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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

Human Services

Insurance Commission

Medicine, WV Bd. of

Osteopathic Medicine, WV Bd. of

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|---|---|---|---|
| NO NEW PROPOSED RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK | | | |
| AGENCY | RULE/TYPE | AUTHORITY | HEARING/COMMENT PERIOD/LOCATION |
| | | | |

| 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 |

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

## CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

| TITLE NUMBER | | NAME OF AGENCY |
|---|---|---|
| TITLE | 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 | | |
| 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 | | |
| 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 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| 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 | | |
| 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 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| 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 | | |
| Contractor's Licensing Bd (28-2) | WV Contractor Licensing Act Legislative | | | | | | SB 202 | 4/15/2016 | 5/1/2016 |
| 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 | | |
| Counseling (27-5) | Disciplinary and Complaint Procedures for Counselors Procedural | 6/17/2015 | 7/20/2015 | | | | | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| 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 (126-13) | A Process for Improving Education: Performance Based Accreditation System (2320) Legislative Exempt | 4/14/2016 | 5/16/2016 | | | | | | |
| Education (126-42) | Assuring the Quality of Education: Regulations for Education Programs (2510) Legislative Exempt | 2/12/2016 | 3/14/2016 | | | | | 4/14/2016 | 7/1/2016 |

RULE MONITOR

| 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 (126-44D) | Next Generation Content Standards and Objectives for Social Studies in WV Schools (2520.4) Legislative Exempt | 4/14/2016 | 5/16/2016 | | | | | | |
| 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 (126-81) | Attendance (4110) Legislative Exempt | 4/14/2016 | 5/16/2016 | | | | | | |
| Education (126-114) | Approval of Educator Preparation Programs (5100) Legislative Exempt | 4/14/2016 | 5/16/2016 | | | | | | |
| Education (126-136) | Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (5202) Legislative Exempt | 4/14/2016 | 5/16/2016 | | | | | | |
| 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 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| 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 | | |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/28/2016 | 7/1/2016 |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/8/2016 | 5/1/2016 |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/8/2016 | 5/1/2016 |
| 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 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| 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 | 4/14/2016 | 4/14/2016 |
| 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 | 4/21/2016 | 7/20/2016 |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/28/2016 | 7/1/2016 |
| 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 | 4/15/2016 | 5/1/2016 |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| 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 | 4/15/2016 | 5/1/2016 |
| 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 | 4/15/2016 | 5/1/2016 |
| 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 | 4/15/2016 | 5/1/2016 |
| 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 | 4/14/2016 | 5/16/2016 |
| 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 | 4/19/2016 | 4/20/2016 |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| 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 | 4/19/2016 | 4/20/2016 |
| 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 | 4/19/2016 | 4/20/2016 |
| 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 | 4/19/2016 | 4/20/2016 |
| 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 | 4/20/2016 | 4/20/2016 |
| 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 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| 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 | | |
| Physical Therapy (16-4) | Fees for Physical Therapist and Physical Therapist Assistant Legislative | 3/16/2016 | 4/18/2016 | | | | | | |
| 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 | 4/15/2016 | 4/15/2016 |
| 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 | | |
| Registered Professional Nurses (19-5) | Contested Case Hearing Procedure Legislative | 4/4/2016 | 5/5/2016 | | | | | | |
| Registered Professional Nurses (19-6) | Open Meetings and Bylaws Procedural | 4/1/2016 | 5/2/2016 | | | | | | |

## RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| 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 | | |
| Senior Services (76-3) | WV State Plan on Aging-Title V Interpretive | 3/1/2016 | 3/31/2016 | | | | | 4/4/2016 | 5/4/2016 |
| 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 | | | | | | |

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 | | 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 | 4/12/2016 | 4/15/2016 |
| 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 | | |
| 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 | | |

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| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| 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 | | |

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LEGISLATIVE

Form #6

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

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

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 48

TITLE OF RULE BEING AMENDED: EMERGENCY MEDICAL SERVICES

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) S.B. 195

SECTION §64-5-1(g), PASSED ON March 10, 2016

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: July 1, 2016

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

AMENDMENT TO AN EXISTING RULE: YES X NO ___


IF YES, SERIES NUMBER OF RULE BEING AMENDED: 51

TITLE OF RULE BEING AMENDED: Fees for Service

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___


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SECTION §64-5-1(h), PASSED ON March 10, 2016


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

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 56

TITLE OF RULE BEING AMENDED: INFECTIOUS MEDICAL WASTE

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

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AUTHORIZATION IS CITED IN (house or senate bill number) S.B. 195

SECTION §64-5-1(k), PASSED ON March 10, 2016

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

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 64

TITLE OF RULE BEING AMENDED: AIDS-RELATED MEDICAL TESTING AND CONFIDENTIALITY

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) S.B. 195

SECTION §64-5-1(m), PASSED ON March 10, 2016

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

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 76

TITLE OF RULE BEING AMENDED: TUBERCULOSIS TESTING, CONTROL, TREATMENT AND COMMITMENT

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

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AUTHORIZATION IS CITED IN (house or senate bill number) S.B. 195

SECTION §64-5-1(o), PASSED ON March 10, 2016

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

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: 102

TITLE OF RULE BEING PROPOSED: FARMERS MARKET VENDORS

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

AUTHORIZATION IS CITED IN (house or senate bill number) S.B. 195

SECTION §64-5-1(p), PASSED ON March 10, 2016

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

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: 104

TITLE OF RULE BEING PROPOSED: CERTIFICATION OF OPIOID OVERDOSE PREVENTION AND TREATMENT TRAINING PROGRAMS

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

AUTHORIZATION IS CITED IN (house or senate bill number) S.B. 195

SECTION §64-5-1(q), PASSED ON March 10, 2016

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WEST VIRGINIA Department of Health & Human Resources BUREAU FOR MEDICAL SERVICES



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**DISCLAIMER:** This chapter does not address all the complexities of Medicaid policies and procedures, and must be supplemented with all State and Federal Laws and Regulations. Contact BMS Fiscal Agent for coverage, prior authorization requirements, service limitations and other practitioner information.

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LEGISLATIVE n #6

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

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

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: 9

TITLE OF RULE BEING PROPOSED: Neonatal Abstinence Centers

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

AUTHORIZATION IS CITED IN (house or senate bill number) 195

SECTION (t), PASSED ON March 10, 2016

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

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

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Child Care Centers Licensing

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) SB 195

SECTION § 64-5-1(v), PASSED ON March 10, 2016

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

AMENDMENT TO AN EXISTING RULE: YES x NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 18

TITLE OF RULE BEING AMENDED: Family Child Care 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) SB 195

SECTION § 64-5-1(bb), PASSED ON March 10, 2016

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

AMENDMENT TO AN EXISTING RULE: YES x NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 19

TITLE OF RULE BEING AMENDED: Family Child Care Home Registration 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) SB 195

SECTION § 64-5-1(cc), PASSED ON March 10, 2016

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: July 1, 2016

Karen L Bowling

Authorized Signature

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

Form #6

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

LEGISLATIVE n #6

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

AGENCY: Department of Health and Human Services TITLE NUMBER: 78

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: 23

TITLE OF RULE BEING PROPOSED: W. Va. Works Program Sanctions

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

AUTHORIZATION IS CITED IN (house or senate bill number) SB 195

SECTION §64-5-1(dd), PASSED ON March 10, 2016

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: July 1, 2016

Karen L Bowling

Authorized Signature


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## NATALIE E. TENNANT
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SECRETARY OF STATE


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

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

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: 24

TITLE OF RULE BEING PROPOSED: Qualifications for a Restricted Provisional License to Practice as a Social Worker within the Department of ~~Health and Human Resources~~

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

AUTHORIZATION IS CITED IN (house or senate bill number) SB 195

SECTION § 64-5-1(ee), PASSED ON March 10, 2016

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: July 1, 2016

Karen L Bowling

Authorized Signature

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

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

Form #6

LEGISLATIVE

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

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

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

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

AUTHORIZATION IS CITED IN (house or senate bill number) SB 195

SECTION § 64-5-1(ff), PASSED ON March 10, 2016

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: July 1, 2016

Karen L Bowling

Authorized Signature

# Orders Report

| Docket Number | Agency | Respondent | Date Rendered |
|---|---|---|---|
| 16-1-10776-X | Health Care Authority | Beckley Surgery Center Inc | 4/18/2016 |
| 16-5-10718-R | Health Care Authority | Bio-Medical Applications of West Virginia Inc | 4/18/2016 |
| 15-5-10629-X/P | Health Care Authority | Camden-Clark Physician Corporation | 4/18/2016 |
| 15-11-10639-X/P | Health Care Authority | CHANGE Inc | 4/18/2016 |
| 15-5-10442-X | Health Care Authority | Kimberly A Rea | 4/18/2016 |
| 15-7-10502-R | Health Care Authority | Total Renal Care Inc | 4/18/2016 |
| 15-MC-THP-02001 | Insurance Commission | National Casualty Company | 4/20/2016 |
| N/A | Medicine, West Virginia Board Of | John Keith McKelvey, MD | 4/18/2016 |
| 2015-03 | Osteopathic Medicine, WV Board of | Felix Brizuela, DO | 4/15/2016 |

# Grievances Report

| Docket Number | Grievants Name | Respondents Name | Date Decision |
|---|---|---|---|
| 2015-0207-CONS | Terry Sprouse, et al. | Lewis County Board Of Education | 4/1/2016 |
| 2015-0754-WetED | Timothy R. Long | Wetzel County Board Of Education | 4/8/2016 |
| 2015-1527-PreED | Tammy J. Savage | Preston County Board Of Education | 4/11/2016 |
| 2015-1189-DOT | Scott Bolen | Highways | 4/13/2016 |
| 2015-0395-DHHR | Judy Matthews | Health And Human Resources | 4/22/2016 |
| | | William R. Sharpe, Jr. Hospital | 4/22/2016 |

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

FILED

2016 APR 26 A 11: 37

OFFICE WEST VIRGINIA SECRETARY OF STATE

OTHER

April 25, 2016

## *LEGAL NOTICE*

James L. Pitrolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending **April 22, 2016**.

### LETTER OF INTENT FOR EXPEDITED REVIEW RECEIVED

April 18, 2016 – Bio-Medical Applications of West Virginia, Inc. d/b/a Fresenius Kidney Care Greenbrier Home Dialysis, Fayetteville, North Carolina, CON File #16-4-10790-R, for the establishment of a new dialysis facility focused on home dialysis patients residing in or near Greenbrier County; capital expenditure: $878,320.

### EXPEDITED APPLICATIONS RECEIVED

April 19, 2016 – New Lifeclinics, Inc., Millwood, Jackson County, CON File #15-3-10708-BH, for the opening of an outpatient substance abuse treatment clinic located at 2152 Greenbrier Street, Charleston, Kanawha County; capital expenditure: $44,000.

April 19, 2016 – New Lifeclinics, Inc., Millwood, Jackson County, CON File #15-5-10709-BH, for the opening of an outpatient substance abuse treatment clinic located at 6675 Point Pleasant Road, Millwood, Jackson County; capital expenditure: $50,000.

April 19, 2016 – New Lifeclinics, Inc., Millwood, Jackson County, CON File #15-9-10710-BH, for the opening of an outpatient substance abuse treatment clinic located at 1927 Rock Cliff Drive, Martinsburg, Berkeley County; no capital expenditure.

April 20, 2016 – Westbrook Health Services, Inc., Parkersburg, Wood County, CON File #16-5-10778-P, for the development of an ambulatory care facility through the provision of primary care practitioner services; capital expenditure: $10,000.

### AMENDED HEARING NOTICE

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

April 22, 2016 – Bio-Medical Applications of West Virginia, Inc. d/b/a Fresenius Medical Care Braxton County, CON File #15-7-10507-R, for the establishment of a new 10 station dialysis facility in Flatwoods, Braxton County.

| | |
|---|---|
| Prehearing Conference | **Friday, April 29, 2016, at 10:30 a.m.** |
| Administrative Hearing | **Friday, May 6, 2016, at 9:00 a.m.** |

### HEARING NOTICE

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

April 18, 2016 – Total Renal Care, Inc., Denver, Colorado, CON File #15-7-10502-R, for the development of an eleven station (plus one isolation station) outpatient dialysis facility in Braxton County.

| | |
|---|---|
| Prehearing Conference: | **Friday, July 22, 2016, at 1:30 p.m.** |
| Administrative Hearing: | **Friday, July 29, 2016 at 9:00 a.m.** |

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 ORDER ISSUED

April 18, 2016 – Total Renal Care, Inc., Denver, Colorado, CON File #15-7-10502-R, for the development of an eleven station (plus one isolation station) outpatient dialysis facility in Braxton County.

### ORDERS TO WITHDRAW CON APPLICATION ISSUED

April 18, 2016 – Camden-Clark Physician Corporation, Parkersburg, Wood County, CON File #15-5-10629-X/P, for the development of primary care practitioner support services to Westbrook Health Services, Inc.; capital expenditure: $10,000.

It is ORDERED that the application submitted by Camden-Clark Physician Corporation is WITHDRAWN effective April 6, 2016.

April 18, 2016 – CHANGE, Inc., Weirton, Hancock County, CON File #15-11-10639-X/P, for the opening of a new satellite office to be located in Newell, Hancock County; capital expenditure: $1,000,000.

It is ORDERED that the application submitted by CHANGE, Inc. is WITHDRAWN effective April 5, 2016.

### PROJECTS DETERMINED NOT REVIEWABLE

April 18, 2016 – Beckley Surgery Center, Inc., Beckley, Raleigh County, CON File #16-1-10776-X, for the renovation of its ambulatory surgery center located in Beckley, Raleigh County; capital expenditure: $630,000.

**CERTIFICATE OF NEED APPROVAL ISSUED**

April 18, 2016 – Bio-Medical Applications of West Virginia, Inc. d/b/a Fresenius Medical Care Roane County, Raleigh, North Carolina, CON File #16-5-10718-R, for the development of a six (6) station, plus one isolation station, dialysis facility in spencer, Roane County. The facility will also offer home dialysis training and support services; capital expenditure: $800,000.

OTHER

**NOTICE OF SUBSTANTIAL COMPLIANCE AND DECISION ON SUBSTANTIAL CHANGE**

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

April 18, 2016 – Kimberly A. Rea, Marietta, Ohio, CON File #15-5-10442-X, for the purchase of all of the membership interests of Ohio Valley Sleep Diagnostics, LLC; capital expenditure: $208,698.

The Authority determines that the increase in the project cost does not constitute a substantial change as defined in W.Va. Code § 65-7-21.1(h).

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