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

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NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Community & Technical College Education 135-01	Strengthening Career and Technical Education for the 21st Century Act (Perkins V) Funding Formula for WV Council for Community and Technical College Education and WV State Board of Education Procedural	§18B-2B-6	Written Comments Only May 28, 2021, 5:00 pm Angela S. Kerns 1018 Kanawha Blvd., East, Suite 700 Charleston, WV 25301 kerns@wvctcs.org
Community & Technical College Education 135-59	Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program Procedural	§§18B-1-1A, 18B-1-6, 18B-1B-4, 18B-2A-4, 18-2E-11A	Written Comments Only May 28, 2021, 5:00 pm Angela S. Kerns 1018 Kanawha Blvd., East, Suite 700 Charleston, WV 25301 kerns@wvctcs.org
Speech Language Pathology & Audiology 29-01	Licensure of Speech-Pathology and Audiology Legislative	§30-32-7	Written Comments Only June 4, 2021, 4:00 pm WV Bd. Of Exam. For Speech-Language Pathology & Audiology 99 Edmiston Way, Suite 214- Box 11 Buckhannon, WV 26201 wvbeslpa@wv.gov

NEW EMERGENCY RULES FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE OF HEARING**
Speech Language Pathology & Audiology 29-01	Licensure of Speech-Pathology and Audiology	§30-32-7	ERD by June 8, 2021	June 4, 2021

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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

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TITLE	2	ARCHITECTS
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
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TITLE	31	DIETITIANS
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RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Administration (148-01)	Purchasing Legislative	7/7/2020	8/6/2020		8/10/2020	Modified w/Certain Amendments & Approved 12/9/2020	Bundled SB126	4/16/2021	5/1/2021
Agriculture (61-01)	Animal Disease Control Legislative	7/28/2020	8/27/2020		8/27/2020	Approved 12/9/2020	Bundled SB182	4/13/2021	5/3/2021
Agriculture (61-09)	WV Seed Law Legislative	7/28/2020	8/27/2020		8/27/2020	Modified & Approved 12/9/2020 Filed 12/23/2020	Bundled SB182	4/13/2021	5/3/2021
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	7/14/2020	8/13/2020		8/17/2020	Approved 12/9/2020	Bundled SB182	4/13/2021	5/3/2021
Agriculture (61-28)	Poultry Litter and Manure Movement Into Primary Poultry Breeder Rearing Areas Legislative				Sunset Extension 7/27/2020	Approved 12/9/2020	Bundled SB182	4/13/2021	5/3/2021
Agriculture (61-39)	Seed Certification Program Legislative	7/27/2020	8/26/2020		8/26/2020	Modified & Approved 12/9/2020 Filed 12/22/2020	Bundled SB182	4/13/2021	5/3/2021
Agriculture (61-40)	WV Exempted Dairy Farms and Milk and Milk Products Processing Rule Legislative	8/21/2020	9/20/2020		9/21/2020	Approved 12/9/2020	Bundled SB182	4/13/2021	5/3/2021
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020	Bundled HB2382	4/28/2021	6/1/2021
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	Bundled HB2382	4/28/2021	6/1/2021
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	Bundled HB2382	4/28/2021	6/1/2021
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	Bundled HB2382	4/28/2021	6/1/2021
Air Quality (45-33)	Acid Rain Provisions and Permits Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020	Bundled HB2382	4/28/2021	6/1/2021
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020	Bundled HB2382	4/28/2021	6/1/2021

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled HB2382	4/28/2021	6/1/2021
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	Bundled SB182	4/13/2021	5/15/2021
Community & Technical College Ed (135-01)	Strengthening Career and Technical Education for the 21st Century Act (Perkins V) Funding Formula for WV Council for Comm. & Tech. College Ed. and WV State Bd. Of Education Procedural	4/28/2021	5/28/2021						
Community & Technical College Ed (135-59)	Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program Procedural	4/28/2021	5/28/2021						
Education (126-007)	Regulations for Adult Diversion and Transition Programs (Policy 1471) Legislative Exempt	2/10/2021	3/15/2021					4/15/2021	7/1/2021
Education (126-008)	Drug-Free Workplace (Policy 1461) Legislative Exempt	2/10/2021	3/15/2021					4/15/2021	5/17/2021
Education (126-025A)	Standards for Basic and Specialized Health Care Procedures (Policy 2422.7) Legislative Exempt	3/11/2021	4/12/2021						
Education (126-030)	Transformative System of Support for Early Literacy (Policy 2512) Legislative Exempt	4/15/2021	5/17/2021						
Education (126-069)	Regulations for Juvenile Diversion and Transition Programs (Policy 2800) Legislative Exempt	4/15/2021	5/17/2021						
Education (126-084)	Student Driver Eligibility Certificate (Policy 4150) Legislative Exempt	3/11/2021	4/12/2021						

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-143)	County Superintendent Performance Evaluations (Policy 5309) Legislative Exempt	3/11/2021	4/12/2021						
Emergency Management (170-04)	SIRN Emergency Purchasing Procedure Procedural	1/29/2021	3/1/2021						
Emergency Management (170-05)	Purchases During States of Emergency Procedural	1/29/2021	3/1/2021						
Environmental Protection – Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	7/2/2020	8/11/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/11/2020	Bundled HB2382	4/9/2021	6/1/2021
Ethics Commission (158-06)	Use of Office for Private Gain, Including Nepotism Legislative	3/22/2021	4/22/2021						
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 Amendment 11/30/2020 Approved 12/16/2020	8/13/2020	Modified & Approved 11/17/2020 Filed 11/30/2020	Bundled SB160	4/5/2021	5/1/2021
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	Bundled SB156		
Fire Commission (87-10)	Volunteer Fire Department Equipment and Training Grant Funding Disbursement Legislative	4/12/2021	5/31/2021	3/30/2021 ERD by 5/11/2021					
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	Bundled SB156		
Health (64-11)	Behavioral Health Centers Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 1/4/2021	Bundled HB2427		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-12)	Hospital Licensure Legislative	7/1/2020	7/31/2020		8/21/2020	Approved 12/9/2020	Bundled HB2427	4/29/2021	7/1/2021
Health (64-13)	Nursing Home Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/16/2020	Bundled HB2427	4/29/2021	7/1/2021
Health (64-45)	Lead Abatement Licensing Legislative	7/2/2020	8/3/2020		8/21/2020	Modified & Approved 11/17/2020 Filed 12/10/2020	Bundled HB2427		
Health (64-48)	Emergency Medical Services Legislative	9/4/2020	10/5/2020	9/4/2020 Approved 9/30/2020 Amendment 10/1/2020 Approved 10/1/2020 Amendment 1/13/2021 Approved 1/13/2021	11/20/2020	Modified & Approved 12/9/2020 Filed 1/4/2021	Bundled HB2427		
Health (64-59)	Patient Rights at State-Operated Mental Health Facilities Legislative	7/1/2020	7/31/2020		8/26/2020	Modified & Approved 12/9/2020 Filed 12/9/2020	Bundled HB2427	4/29/2021	4/30/2021
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	Modified & Approved 12/9/2020 Filed 12/16/2020	Bundled HB2427	4/29/2021	7/1/2021
Health (64-115)	Diabetes Self-Management Education Legislative	7/2/2020	8/3/2020		8/26/2020	Modified & Approved 11/17/2020 Filed 11/20/2020	Bundled HB2427		
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 Filed 11/20/2020	Bundled HB2427	4/29/2021	4/30/2021

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 12/9/2020 Filed 12/9/2020	Bundled HB2427	4/29/2021	4/30/2021
Health and Human Resources (69-16)	Purchasing Procedures Procedural	3/15/2021	4/14/2021					4/16/2021	5/17/2021
Health Care Authority (65-29)	Exemption from Certificate of Need Legislative	8/24/2020	9/23/2020		9/28/2020	Approved 12/9/2020	Bundled HB2427	4/29/2021	4/30/2021
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	Approved 3/12/2021	HB3299		
Higher Education Policy Comm. (133-64)	Administrative Exemption Legislative	11/20/2020	12/21/2020		3/11/2021	Modified & Approved 3/12/2021	HB3299		
Highways (157-05)	Traffic and Safety Rules Legislative	7/28/2020	8/28/2020		8/28/2020	Approved 11/17/2020	Bundled HB2400		
Highways (157-14)	Contract Administration Purchasing Process Procedural	12/14/2020	1/14/2021					4/6/2021	5/6/2021
Human Services (78-02)	Child Placing Agencies Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/16/2020	Bundled HB2427		
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	Modified & Approved 12/9/2020 Filed 12/15/2020	Bundled HB2427		
Human Services (78-27)	Procedure to Contest the Substantiation of Child Abuse or Neglect Legislative	7/1/2020	7/31/2020		8/26/2020	Modified & Approved 12/9/2020 Filed 12/15/2020	Bundled HB2427		
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	Bundled SB160	4/12/2021	7/1/2021

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled SB160	4/12/2021	7/1/2021
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	Bundled SB160	4/12/2021	7/1/2021
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	Bundled SB160	4/12/2021	7/1/2021
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	Bundled SB160	4/14/2021	5/1/2021
Labor (42-03)	Steam Boiler Inspection Legislative	7/16/2020	8/17/2020		8/24/2020	Modified w/Certain Amendments & Approved 12/9/2020	Bundled SB216	4/27/2021	6/9/2021
Livestock Care Standards Bd. (73-01)	Livestock Care Standards Legislative	7/21/2020	8/20/2020		8/21/2020	Approved 12/9/2020	Bundled SB182	4/13/2021	5/3/2021
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	Bundled SB182		
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	Bundled HB2400		
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	Bundled HB2400		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled HB2400		
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	Bundled SB216	4/15/2021	7/1/2021
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	Bundled SB216	4/15/2021	7/1/2021
Natural Resources (58-56)	Special Migratory Game Bird Hunting Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020	Bundled SB216	4/15/2021	7/1/2021
Natural Resources (58-58)	Special Waterfowl Hunting Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020	Bundled SB216	4/15/2021	7/1/2021
Occupational Therapy (13-09)	Telehealth Practice; Requirements; Definitions Legislative	6/15/2020	8/1/2020		8/10/2020	Approved 11/16/2020	Bundled SB182	4/5/2021	5/1/2021
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	Bundled SB182		
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 Filed 12/2/2020	Bundled SB182		
Pharmacy (15-03)	Continuing Education for Licensure of Pharmacists Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020	Bundled SB182		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-05)	Licensure of Wholesale Drug Distributors, Third Party Logistics Providers, and Manufacturers Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020	Bundled SB182		
Pharmacy (15-08)	Controlled Substances Monitoring Program Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020	Bundled SB182		
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 Filed 12/2/2020	Bundled SB182		
Physical Therapy (16-04)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	7/28/2020	8/27/2020		8/28/2020	Modified & Approved 12/9/2020 Filed 12/16/2020	Bundled SB182	4/6/2021	5/1/2021
Physical Therapy (16-06)	Fees for Athletic Trainers Legislative	7/29/2020	8/28/2020		8/28/2020	Modified & Approved 12/9/2020 Filed 12/16/2020	Bundled SB182	4/6/2021	5/1/2021
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	Bundled SB182		
Public Service Commission (150-02)	Rules for the Construction and Filing of Tariffs Legislative Exempt	8/4/2020	10/5/2020 Extended to 6/15/2021						
Public Service Commission (150-05)	Rules for the Government of Sewer Utilities Legislative Exempt	11/10/2020	1/11/2021 Extended to 1/18/2021						
Public Service Commission (150-07)	Rules for the Government of Water Utilities Legislative Exempt	11/10/2020	1/11/2021 Extended to 1/18/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Extended to 6/15/2021						
Public Service Commission (150-16)	Rules Governing the Transportation of Natural Gas Legislative Exempt	10/7/2020	11/16/2020					4/15/2021	6/14/2021
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/18/2020	7/20/2020		8/21/2020	Modified & Approved 12/9/2020	Bundled SB160	4/29/2021	7/28/2021
Racing Commission (178-02)	Greyhound Racing Legislative	6/18/2020	7/20/2020		8/17/2020	Approved 12/9/2020	Bundled SB160	4/29/2021	4/29/2021
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	Modified & Approved 12/9/2020	Bundled SB160	4/29/2021	4/29/2021
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	Modified & Approved 12/9/2020 Filed 12/11/2020	Bundled SB182	4/19/2021	7/1/2021
Risk and Insurance Management (115-01)	Mine Subsidence Insurance Legislative	7/9/2020	8/8/2020		8/18/2020	Approved 11/17/2020	Bundled SB126		
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 Filed 11/30/2020	Bundled SB126	4/19/2021	5/1/2021
Secretary of State (153-07)	Submission of Other Documents to Solicit Contributions for Charitable Organizations Interpretive	12/7/2020	1/8/2021						
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 Filed 12/4/2020	Bundled SB182		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Filed 12/4/2020	Bundled SB182		
Secretary of State (153-53)	Election Processes and Absentee Eligibility During State of Emergency			3/20/2020 Effective 3/20/2020					
Speech Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	4/28/2021	6/4/2021	4/27/2021 ERD by 6/8/2021					
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	Bundled SB156		
State Emergency Response Comm. (55-02)	Emergency Planning Grant Program Legislative	7/13/2020	8/12/2020		8/28/2020	Approved 11/16/2020	Bundled SB156		
Tax (110-01A)	Valuation of Farmland and Structures Situated Thereon for Ad Valorem Property Tax Purposes Legislative Exempt	Called up in the 2021 Legislative Session					Bundled SB160		
Underground Facilities Damage Prevention Bd. (214-02)	Rules of Procedure for Complaints and Contested Cases Before the WV Underground Facilities Damage Prevention Board Procedural	4/21/2021	5/21/2021						
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	Bundled HB2382	4/19/2021	7/1/2021
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	Modified & Approved 12/9/2020 Filed 12/22/2020	Bundled HB2382	4/22/2021	5/22/2021
Water Resources Division of Water and Waste Management (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	2/9/2021	3/11/2021 Written Comments Extended To 3/26/2021						
Workers Compensation (85-17)	Electronic Submittal of Invoices and Receipt of Payments Legislative Exempt	4/1/2021	5/20/2021						

LEGISLATIVE RULES FILED PER THE SUNSET PROVISION W. Va. Code §29A-3-19 and 29A-3A-20

AGENCY/SERIES NUMBER	RULE/SUNSET DATE	REQUEST	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Community & Technical College Education 135-35	Correspondence, Business, Occupational, and Trade Schools 7/19/2022	4/5/2021	4/27/2021				
Community & Technical College Education 135-52	Annual Reauthorization of Degree-Granting Institutions 7/19/2022	4/6/2021	4/27/2021				
Dangerous Wild Animal Board 74-01	Dangerous Wild Animals 6/5/2022	4/5/2021	4/5/2021				
Insurance Commission 114-98	Adoption of Valuation Manual 5/19/2022	3/31/2021	3/31/2021				
Racing Commission 178-05	Pari-Mutuel Wagering 8/1/2022	4/26/2021					
Registererd Professional Nurses 19-08	Limited Prescriptive Authority for Nurses in Advanced Practice 5/15/2022	3/17/2021					
Risk and Insurance Management 115-07	Patient Injury Compensation Fund 5/1/2022	4/21/2021					

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/28/2021 3:42:48 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

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

AGENCY: Air Quality TITLE-SERIES: 45-08

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

RULE NAME: Ambient Air Quality Standards

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

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

Authorization is cited in (house or senate bill number) HB 2382

Section 64-3-1 (a) Passed On 3/26/2021 12:00:00 AM

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

June 1, 2021

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

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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/28/2021 3:44:34 PM
Office of West Virginia Secretary Of State

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

AGENCY: Air Quality TITLE-SERIES: 45-16

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

RULE NAME: Standards of Performance for New Stationary Sources

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

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

Authorization is cited in (house or senate bill number) HB 2382

Section 64-3-1 (b) Passed On 3/26/2021 12:00:00 AM

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

June 1, 2021

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

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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/28/2021 3:50:25 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

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

AGENCY: Air Quality TITLE-SERIES: 45-18

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

RULE NAME: Control of Air Pollution from Combustion of Solid Waste

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

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

Authorization is cited in (house or senate bill number) HB 2382

Section 64-3-1 (c) Passed On 3/26/2021 12:00:00 AM

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

June 1, 2021

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

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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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4/28/2021 3:54:18 PM
Office of West Virginia Secretary Of State

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

AGENCY: Air Quality TITLE-SERIES: 45-23

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

RULE NAME: Control of Air Pollution from Municipal Solid Waste Landfills

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

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

Authorization is cited in (house or senate bill number) HB 2382

Section 64-3-1 (d) Passed On 3/26/2021 12:00:00 AM

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

June 1, 2021

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

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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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4/28/2021 3:55:46 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

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

AGENCY: Air Quality TITLE-SERIES: 45-33

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

RULE NAME: Acid Rain Provisions and Permits

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

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

Authorization is cited in (house or senate bill number) HB 2382

Section 64-3-1 (e) Passed On 3/26/2021 12:00:00 AM

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

June 1, 2021

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/28/2021 3:57:03 PM
Office of West Virginia Secretary Of State

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

AGENCY: Air Quality TITLE-SERIES: 45-34

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

RULE NAME: Emission Standards for Hazardous Air Pollutants

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

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

Authorization is cited in (house or senate bill number) HB 2382

Section 64-3-1 (f) Passed On 3/26/2021 12:00:00 AM

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

June 1, 2021

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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4/28/2021 3:59:12 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

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

AGENCY: Air Quality TITLE-SERIES: 45-44

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

RULE NAME: Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4 and 22-5-20

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

Authorization is cited in (house or senate bill number) HB 2382

Section 64-3-1 (g) Passed On 3/26/2021 12:00:00 AM

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

June 1, 2021

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/27/2021 10:52:23 AM
Office of West Virginia Secretary Of State

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

AGENCY: Community And Technical College Education TITLE-SERIES: 135-35

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

RULE NAME: 135-35 Business, Occupational, and Trade Schools

PRIMARY CONTACT

NAME: Angela S Kerns

ADDRESS: 1018 Kanawha Blvd East Suite 700

Charleston, WestVirginia 25301

EMAIL: kerns@wvctcs.org

PHONE NUMBER: 304-558-0265

CITE STATUTORY AUTHORITY: 18B-2B-9

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

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

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

COMMENTS RECEIVED:

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

PUBLIC HEARING:

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/27/2021 2:47:05 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

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

AGENCY: Community And Technical College Education TITLE-SERIES: 135-52

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

RULE NAME: 135-52 Annual Reauthorization of Degree-Granting Institutions

PRIMARY CONTACT

NAME: Angela S Kerns

ADDRESS: 1018 Kanawha Blvd East Suite 700

Charleston, WestVirginia 25301

EMAIL: kerns@wvctcs.org

PHONE NUMBER: 304-558-0265

CITE STATUTORY AUTHORITY: §18B-4-7

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

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

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

COMMENTS RECEIVED:

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

PUBLIC HEARING:

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/29/2021 1:51:19 PM
Office of West Virginia Secretary Of State

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

AGENCY: Health TITLE-SERIES: 64-12

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

RULE NAME: Hospital Licensure

CITE STATUTORY AUTHORITY: 16-5B-8

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

Authorization is cited in (house or senate bill number) 2427

Section 64-5-1(b) Passed On 4/6/2021 12:00:00 AM

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

July 1, 2021

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

August 01, 2026

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/29/2021 2:01:30 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

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

AGENCY: Health TITLE-SERIES: 64-13

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

RULE NAME: Nursing Home Licensure

CITE STATUTORY AUTHORITY: 16-1-4, 16-5C-5, and 16-5C-21(b).

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

Authorization is cited in (house or senate bill number) 2427

Section 64-5-1(c) Passed On 4/6/2021 12:00:00 AM

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

July 1, 2021

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

August 01, 2026

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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/29/2021 1:12:42 PM
Office of West Virginia Secretary Of State

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

AGENCY: Health TITLE-SERIES: 64-59

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

RULE NAME: PATIENT RIGHTS AT STATE-OPERATED MENTAL HEALTH FACILITIES

CITE STATUTORY AUTHORITY: 27-5-9(g)

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

Authorization is cited in (house or senate bill number) 2427

Section (g) Passed On 4/6/2021 12:00:00 AM

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

April 30, 2021

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

August 01, 2026

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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/29/2021 2:06:37 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

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

AGENCY: Health TITLE-SERIES: 64-60

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

RULE NAME: DELEGATION OF MEDICATION ADMINISTRATION AND HEALTH MAINTENANCE TASKS TO APPROVED MEDICATION ASSISTIVE PERSONNEL

CITE STATUTORY AUTHORITY: 16-5O-11 and 16-5AA-6

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

Authorization is cited in (house or senate bill number) 2427

Section 64-5-1(h) Passed On 4/6/2021 12:00:00 AM

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

July 1, 2021

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

August 01, 2026

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/29/2021 12:54:35 PM
Office of West Virginia Secretary Of State

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

AGENCY: Health And Human Resources TITLE-SERIES: 69-10

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

RULE NAME: West Virginia Clearance for Access: Registry and Employment Screening

CITE STATUTORY AUTHORITY: 16-49-9

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

Authorization is cited in (house or senate bill number) 2427

Section (j) Passed On 4/6/2021 12:00:00 AM

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

April 30, 2021

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

August 01, 2026

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
4/29/2021 12:58:08 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

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

AGENCY: Health And Human Resources TITLE-SERIES: 69-15

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

RULE NAME: RECOVERY RESIDENCE CERTIFICATION AND ACCREDITATION PROGRAM

CITE STATUTORY AUTHORITY: 16-59-2(g)

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

Authorization is cited in (house or senate bill number) 2427

Section (k) Passed On 4/6/2021 12:00:00 AM

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

April 30, 2021

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

August 01, 2026

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

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WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION
INCOME MAINTENANCE MANUAL CHANGE FORM

Please Stamp Filing Date
FILED
2021 APR 26 P 1:14
OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF FILING CHANGES TO PUBLIC ASSISTANCE MANUAL WITH THE SECRETARY OF STATE

AGENCY:	**West Virginia Department of Health and Human Resources**	**BUREAU:**	**Children & Families**
TITLE OF MANUAL TO WHICH POLICY IS BEING FILED:	**Income Maintenance Manual 801**		
STATE RULE:	**FEDERAL RULE:**	**EFFECTIVE DATE:**	**March 2021**
CHANGE NUMBER:	**Updated New Income Maintenance Manual**		
CHAPTERS/SECTIONS EFFECTED:	**4 App A, 17 & AFG**		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	Update burial guidelines. Clarified SNAP E&T policy regarding high school age students. Updated terminology and acronyms of SNAP partner.

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

The above policy is hereby filed as an incorporated portion of an existing legislative rule.

Monica Hamm
Authorized Signature

CONTACT:
Office of the Secretary
West Virginia Department of Health and Human Resources
State Capitol Complex, Building 3, Room 206
Charleston, West Virginia 25305
304.558.7899 Telephone

WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION
INCOME MAINTENANCE MANUAL CHANGE FORM

Please Stamp Filing Date
FILED
2021 APR 26 P 1:14
OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF FILING CHANGES TO PUBLIC ASSISTANCE MANUAL WITH THE SECRETARY OF STATE

AGENCY:	**West Virginia Department of Health and Human Resources**	**BUREAU:**	**Children & Families**

TITLE OF MANUAL TO WHICH POLICY IS BEING FILED: **Income Maintenance Manual**

STATE RULE:	**FEDERAL RULE:**	**EFFECTIVE DATE:**	**3/1/2021**
CHANGE NUMBER:	**Updated New Income Maintenance Manual**		**802**
CHAPTERS/SECTIONS EFFECTED:	**4, 10 & 22**		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:

Effective March 1, 2021 a change is made to update the income guidelines based on the Federal Poverty Level (FPL). Updates are made to Chapter 4 Appendix A and Appendix E; Chapter 10 Appendix A and B; and Chapter 22 Appendix B for WVCHIP and Medicaid.

Effective March 1, 2021 a change is made to update the Cost-of-Living Adjustment (COLA) for 2021. The COLA increased by 1.3% effective January 2021. All automatic updates through the data system are effective March 2021.

The RAPIDS COLA Mass Change occurs January 30,2021. RAPIDS reports for the COLA update becomes available February 1, 2021. Case updates that are required to be manually updated by a worker must be completed by the adverse action date deadline in February, effective March 2021. RAPIDS notified designated Supervisors electronically regarding Pickle Assistance Groups affected by COLA.

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

The above policy is hereby filed as an incorporated portion of an existing legislative rule.

Authorized Signature

CONTACT:
Office of the Secretary
West Virginia Department of Health and Human Resources
State Capitol Complex, Building 3, Room 206
Charleston, West Virginia 25305
304.558.7899 Telephone

LEGISLATIVE

WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION
INCOME MAINTENANCE MANUAL CHANGE FORM

Please Stamp Filing Date
FILED
2021 APR 26 P 1:14
OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF FILING CHANGES TO PUBLIC ASSISTANCE MANUAL WITH THE SECRETARY OF STATE

AGENCY:	**West Virginia Department of Health and Human Resources**	**BUREAU:**	**Children & Families**

TITLE OF MANUAL TO WHICH POLICY IS BEING FILED: **Income Maintenance Manual**

STATE RULE:	**FEDERAL RULE:**	**EFFECTIVE DATE:**	**April 1, 2021**
CHANGE NUMBER:	**Updated New Income Maintenance Manual 803**		
CHAPTERS/SECTIONS EFFECTED:	**1, 10, 17, 18, 21 and AFG**		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE: The purpose of this change is clarifying last dollar in for SNAP E&T and include new SNAP E&T DFA forms. Further clarify SNAP shelter deduction and update example and reported change chart. Clarified donated vehicle and dental/vision referrals for WV WORKS. Change phone number for DFA.

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

The above policy is hereby filed as an incorporated portion of an existing legislative rule.

Authorized Signature

CONTACT:
Office of the Secretary
West Virginia Department of Health and Human Resources
State Capitol Complex, Building 3, Room 206
Charleston, West Virginia 25305
304.558.7899 Telephone

Revision 07/07

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Bill J. Crouch
Cabinet Secretary

April 27, 2021

FILED
2021 APR 29 P 12: 19
OFFICE WEST VIRGINIA
SECRETARY OF STATE

The Honorable Mac Warner
Secretary of State
State Capitol Building, Suite 157-K
Charleston, West Virginia 25305-0770

Dear Secretary Warner:

Please place within the Orders File of the State Register the attached Order and Fee Schedule revising the licensure fees for health care facilities licensed by the West Virginia Department of Health and Human Resources.

The health facility licensure fees will be increased by 1.36 percent, which is the rate of growth to the Consumer Price Index over a period of 12 months from January 1, 2020, to December 31, 2020, pursuant to the following authorities:

Hospitals and Similar Institutions, W. Va. Code §16-5B-4;
Nursing Homes, W. Va. Code §16-5C-6(e);
Assisted Living Residences, W. Va. Code §16-5D-6(i);
Residential Care Communities, W. Va. Code §16-5N-6(e);
Chronic Pain Management Clinics, W. Va. Code R. §69-8-4.4.1.;
Medication-Assisted Treatment/Opioid Treatment Programs, W. Va. Code R. §69-11-6.3.a.; and
Medication-Assisted Treatment/Office-Based MAT, W. Va. Code R. §69-12-6.3.a.

The new licensure fees will become effective: June 1, 2021.

Sincerely,

Bill J. Crouch
Cabinet Secretary

BJC:alr

Enclosures

cc: Jolynn Marra
Starlah Wilcox

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

LEGISLATIVE

FILED
2021 APR 29 P 12: 19

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Bill J. Crouch
Cabinet Secretary

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ORDER

In accordance with the provisions of W. Va. Code §16-5B-4; §16-5C-6(e); §16-5D-6(i); §16-5N-6(e); and W. Va. Code R. §69-8-4.4.a.; §69-11-6.3.a.; and §69-12-6.3.a., the Cabinet Secretary of the Department of Health and Human Resources hereby approves and files with the Secretary of State the attached schedule of licensure fees for certain health care facilities. The adjusted health care facility licensure fees shall become effective June 1, 2021.

Bill J. Crouch
Cabinet Secretary

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

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
OFFICE OF INSPECTOR GENERAL
Office of Health Facility Licensure and Certification
408 Leon Sullivan Way
Charleston, West Virginia 25301-1713
Telephone: (304) 558-0050 Fax: (304) 558-2515

Bill J. Crouch
Cabinet Secretary

Jolynn Marra
Interim Inspector General

EFFECTIVE: JUNE 1, 2021

	Licensure Fees		
Facility Type	**Initial**	**Renewal**	
Hospitals:			
General, Psychiatric, Rehab			
5-49 Beds	$ 1129.89	$1129.89	
50-99 Beds	$ 1691.36	$1,691.36	
100-199 Beds	$ 2254.34	$2,254.34	
200 & over	$ 2822.24	$2,822.24	
Nursing Homes	$ 200.00	$ 23.59	per bed
Assisted Living Residence	$ 65.00	$ 8.39	per bed
Residential Care Communities	$ 75.00	$ 6.25	per bed
Medication Assisted Treatment Programs			
Opioid Treatment Programs:			
1-499 Patients	$ 250.00	$ 550.62	
500-1000 Patients	$ 250.00	$1101.25	
1001 or more Patients	$ 250.00	$1,651.86	
Office Based Programs:			
1-50 Patients	$ 250.00	$ 275.31	
51-100 Patients	$ 250.00	$ 330.37	
101-200 Patients	$ 250.00	$ 440.49	
201 or more Patients	$ 250.00	$ 550.62	
Chronic Pain Management Clinics			
1-499 Patients	$ 250.00	$ 277.32	
500 - 1000 Patients	$ 250.00	$ 554.65	
1001 or more Patients	$ 250.00	$ 831.97	

LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/29/2021 1:18:09 PM
Office of West Virginia
Secretary Of State

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

AGENCY: Health Care Authority TITLE-SERIES: 65-29

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

RULE NAME: Exemption from Certificate of Need

CITE STATUTORY AUTHORITY: 16-2D-4(a)(2), 16-2D-11, and 16-29B-8(a)(1).

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

Authorization is cited in (house or senate bill number) 2427

Section 64-5-2 Passed On 4/6/2021 12:00:00 AM

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

April 30, 2021

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

August 01, 2026

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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/27/2021 10:55:16 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Labor TITLE-SERIES: 42-03

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

RULE NAME: High-Pressure Steam Boiler and Forced Flow Steam Generator Requirements

CITE STATUTORY AUTHORITY: W. Va. Code § 21-3-7

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

Authorization is cited in (house or senate bill number) SB 216

Section § 64-10-2 Passed On 3/11/2021 12:00:00 AM

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

June 9, 2021

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

June 09, 2031

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/29/2021 3:59:40 PM
Office of West Virginia
Secretary Of State

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

AGENCY: Racing Commission TITLE-SERIES: 178-01

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

RULE NAME: Thoroughbred Racing

CITE STATUTORY AUTHORITY: WV Code §§19-23-2(a), 19-23-3(17), 19-23-6, 19-23-8, 19-23-9, 19-23-13, 19-23-13b and 19-23-15

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

Authorization is cited in (house or senate bill number) SB 160

Section 64-7-4 Passed On 3/23/2021 12:00:00 AM

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

July 28, 2021

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

August 01, 2031

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.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/29/2021 4:08:14 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Racing Commission TITLE-SERIES: 178-02

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

RULE NAME: Greyhound Racing

CITE STATUTORY AUTHORITY: W. Va. Code §§ 19-23-2(a), 19-23-3(17), 19-23-6, 19-23-8, 19-23-10, 19-23-13 and 19-23-15

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

Authorization is cited in (house or senate bill number) SB 160

Section 64-7-4 Passed On 3/23/2021 12:00:00 AM

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

April 29, 2021

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

August 01, 2031

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.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/26/2021 2:43:22 PM
Office of West Virginia
Secretary Of State

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Racing Commission TITLE-SERIES: 178-05

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: W. Va. Code §19-23-6

RULE NAME: 178-05 Pari-Mutuel Wagering

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

5 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[ ] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [ ] INCORPORATED BY REFERENCE [ ]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

This rule regulates all pari-mutuel wagering occurring in West Virginia. The rule is expressly required by WV Code 19-23-6. The agency seeks to extend the sunset date for 5 years without any amendments to the rule at this time.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

The rule is set to expire on August 1, 2022 and needs to be extended inasmuch as WV Code 19-23-6 requires this rule.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

This rule has no impact on revenues to state government inasmuch as it merely regulates the types of pari-mutuel wagers that can be conducted. The statute authorizing pari-mutuel wagering in WV has been in existence in WV since the 1930s.

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

This rule has no economic impact to the state or its residents.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/29/2021 4:10:47 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Racing Commission TITLE-SERIES: 178-10

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

RULE NAME: Advance Deposit Account Wagering

CITE STATUTORY AUTHORITY: WV Code §19-23-12e(l).

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

Authorization is cited in (house or senate bill number) SB 160

Section 64-7-4 Passed On 3/23/2021 12:00:00 AM

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

April 29, 2021

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

August 01, 2026

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.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/28/2021 10:51:20 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: SpeechLanguage Pathology And Audiology TITLE-SERIES: 29-01

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

RULE NAME: Licensure of Speech-Pathology and Audiology

CITE STATUTORY AUTHORITY: 30-32-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/04/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: WV Board of Examiners for Speech-Language Pathology & Audiology

ADDRESS: 99 Edmiston Way, Suite 214 - Box 11

Buckhannon, WV 26201

EMAIL: wvbeslpa@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/28/2021 4:42:06 PM
Office of West Virginia
Secretary Of State

PROCEDURAL

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Community And Technical College Education TITLE-SERIES: 135-01

RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeal of existing rule: Yes

RULE NAME: Strengthening Career and Technical Education for the 21st Century Act (Perkins V) Funding Formula for West Virginia Council for Community and Technical College Education and West Virginia State Board of Education

CITE STATUTORY AUTHORITY: 18B-2B-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/28/2021 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Angela S. Kerns

ADDRESS: 1018 Kanawha Blvd., East, Suite 700

EMAIL: kerns@wvctcs.org

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/28/2021 3:38:35 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Community And Technical College Education TITLE-SERIES: 135-59

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

RULE NAME: Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program

CITE STATUTORY AUTHORITY: 18B-1-1A, 18B-1-6, 18B-1B-4, 18B-2A-4, 18-2E-11A

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/28/2021 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Angela S. Kerns

ADDRESS: 1018 Kanawha Blvd., East, Suite 700

EMAIL: kerns@wvctcs.org

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/27/2021 3:30:40 PM
Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: SpeechLanguage Pathology And Audiology TITLE-SERIES: 29-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Licensure of Speech-Pathology and Audiology

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

30-32-7

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

HB2024

PRIMARY CONTACT:

NAME: Patty Nesbitt

ADDRESS: 99 Edmiston Way Suite 214 Box 11

Buckhannon, WV 26201

EMAIL: wvbeslpa@wv.gov

PHONE NUMBER: 304-473-4289

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

Orders Report

Docket Number	Agency	Respondent	Date Rendered
21-1C-02044	**Insurance Commission**	Indy Health Insurance Company, Inc.	4/19/2021
05-FY-2021	**Medical Imaging And Radiation Therapy Technology Board Of Examiners**	Allison Ashenfelter	4/27/2021
N/A	**Medicine, West Virginia Board Of**	Joseph Anthony Jurand, MD	4/22/2021
20-18-W	**Medicine, West Virginia Board Of**	Vincent Anthony Lombardi, MD	4/22/2021
18-147-W	**Medicine, West Virginia Board Of**	Lawrence Bennett Kelly, MD	4/22/2021

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

FILED

2021 APR 26 A 11:01

OFFICE WEST VIRGINIA SECRETARY OF STATE

OTHER

April 26, 2021

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **April 23, 2021**.

APPLICATIONS FOR EXEMPTION RECEIVED

April 21, 2021 – 499 Ferguson Road PropCo LLC, Howell, New Jersey, CON File #21-7-12072-X, for the acquisition of the assets and operations, including, without limitation, real and personal property, of Nella's, Inc., a skilled nursing facility located at 499 Ferguson Road, Building 1, Elkins, Randolph County.

April 21, 2021 – 499 Ferguson Road OpCo LLC, Howell, New Jersey, CON File #21-7-12073-X, for the operation of the skilled nursing facility known as Nella's, Inc. located at 499 Ferguson Road, Building 1, Elkins, Randolph County.

April 21, 2021 – 200 Whitman Avenue PropCo LLC, Howell, New Jersey, CON File #21-7-12074-X, for the acquisition of the assets and operations, including, without limitation, real and personal property, in connection with a skilled nursing facility known as Nella's Nursing Home, Inc. located at 200 Whitman Avenue, Elkins, Randolph County.

April 21, 2021 – 200 Whitman Avenue OpCo LLC, Howell, New Jersey, CON File #21-7-12075-X, for the operation of the skilled nursing facility known as Nella's Nursing Home, Inc. located at 200 Whitman Avenue, Elkins, Randolph County.

April 23, 2021 – HHC River Park, Inc. d/b/a River Park Hospital, Huntington, Cabell County, CON File #21-2-12076-X, for the conversion of thirteen of River Park Hospital's licensed psychiatric residential treatment facility beds to acute psychiatric beds.

PROJECT EXEMPT FROM REVIEW

April 19, 2021 – Med-Surg Physician Group, Beckley, Raleigh County, CON File #21-1-12058-X, for the expansion of its current behavioral health and addiction services to include inpatient detoxification, inpatient short-term and long-term treatment.

RENEWAL GRANTED

April 22, 2021 - First Center LLC and Citenik Properties LLC, Charleston, Kanawha County, CON File #17-2-11142-NH, for the development of a 97-bed nursing home in Cabell County; capital expenditure: $20,000,000.

Renewal granted through March 31, 2022.

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:

April 22, 2021 - Berkeley Medical Center, Martinsburg, Berkeley County, CON File #20-9-11878-P, for the development of an ambulatory health care facility in Berkeley County through the development of imaging services; capital expenditure: $278,680.

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