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Administrative Law Division
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NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Agriculture (61-28)	Poultry Litter and Manure Movement Into Primary Poultry Breeder Rearing Areas Legislative	§§19-9-2, 19-9-10	Written Comments Only July 30, 2015, 12:00 pm WV Dept. of Agriculture Attn: Jodee Martin 1900 Kanawha Boulevard East Charleston, WV 25305
Agriculture (61-31)	Livestock Care Standards Legislative	§19-1C-4	Written Comments Only July 30, 2015, 12:00 pm Jodee Martin WV Dept. of Agriculture 1900 Kanawha Boulevard East Charleston, WV 25305
Health (64-95)	Immunization Requirements and Recommendations for Children Attending School and Enrolled in State-Regulated Child Care Interpretive	§§16-3-1, 16-3-4(c), 5-16-9(i) and 16-1-4	Written Comments Only July 26, 2015, 1:00 pm Brian J. Skinner, Dir., Public Health Regulations WV Dept. of Health & Human Resources Bureau for Public Health 350 Capitol Street, Room 702 Charleston, WV 25301 (304) 356-4122 brian.j.skinner@wv.gov
Health and Human Resources (69-8)	Chronic Pain Management Clinic Licensure Legislative	§§16-1-4 and 16-5H-9	Written Comments Only July 26, 2015, 1:00 pm DHHR Office of Inspector General Building 6, Room 817-B State Capitol Complex Charleston, WV 25305
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	§16-49-9	Written Comments Only July 26, 2015, 1:00 pm DHHR Office of Inspector General Building 6, Room 817-B State Capitol Complex Charleston, WV 25305

CHRONOLOGICAL INDEX, VOLUME XXXII ISSUE 27			
NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Highways (157-11)	State Transportation Infrastructure Fund Program Legislative	§17-17B	Written Comments Only July 29, 2015, 2:00 pm Greg Bailey and Lorrie A. Hodges WV Div. of Highways 1900 Kanawha Boulevard East Room 148, Building 5 Charleston, WV 25305
Human Rights Commission (77-10)	Pregnant Workers' Fairness Act Legislative	§§5-11-8(h), 5-11B-4 and 29A-3-1 et seq.	Written Comments Only July 30, 2015, 2:00 pm WV Human Rights Commission Attn: Marykaye Jacquet, Executive Director 1321 Plaza East, Room 108A Charleston, WV 25301-1400
Human Services (78-25)	Goals for Foster Children Legislative	§49-2-126(c)	Written Comments Only July 26, 2015, 1:00 pm WV Dept. of Health and Human Resources Div. of Children and Adult Services Attn: Carla Harper, Program Manager 350 Capitol Street, Room 691 Charleston, WV 25301
Labor (42-8)	Minimum Wages and Maximum Hours Standards Regulations Legislative	§§21-5C-1, 21-5C-4 and 21-5C-6	Written Comments Only July 27, 2015, 5:00 pm John R Junkins, Acting Commissioner WV Div. of Labor State Capitol Complex Building 6, Room B-749 Charleston, WV 25305 john.r.junkins@wv.gov
Labor (42-21)	Elevator Safety Act Legislative	§21-3C-11	Written Comments Only July 27, 2015, 5:00 pm John R Junkins, Acting Commissioner WV Div. of Labor State Capitol Complex Building 6, Room B-749 Charleston, WV 25305 john.r.junkins@wv.gov

CHRONOLOGICAL INDEX, VOLUME XXXII ISSUE 27			
NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Labor (42-21A)	Licensing of Elevator Mechanics and Technicians and Registration of Apprentices Legislative	§21-3C-11	Written Comments Only July 27, 2015, 5:00 pm John R Junkins, Acting Commissioner WV Div. of Labor State Capitol Complex Building 6, Room B-749 Charleston, WV 25305 john.r.junkins@wv.gov
Miners' Health, Safety and Training (56-19)	Substance Abuse Screening Standards and Procedures Legislative	§§22A-1A-1 et seq. and 22A-6-14	Written Comments Only July 27, 2015, 4:00 pm John L. Kinder or Greg J. Norman WV Office of Miners' Health, Safety and Training 7 Players Club Drive, Suite 2 Charleston, WV 25311
Miners' Health, Safety and Training (56-21)	Self-Contained Self-Rescue Device Immediate Reach Interpretive Rule Interpretive	§22A-1-6	Written Comments Only July 27, 2015, 4:30 pm Office of Miners' Health, Safety and Training 7 Players' Club Drive Charleston, WV 25311
Public Transit (225-1)	Rail Fixed Guideway Systems State Safety Oversight Legislative	§17-16E-3B	Written Comments Only July 30, 2015, 12:00 pm West Virginia Department of Transportation Division of Public Transit 1900 Kanawha Boulevard East Building 5, Room 650 Charleston, WV 25305

NEW EMERGENCY RULES FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE FOR HEARING**
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening	§16-49-9(a)	ERD by August 7, 2015	July 26, 2015
Miners' Health, Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures	§§22A-1A-1 et seq. and 22A-6-14	ERD by August 7, 2015	July 27, 2015
Secretary of State (153-52)	Freedom of Information Act Database	§29B-1-3a(b)	ERD by August 12, 2015	June 19, 2015
Water Resources, Div. of Water & Waste Mgmt. (47-2)	Requirements Governing Water Quality Standards	§§22-11-4(a)(16), 22-11-7b	ERD by August 10, 2015	July 31, 2015

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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

- Titles followed by an asterisk (**) indicate that the rule is in effect as an emergency
- 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)
- If a particular step is not required by law for a particular rule, the "N/A" will appear in the excluded step column
- Once a rule becomes effective & the effective date appears in Column 10, the rule will be removed from the monitor after the rule is distributed in the loose leaf version of the Code of State Rules

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	13	OCCUPATIONAL THERAPY
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	20	SANITARIANS
TITLE	24	OSTEOPATHY
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY
TITLE	33	OFFICE OF WASTE MANAGEMENT (FORMERLY PART OF TITLE 47)
TITLE	35	OFFICE OF OIL AND GAS
TITLE	36	COAL MINE HEALTH & SAFETY
TITLE	38	MINING & RECLAMATION
TITLE	42	LABOR
TITLE	45	OFFICE OF AIR QUALITY
TITLE	47	OFFICE OF WATER RESOURCES
TITLE	48	MINES TRAINING EDUCATION & CERTIFICATION
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION, SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	63	CONSERVATION AGENCY
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH & HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	82	CULTURE AND HISTORY
TITLE	85	WORKERSCOMPENSATION BY THE INSURANCE COMMISSION
TITLE	86	VETERANS AFFAIRS
TITLE	87	FIRE COMMISSION
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL & CORRECTIONAL FACILITY AUTHORITY
TITLE	96	WORKFORCE WEST VIRGINIA
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	113	HEALTH INSURANCE PLAN
TITLE	114	INSURANCE
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMM.
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY & TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTION
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	157	DIVISION OF HIGWAYS
TITLE	158	ETHICS COMMISSION
TITLE	162	CONSOLIDATED PUBLIC RETIREMENT BOARD
TITLE	172	STATE RAIL AUTHORITY
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION – BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY
TITLE	184	PARKWAYS ECONOMIC DEV. & TOURISM AUTHORITY
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE	191	FAMILY PROTECTION SERVICES BOARD
TITLE	199	EXPLOSIVES & BLASTING
TITLE	204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY
TITLE	205	OUTDOOR HERITAGE CONSERVATION FUND
TITLE	207	COALFIELD COMMUNITY DEVELOPMENT
TITLE	210	GOHELP

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-1)	Board Rules and Rules of Professional Conduct Legislative	6/15/2015	7/15/2015						
Administration (148-1)	Purchasing Division Legislative	6/18/2014	7/21/2014		7/30/2014	Modified & Approved 9/11/2014 Filed 9/16/2014	SB 142 HB 2302 BUNDLED SB 142	4/13/2015	7/1/2015
Administration (148-3)	State Owned Vehicles Legislative	6/18/2014	7/18/2014		7/29/2014	Modified & Approved 9/11/2014 Filed 9/16/2014	SB 148 HB 2303 BUNDLED SB 142	4/13/2015	7/1/2015
Administration (148-4)	State Plan for the Operation of the WV State Agency for Surplus Property Legislative	6/26/2014	7/28/2014		7/30/2014	Modified & Approved 9/11/2014 Filed 9/16/2014	SB 143 HB 2304 BUNDLED SB 142	4/13/2015	7/1/2015
Administrative Hearings (105-1)	Appeal Procedures Legislative	6/22/2015	7/22/2015						
Agriculture (61-4B)	Frozen Desserts and Imitation Frozen Desserts Legislative	6/27/2014	7/282014		7/29/2014	Modified & Approved 10/23/2014 Filed 10/30/2014	SB 210 HB 2315 BUNDLED SB 199	4/21/2015	7/1/2015
Agriculture (61-12)	Fee Structure for the Pesticide Control Act of 1990 Legislative	6/27/2014	7/28/2014		7/29/2014	Modified & Approved 10/23/2014 Filed 10/30/2014	SB 213 HB 2308 BUNDLED SB 199	4/21/2015	7/1/2015
Agriculture (61-14)	WV Plant Pest Act Legislative	7/1/2014	7/31/2014		8/1/2014	Modified & Approved 10/23/2014 Filed 10/30/2014	SB 214 HB 2309 BUNDLED SB 199	4/20/2015	7/1/2015
Agriculture (61-23D)	Inspection of Nontraditional, Domesticated Animals Legislative	6/10/2015	7/17/2015	6/10/2015 ERD by 7/22/2015					
Agriculture (61-28)	Poultry Litter and Manure Movement Into Primary Poultry Breeder Rearing Areas Legislative	6/30/2015	7/30/2015						
Agriculture (61-31)	Livestock Care Standards Legislative	6/30/2015	7/30/2015						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-34)	Captive Cervid Farming Legislative	4/28/2015	5/28/2015	4/28/2015 Approved 5/12/2015					
Air Quality (46-16)	Standards of Performance for New Stationary Sources Legislative	6/3/2015	7/6/2015						
Air Quality (46-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/3/2015	7/6/2015						
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/3/2015	7/6/2015						
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/3/2015	7/6/2015						
Air Quality (45-39)	Control of Annual Nitrogen Oxides Emissions - Repeal Legislative	6/3/2015	7/6/2015						
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/3/2015	7/6/2015						
Air Quality (45-41)	Control of Annual Sulfur Dioxide Emissions - Repeal Legislative	6/3/2015	7/6/2015						
Alcohol Beverage Control Comm. (175-2)	Private Club Licensing Legislative	6/10/2015	7/11/2015						
Alcohol Beverage Control Comm. (175-10)	Distilleries and Mini-Distilleries Legislative	6/10/2015	7/11/2015						
Alcohol Beverage Control Comm – Beer (176-1)	Nonintoxicating Beer Licensing and Operations Procedures Legislative	6/10/2015	7/11/2015						
Athletic Commission (177-2)	Regulation of Mixed Martial Arts Legislative	6/18/2015	7/20/2015						
Coal Mine Health and Safety (36-58)	Rules Governing Impoundment Safety Procedures Legislative Exempt	3/25/2015	4/30/2015						
Community & Technical College Ed. (135-59)	Awarding Undergraduate College Credit for Prior Learning Procedural	4/24/2015	5/26/2015						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Community & Technical College Ed. (135-60)	WV Reverse Transfer Program Procedural	6/16/2015	7/17/2015						
Conservation Committee (63-2)	WV Conservation Agency Financial Assistance Program Legislative	4/29/2015	5/29/2015	4/29/2015 Approved 5/12/2015	6/5/2015				
Consolidated Public Retirement Board (162-2)	Benefit Determination and Appeal Legislative	6/4/2015	7/6/2015						
Consolidated Public Retirement Board (162-3)	Teachers' Defined Contribution Retirement System Legislative	6/4/2015	7/6/2015						
Consolidated Public Retirement Board (162-4)	Teachers Retirement System Legislative	6/4/2015	7/6/2015						
Consolidated Public Retirement Board (162-7)	Refund, Reinstatement, Retroactive Service,Loan and Correction of Error Interest Factors Legislative	6/4/2015	7/6/2015						
Consolidated Public Retirement Board (162-8)	Service Credit for Accrued and Unussed Sick and Annual Leave Legislative	6/4/2015	7/6/2015						
Consolidated Public Retirement Board (162-9)	West Virginia State Police Legislative	6/4/2015	7/6/2015						
Consolidated Public Retirement Board (162-10)	Deputy Sheriff Retirement System Legislative	6/4/2015	7/6/2015						
Counseling (27-1)	Licensing Rule Legislative	6/15/2015	7/15/2015						
Counseling (27-2)	Licensed Professional Counselor Fees Legislative	6/15/2015	7/15/2015						
Counseling (27-3)	Licensed Professional Counselor License Renewal and Continuing Professional Education Requirements Legislative	6/15/2015	7/15/2015						
Counseling (27-8)	Marriage and Family Therapists Licensing Rule Legislative	6/15/2015	7/15/2015						
Counseling (27-9)	Marriage and Family Therapists Fee Rule Legislative	6/15/2015	7/15/2015						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Counseling (27-10)	Marriage and Family License Renewal and Continuing Professional Education Legislative	6/15/2015	7/15/2015						
Crime, Delinquency and Correction (GCCDC) (149-2)	Law Enforcement Training and Certification Standards Legislative	6/15/2015	7/22/2015						
Dentistry (5-4)	Contested Case Hearing Procedures Procedural	5/13/2015	6/13/2015						
Dentistry (5-11)	Continuing Education Requirements Legislative	5/13/2015	6/13/2015						
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	5/13/2015	6/13/2015						
Education (126-25A)	Standards for Basic and Specialized Health Care Procedures (2422.7) Legislative Exempt	5/14/2015	6/15/2015						
Education (126-32)	Issuance of the State of WV High School Equivalency Diploma Legislative Exempt	4/11/2013	5/13/2013						
Education (126-44CC)	Next Generation Content Standards and Objectives for Science in West Virginia Schools (2520.3C) Legislative Exempt	1/15/2015	2/17/2015					4/9/2015	7/1/2016
Education (126-44E)	Next Generation Health Ed. 5-12 Content Standards & Objectives for WV Schools (2520.5) Legislative Exempt	6/12/2015	7/13/2015						
Education (126-44O)	Early Learning Standards Framework-Content Standards for Learning Criteria for WV Pre-kindergarten (WV Pre-k)(2520.15) Legislative Exempt	5/14/2015	6/15/2015						
Education (126-51)	Health Promotion and Disease Prevention (2423) Legislative Exempt	5/14/2015	6/15/2015						
Election Commission (146-3)	Regulation of Campaign Finance Legislative	5/20/2015	6/19/2015						
Election Commission (146-5)	WV Supreme Court of Appeals Campaign Financing Program Legislative	5/20/2015	6/19/2015						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Election Commission (146-6)	Rules of Procedure for Appeals from Denial of Certification of Authorization to Print Ballots Procedural	5/20/2015	6/19/2015						
Ethics Commission (158-21)	Public Use of Names or Likeness Legislative	5/12/2015	6/12/2015	5/12/2015 Effective 6/23/2015	6/30/2015				
Fire Commission (87-1)	Fire Code Legislative	5/1/2015	5/29/2015 Written Comments 6/1/2015		6/29/2015				
Fire Commission (87-4)	State Building Code Legislative	5/1/2015	6/1/2015		6/29/2015				
Fire Commission (87-7)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Officials, Inspectors and Plans Examiners Legislative	5/1/2015	6/1/2015		6/29/2015				
Fire Commission (87-8)	Volunteer Firefighters' Training, Equipment and Operating Standards Legislative	5/23/2014	6/24/2014	7/1/2014 Approved 8/11/2014	7/1/2014	Approved 12/17/2014 Filed 12/31/2014 Modified Withdrawn 1/6/2015	SB 184 HB 2292 BUNDLED SB 182	4/9/2015	7/1/2015
Fire Marshal (103-3)	Supervision of Fire Protection Work Legislative	5/29/2014	6/30/2014		7/1/2014	Modified & Approved 12/17/2014 Filed 12/31/2014	SB 185 HB 2325 BUNDLED SB 182	4/9/2015	7/1/2015
Health (64-48)	Emergency Medical Services Legislative	6/25/2015	7/25/2015						
Health (64-51)	Fees for Service Legislative	6/25/2015	7/25/2015						
Health (64-56)	Infectious Medical Waste Legislative	6/25/2015	7/25/2015						
Health (64-64)	Aids-Related Medical Testing and Confidentiality Legislative	6/25/2015	7/25/2015						
Health (64-76)	Tuberculosis Testing, Control, Treatment and Commitment Legislative	6/25/2015	7/25/2015						

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-95)	Immunization Requirements and Recommendations for Children Attending School & Enrolled in State-Regulated Child Care Interpretive	6/26/2015	7/26/2015						
Health (64-101)	Use of the E-Directives Registry by Emergency Medical Services Interpretive	6/25/2015	7/25/2015						
Health (64-102)	Farmers Market Vendors Legislative	6/25/2015	7/25/2015						
Health (64-104)	Certification of Opioid Overdose Prevention and Treatment Training Programs Legislative	6/25/2015	7/25/2015						
Health & Human Resources (69-1)	Rules for Hearings Under the Administrative Procedures Act Procedural	6/10/2015	7/10/2015						
Health & Human Resources (69-8)	Chronic Pain Management Clinic Licensure Legislative	6/26/2015	7/26/2015						
Health & Human Resources (69-9)	Neonatal Abstinence Centers Legislative	6/25/2015	7/25/2015	6/25/2015 ERD by 8/6/2015					
Health & Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	6/26/2015	7/26/2015	6/26/2014 ERD by 8/7/2015					
Higher Education Policy Comm. (133-26)	Underwood-Smith Teacher Scholarship Program Legislative	6/4/2015	7/4/2015						
Higher Education Policy Comm. (133-58)	Nursing Scholarship Program	6/4/2015	7/4/2015						
Higher Education Policy Comm. (133-59)	Awarding Undergraduate College Credit for Prior Learning Procedural	3/17/2015	4/17/2015						
Higher Education Policy Comm. (133-60)	West Virginia Reverse Transfer Program Legislative	6/4/2015	7/4/2015						
Highways (157-11)	State Transportation Infrastructure Fund Program Legislative	6/29/2015	7/29/2015						

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Human Rights Commission (77-10)	Pregnant Workers' Fairness Act Legislative	6/29/2015	7/30/2015						
Human Services (78-1)	Child Care Center Licensing Requirements Legislative	6/25/2015	7/25/2015						
Human Services (78-18)	Family Child Care Facility Licensing Requirements Legislative	6/25/2015	7/25/2015						
Human Services (78-19)	Family Child Care Home Registration Requirements Legislative	6/25/2015	7/25/2015						
Human Services (78-23)	W. Va. Works Program Sanctions Legislative	6/25/2015	7/25/2015	6/25/2015 ERD by 8/6/2015					
Human Services (78-24)	Qualifications for a Restricted Provisional License to Practice as a Social Worker Within the Dept. of Health & Human Resources Legislative	6/25/2015	7/25/2015						
Human Services (78-25)	Goals for Foster Children Legislative	6/26/2015	7/26/2015						
Insurance Commission (114-11E)	Annuity Disclosure Legislative	6/24/2014	7/24/2014		8/1/2014	Modifed & Approved 9/11/2014 Filed 9/15/2014	SB 189 HB 2334 BUNDLED SB 187	4/24/2015	7/23/2015
Insurance Commission (114-45)	Recognizing Annuity Mortality Tables for Use in Determining Reserve Liabilities for Annuities Legislative	6/24/2014	7/24/2014		8/1/2014	Approved 9/11/2014	SB 188 HB 2294 BUNDLED SB 187	4/24/2015	7/23/2015
Labor (42-5)	Wage Payment and Collection Legislative	6/25/2015	7/25/2015						
Labor (42-8)	Minimum Wages and Maximum Hours Standards Regulations Legislative	6/26/2015	7/27/2015						
Labor (42-9)	Child Labor Legislative	6/23/2014	7/23/2014		7/30/2014	Modified & Approved 11/20/2014 Filed 12/2/2014	SB 154 HB 2340 BUNDLED SB 170	4/22/2015	7/1/2015

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Labor (42-17)	Amusement Rides and Amusement Attractions Safety Act Legislative	6/18/2014	7/18/2014		7/30/2014	Modified & Approved 11/20/2014 Filed 12/2/2014	SB 153 HB 2335 BUNDLED SB 170	4/22/2015	7/1/2015
Labor (42-21)	Elevator Safety Act Legislative	6/26/2015	7/27/2015						
Labor (42-21A)	Licensing of Elevator Mechanics and Technicians and Registration of Apprentices Legislative	6/26/2015	7/27/2015						
Labor (42-26)	Weights and Measures Calibration Fees Legislative	6/18/2014	7/18/2014		7/30/2014	Modified & Approved 11/20/2014 Filed 12/2/2014	SB 158 HB 2336 BUNDLED SB 170	4/22/2015	7/1/2015
Labor (42-31)	Verifying the Legal Employment Status of Workers Legislative	6/18/2014	7/18/2014		7/30/2014	Modified & Approved 12/17/2014 Filed 12/29/2014	SB 156 HB 2337 BUNDLED SB 170	4/22/2015	7/1/2015
Labor (42-32)	Supervision of Plumbing Work Legislative	6/18/2014	7/18/2014		7/30/2014	Modified & Approved 11/20/2014 Filed 12/2/2014	SB 155 HB 2338 BUNDLED SB 170	4/22/2015	7/1/2015
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/18/2014	7/18/2014		7/30/2014	Modified & Approved 11/20/2014 Filed 12/2/2014	SB 157 HB 2339 BUNDLED SB 170	4/22/2015	7/1/2015
Medical Imaging & Radiation Therapy Tech. Bd. of Exam. (18-1)	Rules of the WV Medical Imaging & Radiation Therapy Tech Bd of Exam Legislative	3/6/2015	5/1/2015		6/8/2015				
Medicine (11-11)	Establishment and Regulation of Limited License to Practice Medicine and Surgery at Certain State Veterans Nursing Home Facilities Legislative	6/12/2015	7/13/2015	6/12/2015 Approved 6/30/2015					
Miners' Health, Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/26/2015	7/27/2015	6/26/2015 ERD by 8/7/2015					

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Miners' Health, Safety and Training (56-20)	Rules Governing the Safety of Those Employed In and Around Quarries in WV Legislative	6/25/2014	7/25/2014		7/29/2014	Modified & Approved 9/11/2014 Filed 9/16/2014	SB 270 HB 2342 BUNDLED SB 170	4/20/2015	7/1/2015
Miners' Health, Safety and Training (56-21)	Self-Contained Self-Rescue Device Immediate Reach Interpretive Rule Interpretive	6/26/2015	7/27/2015						
Mining and Reclamation (38-2)	WV Surface Mining Reclamation Legislative	6/23/2015	7/24/2015						
Natural Resources (58-45)	Hunting and Trapping Legislative Exempt							6/3/2015	9/1/2015
Natural Resources (58-47)	Prohibition When Hunting and Trapping Legislative	6/23/2015	7/22/2015						
Natural Resources (58-49)	General Hunting Legislative	6/23/2015	7/22/2015						
Natural Resources (58-50)	Deer Hunting Rule Legislative	6/23/2015	7/22/2015						
Natural Resources (58-52)	Wild Boar Hunting Rule Legislative	6/23/2015	7/22/2015						
Natural Resources (58-74)	Elk Restoration and Management Rule Legislative	6/23/2015	7/22/2015						
Nursing Home Administrators Licensing Bd. (21-1)	Nursing Home Administrators Legislative	6/9/2015	7/10/2015						
Office of Technology (163-1,formerly 161-3)	Procedures for Sanitization, Retirement and Disposition of Information Technology Equipment Legislative	6/24/2014	7/24/2014		7/30/2014	Modified & Approved 9/11/2014 Filed 10/3/2014	SB 183 HB 2347 BUNDLED SB 142	4/13/2015	7/1/2015
Oil and Gas (35-08)	Horizontal Well Development Legislative	7/24/2015	Hearing 7/23/2015 Written 7/27/2015						
Personnel (143-1)	Administrative Rule of the WV Div. of Personnel Legislative	5/19/2015	6/30/2015						
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	5/22/2015	6/24/2015						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-2)	Rules of the Bd. Of Pharmacy for the Uniform Controlled Substances Act Legislative	5/22/2015	6/24/2015						
Pharmacy (15-4)	Record Keeping and Automated Data Processing Systems Legislative	5/22/2015	6/24/2015						
Pharmacy (15-5)	Licensure of Wholesale Drug Distributors, Third-Party Logistics Providers and Manufacturers Legislative	5/22/2015	6/24/2015						
Professional Engineers (7-1)	Examination, Licensure and Practice of Professional Engineers Legislative	4/3/2015	5/4/2015	4/3/2015 Withdrawn 5/11/2015 5/11/2015 Approved 6/2/2015	5/11/2015				
Property Valuation Training & Procedures Commission (189-5)	Tax Map Sales Legislative	6/11/2015	7/13/2015						
Public Service Comm. (150-6)	The Government of Telephone Utilities Legislative Exempt	1/7/2015	3/6/2015						
Public Service Comm. (150-21)	Certification of Operation of Telecommunication Relay Services (TRS) Legislative Exempt	3/19/2015	5/17/2015						
Public Transit (225-1)	Rail Fixed Guideway Systems State Safety Oversight Legislative	7/1/2015	7/30/2015						
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/11/2015	7/13/2015						
Racing Commission (178-5)	Pari-Mutuel Wagering Legislative	6/11/2015	7/13/2015						
School Building Authority of West Virginia (164-1)	School Building Authority Policy and Procedural Manual Procedural	6/25/2015	7/27/2015						
Secondary School Activities Comm. (127-2)	Athletics, Provisions Governing Eligibility Legislative Exempt	5/14/2015	6/15/2015						
Secondary School Activities Comm. (127-3)	Provisions Governing Contests Legislative Exempt	5/14/2015	6/15/2015						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secondary School Activities Comm. (127-4)	Provisions Governing Conduct Legislative Exempt	5/14/2015	6/15/2015						
Secretary of State (153-3)	(Repeal of) Registration Forms and Receipts Legislative	5/27/2015	6/30/2015		6/30/2015				
Secretary of State (153-9)	(Repeal of) Elimination of Precinct Registration Books Legislative	5/27/2015	6/30/2015		7/1/2015				
Secretary of State (153-23)	(Repeal of) Absentee Voting by Military Voters Who Are Members of Reserve Units Called to Active Duty Legislative	5/27/2015	6/30/2015		6/30/2015				
Secretary of State (153-51)	Procedure for Notice to Candidate for Failure to Timely File Primary Campaing Finance Statements Legislative	6/1/2015	7/6/2015						
Secretary of State (153-52)	Freedom of Information Act Database Legislative	5/18/2015	6/19/2015	7/1/2015 ERD by 8/12/2015	6/30/2015				
Senior Services (76-3)	WV State Plan for Aging – Title V Interpretive	10/17/2014	11/17/2014						
Social Work, WV Bd of (25-1)	Qualifications for the Profession of Social Work Legislative	6/9/2015	7/10/2015	5/26/2015 Approved 6/9/2015					
Speech-Language Pathology & Audiology (29-1)	Licensure of Speech-Pathology and Audiology Legislative	4/22/2015	6/5/2015		6/8/2015				
Speech-Language Pathology & Audiology (29-2)	Rule Governing Speech-Language Pathology and Audiology Assistants Legislative	4/22/2015	6/5/2015		6/8/2015				
Tax Department (110-1H)	Valuation of Timberland and Managed Timberland Legislative	6/11/2015	7/13/2015						
Tax Department (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/11/2015	7/13/2015						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax Department (110-50H)	Exchange of Info Agreement Between the Comm of the Tax Div of the Dept of Rev and the Sec of the Dept of Commerce, the Sec of the Dept of Environmental Protection, the Dir of the Div of Forestry of the Dept of Commerce and the Comm of the PSC Legislative	6/11/2015	7/13/2015						
Tourism (144-1)	Direct Advertising Grants Program Legislative	6/25/2015	7/27/2015						
Veterans' Assistance (86-2)	State Home for Veterans-Fiscal Legislative	5/29/2014	6/28/2014	5/28/2014 Approved 6/2/2014	8/1/2014				
Veterans' Assistance (86-4)	VA Headstones or Markers Legislative	5/28/2014	6/28/2014		8/1/2014				
Water Resources, Div. of Water & Waste Mgmt. (47-2)	Requirements Governing Water Quality Standards Legislative	6/15/2015	Hearing 7/21/2015 Written Comments 7/31/2015	6/29/2015 ERD by 8/10/2015					
Water Resources, Div. of Water & Waste Mgmt. (47-30B)	Administrative Proceedings and Civil Penalty Assessment Legislative	6/23/2015	7/24/2015						
Water Resources, Div. of Water & Waste Mgmt. (47-63)	Aboveground Storage Tanks Legislative	6/25/2015	7/30/2015						
Water Resources, Div. of Water & Waste Mgmt. (47-64)	Aboveground Storage Tank Administrative Proceedings and Civil Penalty Assessment Legislative	6/25/2015	7/30/2015						
Water Resources, Div. of Water & Waste Mgmt. (47-65)	Aboveground Storage Tank Fee Assessments Legislative	6/25/2015	7/30/2015						

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #2

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2015 JUN 30 A 10:58

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: WV Department of Agriculture TITLE NUMBER: 61

RULE TYPE: Legislative CITE AUTHORITY: 19-9-2, 19-9-10

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 28

TITLE OF RULE BEING AMENDED: Poultry Litter and Manure Movement Into Primary Poultry Breeder Rearing Areas

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 30, 2015 AT 12:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

WV Department of Agriculture
Attn: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

LEGISLATIVE m #2

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

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2015 JUN 30 P 3:45

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Department of Agriculture TITLE NUMBER: 61

RULE TYPE: Legislative CITE AUTHORITY: 19-1C-4

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 31

TITLE OF RULE BEING AMENDED: Livestock Care Standards

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 30, 2015 AT 12:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Jodee Martin
WV Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #3

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2015 JUN 30 P 1:18

OFFICE WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE #3

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

AGENCY: West Virginia Ethics Commission TITLE NUMBER: 158

CITE AUTHORITY: W. Va. Code 6B-2-5c(e)

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ___

TITLE OF RULE BEING AMENDED: ___

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 21

TITLE OF RULE BEING PROPOSED: PUBLIC USE OF NAME OR LIKENESS

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

Authorized Signature

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

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FILED

2015 JUN 29 P 1:42

OFFICE WEST VIRGINIA SECRETARY OF STATE

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

AGENCY: West Virginia State Fire Commission TITLE NUMBER: 87

CITE AUTHORITY: W.Va. Code 29-3-5

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Fire Code

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

6/29/15

Authorized Signature

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #3

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FILED

2015 JUN 29 P 4:41

OFFICE WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE #3

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

AGENCY: West Virginia State Fire Commission TITLE NUMBER: 87

CITE AUTHORITY: W.Va. Code 29-3-5b

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 4

TITLE OF RULE BEING AMENDED: State Building Code

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

6/29/15
Authorized Signature

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

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2015 JUN 29 P 4:39

OFFICE WEST VIRGINIA SECRETARY OF STATE

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

AGENCY: West Virginia State Fire Commission TITLE NUMBER: 87

CITE AUTHORITY: W.Va. Code 29-3-5b

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 7

TITLE OF RULE BEING AMENDED: Standards for the Certification and Continuing Education of Municipal, County, and Other Public Building Code Officials, Inspectors and Plans Examiners

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

6/29/15
Authorized Signature

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #2

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FILED

2015 JUN 26 A 11:03

OFFICE WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Department of Health and Human Resources TITLE NUMBER: 69

RULE TYPE: Legislative CITE AUTHORITY: W.Va. Code §§16-1-4 and 16-5H-9

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 8

TITLE OF RULE BEING AMENDED: Chronic Pain Management Clinic Licensure

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 26, 2015 AT 1:00 PM ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

DHHR Office of Inspector General
Building 6, Room 817-B
State Capitol Complex
Charleston, WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Karen L Bowling
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #2

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2015 JUN 26 A 11:02

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: DHHR - Office of Inspector General TITLE NUMBER: 69

RULE TYPE: Legislative CITE AUTHORITY: W. Va. Code § 16-49-9

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ___

TITLE OF RULE BEING AMENDED: ___

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 10

TITLE OF RULE BEING PROPOSED: West Virginia Clearance for Access: Registry and Employment Screening

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 25, 2015 AT 1:00 PM ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

DHHR Office of Inspector General
Building 6, Room 817-B
State Capitol Complex
Charleston, WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Karen L Bowling
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #2

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2015 JUN 29 P

OFFICE WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS TITLE NUMBER: 157

RULE TYPE: LEGISLATIVE CITE AUTHORITY: W.Va. Code §17-17B

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ___

TITLE OF RULE BEING AMENDED: ___

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 11

TITLE OF RULE BEING PROPOSED: STATE TRANSPORTATION INFRASTRUCTURE FUND PROGRAM

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 29, 2015 AT 2:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Greg Bailey and Lorrie A. Hodges
WV Division of Highways
1900 Kanawha Boulevard, East
Room 148, Building 5
Charleston, WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Paul A. Mattox, J.
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

n #2

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FILED

2015 JUN 29 P 3:30

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: WV Human Rights Commission TITLE NUMBER: 77

RULE TYPE: Legislative CITE AUTHORITY: WV Code 5-11-8(h), 5-11B-4 and 29A-3-1 et seq

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ___

TITLE OF RULE BEING AMENDED: ___

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 10

TITLE OF RULE BEING PROPOSED: Pregnant Workers' Fairness Act

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 30, 2015 AT 2:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Attn: Marykaye Jacquet, Executive Director
WV Human Rights Commission
Room 108A
1321 Plaza East
Charleston, WV 25301-1400

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Marykaye Jacquet
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

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2015 JUN 25 P 4:22
OFFICE WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

Form #6 ✗ TECHNICAL CHANGES ONLY
PER HB 2200

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

AGENCY: West Virginia Department of Health and Human Resources TITLE NUMBER: 78

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 2

TITLE OF RULE BEING AMENDED: Child Placing Agencies Licensure

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) H.B. 2200

SECTION 49-2-101, Part I, PASSED ON February 16, 2015

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: 7/1/2007

Karen L Bowl
Authorized Signature

WEST VIRGINIA SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

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FILED
2015 JUN 25 P 4:29
OFFICE WEST VIRGINIA SECRETARY OF STATE

Form #6 ✗ TECHNICAL CHANGES ONLY
PER HB 2200

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

AGENCY: West Virginia Department of Health and Human Resources TITLE NUMBER: 78

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: Residential Child Care Facilities and Treatment Centers Licensure

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) H.B. 2200

SECTION 49-2-101, Part I, PASSED ON February 16, 2015

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: 8/12/2013

Karen L Bowl
Authorized Signature

WEST VIRGINIA SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

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FILED
2015 JUN 25 P 4:27
OFFICE WEST VIRGINIA SECRETARY OF STATE

Form #6 — ✱ TECHNICAL CHANGES ONLY PER HB 2200

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

AGENCY: Div. of Early Care & Edu., Dept. of Health & Human Res. TITLE NUMBER: 78

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 21

TITLE OF RULE BEING AMENDED: Out of School Time Child Care Center Licensing Requirements

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) H.B. 2200

SECTION 49-2-121, PASSED ON February 16, 2015

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: 7/1/2010

Karen L Bowling
Authorized Signature

WEST VIRGINIA SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

LEGISLATIVE orm #2

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2015 JUN 26 A 11:03
OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: WV Department of Health and Human Resources (Human Services) TITLE NUMBER: 78

RULE TYPE: Legislative CITE AUTHORITY: W. Va. Code § 49-2-126(c)

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ___

TITLE OF RULE BEING AMENDED: ___

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 25

TITLE OF RULE BEING PROPOSED: Goals for Foster Children

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 26, 2015 AT 1:00PM ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

W. Va. Department of Health and Human Resources
Division of Children and Adult Services
Attn. Carla Harper, Program Manager
350 Capitol Street, Rm. 691
Charleston, W. Va. 25301

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Karen L Bowling
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #2

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2015 JUN 26 P 3:01

OFFICE WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE rm #2

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Division of Labor TITLE NUMBER: 42

RULE TYPE: Legislative CITE AUTHORITY: W. Va. Code §§21-5C-1, 21-5C-4 and 21-5C-6

AMENDMENT TO AN EXISTING RULE: YES x NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 8

TITLE OF RULE BEING AMENDED: Minimum Wages and Maximum Hours Standards Regulations

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 27, 2015 AT 5:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

John R. Junkins, Acting Commissioner
West Virginia Division of Labor
State Capitol Complex
Building 6, Room B-749
Charleston, WV 25305

or by email: john.r.junkins@wv.gov

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Joshua R. Junkins
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Do Not Mark In This Box

FILED

2015 JUN 26 P 3:00

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Division of Labor TITLE NUMBER: 42

RULE TYPE: Legislative CITE AUTHORITY: W. Va. Code §21-3C-11

AMENDMENT TO AN EXISTING RULE: YES x NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 21

TITLE OF RULE BEING AMENDED: Elevator Safety Act

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 27, 2015 AT 5:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

John R. Junkins, Acting Commissioner
West Virginia Division of Labor
State Capitol Complex
Building 6, Room B-749
Charleston, WV 25305

or by email: john.r.junkins@wv.gov

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Joshua R. Junkins
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #2

Do Not Mark In This Box

FILED

2015 JUN 26 P 2:59

OFFICE WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Division of Labor TITLE NUMBER: 42

RULE TYPE: Legislative CITE AUTHORITY: W. Va. Code §21-3C-11

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 21A

TITLE OF RULE BEING AMENDED: Licensing of Elevator Mechanics and Technicians and Registration of Apprentices

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 27, 2015 AT 5:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

John R. Junkins, Acting Commissioner
West Virginia Division of Labor
State Capitol Complex
Building 6, Room B-749
Charleston, WV 25305

or by email: john.r.junkins@wv.gov

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

P.O. BOX 2067
CHARLESTON, WV 25327

PHONE: 304-558-0500
1-800-WVA-CASH

Earl Ray Tomblin
Governor

John C. Musgrave
Director

June 29, 2015

FILED

2015 JUL -1 P 1:41

OFFICE WEST VIRGINIA SECRETARY OF STATE

Honorable Natalie Tennant
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

Dear Secretary Tennant:

Pursuant to W. Va. Code §29-22A-5(a), the West Virginia State Lottery is, from time to time, to adopt game rules pertaining to Racetrack Video Lottery which are specifically authorized by W. Va. Code §§29-22A-1 et seq.

Enclosed are game rules for "Kodiak Island", "Romulus and Remus", "Coronado's Gold", and "Monopoly Wheel – Luxury Diamonds" manufactured by WMS Gaming, Inc. for lottery terminals located at all four licensed racetracks in the State.

Please file these documents as a game rule.

Sincerely,

John C. Musgrave
Director

JCM/mr

Enclosures: Kodiak Island
Romulus and Remus
Coronado's Gold
Monopoly Wheel – Luxury Diamonds

P.O. BOX 2067
CHARLESTON, WV 25327

PHONE: 304-558-0500
1-800-WVA-CASH

FILED
2015 JUL -1 P 1:42
OFFICE WEST VIRGINIA
SECRETARY OF STATE

LEGISLATIVE

Earl Ray Tomblin
Governor

John C. Musgrave
Director

June 29, 2015

Honorable Natalie Tennant
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

Dear Secretary Tennant:

Pursuant to W. Va. Code §29-22A-5(a), the West Virginia State Lottery is, from time to time, to adopt game rules pertaining to Racetrack Video Lottery which are specifically authorized by W. Va. Code §§29-22A-1 et seq.

Enclosed are game rules for "The Wild Life" and "Jungle Riches Trigger Tiles" game manufactured by GTECH Canada ULC (formerly Spielo International) for lottery terminals located at all four licensed racetracks in the State.

Please file these documents as a game rule.

Sincerely,

John C. Musgrave
~~Director~~

JCM/mr

Enclosures: The Wild Life
Jungle Riches Trigger Tiles

P.O. BOX 2067
CHARLESTON, WV 25327

PHONE: 304-558-0500
1-800-WVA-CASH

Earl Ray Tomblin
Governor

John C. Musgrave
Director

June 29, 2015

FILED
2015 JUL -1 P 1:43
OFFICE WEST VIRGINIA
SECRETARY OF STATE

Honorable Natalie Tennant
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

Dear Secretary Tennant:

Pursuant to W. Va. Code §29-22A-5(a), the West Virginia State Lottery is, from time to time, to adopt game rules pertaining to Racetrack Video Lottery which are specifically authorized by W. Va. Code §§29-22A-1 et seq.

Enclosed are game rules for "Flying Fortune", "Rock Around the Clock: Chiffon Ladies", "Rock Around the Clock: Doo-Wop Dudes", "Dynasty Riches", and "Gypsy Fire" games manufactured by Konami Gaming, Inc. for lottery terminals located at all four licensed racetracks in the State.

Please file these documents as a game rule.

Sincerely,

John C. Musgrave
~~Director~~

JCM/mr

Enclosures: Flying Fortune
Rock Around the Clock: Chiffon Ladies
Rock Around the Clock: Doo-Wop Dudes
Dynasty Riches
Gypsy Fire

www.wvlottery.com

P.O. BOX 2067
CHARLESTON, WV 25327

PHONE: 304-558-0500
1-800-WVA-CASH

Earl Ray Tomblin
Governor

John C. Musgrave
Director

LEGISLATIVE

FILED
2015 JUL -1 P 1:43
OFFICE WEST VIRGINIA
SECRETARY OF STATE

June 29, 2015

Honorable Natalie Tennant
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

Dear Secretary Tennant:

Pursuant to W. Va. Code §29-22A-5(a), the West Virginia State Lottery is, from time to time, to adopt game rules pertaining to Racetrack Video Lottery which are specifically authorized by W. Va. Code §§29-22A-1 et seq.

Enclosed are game rules for "WHEEL OF FORTUNE Triple Gems" manufactured by IGT for lottery terminals located at all four licensed racetracks in the State.

Please file these documents as a game rule.

Sincerely,

John C. Musgrave
Director

JCM/mr

Enclosure: WHEEL OF FORTUNE Triple Gems

P.O. BOX 2067
CHARLESTON, WV 25327

PHONE: 304-558-0500
1-800-WVA-CASH

Earl Ray Tomblin
Governor

John C. Musgrave
Director

FILED
2015 JUL -1 P 1:44
OFFICE WEST VIRGINIA
SECRETARY OF STATE

June 29, 2015

Honorable Natalie Tennant
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

Dear Secretary Tennant:

Pursuant to W. Va. Code §29-22A-5(a), the West Virginia State Lottery is, from time to time, to adopt game rules pertaining to Racetrack Video Lottery which are specifically authorized by W. Va. Code §§29-22A-1 et seq.

Enclosed are game rules for "Golden Amulet" manufactured by Aristocrat, Inc. for lottery terminals located at all four licensed racetracks in the State.

Please file these documents as a game rule.

Sincerely,

John C. Musgrave
Director

JCM/mr

Enclosures: Golden Amulet

www.wvlottery.com

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #2

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2015 JUN 26 P 3:42

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Office of Miners' Health, Safety and Training TITLE NUMBER: 56

RULE TYPE: Legislative CITE AUTHORITY: W. Va. Code § § 22A-1A-1 et seq. and 22A-6-14

AMENDMENT TO AN EXISTING RULE: YES X NO ____

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 19

TITLE OF RULE BEING AMENDED: Substance Abuse Screening, Standards and Procedures

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ____

TITLE OF RULE BEING PROPOSED: ____

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 27, 2015 AT 4:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

John L. Kinder
Greg J. Norman
West Virginia Office of Miners' Health, Safety and Training
7 Players Club Drive, Suite 2
Charleston, WV 25311

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Joshua L. Jump
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

LEGISLATIVE

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

orm #5

Do Not Mark In This Box

FILED

2015 JUL -1 P 3:25

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: West Virginia Public Employees Insurance Agency (PEIA) TITLE NUMBER: 151

CITE AUTHORITY: W.Va. Code § 5-16-1 et seq. W.Va Code §5-16-24

RULE TYPE: PROCEDURAL ____ INTERPRETIVE ____

EXEMPT LEGISLATIVE RULE X

CITE STATUTE(s) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W.Va. Code §5-16-24

AMENDMENT TO AN EXISTING RULE: YES X NO ____

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: 151

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ____

TITLE OF RULE BEING PROPOSED: ____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE EFFECTIVE DATE OF THIS RULE IS July 1, 2015

B. Keith Haught
General Counsel
Authorized Signature

WEST VIRGINIA SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #2

Do Not Mark In This Box

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2015 JUL -1 A 11:16

OFFICE WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: DIVISION OF PUBLIC TRANSIT TITLE NUMBER: 225

RULE TYPE: Legislative CITE AUTHORITY: W.Va. Code § 17-16E-3B

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ___

TITLE OF RULE BEING AMENDED: ___

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 1

TITLE OF RULE BEING PROPOSED: RAIL FIXED GUIDEWAY SYSTEMS STATE SAFETY OVERSIGHT

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 30,2015 AT 12:00PM ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

West Virginia Department of Transportation
Division of Public Transit
1900 Kanawha Boulevard, East
Building 5, Room 650
Charleston, West Virginia 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Paul A. Mattox, J
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

eFILED

6/30/2015 1:36:42 PM

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

FORM 3 – NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY **Secretary Of State**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **153-03**
RULE NAME **Registration Forms and Receipts**

CITE AUTHORITY **3-1A-6, 3-2-19, 3-2-20, 3-2-41**

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Natalie E Tennant – 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.

Title-Series: 153-03 Rule Id: 9801 Document: 26854

WEST VIRGINIA SECRETARY OF STATE

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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7/1/2015 11:42:22 AM

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

FORM 3 – NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY **Secretary Of State**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **153-09**

RULE NAME **Elimination of Precinct Registration Books**

CITE AUTHORITY **3-2-21**

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Natalie E Tennant -- 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.

Title-Series: 153-09 Rule Id: 9802 Document: 26860

WEST VIRGINIA SECRETARY OF STATE

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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6/30/2015 1:40:46 PM

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

FORM 3 -- NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY **Secretary Of State**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **153-23**

RULE NAME **Absentee Voting by Military Voters Who Are Members of Reserve Units Called to Active Duty**

CITE AUTHORITY **3-1A-6**

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Natalie E Tennant -- 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.

Title-Series: 153-23 Rule Id: 9803 Document: 26855

WEST VIRGINIA SECRETARY OF STATE

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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6/30/2015 1:31:19 PM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

FORM 3 – NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY **Secretary Of State**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **No** TITLE-SERIES **153-52**

RULE NAME **Freedom of Information Act Database**

CITE AUTHORITY **29B-1-3a(b)**

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Natalie E Tennant -- 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.

Title-Series: 153-52 Rule Id: 9776 Document: 26853

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #2

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FILED

2015 JUN 26 A 11:01

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Department of Health and Human Resources/Bureau for Public Health TITLE NUMBER: 64

RULE TYPE: Interpretive CITE AUTHORITY: W.Va. Code §§ 16-3-1, 16-3-4(c), 5-16-9(i) and 16-1-4.

AMENDMENT TO AN EXISTING RULE: YES X NO ____

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 95

TITLE OF RULE BEING AMENDED: IMMUNIZATION REQUIREMENTS AND RECOMMENDATIONS FOR ~~CHILDREN ATTENDING SCHOOL AND ENROLLED IN STATE-REGULATED~~ CHILD CARE

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ____

TITLE OF RULE BEING PROPOSED: ____

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON 7/26/15 AT 11:00AM ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Brian J. Skinner, Director, Public Health Regulations
~~West Virginia Department of Health and Human~~ Resources
Bureau for Public Health
~~350 Capitol Street Room 702~~
Charleston, WV 25301
(304) 356-4122 – O
~~brian.j.skinner@wv.gov~~

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Karen L Bowling
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

INTERPRETIVE

Form #2

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FILED

2015 JUN 26 P 1:09

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Office of Miners' Health, Safety and Training TITLE NUMBER: 56

RULE TYPE: Interpretive CITE AUTHORITY: W. Va. Code 22A-1-6

AMENDMENT TO AN EXISTING RULE: YES ____ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ____

TITLE OF RULE BEING AMENDED: ____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 21

TITLE OF RULE BEING PROPOSED: Self-Contained Self-Rescue Device Immediate Reach Interpretive Rule

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON ~~7/26/15~~ 7/27/15 AT 4:30 ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Office of Miners' Health, Safety and Training
7 Players' Club Drive
Charleston, WV 25311

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Joshua L. Jones
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #7

Do Not Mark In This Box
Filing Date

FILED

2015 JUN 26 A 11:0

OFFICE WEST VIRGINIA SECRETARY OF STATE

EMERGENCY

Effective Date

ice of the Secretary of State
lding 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, West Virginia 25305

Natalie E. Tennant
Secretary of State
State of West Virginia

FILED

2015 JUN 30 P 4:31

OFFICE WEST VIRGINIA SECRETARY OF STATE

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

NOTICE OF AN EMERGENCY RULE

AGENCY: Department of Health and Human Resources TITLE NUMBER: 69

CITE AUTHORITY: WV Code 16-49-9(a)

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES ___ NO x

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ___

TITLE OF RULE BEING AMENDED: ___

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 10

TITLE OF RULE BEING PROPOSED: West Virginia Clearance for Access: Registry and Employment Screening (WV CARES)

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

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

The West Virginia Clearance for Access: Registry and Employment Screening Act was passed by the Legislature in 2015 as W.Va. Code §§ 16-49-1, et seq. The Act requires the Secretary for the Department of Health and Human Resources to propose rules for legislative approval to implement the provisions of the Act, and permits the promulgation of emergency rules. See W.Va. Code § 16-49-9(a). This rule establishes criminal background check requirements for applicants for employment as direct access personnel in long-term care facilities. This rule includes definitions and sets forth disqualifying offenses and disqualification time periods; establishes requirements for prescreening applicants on online registries; requires state and federal finger-print based criminal history record information searches; provides for conditional employment, variances and appeals. The WV CARES rule must be effective before completing the full Legislative cycle, and promulgation is necessary for the immediate preservation of the public health, safety, and welfare, and to prevent substantial harm to the public interest

Use additional sheets if necessary

Authorized Signature

June 30, 2015

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: West Virginia Board of Medicine

RULE: 11CSR11, New Rule, Establishment and Regulation of Limited License to Practice Medicine and Surgery at Certain State Veterans Nursing Home Facilities

DATE FILED AS AN EMERGENCY RULE: June 12, 2015

DECISION NO. 5-15

Following review under W. Va. Code §29A-3-15a, it is the decision of the Secretary of State that the above emergency rule is **approved**. A copy of the complete decision with required findings is available from this office.

NATALIE E. TENNANT
Secretary of State

WEST VIRGINIA SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #7

Do Not Mark In This Box
Filing Date
FILED
2015 JUN 26 P 3:41
OFFICE WEST VIRGINIA SECRETARY OF STATE
Effective Date

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: West Virginia Office of Miners' Health, Safety and Training TITLE NUMBER: 56

CITE AUTHORITY: W. Va. Code §§ 22A-1A-1 et. seq. and 22A-6-14

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 19

TITLE OF RULE BEING AMENDED: Substance Abuse Screening, Standards and Procedures

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

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

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

See attached Statement of Circumstances Constituting the Emergency.

Use additional sheets if necessary

Joshua h. Jones
Authorized Signature

WEST VIRGINIA SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

eFILED
7/1/2015 11:30:38 AM
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

FORM 7 – NOTICE OF AN EMERGENCY RULE (Page 1)

AGENCY **Secretary Of State**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **No** TITLE-SERIES **153-52**
RULE NAME **Freedom of Information Act Database**

CITE AUTHORITY **§ 29B-1-3a(b)**

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

HB 2636 passed during the 2015 Legislative Session and was signed into law by the Governor. The bill requires the Secretary of State, in §29B-1-3a(b), to "propose rules and emergency rules for legislative approval relating to the creation and maintenance of a publically accessible database available on the Secretary of State's website; the establishment of forms and procedures for submission of information to the Secretary of State by the public body; and for other procedures and policies consistent with this section." This emergency rule is in response to that requirement.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Natalie E Tennant – 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.

Title-Series: 153-52 Rule Id: 9776 Document: 26859

WEST VIRGINIA SECRETARY OF STATE

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

eFILED

6/29/2015 10:38:59 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

EMERGENCY

FORM 7 – NOTICE OF AN EMERGENCY RULE (Page 1)

AGENCY **Water Resources Division Of Water And Waste Management**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **47-02**
RULE NAME **Requirements Governing Water Quality Standards**

CITE AUTHORITY **§22-11-4(a)(16); §22-11-7b**

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

The DEP is proposing an emergency rule to revise the dissolved aluminum aquatic life criteria and selenium aquatic life criteria in 47CSR2, in accordance with the mandates of SB562 (2012) and SB357 (2015), which amended W. Va. Code §22-11-6.

Please see Emergency Rule Justification document uploaded as "Other" for full justification of this rule.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Kristin A Boggs – 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.

Title-Series: 47-02 Rule Id: 9864 Document: 26831

Orders Report

Docket Number	Agency	Respondent	Date Rendered
15-6-10483-A	Health Care Authority	Clarksburg Center LLC	6/25/2015
15-6-10483-A	Health Care Authority	Parkway Properties LLC	6/25/2015
15-8/9-10527-X	Health Care Authority	FirstLight Home Care	6/23/2015
15-1-10521-X	Health Care Authority	FMRS Health Systems Inc	6/23/2015
05-1-8154-BH	Health Care Authority	The Greenbrier Academy	6/23/2015
15-4-10526-X	Health Care Authority	Health Management Associates Inc., Triad Healthcare Corporation	6/23/2015
10-2-9149-P	Health Care Authority	Logan Regional Medical Center	6/23/2015
15-10-10454-X/BH	Health Care Authority	Reynolds Memorial Hospital	6/23/2015
15-9-10528-X	Health Care Authority	Shenandoah Valley Medical System Inc	6/23/2015
14-7-10328-BH	Health Care Authority	Straight Gate Inc	6/23/2015
15-2-10477-R	Health Care Authority	Total Renal Care Inc, Ravine Dialysis LLC	6/23/2015
13-6-9817-P	Health Care Authority	West Virginia University Hospitals Inc	6/23/2015
15-6-10405-H	Health Care Authority	West Virginia University Hospitals Inc	6/23/2015
15-10-10520-X	Health Care Authority	Youth Services System Inc	6/23/2015
N/A	Medicine, West Virginia Board Of	Paul Wilson Craig II, MD	6/24/2015
C-15-025	Real Estate Commission	Emily Shortall	6/23/2015

EXECUTIVE ORDER

STATE OF WEST VIRGINIA

At CHARLESTON

EXECUTIVE ORDER NO. 4-15

By the Governor

WHEREAS, in any fiscal year in which revenues are inadequate to make timely payments of the State's obligations, § 11B-2-20(e) of the Code of West Virginia authorizes monies to be borrowed from the Revenue Shortfall Reserve Fund by and pursuant to executive order, to be repaid, without interest, and redeposited to the credit of the Fund within ninety days of such withdrawal; and

WHEREAS, the revenues collected to date are inadequate to make timely payments of the State's obligations, necessitating that monies must be borrowed from the Revenue Shortfall Reserve Fund; and

WHEREAS, the amount to be borrowed does not exceed the amount necessary to make timely payments of the State's obligations and the amount to be borrowed does not exceed one and one-half percent of the general revenue estimate for fiscal year two thousand sixteen; and

WHEREAS, the exercise of this authority is necessary and appropriate to preserve the financial integrity of the State in furtherance of the best interests of its citizens.

NOW, THEREFORE, I, EARL RAY TOMBLIN, pursuant to the authority vested in me as Governor by the Constitution and the laws of this State, do hereby **ORDER** the transfer of Sixty-Four Million Dollars ($64,000,000) from the Revenue Shortfall Reserve Fund to the current year balance of the General Revenue Fund in order to make timely payments of the State's obligations.

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 first day of July, in the year of our Lord, Two Thousand Fifteen, and in the One Hundred Fifty-Third year of the State.

Earl Ray Tomblin
GOVERNOR

By the Governor

Natalie E. Tennant
SECRETARY OF STATE

State of West Virginia
Office of the Attorney General

Patrick Morrisey
Attorney General

(304) 558-2021
Fax (304) 558-0140

FILED
2015 JUL -1 P 2:32
OFFICE WEST VIRGINIA
SECRETARY OF STATE
AG OPINION

June 30, 2015

Robert S. Kiss
Cabinet Secretary, West Virginia Department of Revenue
Chair, West Virginia Municipal Home Rule Board
State Capitol Complex
1900 Kanawha Blvd. E, Building 6, Room 553
Charleston, WV 25305

Dear Secretary Kiss:

You have asked for an Opinion of the Attorney General about whether a municipality participating in the West Virginia Home Rule Pilot Program may collect municipal sales tax on certain goods and services before a reduction or elimination in the municipal business or occupation tax goes into place. This Opinion is being issued pursuant to West Virginia Code § 5-3-1, which provides that the Attorney General "shall give written opinions and advice upon questions of law . . . whenever required to do so, in writing, by . . . [a] state officer, board or commission." To the extent this Opinion relies on facts, it is based solely upon the factual assertions set forth in your correspondence with the Office of the Attorney General.

Your letter concerns the proposed imposition of a sales tax in the City of Parkersburg (the "City") while the City continues to collect a business and occupation tax for six months. According to your letter, the City has passed an ordinance that would provide for the collection of a sales tax beginning on July 1, 2015. *See* Ordinance to Amend the Ordinances for the City of Parkersburg, West Virginia, by Enacting a New Chapter, "Article 778: Consumer Sales and Use Tax," to Impose a One Percent Consumer Sales and Use Tax. The City also intends to eliminate and reduce business and occupation taxes, but only after one full cycle of collections of the sales and use tax. *See* Ordinance Amending and Re[e]nacting Portions of Article 779: Business and Occupation Taxes in the City of Parkersburg. Thus, you explain, the City's separate ordinance to eliminate or reduce business and occupation taxes is not scheduled to take effect until January 1, 2016, six months after the implementation of the new sales tax.

Your letter raises the following legal question:

Under West Virginia Code § 8-1-5a, can a municipality impose a sales tax before a reduction in the business or occupation tax goes into effect?

We begin with the ordinary meaning of the words of the statute, which we believe require the business and occupation tax reductions to occur prior to or simultaneous with the imposition of the sales and use tax. West Virginia Code § 8-1-5a(i)(14) provides that a municipality participating in the Municipal Home Rule Pilot Program "may enact a municipal sales tax up to one percent if it reduces or eliminates its municipal business or occupation tax."* Giving these "[u]ndefined words and terms . . . their common, ordinary and accepted meaning," Syl. Pt. 6, in part, *State ex rel. Cohen v. Manchin*, 175 W. Va. 525, 527, 336 S.E.2d 171, 173 (1984), we read the conditional language to mandate that reduction or elimination in the business or occupation tax precede or coincide with the implementation of a new sales tax. For example, if a parent tells a child that he may play outside "if you finish your homework," the ordinary and accepted meaning of this instruction is that the child must finish his homework before playing outside. An ordinary person would not understand the instruction to mean that the child may play outside so long as he commits to completing his homework within a reasonable time after playing outside.

Other parts of the statute support this ordinary reading of the text. It is well established that courts "review [an] act or statute in its entirety to ascertain legislative intent properly." Syl. Pt. 2, in part, *In re Donald M.*, 233 W. Va. 416, __, 758 S.E.2d 769, 771 (2014) (quoting Syl. Pt. 5, *Fruehauf Corp. v. Huntington Moving & Storage Co.*, 159 W. Va. 14, 14, 217 S.E.2d 907, 908 (1975)). West Virginia Code § 8-1-5a(i)(14) provides that "if a municipality subsequently reinstates or raises the municipal business and occupation tax it previously reduced or eliminated under the Municipal Home Rule Pilot Program, it shall eliminate the municipal sales tax enacted under the Municipal Home Rule Pilot Program." This requirement—which prohibits backsliding by a municipality—is further proof that the Legislature did not intend to allow a new municipal sales tax to coexist with the previous business and occupation tax regime.

To the extent there is any ambiguity in the statute, our reading is compelled by several long-standing rules of construction that require municipal taxing power to be read narrowly. As the West Virginia Supreme Court of Appeals has explained, "[a] municipality has no inherent power to levy taxes," and "it can do so only by virtue of the authority delegated to it by the legislature." Syl. Pt. 1, in part, *Hukle v. City of Huntington*, 134 W. Va. 249, 249, 58 S.E.2d 780, 781 (1950) (quoting *City of Fairmont v. Bishop*, 68 W. Va. 308, 313, 69 S.E. 802, 803 (1910)). Because of this limited taxing authority possessed by municipalities, a statute that vests a municipality with authority to impose a tax "must be strictly construed" and "all doubts should be resolved against the city and in favor of the taxpayer." *Id.* A municipality that seeks to impose a tax "must show that all conditions essential to the lawful exercise of power delegated to

* Your letter cited West Virginia Code § 8-1-5a(k)(6) for this language. Since the date of your letter, Senate Bill 323, which amended and reenacted West Virginia Code § 8-1-5a, has gone into effect. Acts 2015, S.B. 323, effective June 12, 2015. Under the amended text, the provision governing taxation issues is codified at West Virginia Code § 8-1-5a(i)(14).

it have been complied with." *Hukle*, 134 W. Va. at 255, 58 S.E.2d at 783 (quoting *Bishop*, 68 W. Va. at 313, 69 S.E. at 803). Under these rules of construction, any ambiguity must be construed to limit the taxing power and, thus, to require that the reduction or elimination of the business or occupational tax be effective prior to or concurrent with the collection of the new sales tax.

Accordingly, we do not believe that the City's proposed course of action comports with the law. By delaying the effective date of the ordinance reducing or eliminating the business and occupation taxes, the City will not have actually changed those taxes until well after the sales tax goes into effect. *See State ex rel. Richey v. Hill*, 216 W. Va. 155, 166 n.16, 603 S.E.2d 177, 188 n.16 (2004) (noting that a statute applied only after its effective date). Indeed, because an ordinance may usually "be repealed . . . by another ordinance or an instrument of equal dignity," the City may never reduce or eliminate business or occupation taxes. Syl. Pt. 3, in part, *State ex rel. Brown v. Corporation of Bolivar*, 209 W. Va. 138, 140, 544 S.E.2d 65, 67 (2000) (quoting Syl. Pt. 3, *Bittinger v. Corporation of Bolivar*, 183 W. Va. 310, 311, 395 S.E.2d 554, 555 (1990)). For all the reasons explained above, we do not believe this is consistent with the Legislature's intent.

AG OPINION

Sincerely,

Patrick Morrisey
Attorney General

Elbert Lin
Solicitor General

Gilbert C. Dickey
Assistant Attorney General

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

FILED OTHER
2015 JUN 30 P 1:09
OFFICE WEST VIRGINIA
SECRETARY OF STATE

June 29, 2015

LEGAL NOTICE

James L. Pitrolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending **June 26, 2015**.

EXPEDITED APPLICATIONS RECEIVED

June 22, 2015 – Bio-Medical Applications of West Virginia, Inc. d/b/a Fresenius Medical Care of Braxton County, Raleigh, North Carolina, CON File #15-7-10507-R, for the establishment of a new 10 station dialysis facility in Flatwoods, Braxton County; capital expenditure: $1,558,852.

June 25, 2015 – University of Pittsburgh Physicians, Pittsburgh, Pennsylvania, CON File #15-WV-10524-P, for the provision of telemedicine services in West Virginia; capital expenditure: $10,000.

June 26, 2015 – Keyser Center LLC, Kingwood Center LLC, Martinsburg Center LLC, Rainelle Center LLC, Charleston, Kanawha County, CON File #15-4/6/8/9-10525-A, for the acquisition of the licensed operations of Heartland of Keyser, a nursing home located in Mineral County; Heartland of Preston, a nursing home located in Preston County; Heartland of Martinsburg, a nursing home located in Berkeley County; and Heartland of Rainelle, a nursing home located in Greenbrier County; capital expenditure: $10,200,000.

HEARING NOTICE

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

June 26, 2015 – Cavalier MDI, LLC, Hudson, Ohio, CON File #15-WV-10441-X, for the purchase of assets of Mobile Diagnostic Imaging, LLC; capital expenditure: $85,000.

Prehearing Conference:	**Thursday, July 9, 2015 at 1:30 p.m.**
Administrative Hearing:	**Wednesday, July 15, 2015 at 9:00 a.m.**

The prehearing conference and administrative hearing in the above-referenced matter will be held in the offices of the Health Care Authority, 100 Dee Drive, Charleston, West Virginia 25311-1600, unless otherwise noted.

ORDER ISSUED

June 23, 2015 – Reynolds Memorial Hospital, Glen Dale, Marshall County, CON File #15-10-10454-X/BH, for the provision of inpatient medical withdrawal management for persons seeking withdrawal from abused substances; no capital expenditure.

It is ORDERED that the file in this matter be reopened to accept the additional information and that the file be closed immediately after receipt of the information.

PROJECTS DETERMINED NOT REVIEWABLE

June 23, 2015 – FirstLight Home Care, Winchester, Virginia, CON File #15-8/9-10527-X, for the provision of non-medical personal in-home care for private pay clients in Jefferson, Berkeley, Morgan, Hampshire, Mineral, Hardy and Grant counties; no capital expenditure.

June 23, 2015 – FMRS Health Systems, Inc., Beckley, Raleigh County, CON File #15-1-10521-X, for the provision of residential support services at one of its properties located at 214 South Vance Drive, Beckley, Raleigh County; capital expenditure: less than $10,000.

June 23, 2015 – Health Management Associates, Inc. and Triad Healthcare Corporation, Franklin, Tennessee, CON File #15-4-10526-X, for the corporate restructuring that will result in a change in two indirect parents of Greenbrier VMC, LLC d/b/a Greenbrier Valley Medical Center; capital expenditure: $20,000.

June 23, 2015 – Shenandoah Valley Medical System, Inc., Martinsburg, Berkeley County, CON File #15-9-10528-X, for the expansion of its community-based primary care center located at 99 Tavern Road, Martinsburg, Berkeley County, to address the need for additional exam rooms and administrative space; capital expenditure: $2,600,000.

June 23, 2015 – Youth Services System, Inc., Wheeling, Ohio County, CON File #15-10-10520-X, for the expansion of behavioral health services into Wetzel County; no capital expenditure.

CERTIFICATE OF NEED APPROVALS ISSUED

June 23, 2015 – Straight Gate, Inc. d/b/a The Gatehouse, Elkins, Randolph County, CON File #14-7-10328-BH, for the development, construction and operation of a 35 bed Level IV Recovery Residence, a minimum 90-day, non-medical long-term residential treatment program for alcoholic and drug addicted men; capital expenditure: $3,616,496.

June 23, 2015 – Total Renal Care, Inc. and Ravine Dialysis, LLC, Denver, Colorado, CON File #15-2-10477-R, for the development of an eleven (11) station (and one isolation station) outpatient dialysis facility in Wayne, Wayne County; capital expenditure: $1,533,890.

June 23, 2015 – West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #15-6-10405-H, for the development of an ambulatory surgery center adjacent to its WVU Healthcare Outpatient Center in Morgantown, Monongalia County; capital expenditure: $29,700,000.

June 25, 2015 – Clarksburg Center LLC and Parkway Properties LLC, Charleston, Kanawha County, CON File #15-6-10483-A, for the acquisition of the real estate (title of land, equipment and building) and operations associated with Heartland of Clarksburg, a 120 bed nursing home located in Clarksburg, Harrison County; capital expenditure: $11,200,000.

RENEWALS GRANTED

June 23, 2015 – Logan Regional Medical Center, Logan, Logan County, CON File #10-2-9149-P, for the development of diagnostic services in Man, Logan County; capital expenditure: $300,000.

Renewal granted through December 30, 2015.

June 23, 2015 – West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #13-6-9817-P, for the construction of WVU Healthcare Outpatient Center, an ambulatory care/outpatient center at University Town Center in Morgantown on property owned by WVUH; capital expenditure: $52,250,000.

Renewal granted through December 31, 2015.

NOTICE OF SUBSTANTIAL COMPLIANCE

The following project has been implemented in substantial compliance with the decision issued in this matter and the case file is now closed:

June 23, 2015 – The Greenbrier Academy, Pence Springs, Summers County, CON File #05-1-8154-BH, for the development of a specialized boarding school in Summers County to include a therapeutic component; capital expenditure: $253,400.

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

OTHER

Earl Ray Tomblin
Governor

Karen L. Bowling, Cabinet Secretary
West Virginia Department of
Health and Human Resources

HEALTH CARE AUTHORITY

James L. Pitrolo, Jr.
Chairman

Board Members
Sonia D. Chambers
Marilyn G. White

FILED
2015 JUN 30 P 12:34
OFFICE WEST VIRGINIA
SECRETARY OF STATE

In re:

Cavalier MDI, LLC

CON File No. 15-WV-10441-X

NOTICE 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 James L. Pitrolo, Jr., Chairman of the West Virginia Health Care Authority, wishes to announce that the following proceedings have been scheduled for the above-noted application:

A PREHEARING CONFERENCE will be held **Thursday, July 9, 2015 at 1:30 p.m.**, in the Large Conference Room of the WV Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

An ADMINISTRATIVE HEARING will be held **Wednesday, July 15, 2015, at 9:00 a.m.**, in the Large Conference Room of the WV Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

This application concerns the request for exemption from Certificate of Need review for the purchase of assets of Mobile Diagnostic Imaging, LLC.

You and any other "affected persons" as defined by W. Va. Code §16-2D-2 wishing to participate in the hearing of this application are directed to be present at both the prehearing conference and the administrative hearing.

NOTICE OF PREHEARING CONFERENCE
AND ADMINISTRATIVE HEARING
Cavalier MDI, LLC
CON File #15-WV-10441-X
Page Two

The purpose of the prehearing conference is to designate parties to the hearing, to designate the issues for the hearing, resolve any procedural matters, receive any motions, establish the order of proceedings, receive a listing of the witnesses and a summary of direct testimony that will be offered at the hearing, receive a listing of evidence to be offered and copies of any documents to be offered such as reports or analysis prepared by expert witnesses including any financial reports and any other procedural matters. The prehearing conference will be conducted in conformance to Rule 16, West Virginia Rules of Civil Procedures for pretrial conferences.

In a hearing, any person has the right to be present or to be represented by counsel and to present oral or written arguments and relevant evidence. Any person affected by the matter which is the subject of the hearing may conduct reasonable questioning of persons who make factual allegations relevant to such matters.

PLEASE TAKE NOTICE that if the party who requested the hearing withdraws that request, then the hearing will be canceled.

The file on this application is available for examination in the offices of the Health Care Authority from 9:00 a.m. to 4:00 p.m., Monday through Friday. If you have questions concerning this matter, please contact Timothy Adkins, Certificate of Need Director, at (304) 558-7000 or toll free 1-888-558-7002.

Date: June 26, 2015

James L. Pitrolo, Jr., Chairman

OTHER

Earl Ray Tomblin
Governor

Karen L. Bowling, Cabinet Secretary
West Virginia Department of
Health and Human Resources

HEALTH CARE AUTHORITY

James L. Pitrolo, Jr.
Chairman

Board Members
Sonia D. Chambers
Marilyn G. White

In re:

ST. JOSEPH'S HOSPITAL OF BUCKHANNON

CON File No. 15-7-10388-P

FILED
2015 JUL -1 P 12:07
OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE 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 James L. Pitrolo, Jr., Chairman of the West Virginia Health Care Authority, wishes to announce that the following proceedings have been scheduled for the above-noted application:

A PREHEARING CONFERENCE will be held **Tuesday, August 11, 2015, at 1:30 p.m.** in the Large Conference Room of the WV Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

An ADMINISTRATIVE HEARING will be held **Tuesday, August 18, 2015, at 9:00 a.m.** in the Large Conference Room of the WV Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

This application concerns the development of an ambulatory health care facility in Randolph County.

You and any other "affected persons" as defined by W. Va. Code §16-2D-2 wishing to participate in the hearing of this application are directed to be present at both the prehearing conference and the administrative hearing.

The purpose of the prehearing conference is to designate parties to the hearing, to designate the issues for the hearing, resolve any procedural matters, receive any motions, establish the order of proceedings, receive a listing of the witnesses and a summary of direct testimony that will be offered at the hearing, receive a listing of evidence to be offered and copies of any documents to be offered such as reports or analysis prepared by expert witnesses including any financial reports and any other procedural matters. The prehearing conference will be conducted in conformance to Rule 16, West Virginia Rules of Civil Procedures for pretrial conferences.

In a hearing, any person has the right to be present or to be represented by counsel and to present oral or written arguments and relevant evidence. Any person affected by the matter which is the subject of the hearing may conduct reasonable questioning of persons who make factual allegations relevant to such matters.

PLEASE TAKE NOTICE that if the party who requested the hearing withdraws that request, then the hearing will be canceled.

The file on this application is available for examination in the offices of the Health Care Authority from 9:00 a.m. to 4:00 p.m., Monday through Friday. If you have questions concerning this matter, please contact Jennifer Douglas-Walker, Health Care Analyst, at (304) 558-7000 or toll free 1-888-558-7002.

Date: June 29, 2015

James L. Pitrolo, Jr., Chairman

OTHER

WEST VIRGINIA HEALTH CARE AUTHORITY

FILED
2015 JUL -1 P 12:07
OFFICE WEST VIRGINIA
SECRETARY OF STATE

IN RE: **ST. JOSEPH'S HOSPITAL OF BUCKHANNON**
CON FILE NO. 15-7-10388-P

TIME FRAME ORDER

The following shall apply to and govern the above-captioned action and activities conducted in connection with it. In the absence of a specific date or deadline for a given activity, it is anticipated that such activity will be scheduled and conducted within a reasonable time prior to the hearing.

The parties may not amend, modify, or adjust any provision of this Order except by leave of the Authority.

1. All replacement pages to CON application to be filed by June 5, 2015.

   Pursuant to CSR §65-7-8, if the applicant submits a substantial amendment to the application the Authority may withdraw the application from review. The board may examine the extent of additional information or any amendment made by the applicant to the application and its impact on the new institutional health service, and determine the application to be a new proposal subject to a new review cycle.

2. Motions for discovery to be filed by June 30, 2015.

3. Discovery completed on or before July 28, 2015.

4. Dispositive and preliminary motions to be filed by August 6, 2015.

   Parties shall file all prehearing motions with the board a minimum of three (3) days prior to the prehearing conference.

5. All requests for subpoena and/or subpoena duces tecum to be filed by August 7, 2015.

6. Hearing date: August 18, 2015 Time: 9:00 a.m.

2. Prehearing date: August 11, 2015 Time: 1:30 p.m.

RECEIVED
2015 JUN 22 PM 4:30
WV HEALTH CARE AUTHORITY

Inspected and approved by:

Robert L. Coffield, State Bar No. 6297
Flaherty, Sensabaugh & Bonasso, PLLC
Post Office Box 3843
200 Capitol Street
Charleston, West Virginia 25338-3843
Counsel for Davis Memorial ~~Hospital~~

Thomas G. Casto, State Bar No. 676.
Lewis, Glasser, Casey & Rollins PLLC
300 Summers Street, Suite 700
Post Office Box 1746
Charleston, WV 25326

OTHER

Done this 29th day of June, 2015.

James L. Pitrolo, Jr.
Chairman

Sonia D. Chambers
Board Member

Marilyn G. White
Board Member

WVHIN
WEST VIRGINIA HEALTH INFORMATION NETWORK

Earl Ray Tomblin
Governor

Phil Weikle
Chief Operations Officer

Joe Letnaunchyn
Chair

June 26, 2015

Honorable Natalie Tennant
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

Re: State Register
Entry of Notice

Dear Secretary Tennant,

Pursuant to Legislative Rule 65 C.S.R. §28 5.6.a, the West Virginia Health Information Network is to publish its written patient notice and a list of all then current participating organizations during the first week of January, April, July, and October of each year in the State Register.

The current participating organizations as of July 1, 2015:

ABC Pediatrics
Andres L. Rago, MD
Appalachian Regional Healthcare
Associated Specialists, Inc.
Barbour County Health Dept.
Beckley Physicians Group
Beckley Vascular Associates
Belington Community Medical Services
Big Creek Medical Center
Bluefield Hematology-Oncology Associates
Boone Memorial Hospital
Braxton County Memorial Hospital
Bridgeport Express Care
Cabell Huntington Health Dept.
Cabin Creek Health Systems
Camden Clark Medical Center
Cardinal Pediatrics
Change, Inc.
Charles F. Whitaker, MD
Charleston Digestive Disease
Charleston Family Practice Group
Charleston Internal Medicine
Charleston Neurology Associates, Inc.
Charleston Pain Management Consult.
Clarksburg Surgical Specialists
Coalfield Health Center
Community Health Network of West Virginia
Comprehensive Womens Care
Cornerstone Health Care
Crystal H. Bastin, MD
Davis Medical Center Provider Group
Advantage Healthcare for Women
Appalachian Highway Med Surgical Clinic
Arturo Y. Lim, MD
Asthma & Allergy Center
Bassam N. Shamma, MD
Beckley Raleigh County Health Dept.
Bee Healthy Pediatrics
Berkeley County Health Dept.
Blue Ridge Internal Medicine
Bluestone Health Association
Brandon Cestaric Family Practice
Braxton Primary Health Care
Brooke County Health Dept.
Cabell Huntington Hospital
CAMC Physicians Group
Camden Clark Physicians Corp.
Carehaven of Pleasants
Charles D. Bess
Charleston Area Medical Center
Charleston Endocrinology
Charleston Gastroenterology Assoc.
Charleston Nephrology Hypertension and Transplant
Charleston Obstetrics & Gynecology
City Pediatrics
Clay-Battelle Health Services Association
Community Care of WV
Comprehensive Surgical Associates
Convenience Clinics of America
Country Club Rehabilitation Campus
Davis Medical Center
Derm One

FILED
2015 JUN 29 P 4:31
OFFICE WEST VIRGINIA SECRETARY OF STATE

100 Dee Drive Charleston, West Virginia 25311 – 1600 304.558.4503 Fax: 304.558.2734 www.wvhin.org

OTHER

Digestive Care Center
Dr. David S. Ratliff, Inc.
Dr. Raghada Sahloul
Dr. Saima Khan
E. Brad McCoy, DO
Eastbrook
Edward A. Filcheck, PLLC
Express Med Pharmaceuticals, Inc.
Fairmont Regional Medical Center
Family Care Clinic
Family Health Associates of the Kanawha Valley
Family Medicine of Berkeley Springs
Foot & Ankle Clinic
Glenwood Park Retirement Village
Grant County Health Dept.
Greenbrier County Health Dept.
Greenbrier Physicians
Hampshire County Health Dept.
Healthsouth Mountainview Regional Rehab Hospital
Healthsouth Rehabilitation Hospital of Huntington
Heartland of Martinsburg
Highland Hospital Association
Hospice Care Corp.
Hospice of Potomac Valley Hospital
Hospice of the Panhandle
Interim Healthcare
Jackson County Health Dept.
Jana Peters, DO
Jefferson Pharmacy
John Manchin, Sr. Healthcare
Kanawha Hospice Care
Kelly M. Pitsenbarger, MD
Lewis County Health Dept.
Lisa Hill, MD
Logan Regional Medical Center
Love Family Practice Group
Mapleshire Nursing & Rehabilitation Center
Mark J. Cinalli, OD
Martinsburg Internal Medicine Associates
Matthew A. Cupp, MD
Mely Lim, MD
Michael M. Boustany, MD
Mid-Ohio Valley Medicine & Pediatrics
Modern Care OB/Gyn
Monongalia General Hospital
Montgomery General Hospital
Mountain Hospice
Mountain State Medical Specialties
Mountaineer Community Health Center
Neurological Associates
Northern WV Home Health, LLC
Oar Medical Services
Ohio Valley Physicians
Park Health
Partners in Women's Health Care
Pediatric & Family Physicians of Morgan County
Pediatric Partners
Peter L. Ang, MD
Pleasant Valley Hospital
Potomac Valley Hospital
Digestive Disease Center of Ohio Valley
Dr. Leonard A. Fichter
Dr. Rick L. Houdersheldt
Dunbar Medical Associates
E.A. Hawse Health Center
Eastern Panhandle CARE Clinic
Erin V. Stoehr, DO
F.G. Powderly, MD
Fairmont Physicians, Inc.
Family Care Health Center
Family Healthcare Associates
Fayette County Health Dept.
Genesis Health Care
Grafton City Hospital
Grant Memorial Hospital
Greenbrier Manor
Gregory Scott Harrah, MD
Hasan Medical, Inc.
Healthsouth Western Hills
Healthy Habits Wellness Center
HHP Internal Medicine Associates
Holbrook Nursing Home
Hospice of Huntington
Hospice of Southern WV
Huntington Internal Medicine Group
Interim Health Care of SE Ohio, Inc.
Jackson General Hospital
Jefferson Med Peds, Inc.
John M. Clark, MD & Associates
Kanawha Charleston Health Dept.
Kanawha Medical Center
Kendall L. Wilson, Jr., DO
Lincoln County Health Dept.
Living Well Medical Center
Lori Tucker, DO
Madison Medical
Marilyn Horacek, MD
Marshall U. SOM/Marshall Health
Martinsburg Pediatrics
Meadowbrook Acres Nursing Center
Mercer Medical Group
Mid-Ohio Valley Health Dept.
Minnie Hamilton Health System
Monongalia County Health Dept.
Monroe Health Center
Morgantown Obstetrics & Gynecology
Mountain Medical Associates
Mountain State Medicine & Rheumatology
Nephrology & Hypertension Associates
Nitro Primary Care
Northwood Health Systems
Ohio Valley Health Services & Education
Orthopedic Healthcare Associates
Parkersburg Surgical Associates
Patel & Patel
Pediatric Associates
Pendleton Community Care
Pineview Gynecology
Pocahontas Memorial Hospital
Premier Medical Group

100 Dee Drive Charleston, West Virginia 25311 – 1600 304.558.4503 Fax: 304.558.2734 www.wvhin.org

Prestera Center for Mental Health Services, Inc.
Preston-Taylor Community Health Centers
Princeton Community Hospital Association
Process Strategies
Putnam Family Practice Associates
Raleigh General Hospital
Randall J. Hill, MD
Randolph Elkins Health Dept.
Renal Consultants
Ritchie Regional Health Center
Riverview Pediatrics
Robert C. Byrd Clinic
Robert E. Jones, MD
Salem Family Medicine
Sanjay Bharti, MD
Scott C. Lostetter, DO
Shirey & Shirey
South Branch Surgical Associates
South Charleston Pediatrics
St. Francis Hospital
St. Joseph's Hospital of Buckhannon
Stanaford Medical Clinic
State of WV-DHHR Jackie Withrow Hospital
Summersville Pediatrics
Summit Health Care, Inc.
Susan C. Capelle, MD
Teays Pediatrics
The Myers Clinic
Thomas Memorial Hospital
THS Physician Partners
United Hospital Center, Inc.
Valley Health System
War Memorial Hospital
Wayne County Health Dept.
Weirton Medical Center
Wetzel County Hospital
Wheeling Hospital
Willow Ridge
Women's Health Care of Morgantown
Wood County Senior Citizens Association
WV Center for End of Life Care
WVMI
WVU Healthcare
Youth Health Service, Inc.
Preston Memorial Hospital
Prime Care 12
Princeton Health Care Center
Pulmonary Associates of Charleston
Pyramid Counseling, LLC
Raleigh Street Podiatry
Randolph County Eye Care Center
Ravenswood Chiropractic Center
Reynolds Memorial Hospital
River Valley Medicine & Pediatrics
Roane General Hospital
Robert C. Yee, MD
Rural Emergency Trauma Institute
Samuel K. Roberts, MD
Schwarzenberg & Schwarzenberg
Shadyside Care Center
Sistersville General Hospital
South Charleston Dermatology
Spring Hill Primary Care Physicians
St. George Medical Clinic
St. Mary's Medical Center
Stanton Cardiology Center
Stonewall Jackson Memorial Hospital
Summersville Regional Medical Center
Suncrest Ob/Gyn
Teays Internal Medicine
The Maples Health Care
The Rheumatology Group
Thoracic and Cardiovascular Associates
Tug River Health Association
Valeo Medical
Valley Health Systems
Ward Paine, MD
Wee Care Pediatrics
Westbrook Health Services
Wheeling Health Right
William C. Mercer, MD
Wirt County Health Services Association
Women's Health Center of WV
Worthington Nursing & Rehab Center
WV Health Right
WVU Health Research Center
Yeager & Smith Family Medicine
Ziad Kahwash, MD

OTHER

Please publish this notice **in its entirety** in the State Register in accordance with the Administrative Procedures Act. Also, we request that you return one copy to us with your stamp acknowledging receipt.

Thank you for your assistance in this matter.

Sincerely,

Pam Carte

Pam Carte
Secretary

Enclosures

100 Dee Drive Charleston, West Virginia 25311 – 1600 304.558.4503 Fax: 304.558.2734 www.wvhin.org

WVHIN
WEST VIRGINIA HEALTH INFORMATION NETWORK

PATIENT NOTICE

Your health care provider has agreed to participate in the West Virginia Health Information Network ("WVHIN"), a Health Information Exchange (HIE). The WVHIN's HIE provides the fast and secure exchange of test results and reports among hospitals, labs, x-ray facilities, doctors and insurance companies.

WHO WILL HAVE ACCESS TO MY HEALTH RECORD?

Doctors, hospitals, pharmacies, other health care providers and insurance companies that are participants of the WVHIN's HIE will be able to see your health records. Your health record would only be viewed when they are treating you or when paying for your health care.

WHAT INFORMATION IS IN MY ELECTRONIC MEDICAL RECORD?

Your health care provider uses an electronic medical record to keep track of the treatment provided to you. This electronic record may include your…

- medical history
- lab and imaging results
- medications
- allergies
- known drug reactions
- doctor's and nurse's notes

WVHIN's HIE **is not** a complete record of your health history. It is simply a way for your health care providers to access the health information they need to provide you with the best possible care.

WHAT ABOUT MY SENSITIVE HEALTH RECORDS?

Federal and State laws protect the privacy of certain kinds of medical records. These include…

- drug or alcohol abuse treatment records
- psychotherapy notes
- mental health records
- goods and services that you have paid for out-of-pocket and request to keep private

When required by law, your consent will be obtained before the WVHIN's HIE will allow the sharing of your sensitive health records.

WHAT ARE THE BENEFITS TO ME?

WVHIN's HIE allows doctors and hospitals to view all of your available health records to provide you with better care. WVHIN's HIE may prevent you from having to fill out the same forms and carry your lab, x-ray results and medications to different doctors. Sharing your health record through the WVHIN's HIE may prevent you from having to have tests repeated. Most importantly, sharing your health record through the WVHIN's HIE may allow your doctors to have access to life saving information in the event of a medical emergency.

ARE THERE PRIVACY RISKS AND HOW IS MY PRIVACY PROTECTED?

Doctors, hospitals and anyone else who is treating you are already responsible for keeping your health records private. The only added risk is that your health record will now be seen through the computer rather than by mail or fax.

The WVHIN uses modern technology to keep your health records private and safe. The WVHIN protects your privacy by…

- encoding your health record so only the people who need to see it can
- making sure passwords are used
- by tracking who looks at your health record through the WVHIN's HIE

DO I HAVE TO PARTICPATE IN THE WVHIN?

To allow your health record to be shared through the WVHIN's HIE you do not need to take action.

If you do not want to participate you must complete a Request to Opt-Out. This form is available from your Health Care Provider. Opting-out means that doctors and other health care providers **will not** be able to access your health record through the WVHIN's HIE.

EVEN IF YOU CHOOSE NOT TO PARTICIPATE (OPT-OUT):

The WVHIN will keep your personal information (name, address, birth date, etc.) on file in its Master Patient Index to permanently record your decision to opt-out.

Your doctor or health care provider will still be able to use the WVHIN's HIE to report…

- communicable diseases
- immunization data
- quality reports
- other required public health information to state and federal agencies.

It is important to understand that choosing to opt-out of the WVHIN's HIE **does not** mean your health information cannot be shared electronically. Health care providers may use other electronic methods such as secure email or electronic lab results delivery to share patient information. Read your health care provider's notice of privacy practices for more information.

IF I HAVE CHOSEN TO OPT-OUT CAN I CHANGE MY MIND?

If you have previously completed a Request to Opt-Out, you can change your mind. Talk to your health care provider about reversing your Request to Opt-Out.

Please talk to your health care provider if you have questions about the WVHIN, or visit our website at www.wvhin.org .

OTHER

Occupational Pneumoconiosis Board

FILED
2015 JUN 29 A 9:53
OFFICE WEST VIRGINIA
SECRETARY OF STATE



2013 – 2014

Annual Report

STATE OF WEST VIRGINIA
Department of Revenue
State Tax Department

Earl Ray Tomblin
Governor

Mark W. Matkovich
State Tax Commissioner

OTHER

June 30, 2015

FILED
2015 JUN 30 P 1:57
OFFICE WEST VIRGINIA
SECRETARY OF STATE

The Honorable Natalie Tennant
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Dear Secretary Tennant:

Attached are tentative natural resource property valuation variables for the 2016 Tax Year that have been developed by the State Tax Department for use in appraising coal, oil, natural gas, managed timberland and other natural resource properties for ad valorem tax purposes.

The State Tax Department will accept written public comments on all variables until August 1, 2015. Final valuation variables will be filed on or before September 1, 2015.

Public comments concerning the attached variables should be forwarded to the following address:

West Virginia State Tax Department
Property Tax Division
Attention: Jeff Amburgey
P.O. Box 2389
Charleston, West Virginia 25328-2389

Sincerely,

Mark W. Matkovich
State Tax Commissioner

MWM/ja/j

Attachment

Property Tax Division
P. O. Box 2389
Charleston, WV 25328 - 2389
Phone 304-558-3940 FAX 304-558-1843