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

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- Bureau of Public Health

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NO RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

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

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

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

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
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TITLE	2	ARCHITECTS
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
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TITLE	30	RESPIRATORY CARE
TITLE	31	DIETITIANS
TITLE	32	ACUPUNCTURE
TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE	35	OIL AND GAS
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TITLE	38	MINING AND RECLAMATION
TITLE	42	LABOR
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TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
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TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
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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
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TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
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TITLE	178	RACING COMMISSION
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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
Agriculture (61-01A)	Feeding of Untreated Garbage to Swine Legislative	6/16/2021	7/16/2021						
Agriculture (61-05)	Commercial Feed Legislative	6/25/2021	7/24/2021						
Agriculture (61-07, Repeal)	Enrichment of Flour and Bread Law Regulations Legislative	6/28/2021	7/28/2021						
Agriculture (61-08C, Repeal)	Fruits and Vegetables Certification of Potatoes for Seeding Purposes Legislative	6/28/2021	7/28/2021						
Agriculture (61-10)	Fresh Food Act Legislative	6/29/2021	7/29/2021						
Agriculture (61-11B)	Auctioneers Legislative	6/29/2021	7/29/2021						
Agriculture (61-30)	Hemp Products Legislative	6/28/2021	7/28/2021						
Agriculture (61-31)	Livestock Care Standards Legislative	6/30/2021	7/30/2021	6/30/2021 ERD by 8/11/2021					
Agriculture (61-33)	Rural Rehabilitation Program Legislative	6/24/2021	7/24/2021						
Agriculture (61-36)	Farm to Food Bank Tax Credit Legislative	6/16/2021	7/16/2021						
Agriculture (61-38)	Farmers Markets Legislative	6/24/2021	7/24/2021						
Agriculture (61-39)	Seed Certification Legislative	6/28/2021	7/28/2021						
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/2/2021	7/6/2021						
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/2/2021	7/6/2021						
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/2/2021	7/6/2021						
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/2/2021	7/6/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Alcohol Beverage Control Comm. (175-02)	Private Club Licensing Legislative	6/1/2021	7/1/2021						
Alcohol Beverage Control Comm. – Beer (176-01)	Nonintoxicating Beer Licensing and Operations Procedures Legislative	6/1/2021	7/1/2021						
Chiropractic Examiners (4-09)	Chiropractic Telehealth Practice Legislative	6/9/2021	7/9/2021	6/8/2021 ERD by 7/20/2021					
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						
Contractor Licensing Board (28-02)	Contractor Licensing Act Legislative	6/30/2021	7/30/2021						
Counseling (27-01)	Licensing Rule Legislative	6/30/2021	7/29/2021						
Counseling (27-02)	Licensed Professional Counselor Fees Rule Legislative	6/29/2021	7/29/2021						
Counseling (27-08)	Marriage and Family Therapist Licensing Rule Legislative	6/30/2021	7/29/2021						
Counseling (27-09)	Marriage and Family Therapist Fees Rule Legislative	6/30/2021	7/29/2021						
Crime, Delinquency and Correction (149-02)	Law Enforcement Training and Certification Standards Legislative	6/28/2021	7/28/2021	6/28/2021 ERD by 8/9/2021					
Dentistry (5-01)	Rule for the WV Board of Dentistry Legislative	6/18/2021	7/21/2021						
Dentistry (5-02)	Formation and Approval of Professional Limited Liability Companies Legislative	6/18/2021	7/21/2021						
Dentistry (5-06)	Formation and Approval of Dental Corporations; and Dental Practice Ownership Legislative	6/18/2021	7/21/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Dentistry (5-11)	Continuing Education Requirements Legislative	6/18/2021	7/21/2021						
Dentistry (5-12)	Administration of Anesthesia by Dentists Legislative	6/18/2021	7/21/2021						
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	6/18/2021	7/21/2021						
Dentistry (5-16)	Teledentistry Legislative	6/17/2021	7/17/2021	6/17/2021 ERD by 7/29/2021					
Education (126-013C)	Non-public School Accreditation (Policy 2330) Legislative Exempt	5/13/2021	6/14/2021						
Education (126-030)	Transformative System of Support for Early Literacy (Policy 2512) Legislative Exempt	4/15/2021	5/17/2021					6/9/2021	7/12/2021
Education (126-044CC)	WV College and Career-Readiness Standards for Science (Policy 2520.3C) Legislative Exempt	6/9/2021	7/12/2021						
Education (126-069)	Regulations for Juvenile Diversion and Transition Programs (Policy 2800) Legislative Exempt	4/15/2021	5/17/2021					6/9/2021	7/12/2021
Education (126-079)	Charter Public Schools (Policy 3300) Legislative Exempt	6/9/2021	7/12/2021						
Education (126-143)	County Superintendent Performance Evaluations (Policy 5309) Legislative Exempt	6/9/2021	7/12/2021						
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Environmental Protection, Secretary's Office (60-09)	Voluntary Remediation and Redevelopment De Minimis Standards Interpretive	6/28/2021	7/28/2021						
Ethics Commission (158-06)	Use of Office for Private Gain, Including Nepotism Legislative	3/22/2021	4/22/2021		5/12/2021				
Family Protection Services Bd. (191-01)	Operation of the Family Protection Services Board Legislative	6/30/2021	7/30/2021						
Family Protection Services Bd. (191-02)	Domestic Violence Program Licensure Standards Legislative	6/30/2021	7/30/2021						
Fire Commission (87-01)	Fire Code Legislative	6/28/2021	7/28/2021						
Fire Commission (87-04)	State Building Code Legislative	6/23/2021	7/26/2021						
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	6/23/2021				
Fire Commission (87-11)	Specialized Membership Legislative	6/22/2021	7/23/2021						
Fire Commission (87-12)	Junior Firefighters Legislative	6/22/2021	7/23/2021	6/22/2021 ERD by 8/3/2021					
Fire Commission (87-13)	Certification of Fire Chiefs Legislative	6/22/2021	7/23/2021	6/22/2021 ERD by 8/3/2021					
Fire Commission (87-14)	Use of Aqueous Film-Forming Foam (AFFF) for Fire Training Program Purposes Legislative	6/23/2021	7/26/2021						
Fire Marshal (103-04)	Regulation of Fireworks and Related Explosive Materials Legislative	6/25/2021	7/27/2021						
Funeral Service Examiners (6-07)	Fee Schedule Legislative	6/30/2021	7/30/2021						
Health (64-10)	Methods and Standards for Chemical Tests for Intoxication Legislative	6/29/2021	7/29/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-12)	Hospital Licensure Legislative	6/22/2021	7/22/2021	5/20/2021 ERD by 7/1/2021					
Health (64-42)	Childhood Lead Screening Legislative	6/29/2021	7/29/2021						
Health (64-43)	Food Manufacturing Facilities Legislative	6/30/2021	7/30/2021						
Health (64-47)	Sewage Treatment and Collection System Design Standards Legislative	6/29/2021	7/29/2021						
Health (64-48)	Emergency Medical Services Legislative			7/1/2021 Approved 7/1/2021					
Health (64-57)	Clinical Laboratory Practitioner Licensure and Certification Legislative	6/29/2021	7/29/2021						
Health (64-92)	Clandestine Drug Laboratory Remediation Legislative	6/29/2021	7/29/2021						
Health (64-97)	Maternal Risk Screening Legislative	6/29/2021	7/29/2021						
Health Care Authority (65-32)	Certificate of Need Legislative	6/29/2021	7/29/2021						
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		
Insurance Comm. (114-42)	Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters Legislative	5/28/2021	7/1/2021		7/8/2021				

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Comm. (114-99)	Pharmacy Auditing Entities and Pharmacy Benefit Managers Legislative	6/1/2021	7/1/2021						
Insurance Comm. (114-102)	Term and Universal Life Insurance Reserve Financing Legislative	5/28/2021	7/1/2021		7/8/2021				
Insurance Comm. (114-103)	Bail Bondsmen in Criminal Cases Legislative	6/1/2021	7/1/2021						
Labor (42-09)	Child Labor Rule Legislative	6/29/2021	7/30/2021						
Lottery Comm. (179-01)	WV Lottery State Lottery Rules Legislative	5/28/2021	6/29/2021		7/7/2021				
Lottery Comm. (179-05)	WV Limited Video Lottery Rule Legislative	6/1/2021	7/1/2021		7/8/2021				
Massage Therapy Licensure Bd. (194-01)	General Provisions	6/29/2021	7/29/2021						
Medical Imaging & Radiatioin Therapy Tech Bd of Exam (18-06)	Practice of Radiologic Technology Interpretive	5/21/2021	6/30/2021						
Medicine (11-01A)	Licensing and Disciplinary Procedures: Physicians, Podiatric Physicians and Surgeons Legislative	6/29/2021	7/29/2021						
Medicine (11-01B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 ERD by 8/10/2021					
Medicine (11-05)	Bd. Of Medicine Rule for Dispersing of Prescription Drugs by Practitioners Legislative	6/29/2021	7/29/2021						
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/29/2021	7/29/2021						
Medicine (11-10)	Practitioner Requirements for Accessing the WV Controlled Substances Monitoring Program Database Legislative	6/29/2021	7/29/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Medicine (11-11)	Establishment and Regulation of Limited License to Practice Medicine and Surgery at Certain State Veterans Nursing Home Facilities Legislative	6/29/2021	7/29/2021						
Medicine (11-14)	Registration to Practice During Declared State of Emergency Legislative	6/29/2021	7/29/2021						
Medicine (11-15)	Telehealth and Interstate Telehealth Registration for Physicians, Podiatric Physicians and Physicians Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 ERD by 8/10/2021					
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 Approved 6/7/2021	6/11/2021				
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		6/11/2021				
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/25/2021	7/26/2021						
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 (91-04)	Examination and Issuance of Drivers License Legislative	6/25/2021	7/26/2021	6/24/2021 ERD by 8/5/2021					

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Motor Vehicles (91-06)	Dealer Licensing Legislative	6/29/2021	7/29/2021						
Motor Vehicles (91-09)	Collection of Tax on the Sale of a Vehicle Legislative	6/11/2021	7/12/2021						
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	6/30/2021	7/29/2021						
Natural Resources (58-23)	Revocation of Hunting and Fishing Licenses Legislative	6/30/2021	7/29/2021						
Natural Resources (58-25)	Boating Rule Legislative	6/30/2021	7/29/2021						
Natural Resources (58-26)	Special Boating Rules Legislative	6/30/2021	7/29/2021	6/30/2021 ERD by 8/11/2021					
Natural Resources (58-27)	Special Motorboating Regulations Legislative	6/30/2021	7/29/2021						
Natural Resources (58-30)	Wildlife Education Facilities Legislative	6/30/2021	7/29/2021						
Natural Resources (58-38)	Public Shooting Ranges Legislative	6/30/2021	7/29/2021	6/30/2021 ERD by 8/11/2021					
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/30/2021	7/29/2021						
Natural Resources (58-49)	General Hunting Legislative	6/30/2021	7/29/2021						
Natural Resources (58-53)	General Trapping Legislative	6/30/2021	7/29/2021						
Natural Resources (58-63)	Commercial Sale of Wildlife Legislative	6/30/2021	7/29/2021						
Natural Resources (58-67)	Lifetime Hunting, Trapping and Fishing Licenses Legislative	6/30/2021	7/29/2021						
Natural Resources (58-69)	Wildlife Disease Management Legislative	6/30/2021	7/29/2021						
Office of Technology (163-02)	Chief Information Officer Review Legislative	6/23/2021	7/23/2021						
Office of Technology (163-03)	Cyber Reporting Legislative	6/15/2021	7/15/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	6/29/2021	7/29/2021						
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 ERD by 8/10/2021					
Osteopathic Medicine (24-07)	Practitioner Requirements for Controlled Substances Licensure and Accessing the WV Controlled Substances Monitoring Program Database Legislative	6/29/2021	7/29/2021						
Osteopathic Medicine (24-10)	Telehealth Practice and Interstate Telehealth Registration for Osteopathic Physicians and Physician Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 ERD by 8/10/2021					
Personnel (143-01)	Administrative Rule of the WV Division of Personnel Legislative	5/28/2021	6/30/2021						
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/11/2021	7/12/2021						
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative			6/23/2021 ERD by 8/4/2021					
Pharmacy (15-08)	Controlled Substances Monitoring Program Legislative	6/11/2021	7/12/2021						
Pharmacy (15-16)	Regulations Governing Pharmacists Legislative	6/14/2021	7/15/2021						
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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						
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 (178-01)	Thoroughbred Racing Legislative	5/28/2021	6/28/2021						
Real Estate Appraiser Licensing and Certification Bd. (190-02)	Requirements for Licensure and Certification Legislative	6/29/2021	7/29/2021						
Real Estate Appraiser Licensing and Certification Bd. (190-03)	Renewal of Licensure or Certification Legislative	6/29/2021	7/29/2021						
Real Estate Appraiser Licensing and Certification Bd. (190-05)	Requirements for Registration and Renewal of Appraisal Management Companies Legislative	6/29/2021	7/30/2021						
Registered Professional Nurses (19-16)	Telehealth Practice Legislative	6/30/2021	7/30/2021	7/2/2021 Withdrawn 7/8/2021					
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	5/4/2021	8/1/2021
School Building Authority (164-01)	Policy and Procedures Handbook Procedural	6/30/2021	8/2/2021						
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Sec. of DHHR, Insurance Comm. & Chair of Health Care Authority (114A-01)	All-Payer Claims Database – Data Submission Requirements Legislative	6/30/2021	7/30/2021						
Sec. of DHHR, Insurance Comm. & Chair of Health Care Authority (114A-02, repeal)	All-Payer Claims Database – Privacy and Security Requirements Legislative	6/30/2021	7/30/2021						
Secretary of State (153-25)	Combined Voter Registration and Driver Licensing Fund Legislative	6/25/2021	7/27/2021						
Secretary of State (153-30)	Use of Digital Signatures Legislative	6/24/2021	7/27/2021						
Secretary of State (153-43)	Regulation of Political Party Headquarters Finances Legislative	6/24/2021	7/27/2021						
Secretary of State (153-45)	Standards and Guidelines for Electronic Notarization Legislative	6/24/2021	7/27/2021						
Secretary of State (153-48)	Real Property Electronic Recording Standards and Regulations Legislative	6/29/2021	7/29/2021						
Secretary of State (153-53)	Election Processes and Absentee Eligibility During State of Emergency			3/20/2020 Effective 3/20/2020					
Senior Services (76-04)	WV State Plan for Aging Programs Interpretive	6/22/2021	7/22/2021						
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	6/30/2021	7/30/2021	6/30/2021 ERD by 8/11/2021					
Social Work Examiners (25-05)	Continuing Education for Social Workers and Providers Legislative	6/30/2021	7/30/2021						
Speech Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	4/28/2021	6/4/2021	4/27/2021 Effective 6/8/2021	6/9/2021				
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
State Police (81-03)	Career Progression Legislative	6/29/2021	7/30/2021						
Tax (110-01A)	Valuation of Farmland and Structures Situated Thereon for Ad Valorem Property Tax Purposes Legislative	6/3/2021	7/7/2021		7/8/2021				
Tax (110-01J)	Valuation of Producing and Reserve Oil, Natural Gas Liquids, and Natural Gas for Ad Valorem Property Tax Purposes Legislative	6/4/2021	7/7/2021	6/8/2021 ERD by 7/20/2021					
Tax (110-13KK)	WV Tax Credit for Federal Excise Tax Imposed Upon Small Arms and Ammunition Manufacturers Legislative	6/4/2021	7/7/2021		7/8/2021				
Tax (110-15F)	Sales Tax Holiday Legislative	5/11/2021	6/11/2021	5/7/2021 Amendment 6/3/2021 ERD by 7/15/2021	6/30/2021				
Tax (110-15L)	Exemption for Repair, Remodeling, and Maintenance of Aircraft Legislative	6/2/2021	7/7/2021	6/2/2021 ERD by 7/14/2021	7/8/2021				
Tax (110-15M)	Vendor Absorption or Assumption of Sales and Use Tax Legislative	6/3/2021	7/7/2021		7/8/2021				
Tax (110-16A)	On-Line Bingo and Raffles Legislative	6/3/2021	7/7/2021		7/8/2021				
Tax (110-24)	Corporation Net Income Tax Legislative	6/2/2021	7/7/2021						
Transportation (217-01)	Employment Procedures Legislative	6/30/2021	7/30/2021						
Treasurer (112-02)	Substitute Checks-Exceptional Items Fund Legislative	6/28/2021	7/28/2021						
Treasurer (112-10)	Reporting Debt Legislative	6/28/2021	7/29/2021						
Treasurer (112-12)	Procedures for Fees in Collections by Charge, Credit or Debit Card or by Electronic Payment Legislative	6/28/2021	7/28/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Treasurer (112-13)	Procedures for Providing Services to Political Subdivisions Legislative	6/25/2021	7/26/2021						
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 Management, Div. of Water and Waste Mgmt. (33-01B)	Requirements for the Management of Coal Combustion Residuals Legislative	6/25/2021	7/26/2021						
Water Resources, Div. of Water and Waste Mgmt. (47-02)	Requirements Governing Water Quality Standards Legislative	6/4/2021	7/19/2021						
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						
Water Resources Division of Water and Waste Management (47-13)	Underground Injection Control Legislative	6/23/2021	7/23/2021						

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				

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Bill J. Crouch
Cabinet Secretary

FILED
2021 JUL -2 A 11: 13
OFFICE WEST VIRGINIA
SECRETARY OF STATE

MEMORANDUM

DATE: July 2, 2021

TO: Mac Warner
Secretary of State

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

RE: **Emergency Medical Services Legislative Rule - W. Va. C.S.R. §64-48**

On or about October 1, 2020, pursuant to W. Va. Code §15-5-6(c)(7) and the State of Emergency declared by Governor Justice on March 16, 2020, the Bureau for Public Health of the Department of Health and Human Resources requested that W. Va. C.S.R. §64-48, *Emergency Medical Services*, be temporarily suspended, in part.

W. Va. C.S.R. §64-48 establishes and sets forth the requirements for the provision of emergency medical services in West Virginia. The legislative rule was replaced by an emergency rule on July 1, 2021, abrogating the need for suspension of specific provisions of the rule. Therefore, strict compliance with all provisions of this rule will no longer pose a hinderance or delay to necessary action in coping with the emergency declared by the Governor. In light of the foregoing, I request that the suspension be lifted, and that the entirety of the emergency rule be made effective upon filing.

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

LEGISLATIVE

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

Please Stamp Filing Date
FILED
2021 JUL -6 A 11: 10
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:**	7/1/2021
CHANGE NUMBER:	806		
CHAPTERS/SECTIONS EFFECTED:	1, 3, 14, 15, 17, 18, 19 & AFG		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	Establish provider determinations for SNAP E&T and how the determination relates to ABAWD policy. Changed reference from Office of Migration and Refugeed Services (OMRS) to Refugee Resettlement and Immigration Services (RRIS).

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

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

Monica Hamilton
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 JUL -6 A 11: 10

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:**	7/1/2021
CHANGE NUMBER:	807		
CHAPTERS/SECTIONS EFFECTED:	4, 15, 24 & AFG		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE: Purpose of this change: The annual change to update the minimum Spousal Maintenance Standard (SMS), the maximum Family Maintenance Allowance (FMA), and the Community Spouse Housing Allowance to the amounts effective July 1, 2021. Also, to add a definition of Compact of Free Association (COFA) migrants and to add COFA migrants to the list of qualified non-citizens in accordance with section 208 of the 2021 Appropriations Act signed into law December 27, 2020.

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

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

Monica Hamilton

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

LEGISLATIVE

West Virginia Secretary of State Mac Warner Administrative Law Division

DO NOT MARK IN THIS BOX

FILED

2021 JUL -7 P 1: 18

OFFICE WEST VIRGINIA SECRETARY OF STATE

Changes to Social Services Manual

Agency: Department of Health and Human Resources

Bureau: Bureau for Children and Families

Rule: 78 - 5

Change Rule: CAS-FC-6-21

Revision to Existing Manual: ☐ Yes ☒ No

Summary of Changes:
Policy release for newly created unit within the Bureau for Children and Families. The unit is called the Child Locator Unit. The enclosed policy governs the operations of the unit.

Two Copies Enclosed:
Please file one and return a stamped copy to:

Michelle C. Dean
Program Manager II
350 Capitol Street, Room 691
Charleston, WV 25301-3704

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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7/8/2021 1:01:14 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: Insurance Commission TITLE-SERIES: 114-42

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

RULE NAME: 114-42 Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters

PRIMARY CONTACT

NAME: Erin K Hunter

ADDRESS: 900 Pennsylvania Ave 9th Floor

Charleston, WV 25302

EMAIL: erin.k.hunter@wv.gov

PHONE NUMBER: 304-414-8487

CITE STATUTORY AUTHORITY: W. Va. Code §§33-2-10, 33-12-35 and 33-12B-12

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:

W.Va. Code 33-2-10 provides general rulemaking authority to the Insurance Commissioner and states that the Commissioner is authorized to promulgate and adopt rules relating to insurance as are necessary to discharge his or her duties and exercise his or her powers and to effectuate the provisions of Chapter 33 of the West Virginia Code.
Additionally, W. Va. Code § 33-12-35 provides the Insurance Commissioner the specific authority to promulgate rules to govern insurance producers, and W.Va. Code § 33-12B-12 provides the Insurance Commissioner with specific statutory authority to promulgate rules regarding insurance adjusters. 114 CSR 42 establishes standards for continuing insurance education requirements and the sanctions to be imposed for failure to comply with such requirements for insurance producers and adjusters. The proposed changes are being made to reflect changes to the corresponding statutes made during the 2021 Legislative Session.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

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? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 5/28/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/1/2021

COMMENTS RECEIVED: No

WEST VIRGINIA SECRETARY OF STATE

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ADMINISTRATIVE LAW DIVISION

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7/8/2021 12:58:31 PM

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: Insurance Commission TITLE-SERIES: 114-102

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

RULE NAME: Term and Universal Life Insurance Reserve Financing

PRIMARY CONTACT

NAME: Erin K Hunter

ADDRESS: 900 Pennsylvania Ave 9th Floor

Charleston, WV 25302

EMAIL: erin.k.hunter@wv.gov

PHONE NUMBER: 130-441-4848 7

CITE STATUTORY AUTHORITY: W. Va. Code The commissioner may, to implement the provisions of this section, propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code.§33-2-10 and 33-4-15a(e)

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:

W.Va. Code §33-2-10 provides general rulemaking authority to the Insurance Commissioner and states that the Commissioner is authorized to promulgate and adopt rules relating to insurance as are necessary to discharge his or her duties and exercise his or her powers and to effectuate the provisions of Chapter 33 of the West Virginia Code.
Additionally, this rule is authorized specifically under the existing statute on credit for reinsurance, W.Va. Code §33-4-15a, which was last updated during the 2020 Legislative Session. W.Va. Code §33-4-15a(e) provides that that the Insurance Commissioner may, to implement the provisions of this section, propose rules for legislative approval. Twenty-two other subsections of W.Va. Code §33-4-15a refer to rules the Insurance Commissioner is to promulgate to set forth additional, specific requirements in relation to valuation of assets and reserve credits, forms of security, capital and surplus requirements, acceptable rating agencies, solvency and capital ratios, reserve financing arrangements, and reinsurance arrangements.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

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? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 5/28/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/1/2021

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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: Lottery Commission TITLE-SERIES: 179-01

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

RULE NAME: 179-01 West Virginia Lottery State Lottery Rules

PRIMARY CONTACT

NAME: W Brian Nickerson

ADDRESS: 900 Pennsylvania Avenue

Charleston, WV 25302

EMAIL: bnickerson@wvlottery.com

PHONE NUMBER: 304-558-1845

CITE STATUTORY AUTHORITY: 29-22-5; 29-22-9(b); 29-22-9(c); 29-22-10, 29-22-16 and 29-22-17

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:

179-1-1. General: Sets forth general authority. W. Va. Code 29-22-5, 9(b), 9(c), 10, 16 and 17.
179-1-2. Definitions: Defines terms as used in rules. W. Va. Code 29-22-5, 9(b), 9(c), 10, 16 and 17.
179-1-3. Financial Administration: Sets forth how the Lottery is to account for revenue received from the sale of lottery tickets. 29-22-5(a)(2); 29-22-17(a).
179-1-4. Licensing. Sets forth rules and procedure for licensing of lottery sales agents and retailers. 29-22-10.
179-1-5. Instant Games. Sets forth the rules, regulations and validation procedures for Instant Lottery Games. 29-22-5(a)(2); 29-22-9(b)
179-1-6. Draw Games. Sets forth the rules, regulations and validations procedure for draw games. 29-22-5(a)(2); 29-22-9(b)
179-1-7. Payment of Prizes - general provisions for instant and draw games. Sets forth general procedure for the awarding and claiming of prizes in connection with instant and draw games. 29-22-5(a)(2); 29-22-9(b)
179-1-8. Use of West Virginia Lottery Trademarks: Sets forth rules and regulations for licensed sales agent and/or retailers use of the Lottery logo and associated trademarked and copyrighted materials. 29-22-5(a)(10)
179-1-9. Fingerprint Submission for Background Investigation: Sets forth guidelines for the fingerprinting and background checks for Lottery Commission employees, vendors and sales agents and/or retailers. 29-22-5(c).
179-1-10. Special Requirements for Special Licensed Retailers operating iLottery. Sets forth special requirements for the vendor who has contracted with and become licensed to provide iLottery. 29-22-5(a)(2); 29-22-9(c)

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

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? No

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ADMINISTRATIVE LAW DIVISION

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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: Lottery Commission TITLE-SERIES: 179-05

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

RULE NAME: 179-05 West Virginia Lottery Limited Video Lottery Rule

PRIMARY CONTACT

NAME: W Brian Nickerson

ADDRESS: 900 Pennsylvania Avenue

Charleston, WV 25302

EMAIL: bnickerson@wvlottery.com

PHONE NUMBER: 304-558-1845

CITE STATUTORY AUTHORITY: W. Va. Code 29-22B-402

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:

179-5-1. General: Sets forth general purpose and authority for rule. (Authority: W. Va. Code §29-22B-402).
179-5-2. Definitions: Defines terms as used in rules. (Authority: W. Va. Code §29-22B-402).
179-5-3. Review of continuing eligibility for license: Sets forth guidelines and qualifications for the commission to evaluate licensees for renewal of licenses on an annual bases. (Authority: W. Va. Code §29-22B-402).
179-5-4. Application forms and other documents: Empowers the commission to approve forms of applications to be used for licensure of limited video lottery retailers and/or operators and sets forth minimum guidelines for the same. (Authority: W. Va. Code §29-22B-402)..
179-5-5. Bonding Requirements. Sets forth bond requirements for limited video lottery permittees. (Authority: W. Va. Code §29-22B-402).
179-5-6. Additional duties of limited video lottery retailers. Sets forth obligations of limited video lottery retailers in addition to those set forth in W. Va. Code §29-22B-702. (Authority: W. Va. Code §29-22B-402).
179-5-7. Additional duties of limited video lottery retailer regarding payment of credits: Sets forth 10 day rule with respect to presentment of video lottery ticket for payment by a patron. (Authority: W. Va. Code §29-22B-402).
179-5-8. Supplemental duties of Manufacturers: Sets forth obligations of limited video lottery manufacturers in addition to those set forth in W. Va. Code §29-22B-705. (Authority: W. Va. Code §29-22B-402).
179-5-9. Supplemental duties of technicians: Sets forth obligations of limited video lottery technicians in addition to those set forth in W. Va. Code §29-22B-707. (Authority: W. Va. Code §29-22B-402).
179-5-10. Additional requirements for testing of video lottery terminals and associated equipment. Sets forth guidelines that govern the testing of limited video lottery equipment by the lottery commission. (Authority: W. Va. Code §29-22B-402).
179-5-11. Additional video lottery hardware and software specifications not found in W. Va. Code 29-22B-901 through 912: Sets forth additional requirements for the specifications of limited video lottery hardware and software not set forth in W. Va. Code 29-22B-901 through 912. (Authority: W. Va. Code §29-22B-402).
179-5-12. Only licensed manufacturers may sell or lease video lottery terminals to permittees. Restricting those

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MAC WARNER

ADMINISTRATIVE LAW DIVISION

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7/8/2021 10:16:43 AM

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: Tax TITLE-SERIES: 110-01A

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

RULE NAME: 110-01A Valuation of Farmland and Structures Situated Thereon for Ad Valorem Property Tax Purposes

PRIMARY CONTACT

NAME: MARK S MORTON

ADDRESS: PO Box 1005

Charleston, WV 25324

EMAIL: taxlegal@wv.gov

PHONE NUMBER: 304-558-5330

CITE STATUTORY AUTHORITY: W. Va. Code §11-1C-5(b)

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:

The proposed amendments to the existing rule were mandated by passage of SB 160 during the 2021 regular legislative session. The proposed amendments track the language mandated by SB 160.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

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? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/3/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/7/2021

COMMENTS RECEIVED: No

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

PUBLIC HEARING: No

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MAC WARNER

ADMINISTRATIVE LAW DIVISION

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7/8/2021 10:02:41 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: Tax TITLE-SERIES: 110-13KK

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

RULE NAME: 110-13KK West Virginia Tax Credit for Federal Excise Tax Imposed Upon Small Arms and Ammunition Manufacturers

PRIMARY CONTACT

NAME: MARK S MORTON

ADDRESS: PO Box 1005

Charleston, WV 25324

EMAIL: taxlegal@wv.gov

PHONE NUMBER: 304-558-5330

CITE STATUTORY AUTHORITY: W. Va. Code §11-10-5 and W. Va. Code §§11-13KK-4(d), 13

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:

The Tax Commissioner is granted general rule making authority pursuant to W. Va. Code §11-10-5. Specific to this rule, HB 2499 (2021 regular legislative session) allows the Tax Commissioner to propose interpretive, procedural and legislative rules regarding the small arms and ammunition tax credit, at W. Va. Code §11-13KK-13.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

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? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/4/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/7/2021

COMMENTS RECEIVED: No

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

PUBLIC HEARING: No

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
7/8/2021 9:56:15 AM

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: Tax TITLE-SERIES: 110-15L

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

RULE NAME: 110-15L Exemption for Repair, Remodeling, and Maintenance of Aircraft

PRIMARY CONTACT

NAME: MARK S MORTON

ADDRESS: PO Box 1005

Charleston, WV 25324

EMAIL: taxlegal@wv.gov

PHONE NUMBER: 304-558-5330

CITE STATUTORY AUTHORITY: W. Va. Code §11 15-9t

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:

The Tax Commissioner is granted general rule making authority pursuant to W. Va. Code §11-10-5. In addition, the proposed new rule is required by the provisions of W. Va. Code §11-15-9t(c). The rule provides definitions, sets forth what is eligible for exemption from the sales and use tax under the relevant statute, and provides guidance regarding how to properly claim the exemption.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

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? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/2/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/7/2021

COMMENTS RECEIVED: No

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

PUBLIC HEARING: No

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
7/8/2021 10:11:43 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: Tax TITLE-SERIES: 110-15M

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

RULE NAME: 110-15M Vendor Absorption or Assumption of Sales and Use Tax

PRIMARY CONTACT

NAME: MARK S MORTON

ADDRESS: PO Box 1005

Charleston, WV 25324

EMAIL: taxlegal@wv.gov

PHONE NUMBER: 304-558-5330

CITE STATUTORY AUTHORITY: W. Va. Code §11-10-5, and §11-15A-8(b)

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:

The proposed new rule is required by the provisions of W. Va. Code §11-15A-8(b), and allowed pursuant to the provisions of W. Va. Code §11-10-5. The rule explains its genesis; provides definitions; sets forth requirements for absorbing or assuming the sales and use tax; provides guidance regarding who the taxpayer is and who receives any refund if the retailer absorbs or assumes the sales and use tax; and provides guidance regarding how the assumption or absorption is applied with regard to municipal sales and use taxes, motor vehicle sales, the motor fuel tax, and the special district excise tax.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

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? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/3/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/7/2021

COMMENTS RECEIVED: No

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

PUBLIC HEARING: No

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

7/8/2021 10:14:08 AM

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: Tax

TITLE-SERIES: 110-16A

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: 110-16A On-Line Bingo and Raffles

PRIMARY CONTACT

NAME: MARK S MORTON

ADDRESS: PO Box 1005

Charleston, WV 25324

EMAIL: taxlegal@wv.gov

PHONE NUMBER: 304-558-5330

CITE STATUTORY AUTHORITY: W. Va. Code § 29A-1-1, et seq

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:

The proposed new rule is required by the provisions of W. Va. Code §11-15A-8(b), and allowed pursuant to the provisions of W. Va. Code §11-10-5. The rule explains its genesis; provides definitions; sets forth requirements for absorbing or assuming the sales and use tax; provides guidance regarding who the taxpayer is and who receives any refund if the retailer absorbs or assumes the sales and use tax; and provides guidance regarding how the assumption or absorption is applied with regard to municipal sales and use taxes, motor vehicle sales, the motor fuel tax, and the special district excise tax.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

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? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/3/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/7/2021

COMMENTS RECEIVED: No

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

PUBLIC HEARING: No

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
7/2/2021 10:32:57 AM

Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Registered Professional Nurses TITLE-SERIES: 19-16

RULE TYPE: Legislative Amendment to Existing Rule: No

RULE NAME: Telehealth Practice

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §30-1-25, W. Va. Code §30-7-4

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:

§29A-3-15 et seq.

PRIMARY CONTACT:

NAME: Sue Painter

ADDRESS: 5001 Maccorkle Ave Sw

South Charleston, WV 25309

EMAIL: sue.a.painter@wv.gov

PHONE NUMBER: 304-744-1110

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:

Dr. Sue Painter, DNP, RN
Executive Director

rnboard@wv.gov
address: wvrnboard.wv.gov

1 TELEPHONE:
(304) 744-0900
FAX (304) 744-0600

STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
5001 MacCorkle Avenue, SW
South Charleston, WV 25309

FILED
2021 JUL -8 A 11:47
OFFICE WEST VIRGINIA
SECRETARY OF STATE

July 8, 2021

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

RE: West Virginia Code of State Rules
Withdrawal of 19 CSR 16

The Board is requesting to withdraw the Emergency Rule 19 CSR 16 Telehealth Practice filed on July 2, 2021, so we may address some additional issues required for our web-based system which will provide the application for the interested individuals.

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

West Virginia Board of Examiners for
Registered Professional Nurses
5001 MacCorkle Ave., SW
South Charleston, WV 25309
Phone: (304) 744-0900
Direct Phone: (304) 744-1110
Web Address: www.wvrnboard.wv.gov
Email: sue.a.painter@wv.gov

Sue Painter

Sue Painter, DNP, RN
Executive Director

Orders Report

Docket Number	Agency	Respondent	Date Rendered
N/A	Registered Professional Nurses, West Virginia Board Of Examiners For	Dakota Britton	6/29/2021

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

FILED
2021 JUL -6 P 12:43
OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

July 6, 2021

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **July 2, 2021**.

LETTER OF INTENT RECEIVED

June 28, 2021 - Preston Memorial Hospital Corporation, Kingwood, Preston County, CON File #21-6-12118-P, for the development of an ambulatory health care facility to be located at 110 North Price Street, Kingwood, through the acquisition of the assets and a lease of the real property of Milestones Family Practice and employment of Drs. Bernice and Michael Schwarzenberg; capital expenditure: $150,000.

APPLICATION DECLARED COMPLETE AND UNDER REVIEW

An application 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.

EXPEDITED APPLICATION

June 29, 2021 – Pocahontas Memorial Hospital, Buckeye, Pocahontas County, CON File #21-4-12109-P, for the development of an outpatient rehabilitation therapy center providing physical and occupational therapy services in Cass, Pocahontas County; capital expenditure: $31,000.

The review cycle for the above-referenced project is as follows:

June 30, 2021 – Review cycle begins;

July 30, 2021 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to affected persons;

August 4, 2021 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application;

August 30, 2021 – Decision on the project will be issued by the Authority.

HEARING NOTICE

The Administrative Hearing and Prehearing Conference have been CANCELED in the following matter:

June 28, 2021 - WVUHS Home Care, LLC, Morgantown, Monongalia County, CON File #21-8/9-12037-Z, for the provision of home health services in Hampshire, Hardy, Mineral and Morgan counties; capital expenditure: $50,000.

HEARING ORDER ISSUED

June 28, 2021 - WVUHS Home Care, LLC, Morgantown, Monongalia County, CON File #21-8/9-12037-Z, for the provision of home health services in Hampshire, Hardy, Mineral and Morgan counties; capital expenditure: $50,000.

ORDER DENYING MOTION FOR STAY

June 28, 2021 - Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #21-3-12057-X, for the acquisition of a physician's private practice located at 4619 Kanawha Avenue, Charleston, Kanawha County, which is on the campus of an existing CAMC ambulatory health care facility; capital expenditure: less than the expenditure minimum.

Thomas Memorial Hospital Association d/b/a Thomas Memorial Hospital and THS Physician Partners requested the Health Care Authority stay its Decision dated May 7, 2021, in which it determined that Charleston Area Medical Center's proposed acquisition of Pulmonary Associates of Charleston, PLLC is not subject to Certificate of Need review.

PROJECTS DETERMINED NOT REVIEWABLE

June 29, 2021 – Ohio Valley Physicians d/b/a OVP Health, Huntington, Cabell County, CON File #21-2-12105-X, for the relocation of services from 61 East 3rd Avenue, Williamson, to 141 East 2nd Avenue, Suites 100 and 101, Williamson; no capital expenditure.

June 29, 2021 – The Arc of the Three Rivers, Charleston, Kanawha County, CON File #21-3-12113-X, for the relocation of its current administrative office and I/DD Waiver Day Program to 114 Lee Street West, Charleston; no capital expenditure.

PROJECT EXEMPT FROM REVIEW

June 28, 2021 – Spero Health of West Virginia, LLC, Brentwood, Tennessee, CON File #21-6-12116-X, for the development of an office-based medication-assisted treatment program in or near Clarksburg, Harrison County.

EXTENSION GRANTED

June 29, 2021 - Mon Health Marion Neighborhood Hospital, Morgantown, Monongalia County, CON File #20-6-11824-H, for the development of a 10-bed hospital in Marion County providing a fully functioning emergency room and corresponding services with all the normal diagnostic and support services of an acute care hospital; capital expenditure: $25,000,000.

Extension granted through November 30, 2021.

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

OTHER

Dave Hardy
Secretary of Revenue

STATE TAX DEPARTMENT

Matthew Irby
State Tax Commissioner

Administrative Notice 2021-17

Notice of 30-day extension of time for filing property tax returns for oil-producing property and natural gas-producing properties for the 2022 tax year.

Pursuant to West Virginia Code §11-6K-1(c), owners of oil-producing property and natural gas-producing property must file property tax returns with the Tax Commissioner by August 1 of the assessment year. Section 11-6K-1(c) also provides that the Tax Commissioner may, for reasonable cause shown, grant an extension of no more than one month in the due date of any return.

Substantial changes in the methodology for valuation of oil-producing and natural gas-producing property in the most recent regular session of the West Virginia Legislature constitute reasonable cause for extending the due date for returns from owners of that property for the 2022 tax year.

Therefore, the due date for filing property tax returns for oil-producing property and natural gas producing property is extended 30 days for the 2022 tax year. August 1, 2021 is a Sunday, rendering the operative property tax return due date for the 2022 tax year August 2, 2021. The due date for filing property tax returns for oil-producing property and natural gas-producing property for the 2022 tax year shall be 30 days after August 2, 2021, which will be September 1, 2021.

Notice of this determination will be filed in the West Virginia State Register.

Issued July 2, 2021

Matthew R. Irby
State Tax Commissioner

FILED
2021 JUL -2 P 2:46
OFFICE WEST VIRGINIA
SECRETARY OF STATE

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