

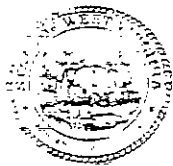
KEN HECHLER
Secretary of State

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STATE OF WEST VIRGINIA

SECRETARY OF STATE

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(Plus all the volunteer
help we can get)

July 31, 1997

West Virginia Board of Osteopathy
Joseph E. Schreiber, D.O.
334 Penco Road
Weirton WV 26062

97 JUL 31 PM 4:14
RECEIVED
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Dear Mr. Schreiber:

You filed a rule, Series 4, "Formation and Approval of Professional Limited Liability Companies" on March 5, 1997, with your comment period ending on April 7, 1997. However, you have failed to file an "agency approved" rule with both the Secretary of State's office and Legislative Rule Making Review Committee. W. Va. Code §29A-3-9 states that you **must** file your agency approved rule within ninety (90) days which ended on July 7, 1997. This is also included in step 6 of your copy of the Step Procedure for Legislative Rule Making which we sent to you. You may refile this rule for public comment again, and start the whole process over.

Also, W. Va. Code §29A-3-15(a)(4) also requires the agency approved rule to be filed with the Legislative Rule Making Review Committee within ninety (90) days after the date your emergency rule was filed. Step 7 of the Step Procedure for Emergency Rule Making also explains this. This means that your emergency rule expired June 3, 1997. You **cannot** refile this rule as an emergency rule.

If you have any questions, call Judy Cooper of the Administrative Law Division.

Sincerely,

Ken Hechler
Secretary of State

Enclosures

cc: Legislative Rule Making Review Committee