WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXVI

Issue 32

August 9, 2019

A Weekly Publication

Administration Law Division
Judy Cooper, Manager

Mac Warner
Secretary of State
Bldg. 1, Suite 157K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770

(304) 558-6000

sos.wv.gov

CONTENTS

Chronological Index

Rule Monitor

Notices

a. **Legislative Rules**
b. **Interpretive Rules**
c. **Procedural Rules**
d. **Emergency Rules**
e. **LRMRC and LOCEA**

Legislative Interims

Orders

Ethics Commission Opinions

Grievances Reports

Office of Tax Appeal Decisions

Governor's Executive Orders

Attorney General Opinions

Other Documents or Information Filed

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

Agriculture

Chiropractic Examiners

Health Care Authority

Insurance Commission

Medical Imaging & Radiation Therapy Tech. Bd. Of Exam.

Osteopathic Medicine

Real Estate Appraiser Lic. & Cert. Bd.

Speech-Language Pathology and Audiology

Transportation

Veterinary Medicine

CHRONOLOGICAL INDEX, VOLUME XXXVI ISSUE 32			
NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Chiropractic Examiners (4-08)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	§§30-1-24, 30-16-5	Written Comments Only September 9, 2019 11:59pm WV Board of Chiropractic P.O. Box 8532 South Charleston, WV 25303 wvchiroboard@outlook.com
Real Estate Appraiser Licensing and Certification Board (190-02)	Requirements for Licensure and Certification Legislative	§§30-1-6b, 30-38-4, 30-38-5, 30-38-6, 30-38-7, 30-38-9, 30-38-11, 30-1-22, 30-1-24	Written Comments Only September 6, 2019 3:00 pm Jennifer K. Akers 405 Capitol Street, Suite 906 Charleston, WV 25301 jennifer.k.akers@wvago.gov
Speech-Language Pathology and Audiology (29-04)	Disciplinary and Complaint Procedures for Speech-Language Pathology & Audiology Legislative	§30-32-7	Written Comments Only September 13, 2019, 4:00 pm WVBESLPA 99 Edmiston Way Box 11, Suite 214 Buckhannon, WV 26201 wvbeslpa@wv.gov
Veterinary Medicine (26-01)	Organization and Operation and Licensing of Veterinarians Legislative	§30-10-6	Written Comments Only September 8, 2019, 4:00 pm Patricia Holstein 5509 Big Tyler Road, Suite 3 Cross Lanes, WV 25313 patricia.a.holstein@wv.gov
Veterinary Medicine (26-03)	Registration of Veterinary Technicians Legislative	§30-10-6	Written Comments Only September 8, 2019, 4:00 pm Patricia Holstein 5509 Big Tyler Road, Suite 3 Cross Lanes, WV 25313 patricia.a.holstein@wv.gov
Veterinary Medicine (26-06)	Schedule of Fees Legislative	§30-10-6	Written Comments Only September 8, 2019, 4:00 pm Patricia Holstein 5509 Big Tyler Road, Suite 3 Cross Lanes, WV 25313 patricia.a.holstein@wv.gov

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

Office of the Secretary of State
State Capitol
Charleston, West Virginia 25305

Mac Warner
Secretary of State
State of West Virginia

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

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	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-01)	Board Rules and Rules of Professional Conduct Legislative	6/7/2019	7/8/2019		7/23/2019				
Acupuncture (32-04)	Fees of the Board of Acupuncture Legislative	6/13/2019	7/14/2019	6/13/2019 Effective 7/25/2019	7/22/2019				
Acupuncture (32-14)	Auricular Detoxification Therapy Certificate Legislative	6/13/2019	7/14/2019	6/13/2019 Effective 7/25/2019	7/22/2019				
Acupuncture (32-15)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019		7/22/2019				
Administration (148-12)	Rules for the General Administration of Records Management and Preservation Legislative	6/24/2019	7/24/2019		7/26/2019				
Administration (148-13)	Rules for Retention and Disposal Scheduling Legislative	6/24/2019	7/24/2019		7/26/2019				
Administration (148-14)	Rules for the Management of Records Maintained b the Records Center Legislative	6/24/2019	7/24/2019		7/26/2019				
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	7/8/2019				
Administration (148-24)	Financial Services Reporting Legislative	6/24/2019	7/24/2019		7/26/2019				
Aeronautics Commission (171-01)	Commission Meetings, Organization, and Operation Procedural	6/5/2019	7/8/2019					7/15/2019	8/15/2019
Agriculture (61-01)	Animal Disease Control Legislative	6/21/2019	7/22/2019		7/22/2019				
Agriculture (61-10)	Fresh Food Act Legislative	6/26/2019	7/26/2019	7/31/2019 Approved 8/2/2019	7/26/2019				
Agriculture (61-11B)	Auctioneers Legislative	6/26/2019	7/26/2019		7/26/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-13A)	Poultry- Rules for Hatcheries, Growers and Contractors Pertaining to Poultry Disease Control and Eradication Legislative	6/11/2019	7/10/2019		7/11/2019				
Agriculture (61-20)	Employment Reference and Inquiries and Background Checks Legislative	6/24/2019	7/24/2019		7/26/2019				
Agriculture (61-24)	West Virginia Spay Neuter Assistance Program Legislative	6/26/2019	7/26/2019		7/26/2019				
Agriculture (61-29)	Industrial Hemp Legislative	6/21/2019	7/22/2019		7/26/2019				
Agriculture (61-30)	Hemp Products Legislative	6/21/2019	7/22/2019		7/26/2019				
Agriculture (61-34)	Captive Cervid Farming Legislative	6/21/2019	7/22/2019		7/22/2019				
Agriculture (61-38)	Farmers Markets Legislative	6/24/2019	7/24/2019		7/26/2019				
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/5/2019	7/9/2019		7/19/2019				
Architects (2-01)	Registration of Architects Legislative	6/5/2019	7/9/2019		7/16/2019				
Architects (2-03)	Fees for Registration of Architects Legislative	6/5/2019	7/9/2019		7/16/2019				
Auditor (155-06)	Local Government Purchasing Card Program Legislative	5/21/2019	6/20/2019		7/8/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Chiropractic Examiners (4-07)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/10/2019				
Chiropractic Examiners (4-08)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/5/2019	9/9/2019						
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				
Conservation Agency (63-03)	State Conservation Committee Grant Program Legislative	5/30/2019	6/29/2019		7/10/2019				
Counseling (27-13)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/26/2019				
Dentistry, WV Board of (5-01)	Rule for the West Virginia Board of Dentistry Legislative	5/31/2019 7/26/2019	7/1/2019 8/26/2019		7/19/2019				
Dentistry, WV Board of (5-08)	Dental Advertising Legislative	5/31/2019	7/1/2019		7/19/2019				
Development Office (145-15)	Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program Legislative	6/17/2019	7/17/2019	7/18/2019 Approved 7/30/2019	7/18/2019				
Dietitians (31-01)	Licensure and Renewal Requirements Legislative	7/29/2019	8/29/2019						
Dietitians (31-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/24/2019	7/25/2019		7/25/2019				
Education (126-035)	Education Instructional Resources(Policy 2445.40) Legislative Exempt	5/9/2019	6/10/2019					7/11/2019	8/12/2019
Election Commision (146-01)	Corporate and Membership Organization Political Activity Legislative	6/6/2019	7/10/2019	6/6/2019 Effective 7/18/2019	7/26/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Election Commission (146-03)	Regulation of Campaign Finance Legislative	6/6/2019	7/10/2019	6/6/2019 Effective 7/18/2019	7/26/2019				
Environmental Protection - Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2019	7/8/2019		7/25/2019				
Fire Commission (87-01)	Fire Code Legislative	6/13/2019	7/16/2019		7/25/2019				
Fire Commission (87-04)	State Building Code Legislative	6/13/2019	7/16/2019		7/25/2019				
Forestry (22-02)	Sediment Control During Commerical Timber-Harvesting Operations-Licensing Legislative	6/26/2019	7/26/2019	6/26/2019 Effective 8/7/2019	7/26/2019				
Forestry (22-03)	Sediment Control During Commercial Timber-Harvesting Operations-Logger Certification Legislative	6/26/2019	7/26/2019	6/26/2019 Effective 8/7/2019	7/26/2019				
Funeral Service Examiners (6-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/17/2019	7/18/2019		7/23/2019				
Health (64-03)	Public Water Systems Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-13)	Nursing Home Licensure Rule Legislative	6/14/2019	7/12/2019 Extended to: 7/22/2019		7/25/2019				
Health (64-30)	Fees for Permits Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-32)	Vital Statistics Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-48)	Emergency Medical Services Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-70)	Primary Care Center Uncompensated Care Grants Legislative	6/21/2019	7/22/2019		7/25/2019				
Health (64-71)	Primary Care Seed Money Grants Legislative	6/26/2019	7/26/2019		7/26/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-109)	Medical Cannabis Program General Provisions Legislative	6/21/2019	7/22/2019	4/3/2018 Effective 4/3/2018	7/25/2019				
Health (64-110)	Medical Cannabis Program Grower/Processors Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018	7/25/2019				
Health (64-111)	Medical Cannabis Program Laboratories Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018	7/25/2019				
Health (64-112)	Medical Cannabis Program Dispensiaries Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018	7/25/2019				
Health (64-113)	Medical Cannabis Program Safe Harbor Letter Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018	7/24/2019				
Heath and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/17/2019	7/17/2019	6/19/2019 Effective 7/31/2019	7/22/2019				
Health Care Authority (65-09)	Critical Access Hospitals Legislative	6/13/2019	7/15/2019		7/16/2019				
Hearing Aid Dealers (8-04)	Application for Waiver of Initial Licensing Fee for Certain Individuals Legislative	6/24/2019	7/24/2019		7/25/2019				
Higher Education Policy Commission (133-03)	Higher Education Report Card Legislative	6/17/2019	7/17/2019						
Higher Education Policy Commission (133-41)	Health Sciences Service Program Procedural	6/17/2019	7/17/2019					7/18/2019	8/18/2019
Higher Education Policy Commission (133-49)	Accountability System Legislative	6/17/2019	7/17/2019		7/18/2019				
Highways (157-06)	Use of State Road Rights of Way and Adjacent Areas Legislative	6/27/2019	7/29/2019		7/29/2019				
Highways (157-07)	Transportation of Hazardous Wastes Upon the Roads and Highways Legislative	6/26/2019	7/26/2019		7/26/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Highways (157-13)	Small Wireless Facilities on Division of Highways Rigts-of-Way Legislative	6/27/2019	7/29/2019		7/29/2019				
Human Services (78-02)	Child Placing Agencies Licensure Legislative	6/17/2019	7/17/2019		7/26/2019				
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		7/26/2019				
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		7/24/2019				
Insurance Commission (114-24)	Medicare Supplement Insurance Legislative	6/10/2019	7/10/2019		7/26/2019				
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 (42-19)	West Virginia Manufactured Housing Construction and Safety Standards Board Legislative	6/11/2019	7/11/2019		7/18/2019				
Labor (42-32)	Supervision of Plumbing Work Legislative	6/10/2019	7/11/2019		7/17/2019				
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/10/2019	7/11/2019		7/17/2019				
Landscape Architects (9-01)	Registration of Landscape Architects Legislative	6/24/2019	7/24/2019		7/25/2019				
Massage Therapy Licensure Board (194-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019		7/22/2019				
Medical Imaging and Radiation Therapy Tech. Bd. of Exam. (18-01)	WV Medical Imaging and Radiation Therapy Technology Board of Examiners Legislative	6/5/2019	7/7/2019		7/25/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Medicine (11-01B)	Licensure, Disciplinary and Compliant Procedures, Continuing Education, Physician Assistants Legislative	6/19/2019	7/19/2019	6/19/2019 Amendment 7/25/2019 Approved 7/30/2019	7/25/2019				
Medicine (11-13)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/19/2019	7/19/2019		7/25/2019				
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/19/2019	7/19/2019	6/19/2019 Effective 7/31/2019	7/25/2019				
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 Effective 7/31/2019	7/25/2019				
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Rule Legislative	6/5/2019	7/8/2019		7/25/2019				
Mining and Reclamation (38-02F)	Groundwater Protection Rules Coal Mining Operations Legislative	6/5/2019	7/8/2019		7/25/2019				
Motor Vehicles (91-15)	Safety and Treatment Program Legislative	7/17/2019	8/16/2019	7/16/2019 Approved 7/30/2019					
Motor Vehicles (91-24)	State Vehicle Title, Registration and Relicensing Project of 2018 Legislative	6/27/2019	7/29/2019	6/27/2019 Effective 8/8/2019	7/29/2019				
Municipal Bond Commission (109-02)	Rules Covering Meetings of the WV Municipal Bond Commission Procedural	6/27/2019	7/29/2019						
Natural Resources (58-12)	Commerical Whitewater Outfitters Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-16)	Transporting and Selling Wildlife Pelts and Parts Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-25)	Boating Rule Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-26)	Special Boating Rules Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-28)	Special Requirements Concerning Boating Legislative	6/10/2019	7/10/2019		7/23/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
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		7/23/2019				
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		7/23/2019				
Natural Resources (58-46)	Defining of Terms Used In All Hunting and Trapping Legislative	6/10/2019	7/10/2019		7/24/2019				
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-61)	Special Fishing Rule Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-62)	Catching and Selling Bait Fish Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-65)	Falconry Legislative	6/10/2019	7/10/2019		7/24/2019				
Occupational Therapy (13-03)	Fees For Services Rendered By the Board Legislative	5/8/2019	7/1/2019		7/3/2019				
Occupational Therapy (13-07)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/13/2019	7/1/2019		7/3/2019				
Oil & Gas Conservation Commission (39-01)	Rules of The Commission Legislative	6/14/2019	7/16/2019	6/14/2019 Withdrawn 7/26/2019	7/25/2019				
Optometry (14-01)	Rules of the West Virginia Board of Optometry Legislative	6/26/2019	7/26/2019		7/26/2019				
Osteopathic Medicine (24-02)	Osteopathic Phyician Assistants Legislative	6/28/2019	7/29/2019	6/28/2019 Amendment 7/31/2019 Approved 8/5/2019	7/31/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Osteopathic Medicine (24-08)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/28/2019	7/29/2019		7/30/2019				
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-04)	Record Keeping and Automated Data Processing Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-12)	Immunizations Administered by Pharmacists and Pharmacy Interns Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-18)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/26/2019	7/26/2019		7/26/2019				
Physical Therapy (16-05)	General Provisions for Athletic Trainers Legislative	7/24/2019	8/26/2019						
Physical Therapy (16-06)	Fees for Athletic Trainers Legislative	7/25/2019	8/26/2019						
Physical Therapy (16-09)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/4/2019	7/5/2019		7/18/2019				
Professional Engineers (7-01)	Examination, Licensure and Practice of Professional Engineers Legislative	6/18/2019	7/19/2019		7/24/2019				
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in West Virginia Legislative	6/4/2019	7/9/2019		7/15/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Effective 7/2/2019	7/22/2019				
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		7/18/2019				
Real Estate Appraiser Licensing & Certification Bd. (190-02)	Requirements for Licensure and Certification Legislative	6/26/2019 8/6/2019	7/26/2019 9/6/2019		7/26/2019				
Real Estate Commission (174-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/31/2019	6/30/2019		7/2/2019				
Registered Professional Nurses (19-15)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	7/17/2019	8/17/2019						
Respiratory Care (30-02)	Establishment of Fees Legislative	5/7/2019	6/7/2019		6/27/2019				
Respiratory Care (30-09)	Student Temporary Permits Legislative	5/22/2019	6/24/2019		6/27/2019				
Sanitarians (20-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/17/2019	7/19/2019		7/23/2019				
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					7/11/2019	9/9/2019
Secondary School Activities Commission (127-02)	Athletics, Provisions Governing Eligibility (WVSSAC Series 2) Legislative Exempt	5/9/2019	6/10/2019					7/11/2019	9/9/2019

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Secondary School Activities Commission (127-03)	Provisions Governing Contests (WVSSAC Series 3) Legislative Exempt	5/9/2019	6/10/2019					7/11/2019	9/9/2019
Secondary School Activities Commission (127-04)	Provisions Governing Conduct (WVSSAC Series 4) Legislative Exempt	5/9/2019	6/10/2019					7/11/2019	9/9/2019
Social Work Examiners (25-03)	Fee Schedule Legislative	6/5/2019	7/5/2019		7/10/2019				
Speech-Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	5/14/2019	6/17/2019		6/28/2019				
Speech-Language Pathology and Audiology (29-04)	Disciplinary & Complaint Procedures for Speech-Language Pathology & Audiology Legislative	8/8/2019	9/13/2019						
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/13/2019	7/13/2019		7/15/2019				
Tax (110-13AC)	Reduced Serverance Tax Rates for Thermal or Steam Coal Interpretive	7/22/2019	8/22/2019						
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		7/16/2019				
Tax (110-43)	Special Valuation Method for Certain Wireless Technolgy Property Interpertive	7/3/2019	8/2/2019						
Tax (110-50C)	Exchange of Information Pursuant to Written Agreement Legislative	6/13/2019	7/13/2019		7/15/2019				
Veterinary Medicine (26-01)	Organization and Operation and Licenisng of Veterinarians Legislative	8/7/2019	9/8/2019						
Veterinary Medicine (26-03)	Registration of Veterinary Technicians Legislative	5/30/2019 8/7/2019	7/7/2019 9/8/2019		7/11/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Veterinary Medicine (26-06)	Schedule of Fees Legislative	5/30/2019 8/7/2019	7/7/2019 9/8/2019		7/11/2019				
Waste Management, Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/5/2019	7/8/2019		7/25/2019				
Water Resources, Div. of Water & Waste Mgmt. (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	3/21/2019	5/6/2019						

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/5/2019 4:29:38 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Chiropractic Examiners

TITLE-SERIES: 4-08

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Consideration of Prior Criminal Convictions in Initial Licensure Determinations

CITE STATUTORY AUTHORITY: W. Va. Code §30-1-24 and W. Va. Code §30-16-5

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/09/2019 11:59 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: WV Board of Chiropractic

ADDRESS: P. O. Box 8532

South Charleston, WV 25303

EMAIL: wvchiroboard@outlook.com

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)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/6/2019 3:11:59 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Real Estate Appraiser Licensing And Certification Board

TITLE-SERIES: 190-02

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Requirements For Licensure and Certification

CITE STATUTORY AUTHORITY: WV Code 30-1-6b, 30-38-4, 30-38-5,30-38-6, 30-38-7, 30-38-9, 30-38-11, 30-1-22, 30-1-24

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/06/2019 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jennifer K. Akers

ADDRESS: 405 Capitol Street, Suite 906

Charleston, WV 25301

EMAIL: jennifer.k.akers@wvago.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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/8/2019 1:01:49 PM
Office of West Virginia
Secretary Of State

LEGISALTIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: SpeechLanguage Pathology And Audiology

TITLE-SERIES: 29-04

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Disciplinary & Complaint Procedures for Speech-Language Pathology & Audiology

CITE STATUTORY AUTHORITY: 30-32-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/13/2019 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: WVBESLPA

ADDRESS: 99 EDMISTON WAY, Box 11 - Suite 214

Buckhannon, WV 26201

EMAIL: wvbeslpa@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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/7/2019 12:31:54 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Veterinary Medicine

TITLE-SERIES: 26-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Organization and Operation and Licensing of Veterinarians

CITE STATUTORY AUTHORITY: §30-10-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/08/2019 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Patricia Holstein

ADDRESS: 5509 Big Tyler Road, Suite 3

EMAIL: patricia.a.holstein@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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/7/2019 12:00:08 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Veterinary Medicine

TITLE-SERIES: 26-03

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

RULE NAME: Registration of Veterinary Technicians

CITE STATUTORY AUTHORITY: §30-10-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/08/2019 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Patricia Holstein

ADDRESS: 5509 Big Tyler Road, Suite 3

EMAIL: patricia.a.holstein@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

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/7/2019 12:03:05 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Veterinary Medicine

TITLE-SERIES: 26-06

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

RULE NAME: Schedule of Fees

CITE STATUTORY AUTHORITY: §30-10-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/08/2019 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Patricia Holstein

ADDRESS: 5509 Big Tyler Road, Suite 3

EMAIL: patricia.a.holstein@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

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

FILED

2019 AUG -2 A 10: 07

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

EMERGENCY

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Department of Agriculture

RULE: 61 CSR 10. Fresh Food Act

AUTHORITY: W. Va. Code § 19-37-3

DATE FILED: 7/31/2019

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is **Approved**.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

____ (1) For the immediate preservation of the public peace, health, safety and welfare;

__X__ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

____ (3) to prevent substantial harm to the public interest.

Additional notes or comments: HB 2396 (2019) added a new article, which requires all state-funded institutions (*i.e.* schools, colleges, correctional facilities, governmental agencies and state parks) to purchase a minimum of 5% of its fresh produce, meat and poultry products from in-state producers beginning July 1, 2019. Therefore creating a statutory duty to promulgate this emergency rule prior to the regular legislative session in 2020.

Mac Warner

Mac Warner, Secretary of State

FILED

2019 AUG -5 A 11: 21

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Osteopathic Medicine

RULE: 24 CSR 02

AUTHORITY: W. Va. Code §§ 30-1-7(a) and 30-3E-3

DATE FILED: 7/31/2019

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is Approved.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

__X__ (1) For the immediate preservation of the public peace, health, safety and welfare;

____ (2) To comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

____ (3) To prevent substantial harm to the public interest.

Additional notes or comments: The passage of SB 668 (eff. June 5, 2019) necessitates the promulgation of this Rule prior to the 2020 Regular Legislative Session because agency regulations are needed to fully implement the new statute.

Mac Warner

Mac Warner, Secretary of State

Orders Report

Docket Number	Agency	Respondent	Date Rendered
18-AP-PRLC-02013	**Insurance Commission**	David Sean Hart	7/19/2019
11-FY-2019	**Medical Imaging And Radiation Therapy Technology Board Of Examiners**	Valorie Laney	7/19/2019
12-FY-2019	**Medical Imaging And Radiation Therapy Technology Board Of Examiners**	Tammy Ashby	7/16/2019
14-FY-2019	**Medical Imaging And Radiation Therapy Technology Board Of Examiners**	Brittaney Frame Lawson	8/1/2019

WEST VIRGINIA ETHICS COMMISSION ADVISORY OPINIONS

NO.	OPINION SOUGHT
2019-15	A Town Council Member asks whether she may vote to approve payroll at future Town Council meetings when an incumbent mayor previously had cast a tie-breaking vote on a motion to approve the second reading of an ordinance that increased the mayor's salary for the next term of office.
2019-16	An Employee of a State Agency that regulates holders of unclaimed property, such as insurance companies, asks whether he may be employed part-time by a private consulting firm whose clients may include regulated insurance companies.
2019-17	A part-time appointed State Board member asks whether he may, in his private capacity and for private pay, teach continuing education courses to licensees when the State Board is responsible for approving continuing education courses for credit.

WEST VIRGINIA ETHICS COMMISSION CONTRACT EXEMPTION	
NO.	**OPINION SOUGHT**
2019-03	The Sheriff of Hardy County seeks an exemption to allow the Sheriff's Office to contract for the installation of police vehicle equipment with TJM Enterprises, LLC, a business owned by one of his deputies.

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

FILED

2019 AUG -5 P 4:33

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

OTHER

August 5, 2019

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **August 2, 2019**.

APPLICATION FOR EXEMPTION RECEIVED

July 29, 2019 – St. John's/St. Vincent's Home, Inc., d/b/a St. John's Home for Children, Wheeling, Ohio County, CON File #19-10-11672-X, for the continued operation of a DHHR licensed Residential Treatment facility, including the provision of behavioral health services, but with modifications to the targeted age group and the number of licensed beds.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

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

EXPEDITED APPLICATIONS

July 25, 2019 - Pace Enterprises of West Virginia, Inc., Morgantown, Monongalia County, CON File #19-3-11652-BH, to provide Title XIX IDD Waiver Services in Kanawha County; no capital expenditure.

July 25, 2019 – Pace Enterprises of West Virginia, Inc., Morgantown, Monongalia County, CON File #19-6-11653-BH, to provide Title XIX IDD Waiver Services in Taylor County; no capital expenditure.

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

July 31, 2019 – Review cycle begins;

August 30, 2019 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to affected persons;

September 4, 2019 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application;

September 30, 2019 – Decision on the project will be issued by the Authority.

PROJECT DETERMINED NOT REVIEWABLE

July 31, 2019 – Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #19-1-11651-X, for the complete relocation of its ambulatory health care center from 1602 Harper Road, Beckley, Raleigh County to 1838 Harper Road, Beckley, Raleigh County; the capital expenditure will be below the expenditure minimum.

EXEMPTION APPLICATION APPROVED

July 30, 2019 – Cabin Creek Health Systems, Charleston, Kanawha County, CON File #19-3-11664-X, for the addition of Sunnyside Health Center, located at 108 Lee St. E, Room #129, Charleston, Kanawha County, to its scope of facilities as an FQHC.

CERTIFICATE OF NEED APPROVAL ISSUED

July 29, 2019 – Camden-Clark Physician Corporation, Parkersburg, Wood County, CON File #19-5-11626-P, for the development of an ambulatory health care facility through the provision of primary care services in Wood County; capital expenditure: $150,000.

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.

July 30, 2019 – Camden-Clark Physician Corporation, Parkersburg, Wood County, CON File #19-5-11588-P, for the development of an ambulatory health care facility through the provision of physician services in Wood County; capital expenditure: $130,000.

July 30, 2019 – Raleigh General Hospital, Beckley, Raleigh County, CON File #19-1-11623-P, for the development of an ambulatory health care facility in Raleigh County through the development of a physician office practice; capital expenditure: $25,000.

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

FILED
2019 AUG -8 A 8: 31
OTHER

THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
CHARLESTON, WEST VIRGINIA

ABSTRACT FROM THE RECORDS OF THE
SECRETARY'S ORDERS

DATED

July 25, 2019

WHEREAS, Chapter 5F, Article 2, Section 2, of the Official Code of West Virginia, 1931, as amended, authorizes the Secretary of the Department of Transportation to employ persons, consolidate positions, assign duties and name persons to fill more than one position; and

WHEREAS, the aforementioned Section of the Code further authorizes the Secretary to reorganize internal functions or operations; and

WHEREAS, the aforementioned Section of the Code further authorizes the Secretary to delegate duties to or among employees; and

WHEREAS, the aforementioned Section requires the efficient, effective and economical operation of the Department of Transportation; and

WHEREAS, to promote maximum efficient and effectiveness in carrying out the duties and responsibilities for the full range of transportation services desired by the citizens of West Virginia, and her visitors, by the Department of Transportation, it is necessary and proper to organize the Office of the Secretary of the Department of Transportation and the Division of Highways in the most effective means possible;

NOW, THEREFORE, BE IT RESOLVED that all previous Secretary's Orders, Commissioner's Orders and Organization Charts pertaining to the organization structure of the Office of the Secretary and the Division of Highways, be amended; and

BE IT FURTHER ORDERED that the organizational structure and personnel assignments and duties shown on the attached Department of Transportation and Division of Highways Organization Chart dated July 25, 2019, are hereby established and will take effect immediately.

THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
CHARLESTON, WEST VIRGINIA

ABSTRACT FROM THE RECORDS OF THE
SECRETARY'S ORDERS
PAGE TWO

All provisions of this ORDER will become effective upon entry.

Entered this 25th day of July 2019.

Byrd E. White, III
Secretary of Transportation

Attachment

Distribution

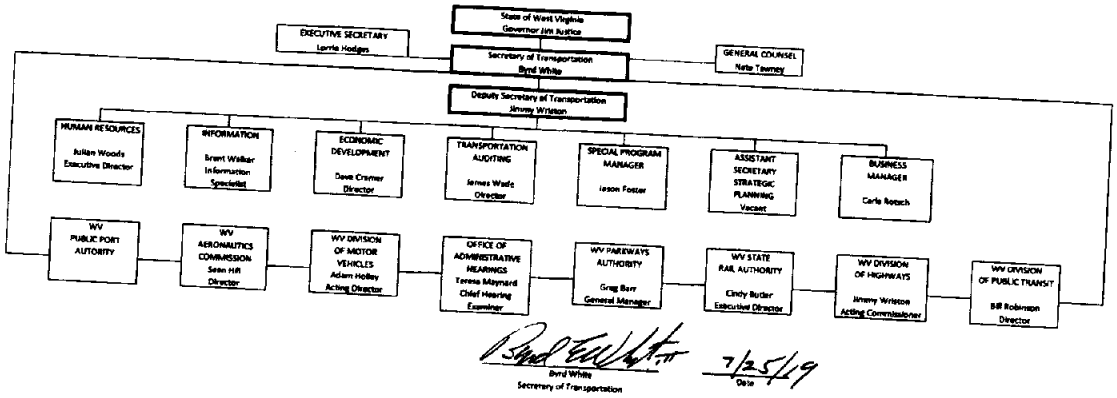
Administrative Staff
Division of Motor Vehicles
Aeronautics Commission
State Rail Authority
Public Port Authority
Division of Public Transit
WV Parkways Authority
Office of Administrative Hearings
Office of the Governor
Department of Administration
West Virginia State Auditor
Secretary of State
Federal Highway Administration

STATE OF WEST VIRGINIA
WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Given under my hand and seal of the Department of Transportation, I do hereby certify that the foregoing is a true abstract from the Orders of the West Virginia Secretary of Transportation, entered of record this 25th day of July 2019.

Department of Transportation

West Virginia Department of Transportation
Organizational Chart

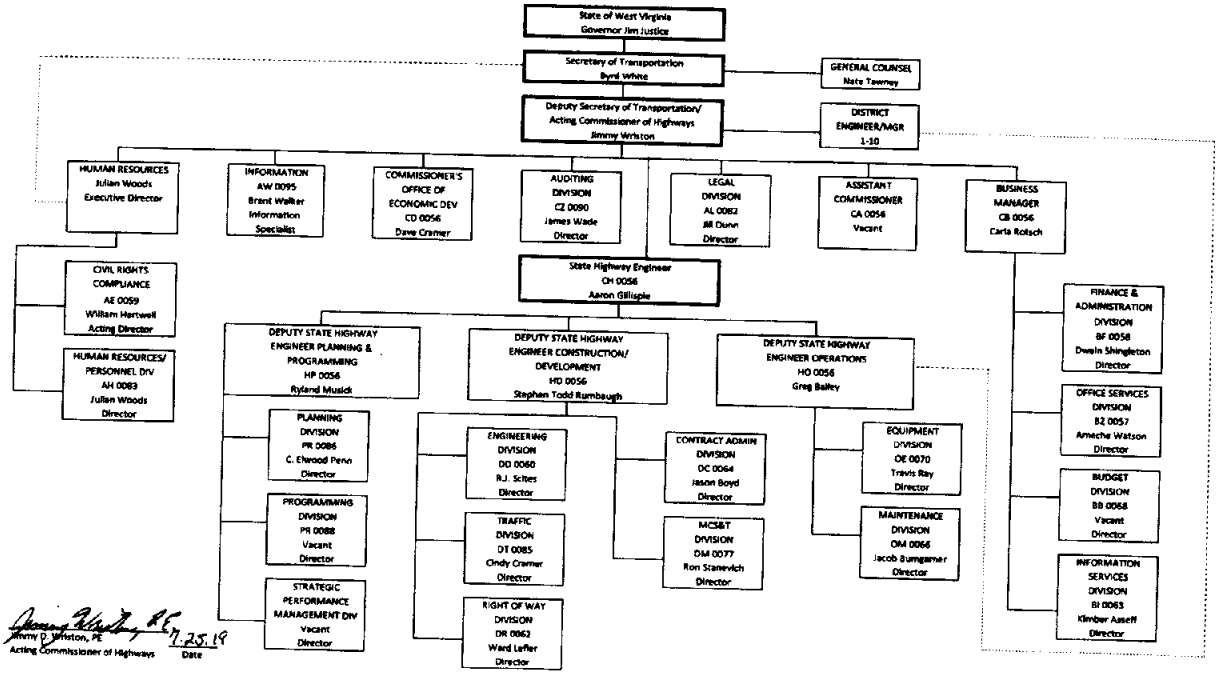


Byrd White
Secretary of Transportation

7/25/19
Date

OTHER

West Virginia Division of Highways Organizational Chart



Jimmy D. Wriston, PE
Acting Commissioner of Highways

7.25.19
Date