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

(304) 558-6000

sos.wv.gov

CONTENTS

Chronological Index

Rule Monitor

Notices

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

Legislative Interims

Orders

Ethics Commission Opinions

Grievances Reports

Office of Tax Appeal Decisions

Governor's Executive Orders

Attorney General Opinions

Other Documents or Information Filed

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

Air Quality, Div. of

Education

Environmental Protection, Secretary's Office

Health and Human Resources

Health Care Authority

Tax Department

Water Resources, Div. of Water & Waste Mgmt.

CHRONOLOGICAL INDEX, VOLUME XXXVIII ISSUE 33			
RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Education (126-022)	Driver Education Regulations (Policy 2422.2) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only September 15, 2021, 4:00 pm Sonya White, Teaching and Learning Officer WVDE Office of Teaching and Learning Capitol Bldg. 6, Room 500 1900 Kanawha Blvd., E Charleston, WV 25305 snjwhite@k12.wv.us
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only September 15, 2021, 4:00 pm Brad A. Fittro, Coordinator WVDE Certification Services Capitol Bldg. 6, Room 550 1900 Kanawha Blvd. E Charleston, WV 25305 bfittro@k12.wv.us
Education (126-189)	Intercounty Student Transfer Appeal (Policy 7212) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only September 15, 2021, 4:00 pm Heather Hutchens, General Counsel WVDE Legal Services Capitol Bldg. 6, Room 362 1900 Kanawha Blvd. E Charleston, WV 25305 hhutchens@k12.wv.us
Environmental Protection, Secretary's Office (60-10)	Purchasing Procedure Procedural	§5A-1-12	Written Comments Only September 20, 2021, 5:00 pm Jane Casewell 601 57th Street SE Charleston, WV 25304

EMERGENCY RULES FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE OF HEARING**
Water Resources, Div. of Water & Waste Mgmt. (47-30B)	Administrative Proceedings and Civil Penalty Assessment	§§22-11-22a(b) and (d)	ERD by September 30, 2021	Must be put out for public comment by September 18, 2021

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

Mac Warner
Secretary of State
State of West Virginia

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

GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

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

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	2	ARCHITECTS
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED PROFESSIONAL NURSES
TITLE	20	SANITARIANS
TITLE	22	FORESTRY
TITLE	24	OSTEOPATHIC MEDICINE
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE	30	RESPIRATORY CARE
TITLE	31	DIETITIANS
TITLE	32	ACUPUNCTURE
TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE	35	OIL AND GAS
TITLE	36	COAL MINE HEALTH AND SAFETY
TITLE	38	MINING AND RECLAMATION
TITLE	42	LABOR
TITLE	45	AIR QUALITY
TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH AND HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	87	FIRE COMMISSION
TITLE	89	PUBLIC DEFENDER SERVICES
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	145	DEVELOPMENT OFFICE
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	155	AUDITOR
TITLE	157	HIGWAYS
TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

		RULE MONITOR							
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
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	7/27/2021 Approved 8/9/2021	7/26/2021				
Agriculture (61-07, Repeal)	Enrichment of Flour and Bread Law Regulations Legislative	6/28/2021	7/28/2021		7/28/2021				
Agriculture (61-08C, Repeal)	Fruits and Vegetables Certification of Potatoes for Seeding Purposes Legislative	6/28/2021	7/28/2021		7/28/2021				
Agriculture (61-10)	Fresh Food Act Legislative	6/29/2021	7/29/2021		7/29/2021				
Agriculture (61-11B)	Auctioneers Legislative	6/29/2021	7/29/2021		7/29/2021				
Agriculture (61-30)	Hemp Products Legislative	6/28/2021	7/28/2021	7/30/2021 Approved 8/9/2021	7/30/2021				
Agriculture (61-31)	Livestock Care Standards Legislative	6/30/2021	7/30/2021	6/30/2021 Effective 8/11/2021	7/30/2021				
Agriculture (61-33)	Rural Rehabilitation Program Legislative	6/24/2021	7/24/2021		7/27/2021				
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	7/30/2021 Approved 8/9/2021	7/30/2021				
Agriculture (61-39)	Seed Certification Legislative	6/28/2021	7/28/2021		7/30/2021				
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				

		RULE MONITOR							
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/2/2021	7/6/2021		7/16/2021				
Alcohol Beverage Control Comm. (175-02)	Private Club Licensing Legislative	6/1/2021	7/1/2021		7/27/2021				
Alcohol Beverage Control Comm. – Beer (176-01)	Nonintoxicating Beer Licensing and Operations Procedures Legislative	6/1/2021	7/1/2021		7/28/2021				
Auditor (155-09)	Accountability Requirements for State Funds and Grants Legislative	7/30/2021	8/30/2021						
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					7/28/2021	8/27/2021
Contractor Licensing Board (28-01)	Board Organization and Meeting Procedures, Hearing Procedures Procedural	7/12/2021	8/16/2021						
Contractor Licensing Board (28-02)	Contractor Licensing Act Legislative	6/30/2021	7/30/2021		7/30/2021				
Contractor Licensing Board (28-04)	Written Contracts for Services Procedural	7/12/2021	8/16/2021						
Counseling (27-01)	Licensing Rule Legislative	6/30/2021	7/29/2021		7/29/2021				
Counseling (27-02)	Licensed Professional Counselor Fees Rule Legislative	6/29/2021	7/29/2021		7/30/2021				
Counseling (27-08)	Marriage and Family Therapist Licensing Rule Legislative	6/30/2021	7/29/2021		7/30/2021				
Counseling (27-09)	Marriage and Family Therapist Fees Rule Legislative	6/30/2021	7/29/2021		7/30/2021				

RULE MONITOR									
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Crime, Delinquency and Correction (149-02)	Law Enforcement Training and Certification Standards Legislative	6/28/2021	7/28/2021	6/28/2021 Effective 8/9/2021	7/29/2021				
Dentistry (5-01)	Rule for the WV Board of Dentistry Legislative	6/18/2021	7/21/2021		7/26/2021				
Dentistry (5-02)	Formation and Approval of Professional Limited Liability Companies Legislative	6/18/2021	7/21/2021		7/26/2021				
Dentistry (5-06)	Formation and Approval of Dental Corporations; and Dental Practice Ownership Legislative	6/18/2021	7/21/2021		7/26/2021				
Dentistry (5-11)	Continuing Education Requirements Legislative	6/18/2021	7/21/2021		7/26/2021				
Dentistry (5-12)	Administration of Anesthesia by Dentists Legislative	6/18/2021	7/21/2021		7/26/2021				
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	6/18/2021	7/21/2021		7/26/2021				
Dentistry (5-16)	Teledentistry Legislative	6/17/2021	7/17/2021	6/17/2021 Amendment 7/26/2021 ERD by 9/6/2021	7/26/2021				
Economic Development, WV Dept. of (145-17)	Purchasing Rule Procedural	7/12/2021	8/13/2021						
Education (126-022)	Driver Education Regulations (Policy 2422.2) Legislative Exempt	8/16/2021	9/15/2021						
Education (126-044CC)	WV College and Career-Readiness Standards for Science (Policy 2520.3C) Legislative Exempt	6/9/2021	7/12/2021					8/16/2021	7/1/2022

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202) Legislative Exempt	8/16/2021	9/15/2021						
Education (126-143)	County Superintendent Performance Evaluations (Policy 5309) Legislative Exempt	6/9/2021	7/12/2021					8/16/2021	9/15/2021
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						
Education (126-189)	Intercounty Student Transfer Appeal (Policy 7212) Legislative Exempt	8/16/2021	9/15/2021						
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					7/30/2021	8/29/2021
Environmental Protection, Secretary's Office (60-10)	Purchasing Procedure Procedural	8/19/2021	9/20/2021						

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		7/30/2021				
Family Protection Services Bd. (191-02)	Domestic Violence Program Licensure Standards Legislative	6/30/2021	7/30/2021		7/30/2021				
Fire Commission (87-01)	Fire Code Legislative	6/28/2021	7/28/2021		7/30/2021				
Fire Commission (87-04)	State Building Code Legislative	6/23/2021	7/26/2021		7/30/2021				
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		7/30/2021				
Fire Commission (87-12)	Junior Firefighters Legislative	6/22/2021	7/23/2021	6/22/2021 Effective 8/3/2021	7/30/2021				
Fire Commission (87-13)	Certification of Fire Chiefs Legislative	6/22/2021	7/23/2021	6/22/2021 Effective 8/3/2021	7/30/2021				
Fire Commission (87-14)	Use of Aqueous Film-Forming Foam (AFFF) for Fire Training Program Purposes Legislative	6/23/2021	7/26/2021		7/27/2021				
Fire Marshal (103-04)	Regulation of Fireworks and Related Explosive Materials Legislative	6/25/2021	7/27/2021		7/28/2021				
Funeral Service Examiners (6-07)	Fee Schedule Legislative	6/30/2021	7/30/2021		7/30/2021				
Health (64-10)	Methods and Standards for Chemical Tests for Intoxication Legislative	6/29/2021	7/29/2021		7/30/2021				
Health (64-12)	Hospital Licensure Legislative	6/22/2021	7/22/2021	5/20/2021 Effective 7/1/2021	7/23/2021				
Health (64-42)	Childhood Lead Screening Legislative	6/29/2021	7/29/2021		7/30/2021				

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AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Health (64-43)	Food Manufacturing Facilities Legislative	6/30/2021	7/30/2021		7/30/2021				
Health (64-47)	Sewage Treatment and Collection System Design Standards Legislative	6/29/2021	7/29/2021		7/30/2021				
Health (64-48)	Emergency Medical Services Legislative	7/29/2021	8/30/2021	7/1/2021 Approved 7/1/2021					
Health (64-57)	Clinical Laboratory Practitioner Licensure and Certification Legislative	6/29/2021	7/29/2021		7/30/2021				
Health (64-92)	Clandestine Drug Laboratory Remediation Legislative	6/29/2021	7/29/2021		7/30/2021				
Health (64-97)	Maternal Risk Screening Legislative	6/29/2021	7/29/2021		7/30/2021				
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		7/30/2021				
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						
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		7/27/2021				
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		7/30/2021				

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AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
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		7/30/2021				
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		7/30/2021				
Medicine (11-01B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 Effective 8/10/2021	7/30/2021				
Medicine (11-05)	Bd. Of Medicine Rule for Dispersing of Prescription Drugs by Practitioners Legislative	6/29/2021	7/29/2021		7/30/2021				
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/29/2021	7/29/2021		7/30/2021				
Medicine (11-10)	Practitioner Requirements for Accessing the WV Controlled Substances Monitoring Program Database Legislative	6/29/2021	7/29/2021		7/30/2021				
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		7/30/2021				
Medicine (11-14)	Registration to Practice During Declared State of Emergency Legislative	6/29/2021	7/29/2021		7/30/2021				
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 Effective 8/10/2021	7/30/2021				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		7/30/2021				
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					7/28/2021	8/27/2021
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 Effective 8/5/2021	7/27/2021				
Motor Vehicles (91-06)	Dealer Licensing Legislative	6/29/2021	7/29/2021		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		7/30/2021				
Natural Resources (58-23)	Revocation of Hunting and Fishing Licenses Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-25)	Boating Rule Legislative	6/30/2021	7/29/2021		7/30/2021				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-26)	Special Boating Rules Legislative	6/30/2021	7/29/2021	6/30/2021 Effective 8/11/2021	7/30/2021				
Natural Resources (58-27)	Special Motorboating Regulations Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-30)	Wildlife Education Facilities Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-38)	Public Shooting Ranges Legislative	6/30/2021	7/29/2021	6/30/2021 Effective 8/11/2021	7/30/2021				
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-49)	General Hunting Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-53)	General Trapping Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-63)	Commercial Sale of Wildlife Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-67)	Lifetime Hunting, Trapping and Fishing Licenses Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-69)	Wildlife Disease Management Legislative	6/30/2021	7/29/2021		7/30/2021				
Office of Technology (163-02)	Chief Information Officer Review Legislative	6/23/2021	7/23/2021		7/30/2021				
Office of Technology (163-03)	Cyber Reporting Legislative	6/15/2021	7/15/2021		7/30/2021				
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	6/29/2021	7/29/2021		7/30/2021				
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 Effective 8/10/2021	7/30/2021				
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		7/30/2021				

		RULE MONITOR							
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
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 Effective 8/10/2021	7/30/2021				
Personnel (143-01)	Administrative Rule of the WV Division of Personnel Legislative	5/28/2021	6/30/2021		7/29/2021				
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 Effective 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				
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	5/28/2021	6/28/2021		7/28/2021				
Real Estate Appraiser Licensing and Certification Bd. (190-02)	Requirements for Licensure and Certification Legislative	6/29/2021	7/29/2021		7/30/2021				

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		7/30/2021				
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		7/30/2021				
Registered Professional Nurses (19-16)	Telehealth Practice Legislative	6/30/2021 7/30/2021	7/30/2021 8/29/2021	7/2/2021 Withdrawn 7/8/2021 7/29/2021 ERD 9/9/2021					
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 WV DHHR, and WV Insurance Commissioner (114A-01)	All-Payer Claims Database – Data Submission Requirements Legislative	6/30/2021	7/30/2021		7/30/2021				
Sec. of WV DHHR, and WV Insurance Commissioner (114A-02, repeal)	All-Payer Claims Database – Privacy and Security Requirements Legislative	6/30/2021	7/30/2021		7/30/2021				
Secretary of State (153-25)	Combined Voter Registration and Driver Licensing Fund Legislative	6/25/2021	7/27/2021		7/30/2021				
Secretary of State (153-30)	Use of Digital Signatures Legislative	6/24/2021	7/27/2021		7/30/2021				
Secretary of State (153-43)	Regulation of Political Party Headquarters Finances Legislative	6/24/2021	7/27/2021		7/30/2021				
Secretary of State (153-45)	Standards and Guidelines for Electronic Notarization, Remote Online Notarization, and Remote Ink Notarization Legislative	6/24/2021	7/27/2021		7/30/2021				

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		7/30/2021				
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					7/23/2021	10/1/2021
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	6/30/2021	7/30/2021	6/30/2021 Effective 8/11/2021	7/30/2021				
Social Work Examiners (25-05)	Continuing Education for Social Workers and Providers Legislative	6/30/2021	7/30/2021		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		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	7/30/2021				
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		7/27/2021				
Transportation (217-01)	Employment Procedures Legislative	6/30/2021	7/30/2021		7/30/2021				
Treasurer (112-02)	Substitute Checks-Exceptional Items Fund Legislative	6/28/2021	7/28/2021		7/29/2021				
Treasurer (112-10)	Reporting Debt Legislative	6/28/2021	7/29/2021		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		7/29/2021				
Treasurer (112-13)	Procedures for Providing Services to Political Subdivisions Legislative	6/25/2021	7/26/2021		7/29/2021				
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 & Waste Mgmt. (33-01B)	Requirements for the Management of Coal Combustion Residuals Legislative	6/25/2021	7/26/2021		7/30/2021				
Water Resources, Div. of Water & Waste Mgmt. (47-02)	Requirements Governing Water Quality Standards Legislative	6/4/2021	7/19/2021		7/30/2021				
Water Resources, Div. of Water & Waste Mgmt. (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, Div. of Water & Waste Mgmt. (47-13)	Underground Injection Control Legislative	6/23/2021	7/23/2021		7/30/2021				
Water Resources, Div. of Water & Waste Mgmt. (47-30B)	Administrative Proceedings and Civil Penalty Assessment Legislative			8/19/2021 ERD by 9/30/2021					
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	8/6/2021				
Racing Commission 178-05	Pari-Mutuel Wagering 8/1/2022	4/26/2021	4/30/2021				
Registererd Professional Nurses 19-08	Limited Prescriptive Authority for Nurses in Advanced Practice 5/15/2022	3/17/2021	5/10/2021				
Risk and Insurance Management 115-07	Patient Injury Compensation Fund 5/1/2022	4/21/2021					
Secretary of State 153-03	Voter Registration at the Division of Motor Vehicles 5/23/2022	5/10/2021	5/10/2021				
Secretary of State 153-05	Voter Registration List Maintenance by the Secretary of State 5/23/2022	5/10/2021	5/10/2021				

LEGISLATIVE RULES FILED PER THE SUNSET PROVISION W. Va. Code §29A-3-19 and 29A-3A-20							
AGENCY/SERIES NUMBER	**RULE/SUNSET DATE**	**REQUEST**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Treasurer 112-04	Procedures for Deposit of Monies with the State Treasurer's Office by State Agencies 6/1/2022	5/5/2021	5/6/2021				
Treasurer 112-06	Selection of State Depositories for Disbursement Accounts through Competitive Bidding 6/1/2022	5/6/2021	5/6/2021				
Treasurer 112-07	Selection of State Depositories for Receipt Accounts 6/1/2022	5/7/2021	5/7/2021				
Treasurer 112-08	Procedures for Processing Payments from the State Treasury 6/1/2022	5/7/2021	5/7/2021				

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/16/2021 9:22:17 AM
Office of West Virginia Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-022

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

RULE NAME: Driver Education Regulations (2422.2)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/15/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sonya White, Teaching and Learning Officer

ADDRESS: WVDE Office of Teaching and Learning, Capitol Bldg. 6, Room 500

1900 Kanawha Blvd., E, Charleston, WV 25305

EMAIL: snjwhite@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/16/2021 9:29 AM
Office of West Virginia Secretary Of State

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

AGENCY: Education TITLE-SERIES: 126-044CC

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

RULE NAME: West Virginia College- and Career-Readiness Standards for Science (2520.3C)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

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

July 1, 2022

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

Yes

Michele L Blatt -- 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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8/16/2021 9:40:20 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-136

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

RULE NAME: Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (5202)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/15/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brad A. Fittro, Coordinator

ADDRESS: WVDE Certification Services, Capitol Bldg. 6, Room 550

1900 Kanawha Blvd., E, Charleston, WV 25305

EMAIL: bfittro@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/16/2021 9:24 AM
Office of West Virginia
Secretary Of State

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

AGENCY: Education TITLE-SERIES: 126-143

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

RULE NAME: County Superintendent Performance Evaluations (5309)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

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

September 15, 2021

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

Yes

Michele L Blatt -- 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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8/16/2021 9:18:21 AM
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LEGISLATIVE

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2021 AUG 16 P 1:40
OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-189

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

RULE NAME: Intercounty Student Transfer Appeal (7212)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/15/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Heather Hutchens, General Counsel

ADDRESS: WVDE Legal Services, Capitol Bldg. 6, Room 362

1900 Kanawha Blvd., E, Charleston, WV 25305

EMAIL: hhutchens@k12.wv.us

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)

Adoption Policy

West Virginia Department of Health and Human Resources
Bureau for Children and Families
Office of Children and Adult Services
Revised August 2021

FILED
LEGISLATIVE
2021 AUG 16 P 1:41
OFFICE WEST VIRGINIA
SECRETARY OF STATE

Foster Care Policy

West Virginia Department of Health and Human Resources
Bureau for Children and Families
Office of Children and Adult Services
Revised August 2021

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

8/19/2021 3:49:30 PM

Office of West Virginia
Secretary Of State

PROCEDURAL

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Environmental Protection Secretarys Office TITLE-SERIES: 60-10

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

RULE NAME: Purchasing Procedure

CITE STATUTORY AUTHORITY: W. Va. Code §5A-1-12.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/20/2021 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jane Casewell

ADDRESS: 601 57th St SE

Charleston, WV 25304

EMAIL:

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/19/2021 11:28:17 AM
Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Water Resources Division Of Water And Waste Management

TITLE-SERIES: 47-30B

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

RULE NAME: ADMINISTRATIVE PROCEEDINGS AND CIVIL PENALTY ASSESSMENT

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code § 22-11-22a(b) and (d).

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:

PRIMARY CONTACT:

NAME: charles sturey

ADDRESS: WV Department Of Environmental Protection

601 57th Street Charleston, WV 25304

EMAIL: charles.s.sturey@wv.gov

PHONE NUMBER: 304-926-0499 43712

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

Orders Report

Docket Number	Agency	Respondent	Date Rendered
20-3-11992-Z	Health Care Authority	Kanawha Hospice Care, Inc.	8/16/2021
21-6/10/11-12099-A	Health Care Authority	Select Specialty Hospitals, Inc.	8/13/2021
21-2-12100-B	Health Care Authority	Pleasant Valley Hospital, Inc.	8/13/2021
21-8/9-12106-A	Health Care Authority	PathWell Health, Inc.	8/13/2021
18-11-11450-BH	Health Care Authority	REM West Virginia, LLC	8/3/2021
21-2-12121-X	Health Care Authority	Hospice of Huntington, Inc. dba Tri-State LifeCare	7/30/2021
21-11-12122-X	Health Care Authority	Trinity Health System-West	7/30/2021
21-2-12114-X	Health Care Authority	Cabell Huntington Hospital, Inc.	7/30/2021
21-3-12130-X	Health Care Authority	West Virginia Health Right, Inc.	7/29/2021
21-5-12091-B	Health Care Authority	Encompass Health Rehabilitation Hospital of Parkersburg	7/26/2021
15-10-10549-H	Health Care Authority	Acuity Specialty Hospital - Ohio Valley, L.P.	7/19/2021
20-9-12005-H	Health Care Authority	Berkeley Medical Center	7/19/2021
21-8/9-12037-Z	Health Care Authority	WVUHS Home Care, LLC	7/19/2021
21-1-12117-X	Health Care Authority	Compass Counseling, LLC	7/19/2021
21-6-12110-P	Health Care Authority	Preston Memorial Hospital Corporation	7/19/2021
15-11-10550-H	Health Care Authority	Acuity Specialty Hospital - Ohio Valley, L.P.	7/19/2021
18-5-11487-P	Health Care Authority	Camden-Clark Memorial Hospital Corporation	7/19/2021
18-5-11487-P	Health Care Authority	Camden-Clark Physician Corporation	7/19/2021

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 24-21

By the Governor

WHEREAS, the State of West Virginia is honored that the National Guard Bureau and United States Northern Command has selected the West Virginia National Guard to host the major regional full-scale disaster training exercise, Vigilant Guard; and

WHEREAS, the exercise will be held August 26th through August 29th at the West Virginia National Guard's newest training facility, the All Hazards Training Facility; and

WHEREAS, activities and events as a part of the exercise will encompass Clay, Fayette, Kanawha, and Nicholas Counties and will greatly enhance the State of West Virginia's domestic response capabilities; and

WHEREAS, there will be need for coordination and cooperation between all levels of government, including federal agencies, state agencies, and local agencies, as well as other state governments, to ensure Vigilant Guard activities and events operate efficiently and safely; and

WHEREAS, all resources used in conjunction with the State's support of Vigilant Guard 2021 activities and events will require an organized, capable, and fully equipped agency to serve as the principal agency responsible for the coordination, direction, and management of all State agency activities associated with preparing for and hosting the Exercise; and

WHEREAS, the principal agency responsible for such coordination, direction, and management will report directly to the Governor as the sole liaison for all Vigilant Guard activities and events; and

WHEREAS, the West Virginia National Guard has expertise in the organization of complex, interagency synchronization; and

WHEREAS, the Adjutant General of the National Guard works on a daily basis with agencies at all levels of State government required to support these important events; and

WHEREAS, it is in the best interest of the public that all State resources tasked to assist the Vigilant Guard Exercise's organization consult with a principal advisor, or his/her designee, on all decisions regarding development, planning, coordination, and roles and responsibilities, as well as other duties as needed, to ensure all events and activities associated with the Exercise are successful; and

NOW, THEREFORE, I, JIM JUSTICE, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **ORDER** that:

1. The National Guard is hereby designated as the principal agency to coordinate all State agency planning and response for activities and events of Vigilant Guard 2021 throughout the State.
2. The Adjutant General of the National Guard ("General") shall serve as the sole liaison to the Governor for the planning, coordination, direction, and management of all details of all events sponsored by, or related to, the Vigilant Guard 2021 Exercise that take place in West Virginia for which any major State assistance is required.
3. The General shall work with appropriate federal agencies to secure the appropriate federal support for these events.
4. All other State agencies, resources, or entities that aid, assist, or participate in any such events related to Vigilant Guard 2021 Exercise shall coordinate through the General, or his or her designee, all development, planning, coordination, and roles and responsibilities, and the General will advise the Governor on all emerging, current, or future plans necessary for a successful event.
5. The General shall serve as the State's primary public and media contact for progress, events, and activities associated with Vigilant Guard 2021 and shall make all decisions necessary to carry out directives as provided by the Governor of the State of West Virginia.

6. The West Virginia National Guard shall coordinate with key agencies that will have major roles in the support of the Vigilant Guard 2021 Exercise, and shall provide to the Governor, within one hundred twenty (120) days of this Order, a fiscal impact statement outlining the needs that such agencies will have in order to provide the proper support for a successful event.
7. The West Virginia National Guard will partner with the West Virginia Military Authority to serve as the State's sole Office of Primary Executive Responsibility to solicit and manage funding for the State from our federal agency partners.
8. All agencies and entities utilized in conjunction with Exercise activities shall coordinate all actions, assignments, roles, and responsibilities through the General and shall be responsible for keeping the General informed, at all times, as to all critical or key issues, problems, or concerns.

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 Seventeenth day of August, 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

NOTICE OF COMMENT PERIOD FOR 45CSR28 EMISSIONS TRADING PROGRAM EVALUATION

The West Virginia Department of Environmental Protection, Division of Air Quality is providing notice to the general public of its emissions trading program evaluation. The emissions trading program is a voluntary statewide program which provides incentives for air pollution sources to make progress toward the attainment or maintenance of the National Ambient Air Quality Standards, the reduction or prevention of hazardous air pollutant emissions and the protection of human health, welfare and the environment.

Under the provisions of 45CSR28 "Air Pollutant Emissions Banking and Trading," the Director is required to conduct an evaluation of the emission trading program.

This notice solicits comments from the public concerning the evaluation.

All written comments submitted by the public pursuant to this notice must be received by the DAQ within thirty (30) days of the date of publication of this notice. In the event that the 30th day is a Saturday, Sunday, or legal holiday, the comment period will be extended until 5:00 p.m. on the following regularly scheduled business day. During the public comment period, any interested person may submit written comments on the evaluation and may request a public hearing. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. The Director of the DAQ shall grant such a request for a hearing if she concludes that a public hearing is appropriate.

A copy of the evaluation titled "45CSR28 Program Evaluation 2021" may be downloaded from the DAQ's web site at www.dep.wv.gov/daq under the "Emission Trading" tab:

Comments and questions concerning this matter should be addressed to :

WV Department of Environmental Protection
Division of Air Quality
601 57th Street., SE
Charleston, WV 25304
Contact: Robert Mullins
(304)926-3737 ext. 41286

FILED
2021 AUG 17 P 1:06
OFFICE WEST VIRGINIA SECRETARY OF STATE

OTHER

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

FILED
2021 AUG 17 P 1:44
OFFICE WEST VIRGINIA SECRETARY OF STATE

August 16, 2021

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **August 13, 2021**.

LETTER OF INTENT RECEIVED

August 13, 2021 – Pocahontas Memorial Hospital, Buckeye, Pocahontas County, CON File #21-4-12147-P, for the development of an ambulatory care center to be located in Hillsboro, Pocahontas County; capital expenditure: $40,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

August 12, 2021 - BrightSpring Health Services, Inc., Louisville, Kentucky, CON File #21-1/3/5-12138-A, for the sale of up to 100% of its ownership interests in its personal care services in Kanawha, Mercer and Wood counties in West Virginia; capital expenditure: $1,110,000.

HEARING NOTICE

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

August 13, 2021 - Braxton County Memorial Hospital, Gassaway, Braxton County, CON File #21-7-12102-P, for the development of an ambulatory health care facility in Gilmer County; capital expenditure: $1,840,000.

HEARING ORDER ISSUED

August 13, 2021 - Braxton County Memorial Hospital, Gassaway, Braxton County, CON File #21-7-12102-P, for the development of an ambulatory health care facility in Gilmer County; capital expenditure: $1,840,000.

CERTIFICATE OF NEED APPROVALS ISSUED

August 13, 2021 - Select Specialty Hospitals, Inc., Mechanicsburg, PA, CON File #21-6/10/11-12099-A, for the stock purchase acquisition of Acuity Healthcare Holdings, Inc.; capital expenditure: $19,000,000.

August 13, 2021 - Pleasant Valley Hospital, Inc., Point Pleasant, Mason County,

CON File #21-2-12100-B, for the development of an inpatient rehabilitation unit through the conversion of six existing hospital beds to rehabilitation beds; capital expenditure: $150,000.

August 13, 2021 - PathWell Health, Inc., Fairfield, CT, CON File #21-8/9-12106-A, for the acquisition of the equity interests of Caring Angels Home Health, LLC, a home health agency providing services in West Virginia and Virginia; capital expenditure: $1,355,768.

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

OTHER

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

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

FILED
2021 AUG 17 P 3:25
OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

August 17, 2021

NEWS ITEM

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

August 11, 2021 - Webster Equity Partners III-A, L.P., Waltham, MA, CON File #21-2/3/6/9-12128-A, for the acquisition of 86.57% of the ownership interests of BayMark Holdings, LLC, which, through subsidiaries, operates a licensed opioid treatment program in Morgantown, Monongalia County, and four licensed behavioral health centers located in Morgantown, Point Pleasant, Charleston and Martinsburg; capital expenditure: $2,280,000.

August 12, 2021 - BrightSpring Health Services, Inc., Louisville, Kentucky, CON File #21-1/3/5-12138-A, for the sale of up to 100% of its ownership interests in its personal care services in Kanawha, Mercer and Wood counties in West Virginia; capital expenditure: $1,110,000.

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

The review cycle begins on **August 16, 2021**.

On or before **September 15, 2021**, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

100 Dee Drive • Charleston, West Virginia 25311-1600 • 304.558.7000 • 304.558.4776/Fax • www.hca.wv.gov

If no public hearing is requested, the file closing date will be **September 20, 2021.** After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications.

The Decision on the projects referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decisions will be issued on or before **October 15, 2021.**

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

8/17/21
Date

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

OTHER

FILED

2021 AUG 18 P 12:01

OFFICE WEST VIRGINIA SECRETARY OF STATE

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

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

In Re:

BRAXTON COUNTY MEMORIAL HOSPITAL
CON File No. 21-7-12102-P

NOTICE OF CANCELLATION OF PREHEARING CONFERENCE AND ADMINISTRATIVE HEARING

PLEASE TAKE NOTICE that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, that Barbara Skeen, Interim Executive Director of the West Virginia Health Care Authority, wishes to announce that Braxton County Memorial Hospital has withdrawn its Certificate of Need application in the above-captioned matter.

As such, **the PREHEARING CONFERENCE** scheduled for **October 19, 2021, at 1:30 p.m. and the ADMINISTRATIVE HEARING** scheduled for **October 26, 2021, at 9:00 a.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia has been **CANCELLED.**

This application concerns the development of an ambulatory health care facility in Gilmer County, West Virginia.

If you have any questions concerning this matter, please contact Barbara Skeen, Director of Certificate of Need, at (304) 558-7000.

Date: August 13, 2021

Barbara Skeen
Barbara Skeen, Interim Executive Director

WEST VIRGINIA
HEALTH CARE AUTHORITY

AUG 16 2021
OFFICE OF WEST VIRGINIA SECRETARY OF STATE
2021 AUG 18 P 12:01
FILED

In Re: **BRAXTON COUNTY MEMORIAL HOSPITAL**
CON File # 21-7-12102-P

ORDER

On August 3, 2021, Braxton County Memorial Hospital, withdrew its Certificate of Need application in the above-referenced matter. Accordingly, the pre-hearing conference scheduled for October 19, 2021, and hearing scheduled for October 26, 2021, are hereby cancelled and the administrative hearing is DISMISSED from the active docket of the West Virginia Health Care Authority.

Entered this 13th day of August, 2021.

B. Allen Campbell
Senior Assistant Attorney General
Counsel for the WV Health Care Authority

OTHER

Dave Hardy
Secretary of Revenue

STATE TAX DEPARTMENT

Matthew R. Irby
State Tax Commissioner

Administrative Notice 2021-20

Notice of extension of time for filing all tax returns, and periodic filings. All West Virginia tax returns and other West Virginia State tax filings due on any date from and including August 15, 2021, up to and including August 20, 2021 are extended, and are due on August 24, 2021.

Because of computer system and technology issues encountered by the West Virginia Tax Department and by West Virginia Taxpayers, the due dates for all West Virginia tax returns and other West Virginia State tax filings due on any date from and including August 15, 2021, and up to and including August 20, 2021 are hereby extended, and will be due on August 24, 2021.

This extension is retroactive in effect to include any West Virginia tax filing due on or between August 15, 2021 through the issuance date of this Administrative Notice.

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

Issued August 18, 2021

Matthew R. Irby
State Tax Commissioner

OFFICE OF WEST VIRGINIA SECRETARY OF STATE
2021 AUG 18 A 11:28
FILED

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