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RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Pharmacy (15-02)	Rules of the Bd. Of Pharmacy for the Uniform Controlled Substances Act Legislative	§60A-3-301	Written Comments Only August 25, 2021, 5:00 pm Ryan Hatfield 2310 Kanawha Blvd. E. Charleston, WV 25304 ryan.l.hatfield@wv.gov

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

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

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

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	2	ARCHITECTS
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
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TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED PROFESSIONAL NURSES
TITLE	20	SANITARIANS
TITLE	22	FORESTRY
TITLE	24	OSTEOPATHIC MEDICINE
TITLE	25	SOCIAL WORK EXAMINERS
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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
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TITLE	61	AGRICULTURE
TITLE	64	HEALTH
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TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
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TITLE	87	FIRE COMMISSION
TITLE	89	PUBLIC DEFENDER SERVICES
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
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TITLE	112	TREASURER
TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
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
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TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
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TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-01A)	Feeding of Untreated Garbage to Swine Legislative	6/16/2021	7/16/2021		7/19/2021				
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		7/19/2021				
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		7/16/2021				
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/2/2021	7/6/2021		7/16/2021				
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/2/2021	7/6/2021		7/16/2021				
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/2/2021	7/6/2021		7/16/2021				

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 Effective 7/20/2021	7/13/2021				
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 (28-01)	Board Organization and Meeting Procedures, Hearing Procedures Procedural	7/12/2021	8/16/2021						
Contractor Licensing Board (28-04)	Written Contracts for Services Procedural	7/12/2021	8/16/2021						
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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						
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					
Economic Development, WV Dept. of (145-17)	Purchasing Rule Procedural	7/12/2021	8/13/2021						
Education (126-013C)	Non-public School Accreditation (Policy 2330) Legislative Exempt	5/13/2021	6/14/2021					7/14/2021	8/16/2021
Education (126-044CC)	WV College and Career-Readiness Standards for Science (Policy 2520.3C) Legislative Exempt	6/9/2021	7/12/2021						
Education (126-079)	Charter Public Schools (Policy 3300) Legislative Exempt	6/9/2021	7/12/2021					7/14/2021	8/16/2021
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					7/14/2021	8/16/2021

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-161)	Regulations for the Alternative Certification Programs for the Education of Teachers (Policy 5901) Legislative Exempt	7/14/2021	8/16/2021						
Education (126-174)	Investigating Indoor Air Quality Complaints (Policy 6202) Legislative Exempt	7/14/2021	8/16/2021						
Education (126-175)	WV Dept. of Ed. Heating, Ventilating and Air-Conditioning (HVAC) Technicians (Policy 6203) Legislative Exempt	7/14/2021	8/16/2021						
Education (126-176)	School Closings or Consolidations (Policy 6204) Legislative Exempt	7/14/2021	8/16/2021						
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 (60-09)	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				

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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						
Health (64-12)	Hospital Licensure Legislative	6/22/2021	7/22/2021	5/20/2021 Effective 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						

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health & Human Resources (69-17)	Syringe Services Program Licensure Legislative	7/15/2021	8/16/2021	7/15/2021 ERD by 8/26/2021					
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	7/15/2021	8/15/2021
Higher Education Policy Comm. (133-64)	Administrative Exemption Legislative	11/20/2020	12/21/2020		3/11/2021	Modified & Approved 3/12/2021	HB3299	7/15/2021	8/15/2021
Highways (157-05)	Traffic and Safety Rules Legislative	7/28/2020	8/28/2020		8/28/2020	Approved 11/17/2020	Bundled HB2400	7/20/2021	7/20/2021
Insurance Comm. (114-42)	Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters Legislative	5/28/2021	7/1/2021		7/8/2021				
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		7/9/2021				
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 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
Medical Imaging & Radiatioin Therapy Tech Bd of Exam (18-06)	Practice of Radiologic Technology Interpretive	5/21/2021	6/30/2021					7/16/2021	9/1/2021
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						
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				

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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					
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		7/20/2021				
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						

RULE MONITOR

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

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/11/2021	7/12/2021		7/21/2021				
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative	7/21/2021	8/25/2021	6/23/2021 ERD by 8/4/2021					
Pharmacy (15-08)	Controlled Substances Monitoring Program Legislative	6/11/2021	7/12/2021		7/21/2021				
Pharmacy (15-16)	Regulations Governing Pharmacists Legislative	6/14/2021	7/15/2021		7/21/2021				
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	7/21/2021	7/21/2021
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					7/16/2021	9/14/2021
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					7/16/2021	9/14/2021
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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					7/14/2021	9/13/2021
Secondary School Activities Comm. (127-03)	Provisions Governing Contests Legislative Exempt	5/13/2021	6/14/2021					7/14/2021	9/13/2021
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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						
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 Effective 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 Approved 6/7/2021	6/30/2021				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-15L)	Exemption for Repair, Remodeling, and Maintenance of Aircraft Legislative	6/2/2021	7/7/2021	6/2/2021 Effective 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						
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Water Resources Division of Water and Waste Management (47-13)	Underground Injection Control Legislative	6/23/2021	7/23/2021						
Workers Comp. by the Insurance Comm (85-08)	Workers Compensation Policies, Coverage Issues and Related Topics Legislative Exempt	7/9/2021	8/26/2021						

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

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7/19/2021 11:46:23 AM

Office of West Virginia
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LEGISLATIVE

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

AGENCY: Agriculture TITLE-SERIES: 61-01A

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

RULE NAME: 61-01A Feeding of Untreated Garbage to Swine

PRIMARY CONTACT

NAME: Jodee Martin

ADDRESS: WV Department Of Agriculture
1900 Kanawha Boulevard East
Charleston, WV 25305

EMAIL: jodeemartin@wvda.us

PHONE NUMBER: 304-558-3200

CITE STATUTORY AUTHORITY: §19-9A-1

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:

eliminating the fee

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: 6/16/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/16/2021

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

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7/19/2021 12:06:27 PM

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

AGENCY: Agriculture TITLE-SERIES: 61-36

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

RULE NAME: 61-36 Farm to Food Bank Tax Credit

PRIMARY CONTACT

NAME: Susan Baxter

ADDRESS: WV Department Of Agriculture
1900 Kanawha Boulevard East
Charleston, WV 25305

EMAIL: sbaxter@wvda.us

PHONE NUMBER: 304-558-2221

CITE STATUTORY AUTHORITY: §11-13DD-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:

Allows Commissioner to administer of the farm to food bank tax credit

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: 6/16/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/16/2021

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

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7/16/2021 10:24:25 AM

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LEGISLATIVE

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

AGENCY: Air Quality TITLE-SERIES: 45-08

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

RULE NAME: Ambient Air Quality Standards

PRIMARY CONTACT

NAME: Laura Jennings

ADDRESS: WV Department Of Environmental Protection Daq
601 57th Street Se
Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PHONE NUMBER: 304-926-0475

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

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 § 22-5-4(a)(4) authorizes the director to promulgate legislative rules relating to the control of air pollution. W. Va. Code § 22-1-3(c) authorizes the director to incorporate by reference the federal counterpart regulation.

This rule incorporates by reference the ambient air quality standards in West Virginia for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO2), ozone (O3), particulate matter (PM), and sulfur dioxide (SO2) equivalent to the national primary and secondary ambient air quality standards (NAAQS) established under § 109 of the Clean Air Act and promulgated by the United States Environmental Protection Agency (U.S. EPA) under 40 C.F.R. Part 50. The rule also incorporates by reference the ambient air monitoring reference methods and equivalent methods promulgated by the U.S. EPA under 40 C.F.R. Part 53.

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: 7/6/2021

COMMENTS RECEIVED: No

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MAC WARNER

ADMINISTRATIVE LAW DIVISION

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7/16/2021 10:34:58 AM

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

AGENCY: Air Quality TITLE-SERIES: 45-16

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

RULE NAME: Standards of Performance for New Stationary Sources

PRIMARY CONTACT

NAME: Laura Jennings

ADDRESS: WV Department Of Environmental Protection Daq
601 57th Street Se
Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PHONE NUMBER: 304-926-0475

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

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 § 22-5-4(a)(4) authorizes the director to promulgate legislative rules relating to the control of air pollution. W. Va. Code § 22-1-3(c) authorizes the director to incorporate by reference the federal counterpart regulation.

This rule incorporates by reference the national standards of performance for new stationary sources (NSPS) and other regulatory requirements promulgated by the United States Environmental Protection Agency (U.S. EPA) pursuant to § 111(b) of the federal Clean Air Act, as amended (CAA).

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: 7/6/2021

COMMENTS RECEIVED: No

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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7/16/2021 10:40:42 AM

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LEGISLATIVE

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

AGENCY: Air Quality TITLE-SERIES: 45-18

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

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

PRIMARY CONTACT

NAME: Laura Jennings

ADDRESS: WV Department Of Environmental Protection Daq
601 57th Street Se
Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PHONE NUMBER: 304-926-0475

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

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 § 22-5-4(a)(4) authorizes the director to promulgate legislative rules relating to the control of air pollution. W. Va. Code § 22-1-3(c) authorizes the director to incorporate by reference the federal counterpart regulation.

This rule adopts standards of performance, and implements the federal emission guidelines and compliance times pursuant to §§ 111(b), 111(d) and 129 of the federal Clean Air Act, as amended, (CAA) to control certain designated pollutants from new and existing affected large municipal waste combustors, small municipal waste combustion units; hospital, medical, and infectious waste incinerators; commercial and industrial solid waste incineration units; other solid waste incineration units; and sewage sludge incineration units in West Virginia.

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: 7/6/2021

COMMENTS RECEIVED: No

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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7/16/2021 10:47:20 AM

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

AGENCY: Air Quality TITLE-SERIES: 45-34

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

RULE NAME: Emission Standards for Hazardous Air Pollutants

PRIMARY CONTACT

NAME: Laura Jennings

ADDRESS: WV Department Of Environmental Protection Daq
601 57th Street Se
Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PHONE NUMBER: 304-926-0475

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

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 § 22-5-4(a)(4) authorizes the director to promulgate legislative rules relating to the control of air pollution. W. Va. Code § 22-1-3(c) authorizes the director to incorporate by reference the federal counterpart regulation.

This rule incorporates by reference the national emission standards for hazardous air pollutants (NESHAP) and other regulatory requirements promulgated by the United States Environmental Protection Agency (U.S. EPA) pursuant to § 112 of the federal Clean Air Act, as amended (CAA).

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: 7/6/2021

COMMENTS RECEIVED: No

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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7/20/2021 12:32:35 PM

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LEGISLATIVE

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

AGENCY: Highways TITLE-SERIES: 157-05

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

RULE NAME: Traffic and Safety Rules

CITE STATUTORY AUTHORITY: W. Va. Code §§17-2A-8 and 12 and §17C-17 es que.

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

Authorization is cited in (house or senate bill number) HB2400

Section §64-8-1 Passed On 4/2/2021 12:00:00 AM

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

July 20, 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

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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7/20/2021 11:34:38 AM

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

AGENCY: Motor Vehicles TITLE-SERIES: 91-09

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

RULE NAME: 91-09 Collection of Tax on the Sale of a Vehicle

PRIMARY CONTACT

NAME: Adam Holly DMV

ADDRESS: PO Box 17200

Charleston, WestVirginia 25317

EMAIL: adam.holley@wv.gov

PHONE NUMBER: 304-926-0784

CITE STATUTORY AUTHORITY: W. Va. Code §§17A-2-9, 17A-3-4 and 11-15-3c

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:

This Legislative Rule Establishes The Criteria For The Collection And Determination Of The Sales Tax Required To Be Collected Prior To The Issuance Of A Certificate Of Title To A Vehicle, And Provision Implementing The Requirements Of House Bill 2775 (2007 Regular 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: 6/11/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/12/2021

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

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7/21/2021 12:18:13 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: Pharmacy TITLE-SERIES: 15-01

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

RULE NAME: 15-01 Licensure and Practice of Pharmacist Care

PRIMARY CONTACT

NAME: Ryan Hatfield

ADDRESS: 2310 Kanawha Blvd E

Charleston, WestVirginia 25304

EMAIL: ryan.l.hatfield@wv.gov

PHONE NUMBER: 304-558-0558

CITE STATUTORY AUTHORITY: 30-5-7

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

The amended rule removes the white coat requirement for pharmacists.

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: 6/11/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/12/2021

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

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7/21/2021 11:48:49 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Pharmacy TITLE-SERIES: 15-02

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

RULE NAME: RULES OF THE BOARD OF PHARMACY FOR THE UNIFORM CONTROLLED SUBSTANCES ACT

CITE STATUTORY AUTHORITY: 60A-3-301

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 08/25/2021 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Ryan Hatfield

ADDRESS: 2310 Kanawha Blvd E

Charleston, WV 25304

EMAIL: ryan.l.hatfield@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

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7/21/2021 12:25:08 PM

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LEGISLATIVE

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

AGENCY: Pharmacy TITLE-SERIES: 15-08

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

RULE NAME: 15-08 Controlled Substances Monitoring Program

PRIMARY CONTACT

NAME: Ryan Hatfield

ADDRESS: 2310 Kanawha Blvd E

Charleston, WestVirginia 25304

EMAIL: ryan.l.hatfield@wv.gov

PHONE NUMBER: 304-558-0558

CITE STATUTORY AUTHORITY: 30-5-7, 60A-9-6, 60A-9-9

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

This amendment is needed due to a statutory change from 2021 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: 6/11/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/12/2021

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

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7/21/2021 12:27:32 PM

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Secretary Of State

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

AGENCY: Pharmacy TITLE-SERIES: 15-16

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

RULE NAME: 15-16 Regulations Governing Pharmacists

PRIMARY CONTACT

NAME: Ryan Hatfield

ADDRESS: 2310 Kanawha Blvd E

Charleston, WestVirginia 25304

EMAIL: ryan.l.hatfield@wv.gov

PHONE NUMBER: 304-558-0558

CITE STATUTORY AUTHORITY: 30-5-7

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

We are cutting the renewal fee for pharmacists 65 and older in half.

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: 6/11/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/12/2021

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

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7/21/2021 2:51:42 PM

Office of West Virginia Secretary Of State

LEGISLATIVE

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

AGENCY: Professional Surveyors TITLE-SERIES: 23-01

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

RULE NAME: EXAMINATION AND LICENSING OF PROFESSIONAL SURVEYORS IN WEST VIRGINIA

CITE STATUTORY AUTHORITY: W. Va. Code §30-13A-6.

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

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

Section §64-9-13. Passed On 4/1/2021 12:00:00 AM

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

July 21, 2021

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

July 22, 2031

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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7/16/2021 10:45 AM

Office of West Virginia Secretary Of State

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Public Service Commission TITLE-SERIES: 150-05

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

RULE NAME: Rules for the Government of Sewer Utilities

CITE STATUTORY AUTHORITY: §§24-1-1, 24-1-7, 24-2-1, 24-2-2, and 24-2H-1.

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

September 14, 2021

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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7/16/2021 10:53 AM

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LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Public Service Commission TITLE-SERIES: 150-07

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

RULE NAME: Rules for the Government of Water Utilities

CITE STATUTORY AUTHORITY: 24-1-1, 24-1-7, 24-2-1, 24-2-2, and 24-2H-1

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

September 14, 2021

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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7/16/2021 12:32 PM

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Secretary Of State

INTERPRETIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Medical Imaging And Radiation Therapy Technology Board Of Examiners

TITLE-SERIES: 18-06

RULE TYPE: Interpretive

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: PRACTICE OF RADIOLOGIC TECHNOLOGY

CITE STATUTORY AUTHORITY: W. Va. Code §§30-23 et seq. and 30-1-1 et seq

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

September 1, 2021

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

Yes

Jamie S Browning -- 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.

Orders Report

Docket Number	Agency	Respondent	Date Rendered
21-4-12081-H	Health Care Authority	Webster Memorial Hospital, Inc.	7/14/2021
21-6-12112-X	Health Care Authority	Cavalier Mobile X-Ray Co.	7/6/2021
21-1/2/3/4/5/6-12089-A	Health Care Authority	Humana Inc.	7/6/2021
21-2-12105-X	Health Care Authority	Ohio Valley Physicians dba OVP Health	6/29/2021
21-3-12113-X	Health Care Authority	The Arc of the Three Rivers	6/29/2021
20-6-11824-H	Health Care Authority	Mon Health Marion Neighborhood Hospital, Inc.	6/29/2021
20-FP-CC-02028	Insurance Commission	Highmark West Virginia	7/20/2021
20-MC-THP-02002	Insurance Commission	Travelers Property Casualty Company of America	7/13/2021
20-IC-02005	Insurance Commission	Panhandle Farmers Mutual Insurance Company	7/19/2021
21-1C-02076	Insurance Commission	Granular Insurance Company	7/21/2021
19-114-W	Medicine, West Virginia Board Of	Zouhair Mohamad Wadih Kabbara, MD	7/12/2021
N/A	Medicine, West Virginia Board Of	Anand Raj Dugar, MD	7/12/2021
20-73-W	Medicine, West Virginia Board Of	Amber Marie Allen, DPM	7/19/2021
20-82-W	Medicine, West Virginia Board Of	Michael Curtis Shockley, MD	7/20/2021
21-02-W	Medicine, West Virginia Board Of	Eston Robert Caldwell, III, MD	7/20/2021
20-52-W	Medicine, West Virginia Board Of	Thomas Joseph Schmitt, MD	7/20/2021

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 23-21

By the Governor

WHEREAS, a State of Emergency was declared on the Sixteenth Day of March, Two Thousand Twenty for all counties in West Virginia (the "State of Emergency Declaration"), to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19; and

WHEREAS, Chapter 15, Article 5, Section 6 of the Code of West Virginia authorizes the Governor to, among other things, suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules of any state agency, if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, Executive Order 7-20 suspended certain provisions and sections of statute, including the deadlines for annual vehicle inspections; and

WHEREAS, at this time, it is appropriate that the deadline for annual vehicle inspections be reinstated; and

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me pursuant to the provision of Chapter 15, Article 5, Section 6 of the Code of West Virginia, hereby **DECLARE** and **ORDER** that effective as of 12:01 AM, Eastern Daylight Time, on the First day of October, Two Thousand Twenty-One, Section 14 of Executive Order 7-20, providing for the suspension of "Deadlines for annual vehicle inspections (W. Va. Code § 17C-16-1, *et seq.*)," shall be terminated and without further effect.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this Twentieth day of July, in the year of our Lord, Two Thousand Twenty-One in the One Hundred Fifty-Ninth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

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

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2021 JUL 19 P 2:01
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SECRETARY OF STATE

OTHER

July 19, 2021

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **July 16, 2021**.

LETTERS OF INTENT RECEIVED

July 12, 2021 – Roane General Hospital, Spencer, Roane County, CON File #21-5-12124-P, for the development of an ambulatory health care facility in Arnoldsburg, Calhoun County, through the relocation of a rural health clinic currently located on the hospital's campus; capital expenditure: $439,720.

July 13, 2021 – West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #21-6-12125-A, for the acquisition of the real property currently leased by West Virginia University Hospitals, Inc. for Fairmont Medical Center in Fairmont, Marion County; capital expenditure: $9,335,000.

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

July 13, 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.

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

July 15, 2021 – Review cycle begins;

August 16, 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 19, 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;

September 13, 2021 – Decision on the project will be issued by the Authority.

NOTICE OF PUBLIC COMMENT PERIOD

Certificate of Need Rule

The West Virginia Health Care Authority has scheduled a public comment period to receive comments on the Certificate of Need Rule. A copy of the proposed rule has been filed with the Secretary of State. The rule may also be viewed by going to the following location on the Authority's website https://hca.wv.gov/news/Pages/CON2021.aspx

Written comments may be submitted to April L. Robertson, General Counsel, Department of Health and Human Resources, One Davis Square, Suite 100, Charleston, WV 25301 or via email at April.L.Robertson@wv.gov. Comments must be received no later than 5:00 p.m. on July 29, 2021.

PROJECTS EXEMPT FROM REVIEW

July 13, 2021 – New River Ranch, Inc., Fayetteville, Fayette County, CON File #21-4-12056-X, for the addition of outpatient behavioral health services at its current location of 351 New River Ranch Road #178, Fayetteville.

July 13, 2021 – WomenCare, Inc. d/b/a FamilyCare Health Centers, Scott Depot, Putnam County, CON File #21-3-12123-X, for the acquisition of the operations of Charleston Family Practice Group located at 1201 Lee Street East, Charleston, Kanawha County.

CERTIFICATE OF NEED APPROVAL ISSUED

July 14, 2021 - Webster Memorial Hospital, 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.

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

West Virginia Board of Occupational Therapy

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2021 JUL 19 P 1:32
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Annual Report

FY 2020 – FY 2021