WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXVIII

Issue 20

May 21, 2021

A Weekly Publication

Administrative Law Division

Mac Warner
Secretary of State
Bldg. 1, Suite 157K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770

(304) 558-6000

sos.wv.gov

CONTENTS

Chronological Index

Rule Monitor

Notices

a. **Legislative Rules**
b. **Interpretive Rules**
c. **Procedural Rules**
d. **Emergency Rules**
e. **LRMRC and LOCEA**

Legislative Interims

Orders

Ethics Commission Opinions

Grievances Reports

Office of Tax Appeal Decisions

Governor's Executive Orders

Attorney General Opinions

Other Documents or Information Filed

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

Health

Health Care Authority

Medicine

CHRONOLOGICAL INDEX, VOLUME XXXVIII ISSUE 20			
NO NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

NEW EMERGENCY RULES FILED THIS WEEK				
AGENCY	RULE/TYPE	AUTHORITY	EFFECTIVE DATE	DATE NOTICE OF HEARING
Health (64-12)	Hospital Licensure	§16-5B-8	ERD by July 1, 2021	Rule must be put out for public comment by June 19, 2021

Office of the Secretary of State
State Capitol
Charleston, West Virginia 25305

Mac Warner
Secretary of State
State of West Virginia

Telephone: (304) 558-6000
Toll Free: 1-866-SOS-VOTE
Fax: (304) 558-0900
www.wvsos.gov

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
TITLE	24	OSTEOPATHIC MEDICINE
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE	30	RESPIRATORY CARE
TITLE	31	DIETITIANS
TITLE	32	ACUPUNCTURE
TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE	35	OIL AND GAS
TITLE	36	COAL MINE HEALTH AND SAFETY
TITLE	38	MINING AND RECLAMATION
TITLE	42	LABOR
TITLE	45	AIR QUALITY
TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH AND HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	87	FIRE COMMISSION
TITLE	89	PUBLIC DEFENDER SERVICES
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	145	DEVELOPMENT OFFICE
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	155	AUDITOR
TITLE	157	HIGWAYS
TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE	177	ATHLETIC COMMISSION
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
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
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
Coal Mine Health and Safety (36-44)	Rule Governing Mine Rescue Requirements for the Office of Miners' Health, Safety and Training Legislative Exempt	5/3/2021	6/17/2021						
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

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-013C)	Non-public School Accreditation (Policy 2330) Legislative Exempt	5/13/2021	6/14/2021						
Education (126-025A)	Standards for Basic and Specialized Health Care Procedures (Policy 2422.7) Legislative Exempt	3/11/2021	4/12/2021					5/13/2021	7/1/2021
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					5/13/2021	7/1/2021
Education (126-143)	County Superintendent Performance Evaluations (Policy 5309) Legislative Exempt	3/11/2021	4/12/2021						
Education (126-146)	Service Personnel Classification, Competency Testing, and Professional Learning (5314) Legislative Exempt	5/13/2021	6/14/2021						
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		5/12/2021				
Fire Commission (87-10)	Volunteer Fire Department Equipment and Training Grant Funding Disbursement Legislative	4/12/2021	5/31/2021	3/30/2021 Effective 5/11/2021					

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	5/12/2021	7/1/2021
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	4/30/2021	6/1/2021
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 (64-12)	Hospital Licensure Legislative			5/20/2021 ERD by 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	4/30/2021	7/1/2021
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	4/30/2021	7/1/2021
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	4/30/2021	7/1/2021

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Education Policy Comm. (133-59)	Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program Procedural	4/30/2021	6/1/2021						
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		
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	5/11/2021	7/1/2021
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	4/30/2021	7/1/2021
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	4/30/2021	7/1/2021
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
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

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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
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
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	5/19/2021	6/1/2021
Miners Health Safety and Training (56-03)	Rule Governing the Safety of Those Employed in and Around Surface Mines in WV Legislative	5/7/2021	6/7/2021	5/7/2021 ERD by 6/18/2021					
Miners Health Safety and Training (56-11, repeal)	Rule Governing First-Aid Training of Shaft and Slope Employees Legislative	5/7/2021	6/7/2021						
Miner Training Education and Certification (48-01)	Standards for Certification of Underground Belt Examiners for Underground Coal Mines Legislative Exempt	5/3/2021	6/17/2021						
Miner Training Education and Certification (48-02)	Safety Training Program for Prospective Underground Coal Miners Legislative Exempt	5/3/2021	6/17/2021						
Miner Training Education and Certification (48-03)	Safety Training Programs for Prospective Surface Coal Miners Legislative Exempt	5/3/2021	6/17/2021						
Miner Training Education and Certification (48-04)	Initial Training Program for Prospective Mine Rescue Team Members and Additional Mine Rescue Requirements Legislative Exempt	5/3/2021	6/17/2021						
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	5/7/2021	6/14/2021

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-46)	Defining the Terms Used in All Hunting and Trapping Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020	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
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	5/11/2021	6/11/2021
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	5/11/2021	6/11/2021
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	5/11/2021	6/11/2021
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	5/11/2021	6/11/2021

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	5/11/2021	6/11/2021
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	5/11/2021	6/11/2021
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						
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
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

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	5/4/2021	8/1/2021
Secondary School Activities Comm. (127-02)	Athletics, Provisioins Governing Eligibility Legislative Exempt	5/13/2021	6/14/2021						
Secondary School Activities Comm. (127-03)	Provisions Governing Contests Legislative Exempt	5/13/2021	6/14/2021						
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		
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	5/12/2021	7/1/2021
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	5/12/2021	7/1/2021
State Emergency Response Comm. (55-03)	Requests for Information Pursuant to the Community Right to Know Act Procedural	5/12/2021	6/11/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		
Tax (110-15F)	Sales Tax Holiday Legislative	5/11/2021	6/11/2021	5/7/2021 ERD by 6/18/2021					
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**
Auditor 155-08	Procedure for Local Levying Bodies to Apply for Permission to Extend Time to Meet as Levying Body 7/1/2022	5/13/2021					
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				
Health 64-103	Expedited Paratner Therapy 6/1/2022	5/10/2021	5/10/2021				
Health and Human Resources 69-11	Medication-Assisted treatment – Opioid Treatment Programs 6/1/2022	5/10/2021	5/10/2021				
Higher Education Policy Commission 133-48	Research Trust Fund 8/5/2022	5/5/2021	5/5/2021				
Higher Education Policy Commission 133-52	Annual Reauthorization of Degree-Granting Institutions 8/5/2022	5/5/2021	5/5/2021				
Insurance Commission 114-98	Adoption of Valuation Manual 5/19/2022	3/31/2021	3/31/2021				
Public Service Commission (150-37)	Telephone Conduit Occupancy 8/1/2022	5/6/2021					
Racing Commission 178-05	Pari-Mutuel Wagering 8/1/2022	4/26/2021	4/30/2021				
Registererd Professional Nurses 19-08	Limited Prescriptive Authority for Nurses in Advanced Practice 5/15/2022	3/17/2021	5/10/2021				
Risk and Insurance Management 115-07	Patient Injury Compensation Fund 5/1/2022	4/21/2021					
Secretary of State 153-03	Voter Registration at the Division of Motor Vehicles 5/23/2022	5/10/2021	5/10/2021				
Secretary of State 153-05	Voter Registration List Maintenance by the Secretary of State 5/23/2022	5/10/2021	5/10/2021				

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**
Treasurer 112-04	Procedures for Deposit of Monies with the State Treasurer's Office by State Agencies 6/1/2022	5/5/2021	5/6/2021				
Treasurer 112-06	Selection of State Depositories for Disbursement Accounts through Competitive Bidding 6/1/2022	5/6/2021	5/6/2021				
Treasurer 112-07	Selection of State Depositories for Receipt Accounts 6/1/2022	5/7/2021	5/7/2021				
Treasurer 112-08	Procedures for Processing Payments from the State Treasury 6/1/2022	5/7/2021	5/7/2021				

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
5/19/2021 10:23:25 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: Medicine TITLE-SERIES: 11-14

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

RULE NAME: Registration to Practice During Declared State of Emergency

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

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

Authorization is cited in (house or senate bill number) SB 182

Section § 64-9-7 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:

June 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

Mark A Spangler -- 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
5/20/2021 2:30:01 PM
Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Health

TITLE-SERIES: 64-12

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

RULE NAME: Hospital Licensure

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

16-5B-8

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

n/a

PRIMARY CONTACT:

NAME: April Robertson

ADDRESS: One Davis Square Suite 100E

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PHONE NUMBER: 130-455-8914 9

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
21-3-12077-X	**Health Care Authority**	Braley & Thompson, Inc.	5/14/2021
21-3-12057-X	**Health Care Authority**	Charleston Area Medical Center, Inc.	5/7/2021
21-3-12067-X	**Health Care Authority**	Charleston Area Medical Center, Inc.	5/7/2021
21-10/11-12071-X	**Health Care Authority**	West Virginia United Health System, Inc.	5/7/2021
21-2-12033-X	**Health Care Authority**	Williamson Health and Wellness Center, Inc.	5/7/2021
20-3-11958-P	**Health Care Authority**	Boone Memorial Hospital, Inc.	3/17/2021
20-2-11852-P	**Health Care Authority**	St. Mary's Medical Center, Inc.	3/17/2021
21-9-12042-X	**Health Care Authority**	The Renovo Center LLC	3/17/2021
19-6-11770-H	**Health Care Authority**	United Hospital Center, Inc.	3/17/2021
21-9-12036-X	**Health Care Authority**	War Memorial Hospital, Inc.	3/8/2021
20-4-11963-A	**Health Care Authority**	Ronceverte Physician Group, LLC	3/8/2021
21-1-12041-X	**Health Care Authority**	New Life Clinics, Inc.	3/8/2021
N/A	**Medicine, West Virginia Board Of**	Sunita Mishra, MD	5/13/2021

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2020-1425-DHHR	Carla Miller	Health And Human Resources	5/3/2021
		Mildred Mitchell-Bateman Hospital	5/3/2021
2021-1851-DHHR	Vickie L. Crager	Health And Human Resources	5/4/2021
		Mildred-Bateman Hospital	5/4/2021
		Division Of Personnel	5/4/2021
2021-2248-DOA	Jennifer Harless	Office of Technology	5/4/2021
2021-2011-GSC	Matthew Michael Thiele	Glenville State College	5/4/2021
2020-0867-KanED	Arron Reginald White	Kanwaha County Board of Education	5/4/2021
2021-2362-JefED	Melody Johnson	Jefferson County Board Of Education	5/5/2021
2021-1916-CONS	Jennifer Wentz	Health And Human Resources	5/6/2021
		Bureau for Public Health	5/6/2021
2021-2145-MAPS	Shawn Marple	Corrections and Rehabilitation	5/7/2021
		Bureau of Prisons and Jails	5/7/2021
		Ohio County Correctional Center and Jail	5/7/2021
		Division Of Personnel	5/7/2021
2020-1066-DOT	Nichalous H. Anello	Highways	5/7/2021
2021-2126-PSCWVU	Kadam Arjel	West Virginia University Potomac State College	5/10/2021
2020-1144-CONS	Tamela Hicks	Health And Human Resources	5/10/2021
		William R. Sharpe Jr Hospital	5/10/2021
2020-1559-CONS	Tamela Hicks	Health And Human Resources	5/10/2021
		William R. Sharpe, Jr. Hospital	5/10/2021
2021-1884-DHHR	Diane Blankenship	Health And Human Resources	5/10/2021
		Mildred Mitchell-Bateman Hospital	5/10/2021
		Division Of Personnel	5/10/2021

5/20/2021 9:27:54 AM

2021-2206-CONS	**Harry Bohon, JR., et. al.,**	Corrections and Rehabilitation	5/10/2021
		Bureau of Prisons and Jails	5/10/2021
		Salem Correctional Center and Jail	5/10/2021
2019-1782-DHHR	**Daniel Green**	Health And Human Resources	5/11/2021
		Mildred-Bateman Hospital	5/11/2021
2020-0780-MAPS	**Brandon T. Davis**	Corrections and Rehabilitation	5/11/2021
		Bureau of Juvenile Services	5/11/2021
		Gene Spadaro Juvenile Center	5/11/2021
2020-0570-MAPS	**Timothy M. Holley**	Corrections and Rehabilitation	5/11/2021
		Juvenile Services	5/11/2021
		Gene Spadaro Juvenile Center	5/11/2021
2020-0781-MAPS	**Joshua A. McCoy**	Corrections and Rehabilitation	5/11/2021
		Gene Spadaro Juvenile Center	5/11/2021
		Bureau of Juvenile Services	5/11/2021
2021-2365-DodED	**Connie S. Cox**	Doddridge County Board Of Education	5/12/2021
2019-0681-MU	**Mohammed Ferdjallah**	Marshall University	5/13/2021
2019-1892-CONS	**William Courts**	Kanawha County Board Of Education	5/13/2021
2019-0402-CONS	**Rebecca Jennings et al.,**	Health And Human Resources	5/13/2021
		Bureau For Children And Families	5/13/2021
2021-0981-CONS	**Christine Kinnngham, et. al.,**	Kanawha County Board Of Education	5/14/2021
2021-0966-CONS	**Howard Mize, et, al.,**	Kanawha County Board Of Education	5/14/2021
2021-2166-FayCH	**Roy Clifford Massey, IV**	Fayette County Health Department	5/14/2021
2021-1022-CONS	**Shelly Armstrong, et. al.,**	Kanawha County Board Of Education	5/14/2021

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 16-21

By the Governor

WHEREAS, a State of Emergency was declared on March 16, 2020 for all counties in West Virginia, 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 77-20 as amended by Executive Order 12-21 (together, the "Face Covering Order"), mandates the use of face coverings for all individuals age 9 and over within the State of West Virginia 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; and

WHEREAS, West Virginia's public health experts have advised that, because of the State's successful campaign to vaccinate her most vulnerable population and the expanded availability of vaccinations for adults and children as young as 12 years of age, and in light of updated guidance from the Centers for Disease Control and Prevention ("CDC") no longer recommending that "fully vaccinated" (as defined by the CDC) people need to wear face coverings, amending the provisions of the Face Covering Order, to exclude from the requirements of such order the population that has been fully vaccinated against COVID-19, and maintaining that the use of face coverings shall remain a requirement for any persons who are not yet fully vaccinated against COVID-19, is appropriate at this time; and

WHEREAS, those individuals who have not yet been vaccinated are strongly encouraged to seek out one of the State of West Virginia's many vaccination sites to receive their free and safe vaccine and to support the State of West Virginia in our *Call to Arms,* so that we can achieve our goal to *Beat 588 . . . Bad*; 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,** effective immediately, that the Face Covering Order is hereby amended as follows:

1. Individuals who have been fully vaccinated against COVID-19 are not subject to the requirement that all individuals age 9 and over within the State of West Virginia wear a face covering when in confined, indoor spaces where other individuals may be present.
2. Individuals who have not yet been fully vaccinated against COVID-19 remain subject to the requirement that all individuals age 9 and over within the State of West Virginia wear a face covering when in confined, indoor spaces where other individuals may be present, with certain exceptions provided in the Face Covering Order.
3. As used herein, people are considered "fully vaccinated" (1) two weeks after their second dose in a 2-dose series, such as Pfizer or Moderna, or (2) two weeks after a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine.
4. Private entities and businesses as well as public school systems and institutions of higher learning retain the authority to set their own rules and require face coverings for entrance onto their premises, regardless of an individual's vaccination status, at their discretion.

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 Fourteenth day of May, in the year of our Lord, Two Thousand Twenty-One in the One Hundred Fifty-Eighth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

CHARLESTON

EXECUTIVE ORDER NO. 17-21

BY THE GOVERNOR

WHEREAS, the Legislature of the State of West Virginia (the "State") adopted House Concurrent Resolution No. 105 (the "Resolution") on the 23rd day of July, 2019, in conjunction with the "Roads To Prosperity Amendment of 2017" (Constitutional Amendment passed October 2017), and chapter seventeen, article twenty-six-a (the "Act") of the Code of West Virginia, One Thousand Nine Hundred Thirty-One, as amended (the "Code"), all relating to authorizing the governor (the "Governor") to incur indebtedness during the fiscal year ending June 30, 2021, not to exceed two hundred million dollars ($200,000,000) to match available federal funds for highway and bridge construction and for general highway and secondary roads and bridge construction or improvements in each of the fifty-five counties of the State; and

WHEREAS, pursuant to the Resolution, it is necessary and desirable for the State to issue its General Obligation State Road Bonds, Series 2021 A (the "Bonds"); and

WHEREAS, Executive Order 14-21 entered by me, as Governor, on May 7, 2021 (the "Initial Order") provided that the Bonds would be sold to the lowest true interest cost bidder pursuant to a competitive bid scheduled to be opened on May 18, 2021 (the "Sale Date"); and

WHEREAS, a Notice of Sale with respect to the Bonds (the "Notice of Sale") was published in The Bond Buyer on May 14, 2021, which provided for one bidding group for the Bonds; and

WHEREAS, the State has received 7 qualifying bids for the purchase of the Bonds; and

WHEREAS, upon the advice of Public Resources Advisory Group, the State's financial advisor (the "Financial Advisor"), it has been determined that the lowest true interest cost bidder for the purchase of the Bonds is BofA Securities Inc. (the "Successful Bidder"); and

WHEREAS, this Order is being entered for the purposes of approving and confirming the sale of the Bonds to the Successful Bidder and providing for the terms of the Bonds, all as described in the Initial Order; and

WHEREAS, the proceeds of the sale of the Bonds to the Successful Bidder (plus any original issue premium and less any original issue discount) shall be deposited into a separate subaccount in the State Road Fund held in the Treasury and shall be used as provided in the Act; and

WHEREAS, certain action is required of me, as Governor, in order for the Bonds to be issued and sold.

NOW, THEREFORE, I, JIM JUSTICE, GOVERNOR, pursuant to and by the authority vested in me as the Chief Executive Officer of this State, do hereby **FIND, DETERMINE** and **ORDER** that:

Section 1. Incorporation. The provisions of the Initial Order are incorporated and made a part of this Order as though set forth in full herein, and are hereby ratified and confirmed.

Section 2. Issuance of the Bonds. The issuance of the Bonds on behalf of the State in the aggregate principal amount of $200,000,000 and dated June 3, 2021 is hereby authorized and approved. The respective interest rates per annum and the maturity schedule and provisions for payment or redemption for the Bonds are set forth in Exhibit A hereto and incorporated herein by reference. The Bonds shall finally mature on June 1, 2046. The form of the Bonds, attached as Exhibit B hereto is hereby approved, subject to appropriate insertions and variations as are approved by me, as Governor; the Bonds shall be executed by the manual or facsimile signature of the Governor and attested by the manual or facsimile signature of the Secretary of State, and the great seal of the State of West Virginia shall be impressed or imprinted thereon; and the Bonds shall be delivered to the Co-Registrar, for registration, authentication and delivery as provided herein.

Section 3. Sale of the Bonds. Based upon the analysis of the Financial Advisor, the Successful Bidder is hereby declared the lowest bidder for the Bonds. The Bonds shall be sold to the Successful Bidder (or at Successful Bidder's direction, a syndicate led by the Successful Bidder) at a true interest cost (as defined in the Notice of Sale) of 2.557%. For the purchase of the

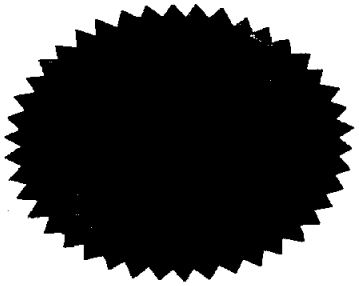
Bonds, the Successful Bidder shall wire to the State $262,510,525 (par amount plus original issue premium of $62,510,525). At closing, the State will wire the Successful Bidder's original purchaser's discount in the amount of $245,081.20 from the Roads to Prosperity Bond Debt Service Fund.

Section 4. Official Statement. The final Official Statement of the State with respect to the Bonds, to be dated the date of sale of the Bonds, in substantially the form attached hereto as Exhibit C together with any amendments or supplements thereto as I shall approve in consultation with the Financial Advisor, Bond Counsel, Disclosure Counsel and other advisors to the State (as so amended and supplemented, the "Official Statement"), in connection with the sale of the Bonds, is hereby confirmed and approved. As Governor, I shall execute and deliver an appropriate number of copies of such Official Statement to the Successful Bidder for distribution to prospective purchasers thereof and other interested persons.

Section 5. Effective Date. This Order shall take effect on the date hereof.

IN WITNESS WHEREOF, We have hereunto set our hands 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 Eighteenth day of May, in the year of our Lord, Two Thousand Twenty-One in the One Hundred Fifty-Eighth year of the State.



GOVERNOR

By the Governor

SECRETARY OF STATE

EXHIBIT A

$200,000,000
State of West Virginia General Obligation State Road Bonds
Series 2021 A

Principal Amounts, Interest Rates and Prices
Optional and Mandatory Redemption

Maturity Date	Amount ($)	Rate	Yield		Price
06/01/2024	2,455,000	5.000%	0.300%		114.000
12/01/2024	2,545,000	5.000%	0.350%		116.136
06/01/2025	2,545,000	5.000%	0.440%		118.035
12/01/2025	2,670,000	5.000%	0.490%		120.024
06/01/2026	2,680,000	5.000%	0.590%		121.672
12/01/2026	2,810,000	5.000%	0.620%		123.624
06/01/2027	2,810,000	5.000%	0.720%		125.066
12/01/2027	2,950,000	5.000%	0.780%		126.673
06/01/2028	2,955,000	5.000%	0.840%		128.201
12/01/2028	3,100,000	5.000%	0.900%		129.649
06/01/2029	3,105,000	5.000%	0.980%		130.838
12/01/2029	3,260,000	5.000%	1.030%		132.210
06/01/2030	3,260,000	5.000%	1.080%		133.513
12/01/2030	3,425,000	5.000%	1.110%		134.961
06/01/2031	3,425,000	5.000%	1.140%		136.364
12/01/2031	3,595,000	5.000%	1.170%	*	136.026
06/01/2032	3,600,000	5.000%	1.220%	*	135.464
12/01/2032	3,775,000	5.000%	1.240%	*	135.241
06/01/2033	3,785,000	5.000%	1.250%	*	135.129
12/01/2033	3,975,000	5.000%	1.270%	*	134.906
06/01/2034	3,970,000	5.000%	1.280%	*	134.795
12/01/2034	4,170,000	5.000%	1.290%	*	134.683
06/01/2035	4,175,000	5.000%	1.310%	*	134.461
12/01/2035	4,380,000	5.000%	1.320%	*	134.350
06/01/2036	4,385,000	5.000%	1.350%	*	134.018
12/01/2036	4,605,000	5.000%	1.360%	*	133.908
06/01/2037	4,605,000	5.000%	1.390%	*	133.577
12/01/2037	4,840,000	5.000%	1.400%	*	133.467
06/01/2038	4,840,000	5.000%	1.430%	*	133.137
12/01/2038	5,080,000	5.000%	1.440%	*	133.027
06/01/2039	5,085,000	5.000%	1.470%	*	132.699
12/01/2039	5,340,000	5.000%	1.480%	*	132.590
06/01/2040	5,340,000	5.000%	1.510%	*	132.263
12/01/2040	5,615,000	5.000%	1.520%	*	132.154
06/01/2041	5,610,000	5.000%	1.550%	*	131.828
12/01/2041	5,895,000	5.000%	1.560%	*	131.720
06/01/2042	5,895,000	5.000%	1.590%	*	131.395
12/01/2042	6,195,000	5.000%	1.600%	*	131.287
06/01/2043	6,195,000	5.000%	1.620%	*	131.072
12/01/2043	6,505,000	5.000%	1.630%	*	130.964
06/01/2044	6,510,000	5.000%	1.650%	*	130.749
12/01/2044	6,840,000	5.000%	1.660%	*	130.642
06/01/2045	6,835,000	5.000%	1.680%	*	130.428
12/01/2045	7,180,000	5.000%	1.690%	*	130.321
06/01/2046	7,185,000	5.000%	1.700%	*	130.214

* Priced to an optional redemption date of June 1, 2031.

[The remainder of this page intentionally left blank.]

REDEMPTION PROVISIONS

Optional Redemption

The Bonds maturing on or after December 1, 2031, are subject to optional redemption at the option of the State, prior to maturity, on or after June 1, 2031, in whole or in part at any time from amounts deposited with the Paying Agent by the State and from other funds available therefor at a redemption price of par, plus accrued interest to the date fixed for redemption. Redemption shall be made at such times as the State shall, not later than 45 days prior to the date on which any Bond may be optionally redeemed, designate in a certificate delivered to the Registrar.

EXHIBIT B

BOND FORM

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the State or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

UNITED STATES OF AMERICA
STATE OF WEST VIRGINIA
GENERAL OBLIGATION STATE ROAD BONDS,
SERIES 2021 A

No. AR-1 $_____

INTEREST RATE	MATURITY DATE	BOND DATE	CUSIP
_____%	[June][December] 1, 20__	_____	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

KNOW ALL MEN BY THESE PRESENTS: That the STATE OF WEST VIRGINIA (the "State"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner specified above, or registered assigns (the "Registered Owner"), on the Maturity Date specified above, upon presentation and surrender hereof, the Principal Amount specified above and to pay interest on said Principal Amount from the Interest Payment Date (as hereinafter defined) preceding the date of authentication hereof or, if authenticated after the Record Date (as hereinafter defined) but prior to the applicable Interest Payment Date or on said Interest Payment Date, from said Interest Payment Date or, if no interest has been paid, from the Bond Date specified above, at the Interest Rate per annum specified above, semiannually, on June 1 and December 1 in each year, beginning December 1, 2021 (each an "Interest Payment Date"), until maturity or until the date fixed for redemption if this Bond is called for prior redemption and payment on such date is provided for. The Treasurer of the State of West Virginia, Charleston, West Virginia, shall act in the capacities of co-registrar and paying agent for the Bonds (the "Paying Agent").

Interest accruing on this Bond on and prior to the Maturity Date hereof shall be payable by check or draft mailed by the Paying Agent to the Registered Owner hereof as of the applicable Record Date (each May 15 and November 15) or, in the event of a default in the payment of Bonds, that special record date to be fixed by the Paying Agent by notice given to the Registered Owners not less than 10 days prior to said special record date at the address of such Registered Owner as it appears on the registration books of the State maintained by United Bank, Charleston, West Virginia, as co-registrar (the "Co-Registrar"), or, at the option of any Registered Owner of at least $1,000,000 in aggregate principal amount of Bonds, by wire transfer in immediately available funds to a domestic bank account specified in writing by the Registered Owner to the Paying Agent at least 5 days prior to such Record Date. Principal and premium, if any, shall be

paid when due upon presentation and surrender of this Bond for payment to the Paying Agent, in Charleston, West Virginia.

This Bond is one of a series of bonds of the State designated as "General Obligation State Road Bonds, Series 2021 A" (the "Bonds"), issued by the State in the aggregate principal amount of Two Hundred Million Dollars ($200,000,000.00). The Bonds are in fully registered form, without coupons, and are issued under the authority of and in full compliance with the Constitution and statutes of the State of West Virginia, including particularly, the "Roads To Prosperity Amendment of 2017" of the West Virginia Constitution (the "Amendment"), Chapter 17, Article 26A of the West Virginia Code of 1931, as amended (the "Bond Act"), House Concurrent Resolution 105 duly adopted by the Legislature of the State of West Virginia (the "Legislature") on July 23, 2019 (the "Resolution"), an Executive Order entered by the Governor of the State on May 7, 2021 (the "Initial Order"), and an Executive Order entered by the Governor of the State on May 18, 2021 (the "Subsequent Order", and together with the Initial Order, the "Executive Order"). The terms and provisions of the Amendment, the Bond Act, the Resolution and the Executive Order are hereby incorporated by reference as if set forth fully herein. The Bonds are issued on parity with the State's $167,600,000 General Obligation State Road Bonds, Series 2018 A, issued June 7, 2018, the State's $632,400,000 General Obligation State Road Bonds, Series 2018 B, issued June 7, 2018, the State's $600,000,000 General Obligation State Road Bonds, Series 2019 A, dated December 17, 2021, and any bonds subsequently issued payable from the Roads to Prosperity Bond Debt Service Fund.

This Bond may be transferred or exchanged by the Registered Owner hereof upon surrender of this Bond to the Paying Agent at its office in Charleston, West Virginia, accompanied by a written instrument or instruments of transfer in form, with instructions, and with guaranty of signature satisfactory to the Paying Agent, duly executed by the Registered Owner of this Bond or his attorney-in-fact or legal representative. The Paying Agent shall enter any transfer of ownership of this Bond in the registration books and the Co-Registrar shall authenticate and deliver in the name of the transferee or transferees a new fully registered bond or bonds of authorized denominations of the same maturity and form for the aggregate denominations of the same maturity and form for the aggregate amount which the transferee is entitled to receive at the earliest practicable time. The State and the Paying Agent may deem and treat the registered owner hereof as the absolute owner thereof (whether or not this Bond shall be overdue) for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and the State and the Paying Agent shall not be affected by any notice to the contrary. All payments made to the Registered Owner of a Bond, as herein provided, shall be valid and effectual to satisfy in full and discharge the liability of the State upon the Bond as paid.

This Bond, together with all other general obligation state road bonds previously, concurrently or hereafter issued, is a general obligation of the State of West Virginia and is payable equally, ratably and without priority or distinction as between all such bonds. Additionally, this Bond is secured by the pledge set forth in the Bond Act. Pursuant to the Bond Act, the Bonds and the interest thereon shall be exempt from taxation by the State, or any county, district or municipality thereof.

Optional Redemption Provisions

The Bonds maturing on or after December 1, 2031 are subject to optional redemption at the option of the State, prior to maturity, on or after June 1, 2031, in whole or in part at any time from amounts deposited with the Paying Agent by the State and from other funds available therefor at a redemption price of par, plus accrued interest to the date fixed for redemption. Redemption shall be made at such times as the State shall, not later than 45 days prior to the date on which any Bond may be optionally redeemed, designate in a certificate delivered to the Registrar.

Notice of any redemption of Bonds shall be given by the Paying Agent or the Co-Registrar, on behalf of the State, to the registered owners of the Bonds to be redeemed at least thirty (30) and not more than sixty (60) days prior to the date fixed for redemption, in accordance with the directions and requirements of DTC, and by first-class mail, postage prepaid, or electronic means at the address appearing in the register or at such other address as is furnished in writing by the registered owner to the Paying Agent. Failure to receive such notice or any defect therein or in the mailing thereof shall not affect the validity of any proceedings for the redemption of the Bonds and failure to mail such notice shall not affect the validity of any such proceedings for any

Bond with respect to which no such failure has occurred. Notice of redemption having been given in the manner described herein, and moneys necessary for the redemption of the Bonds having been deposited, the Bonds specified in such notice shall, on the date fixed for redemption, become due and payable and from and after such date (unless the State shall default in the payment of the redemption price), such Bonds shall cease to bear interest.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required by the laws of the State of West Virginia to exist, to have happened or to have been performed, precedent to or in connection with the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that the amount of this Bond, together with all other obligations of said State, does not exceed any limit prescribed by the Constitution or statutes of the State of West Virginia; that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of West Virginia; that the full faith and credit and resources of the State have been irrevocably pledged within the limitations prescribed by the Constitution and statutes of the State to secure the payment of the principal of and interest on this Bond; that an annual State tax shall be collected in an amount sufficient to pay as they may accrue the principal of and interest on this Bond; and that such tax shall be levied in any year only to the extent that the moneys transferred to the debt service fund created pursuant to the Bond Act which are irrevocably set aside and appropriated for and applied to the payment of the principal of and interest on any general obligation State road bonds are insufficient therefor.

The State and the Paying Agent shall not be required to issue or transfer any Bonds during a period beginning with the close of business on the Record Date next preceding any Interest Payment Date and ending at the close of business on such Interest Payment Date. Both the principal of and interest on this Bond shall be payable in the lawful money of the United States of America and this Bond and the interest hereon shall be exempt from taxation by the State of West Virginia, or by any county, district or municipality thereof. The State has caused CUSIP numbers to be printed on the Bonds, and has directed the Paying Agent to use such numbers in notices, if any, as a convenience to bondholders. No representation is made as to the accuracy of such numbers either as printed on the Bonds or as contained in any notice.

This Bond shall not be entitled to any benefit under the Amendment, Bond Act, Resolution or the Executive Order, nor shall it be valid, obligatory or enforceable for any purpose until this Bond shall have been authenticated by an authorized officer of United Bank as Co-Registrar.

IN WITNESS WHEREOF, THE STATE OF WEST VIRGINIA has caused this Bond to be duly signed in its name and on its behalf by the GOVERNOR of the STATE OF WEST VIRGINIA and countersigned by the SECRETARY OF STATE of the STATE OF WEST VIRGINIA and has caused the great seal of the State of West Virginia to be hereto affixed in the manner provided in the Executive Order, all as of the Bond Date.

STATE OF WEST VIRGINIA

_____

Governor

_____

Secretary of State

GREAT SEAL OF THE
STATE OF WEST VIRGINIA

REGISTRAR'S CERTIFICATE OF
AUTHENTICATION AND REGISTRATION

This Bond is one of the Bonds of the Series designated therein, described in the within-mentioned Executive Order and has been duly registered in the name of the Registered Owner set forth above, as of the date set forth below.

Date of Authentication: _____, 2021

UNITED BANK,
as Co-Registrar

By _____
Its Authorized Officer

ASSIGNMENT

Social Security or Other Identifying Number of Assignee _____
_____

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto
_____
_____
_____ the within Bond and does hereby irrevocably constitute and appoint _____
_____
_____ to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____, _____.

_____
_____

SIGNATURE GUARANTEED:

_____
(Bank, Trust Company or Firm)

_____
(Authorized Officer)

NOTICE: The Assignor's signature to this Assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

EXHIBIT C

OFFICIAL STATEMENT
(See Tab 8 of Transcript)

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

CHARLESTON

EXECUTIVE ORDER NO. 18-21

BY THE GOVERNOR

WHEREAS, the Legislature of the State of West Virginia (the "State") adopted House Concurrent Resolution No. 68 (the "Resolution") on the 6th day of April, 2021, in conjunction with the "Safe Roads Amendment of 1996" (Constitutional Amendment passed November 1996), chapter seventeen, article twenty-six (the "Bond Act") of the Code of West Virginia, One Thousand Nine Hundred Thirty-One, as amended (the "Code"), and chapter thirteen, article two-g of the Code (the "Refunding Act," and together with the Bond Act, the "Act"), all relating to authorizing the governor (the "Governor") to incur indebtedness during the fiscal year ending June 30, 2021 or the fiscal year ending June 30, 2022, not to exceed twenty-two million dollars ($22,000,000) to provide funds to currently refund all outstanding State of West Virginia General Obligation State Road Refunding Bonds, Series 2010 A, dated July 22, 2010, and issued in the aggregate principal amount of $35,135,000 (the "Bonds to be Refunded"); and

WHEREAS, pursuant to the Resolution, it is necessary and desirable for the State to issue its General Obligation State Road Refunding Bonds, Series 2021 B (the "Bonds"); and

WHEREAS, Executive Order 15-21 entered by me, as Governor, on May 7, 2021 (the "Initial Order") provided that the Bonds would be sold to the lowest true interest cost bidder pursuant to a competitive bid scheduled to be opened on May 18, 2021 (the "Sale Date"); and

WHEREAS, a Notice of Sale with respect to the Bonds (the "Notice of Sale") was published in The Bond Buyer on May 14, 2021, which provided for one bidding group for the Bonds; and

WHEREAS, the State has received 5 qualifying bids for the purchase of the Bonds; and

WHEREAS, upon the advice of Public Resources Advisory Group, the State's financial advisor (the "Financial Advisor"), it has been determined that the lowest true interest cost bidder for the purchase of the Bonds is Morgan Stanley & Co, LLC (the "Successful Bidder"); and

WHEREAS, this Order is being entered for the purposes of approving and confirming the sale of the Bonds to the Successful Bidder and providing for the terms of the Bonds, all as described in the Initial Order; and

WHEREAS, the proceeds of the sale of the Bonds to the Successful Bidder (plus any original issue premium and less any original issue discount) shall be deposited into an irrevocable escrow deposit trust fund (the "Escrow Fund") created and established pursuant to an agreement (the "Escrow Agreement") between the State and United Bank, Charleston, West Virginia, as Escrow Agent ("Escrow Agent") and shall be used to purchase direct non-callable obligations of the United States of America or obligations the principal and interest of which are guaranteed by the United States of America, and to be applied to pay the interest coming due on and the principal of or redemption price of the Bonds to be Refunded; and

WHEREAS, certain action is required of me, as Governor, in order for the Bonds to be issued and sold.

NOW, THEREFORE, I, JIM JUSTICE, GOVERNOR, pursuant to and by the authority vested in me as the Chief Executive Officer of this State, do hereby **FIND, DETERMINE** and **ORDER** that:

Section 1. Incorporation. The provisions of the Initial Order are incorporated and made a part of this Order as though set forth in full herein, and are hereby ratified and confirmed.

Section 2. Issuance of the Bonds. The issuance of the Bonds on behalf of the State in the aggregate principal amount of $14,085,000 and dated June 3, 2021 is hereby authorized and approved. The respective interest rates per annum and the maturity schedule and provisions for payment or redemption for the Bonds are set forth in Exhibit A hereto and incorporated herein by reference. The Bonds shall finally mature on June 1, 2023. The form of the Bonds, attached as Exhibit B hereto is hereby approved, subject to appropriate insertions and variations as are approved by me, as Governor; the Bonds shall be executed by the manual or facsimile signature of the Treasurer and attested by the manual or facsimile signature of the Auditor, and the great seal

of the State of West Virginia shall be impressed or imprinted thereon; and the Bonds shall be delivered to the Co-Registrar, for registration, authentication and delivery as provided herein.

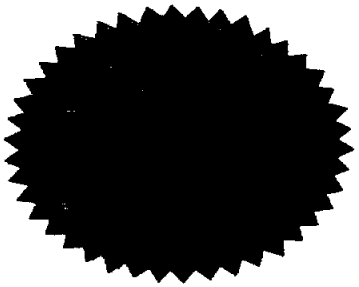
Section 3. Sale of the Bonds. Based upon the analysis of the Financial Advisor, the Successful Bidder is hereby declared the lowest bidder for the Bonds. The Bonds shall be sold to the Successful Bidder (or at Successful Bidder's direction, a syndicate led by the Successful Bidder) at a true interest cost (as defined in the Notice of Sale) of 0.182406%. For the purchase of the Bonds, the Successful Bidder shall wire to the State $14,944,670.40 (par amount plus original issue premium of $859,670.40). At closing, the State will wire the Successful Bidder's original purchaser's discount in the amount of $8,547.49 from the Safe Roads Bond Debt Service Fund.

Section 4. Official Statement. The final Official Statement of the State with respect to the Bonds, to be dated the date of sale of the Bonds, in substantially the form attached hereto as Exhibit C together with any amendments or supplements thereto as I shall approve in consultation with the Financial Advisor, Bond Counsel, Disclosure Counsel and other advisors to the State (as so amended and supplemented, the "Official Statement"), in connection with the sale of the Bonds, is hereby confirmed and approved. As Governor, I shall execute and deliver an appropriate number of copies of such Official Statement to the Successful Bidder for distribution to prospective purchasers thereof and other interested persons.

Section 5. Effective Date. This Order shall take effect on the date hereof.

IN WITNESS WHEREOF, We have hereunto set our hands 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 Eighteenth day of May, in the year of our Lord, Two Thousand Twenty-One in the One Hundred Fifty-Eighth year of the State.



GOVERNOR

By the Governor

SECRETARY OF STATE

EXHIBIT A

$14,085,000
State of West Virginia General Obligation State Road Refunding Bonds
Series 2021 B

Principal Amounts, Interest Rates and Prices
Optional and Mandatory Redemption

Maturity Date	Amount ($)	Rate	Yield	Price
12/01/2021	3,435,000	5.000%	0.090%	102.426
06/01/2022	3,435,000	5.000%	0.110%	104.858
12/01/2022	3,610,000	5.000%	0.120%	107.284
06/01/2023	3,605,000	5.000%	0.170%	109.612

[The remainder of this page intentionally left blank.]

REDEMPTION PROVISIONS

Optional Redemption

The Bonds shall not be subject to optional redemption.

EXHIBIT B

BOND FORM

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the State or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

UNITED STATES OF AMERICA
STATE OF WEST VIRGINIA
GENERAL OBLIGATION STATE ROAD REFUNDING BONDS,
SERIES 2021 B

No. BR-1 $_____

INTEREST RATE	MATURITY DATE	BOND DATE	CUSIP
__ %	[June][December] 1, 20__	_____	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

KNOW ALL MEN BY THESE PRESENTS: That the STATE OF WEST VIRGINIA (the "State"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner specified above, or registered assigns (the "Registered Owner"), on the Maturity Date specified above, upon presentation and surrender hereof, the Principal Amount specified above and to pay interest on said Principal Amount from the Interest Payment Date (as hereinafter defined) preceding the date of authentication hereof or, if authenticated after the Record Date (as hereinafter defined) but prior to the applicable Interest Payment Date or on said Interest Payment Date, from said Interest Payment Date or, if no interest has been paid, from the Bond Date specified above, at the Interest Rate per annum specified above, semiannually, on June 1 and December 1 in each year, beginning December 1, 2021 (each an "Interest Payment Date"), until maturity or until the date fixed for redemption if this Bond is called for prior redemption and payment on such date is provided for. The Treasurer of the State of West Virginia, Charleston, West Virginia, shall act in the capacities of co-registrar and paying agent for the Bonds (the "Paying Agent").

Interest accruing on this Bond on and prior to the Maturity Date hereof shall be payable by check or draft mailed by the Paying Agent to the Registered Owner hereof as of the applicable Record Date (each May 15 and November 15) or, in the event of a default in the payment of Bonds, that special record date to be fixed by the Paying Agent by notice given to the Registered Owners not less than 10 days prior to said special record date at the address of such Registered

Owner as it appears on the registration books of the State maintained by United Bank, Charleston, West Virginia, as co-registrar (the "Co-Registrar"), or, at the option of any Registered Owner of at least $1,000,000 in aggregate principal amount of Bonds, by wire transfer in immediately available funds to a domestic bank account specified in writing by the Registered Owner to the Paying Agent at least 5 days prior to such Record Date. Principal and premium, if any, shall be paid when due upon presentation and surrender of this Bond for payment to the Paying Agent, in Charleston, West Virginia.

This Bond is one of a series of bonds of the State designated as "General Obligation State Road Refunding Bonds, Series 2021 B" (the "Bonds"), issued by the State in the aggregate principal amount of Fourteen Million Eighty-Five Thousand Dollars ($14,085,000.00). The Bonds are in fully registered form, without coupons, and are issued under the authority of and in full compliance with the Constitution and statutes of the State of West Virginia, including particularly, the "Safe Roads Amendment of 1996" of the West Virginia Constitution (the "Amendment"), Chapter 17, Article 26 of the West Virginia Code of 1931, as amended (the "Bond Act"), House Concurrent Resolution 68 duly adopted by the Legislature of the State of West Virginia (the "Legislature") on April 6, 2021 (the "Resolution"), an Executive Order entered by the Governor of the State on May 7, 2021 (the "Initial Order"), and an Executive Order entered by the Governor of the State on May 18, 2021 (the "Subsequent Order", and together with the Initial Order, the "Executive Order"). The terms and provisions of the Amendment, the Bond Act, the Resolution and the Executive Order are hereby incorporated by reference as if set forth fully herein. The Bonds are issued on parity with the State's $133,710,000 General Obligation State Road Refunding Bonds, Series 2015 A, issued April 28, 2015, and any bonds subsequently issued payable from the Safe Roads Bond Debt Service Fund.

This Bond may be transferred or exchanged by the Registered Owner hereof upon surrender of this Bond to the Paying Agent at its office in Charleston, West Virginia, accompanied by a written instrument or instruments of transfer in form, with instructions, and with guaranty of signature satisfactory to the Paying Agent, duly executed by the Registered Owner of this Bond or his attorney-in-fact or legal representative. The Paying Agent shall enter any transfer of ownership of this Bond in the registration books and the Co-Registrar shall authenticate and deliver in the name of the transferee or transferees a new fully registered bond or bonds of authorized denominations of the same maturity and form for the aggregate denominations of the same maturity and form for the aggregate amount which the transferee is entitled to receive at the earliest practicable time. The State and the Paying Agent may deem and treat the registered owner hereof as the absolute owner thereof (whether or not this Bond shall be overdue) for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and the State and the Paying Agent shall not be affected by any notice to the contrary. All payments made to the Registered Owner of a Bond, as herein provided, shall be valid and effectual to satisfy in full and discharge the liability of the State upon the Bond as paid.

This Bond, together with all other general obligation state road bonds previously, concurrently or hereafter issued, is a general obligation of the State of West Virginia and is payable equally, ratably and without priority or distinction as between all such bonds. Additionally, this Bond is secured by the pledge set forth in the Bond Act. Pursuant to the Bond Act, the Bonds and the interest thereon shall be exempt from taxation by the State, or any county, district or municipality thereof.

Optional Redemption Provisions

The Bonds are not subject to optional redemption.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required by the laws of the State of West Virginia to exist, to have happened or to have been performed, precedent to or in connection with the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that the amount of this Bond, together with all other obligations of said State, does not exceed any limit prescribed by the Constitution or statutes of the State of West Virginia; that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of West Virginia; that the full faith and credit and resources of the State have been irrevocably pledged within the limitations prescribed by the Constitution and statutes of the State to secure the payment of the principal of

and interest on this Bond; that an annual State tax shall be collected in an amount sufficient to pay as they may accrue the principal of and interest on this Bond; and that such tax shall be levied in any year only to the extent that the moneys transferred to the debt service fund created pursuant to the Bond Act which are irrevocably set aside and appropriated for and applied to the payment of the principal of and interest on any general obligation State road bonds are insufficient therefor.

The State and the Paying Agent shall not be required to issue or transfer any Bonds during a period beginning with the close of business on the Record Date next preceding any Interest Payment Date and ending at the close of business on such Interest Payment Date. Both the principal of and interest on this Bond shall be payable in the lawful money of the United States of America and this Bond and the interest hereon shall be exempt from taxation by the State of West Virginia, or by any county, district or municipality thereof. The State has caused CUSIP numbers to be printed on the Bonds, and has directed the Paying Agent to use such numbers in notices, if any, as a convenience to bondholders. No representation is made as to the accuracy of such numbers either as printed on the Bonds or as contained in any notice.

This Bond shall not be entitled to any benefit under the Amendment, Bond Act, Resolution or the Executive Order, nor shall it be valid, obligatory or enforceable for any purpose until this Bond shall have been authenticated by an authorized officer of United Bank as Co-Registrar.

IN WITNESS WHEREOF, THE STATE OF WEST VIRGINIA has caused this Bond to be duly signed in its name and on its behalf by the TREASURER of the STATE OF WEST VIRGINIA and countersigned by the AUDITOR of the STATE OF WEST VIRGINIA and has caused the great seal of the State of West Virginia to be hereto affixed in the manner provided in the Executive Order, all as of the Bond Date.

STATE OF WEST VIRGINIA

_____
Treasurer

_____
Auditor

GREAT SEAL OF THE
STATE OF WEST VIRGINIA

REGISTRAR'S CERTIFICATE OF
AUTHENTICATION AND REGISTRATION

This Bond is one of the Bonds of the Series designated therein, described in the within-mentioned Executive Order and has been duly registered in the name of the Registered Owner set forth above, as of the date set forth below.

Date of Authentication: _____, 2021

UNITED BANK,
as Co-Registrar

By _____
Its Authorized Officer

ASSIGNMENT

Social Security or Other Identifying Number of Assignee _____

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and does hereby irrevocably constitute and appoint _____ to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____, _____.

_____

SIGNATURE GUARANTEED:

_____
(Bank, Trust Company or Firm)

_____
(Authorized Officer)

NOTICE: The Assignor's signature to this Assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

EXHIBIT C

OFFICIAL STATEMENT
(See Tab 8 of Transcript)

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

FILED
2021 MAY 17 P 12: 07
OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

May 17, 2021

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **May 14, 2021**.

LETTER OF INTENT RECEIVED

May 14, 2021 – Humana Inc., Louisville, Kentucky, CON File #21-1/2/3/4/5/6-12089-A, for the acquisition of approximately 60% of the ownership interests in Kentucky Homecare Parent Inc.; capital expenditure: $54,150,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

May 10, 2021 - Webster Memorial Hospital, Inc., Elkins, Randolph County, CON File #21-4-12081-H, to become the licensed operator of Webster County Memorial Hospital and any related facilities and services; capital expenditure: $18,330,000.

PROJECT DETERMINED NOT REVIEWABLE

May 14, 2021 – Braley & Thompson, Inc., Louisville, Kentucky, CON File #21-3-12077-X, for the relocation of its office from 1 Dunbar Plaza to 500 Westmoreland Office Park, both located in Dunbar, Kanawha County; no capital expenditure.

PROJECTS EXEMPT FROM REVIEW

May 10, 2021 – West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #21-6-12083-X, for the renovation of the sixth floor of Ruby Memorial Hospital.

May 12, 2021 - Crittenton Services, Inc., Wheeling, Ohio County, CON File #21-7-12066-X, for the expansion in Barbour County of behavioral health services provided by Wellspring Family Services.

May 12, 2021 - Mercer Nursing & Rehabilitation Center, LLC, Bluefield, Mercer County, CON File #21-1-12079-X, for the acquisition of twelve licensed nursing home beds from Golden Living Center – Riverside.

May 12, 2021 - United Hospital Center, Inc., Bridgeport, Harrison County, CON File #21-6-12080-X, for the construction of a medical office building to be leased for pediatric outpatient services.

May 13, 2021 – E.A. Hawse Health Center, Inc., Baker, Hardy County, CON File #21-8-12085-X, for the expansion of behavioral health services at Capon Bridge Middle School located at 75 Capon School Street, Capon Bridge, Hampshire County.

May 13, 2021 – E.A. Hawse Health Center, Inc., Baker, Hardy County, CON File #21-8-12086-X, for the expansion of behavioral health services at Capon Bridge Elementary School located at 99 Capon School Street, Capon Bridge, Hampshire County.

May 13, 2021 – E.A. Hawse Health Center, Inc., Baker, Hardy County, CON File #21-8-12087-X, for the expansion of behavioral health services at Springfield – Green Spring Elementary School located at 43 Education Lane, Springfield, Hampshire County.

May 14, 2021 – New Beginnings Recovery Clinic, LLC, New Martinsville, Wetzel County, CON File #21-10-12088-X, for the development of an office-based medication-assisted treatment program in New Martinsville, Wetzel County.

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

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

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

FILED
2021 MAY 18 A 10: 07
OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

May 18, 2021

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:

May 11, 2021 - Webster Memorial Hospital, Inc., Elkins, Randolph County, CON File #21-4-12081-H, to become the licensed operator of Webster County Memorial Hospital and any related facilities and services; capital expenditure: $18,330,000.

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 **May 17, 2021**.

On or before **June 16, 2021**, 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 **June 22, 2021.** 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 be issued on or before **July 16, 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.

5/18/21
Date

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