne jonathan.t.osborne@wv.gov
Osteopathic Medicine
405 Capitol Street, Suite 402
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Licensing Procedures for Osteopathic Physicians, 24-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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To: Mac Warner, Secretary of State, State Register

To: Jonathan Osborne jonathan.t.osborne@wv.gov
Osteopathic Medicine
405 Capitol Street, Suite 402
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Emergency Temporary Permits to Practice During States of Emergency or States of Preparedness, 24-09

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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James Fuerhoff, Director

November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Ryan Hatfield ryan.l.hatfield@wv.gov
Pharmacy
2310 Kanawha Boulevard East
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Licensure and Practice of Pharmacy, 15-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed X
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: james.fuerhoff@wvlegislature.gov

WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

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SECRETARY OF STATE

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair
James Fuerhoff, Director

November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Ryan Hatfield ryan.l.hatfield@wv.gov
Pharmacy
2310 Kanawha Boulevard East
Charleston, WV 25311

From: Legislative Rule-Making Review Committee

Proposed Rule: Uniform Controlled Substances Act, 15-02

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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   - (A) as originally filed ____
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To: Mac Warner, Secretary of State, State Register

To: Ryan Hatfield ryan.l.hatfield@wv.gov
Pharmacy
2310 Kanawha Blvd., East
Charleston, WV 25311

From: Legislative Rule-Making Review Committee

Proposed Rule: Board of Pharmacy Rules for Continuing Education for Licensure of Pharmacists, 15-03

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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To: Mac Warner, Secretary of State, State Register

To: Ryan Hatfield ryan.l.hatfield@wv.gov
Pharmacy
2310 Kanawha Blvd., East
Charleston, WV 25311

From: Legislative Rule-Making Review Committee

Proposed Rule: Licensure of Wholesale Drug Distributors, Third Party Logistics Providers, and Manufacturers, 15-05

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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James Fuerhoff, Director

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SECRETARY OF STATE

November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Ryan Hatfield ryan.l.hatfield@wv.gov
Pharmacy
2310 Kanawha Blvd., East
Charleston, WV 25311

From: Legislative Rule-Making Review Committee

Proposed Rule: Controlled Substances Monitoring Program, 15-08

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Dave Sypolt, Co-Chair
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November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Ryan Hatfield ryan.l.hatfield@wv.gov
Pharmacy
2310 Kanawha Boulevard East
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Board of Pharmacy Rules for Immunizations Administered by Pharmacists and Pharmacy Interns, 15-12

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair

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November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kristi Justice kristi.a.justice@wv.gov
Professional Surveyors
1124 Smith Street, Suite B127C
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Examination and Licensing of Professional Surveyors in West Virginia, 23-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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Legislative Rule-Making Review Committee

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Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair
James Fuerhoff, Director

November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Nancy Massey nancy.j.massey@wv.gov
Respiratory Care
106 Dee Drive, Suite 1
Charleston, WV 25311

From: Legislative Rule-Making Review Committee

Proposed Rule: Criteria for Licensure, 30-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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Legislative Rule-Making Review Committee

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Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair
James Fuerhoff, Director

November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mary Jane Pickens maryjane.pickens@wv.gov
Risk and Insurance Management
1124 Smith Street, Suite 4300
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Mine Subsidence Insurance, 115-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Dave Sypolt, Co-Chair
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November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mary Jane Pickens maryjane.pickens@wv.gov
Risk and Insurance Management
1124 Smith Street, Suite 4300
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Public Entities Insurance Program, 115-02

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair

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November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mary Jane Pickens maryjane.pickens@wv.gov
Risk and Insurance Management
1124 Smith Street, Suite 4300
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Procedure for Providing Written Notification of Claims of Potential Liability to the State or Its Employees, 115-05

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair
James Fuerhoff, Director

November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Donald Kersey dkersey@wvsos.gov
Secretary of State
1900 Kanawha Boulevard East, Rm 157K
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Election Systems, Software, Services and Upgrades, 153-10

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

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2020 NOV 17 P 1:31

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair
James Fuerhoff, Director

November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Donald Kersey dkersey@wvsos.gov
Secretary of State
1900 Kanawha Boulevard East, Rm 157K
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Guidelines and Standards for Electronic Notarization, 153-45

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair
James Fuerhoff, Director

November 17, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Robert Roswall robert.e.roswall@wv.gov
Senior Services
1900 Kanawha Blvd., East
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Shared Table Initiative for Senior Citizens, 76-06

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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Legislative Rule-Making Review Committee

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Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair
James Fuerhoff, Director

November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Lisa Paxton lisa.a.paxton@wv.gov
State Emergency Response Commission
2403 Fairlawn Avenue
Dunbar, WV 25064

From: Legislative Rule-Making Review Committee

Proposed Rule: Emergency Planning and Community Right to Know, 55-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

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OFFICE WEST VIRGINIA
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Senator Dave Sypolt, Co-Chair
Delegate Geoff Foster, Co-Chair

November 16, 2020

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Lisa Paxton lisa.a.paxton@wv.gov
State Emergency Respone Commission
2403 Fairlawn Avenue
Dunbar, WV 25064

From: Legislative Rule-Making Review Committee

Proposed Rule: Emergency Planning Grant Program, 55-02

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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Phone: (304) 347-4840 Fax: (304) 347-4901 email: james.fuerhoff@wvlegislature.gov

Orders Report

Docket Number	Agency	Respondent	Date Rendered
[redacted]	**Health Care Authority**	Diversified Assessment & Therapy Services	11/12/2020
[redacted]	**Health Care Authority**	Charleston Area Medical Center, Inc.	11/12/2020
[redacted]	**Health Care Authority**	West Virginia University Hospitals, Inc.	11/4/2020
[redacted]	**Health Care Authority**	LHCG LII, LLC	11/4/2020
[redacted]	**Health Care Authority**	LHCG LII, LLC	11/4/2020
[redacted]	**Health Care Authority**	West Virginia University Hospitals, Inc.	11/4/2020
[redacted]	**Health Care Authority**	Cabell Huntington Hospital, Inc.	11/4/2020
[redacted]	**Health Care Authority**	Cabell Huntington Hospital, Inc.	11/4/2020
[redacted]	**Health Care Authority**	Bio-Medical Applications of West Virginia, Inc.	11/2/2020

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
[redacted]	**David Eugene Thompson**	Logan County Board Of Education	11/2/2020
[redacted]	**David Eugene Thompson**	Logan County Board Of Education	11/2/2020
[redacted]	**Timothy Wayne Abner, et al.**	Division of Corrections and Rehabilitation	11/6/2020
		Bureau of Prisons and Jails	11/6/2020
		North Central Regional Jail and Correctional Facility	11/6/2020
[redacted]	**Zachery Richard Bassham**	Division of Corrections and Rehabilitation	11/6/2020
		Bureau of Prisons and Jails	11/6/2020
		Southwestern Regional Jail and Correctional Facility	11/6/2020
[redacted]	**Christopher Carver**	Division of Corrections and Rehabilitation	11/6/2020
		Bureau of Prisons and Jails	11/6/2020
		Central Regional Jail and Correctional Facility	11/6/2020
[redacted]	**Zachary Beegle, et al.**	Monongalia County Board Of Education	11/6/2020
[redacted]	**Michael F. Bonner**	Division of Forestry	11/6/2020
		Division of Personnel	11/6/2020
[redacted]	**Tami Chatterton, et al.**	Wayne County Board Of Education	11/6/2020
[redacted]	**James R. Hill**	Division of Highways	11/6/2020
[redacted]	**Stefanos Papanikolaou**	West Virginia University	11/6/2020
[redacted]	**Sharon Lea Smith**	Cabell-Huntington Health Department	11/6/2020
[redacted]	**Theresa Holt**	Kanawha County Board Of Education	11/9/2020
[redacted]	**Kyle Arthur, et al.**	Marshall University	11/9/2020
[redacted]	**Kimberly Skidmore**	Webster County Board Of Education	11/9/2020
[redacted]	**Sam Leffingwell**	Putnam County Board Of Education	11/10/2020
[redacted]	**Stephen Podewell**	West Virginia University	11/12/2020

11/19/2020 4:23:59 PM

[redacted]	**Timothy Doty**	Logan County Board Of Education	11/13/2020
[redacted]	**Stephanie LaFauci**	Boone County Board Of Education	11/13/2020
[redacted]	**Deneia Thomas**	West Virginia State University	11/13/2020

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 77-20

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 9-20 required all businesses and operations in West Virginia, except Essential Businesses and Operations as defined therein, to cease all activities within the state except for such minimum basic operations as are necessary to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or related functions, and the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences, and provided exceptions for businesses such as home-based businesses and certain small businesses while requiring proper social distancing and hygiene practices be maintained at such businesses; and

WHEREAS, since the issuance of Executive Order 9-20 and other executive orders ordering closed or otherwise limiting occupancy of certain establishments and facilities in this state, 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 and other medical equipment and supplies, resulting in greater preparedness and response capacity throughout the state; and

WHEREAS, on April 27, 2020, I, Governor Jim Justice, announced the state's reopening plan, West Virginia Strong: *The Comeback* (the "Comeback Plan"), to phase in the reopening of businesses in the state of West Virginia on a week by week basis to most effectively monitor and respond to the public health effects of this phased reopening, to be based upon certain metrics and conditions to safely reopen segments of West Virginia's economy and get our citizens back to work, while ensuring the health and protection of all West Virginians, and especially the state's significant elder and vulnerable population who are at most risk from the COVID-19 virus; and

WHEREAS, Executive Order 28-20 and Executive Order 30-20 allowed for the resumption of all medical procedures throughout the state while requiring that hospitals and ambulatory surgical centers around the state limit procedures to only more urgent procedures to ensure adequate response capacity and preserve necessary personal protective equipment and other resources at such facilities in the event of any surge of COVID-19; and

WHEREAS, under the Comeback Plan, the phased reopening of businesses and activities in West Virginia has allowed our public health experts to effectively monitor the numbers of cases and rate of spread of the virus within this State and across the nation, and to make recommendations based upon the most current data available; and

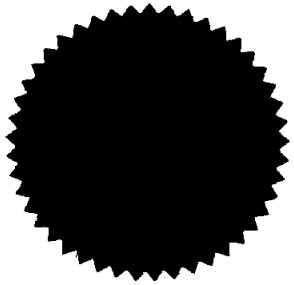
WHEREAS, West Virginia's public health experts have advised that mandating the use of face coverings when in confined, indoor spaces where other individuals may be present, regardless of one's perceived ability to social distance from other individuals, with certain exceptions, is appropriate at this time; and

WHEREAS, West Virginia Code § 61-6-22, which prohibits the wearing of masks or other face coverings that conceal one's identity when in certain settings, including in public buildings, provides that such law does not apply to any person wearing a face covering in response to an emergency or as protection from the elements, and, therefore, this law is not meant to and shall not apply to or be enforced against any person wearing a face covering to protect themselves and the community against the spread of COVID-19, in accordance with this Order; 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 12:01 AM, Eastern Standard Time, on the Fourteenth day of November, Two Thousand Twenty, as follows:

1. That all individuals age 9 and over within the State of West Virginia shall wear an adequate face covering when in confined, indoor spaces where other individuals may be present, regardless of one's perceived ability to social distance from other individuals. Such face covering shall not be required when in one's residence, when individuals are able to physically isolate in a physically separated office or other space when no others are present, or when actively engaged in the consumption of food and/or beverage.
2. That businesses and organizations that invite the public into their facilities shall require compliance with the terms of this Order, shall post adequate signage notifying patrons of the requirements of this Order, and shall enforce the same on their premises.
3. That, under Centers for Disease Control and Prevention guidance, children younger than two years old, anyone who has trouble breathing, and anyone who is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance should not wear face coverings, and therefore such young children, persons who would have trouble breathing through a face covering, and persons who would be unable to remove the face covering without assistance are exempt from the mandate of Section 1 of this Order.
4. That, for children ages two through eight, it is recommended that parents or guardians use their best judgment as to when to assist such children to wear a face covering.
5. That the term "face covering" as used herein shall be construed very broadly to include, by way of example only, cloth face coverings, bandanas or handkerchiefs, face shields, and dust masks, as may be appropriate.
6. That West Virginia Code § 61-6-22, which prohibits the wearing of masks or other face coverings that conceal one's identity when in certain settings, including in public buildings, is not meant to and shall not apply to, or be enforced against, any person wearing a face covering to protect themselves and the community against the spread of COVID-19, in accordance with this Order.
7. That Executive Order 50-20, as its terms have been superseded by the terms of this Order, is hereby terminated and without further effect.

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 Thirteenth day of November, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-eighth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 78-20

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, the holiday season tends to bring families and other groups from different communities together and the potential for transmission of COVID-19 during this time is heightened, and the potential for further transmission of COVID-19 upon re-entry into a congregate setting such as exists in the pre-K through 12 schools throughout the state is likewise heightened during this time; and

WHEREAS, given the heightened public health concerns related to occupancy of educational institutions for in-person instruction during the time of heightened risk during and following the Thanksgiving holiday, West Virginia's public health experts have advised that limiting occupancy by students for in-person instruction at the private and public pre-K through 12 schools throughout the state from Thursday, November 26, 2020, through and including Wednesday, December 2, 2020, is appropriate at this time; 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**, that the private and public pre-K through 12 schools throughout the state shall limit occupancy of their premises to prohibit in-person instruction of or activities by students, but such schools may implement remote learning plans from Thursday, November 26, 2020, through and including Wednesday, December 2, 2020, in order to mitigate the potential for transmission of COVID-19 in school classrooms following the Thanksgiving holiday. All essential student supports, including meal preparation and delivery and special education services, may continue.

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 Thirteenth day of November, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-eighth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 79-20

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 and assisted living facilities 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 continuously monitored, identified, and responded to; and

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

WHEREAS, West Virginia's public health experts have advised that mandating that all doctors, nurses, staff, and employees of the nursing homes and assisted living facilities in this state be tested for COVID-19 twice per week, is appropriate at this time

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,** that all doctors, nurses, staff, and employees working at nursing homes and assisted living facilities throughout the state shall be tested for COVID-19 twice a week until the issuance of a subsequent order modifying, amending, or terminating this Order.

[*Signature Page Follows*]

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 Thirteenth day of November, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-eighth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 80-20

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 9-20 required all businesses and operations in West Virginia, except Essential Businesses and Operations as defined therein, to cease all activities within the state except for such minimum basic operations as are necessary to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or related functions, and the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences, and provided exceptions for businesses such as home-based businesses and certain small businesses while requiring proper social distancing and hygiene practices be maintained at such businesses; and

WHEREAS, since the issuance of Executive Order 9-20 and other executive orders ordering closed or otherwise limiting occupancy of certain establishments and facilities in this state, 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 and other medical equipment and supplies, resulting in greater preparedness and response capacity throughout the state; and

WHEREAS, on April 27, 2020, I, Governor Jim Justice, announced the state's reopening plan, West Virginia Strong: *The Comeback* (the "Comeback Plan"), to phase in the reopening of businesses in the state of West Virginia on a week by week basis to most effectively monitor and respond to the public health effects of this phased reopening, to be based upon certain metrics and conditions to safely reopen segments of West Virginia's economy and get our citizens back to work, while ensuring the health and protection of all West Virginians, and especially the state's significant elder and vulnerable population who are at most risk from the COVID-19 virus; and

WHEREAS, Executive Order 28-20 and Executive Order 30-20 allowed for the resumption of all medical procedures throughout the state while requiring that hospitals and ambulatory surgical centers around the state limit procedures to only more urgent procedures to ensure adequate response capacity and preserve necessary personal protective equipment and other resources at such facilities in the event of any surge of COVID-19; and

WHEREAS, under the Comeback Plan, Executive Order 43-20, among other things, allowed for the resumption of certain sporting activities throughout the state, including little league baseball and softball, school-sanctioned summer band and athletics programs, and other sports; and

WHEREAS, Executive Order 70-20, among other things, prohibited travel sports teams and leagues from coming together or playing in those counties that are in the "Red," "Orange," or "Gold" color categories on the County Alert System due to the prevalence of community spread of COVID-19 in such counties; and

WHEREAS, under the Comeback Plan, the phased reopening of businesses and activities in West Virginia has allowed our public health experts to effectively monitor the numbers of cases and rate of spread of the virus within this State and across the nation, and to make recommendations based upon the most current data available; and

WHEREAS, West Virginia's public health experts have advised that, due to the nature of youth winter sports and the close contact and congregation of participants and spectators, in order to help mitigate the spread of COVID-19 throughout the state, prohibiting youth winter sports teams and leagues from coming together for practice or competition in this state until, at the earliest, January 11, 2021, is appropriate at this time; 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 immediately, that all youth winter sports teams and leagues, whether school-sanctioned or otherwise, including without limitation basketball, swimming, wrestling, and cheerleading, are prohibited from bringing players and/or spectators together into a common area within this state, and that no practices, games, or other competition shall be held in this state until, at the earliest, January 11, 2021. The provisions of this Order supersede any conflicting provisions of Executive Order 9-20, as amended, Executive Order 43-20, and Executive Order 70-20, as the same may be amended from time to time, only with respect to the subject matter hereof.

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 Thirteenth day of November, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-eighth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 81-20

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, suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules of any state agency, if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, Executive Order 7-20 suspended certain provisions and sections of statute, including the date by which annual fees for video lottery machines would be due; and

WHEREAS, at this time, it is appropriate that a date by which annual fees for video lottery machines be reinstated; and

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me pursuant to the provision of Chapter 15, Article 5, Section 6 of the Code of West Virginia, hereby **DECLARE** and **ORDER** that Section 15 of Executive Order 7-20, providing for the suspension of "Deadlines for renewal and payment of annual fees for video lottery machines (W. Va. Code § 29-22B-1102)," is hereby terminated and without further effect, and that such temporarily suspended May 1, 2020 deadline for such annual fee shall be December 15, 2020.

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 Sixteenth day of November, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-eighth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

ANNUAL REPORT - 2018-2020

OTHER

Respectfully Submitted by
Barbara L. Johnson, Executive Director
304-746-7839
wvchiroboard@outlook.com - Email
www.boc.wv.gov - Website

FILED
2020 NOV 19 P 2:12
OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA BOARD

OF CHIROPRACTIC

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

FILED
2020 NOV 16 P 12:00
OFFICE WEST VIRGINIA
SECRETARY OF STATE

November 16, 2020

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **November 13, 2020.**

CERTIFICATE OF NEED APPLICATION RECEIVED

November 12, 2020 - Pegasus Healthcare, LLC d/b/a Pegasus Home Healthcare, LLC, Morgantown, Monongalia County, CON File #20-6-11980-Z, for the development of a home health agency in Morgantown, Monongalia County; no capital expenditure.

EXEMPTION APPLICATIONS WITHDRAWN

November 13, 2020 - WomenCare, Inc. d/b/a FamilyCare Health Centers, Scott Depot, Putnam County, CON File #20-3-11884-X, for the establishment of a community health center to be located at 9709 MacCorkle Avenue, Suite B, Marmet, Kanawha County.

November 13, 2020 - WomenCare, Inc. d/b/a FamilyCare Health Centers, Scott Depot, Putnam County, CON File #20-3-11885-X, for the establishment of a mobile community health center that will provide office-based medical services to students, faculty, and staff of all schools in Madison, Boone County.

November 13, 2020 - WomenCare, Inc. d/b/a FamilyCare Health Centers, Scott Depot, Putnam County, CON File #20-3-11886-X, for the establishment of a community health center to be located at 3911 Teays Valley Road, Hurricane, Putnam County.

EXEMPTION APPLICATIONS APPROVED

November 12, 2020 - Huntington Addiction Wellness Center LLC, Huntington, Cabell County, CON File #20-2-11945-X, for the development of an outpatient behavioral health center in Huntington, Cabell County.

November 12, 2020 - Lotus Recovery Center of Comfort, 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.

November 12, 2020 - Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #20-3-11976-X, for the construction of the CAMC Center for Learning and Research to be located at 3050 Chesterfield Avenue, Charleston, Kanawha County.

CERTIFICATE OF NEED APPROVAL ISSUED

November 12, 2020 - Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #20-4-11917-H, for the provision of physician services at Greenbrier Valley Medical Center located at 1320 Maplewood Avenue, Ronceverte, Greenbrier County; no capital expenditure.

NOTICE OF SUBSTANTIAL COMPLIANCE

The following project has been implemented in substantial compliance with the decision issued in this matter and the case file is now closed.

November 12, 2020 - Diversified Assessment & Therapy Services, Kenova, Wayne County, CON File #18-2-11454-BH, for the provision of ICF/IDD group home services in Wayne County serving children; capital expenditure: $268,250. The final capital expenditure exceeded the previously approved capital expenditure by 12.12%. This does not constitute a substantial change.

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

OTHER

FILED

2020 NOV 17 A 9:26

OFFICE WEST VIRGINIA SECRETARY OF STATE

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
WV Health Care Authority

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

November 17, 2020

NEWS ITEM

The Health Care Authority (Authority), pursuant to the Certificate of Need program, has declared complete and accepted for review the expedited application referenced below:

November 16, 2020 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #20-6-11984-H, for the addition of 32 beds at Fairmont Medical Center in Fairmont, Marion County; capital expenditure: $4,815,000.

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

The review cycle begins on **November 16, 2020**.

On or before **December 16, 2020**, any affected person has the right to request that the Authority hold a public hearing on the project as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will be **December 21, 2020**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the application.

The Decision on the project referenced above will be issued by the Authority after it has reviewed the contents of the case file of the project, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decision will

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be issued on or before **January 15, 2021**.

A press release will be issued after the decision is made. Anyone wishing to be directly notified of the Decision should submit a written request to Barbara Skeen, Director, Certificate of Need, Health Care Authority, 100 Dee Drive, Charleston, West Virginia, 25311-1600. Further information on the project referenced in this news release may be obtained by contacting the Certificate of Need office at telephone number (304) 558-7000.

11-17-20
Date

Barbara Skeen
Barbara Skeen, Director, Certificate of Need
Health Care Authority

OTHER