WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXVI

Issue 9

March 1, 2019

A Weekly Publication

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CONTENTS

Chronological Index

Rule Monitor

Notices

a. Legislative Rules

b. Interpretive Rules

c. Procedural Rules

d. Emergency Rules

e. Legislative Rule-Making Review Committee

Legislative Interims

Orders

Ethics Commission Opinions

Office of Tax Appeal Decisions

Other Documents or Information Filed

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

Grievances Report

Health Care Authority

Medical Imaging And Radiation Therapy Technology Board of Examiners

Medicine, West Virginia Board of

CHRONOLOGICAL INDEX, VOLUME XXXVI ISSUE 9

NO NEW 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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State of West Virginia

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

$ Emergency rules will not have a "Notice" date until the agency files one, but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency

$ If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

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

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Administration (148-01)	Purchasing Division Legislative	6/11/2018	7/11/2018		7/18/2018	Approved 11/12/2018			
Administration (148-03)	State Owned Vehicles Legislative	6/12/2018	7/12/2018	6/8/2018 Effective July 20, 2018	7/20/2018	Modified & Approved 11/12/2018 Filed 11/14/2018			
Administration (148-19)	Leasing of Space and Acquisition of Real Property on Behalf of State Spending Units Legislative	6/11/2018	7/11/2018		7/19/2018	Modified & Approved 11/12/2018 Filed 11/14/2018			
Agriculture (61-01)	Animal Disease Control Legislative	6/26/2018	7/26/2018		7/27/2018	Modified & Approved 11/27/2018 Filed 12/10/2018			
Agriculture (61-29)	Industrial Hemp Legislative	6/27/2018	7/27/2018		7/27/2018	Modified & Approved 11/27/2018 Filed 12/11/2018			
Agriculture (61-33)	Rural Rehabilitation Loan Program Legislative	6/26/2018	7/26/2018		7/26/2018	Modified & Approved 11/27/2018 Filed 12/4/2018			
Agriculture (61-34)	Captive Cervid Farming Legislative	6/27/2018	7/26/2018		7/27/2018	Modified & Approved 11/27/2018 Filed 12/4/2018			
Agriculture (61-36)	Farm to Food Bank Tax Credit Legislative	12/18/2017	1/18/2018	12/18/2017 Effective 1/29/2018	1/19/2018	Approved 11/12/2018			
Agriculture (61-37)	Agritourism Legislative	6/27/2018	7/27/2018		7/27/2018	Modified & Approved 11/12/2018 Filed 11/26/2018			
Agriculture (61-38)	Farmers Markets Legislative	6/27/2018	7/27/2018	7/30/2018 Effective 9/10/2018	7/27/2018	Modified & Approved 11/12/2018 Filed 11/26/2018			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-39)	Seed Certification Program Legislative	6/27/2018	7/27/2018		7/27/2018	Modified & Approved 11/27/2018 Filed 12/11/2018			
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Air Quality (45-36)	(Repeal of) Requirements for Determining Conformity of Transportation Plans, Programs, and Projects Developed, Funded or Approved under Title 23 USC or the Federal Transit Laws, to Applicable Air Quality Implementation Plans (Transportation Conformity) Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Air Quality (45-38)	(Repeal of) Provisions for Determination of Compliance with Air Quality Management Rules Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Air Quality (45-43)	Cross-State Air Pollution Rule to Control Annual Nitrogen Oxides Emissions, Annual Sulfur Dioxide Emissions, and Ozone Season Nitrogen Oxides Emissions Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Athletic Commission (177-01)	Administrative Rules of the WV State Athletic Commission Legislative	6/19/2018	7/19/2018		7/24/2018	Modified & Approved 11/27/2018 Filed 12/4/2018			
Comm. & Tech. College Education (135-15)	Acceptance of Advanced Placement Credit Legislative	8/20/2018	9/21/2018		9/26/2018	Authorized to Repeal 12/14/2018			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Comm. & Tech. College Education (135-20)	Initial Authorization of Degree-Granting Institutions Legislative	10/16/2018	11/19/2018		11/20/2018	Approved 12/14/2018			
Comm. & Tech. College Education (135-25)	Residency Classification for Admission and Fee Purposes Procedural	1/25/2019	2/25/2019					2/26/2019	3/26/2019
Comm. & Tech. College Education (135-27)	Workforce Development Initiative Program Legislative	10/16/2018	11/19/2018		11/20/2018	Approved 12/14/2018			
Comm. & Tech. College Education (135-32)	Tuition and Fees Legislative	4/24/2018	5/25/2018		7/2/2018	Approved 12/14/2018			
Comm. & Tech. College Education (135-53)	Human Resources Administration Legislative	12/21/2018	1/25/2019		1/25/2019				
Dietitians (31-01)	Licensure and Renewal Requirements Legislative	6/22/2018	7/24/2018		7/24/2018	Modified & Approved 9/20/2018 Filed 9/20/2018			
Education (126-012)	WV System of Support and Accountability (2322) Legislative Exempt	1/11/2019	2/11/2019						
Education (126-44H)	WV Driver Education Standards (2520.8) Legislative Exempt	8/10/2018	9/10/2018					10/11/2018	7/1/2019
Education (126-044M)	WV College-and Career-Readiness Programs of Study/Standards for Career Technical Education (2520.13) Legislative Exempt	11/15/2018	12/17/2018					1/11/2019	7/1/2019
Education (126-044N)	WV College-and Career-Readiness Standards for Technology and Computer Science (2520.14)	11/15/2018	12/17/2018					1/11/2019	7/1/2019
Education (126-44O)	WV Pre-K Standards (Ages 3-5) (2520.15) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2019
Education (126-099)	Expected Behaviors in Safe and Supportive Schools (4373) Legislative Exempt	1/11/2019	2/11/2019						
Education (126-114)	Approval of Educator Preparation Programs (5100) Legislative Exempt	1/11/2019	2/11/2019						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (5202) Legislative Exempt	1/11/2019	2/11/2019						
Education (126-172)	Handbook on Planning School Facilities (6200) Legislative Exempt	1/11/2019	2/11/2019						
Fire Commission (87-04)	State Building Code Legislative	6/22/2018	7/23/2018		7/25/2018	Approved 11/12/2018		2/22/2019	4/30/2019
Health (64-11)	Behavioral Health Centers Licensure Legislative	6/21/2018	7/21/2018		7/27/2018	Modified & Approved 11/27/2018 Filed 12/6/2018			
Health (64-14)	Assisted Living Residences Legislative	6/21/2018	7/20/2018		7/27/2018	Modified & Approved 11/12/2018 Filed 11/15/2018			
Health (64-17)	Food Establishments Legislative	6/21/2018	7/20/2018		7/26/2018	Modified & Approved 11/27/2018 Filed 11/30/2018			
Health (64-43)	Food Manufacturing Facilities Legislative	6/21/2018	7/20/2018		7/26/2018	Modified & Approved 11/27/2018 Filed 11/30/2018			
Health (64-91)	Newborn Screening System Legislative	6/21/2018	7/20/2018		7/26/2018	Approved 11/27/2018			
Health (64-109)	General Rules-Medical Cannabis Program Legislative			4/3/2018 Effective 4/3/2018					
Health (64-110)	Grower/Processors-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					
Health (64-111)	Laboratories-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-112)	Dispensaries-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					
Health (64-113)	Safe Harbor Letter-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					
Health and Human Resources (69-08)	Chronic Pain Management Clinic Licensure Legislative	6/21/2018	7/21/2018		7/27/2018	Approved 11/12/2018			
Health an Human Resources (69-12)	Medication-Assisted Treatment – Office-Based Medication-Assisted Treatment Legislative	6/21/2018	7/21/2018		7/27/2018	Modified & Approved 11/12/2018 Filed 11/15/2018			
Health and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/21/2018	7/21/2018		7/27/2018	Approved 11/12/2018			
Health Care Authority (65-06)	Cooperative Agreement Legislative	6/21/2018	7/21/2018		7/26/2018	Approved 11/12/2018			
Higher Education Policy Commission (133-05)	Guidelines for Governing Boards in Employing and Evaluating Presidents Legislative	6/26/2018	7/26/2018		8/28/2018	Approved 12/14/2018			
Higher Education Policy Commission (133-07)	WV Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship Program Legislative	6/26/2018	7/26/2018	6/26/2018 Effective 6/26/2018	8/7/2018	Amended by LOCEA & Approved 12/14/2018			
Higher Education Policy Commission (133-15)	Acceptance of Advanced Placement Credit Legislative	12/21/2018	1/21/2019		1/22/2019				
Higher Education Policy Commission (133-25)	Residency Classification for Admission and Fee Purposes Procedural	2/8/2019	3/8/2019						
Higher Education Policy Commission (133-53)	Human Resources Administration Legislative	12/21/2018	1/21/2019		1/22/2019				
Highways (157-12)	Employment Procedures Legislative	7/18/2018	8/20/2018	7/19/2018 Effective 8/30/2018	8/30/2018	Approved 11/12/2018			
Insurance Comm. (114-40)	Credit for Reinsurance Legislative	2/8/2019	3/25/2019	1/18/2019 Effective 3/1/2019					

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Labor (42-05)	Wage Payment and Collection Legislative	6/15/2018	7/16/2018		7/25/2018	Approved 9/20/2018			
Labor (42-09)	Child Labor Legislative	6/18/2018	7/19/2018		7/25/2018	Modified & Approved 9/20/2018 Filed 9/26/2018			
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/15/2018	7/16/2018	6/15/2018 Effective 7/27/2018	7/25/2018	Approved 9/20/2018			
Lottery Commission (179-09)	West Virginia Lottery Sports Wagering Rule Legislative	8/6/2018	9/7/2018	7/9/2018 Approved 8/6/2018	10/4/2018	Modified & Approved 11/27/2018 Filed 12/3/2018			
Medicine (11-01A)	Licensing and Disciplinary Procedures: Physicians; Podiatric Physicians and Surgeons Legislative	6/22/2018	7/23/2018		7/25/2018	Approved 9/20/2018			
Medicine (11-12)	Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows Legislative	6/22/2018	7/23/2018	6/22/2018 Effective 8/3/2018 Amendment 7/25/2018 Withdrawn 8/7/2018 Amendment 8/7/2018 Effective 9/18/2018	7/25/2018	Approved 9/20/2018			
Miners Health Safety and Training (56-03)	Rule Governing the Safety of Those Employed in and Around Surface Mines in WV Legislative	6/19/2018	7/19/2018	6/19/2018 Effective 7/31/2018	7/25/2018	Approved 11/27/2018			
Miners Health Safety and Training (56-08)	Rule Governing the Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of West Virginia Legislative	5/30/2018	6/29/2018	5/30/2018 Effective 7/11/2018	7/25/2018	Approved 11/27/2018			
Miners Health Safety and Training (56-23)	Rules for Operating Diesel Equipment in Underground Mines in West Virginia Legislative	5/30/2018	6/29/2018	5/29/2018 Effective 7/10/2018	7/25/2018	Approved 11/27/2018			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	6/26/2018	7/26/2018		7/27/2018	Modified & Approved 9/20/2018 Filed 10/1/2018			
Natural Resources (58-36)	Cabwaylingo State Forest Trail System Two Year Pilot Program Permittings ATVs and ORVs Legislative	6/26/2018	7/26/2018	6/26/2018 Effective 8/7/2018	7/27/2018	Modified & Approved 9/20/2018 Filed 10/1/2018			
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	5/24/2018	6/25/2018		7/26/2018	Approved 9/20/2018			
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/21/2018	7/22/2018		7/27/2018	Approved 9/20/2018			
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	6/12/2018	7/16/2018		7/27/2018	Approved 9/20/2018			
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/21/2018	7/22/2018		7/27/2018	Approved 9/20/2018			
Pharmacy (15-16)	Regulations Governing Pharmacists Legislative	6/19/2018	7/20/2018		7/27/2018	Approved 9/20/2018			
Pharmacy (15-17)	Board of Pharmacy Rules for the Substitution of Biological Pharmaceuticals Legislative	6/19/2018	7/21/2018		7/27/2018	Modified & Approved 11/12/2018 Filed 11/16/2018			
Public Service Commission (150-33)	Rules Governing Electric Utility Net Metering Arrangements and Interconnections Legislative Exempt	9/6/2018	11/8/2018						
Racing Commission (178-01)	Throughbred Racing Legislative	6/13/2018	7/13/2018		7/26/2018	Modified & Approved 11/27/2018 Filed 11/28/2018			
Real Estate Appraiser, Licensing and Certification Bd. (190-02)	Requirements for Licensure and Certification Legislative	6/27/2018	7/27/2018		7/27/2018	Modified & Approved 9/20/2018 Filed 10/3/2018			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Registered Professional Nurses (19-01)	Policies, Standards and Criteria for the Evaluation, Approval and Accreditation of Colleges, Departments or Schools of Nursing Legislative	6/19/2018	7/20/2018		7/26/2018	Modified & Approved 11/27/2018 Filed 11/29/2018			
Registered Professional Nurses (19-03)	Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct Legislative	6/19/2018	7/20/2018		7/25/2018	Modified & Approved 11/12/2018 Filed 11/28/2018			
Registered Professional Nurses (19-07)	Advanced Practice Registered Nurse Legislative	6/19/2018	7/20/2018		7/25/2018	Approved 11/12/2018			
Registered Professional Nurses (19-10)	Standards for Scope of Professional Nursing Practice Legislative	6/19/2018	7/20/2018		7/26/2018	Modified & Approved 11/12/2018 Filed 11/20/2018			
Registered Professional Nurses (19-12)	Fees for Services Rendered by the Board and Supplemental Renewal Fee for the Center for Nursing Legislative	6/19/2018	7/20/2018		7/26/2018	Modified & Approved 11/12/2018 Filed 11/28/2018			
Registered Professional Nurses (19-13)	Dialysis Technicians Legislative	6/19/2018	7/20/2018		7/25/2018	Modified & Approved 11/12/2018 Filed 11/28/2018			
School Building Authority (164-02)	Funding School Building Authority Projects Legislative	6/26/2018	7/26/2018		2/19/2019	Approved 2/19/2019			
School Building Authority (164-03)	School Planning and Design Criteria Legislative	6/26/2018	7/26/2018		2/19/2019	Approved 2/19/2019			
School Building Authority (164-04)	Project Administration and Review Legislative	6/26/2018	7/26/2018		2/19/2019	Approved 2/19/2019			
School Building Authority (164-05)	School Building Authority Contracts and Agreements Legislative	6/26/2018	7/26/2018		2/21/2019	Approved 2/19/2019			
School Building Authority (164-06)	School Building Authority Reporting Procedures Legislative	6/26/2018	7/26/2018		2/21/2019	Approved 2/19/2019			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
School Building Authority (164-07)	School Access Safety Act Guidelines and Procedures Legislative	6/26/2018	7/26/2018		2/19/2019	Approved 2/19/2019			
Secretary of State (153-06)	Filing and Formatting Rules and Related Documents and Other Documents for Publication in the State Register Legislative	6/5/2018	7/5/2018		7/6/2018	Approved 11/27/2018			
Secretary of State (153-10)	Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Elections Systems, Software, Services and Upgrades Legislative	5/24/2018	6/25/2018	4/25/2018 Effective 6/6/2018	7/10/2018	Approved 11/27/2018			
Secretary of State (153-13)	Early Voting In-Person Satellite Precincts Legislative	5/24/2018	6/25/2018	4/25/2018 Effective 6/6/2018	7/10/2018	Approved 11/27/2018			
Secretary of State (153-46)	Notaries Public Legislative	6/28/2018	7/28/2018		7/30/2018	Approved 11/27/2018			
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	6/15/2018	7/16/2018		7/25/2018	Modified & Approved 11/12/2018 Filed 11/16/2018			
Social Work Examiners (25-07)	Code of Ethics Legislative	6/15/2018	7/16/2018		7/23/2018	Approved 11/12/2018			
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/27/2018	7/27/2018		7/27/2018	Modified & Approved 11/27/2018 Filed 12/6/2018			
Tax (110-15K)	Aircraft Operated Under a Fractional Ownership Program Legislative	6/26/2018	7/26/2018	6/26/2018 Effective 8/7/2018	7/27/2018	Approved 11/12/2018			
Tax (110-21B)	Citizen Tax Credit for Property Taxes Paid Legislative	6/26/2018	7/26/2018		7/27/2018	Approved 11/12/2018			
Tax (110-49)	Administration of Tax on Purchases of Wine and Liquor Legislative	6/26/2018	7/26/2018		7/27/2018	Approved 11/12/2018			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-50A)	Exchange of Information Agreement Between Tax Div. and Div. of Environmental Protection Legislative	6/26/2018	7/27/2018		7/27/2018	Approved 9/20/2018			
Tax (110-50B)	Exchange of Information Agreement Between Tax Div. and the Alcohol Beverage Control Administration Legislative	6/27/2018	7/27/2018		7/27/2018	Approved 9/20/2018			
Tax (110-50C)	Exchange of Information Pursuant to Written Agreement Legislative	6/26/2018	7/26/2018		7/27/2018	Approved 9/20/2018			
Tax (110-50D)	Exchange of Information Agreement Between Comm of Tax Div., Comm. Of Labor and the Comm. Of Insurance Legislative	6/27/2018	7/27/2018		7/27/2018	Approved 9/20/2018			
Tax (110-50E)	Exchange of Information Agreement Between Tax Dept. and the WV Lottery Legislative	6/27/2018	7/27/2018		7/27/2018	Approved 9/20/2018			
Tax (110-50F)	Exchange of Information Agreement Between Tax Dept. and the State Fire Marshal Legislative	6/27/2018	7/27/2018		7/27/2018	Approved 9/20/2018			
Treasurer (112-16)	Reporting and Claiming Unknown and Unlocatable Interest Owners Reserved Interests Legislative	6/27/2018	7/27/2018	6/27/2018 Effective 8/8/2018	7/27/2018	Modified & Approved 11/27/2018 Filed 12/13/2018			
Water Resources, Div. of Water & Waste Mgmt. (47-02)	Requirements Governing Water Quality Standards Legislative	5/25/2018	7/10/2018		7/27/2018	Modified & Approved 11/27/2018 Filed 12/10/2018			

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

2/22/2019 2:52:51 PM Legislative

Office of West Virginia
Secretary Of State

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

AGENCY: Fire Commission TITLE-SERIES: 87-04

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

RULE NAME: State Building Code

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

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

Authorization is cited in (house or senate bill number) SB 177

Section 64-6-1 Passed On 1/31/2019 12:00:00 AM

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

April 30, 2019

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

April 30, 2024

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

Yes

Stacy L Nowicki-Eldridge – 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.

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR MEDICAL SERVICES
Commissioner's Office
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3712
Telephone: (304) 558-1700 Fax: (304) 558-1451

FILED
2019 FEB 26 P 3:18
OFFICE WEST VIRGINIA
SECRETARY OF STATE

Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

February 22, 2019

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐X
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 300
Title: Provider Participation Requirements

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR MEDICAL SERVICES
Commissioner's Office
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3712
Telephone: (304) 558-1700 Fax: (304) 558-1451

Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

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Legislative

2019 FEB 26 P 3: 2

Office West Virginia
Secretary of State

February 22, 2019

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐X
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 501
Title: Aged and Disabled Waiver (ADW)

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR MEDICAL SERVICES
Commissioner's Office
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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

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2019 FEB 26 P 3:

Office West Virginia
Secretary of State

February 22, 2019

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐X
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 503 and Appendices
Title: Licensed Behavioral Health Centers

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
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2/26/19
Date

Received Chapter 503
Appendix B
Appendix C
Appendix F
Appendix G

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR MEDICAL SERVICES
Commissioner's Office
350 Capitol Street, Room 251
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Cabinet Secretary

Cynthia E. Beane
Commissioner

FILED
2019 FEB 26 P 3: 22
OFFICE OF WEST VIRGINIA
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Legislative

February 22, 2019

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐X
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 504
Title: Substance Use Disorder

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

STATE OF WEST VIRGINIA
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Commissioner's Office
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3712
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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

February 22, 2019

FILED
2019 FEB 26 P 3: 22
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐
New Medicaid Policy	☐
Medicaid Policy Update	☐X
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: Appendix 506A
Title: Covered Durable Medical Equipment, Prosthetics, Orthotics and Supplies

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
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Commissioner's Office
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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

FILED Legislative
2019 FEB 26 P 3: 26
OFFICE WEST VIRGINIA
SECRETARY OF STATE

February 22, 2019

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐X
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 512
Title: Traumatic Brain Injury Waiver (TBIW)

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
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Commissioner's Office
350 Capitol Street, Room 251
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Telephone: (304) 558-1700 Fax: (304) 558-1451

Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

FILED
2019 FEB 26 P 3: 26
OFFICE WEST VIRGINIA
SECRETARY OF STATE

February 22, 2019

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐X
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 513
Title: Intellectual and Developmental Disabilities Waiver (IDDW)

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

Legislative

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

February 22, 2019

FILED

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐X
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 517
Title: Personal Care Services

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
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2/26/19
Date

STATE OF WEST VIRGINIA
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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

February 22, 2019

FILED

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐X
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 518
Title: Pharmacy Services

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

Legislative

STATE OF WEST VIRGINIA
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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

February 22, 2019

FILED
2019 FEB 26 P 3:18
OFFICE WEST VIRGINIA
SECRETARY OF STATE

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐X
Other	☐

The following is an explanation of the above material:

Chapter Number: 529.2
Title: Drug Screenings

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

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Commissioner's Office
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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

February 22, 2019

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2019 FEB 26 P 3:18
OFFICE WEST VIRGINIA
SECRETARY OF STATE

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐X
Other	☐

The following is an explanation of the above material:

Chapter Number: 519.8
Title: Evaluation and Management Services

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

Legislative

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR MEDICAL SERVICES
Commissioner's Office
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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

February 22, 2019

FILED
2019 FEB 26 P 3: 18
OFFICE WEST VIRGINIA
SECRETARY OF STATE

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐
New Medicaid Policy	☐
Medicaid Policy Update	☐X
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 519.22
Title: Practitioner Services, Mental Health Counseling and Substance Abuse Treatment

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR MEDICAL SERVICES
Commissioner's Office
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3712
Telephone: (304) 558-1700 Fax: (304) 558-1451

Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

February 22, 2019

FILED
2019 FEB 26 P 3: 18
OFFICE WEST VIRGINIA
SECRETARY OF STATE

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐X
Medicaid Chapter Update	☐
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 519.23
Title: Applied Behavior Analysis

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

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STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
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Commissioner's Office
350 Capitol Street, Room 251
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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

February 22, 2019

FILED
2019 FEB 26 P 3:17
OFFICE WEST VIRGINIA
SECRETARY OF STATE

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐
New Medicaid Policy	☐
Medicaid Policy Update	☐X
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 521 and Appendix A
Title: Behavioral Health Outpatient Services

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR MEDICAL SERVICES
Commissioner's Office
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3712
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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

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2019 FEB 26 P 3:19
OFFICE WEST VIRGINIA
SECRETARY OF STATE

February 22, 2019

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐
New Medicaid Policy	☐
Medicaid Policy Update	☐X
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 527
Title: Mountain Health Trust (Managed Care)

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

February 22, 2019

FILED
2019 FEB 26 P 3:23
OFFICE WEST VIRGINIA
SECRETARY OF STATE

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐X
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 538
Title: School-Based Health Services

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
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Commissioner's Office
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3712
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Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

February 22, 2019

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2019 FEB 26 P 3:19
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To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐X
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 700
Title: WV Clearance for Access: Registry and Employment Screening (WV CARES)

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Maureen Lewis
Signature of Person Receiving Above Material

2/26/19
Date

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2019 FEB 28 A 11: 31

OFFICE WEST VIRGINIA
SECRETARY OF STATE

DIVISION OF NATURAL RESOURCES
Law Enforcement Section
324 4th Avenue
South Charleston, WV 25303-1228
Telephone (304) 558-2784
Fax (304) 558-1170
TDD (304) 558-1439 or TDD (800) 354-6087

Stephen S. McDaniel
Director

February 28, 2019

Maureen Lewis
Administrative Law Division
West Virginia Secretary of State's Office
1900 Kanawha Boulevard E
Building 1, Suite 157K
Charleston, WV 25305

RE: 58CSR23 Final File Revert to Previous Version

Dear Ms. Lewis:

Per our telephone conversation on February 27, 2019 regarding 58CSR23. During the 2017 Legislative Session a bill, with two versions of 20-2-5, was passed causing some confusion.

Due to incorrect references and an incorrect numbering sequence, I'm requesting the repeal of version 58CSR23 dated 07.24.2017. I respectfully ask that the final file for 58CSR23 revert to the version dated 05.17.2017.

Thank you for your time and consideration of my request. Should you have questions or concerns, please feel free to call my office.

Sincerely,

Jerry B. Jenkins, Colonel

JBJ:hrk

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
2/26/2019 3:30 PM
Office of West Virginia
Secretary Of State

Procedural

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

AGENCY: Community And Technical College Education TITLE-SERIES: 135-25

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

RULE NAME: Residency Classification for Admission and Fee Purposes

CITE STATUTORY AUTHORITY: §18B-10 and §18B-2B-6

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

March 26, 2019

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

Yes

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

Orders Report

Docket Number	Agency	Respondent	Date Rendered
06-FY-2019	Medical Imaging And Radiation Therapy Technology Board Of Examiners	Misty Tracy	1/22/2019
06-FY-2019	Medical Imaging And Radiation Therapy Technology Board Of Examiners	Amy Pardue	1/7/2019
07-FY-2019	Medical Imaging And Radiation Therapy Technology Board Of Examiners	Ashley Fletcher	1/4/2019

Grievances Dismissals Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2018-1041-DHHR	Robert Posey	Department Of Health And Human Resources	12/18/2018
		William R Sharpe, Jr Hospital	12/18/2018
		Division Of Personnel	12/18/2018
2018-1308-KanED	Stephanie Hatfield	Kanawha County Board Of Education	12/20/2018
2018-1347-DOT	Bobby Smith	Division Of Highways	12/20/2018
2018-1120-DOT	Brian Scott Myers	Division Of Highways	12/21/2018
2017-1944-DHHR	Rhonda Kay Schell	Department Of Health And Human Resources	12/21/2018
		Bureau For Children And Families	12/21/2018
2019-0335-DHHR	Ashley Quesinberry	Department of health	12/21/2018
		William R Sharpe Hospital	12/21/2018
2015-1758-CONS	Eugene Johnson	Division Of Rehabilitation Services	12/28/2018
2019-0378-FayED	Danielle Harris	Fayette County Board Of Education	12/28/2018
2018-1288-WVU	Jennifer C. Sexton	West Virginia University	12/28/2018
2018-1116-DOT	William H. Foster	Division Of Highways	1/4/2019
2018-0651-MAPS	Aneetra Shawnte Gilbert	Division Of Juvenile Services	1/7/2019
		Divisiono of Personnel	1/7/2019
2019-0575-RalED	Tina Richmond	Raleigh County Board Of Education	1/7/2019
2017-344-CONS	Seth Ruble	Department Of Health And Human Resources	1/7/2019
		William R. Sharpe Jr Hospital	1/7/2019
2018-0328-DHHR	Virginia Lynn Welch	Department Of Health And Human Resources	1/7/2019
		Jackie Withrow Hospital	1/7/2019
2019-0307-MAPS	Jacob Charles Lucas	Division of Corrections and Rehabilitation	1/17/2019
		Bureau of Juvenile Services	1/17/2019
		James H "Tiger" Morton Juvenile Center	1/17/2019

2018-1261-MU	Tony Howard Waugh	Marshall University	1/17/2019
2018-1197-CONS	Richard Alan Swank	Division of Corrections/Mount Olive Correctional Complex	1/17/2019
2018-1468-CONS-D	Keith Taylor	Mason County Board Of Education	1/23/2019
	Susan Saunders	Mason County Board Of Education	1/23/2019
2019-0455-DOC	Jennifer Marie Amick	Division Of Natural Resources	1/25/2019
2019-0480-DOR	Patrick E. Clark	Division Of Personnel	1/25/2019
2019-0723-MrnED	Lisa Findo	West Virginia Lottery	1/29/2019
2019-0342-NicED	Charles Michael Fox	Marion County Board Of Education	1/29/2019
2019-0504-KanED	Stacia Lamb	Nicholas County Board Of Education	1/29/2019
2018-1242-DOT	Linda Melton	Kanawha County Board Of Education	1/29/2019
2018-1341-MU	Amy Saxton	Division Of Motor Vehicles	1/29/2019
2019-0700-PenED	Ashley Vanmeter	Marshall University	1/29/2019
2018-0453-DOR	Laurence A. Dupuy	Pendleton County Board Of Education	1/29/2019
2019-0253-DEP	Sandra Rogers	Racing Commission	1/30/2019
2018-1450-MU	Michael Todd Farley	Department Of Environmental Protection	2/4/2019
2019-0468-CONS	Linda Willimas, et al	Division Of Personnel	2/4/2019
2018-0999-DHHR	Francis Stump	Marshall University	2/5/2019
2019-0548-DHHR	Valerie Lynn Blankenship	Kanawha County Board Of Education	2/5/2019
		Department Of Health And Human Resources	2/8/2019
		William R. Sharpe, Jr. Hospital	2/8/2019
		Department Of Health And Human Resources	2/13/2019
		Welch Community Hospital	2/13/2019
2019-0549-PutED	Sam Leffingwell	Division Of Personnel	2/13/2019
2019-0795-DHHR	Thomas Morgan	Putnam County Board Of Education	2/13/2019
		Department Of Health And Human Resources	2/13/2019
		Mildred Mitchell-Bateman Hospital	2/13/2019
2019-0387-BraED	Shirley Skidmore	Braxton	2/13/2019

2019-0875-CONS	**Alan Scott Abercrombie, et al**	Brooke County Board Of Education	2/14/2019
2019-0633-DHHR	**Debra Sue Burrows**	Department Of Health And Human Resources	2/14/2019
		William R Sharpe Jr Hospital	2/14/2019
2019-0553-DHHR	**Phil Myers**	Department Of Health And Human Resources	2/14/2019
		William R Sharpe Jr Hospital	2/14/2019
2018-0208-MAPS	**Aaron White**	Division of Corrections/Mount Olive Correctional Complex	2/14/2019
		Division Of Personnel	2/14/2019
2019-0566-DHHR	**Carolyn Frame**	Department Of Health And Human Resources	2/21/2019
		William R. Sharpe Jr Hospital	2/21/2019

Jim Justice
Governor

Bill J. Crouch, Cabinet Secretary
West Virginia Department of
Health and Human Resources

OTHER

FILED
2019 FEB 26 A 11:04
OFFICE WEST VIRGINIA
SECRETARY OF STATE

In Re:

PERSONAL TOUCH HOME CARE OF W.VA., INC.
CON File No. 18-9-11458-Z

NOTICE OF PREHEARING CONFERENCE AND ADMINISTRATIVE HEARING

PLEASE TAKE NOTICE that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, that Barbara Skeen, Interim Executive Director of the West Virginia Health Care Authority, wishes to announce that the following proceedings have been scheduled for the above-noted application:

A PREHEARING CONFERENCE will be held, **March 13, 2019, at 1:30 p.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

AN ADMINISTRATIVE HEARING will be held, **March 20, 2019, at 9:00 a.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

This application concerns the development of home health services in Jefferson and Berkeley counties, West Virginia.

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

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

100 Dee Drive • Charleston, West Virginia 25311-1600 • 304.558.7000 • 304.558.4775/Fax • 1.888.558.7002/Toll Free
www.hca.wv.gov

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

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

The file on this application is available for examination in the offices of the Health Care Authority from 8:30 a.m. to 5:00 p.m.., Monday through Friday. If you have questions concerning this matter, please contact Barbara Skeen, Interim Executive Director, at (304) 558-7000.

Date: February 22, 2019

Barbara Skeen
Barbara Skeen, Interim Executive Director

WEST VIRGINIA
HEALTH CARE AUTHORITY

FILED

2019 FEB 26 A 11:04

OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

Entered this 22nd day of February 2019

Barbara Skeen
Barbara Skeen, Interim Executive Director

In Re: **Personal Touch Home Care of W. Va., Inc.**
CON File # 18-9-11458-Z

AMENDED HEARING ORDER

The Hearing Order issued in the above-styled action is hereby amended as follows:

1. Hearing date: **March 20, 2019, at 9:00 a.m.**

2. Prehearing conference date: **March 13, 2019, at 1:30 p.m.**

3. Dispositive and preliminary motions to be filed by: **March 8, 2019**
   Parties shall file all prehearing motions with the board a minimum of three (3) days prior to the prehearing conference.

4. All requests for subpoenas and/or subpoenas duces tecum to be filed by: **March 8, 2019**

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

Jim Justice
Governor

Bill J. Crouch, Cabinet Secretary
West Virginia Department of
Health and Human Resources

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2019 FEB 26 A 11:04
OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

In Re:

PERSONAL TOUCH HOME CARE OF W.VA., INC.
CON File No. 18-6/7-11459-Z

NOTICE OF PREHEARING CONFERENCE AND ADMINISTRATIVE HEARING

PLEASE TAKE NOTICE that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, that Barbara Skeen, Interim Executive Director of the West Virginia Health Care Authority, wishes to announce that the following proceedings have been scheduled for the above-noted application:

A PREHEARING CONFERENCE will be held, **March 13, 2019, at 1:30 p.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

AN ADMINISTRATIVE HEARING will be held, **March 20, 2019, at 9:00 a.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

This application concerns the development of home health care services in Barbour, Harrison, Monongalia and Taylor counties, West Virginia.

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

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

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www.hca.wv.gov

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

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

The file on this application is available for examination in the offices of the Health Care Authority from 8:30 a.m. to 5:00 p.m.., Monday through Friday. If you have questions concerning this matter, please contact Barbara Skeen, Interim Executive Director, at (304) 558-7000.

Date: February 22, 2019

Barbara Skeen

Barbara Skeen, Interim Executive Director

WEST VIRGINIA
HEALTH CARE AUTHORITY

FILED

2019 FEB 26 A 11: 04

OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

Entered this 22nd day of February 2019

Barbara Skeen
Barbara Skeen, Interim Executive Director

In Re: **Personal Touch Home Care of W. Va., Inc**
CON File # 18-6/7-11459-Z

AMENDED HEARING ORDER

The Hearing Order issued in the above-styled action is hereby amended as follows:

1. Hearing date: **March 20, 2019, at 9:00 a.m.**

2. Prehearing conference date: **March 13, 2019, at 1:30 p.m.**

3. Dispositive and preliminary motions to be filed by: **March 8, 2019**
   Parties shall file all prehearing motions with the board a minimum of three (3) days prior to the prehearing conference.

4. All requests for subpoenas and/or subpoenas duces tecum to be filed by: **March 8, 2019**

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

Jim Justice
Governor

Bill J. Crouch, Cabinet Secretary
West Virginia Department of
Health and Human Resources

FILED
2019 FEB 26 A 11:04
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

OTHER

In Re:

CHARLESTON AREA MEDICAL CENTER, INC.
CON File No. 18-3-11463-P

NOTICE OF ADMINISTRATIVE HEARING

PLEASE TAKE NOTICE that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, that Barbara Skeen, Interim Executive Director of the West Virginia Health Care Authority, wishes to announce that the following proceedings have been scheduled for the above-noted application:

AN ADMINISTRATIVE HEARING will be held **April 22, 2019, at 9:00 a.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

This application concerns the development of an ambulatory health care facility at 3257 Teays Valley Road, Hurricane, Putnam County.

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

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

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

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www.hca.wv.gov

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

The file on this application is available for examination in the offices of the Health Care Authority from 8:30 a.m. to 5:00 p.m.., Monday through Friday. If you have questions concerning this matter, please contact Barbara Skeen, Interim Executive Director, at (304) 558-7000.

Date: February 22, 2019

Barbara Skeen, Interim Executive Director

WEST VIRGINIA
HEALTH CARE AUTHORITY

FILED

2019 FEB 26 A 11: 04

OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

In Re: **Charleston Area Medical Center, Inc.**
CON File # 18-3-11463-P

AMENDED HEARING ORDER

The Hearing Order issued in the above styled-action is hereby amended as follows:

The Hearing date has been rescheduled to: **April 22, 2019, at 9:00 a.m.**

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

Entered this 22nd day of February 2019

Barbara Skeen
Barbara Skeen, Interim Executive Director

Jim Justice
Governor

Bill J. Crouch, Cabinet Secretary
West Virginia Department of
Health and Human Resources

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2019 FEB 26 A 11: 04

OFFICE WEST VIRGINIA
SECRETARY OF STATE

In Re:

CHARLESTON AREA MEDICAL CENTER, INC.
CON File No. 18-5-11464-P

NOTICE OF ADMINISTRATIVE HEARING

PLEASE TAKE NOTICE that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, that Barbara Skeen, Interim Executive Director of the West Virginia Health Care Authority, wishes to announce that the following proceedings have been scheduled for the above-noted application:

AN ADMINISTRATIVE HEARING will be held **March 28, 2019, at 9:00 a.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

This application concerns the development of an ambulatory health care facility located at 146 Pinnell Street, Ripley, Jackson County.

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

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

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

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

The file on this application is available for examination in the offices of the Health Care Authority from 8:30 a.m. to 5:00 p.m.., Monday through Friday. If you have questions concerning this matter, please contact Barbara Skeen, Interim Executive Director, at (304) 558-7000.

OTHER

Date: February 22, 2019

Barbara Skeen
Barbara Skeen, Interim Executive Director

WEST VIRGINIA
HEALTH CARE AUTHORITY

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2019 FEB 25 A 11:04
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

In Re: **Charleston Area Medical Center, Inc.**
CON File # 18-5-11464-P

AMENDED HEARING ORDER

The Hearing Order issued in the above styled-action is hereby amended as follows:

The Hearing date has been rescheduled to: **March 28, 2019, at 9:00 a.m.**

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

Entered this 22nd day of February 2019

Barbara Skeen
Barbara Skeen, Interim Executive Director

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

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2019 FEB 25 P 3:48

OFFICE WEST VIRGINIA SECRETARY OF STATE

February 25, 2019

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **February 22, 2019**.

HEARING NOTICES

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

February 22, 2019 - Personal Touch Home Care of W. Va., Inc., Hurricane, Putnam County, CON File #18-9-11458-Z, for the provision of home health care services in Jefferson and Berkeley counties; capital expenditure: $47,000.

Prehearing Conference: **March 13, 2019 at 1:30 p.m.**
Administrative Hearing: **March 20, 2019 at 9:00 a.m.**

February 22, 2019 - Personal Touch Home Care of W. Va., Inc., Hurricane, Putnam County, CON File #18-6/7-11459-Z, for the provision of home health care services in Barbour, Harrison, Monongalia and Taylor counties; capital expenditure: $64,000.

Prehearing Conference: **March 13, 2019 at 1:30 p.m.**
Administrative Hearing: **March 20, 2019 at 9:00 a.m.**

February 22, 2019 - Charleston Area Medical Center, Charleston, Kanawha County, CON File #18-3-11463-P, for the development of an ambulatory health care facility at 3257 Teays Valley Road, Hurricane, Putnam County; capital expenditure: $2,438,000.

Administrative Hearing: **April 22, 2019 at 9:00 a.m.**

February 22, 2019 - Charleston Area Medical Center, Charleston, Kanawha County, CON File #18-5-11464-P, for the development of an ambulatory health care facility at 146 Pinnell Street, Ripley, Jackson County; capital expenditure: $700,000.

Administrative Hearing: **March 28, 2019 at 9:00 a.m.**

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

HEARING ORDERS ISSUED

The Administrative Hearings have been CONTINUED GENERALLY in the following matters:

February 19, 2019 - Charleston Area Medical Center, Charleston, Kanawha County, CON File #18-3-11463-P, for the development of an ambulatory health care facility at 3257 Teays Valley Road, Hurricane, Putnam County; capital expenditure: $2,438,000.

February 19, 2019 - Charleston Area Medical Center, Charleston, Kanawha County, CON File #18-5-11464-P, for the development of an ambulatory health care facility at 146 Pinnell Street, Ripley, Jackson County; capital expenditure: $700,000.

AMENDED HEARING ORDERS ISSUED

February 22, 2019 - Personal Touch Home Care of W. Va., Inc., Hurricane, Putnam County, CON File #18-9-11458-Z, for the provision of home health care services in Jefferson and Berkeley counties; capital expenditure: $47,000.

February 22, 2019 - Personal Touch Home Care of W. Va., Inc., Hurricane, Putnam County, CON File #18-6/7-11459-Z, for the provision of home health care services in Barbour, Harrison, Monongalia and Taylor counties; capital expenditure: $64,000.

February 22, 2019 - Charleston Area Medical Center, Charleston, Kanawha County, CON File #18-3-11463-P, for the development of an ambulatory health care facility at 3257 Teays Valley Road, Hurricane, Putnam County; capital expenditure: $2,438,000.

February 22, 2019 - Charleston Area Medical Center, Charleston, Kanawha County, CON File #18-5-11464-P, for the development of an ambulatory health care facility at 146 Pinnell Street, Ripley, Jackson County; capital expenditure: $700,000.

ORDER TO WITHDRAW CON APPLICATION

February 22, 2019 - ABBE Education and Staffing, Proctorville, Ohio, CON File #19-2-11528-PC, for the establishment of an in-home personal care agency located at 410 31st Street, Huntington, Cabell County; capital expenditure: $24,000.

PROJECTS DETERMINED NOT REVIEWABLE

February 19, 2019 – Ohio Valley Physicians Inc., Huntington, Cabell County, CON File #19-2-11564-X, for the conversion of the primary care physician practice located at 61 East 3rd Avenue, Williamson, Mingo County, to a Federally Designated Rural Health Clinic; capital expenditure: $40,000.

February 19, 2019 – Ohio Valley Physicians Inc., Huntington, Cabell County, CON File #19-2-11565-X, for the conversion of the primary care physician practice located at 557 Main Street, Logan, Logan County, to a Federally Designated Rural Health Clinic;

capital expenditure: $40,000.

February 19, 2019 – Ohio Valley Physicians Inc., Huntington, Cabell County, CON File #19-2-11566-X, for the conversion of the primary care physician practice located at 312 Hudgins Street, Logan, Logan County, to a Federally Designated Rural Health Clinic; capital expenditure: $25,000.

February 21, 2019 – Summersville Pediatrics, Inc., Summersville, Nicholas County, CON File #19-4-11571-X, for the conversion of its satellite office in Webster County to a Federally Designated Rural Health Clinic; no capital expenditure.

February 22, 2019 – Stevenson LLC, Scott Depot, Putnam County, CON File #19-3-11573-X, for the addition of facility-based day habilitation services in St. Albans, Kanawha County; capital expenditure: $11,700.

EXEMPTION APPLICATIONS APPROVED

February 19, 2019 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #19-6-11569-X, for the acquisition of real property in Morgantown, including the building and contents on the property.

February 22, 2019 - Jerrald Stewart Roles, Atlanta, Georgia, CON File #19-6-11559-X, for the acquisition of TERPAX, Inc., the ultimate parent of Morgantown Health and Rehabilitation Center.

February 22, 2019 – Jerrald Stewart Roles, Atlanta, Georgia, CON File #19-3-11560-X, for the acquisition of TERPAX, Inc., the ultimate parent of St. Albans Operating Company LLC.

February 22, 2019 – Jerrald Stewart Roles, Atlanta, Georgia, CON File #19-3-11561-X, for the acquisition of TERPAX, Inc., the ultimate parent of Glasgow Operating Company LLC.

February 22, 2019 – Jerrald Stewart Roles, Atlanta, Georgia, CON File #19-2-11562-X, for the acquisition of TERPAX, Inc., the ultimate parent of Seventeenth Street Associates LLC.

February 22, 2019 - – New River Health Association, Inc., Scarbro, Fayette County, CON File #19-1-11567-X, for the establishment of a school-based health center in Independence Middle School, Raleigh County.

February 22, 2019 - WomenCare, Inc. d/b/a FamilyCare Health Centers, Scott Depot, Putnam County, CON File #19-3-11572-X, for the relocation of the freestanding birth center from Hurricane, Putnam County to Charleston, Kanawha County.

OTHER

NOTICES OF SUBSTANTIAL COMPLIANCE

The following projects have been implemented in substantial compliance with the decisions issued in these matters and the case files are now closed.

February 19, 2019 - Berkeley Medical Center, Martinsburg, Berkeley County, CON File #18-9-11435-P, for the development of outpatient rehabilitation services in Berkeley County at an existing ambulatory health care facility; capital expenditure: $105,130.

February 21, 2019 - Jackson General Hospital, Ripley, Jackson County, CON File #18-5-11336-P, for the development of an ambulatory health care facility in Jackson County through the development of a primary care practice; capital expenditure: $60,000.

February 22, 2019 - Buckthorn Holdings, LLC, Charleston, Kanawha County, CON File #15-6-10694-NH, for the construction of a replacement facility for Bridgeport Health Care Center, LLC, a 51-bed nursing home located in Bridgeport, Harrison County; capital expenditure: $7,445,683.

February 22, 2019 - St. Joseph's Hospital of Buckhannon, Inc., Buckhannon, Upshur County, CON File #18-7-11335-P, for the development of an ambulatory health care facility in Lewis County through the provision of podiatric medicine services; capital expenditure: $7,074.

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

State of West Virginia
Board of Medicine

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OTHER

2019 FEB 27 A 9:46

101 Dee Drive, Suite 103
Charleston, WV 25311
Telephone 304.558.2921
Fax 304.558.2084
www.wvbom.wv.gov

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

KISHORE K. CHALLA, MD, FACC
PRESIDENT

CATHERINE C. SLEMP, MD, MPH
SECRETARY

ASHISH P. SHETH, MD
VICE PRESIDENT

MARK A. SPANGLER, MA
EXECUTIVE DIRECTOR

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2019 FEB 27 A 9:46
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

The Honorable Jim Justice
Governor, State of West Virginia
State Capitol Building
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice:

Pursuant to W. Va. Code §30-1-12(b) the West Virginia Board of Medicine is pleased to provide you with our annual report for the biennium of July 1, 2016 – June 30, 2018.

This report, as well as supportive material and relevant licensee information, is accessible on the Board's website, www.wvbom.wv.gov.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Mark A. Spangler, MA
Executive Director

MAS/arw
Enclosure (1 CD)

cc: Mitch Carmichael, President of the Senate (with enclosure)
Roger Hanshaw, Speaker of the House of Delegates (with enclosure)
Lee Cassis, Clerk of the Senate (with enclosure)
Steve Harrison, Clerk of the House of Delegates (with enclosure)
Mac Warner, Secretary of State (with enclosure)
Legislative Librarian (with enclosure)