WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXIII

Issue 10

March 11, 2016

A Weekly Publication

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

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Health and Human Resources

Health Care Authority

Insurance Commission

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Veterinary Medicine

CHRONOLOGICAL INDEX, VOLUME XXXIII ISSUE 10			
NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Veterinary Medicine (26-4)	Standards of Practice Legislative	§30-10-1	Written Comments Only April 11, 2016, 4:00 pm WV Bd. Of Veterinary Medicine 5509 Big Tyler Road, Suite 3 Cross Lanes, WV 25313

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

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

- 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		7/24/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 148 HB 4081 BUNDLED SB 159		
Administration (148-1)	Purchasing Division Legislative	7/27/2015	8/26/2015	7/23/2015 Approved 7/31/2015	9/1/2015	Approved 11/19/2015	SB149 HB 4046 BUNDLED HB 4046		
Administrative Hearings (105-1)	Appeal Procedures Legislative	6/22/2015	7/22/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 150 HB 4082 BUNDLED		
Agriculture (61-23D)	Inspection of Nontraditional, Domesticated Animals Legislative	6/10/2015	7/17/2015	6/10/2015 Effective 7/22/2015	7/30/2015	Modified & Approved 10/22/2015 Filed 11/3/2015	SB 151 HB 4083 BUNDLED SB 159		
Agriculture (61-28)	Poultry Litter and Manure Movement Into Primary Poultry Breeder Rearing Areas Legislative	6/30/2015	7/30/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 152 HB 4084 BUNDLED SB 159		
Agriculture (61-30)	Dangerous Wild Animal Rule-Repeal Legislative	1/11/2016	2/10/2016						
Agriculture (61-31)	Livestock Care Standards Legislative	6/30/2015	7/30/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 153 HB 4085 BUNDLED SB 159		
Agriculture (61-31)	Livestock Care Standards-Repeal Legislative	1/11/2016	2/10/2016						
Agriculture (61-34)	Captive Cervid Farming Legislative	4/28/2015	5/28/2015	4/28/2015 Approved 5/12/2015	7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 154 HB 4086 BUNDLED SB 159		
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015	SB 172 HB 4049 BUNDLED HB 4053		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015	SB 173 HB 4050 BUNDLED HB 4053		
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015	SB 174 HB 4051 BUNDLED HB 4053		
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015	SB 175 HB 4052 BUNDLED HB 4053		
Air Quality (45-39)	Control of Annual Nitrogen Oxides Emissions - Repeal Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 11/19/2015	SB 176 HB 4053 BUNDLED HB 4053		
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 11/19/2015	SB 177 HB 4054 BUNDLED HB 4053		
Air Quality (45-41)	Control of Annual Sulfur Dioxide Emissions - Repeal Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 11/19/2015	SB 178 HB 4055 BUNDLED HB 4053		
Alcohol Beverage Control Comm. (175-2)	Private Club Licensing Legislative	6/10/2015	7/11/2015		7/31/2015	Approved 10/22/2015	SB 155 HB 4047 BUNDLED SB 157		
Alcohol Beverage Control Comm. (175-10)	Distilleries and Mini-Distilleries Legislative	6/10/2015	7/11/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/4/2015	SB 156 HB 4087 BUNDLED SB 157		
Alcohol Beverage Control Comm – Beer (176-1)	Nonintoxicating Beer Licensing and Operations Procedures Legislative	6/10/2015	7/11/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/4/2015	SB 157 HB 4088 BUNDLED SB 157		
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	Modified & Approved 9/15/2015 Filed 9/16/2015	SB 158 HB 4089 BUNDLED SB 159		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Consolidated Public Retirement Board (162-2)	Benefit Determination and Appeal Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 163 HB 4091 BUNDLED HB 4046		
Consolidated Public Retirement Board (162-3)	Teachers' Defined Contribution Retirement System Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 9/15/2015 Filed 9/22/2015	SB 164 HB 4092 BUNDLED HB 4046		
Consolidated Public Retirement Board (162-4)	Teachers Retirement System Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 9/15/2015 Filed 9/22/2015	SB 165 HB 4093 BUNDLED HB 4046		
Consolidated Public Retirement Board (162-7)	Refund, Reinstatement, Retroactive Service,Loan and Correction of Error Interest Factors Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 9/15/2015 Filed 9/22/2015	SB 166 HB 4094 BUNDLED HB 4046		
Consolidated Public Retirement Board (162-8)	Service Credit for Accrued and Unussed Sick and Annual Leave Legislative	6/4/2015	7/6/2015		7/28/2015	Approved 9/15/2015	SB 167 HB 4048 BUNDLED HB 4046		
Consolidated Public Retirement Board (162-9)	West Virginia State Police Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 168 HB 4095 BUNDLED HB 4046		
Consolidated Public Retirement Board (162-10)	Deputy Sheriff Retirement System Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 169 HB 4090 BUNDLED HB 4046		
Counseling (27-1)	Licensing Rule Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 10/20/2015	SB 129 HB 4096 BUNDLED SB 159		
Counseling (27-3)	Licensed Professional Counselor License Renewal and Continuing Professional Education Requirements Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 9/16/2015 Filed 9/29/2015	SB 160 HB 4098 BUNDLED SB 159		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Counseling (27-5)	Disciplinary and Complaint Procedures for Counselors Procedural	6/17/2015	7/20/2015						
Counseling (27-8)	Marriage and Family Therapists Licensing Rule Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 10/20/2015	SB 161 HB 4099 BUNDLED SB 159		
Counseling (27-10)	Marriage and Family License Renewal and Continuing Professional Education Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 9/16/2015 Filed 9/29/2015	SB 162 HB 4097 BUNDLED SB 159		
Counseling (27-11)	Disciplinary and Complaint Procedures for Marriage and Family Therapists Procedural	6/17/2015	7/20/2015						
Counseling (27-12)	Contested Case Hearing Procedure for Marriage and Family Therapist Procedural	6/17/2015	7/20/2015						
Crime, Delinquency and Correction (GCCDC) (149-2)	Law Enforcement Training and Certification Standards Legislative	6/15/2015	7/22/2015		7/27/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 214 HB 4019 BUNDLED SB 159		
Dangerous Wild Animal Board (74-1)	Dangerous Wild Animals Legislative	1/11/2016	2/10/2016		2/11/2016				
Dentistry (5-11)	Continuing Education Requirements Legislative	5/13/2015	6/13/2015		7/23/2015	Modified & Approved 9/16/2015 Filed 9/23/2015	SB170 HB 4100 BUNDLED SB 159		
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	5/13/2015	6/13/2015		7/23/2015	Modified & Approved 9/16/2015 Filed 9/23/2015	SB171 HB 4101 BUNDLED SB 159		
Education (126-42)	Assuring the Quality of Education: Regulations for Education Programs (2510) Legislative Exempt	2/12/2016	3/14/2016						

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-44AA)	WV College and Career-Readiness Standards for English Language Arts (2520.1A) Legislative Exempt	11/13/2015	12/14/2015					12/18/2015	7/1/2016
Education (126-44BB)	WV College and Career-Readiness Standards for Mathematics (2520.2B) Legislative Exempt	11/13/2015	12/14/2015					12/18/2015	7/1/2016
Education (126-44P)	Alternate Academic Achievement Standards for Science in WV Schools (2520.16) Legislative Exempt	8/13/2015	9/14/2015					10/15/2015	7/1/2016
Education (126-73)	School Calendar (3234) Legislative Exempt	12/18/2015	1/19/2016					2/12/2016	7/1/2016
Education (126-96)	High School Diploma for Veterans Legislative Exempt	1/14/2016	2/15/2016					3/10/2016	4/11/2016
Education (126-149)	Professional Development for WV Educators (5500) Legislative Exempt	12/18/2015	1/19/2016					2/12/2016	7/1/2016
Election Commission (146-3)	Regulation of Campaign Finance Legislative	5/20/2015	6/19/2015		7/31/2015	Modified w/certain amendments and approved 11/19/2015 Filed 11/30/2015 2nd Filed 12/22/2015	SB 207 HB 4140 BUNDLED SB 159		
Election Commission (146-5)	WV Supreme Court of Appeals Campaign Financing Program Legislative	5/20/2015	6/19/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 11/30/2015 2nd Filed 12/22/2015	SB 208 HB 4105 BUNDLED SB 159		
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	Approved w/certain amendments 11/19/2015	SB 210 HB 4143 BUNDLED HB 4046		
Fire Commission (87-1)	Fire Code Legislative	5/1/2015	5/29/2015 Written Comments 6/1/2015		6/29/2015	Approved 11/19/2015	SB 211 HB 4060 BUNDLED HB 4060		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Commission (87-4)	State Building Code Legislative	5/1/2015	6/1/2015		6/29/2015	Modified & Approved 11/19/2015 Filed 12/10/2015	SB 212 HB 4107 BUNDLED HB 4060		
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	Modified & Approved 11/19/2015 Filed 12/10/2015	SB 213 HB 4108 BUNDLED HB 4060		
Health (64-48)	Emergency Medical Services Legislative	6/25/2015	7/25/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015	SB 186 HB 4112 BUNDLED SB 195		
Health (64-51)	Fees for Service Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 10/22/2015	SB 187 HB 4061 BUNDLED SB 195		
Health (64-56)	Infectious Medical Waste Legislative	6/25/2015	7/25/2015		7/27/2015	Modified & Approved 9/16/2015 Filed 9/23/2015	SB 188 HB 4113 BUNDLED SB 195		
Health (64-64)	Aids-Related Medical Testing and Confidentiality Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 9/16/2015	SB 189 HB 4062 BUNDLED SB 195		
Health (64-76)	Tuberculosis Testing, Control, Treatment and Commitment Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 9/16/2015	SB 190 HB 4063 BUNDLED SB 195		
Health (64-102)	Farmers Market Vendors Legislative	6/25/2015	7/25/2015		7/27/2015	Modified & Approved 10/22/2015 Filed 10/23/2015	SB 191 HB 4110 BUNDLED SB 195		
Health (64-104)	Certification of Opioid Overdose Prevention and Treatment Training Programs Legislative	6/25/2015	7/25/2015		7/27/2015	Modified & Approved 9/16/2015 Filed 9/23/2015	SB 192 HB 4111 BUNDLED SB 195		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health & Human Resources (69-8)	Chronic Pain Management Clinic Licensure Legislative	6/26/2015	7/26/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015	SB 193 HB 4115 BUNDLED SB 195		
Health & Human Resources (69-9)	Neonatal Abstinence Centers Legislative	6/25/2015	7/25/2015	6/25/2015 Approved 7/29/2015 Amendment 12/8/2015 Approved 12/15/2015	7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015	SB 194 HB 4116 BUNDLED SB 195		
Health & Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	6/26/2015	7/26/2015	6/26/2014 Amendment 7/17/2015 Approved 7/29/2015 Amendment 10/23/2015 ERD by 12/4/2015	7/31/2015	Modified & Approved 10/22/2015 Filed 10/23/2015	SB 195 HB 4114 BUNDLED SB 195		
Higher Education Policy Comm. (133-19)	Guidelines for the Offering of Early Enrollment Courses for High School Students Procedural	11/24/2015	12/24/2015						
Higher Education Policy Comm. (133-26)	Underwood-Smith Teacher Scholarship Program Legislative	6/4/2015	7/4/2015			Approved 10/28/2015	HB 4617		
Higher Education Policy Comm. (133-58)	Nursing Scholarship Program Legislative	6/4/2015	7/4/2015			Approved 10/28/2015	HB 4617		
Highways (157-11)	State Transportation Infrastructure Fund Program Legislative	6/29/2015	7/29/2015		7/31/2015	Modified & Approved 9/15/2015 Filed 9/30/2015	SB 215 HB 4121		
Human Rights Commission (77-10)	Pregnant Workers' Fairness Act Legislative	6/29/2015	7/30/2015		7/31/2015	Modifed w/certain amendments & Approved 11/19/2015 Filed 12/8/2015	SB 216 HB 4140		
Human Services (78-1)	Child Care Center Licensing Requirements Legislative	6/25/2015	7/25/2015		7/31/2015	Approved 10/22/2015	SB 196 HB 4064 BUNDLED SB 195		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Human Services (78-18)	Family Child Care Facility Licensing Requirements Legislative	6/25/2015	7/25/2015		7/31/2015	Approved 10/22/2015	SB 197 HB 4065 BUNDLED SB 195		
Human Services (78-19)	Family Child Care Home Registration Requirements Legislative	6/25/2015	7/25/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 10/28/2015	SB 198 HB 4117 BUNDLED SB 195		
Human Services (78-23)	W. Va. Works Program Sanctions Legislative	6/25/2015	7/25/2015	6/25/2015 Amendment 7/31/2015 Approved 9/4/2015	7/31/2015	Modified & Approved 10/22/2015 Filed 11/13/2015	SB 199 HB 4118 BUNDLED SB 195		
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		7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015	SB 200 HB 4119 BUNDLED SB 195		
Human Services (78-25)	Goals for Foster Children Legislative	6/26/2015	7/26/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/22/2015	SB 201 HB 4120 BUNDLED SB 195		
Labor (42-5)	Wage Payment and Collection Legislative	6/25/2015	7/25/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/9/2015	SB 217 HB 4126 BUNDLED SB 202		
Labor (42-8)	Minimum Wages and Maximum Hours Standards Regulations Legislative	6/26/2015	7/27/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/9/2015	SB 218 HB 4124		
Labor (42-21)	Elevator Safety Act Legislative	6/26/2015	7/27/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 11/17/2015	SB 219 HB 4122 BUNDLED SB 202		
Labor (42-21A)	Licensing of Elevator Mechanics and Technicians and Registration of Apprentices Legislative	6/26/2015	7/27/2015		7/31/2015	Approved 11/19/2015	SB 220 HB 4066 BUNDLED SB 202		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Livestock Care Standards Bd (73-1)	Livestock Care Standards Legislative	1/11/2016	2/10/2016		2/11/2016				
Lottery (179-5)	Limited Video Lottery Legislative (Called up by the 2016 Legislature)						SB 157		
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	Approved 10/22/2015	SB 221 HB 4067 BUNDLED SB 159		
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	7/27/2015	Modified & Approved 10/22/2015 Filed 10/23/2015	SB 223 HB 4125 BUNDLED SB 159		
Miners' Health, Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/26/2015	7/27/2015	6/26/2015 Effective 8/7/2015	7/30/2015	Approved 10/22/2015	SB 224 HB 4068 BUNDLED SB 202		
Mining and Reclamation (38-2)	WV Surface Mining Reclamation Legislative	6/23/2015	7/24/2015		7/27/2015	Approved 11/19/2015	SB 182 HB 4056 BUNDLED HB 4053		
Natural Resources (58-47)	Prohibition When Hunting and Trapping Legislative	6/23/2015	7/22/2015		7/30/2015	Modified & Approved 9/15/2015 Filed 10/8/2015	SB 202 HB 4126 BUNDLED SB 202		
Natural Resources (58-49)	General Hunting Legislative	6/23/2015	7/22/2015		7/30/2015	Approved 9/15/2015	SB 203 HB 4069 BUNDLED SB 202		
Natural Resources (58-50)	Deer Hunting Rule Legislative	6/23/2015	7/22/2015		7/30/2015	Approved 9/15/2015	SB 204 HB 4070 BUNDLED SB 202		
Natural Resources (58-52)	Wild Boar Hunting Rule Legislative	6/23/2015	7/22/2015		7/30/2015	Approved 9/15/2015	SB 205 HB 4071 BUNDLED SB 202		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-74)	Elk Restoration and Management Rule Legislative	6/23/2015	7/22/2015		7/30/2015	Modified & Approved 10/22/2015 Filed 10/29/2015	SB 206 HB 4127 BUNDLED SB 202		
Nursing Home Administrators Licensing Bd. (21-1)	Nursing Home Administrators Legislative	6/9/2015	7/10/2015		7/17/2015	Modified & Approved 10/22/2015 Filed 11/2/2015	SB 225 HB 4028 BUNDLED SB 159		
Oil and Gas (35-8)	Horizontal Well Development Legislative	7/24/2015	Hearing 7/23/2015 Written 7/27/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 11/23/2015	SB 179 HB 4102 BUNDLED HB 4053		
Personnel (143-1)	Administrative Rule of the WV Div. of Personnel Legislative	5/19/2015	6/30/2015		7/21/2015	Approved 11/19/2015	SB 226 HB 4072 BUNDLED HB 4046		
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 10/22/2015 Filed 12/17/2015	SB 227 HB 4129 BUNDLED SB 159		
Pharmacy (15-2)	Rules of the Bd. Of Pharmacy for the Uniform Controlled Substances Act Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 11/19/2015 Filed 12/17/2015	SB 228 HB 4130 BUNDLED SB 159		
Pharmacy (15-4)	Record Keeping and Automated Data Processing Systems Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 10/22/2015 Filed 12/17/2015	SB 229 HB 4131 BUNDLED SB 159		
Pharmacy (15-5)	Licensure of Wholesale Drug Distributors, Third-Party Logistics Providers and Manufacturers Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 10/22/2015 Filed 12/17/2015	SB 230 HB 4132 BUNDLED SB 159		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 9/16/2015 Filed 9/22/2015	SB 206 HB 4106 BUNDLED SB 159		
Property Valuation Training & Procedures Commission (189-5)	Tax Map Sales Legislative	6/11/2015	7/13/2015		7/29/2015	Modified & Approved 10/22/2015 Filed 10/27/2015	SB 231 HB 4133 BUNDLED SB 159		
Public Transit (225-1)	Rail Fixed Guideway Systems State Safety Oversight Legislative	7/1/2015	7/30/2015		7/31/2015	Modified & Approved 9/15/2015 Filed 9/30/2015	SB 243 HB 4138 BUNDLED SB 150		
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/11/2015	7/13/2015		7/22/2015	Approved 11/19/2015	SB 232 HB 4073 BUNDLED SB 157		
Racing Commission (178-5)	Pari-Mutuel Wagering Legislative	6/11/2015	7/13/2015		7/22/2015	Approved 11/19/2015	SB 233 HB 4074 BUNDLED SB 157		
Secretary of State (153-3)	(Repeal of) Registration Forms and Receipts Legislative	5/27/2015	6/30/2015		6/30/2015	Approved 11/19/2015	SB 235 HB 4076 BUNDLED SB 159		
Secretary of State (153-9)	(Repeal of) Elimination of Precinct Registration Books Legislative	5/27/2015	6/30/2015		7/1/2015	Approved 11/19/2015	SB 236 HB 4077 BUNDLED SB 159		
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	Approved 11/19/2015	SB 237 HB 4075 BUNDLED SB 159		
Secretary of State (153-52)	Freedom of Information Act Database Legislative	5/18/2015	6/19/2015	7/1/2015 Effective 8/12/2015	6/30/2015	Modified & Approved 11/19/2015 Filed 11/30/2015 2nd Filed 12/22/2015	SB 238 HB 4134 BUNDLED SB 159		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Senior Services (76-3)	WV State Plan on Aging-Title V Interpretive	3/1/2016	3/31/2016						
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	7/21/2015	Modified & Approved 11/19/2015 Filed 12/4/2015	SB 234 HB 4135 BUNDLED SB 159		
Speech-Language Pathology & Audiology (29-1)	Licensure of Speech-Pathology and Audiology Legislative	4/22/2015	6/5/2015		6/8/2015	Modified & Approved 11/19/2015	SB 239 HB 4136 BUNDLED SB 159		
Speech-Language Pathology & Audiology (29-2)	Rule Governing Speech-Language Pathology and Audiology Assistants Legislative	4/22/2015	6/5/2015		6/8/2015	Modified w/certain amendments & Approved 11/19/2015	SB 240 HB 4142 BUNDLED SB 159		
Tax Department (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/11/2015	7/13/2015		7/29/2015	Modified & Approved 9/16/2015 Filed 9/18/2015	SB 241 HB 4137 BUNDLED SB 157		
Tax Department (110-14C)	Motor Fuel Excise Tax Interpretive	11/5/2015	12/4/2015						
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		7/29/2015	Approved 9/16/2015	SB 242 HB 4078 BUNDLED SB 157		
Tourism (144-1)	Direct Advertising Grants Program (Called up by the 2016 Legislature) Legislative						BUNDLED SB 202		
Veterans' Assistance (86-2)	State Home for Veterans-Fiscal Legislative	5/29/2014	6/28/2014	5/28/2014 Approved 6/2/2014 Expired 9/2/2015	8/1/2014	Approved 9/16/2015	SB 244 HB 4079 BUNDLED SB 4080		
Veterans' Assistance (86-4)	VA Headstones or Markers Legislative	5/28/2014	6/28/2014		8/1/2014	Approved 9/16/2015	SB 245 HB 4080 BUNDLED SB 4080		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Veterinary Medicine (26-4)	Standards of Practice Legislative	3/10/2016	4/11/2016						
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 Effective 8/10/2015 Amendment 9/21/2015 Approved 10/22/2015	7/31/2015	Modified & Approved 11/19/2015 Filed 11/24/2015	SB 180 HB 4103 BUNDLED HB 4053		
Water Resources, Div. of Water & Waste Mgmt. (47-30B)	Administrative Proceedings and Civil Penalty Assessment Legislative	6/23/2015	7/24/2015		7/27/2015	Approved 11/19/2015	SB 183 HB 4057 BUNDLED HB 4053		
Water Resources, Div. of Water & Waste Mgmt. (47-63)	Aboveground Storage Tanks Legislative	6/25/2015	7/30/2015		7/31/2015	Modified & Approved 11/19/2015	SB 181 HB 4104 BUNDLED HB 4053		
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		7/31/2015	Approved 11/19/2015	SB 184 HB 4058 BUNDLED HB 4053		
Water Resources, Div. of Water & Waste Mgmt. (47-65)	Aboveground Storage Tank Fee Assessments Legislative	6/25/2015	7/30/2015		7/31/2015	Approved 1/26/2016	SB 185 HB 4059 BUNDLED HB 4053		
WorkForce West Virginia (96-4)	WV Prevailing Wage Act Legislative	9/22/2015	10/22/2015	8/28/2015 ERD by 10/9/2015	11/6/2015	Modified & Approved 11/19/2015 Filed 12/4/2015	SB 222 HB 4140 BUNDLED SB 202		

WEST VIRGINIA SECRETARY OF STATE

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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OFFICE OF WEST VIRGINIA SECRETARY OF STATE

FORM 5 -- NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY **Education**

RULE TYPE **Legislative Exempt** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **126-096**

RULE NAME **High School Diploma for Veterans**

CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.: W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988**

RULE IS LEGISLATIVE EXEMPT

Yes

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988

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

Monday, April 11, 2016

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

Yes

Jill M Newman -- 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: 126-096 Rule Id: 10023 Document: 27451

LEGISLATIVE

FILED

2016 MAR -8 A 11:53

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

WV INCOME MAINTENANCE MANUAL
MANUAL MATERIAL TRANSMISSION

DATE: March 1, 2016 CHANGE NUMBER: 725

TO: ALL INCOME MAINTENANCE MANUAL HOLDERS

DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
221	10	12/15	221	10	3/16
iii	16	10/13	iii	16	3/16
52a	16	11/15	52a	16	3/16
iv	17	4/10	iv	17	3/16
ix	17	2/12	ix	17	3/16
60b	17	11/15	60b	17	3/16
72	17	12/14	72	17	3/16
77	17	11/12	77	17	3/16
87	17	4/12	87	17	3/16
108	17	11/15	108	17	3/16
122	17	2/12	122	17	3/16
Chapter 27	Archived				

This change was made to clarify which additional Medicaid categories are served in the Aged and Disabled, Intellectual/Developmental Disability, and Traumatic Brain Injury Waiver Programs and the appropriate application procedure for each.

This change was also made to archive the Income Maintenance Manual Chapter 27 in its entirety. Non-Emergency Medical Transportation policy is being administered by the Bureau for Medical Services and processed by a contract agency. Chapter 27 is present strictly for historical record. The new location for current NEMT policy can be referenced at the following link: http://www.dhhr.wv.gov/bms/pages/manuals.aspx,

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2016 MAR -8 A 11:53
OFFICE WEST VIRGINIA
SECRETARY OF STATE

LEGISLATIVE

WV INCOME MAINTENANCE MANUAL
MANUAL MATERIAL TRANSMISSION

DATE:	March 1, 2016	CHANGE NUMBER:	726
TO:	ALL INCOME MAINTENANCE MANUAL HOLDERS		

DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
48c	1	7/15	48c	1	3/16
54e	1	7/15	54e	1	3/16
60	1	7/15	60	1	3/16
67	1	7/15	67	1	3/16
8b	11	12/14	8b	11	3/16
i	25	6/14	i	25	3/16
FORM QSQ-1 Appendix E Pg. 6	1	5/15	FORM QSQ-1 Appendix E Pg. 6	1	3/16
FORM DFA-MA-1 Pg. 14		9/17/12	FORM DFA-MA-1 Pg. 14		3/16

Effective March 1, 2016 a change is made to policy to include TANF in MAGI Medicaid and/or CHIP rolling renewals to align review dates on a 12 month cycle. This change also removes language limiting same-sex marriage accomplished by civil unions in only recognized states.

Chapter 1

Section 1.4.S.5,c:, 1.5.R,2; 1.6.Q; 1.9.R,2: Added TANF to align MAGI Medicaid/CHIP review dates.

Form QSQ-1 and Form DFA-MA-1: These forms are used as mail in applications and a Worker signature is no longer required to verify this is the client's signature, and is being removed as part of the requirement for document imaging scanning procedure.

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2016 MAR -8 A 11:51
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SECRETARY OF STATE

WV INCOME MAINTENANCE MANUAL
MANUAL MATERIAL TRANSMISSION

DATE:	March 1, 2016	CHANGE NUMBER:	727
TO:	ALL INCOME MAINTENANCE MANUAL HOLDERS		

DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
Appendix C	7	3/1/15	Appendix C	7	3/16
Appendix A	10	10/15	Appendix A	10	3/16
Appendix E	10	3/15	Appendix E	10	3/16

Effective March 1, 2016 a change is made to update the income guidelines in Chapter 10 Appendix A and Chapter 7 Appendix C for WVCHIP, Medicaid, QMB and SLMB. An update was also completed in Chapter 10 appendix E.

Chapter 7:

Appendix C: Update for the 2016 limits for WVCHIP – Limited Co-Pays, Full Co-Pays, Full Co-Pays and Premium Expansion Denial Amounts.

Chapter 10:

Appendix A: Updated to reflect the 2016 change in the income guidelines.

Appendix E: Updated PAC Methods 1 and 2.

The additional monthly amounts for Needs Groups which exceed 10 persons are provided only for the Worker's use as a guide for screening potential eligibility. Manually calculated amounts, using the additional monthly amounts, may differ slightly from the RAPIDS amounts. The monthly amounts which are programmed into RAPIDS must be used to determine eligibility.

West Virginia Secretary of State Natalie Tennant Administrative Law Division	Do Not Mark In This Box FILED 2016 MAR -8 A 11:54 OFFICE WEST VIRGINIA SECRETARY OF STATE

Changes to Social Services Manuals

Agency: West Virginia Department of Health and Human Resources

Bureau: Children and Families, Division of Children and Adult Services

Rule: 78-5

Change Number: _____

Revision existing manual: Yes X No _____

Please delete the entire Homeless Services Policy dated March 01, 2016 of the Social Services Manual and replace it with this version dated March 16, 2016. The new Homeless Policy had formatting and layout changes throughout the entire policy. There were changes within the new policy to expand the Hodge Decree, define Parolees/Probationers and change initial assessment to assessment and comprehensive/global assessment to Comprehensive Assessment. The DF-67 process has been changed from seven (7) days to three (3) days and a policy exception required after six (6) days. The service plan section has been modified to allow for clearly identified problems/needs, goals and task required to obtain the goal. Also, the Sanctions section has been modified to allow for an immediate sanction if someone is violent, has threatening behavior and/or is believed to be a danger to themselves or others. Also, the Housing/Shelter Payment Schedule has been modified to state the amounts is the total amount permitted to obtain permanent shelter including utility deposits.

I am enclosing two copies; please file one and send the Bureau back a stamped copy.
Please send to:
Rebecca Nicholas
Health and Human Resource Specialist, Senior
350 Capitol Street, Room 691
Charleston, WV 25301-3704

WEST VIRGINIA SECRETARY OF STATE

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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OFFICE OF WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

FORM 1 – NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE (Page 1)

AGENCY **Veterinary Medicine**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **26-4**
RULE NAME **Standards of Practice**

CITE AUTHORITY **§30-10-1**

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Monday, April 11, 2016 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
WV Board of Veterinary Medicine
5509 Big Tyler Road, Suite 3
Cross Lanes, WV 25313

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

Yes
Patricia A Holstein – 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: 26-04

Rule Id: 10050

Document: 27450

Orders Report

Docket Number	Agency	Respondent	Date Rendered
15-7-10507-R	Health Care Authority	BMA of WV, Inc.	2/29/2016
15-5-10625-P	Health Care Authority	Camden-Clark Memorial Hospital Corporation	3/3/2016
15-5-10625-P	Health Care Authority	Camden-Clark Physician Corporation	3/3/2016
15-2-10403-X/BH	Health Care Authority	The Heritage Center at Lesage, Inc	3/1/2016
15-10-10426-BH	Health Care Authority	Ohio Valley Medical Center	2/29/2016
15-AP-PRLC-02054	Insurance Commission	Rebecca Dawn Wood	3/3/2016
P-16-009	Real Estate Commission, West Virginia	Jonathon Craig Allison	3/9/2016

WEST VIRGINIA ETHICS COMMISSION ADVISORY OPINIONS	
NO.	**OPINION SOUGHT**
2016-06	A County Public Service District requests a contract exemption in order to obtain easements and land acquisitions from two of its board members.

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2016-0399-MAPS	William L. Conley, III	Corrections	2/16/2016
		Huntington Work Release Center	2/16/2016
2015-1303-DOT	Seldon Lynn Tanner	Highways	2/16/2016
2015-0873-DHHR	Vinson Workman	Health And Human Resources	2/16/2016
2016-0125-MAPS	David A. Austin	Corrections	2/17/2016
		Mount Olive Correctional Complex	2/17/2016
2015-0714-CONS	Timothy Conard	Highways	2/19/2016
2015-1328-DOT	Irving Everson	Highways	2/22/2016
2015-1018-CONS	Michael Chandler, et al.	Kanawha County Board Of Education	2/23/2016
2016-0168-LogED	Katrina Sebolt	Logan County Board Of Education	2/25/2016
2015-1091-CONS	George Blake	Health And Human Resources	2/29/2016
		William R. Sharpe, Jr. Hospital	2/29/2016

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER

EXECUTIVE ORDER NO. 2-16

By the Governor

WHEREAS, the West Virginia Legislature passed during the 2016 Regular Session Senate Bill 558, effective from passage, on March 1, 2016, and I signed the bill into law on March 3, 2016; and

WHEREAS, pursuant to Senate Bill 558, I am authorized, after notifying the presiding officers of both houses of the Legislature, to borrow funds from the Revenue Shortfall Reserve Fund for deposit into the Unemployment Compensation Fund by Executive Order, to be used solely for payment of unemployment benefits; and

WHEREAS, the amount of funds that may be borrowed and outstanding at any one time pursuant to Senate Bill 558 is the lesser of $50 million or the amount I determine to be necessary to adequately sustain the balance in the Unemployment Compensation Fund at a minimum of $50 million; and

WHEREAS, pursuant to Senate Bill 558, before I may borrow such funds, the Executive Director of Workforce West Virginia must project that the balance in the Unemployment Compensation Fund will be less than $50 million at any time during the next thirty days; and

WHEREAS, pursuant to Senate Bill 558, any funds borrowed for the aforementioned purpose must be repaid from the Unemployment Compensation Fund or any other funds legally available for such purpose, without interest, and redeposited to the credit of the Revenue Shortfall Reserve Fund within 180 days of their withdrawal; and

WHEREAS, Workforce West Virginia has submitted to me a letter, dated March 3, 2016, determining that as of March 3, 2016 the balance of the Unemployment Compensation Fund is less than $50 million, which is less than the $50 million threshold required by Senate Bill 558 to permit borrowing from the Revenue Shortfall Reserve Fund to maintain the solvency of the Unemployment Compensation Fund; and

WHEREAS, as required by Senate Bill 558, by letter dated March 9, 2016, I have notified the presiding officers of both houses of the Legislature of my intention to borrow funds from the Revenue Shortfall Reserve Fund for deposit into the Unemployment Compensation Fund, to be expended solely for payment of unemployment benefits; and

WHEREAS, by execution of this Executive Order, I am exercising the authority granted to me pursuant to Senate Bill 558 to borrow funds from the Revenue Shortfall Reserve Fund for deposit into the Unemployment Compensation Fund to be expended solely for payment of unemployment benefits; and

WHEREAS, pursuant to Senate Bill 558, I retain the authority to change the amount of such funds borrowed from the Revenue Shortfall Reserve Fund for deposit into the Unemployment Compensation Fund, so long as the amounts borrowed do not exceed, at any one time, the lesser of $50 million or the amount I determine is necessary to adequately sustain the balance of the Unemployment Compensation Fund at a minimum of $50 million, and may alter these amounts by subsequent Executive Order.

NOW, THEREFORE, I, EARL RAY TOMBLIN, by virtue of the authority vested in me as the Governor of West Virginia, do hereby **DECLARE** and **ORDER** that:

1. The amount necessary to adequately sustain the balance in the Unemployment Compensation Fund at a minimum of $50 million is authorized to be borrowed from the Revenue Shortfall Reserve Fund for deposit into the Unemployment Compensation Fund, subject to any limitations provided by law, which amount shall be reviewed and determined on a weekly basis

to ensure the continued solvency of the Unemployment Compensation Fund at a minimum level of $50 million. This weekly review and determination shall continue until deemed no longer necessary and terminated by subsequent Executive Order.

2. All funds borrowed from the Revenue Shortfall Reserve Fund for deposit into the Unemployment Compensation Fund shall be used only for the payment of unemployment benefits to eligible beneficiaries.

3. All funds borrowed from the Revenue Shortfall Reserve Fund for deposit into the Unemployment Compensation Fund pursuant to Senate Bill 558 shall be repaid from funds on deposit in the Unemployment Compensation Fund or from any other funds legally available for such purpose, without interest, within 180 days of their withdrawal.

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 ninth day of March, in the year of our Lord, Two Thousand Sixteen, and in the One Hundred Fifty-third year of the State.

Earl Ray Tomblin
GOVERNOR

By the Governor

Natalie E. Tennant
SECRETARY OF STATE

EXECUTIVE ORDER

FILED
2016 MAR -7 P 2:44
OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

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

March 7, 2016

LEGAL NOTICE

James L. Pitrolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending **March 4, 2016**.

LETTER OF INTENT FOR EXPEDITED REVIEW RECEIVED

February 29, 2016 – West Virginia United Health System, Inc., Morgantown, Monongalia County, CON File #16-10-10751-A, for the acquisition of Reynolds Memorial Hospital located in Glen Dale, Marshall County; capital expenditure: $15,000,000.

REQUEST FOR EXEMPTION RECEIVED

February 22, 2016 – Valley Health, Huntington, Cabell County, CON File #16-2-10745-X, for the acquisition of Tri-State Otolaryngology, located at 3 Stonecreast Drive, Huntington, Cabell County. Valley Health will provide primary care services at this location.

The capital expenditure associated with the project is $0

Any affected person may oppose this proposal by submitting a letter stating the reason for opposition within thirty (30) days of the first date of publication of the public notice to: Marianne Kapinos, General Counsel, West Virginia Health Care Authority, Certificate of Need Program, 100 Dee Drive, Charleston, West Virginia 25311-1600.

The last date upon which an affected party may file a letter of opposition to this proposal is April 6, 2016.

EXPEDITED APPLICATION RECEIVED

February 29, 2016 – Monongalia County General Hospital Company, Morgantown, Monongalia County, CON File #16-6-10736-P, for the establishment of an ambulatory care center through the employment of primary care physicians with a practice site in Harrison County; capital expenditure: $25,000.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

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

EXPEDITED APPLICATIONS

February 24, 2016 – Bio-Medical Applications of West Virginia d/b/a Fresenius Medical Care Roane County, Raleigh, North Carolina, CON File #16-5-10718-R, for the establishment of a new 6-station dialysis facility in Roane County; capital expenditure: $800,000.

February 24, 2016 – West Virginia Home Health LLC, Strasburg, Virginia, CON File #15-9-10685-Z, for the establishment of a home health agency in Martinsburg, Berkeley County, to serve the residents of Berkeley and Jefferson counties; capital expenditure: $47,745.

February 29, 2016 – South Charleston Center LLC and Vine Properties LLC, Charleston, Kanawha County, CON File #16-3-10738-NH, for the construction of a 90 bed post-acute care facility on the campus of Thomas Memorial Hospital located in South Charleston, Kanawha County, that will be a replacement facility for current licensed skilled and intermediate nursing facility beds transferred from Eastbrook Center LLC and Saint Francis Hospital, both located in Kanawha County; capital expenditure: $16,500,000.

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

March 12, 2016 – Review cycle begins;

March 22, 2016 – Last date for an affected person to present reasons why the applicant should complete a standard application to the Authority;

April 11, 2016 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of time and place will be given in the Saturday editions of the Charleston Gazette and the Charleston Daily Mail, as well as the State Register;

April 12, 2016 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority and no further contact with the Authority regarding the substance of the application will be permitted;

May 16, 2016 – Decision on the project will be issued by the Authority.

HEARING NOTICES

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

February 29, 2016 – Bio-Medical Applications of West Virginia, Inc. d/b/a Fresenius Medical Care Braxton County, Raleigh, North Carolina, CON File #15-7-10507-R, for the

establishment of a 10 station dialysis facility in Flatwoods, Braxton County.

Prehearing Conference: **Friday, April 29, 2016, at 1:30 p.m.**
Administrative Hearing: **Friday, May 6, 2016, at 9:00 a.m.**

February 29, 2016 – Ohio Valley Medical Center, Wheeling, Ohio County, CON File #15-10-10426-BH, for the licensure of a behavioral health care facility, Hillcrest Outpatient Behavioral Health Services, on its campus in Ohio County.

Prehearing Conference: **Thursday, May 19, 2016, at 1:30 p.m.**
Administrative Hearing: **Thursday, May 26, 2016, at 9:00 a.m.**

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

March 3, 2016 – Camden-Clark Memorial Hospital Corporation and Camden-Clark Physician Corporation, Parkersburg, Wood County, CON File #15-5-10625-P, for the acquisition of an existing physician practice, Mid-Ohio Valley Medical Group, Inc., which has an office in Vienna, Wood County.

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

TIME FRAME ORDERS ISSUED

February 29, 2016 – Bio-Medical Applications of West Virginia, Inc. d/b/a Fresenius Medical Care Braxton County, Raleigh, North Carolina, CON File #15-7-10507-R, for the establishment of a 10 station dialysis facility in Flatwoods, Braxton County.

February 29, 2016 – Ohio Valley Medical Center, Wheeling, Ohio County, CON File #15-10-10426-BH, for the licensure of a behavioral health care facility, Hillcrest Outpatient Behavioral Health Services, on its campus in Ohio County.

ORDER ISSUED

March 3, 2016 – Camden-Clark Memorial Hospital Corporation and Camden-Clark Physician Corporation, Parkersburg, Wood County, CON File #15-5-10625-P, for the acquisition of an existing physician practice, Mid-Ohio Valley Medical Group, Inc., which has an office in Vienna, Wood County; capital expenditure: $9,800,000.

It is ORDERED that the application in this matter is STAYED effective March 2, 2016.

CERTIFICATE OF NEED APPROVAL ISSUED

March 1, 2016 – The Heritage Center at Lesage, Inc., Lesage, Cabell County, CON File #15-2-10403-X/BH, for the development of a non-medical post detox residential drug and alcohol rehabilitation and recovery treatment program for adults over the age of twenty-one to be located at 8300 Ohio River Road in Lesage, Cabell County; capital expenditure: $465,000.

OTHER

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