WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXVI

Issue 25

June 21, 2019

A Weekly Publication

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Sanitarians

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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
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TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
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TITLE	61	AGRICULTURE
TITLE	64	HEALTH
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TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
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TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
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TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

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NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION
Development Office (145-15)	Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program Legislative	§5B-8-1	Written Comments Only: July 17, 2019 4:30 pm Jack Rife, General Counsel 1900 Kanawha Blvd. E., Building 3, Suite 600 Charleston, WV 25305 jack.m.rife@wv.gov
Funeral Service Examiners (6-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	§§30-1-22 and 30-6-1, 6,8,9,10,11,12,13 and 14	Written Comments Only: July 18, 2019 12:00 pm Regina J. Anderson 179 Summers Street, Suite 319 Charleston, WV 25301 wvfuneralboard@hotmail.com
Health (64-03)	Public Water Systems Legislative	§16-1-4	Written Comments Only: July 15, 2019 5:00 pm April L. Robertson One Davis Sq. Suite 100, East Charleston, WV 25301 april.l.robertson@wv.gov
Health (64-13)	Nursing Home Licensure Rule Legislative	§§16-1-4, 16-5C-5, and 16-5C-21(b)	Written Comments Only: July 15, 2019 5:00 pm April Robertson One Davis Sq. Suite 100, East Charleston, WV 25301 april.r.robertson@wv.gov
Health (64-30)	Fees for Permits Legislative	§§16-1-4, 16-1-11(d) and 16-2-11(b)(3)	Written Comments Only: July 15, 2019 5:00 pm April L. Robertson One Davis Sq. Suite 100, East Charleston, WV 25301 april.l.robertson@wv.gov
Health (64-32)	Vital Statistics Legislative	§§16-1-4 and 16-5-3	Written Comments Only: July 15, 2019 5:00 pm April L. Robertson One Davis Sq. Suite 100, East Charleston, WV 25301 april.l.robertson@wv.gov

Health (64-48)	Emergency Medical Services Legislative	§§16-1-4, 16-4C-6, 16-4C-14, and 16-4C-23	Written Comments Only: July 15, 2019 5:00 pm April L. Robertson One Davis Sq. Suite 100, East Charleston, WV 25301 april.l.robertson@wv.gov
Health and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	§16-5T-5	Written Comments Only: July 17, 2019 5:00pm April L. Robertson, General Counsel One Davis Square, Suite 100, East Charleston, WV 25301 april.l.roberston@wv.gov
Higher Education Policy Commission (133-03)	Higher Education Report Card Legislative	§18B-1-6	Written Comments Only: July 17, 2019 5:00pm Dr. Sarah Tucker 1018 Kanawha Boulevard East Charleston, WV 25301 chancellors.office@wvhepc.edu
Higher Education Policy Commission (133-41)	Health Science Service Program Procedural	§18B-1-6	Written Comments Only: July 17, 2019 5:00pm Dr. Sarah Tucker 1018 Kanawha Boulevard East Charleston, WV 25301 chancellors.office@wvhepc.edu
Higher Education Policy Commission (133-49)	Accountability System Legislative	§18B-1-6	Written Comments Only: July 17, 2019 5:00pm Dr. Sarah Tucker 1018 Kanawha Boulevard East Charleston, WV 25301 chancellors.office@wvhepc.edu
Human Services (78-02)	Child Placing Agencies Licensure Legislative	§§49-2-121	Written Comments Only: July 17, 2019 5:00pm April L. Robertson One Davis Square, Suite 100, East Charleston, WV 25301 april.l.robertson@wv.gov
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults in West Virginia Legislative	§§49-2-121, 27-17-3, 27-1A-4(g), 27-1A-6(6) and 27-1A-7	Written Comments Only: July 18, 2019 5:00 pm April L. Robertson One Davis Square, Suite 100, East Charleston, WV 25301 april.l.robertson@wv.gov

Human Services (78-24)	Qualifications for A Provisional License to Practice As A Social Worker Within the Department of Health and Human Resources Legislative	§30-30-16(c)(2)	Written Comments Only: July 18, 2019 5:00 pm April L. Robertson One Davis Square, Suite 100, East Charleston, WV 25301 april.l.robertson@wv.gov
Medicine (11-01B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	§§30-1-7(a), 30-3E-3(a)(1)-(2) and 30-1D-1(d)	Written Comments Only: July 19, 2019 4:30 pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov
Medicine (11-13)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	§30-1-22	Written Comments Only: July 19, 2019 4:30 pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	§§22A-1A-2(b) & (c), 22A-2-80	Written Comments Only: July 19, 2019 4:00 pm Eugene White, Director Office of Miners' Health, Safety and Training 7 Players Club Drive, Suite 2 Charleston, WV 25311 eugene.e.whie@wv.gov
Miners Health Safety and Training (56-22)	Rules Governing the Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors Legislative	§22A-10-3(g)	Written Comments Only: July 19, 2019 4:00 pm Eugene White, Director Office of Miners' Health, Safety and Training 7 Players Club Drive, Suite 2 Charleston, WV 25311 eugene.e.white@wv.gov
Oil and Gas Conservation Commission (39-01)	Rules of the Commission Legislative	§22-C-9-4	Public Hearing: July 16, 2019 2:00 pm Oil and Gas Conservation Commission 601 57th Street SE Charleston, WV 25304 Written Comments July 15, 2019 8:00 am Oil and Gas Conservation Commission 601 57th Street SE Charleston, WV 25304 susan.w.rose@wv.gov

Professional Engineers (7-01)	Examination, Licensure and Practice of Professional Engineers Legislative	§§30-13-9(a), 13,14,15,16(c), 17,18,19,21	Written Comments Only: July 19, 2019 4:00 pm Lesley L. Rosier-Tabor, PE, Executive Director 300 Capitol Street – Suite 910 Charleston, WV 25301 lesley@wvpebd.org
Sanitarians (20-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	§30-17-6	Written Comments Only: July 19, 2019 4:00 pm Lloyd R White 300 Second Street Fairmont, WV 26554 lloyd.r.white@wv.gov

NEW EMERGENCY RULES FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE FOR HEARING**
Health and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	§16-5T-5	ERD by July 31, 2019	July 17, 2019
Medicine (11-01B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	§§30-1-7(a), 30-3E(a)(1)-(2) and 30-1D-1(d)	ERD by July 31, 2019	July 19, 2019
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	§§22A-1A-2(b) & (c), 22A-2-80	ERD by July 31, 2019	July 19, 2019
Miners Health Safety and Training (56-22)	Rules Governing the Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors Legislative	§22A-10-3(g)	ERD by July 31, 2019	July 19, 2019
Oil and Gas Conservation Commission (39-01)	Rules of the Commission Legislative	§22C-9-4	ERD by July 26, 2019	July 16, 2019

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-01)	Board Rules and Rules of Professional Conduct Legislative	6/7/2019	7/8/2019						
Acupuncture (32-04)	Fees of the Board of Acupuncture Legislative	6/13/2019	7/14/2019	6/13/2019 ERD by July 25, 2019					
Acupuncture (32-14)	Auricular Detoxification Therapy Certificate Legislative	6/13/2019	7/14/2019	6/13/2019 ERD by July 25, 2019					
Acupuncture (32-15)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019						
Administration (148-23)	Exemptions from Management Services Provided by the Fleet Management Division Legislative	5/3/2019	6/3/2019	4/5/2019 Effective 5/17/2019					
Administration (148-NA)	State of West Virginia Travel Rules Legislative Exempt	6/7/2019						6/7/2019	7/1/2019
Aeronautics Commission (171-01)	Commission Meetings, Organization, and Operation Procedural	6/5/2019	7/8/2019						
Agriculture (61-13A)	Poultry- Rules for Hatcheries, Growers and Contractors Pertaining to Poultry Disease Control and Eradication Legislative	6/11/2019	7/10/2019						
Agriculture (61-29)	Industrial Hemp Legislative	6/27/2018	7/27/2018		7/27/2018	Modified & Approved 11/27/2018 Filed 12/11/2018	SB199	4/30/2019	7/1/2019
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/5/2019	7/9/2019						
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/5/2019	7/9/2019						
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/5/2019	7/9/2019						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/5/2019	7/9/2019						
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/5/2019	7/9/2019						
Architects (2-01)	Registration of Architects Legislative	6/5/2019	7/9/2019						
Architects (2-03)	Fees for Registration of Architects Legislative	6/5/2019	7/9/2019						
Auditor (155-06)	Local Government Purchasing Card Program Legislative	5/21/2019	6/20/2019						
Community And Technical College Education (135-08)	West Virginia Invests Grant Program Legislative	4/29/2019	5/30/2019	4/29/2019 Effective 4/29/2019	6/3/2019				
Chiropractic Examiners (4-07)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019						
Conservation Agency (63-03)	State Conservation Committee Grant Program Legislative	5/30/2019	6/29/2019						
Couseling (27-13)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019						
Dentistry, WV Board of (5-01)	Rules for the West Virginia Board of Dentistry Legislative	5/31/2019	7/1/2019						
Dentistry, WV Board of (5-08)	Dental Advertising Legislative	5/31/2019	7/1/2019						
Dentistry, WV Board of (5-09)	Application Procedures for Licensure or Certificate Procedural	5/1/2019	5/31/2019						
Development Office (145-15)	Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program Legislative	6/17/2019	7/17/2019						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-012)	WV System of Support and Accountability (2322) Legislative Exempt	1/11/2019	2/11/2019					3/14/2019	7/1/2019
Education 126-035)	Education Instructional Resources(Policy 2445.40) Legislative Exempt	5/9/2019	6/10/2019						
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 (126-057)	Adult Education Programs (Policy 2420) Legislative Exempt	4/11/2019	5/13/2019					6/13/2019	7/15/2019
Education (126-099)	Expected Behaviors in Safe and Supportive Schools (4373) Legislative Exempt	1/11/2019	2/11/2019					3/14/2019	7/1/2019
Election Commision (146-01)	Corporate and Membership Organization Political Activity Legislative	6/6/2019	7/10/2019	6/6/2019 ERD by July 18, 2019					
Election Commission (146-03)	Regulation of Campaign Finance Legislative	6/6/2019	7/10/2019	6/6/2019 ERD by July 18, 2019					
Environmental Protection Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2019	7/8/2019						
Fire Commission (87-01)	Fire Code Legislative	6/13/2019	7/16/2019						
Fire Commission (87-04)	State Building Code Legislative	6/13/2019	7/13/2019						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Funeral Service Examiners (6-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/17/2019	7/18/2019						
Health (64-03)	Public Water Systems Legislative	6/14/2019	7/15/2019						
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	SB175	5/1/2019	7/30/2019
Health (64-13)	Nursing Home Licensure Rule Legislative	6/14/2019	7/15/2019						
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	SB175	5/1/2019	7/30/2019
Health (64-17)	Food Establishments Legislative	6/21/2018	7/20/2018		7/26/2018	Modified & Approved 11/27/2018 Filed 11/30/2018	SB175	4/4/2019	7/1/2019
Health (64-30)	Fees for Permits Legislative	6/14/2019	7/15/2019						
Health (64-32)	Vital Statistics Legislative	6/14/2019	7/15/2019						
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	SB175	4/4/2019	7/1/2019
Health (64-48)	Emergency Medical Services Legislative	6/14/2019	7/15/2019						
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 Care Authority (65-09)	Critical Access Hospitals Legislative	6/13/2019	7/15/2019						
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	SB175	5/1/2019	7/30/2019
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	SB175	5/1/2019	7/30/2019
Heath and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/17/2019	7/17/2019	6/19/2019 ERD by 7/31/2019					
Higher Education Policy Commission (133-03)	Higher Education Report Card Legislative	6/17/2019	7/17/2019						
Higher Education Policy Commission (133-41)	Health Science Service Program Procedural	6/17/2019	7/17/2019						
Higher Education Policy Commission (133-49)	Accountability System Legislative	6/17/2019	7/17/2019						
Human Services (78-02)	Child Placing Agencies Licensure Legislative	6/17/2019	7/17/2019						
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults in West Virginia Legislative	6/18/2019	7/18/2019						
Human Services (78-24)	Qualifications for A Provisional License to Practice As A Social Worker Within the Department of Health and Human Resources Legislative	6/18/2019	7/18/2019						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Commission (114-24)	Medicare Supplement Insurance Legislative	6/10/2019	7/10/2019						
Insurance Commission (114-40)	Credit for Reinsurance Legislative	2/8/2019	3/25/2019	1/18/2019 Effective 3/1/2019	3/26/2019				
Labor (42-05)	Wage Payment and Collection Legislative	6/15/2018	7/16/2018		7/25/2018	Approved 9/20/2018	SB223	4/12/2019	7/1/2019
Labor (42-09)	Child Labor Legislative	6/18/2018	7/19/2018		7/25/2018	Modified & Approved 9/20/2018 Filed 9/26/2018	SB223	4/12/2019	7/1/2019
Labor (42-19)	West Virginia Manufactured Housing Construction and Safety Standards Board Legislative	6/11/2019	7/11/2019						
Labor (42-32)	Supervision of Plumbing Work Legislative	6/10/2019	7/11/2019						
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/10/2019	7/11/2019						
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	SB223	4/12/2019	7/1/2019
Massage Therapy Licensure Board (194-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019						
Medical Imaging and Radiation Therapy Technology Board of Examiners (18-01)	WV Medical Imaging and Radiation Therapy Technology Board of Examiners Legislative	6/5/2019	7/7/2019						
Medicine (11-01B)	Licensure, Disciplinary and Compliant Procedures, Continuing Education, Physician Assistants Legislative	6/19/2019	7/19/2019	6/19/2019 ERD by July 31, 2019					
Medicine (11-13)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/19/2019	7/19/2019						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/19/2019	7/19/2019	6/19/2019 ERD by 7/31/2019					
Miners Health Safety and Training (56-22)	Rules Governing the Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors Legislative	6/19/2019	7/19/2019	6/19/2019 ERD by 7/31/2019					
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Rule Legislative	6/5/2019	7/8/2019						
Mining and Reclamation (38-02F)	Groundwater Protection Rules Coal Mining Operations Legislative	6/5/2019	7/8/2019						
Natural Resources (58-12)	Commerical Whitewater Outfitters Legislative	6/10/2019	7/10/2019						
Natural Resources (58-16)	Transporting and Selling Wildlife Parts and Pelts Legislative	6/10/2019	7/10/2019						
Natural Resources (58-25)	Boating Rule Legislative	6/10/2019	7/10/2019						
Natural Resources (58-26)	Special Boating Rules Legislative	6/10/2019	7/10/2019						
Natural Resources (58-28)	Special Requirements Concerning Boating Legislative	6/10/2019	7/10/2019						
Natural Resources (58-32)	Public Use of Campgrounds in West Virginia State Parks and State Forests, and Campsites in State Rail Trails Under the Division of Natural Resources Legislative	6/10/2019	7/10/2019						
Natural Resources (58-34)	Special Projects and Grants for West Virginia State Parks, State Forests, and State Rail Trails Under the Division of Natural Resources Legislative	6/10/2019	7/10/2019						
Natural Resources (58-46)	Defining of Terms Used In All Hunting and Trapping Legislative	6/10/2019	7/10/2019						
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/10/2019	7/10/2019						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-61)	Special Fishing Rule Legislative	6/10/2019	7/10/2019						
Natural Resources (58-62)	Catching and Selling Bait Fish Legislative	6/10/2019	7/10/2019						
Natural Resources (58-65)	Falconry Legislative	6/10/2019	7/10/2019						
Occupational Therapy (13-03)	Fees For Services Rendered By the Board Legislative	5/8/2019	7/1/2019						
Occupational Therapy (13-07)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/13/2019	7/1/2019						
Oil and Gas Conservation Commission (39-01)	Rules of The Commission Legislative	6/14/2019	7/16/2019	6/14/2019 ERD by 7/26/2019					
Physical Therapy (16-09)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/4/2019	7/5/2019						
Professional Engineers (7-01)	Examination, Licensure and Practice of Professional Engineers Legislative	6/18/2019	7/19/2019						
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in West Virginia Legislative	6/4/2019	7/9/2019						
Public Defender Services (89-01)	Payment of Fees and Reimbursement of Expenses of Court-Appointed Attorneys Legislative	5/20/2019	6/21/2019	5/21/2019 ERD by 7/2/2019					
Public Service Commission (150-33)	Rules Governing Electric Utility Net Metering Arrangements and Interconnections Legislative Exempt	9/6/2018 03/13/2019	11/8/2018 04/30/2019						
Racing Commission (178-01)	Throughbred Racing Legislative	6/10/2019	7/10/2019						
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	SB187	5/3/2019	8/1/2019

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Real Estate Commission (174-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/31/2019	6/30/2019						
Respiratory Care (30-02)	Establishment of Fees Legislative	5/7/2019	6/7/2019						
Respiratory Care (30-09)	Student Temporary Permits Legislative	5/22/2019	6/24/2019						
Sanitarians (20-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/17/2019	7/19/2019						
School Building Authority of WV (164-01)	Policy and Procedures Handbook of the School Building Authority of WV Procedural	6/5/2019	7/5/2019						
Secondary School Activities Commission (127-01)	Constitution (WVSSAC Series1) Legislative Exempt	5/9/2019	6/10/2019						
Secondary School Activities Commission (127-02)	Athletics, Provisions Governing Eligibility (WVSSAC Series 2) Legislative Exempt	5/9/2019	6/10/2019						
Secondary School Activities Commission (127-03)	Provisions Governing Contests (WVSSAC Series 3) Legislative Exempt	5/9/2019	6/10/2019						
Secondary School Activities Commission (127-04)	Provisions Governing Conduct (WVSSAC Series 4) Legislative Exempt	5/9/2019	6/10/2019						
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	SB199	4/17/2019	7/1/2019
Social Work Examiners (25-03)	Fee Schedule Legislative	6/5/2019	7/5/2019						
Speech-Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	5/14/2019	6/17/2019						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/13/2019	7/13/2019						
Tax (110-15C)	Consumers Sales and Service Tax and Use Tax Drugs, Durable Medical Goods, Mobility Enhancing Equipment and Prosthetic Devices Per SE Exemption; Motor Vehicles Per SE Exemption Legislative	6/13/2019	7/13/2019						
Tax (110-50C)	Exchange of Information Pursuant to Written Agreement Legislative	6/13/2019	7/13/2019						
Veterinary Medicine (26-03)	Registration of Veterinary Technicians Legislative	5/30/2019	7/7/2019						
Veterinary Medicine (26-06)	Schedule of Fees Legislative	5/30/2019	7/7/2019						
Waste Management Division of Water and Waste Management (33-20)	Hazardous Waste Management System Legislative	6/5/2019	7/8/2019						
Water Resources, Div. of Water & Waste Magmt. (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	3/21/2019	5/6/2019						

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Development Office

TITLE-SERIES: 145-15

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program

CITE STATUTORY AUTHORITY: W. Va. Code 5B-8-1

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/17/2019 4:30 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jack Rife, General Counsel

ADDRESS: 1900 Kanawha Blvd. E., Building 3, Suite 600

Charleston, WV 25305

EMAIL: jack.m.rife@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Funeral Service Examiners

TITLE-SERIES: 6-05

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Application for Waiver of Initial Licensing Fees for Certain Individuals

CITE STATUTORY AUTHORITY: §30-1-22 and §30-6-1, 6,8,9,10,11,12,13 and 14

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LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/18/2019 @12:00 Midnight PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Regina J. Anderson

ADDRESS: 179 Summers Street, Suite 319

Charleston, WV 25301

EMAIL: wvfuneralboard@hotmail.com

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health

TITLE-SERIES: 64-03

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

RULE NAME: PUBLIC WATER SYSTEMS

CITE STATUTORY AUTHORITY: W. Va. Code §16-1-4

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/15/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L. Robertson

ADDRESS: One Davis Sq. Suite 100, East
Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health

TITLE-SERIES: 64-13

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

RULE NAME: NURSING HOME LICENSURE RULE

CITE STATUTORY AUTHORITY: W. Va. Code §§ 16-1-4, 16-5C-5, and 16-5C-21(b)

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April Robertson

ADDRESS: One Davis Sq. Suite 100, East
Charleston, WV 25301

EMAIL: april.r.robertson@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health

TITLE-SERIES: 64-30

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: FEES FOR PERMITS

CITE STATUTORY AUTHORITY: - W. Va. Code §16-1-4, §16-1-11(d), and §16-2-11(b)(3

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NAME: April L. Robertson

ADDRESS: One Davis Sq. Suite 100, East

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health

TITLE-SERIES: 64-32

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: VITAL STATISTICS

CITE STATUTORY AUTHORITY: W. Va. Code §§16-1-4 and 16-5-3

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L. Robertson

ADDRESS: One Davis Square, Suite 100, East

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health

TITLE-SERIES: 64-48

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

RULE NAME: EMERGENCY MEDICAL SERVICES

CITE STATUTORY AUTHORITY: – W. Va. Code §16-1-4, §16-4C-6, §16-4C-14, and §16-4C-23.

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L. Robertson

ADDRESS: One Davis Square, Suite 100, East
Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health And Human Resources

TITLE-SERIES: 69-14

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

RULE NAME: COLLECTION AND EXCHANGE OF DATA RELATED TO OVERDOSES

CITE STATUTORY AUTHORITY: – W. Va. Code §16-5T-5

COMMENTS LIMITED TO:

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L. Robertson, General Counsel

ADDRESS: One Davis Square, Suite 100, East
Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Higher Education Policy Commission

TITLE-SERIES: 133-03

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: Yes

RULE NAME: Higher Education Report Card

CITE STATUTORY AUTHORITY: 18B-1-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/17/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Dr. Sarah Tucker

ADDRESS: 1018 Kanawha Boulevard, East
Charleston, WV 25301

EMAIL: chancellors.office@wvhepc.edu

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Higher Education Policy Commission

TITLE-SERIES: 133-49

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: Yes

RULE NAME: Accountability System

CITE STATUTORY AUTHORITY: 18B-1-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/17/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Dr. Sarah Tucker

ADDRESS: 1018 Kanawha Boulevard, East
Charleston, WV 25301

EMAIL: chancellors.office@wvhepc.edu

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services TITLE-SERIES: 78-02

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

RULE NAME: CHILD PLACING AGENCIES LICENSURE

CITE STATUTORY AUTHORITY: W. Va. Code §49-2-121

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/17/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L. Robertson

ADDRESS: One Davis Square, Suite 100, East
Charleston, West Virginia 25301

EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services TITLE-SERIES: 78-03

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

RULE NAME: MINIMUM LICENSING REQUIREMENTS FOR RESIDENTIAL CHILD CARE AND TREATMENT FACILITIES FOR CHILDREN AND TRANSITIONING ADULTS IN WEST VIRGINIA

CITE STATUTORY AUTHORITY: W. Va. Code §49-2-121, §27-17-3, §27-1A-4(g), §27-1A-6(6) and §27-1A-7

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LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/18/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L. Robertson

ADDRESS: One Davis Square, Suite 100, East
Charleston, West Virginia 25301

EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services

TITLE-SERIES: 78-24

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: QUALIFICATIONS FOR A PROVISIONAL LICENSE TO PRACTICE AS A SOCIAL WORKER WITHIN THE DEPARTMENT OF HEALTH AND HUMAN RESOURCES

CITE STATUTORY AUTHORITY: W. Va. Code § 30-30-16(c)(2)

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/18/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L. Robertson

ADDRESS: One Davis Square, Suite 100, East

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine

TITLE-SERIES: 11-01B

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants

CITE STATUTORY AUTHORITY: W. Va. Code §30-1-7(a), §30-3E-3(a)(1)-(2), and W. Va. Code §30-1D-1(d).

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/19/2019 4:30 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mark A. Spangler, Executive Director

ADDRESS: 101 Dee Drive, Suite 103

Charleston, West Virginia 25311

EMAIL: mark.a.spangler@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine

TITLE-SERIES: 11-13

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants

CITE STATUTORY AUTHORITY: W. Va. Code §30-1-22.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/19/2019 4:30 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mark A. Spangler, Executive Director

ADDRESS: 101 Dee Drive, Suite 103

Charleston, West Virginia 25311

EMAIL: mark.a.spangler@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training

TITLE-SERIES: 56-19

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Substance Abuse Screening, Standards and Procedures

CITE STATUTORY AUTHORITY: W. Va. Code §§22A-1A-2(b) & (c), 22A-2-80

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/19/2019 4:00 p.m.

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Eugene White, Director

ADDRESS: Office of Miners' Health, Safety and Training

7 Players Club Drive, Suite 2, Charleston, WV 25311

EMAIL: eugene.e.white@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training

TITLE-SERIES: 56-22

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Rules Governing the Certification, Recertification and Training of EMT-Miners and the Certification of EMT-Instructors

CITE STATUTORY AUTHORITY: W. Va. Code §22A-10-3(g)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/19/2019 4:00 p.m.

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Eugene White, Director

ADDRESS: Office of Miners' Health, Safety and Training

7 Players Club Drive, Suite 2, Charleston, WV 25311

EMAIL: eugene.e.white@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Oil And Gas Conservation Commission

TITLE-SERIES: 39-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Rules of the Commission

CITE STATUTORY AUTHORITY: 22-C-9-4

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/16/2019 2:00 PM

LOCATION OF PUBLIC HEARING:

Department of Environmental Protection

DATE WRITTEN COMMENT PERIOD ENDS: 07/15/2019 8:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Oil and Gas Conservation Commission

ADDRESS: 601 57th Street SE

Charleston, WV 25304

EMAIL: susan.w.rose@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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Office of West Virginia
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Professional Engineers TITLE-SERIES: 7-01

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

RULE NAME: Examination, Licensure and Practice of Professional Engineers

CITE STATUTORY AUTHORITY: W. Va. Code §§30-13-9(a), 13, 14, 15, 16(c) 17, 18, 19, 21

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/19/2019 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Lesley L. Rosier-Tabor, PE, Executive Director

ADDRESS: 300 Capitol Street - Suite 910

Charleston, WV 25301

EMAIL: lesley@wvpebd.org

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

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MAC WARNER
ADMINISTRATIVE LAW DIVISION

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Sanitarians TITLE-SERIES: 20-05

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

RULE NAME: APPLICATION FOR WAIVER OF INITIAL LICENSING FEES FOR CERTAIN INDIVIDUALS

CITE STATUTORY AUTHORITY: §30.17.6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Lloyd R White

ADDRESS: 300 Second Street

Fairmont, WV 26554

EMAIL: lloyd.r.white@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

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NOTICE OF PUBLIC COMMENT PERIOD

PROCEDURAL

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-41

RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeal of existing rule: Yes

RULE NAME: Health Sciences Service Program

CITE STATUTORY AUTHORITY: 18B-1-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/17/2019 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Dr. Sarah Tucker

ADDRESS: 1018 Kanawha Boulevard, East

Charleston, WV 25301

EMAIL: chancellors.office@wvhepc.edu

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INCORPORATED BY REFERENCE: No

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EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Health And Human Resources TITLE-SERIES: 69-14

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: COLLECTION AND EXCHANGE OF DATA RELATED TO OVERDOSES

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §16-5T-5

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

N/A

PRIMARY CONTACT:

NAME: April Robertson, General Counsel

ADDRESS: One Davis Square Suite 100 E

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PHONE NUMBER: 304-558-9149

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

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NOTICE OF AN EMERGENCY RULE

AGENCY: Medicine TITLE-SERIES: 11-01B

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §30-1-7(a), §30-3E-3(a)(1)-(2), and W. Va. Code §30-1D-1 (d).

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

PRIMARY CONTACT:

NAME: Mark A Spangler Executive Director

ADDRESS: 101 Dee Drive Suite 103

Charleston, West Virginia 25311

EMAIL: mark.a.spangler@wv.gov

PHONE NUMBER: 304-558-2921 70005

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EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-19

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Substance Abuse Screening, Standards and Procedures

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §§22A-1A-2(b) & (c), 22A-2-80

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

W. Va. Code §22A-1A-2(c)

PRIMARY CONTACT:

NAME: Eugene White Director

ADDRESS: Office Of Miners Health Safety And Training

7 Players Club Drive, Suite 2, Charleston, WV 25311

EMAIL: eugene.e.white@wv.gov

PHONE NUMBER: 304-558-1425

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

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NOTICE OF AN EMERGENCY RULE

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-22

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Rules Governing the Cetification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §22A-10-3(g)

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

None

PRIMARY CONTACT:

NAME: Eugene White Director

ADDRESS: Office Of Miners Health Safety And Training

7 Players Club Drive, Suite 7, Charleston, WV 25311

EMAIL: eugene.e.white@wv.gov

PHONE NUMBER: 304-558-1425

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

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EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Oil And Gas Conservation Commission TITLE-SERIES: 39-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Rules Of The Commission

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

22C-9-4

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

PRIMARY CONTACT:

NAME: Susan Rose

ADDRESS: 601 57th Street Se

Charleston, WV 25304

EMAIL: susan.w.rose@wv.gov

PHONE NUMBER: 304-926-0499 1274

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Orders Report

Docket Number	Agency	Respondent	Date Rendered
19-1-11630-X	Health Care Authority	Bluefield Hospital Company LLC	6/12/2019
19-7-11615-Z	Health Care Authority	Mountain Home Health	6/13/2019
19-WV-11604-A	Health Care Authority	Mulberry Street Management Serices, Inc.	6/14/2019
19-WV-11604-A	Health Care Authority	Employee Stock Ownership Plan Trust, Sharon A. Hayes, Trustee	6/14/2019
19-WV-11604-A	Health Care Authority	Mulberry's Independent Home Services, Inc.	6/14/2019
19-2-11634-X	Health Care Authority	Recovery Point of Huntington, Inc.	6/14/2019
19-11-11603-A	Health Care Authority	Trinity West	6/13/2019
19-6-11627-X	Health Care Authority	The Arc of Harrison County	6/12/2019
17-2-11142-NH	Health Care Authority	First Center LLC	6/11/2019
17-2-11142-NH	Health Care Authority	Citenik Properties LLC	6/11/2019
19-AP-PRLC-02000	Insurance Commissioner	Travis Allen Hager	6/14/2019
19-AP-FINCON-02003	Insurance Commissioner	Patrons Mutual Fire Insurance Company	6/18/2019

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

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2019 JUN 17 P 1:59

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

OTHER

June 17, 2019

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **June 14, 2019**.

LETTER OF INTENT RECEIVED

June 14, 2019 – Potomac Valley Hospital, Keyser, Mineral County, CON File #19-8-11640-E, for the development of fixed site magnetic resonance imaging (MRI) services; capital expenditure: $1,550,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

June 10, 2019 – ABC Case Management, LLC, Martinsburg, Berkeley County, CON File #19-7/8/9-11635-BH, to become a licensed agency to provide standalone conflict free case management for the IDD Waiver based program; no capital expenditure.

NOTICE OF PUBLIC COMMENT PERIOD

Critical Access Hospitals Rule

The West Virginia Health Care Authority has scheduled a public comment period to receive comments on the rule establishing specific standards and procedures to provide for the designation of a critical access hospital as a community outpatient medical center pursuant to W. Va. Code § 16-5B-14.

Written comments may be submitted to April Robertson, General Counsel, One Davis Square, Suite 100, East, Charleston, WV 25301 or via email at april.l.robertson@wv.gov. Comments must be received no later than July 15, 2019 at 5:00 p.m.

A copy of the proposed rule set forth above has been filed with the Secretary of State. The rule may also be viewed at the Authority's website, www.hca.wv.gov.

ORDER TO WITHDRAW CON APPLICATION ISSUED

June 13, 2019 – Mountain Home Health, Belington, Barbour County, CON File #19-7-11615-Z, for the establishment of a new home health agency offering services in Randolph and Upshur counties; capital expenditure: $1,500.

PROJECTS DETERMINED NOT REVIEWABLE

June 12, 2019 – The Arc of Harrison County, Clarksburg, Harrison County, CON File #19-6-11627-X, for the development of a three-bedroom home in Clarksburg to be rented to three individuals with intellectual/developmental disabilities; capital expenditure: $69,500.

June 12, 2019 – Bluefield Hospital Company LLC d/b/a Bluefield Regional Medical Center, Bluefield, Mercer County, CON File #19-1-11630-X, for an internal corporate restructuring project involving three rural health clinics known and operating under the following tradenames: Bluefield Family Medicine Clinic, Bluefield Internal Medicine Clinic and Bluewell Family Clinic; capital expenditure: $10,000.

EXEMPTION APPLICATION APPROVED

June 14, 2019 – Recovery Point of Huntington Inc. d/b/a Recovery Point West Virginia, Huntington, Cabell County, CON File #19-2-11634-X, for the development of an outpatient behavioral health center to be located at 1000 5th Avenue, Suite 129, Huntington, Cabell County.

CERTIFICATE OF NEED APPROVALS ISSUED

June 13, 2019 - Trinity West, Steubenville, Ohio, CON File #19-11-11603-A, for the acquisition of Dr. Joseph Schreiber's family practice in Hancock County; capital expenditure: $21,000.

June 14, 2019 – Mulberry Street Management Services, Inc. Employee Stock Ownership Plan Trust, Sharon A. Hayes, Trustee, and Mulberry's Independent Home Services, Inc., Morgantown, Monongalia County, CON File #19-WV-11604-A, for the acquisition of Mulberry Street Management Services, Inc.; capital expenditure: $12,000,000.

RENEWAL GRANTED

June 11, 2019 – First Center LLC and Citenik Properties LLC, Charleston, Kanawha County, CON File #17-2-11142-NH, for the development of a 97-bed nursing home in Cabell County; capital expenditure: $20,000,000.

Renewal granted through March 31, 2020

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

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2019 JUN 18 A 10:05

SECRETARY OF STATE

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

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

June 18, 2019

NEWS ITEM

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

June 13, 2019 – ABC Case Management, LLC, Martinsburg, Berkeley County, CON File #19-7/8/9-11635-BH, to become a licensed agency to provide standalone conflict free case management for the IDD Waiver based program; no capital expenditure.

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

The review cycle begins on **June 17, 2019**.

On or before **July 17, 2019**, any affected person has the right to request that the Authority hold a public hearing on the project as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will be **July 22, 2019**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the application.

The Decision on the project referenced above will be issued by the Authority after it has reviewed the contents of the case file of the project, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decision will be issued on or before **August 16, 2019**.

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OTHER

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

6/18/19
Date

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