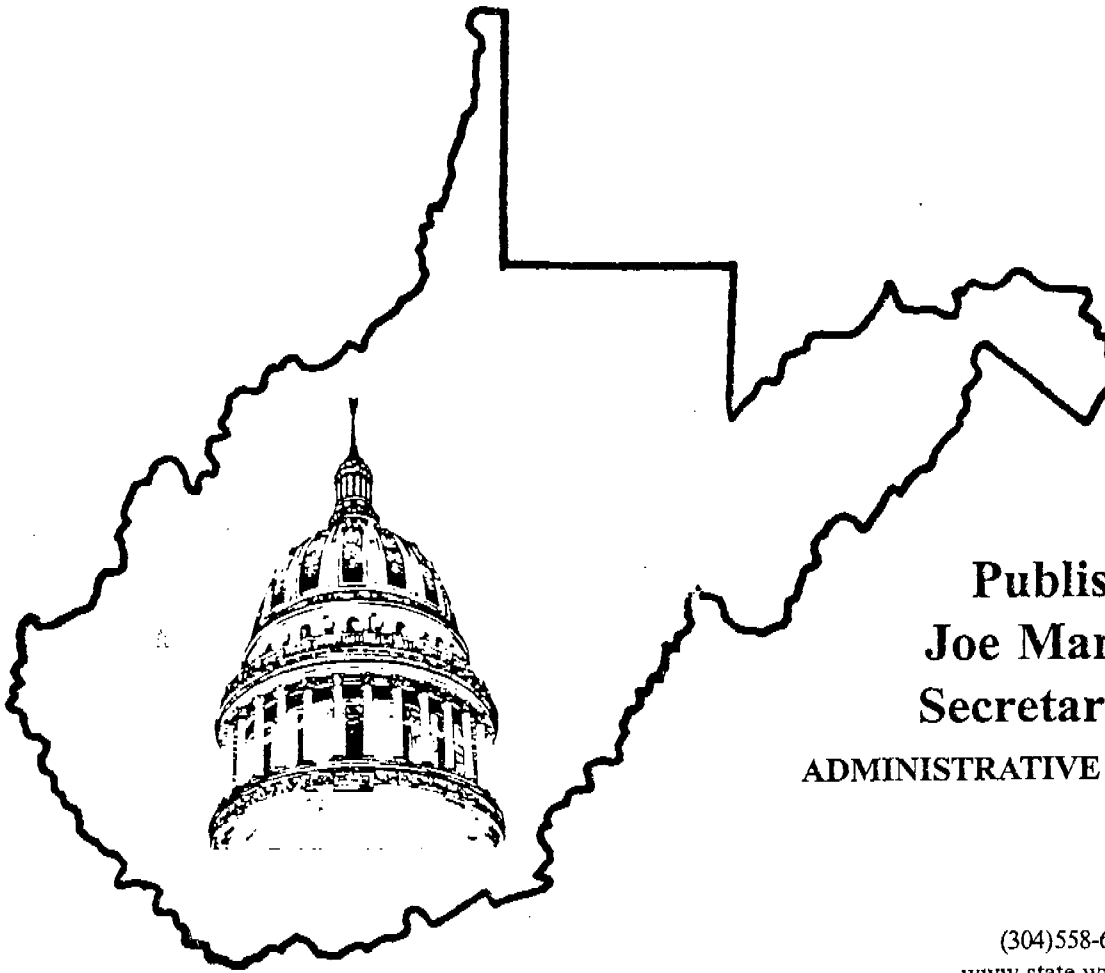


2004
STATE OF WEST VIRGINIA
Code of State Rules
Index



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AND HAVE NOT BEEN ASSIGNED TITLE NUMBERS:**

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Coal and Energy Research, Advisory Committee on
Community Development Authority
Consumer Affairs Advisory Council
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TITLE 59

DIVISION OF ENVIRONMENTAL PROTECTION
OFFICE OF ABANDONED MINE LANDS RECLAMATION

SERIES 1 - ABANDONED MINE LANDS RECLAMATION RULE

Authority - §§22-1-3; 22-1-3a

Type - Legislative

Price - \$5.00

Effective - June 1, 1995

- Section 1. General
- Section 2. General Regulations
- Section 3. Abandoned Mine Reclamation Funds
- Section 4. General Reclamation Requirements
- Section 5. Rights of Entry
- Section 6. Acquisition Management and Disposition of Lands and Waters
- Section 7. Reclamation on Private Land
- Section 8. State Reclamation Grants

TITLE 1

STATE BOARD OF ACCOUNTANCY

SERIES 1 - BOARD RULES AND REGULATIONS AND RULES OF PROFESSIONAL CONDUCT

Authority - §§30-9-4(8); 30-9-5; 29A-3 et seq.

Type - Legislative

Price - \$8.20

Effective - April 30, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Board Organization and Proceedings
- Section 4. Certification
- Section 5. Not Substantially Equivalent Certificate Requirements
- Section 6. Foreign Designation Certificate Requirements
- Section 7. Examination for Certificate
- Section 8. Certificate Renewal; Condition of Renewal
- Section 9. Peer Review
- Section 10. Holder of Out-of-State Certificate Establishing Principal Place of Business In State
- Section 11. Public Accountants
- Section 12. Substantial Equivalency Practice Privileges
- Section 13. Issuance and Renewal of Permits
- Section 14. Issuance and Renewal of Authorizations
- Section 15. Refusal to Issue or Renew Suspension, Revocation of License; Disciplinary Action
- Section 16. Contingency Fee Contracts; Commissions; Referral Fees
- Section 17. Confidentiality of Information
- Section 18. Accounting Corporations and Other Forms of Business
- Section 19. Fees
- Section 20. Rules of Professional Conduct

SERIES 2 - CONTESTED CASE HEARING

Authority - §§30-9-1; 30-1-1 et seq.

Type - Procedural

Price - \$3.20

Effective - December 19, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedure
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 6. Hearing Examiner
- Section 7. Conferences; Informal Disposition of Cases
- Section 8. Depositions
- Section 9. Subpoenas
- Section 10. Orders
- Section 11. Appeal

SERIES 3 - DISCIPLINARY AND COMPLAINT PROCEDURE FOR PUBLIC ACCOUNTANTS

Authority - §§30-9-1 et seq; 30-1-1 et seq; 29A-5-1 et seq.

Type - Procedural

Price - \$2.60

Effective - December 19, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of a License or Substantial Equivalency Practice Privilege
- Section 5. Disposition of Complaints
- Section 6. Contested Case Hearings
- Section 7. Appeals

TITLE 32

WEST VIRGINIA BOARD OF ACUPUNCTURE

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TOTAL COST FOR ALL OF TITLE 32 - \$29.20	

SERIES 1 - MEETINGS OF THE BOARD OF ACUPUNCTURE

Authority §30-36-7
Type - Procedural
Price - \$2.40
Effective - September 2, 1998

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Meetings
- Section 5. Proceeding to be Open; Exceptions; Executive Session Prohibited
- Section 6. Minutes
- Section 7. Majority Vote Required; Vote by Proxy Prohibited
- Section 8. Records of the Board - Public

SERIES 2 - RESERVED

SERIES 3 - APPLICATIONS FOR LICENSURE TO PRACTICE ACUPUNCTURE

Authority - §30-36-7
Type - Legislative
Price - \$3.40
Effective - May 21, 1999

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Board Approval for Licensure
- Section 5. Licensure Qualifications
- Section 6. Certification of Documentation
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- Section 9. Application Deadline
- Section 10. Review and Processing of Applications
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- Section 16. Inactive License

SERIES 4 - FEES OF THE BOARD OF ACUPUNCTURE

Authority - §§30-36-7; 30-36-8

Type - Legislative

Price - \$2.40

Effective - May 21, 1999

- Section 1. General
- Section 2. Application
- Section 3. Fees
- Section 4. Acupuncture Tutorials
- Section 5. Continuing Education Providers
- Section 6. Expired License Renewal

SERIES 5 - ADVERTISING BY LICENSED ACUPUNCTURISTS

Authority §§30-36-7; 30-36-14(f)

Type - Legislative

Price - \$2.40

Effective - May 21, 1999

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Recognized Titles
- Section 4. Advertising
- Section 5. Use of the Title Doctor

SERIES 6 - STANDARDS OF PRACTICE OF ACUPUNCTURE BY LICENSED ACUPUNCTURISTS

Authority - §30-36-7

Type - Legislative

Price - \$3.00

Effective - May 21, 1999

- Section 1. General
- Section 2. Application
- Section 3. Definition
- Section 4. Conditions of Office
- Section 5. Disposable Needles; Sterilization Equipment
- Section 6. Treatment Procedures
- Section 7. Informed Consent
- Section 8. Treatments Outside the Office
- Section 9. Content and Retention Acupuncture Medical Records
- Section 10. Financial Responsibility

SERIES 7 - RESERVED

Repealed by SB 299

Effective April 23, 2001

SERIES 8 - RESERVED

SERIES 9 - CONTINUING EDUCATION REQUIREMENTS

Authority - §§30-36-7(a); 30-36-14(c)

Type - Legislative

Price - \$3.80

Effective - May 21, 1999

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Board Approval for Providers
- Section 5. Approved Providers
- Section 6. Approval of Continuing Education Courses
- Section 7. Content of Courses Applicable for Continuing Education Credits
- Section 8. Application for Course Approval
- Section 9. Instructors
- Section 10. Advertisements
- Section 11. Denial, Withdrawal and Appeal of Approval
- Section 12. Reporting Continuing Education Requirements to the Board

SERIES 10 - CODE OF ETHICS FOR LICENSED ACUPUNCTURISTS

Authority - §§30-36-7(a); 30-36-7(b)

Type - Legislative

Price - \$2.60

Effective - May 21, 1999

- Section 1. General
- Section 2. Application
- Section 3. Code of Ethics
- Section 4. Ethics Regarding the Sale of Oriental Medicine in the Office

SERIES 11 - EDUCATION REQUIREMENTS

Authority - §30-36-7

Type - Legislative

Price - \$3.20

Effective - May 21, 1999

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. General Criteria for Approval of Acupuncture Training Programs
- Section 5. Specific Course Requirements for Approval of Acupuncture Training
- Section 6. Course of Training Evaluation
- Section 7. Documentation Required for Approval
- Section 8. Suspension or Revocation of Approval
- Section 9. School Monitoring: Records; Reporting

SERIES 12 - TUTORIAL EDUCATION REQUIREMENTS

Authority - §30-36-7

Type - Legislative

Price - \$3.40

Effective - May 21, 1999

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Prior Approval to Practice as an Acupuncture Trainee
- Section 5. Prior Approval to Supervise an Acupuncture Trainee
- Section 6. Filing of Application: Credit for Prior Training
- Section 7. Requirements for Approval of an Acupuncture Tutorial
- Section 8. Supervising Acupuncturist's Responsibilities
- Section 9. Trainee's Responsibility
- Section 10. Termination or Modification of Tutorial
- Section 11. Application for Examination of Credentials and Oral Examination
- Section 12. Denial, Suspension or Revocation of Registration as a Supervisor
- Section 13. Denial, Suspension or Revocation of Registration as a Trainee
- Section 14. Proceedings

SERIES 13 - FORMATION AND APPROVAL OF PROFESSIONAL LIMITED LIABILITY COMPANIES

Authority - §31B-13-1304

Type - Legislative

Price - \$2.60

Effective - May 21, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Procedures for Formation and Approval of Professional Limited Liability Companies for Acupuncturists; Fees
- Section 4. Notification of Non-Compliance, Cessation of Rendering Professional Service
- Section 5. Practitioner - Patient Relationship

TITLE 141

THE ADJUTANT GENERAL

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SERIES 1 THRU 2 - RESERVED

SERIES 3 - BENEFITS FOR ARNG MEMBERS OR THEIR SURVIVORS

Authority - §15-1A-3
Type - WVMR 608-4
Price - \$4.00
Effective - April 8, 1969

Section 1. General
Appendix

SERIES 4 THRU 16 - RESERVED

SERIES 17 - SIGNATURES

Authority - §15-1A-3
Type - WVMR 340-5
Price - \$2.40
Effective - January 15, 1992

Section 1. Official Signature
Section 2. Examples

SERIES 18 THRU 21 - RESERVED

SERIES 22 - OFFICER CAREER MANAGEMENT

Authority - §15-1A-3
 Type - WVMR 600-3
 Price - \$3.20
 Effective - November 20, 1974

- Section 1. Reference
- Section 2. Purpose
- Section 3. Responsibility
- Section 4. Officer Career Management Team
- Section 5. Officer Career Preference Statement
- Section 6. Officer Assignment
- Section 7. Tour of Duty
- Section 8. Troop Duty
- Section 9. Detail of Lieutenants
- Section 10. Personnel Action
- Section 11. Performance Counseling
- Section 12. Career Counseling
- Section 13. Officer Career Plan
- Section 14. Special and Additional Duty Assignments
- Section 15. Instructor Experience
- Section 16. Education
- Section 17. Officer Screening Roster
- Section 18. Career Assignment Calendar
- Section 19. Career Assignment

SERIES 23 - NON-DISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Authority - §15-1A-3
 Type - WVMR 600-23
 Price - \$3.00
 Effective - January 11, 1975

- Section 1. General
- Appendix

SERIES 24 THRU 25 - RESERVED

SERIES 26 - WVARNG INTERNAL CONTROL REVIEW PROGRAM

Authority - §15-1A-3
 Type - WVMR 11-2
 Price - \$12.20
 Effective - June 21, 1988

- Section 1. General
 - Section 2. Introduction
 - Section 3. General Information
 - Section 4. The State Internal Control Administrator's Role
 - Section 5. Management's Responsibility
 - Section 6. The Internal Control Review (TCR) Process
 - Section 7. Completing the Internal Control Review (The Operating Manager's Role)
 - Section 8. Analysis of the General Control Environment
 - Section 9. Internal Control Program Reporting Requirements for Operating Managers
 - Section 10. Internal Control Reviews Conducted in the WVARNG
- Appendices

SERIES 27 THRU 28 - RESERVED

SERIES 29 - UNIFORM REQUIREMENTS (OFFICERS)

Authority - §15-1A-3
Type - WVMR 670-5
Price - \$2.40
Effective - February 24, 1993

- Section 1. General
- Section 2. Annual Uniform Allowance

SERIES 30 - ASSIGNMENT AND PROMOTION OF OFFICERS, WEST VIRGINIA NATIONAL GUARD

Authority - §15-1A-3
Type - WVMR 600-100-3
Price - \$2.80
Effective - August 1, 1978

- Section 1. Purpose
- Section 2. Policy
- Section 3. Zones of Consideration
- Section 4. Qualifications
- Section 5. Assignment to Higher T/O Position Vacancy
- Section 6. Seniority
- Section 7. Declination of Promotion
- Section 8. Precedence and Date of Rank
- Section 9. Federal Recognition Examining Boards
- Section 10. Technical Waivers (Branch Transfers)
- Section 11. Changing Primary Specialties
- Section 12. Retention
- Section 13. Membership in National Guard Association of the United States and National Guard Association of West Virginia

SERIES 31 - INTRODUCTION TO OFFICER PERSONNEL MANAGEMENT SYSTEM (OPMS)

Authority - §15-1A-3
Type - WVMR 600-100-1
Price - \$11.80
Effective - August 1, 1978

- Section 1. Introduction to OPMS
- Section 2. Objectives of Officer Personnel Management System
- Section 3. Management Functions of OPMS
- Section 4. Officer Personnel Management System Control Devices
- Section 5. Officer Career Counseling
- Section 6. OPMS Career Planning and Professional Development
- Section 7. Officer Military Education Programs

SERIES 32 - OFFICER PERSONNEL MANAGEMENT SYSTEM SOP FOR ALL WEST VIRGINIA ARMY NATIONAL GUARD COMMISSIONED OFFICERS

Authority - §15-1A-3
Type - WVMR 600-100-2
Price - \$5.60
Effective - August 1, 1978

- Section 1. References
- Section 2. Purpose
- Section 3. Policy
- Section 4. Inventory of All Officer Specialties by Grade, Authorized the West Virginia Army National Guard
- Section 5. West Virginia Army National Guard Master Development Plan for OPMS
- Section 6. Designating Primary Specialties
- Section 7. Officers who do not Qualify for Designation of a Primary Specialty
- Section 8. West Virginia Army National Guard Officer Counseling

SERIES 33 - NON-COMMISSIONED OFFICERS EDUCATION SYSTEM

Authority - §15-1A-3
 Type - WVMR 351-3
 Price - \$4.80
 Effective - November 18, 1991

- Section 1. General
- Section 2. References
- Section 3. Purpose
- Section 4. Organization
- Section 5. Objectives
- Section 6. Personnel
- Section 7. Administrative
- Section 8. Courses
- Appendix

SERIES 34 - ADMINISTRATION OF THE WEST VIRGINIA ARMY NATIONAL GUARD SAFETY PROGRAM

Authority - §15-1A-3
 Type - WVMR 385-10
 Price - \$12.50
 Effective - November 12, 1992

- Section 1. General
- Section 2. Safety Training
- Section 3. Reports and Records
- Section 4. Occupational Safety and Health Act (OSHA)
- Section 5. ARNG Aircraft Accident Reporting and Investigation
- Section 6. Promotional and Educational Materials
- Section 7. Awards Program
- Appendix

SERIES 35 - WEST VIRGINIA MILITARY ACADEMY

Authority - §15-1A-3
 Type - WVMR 351-5
 Price - \$4.00
 Effective - November 18, 1991

- Section 1. General
- Section 2. Officer Candidate School
- Section 3. Noncommissioned Officer Education System
- Section 4. Additional Courses of Instruction

SERIES 36 - PRIVACY ACT PROGRAM FOR WEST VIRGINIA ARMY NATIONAL GUARD

Authority - §15-1A-3
 Type - WVMR 340-21
 Price - \$5.00
 Effective - June 1, 1981

- Section 1. Purpose
- Section 2. References
- Section 3. General Policies
- Section 4. Applicability and Scope
- Section 5. Statutory Authority
- Section 6. Responsibility
- Section 7. Collection of Information
- Section 8. Access to Records
- Section 9. Amendment to Records
- Section 10. Denial of Access or Amendment Refusal
- Section 11. Processing Access and Amendment Requests
- Section 12. Disclosures of Information
- Section 13. Privacy Review Board

SERIES 37 THRU 40 - RESERVED

SERIES 41 - AGO BLANK FORMS MANAGEMENT

Authority - §15-1A-3
Type - WVMR 310-2
Price - \$4.00
Effective - July 17, 1989

Section 1. Purpose
Forms

SERIES 42 - OUTSTANDING ENLISTED PERSONNEL

Authority - §15-1A-3
Type - WVMR - 672-20
Price - \$6.40
Effective - March 8, 1993

Section 1. General
Section 2. The Governor's Trophy
Section 3. Sergeant Major Trophy

**SERIES 43 - VERIFICATION OF 20 YEARS' SATISFACTORY FEDERAL SERVICE FOR RETIRED PAY AND
SUBMISSION OF SURVIVOR BENEFIT PLAN ELECTION FORM**

Authority - §15-1A-3
Type - WVMR 608-1
Price - \$2.40
Effective - November 6, 1990

Section 1. General
Section 2. Processing "Request for Notification of Retired Pay at Age Sixty"
Section 3. Survivor Benefit Plan (SBP) Election Certificate
Appendix

SERIES 44 - RESERVED

SERIES 45 - INSTALLATION FACILITIES PLANNING BOARD

Authority - §15-1A-3
Type - WVMR 415-10
Price - \$4.00
Effective - June 1, 1981

Section 1. References
Section 2. Purpose
Section 3. Definitions
Section 4. Composition of the Installation Facilities Planning Board
Section 5. Responsibilities
Section 6. Project Development Procedures
Section 7. Installation Facilities Planning Board Meetings

SERIES 46 - ENLISTED EVALUATION SYSTEM - SQT TESTING

Authority - §15-1A-3
 Type - WVMR 611-2
 Price - \$2.80
 Effective - October 1, 1990

- Section 1. General
- Section 2. Procedures
- Section 3. Procurement and Security of Test Materials

SERIES 47 - BILLETING FEES POLICY - CAMP DAWSON

Authority - §15-1A-3
 Type - WVMR 210-3
 Price - \$3.20
 Effective - February 24, 1993

- Section 1. References
- Section 2. Purpose
- Section 3. Utilization of Camp Dawson
- Section 4. Billeting Fees
- Section 5. Official Users
- Section 6. Reimbursement

SERIES 48 - RESERVED

SERIES 49 - MILITARY JUSTICE

Authority - §15-1A-3
 Type - WVMR 27-10
 Price - \$11.40
 Effective - July 27, 1987

- Section 1. General
- Section 2. Jurisdiction
- Section 3. Non-Judicial Punishment
- Section 4. Pre-Trial Procedure
- Section 5. Trial Procedure
- Section 6. Post Trial Procedure
- Appendix

SERIES 50 - RADIATION SAFETY

Authority - §15-1A-3
 Type - WVMR 40-14
 Price - \$4.00
 Effective - June 15, 1989

- Section 1. General
- Section 2. Receipt, Storage, Transportation and Use of Radioactive Devices
- Section 3. Records and Reports
- Appendix

SERIES 51 - ADMINISTRATION AND CONTROL OF FUNDS

Authority - §15-1A-3
Type - WVMR 37-20
Price - \$2.80
Effective - April 10, 1986

- Section 1. References
- Section 2. General
- Section 3. Definitions
- Section 4. Obligation of Funds
- Section 5. Authority
- Section 6. Delegation of Authority
- Section 7. Review and Analysis (ARNG)
- Section 8. Adjustments of Obligations, Commitments and Fund Reservations
- Section 9. Adjustment of Funds
- Section 10. Records
- Section 11. Emergencies

SERIES 52 - OFFICE SYMBOLS

Authority - §15-1A-3
Type - WVMR 310-4
Price - \$2.60
Effective - February 24, 1993

- Section 1. Office Symbols

SERIES 53 - RESERVED

SERIES 54 - DRIVER/OPERATOR, SELECTION, TRAINING TESTING LICENSING

Authority - §15-1A-3
Type - WVMR 600-55
Price - \$5.20
Effective - January 6, 1987

- Section 1. General
 - Section 2. Battery II Tests
 - Section 3. Physical Evaluation Measures
 - Section 4. Training
 - Section 5. Performance Tests
 - Section 6. Licensing
 - Section 7. Supervision
 - Section 8. Review Procedures
- Appendix

SERIES 55 - RESERVED

SERIES 56 - STATE AREA COMMAND, WEST VIRGINIA ARMY NATIONAL GUARD

Authority - §15-1A-3

Type - WVMR 10-1

Price - \$13.00

Effective - August 1, 1990

- Section 1. General
- Section 2. Mission and Command Structure
- Section 3. Command Division
- Section 4. Chief of Staff Division
- Section 5. Special Staff Section
- Section 6. Personnel/Administration Division
- Section 7. Plans/Operations/Readiness/Training Division
- Section 8. Logistics/Service Support Division
- Section 9. Maintenance Division
- Section 10. Facility Management Division
- Section 11. Headquarters Detachment
- Section 12. Troop Command
- Section 13. Army Training Site (ATS), Camp Dawson

SERIES 57 - ENVIRONMENTAL PROTECTION AND ENHANCEMENT

Authority - §15-1A-3

Type - WVMR 200-1

Price - \$7.00

Effective - May 1, 1983

- Section 1. Introduction
- Section 2. Policies and Responsibilities
- Section 3. Natural Resources Management
- Section 4. Material Disposal
- Appendix

SERIES 58 - COMPETITIVE MARKSMANSHIP PROGRAM

Authority - §15-1A-3

Type - WVMR 350-20

Price - \$5.80

Effective - June 1, 1986

- Section 1. References
- Section 2. General
- Section 3. Matches and Awards
- Section 4. Definitions
- Section 5. Service Rifle Competition
- Section 6. Pistol Competition
- Section 7. Conduct of Service Rifle and Pistol Matches
- Section 8. Indoor Smallbore Rifle and Pistol Matches
- Section 9. West Virginia Marksmanship Training Unit

SERIES 59 - ADMINISTRATION OF THE WEST VIRGINIA NATIONAL GUARD AVIATION SAFETY PROGRAM

Authority - §15-1A-3
Type - WVMR 385-95
Price - \$4.20
Effective - November 12, 1992

- Section 1. Purpose
- Section 2. Scope
- Section 3. Policy
- Section 4. Responsibilities
- Section 5. Aviation Accident Prevention
- Section 6. Aviation Safety Officer
- Section 7. Aviation Safety Non-commissioned Officers
- Section 8. Army Aviation Medical Officers or Flight Surgeon
- Section 9. Aviation Education and Training
- Section 10. Promotional and Education Materials
- Section 11. Safety Signs
- Section 12. Safety Meetings
- Section 13. Aviation Safety Councils
- Section 14. Safety Inspections
- Section 15. Aviation Accident Prevention Awards
- Section 16. Aircraft Accident Reporting and Investigation
- Section 17. References

SERIES 60 - OCCUPATIONAL HEALTH MEDICAL SURVEILLANCE PROGRAM

Authority - §15-1A-3
Type - WVMR 385-14
Price - \$4.60
Effective - July 1, 1983

- Section 1. References
 - Section 2. Purpose
 - Section 3. Scope and Applicability
 - Section 4. Objectives
 - Section 5. Medical Monitoring
 - Section 6. Responsibility
 - Section 7. Preplacement Examinations
 - Section 8. Obtaining Periodic Job Related Medical Monitoring Examinations
 - Section 9. Reports of Unsafe or Unhealthful Conditions
 - Section 10. Glossary of Abbreviations
 - Section 11. Definitions
 - Section 12. Department of Labor Poster
- Appendix

SERIES 61 - WVARNG ENERGY CONSERVATION PLAN

Authority - §15-1A-3
Type - WVMR 11-27
Price - \$4.20
Effective - July 8, 1983

- Section 1. Purpose
 - Section 2. Objective
 - Section 3. Energy Management
 - Section 4. Energy Conservation Evaluation
 - Section 5. Responsibilities
- Appendix

SERIES 62 - HUMAN RELATIONS/EQUAL OPPORTUNITY AFFIRMATIVE ACTIONS PLAN

Authority - §15-1A-3
Type - WVMR 600-21
Price - \$9.20
Effective - May 1, 1988

Section 1. Introduction
Section 2. Equal Opportunity
Section 3. Human Relations
Appendix

SERIES 63 - AWARDS AND DECORATIONS

Authority - §15-1A-3
Type - WVMR 672-5
Price - \$5.40
Effective - October 15, 1990

Section 1. General Information
Section 2. State Awards
Appendix

SERIES 64 - RESERVED

SERIES 65 - CENTRALIZED ACCIDENT INVESTIGATION OF GROUND ACCIDENTS (CAIG)

Authority - §15-1A-3
Type - WVMR 385-9
Price - \$2.80
Effective - March 6, 1992

Section 1. General
Section 2. References
Section 3. Purpose
Section 4. Scope
Section 5. Unit/Activity Actions
Section 6. TAG Headquarters Actions
Section 7. Collateral Board
Appendix

SERIES 66 - OFFICIAL MAIL CONTROL PROGRAM

Authority - §15-1A-3
Type - WVMR 340-3
Price - \$3.20
Effective - October 22, 1991

Section 1. References
Section 2. Purpose
Section 3. Responsibilities
Section 4. Training Army Mailers
Section 5. Inspections
Section 6. Questions

SERIES 67 THRU 68 - RESERVED

SERIES 69 - NON-TACTICAL (ADMINISTRATIVE USE) VEHICLE MANAGEMENT

Authority - §15-1A-3
Type - WVMR 58-1
Price - \$3.80
Effective - January 24, 1990

- Section 1. References
- Section 2. Purpose
- Section 3. Responsibilities
- Section 4. Authorized Usage and Operation
- Section 5. Requests for Use of Administrative Use Vehicles
- Section 6. Requests for Use of Administrative Use Vehicles
- Section 7. Vehicle Operation and Use
- Section 8. Safety
- Section 9. Maintenance of Vehicles
- Section 10. Vehicle Operation and Maintenance Records
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SERIES 70 - WEST VIRGINIA NATIONAL GUARD PARACHUTE DEMONSTRATION TEAM

Authority - §15-1A-3
Type - WVMR 350-11
Price - \$4.40
Effective - April 1, 1992

- Section 1. References
- Section 2. Purpose
- Section 3. General
- Section 4. Participation and Membership
- Section 5. Proficiency Training
- Section 6. Demonstrations
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SERIES 71 - RESERVED

SERIES 72 - PLANNING, PROGRAMMING AND BUDGETING

Authority - §15-1A-3
Type - WVMR 37-15
Price - \$5.20
Effective - April 10, 1986

- Section 1. References
- Section 2. Purpose
- Section 3. Objectives
- Section 4. Glossary
- Section 5. Program Budget Advisory Committee (PBAC)
- Section 6. Working Program Budget Advisory Committee (WPBAC)
- Section 7. State Operating Budget Submission
- Section 8. State Operating Budget Mark-Up
- Section 9. State Operating Budget Mid-Year Review
- Appendix

SERIES 73 - RESERVED

SERIES 74 - NATIONAL GUARD STATE DUTY - ADMINISTRATIVE INSTRUCTIONS

Authority - §15-1A-3
 Type - WVMR 37-27
 Price - \$11.00
 Effective - November 12, 1992

- Section 1. General
- Section 2. Payroll - State Duty
- Section 3. Subsistence
- Section 4. Services - Local Purchase
- Section 5. Travel - State Duty
- Section 6. POL - State Duty
- Section 7. Sick or Injured Personnel - State Duty
- Section 8. Reports
- Section 9. Earnings Statement - State Duty Pay
- Section 10. Lost or Stolen Duty Paycheck

SERIES 75 - INSPECTOR GENERAL POLICIES AND PROCEDURES

Authority - §15-1A-3
 Type - WVMR 20-1
 Price - \$2.40
 Effective - August 1, 1984

- Section 1. Purpose
- Section 2. Authority
- Section 3. Relationship
- Section 4. Mission
- Section 5. Functions
- Section 6. Orders and Assistance
- Section 7. Inspections
- Section 8. Investigations

SERIES 76 - MILEAGE AND SUBSISTENCE ALLOWANCES PAID FROM STATE FUNDS

Authority - §15-1A-3
 Type - WVMR 37-26
 Price - \$2.60
 Effective - August 7, 1984

- Section 1. Travel Within State
- Section 2. Out-of-State Travel

SERIES 77 - INSPECTOR GENERAL POLICIES AND PROCEDURES

Authority - §15-1A-3
 Type - WVMR 20-2
 Price - \$5.20
 Effective - September 1, 1984

- Section 1. References
- Section 2. General

SERIES 78 - WEST VIRGINIA NATIONAL GUARD PUBLICATIONS

Authority - §15-1A-3

Type - WVMR 310-3 (Army); WVMR 5-1 (Air)

Price - \$2.60

Effective - May 25, 1989

- Section 1. General
- Section 2. Force and Effect
- Section 3. WV Military Regulations (Army)
- Section 4. WV Military Regulations (Air)
- Section 5. Numbered Memorandums
- Section 6. Permanent Orders
- Section 7. Orders
- Section 8. Numbered Maintenance Bulletin
- Section 9. Field Training Memorandums
- Section 10. Numbered Training Bulletin
- Section 11. Training Circular
- Section 12. Numbered Pamphlets

SERIES 79 - NATIONAL GUARD ARMORIES

Authority - §15-1A-3

Type - WVMR 210-2

Price - \$2.60

Effective - April 1, 1992

- Section 1. Recession
- Section 2. General
- Section 3. Armory Manager
- Section 4. Armory Building Maintenance Mechanic
- Section 5. Armory Managerial Committee
- Section 6. Public Use of Armory
- Section 7. Fees for Use of Armory
- Section 8. Rental Agreements
- Section 9. Disposition of and Accounting for Funds
- Section 10. Utilities, Repairs, Alterations
- Section 11. Unit Activities, Unit Sponsored Activities
- Section 12. Property
- Section 13. Flags

SERIES 80 - AUTOMATION SECURITY

Authority - §15-1A-3

Type - WVMR 380-19

Price - \$9.60

Effective - October 1, 1991

- Section 1. General
 - Section 2. Chain of Command/Responsibilities
 - Section 3. Threat/Risk Management Program
 - Section 4. Accreditation
 - Section 5. File and Software Security
 - Section 6. Hardware Security
 - Section 7. Communication Security
 - Section 8. Physical/Environmental Security
 - Section 9. Contingency Planning
 - Section 10. Battlefield Automation Systems (BAS)
- Appendices

SERIES 81 - RESERVED

SERIES 82 - AGO BLANK FORMS MANAGEMENT

Authority - §15-1A-3
Type - WVMR 310-2
Price - \$3.80
Effective - August 7, 1985

- Section 1. Purpose
- Section 2. Index of Forms

SERIES 83 - ADMINISTRATION OF THE WEST VIRGINIA NATIONAL GUARD EDUCATIONAL ENCOURAGEMENT PROGRAM

Authority - §15-1A-3
Type - WVMR 600-200-5
Price - \$3.00
Effective - April 5, 1991

- Section 1. Purpose
- Section 2. General
- Section 3. Responsibilities
- Section 4. Policies
- Section 5. Educational Institutions
- Section 6. Authorized Courses
- Section 7. Actions for Applicant
- Section 8. Change of Status and Reimbursement
- Appendix

SERIES 84 - COMMAND INSPECTIONS

Authority - §15-1A-3
Type - WVMR 1-201
Price - \$3.80
Effective - August 6, 1990

- Section 1. General
- Section 2. Implementation

SERIES 85 - FORCE INTEGRATION

Authority - §15-1A-3
Type - WVMR 71-1
Price - \$5.80
Effective - March 1, 1986

- Section 1. General
- Section 2. State Force Integration Committee
- Section 3. Responsibilities
- Section 4. Force Integration Process
- Appendix. A, B, C & D

SERIES 86 - SUPERVISED ON THE JOB TRAINING PROGRAMS

Authority - §15-1A-3
Type - WVMR (Army) 350-5
Price - \$4.00
Effective - February 10, 1988

- Section 1. References
- Section 2. Purpose
- Section 3. Responsibilities
- Section 4. General
- Section 5. Program Development
- Section 6. Program Administration
- Section 7. Program Evaluation
- Section 8. Summary

SERIES 87 - CONTROLLING TOBACCO USE

Authority 15-1A-3
Type - WVMR (Army) 600-63; WVMR (Air) 600-63
Price - \$2.60
Effective - September 13, 1990

- Section 1. References
- Section 2. Purpose
- Section 3. General
- Section 4. Policy
- Section 5. Enforcement

SERIES 88 - MOTOR TRANSPORTATION: MILITARY VEHICLE/CONVOY OPERATIONS

Authority - §15-1A-3
Type - WVMR 55-312
Price - \$3.60
Effective - June 25, 1991

- Section 1. Reference
- Section 2. Purpose
- Section 3. Applicability
- Section 4. Responsibilities
- Section 5. Domicile-to-Duty Policy for Commercially Designed Tactical Vehicles, Tactical Vehicles and Approving Authority
- Section 6. Convoy Movement Authority
- Section 7. Movement of Oversize Vehicles
- Section 8. Convoy Operations
- Section 9. Convoy Identification
- Section 10. Convoy Organization
- Section 11. Convoy Procedures
- Section 12. Accident Procedures
- Section 13. Wrecker and/or Emergency Roadside Repair Services
- Section 14. Transportation of Hazardous Material by Motor Vehicle

SERIES 89 - COMMAND PAY AND COMPENSATION FOR CLERICAL SERVICES

Authority 15-1B-17

Type - WVMR 35-1; 37-300

Price - \$3.40

Effective - July 1, 1997

Section 1. General

Section 2. Command Pay and payment of Compensation for Clerical Services

Section 3. Administrative Instructions

Forms

TITLE 148

DEPARTMENT OF ADMINISTRATION

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Series 1. Purchasing	24
Series 2. Leasing Space for and on Behalf of State Executive Agencies	24
Series 3. State Owned Vehicles	25
Series 4. Surplus Property Division, Plan of Operations	25
Series 5. Availability of State Surplus Buildings and Equipment to Charity Food Banks	25
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Series 11. Rules for Selecting Design-Build Under Design-Build Procurement Act	27
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Series 13. Records Retention and Disposal Scheduling	27
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TOTAL COST FOR ALL OF TITLE 148 WITHOUT INCORPORATED DOCUMENTS - \$38.80	

ED. NOTE: The State Auditor has a joint rule with the Department of Administration (155 CSR 7), STATE PURCHASING CARD PROGRAM,

SERIES 1 - PURCHASING

Authority - §5A-3-4
Type - Legislative
Price - \$3.80
Effective - April 7, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Authority and Remedies of Director
- Section 5. Remedies
- Section 6. Registration, Bidding and Award
- Section 7. Purchasing Methods
- Section 8. Protests
- Section 9. Late Payments
- Section 10. Violations

SERIES 2 - LEASING SPACE FOR AND ON BEHALF OF STATE EXECUTIVE AGENCIES

Authority - §5A-3-42
Type - Legislative
Price - \$2.80
Effective - June 1, 2004

- Section 1. General
- Section 2. Request for Space
- Section 3. Fair Rental Value and Appraisals
- Section 4. Authority, Selection, Negotiation, Preparation and Occupancy
- Section 5. Office Space Layout and Standard Specifications
- Section 6. Lease
- Section 7. Cancellation
- Section 8. Permanent Changes
- Section 9. Delegation of Authority for Leasing of Temporary Space
- Section 10. Agreements Between State Spending Units
- Section 11. Emergency Situations

SERIES 3 - STATE OWNED VEHICLES

Authority - §5A-3-48

Type - Procedural

Price - \$3.80

Effective - December 6, 1992

- Section 1. General
 - Section 2. Definitions
 - Section 3. Questions and Interpretations
 - Section 4. Titles to State Owned Vehicles
 - Section 5. Leasing of Vehicles -- Generally
 - Section 6. Use of State Owned Vehicles
 - Section 7. Insurance Coverage
 - Section 8. Safe Operation Required
 - Section 9. Permissible Uses
 - Section 10. Leasing and/or Purchasing Non-Travel Management Vehicles
 - Section 11. Leasing Travel Management Office Vehicles
- Exhibit

SERIES 4 - SURPLUS PROPERTY DIVISION: PLAN OF OPERATIONS

Authority - §5A-8-1

Type - Legislative

Price - \$3.60 (Without Chart)

(\$12.40 With Chart)

Effective - December 22, 1983

- Section 1. General
 - Section 2. Organizational Structure
 - Section 3. Advisory Boards
 - Section 4. Inventory Control
 - Section 5. Accounting System
 - Section 6. Eligibility
 - Section 7. Terms and Conditions of Donable Property
 - Section 8. Compliance
 - Section 9. Financing and Service Charge
 - Section 10. Criteria for Property Distribution
 - Section 11. Return of Donated Property
 - Section 12. Non-Utilized Donable Property
 - Section 13. Audits
 - Section 14. Records and Retention
 - Section 15. Cooperative Agreements
 - Section 16. Liquidation Procedures
- Chart

SERIES 5 - AVAILABILITY OF STATE SURPLUS BUILDINGS AND EQUIPMENT TO CHARITY FOOD BANKS

Authority - 9-8-7

Type - Legislative

Price - \$2.40

Effective - April 3, 1991

- Section 1. General
- Section 2. Definitions
- Section 3. Charity Food Bank Eligibility
- Section 4. State Surplus Buildings
- Section 5. State Surplus Equipment
- Section 6. Restrictions

Administration

SERIES 6 - PARKING

Authority - 5A-4-5
Type - Legislative
Price - \$2.60
Effective - June 1, 2004

- Section 1. General
- Section 2. Parking Areas
- Section 3. Personnel
- Section 4. Metered Parking
- Section 5. Parking
- Section 6. Violations
- Section 7. Penalties

SERIES 7 - RESERVED

See Auditor 155CSR7

SERIES 8 - REPORTING OF STATE ASSETS BY FINANCIAL INSTITUTIONS

Authority - §5A-1-9
Type - Legislative
Price - \$2.40
Effective - April 16, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Bank Confirmation

SERIES 9 - RESERVED

SERIES 10 - PREFERENCE FOR USE OF DOMESTIC ALUMINUM GLASS OR STEEL PRODUCTS IN PUBLIC WORKS PROJECTS

Authority - §5-19-2
Type - Legislative
Price - \$2.80
Effective - July 1, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Preference
- Section 5. Unreasonable Bid or Offer Price
- Section 6. Lowering Bid or Offer Price
- Section 7. Contractor Certification

SERIES 11 - RULES FOR SELECTING DESIGN-BUILDER UNDER DESIGN-BUILD PROCUREMENT ACT

Authority - §5-22A-1 et seq.

Type - Legislative

Price - \$3.60

Effective - July 2, 2001

- Section 1. General
- Section 2. Applicability
- Section 3. Minimum Qualification Requirements for Firms Providing Design-Build Services and Qualification for Design-Build Projects
- Section 4. Public Announcement Procedures
- Section 5. Technical Review Committee
- Section 6. Procedures for Selection of Performance Criteria Developer and Preparation of the Performance Criteria
- Section 7. Preparation and Contents of the Request for Proposals
- Section 8. The Procedure for Preparing and Submitting Proposals
- Section 9. Evaluation of Proposals
- Section 10. Negotiations Prior to Acceptance of a Proposal
- Section 11. Award of Design-Build Contract
- Section 12. Protests

SERIES 12 - GENERAL ADMINISTRATION OF RECORDS MANAGEMENT AND PRESERVATION

Authority - §§5A-8-1 through 5A-8-20

Type - Legislative

Price - \$2.80

Effective - July 1, 2003

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Duties
- Section 5. Executive Agency Records Management Program
- Section 6. Special Programs
- Section 7. Electronic Media

SERIES 13 - RECORDS RETENTION AND DISPOSAL SCHEDULING

Authority - §§5A-8-1 through 5A-8-20

Type - Legislative

Price - \$2.60

Effective - July 1, 2003

- Section 1. General
- Section 2. Applicability
- Section 3. Destruction of Record and Non-Record Material
- Section 4. Inventory of Agency Records Holdings
- Section 5. Records Retention Authorization
- Section 6. Record Retention and Disposal Schedules
- Section 7. Retirement of Records to Records Center
- Section 8. Destruction of Records by the Agency
- Section 9. Microfilming
- Section 10. Filing Plans
- Section 11. Forms

SERIES 14 - MANAGEMENT OF RECORDS MAINTAINED BY RECORDS CENTER

Authority - §§5A-8-1 through 5A-8-20

Type - Legislative

Price - \$2.40

Effective - July 1, 2003

- Section 1. General
- Section 2. Applicability
- Section 3. Records Center
- Section 4. Selection of Records for Retirement
- Section 5. Standard Records Storage
- Section 6. Authorized Personnel
- Section 7. Procedure
- Section 8. Disposal of Records by Records Center Personnel
- Section 9. Request for Authorization to Destroy Records Stored in Records Center
- Section 10. Destruction of Eligible Records by the Records Center

SERIES 15 - RULES FOR TECHNOLOGY ACCESS FOR VISUALLY IMPAIRED

Authority - §18-10N-3

Type - Legislative

Price - \$3.20

Effective - July 1, 2003

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Technical Standards
- Section 5. Functional Performance Criteria
- Section 6. Information, Documentation and Support

TITLE 171

THE WEST VIRGINIA STATE AERONAUTICS COMMISSION

SERIES 1 - RESERVED

Repealed by HB 2685
Effective April 25, 2001

SERIES 2 - MATTERS PERTAINING TO AERONAUTICS IN THE STATE OF WEST VIRGINIA

Authority - §29-2A-3
Type - Procedural
Price - \$2.80
Effective - December 28, 1982

- Section 1. General
- Section 2. General Offices and Meetings
- Section 3. Director to Furnish Information
- Section 4. Records
- Section 5. Filing Papers
- Section 6. Parties
- Section 7. Complaints
- Section 8. Hearings
- Section 9. Stipulation of Facts
- Section 10. Witnesses
- Section 11. Witness Fees
- Section 12. Service of Subpoenas, Notices and Orders
- Section 13. Reporting of Hearings
- Section 14. Depositions
- Section 15. Rules of Evidence and Procedure
- Section 16. Briefs
- Section 17. Further Hearing, Reopening or Rehearing
- Section 18. Continuance of Hearings
- Section 19. Certified Copies
- Section 20. Representation at Formal Hearings

SERIES 3 - MATTERS RELATING TO EXPENDITURE OF STATE FUNDS FOR CIVIL AIR PATROL

Authority - §29-2A-3
Type - Procedural
Price - \$2.00
Effective - December 28, 1982

- Section 1. General
- Section 2. Civil Air Patrol Expenses, Commission May Expend Fund Pursuant to Rules

WEST VIRGINIA COMMISSION ON AGING

See West Virginia Bureau of Senior Services

TITLE 61

DEPARTMENT OF AGRICULTURE

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TOTAL COST OF ALL OF TITLE 61 WITHOUT INCORPORATED DOCUMENTS - \$192.00			

SERIES 1 - ANIMAL DISEASE CONTROL

Authority - §19-9-2
Type - Legislative
Price - \$6.00
Effective - June 21, 2002

Section	1.	General
Section	2.	Definitions
Section	3.	Biologicals
Section	4.	Quarantines
Section	5.	Tuberculosis or Brucellosis in Cattle
Section	6.	Animal Importation
Section	7.	Rules for Livestock Sales
Section	8.	Requirements for West Virginia Fairs, Festivals and Purebred Consignment Sales
Section	9.	Official Vaccinates
Section	10.	Establishment and Maintenance of a Certified Brucellosis Free Herd
Section	11.	Equine Infectious Anemia
Section	12.	Pseudorabies in Swine
Section	13.	Rules for Hatcheries, Growers and Contractors Pertaining to Poultry Disease Control and Eradication
Section	14.	Laboratory Services and User Fees

SERIES 1A - FEEDING OF UNTREATED GARBAGE TO SWINE

Authority - §19-9a
Type - Legislative
Price - \$2.00
Effective - May 31, 1985

Section	1.	General
Section	2.	Permit for Feeding Garbage to Swine
Section	3.	Interstate Movement of Swine Fed Uncooked Garbage

SERIES 1B - REGISTRATION FORMS AND TAGS FOR THE REGISTRATION, TAXATION AND CONTROL OF DOGS

Authority - §19-20-4
 Type - Legislative
 Price - \$2.00
 Effective - May 31, 1985

- Section 1. General
- Section 2. Certificate of Registration
- Section 3. Record of Registrations
- Section 4. Registration Tags

SERIES 1C - DISPOSAL OF DEAD POULTRY

Authority - §19-9-34A
 Type - Procedural
 Price - \$2.40
 Effective - April 27, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Rules Pertaining to the Disposal of Dead Poultry
- Section 4. Standards for Site Location for Disposal Pits

SERIES 1D - 2004 LIST OF RESTRICTED LIVE, MODIFIED LIVE AND KILLED VACCINES FOR ANIMALS

Authority - §19-9-2
 Type - Legislative
 Price - \$2.00
 Effective - January 16, 2004

- Section 1. General
- Section 2. Restricted Animal Vaccine List

SERIES 2 - WEST VIRGINIA APIARY LAW OF 1991

Authority - §19-13-3
 Type - Legislative
 Price - \$2.60
 Effective - April 27, 1992

- Section 1. General
- Section 2. Registration of Bees: Identification of Apiaries
- Section 3. Right of Entry; Apiary Inspections; Quarantines

SERIES 3 - REGULATIONS GOVERNING STATE AID FOR FAIRS AND FESTIVALS

Authority - §19-7-11
 Type - Legislative
 Price - \$2.40
 Effective - June 21, 2002

- Section 1. General
- Section 2. Administrative

SERIES 4 - TRADITIONAL CHEESE PRODUCTION

Authority - 19-11D-3

Type - Legislative

Price - \$4.60

Effective - July 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Minimum Quality Standards
- Section 4. Minimum Testing Requirements
- Section 5. Inhibitory Substances
- Section 6. Abnormal Milk
- Section 7. Adulteration
- Section 8. Milkhouse - Construction and Facilities
- Section 9. Milkhouse - Cleanliness
- Section 10. Milking Barn or Parlor - Construction and Maintenance
- Section 11. Milking Barn or Parlor - Cleanliness
- Section 12. Barnyard
- Section 13. Water Supply
- Section 14. Toilet Facilities
- Section 15. Making Utensils and Equipment - Construction, Cleaning, Storage and Handling
- Section 16. Milking - Flanks, Udders and Teats
- Section 17. Milking- Surcingles, Milk Stools and Anti-kickers
- Section 18. Protection from Contamination
- Section 19. Personnel -0 Hand Washing Facilities
- Section 20. Personnel - Cleanliness
- Section 21. Personnel - Health
- Section 22. Animal Health
- Section 23. Insect and Rodent Control
- Section 24. Farm Inspection
- Section 25. Cheese Kitchen - Construction and Facilities
- Section 26. Cheese Kitchen - Utensils and Equipment
- Section 27. Farm Exclusion
- Section 28. Permit to Operate

SERIES 4A - PRODUCTION OF MILK AND CREAM FOR MANUFACTURING PURPOSES

Authority - §19-11

Type - Legislative

Price - \$4.40

Effective - April 10, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Minimum Quality Standards
- Section 4. Minimum Testing Requirements
- Section 5. Inhibitory Substances
- Section 6. Sediment
- Section 7. Abnormal Milk
- Section 8. Milking Barn, Stable or Parlor - Construction and Maintenance
- Section 9. Milking Barn, Stable or Parlor - Cleanliness
- Section 10. Barnyard
- Section 11. Milkhouse or Room - Construction and Facilities
- Section 12. Milkhouse or Room - Cleanliness
- Section 13. Water Supply
- Section 14. Utensils and Equipment - Construction
- Section 15. Utensils and Equipment - Cleaning
- Section 16. Utensils and Equipment - Storage
- Section 17. Utensils and Equipment - Handling
- Section 18. Milking - Flanks, Udders and Teats
- Section 19. Milking - Surcingles, Milk Stool & Antikickers
- Section 20. Protection From Contamination
- Section 21. Personnel - Hand Washing Facilities

- Section 22. Personnel - Cleanliness
- Section 23. Insect & Rodent Control
- Section 24. Farm Inspection
- Section 25. Farm Exclusion
- Section 26. Rejected and Excluded Milk
- Section 27. Animal Health
- Section 28. Personnel Health
- Section 29. Permit to Operate

SERIES 4B - FROZEN DESSERTS AND IMITATION FROZEN DESSERTS

Authority - §19-11B-10

Type - Legislative

Price - \$3.80

Effective - July 1, 2004

- Section 1. General
- Section 2. Incorporation by Reference
- Section 3. Definitions
- Section 4. Definitions and Standards of Identity
- Section 5. Frozen Dessert Manufacturer Permit
- Section 6. Labeling
- Section 7. Misbranded
- Section 8. Adulteration
- Section 9. Manufacturing Conditions
- Section 10. Prohibited Acts
- Section 11. Animal Health
- Section 12. Powers and Duties of the Commissioner
- Section 13. Approved Sampling and Testing Methods
- Section 14. Enforcement Policy
- Section 15. Cleaning and Sanitizing

SERIES 4C - DAIRY PRODUCTS AND IMITATION DAIRY PRODUCTS

Authority - §19-11A-10

Type - Legislative

Price - \$3.40

Effective - July 1, 2004

- Section 1. General
- Section 2. Incorporated by Reference
- Section 3. Definitions and Standards of Identity
- Section 4. Permits
- Section 5. Labeling
- Section 6. Misbranded
- Section 7. Adulteration
- Section 8. Prohibited Acts
- Section 9. Animal Health
- Section 10. Powers and Duties of the Commissioner
- Section 11. Approved Sampling and Testing Methods
- Section 12. Enforcement Policy
- Section 13. Suspensions, Embargo Orders

SERIES 4D - LABELING OF DAIRY PRODUCTS FOR rBST OR rBGH

Authority - §§19-11A-10(a); 19-11B-10(a)

Type - Legislative

Price - \$4.40

Effective - June 15, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. General Program and Policy
- Section 4. Labeling Statement Guidelines
- Section 5. Prohibited Acts
- Section 6. Substantiation of Labeling Claims
- Section 7. Enforcement Policy

SERIES 5 - COMMERCIAL FEED

Authority - §19-14-3

Type - Legislative

Price - \$4.60

Effective - July 1, 1993

- Section 1. General
- Section 2. Incorporation by Reference
- Section 3. Policy
- Section 4. Permits; Registration
- Section 5. Labeling
- Section 6. Brand and Product Names
- Section 7. Expression of Guarantees
- Section 8. Ingredient Statement
- Section 9. Directions for Use and Precautionary Statements
- Section 10. Non-Protein Nitrogen
- Section 11. Evidence of Safety and Efficacy
- Section 12. Adulteration
- Section 13. Laboratory Service
- Section 14. Powers and Duties of the Commissioner
- Section 15. Enforcement Policy
- Section 16. Good Manufacturing Practices
- Appendix

SERIES 6 - SALE AND DISTRIBUTION OF COMMERCIAL FERTILIZER

Authority - §19-15-12

Type - Legislative

Price - \$2.60

Effective - June 1, 2001

- Section 1. General
- Section 2. Administrative
- Section 3. Permits, Inspection, Tonnage, Reports and Registration
- Section 4. Labeling Requirements
- Section 5. Secondary and Micronutrient Elements
- Section 6. Additional Information Required on Mixed Fertilizers
- Section 7. Safe Use of Regulated Product
- Section 8. Methods of Analysis and Publication Results
- Section 9. Sampling: Analysis Investigational Allowances and Index Value
- Section 10. Methods for Determining Deficiencies for Soil Amendments and Horticultural Growing
- Section 11. Deficiency Penalties
- Section 12. Commercial Value
- Section 13. Hearings, Penalties and Prosecutions
- Appendix

SERIES 6A - AGRICULTURAL LIMING MATERIALS

Authority - §19-15A
 Type - Legislative
 Price - \$2.40
 Effective - April 15, 1991

- Section 1. General
- Section 2. Calcium Carbonate Equivalent Standards
- Section 3. Fineness Classification Standards
- Section 4. Blends
- Section 5. Low-grade Agriculture Liming Materials
- Section 6. Labels
- Section 7. Registration

SERIES 6B - PRIMARY AND SECONDARY CONTAINMENT OF FERTILIZERS

Authority - §20-5M-5C
 Type - Legislative
 Price - \$4.40
 Effective - July 1, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. General Program and Policy
- Section 4. Powers and Duties of the Commissioner
- Section 5. Permits and Design Plans
- Section 6. Inspection, Maintenance and Record Keeping Requirements
- Section 7. Discharge Response Plan
- Section 8. Storage and Handling of Dry Bulk Fertilizer
- Section 9. Primary Containment: Storage Containers and Appurtenances for Fluid Fertilizers
- Section 10. Operational Area Containment for Fluid Fertilizer
- Section 11. Secondary Containment of Fluid Bulk Fertilizer - Dikes and Elephant Rings
- Section 12. Drainage from Secondary Areas
- Section 13. Hearings, Penalties, Orders and Injunctive Relief
- Section 14. Special Revenue Account and Groundwater Remediation Fund

SERIES 6C - GENERAL GROUNDWATER PROTECTION RULES FOR FERTILIZER AND MANURE

Authority - §50-5M-5C
 Type - Legislative
 Price - \$3.00 (Without Incorporated References)
 Effective - July 1, 1993

- Section 1. General
- Section 2. Incorporation by Reference
- Section 3. Definitions
- Section 4. Program and Policy Statements
- Section 5. Powers and Duties of Commissioner
- Section 6. Protection of Groundwater from Point Sources
- Section 7. Remediation
- Section 8. Hearings, Penalties, Orders and Injunctive Relief

SERIES 7 - ENRICHED FLOUR AND BREAD

Authority - §19-11A-4

Type - Legislative

Price - \$2.80

Effective - January 10, 1946

- Section 1. General
- Section 2. Definitions
- Section 3. Labeling of Flour
- Section 4. Bakers Certificate
- Section 5. Bread Labeling
- Section 6. Applying Labels
- Section 7. Prohibited Labeling
- Section 8. Inspection
- Section 9. Amendment #1
- Section 10. Enforcement
- Appendix

SERIES 7A - MARKETING OF EGGS LAW

Authority - §19-10A-10

Type - Legislative

Price - \$2.60

Effective - June 1, 2000

- Section 1. General
- Section 2. Permits and Inspection Fees
- Section 3. Exemptions for Small Producers
- Section 4. Prohibited Acts
- Section 5. Embargo Orders
- Section 6. Labeling Requirements
- Section 7. Advertising
- Section 8. Egg Handling Facilities, Temperature and Humidity, Sanitation and Cleaning

SERIES 8 - WEST VIRGINIA GRADES AND STANDARDS FOR APPLES

Authority - §19-5

Type - Legislative

Price - \$3.80

Effective - June 1, 1966

- Section 1. General
- Section 2. Red, Partial Red or Blushed Varieties
- Section 3. Green or Yellow Varieties
- Section 4. Combination Grades
- Section 5. Color Requirements
- Section 6. Tolerances
- Section 7. Packing Requirements
- Section 8. Definition of Terms - General
- Section 8a. Appendix
- Section 9. Definition of Terms - Red, Partially Red and Blushed Varieties
- Section 10. Definition of Terms - Green or Yellow Varieties
- Section 11. West Virginia State Condition Standards
- Section 12. Official Certificates
- Appendix

SERIES 8A - FRESH FRUITS AND VEGETABLES SOLD IN WEST VIRGINIA

Authority - §19-5
 Type - Legislative
 Price - \$2.40
 Effective - August 25, 1960

- Section 1. General
- Section 2. Declaration of Policy
- Section 3. Closed Package - Defined
- Section 4. Labeling or Marking of Containers
- Section 5. Grades and Standards
- Section 6. Artificial Coloring and/or Waxing
- Section 7. Miscellaneous

SERIES 8B - SCHEDULE OF CHARGES FOR INSPECTION SERVICES: FRUIT

Authority - §19-2-5
 Type - Legislative
 Price - \$2.00
 Effective - June 21, 2002

- Section 1. General
- Section 2. Declaration of Policy

SERIES 8C - FRUITS AND VEGETABLES: CERTIFICATION OF POTATOES FOR SEEDING PURPOSES

Authority - §19-16
 Type - Legislative
 Price - \$2.80
 Effective - April 15, 1946

- Section 1. General
- Section 2. Certification Log
- Section 3. Eligibility of Grower
- Section 4. Applications
- Section 5. Fees
- Section 6. General Procedure
- Section 7. General Requirements
- Section 8. Causes for Rejection of Field
- Section 9. Definitions
- Section 10. Commissioner Not Responsible

SERIES 8D - STANDARDS FOR MULTIPLICATION PLOT: SEED POTATOES

Authority - §19-2
 Type - Legislative
 Price - \$2.40
 Effective - May 10, 1946

- Section 1. General
- Section 2. Definitions

SERIES 8E - CONTROLLED ATMOSPHERIC STORAGE OF APPLES

Authority - §19-5A-3, 7 & 9

Type - Legislative

Price - \$2.40

Effective - June 21, 2002

- Section 1. General
- Section 2. Administrative
- Section 3. Controlled Atmosphere Components and Time Limits
- Section 4. Forms
- Section 5. Minimum Condition Standards

SERIES 9 - WEST VIRGINIA SEED LAW REGULATIONS

Authority - §19-16-6

Type - Legislative

Price - \$4.00

Effective - July 1, 2004

- Section 1. General
 - Section 2. Policy
 - Section 3. Weed Seeds and Size of Working Samples
 - Section 4. Germination Standards and Tolerances
 - Section 5. Additional Forest Seed Labeling Requirements
 - Section 6. Hybrid Seed Corn
 - Section 7. Certificate of Registration
 - Section 8. Sampler or Display Unit -Reporting of Pounds of Seed Sold
 - Section 9. Laboratory Services to Individuals, Farmers and Dealers
 - Section 10. Hold Over Seed
 - Section 11. Establishment of Certifying Agency
 - Section 12. Treated Seed
 - Section 13. Noxious Weed Seeds
 - Section 14. Certified Seed Potatoes
- Appendix

SERIES 10 - GRAIN INSPECTION, DEPARTMENT FEE CHARGES

Authority - §19-2-5

Type - Legislative

Price - \$2.00

Effective - February 1, 1959

- Section 1. General
 - Section 2. Declaration of Policy
- Appendix

SERIES 11 - PUBLIC MARKETS

Authority - §19-1-4B; 19-2; 19-2A

Type - Legislative

Price - \$4.20

Effective - April 15, 1991

- Section 1. General
 - Section 2. Definitions of Words and Terms
 - Section 3. Permits
 - Section 4. Facilities
 - Section 5. Weighmen, Graders, Auctioneers
 - Section 6. Operations
- Appendix

SERIES 11A - RESERVED**SERIES 11B - REGULATIONS GOVERNING THE LICENSING OF AUCTIONEERS**

Authority - §19-2C-5

Type - Legislative

Price - \$2.60

Effective - April 15, 1994

- Section 1. General
- Section 2. Declaration of Policy
- Section 3. Application
- Section 4. Bond Requirements
- Section 5. License
- Section 6. License Renewal
- Section 7. Receipts
- Section 8. Examination of Applicants
- Section 9. Accredited Auctioneering Schools
- Section 10. Suspension, Revocation, Expiration or Termination of Supervising Auctioneer's License
- Section 11. Reciprocity
- Section 12. Waiver of Apprenticeship
- Section 13. Advertising
- Section 14. Contracts
- Section 15. Board of Review

SERIES 11C - CONDUCT OF BEEF INDUSTRY SELF-IMPROVEMENT ASSESSMENT PROGRAM REFERENDUMS

Authority - §19-2f

Type - Legislative

Price - \$2.80

Effective - May 31, 1985

- Section 1. General
- Section 2. General Purpose
- Section 3. Referendum Procedures
- Appendix

SERIES 11D - LICENSING OF LIVESTOCK DEALERS

Authority - §19-10B-9

Type - Legislative

Price - \$2.60

Effective - April 27, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. License Applications and Fee
- Section 4. Bond Requirements
- Section 5. Maintenance of Records of Transactions
- Section 6. Information to be Recorded by Licensed Livestock Dealers

SERIES 12 - FEE STRUCTURE FOR THE PESTICIDE CONTROL ACT OF 1990

Authority - §19-16A-4

Type - Legislative

Price - \$2.40

Effective - June 1, 2001

- Section 1. General
- Section 2. Examinations
- Section 3. Classification & Fees of Pesticide Business Licenses
- Section 4. Classification of Fees of Applicator Certificates
- Section 5. Product Registration

SERIES 12A - CERTIFIED PESTICIDE APPLICATOR RULES AND REGULATIONS

Authority - §19-16A-4

Type - Legislative

Price - \$4.40

Effective - June 7, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Certification of Pesticide Applicators
- Section 4. Categorization of Commercial Applicators
- Section 5. Categorization of Private Applicators
- Section 6. Certification Standards for Pesticide Applicators
- Section 7. Recertification
- Section 8. Supervision of Non-Certified Applicators
- Section 9. Record Keeping
- Section 10. Reciprocity
- Section 11. Federal Employees
- Section 12. Equipment

SERIES 12B - LICENSING OF PESTICIDE BUSINESSES

Authority - §§19-16-4, 8 and 9

Type - Legislative

Price - \$3.00

Effective - April 27, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. General Requirements for all Business Licenses
- Section 4. Requirements for Pesticide Application Business
- Section 5. Requirements for Pesticide Dealer Business Licensing
- Section 6. Requirements for Pesticide Consultant Business Licensing
- Section 7. Record Keeping Requirements for Pesticide Businesses
- Section 8. Financial Security Requirements
- Section 9. Liability for Pesticide Use

SERIES 12C - WOOD DESTROYING INSECT TREATMENT STANDARDS

Authority - §19-16A-4

Type - Legislative

Price - \$3.40

Effective - April 27, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. General Requirements for Termite Treatments in West Virginia
- Section 4. Minimum Standards for Termite Control of Existing Structures in West Virginia
- Section 5. Termite Control for New Construction (Pre-Treat)
- Section 6. Treatment Near Water Wells
- Section 7. Requirements for the Treatment of Wood Destroying Beetles
- Section 8. Exceptions

SERIES 12D - AERIAL APPLICATION OF HERBICIDES TO UTILITY RIGHTS-OF-WAY

Authority - §19-16B-4a
 Type - Legislative
 Price - \$2.60
 Effective - April 27, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Prior Notification
- Section 4. Procedural Prohibitions and Restrictions
- Section 5. Minimum Spray Distances
- Section 6. Company Monitoring of Herbicide Applications on Their Right-of-Ways
- Section 7. Exceptions

SERIES 12E - REGISTRY OF PERSONS WITH HEALTH SENSITIVITY TO PESTICIDE DRIFT

Authority - §19-16A-6(k)
 Type - Procedural
 Price - \$2.00
 Effective - January 21, 1991

- Section 1. General
- Section 2. Operation
- Section 3. Requirements for Registration

SERIES 12F - ASSESSMENT OF CIVIL PENALTIES AND PROCEDURES FOR CONSENT AGREEMENT OR NEGOTIATED SETTLEMENT

Authority - §§19-16A-4; 19-16A-22
 Type - Legislative
 Price - \$3.40
 Effective - April 27, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Procedure
- Section 4. Consent Agreement and Negotiated Settlement
- Tables

SERIES 12G - GENERAL GROUNDWATER PROTECTION FOR PESTICIDES

Authority - §§19-16A-4; 20-5M-5C
 Type - Legislative
 Price - \$2.80 (Without Incorporation)
 Effective - July 1, 1993

- Section 1. General
- Section 2. Incorporation by Reference
- Section 3. Definitions
- Section 4. Program and Plica Statements
- Section 5. Powers and Duties of the Commissioner
- Section 6. Protection of Groundwater from Point Sources
- Section 7. Protection of Groundwater from Non-Point Sources
- Section 8. Remediation
- Section 9. Hearings and Civil Penalties

SERIES 12H - BULK PESTICIDE OPERATIONAL RULES

Authority - §19-16A-4

Type - Legislative

Price - \$3.40

Effective - July 1, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Repackaging and Distribution of Bulk Pesticides
- Section 4. Bulk Pesticide Storage Facility Registry
- Section 5. Bulk Pesticide Storage Facility Requirements
- Section 6. Emergency and Discharge Response Plan
- Section 7. Transportation of Bulk Pesticides
- Section 8. Underground Bulk Pesticide Storage

SERIES 12I - NON-BULK PESTICIDE RULES FOR PERMANENT OPERATIONAL AREAS

Authority - §19-16A-4

Type - Legislative

Price - \$2.60

Effective - July 1, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Permanent Operational Areas
- Section 4. Recovery, Storage and Use of Discharges
- Section 5. Hearings and Penalties

SERIES 12J - INTEGRATED PEST MANAGEMENT PROGRAMS IN SCHOOLS AND DAY CARE CENTERS

Authority - §19-16A-4

Type - Legislative

Price - \$3.40

Effective - June 7, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Integrated Pest Management
- Section 4. Integrated Pest Management Programs for Schools
- Section 5. Integrated Pest Management Programs for Day Care Centers
- Section 6. Monitoring for Pest Infestations
- Section 7. Use of the Least Hazardous Materials - Re-entry Intervals
- Section 8. Prior Notification
- Section 9. Application of Pesticides to Schools and Day Care Centers
- Section 10. Record Keeping
- Section 11. Implementation.

SERIES 13 - POULTRY - STANDARDS FOR QUALITY AND GRADES OF LIVE POULTRY

Authority - §19-2

Type - Legislative

Price - \$2.80

Effective - June 30, 1955

- Section 1. General
- Section 2. Standards for Quality of Live Poultry
- Section 3. Standards of Quality
- Section 4. Grades for Live Poultry

SERIES 13A - RULES FOR HATCHERIES, GROWERS AND CONTRACTS PERTAINING TO POULTRY DISEASE CONTROL AND ERADICATION

Authority - §19-9
 Type - Legislative
 Price - \$2.40
 Effective - June 30, 1955

- Section 1. General
- Section 2. Regulation

SERIES 14 - WEST VIRGINIA PLANT PEST ACT

Authority - §§19-12-3, 5, 6 & 16
 Type - Legislative
 Price - \$3.80
 Effective - June 7, 1996

- Section 1. General
 - Section 2. Definitions
 - Section 3. Sale of Nursery Stock
 - Section 4. Display of Certificates
 - Section 5. Multiple Sales Locations
 - Section 6. Revealing of Sources and Posting Certifications
 - Section 7. Reciprocal Registration
 - Section 8. Hindrance to Nursery Inspection
 - Section 9. Collection of Native Nursery Stock
 - Section 10. Vegetable Plants
 - Section 11. Assessment of Civil Penalties and Procedures for Consent Agreements and Negotiated Settlements
- Tables

SERIES 14A - RULES AND REGULATIONS DEALING WITH NOXIOUS WEEDS

Authority - §19-12D-4
 Type - Legislative
 Price - \$2.40
 Effective - May 31, 1985

- Section 1. General
- Section 2. Declaration of Policy
- Section 3. Definitions
- Section 4. Cooperative Suppression and Control
- Section 5. Declaration of Noxious Weeds
- Section 6. Sale, Use or Distribution of Noxious Weed Plants Prohibited

SERIES 15 - WEST VIRGINIA SEAL OF QUALITY

Authority - §19-2
 Type - Legislative
 Price - \$2.40
 Effective - August 21, 1959

- Section 1. General
- Section 2. Declaration of Policy
- Section 3. Rules and Regulations

SERIES 16 - INSPECTION OF MEAT AND POULTRY

Authority - §19-2B-3

Type - Legislative

Price - \$4.00

Effective - July 1, 2003

- Section 1. General
- Section 2. Incorporation by Reference of Federal Meat Inspection Regulations
- Section 3. Deleted Regulations
- Section 4. Definitions
- Section 5. The United States Department of Agriculture's Guidelines and Procedures Applicable to the West Virginia Department of Agriculture
- Section 6. Licensing
- Section 7. Official Inspection Marks and Devices
- Section 8. Overtime and Holiday Inspection Service

SERIES 17 - RULES AND REGULATIONS FOR THE CONDUCT OF HEARINGS BEFORE THE COMMISSIONER OF AGRICULTURE OF WEST VIRGINIA

Authority - §19-2

Type - Procedural

Price - \$2.40

Effective - August 2, 1967

- Section 1. General
- Section 2. Rules of Hearings

SERIES 18 - LICENSING AND OTHER FEES

Authority - §19-1-4a

Type - Legislative

Price - \$2.60

Effective - April 1, 1986

- Section 1. General
- Section 2. Definitions (Reserved)
- Section 3. Fee Schedule

SERIES 19 - RESERVED

SERIES 20 - CONDUCT OF TREE FRUIT INDUSTRIES SELF-IMPROVEMENT ASSESSMENT PROGRAM REFERENDUMS

Authority - §19-26-1

Type - Procedural

Price - \$2.60

Effective - September 23, 1989

- Section 1. General
 - Section 2. General Purpose
 - Section 3. Referendum Procedures
- Appendices

SERIES 21 - FREEDOM OF INFORMATION REQUEST

Authority - §29B-1
 Type - Procedural
 Price - \$2.60
 Effective - October 5, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Request Procedures
- Section 4. Exemptions
- Section 5. Responsibilities of the Department
- Section 6. Partial Disclosure
- Section 7. Fees
- Section 8. Payment of Fees

SERIES 22 - GENERIC STATE MANAGEMENT PLAN FOR PESTICIDES AND FERTILIZERS IN GROUNDWATER

Authority - §§19-16A-4; 20-5M-5
 Type - Procedural
 Price - \$4.40
 Effective - November 1, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Goals and General Program Policies
- Section 4. State Agencies and Responsibilities
- Section 5. Legal Authority
- Section 6. Enforcement Mechanisms
- Section 7. Resource/Technical Expertise
- Section 8. Basis for Assessment and Planning
- Section 9. Groundwater Contamination Prevention Measures
- Section 10. Information Dissemination
- Section 11. Monitoring
- Section 12. Actions in Response to Contamination
- Section 13. Public Awareness and Participation
- Section 14. Records/Reporting of Programs Progress

SERIES 22A - BEST MANAGEMENT PRACTICES AT TEMPORARY OPERATIONAL AREAS FOR NON-BULK PESTICIDE MIXING AND LOADING LOCATIONS

Authority - §19-16A-4
 Type - Procedural
 Price - \$2.80
 Effective - November 1, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Recommendations for Temporary Operational Areas
- Section 4. Recovery, Storage and Use of Discharges

SERIES 22B - BEST MANAGEMENT PRACTICES FOR FERTILIZERS AND MANURES

Authority - §20-5M-5C
 Type - Procedural
 Price - \$2.60
 Effective - December 6, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Protection of Groundwater from Point Sources
- Section 4. Protection of Groundwater from Non-Point Sources

SERIES 23 - WEST VIRGINIA AQUACULTURE FARM RULES

Authority - §19-29-4; 19-29-1 et seq.

Type - Legislative

Price - \$3.60

Effective - May 1, 1995

Section	1. General
Section	2. Definitions
Section	3. Hazard Analysis Critical Control Point Plan
Section	4. Site Selection and Water Source Critical Control Points
Section	5. Feed Critical Control Points
Section	6. Drugs, Feed and Color Additives and Pesticides Critical Control Points
Section	7. Transport
Section	8. Laboratory Testing
Section	9. Prohibited Acts
Section	10. Confidentiality of Trade Secrets
Section	11. Powers and Duties of the Commissioner
Section	12. Enforcement Policy

SERIES 23A - WEST VIRGINIA FISH PROCESSING RULES

Authority - §19-29-1 et seq.

Type - Legislative

Price - \$5.20

Effective - June 15, 1998

Section	1. General
Section	2. Incorporated by Reference
Section	3. Definitions
Section	4. Powers and Duties of the Commissioner
Section	5. Hazard Analysis and Hazard Analysis (HACCP) Plan Critical Control Point Plan
Section	6. Corrective Actions
Section	7. Verification
Section	8. Records
Section	9. Training
Section	10. Sanitation Control Procedures
Section	11. Processor Licensing
Section	12. Buildings and Facilities
Section	13. Equipment
Section	14. Product Management
Section	15. Employees
Section	16. Transport
Section	17. Laboratory Testing
Section	18. Prohibited Acts
Section	19. Penalties
Section	20. Confidentiality of Trade Secrets
Section	21. Enforcement Policy
Section	22. Humane Slaughter

SERIES 23B - RESERVED

SERIES 23C - RESERVED

SERIES 23D - INSPECTION OF NONTRADITIONAL DOMESTICATED ANIMALS

Authority - §19-29-1, 4

Type - Legislative

Price - \$2.60

Effective - July 1, 1995

- Section 1. General
- Section 2. Incorporated by Reference of Federal Regulations on Inspection of Exotic Animals and Rabbits
- Section 3. Definitions
- Section 4. The place of Slaughter and Processing of Nontraditional, Domesticated Animals
- Section 5. Official Inspection Marks
- Section 6. Exemptions
- Section 7. Overtime and Holiday Inspection Service

SERIES 24 - ADMINISTRATIVE RULES FOR THE PERSONNEL OF THE WEST VIRGINIA DEPARTMENT OF AGRICULTURE

Authority - §§19-1-4j; 19-1-3

Type - Procedural

Price - \$13.00

Effective - September 26, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. General
- Section 4. Wage and Hour Rules
- Section 5. Leave
- Section 6. Flex-Time
- Section 7. Work Related Injuries
- Section 8. Drug-Free Workplace
- Section 9. Probationary Period
- Section 10. Employee Assistance Program
- Section 11. Smoking and Tobacco Policy
- Section 12. Personnel Records
- Section 13. Disciplinary Action
- Section 14. Administrative Review
- Section 15. Recycling
- Section 16. Political Activities
- Section 17. Equal Employment Policy
- Section 18. Hospitality and Promotions
- Section 19. Sexual Harassment

SERIES 25 - RESERVED

Repealed effective August 1, 2001

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**SERIES 1 - NO_x BUDGET TRADING PROGRAM AS A MEANS OF CONTROL AND REDUCTION OF NITROGEN
OXIDES**

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$17.00

Effective - May 1, 2004

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Section	87.	Change in Regulatory Status
Section	88.	NO _x Allowance Allocations to Opt-in Units
Section	89.	Reserved
Section	90.	Reserved
Section	91.	Reserved
Section	92.	Reserved
Section	93.	Reserved
Section	94.	Reserved
Section	95.	Reserved
Section	96.	Reserved
Section	97.	Reserved
Section	99.	Reserved
Section	100.	Requirements for Emissions of NO _x from Cement Manufacturing Kilns
Section	110.	Inconsistency Between Rules

**SERIES 2 - TO PREVENT AND CONTROL PARTICULATE AIR POLLUTION FROM COMBUSTION OF FUEL IN
INDIRECT HEAT EXCHANGERS**

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$8.20

Effective - August 31, 2000

Section	1.	General
Section	2.	Definitions
Section	3.	Visible Emissions of Smoke and/or Particulate Matter Prohibited and Standards of Measurement
Section	4.	Weight Emission Standards
Section	5.	Control of Fugitive Particulate Matter
Section	6.	Registration
Section	7.	Permits
Section	8.	Monitoring, Recordkeeping and Reporting
Section	9.	Start-ups, Shut-downs and Malfunctions
Section	10.	Variances
Section	11.	Exemptions
Section	12.	Inconsistency Between Rules
Tables		
Appendix		

SERIES 2A - TESTING, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS UNDER 45CSR2

Authority - §22-5-1 et seq; WV 45CSR2

Type - Interpretive

Price - \$4.00

Effective - March 15, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Registration of Allowable Emission Rates for Individual Stacks
- Section 5. Testing Requirements
- Section 6. Visible Emission Monitoring Plan Requirements
- Section 7. Recordkeeping and Reporting Requirements
- Appendix

SERIES 3 - TO PREVENT AND CONTROL AIR POLLUTION FROM THE OPERATION OF HOT MIX ASPHALT PLANTS

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$2.80

Effective - August 31, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Emission of Smoke and/or Particulate Matter Prohibited and Standards of Measurement - Visible
- Section 4. Emission of Smoke and/or Particulate Matter Prohibited and Standards of Measurement - Weight Emissions
- Section 5. Permits
- Section 6. Reports and Testing
- Section 7. Variance
- Section 8. Circumvention
- Section 9. Inconsistency Between Rules

SERIES 4 - TO PREVENT AND CONTROL THE DISCHARGE OF AIR POLLUTANTS INTO THE OPEN AIR WHICH CAUSES OR CONTRIBUTES TO AN OBJECTIONABLE ODOR

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$2.40

Effective - October 1, 1967

- Section 1. General
- Section 2. Definitions
- Section 3. Objectionable Odor Prohibited
- Section 4. Accidental and Other Infrequent Emissions, Reporting
- Section 5. Notice of Violation
- Section 6. Variance
- Section 7. Exemptions

SERIES 5 - TO PREVENT AND CONTROL AIR POLLUTION FROM THE OPERATION OF COAL PREPARATION PLANTS, COAL HANDLING OPERATIONS AND COAL REFUSE DISPOSAL AREAS

Authority - §22-5-1 et seq
Type - Legislative
Price - \$4.80
Effective - August 31, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Emission of Particulate Matter Prohibited and Standards of Measurement
- Section 4. Control and Prohibition of Particulate Emissions from Coal Thermal Drying Operations of a Coal Preparation Plant
- Section 5. Control and Prohibition of Particulate Emissions from an Air Table Operation of a Coal Preparation Plant
- Section 6. Control and Prohibition of Fugitive Dust Emissions from Coal Handling Operations and Preparation Plants
- Section 7. Standards for Coal Refuse Disposal Areas
- Section 8. Burning Coal Refuse Disposal Areas
- Section 9. Monitoring of Operations
- Section 10. Construction, Modifications and Relocation Permits
- Section 11. Operating Permits
- Section 10. Reports and Testing
- Section 11. Variance
- Section 12. Transfer of Permits

SERIES 6 - TO PREVENT AND CONTROL AIR POLLUTION FROM COMBUSTION OF REFUSE

Authority - §22-5-1 et seq.
Type - Legislative
Price - \$3.00
Effective - July 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Open Burning Prohibited
- Section 4. Emission Standards for Incinerators and Incineration
- Section 5. Registration
- Section 6. Permits
- Section 7. Reports and Testing
- Section 8. Variances
- Section 9. Inconsistency Between Rules

SERIES 7 - TO PREVENT AND CONTROL PARTICULATE MATTER AIR POLLUTION FROM MANUFACTURING PROCESSES AND ASSOCIATED OPERATIONS

Authority - §22-5-1 et seq.
Type - Legislative
Price - \$5.20
Effective - August 31, 2000

- Section 1. General
 - Section 2. Definitions
 - Section 3. Emission of Smoke and/or Particulate Matter Prohibited and Standard of Measurement
 - Section 4. Control and Prohibition of Particulate Emissions by Weight from Manufacturing Process Source Operations
 - Section 5. Control of Fugitive Particulate Matter
 - Section 6. Registration
 - Section 7. Permits
 - Section 8. Reporting and Testing
 - Section 9. Variance
 - Section 10. Exemptions
 - Section 11. Alternative Emission Limits for Duplicate Source Operations
 - Section 12. Inconsistency Between Rules
- Tables

SERIES 7A - TP-4 - COMPLIANCE TEST PROCEDURES FOR SERIES 7

Authority - §§22-5-1 et seq.; 29A-1-2(g) and WV 45CSR7
 Type - Procedural
 Price - \$4.20
 Effective - February 1, 1999

- Section 1. General
- Section 2. Visible Emission Test Procedures
- Section 3. Mass Emission Test Procedures

SERIES 8 - AMBIENT AIR QUALITY STANDARDS FOR SULFUR OXIDES AND PARTICULATE MATTER

Authority - §22-5-1 et seq.
 Type - Legislative
 Price - \$2.60
 Effective - July 1, 2002

- Section 1. General
- Section 2. Anti-Degradation Policy
- Section 3. Definitions
- Section 4. Ambient Air Quality Standards
- Section 5. Methods of Measurement

SERIES 9 - RULES PERTAINING TO AMBIENT AIR QUALITY STANDARDS FOR CARBON MONOXIDE AND OZONE

Authority - §22-5-1 et seq.
 Type - Legislative
 Price - \$2.40
 Effective - July 1, 2002

- Section 1. General
- Section 2. Anti-Degradation Policy
- Section 3. Definitions
- Section 4. Ambient Air Quality Standards
- Section 5. Methods of Measurement

SERIES 10 - TO PREVENT AND CONTROL AIR POLLUTION FROM THE EMISSION OF SULFUR OXIDES

Authority - §22-5-1 et seq.
 Type - Legislative
 Price - \$4.40
 Effective - August 31, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Sulfur Dioxide Weight Emission Standards for Fuel Burning Units
- Section 4. Standards for Manufacturing Process Source Operations
- Section 5. Combustion of Refinery or Process Gas Streams
- Section 6. Permits
- Section 7. Testing, Monitoring, Record Keeping and Reporting
- Section 8. Reports and Testing
- Section 9. Variance
- Section 10. Exemptions and Recommendations
- Section 11. Circumvention
- Section 12. Inconsistency Between Rules
- Table

SERIES 10A - TESTING, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS UNDER 45CSR10

Authority - §22-5-1 et seq; WV 45CSR10

Type - Interpretive

Price - \$4.00

Effective - March 15, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Fuel Burning Unit(s)--Registration of Allowable Emission Rates for Individual Stacks
- Section 5. Testing Requirements
- Section 6. Monitoring Plan Requirements
- Section 7. Recordkeeping and Reporting Requirements
- Appendix

SERIES 11 - PREVENTION OF AIR POLLUTION EMERGENCY EPISODES

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$4.80

Effective - April 25, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Episode Criteria
- Section 4. Methods of Measurement
- Section 5. Preplanned Reduction Strategies
- Section 6. Emission Reduction Plans
- Section 7. Air Pollution Emergencies; Contents of Order; Hearings; Appeals
- Section 8. Inconsistency Between Regulations
- Tables

SERIES 12 - AMBIENT AIR QUALITY STANDARDS FOR NITROGEN DIOXIDE

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$2.40

Effective - June 1, 2000

- Section 1. General
- Section 2. Anti-Degradation Policy
- Section 3. Definitions
- Section 4. Ambient Air Quality Standard
- Section 5. Methods of Measurement

SERIES 13 - PERMITS FOR CONSTRUCTION, MODIFICATION, RELOCATION AND OPERATION OF STATIONARY SOURCES OF AIR POLLUTANTS, NOTIFICATION REQUIREMENTS, ADMINISTRATIVE UPDATES, TEMPORARY PERMITS, GENERAL PERMITS AND PROCEDURES FOR EVALUATION

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$6.00

Effective - June 1, 2003

Section	1. General
Section	2. Definitions
Section	3. Reporting Requirements for Stationary Sources
Section	4. Administrative Updates to Existing Permits
Section	5. Permit Application and Report Requirements for Stationary Construction of and Modifications to Stationary Sources
Section	6. Determination of Compliance of Stationary Sources
Section	7. Modeling
Section	8. Public Review Procedures
Section	9. Public Meetings
Section	10. Permit Transfer, Suspension, Revocation and Responsibility
Section	11. Temporary Construction or Modification Permits
Section	12. Permit Application Fees
Section	13. Inconsistency Between Rules
Section	14. Stationary Air Pollution
Section	15. Hazardous Air Pollutants
Tables	

SERIES 13A - THE PERMITTING OF RESEARCH AND DEVELOPMENT (R&D) ACTIVITIES UNDER 45CSR13

Authority - §22-5-1 et seq.; WV 45CSR13

Type - Interpretive

Price - \$2.40

Effective - March 30, 2002

Section	1. General
Section	2. Definitions
Section	3. Applicability
Section	4. Activities Exempt from Permitting
Section	5. Effect on Other Rules

SERIES 13B - THE PERMITTING OF LABORATORY FACILITIES UNDER 45CSR13

Authority - §22-5-1 et seq.; WV 45CSR13

Type - Interpretive

Price - \$2.60

Effective - March 30, 2002

Section	1. General
Section	2. Definitions
Section	3. Facilities Exempt from Permitting
Section	4. Additional Facilities Exempt from Permitting
Section	5. Effect on Other Rules

SERIES 14 - PERMITS FOR CONSTRUCTION AND MAJOR MODIFICATION OF MAJOR STATIONARY SOURCES OF AIR POLLUTION FOR THE PREVENTION OF SIGNIFICANT DETERIORATION

Authority - §22-5-1 et seq

Type - Legislative

Price - \$6.00

Effective - May 1, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Ambient Air Quality Increments and Ceilings
- Section 4. Area Classification
- Section 5. Prohibition of Dispersion Enhancement Techniques
- Section 6. Registration, Report and Permit Requirements for Major Stationary Sources and Major Modifications
- Section 7. Requirements Relating to Control Technology
- Section 8. Requirements Relating to the Source's Impact on Air Quality
- Section 9. Requirements for Air Quality Models
- Section 10. Requirements for Air Quality Monitoring
- Section 11. Requirements for Additional Impacts Analysis
- Section 12. Additional Requirements and Variances for Sources Impacting Federal Class I Areas
- Section 13. Procedures for Sources Employing Innovative Control Technology
- Section 14. Exclusions from Increment Consumption
- Section 15. Exemptions from Specific Sections of this Rule
- Section 16. Public Review Procedures
- Section 17. Public Meetings
- Section 18. Permit Transfer, Cancellation and Responsibility
- Section 19. Disposition of Permits
- Section 20. Conflict With other Permitting Rules

SERIES 15 - EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS PURSUANT TO 40 CFR PART 61

Authority - §22-5-4

Type - Legislative

Price - \$2.60

Effective - June 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Requirements
- Section 4. Adoption of Standards
- Section 5. Secretary
- Section 6. Permits
- Section 7. Inconsistency Between Rule

SERIES 16 - STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES PURSUANT TO 40 CFR PART 60

Authority - §22-5-4

Type - Legislative

Price - \$2.60

Effective - June 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Requirements
- Section 4. Adoption of Standards
- Section 5. Secretary
- Section 6. Permits
- Section 7. Inconsistency Between Rules

SERIES 17 - TO PREVENT AND CONTROL PARTICULATE MATTER AIR POLLUTION FROM MATERIALS HANDLING, PREPARATION, STORAGE AND OTHER SOURCES OF FUGITIVE PARTICULATE MATTER

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$2.60

Effective - June 1, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Control and Prohibition of Fugitive Particulate Emissions
- Section 4. Control Programs and Schedules
- Section 5. Variance
- Section 6. Exemption
- Section 7. Enforcement
- Section 8. Inconsistency Between Rules

SERIES 18 - TO PREVENT AND CONTROL EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$3.20

Effective - May 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Exemptions
- Section 4. Requirements
- Section 5. Secretary
- Section 6. Permits
- Section 7. Compliance Dates for Existing Commercial and Industrial Solid Waste Incineration Units
- Section 8. Effect of the Rule
- Section 9. Inconsistency Between Rules
- Table

SERIES 19 - REQUIREMENTS FOR PRE-CONSTRUCTION REVIEW, DETERMINATION OF EMISSION OFFSETS FOR PROPOSED NEW OR MODIFIED STATIONARY SOURCES OF AIR POLLUTANTS AND BUBBLE CONCEPT FOR INTRASOURCE POLLUTANTS

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$5.40

Effective - July 7, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Conditions for a Permit Approval for Proposed Major Sources that Would Contribute to a Violation of a NAAQS
- Section 5. Conditions for Permit Approval for Sources Locating in Attainment or Unclassifiable Areas that Would Cause a New Violation of a NAAQS
- Section 6. Exemptions from Certain Conditions
- Section 7. Baseline for Determining Credit for Emission Offsets
- Section 8. Location of Offsetting Emissions
- Section 9. Administrative Procedures for Emission Offset Proposals
- Section 10. Control of Fugitive Emissions
- Section 11. Offsetting of Secondary Emissions
- Section 12. Permit for Major Stationary Sources and Major Modifications
- Section 13. Public Review Procedures
- Section 14. Public Meetings

Air Quality
Series 19, Cont'd.

- Section 15. Permit Transfer, Cancellation and Responsibility
- Section 16. Disposition of Permits
- Section 17. Requirements for Air Quality Models
- Section 18. Emission Trading Plans for Intrasource Pollutants
- Section 19. Conflict With Other Permitting Rules
- Section 20. Severability
- Tables

SERIES 20 - GOOD ENGINEERING PRACTICE AS APPLIES TO STACK HEIGHTS

Authority - §22-5-1 et seq.
Type - Legislative
Price - \$2.80
Effective - July 14, 1989

- Section 1. General
- Section 2. Definitions
- Section 3. Standards
- Section 4. Public Review Procedures
- Section 5. Inconsistency Between Regulations

SERIES 21 - TO PREVENT AND CONTROL AIR POLLUTION FROM THE EMISSION OF VOLATILE ORGANIC COMPOUNDS

Authority - §22-5-1 et seq.
Type - Legislative
Price - \$23.20
Effective - May 1, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Compliance Certification, Recordkeeping and Reporting Procedures for Coating Sources
- Section 5. Compliance Certification, Recordkeeping and Reporting Procedures for Non-Coating Sources
- Section 6. Requirements for Sources Complying by Use of Control Devices
- Section 7. Circumvention
- Section 8. Handling, Storage and Disposal of Volatile Organic Compounds (VOCs)
- Section 9. Compliance Programs, Registration, Variance, Permits, Enforceability
- Section 10. Reserved
- Section 11. Can Coating
- Section 12. Coil Coating
- Section 13. Paper Coating
- Section 14. Fabric Coating
- Section 15. Vinyl Coating
- Section 16. Coating of Metal Furniture
- Section 17. Coating of Large Appliances
- Section 18. Coating of Magnet Wire
- Section 19. Coating of Miscellaneous Metal Parts
- Section 20. Coating of Flat Wood Paneling
- Section 21. Bulk Gasoline Plants
- Section 22. Bulk Gasoline Terminals
- Section 23. Gasoline Dispensing Facility - Stage 1 Vapor Recovery
- Section 24. Leaks from Gasoline Tank Trucks
- Section 25. Petroleum Refinery Sources
- Section 26. Leaks From Petroleum Refinery Equipment
- Section 27. Petroleum Liquid Storage in External Floating Roof Tanks
- Section 28. Petroleum Liquid Storage in Fixed Roof Tanks
- Section 29. Leaks From Natural Gas/Gasoline Processing Equipment
- Section 30. Solvent Metal Cleaning
- Section 31. Cutback and Emulsified Asphalt
- Section 32. Manufacture of Synthesized Pharmaceutical Products

Section	33.	Reserved
Section	34.	Graphic Arts Systems
Section	35.	Petroleum Solvent Dry Cleaners
Section	36.	Reserved
Section	37.	Leaks From Synthetic Organic Chemicals, Polymer and Resin Manufacturing Equipment
Section	38.	Manufacture of High-Density Polyethylene, Polypropylene and Polystyrene Resins
Section	39.	Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry
Section	40.	Other Facilities That Emit Volatile Organic Compound (VOC)
Section	41.	Test Methods and Compliance Procedures: General Provisions
Section	42.	Test Methods and Compliance Procedures: Determine the Volatile Organic Compound (VOC) Content of Coatings and Inks
Section	43.	Test Methods and Compliance Procedures: Alternative Compliance Methods for Surface Coatings
Section	44.	Test Methods and Compliance Procedures: Emission Capture and Destruction or Removal Efficiency and Monitoring Requirements
Section	45.	Test Methods and Compliance Procedures: Determining the Destruction or Removal Efficiency of a Control Device
Section	46.	Test Methods and Compliance Procedures: Leak Detection Methods for Volatile Organic Compounds (VOCs)
Section	47.	Performance Specifications for Continuous Emissions Monitoring of Total Hydrocarbons
Section	48.	Quality Control Procedures for Continuous Emission Monitoring Systems (CEMS)
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SERIES 22 - AIR QUALITY MANAGEMENT FEE PROGRAM

Authority - §22-5-1 et seq.
Type - Legislative
Price - \$3.00
Effective - May 6, 1991

Section	1.	General
Section	2.	Definitions
Section	3.	Requirements for Permit to Construct, Modify or Relocate
Section	4.	Certificate to Operate
Section	5.	Collection

SERIES 23 - TO PREVENT AND CONTROL FROM MUNICIPAL SOLID WASTE LANDFILLS

Authority - §22-5-1 et seq.
Type - Legislative
Price - \$2.60
Effective - July 1, 2001

Section	1.	General
Section	2.	Definitions
Section	3.	Requirements
Section	4.	Director
Section	5.	Permits
Section	6.	Inconsistency Between Rules

SERIES 24 - TO PREVENT AND CONTROL EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$3.60

Effective - May 1, 2000

Section	1. General
Section	2. Definitions
Section	3. Exemptions
Section	4. Requirements
Section	5. Director
Section	6. Permits
Section	7. Compliance Dates
Section	8. Inconsistency Between Rules
Table	

SERIES 25 - TO PREVENT AND CONTROL AIR POLLUTION FROM HAZARDOUS WASTE, TREATMENT, STORAGE OR DISPOSAL FACILITIES

Authority - §§22-5-4; 22-18-1 et seq.

Type - Legislative

Price - \$5.40

Effective - June 1, 2004

Section	1. General
Section	2. Definitions
Section	3. Adoption by Reference
Section	4. Facility Requirements
Section	5. Permit Process
Section	6. Exclusion and Exemptions
Section	7. Application Fees
Section	8. Inconsistency Between Rules
Table	

SERIES 26 - NO_x BUDGET TRADING PROGRAM AS A MEANS OF CONTROL AND REDUCTION OF NITROGEN OXIDES FROM ELECTRIC GENERATING UNITS

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$9.00

Effective - June 1, 2003

Section	1. General
Section	2. Definitions
Section	3. Measurements, Abbreviations and Acronyms
Section	4. No _x Budget Trading Program Applicability
Section	5. Retired Unite Exemption
Section	6. No _x Budget Trading Program Standard Requirements
Section	7. Computation of Time
Section	8. Reserved
Section	9. Reserved
Section	10. Authorization and Responsibilities of NO _x Authorized Account Representative
Section	11. Alternate NO _x Authorized Account Representative
Section	12. Changing the NO _x Authorized Account Representative and the Alternate NO _x Authorized Account Representative; Changes in Owners and Operators
Section	13. Account Certificate of Representation
Section	14. Objections Concerning the NO _x Authorized Account Representative
Section	15. Reserved
Section	16. Reserved
Section	17. Reserved
Section	18. Reserved

Air Quality
Series 26, Cont'd.

Section	19.	Reserved
Section	20.	General NO _x Budget Trading Program Permit Requirements
Section	21.	NO _x Budget Permit Application
Section	22.	Information Requirements for NO _x Budget Permit Applications
Section	23.	NO _x Budget Permit Contents
Section	24.	NO _x Budget Permit Revision
Section	25.	Reserved
Section	26.	Reserved
Section	27.	Reserved
Section	28.	Reserved
Section	29.	Reserved
Section	30.	Compliance Certification Report
Section	31.	Secretary's and Administrator's Action on Compliance Certifications
Section	32.	Reserved
Section	33.	Reserved
Section	34.	Reserved
Section	35.	Reserved
Section	36.	Reserved
Section	37.	Reserved
Section	38.	Reserved
Section	39.	Reserved
Section	40.	State NO _x Trading Program Budget
Section	41.	Timing Requirements for State NO _x Allowance Allocations
Section	42.	State NO _x Allowance Allocation
Section	43.	Compliance Supplement Pool
Section	44.	Reserved
Section	45.	Reserved
Section	46.	Reserved
Section	47.	Reserved
Section	48.	Reserved
Section	49.	Reserved
Section	50.	NO _x Allowance Tracking System Accounts
Section	51.	Establishment of Accounts
Section	52.	NO _x Allowance Tracking System Responsibilities of NO _x Authorized Account Representative
Section	53.	Recordation of NO _x Allowance Allocations
Section	54.	Compliance
Section	55.	NO _x Allowance Banking
Section	56.	Account Errors
Section	57.	Closing of General Account
Section	58.	Reserved
Section	59.	Reserved
Section	60.	Submission of NO _x Allowance Transfers
Section	61.	Allowance Transfer Recordation
Section	62.	Notification
Section	63.	Reserved
Section	64.	Reserved
Section	65.	Reserved
Section	66.	Reserved
Section	67.	Reserved
Section	68.	Reserved
Section	69.	Reserved
Section	70.	General Monitoring Requirements
Section	71.	Initial Certification and Recertification Procedures
Section	72.	Out of Control Periods
Section	73.	Notifications
Section	74.	Recordkeeping and Reporting
Section	75.	Petitions
Section	76.	Additional Requirements to Provide Heat Input Data

SERIES 27 - TO PREVENT AND CONTROL THE EMISSIONS OF TOXIC AIR POLLUTANTS

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$3.20

Effective - June 30, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Chemical Processing Units
- Section 4. Fugitive Emissions of Toxic Air Pollutants
- Section 5. Tanks
- Section 6. Wastewater from Chemical Processing Units
- Section 7. Loading and Unloading Railcars and Tank Trucks
- Section 8. Registration
- Section 9. Permits
- Section 10. Reports, Records and Testing
- Section 11. Compliance, Programs and Schedules
- Section 12. Variance
- Section 13. Inconsistency Between Regulations

SERIES 28 - AIR POLLUTANT EMISSIONS BANKING AND TRADING

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$6.40

Effective - August 31, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Prohibitions and Restrictions
- Section 5. Ozone Season Restrictions
- Section 6. Emission Reduction Credit Baseline
- Section 7. Eligibility of Emission Reductions for Emission Reduction Credits; Generation and Calculation
- Section 8. Emission Monitoring and Quantification
- Section 9. Record Keeping Requirements
- Section 10. The Use of Emission Reduction Credits Within and Between Geographic Areas and Sources
- Section 11. Emissions Reduction Credit Discounts and Emission Reduction Credit Retirement for Air Quality Benefit
- Section 12. Registration of Emission Reduction for the Generation of Emission Reduction Credits to be Used or Traded
- Section 13. Registration of Use, Trading or Retirement of Emission Reduction Credits
- Section 14. Emission Trading Registry; Registration Fees
- Section 15. Enforcement
- Section 16. Program Evaluations and Individual Audits
- Section 17. Interstate Trading

SERIES 29 - REGULATION REQUIRING THE SUBMISSION OF EMISSION STATEMENTS FOR VOLATILE ORGANIC COMPOUND EMISSIONS AND OXIDES OF NITROGEN EMISSIONS

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$2.80

Effective - July 7, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Compliance Schedule
- Section 5. Emission Statement Requirements
- Section 6. Enforceability
- Section 7. Severability

SERIES 30 - REQUIREMENTS FOR OPERATING PERMITS

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$10.40

Effective - June 1, 2003

- Section 1. General
 - Section 2. Definitions
 - Section 3. Permits
 - Section 4. Application for Permits
 - Section 5. Permit Content
 - Section 6. Permit Issuance, Renewal, Reopenings and Revisions
 - Section 7. Permit Review by U. S. EPA and Affected States
 - Section 8. Fees
 - Section 9. Transition Plan
 - Section 10. Enforcement
 - Section 11. Permit Suspension, Modification, Revocation and Reissuance
 - Section 12. Authority to Director to Establish Applicable Requirements
 - Section 13. Severability
 - Section 14. Conflict With Other Rules
- Tables

SERIES 30A - DEFERRAL OF AREA SOURCES FROM PERMITTING REQUIREMENTS

Authority - §§22-5-4; 22-5-12; 29A-1-2(c); WV 45CSR30

Type - Interpretive

Price - \$2.40

Effective - February 1, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Deferral of Area Sources
- Section 4. Deferral Period
- Section 5. Effect of Deferral

SERIES 30B - IDENTIFICATION AND COUNTING OF FUGITIVE EMISSIONS IN MAJOR SOURCE DETERMINATIONS UNDER WV 45CSR30

Authority - §22-5-4; 22-5-12; 29A-1-2(c); WV 45CSR30

Type - Interpretive

Price - \$2.40

Effective - October 5, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Sources Required to Count Fugitive Emissions in Making Major Source Determinations
- Section 4. Sources Not Required to Count Fugitive Emissions in Making Major Source Determinations

SERIES 31 - CONFIDENTIAL INFORMATION

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$3.00

Effective - September 25, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Claim of Confidentiality
- Section 4. Determination of Confidentiality
- Section 5. Use of Confidential Material by the Director
- Section 6. Types and Amounts of Air Pollutants Discharged

SERIES 31A - RELEASE OF PREVIOUSLY SUBMITTED CONFIDENTIAL INFORMATION

Authority - §§22-5-4; 22-5-10; 29A-1-2(c) & 45CSR31

Type - Interpretive

Price - \$2.20

Effective - September 21, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Release of Confidential Information

SERIES 31B - CONFIDENTIAL BUSINESS INFORMATION AND EMISSION DATA

Authority - §§22-5-4; 22-5-10; 29A-1-2(c) & 45CSR31

Type - Interpretive

Price - \$2.60

Effective - November 10, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. What Information Constitutes Emission Data
- Section 5. Contents of Permit
- Section 6. Information Determined Emission Data by EPA

SERIES 32 - SERIOUS AND MINOR VIOLATIONS OF APPLICABLE RULES

Authority - §20-5-1 et seq.

Type - Legislative

Price - \$2.60

Effective - July 7, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Serious Violations
- Section 4. Separate Violations
- Section 5. Severability

SERIES 33 - ACID RAIN PROVISIONS AND PERMITS

Authority - §22-5-1 et seq.

Type - Legislative

Price - \$2.40

Effective - June 1, 2003

- Section 1. General
- Section 2. Requirements
- Section 3. Definitions
- Section 4. Adoption of Standards
- Section 5. Inconsistency Between Rules

**SERIES 34 - EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES
PURSUANT TO 40 CFR PART 63**

Authority - §22-5-4
Type - Legislative
Price - \$2.60
Effective - June 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Requirements
- Section 4. Adoption of Standards
- Section 5. Secretary
- Section 6. Permits
- Section 7. Inconsistency Between Rules

**SERIES 35 - REQUIREMENTS FOR DETERMINING CONFORMITY OF GENERAL FEDERAL ACTIONS TO
APPLICABLE AIR QUALITY**

Authority - §22-5-1 et seq.
Type - Legislative
Price - \$2.40
Effective - May 1, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Adoption of Criteria, Procedures and Requirements
- Section 4. Requirements

**SERIES 36 - REQUIREMENTS FOR DETERMINING CONFORMITY OF TRANSPORTATION PLANS, PROGRAMS AND
PROJECTS DEVELOPED, FUNDED OR APPROVED UNDER TITLE 23 U.S.C. OR THE FEDERAL
TRANSIT LAWS TO APPLICABLE AIR QUALITY IMPLEMENTATION PLANS (TRANSPORTATION
CONFORMITY)**

Authority - §22-5-4
Type - Legislative
Price - \$2.60
Effective - June 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Requirements
- Section 4. Adoption of Policies and Procedures
- Section 5. Consultation
- Section 6. Inconsistency Between Rules
- Appendix

SERIES 37 - RESERVED

SERIES 38 - PROVISIONS FOR DETERMINATION OF COMPLIANCE WITH AIR QUALITY MANAGEMENT RULES

Authority - §22-5-1 et seq.
Type - Legislative
Price - \$2.40
Effective - May 1, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Compliance Determination Methods and Procedures
- Section 4. Compliance Certification by a Source Owner or Operation
- Section 5. Enforcement of Emission Standards or Limitations by the Director

TITLE 52

AIR QUALITY BOARD

(SEE TITLE 45, DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF AIR QUALITY)

SERIES 1 - PROCEDURAL RULES GOVERNING APPEALS BEFORE THE AIR QUALITY BOARD

Authority - §§29A-3-3; 22B-1-3(c)

Type - Procedural

Price - \$3.00

Effective - December 30, 1994

- Section 1. General
- Section 2. Notice of Appeal; Answer
- Section 3. The Certified Record
- Section 4. Filing and Service of Documents
- Section 5. Orders of the Board; Submission of Motions
- Section 6. Evidentiary Hearings
- Section 7. Ex Parte Contracts
- Section 8. Confidential Information.
- Appendix

SERIES 2 - RULES ON REQUESTS FOR INFORMATION

Authority - §§29B-1 et seq.; 29-3-3

Type - Procedural

Price - \$3.20

Effective - February 2, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Policy on Disclosure
- Section 4. Form of Request
- Section 5. Requests Which do not Reasonably Describe Records Sought
- Section 6. Misdirected Requests; Oral Requests
- Section 7. Responsibilities of the Board
- Section 8. Denials of Request
- Section 9. Exemptions
- Section 10. Partial Disclosure
- Section 11. Fees

TITLE 175

ALCOHOL BEVERAGE CONTROL COMMISSION

Index for the Alcohol Beverage Control Commission

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TOTAL COST OF TITLE 175 - \$44.50		

SERIES 1 - RETAIL LICENSEE OPERATIONS

Authority - §60-3A-6
Type - Legislative
Price - \$5.40
Effective - May 22, 2000

Section	1. General
Section	2. Definitions
Section	3. Authorized Retail Licensee Activities
Section	4. Ordering, Receiving and Paying
Section	5. Manufacturer Prohibitions
Section	6. Advertising
Section	7. Transportation
Appendices	

SERIES 2 - PRIVATE CLUB LICENSING

Authority - §§29A-3-1 et seq.; 60-7-10
Type - Legislative
Price - \$4.80
Effective - May 22, 2000

Section	1. General
Section	2. Definitions
Section	3. Licensure
Section	4. Operation of Private Club
Section	5. Violations
Section	6. Hearing and Appeal Procedure

SERIES 3 - FARM WINERIES

Authority - §§60-2-16; 29A-3-1 et seq.

Type - Legislative

Price - \$4.20

Effective - April 15, 1991

- Section 1. General
- Section 2. Definitions
- Section 3. Licensure
- Section 4. Operation of Farm Wineries
- Section 5. Reserved for Future Use
- Section 6. Advertising
- Section 7. Violations
- Section 8. Enforcement
- Section 9. Hearing and Appeal Procedure
- Section 10. Severability

SERIES 4 - RETAIL SALE OF WINE IN GROCERY STORES, WINE SPECIALTY SHOPS AND PRIVATE WINE RESTAURANTS

Authority - §§60-2-16; 60-8-23; 29A-3-1 et seq.

Type - Legislative

Price - \$8.40

Effective - April 15, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Suppliers
- Section 4. Wine Distributors
- Section 5. Wine Retailers
- Section 6. Private Wine Restaurant
- Section 7. Wine Liter Tax and Municipal Tax on Wine Sales; Reports Required
- Section 8. Advertising
- Section 9. Trade Practices and Conduct of Business Generally
- Section 10. Refusal, Suspension or Revocation of License
- Section 11. Hearing and Appeal Procedure
- Section 12. Severability

SERIES 5 - LICENSING OF RETAIL LIQUOR STORES

Authority - §60-3A-6(C)(2)

Type - Legislative

Price - \$12.30

Effective - June 15, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Criteria, Limitation and Necessity for Retail Operations
- Section 4. Limitations on Holding Licenses
- Section 5. General Powers and Duties of Board and Commissioner
- Section 6. Duties of Successful Bidders for Class A Licenses to Open and Operate Its Authorized Stores; Limitation on Number of Retail Outlets a Person May Hold
- Section 7. Retail License Application Requirements; Federal Licensing Requirements
- Section 8. Investigation of Applicants for Retail License
- Section 9. Bidding Procedure
- Section 10. Preference for Resident Bidders
- Section 11. Criminal Penalties for Unlawful Inducement
- Section 12. Bonding Requirements
- Section 13. Annual Retail License Fee
- Section 14. Sale, Assignment or Transfer of Retail License

Section	15.	Surrender of Retail License
Section	16.	Restriction on Location of Retail Outlets
Section	17.	Wholesale Prices Set by Commissioner
Section	18.	Days and Hours Retail Licensees May Sell Liquor
Section	19.	Limitation on Amount to be Sold
Section	20.	Nonapplication of Rules to Retail Sales of Nonintoxicating Beer
Section	21.	Tax on Purchases of Alcoholic Liquor
Section	22.	Requirement for Posting Information Sign
Section	23.	Records Required of Retail Licensees; Inspection of Records
Section	24.	Unlawful Acts by Persons
Section	25.	Certain Acts of Retail Licensees Prohibited; Criminal Penalties
Section	26.	Civil Penalties
Section	27.	Suspension or Revocation of Retail License
Section	28.	Revocation of License for Failure to Operate Retail Outlet and Forfeiture of Retail Outlet for Failure to Operate Retail Outlet
Section	29.	Notice of Hearing on Boundary Disputes
Appendix		

SERIES 6 - BAILMENT POLICIES AND PROCEDURES

Authority - §§60-2-16; 29A-3-1 et seq.
Type - Legislative
Price - \$4.00
Effective - April 15, 1991

Section	1.	General
Section	2.	Definitions
Section	3.	Conversion in Bailment
Section	4.	Delivering Merchandise
Section	5.	Unloading and Storage
Section	6.	Use of Bailment Inventory
Section	7.	Defective Merchandise and Concealed Damage or Shortage
Section	8.	Withdrawal of Bailment Inventory by the Supplier
Section	9.	Maximum Inventory Levels
Section	10.	Special Orders
Section	11.	Handling Charges
Section	12.	Reserved for Future Use
Section	13.	Physical Count of Inventory
Section	14.	Listing and Delisting of Inventory Products
Section	15.	Reports
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SERIES 7 - RESERVED

SERIES 8 - CIGARETTES PRODUCED FOR EXPORT/IMPORTED CIGARETTES

Authority - §60-9-5
Type - Legislative
Price - \$3.00
Effective - June 1, 2001

Section	1.	General
Section	2.	Definitions
Section	3.	Imported Cigarettes -- Requirements
Section	4.	Cigarettes Produced for Export -- Prohibitions; Unstamped Tobacco Products
Section	5.	Penalties
Section	6.	Enforcement of Youth Smoking Laws; ABCC; Use of Minors in Inspections
Section	7.	Administrative Sanctions
Section	8.	Hearing and Appeal Procedure
Section	9.	General Enforcement Provisions
Section	10.	Unfair Trade Practices
Section	11.	Manufacturers Relationships with Retailers
Section	12.	Procedure for Filing Complaint
Section	13.	Hearing and Appeal Procedure

SERIES 9 - PROHIBITING SALE OF TOBACCO PRODUCTS IN VENDING MACHINES

Authority - §§16-9A-8; 29A-3-1 et seq.

Type - Legislative

Price - \$2.40

Effective - June 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Tobacco Registration License Tax
- Section 4. Cigarette Vending Machine Operators
- Section 5. Enforcement - Standards for Location of Vending Machines
- Section 6. Enforcement of Youth Smoking Laws; Alcohol Beverage Control Commission Class A License Establishments, Use of Minors in Inspections
- Section 7. Penalties; Exceptions
- Section 8. Hearing and Appeal Procedure
- Section 9. Severability

TITLE 176

ALCOHOL BEVERAGE CONTROL COMMISSION - BEER

SERIES 1 - RULES AND REGULATIONS PERTAINING TO THE WEST VIRGINIA NON-INTOXICATING BEER COMMISSION

Authority - §§11-16-22; 29A-3-1

Type - Legislative

Price - \$6.20

Effective - July 1, 1995

Section	1. General
Section	2. Definitions
Section	3. Licenses
Section	4. Labels, Brewer's Reports, Taxation, Distributor's Reports, Record Management by Brewers and Distributors
Section	5. Reserved
Section	6. Unlawful Acts
Section	7. Advertising
Section	8. Sanitation
Section	9. Reserved
Section	10. Deposit for Packages, Container, Deposits, Rebates
Section	11. Chipped or Broken Bottles
Section	12. Flat Beer
Section	13. Brewers, Qualifications, Shipment into State, Bond, Contract
Section	14. Revocations or Suspension of License
Section	15. Hearing on Sanctioning of License

TITLE 2

WEST VIRGINIA BOARD OF ARCHITECTS

SERIES 1 - REGISTRATION OF ARCHITECTS

Authority - §§30-12-1; 30-12-3; 30-1-7a

Type - Legislative

Price - \$4.00

Effective - April 14, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. General Provisions
- Section 4. Applications for Registration
- Section 5. Registration Standards
- Section 6. Reciprocal Registration
- Section 7. Examination
- Section 8. Registration
- Section 9. Rules of Professional Conduct
- Section 10. Causes for Denial, Suspension or Revocation of Registration or Other Disciplinary Action

SERIES 2 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR ARCHITECTS

Authority - §§30-12-1; 30-12-3; 30-1-7A

Type - Procedural

Price - \$3.60

Effective - January 12, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Suspension or Revocation of Registration, or Other Disciplinary Action
- Section 5. Disposition of Complaints
- Section 6. Requests for Hearing Following Denial of Registration
- Section 7. Hearing Procedure
- Section 8. Transcription of Testimony and Evidence
- Section 9. Submission of Proposal Findings of Fact and Conclusion of Law
- Section 10. Depositions and Discovery
- Section 11. Orders
- Section 12. Notification to NCARB
- Section 13. Appeal

SERIES 3 - FEES FOR REGISTRATION OF ARCHITECTS

Authority - §30-1-6

Type - Legislative

Price - \$2.00

Effective - May 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Fees

TITLE 180

ARCHIVES AND HISTORY COMMISSION

NO RULES ON FILE

TITLE 177

WEST VIRGINIA ATHLETIC COMMISSION

SERIES 1 - ADMINISTRATIVE RULES AND REGULATIONS OF THE STATE ATHLETIC COMMISSION

Authority - §29-5A-24

Type - Legislative

Price - \$5.20

Effective - July 10, 2002

Section	1. General
Section	2. Definitions
Section	3. Press Relations
Section	4. Licenses
Section	5. Bond
Section	6. Individual Sanction and Permits for Professionals and Amateurs
Section	7. Insurance for Boxers
Section	8. Promoter's Report
Section	9. Inspectors or Deputies
Section	10. Failure to Submit Report of Contests
Section	11. Minimum Age Limit
Section	12. Assumed Names
Section	13. Designation of Officials
Section	14. Failure to Appear
Section	15. Weigh In
Section	16. Weights and Classes
Section	17. Contracts
Section	18. Fake Contests
Section	19. No Pay Before Contest
Section	20. Wagering
Section	21. Length of Rounds
Section	22. Reporting In
Section	23. Interval Between Bouts
Section	24. Dressing Room
Section	25. Managers
Section	26. Boxers with no Managers
Section	27. Seconds
Section	28. Timekeepers
Section	29. The Announcer
Section	30. Physician; Medical Requirements
Section	31. Decisions
Section	32. Fouls
Section	33. Referee's License
Section	34. "Down" Without Being Struck; Counted Out
Section	35. Withholding Purse
Section	36. Counting
Section	37. A Contestant is Down
Section	38. Gloves
Section	39. Bandages
Section	40. Contestant's Costumes
Section	41. The Ring
Section	42. Ring Ropes
Section	43. Obstructions
Section	44. Water Buckets, Etc.
Section	45. Semi Professional Fights, also Known as "Toughperson" Style Elimination Tournaments
Section	46. Amateur Boxing Rules
Section	47. National Anthem
Section	48. Ultimate Fight
Section	49. Officials Fees

TITLE 142

ATTORNEY GENERAL

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TOTAL COST OF ALL OF TITLE 142 - \$41.20		

SERIES 1 - RULES AND REGULATIONS FOR THE ATTORNEY GENERAL PERTAINING TO THE WEST VIRGINIA CONSUMER CREDIT AND PROTECTION ACT

Authority - §46A-7-102(1)(e)

Type - Procedural

Price - \$2.40

Effective - April 3, 1975

Section	1. General
Section	2. Definition
Section	3. Hearings

SERIES 2 - FREEDOM OF INFORMATION RULES

Authority - §29B-1-3
Type - Procedural
Price - \$2.00
Effective - December 21, 1988

- Section 1. General
- Section 2. Request Procedure
- Section 3. Exemptions
- Section 4. Request for Complications
- Section 5. Fees for Reproduction of Records

SERIES 3 - ESTABLISHMENT AND QUALIFICATION OF THIRD PARTY DISPUTE MECHANISMS FOR THE RESOLUTION OF NEW MOTOR VEHICLE WARRANTY DISPUTES BETWEEN THE CONSUMER AND THE MANUFACTURER, ITS AGENT OR ITS AUTHORIZED DEALER

Authority - §§46A-6-103 and 46A-6A-8
Type - Legislative
Price - \$3.40
Effective - August 1, 1985

- Section 1. General
- Section 2. Definitions
- Section 3. Option to Establish Informal Dispute Settlement Procedure
- Section 4. Duties of Warrantor
- Section 5. Minimum Requirement of the Mechanism

SERIES 4 - STATE GUIDELINES FOR FAIR TREATMENT OF CRIME VICTIMS AND WITNESSES IN THE CRIMINAL JUSTICE SYSTEM

Authority - §61-11A-6
Type - Legislative
Price - \$2.60
Effective - July 1, 1984

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Services to Victims of Crime
- Section 5. Compliance Within Limits of Available Resources and Constitutional Requirements
- Section 6. No Cause of Action Created

SERIES 5 - PREVENTION OF UNFAIR OR DECEPTIVE ACTS OR PRACTICES IN HOME IMPROVEMENT TRANSACTIONS

Authority - §§49A-6-103, 46A-7-102(e)
Type - Legislative
Price - \$3.00
Effective - June 15, 1987

- Section 1. General
- Section 2. Definitions
- Section 3. Home Improvement and Home Construction Transactions
- Section 4. Remedies

SERIES 6 - PREVENTION OF UNFAIR OR DECEPTIVE ACTS OR PRACTICES IN SALE OF DAMAGED GOODS OR DAMAGED PRODUCTS

Authority - §§46A-6-103, 46A-7-102(e)

Type - Legislative

Price - \$2.40

Effective - June 15, 1987

- Section 1. General
- Section 2. Definitions
- Section 3. Sale of Damaged Goods or Damaged Products
- Section 4. Remedies

SERIES 7 - QUALIFICATION AND APPROVAL OF MOTOR VEHICLE MANUFACTURER'S INFORMAL DISPUTE SETTLEMENT MECHANISMS

Authority - §§46A-6-103, 46A-6A-8

Type - Procedural

Price - \$2.80

Effective - June 1, 1987

- Section 1. General
- Section 2. Definitions
- Section 3. Application for Qualification
- Section 4. Review of Application
- Section 5. Provisionally Qualified Mechanisms
- Section 6. Continuing Obligations of Qualified Mechanisms
- Section 7. Revocation of Qualification
- Section 8. Unqualified Mechanisms

SERIES 8 - ADMINISTRATION OF PRENEED BURIAL CONTRACTS

Authority - §§47-14-9; 46A-6-103; 46A-7-203(1)(e)

Type - Legislative

Price - \$3.40

Effective - August 25, 1988

- Section 1. General
- Section 2. Definitions
- Section 3. Annual Report
- Section 4. Application for Certificate of Authority or License; Contents of Application
- Section 5. Initial Examinations
- Section 6. Second or Subsequent Examinations
- Section 7. Trust Accounts
- Section 8. Provision of Goods and Services Under Preneed Funeral Contract at Death of Contract Beneficiary
- Section 9. Contents and Execution of Contracts
- Section 10. Default by the Contract Buyer
- Section 11. Sale or Transfer of Certificate of Authority or License Prohibited
- Section 12. Multiple Price Lists Prohibited
- Section 13. Disciplinary Proceedings
- Section 14. Insolvency
- Section 15. Notice of Contract Irrevocability
- Section 16. Applicability of Freedom of Information Act
- Section 17. Violation of Rule; Enforcement

SERIES 9 - ALLOWING PERSONS WHO ARE INDIRECTLY INJURED BY VIOLATIONS OF THE WEST VIRGINIA ANTITRUST ACT TO RECOVER DAMAGES

Authority - §47-18-20
Type - Legislative
Price - \$2.00
Effective - April 2, 1990

- Section 1. General
Section 2. General Recoverable by Persons Indirectly Injured

SERIES 10 THRU 12 - RESERVED

SERIES 13 - HEALTH SPAS

Authority - §§46A-7-102(1)(e); 46A-6-103
Type - Legislative
Price - \$3.80
Effective - July 1, 1990

- Section 1. General
Section 2. Definitions
Section 3. Surety Bond, Letter of Credit and Alternatives
Section 4. Contract Requirements
Section 5. Cancellation of Contracts
Section 6. Pre-opening Sale of Contracts
Section 7. Unfair or Deceptive Acts or Practices
Section 8. Violation of the Rule; Enforcement

SERIES 14 - LIMITATION OF ACTION AND RECOVERY OF INVESTIGATIVE COSTS AND A REASONABLE ATTORNEY'S FEE BY THE ATTORNEY GENERAL IN ENFORCEMENT ACTIONS

Authority - §47-18-20
Type - Legislative
Price - \$2.00
Effective - April 9, 1991

- Section 1. General
Section 2. Continuing Violations
Section 3. Investigative Costs and Attorney's Fees

SERIES 15 - DEFINING THE TERM "FEDERAL ANTITRUST LAWS" AND PROHIBITING TYING AND RECIPROCITY

Authority - §47-18-20
Type - Legislative
Price - \$2.00
Effective - April 9, 1991

- Section 1. General
Section 2. Definitions of "Federal Antitrust Laws" as Used in West Virginia Code §47-18-17
Section 3. Prohibited Conduct

SERIES 16 - AUTHORIZING THE ATTORNEY GENERAL TO REQUIRE PERSONS UPON WHOM SUBPOENAS ARE SERVED TO ANSWER WRITTEN QUESTIONS UNDER OATH

Authority 47-18-20
Type - Legislative
Price - \$2.00
Effective - April 9, 1991

- Section 1. General
- Section 2. Written Responses to Subpoenas

SERIES 17 - RESERVED

SERIES 18 - REGULATED BUSINESS EXEMPTION UNDER THE WEST VIRGINIA ANTITRUST ACT

Authority - §47-18-20
Type - Legislative
Price - \$2.00
Effective - April 9, 1991

- Section 1. General
- Section 2. Exemption from the West Virginia Antitrust Act for Regulated Businesses

SERIES 19 - ASSISTANCE OF PUBLIC OFFICIALS IN INVESTIGATIONS AND THE COMMENCEMENT OF PROCEEDINGS TO COMPEL COMPLIANCE

Authority - §47-48-20
Type - Legislative
Price - \$2.00
Effective - April 9, 1991

- Section 1. General
- Section 2. Proceedings to Enforce Compliance by Public Officials and Employees in Antitrust Investigations
- Section 3. Priority in Actions Brought by the Attorney General to Compel Compliance with Subpoenas or Other Investigative Requests

SERIES 20 THRU 21 - RESERVED

SERIES 22 - WEST VIRGINIA CONSUMER GOODS RENTAL PROTECTIVE ACT

Authority - §§46A-6-103; 46A-7-102(e); 46B-3-10
Type - Legislative
Price - \$3.40
Effective - May 9, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Disclosure
- Section 5. Termination Notice
- Section 6. Transfer of Warranties

TITLE 155

AUDITOR

ED. NOTE: The State Auditor has a joint rule with the Department of Administration (148 CSR 7), STATE PURCHASING CARD PROGRAM, and with the Treasurer of State (112 CSR 2), SUBSTITUTE CHECKS-EXCEPTIONAL ITEMS FUND

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TOTAL COST FOR ALL OF TITLE 155 - \$13.80	

SERIES 1 - STANDARDS FOR REQUISITIONS FOR PAYMENT ISSUED BY STATE OFFICERS ON THE AUDITOR

Authority - §12-3-10
Type - Legislative
Price - \$2.80
Effective - April 3, 2003

Section	1. General
Section	2. Definitions
Section	3. Invoice Requirements
Section	4. Contract Invoice Requirements
Section	5. Travel Reimbursement

SERIES 2 - RESERVED

SEE TREASURER 112CSR2

SERIES 3 - STANDARDS FOR VOLUNTARY PAYROLL DEDUCTIONS

Authority - §12-3-13B
Type - Legislative
Price - \$2.40
Effective - April 1, 1998

Section	1. General
Section	2. Definitions
Section	3. State Auditor's office Responsibilities
Section	4. Method of Deductions
Section	5. Request for Voluntary Deductions
Section	6. Method of Determining Eligibility for Voluntary Deductions

SERIES 4 - TRANSACTION FEE AND RATE STRUCTURE

Authority - §12-3-10C
Type - Legislative
Price - \$2.40
Effective - April 23, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Transaction Fee Structure
- Section 4. Penalty Fee Structure
- Section 5. Disposition of Fees
- Section 6. Accounting Requirements

SERIES 5 - STATE AUDITOR'S COMPUTER AND TECHNOLOGY DONATION PROGRAM

Authority - §12-4B-2
Type - Legislative
Price - \$3.20
Effective - April 4, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Director's Duties
- Section 4. Administration
- Section 5. Notice
- Section 6. Selection
- Section 7. Liability and Miscellaneous

SERIES 6 - RESERVED**SERIES 7 - PURCHASING CARD PROGRAM**

Authority - §12-3-10a
Type - Legislative
Price - \$3.00
Effective - April 23, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Power and Authority
- Section 5. Point of Sale Vendor Participation
- Section 6. Purchasing Methods
- Section 7. Itemizing Claims for Payments
- Section 8. Violations

TITLE 106

COMMISSIONER OF BANKING

Index for Banking

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Series	1. Rule Pertaining to the WV Consumer Credit and Protection Act and the Money and Interest Article of Chapter 47	84
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Series	3. Rule Governing the Off-Premise Bookkeeping Services of Financial Institutions in West Virginia	85
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Series	7. Installation, Operation and Sharing of Customers Bank Communication Terminals and the Utilization of Non-Exclusive Access Interchange System	86
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Series	18. Acquisition of Property by Financial Institutions and Valuation of Real Estate by State-Chartered Banks	88
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TOTAL COST OF ALL OF TITLE 106 - \$48.20		

SERIES 1 - RULE PERTAINING TO THE WV CONSUMER CREDIT AND PROTECTION ACT AND THE MONEY AND INTEREST ARTICLE OF CHAPTER 47

Authority - §31A-2-4(c)(12)

Type - Legislative

Price - \$3.00

Effective - June 2, 1997

Section	1. General
Section	2. Rules of General Application
Section	3. Loan Investigation Fee, Loan Origination Fee, Loan Assumption Fee

SERIES 2 - THE SALE OF INSURANCE PRODUCTS BY STATE-CHARTERED BANKS

Authority - §§31A-4-13(i); 13A-2-4(c)(11)

Type - Legislative

Price - \$2.40

Effective - May 1, 1999

Section	1. General
Section	2. Notice and Conduct of Insurance Activities
Section	3. Safety and Soundness
Section	4. Enforcement and Penalties

SERIES 3 - RULE GOVERNING THE OPERATIONS OF THE OFF-PREMISE BOOKKEEPING SERVICES OF INSTITUTIONS IN WEST VIRGINIA

Authority - §31A-2-4(c)(11)
 Type - Legislative
 Price - \$2.00
 Effective - June 2, 1997

- Section 1. General
- Section 2. Maintenance of Records and Accounts

SERIES 4 - REGULATIONS PERTAINING TO THE WV CONSUMER CREDIT AND PROTECTION ACT

Authority - §31A-2-4(c)(12)
 Type - Legislative
 Price - \$2.60
 Effective - June 2, 1997

- Section 1. General
- Section 2. Regulated Consumer Lender Restrictions

SERIES 5 - RULE PERTAINING TO RESIDENTIAL MORTGAGE LENDERS, BROKERS AND LOAN ORIGINATORS

Authority - §§31-17-3; 31-17-11(a)
 Type - Legislative
 Price - \$3.20
 Effective - July 1, 2004

- Section 1. General
- Section 2. Time Frames for Record Keeping By Licensees
- Section 3. Records That Must be Maintained by Licensed Residential Mortgage Lenders Who Provide the Initial Funding for a Loan
- Section 4. Records That Must be Maintained by Licensed Residential Mortgage Lenders That Purchase or Take Assignment of a Residential Mortgage Loan
- Section 5. Records That Must be Maintained by Licensed Residential Mortgage Servicers
- Section 6. Records That Must be Maintained by Licensed Residential Mortgage Brokers
- Section 7. Form and Location of Records
- Section 8. Advertising
- Section 9. Use of Non-local Appraisers
- Section 10. Improper Influence of Appraisers
- Section 11. Documentation of Ability to Repay
- Section 12. Notice of Changes in Loans That Are in Process
- Section 13. Criminal Background Checks
- Section 14. Payment to Unrelated Third Parties

SERIES 6 - SUBSIDIARY BANK HOLDING THE STOCK OF ITS PARENT HOLDING COMPANY AS COLLATERAL

Authority - §31A-2-4(c)(11)
 Type - Legislative
 Price - \$2.00
 Effective - May 2, 1989

- Section 1. General
- Section 2. Holding Company Stock as Collateral

**SERIES 7 - INSTALLATION, OPERATION AND SHARING OF CUSTOMER BANK COMMUNICATION TERMINALS
AND THE UTILIZATION OF NON-EXCLUSIVE ACCESS INTERCHANGE SYSTEMS**

Authority - §31A-8-12b(f)

Type - Legislative

Price - \$2.60

Effective - May 11, 1983

- Section 1. General
- Section 2. Sharing Customer Bank Communication Terminals
- Section 3. Non-Exclusive Access Interchange System
- Section 4. Night Depository Box Attached to a Customer Bank Communication Terminal

SERIES 8 - RESERVED

Repealed & Replaced by 106 CSR 1

Effective - June 2, 1997

SERIES 9 - LEGAL LENDING LIMIT

Authority - §31A-4-26(a)(5)

Type - Legislative

Price - \$4.40

Effective - June 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Limitations and Compliance
- Section 4. Combining Loans to Non-Affiliated Persons or Entities
- Section 5. Combining Loans to Affiliated Persons or Entities
- Section 6. Exceptions to the Lending Limits
- Section 7. Miscellaneous

SERIES 10 - PROCEDURAL RULES OF THE COMMISSION OF BANKING

Authority - §29A-4-1 and 29A-5-I(a)

Type - Procedural

Price - \$2.40

Effective - February 11, 1985

- Section 1. General
- Section 2. Declaratory Rulings
- Section 3. Contested Case Hearings

SERIES 11 - PERMISSIBLE ADDITIONAL CHARGES IN CONNECTION WITH A CONSUMER CREDIT SALE OR LOAN

Authority - §§46A-3-109(1)(d) and 31A-2-4(c)(12)

Type - Legislative

Price - \$2.60

Effective - May 1, 1999

- Section 1. General
- Section 2. Documentary Fee or Documentary Charge
- Section 3. Flood Mapping Service Fee for Residential Property
- Section 4. Over-the-Limit Fees
- Section 5. Cash Advance Charges
- Section 6. Debt Cancellation Contracts and Insurance
- Section 7. Optional End Term Debt Cancellation Fee

SERIES 12 - COMMUNITY REINVESTMENT ACT

Authority - §31A-8B-5

Type - Legislative

Price - \$2.60

Effective - July 1, 1993

- Section 1. General
- Section 2. Applicability of Federal Community Reinvestment Act of 1977
- Section 3. Filing Requirements
- Section 4. Assessing the Record of Performance
- Section 5. Public Participation
- Section 6. Effects on Applications

SERIES 13 - DEFINING CERTAIN TERMS IN CHAPTER 31A-8C-1 ET SEQ. AND REGULATIONS PROMULGATED THEREUNDER

Authority - §31A-2-4(c)(11); §31A-8C-2 & 4; §29A-3-1 et seq.

Type - Interpretive

Price - \$2.40

Effective - January 29, 1989

- Section 1. General
- Section 2. Definitions as Interpreted by the Commissioner of Banking

SERIES 14 - IMPLEMENTING THE ACT GOVERNING THE PROVISION OF FINANCIALLY RELATED SERVICES BY BANKS AND BANK HOLDING COMPANIES

Authority - §31A-8C-4

Type - Procedural

Price - \$2.60

Effective - January 29, 1989

- Section 1. General
- Section 2. Application of Procedures
- Section 3. Filing Requirements
- Section 4. Limitation on Activities
- Section 5. Fees

SERIES 15 - RESERVED**SERIES 16 - LEASE FINANCING TRANSACTIONS**

Authority - §31A-4-38

Type - Legislative

Price - \$2.60

Effective - April 24, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Authority to Engage in Leasing Transactions
- Section 4. Lease terms, Legal Lending Limits
- Section 5. Residual Value
- Section 6. Maintenance and Retention of Records
- Section 7. Conflicts

SERIES 17 - NOTICE AND TREATMENT OF JOINT ACCOUNTS

Authority - §§31A-4-33; 31A-2-4(c)(11)

Type - Legislative

Price - \$3.40

Effective - May 5, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Notice
- Section 4. Effect of Written Notice
- Section 5. Non-Liability of Bank
- Section 6. Severability
- Appendix

SERIES 18 - ACQUISITION OF PROPERTY BY FINANCIAL INSTITUTIONS AND VALUATION OF REAL ESTATE OWNED BY STATE-CHARTERED BANKS

Authority - §§31A-4-13; 31A-8-3; 31A-2-4(c)(11)

Type - Legislative

Price - \$2.80

Effective - May 19, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Valuation of Real Estate Held by State-Chartered Banks
- Section 4. Holding Period
- Section 5. Appraisal Requirements
- Section 6. Additional Expenditures and Notification
- Section 7. Prohibited Conduct of Foreclosure and Other Real Estate Sales by Directors, Officers, Employees and Affiliates of a Financial Institution
- Section 8. Severability

SERIES 19 - RULE FOR REVERSE MORTGAGE LOANS

Authority - §47-24-8(b)

Type - Legislative

Price - \$4.60

Effective - June 2, 1997

- Section 1. General
- Section 2. Authorization to Make Reverse Mortgage Loans
- Section 3. Definitions
- Section 4. Approval for Mortgage Bankers and Other Entities to Make Reverse Mortgage Loans
- Section 5. Lending Procedures and Records Retention
- Section 6. Requirements for Reverse Mortgage Loans
- Section 7. Additional Features of Reverse Mortgage Loans
- Section 8. Maintenance of Real Property Securing the Reverse Mortgage Loans
- Section 9. Termination of Reverse Mortgage Loans
- Section 10. Permitted Fees, Costs and Payments
- Section 11. Required Disclosures for Reverse Mortgage Loans
- Section 12. Availability of Reverse Mortgage Loans
- Section 13. Administrative Penalties and Hearings
- Section 14. Special Provisions Regarding Payment of Real Estate Taxes and Insurance
- Section 15. Aggregate Loan Limits for Certain Lenders

TITLE 107

WEST VIRGINIA BOARD OF BANKING AND FINANCIAL INSTITUTIONS

SERIES 1 - RULES OF WV BOARD OF BANKING AND FINANCIAL INSTITUTIONS

Authority - §31A-2(a)
Type - Procedural
Price - \$3.20
Effective - August 31, 1995

Section 1. General
Section 2. Declaratory Rulings
Section 3. Hearings
Section 4. Severability

SERIES 2 - OPEN MEETINGS REGULATIONS FOR THE WEST VIRGINIA BOARD OF BANKING AND FINANCIAL INSTITUTIONS

Authority - §6-9A-3
Type - Procedural
Price - \$2.00
Effective - November 6, 1981

Section 1. General
Section 2. Meetings

TITLE 3

STATE BOARD OF BARBERS AND COSMETOLOGISTS

Index for Board of Barbers and Cosmetologists

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TOTAL COST OF ALL OF TITLE 3 - \$24.40	

SERIES 1 - PROCEDURES, CRITERIA AND CURRICULA FOR EXAMINATION AND LICENSURE OF BARBERS, COSMETOLOGISTS AND MANICURISTS and AESTHETICIANS

Authority - §§30-27-1; 30-27-8

Type - Legislative

Price - \$5.20

Effective - April 4, 2000

Section 1. General
Section 2. Definition of Aesthetician
Section 3. License Requirement
Section 4. Qualification for Licensure
Section 5. Minimum Curriculum for Barber Permanent Wave License
Section 6. Minimum Curriculum for Cosmetologists
Section 7. Minimum Curriculum for Manicurists
Section 8. Minimum Curriculum for Barbers to Obtain a Cross-over Cosmetologist's License
Section 9. Minimum Curriculum for Cosmetologists to Obtain a Cross-over Barber License
Section 10. Minimum Curriculum for Aestheticians
Section 11. Reciprocity
Section 12. Administrative Due Process
Tables

SERIES 2 - QUALIFICATIONS, TRAINING, EXAMINATION AND LICENSURE OF INSTRUCTORS IN BARBERING AND BEAUTY CULTURE

Authority - §30-27-8

Type - Legislative

Price - \$3.00

Effective - July 1, 1992

Section 1. General
Section 2. General Qualifications for Licensure as a Student or Master Instructor
Section 3. Additional Requirements for Licensure as a Student Instructor
Section 4. Additional Experience Requirements for Licensure as a Master Instructor
Section 5. Additional Educational Requirements for Licensure as a Master Instructor
Section 6. Renewal of Licensure as a Student or Master Instructor
Section 7. Reciprocity
Section 8. Revocation of Licensure
Section 9. Administrative Due Process
Section 10. Severability
Tables

SERIES 3 - RULES AND REGULATIONS FOR LICENSING SCHOOLS OF BARBERING AND BEAUTY CULTURE

Authority - §30-27-1
Type - Legislative
Price - \$2.60
Effective - July 1, 1992

- Section 1. General
- Section 2. Licensing Standards
- Section 3. Applications for Licenses
- Section 4. Licenses
- Section 5. Administrative Due Process
- Section 6. Severability

SERIES 4 - OPERATIONAL STANDARDS FOR SCHOOLS OF BARBERING AND BEAUTY CULTURE

Authority - §30-27-1
Type - Legislative
Price - \$3.40
Effective - July 1, 1992

- Section 1. General
- Section 2. Operation of Schools of Barbering and Beauty Culture
- Section 3. Classroom and Equipment Standards for Schools of Beauty Culture
- Section 4. Classrooms and Equipment Standards for Schools of Barbering
- Section 5. Enrollment
- Section 6. Attendance at Schools of Barbering and Beauty Culture
- Section 7. Records
- Section 8. Teaching Staff
- Section 9. Administrative Due Process
- Section 10. Severability

SERIES 5 - OPERATION OF BARBER SHOPS AND SCHOOLS OF BARBERING AND BEAUTY CULTURE

Authority - §30-27-1
Type - Legislative
Price - \$2.60
Effective - July 1, 1992

- Section 1. General
- Section 2. Sanitation and Operation Requirements
- Section 3. Duty to Carry Out Rules, Reporting and Complaints
- Section 4. Administrative Due Process
- Section 5. Severability

SERIES 6 - SCHEDULE OF FEES

Authority - §30-27-1
Type - Legislative
Price - \$2.00
Effective - June 1, 1997

- Section 1. General
- Section 2. Schedule of Fees

SERIES 7 - SCHEDULE OF FINES

Authority - §30-1-8
Type - Legislative
Price - \$3.20
Effective - March 26, 1999

Section 1. General
Section 2. Schedule of Fines

SERIES 8 - RESERVED

SERIES 9 - COMPLAINT PROCEDURES

Authority - §§30-27-8; 30-27-1
Type - Procedural
Price - \$2.40
Effective - January 1, 2001

Section 1. General
Section 2. Complaint Procedures

TITLE 62

BEEF INDUSTRY SELF-IMPROVEMENT ASSESSMENT BOARD

SERIES 1 - BEEF INDUSTRY SELF-IMPROVEMENT ASSESSMENT PROGRAM

Authority - §19-2F-6
Type - Legislative
Price - \$2.40
Effective - April 1, 1986

Section	1. General
Section	2. Definitions
Section	3. Regulations
Section	4. Assessments
Section	5. Refunds

WEST VIRGINIA NON-INTOXICATING BEER COMMISSIONER

(SEE TITLE 176 - ALCOHOL BEVERAGE CONTROL COMMISSION - BEER)

TITLE 159

STATE BUILDING COMMISSION

SERIES 1 - PROCEDURAL RULES FOR MEETINGS

Authority - §6-9A-3

Type - Procedural

Price - \$2.80

Effective - July 21, 1995

Section 1. General

Section 2. Office

Section 3. Commission

Section 4. Officers

Section 5. Miscellaneous

Section 6. Amendments

TITLE 187

CABLE TELEVISION ADVISORY BOARD

Abolished by 1997 Legislature by HB 2881 effective July 1, 1998.

SEE PUBLIC SERVICE COMMISSION, 150CSR26

TITLE 70

CANCER ADVISORY COMMITTEE

SERIES 1 - WEST VIRGINIA CANCER ADVISORY COMMITTEE MEETINGS AND BYLAWS

Authority - §§6-9A-3; 16-5A-2a(d)

Type - Procedural

Price - \$2.60

Effective - August 9, 1993

Section	1. General
Section	2. Application and Enforcement
Section	3. Definitions
Section	4. Regular Meetings Established; Notice Required, Time, Place and Purpose
Section	5. Special Meetings, Emergency Meetings
Section	6. Cancellation of Meetings
Section	7. Proceedings to be Open; Exceptions Executive Session Permitted
Section	8. Minutes
Section	9. Quorum; Majority Vote Required; Vote by Proxy Prohibited
Section	10. Election of Officers; Duties of Officers
Section	11. Resignation of Members
Section	12. Severability

TITLE 188

CAPITOL BUILDING COMMISSION

SERIES 1 - PROCEDURAL RULES FOR MEETINGS

Authority - §6-9A-3; 4-8-1 et seq.

Type - Procedural

Price - \$2.80

Effective - January 9, 1991

Section	1. General
Section	2. Office
Section	3. Commission
Section	4. Officers
Section	5. Miscellaneous
Section	6. Amendments

SERIES 2 - PREVIEWING PLANS FOR SUBSTANTIAL PHYSICAL CHANGES TO THE CAPITOL COMPLEX

Authority - §4-8-2, 4 & 5

Type - Interpretive

Price - \$2.00

Effective - January 9, 1991

Section	1. General
Section	2. Definitions
Section	3. Approval Requirements
Section	4. Emergencies

TITLE 72

CATASTROPHIC ILLNESS COMMISSION

SERIES 1 - ELIGIBILITY STANDARDS FOR ECONOMIC ASSISTANCE FROM THE "JAMES" TIGER MORTON
CATASTROPHIC ILLNESS FUND

Authority - §§16-5Q-2; 16-1-4

Type - Legislative

Price - \$3.00

Effective - May 7, 2004

Section	1. General
Section	2. Application
Section	3. Definitions
Section	4. Applications
Section	5. Purpose for Setting Eligibility Standards
Section	6. Eligibility Standards
Section	7. Approved Care and Services
Section	8. Disapproved Care and Services
Section	9. Determination of Eligibility and Award
Section	10. Confidentiality and Records
Section	11. Administrative Due Process

COMMISSION ON CHARITABLE ORGANIZATIONS

THE CHARITABLE ORGANIZATIONS COMMISSION WAS TERMINATED
BY THE 1995 LEGISLATURE IN HB 2279

TITLE 97

CHILD SUPPORT ENFORCEMENT DIVISION

SERIES 1 - RESERVED

SERIES 2 - RESERVED

SERIES 3 - RESERVED

Repealed by SB 295
Effective April 23, 2001

SERIES 4 - RESERVED

Repealed by SB 295
Effective April 23, 2001

TITLE 79

COMMISSION ON CHILDREN AND YOUTH

**SERIES 1 - OPERATING RULES AND REGULATIONS FOR THE WEST VIRGINIA COMMISSION ON CHILDREN
AND YOUTH**

Authority - §49-6C-6

Type - Procedural

Price - \$3.00

Effective - October 6, 1987

- Section 1. General
- Section 2. Organization
- Section 3. State Plan
- Section 4. Children's Trust Fund Regulations

TITLE 4

WEST VIRGINIA BOARD OF CHIROPRACTIC EXAMINERS

Index for West Virginia Board of Chiropractic Examiners

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TOTAL COST OF ALL OF TITLE 4 - \$14.20	

SERIES 1 - REGULATION OF CHIROPRACTIC PRACTICES

Authority - §30-16-5
Type - Legislative
Price - \$3.40
Effective - March 29, 1999

Section 1. General	
Section 2. Definitions	
Section 3. Officers and Duties of the Board	
Section 4. Meeting of the Board	
Section 5. Qualifications for Receiving and Maintaining a License to Practice Chiropractic	
Section 6. Duties of a Licensee	
Section 7. Disciplinary Action	
Section 8. Advertising	
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Section 10. Abusive Billing Practices	
Section 11. Unlawful Referral	
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Section 13. Investigation and Formal Hearings	
Section 14. Appeal	
Section 15. Chiropractic Assistance	
Section 16. Fees	

SERIES 2 - PROCEDURES OF THE WEST VIRGINIA BOARD OF CHIROPRACTIC EXAMINERS

Authority - §30-16-1
Type - Procedural
Price - \$2.80
Effective - November 25, 1987

Section 1. General	
Section 2. Hearings	
Section 3. Hearings Shall be Conducted as Follows	
Section 4. Transcription of Reported Testimony and Evidence	
Section 5. Submission of Proposed Findings of Fact and Conclusion of Law	
Section 6. Hearing Examiner	
Section 7. Conferences: Informal Disposition of Cases	
Section 8. Depositions	
Section 9. Subpoenas	
Section 10. Orders	
Section 11. Appeal	

SERIES 3 - CONTESTED CASE HEARING PROCEDURE

Authority - §§30-16-1 et seq.; 30-1-1 et seq.; 29A-5-1 et seq.

Type - Procedural

Price - \$3.00

Effective - June 10, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedure
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 6. Hearing Examiner
- Section 7. Conferences; Informal Disposition of Cases
- Section 8. Depositions
- Section 9. Subpoenas
- Section 10. Orders
- Section 11. Appeal

SERIES 4 - FORMATION AND APPROVAL OF PROFESSIONAL LIMITED LIABILITY COMPANIES

Authority - §31B-13-1304

Type - Legislative

Price - \$2.40

Effective - March 29, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Procedures for Formation and Approval of Professional Limited Liability Companies for Chiropractic Physicians, Fees
- Section 4. Notification of Non-Compliance, Cessation of Rendering Professional Services
- Section 5. Chiropractic Physician - Patient Relationships

SERIES 5 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR CHIROPRACTORS

Authority - §30-16-5(3)

Type - Procedural

Price - \$2.60

Effective - December 29, 2000

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of License
- Section 5. Disposition of Complaints
- Section 6. Contested Case Hearings
- Section 7. Appeals

TITLE 36

BOARD OF COAL MINE HEALTH AND SAFETY

Index for Coal Mine Health and Safety

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TOTAL COST OF ALL OF TITLE 36 - \$129.70			

SERIES 1 - RULES AND REGULATIONS GOVERNING APPROVALS AND PERMITS, EXPLOSIVES AND VENTILATION FOR THE CONSTRUCTION OF SHAFT AND/OR SLOPE OPERATIONS IN THE STATE OF WEST VIRGINIA

Authority - §22-6-4
Type - Legislative
Price - \$3.40
Effective - July 31, 1992

- Section 1. General
- Section 2. Surface Disturbed Reclamation Bond
- Section 3. No Shaft and/or Slope to be Opened Without Prior Approval of the Director of the Department of Mines
- Section 4. Information to be Filed by Company Performing Construction Work; Notices, Orders and Decisions Received by Company Agent; Principal Officer in Charge; Permits to be Obtained by Company Performing Construction Work
- Section 5. Posting of Permit Approvals
- Section 6. Roof and Rib Control Programs and Plans
- Section 7. Use of Authorized Explosives; Storage or Use of Unauthorized Explosives
- Section 8. Surface Magazines for Explosives
- Section 9. Transportation of Explosives
- Section 10. Vehicles Used to Transport Explosives
- Section 11. Explosives, Handling and Use
- Section 12. Misfires of Explosives
- Section 13. Examination Records
- Section 14. Ventilation - Working Area
- Section 15. Ventilation - Fans
- Section 16. Ventilation - Methods - Maintenance Evacuation - Quality - Quantity
- Section 17. Device to Detect Overlapping on Hoists

SERIES 2 - RULES AND REGULATIONS GOVERNING EMERGENCY COMMUNICATIONS REQUIREMENTS FOR SHAFT AND/OR SLOPE OPERATIONS AND ARRANGEMENTS FOR EMERGENCY MEDICAL ASSISTANCE AND TRANSPORTING FOR INJURED PERSONS; REPORTING REQUIREMENTS; POSTING REQUIREMENTS AT SHAFT AND/OR SLOPE OPERATIONS

Authority - §22-6-4
Type - Legislative
Price - \$2.60
Effective - July 1, 1979

- Section 1. General
- Section 2. Emergency Communications Requirements
- Section 3. Arrangements for Emergency Medical Assistance and Transportation for Injured Persons; Reporting Requirements; Posting Requirements
- Section 4. Effective Date of Rules and Regulations

SERIES 3 - RULES AND REGULATIONS GOVERNING THE CERTIFICATION AND STATUTORY DUTIES OF SHAFT AND/OR SLOPE SUPERINTENDENT-EXAMINER-FOREMAN AND EXAMINER-FOREMAN

Authority - §22-6-4
 Type - Legislative
 Price - \$3.40
 Effective - September 4, 1978

- Section 1. General
- Section 2. When Superintendent-Examiner-Foreman and/or Examiner-Foreman Required
- Section 3. Employment of Agent
- Section 4. Superintendent-Shaft and/or Slope Certification
- Section 5. Duties - Shaft and/or Slope Superintendent
- Section 6. Duty of Operator; Duty of Superintendent to Notify Operator When Unable to Comply with Rules and Regulations
- Section 7. When Examiner-Foreman May be Designated
- Section 8. Examiner-Foreman Certification
- Section 9. Duties Shaft and/or Slope Foreman
- Section 10. Duties - Shaft and/or Slope Examiner
- Section 11. Shaft and/or Slope Examiner to Have No Superior Officers
- Section 12. Authority of Examiner to Perform Other Duties
- Section 13. Definitions

SERIES 4 - RULES AND REGULATIONS GOVERNING THE MOVEMENT OF MINING EQUIPMENT WITHIN COAL MINES IN THE STATE OF WEST VIRGINIA

Authority - §22-6-4
 Type - Legislative
 Price - \$4.80
 Effective - July 19, 1979

- Section 1. General
- Section 2. Definition
- Section 3. Track Mounted Equipment That May Continue to Operate Normally
- Section 4. Specific Types of Equipment and Related Types of Equipment That Cannot be Moved With Person Inby On Same Ventilating Air Current
- Section 5. Transporting Mining Equipment in Track Haulage Entries With Battery Powered Locomotives
- Section 6. Track Equipment, Such as Track Cleaners and Requirements
- Section 7. Mining Equipment and Disassembled Mining Machine Parts That may be Transported with Certain Requirements
- Section 8. Transporting Mining Supplies
- Section 9. Trammig of A.C. Electrical Equipment
- Section 10. Trammig of D.C. Electrical Equipment
- Section 11. Movement of Disassembled Parts of Mining Equipment and Equipment in Off-Track Entries with Battery Powered Equipment
- Section 12. Construction Work and Requirements
- Section 13. Rehabilitation Work and Requirements

SERIES 5 - RULES AND REGULATIONS GOVERNING TELEPHONE SERVICE OF COMMUNICATION FACILITIES

Authority - §22-6-4
 Type - Legislative
 Price - \$2.40
 Effective - July 18, 1985

- Section 1. General
- Section 2. Telephone Service of Communication Facilities

SERIES 6 - LONGWALL MINING

Authority - §22-6-4

Type - Legislative

Price - \$3.00

Effective - June 1, 1994

- Section 1. General
- Section 2. Effective Law and Regulation
- Section 3. Definitions
- Section 4. Plans for Longwall Mining; Approval by Office of Miners' Health, Safety and Training
- Section 5. Chock and/or Shield Recovery Plan From Longwall Face; Approval by Department of Mines
- Section 6. Communications; Longwall Working Face; Longwall Working Section
- Section 7. Electrical Deenergizing Devices; Longwall Section Face Conveyor
- Section 8. Methane Examinations; Monitor; Face Area
- Section 9. Safety Provisions - Longwall Section Face Conveyor
- Section 10. Cutting and Welding; Longwall Mining Section
- Section 11. Longwall Mining - General Requirements
- Section 12. Longwall Mining - First Aid Equipment
- Section 13. Accessible Travel Route - Longwall Mining Section
- Section 14. Training - Longwall Mining Section

SERIES 7 - RULES AND REGULATIONS GOVERNING SHORTWALL MINING WITHIN THE STATE OF WEST VIRGINIA

Authority - §22-6-4

Type - Legislative

Price - \$2.80

Effective - December 1, 1980

- Section 1. General
- Section 2. Effective Law and Regulation
- Section 3. Definitions
- Section 4. Plans for Shortwall Mining; Approval by Department of Mines
- Section 5. Chock and/or Shield Recovery Plan from Shortwall Face; Approval by Department of Mines
- Section 6. Methane Examinations; Monitor; Face Area
- Section 7. Safety Provisions - Shortwall Section
- Section 8. Cutting and Welding; Shortwall Mining Section
- Section 9. Shortwall Mining - General Requirements
- Section 10. Shortwall Mining - First-Aid Equipment
- Section 11. Accessible Travel Route - Shortwall Mining Section
- Section 12. Training - Shortwall Mining Section

SERIES 8 - RULES AND REGULATIONS GOVERNING THE RIGHT OF A MINER TO REFUSE TO OPERATE ALLEGED UNSAFE EQUIPMENT

Authority - §22-6-4

Type - Legislative

Price - \$2.80

Effective - December 1, 1980

- Section 1. General
- Section 2. Definitions
- Section 3. No Miner Shall be Required to Operate Unsafe Equipment
- Section 4. Equipment Examination: Immediate Supervisor-Miner
- Section 5. Dispute Procedures: Immediate Supervisor-Miner
- Section 6. Operator's Procedure if Dispute Remains Unsettled
- Section 7. Inspection: Department of Mines
- Section 8. Decision by the Director or the Deputy Director as to Whether or Not the Miner Acted with Good Faith and with Good Cause

SERIES 9 - RULES AND REGULATIONS GOVERNING ELECTRICAL PROVISIONS IN SHAFT AND/OR SLOPE CONSTRUCTION OPERATIONS WITHIN THE STATE OF WEST VIRGINIA

Authority - §22-6-4
Type - Legislative
Price - \$2.80
Effective - December 1, 1980

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Electrical Provisions - Shaft and/or Slope
- Section 5. Lights to be Used in Shaft
- Section 6. Applicability of Mining Laws

SERIES 10 - RULES AND REGULATIONS GOVERNING THE USE OF AUTOMATED TEMPORARY ROOF SUPPORT SYSTEMS

Authority - §22-6-4
Type - Legislative
Price - \$4.60
Effective - July 15, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Protection From Falls of Roof, Face and Ribs
- Section 4. Mining Methods
- Section 5. Roof Bolting
- Section 6. Installation of Roof Support Using Mining Machine With Integral Roof Bolting Equipment
- Section 7. Conventional Roof Support
- Section 8. Pillar Recovery
- Section 9. Warning Devices
- Section 10. Automated Temporary Roof Support (ATRS) Systems
- Section 11. Manual Installation of Temporary Support
- Section 12. Roof Testing and Scaling
- Section 13. Rehabilitation of Areas With Unsupported Roof
- Section 14. Roof Support Removal
- Section 15. Supplemental Support Materials, Equipment and Tools
- Section 16. Roof Control Plan
- Section 17. Roof Control Plan Information
- Section 18. Roof Control Plan - Approval Criteria
- Section 19. Evaluation and Revision of Roof Control Plan
- Section 20. Underground Auger Mines - Special Requirements

SERIES 11 - RULES AND REGULATIONS GOVERNING WHEN UNDERGROUND MINE FOREMAN - FIRE BOSS REQUIRED; ASSISTANTS; CERTIFICATION; THE REOPENING OF ABANDONED MINES; AND THE DEENERGIZATION SELF-PROPELLED ELECTRIC COAL FEEDERS; PERFORMANCE REQUIREMENTS

Authority - §22-6-4
Type - Legislative
Price - \$2.60
Effective - January 1, 1982

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. When Underground Mine Foreman-Fire Boss Required; Assistants; Certification
- Section 5. Reopening of Abandoned Mines
- Section 6. Deenergization of Self-Propelled Electric Coal Feeders; Performance Requirements

SERIES 12 - RULES AND REGULATIONS GOVERNING ELECTRICAL PROVISIONS FOR UNDERGROUND MINING

Authority - §22-6-4
Type - Legislative
Price - \$3.60
Effective - January 15, 1996

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. General Provisions

SERIES 13 - RULES AND REGULATIONS GOVERNING THE AUTHORITY, ACCOUNTABILITY AND RESPONSIBILITY OF UNDERGROUND MINE FOREMAN: RESPONSIBILITY OF OPERATOR IN RELATION TO MINE FOREMAN; AND REGULATORY REVIEW PROCEDURES

Authority - §22-6-4
Type - Procedural
Price - \$2.00
Effective - April 6, 1984

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Authority, Accountability and Responsibility of Underground Mine Foremen; Responsibility of Operator in Relation to Mine Foremen; and Regulatory Review Procedures

SERIES 14 - RULES AND REGULATIONS GOVERNING ELECTRICAL EQUIPMENT IN MINES; REQUIRED EXAMINATIONS

Authority - §22-6-4
Type - Legislative
Price - \$2.40
Effective - February 15, 1982

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Electric Equipment in Mines

SERIES 15 - RULES AND REGULATIONS GOVERNING VENTILATION BY USE OF MECHANICALLY OPERATED FANS AND INTENTIONAL CHANGES IN THE VENTILATION SYSTEM

Authority - §22-6-4
Type - Legislative
Price - \$2.40
Effective - December 1, 1995

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Fans
- Section 5. Intentional Changes in the Ventilation System

SERIES 16 - RULES AND REGULATIONS GOVERNING THE BLOCKING OF EQUIPMENT PRIOR TO PERFORMING WORK ON SUCH EQUIPMENT

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - February 15, 1982

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Performing Work From a Raised Position: Safeguards

SERIES 17 - RULES AND REGULATIONS GOVERNING UNUSED AND ABANDONED PARTS OF MINE

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - March 1, 1982

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Unused and Abandoned Parts of Mine

SERIES 18 - RULES AND REGULATIONS GOVERNING THE RESPONSIBILITY FOR CARE AND MAINTENANCE OF EQUIPMENT

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - October 15, 1996

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Responsibility for Care and Maintenance of Equipment
- Section 5. Pre-Operational Equipment Check
- Section 6. Load Locking Valves

SERIES 19 - RULES AND REGULATIONS GOVERNING WRITTEN REPORTS OF ACCIDENTS

Authority - §22-6-4
Type - Legislative
Price - \$2.60
Effective - June 1, 1996

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Notification of Accidents and Occupational Injuries
- Section 5. Differences Between Medical Treatment and First Aid
- Section 6. Investigation of Accidents
- Section 7. Preservation of Evidence Following Accident or Disaster

SERIES 20 - RULES AND REGULATIONS GOVERNING INDEPENDENT CONTRACTORS

Authority - §22-6-4
Type - Legislative
Price - \$3.20
Effective - July 1, 1995

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Independent Contractor Register
- Section 5. Service of Documents; Independent Contractors
- Section 6. Address of Record and Telephone Number; Independent Contractors
- Section 7. Enforcement of Citations and Orders
- Section 8. Hazard Training

SERIES 21 - RULES AND REGULATIONS GOVERNING THE INSTRUCTION OF EMPLOYEES AND SUPERVISION OF APPRENTICES; ANNUAL EXAMINATION OF PERSONS USING FLAME SAFETY LAMPS; RECORDS OF EXAMINATIONS; MAINTENANCE OF METHANE DETECTORS

Authority - §22-6-4
Type - Legislative
Price - \$2.40
Effective - April 23, 1982

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Instruction of Employees and Supervision of Apprentices; Annual Examinations of Persons Using Flame Safety Lamps; Records of Examinations; Maintenance of Methane Detectors, etc.

SERIES 22 - RULES AND REGULATIONS GOVERNING NO ACT PERMITTED ENDANGERING SECURITY OF MINE; SEARCH FOR INTOXICANTS, MATCHES, ETC.

Authority - §22-6-4
Type - Legislative
Price - \$2.40
Effective - January 15, 1984

- Section 1. General
- Section 2. Effect and Purpose of Regulations
- Section 3. Definitions
- Section 4. No Act permitted Endangering Security of Mine; Search for Intoxicants, Matches, Etc.

SERIES 23 - RULES AND REGULATIONS GOVERNING SURFACE CONSTRUCTION OPERATIONS WITHIN THE MINING INDUSTRY WITHIN THE STATE OF WEST VIRGINIA

Authority - §22-6-4
Type - Legislative
Price - \$23.50
Effective - July 1, 1995

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. General Accident Prevention
- Section 5. Housekeeping
- Section 6. Pressure Vessels
- Section 7. Employment of Certified Supervisor
- Section 8. Construction Supervisor Certification
- Section 9. Duties of Certified Supervisor or Competent Person
- Section 10. First Aid Requirements
- Section 11. Sanitation
- Section 12. Illumination
- Section 13. Personal Protective and Life Saving Equipment

Section	14.	Eye and Face Protection
Section	15.	Respiratory Protection
Section	16.	Safety Belts, Lifelines and Lanyards
Section	17.	Safety Nets
Section	18.	Working Over or Near Water
Section	19.	Definitions Applicable to this Subject
Section	20.	Fire Protection
Section	21.	Portable Firefighting Equipment
Section	22.	Fire Prevention
Section	23.	Flammable and Combustible Liquids
Section	24.	Temporary Heating Devices
Section	25.	Accident Prevention Signs and Tags
Section	26.	Signaling
Section	27.	General Requirements for Storage
Section	28.	Rigging Equipment for Material Handling
Section	29.	Disposal of Waste Material
Section	30.	Tools - Hand and Power
Section	31.	Gas Welding and Cutting
Section	32.	Electrical
Section	33.	Ladders and Scaffolding
Section	34.	Cranes, Derricks, Hoists, Elevators and Conveyors
Section	35.	Motor Vehicles, Mechanized Equipment and Marine Operations
Section	36.	Excavations, Trenching and Shoring
Section	37.	Concrete, Concrete Forms and Shoring
Section	38.	Steel Erection
Section	39.	Demolition
Section	40.	Blasting and the Use of Explosives
Section	41.	Rollover Protective Structures; Overhead Protection

**SERIES 24 - RULES AND REGULATIONS GOVERNING THE RECORD KEEPING OF ALL CERTIFIED PERSONS
EMPLOYED IN ALL MINES THROUGHOUT THE STATE OF WEST VIRGINIA**

Authority - §22-6-4
Type - Legislative
Price - \$2.40
Effective - June 5, 1983

Section	1.	General
Section	2.	Effect of Regulations
Section	3.	Definitions
Section	4.	System for Record Keeping
Section	5.	Availability of Records
Section	6.	Individual Responsibility

SERIES 25 - RULES AND REGULATIONS GOVERNING OPERATION OF TRACK HAULAGE LOCOMOTIVES

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - July 2, 2002

Section	1.	General
Section	2.	Track Haulage Locomotives

SERIES 26 - RULES AND REGULATIONS GOVERNING CONSTRUCTION AND REHABILITATION OPERATIONS IN UNDERGROUND MINES

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - July 1, 1984

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. On-shift Examination of Construction and Rehabilitation Work Areas
- Section 5. Automated Temporary Roof Support (ATRS) Systems on Roof Bolting Machines Used for Construction or Rehabilitation

SERIES 27 - RULES AND REGULATIONS GOVERNING SURFACE AREAS OF UNDERGROUND MINES

Authority - §22-6-4
Type - Legislative
Price - \$2.80
Effective - January 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Operating Equipment with Suspended Material
- Section 4. Protection from Falls from Elevated Areas
- Section 5. Safety Precautions on Coal Stockpiles
- Section 6. Working Around High-Voltage Powerlines
- Section 7. Tires and Repairs
- Section 8. Crushers, Feeders and Rotary Breakers
- Section 9. Machines with Movable Parts
- Section 10. Seat Belts
- Section 11. Transporting Compressed Gas Cylinders
- Section 12. Mirrors on Surface Operated Equipment

SERIES 28 - RULES AND REGULATIONS GOVERNING COAL AND ROCK OUTBURSTS

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - July 1, 1984

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Notification of Outbursts
- Section 5. Plan for Controlling Outbursts

SERIES 29 - RULES AND REGULATIONS GOVERNING COUPLING AND UNCOUPLING OF MINE CARS

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - July 1, 1984

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Coupling and Uncoupling of Mine Cars

SERIES 30 - RULES AND REGULATIONS GOVERNING OPERATION OF SECTION HAULAGE EQUIPMENT

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - December 1, 1984

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Operation of Section Haulage Equipment
- Section 5. Cleaning of Equipment

SERIES 31 - RULES AND REGULATIONS GOVERNING PREVENTION OF INJURIES DUE TO HANDLING OF MATERIALS

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - July 1, 1984

- Section 1. General
- Section 2. Definitions
- Section 3. Prevention of Injuries Due to Handling of Materials

SERIES 32 - RULES AND REGULATIONS GOVERNING HOUSEKEEPING PRACTICES IN UNDERGROUND MINES AND SURFACE AREAS OF UNDERGROUND MINES

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - July 1, 1984

- Section 1. General
- Section 2. Definitions
- Section 3. Housekeeping Practices

SERIES 33 - UNDERGROUND MINE CAR LOADING POINTS

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - April 11, 1988

- Section 1. General
- Section 2. Definitions
- Section 3. Underground Mine Car Loading Points
- Section 4. Designated Areas of Safety

SERIES 34 - UNDERGROUND MINING EQUIPMENT TO CONFORM WITH HEIGHT OF SEAM

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - August 30, 1985

- Section 1. General
- Section 2. Definitions
- Section 3. General Requirements
- Section 4. Correction of Unsafe Conditions
- Section 5. Procedures for Refusing to Operate Unsafe Equipment

SERIES 35 - AUGER-TYPE CONTINUOUS MINING MACHINES

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - November 14, 1986

- Section 1. General
- Section 2. Definitions
- Section 3. Auger-Type Continuous Mining Machines

SERIES 36 - TROLLEY POLE SWING LIMITERS

Authority - §22-6-4c
Type - Legislative
Price - \$2.00
Effective - August 10, 1987

- Section 1. General
- Section 2. Trolley Pole Swing Limiters

SERIES 37 - RULE-MAKING PROCEDURES

Authority - §22-6-4
Type - Procedural
Price - \$3.00
Effective - February 21, 1987

- Section 1. General
- Section 2. Definitions
- Section 3. General Rule-making Procedures
- Section 4. Procedures for Promulgating Rules in Response to Fatalities
- Section 5. Procedures for Promulgating Rules in Response to Major Causes of Injuries
- Section 6. Procedures for Promulgating Rules in Response to Suggestions by Board Members or Administrator
- Section 7. Agenda for Board Meetings

SERIES 38 - RULES GOVERNING PROTECTIVE EQUIPMENT

Authority - §22-6-4
Type - Legislative
Price - \$2.00
Effective - April 6, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Requirements for Safety-Toed Shoes with Metatarsal Guards
- Section 4. Requirements for Approved Eye Protection
- Section 5. Requirements for Safety Gloves

SERIES 39 - CAR DROPPING

Authority - §22-6-4
Type - Legislative
Price - \$2.40
Effective - April 11, 1988

- Section 1. General
- Section 2. Definitions
- Section 3. Car Dropping Requirements

SERIES 40 - USE OF LIFTING JACKS

Authority - §22-6-4
 Type - Interpretive
 Price - \$2.00
 Effective - May 2, 1991

- Section 1. General
- Section 2. Definitions
- Section 3. Requirements for Lifting Jacks

SERIES 41 - SHEATHED EXPLOSIVE UNITS

Authority - §22-6-4
 Type - Legislative
 Price - \$2.60
 Effective - May 2, 1991

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Preparation of Shots; Blasting Practices and Requirements for Sheathed Explosive Units
- Section 5. Requirements for the Use of Sheathed Explosives in Underground Mining

SERIES 42 - SEALING PERMANENTLY CLOSED OR ABANDONED MINES

Authority - §22-6-4
 Type - Procedural
 Price - \$2.40
 Effective - July 1, 1995

- Section 1. General
- Section 2. Effective Law and Regulation
- Section 3. Definitions
- Section 4. Sealing or Capping

SERIES 43 - REMOTE CONTROLLED EXTENDED OR DEEP-CUT MINING OPERATIONS

Authority 22-6-4C
 Type - Legislative
 Price - \$2.40
 Effective - July 8, 1991

- Section 1. General
- Section 2. Definitions
- Section 3. Requirements for Remote Controlled Extended or Deep-Cut Mining Operations; Special Consideration of Roof Control and Mine Ventilation Plans, Roof Bolting Procedures; Additional Precautions for Increased Worker Safety

SERIES 44 - RESERVED

SERIES 45 - USE OF A SOLID TRIANGULAR TOW BAR TO TRANSPORT DISABLED UNDERGROUND RUBBER TIRED MINING EQUIPMENT

Authority - §22-6-4
 Type - Legislative
 Price - \$2.00
 Effective - January 27, 1992

- Section 1. General
- Section 2. Effect of Regulations
- Section 3. Definitions
- Section 4. Transportation of Disabled Underground Rubber Tired Mining Equipment

TITLE 57

COMMERCIAL HAZARDOUS WASTE MANAGEMENT FACILITY SITING BOARD

SERIES 1 - COMMERCIAL HAZARDOUS WASTE MANAGEMENT FACILITY SITING BOARD CERTIFICATION

Authority - §20-10-3(j)

Type - Legislative

Price - \$5.80

Effective - May 19, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Exclusions from Commercial Hazardous Waste Management Facility Siting Board Regulations
- Section 4. Applying for Site Approval
- Section 5. Determination of Completeness and Notification
- Section 6. Approval or Denial of Application
- Section 7. Effect of Certification
- Appendix

TITLE 165

COUNCIL FOR COMMUNITY AND ECONOMIC DEVELOPMENT

SERIES 1 - COUNCIL ORGANIZATION AND MEETING PROCEDURES

Authority - §58-2-3(3)

Type - Procedural

Price - \$3.40

Effective - November 17, 2003

Section	1. General
Section	2. Application and Enforcement
Section	3. Definitions
Section	4. Council
Section	5. Meetings
Section	6. Officers
Section	7. Executive Committee
Section	8. Minutes
Section	9. Amendments
Section	10. Miscellaneous

TITLE 135

WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION

SERIES 1 - CARL D. PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT FUNDING FORMULA WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION AND THE WEST VIRGINIA STATE BOARD OF EDUCATION

Authority - §18B-2B-6

Type - Procedural

Price - \$2.60

Effective - July 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Formula Elements
- Section 4. Formula Calculation
- Section 5. Revision of Formula

TITLE 162

CONSOLIDATED PUBLIC RETIREMENT BOARD

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TOTAL COST FOR ALL OF TITLE 162 - \$27.80		

SERIES 1 - GENERAL PROVISIONS

Authority - §5-10D-1 et seq.

Type - Legislative

Price - \$2.80

Effective - May 1, 2004

Section	1. General
Section	2. Consolidated Public Retirement Board
Section	3. Amendments
Section	4. General Administrative
Section	5. Administrative Expenses
Section	6. Non-Alienation of Benefits: Divorce and Separation
Section	7. Death Benefits
Section	8. Miscellaneous

SERIES 2 - BENEFIT DETERMINATION AND APPEAL

Authority - §5-10D-1 et seq.;

Type - Legislative

Price - \$2.80

Effective - May 1, 2004

Section	1. General
Section	2. Disability Application
Section	3. Disability Medical Reports
Section	4. Initial Determination
Section	5. Second Review
Section	6. Appeal of the Decision
Section	7. Other Appeals
Section	8. Appeal Denied
Section	9. Annual Statement
Section	10. Errors

SERIES 3 - TEACHERS DEFINED CONTRIBUTION PLAN

Authority - §5-10D-1 et seq.

Type - Legislative

Price - \$3.60

Effective - July 1, 2001

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Contributions to the Trust
- Section 5. Administration of Annuity Accounts
- Section 6. Vesting
- Section 7. Distribution of Benefits
- Section 8. Termination
- Section 9. Miscellaneous

SERIES 4 - TEACHERS DEFINED BENEFIT PLAN

Authority - §5-10D-1 et seq.

Type - Legislative

Price - \$3.40

Effective - May 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Membership Eligibility
- Section 4. Service Credit
- Section 5. Monthly Benefits
- Section 6. Retirement
- Section 7. Termination and Withdrawal and Reentry
- Section 8. Loan Repayment
- Section 9. Refunds of Contributions Where an Annuity May be Payable

SERIES 5 - PUBLIC EMPLOYEES RETIREMENT PLAN

Authority - §5-10D-1 et seq.

Type - Legislative

Price - \$3.40

Effective - May 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Interest
- Section 4. Service Credit
- Section 5. Final Average Salary
- Section 6. Refund of Erroneous Contributions
- Section 7. Reserved
- Section 8. Verification of Prior Service
- Section 9. Employer Contributions
- Section 10. Employee Contributions
- Section 11. Public Corporations
- Section 12. Annuity Payment Age
- Section 13. Prior Service on Reemployment
- Section 14. Employee Membership in Retirement System
- Section 15. Participating after July 1, 1961
- Section 16. Employer Termination of Membership
- Section 17. Approval of Applications for Voluntary Retirement and Death Annuities by Executive Director
- Section 18. Reinstatement Interest
- Section 19. Reduction of Annuities on Request of Retirant
- Section 20. Time of Application for Filing for Benefits
- Section 21. Military Service Credit
- Section 22. Refunds of Contributions Where an Annuity May Be Payable

- Section 23. Early Retirement
- Section 24. Employer Participation After a Former Employee Has Retired
- Section 25. Temporary Employment Retirants
- Section 26. Member Receiving Workers' Compensation
- Section 27. Deputy Assessors - Service Credit
- Section 28. Officers of the Department of Public Safety and Municipal Police or Fire Department
- Section 29. Repayment of Withdrawals
- Section 30. Refunds of Contributions Upon Accepting Employment with a Different Participating Employer
- Section 31. Employee and Employer Contributions When an Employee is on Annual Leave or Compensated Sick Leave
- Section 32. Insurance Premiums
- Section 33. Elected Officials of the Legislature
- Section 34. Refunds of Member Contributions When Made
- Section 35. Temporary Employment for Retirants Defined

SERIES 6 - PROCEDURAL RULES OF THE WEST VIRGINIA CONSOLIDATED PUBLIC RETIREMENT BOARD FOR THE APPOINTMENT OF REPRESENTATIVES TO THE WEST VIRGINIA INVESTMENT MANAGEMENT BOARD

Authority - §5-10D-1
Type - Procedural
Price - \$3.00
Effective - September 1, 2003

- Section 1. General
 - Section 2. Appointment Process
 - Section 3. Appointment of Representative from Public Safety "A"
 - Section 4. Appointment of Representative from Public Safety "B"
 - Section 5. Appointment of Representative from the Judges Retirement System
 - Section 6. Appointment of Representative from the Teachers Defined Benefit Plan
 - Section 7. Appointment of Representative from Public Employees Retirement System
 - Section 8. Appointment of Representative from Deputy Sheriffs Retirement System
 - Section 9. Committee Selection by Appointed Representatives
 - Section 10. Same Procedure to be followed for Additional Defined Benefit Plans Created by Act of Legislature
 - Section 11. Procedure to be Followed in the Event of Resignation of Appointed Representatives
- Form

SERIES 7 - REFUND, REINSTATEMENTS AND LOAN INTEREST FACTORS

Authority - §5-10D-1
Type - Legislative
Price - \$2.80
Effective - July 1, 2000

- Section 1. General
- Section 2. Relationship to Prior Interest Rules
- Section 3. Refund Interest
- Section 4. Reinstatement Interest
- Section 5. Loan Interest

SERIES 8 - SERVICE CREDIT FOR ACCRUED AND UNUSED SICK AND ANNUAL LEAVE

Authority - §5-10D-1
Type - Legislative
Price - \$2.60
Effective - April 10, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Public Employees Retirement System
- Section 5. Teachers Defined Benefit Plan

SERIES 9 - WEST VIRGINIA STATE POLICE DISABILITY DETERMINATION AND APPEAL PROCESS

Authority - §5-10D-1

Type - Legislative

Price - \$3.20

Effective - May 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Disability Applications and Petitions; Eligibility
- Section 4. Medical and Factual Information
- Section 5. Disability Examinations
- Section 6. Initial Determination
- Section 7. Denial of Application; Supplemental Examination Option
- Section 8. Decisions on Initial Review; Appeals by Agency or Member
- Section 9. Processes for Appeal of Board Decisions
- Section 10. Appeal Denied
- Section 11. Errors

TITLE 28

WEST VIRGINIA CONTRACTOR LICENSING BOARD

SERIES 1 - BOARD ORGANIZATION AND MEETING PROCEDURE; ADMINISTRATIVE HEARING PROCEDURE

Authority - §21-11-16

Type - Procedural

Price - \$2.80

Effective - February 22, 1992

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Regular Meetings
- Section 5. Special Meetings
- Section 6. Open Proceedings; Notice
- Section 7. Minutes
- Section 8. Board Membership; Conflict of Interest
- Section 9. Reimbursement of Board members
- Section 10. Board - Staff and Offices
- Section 11. Board Actions
- Section 12. Administrative Hearings
- Section 13. Appeals
- Section 14. Severability

SERIES 2 - WEST VIRGINIA CONTRACTOR LICENSING ACT

Authority - §21-11-5

Type - Legislative

Price - \$5.00

Effective - June 25, 2003

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Licensure Required
- Section 5. License Application, Renewal
- Section 6. Examination Required
- Section 7. Disciplinary Powers of the Board
- Section 8. Cease and Desist Orders
- Section 9. Administrative Hearings

SERIES 3 - WEST VIRGINIA CONTRACTOR LICENSING BOARD - COMPLAINTS

Authority - §21-11-14

Type - Legislative

Price - \$3.20

Effective - November 1, 2002

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Filing of Complaints
- Section 5. Investigations
- Section 6. Hearings
- Section 7. Confidentiality of Records

SERIES 4 - WRITTEN CONTRACTS FOR SERVICES

Authority - §21-11-10(b) & (c)

Type - Procedural

Price - \$2.40

Effective - October 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Written Contracts Required
- Section 4. Form and Content Required
- Section 5. Failure to Execute Written Contracts as Required; Penalties
- Section 6. Proof of Written Contract Required
- Section 7. Enforcement

TITLE 90

DEPARTMENT OF CORRECTIONS

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Series 2. Parole Supervision	127
Series 3. Furlough Program for Adult Inmates	127
Series 4. Employment of Displaced Correctional Employees	128
Series 5. Recording of Inmate Telephone Calls	128
Series 6. Charges Assessed Against Inmates for Services Provided by State Medical Co-Payment	128
Series 7. Monitoring Inmate Mail	128
Series 8. Fees for Electronic Monitoring of Offenders	129
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TOTAL COST FOR ALL OF TITLE 90 -- \$22.80	

SERIES 1 - INCORPORATION OF POLICY DIRECTIVES MANUAL

Authority - §§25-1-5; 28-1-5; 28-3-10; 28-5-2; 28-5B-12; 62-13-2; 62-13-4
Type - Legislative
Price - \$2.00 (Rule Only; Manual Excerpts By Per Page Cost)
Effective - September 9, 1987

ED. NOTE: THE POLICY DIRECTIVE MANUAL IS APPROXIMATELY 800 PAGES. THE MANUAL IS ORGANIZED BY POLICY NUMBERS.

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200-299 General Administration
300-399 Fiscal Administration
400-499 Personnel Administration
500-599 Offender Services
600-699 Miscellaneous
700-799 Miscellaneous

SERIES 2 - PAROLE SUPERVISION

Authority - §§62-13-2; 62-12-17
Type - Legislative
Price - \$2.60
Effective - May 8, 2001

Section 1. General
Section 2. Terms and Conditions for Parolee or Probationer Supervisor
Section 3. Exemptions or Reductions of Supervision Fees
Section 4. Sanctions for Willful Failure to Make Payment of Fee

SERIES 3 - FURLOUGH PROGRAM FOR ADULT INMATES

Authority - §25-1-13
Type - Legislative
Price - \$3.00
Effective - May 22, 1995

Section 1. General
Section 2. Definitions
Section 3. Applications
Section 4. Eligibility for Furlough Consideration; Frequency and Duration of Furloughs
Section 5. Restrictions, Conditions and Criteria
Section 6. Procedure
Section 7. Exceptions
Section 8. Notification of Sentencing County (Work Release Inmates)

SERIES 4 - EMPLOYMENT OF DISPLACED CORRECTIONAL EMPLOYEES

Authority - §25-1-21
Type - Legislative
Price - \$3.00
Effective - May 22, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Service of Notice
- Section 4. Closure of a Unit or Section; Discontinuance of a Service
- Section 5. Closure of a Facility
- Section 6. Procedures
- Section 7. Equal Employment Opportunity

SERIES 5 - RECORDING OF INMATE TELEPHONE CALLS

Authority - §25-1-17
Type - Legislative
Price - \$2.00
Effective - May 22, 1995

- Section 1. General
- Section 2. Applicability
- Section 3. Procedure

SERIES 6 - CHARGES ASSESSED AGAINST INMATES FOR SERVICES PROVIDED BY STATE MEDICAL CO-PAYMENT

Authority - §25-1-8
Type - Interpretive
Price - \$2.40
Effective - March 8, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Inmate Notification and Medical Access
- Section 4. Procedures for Request of Health Care Services
- Section 5. Exempt Areas for Co-Payment
- Section 6. Co-Payment Chargeable Encounters and Items

SERIES 7 - MONITORING INMATE MAIL

Authority - §25-1-18
Type - Legislative
Price - \$2.40
Effective - April 5, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Applicable
- Section 4. Procedure

SERIES 8 - FEES FOR ELECTRONIC MONITORING OF OFFENDERS

Authority - §25-1-14
 Type - Legislative
 Price - \$2.40
 Effective - May 8, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Applicable
- Section 4. Procedure

SERIES 9 - INMATE GRIEVANCE PROCEDURES

Authority - §25-1A-2
 Type - Procedural
 Price - \$2.60
 Effective - January 5, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Grievance Procedures for Division of Corrections Inmates

TITLE 27

BOARD OF EXAMINERS IN COUNSELING

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Series 2. Fees	130
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Series 4. Restricted Practice Licensure for Additional Counselors	131
Series 5. Disciplinary and Complaint Procedures for Counselors	131
Series 6. Contested Case Hearing Procedure	131
TOTAL COST FOR ALL OF TITLE 27 - \$18.00	

SERIES 1 - LICENSING RULES

Authority - §30-31-5(a)(2)

Type - Legislative

Price - \$3.80

Effective - May 15, 2001

Section 1. General
Section 2. Definitions
Section 3. Application Materials
Section 4. Classification of Applicants
Section 5. Qualifications of Applicants
Section 6. Issuance of License
Section 7. Fees
Section 8. Licensure
Section 9. Professional Disclosure
Section 10. Confidentiality/Disclosure
Section 11. Code of Ethics
Section 12. Examination Failure
Section 13. Expired License
Section 14. Renewal of License
Section 15. Continuing Professional Education
Section 16. Relations with the Public and Other Professions
Section 17. Notice of Board Meetings

SERIES 2 - FEES

Authority - §30-31-5

Type - Legislative

Price - \$2.40

Effective - April 27, 2004

Section 1. General
Section 2. Definitions
Section 3. Application of Rule
Section 4. Fee Schedule

SERIES 3 - LICENSE RENEWAL AND CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS

Authority - §30-31-5(a)(2)

Type - Legislative

Price - \$3.40

Effective - July 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Application of Rules
- Section 4. Renewal of License
- Section 5. Continuing Professional Education
- Section 6. Approved Programs of Continuing Professional Education
- Section 7. Documentation of Continuing Professional Education Required for Renewal of a License

SERIES 4 - RESTRICTED PRACTICE LICENSURE FOR ADDICTIONS COUNSELORS

Authority - §§30-31-5; 30-31-7a

Type - Legislative

Price - \$2.60

Effective - July 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Application of Rule
- Section 4. Requirements for Application to Practice Under a Restricted Practice License
- Section 5. Supervision, Education and Review

SERIES 5 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR COUNSELORS

Authority - §§30-31-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$2.80

Effective - February 1, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of an Applicant for Licensure
- Section 5. Disposition of Complaints
- Section 6. Contested Case Hearings
- Section 7. Appeals

SERIES 6 - CONTESTED CASE HEARING PROCEDURE

Authority - §§30-31-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$3.00

Effective - February 1, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Pre-Conferences; Conferences; Informal Disposition of Cases
- Section 5. Hearing Procedure
- Section 6. Transcription of Testimony and Evidence
- Section 7. Submission of Proposed Findings of Act and Conclusion of Law
- Section 8. Depositions
- Section 9. Subpoenas
- Section 10. Orders
- Section 11. Appeals

TITLE 203

WEST VIRGINIA COURTHOUSE FACILITIES IMPROVEMENT AUTHORITY

SERIES 1 - COURTHOUSE FACILITIES IMPROVEMENT AUTHORITY

Authority - §29-26-3(a)
Type - Legislative
Price - \$2.60
Effective - June 23, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Projects
- Section 4. Fund Administration

SERIES 2 - OPEN GOVERNMENTAL PROCEEDINGS

Authority - §6-9A-3
Type - Procedural
Price - \$2.40
Effective - October 6, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Notice
- Section 4. Continued Meetings
- Section 5. Additional Notice
- Section 6. Amendments to Agenda
- Section 7. Telephone & Electronic Conferences
- Section 8. Severability

TITLE 149

GOVERNOR'S COMMITTEE ON CRIME, DELINQUENCY AND CORRECTIONS

SERIES 1 - RULES OF PROCEDURE FOR CONTESTED CASE HEARINGS AND DECLARATORY RULINGS

Authority - §29A-5-1

Type - Procedural

Price - \$10.60

Effective - January 22, 1983

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Demand for Hearing, Form Required
- Section 5. Continuation and Adjournment
- Section 6. Transcription of Reported Testimony and Evidence
- Section 7. Submission of Proposed Findings of Fact and Conclusions of Law; Time for Submission
- Section 8. Appointment of Hearing Examiner; Function of Hearing Examiner
- Section 9. Conferences; Informal Disposition of Cases
- Section 10. Dispositions Permitted
- Section 11. Orders; Content
- Section 12. Declaratory Ruling - Procedures
- Section 13. Appeal
- Section 14. Severability

SERIES 2 - LAW ENFORCEMENT TRAINING STANDARDS

Authority - §30-29-3

Type - Legislative

Price - \$6.60

Effective - July 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Academy Facility Standards (Basic Training)
- Section 4. Academy
- Section 5. Instructor Certification
- Section 6. Basic Training Academy Policies
- Section 7. Academy Training Curriculum
- Section 8. Academy Entry Standards
- Section 9. Annual In-Service Training Standards
- Section 10. Annual In-Service Training Curriculum
- Section 11. Supervisory Level In-Service Training
- Section 12. In-Service Training Staffing
- Section 13. Certification of Law Enforcement Officers
- Section 14. Equivalent Certification
- Section 15. Recertification Requirements
- Section 16. Certification Denial, Suspension or Revocation

SERIES 3 - PROTOCOL FOR LAW ENFORCEMENT RESPONSE TO DOMESTIC VIOLENCE

Authority - §48-2A-9

Type - Legislative

Price - \$4.40

Effective - July 1, 2003

- Section 1. General
- Section 2. Purposes
- Section 3. Definitions
- Section 4. Protective Orders
- Section 5. Dispatcher Responsibilities
- Section 6. Initial Law Enforcement Officer Response
- Section 7. The Arrest Decision
- Section 8. Effectuating the Arrest
- Section 9. Procedure When Arrest is not Authorized or, if Authorized, is not Made
- Section 10. Other On-Scene Assistance to Victims and Defendants
- Section 11. Processing the Accused
- Section 12. Reporting

TITLE 82

DEPARTMENT OF CULTURE AND HISTORY

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Series 3. Standards and Procedures for Granting Permits to Excavate Archeological Sites and Unmarked Graves	136
Series 4. Procedures for Submission of Historic Residential Tax Credit Application	136
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Series 6. Archives and History Library Services and Fee Guidelines	136
Series 7. Cultural Facilities and Capital Resources Grant Program	137
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TOTAL COST FOR ALL OF TITLE 82 - \$42.60	

SERIES 1 - REGULATIONS FOR IMPLEMENTATION OF CERTIFIED LOCAL GOVERNMENT (C.L.G.) PROGRAM

Authority - §§29-1-8(d); 8-26A-1

Type - Legislative

Price - \$13.00

Effective - July 1, 1999

Section 1.	General
Section 2.	Definitions
Section 3.	Introduction
Section 4.	Requirements for Certification of Local Government Programs in West Virginia
Section 5.	Process for Certification of Local Government Programs in West Virginia
Section 6.	Certified Local Government - Participation in the Nomination Process for the National Register of Historic Places (National Historic Preservation Act of 1966, as Amended, 16 U.S.C. §470 Section 101(c)(2))
Section 7.	Process for Monitoring and Decertification of Certified Local Governments
Section 8.	Transfer of Historic Preservation Funds to Certified Local Governments
Appendix	

SERIES 2 - STANDARDS AND PROCEDURES FOR ADMINISTERING STATE HISTORIC PRESERVATION PROGRAMS

Authority - §§29-1-1; 29-1-8; 29-1-8a

Type - Legislative

Price - \$8.20

Effective - July 1, 1999

Section 1.	General
Section 2.	Definitions
Section 3.	West Virginia Register of Historic Places
Section 4.	Rehabilitation Standards
Section 5.	State Review Process
Section 6.	Fire and Building Code Alternatives
Section 7.	Endangered Historic Properties Fund Program
Appendix A	

SERIES 3 - STANDARDS AND PROCEDURES FOR GRANTING PERMITS TO EXCAVATE ARCHEOLOGICAL SITES AND UNMARKED GRAVES

Authority - §29-1-8(d)
Type - Legislative
Price - \$3.20
Effective - April 5, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Permits to Excavate Historic and Prehistoric Ruins and Archaeological Sites
- Section 4. Permits to Excavate Burial Grounds, Human Skeletal Remains and Unmarked Graves
- Section 5. Permits for the Removal or Alteration of Grave Markers
- Section 6. Disposition of Skeletal Remains and Associated Artifacts When Claimed by Lineal Descendants
- Section 7. Disposition of Skeletal Remains and Associated Artifacts When Not Claimed by Descendants
- Section 8. Procedures for Establishing Property Tax Exemptions for Burial Grounds and Unmarked Graves

SERIES 4 - PROCEDURES FOR SUBMISSION OF HISTORIC RESIDENTIAL TAX CREDIT APPLICATION

Authority - §11-21-8g
Type - Legislative
Price - \$2.60
Effective - August 1, 2000

- Section 1. General
 - Section 2. Definitions
 - Section 3. Credit for Qualified Rehabilitated Residential Buildings Investment
 - Section 4. Appeal Process
- Appendix

SERIES 5 - CURATORIAL GUIDELINES-COLLECTIONS MANAGEMENT FACILITY

Authority - §29-1-8
Type - Procedural
Price - \$4.40
Effective - October 13, 1993

- Section 1. General
 - Section 2. Adoption by Reference
- Attachments

SERIES 6 - ARCHIVES AND HISTORY LIBRARY SERVICES AND FEE GUIDELINES

Authority §29-1-6
Type - Procedural
Price - \$5.40
Effective - July 1, 1996

- Section 1. General
 - Section 2. Definitions
 - Section 3. Public Availability and Use
 - Section 4. Hours of Use
 - Section 5. Availability of Records and Donated Historical Materials
 - Section 6. Requests for Services
 - Section 7. Fees
- Forms

SERIES 7 - CULTURAL FACILITIES AND CAPITAL RESOURCES GRANT PROGRAM

Authority - §29-1-3
Type - Legislative
Price - \$3.00
Effective - April 30, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Priorities
- Section 4. Eligibility Requirements
- Section 5. Application Review and Education
- Section 6. Appeals
- Section 7. Qualified Project Activities
- Section 8. Grant Levels
- Section 9. Matching Funds
- Section 10. Grant Payments

SERIES 8 - RECORDS PRESERVATION GRANT PROGRAM FOR POLITICAL SUBDIVISIONS

Authority - §§29-1-6; 29-1-5
Type - Legislative
Price - \$2.80
Effective - July 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Introduction
- Section 4. Grant Program

TITLE 192

COMMISSION FOR THE DEAF AND HARD OF HEARING

SERIES 1 - FEES FOR QUALIFIED INTERPRETERS

Authority - §5-14a-9

Type - Legislative

Price - \$3.20

Effective - June 9, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Fees Established
- Section 4. Administrative Due Process

SERIES 2 - MEETINGS AND BYLAWS

Authority - §6-9A-3

Type - Procedural

Price - \$2.60

Effective - August 1, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Meetings; Notice; Public and Media Attendance; Interpreters
- Section 4. Cancellation of Meetings
- Section 5. Open and Electronic Meetings; Executive Session
- Section 6. Minutes and Records
- Section 7. Deliberation and Voting
- Section 8. Election and Duties of Officers; Committees; Appointment of Executive Director and Other Personnel
- Section 9. Resignation of Members

TITLE 5

WEST VIRGINIA BOARD OF DENTAL EXAMINERS

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Series 3. Fees Established by Board	139
Series 4. Contested Case Hearing Procedures	140
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Series 6. Formation and Approval of Dental Corporations	140
TOTAL COST FOR ALL OF TITLE 5 - \$16.40	

SERIES 1 - RULES AND REGULATIONS FOR THE WEST VIRGINIA BOARD OF DENTAL EXAMINERS

Authority - §§30-1-1 et seq; 30-4-1 et seq.

Type - Legislative

Price - \$4.80

Effective - July 28, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Official Seal
- Section 4. Corporate Practice of Dentistry
- Section 5. Specialities
- Section 6. Issuance of Temporary and/or Special Permits
- Section 7. Suspension or Revocation of a License
- Section 8. Expanded Duties of Dental Hygienist and Dental Assistants
- Section 9. Designation of Testing Bodies
- Section 10. Continuing Education Requirements
- Section 11. Practice of Dentistry Under Trade Name or Firm Name
- Section 12. Annual Information and Renewal Notice; Reinstatement; Penalty Fees; Waiver of Payment of Fee on Retirement or Disability; Change of Address

SERIES 2 - FORMATION AND APPROVAL OF PROFESSIONAL LIMITED LIABILITY COMPANIES

Authority §31B-13-1304

Type - Legislative

Price - \$2.40

Effective - April 13, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Procedures for Formation and Approval of Professional Limited Liability Companies for Dentists; Fees
- Section 4. Notification of Non-Compliance; Cessation of Rendering Professional Services
- Section 5. Dentist - Patient Relationship

SERIES 3 - FEES ESTABLISHED BY BOARD

Authority §§30-1-6; 30-4-4A

Type - Legislative

Price - \$2.40

Effective - June 1, 2001

- Section 1. General
- Section 2. Schedule of Fees

SERIES 4 - CONTESTED CASE HEARING PROCEDURES

Authority - §30-1-8

Type - Procedural

Price - \$3.80

Effective - February 5, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Conferences; Informal Disposition of Cases
- Section 4. Depositions
- Section 5. Subpoenas
- Section 6. Hearing Procedure
- Section 7. Transcription of Testimony and Evidence
- Section 8. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 9. Orders
- Section 10. Appeal

SERIES 5 - DISCIPLINARY AND COMPLAINT PROCEDURES

Authority - §30-1-8

Type - Procedural

Price - \$3.00

Effective - February 5, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses and/or Permit of Dentists or Dental Hygienists
- Section 5. Disposition of Complaints
- Section 6. Contested Case Hearings
- Section 7. Appeals

SERIES 6 - FORMATION AND APPROVAL OF DENTAL CORPORATIONS

Authority - §30-4-6

Type - Legislative

Price - \$2.40

Effective - July 28, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Procedures for Formation and Approval of Dental Corporations for Dentists; Fees
- Section 4. Notification of Non-Compliance, Cessation of Rendering Dental Services
- Section 5. Dentist - Patient Relationship

TITLE 145

WEST VIRGINIA DEVELOPMENT OFFICE

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Series 8. Community Development Assessment and Real Property Valuation Procedures for Office of Coalfield Community Development	143
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TOTAL COST OF ALL OF TITLE 145 - \$14.40	

SERIES 1 - RESERVED

REPEALED NOVEMBER 4, 1999

SERIES 2 - RESERVED

REPEALED NOVEMBER 4, 1999

SERIES 3 - RESERVED

REPEALED NOVEMBER 4, 1999

SERIES 4 - RESERVED

REPEALED NOVEMBER 4, 1999

SERIES 5 - RESERVED

Repealed APRIL 13, 1994

**SERIES 6 - REVIEW BY THE COUNCIL FOR COMMUNITY AND ECONOMIC DEVELOPMENT OF
INFRASTRUCTURE FUND; ESTABLISHMENT OF APPLICATION REVIEW PROCEEDINGS**

Authority - §5B-2-3(e)
Type - Procedural
Price - \$3.00
Effective - March 1, 2004

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Council Review of Projects
- Section 5. Review Guidelines
- Section 6. Financial Assistance for Infrastructure Projects
- Section 7. Loan Terms
- Section 8. Credit Requirements
- Section 9. Eligible Activities
- Section 10. Ineligible Activities

SERIES 7 - NEIGHBORHOOD INVESTMENT PROGRAM ACT

Authority - §5B-2-3
Type - Procedural
Price - \$5.20
Effective - July 1, 2002

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Neighborhood Investment Program Advisory Board
- Section 5. Certification of Economically Disadvantaged Areas
- Section 6. Certification of Project Plans
- Section 7. Project Certification Fees
- Section 8. Sanctions for Failure to Timely Pay Project Certification Fee
- Section 9. Administration and Collection of Project Certification Fees
- Section 10. Tax Credit Allowed
- Section 11. Assertion of Credit Against Tax
- Section 12. Adjustment of West Virginia Taxable Income
- Section 13. Credit Recapture
- Section 14. Audits
- Section 15. Preservation of Credit

**SERIES 8 - COMMUNITY DEVELOPMENT ASSESSMENT AND REAL PROPERTY VALUATION PROCEDURES FOR
OFFICE OF COALFIELD COMMUNITY DEVELOPMENT**

Authority - §5B-2A-12
Type - Legislative
Price - \$3.40
Effective - April 3, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Exempted Operations
- Section 4. Community Impact Statement
- Section 5. Coalfield Community Development Procedures
- Section 6. Master Land Use Plans
- Section 7. Land Acquisitions

SERIES 9 - WORKFORCE DEVELOPMENT INITIATIVE PROGRAM

Authority - §18B-3D-1 et seq.

Type - Legislative

Price - \$2.80

Effective - April 4, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Role of Council for Community and Economic Development
- Section 4. Role of Advisory Committee
- Section 5. Grant Process
- Section 6. Funds Generally
- Section 7. Eligibility for Program Participation
- Section 8. Minimum Application Criteria

SERIES 10 - SYNTHETIC FUEL-PRODUCING COUNTIES GRANT FUND PROGRAM

Authority - §11-13-2f(g)

Type - Procedural

Price - \$2.80

Effective - March 1, 2002

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Plans
- Section 5. Fund Administration

TITLE 31

WEST VIRGINIA BOARD OF LICENSED DIETITIANS

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TOTAL COST FOR ALL OF TITLE 31 - \$15.80	

SERIES 1 - LICENSURE AND RENEWAL REQUIREMENTS

Authority - §30-35-4

Type - Legislative

Price - \$3.20

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Board Approval for Licensure
- Section 4. Licensure Qualifications
- Section 5. Waiver of Requirements
- Section 6. Provisional Permit
- Section 7. Renewal
- Section 8. Reinstatement of Expired Licenses
- Section 9. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses of Dietitians

SERIES 2 - CODE OF PROFESSIONAL ETHICS

Authority - §30-35-4

Type - Legislative

Price - \$2.40

Effective - July 1, 2002

- Section 1. General
- Section 2. Scope of Practice Definitions
- Section 3. Code of Ethics

SERIES 3 - CONTESTED CASE HEARING PROCEDURES

Authority - §§30-35-4 et seq.; 30-1-1 et seq.; 29A-5-1 et seq.

Type - Procedural

Price - \$3.00

Effective - February 23, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedures
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 6. Hearing Examiner
- Section 7. Conferences; Informal Disposition of Cases
- Section 8. Depositions
- Section 9. Subpoenas
- Section 10. Orders
- Section 11. Appeal

SERIES 4 - DISCIPLINARY AND COMPLAINT PROCEDURES

Authority - §§30-1-8(h); 30-35-4; 30-35-10

Type - Procedural

Price - \$3.80

Effective - September 8, 2002

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Disposition of Reports and Complaints
- Section 5. Appeal

SERIES 5 - CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS

Authority - §30-35-4

Type - Legislative

Price - \$3.40

Effective - July 1, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Criteria for Provider Approval
- Section 5. Approved Providers
- Section 6. Approval of Continuing Professional Education Courses
- Section 7. Activities Eligible for Continuing Professional Education Credits
- Section 8. Instructors
- Section 9. Advertisements
- Section 10. Denial, Withdrawal and Appeal of Approval
- Section 11. Record Keeping and Reporting
- Section 12. Requests for Extension
- Section 13. Sanctions and Appeals

TITLE 196

WEST VIRGINIA DIESEL EQUIPMENT COMMISSION

SERIES 1 - RULES FOR OPERATING DIESEL EQUIPMENT IN UNDERGROUND MINES IN WEST VIRGINIA

Authority - §22A-2A-308(b)

Type - Legislative

Price - \$12.00

Effective - March 30, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Underground Use
- Section 4. Diesel-Powered Equipment Package
- Section 5. Exhaust Emissions Control
- Section 6. Ventilation
- Section 7. Exhaust Gas Monitoring and Control
- Section 8. Fuel Storage Facilities
- Section 9. Transfer of Diesel Fuel
- Section 10. Containers
- Section 11. Fire Suppression for Equipment and Transportation
- Section 12. Fire Suppression for Storage Areas
- Section 13. Use of Certain Starting Aids Prohibited
- Section 14. Fueling
- Section 15. Fire and Safety Training
- Section 16. Maintenance
- Section 17. Records
- Section 18. Duties of Operator
- Section 19. Scheduled Maintenance
- Section 20. Emissions Monitoring and Control
- Section 21. Diagnostic Testing
- Section 22. Training and General Requirements
- Section 23. Equipment-Specific Training
- Section 24. Diesel Mechanic Training
- Section 25. Operation of Diesel-Powered Equipment
- Section 26. Diesel Inspectors; Employment; Training
- Section 27. Diesel Inspector - Training Course

HIGHER EDUCATION GOVERNING BOARD (COLLEGE)

BOARD OF DIRECTORS

See TITLE 133
HIGHER EDUCATION POLICY COMMISSION

TITLE 80

COMMISSION ON DRUNK DRIVING PREVENTION

SERIES 1 - ADMINISTRATIVE REGULATIONS FOR THE ORGANIZATION, FUNCTIONING AND CONTROL OF THE
COMMISSION ON DRUNK DRIVING PREVENTION, AND ADJUNCT DIVISION OF THE WEST VIRGINIA
DEPARTMENT OF PUBLIC SAFETY

Authority - §15-2-40

Type - Legislative

Price - \$2.60

Effective - June 13, 1985

- Section 1. General
- Section 2. Amendments
- Section 3. Meetings
- Section 4. Definitions
- Section 5. Approval of Grant Applications
- Section 6. Criteria for Approval of Grant Applications
- Section 7. Action on Applications
- Section 8. Grants to the Commission
- Section 9. Use of Grant Funds
- Section 10. Financial Reporting
- Section 11. Use of Legislative Appropriation
- Section 12. Appeal

TITLE 117

ECONOMIC DEVELOPMENT AUTHORITY

SERIES 1 - GENERAL ADMINISTRATION OF THE WEST VIRGINIA CAPITAL COMPANY ACT: ESTABLISHMENT OF THE APPLICATION PROCEDURES TO IMPLEMENT THE ACT

Authority - §§5E-1-5; 29A-1-2(d)

Type - Legislative

Price - \$8.00

Effective - May 8, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Procedure to Become a Qualified West Virginia Capital Company
- Section 4. Additional Tax Credits
- Section 5. Tax Credits
- Section 6. Investment Requirements, Reporting, Recordkeeping, Prohibitions and Sale or Liquidation and SBIC Compliance
- Section 7. Audits, Reports, Confidentiality, Examination, Failure to Comply, Penalties, Decertification
- Section 8. Dissolution or Liquidation of Qualified Company
- Section 9. Ruling Procedure
- Section 10. Transition Rules
- Section 11. Examples

SERIES 2 - MEETINGS AND MEETING NOTICES

Authority - §6-9A-1 et seq.

Type - Procedural

Price - \$2.40

Effective - January 1, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Regular Meetings
- Section 4. Special Meetings
- Section 5. Emergency Meetings
- Section 6. Open Proceedings

SERIES 3 - GENERAL ADMINISTRATION OF THE WEST VIRGINIA VENTURE CAPITAL ACT

Authority - §5E-2-3

Type - Legislative

Price - \$5.00

Effective - April 15, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Purposes and Structures
- Section 4. Fund Managers
- Section 5. Investors
- Section 6. Tax Credits
- Section 7. Investment Requirements
- Section 8. Liquidation of a Fund or Fund Share; Repurchase of Investor Ownership Interests
- Section 9. Audits and Reports
- Section 10. Confidentiality
- Section 11. Investigation; Remedies
- Section 12. Ruling Procedure

SERIES 4 - ECONOMIC DEVELOPMENT AND TECHNOLOGY ADVANCEMENT CENTERS

Authority - §5E-1-5

Type - Legislative

Price - \$4.00

Effective - April 15, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Qualifications of Economic Development and Technology Advancement Center
- Section 4. Tax Credits
- Section 5. Reports and Audits
- Section 6. Confidentiality
- Section 7. Investigation; Remedies
- Section 8. Ruling Procedure

TITLE 120

WEST VIRGINIA ECONOMIC DEVELOPMENT GRANT COMMITTEE

SERIES 1 - COMMITTEE MEETINGS, ORGANIZATION AND OPERATIONS

Authority - §§6-9A-3; 29A-3-3; 29B-1-3(5)

Type - Procedural

Price - \$4.00

Effective - September 27, 2003

- Section 1. General
- Section 2. Organization
- Section 3. Technical Parliamentary Forms Abolished
- Section 4. Matters Not Covered by These Rules
- Section 5. Interpretation
- Section 6. Expenses of Private Citizen Members of Committee
- Section 7. Conflicts of Interest
- Section 8. Reserved
- Section 9. Reserved
- Section 10. Reserved
- Section 11. Time and Place of Meetings
- Section 12. Quorum
- Section 13. Electronic Participation by Committee Members
- Section 14. Reserved
- Section 15. Reserved
- Section 16. Reserved
- Section 17. Reserved
- Section 18. Reserved
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- Section 20. Reserved
- Section 21. Agenda
- Section 22. Agenda Deadline
- Section 23. Extra Items
- Section 24. Reconsideration; Sponsor Required
- Section 25. Withdrawal of Items
- Section 26. Committee Action to Defer, Continue or Not Act
- Section 27. Reserved
- Section 28. Reserved
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- Section 31. Roll Call
- Section 32. Call to Order
- Section 33. Presiding Officer
- Section 34. Control of Discussion
- Section 35. Order of Consideration of Agenda Items
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- Section 37. Presiding Officer's Right to Enter into Discussion and Speak Last
- Section 38. Closing Debate
- Section 39. Written Ballots and Proxy Votes Prohibited
- Section 40. Reserved
- Section 41. When Committee May Go Into Executive Session
- Section 42. Motion for Executive Session Required
- Section 43. Executive Sessions Not Open to Public
- Section 44. Decisions During Executive Session Prohibited
- Section 45. Reserved
- Section 46. Reserved
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- Section 48. Reserved
- Section 49. Reserved

Economic Development Grant Comm.
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TITLE 126

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TOTAL COST FOR ALL OF TITLE 126 - \$841.40		

SERIES 1 - RESERVED

Repealed April 15, 2004

SERIES 2 - ACCOUNTING PROCEDURES MANUAL FOR THE PUBLIC SCHOOLS OF WEST VIRGINIA (1224.1)

Authority - §18-9B-12
 Type - Legislative
 Price - \$11.80
 Effective - August 14, 1996

- Section 1. General
- Section 2. Incorporation by Reference

SERIES 3 - NOTICE AND CONDUCT OF MEETINGS (1241)

Authority - §18-2-5; 6-9A-1, WV Constitution, Art. XII, Sect. 2
 Type - Procedural
 Price - \$2.60
 Effective - February 9, 2002

- Section 1. General
- Section 2. Preface
- Section 3. Notice of Meeting
- Section 4. Conduct of Meeting
- Section 5. Meeting by Conference Call

SERIES 3A - STATE BOARD OF EDUCATION POLICY MAKING PROCESS (1242)

Authority - Article XII, §32, Constitution of WV; §§18-2-5a; 29A-3A-1 et seq.
 Type - Legislative
 Price - \$2.00
 Effective - February 9, 2002

- Section 1. General
- Section 2. Rationale
- Section 3. Procedures
- Section 4. Definitions
- Section 5. System of Maintenance, Distribution and Publication

SERIES 4 - RULES OF PROCEDURE FOR ADMINISTRATIVE HEARINGS AND APPEALS (1340)

Authority - §§18-2-5; 18-3-4; 18A-3-6; W. Va. Const. Article XII, §2
 Type - Procedural
 Price - \$3.00
 Effective - July 7, 2002

- Section 1. General
- Section 2. Forward
- Section 3. General Rules
- Section 4. Hearings for Certification Suspension/Revocation
- Section 5. Other Hearings

SERIES 5 - RESERVED

Repealed April 15, 2004

SERIES 6 - NAMING OF BUILDING AT CEDAR LAKES (1470)

Authority - §18-2-6
Type - Procedural
Price - \$2.00
Effective - February 25, 1983

- Section 1. General
- Section 2. Building Names

SERIES 7 - EDUCATION IN THE STATE'S CORRECTIONAL INSTITUTIONS: MISSION AND GOALS (1471)

Authority - §§18-2-13F et seq.; 18-20-5
Type - Legislative
Price - \$2.80
Effective - July 31, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Mission Statement
- Section 4. Goals
- Section 5. Implementation Procedures
- Section 6. Cooperation from County School Districts and RESAs

SERIES 8 - DRUG-FREE WORKPLACE (1461)

Authority - §18-2-5; WV Const. Art XII, §2
Type - Legislative
Price - \$2.80
Effective - February 1, 1993

- Section 1. General
 - Section 2. Purpose
 - Section 3. Definitions
 - Section 4. Content
 - Section 5. County Responsibility
- Verification Statement

SERIES 9 - RESERVED

SERIES 10 - FREEDOM OF INFORMATION REQUESTS (1230)

Authority - §18-2-5; 29B-1-3(5); WV Const, Art. XII, §2
Type - Legislative
Price - \$2.40
Effective - July 12, 2000

- Section 1. General
- Section 2. Purpose
- Section 3. Availability of Public Record
- Section 4. Fees

SERIES 11 - RESERVED

Repealed & Replaced by 126-42
July 1, 1997

SERIES 11A - PARENT INVOLVEMENT IN EDUCATION (2200)

Authority - §18-2-28
 Type - Legislative
 Price - \$2.40
 Effective - November 30, 1989

- Section 1. General
- Section 2. Purpose
- Section 3. County Policy
- Section 4. Policy Development
- Section 5. Submission of Policy to State Board of Education

SERIES 12 - RESERVED**SERIES 13 - A PROCESS FOR IMPROVING EDUCATION PERFORMANCE BASED ACCREDITATION SYSTEM (2320)**

Authority - §§18-2E-5; 18-2-5; 18-2-7a; W. Va. Const. Article X §2
 Type - Legislative
 Price - \$6.00
 Effective - May 31, 2003

- Section 1. General
- Section 2. Purpose
- Section 3. Responsibility
- Section 4. Annual Performance Measures
- Section 5. High Quality Standards
- Section 5A. Pilot High Quality Standards
- Section 6. Indicators of Efficiency
- Section 7. County and School Improvement Plan Process
- Section 8. School Accreditation Status
- Section 9. Exemplary Accreditation Status
- Section 10. Seriously Impaired Status
- Section 11. School System Approval
- Section 12. Nonapproval Status
- Section 13. On-Site Reviews
- Section 14. Capacity Building
- Section 15. Identification of Resource Needs

SERIES 13A THRU 13B - RESERVED**SERIES 13C - NONPUBLIC SCHOOL ACCREDITATION (2330)**

Authority - §§18-3-11; 18-5-18; 18-2E-5; 18-2-6(d)
 Type - Legislative
 Price - \$2.40
 Effective - September 28, 1990

- Section 1. General
- Section 2. Applicability
- Section 3. Administration
- Section 4. Application
- Section 5. Accreditation Procedure
- Section 6. Time Line
- Section 7. Accreditation Status

SERIES 14 - WEST VIRGINIA MEASURES OF ACADEMIC PROGRESS (2340)

Authority - §§18-2E-1, 1a, 8(c)(1); 18-2E-2; 18A-3-6; PL 107-110; WV Constitution Article XII; §2

Type - Legislative

Price - \$6.00

Effective - July 13, 2003

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Program Regulations Effective August, 2003
- Section 5. Administration Regulations
- Section 6. Reporting Regulations
- Section 7. Test Security
- Section 8. Investigation of Security Violation
- Section 9. West Virginia Measures of Academic Progress
- Appendices

SERIES 15 - POLICY STATEMENT ON BILINGUAL EDUCATION (2417)

Authority - §18-2-5; WV Const, Art XII, §2; PL 107-110

Type - Legislative

Price - \$6.00

Effective - April 12, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Guidelines
- Section 4. Incorporation by Reference
- Section 5. Summary of the Content Standards
- Section 6. Severability

SERIES 16 - REGULATIONS FOR THE EDUCATION OF EXCEPTIONAL STUDENTS (2419)

Authority - §18-20 et seq.; Public Law 105-17; W. Va. Const., Article XII, §2; & Individuals with Disabilities Act

Type - Legislative

Price - \$12.90

Effective - May 20, 2004

- Section 1. General
- Section 2. Identification/Referral
- Section 3. Evaluation and Reevaluation
- Section 4. Eligibility
- Section 5. Individualized Education Program Process
- Section 6. Administration of Services
- Section 7. Discipline
- Section 8. Procedural Safeguards
- Section 9. Accountability
- Section 10. Glossary

SERIES 17 - RULES FOR REQUESTING AN EXCEPTION TO THE REGULATIONS FOR THE EDUCATION OF EXCEPTIONAL STUDENTS (2419.11)

Authority - §18-20-5

Type - Procedural

Price - \$2.60

Effective - July 15, 1991

- Section 1. General
- Section 2. Incorporation by Reference
- Policy

SERIES 18 - RACIAL, SEXUAL, RELIGIOUS/ETHNIC HARASSMENT AND VIOLENCE POLICY (2421)

Authority - §§18-2-25; 18-2-5a; 18-2-7b; WV Constitution, Article XII, §2

Type - Legislative

Price - \$3.00

Effective - January 16, 1997

- Section 1. General
- Section 2. Purpose
- Section 3. Application
- Section 4. Definitions
- Section 5. Planning by Local Boards of Education
- Section 6. Complaint Procedures
- Section 7. Investigation
- Section 8. Agency Action and Reporting
- Section 9. Reprisal
- Section 10. Right to Alternative Complaint Procedures
- Section 11. Prevention Programs
- Section 12. Dissemination of Policy and Training
- Section 13. Assessment of Effectiveness

SERIES 19 - RESERVED

Repealed April 15, 2004

SERIES 20 - REGULATIONS FOR ALTERNATIVE EDUCATION PROGRAMS FOR DISRUPTIVE STUDENTS (2418)

Authority - §§18-2-6; 18-5-19; W. Va. Constitution, Article XII, §2

Type - Legislative

Price - \$2.80

Effective - August 14, 2000

- Section 1. General
- Section 2. Definition
- Section 3. Purpose
- Section 4. Flexibility in Program Development
- Section 5. Program Requirements
- Section 6. Accountability for Results

SERIES 21 - CARDIOPULMONARY RESUSCITATION INSTRUCTION (2422.13)

Authority - §18-2-7

Type - Legislative

Price - \$2.00

Effective - February 27, 1983

- Section 1. General
- Section 2. Applicability
- Section 3. Resolution
- Section 4. Disposition

SERIES 22 - DRIVER EDUCATION REGULATIONS (2422.2)

Authority - §§18-2-5; 18-6-1; W.Va. Constitution, Article XII, §2

Type - Procedural

Price - \$4.00

Effective - December 15, 2002

- Section 1. General
- Section 2. Applicability
- Section 3. Standards for an Approved Course
- Section 4. Standards for an Approved Teacher
- Section 5. Emergency Licensure
- Section 6. Standards for Summer Driver Education Courses
- Section 7. Standards for Adult and Out-of-School Youth Courses
- Section 8. Incapacitated Instructor
- Section 9. Accidents
- Section 10. Insurance
- Section 11. Student Transfers
- Section 12. Students with Disabilities
- Section 13. Program Reports
- Section 14. Driver Education Certificates
- Section 15. Use of Driver Education Vehicles
- Section 16. Specification for Identification of Driver Education Cars
- Section 17. Commercial Driver Education Schools
- Section 18. Severability

SERIES 23 - SUBSTANCE ABUSE POLICY (2422.5)

Authority - §18-2-9

Type - Legislative

Price - \$2.00

Effective - February 27, 1983

- Section 1. General
- Section 2. Applicability
- Section 3. Components

SERIES 24 - INCLUSION OF INTER-ETHNIC CONCEPTS AND INSTRUCTIONAL TECHNIQUES INTO SCHOOL CURRICULA (2422.6)

Authority - §18-2-5

Type - Procedural

Price - \$2.00

Effective - December 27, 1982

- Section 1. General
- Section 2. Rationale
- Section 3. Incorporation of Concepts

SERIES 25 - ANTI-HAZING POLICY (2425)

Authority - §18-2-5; 18-2-33; W. Va. Constitution, Article XII, §2

Type - Procedural

Price - \$2.40

Effective - August 15, 1999

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Program Regulations

SERIES 25A - STANDARDS FOR BASIC AND SPECIALIZED HEALTH CARE PROCEDURES (2422.7)

Authority - §§18-2-5; 18-5-22; 18-5-22a; 30-7-1; 30-7a-1

Type - Legislative

Price - \$32.60

Effective - August 14, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. State Administrative Procedures
- Section 5. Organization and Management
- Section 6. System for School Admission and Care
- Section 7. Health Care Plan
- Section 8. Quality Assurance
- Section 9. School Health Records
- Section 10. Staffing Requirements
- Section 11. Student Rights
- Section 12. Penalties
- Section 13. Administrative Due Process

Manual

SERIES 26 - PARTICIPATION IN EXTRACURRICULAR ACTIVITIES (2436.10)

Authority - §18-2-5

Type - Legislative

Price - \$2.40

Effective - September 10, 1984

- Section 1. General
- Section 2. Applicability
- Section 3. Eligibility

SERIES 27 - RESERVED**SERIES 28 - WEST VIRGINIA'S UNIVERSAL ACCESS TO EARLY EDUCATION SYSTEM (2525)**

Authority - §§16-3-4; 18-2-5; 18-5-18c; 18-2E-1 et seq.; 18-5-17; 18-5-44; WV Constitution, Article XII, §2

Type - Procedural

Price - \$28.20

Effective - February 12, 2003

- Section 1. General
- Section 2. Guidelines
- Section 3. Definitions
- Section 4. Parent/Guardian Involvement and Family Support
- Section 5. Attendance
- Section 6. Collaboration and the County Plan
- Section 7. Waivers
- Section 8. Personnel Standards
- Section 9. Regulation of Facilities
- Section 10. Standards for Preparing Students
- Section 11. Curriculum and Assessment
- Section 12. Transition and Continuity
- Section 13. Inclusive Environments
- Section 14. Staff Development and Training
- Section 15. Transportation
- Section 16. Program Oversight
- Section 17. Financing
- Section 18. Health and Safety
- Section 19. Program Evaluation

Appendix

SERIES 29 - EXCEPTIONS TO MAXIMUM TEACHER - PUPIL RATIO, GRADES K-6 (2442.3)

Authority - §18-5-18a
Type - Procedural
Price - \$2.40
Effective - February 23, 1990

- Section 1. General
- Section 2. Applicability
- Section 3. Procedures
- Section 4. Compensation

SERIES 30 - GRADUATION REQUIREMENTS FOR WEST VIRGINIA PUBLIC SCHOOLS ADOLESCENT EDUCATION GRADES 9 - 12 (2444 01)

Authority - §18-2-5
Type - Legislative
Price - \$3.20
Effective - December 24, 1993

- Section 1. General
- Section 2. Program Definition
- Section 3. Program Delivery
- Section 4. Program Assurance

SERIES 31 - STANDARDS AND REGULATIONS FOR APPLIED MUSIC CREDIT (2444.1)

Authority - §18-2-7
Type - Legislative
Price - \$2.40
Effective - February 27, 1983

- Section 1. General
- Section 2. Conditions
- Section 3. Procedure
- Section 4. Examinations
- Section 5. Credit

SERIES 32 - ISSUANCE OF HIGH SCHOOL EQUIVALENT DIPLOMAS, STATE OF WEST VIRGINIA (2444.4)

Authority - §18-2-5; WV Constitution Art XII, § 2
Type - Legislative
Price - \$2.80
Effective - March 15, 2004

- Section 1. General
- Section 2. West Virginia High School Equivalent Diploma
- Section 3. Applying for Testing
- Section 4. Basis for Granting West Virginia High School Equivalency Diploma
- Section 5. Testing of Individuals Eighteen (18) Years of Age and Younger
- Section 6. Residence
- Section 7. Transcripts of Scores
- Section 8. Falsification of GED Test Information and/or Center Violations
- Section 9. Testing Fees
- Section 10. All Correspondence Regarding This Policy
- Section 11. Severability

SERIES 33 - MODIFICATION IN TEXTBOOK ADOPTION REGULATIONS (2445.4)

Authority - §18-2A-1
 Type - Legislative
 Price - \$2.00
 Effective - February 27, 1983

- Section 1. General
- Section 2. Rules

SERIES 34 - RESOLUTION REGARDING U. S. DISTRICT ORDER (2445.4A)

Authority - §18-5-21
 Type - Procedural
 Price - \$2.00
 Effective - October 17, 1986

- Section 1. General
- Section 2. Resolution

SERIES 35 - GROUPINGS FOR TEXTBOOK ADOPTION FOR EARLY CHILDHOOD EDUCATION, MIDDLE CHILDHOOD EDUCATION AND ADOLESCENT EDUCATION (2445.40)

Authority - §18-2A-1; WV Constitution, Article XII, §2
 Type - Legislative
 Price - \$2.60
 Effective - August 16, 2000

- Section 1. General
- Section 2. Availability
- Section 3. Compliance Requirements

SERIES 36 - TEXTBOOK ADOPTION: NOTICE, REQUEST AND INSTRUCTION TO PUBLISHERS (2445.41)

Authority - §18-2A-2; WV Constitution, Article XII, §2
 Type - Legislative
 Price - \$5.60
 Effective - January 15, 1997

- Section 1. General
 - Section 2. Purpose
 - Section 3. Definition
 - Section 4. Applicability
 - Section 5. Guidelines
 - Section 6. West Virginia Instructional Materials Review Committee Requirements
 - Section 7. State Requirements
 - Section 8. Multiple List and Contract Information
 - Section 9. Services to Counties and Schools
 - Section 10. Explanation of Bid Items (Attached)
- Attachments

SERIES 37 - UNIFORM GRADING (2515)

Authority - §18-2-5; WV Const, Art XII, §2
 Type - Legislative
 Price - \$2.00
 Effective - July 1, 2003

- Section 1. General
- Section 2. Purpose
- Section 3. Grading Scale and Quality Points
- Section 4. Weighted Grades
- Section 5. Severability

SERIES 38 - TEXTBOOK ADOPTION APPEAL PROCESS FOR PUBLISHERS (2445.412)

Authority - §18-2A-8
Type - Legislative
Price - \$4.00
Effective - October 17, 1986

- Section 1. General
- Section 2. Additional
- Section 3. Compliance Rule

SERIES 39 - SELECTION OF TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIALS: INTER-ETHNIC IN CONTENT, CONCEPT AND ILLUSTRATION (2445.43)

Authority - §18-2-5
Type - Legislative
Price - \$2.00
Effective - December 27, 1982

- Section 1. General
- Section 2. Rationale
- Section 3. Requirement

SERIES 40 - RULES FOR GRANTING EXEMPTIONS TO THE LEGAL REQUIREMENTS FOR THE ADOPTION AND UTILIZATION OF TEXTBOOK/PROGRAMS (2445.44)

Authority - §18-2A-8
Type - Legislative
Price - \$2.40
Effective - September 10, 1985

- Section 1. General
- Section 2. Preface
- Section 3. Rules
- Section 4. Implementation

SERIES 41 - SAFETY AND ACCEPTABLE USE OF INTERNET BY STUDENTS AND EDUCATORS (2460)

Authority - §18-2-5; WV Constitution, Article XII, §2
Type - Legislative
Price - \$3.00
Effective - September 9, 2001

- Section 1. General
- Section 2. Scope
- Section 3. Use
- Section 4. Implementation

SERIES 42 - ASSURING THE QUALITY OF EDUCATION: REGULATIONS FOR EDUCATION PROGRAMS (2510)

Authority - §§18-1-1 & 4; 18-2-5 & 6; 18-2E-4, 5, 7 & 8; 18-5A-4; 18A-1-1; 18A-3-; WV Const. Article XII, §2
Type - Legislative
Price - \$9.20
Effective - April 13, 2003

- Section 1. General
 - Section 2. Purpose
 - Section 3. Scope
 - Section 4. General Responsibilities
 - Section 5. Glossary
 - Section 6. Program Definition
 - Section 7. Program Delivery
 - Section 8. Program Accountability
 - Section 9. Alternative Delivery Systems
- Charts

SERIES 43 - USE OF TECHNOLOGY BY STUDENTS AND EDUCATORS (2470)

Authority - §29A-3B-1 et seq; WV Board of Education v. Hechler 180 W. Va. 451; 373336 S.E.2d 839 (1988)

Type - Legislative

Price - \$2.40

Effective - July 1, 1997

- Section 1. General
- Section 2. Purpose
- Section 3. Use of Technology
- Section 4. Incorporation by Reference
- Section 5. Implementation Manual

SERIES 44 - RESERVED

Repealed

Effective July 11, 2003

SERIES 44A - READING AND ENGLISH LANGUAGE ARTS CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.1)

Authority - §§18-2-5; 18-9A-22; WV Const., Art. XII, §2

Type - Legislative

Price - \$13.00

Effective - July 1, 2003

- Section 1. General
- Section 2. Purpose
- Section 3. Incorporation by Reference
- Section 4. Summary of the Content Standards (or Instructional Goals) and Objectives

SERIES 44B - MATHEMATICS CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.2)

Authority - §§18-2-5; 18-9A-22; WV Const., Art XII, §2

Type - Legislative

Price - \$13.60

Effective - July 1, 2003

- Section 1. General
- Section 2. Purpose
- Section 3. Incorporation by Reference
- Section 4. Summary of the Content Standards and Objectives

SERIES 44C - SCIENCE CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.3)

Authority - §§18-2-5; 18-9A-22; WV Const., Art XII, §2

Type - Legislative

Price - \$18.90

Effective - July 1, 2003

- Section 1. General
- Section 2. Purpose
- Section 3. Incorporation by Reference
- Section 4. Summary of the Content Standards and Objectives

SERIES 44D - SOCIAL STUDIES CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.3)

Authority - §§18-2-5; 18-9A-22; WV Const., Art XII, §2

Type - Legislative

Price - \$16.30

Effective - February 19, 2004

- Section 1. General
- Section 2. Purpose
- Section 3. Incorporation by Reference
- Section 4. Summary of the Content Standards and Objectives

SERIES 44E - HEALTH CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.5)

Authority - §§18-2-5; 18-9A-22; W. Va. Const., Art. XII, §2

Type - Legislative

Price - \$15.20

Effective - July 1, 2003

- Section 1. General
 - Section 2. Purpose
 - Section 3. Incorporation by Reference
 - Section 4. Summary of the Content Standards and Objectives
- Manual

SERIES 44F - PHYSICAL EDUCATION CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.6)

Authority - §§18-2-5; 18-9A-22; W. Va. Const., Art. XII, §2

Type - Legislative

Price - \$13.50

Effective - July 1, 2003

- Section 1. General
 - Section 2. Purpose
 - Section 3. Incorporation by Reference
 - Section 4. Summary of the Content Standards and Objectives
- Manual

SERIES 44G - FOREIGN LANGUAGE CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.7)

Authority - §§18-2-5; 18-9A-22; W. Va. Const., Art. XII, §2
 Type - Legislative
 Price - \$12.00
 Effective - July 1, 2003

Section 1. General
 Section 2. Purpose
 Section 3. Incorporation by Reference
 Section 4. Summary of the Content Standards and Objectives
 Manual

SERIES 44H - DRIVER EDUCATION CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.8)

Authority - §§18-2-5; 18-9A-22; WV Const., Art XII, §2
 Type - Legislative
 Price - \$5.20
 Effective - July 13, 2003

Section 1. General
 Section 2. Purpose
 Section 3. Incorporation by Reference
 Section 4. Summary of the Content Standards and Objectives
 Appendix

SERIES 44I - DANCE CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.9)

Authority - §§18-2-5; 18-9A-22; W. Va. Const., Art. XII, §2
 Type - Legislative
 Price - \$8.40
 Effective - July 1, 2003

Section 1. General
 Section 2. Purpose
 Section 3. Incorporation by Reference
 Section 4. Summary of the Content Standards and Objectives
 Manual

SERIES 44J - MUSIC CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.10)

Authority - §§18-2-5; 18-9A-22; W. Va. Const., Art. XII, §2
 Type - Legislative
 Price - \$26.40
 Effective - July 1, 2003

Section 1. General
 Section 2. Purpose
 Section 3. Incorporation by Reference
 Section 4. Summary of the Content Standards and Objectives
 Manual

SERIES 44K - THEATRE CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.11)

Authority - §§18-2-5; 18-9A-22; W. Va. Const., Art. XII, §2

Type - Legislative

Price - \$9.40

Effective - July 1, 2003

- Section 1. General
 - Section 2. Purpose
 - Section 3. Incorporation by Reference
 - Section 4. Summary of the Content Standards and Objectives
- Manual

SERIES 44L - VISUAL ART CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.12)

Authority - §§18-2-5; 18-9A-22; W. Va. Const., Art. XII, §2

Type - Legislative

Price - \$18.10

Effective - July 1, 2003

- Section 1. General
 - Section 2. Purpose
 - Section 3. Incorporation by Reference
 - Section 4. Summary of the Content Standards and Objectives
- Manual

SERIES 44M - CONTENT STANDARDS AND OBJECTIVES FOR TECHNICAL AND ADULT EDUCATION IN WEST VIRGINIA SCHOOLS (2520.13)

Authority - §§18-2-5; 18-9A-22; W. Va. Const., Art. XII, §2

Type - Legislative

Price - \$80.20

Effective - July 1, 2003

- Section 1. General
 - Section 2. Purpose
 - Section 3. Incorporation by Reference
 - Section 4. Summary of the Content Standards (or Instructional Goals) and Objectives
- Manual

SERIES 44N - TECHNOLOGY CONTENT STANDARDS AND OBJECTIVES FOR WEST VIRGINIA SCHOOLS (2520.14)

Authority - §§18-2-5; 18-9A-22; W. Va. Const., Art. XII, §2

Type - Legislative

Price - \$14.00

Effective - July 1, 2003

- Section 1. General
 - Section 2. Purpose
 - Section 3. Incorporation by Reference
 - Section 4. Summary of the Content Standards and Objectives
- Manual

SERIES 440 - EARLY LEARNING STANDARDS FRAMEWORK CONTENT STANDARDS AND LEARNING CRITERIA FOR WEST VIRGINIA PRE-KINDERGARTEN (WV PRE-K) (2520.15)

Authority - §§16-3-4; 18-2-5; 18-2E-1; 18-5-18c et seq.; 18-5-17; 18-5-44; W. Va. Const. Art XII, §2
 Type - Legislative
 Price - \$9.00
 Effective - June 1, 2004

- Section 1. General
- Section 2. Purpose
- Section 3. Incorporation by Reference

SERIES 45 - CRITERIA OF EXCELLENCE: VOCATIONAL EDUCATION PROGRAM (2530)

Authority - §18-9A-22
 Type - Interpretive
 Price - \$18.60
 Effective - December 30, 1986

- Section 1. General
- Section 2. Applicability

SERIES 45A - RESERVED

Repealed April 15, 2004

SERIES 45B - PARENTING EDUCATION CURRICULUM (2530.02)

Authority - §61-8-9a
 Type - Legislative
 Price - \$3.00
 Effective - October 10, 1990

- Section 1. General
- Section 2. Rationale
- Section 3. Contract for Parenting Curriculum Required by SB 255

SERIES 46 - RESERVED

Repealed April 15, 2004

SERIES 47 - RESERVED

Repealed April 15, 2004

SERIES 48 - DISTANCE LEARNING PROGRAMS AND THE WEST VIRGINIA VIRTUAL SCHOOL (2450)

Authority - §18-2-5
 Type - Procedural
 Price - \$2.40
 Effective - September 11, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Course Approval
- Section 4. Management
- Section 5. Evaluation of Pupil Progress
- Section 6. Technology Access
- Section 7. Funding
- Section 8. Guidelines and procedures
- Section 9. Severability

SERIES 49 - RESERVED

Repealed April 15, 2004

SERIES 50 - RESERVED

SERIES 50A - AIDS EDUCATION POLICY (2422.4)

Authority - §§18-2-5; 18-2-7; 18-2-9; 18-5-15d; 18-5-34

Type - Legislative

Price - \$2.40

Effective - September 20, 1989

- Section 1. General
- Section 2. Applicability
- Section 3. Components
- Section 4. Implementation

SERIES 50B - EXCLUSION OF STUDENTS FROM ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS) AND SEXUALLY TRANSMITTED DISEASE (STD) INSTRUCTION IN HEALTH EDUCATION CLASSES (2422.45)

Authority - §18-2-9

Type - Legislative

Price - \$2.40

Effective - March 2, 1990

- Section 1. General
- Section 2. Applicability
- Section 3. Components
- Forms

SERIES 51 - COMMUNICABLE DISEASE CONTROL POLICY (2423)

Authority - §§18A-5-1; 16-3-4; 16-3-4a; 16-3-5; 16-3C-1 thru 16-3C-9; 18-5, 18-5-9; 18-5-22 and 18-5-34

Type - Legislative

Price - \$5.00

Effective - July 15, 1991

- Section 1. General
- Section 2. Applicability
- Section 3. Components
- Section 4. Policy Implementation
- Model Communicable Disease Policy
- Appendix

SERIES 52 - HONORS AND ADVANCED EDUCATION (2560)

Authority - §18-2E-3a

Type - Legislative

Price - \$2.40

Effective - April 30, 1990

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Curriculum
- Section 5. Student Selection
- Section 6. Teacher Selection
- Section 7. Procedures and Time Frames

SERIES 53 THRU 54 - RESERVED

SERIES 55 - COMPETITIVE GRANTS FOR INSTRUCTIONAL IMPROVEMENT (2700.56)

Authority - §18-2-29
 Type - Procedural
 Price - \$2.60
 Effective - August 30, 1989

- Section 1. General
- Section 2. Applicability
- Section 3. Rationale
- Section 4. Eligible Applicants
- Section 5. Types of Grants
- Section 6. Procedures

SERIES 56 - RESERVED

Repealed April 15, 2004

SERIES 57 - GUIDELINES FOR COMPLIANCE WITH ADULT EDUCATION PROGRAMS AND COMPUTATION FOR ADULTS ENROLLED UNDER THE SCHOOL AID FORMULA, ADULTS IN NET ENROLLMENT (2420)

Authority - §18-9A-2
 Type - Procedural
 Price - \$2.60
 Effective - March 22, 1998

- Section 1. General
- Section 2. Adult Vocational-Technical Programs
- Section 3. Funding Sources
- Section 4. Adult Basic Education (ABE): Essential Elements

SERIES 58 - SCHOOLS OF EXCELLENCE RECOGNITION (2650.55)

Authority - §§18-2F-1; 18-2F-2
 Type - Procedural
 Price - \$2.40
 Effective - December 29, 1989

- Section 1. General
- Section 2. Applicability
- Section 3. Guidelines
- Section 4. Time Sequence for Selection
- Section 5. Selection Criteria
- Section 6. Rewards

SERIES 59 - COURSES OF INSTRUCTION, VOTER REGISTRATION (2324)

Authority - §18-2-9
 Type - Procedural
 Price - \$2.00
 Effective - December 29, 1989

- Section 1. General
- Section 2. Applicability
- Section 3. Procedures

SERIES 60 - RESERVED

SERIES 61 - RESERVED

Repealed & Replaced by 126CSR42
July 1, 1997

SERIES 62 - RESERVED

Repealed & Replaced by 126CSR42
July 1, 1997

SERIES 63 THRU 65 - RESERVED

SERIES 66 - TOBACCO CONTROL (2422.5a)

Authority - §§16-9A-4; 18-2-5
Type - Legislative
Price - \$2.60
Effective - May 13, 1998

- Section 1. General
- Section 2. Purpose
- Section 3. Application
- Section 4. Implementation

SERIES 67 - COMPREHENSIVE DEVELOPMENTAL GUIDANCE AND COUNSELING (2315)

Authority - §§18-2-5; 18-5-18B; W. Va. Constitution, Article XII, §2
Type - Legislative
Price - \$4.00
Effective - December 15, 2002

- Section 1. General
 - Section 2. Purpose
 - Section 3. Application
 - Section 4. Definitions
 - Section 5. Components of a Comprehensive Developmental, National Standards-Based Guidance and Counseling Program That are to be Addressed by County Policy
 - Section 6. Comprehensive Guidance and Counseling Program Services, Program Monitoring, Counselor Qualifications, and Time Distribution
 - Section 7. Guidance and Counseling Program Content Standards and Student Competencies
 - Section 8. Responsibility
 - Section 9. Severability
- County Implementation

SERIES 68 - RESERVED

Repealed & Replaced by 126CSR42
July 1, 1997

**SERIES 69 - REGULATIONS FOR THE EDUCATION OF JUVENILES PLACED IN SECURE PREDISPOSITIONAL
DETENTION CENTERS (2800)**

Authority - W. Va. Const., Article XII, §2; §§18-2-5; 49-5A-6a; 49-5E-6

Type - Legislative

Price - \$2.60

Effective - September 12, 1998

- Section 1. General
- Section 2. Purpose
- Section 3. Responsibility for Education
- Section 4. Program
- Section 5. Curriculum and Instruction
- Section 6. Transfer of Student Records
- Section 7. Assessment of Education Status
- Section 8. School Calendar
- Section 9. Length of Instructional Day
- Section 10. Educational Facilities and Security
- Section 11. Professional Staff Qualifications
- Section 12. Maintenance of Educational Records
- Section 13. Special Education
- Section 14. Staffing
- Section 15. Monitoring

SERIES 70 - RESERVED

**SERIES 71 - ESTABLISHMENT PROCEDURES AND OPERATING POLICIES FOR MULTI-COUNTY VOCATIONAL-
TECHNICAL CENTERS (3232)**

Authority - §18-2B-2

Type - Procedural

Price - \$3.40

Effective - July 27, 1982

- Section 1. General
- Section 2. Incorporation by Reference

SERIES 72 - ESTABLISHMENT AND OPERATION OF REGIONAL EDUCATION SERVICE AGENCIES (3233)

Authority - §§18-2-5; 18-2-26; W. Va. Const., Article XII, §2

Type - Legislative

Price - \$3.60

Effective - March 15, 2004

- Section 1. General
- Section 2. Establishment
- Section 3. Governance and Administration
- Section 4. Finances
- Section 5. Plan of Services
- Section 6. Standards for Service Delivery, Accountability and Reporting
- Section 7. Severability

SERIES 73 - YEAR-ROUND EDUCATION PROGRAMS (3234)

Authority - §18-5-15
Type - Legislative
Price - \$2.40
Effective - June 14, 1992

- Section 1. General
- Section 2. Purpose
- Section 3. Application
- Section 4. Proposals

SERIES 74 - DEFINITION OF GOOD CAUSE FOR REFUSAL TO RECEIVE SCHOOL BOARD TRAINING (3235)

Authority - WV Constitution, Article XII, §2; §18-5-1a
Type - Legislative
Price - \$2.00
Effective - December 18, 1993

- Section 1. General
- Section 2. Definition

SERIES 75 THRU 80- RESERVED

SERIES 81 - ATTENDANCE (4110)

Authority - §18-8-1; WV Constitution Art XII, §2
Type - Interpretive
Cost - \$2.40
Effective - July 7, 2002

- Section 1. General
- Section 2. Rationale
- Section 3. Responsibility
- Section 4. Guidelines
- Section 5. Policy Development

SERIES 82 - PROVISIONS OF EQUAL OPPORTUNITY IN WEST VIRGINIA PUBLIC SCHOOLS (4200)

Authority - §18-2-5
Type - Legislative
Price - \$2.40
Effective - October 4, 1990

- Section 1. General
- Section 2. Rationale
- Section 3. Procedures

SERIES 83 - POLICY REGARDING EYE, FACE OR BODY SHIELD SAFETY DEVICES (4310)

Authority - §18-2B-2

Type - Procedural

Price - \$2.00

Effective - November 9, 1974

- Section 1. General
- Section 2. Wearing of Safety Devices
- Section 3. Safety Devices Furnished by County
- Section 4. Standards All Personal Protective

SERIES 84 - RESERVED

Repealed April 15, 2004

SERIES 85 - POLICIES OF OPERATION MANUAL PROGRAMS CHILD NUTRITION (4320)

Authority - §§18-2-5; 18A-4-8; W. Va. Cost., Art. XII, §2

Type - Legislative

Price - \$13.80

Effective - September 11, 2002

- Section 1. General
- Section 2. Mission and Purpose
- Section 3. Operational Definitions
- Section 4. Major Functions and Programs
- Section 5. Responsibilities for Child Nutrition Programs
- Section 6. Due Dates for Reports
- Section 7. School Breakfast
- Section 8. School Breakfast Program Meal Requirements and Recommendations
- Section 9. Sugar Content of Breakfast Items
- Section 10. Offer Versus Serve Breakfast Pattern
- Section 11. Breakfast A La Carte
- Section 12. Dietary Exceptions
- Section 13. Reimbursable Breakfasts
- Section 14. Severe Need Rates of Reimbursement
- Section 15. Production Records
- Section 16. Bus Schedule
- Section 17. Waiver
- Section 18. Termination Provision
- Section 19. School Lunch
- Section 20. Meal Requirements and Recommendations
- Section 21. Food Quantities
- Section 22. Meat/Meat Alternate Component
- Section 23. Vegetable/Fruit Component
- Section 24. Grains/Bread Component
- Section 25. Milk Component
- Section 26. Product Analysis Sheets and Child Nutrition Labels
- Section 27. Offer Versus Serve for Lunch
- Section 28. Kindergarten Snacks
- Section 29. A La Carte for Lunch
- Section 30. Dietary Exceptions
- Section 31. Reimbursable Lunches
- Section 32. Higher Reimbursement Rates
- Section 33. Production Records
- Section 34. Afterschool Snacks Under National School Lunch Program
- Section 35. Required Records
- Section 36. Meal Charges
- Section 37. Reimbursement for Snacks
- Section 38. Licensing
- Section 39. Donated Foods
- Section 40. Allocation of Donated Foods
- Section 41. Procedure for Requesting Donated Foods
- Section 42. Inventory
- Section 43. Commodity Processing

Board of Education
Series 85, Cont'd.

- Section 44. Special Milk Program
- Section 45. Special Milk Charges and Reimbursement
- Section 46. Milk Shakes
- Section 47. Special Milk Reporting Procedures
- Section 48. Free and Reduced Price Meal and Free Milk
- Section 49. Applications for Free or Reduced Price Meals
- Section 50. Approving Applications for Households Eligible for Temporary Assistance for Needy Families (TANF) or Food Stamp (FS) Benefits
- Section 51. Income
- Section 52. Determining Household Size
- Section 53. Reviewing Official's Responsibilities
- Section 54. Reviewing Official's Completing an Application
- Section 55. Providing Meals Prior to Application Approval
- Section 56. Application Files and Working List
- Section 57. Collection Procedure
- Section 58. Daily Meal Count (Point of Service Count)
- Section 59. Discrimination Based on Eligibility
- Section 60. Student Help
- Section 61. Verification United States Department of Agriculture (USDA)
- Section 62. Application Selection
- Section 63. Verification Procedures
- Section 64. Release of Information
- Section 65. Reporting Procedure
- Section 66. Reporting Deadlines
- Section 67. Reimbursement Procedure and Policy
- Section 68. Accurate Participation Records
- Section 69. Accurate Income Records
- Section 70. Accurate Expenditure Records
- Section 71. Allowable Costs: Food
- Section 72. Allowable Costs: Milk
- Section 73. Allowable Costs: Labor
- Section 74. Allowable Costs: Supplies and Expendable Equipment
- Section 75. Allowable Costs: Non-Expendable Equipment
- Section 76. Allowable Costs: Indirect
- Section 77. Non-Allowable Costs
- Section 78. Shared Costs
- Section 79. Procurement Standards
- Section 80. Excess Balance: Net Cash Resources
- Section 81. Consolidation of Schools
- Section 82. Pricing of Adult Meals
- Section 83. Inventory Records
- Section 84. Equipment Depreciation
- Section 85. United States Department of Agriculture (USDA) Food Service Equipment Assistance
- Section 86. Guidelines for Purchase of Computers for Automation of School Food Service Functions
- Section 87. Monitoring by School Food Authority (SFA)
- Section 88. Monitoring by State Agency
- Section 89. Corrective Action
- Section 90. Assessment Procedure Free and Reduced Meal Application
- Section 91. Assessment Procedure Meal Components and Quantities
- Section 92. Adjustments/Repayment of Funds
- Section 93. Auditing
- Section 94. Coordinated Review Effort (CRE).
- Section 95. School Selection Procedures
- Section 96. Coordinated Review Effort (CRE) Areas
- Section 97. West Virginia Department of Education Addendum
- Section 98. Corrective Action
- Section 99. Fiscal Action
- Section 100. Overclaim Disregard
- Section 101. Follow-up Reviews
- Section 102. School Food Authority (SFA) Fiscal Action Appeal
- Section 103. Coordinated Review Effort (CRE) Procedures
- Section 104. School Meals Initiative for Healthy Children (SMI)
- Section 105. Civil Rights
- Section 106. Data Collection
- Section 107. Review of Schools
- Section 108. Procedure for Filing Complaints
- Section 109. Civil Rights Definitions

Section 110.	Meal Service
Section 111.	Meal Service to Adults
Section 112.	Meal Service for Children with a Disability and Students with Special Dietary Needs
Section 113.	Disciplinary Practices and Meal Service
Section 114.	Senior Citizens
Section 115.	Emergency Food Service
Section 116.	Charging Meals
Section 117.	Lost, Stolen and Misused Tickets
Section 118.	Use of Foods, Supplies and Equipment
Section 119.	Safety and Sanitation
Section 120.	Sale of Foods and Beverages
Section 121.	Requirements and Accountability for Foods and Beverages Sold/Served
Section 122.	Foods and Beverages Definitions
Section 123.	Selection of Snack Items
Section 124.	Guidelines for Selection of Juice or Juice Products
Section 125.	Meals for Secondary Students Attending College
Section 126.	Meals for Field Trips
Section 127.	Personnel and Training
Section 128.	Classification of Cooks
Section 129.	Nutrition Education and Training (NET) Program
Section 130.	Training Programs for Food Service Personnel
Section 131.	Competency Testing for Food Service Personnel
Section 132.	Integration and Involvement
Section 133.	Comprehensive County Nutrition Plan
Section 134.	County Nutrition Advisory Council

SERIES 86 - STANDARDS FOR SCHOOL NUTRITION (4321.1)

Authority - §18-2-5; WV Constitution, Article XII, §2

Type - Legislative

Price - \$3.20

Effective - September 9, 2001

Section 1.	General
Section 2.	Purpose
Section 3.	Operational Definitions, Food Sales and Service
Section 4.	Nutrition Standards for School Nutrition Programs
Section 5.	A La Carte Sales
Section 6.	Availability of Drinking Water
Section 7.	Adequate Time for Meal Consumption
Section 8.	Compliance/Accountability
Section 9.	Staffing
Section 10.	Comprehensive County Plan to Address Health and Nutrition Re-education
Section 11.	Nutrition Advisory Council
Section 12.	Evaluation Component

SERIES 87 - RESERVED

Repealed April 15, 2004

SERIES 88 - RESERVED

Repealed April 15, 2004

SERIES 89 - MINIMUM REQUIREMENT FOR DESIGN AND EQUIPMENT OF SCHOOL BUSES (4334)

Authority - §§18-2-5; 18-5-13; WV Constitution, Article XII; §2

Type - Legislative

Price - \$13.10

Effective - March 17, 2002

Section 1. General

Section 2. Incorporation by Reference

SERIES 90 - RESERVED

Repealed April 15, 2004

SERIES 91 - RESERVED

Repealed April 15, 2004

SERIES 92 - WEST VIRGINIA SCHOOL TRANSPORTATION REGULATIONS (4336)

Authority - §18-2-5 and 18-5-13 & W. Va. Const. Art. XII, §2

Type - Legislative

Price - \$9.60

Effective - May 20, 2004

Section 1. General

Section 2. Incorporation by Reference

SERIES 93 - RESERVED

Repealed April 15, 2004

SERIES 94 - PROCEDURES FOR THE COLLECTION, MAINTENANCE AND DISCLOSURE OF STUDENT DATA (4350)

Authority - §18-2-5; PL 105-244; 105-17; 107-110; 107-107

Type - Legislative

Price - \$5.40

Effective - September 18, 2003

Section 1. General

Section 2. Purpose

Section 3. Definitions

Section 4. Parent Rights

Section 5. Student Rights

Section 6. Annual Notification of Rights

Section 7. Law Enforcement Units

Section 8. Right to Inspect and Review Education Records

Section 9. Fees

Section 10. Limitations on Right to Inspect and Review Education Records

Section 11. Maintenance and Destruction of Education Records

Section 12. Request to Amend Education Records

Section 13. Right to a Hearing

Section 14. Conduct of the Hearing

Section 15. Prior Consent for Disclosure Required

Section 16. Prior Consent for Disclosure Not Required

Section 17. Disciplinary Information

Section 18. Record of Disclosure Required to be Maintained

- Section 19. Limitation on Redisclosure
- Section 20. Conditions for Disclosure to Officials of Other Schools and School Systems
- Section 21. Disclosure to Certain Federal and State Officials for Federal Program Purposes
- Section 22. Conditions for Disclosure in health and Safety Emergencies
- Section 23. Conditions for Disclosure of Directory Information
- Section 24. Juvenile Justice System
- Section 25. Safeguards for Exceptional Students, Information Collected Under Policy 2419
- Section 26. Enforcement Authority
- Section 27. Complaint Procedure
- Section 28. Enforcement Procedures
- Section 29. Collection and Use of Student Social Security Numbers
- Section 30. Release of List of High School Students to Military Recruiters
- Section 31. Severability.

SERIES 95 - AVAILABILITY OF LIST OF GRADUATING SENIORS TO ARMED FORCES (4350.1)

Authority - §18-2-5
Type - Procedural
Price - \$2.00
Effective - July 11, 1999

- Section 1. General
- Section 2. Declaration of Public Policy

SERIES 96 - HIGH SCHOOL DIPLOMA FOR VETERANS (4355)

Authority - §18-2-34; WV Const., Art XII, §2
Type - Legislative
Price - \$2.40
Effective - August 14, 2000

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Administration
- Section 5. Application
- Section 6. Awarding of the High School Diploma

SERIES 97 - RESERVED

SERIES 98 - STUDENT HANDBOOK - RIGHTS AND RESPONSIBILITIES (4372)

Authority - §18-2-5
Type - Interpretive
Price - \$8.00
Effective - December 23, 1998

- Section 1. General
- Section 2. Rationale
- Section 3. Procedures
- Manual

SERIES 99 - STUDENT CODE OF CONDUCT (4373)

Authority - §§16-9A-4; 16-9A-4; 16-9A-9; 17A-1-1; 18-2-5; 18-2-5a; 18-2-7b; 18-2-9; 18-2-33; 18-2C-1 et seq.; 18-5-1; 18-5-13; 18-16-1; 18A-1-1; 18A-5-1; 18A-5-1a; 60A-1-101; 60A-7-11a; 61-2-15; 61-7-2; 61-7-11a; W. Va. Const., Article XII, §2

Type - Legislative

Price - \$4.40

Effective - July 1, 2003

- Section 1. General
- Section 2. Purpose
- Section 3. Student Code of Conduct
- Section 4. Application
- Section 5. Planning by County Boards of Education
- Section 6. Attendance Policy
- Section 7. Violations of the Student Code of Conduct
- Section 8. Guidelines for Suspension and Expulsion
- Section 9. Complaint Procedures
- Section 10. Investigation Procedures
- Section 11. County Board of Education Action and Reporting
- Section 12. Reprisal
- Section 13. Right to Alternative Complaint Procedures
- Section 14. Dissemination of Policy and Training
- Section 15. Assessment of Effectiveness
- Section 16. Identification and Classification as a Persistently Dangerous School

SERIES 100 - SCHOOL UNIFORMS (4374)

Authority - §§18-2-5; 18-2-35; W. Va. Constitution Article XII, §2

Type - Legislative

Price - \$2.40

Effective - October 16, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Application
- Section 4. Dress Codes Requiring School Uniforms for Students
- Section 5. School Uniform Policies Not Required

SERIES 101 THRU 113 - RESERVED

SERIES 114 - APPROVAL OF EDUCATIONAL PERSONNEL PREPARATION PROGRAMS (5100)

Authority - §18-2-5; W. Va. Constitution Article XII §2

Type - Legislative

Price - \$16.40

Effective - June 18, 2003

- Section 1. General
 - Section 2. Summary
 - Section 3. Purpose
 - Section 4. Authority of the West Virginia Board of Education
 - Section 5. Definitions
 - Section 6. Authorization and Accreditation Requirements
 - Section 7. Program Components, Descriptions and Assessments for Teaching Specialization
 - Section 8. Program Components, Descriptions and Assessments for Student Support and Administrative Specialization
 - Section 9. Additional Approved Program Requirements
 - Section 10. Program Review Board
 - Section 11. Program Review Procedures
 - Section 12. Technical Assistance
 - Section 13. Procedures for Initiation an Experimental Program or For Conducting Research on Components or Implementing Procedures Within Current Policy
 - Section 14. Modifications Within Currently Approved Programs
 - Section 15. Annual Reports
 - Section 16. Approval Procedures for New Institutions
- Appendix

SERIES 115 - RESERVED

**SERIES 116 - EDUCATIONAL PERSONNEL DEVELOPMENT PLAN REGARDING THE TEACHING OF ECONOMICS
AS PART OF THE SOCIAL STUDIES GRADUATION REQUIREMENT (5110.1)**

Authority - §18A-3-1
Type - Interpretive
Price - \$2.00
Effective - July 4, 1983

- Section 1. General
- Section 2. Background
- Section 3. Scope of the Problem
- Section 4. Impact on Staff Assignments
- Section 5. Plan

SERIES 117 - RESERVED

SERIES 118 - ATHLETIC TRAINERS IN THE PUBLIC SCHOOLS OF WEST VIRGINIA (5112)

Authority - §18-2-5
Type - Legislative
Price - \$2.60
Effective - May 20, 2004

- Section 1. General
- Section 2. Forward
- Section 3. General Rules
- Section 4. Licensure Governing Athletic Trainers (See Policy 5202)
- Section 5. Continuing Education Requirements
- Section 6. Professional Development
- Section 7. Role
- Section 8. Governing Principles
- Section 9. Athletic Trainer Review Board

SERIES 119 THRU 131 - RESERVED

SERIES 132 - RESERVED

Repealed April 15, 2004

SERIES 133 - APPROVED COLLEGE CREDIT FOR AIDE 4 CLASSIFICATION (5141)

Authority - §18A-4-8
Type - Legislative
Price - \$2.40
Effective - January 2, 1985

- Section 1. General
- Section 2. College Credit
- Section 3. Inservice Equivalency

SERIES 134 - RESERVED

SERIES 135 - LICENSURE FOR THE TEACHING OF READING (5201)

Authority - §18-3-2
Type - Legislative
Price - \$3.20
Effective - July 23, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Responsibility
- Section 4. Authorization
- Section 5. Preassessment
- Section 6. Training Program
- Section 7. Implementation
- Appendices

SERIES 136 - MINIMUM REQUIREMENTS FOR THE LICENSURE OF PROFESSIONAL/ PARA-PROFESSIONAL PERSONNEL AND ADVANCED SALARY CLASSIFICATION (5202)

Authority - §§18A-3-1; 18A-3-3A; 18A-3-6; 18A-3-7; 18A-4-4; 18-10E-1; 18-2-5; 18-2-9; 18A-3-1A; WV Const, Art XII, §2
Type - Legislative
Price - \$12.60
Effective - June 18, 2003

- Section 1. General
- Section 2. Summary
- Section 3. Purpose
- Section 4. Definitions
- Section 5. Legal Bases for Licensure
- Section 6. Responsibilities for Licensure Process
- Section 7. Authorized Licenses, Specializations and Programmatic Levels
- Section 8. Dating of Licenses, Additional Endorsements, Advanced Degrees and Advanced Salary Classifications
- Section 9. Assignment of Professional Personnel
- Section 10. Out-of-State Applicants
- Section 11. Tuition Reimbursement for Educators
- Section 12. Recognition of Degrees and Course Work for Licensure, Renewal and Advanced Salary Classifications
- Section 13. Common Licensure Requirements
- Section 14. Professional Teaching Certificate or Professional Service Certificate
- Section 15. Full-Time Permits for Teaching and Student Support Services
- Section 16. Substitute Permits for Teaching and Student Support Services
- Section 17. Professional Administrative Certificate
- Section 18. Full-Time Permits for Educational Leadership Endorsements
- Section 19. Vocational Permit
- Section 20. Vocational Certificate
- Section 21. Substitute Vocational Permit
- Section 22. Adult Licenses
- Section 23. Authorizations
- Section 24. Advanced Salary Classifications for Educators
- Section 25. Paraprofessional Certificate
- Section 26. Licensure Appeal Panel
- Appendix

SERIES 137 - NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS CERTIFICATION REIMBURSEMENT/SALARY BONUS PROGRAM (5203)

Authority - §§18-2-5; 18A-4-2a; W. Va. Constitution, Article XII, §2
Type - Legislative
Price - \$3.20
Effective - March 17, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Funding
- Section 4. Limitations
- Section 5. Procedures for Reimbursement/Salary Bonus

SERIES 138 - RESERVED

Repealed and Replaced by 126CSR136
Effective July 24, 1997

SERIES 139 - RESERVED

Repealed April 15, 2004

SERIES 140 - RESERVED**SERIES 141 - BOARD OF EDUCATION RELATIONS WITH SCHOOL PERSONNEL (5300)**

Authority - §§18A-2-8; 18A-2-12; WV Constitution, Article XII, §2
Type - Legislative
Price - \$2.00
Effective - August 1, 1993

- Section 1. General
- Section 2. Purpose

SERIES 142 - PERFORMANCE EVALUATION OF SCHOOL PERSONNEL (5310)

Authority - §18-2-12; WV Constitution, Article 12, Section II
Type - Legislative
Price - \$6.00
Effective - September 11, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Authorities
- Section 4. Definitions
- Section 5. Training
- Section 6. State Board Approval
- Section 7. Principles of Operation
- Section 8. Rating Structure
- Section 9. Evaluation Criteria for Classroom Teachers
- Section 10. Evaluation Process for Classroom Teachers
- Section 11. Improvement Plan for Classroom Teachers
- Section 12. Improvement Team for Classroom Teachers
- Section 13. Classroom Teacher' Responsibilities
- Section 14. Classroom Teacher' Performance Criteria
- Section 15. Evaluation Process for Administrators
- Section 16. Improvement Plan for Administrators
- Section 17. Improvement team for Administrators
- Section 18. Administrator' Responsibilities
- Section 19. Administrator' Performance Characteristics
- Section 20. Evaluation Process for Professional Support Personnel
- Section 21. Improvement Plan for Professional Support Personnel
- Section 22. Improvement Team for Professional Support Personnel
- Section 23. Professional Support Personnel Responsibilities
- Section 24. Professional Support Personnel Performance Characteristics
- Section 25. Evaluation Process for Coaches
- Section 26. Improvement Plan for Coaches
- Section 27. Improvement Team for Coaches
- Section 28. Coaches' Responsibilities
- Section 29. Coaches' Performance Criteria

SERIES 143 - COUNTY SUPERINTENDENT PERFORMANCE EVALUATIONS (5309)

Authority - §§18-2-5; 18-4-6; WV Constitution, Article XII, §2

Type - Legislative

Price - \$2.60

Effective - January 11, 2004

- Section 1. General
- Section 2. Purpose
- Section 3. Authorization Required
- Section 4. Processes for School Year 2003-2004
- Section 5. Processes for Subsequent School Years
- Section 6. Required Process Criteria
- Section 7. Optional Process Criteria
- Section 8. Catalog of Evaluation Instruments
- Section 9. Use of Evaluation Results
- Section 10. Evaluation Training
- Section 11. Severability

SERIES 144 THRU 145 - RESERVED

SERIES 146 - SERVICE PERSONNEL RESPONSIBILITIES AND PERFORMANCE STANDARDS (5314)

Authority - §§18-2-5; 18A-2

Type - Legislative

Price - \$2.40

Effective - March 22, 1985

- Section 1. General
- Section 2. Applicability
- Section 3. Eligibility
- Section 4. Performance Standards

SERIES 146A - AUTISM MENTOR (5314.01)

Authority - §18A-4-8

Type - Legislative

Price - \$2.00

Effective - September 26, 1992

- Section 1. General
- Section 2. Purpose
- Section 3. Standards and Experience

SERIES 147 - QUALITIES, PROFICIENCIES AND LEADERSHIP SKILLS FOR PRINCIPALS (5500.03)

Authority - §§18-2-5; 18A-2-3c; 18A-3A-1; 18a-3A-2b & W. Va. Const., Article XII, §2

Type - Legislative

Price - \$3.00

Effective - April 17, 1997

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Qualities, Proficiencies and Skills
- Section 5. Implementation
- Section 6. Attendance at the Principals' Academy

SERIES 148 - PROFESSIONAL, FIELD EXPERIENCE AGREEMENT (5410)

Authority - §19-2-6
Type - Legislative
Price - \$2.00
Effective - February 2, 1983

Section 1. General
Section 2. Professional Field Experience Agreement and Responsibility

SERIES 149 - COUNTY PROFESSIONAL STAFF DEVELOPMENT COUNCILS (5500)

Authority - §§18-5-15; 18-2-5; 18A-3-8; W. Va. Const. Article XII §2
Type - Legislative
Price - \$2.60
Effective - July 24, 1997

Section 1. General
Section 2. Purpose
Section 3. County Responsibility
Section 4. Principles of Operation
Section 5. General Implementation Process
Section 6. Monitoring

SERIES 150 - THE STUDY OF MULTICULTURAL EDUCATION FOR SCHOOL PERSONNEL (5500.01)

Authority - §18-5-15A
Type - Legislative
Price - \$2.00
Effective - February 27, 1983

Section 1. General
Section 2. Applicability
Section 3. Eligibility

SERIES 150A - COUNTY SERVICE PERSONNEL STAFF DEVELOPMENT COUNCILS (5500.02)

Authority - §18A-3-9
Type - Legislative
Price - \$2.40
Effective - September 26, 1992

Section 1. General
Section 2. Purpose
Section 3. County Responsibility
Section 4. Principles of Operation
Section 5. General Implementation Process
Section 6. Monitoring and Evaluation

SERIES 151 - RESERVED

Repealed April 15, 2004

SERIES 152 - RESERVED

Repealed April 15, 2004

SERIES 153 - COPYRIGHT PROTECTION COMPUTER SOFTWARE (5711)

Authority - §18-2-5
Type - Procedural
Price - \$2.40
Effective - January 22, 1993

- Section 1. General
- Section 2. Applicability
- Section 3. Compliance Requirements

SERIES 154 - THE WEST VIRGINIA COUNCIL ON PROFESSIONAL EDUCATION (5050)

Authority - §18-2-5; W. Va. Constitution Article XII, §2
Type - Legislative
Price - \$2.80
Effective - November 13, 2003

- Section 1. General
- Section 2. Summary
- Section 3. Purpose
- Section 4. Mission and Goals
- Section 5. Composition of the Commission
- Section 6. The Commission's Relationship with Other Educational Entities
- Section 7. Functions of the Commission
- Section 8. Ultimate Authority of the West Virginia Board of Education

SERIES 155 - RESERVED

Repealed and Replaced by 126CSR136
Effective July 24, 1997

SERIES 156 - RESERVED

Repealed and Replaced by 126CSR136
Effective July 24, 1997

SERIES 157 - SABBATICAL LEAVE POLICY FOR PROFESSIONAL EDUCATORS AND TEACHERS AIDES (5530)

Authority - §18-2-11
Type - Interpretive
Price - \$2.80
Effective - June 30, 1989

- Section 1. General
 - Section 2. Purpose
 - Section 3. Eligibility
 - Section 4. Selection Criteria
 - Section 5. Sabbatical Leave Requirements/Conditions
 - Section 6. Sabbatical Leave Advisory Committee
 - Section 7. Application Requirements and Procedures
 - Section 8. Final Report
- Appendix A

SERIES 158 - USE OF PERSONAL LEAVE BENEFITS WITH WORKER' COMPENSATION BENEFITS (5612)

Authority - §18-4-10
 Type - Legislative
 Price - \$2.00
 Effective - November 21, 2002

- Section 1. General
- Section 2. Applicability
- Section 3. Restriction of Personal Leave Benefits
- Section 4. County Policies

SERIES 159 - RESERVED

SERIES 160 - BEGINNING EDUCATOR INTERNSHIP PROGRAM (5900)

Authority - §18A-3-2b
 Type - Procedural
 Price - \$2.40
 Effective - August 6, 1991

- Section 1. General
- Section 2. Scope
- Section 3. Purpose
- Section 4. Monitoring
- Section 5. Technical Assistance
- Section 6. Program Requirements

SERIES 161 - ALTERNATIVE PROGRAMS FOR THE EDUCATION OF TEACHERS (5901)

Authority - §18A-3-1a
 Type - Legislative
 Price - \$2.60
 Effective - March 25, 1992

- Section 1. General
- Section 2. Candidate Qualifications for Participation in Alternative Programs for the Education of Teachers
- Section 3. Letter of Eligibility and Initial Licensure Requirements
- Section 4. Submission and Approval of the Alternative Program for the Education of Teachers
- Section 5. Program Proposal Requirements
- Section 6. Required Components of an Alternative Program for the Education of Teachers
- Section 7. Evaluation of the Candidates for the Professional Certificate

SERIES 162 - EMPLOYEE CODE OF CONDUCT (5902)

Authority - §18-2e-5
 Type - Legislative
 Price - \$2.40
 Effective - July 7, 2002

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Purpose
- Section 4. Teacher Code of Conduct
- Section 5. Responsibilities for Implementation

SERIES 163 - SCHOOL SERVICE PERSONNEL TRAINING COMPARABLE TO TWELVE (12) SEMESTER HOURS OF COLLEGE CREDIT (5301)

Authority - WV Constitution , Article XII, 2; §§18-2-5; 18-4-8a
Type - Legislative
Price - \$2.40
Effective - August 14, 2002

- Section 1. General
- Section 2. Applicability
- Section 3. Definition
- Section 4. Verification of Hours

SERIES 164 - BEGINNING PRINCIPAL INTERNSHIPS (5899)

Authority - WV Constitution XII, Sect. 2; §§18-2-5; 18A-3-2d
Type - Legislative
Price - \$2.40
Effective - September 2, 1995

- Section 1. General
- Section 2. Purpose
- Section 3. Implementation
- Section 4. Operational Definitions
- Section 5. Guidelines

SERIES 165 THRU 171 - RESERVED

SERIES 172 - HANDBOOK ON PLANNING SCHOOL FACILITIES (6200)

Authority - §§8-9C-1 et seq.; 18-9D; 18-5-10; 18-5-13; 18-5-13a; WV Const., Art. XII
Type - Legislative
Price - \$29.40 with manual; \$2.00 without manual
Effective - June 20, 1998

- Section 1. General
- Section 2. Incorporation by Reference

SERIES 173 - FLOOR COVERING IN PUBLIC SCHOOLS (6201)

Authority - §18-2-5; §18-9E-3; WV Constitution, Article XII, §2
Type - Legislative
Price - \$2.00
Effective - August 14, 2000

- Section 1. General
- Section 2. Program Regulation

SERIES 174 - INVESTIGATING INDOOR AIR COMPLAINTS (6202)

Authority - §§18-2-5; 18-9E-3; WV Const., Art XII, §2
Type - Legislative
Price - \$2.40
Effective - November 12, 1999

- Section 1. General
- Section 2. Program Regulation

SERIES 175 - HEATING, VENTILATING AND AIR-CONDITIONING TECHNICIANS (HVAC) (6203)

Authority - §§18-2-5; 18-9E-3; WV Const., Art XII, §2

Type - Legislative

Price - \$2.40

Effective - November 12, 1999

- Section 1. General
- Section 2. Program Regulations

SERIES 176 - SCHOOL CLOSINGS OR CONSOLIDATIONS (6204)

Authority - §§18-25; 18-5-13; 18-5-13a; 18A-2-7(d); WV Const., Art XII, §2

Type - Procedural

Price - \$3.20

Effective - October 16, 2002

- Section 1. General
- Section 2. County Procedures
- Section 3. Emergency School Closure
- Section 4. Assistance
- Section 5. Severability

SERIES 177 THRU 184 - RESERVED

SERIES 185 - INTERCOUNTY TRANSFER ARRANGEMENTS

Authority - W. Va. Const., Article XII, §2; §§18-2-5; 18-5-13(19); 18-9A-14 and 18A-4-8

Type - Legislative

Price - \$2.60

Effective - May 13, 1998

- Section 1. General
- Section 2. Purposes
- Section 3. Definitions
- Section 4. Authorization of Intercounty Transfer Arrangements
- Section 5. Transfer of Funds and Allowance for Funds in Intercounty Transfer Arrangements
- Section 6. Determination of Number of Positions to be Created in Facilities Affected by an Intercounty Transfer Arrangement
- Section 7. Preparation of Certified List of Employees whose Employment Has Been Terminated as a Result of an Intercounty Transfer Arrangement
- Section 8. Filling Positions Created by an Intercounty Transfer Arrangement
- Section 9. Seniority Rights for Professional Educators and School Service Personnel in Cases of Intercounty Transfer Arrangements

SERIES 186 - GUIDELINES FOR ARTICULATION AGREEMENTS BETWEEN SECONDARY/ADULT SCHOOLS AND POSTSECONDARY COLLEGES (7124)

Authority - §18-2B-2

Type - Interpretive

Price - \$2.80

Effective - December 14, 1986

- Section 1. General
- Section 2. Incorporation by Reference

SERIES 187 - RESERVED

Repealed April 15, 2004

SERIES 188 - APPEALS PROCEDURE FOR CITIZENS (7211)

Authority - 18-2-5
Type - Procedural
Price - \$2.60
Effective - November 2, 1987

- Section 1. General
- Section 2. Definitions
- Section 3. Procedure
- Section 4. Processing of Appeals

SERIES 189 - INTERCOUNTY STUDENT TRANSFER APPEAL (7212)

Authority - 18-2-5; 18-3-3; 18-3-4; 18-3-10; 18-5-13
Type - Legislative
Price - \$2.00
Effective - September 26, 1992

- Section 1. General
- Section 2. Application
- Section 3. Rules

SERIES 190 - COORDINATION OF LITERACY PROGRAMS FOR DISPOSITION AND USE OF ADULT LITERACY FUNDS (7232)

Authority - §§18-2-5; 18-7-1
Type - Procedural
Price - \$2.40
Effective - November 8, 1987

- Series 1. General
- Series 2. Funding the Adult Literacy Education Program Fund
- Series 3. Use of Funds
- Series 4. Application Procedures
- Series 5. Reporting

SERIES 191 - BETTER SCHOOL ACCOUNTABILITY; SCHOOL, SCHOOL DISTRICT AND STATEWIDE SCHOOL REPORT CARDS (7300)

Authority - §§18-2E-4; 18-2-5; W. Va. Const. Article XII, §2
Type - Procedural
Price - \$2.80
Effective - December 15, 1997

- Section 1. General
- Section 2. Indicators and Method of Prescribing Assessment
- Section 3. Report Card Format and Process
- Section 4. Certification of Training by Administrators and Board Members
- Section 5. Nontraditional Program Report
- Section 6. Other Information Collected and Available for Reporting Through the Better Schools Accountability Report Card Process
- Section 7. Attainment of the Education Goals of West Virginia

SERIES 192 - PROSPECTIVE EMPLOYABLE PROFESSIONAL PERSONNEL (5103)

Authority - §§18A-2-5; 18A-2-3; WV Const., Art XII, §2
Type - Legislative
Price - \$2.00
Effective - December 9, 2000

Section 1. General
Section 2. Definition
Section 3. Hiring Process
Section 4. Annual Report

SERIES 193 THRU 199 - RESERVED

SERIES 200 - SCHOOL FINANCE HANDBOOK (8100)

Authority - §§19-9B-1; 18-9A-17
Type - Procedural
Price - \$51.00
Effective - July 16, 1990

Section 1. General
Section 2. Incorporation by Reference

SERIES 201 - COMPUTATION OF AVERAGE DAILY ATTENDANCE (ADA) AND AVERAGE DAILY MEMBERSHIP (ADM) (8100.1)

Authority - §§18-2-5; 18-8-1 et seq.; 18-9B-5; 18-9B-9; 18A-5-6; P.L. 100-297
Type - Legislative
Price - \$2.00
Effective - August 17, 1995

Section 1. General
Section 2. Purpose
Section 3. Definitions
Section 4. State Administrative Procedures

SERIES 202 - POLICY TO IMPLEMENT TREASURER FUNCTION PERFORMED BY COUNTY BOARDS OF EDUCATION (8352)

Authority - §18-9B-12
Type - Legislative
Price - \$31.00
Effective - December 23, 1982

Section 1. General
Section 2. Incorporation by Reference

SERIES 203 - EMERGENCY PURCHASING PROCEDURES (8210)

Authority - §§5-22-1; 6B-1-1 et seq.; 15-5-6(g); 18-2-5; 61-5A-6; 61-10-15

Type - Legislative

Price - \$3.00

Effective - June 18, 2003

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Administration
- Section 5. Authority
- Section 6. Purchasing Procedures
- Section 7. Violations
- Section 8. Severability

SERIES 204 - RESERVED

Repealed April 15, 2004

SERIES 205 - RESERVED

Repealed April 15, 2004

SERIES 206 - BASIC STATE AID: WAIVER OF 34/1000 AND GROWTH LIMITATION OF SCHOOL SERVICE PERSONNEL (8223)

Authority - §18-9A-5

Type - Legislative

Price - \$2.00

Effective - December 7, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Waiver for Service Personnel Which Exceed the 34/1000 Limit
- Section 4. Growth Limitation Waiver for Service Personnel
- Section 5. Procedure
- Section 6. Calculation of Basic State Aid

SERIES 207 - SIX PERCENT LOSS CAP WAIVER (8224)

Authority - §18-9A-5a

Type - Legislative

Price - \$2.00

Effective - December 29, 1989

- Section 1. General
- Section 2. Responsibility
- Section 3. Eligibility
- Section 4. Granting of Waivers

SERIES 208 - PROGRAMS TO STRENGTHEN STUDENT LEARNING ABILITY (8350)

Authority - §§18-2-5; 18-2-35; WV Const., Art XII, §2

Type - Procedural

Price - \$2.40

Effective - December 15, 2002

Section	1. General
Section	2. Purpose
Section	3. Program Content
Section	4. Appropriation Priority
Section	5. Application Review
Section	6. New Application
Section	7. Continuation Application
Section	8. Severability

TITLE 156

EDUCATION AND STATE EMPLOYEES GRIEVANCE BOARD

SERIES 1 - PROCEDURAL RULES OF THE BOARD

Authority - §18-29-5(a); §29-6A-5(a)

Type - Procedural

Cost - \$3.80

Effective - December 1, 2000

- Section 1. General
 - Section 2. Definitions
 - Section 3. Levels One, Two and Three
 - Section 4. Level Four
 - Section 5. Mediation
- Appendices

SERIES 2 - NOTICE AND CONDUCT OF MEETINGS

Authority §§6-9A-3; 18-29-5; 29-5A-5

Type - Procedural

Price - \$2.00

Effective - August 11, 2002

- Section 1. General
- Section 2. Preface
- Section 3. Notice of Meetings
- Section 4. Conduct of Meetings
- Section 5. Meeting by Conference Call

TITLE 195

EDUCATIONAL BROADCASTING AUTHORITY

SERIES 1 - ORGANIZATION PROCEDURES

Authority - §§10-5-3; 29A-3-1

Type - Procedural

Price - \$2.40

Effective - March 23, 1999

Section	1. General
Section	2. Authority Meetings
Section	3. Notice of Meetings
Section	4. Authority Committees
Section	5. Advisory Councils
Section	6. Authority Affiliations

TITLE 146

STATE ELECTIONS COMMISSION

SERIES 1 - ORGANIZATION PROCEDURES

Authority - §§10-5-3; 29A-3-1

Type - Procedural

Price - \$2.40

Effective - March 23, 1999

- Section 1. General
- Section 2. Authority Meetings
- Section 3. Notice of Meetings
- Section 4. Authority Committees
- Section 5. Advisory Councils
- Section 6. Authority Affiliations

SERIES 2 - FAIR CAMPAIGN PRACTICES

Authority - §§3-1A-5 & 6; 3-1B-3

Type - Legislative

Price - \$2.80

Effective - June 7, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Code of Fair Campaign Practices
- Section 4. Advisory Opinions
- Section 5. Complaint and Hearing Procedures

SERIES 3 - REGULATION OF CAMPAIGN FINANCE

Authority - §§3-1A-5 and 3-1A-6

Type - Legislative

Price - \$4.00

Effective - June 12, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Contributions for Primary and General Elections
- Section 4. Contributions for Inaugural Events
- Section 5. Contribution Limitations and Sources
- Section 6. Lawful Expenditures
- Section 7. Disposing of Excess Campaign Assets, Terminating a Political Committee
- Section 8. Receiving, Distribution and Reporting Contributions and Expenditures
- Section 9. State and Local Activity by Federal Committees
- Section 10. Solicitation for Political Purposes
- Section 11. Procedures for Levying Civil Penalties
- Section 12. Penalty Provisions

SERIES 4 - ELECTION EXPENDITURES

Authority - §§3-1A-5 & 6; 3-8-1; 3-8-11 & 12; 3-9-12, 13 & 16 and WV Supreme Court of Appeals Order # 16884

Type - Legislative

Price - \$2.80

Effective - June 7, 1996

- Section 1. General
- Section 2. Policy
- Section 3. Definitions
- Section 4. Exceptions
- Section 5. Payment of Election Workers
- Section 6. Payment of Campaign Staff
- Section 7. Reimbursement for Expenses of Volunteer Election Workers
- Section 8. Employment of Election Workers by Candidates or Candidates' Authorized Committee
- Section 9. Employment of Election Workers by Party Committees
- Section 10. Employment of Election Workers by Political Action Committees
- Section 11. Forms
- Section 12. Severability
- Section 13. Penalties

TITLE 96

BUREAU OF EMPLOYMENT PROGRAMS

SERIES 1 - RULES IMPLEMENTING THE REQUIREMENT THAT PROHIBITS AGENCIES FROM GRANTING, ISSUING OR RENEWING CONTRACTS, LICENSES, PERMITS, CERTIFICATES OR OTHER AUTHORITY TO CONDUCT A TRADE, PROFESSION OR BUSINESS TO OR WITH ANY EMPLOYING UNIT WHO IS IN DEFAULT WITH REGARDS TO UNEMPLOYMENT COMPENSATION OR WORKERS' COMPENSATION

Authority - §§21A-2-6(18),(1)(2) & (14); 21A-2-19; 21A-3-7(b) & (c); 23-1-1; 23-2-9; 23-2-17

Type - Legislative

Price - \$2.80

Effective - January 14, 2000

- Section 1. General
- Section 2. Definition
- Section 3. General Prohibition
- Section 4. Timing of Review
- Section 5. Conditional Issue
- Section 6. Request for Review
- Section 7. Procedure for Petitioning for Exemption
- Section 8. Procedures for Implementation
- Section 9. Severability

SERIES 2 - RULE FOR ADMINISTRATIVE HEARING

Authority - §21A-2-6(2)

Type - Procedural

Price - \$3.40

Effective - April 10, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Request for Reconsideration
- Section 4. Protest; Petition, Complaint and Notification
- Section 5. Complaint and Notice of Hearing
- Section 6. Discovery
- Section 7. Subpoenas
- Section 8. Hearing Examiner's Powers
- Section 9. Conduct of the Hearing
- Section 10. Preparation of the Official Record
- Section 11. Written Argument
- Section 12. Distribution of Final Order and Right to Appeal
- Section 13. Severability

TITLE 83

DEPARTMENT OF EMPLOYMENT SECURITY

SERIES 1 - REGULATIONS OF THE COMMISSIONER OF EMPLOYMENT SECURITY

Authority - §21A-2

Type - Legislative

Price - \$3.00

Effective - May 1, 1991

- Section 1. General
- Section 2. Contributions by Employers
- Section 3. Payments in Lieu of Contributions by Reimbursement Employers
- Section 4. Interest
- Section 5. Records
- Section 6. Reports
- Section 7. Definitions
- Section 8. Voluntary Payments
- Section 9. Use of Credits in Rate Computation
- Section 10. Submittal of Separation Information by Employing Units
- Section 11. Employer' Report of Low Earnings
- Section 12. Employer Report of Vacation Pay
- Section 13. Claims and Registration
- Section 14. Forms Prescribed for Recording Claim for Benefits
- Section 15. Disqualifications
- Section 16. Benefits for Individuals who had Some Earnings and Preformed Some Services During Calendar Week
- Section 17. Administrative Hearings Upon Applications for Review and Redetermination of Contribution Rates and Chargeability of Benefits to an Employer' Account
- Section 18. Benefits Erroneously Received
- Section 19. Payment of Benefits to Interstate Claimants
- Section 20. Combining Wage Credits Under the Interstate Arrangement for Combining Employment and Wages
- Section 21. Interstate Reciprocal Coverage Arrangement
- Section 22. Destruction of Records
- Section 23. Establishment, Maintenance and Dissolution of Joint Accounts
- Section 24. Secrecy of Tax Information

TITLE 84

EMPLOYMENT SECURITY BOARD OF REVIEW

(SEE BOARD OF REVIEW)

TITLE 7

STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

SERIES 1 - REGULATIONS GOVERNING THE WEST VIRGINIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

Authority - §§30-13-9(a), 14, 18, 19, 21

Type - Legislative

Price - \$4.60

Effective - July 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. EI and PE Applications
- Section 4. Board Actions on Applications
- Section 5. Examinations
- Section 6. Engineering Registration and Certification
- Section 7. Seals
- Section 8. Temporary Permits
- Section 9. Expirations, Renewals and Reinstatements
- Section 10. Continuing Professional Competency
- Section 11. Certificates of Authorization
- Section 12. Professional Responsibility
- Section 13. Fees
- Section 14. Board Enforcement, Investigations, Disciplinary Actions and Costs
- Section 15. Civil Fines
- Section 16. Board Policies
- Section 17. Severability

SERIES 2 - ADMINISTRATIVE HEARING PROCEDURES

Authority - §§30-13-1 et seq; 30-1-1 et seq.

Type - Procedural

Price - \$3.00

Effective - July 23, 2004

- Section 1. General
- Section 2. Complaints
- Section 3. Hearing Panel
- Section 4. Procedural Rule for Hearings
- Section 5. Disposition of Complaints

ENTERPRISE ZONE AUTHORITY

REPEALED BY HB 2162 EFFECTIVE JUNE 29, 1997.

TITLE 60

ENVIRONMENTAL PROTECTION DIRECTOR'S OFFICE

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Series 1. Office of Environmental Advocate	205
Series 2. Freedom of Information Act Requests	205
Series 3. Voluntary Remediation and Redevelopment Rule	205
Series 4. Awarding of West Virginia Stream Partners Program Grants Rule	206
Series 5. Antidegradation Implementation Procedures	206
TOTAL COST FOR ALL OF TITLE 60 - \$33.20	

SERIES 1 - OFFICE OF ENVIRONMENTAL ADVOCATE

Authority - §§22-1-3; 22-1-3a

Type - Legislative

Price - \$2.60

Effective - July 1, 1997

- Section 1. General
- Section 2. Appointment, Salary and Qualifications
- Section 3. Powers and Limitations

SERIES 2 - FREEDOM OF INFORMATION ACT REQUESTS

Authority - §§29A-3-3; 29B-1-3(5); 22-1-1 et seq.; & 22-5-10

Type - Procedural

Price - \$2.80

Effective - February 21, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Policy on Disclosure
- Section 4. Form of Requests
- Section 5. Requests that do not Reasonably Describe Records Sought
- Section 6. Misdirected Requests
- Section 7. Responsibilities of the Division
- Section 8. Denial of Requests
- Section 9. Exemptions
- Section 10. Partial Disclosure
- Section 11. Fees

SERIES 3 - VOLUNTARY REMEDIATION AND REDEVELOPMENT RULE

Authority - §22-22-3

Type - Legislative

Price - \$15.60

Effective - July 1, 1997

- Section 1. General
- Section 2. Definitions; Terms Defined in the Act are Accorded the Same Definition in this Rule
- Section 3. Eligibility
- Section 4. Application to Participation in Voluntary Remediation Program
- Section 5. Licensed Remediation Specialists
- Section 6. Voluntary Remediation Agreement
- Section 7. Public Involvement; Public Notification
- Section 8. Risk Protocol
- Section 9. Remediation Standards

Environmental Protection Director's Office
Series 3, Cont'd.

Section	10.	Work Plan
Section	11.	Final Report
Section	12.	Certificate of Completion
Section	13.	Land Use Covenants
Section	14.	Procedure Where Certificate of Completion or Land Use Covenant is Violated
Section	15.	Loans From Brownfields Revolving Fund
Section	16.	Reopener Provisions
Section	17.	Appeals of Rulings of the Director
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SERIES 4 - AWARDING OF WEST VIRGINIA STREAM PARTNERS PROGRAM GRANTS RULE

Authority - §20-13-4
Type - Legislative
Price - \$2.80
Effective - April 15, 2002

Section	1.	General
Section	2.	Definitions
Section	3.	Applicability
Section	4.	In-Kind Services
Section	5.	Authorized Uses of Grant Funds
Section	6.	Review, Evaluation and Award
Section	7.	Grant Conditions
Section	8.	Unexpended Funds
Section	9.	Reporting
Section	10.	West Virginia Stream Partners Program Coordinator Duties

SERIES 5 - ANTIDEGRADATION IMPLEMENTATION PROCEDURES

Authority - §22-11-7b
Type - Legislative
Price - \$7.40
Effective - July 2, 2001

Section	1.	General
Section	2.	Definitions
Section	3.	Antidegradation Review Process
Section	4.	Tier 1 Protection
Section	5.	Tier 2 Protection (High Quality Waters)
Section	6.	Tier 2.5 Protection Review Procedures (Waters of Special Concern) See 46CSR1-4.1.c and 46CSR1-2.29 for a Description and Definition of Waters of Special Concern
Section	7.	Tier 3 Protection Review Procedures (Outstanding National Resource Waters) See 46CSR1-4.1.d and 46CSR1-2.15 for a Description of Outstanding National Resource Waters (ONRW)
Section	8.	Designation of Tier 2.5 and Tier 3 Waters
Section	9.	Public Participation in Antidegradation Reviews/Appeals
Appendices		

TITLE 46

ENVIRONMENTAL PROTECTION ENVIRONMENTAL QUALITY BOARD

(TITLE 46 WAS FORMERLY NAMED WATER RESOURCES BOARD. ALSO, SOME OF THE RULES OF TITLE 46 WERE MOVE TO TITLE 47, ENVIRONMENTAL PROTECTION, WATER RESOURCES.)

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Series 10. Reserved (See 47-14)	209
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Series 12. Requirements Governing Groundwater Standards	209
TOTAL COST FOR ALL OF TITLE 46 - \$32.00	

SERIES 1 - REQUIREMENTS GOVERNING WATER QUALITY STANDARDS

Authority - §22B-3-4
Type - Legislative
Price - \$14.80
Effective - July 1, 2004

Section 1. General	
Section 2. Definitions	
Section 3. Conditions Not Allowable in State Waters	
Section 4. Antidegradation Policy	
Section 5. Mixing Zones	
Section 6. Water Use Categories	
Section 7. West Virginia Waters	
Section 8. Specific Water Quality Criteria	
Section 9. Establishment of Safe Concentration Values	
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SERIES 2 - RESERVED

SERIES 3 - RESERVED

SERIES 4 - REQUIREMENTS FOR PROCEDURES IN APPEALS BEFORE THE BOARD

Authority - §29A-3
Type - Procedural
Price - \$3.00
Effective - November 28, 1994

- Section 1. General
 - Section 2. Notice of Appeal; Answer
 - Section 3. The Certified Record
 - Section 4. Filing and Service of Documents
 - Section 5. Orders of the Board; Submission of Motions
 - Section 6. Evidentiary Hearings
 - Section 7. Ex Parte Contracts
 - Section 8. Confidential Information
- Form

SERIES 5 - REGULATIONS IMPLEMENTING THE OPEN GOVERNMENTAL PROCEEDINGS ACT

Authority - §6-9A-3
Type - Procedural
Price - \$2.00
Effective - July 27, 1984

- Section 1. General
- Section 2. Rules

SERIES 6 - PROCEDURAL REGULATIONS FOR THE REVISION OF WATER QUALITY STANDARDS

Authority - §§22B-3-4; 29A-3-3
Type - Procedural
Price - \$3.20
Effective - December 9, 1996

- Section 1. General
- Section 2. Revision Legislative Rule
- Section 3. Requirements for Site-Specific Revisions to 46 CSR 1, Requirements Governing Water Quality Standards
- Section 4. Removal of a Designated Use
- Section 5. Variances from Water quality Standards Requested Pursuant to 46 CSR 1, Section 8.3
- Section 6. Variances from Numeric Water Quality Standards for Remaining Activities
- Section 7. Site-Specific Numeric Criteria Requested Pursuant to 46 CSR 1, Section 8.4

SERIES 7 - PROCEDURAL RULES GOVERNING RECLASSIFICATION OF WATERS DESIGNATED FOR PUBLIC WATER SUPPLY

Authority - §§22/b-3-4(d); 29A-3-3
Type - Procedural
Price - \$3.20
Effective - February 7, 2003

- Section 1. General
- Section 2. Compliance with State Law
- Section 3. Applicability
- Section 4. Application Requirements
- Section 5. Criteria for Assessing Removal of the Public Water Supply Designated Use
- Section 6. Board Procedures
- Section 7. Submission to the US Environmental Protection Agency
- Section 8. Streams from Which the Public Water Supply Designated Use Has Been Removed

SERIES 8 - REGULATIONS ON REQUESTS FOR INFORMATION (FREEDOM OF INFORMATION ACT)

Authority - §§29B-1-1; 29A-3-3

Type - Procedural

Price - \$2.60

Effective - February 18, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Policy on Disclosure
- Section 4. Form of Request
- Section 5. Requests Which do not Reasonably Describe Records Sought
- Section 6. Misdirected Requests, Oral Requests
- Section 7. Responsibilities of the Board
- Section 8. Denials of Requests
- Section 9. Exemptions
- Section 10. Partial Disclosure
- Section 11. Fees

SERIES 9 - RESERVED

SERIES 10 - RESERVED

SERIES 11 - RESERVED

SERIES 12 - REQUIREMENTS GOVERNING GROUNDWATER STANDARDS

Authority - §§22-12-4; 22B-3-4

Type - Legislative

Price - \$3.20

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Groundwater Standards
- Section 4. Hazardous Waste Treatment, Storage or Disposal Facilities
- Appendix

TITLE 158

ETHICS COMMISSION

Index for Ethics Commission

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TOTAL COST FOR ALL OF TITLE 158 - \$27.80	

SERIES 1 - WEST VIRGINIA ETHICS COMMISSION

Authority - §6B-2-2(a)

Type - Legislative

Price - \$2.80

Effective - September 1, 1993

Section 1. General
Section 2. Definitions
Section 3. Meetings
Section 4. Proceedings to be open; Exceptions
Section 5. Minutes of Meetings
Section 6. Quorum, Majority Vote Required, Proxy Vote Prohibited
Section 7. Travel Expense Rules; Compensation
Section 8. Oath
Section 9. Removal of a Member

SERIES 2 - ADVISORY OPINIONS

Authority - §6B-2-2

Type - Legislative

Price - \$2.00

Effective - September 1, 1993

Section 1. General
Section 2. Advisory Opinions

SERIES 3 - COMPLAINTS

Authority - §6B-2-2
 Type - Legislative
 Price - \$4.00
 Effective - September 1, 1993

- Section 1. General
- Section 2. Unverified Complaints
- Section 3. Investigative Panel
- Section 4. Notice of Investigation
- Section 5. Investigation
- Section 6. Findings of Probable Cause
- Section 7. Confidentiality Requirements
- Section 8. Notice of Hearing
- Section 9. Continuances
- Section 10. Hearing Board and Hearing Examiner
- Section 11. Disqualification of Hearing Examiner
- Section 12. Prehearing Discovery
- Section 13. Hearing Procedure
- Section 14. Findings of Fact, Conclusions of Law and Briefs
- Section 15. Decision if Hearing Examiner is Presiding Officer
- Section 16. Decision When Hearing Board is Presiding Officer
- Section 17. Administrative Board
- Section 18. Final decision
- Section 19. Recusal of Ethics Commissioner
- Section 20. Sanctions
- Section 21. Appeal
- Section 22. Costs Assessed Against Complainant
- Section 23. Criminal Referral

SERIES 4 - GUIDELINES AND STANDARDS FOR DETERMINING THE EXISTENCE OF DISQUALIFYING FINANCIAL INTERESTS

Authority - §§18-9D-17(c); 31-20-28(c)
 Type - Legislative
 Price - \$2.40
 Effective - April 10, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Guidelines and Standards

SERIES 5 - RESERVED

SERIES 6 - PRIVATE GAIN

Authority - §6B-2-5(b)
 Type - Legislative
 Price - \$2.60
 Effective - June 1, 1992

- Section 1. General
- Section 2. Exceptions to Using Office for Private Gain
- Section 3. Nepotism
- Section 4. Use of "Subordinate" for Private Gain
- Section 5. Use or Removal of Government "Property"
- Section 6. Kickbacks
- Section 7. Bribes
- Section 8. Private Work During Public Work Hours
- Section 9. Exemption Categories

SERIES 7 - GIFTS

Authority - §6B-2-5(c)
Type - Legislative
Price - \$2.40
Effective - June 1, 1992

- Section 1. General
- Section 2. Honorarium
- Section 3. Free Admission to Seminar/Conference
- Section 4. Nominal Gifts
- Section 5. Reasonable Expenses for Panelist or Speaker
- Section 6. Solicitation of Gifts
- Section 7. Free Tickets

SERIES 8 - INTEREST IN PUBLIC CONTRACTS

Authority - §6B-2-5(d)
Type - Legislative
Price - \$2.40
Effective - June 1, 1992

- Section 1. General
- Section 2. Direct Authority and Control
- Section 3. Limited Interest
- Section 4. Public Contract
- Section 5. Public Associations
- Section 6. Part-Time Appointed Public Official-Recusal
- Section 7. Legislator' Contracting

SERIES 9 - VOTING

Authority - §6B-1-2(c)
Type - Legislative
Price - \$2.00
Effective - June 1, 1992

- Section 1. General
- Section 2. Personal

SERIES 10 - CONTRIBUTIONS

Authority - §§6B-2-1(a); 6B-2-5(c)(4)
Type - Legislative
Price - \$2.00
Effective - June 1, 1992

- Section 1. General
- Section 2. Political Campaign Contributions
- Section 3. Permitted Campaign Contributions
- Section 4. Ballot Issue

SERIES 11 - EMPLOYMENT

Authority - §6B-2-5(h)

Type - Legislative

Price - \$2.40

Effective - June 1, 1992

- Section 1. General
- Section 2. General Prohibitions
- Section 3. Definitions
- Section 4. Requests for Exemptions

SERIES 12 - LOBBYING

Authority - §6B-3-2, 3, 4 and 7

Type - Legislative

Price - \$2.80

Effective - July 1, 2003

- Section 1. General
- Section 2. Legislative Intent
- Section 3. Definitions
- Section 4. Registration
- Section 5. Lobbyist Booklet
- Section 6. Reporting
- Section 7. Lobbyist Duties
- Section 8. Employer Duties
- Section 9. Grass Roots Lobbying Campaigns

TITLE 199

OFFICE OF EXPLOSIVES AND BLASTING

SERIES 1 - SURFACE MINING BLASTING RULE

Authority - §§22-1-3; 22-3A-4; 22-1-5 et seq.

Type - Legislative

Price - \$7.60

Effective - May 9, 2001

Section	1. General
Section	2. Definitions
Section	3. Blasting
Section	4. Certification of Blasters
Section	5. Blasting Damage Claim
Section	6. Arbitration for Blasting Damage Claims
Section	7. Explosive Material Fee
Section	8. Inspections
Section	9. Surface Mine Board

TITLE 191

FAMILY PROTECTION SERVICES BOARD

SERIES 1 - OPERATION OF FAMILY PROTECTION SERVICES BOARD AND LICENSURE AND FUNDING OF DOMESTIC VIOLENCE PROGRAMS

Authority - §§48-26-401(4); 48-26-404; 48-26-1003(a)
Type - Legislative
Price - \$3.20
Effective - August 11, 2003

- Section 1. General
- Section 2. Purposes of the Board
- Section 3. Definitions
- Section 4. Board Reports
- Section 5. Licensure of Family Protection Programs, Perpetrator Intervention Programs and Shelters
- Section 6. Certification of Monitored Parenting and Exchange Programs

SERIES 2 - LICENSURE OF DOMESTIC VIOLENCE AND PERPETRATOR INTERVENTION PROGRAMS

Authority - §§48-26-401(4); 48-26-402
Type - Legislative
Price - \$5.00
Effective - August 11, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Licensing Standards for Family Protection Programs
- Section 4. Additional Licensing Standards for Shelters
- Section 5. Licensing Standards for Family Protection Outreach Services
- Section 6. Funding of Family Protection Programs and Shelters

SERIES 3 - PERPETRATOR INTERVENTION PROGRAM LICENSURE

Authority - §48-26-301(3); 48-26-303(a)
Type - Legislative
Price - \$3.00
Effective - August 11, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Licensing Standards for Perpetrator Intervention Programs

SERIES 4 - MONITORED PARENTING AND EXCHANGE PROGRAM CERTIFICATION

Authority - §48-26-1003
Type - Legislative
Price - \$2.40
Effective - August 11, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Certification Standards for Monitored Parenting and Exchange Programs

TITLE 67

FARM MANAGEMENT COMMISSION

NO RULES ON FILE

TITLE 87

STATE FIRE COMMISSION

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TOTAL COST FOR ALL OF TITLE 87 - \$18.60	

SERIES 1 - WEST VIRGINIA STATE FIRE CODE AND RULES AND REGULATIONS OF THE WEST VIRGINIA STATE FIRE COMMISSION

Authority - §29-3-5
Type - Legislative
Price - \$7.00
Effective - May 1, 2002

- Section 1. General
 - Section 2. Reporting of Fire Incidences
 - Section 3. Unvented Heaters
 - Section 4. National Standards and Codes (Incorporated by Reference)*
 - Section 5. Sprinkler Protection and Area Limitation
 - Section 6. Sprinkler Protection (Certain Occupancies)
 - Section 7. Carpet Used as Floor Covering
 - Section 8. Maintenance of Fire Hazard; Order for Correcting Condition, Removal of Material, Repair, Demolition, etc.;
Order to Contain Notice to Comply and Right to Appeal
 - Section 9. Interference with Fire Protection Equipment
 - Section 10. High Rise Buildings - Fire Safety Standards and Requirements
 - Section 11. Fire Alarm Systems
 - Section 12. Exit Inspections and Public Life Safety Announcements
 - Section 13. Order of Decision of the State Fire Marshal; and Appeals and Procedure for Appeals from such Orders or
Decisions
 - Section 14. Miscellaneous Provisions
- * Ed. Note: Section 4 incorporates by reference the 16 volume National Fire Codes (1983) published by the National Fire Protection Association, Batterymarch Park, Quincy, MA 02269, 1-800-344-3555. You may purchase the set or parts from the NFPA or view a set at the Secretary of State's office or your County Clerk's office.

SERIES 2 - ELECTRICIAN LICENSING REGULATIONS

Authority - §8-12-14(a); 29B-3B-5

Type - Legislative

Price - \$4.60

Effective - July 1, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Necessity of License & Local Ordinances
- Section 4. Qualifications for Examination
- Section 5. Examinations
- Section 6. License Without Examination
- Section 7. Expiration and Renewal
- Section 8. Denial; Revocation or Suspension of License
- Section 9. Reciprocity
- Section 10. Effect of Noncompliance; Failure to Obtain License
- Section 11. Disposition of Fees, Fines & Other Receipts
- Section 12. Enforcement
- Section 13. Orders and Decisions of State Fire Marshall and Appeals and Procedures for Appeals from Such Orders and Decisions
- Section 14. Separability

SERIES 3 - HAZARDOUS SUBSTANCE EMERGENCY RESPONSE TRAINING PROGRAM

Authority - §29-3-5a

Type - Legislative

Price - \$2.60

Effective - June 12, 1987

- Section 1. General
- Section 2. Procedures for Certification of Training Programs
- Section 3. Record of Participation
- Section 4. Criteria for Qualified Training Program Activities

SERIES 4 - STATE BUILDING CODE

Authority - §29-3-5b

Type - Legislative

Price - \$4.40

Effective - April 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Conflicts
- Section 4. National Standards and Codes
- Section 5. Structures Not Subject to Inspection by Local Jurisdictions
- Section 6. Copy of BOCA
- Section 7. Adoption by Local Jurisdiction
- Section 8. Existing Building Codes

Tables
* Ed. Note

Section 4 incorporates by reference the BOCA National Building Code; BOCA National Plumbing Code; BOCA National Mechanical Code; Boca National Existing Structures Code; BOCA National Energy Conservation and CABO One- and Two-Family Dwelling Code. You may purchase these books, collectively or separately, from Building Officials and Code Administrators International, 4051 West Flossmoor Road, Contra Club Hills, Illinois 60477-5795, 1-312-700-2300 or BOCA International Regional Offices, 3592 Corporate Drive, Suite 107, Columbus, Ohio 43229, 1-614-890-1064 or view a set at the Secretary of State' Office.

SERIES 5 - RESERVED

Repealed and replaced by 103CSR2 effective April 1, 2004.

TITLE 103

STATE FIRE MARSHAL'S OFFICE

SERIES 1 - CERTIFICATION OF ELECTRICAL INSPECTORS

Authority - §29-3C-4

Type - Legislative

Price - \$3.40

Effective - April 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Classification of Electrical Inspectors
- Section 4. Qualifications for Certification
- Section 5. Procedure for Application
- Section 6. Expiration and Renewal
- Section 7. Fees
- Section 8. Effect of Noncompliance; Failure to Obtain Certification; Penalty
- Section 9. Disposition of Complaints
- Section 10. Orders and Decisions of the State Fire Marshal; Appeals and Procedures for Appeals from such Orders or Decisions
- Section 11. Responsibilities of the Electrical Inspector

SERIES 2 - FEES FOR LICENSES, PERMITS, INSPECTIONS, PLANS REVIEW AND OTHER SERVICES RENDERED

Authority - §29-3-12b

Type - Legislative

Price - \$3.20

Effective - April 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Explosives: As defined in NFC Sections 495, 1124 and 1126, Exception: Chapter 11 of Chapter 495
- Section 4. Explosives as Defined in NFC Section 495, Chapter 11
- Section 5. Removal, Transportation and Disposal of Explosive/Hazardous Materials, or Other Legally Confiscated Items or Material
- Section 6. Inspections
- Section 7. Administrative Fees

TITLE 22

DIVISION OF FORESTRY

SERIES 1 - GINSENG RULES AND REGULATIONS

Authority - §19-1A-3
Type - Legislative
Price - \$2.40
Effective - June 12, 1987

- Section 1. General
- Section 2. Season
- Section 3. Unlawful Acts
- Section 4. Collector' Responsibilities
- Section 5. Dealer' Responsibilities
- Section 6. Uncertified Ginseng
- Section 7. Revocation of Permit

SERIES 2 - SEDIMENT CONTROL DURING COMMERCIAL TIMBER-HARVESTING OPERATIONS - LICENSING

Authority - §19-1B
Type - Legislative
Price - \$2.80
Effective - April 7, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. License Procurement; Posting License Number; Exemption Procurement; Possession of Approved Certificate of Timber-Harvesting Exemption
- Section 4. License Suspension
- Section 5. License Revocation
- Section 6. Exceptions
- Section 7. Right of Appeal

SERIES 3 - SEDIMENT CONTROL DURING COMMERCIAL TIMBER-HARVESTING OPERATIONS - LOGGER CERTIFICATION

Authority - §19-1B
Type - Legislative
Price - \$2.60
Effective - April 7, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Procedures for Certifying Loggers; Supervisory Activities; Carrying Photo Identification Card
- Section 4. Logger Certification Suspension
- Section 5. Logger Certification Revocation
- Section 6. Reciprocity With Other States
- Section 7. Right of Appeal
- Section 8. Exemptions

SERIES 4 - RULES ON FREEDOM OF INFORMATION ACT REQUESTS

Authority - §§29A-3-3; 29B-1-3(5); 19-1A-1 et seq.

Type - Procedural

Price - \$2.60

Effective - June 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Policy on Disclosure
- Section 4. Form of Requests
- Section 5. Requests That do not Reasonably Describe Records Sought
- Section 6. Misdirected Requests
- Section 7. Responsibilities of the Division
- Section 8. Denial of Requests
- Section 9. Exemptions
- Section 10. Partial Disclosure
- Section 11. Fees

TITLE 200

STATE BOARD OF REGISTRATION FOR FORESTERS

SERIES 1 - REGISTRATION OF FORESTERS

Authority - §§30-1-4; 30-19-6

Type - Legislative

Price - \$3.00

Effective - April 14, 2000

- Section 1. General
- Section 2. Qualifying Experience
- Section 3. Approved Job Titles
- Section 4. General Provisions
- Section 5. Licensure
- Section 6. Code of Ethics

SERIES 2 - CONTESTED CASE HEARING PROCEDURE

Authority - §§30-19-1 et seq.; 30-1-1 et seq.; 29A-5A et seq.

Type - Procedural

Price - \$3.00

Effective - January 15, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedure
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 6. Conferences; Informal Disposition of Cases
- Section 7. Depositions
- Section 8. Subpoenas
- Section 9. Orders
- Section 10. Appeal

SERIES 3 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR FORESTERS

Authority - §§30-19-1 et seq.; 30-1-1 et seq.

Type - Legislative

Price - \$2.60

Effective - January 15, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses of Foresters and Forestry Technicians
- Section 5. Disposition of Complaints
- Section 6. Contested Case Hearings
- Section 7. Appeals

TITLE 6

WEST VIRGINIA BOARD OF FUNERAL SERVICE EXAMINERS

SERIES 1 - GENERAL PROVISIONS

Authority - §30-6-3

Type - Legislative

Price - \$6.40

Effective - June 23, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Licensing Examination for Applicants of Funeral Director License and Embalmer License
- Section 4. Apprenticeship
- Section 5. Control of Dead Bodies
- Section 6. Health Requirements
- Section 7. Evidence of Crime
- Section 8. Price Disclosure, Price Lists, Statement of Goods & Services, Misrepresentations
- Section 9. Advertising
- Section 10. Confidentiality
- Section 11. Supervision Required of Licensee and Registrant
- Section 12. Inspections
- Section 13. Necessary Equipment
- Section 14. Courtesy Card
- Section 15. Penalties
- Section 16. Fees
- Section 17. Correspondence with Board
- Section 18. Continuing Education
- Section 19. Biennial Licenses & Registrations
- Section 20. Inactive Licenses
- Section 21. Inspector & Investigator Requirements
- Section 22. Identifying Dead Human Bodies
- Section 23. Permission to Cremate, Disclosure for Unclaimed Cremated Remains, Removing Objects From Body
- Section 24. Authorized Representatives; Right To Control & Duty of Disposition
- Section 25. Storage & Disposal of Unclaimed Human Remains
- Section 26. Release of Cremated Remains
- Section 27. Record-Keeping Practices

SERIES 2 - CREMATORY REQUIREMENTS

Authority - §30-6-1 et seq.

Type - Legislative

Price - \$6.20

Effective - June 23, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Prohibited Acts
- Section 4. Crematory Operator Requirements
- Section 5. Control of Dead Bodies
- Section 6. Health Requirements
- Section 7. Evidence of Crime
- Section 8. Price Lists
- Section 9. Advertising
- Section 10. Confidentiality
- Section 11. Supervision
- Section 12. Necessary Equipment
- Section 13. Permission to Cremate, Disclosure for Unclaimed Cremated Remains, Removing Objects From Body
- Section 14. Identification of a Dead Human Body

Section	15.	Cremation Procedures
Section	16.	Release of Cremated Remains
Section	17.	Storage & Disposal of Unclaimed Cremated Remains
Section	18.	Record-Keeping Practices
Section	19.	Inspections
Section	20.	Fees
Section	21.	Correspondence with Board
Section	22.	Biennial Licenses & Registrations
Section	23.	Authorized Representative
Section	24.	Penalties

SERIES 3 - RESERVED

SECTION 4 - COMPLAINT AND HEARING PROCEDURES

Authority - §§30-6-3(l); 30-1-8(h); 30-6-8; 30-6-14

Type - Legislative

Price - \$3.40

Effective - January 1, 2001

Section	1.	General
Section	2.	Complaint Procedures
Section	3.	Public Hearing Procedures

TITLE 64

WEST VIRGINIA STATE BOARD OF HEALTH

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SERIES 1 - RULES OF PROCEDURE FOR CONTESTED CASE HEARINGS AND DECLARATORY RULINGS

Authority - §16-1-7

Type - Procedural

Price - \$2.80

Effective - November 10, 1981

Section 1.	General
Section 2.	Application
Section 3.	Definitions
Section 4.	Demand for Hearing, Form Required
Section 5.	Continuation and Adjournment
Section 6.	Transcription of Reported Testimony and Evidence
Section 7.	Submission of Proposed Findings of Fact and Conclusions of Law; Time for Submission
Section 8.	Appointment of Hearing Examiner; Function of Hearing Examiner
Section 9.	Conferences; Informal Disposition of Cases
Section 10.	Dispositions Permitted
Section 11.	Subpoenas
Section 12.	Orders; Content

Health
Series 1, Cont'd.

- Section 13. Declaratory Ruling Procedures
- Section 14. Appeal
- Section 15. Severability

SERIES 2 - LICENSURE OF MEDICAL ADULT DAY CARE CENTERS

Authority - §§16-5B-8; 16-5D
Type - Legislative
Price - \$6.40
Effective - July 12, 1985

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. State Administrative Procedures
- Section 5. Physical Facility and Safety
- Section 6. Center Governance and Management
- Section 7. Staff Development and Training
- Section 8. Admission Procedures
- Section 9. Participant Care Plan
- Section 10. Participant Service Requirements
- Section 11. Staffing Requirements
- Section 12. Staff Qualifications and Responsibilities
- Section 13. General Health and Safety
- Section 14. Participant Rights
- Section 15. Discharge and Referral Procedures
- Section 16. Participant Records
- Section 17. Penalties
- Section 18. Administrative Due Process
- Section 19. Severability

SERIES 3 - PUBLIC WATER SYSTEMS

Authority - §§16-1-9a; 16-1-4
Type - Legislative
Price - \$5.00
Effective - April 29, 2004

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Public Water System Construction, Alterations or Renovation; Standards; Exceptions
- Section 5. Permit to Operate a Public Water System
- Section 6. Inspections and Sanitary Surveys of Public Water Systems
- Section 7. Public Water System Disinfection Requirements
- Section 8. Public Water System Fluoridation
- Section 9. Public Water System Control Tests and Record Maintenance
- Section 10. Adoption of National Regulations
- Section 11. Bottled Water Treatment Plants and Distributors
- Section 12. Public Water System Reporting Requirements
- Section 13. Certification of Laboratories to Conduct Drinking Water Tests
- Section 14. Penalties
- Section 15. Administrative Due Process

SERIES 4 - PUBLIC WATER SUPPLY OPERATOR REGULATIONS

Authority - §§16-1-4; 16-1-9

Type - Legislative

Price - \$5.00

Effective - July 1, 2002

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Classification of Public Water Systems
- Section 5. Required Personnel and Conditions of Employment
- Section 6. Certified Operator in Training (OIT)
- Section 7. Qualifications for Certification
- Section 8. Education and Experience Requirements; Substitution
- Section 9. Certification Application and Examination
- Section 10. Certification Expiration, Renewal Re-certification, Suspension and Revocation
- Section 11. Certification from Another Jurisdiction
- Section 12. Compliance and Penalties
- Section 13. Administrative Due Process
- Tables

SERIES 5 - WASTEWATER TREATMENT WORKS OPERATOR

Authority - §16-1-7(2)

Type - Legislative

Price - \$3.60

Effective - July 1, 1995

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Classification of Waste Water Treatment Works
- Section 5. Certified Operators Required; Duties of Wastewater Treatment Works and Wastewater Treatment Works Operators
- Section 6. Initial Application; Examination; Expiration; Renewal; Reinstatement
- Section 7. Educational Requirements; Experience Substitutes for Education; Education Equivalents; Training Credits; Approval of Training; Experience Requirements; Education and Training Substitutes for Experience; Training Credits of Class III and IV Certificates
- Section 8. Reciprocity
- Section 9. Penalties
- Section 10. Administrative Due Process
- Section 11. Severability

SERIES 6 - REQUIREMENT FOR LABORATORIES TO REPORT POSITIVE OR REACTIVE SEROLOGIC AND OTHER TESTS FOR SYPHILIS AND POSITIVE LABORATORY EXAMINATIONS FOR NEISSERIA GONORRHEA TO THE STATE DEPARTMENT OF HEALTH

Authority - §16-1-7(5)

Type - Legislative

Price - \$2.40

Effective - May 9, 1983

- Section 1. General
- Section 2. Supersession or Repeal of Former Regulations
- Section 3. Application and Enforcement
- Section 4. Reporting Requirements
- Section 5. Administrative Due Process
- Section 6. Severability
- Section 7. Penalty for Violating Provisions of Regulations

SERIES 7 - REPORTABLE DISEASES, EVENTS AND CONDITIONS

Authority - §§16-1-4, 16-3-1; 16-3C-1 et seq.; 16-4-1 et seq.

Type - Legislative

Price - \$5.00

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Selection, Categorization and Required Reports
- Section 4. Other Reportable Events: Birth Defects
- Section 5. Other Reportable Events: Potentially Rabid Animal Bites, Rabid Animals
- Section 6. Other Reportable Events: Administration of Immunization
- Section 7. Deaths from Reportable Diseases and Conditions; Reportable Diseases and Conditions Diagnosed After Death
- Section 8. Persons, Facilities and Laboratories Required to Report; Other Related Responsibilities
- Section 9. Distribution of Rule
- Section 10. Responsibilities of Local Health Officers
- Section 11. Management of Undiagnosed Diseases or Conditions Suggesting a Reportable Disease or Condition
- Section 12. Disputed Diagnoses of Reportable Diseases or Conditions
- Section 13. Designation of Diseases as Sexually Transmittable
- Section 14. Confidentiality
- Section 15. Isolation, Quarantine and Placarding
- Section 16. Exclusion from School Due to a Communicable Disease; Readmission
- Section 17. Examination and Training of Food Service Workers
- Section 18. Penalties
- Section 19. Administrative Due Process

SERIES 8 - APPROVAL OF LABORATORIES FOR SYPHILIS SEROLOGY

Authority - §§16-1-7(6); 48-1-6a

Type - Legislative

Price - \$2.40

Effective - May 9, 1983

- Section 1. General
- Section 2. Supersession and Repeal of Former Regulations
- Section 3. Application and Enforcement
- Section 4. Laboratories Eligible for Approval by the West Virginia Department of Health
- Section 5. Testing Periods and Duration of Certificates of Approval
- Section 6. Sensitivity and Specificity Standards for Approval
- Section 7. Agreement of Laboratory for Approval of Serologic Tests for Syphilis
- Section 8. Administrative Due Process
- Section 9. Severability

SERIES 9 - SEWAGE SYSTEM RULES

Authority - §§16-1-7; 16-1-9

Type - Legislative

Price - \$4.00

Effective - May 1, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. General Requirements
- Section 4. Permits
- Section 5. Construction and Installation Requirements
- Section 6. Inspections
- Section 7. Maintenance and Operation of Sewer Systems and Sewage Treatment or Sewage Disposal Systems
- Section 8. Subdivisions
- Section 9. Correction of Health Hazards
- Section 10. Sewage Tank Cleaning
- Section 11. Individual Sewer Systems Installers Certification

- Section 12. Sewage Advisory Board
- Section 13. Penalties
- Section 14. Administrative Due process

SERIES 10 - METHODS AND STANDARDS FOR CHEMICAL TEST FOR INTOXICATION

Authority - §§16-1-7; 17C-5-2 et seq.
Type - Legislative
Price - \$3.20
Effective - April 6, 1990

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Preliminary Breath Analysis
- Section 5. Breath Analysis
- Section 6. Designation of Secondary Test
- Section 7. Breath Analysis
- Section 8. Blood Analysis
- Section 9. Urine Analysis
- Section 10. Severability

SERIES 11 - LICENSURE OF BEHAVIORAL HEALTH CENTERS

Authority - §§27-9-1, 27-17-3; 27-1A-4(g); 27-1A-6(6) & -7
Type - Legislative
Price - \$7.00
Effective - July 1, 2000

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. State Administrative Procedures
- Section 5. Governance
- Section 6. Health and Safety
- Section 7. Consumer Services
- Section 8. Consumer Rights
- Section 9. Substance Abuse Services
- Section 10. Penalties
- Section 11. Administrative Due Process

SERIES 12 - HOSPITAL LICENSURE

Authority - §16-5B-8
Type - Legislative
Price - \$11.20
Effective - July 1, 1994

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. State Administrative Procedures
- Section 5. Penalties
- Section 6. Miscellaneous Requirements
- Section 7. Administration of the Hospital
- Section 8. Physical Facilities
- Section 9. Operational Services
- Section 10. Paramedical Services
- Section 11. Patient Care Department
- Section 12. Outpatient Services
- Section 13. Adjunct Diagnostic and Treatment Departments
- Section 14. Professional Standards

Health
Series 12, Cont'd.

- Section 15. Specialized Hospitals and Other Institutions
- Section 16. Administrative Due Process
- Section 17. Severability

SERIES 13 - NURSING HOME LICENSURE RULE

Authority - §§16-1-4; 16-5c-5
Type - Legislative
Price - \$13.30
Effective - July 1, 2001

- Section 1. General
 - Section 2. Definitions
 - Section 3. State Administrative Procedures
 - Section 4. Residents' Rights
 - Section 5. Quality of Life
 - Section 6. Resident Assessment
 - Section 7. Comprehensive Care Plans
 - Section 8. Quality of Care
 - Section 9. Physical Facilities, Equipment and Related
 - Section 10. Administration
 - Section 11. Human Resources
 - Section 12. Laboratory, Radiology and Other Diagnostic Services
 - Section 13. Clinical Records
 - Section 14. Quality Assessment and Assurance
 - Section 15. Inspections and Investigations
 - Section 16. Enforcement and Due Process
 - Section 17. Deemed Status
- Tables

SERIES 14 - ASSISTED LIVING RESIDENCES

Authority - §§16-5C-5, -17; 16-1-4
Type - Legislative
Price - \$12.60
Effective - April 29, 2004

- Section 1. General
 - Section 2. Application and Enforcement
 - Section 3. Definitions
 - Section 4. State Administrative Procedures
 - Section 5. Administrative Requirements
 - Section 6. Resident Rights
 - Section 7. Health Care Standards
 - Section 8. Activities
 - Section 9. Dietary Services
 - Section 10. Fire Safety, Disaster and Emergency Preparedness and Training
 - Section 11. Physical Facilities
 - Section 12. Civil Penalties, License Restrictions and Revocations
 - Section 13. Administrative Appeal and Judicial Review
- Table

SERIES 15 - CROSS-CONNECTION AND BACKFLOW PREVENTION

Authority - §§16-1-4; 16-1-9a

Type - Legislative

Price - \$3.20

Effective - April 29, 2004

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Cross-Connections
- Section 5. Where Protection is Required
- Section 6. Type of Protection and Circumstances When Protection is Required
- Section 7. Backflow Prevention Assemblies
- Section 8. Plans, Surveys, Investigations and Testing
- Section 9. Penalties
- Section 10. Administrative Due Process

SERIES 16 - RECREATIONAL WATER FACILITIES

Authority - §16-1-4

Type - Legislative

Price - \$4.60

Effective - July 1, 2002

- Section 1. General
 - Section 2. Definitions
 - Section 3. Construction Permit
 - Section 4. Operating Permit
 - Section 5. Inspections
 - Section 6. Design, Construction
 - Section 7. Water Quality
 - Section 8. Control Tests and Operation Records
 - Section 9. Supervision of Patrons
 - Section 10. Safety Requirements
 - Section 11. Routine Maintenance and Operation
 - Section 12. Bathhouses, Concessions, and Other Appurtenant Facilities
 - Section 13. Compliance
 - Section 14. Penalties
 - Section 15. Administrative Due Process
- Tables

SERIES 17 - FOOD SERVICE AND SANITATION RULES

Authority - §§16-1-7; 16-6-2

Type - Legislative

Price - \$3.00

Effective - July 1, 2000

- Section 1. General
- Section 2. Incorporation by Reference of Federal Model Food Code
- Section 3. Definitions
- Section 4. Exceptions
- Section 5. Implementation
- Section 6. Food Establishment Advisory Board
- Section 7. Fees
- Section 8. Hearings and Administrative Due Process
- Section 9. Penalty for Violating Provision of Rule

SERIES 18 - GENERAL SANITATION

Authority - §16-1-7

Type - Legislative

Price - \$5.00

Effective - July 1, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Plan Review, Permits, Hearings, Notices and Orders
- Section 4. Inspections
- Section 5. Animals
- Section 6. Bedding & Sleeping Areas
- Section 7. Communicable Disease
- Section 8. Garbage and Refuse
- Section 9. Heating and Ventilation
- Section 10. Housekeeping and Maintenance
- Section 11. Laundry
- Section 12. Lighting
- Section 13. Noise
- Section 14. Plumbing
- Section 15. Safety
- Section 16. Sewage
- Section 17. Size, Space
- Section 18. Storage
- Section 19. Structure, Materials, Construction and Repair
- Section 20. Surroundings
- Section 21. Toilet, Handwashing and Bathing Facilities
- Section 22. Vector Control
- Section 23. Water Supply
- Section 24. Penalty for Violating Provisions of Regulations
- Section 25. Administrative Due Process

SERIES 19 - WATER WELL REGULATIONS

Authority - §§16-1-7; 16-1-9; 16-1-9a

Type - Legislative

Price - \$3.00

Effective - July 1, 1989

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Permit to Install
- Section 5. Bonding of Water Well Contractors
- Section 6. Certification of Water Well Drillers
- Section 7. Identification Numbers on Water Well Rigs and Well Heads
- Section 8. Records of Completed Water Wells
- Section 9. Advisory Board
- Section 10. Penalty
- Section 11. Administrative Due Process
- Section 12. Severability

SERIES 20 - CHILD FATALITY REVIEW TEAM AND COUNTY MULTIDISCIPLINARY INVESTIGATIVE TEAMS

Authority - §49-5D-5(f)

Type - Procedural

Price - \$2.40

Effective - December 1, 2001

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Responsibilities of Child Fatality Review Team
- Section 5. Conduct of Child Fatality Review Team
- Section 6. Confidentiality
- Section 7. Recommended Protocols for Review of Child Fatalities

SERIES 21 - CHILD CARE CENTERS

Authority - §16-1-7

Type - Legislative

Price - \$4.40

Effective - June 23, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Permits, Hearings, Notices and Orders
- Section 4. Inspection
- Section 5. General Building Requirements
- Section 6. Activity Areas and Equipment
- Section 7. Animals
- Section 8. Bedding and Sleeping Areas
- Section 9. Diaper Changing and Toilet Training
- Section 10. Employee Health
- Section 11. Food Service
- Section 12. Garbage and Refuse Disposal
- Section 13. Hand Washing
- Section 14. Housekeeping and sanitation
- Section 15. Laundry
- Section 16. Safety
- Section 17. Sewage System
- Section 18. Storage
- Section 19. Water Supply
- Section 20. Penalty for Violating Provisions of Regulations
- Section 21. Administrative Due Process

SERIES 22 - COIN-OPERATED DRY CLEANING ESTABLISHMENTS

Authority - §16-1-7

Type - Legislative

Price - \$2.60

Effective - December 29, 1967

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. General Requirements
- Section 5. Installation and Operation Requirements

SERIES 23 - RADIOLOGICAL HEALTH RULE

Authority - §16-1-7

Type - Legislative

Price - \$41.80

Effective - July 1, 2001

- Section 1. General
 - Section 2. Application, Enforcement
 - Section 3. Definitions
 - Section 4. Exemptions, Inspections, Tests, Violations, Impounding Prohibitions and Communications
 - Section 5. Registration
 - Section 6. Standards for Protection Against Radiation
 - Section 7. Requirements for Radiation Usage in the Healing Arts
 - Section 8. Radiation Safety Requirements for Industrial Radiographic Operations
 - Section 9. Radiation Safety Requirements for Analytical X-Ray Equipment
 - Section 10. Radiation Safety Requirements for Particle Accelerators
 - Section 11. Registration of Radioactive Materials
 - Section 12. Use of Radiouclides in the Healing Arts
 - Section 13. Notices, Instructions and Reports to Workers; Inspections
 - Section 14. Transportation of Radioactive Material
 - Section 15. Radiation Safety Requirements for Wireline Services Operations and Subsurface Tracer Studies
 - Section 16. Radiation Safety Requirements for Technologically Enhanced Radioactive Materials (TENORM)
- Tables

SERIES 24 - NEWBORN HEARING SCREENING

Authority - §§16-22A-7; 16-1-7

Type - Legislative

Price - \$2.80

Effective - July 1, 2001

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. When Screening is Required
- Section 5. Screening Protocol
- Section 6. Screening Fee Schedule
- Section 7. Screening Reporting and Referral
- Section 8. Confidentiality
- Section 9. Penalties

SERIES 25 - CERTIFICATION OF BACKFLOW PREVENTION ASSEMBLY TESTERS

Authority - §§16-1-4; 16-1-9a

Type - Legislative

Price - \$3.60

Effective - April 29, 2004

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Qualifications for Certification
- Section 5. Certification Application
- Section 6. Certification Examinations
- Section 7. Certification Expiration, Re-certification, Revocation and Reinstatement
- Section 8. Reciprocity
- Section 9. Compliance and Penalties
- Section 10. Administrative Due Process

**SERIES 26 - PRELIMINARY REQUIREMENT FOR APPROVAL BY THE WEST VIRGINIA DEPARTMENT OF HEALTH
OF A LABORATORY FOR A SPECIFIED TECHNIQUE**

Authority - §16-1-7
Type - Legislative
Price - \$2.60
Effective - December 29, 1967

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Layout
- Section 4. Equipment
- Section 5. Personnel and Qualifications
- Section 6. Approval for Proficiency not Granted Hereunder

SERIES 27 - STATEWIDE TRAUMA / EMERGENCY CARE SYSTEM

Authority - §§16-1-4; 16-4C-23; 55-7b-9C(K)
Type - Legislative
Price - \$5.80
Effective - April 29, 2004

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Powers of Designation and Categorization
- Section 5. Types of Designation
- Section 6. Criteria for Designation
- Section 7. Process of Designation
- Section 8. Categorization of Facilities for Emergency Care Capabilities
- Section 9. Trauma / Emergency Care System Organization and Operation
- Section 10. Trauma / Emergency Care System Accountability
- Section 11. Administrative Due Process

SERIES 28 - ICE CREAM AND FROZEN MILK

Authority - §16-1-7
Type - Legislative
Price - \$2.60
Effective - December 29, 1967

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Essential Features of Sanitation, as Prescribed for Grade "A" Milk Pasteurization Plants, Shall Govern Ice Cream Plants
- Section 5. Bacterial Count
- Section 6. No Resale Permitted

SERIES 29 - SPECIALIZED MULTIPATIENT MEDICAL TRANSPORT

Authority - §§16-4C-23; 16-1-7
Type - Legislative
Price - \$2.40
Effective - May 15, 2001

- Section 1. General
- Section 2. Definition
- Section 3. Specialized Multipatient Medical Transport Vehicle Requirements
- Section 4. Specialized Multipatient Medical Transport Vehicle Personnel Requirements

SERIES 30 - FEES FOR PERMITS

Authority - §16-2A-6

Type - Legislative

Price - \$3.20

Effective - May 1, 1991

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Options to Charges for Permits
- Section 5. Permits and Fees
- Section 6. Prorating of Fixed Expiration Date Permit Fees
- Section 7. Severability
- Section 8. Administrative Due Process

SERIES 31 - BIRTHING CENTER LICENSURE

Authority - 16-2E-3

Type - Legislative

Price - \$3.80

Effective - May 18, 1984

- Section 1. General
- Section 2. Supersession and Repeal of Former Regulations
- Section 3. Application and Enforcement
- Section 4. Definitions
- Section 5. State Administrative Procedures
- Section 6. Physical Facilities
- Section 7. Governance and Management
- Section 8. Clinical Staffing
- Section 9. Clinical Policies and Procedures
- Section 10. Pharmaceuticals
- Section 11. Records
- Section 12. Client Rights
- Section 13. Penalties
- Section 14. Administrative Due Process
- Section 15. Severability

SERIES 32 - VITAL STATISTICS

Authority - §16-5-3

Type - Legislative

Price - \$4.80

Effective - May 1, 1991

- Section 1. General
- Section 2. Registration Districts
- Section 3. Local Registration Officers
- Section 4. Supplies and Forms
- Section 5. Certificate Forms and Reports
- Section 6. Correction and Amendment
- Section 7. New Certificates of Birth Following Adoption, Legitimation and Paternity Determination
- Section 8. Delayed Birth Registration
- Section 9. Procedures for Filing Death Certificates
- Section 10. Permits Governing the Disposal or Transportation of Dead Human Bodies
- Section 11. Disclosure of Data; Certified Copies
- Section 12. Social Security Numbers to be Reported; No Good Cause for Refusal; Use of Social Security Numbers
- Section 13. Administrative Due Process
- Section 14. Severability

SERIES 33 - REGULATIONS FOR THE ESTABLISHMENT OF A CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH PROGRAM AND THE CERTIFICATION OF PATIENTS, PRACTITIONERS AND HOSPITAL PHARMACIES

Authority - §16-5A-7(a)
 Type - Legislative
 Price - \$2.80
 Effective - May 16, 1983

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Controlled Substances Therapeutic Research Program Established
- Section 5. Patient Qualification Review Board Established
- Section 6. Drug Procurement Physician Eligibility
- Section 7. Participating Pharmacy Qualifications
- Section 8. Confidentiality and Report
- Section 9. Severability

SERIES 34 - GRADE "A" PASTEURIZED MILK

Authority - §16-7-5
 Type - Legislative
 Price - \$5.20
 Effective - July 1, 1980

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. The Sale of Adulterated, Misbranded, or Ungraded Milk or Milk Products Prohibited
- Section 5. Permits, Hearings, Notices and Orders
- Section 6. Labeling
- Section 7. Inspection of Dairy Farms and Milk Plants
- Section 8. Sampling and Laboratory Examination of Milk and Milk Products
- Section 9. Standards for Milk and Milk Products
- Section 10. Animal Health
- Section 11. Milk and Milk Products Which May be Sold
- Section 12. Transferring Delivery Containers Cooling
- Section 13. Milk and Milk Products from Points Beyond the Limits of Routine Inspection
- Section 14. Future Dairy Farms and Milk Plants
- Section 15. Personnel Health
- Section 16. Procedure When Infection is Suspected
- Section 17. Enforcement
- Section 18. Imitation Milk and Milk Products and Non-Dairy Products
- Section 19. Provisions for Contractual Agreements
- Section 20. Penalty
- Section 21. Date of Effect and Repeal
- Section 22. Severability

SERIES 35 - REGULATIONS FOR THE INSTILLATION OF MEDICATION IN THE EYES OF THE NEWBORN AND THE DISSEMINATION OF ADVICE AND INFORMATION CONCERNING THE DANGERS OF INFLAMMATION OF THE EYES OF THE NEWBORN

Authority - §16-3-12
 Type - Legislative
 Price - \$2.40
 Effective - May 30, 1983

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Appropriate Medications for Instillation in the Eyes of the Newborn List Established
- Section 4. Proper Records Cases Investigated Annual Report to the Governor
- Section 5. Severability

SERIES 36 - PROCEDURES FOR RECOVERY OF CORNEAL TISSUE FOR TRANSPLANT

Authority - §16-19-3a
Type - Legislative
Price - \$2.00
Effective - May 18, 1984

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Training and Registration of Technicians
- Section 4. Procedures
- Section 5. Severability

SERIES 37 - FIVE YEAR HEALTH FACILITIES PLAN FOR THE FISCAL YEARS 1985-89

Authority - §§16-1-15a, 26-11, 27-2
Type - Interpretive
Price - \$3.60
Effective - April 6, 1984

- Section 1. General
- Section 2. Definitions
- Section 3. The Planning Process
- Section 4. The Hospital Services Revenue Account
- Section 5. The State Facility System
- Section 6. Administrative
- Section 7. Delivery System Plan Capital Outlays and Renovations
- Section 8. Certification, Life Safety and Energy Conservation
- Section 9. Mental Health and Substance Abuse Services for Youth
- Section 10. Contingency for Repairs and Alterations, Equipment, Emergency Services and Miscellaneous
- Section 11. Administrative Due Process
- Section 12. Severability

SERIES 38 - REQUIREMENTS FOR LICENSURE OF NONPROFIT CORPORATIONS FOR GUARDIANSHIP SERVICE

Authority - §44-10A-I
Type - Legislative
Price - \$4.60
Effective - June 2, 1983

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. State Administrative Procedures
- Section 5. General Organization and Management
- Section 6. Fiduciary Responsibilities and Rights
- Section 7. Management of Guardianship of the Person of a Ward
- Section 8. Guardianship Records and Reporting
- Section 9. Penalties
- Section 10. Administrative Due Process
- Section 11. Severability

SERIES 39 - LABORATORY EXAMINATIONS BY STATE HYGIENIC LABORATORY

Authority - §§16-1-7; 16-1-11
Type - Interpretive
Price - \$2.00
Effective - December 29, 1967

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Types of Cases Accepted by the State Hygienic Laboratory

SERIES 40 - MOBILE HOME PARKS

Authority - §16-1-7

Type - Legislative

Price - \$4.00

Effective - October 1, 1971

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Design, Construction, Installation, Maintenance, and Operation of Mobile Home Parks and Mobile Home Park Development
- Section 5. Permits, Hearings, Notices, Orders
- Section 6. Inspection
- Section 7. Location, Space and Layout
- Section 8. Water Supply
- Section 9. Sewage System
- Section 10. Management Buildings and Other Community Service Facilities
- Section 11. Electrical Distribution System
- Section 12. Solid Waste Handling
- Section 13. Insect and Rodent Control
- Section 14. Fuel Supply and Storage
- Section 15. Fire Protection
- Section 16. Auxiliary Facilities
- Section 17. Registration of Occupants
- Section 18. Supervision
- Section 19. Miscellaneous Requirements
- Section 20. Repeal of Former Regulations
- Section 21. Severability
- Section 22. Penalty for Violating Provisions of Regulations

SERIES 41 - DESIGN, INFORMATION AND PROCEDURAL MANUAL FOR MOBILE HOME PARKS

Authority - §16-1-7

Type - Interpretive

Price - \$4.00

Effective - October 1, 1971

- Section 1. General
- Section 2. State Planning (Refer to Section 7 of the Mobile Home Regulations)
- Section 3. Water Supply (Section 8 of the Mobile Home Regulations)
- Section 4. Sewage Collection and Treatment (Refer to Section 9 of the Mobile Home Regulations)
- Section 5. Management Buildings and Community Service Facilities (Refer to Section 10 of the Mobile Home Reg.)
- Section 6. Electrical Distribution (Refer to Section 11 of the Mobile Home Regulations)
- Section 7. Solid Waste (Refer to Section 12 of the Mobile Home Regulations)
- Section 8. Insect and Rodent Control (Refer to Section 13 of the Mobile Home Regulations)
- Section 9. Fuel Supply and Storage (Refer to Section 14 of the Mobile Home Regulations)
- Section 10. Fire Protection (Refer to Section 15 of the Mobile Home Regulations)
- Section 11. Preparation of Plans
- Section 12. Application

SERIES 42 - CHILDHOOD LEAD SCREENING

Authority - §§16-1-4; 16-35-4a

Type - Legislative

Price - \$3.00

Effective - April 29, 2004

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Protocol for Screening of Children
- Section 5. Follow-up Testing and Information
- Section 6. Reporting Requirements
- Section 7. Samples Submitted to a Laboratory
- Section 8. Confidentiality
- Section 9. Enforcement Action
- Section 10. Penalties
- Section 11. Administrative Due Process

SERIES 43 - BAKERY REGULATIONS

Authority - §16-1-7

Type - Legislative

Price - \$2.00

Effective - December 29, 1967

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Sanitation Requirements

SERIES 44 - FIRE DEPARTMENT RAPID RESPONSE SERVICES

Authority - §§16-4C-23; 16-1-7

Type - Legislative

Price - \$3.80

Effective - July 1, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. When Licensure is Required
- Section 4. Application and Inspections
- Section 5. Licensure Requirements
- Section 6. Licensure Requirements - Point Standards
- Section 7. License Issuance, Renewal, Modification, Denial, Suspension and Revocation
- Section 8. Licensee Conduct
- Section 9. Fire Department Rapid Response Vehicles
- Section 10. Administrative Due Process

SERIES 45 - LEAD ABATEMENT LICENSING

Authority - §§16-35-4; 16-1-7

Type - Legislative

Price - \$4.00

Effective - July 1, 1999

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Initial and Renewal License
- Section 5. Licensed Lead Abatement Contractor Duties
- Section 6. Lead Inspector Duties
- Section 7. Lead Abatement Designer Duties

- Section 8. Lead Risk Assessor Duties
- Section 9. Prohibited Lead Abatement Project Methods
- Section 10. Recommended Lead Abatement Project Method
- Section 11. Lead Abatement Project Clearance Levels and Minimum Sampling
- Section 12. Exemption from Notification and Licensing
- Section 13. Notification of Elevated Blood Lead Levels
- Section 14. Notification of Lead Abatement Projects
- Section 15. Accreditation of Lead Abatement Training Courses
- Section 16. Applicable Federal Standards
- Section 17. Penalties
- Section 18. Administrative Due Process

SERIES 46 - WATER WELL DESIGN STANDARDS

Authority - §§16-1-7; 16-1-9; 16-1-9a

Type - Interpretive

Price - \$3.00

Effective - June 8, 1984

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Location of the Water Well
- Section 5. Materials
- Section 6. Installation
- Section 7. Well Log
- Section 8. Well Abandonment
- Section 9. Additional Requirements

SERIES 47 - SEWAGE TREATMENT AND COLLECTION SYSTEM DESIGN STANDARDS

Authority - §§16-1-4; 16-1-9

Type - Legislative

Price - \$33.30

Effective - July 1, 2003

- Section 1. General
 - Section 2. Definitions
 - Section 3. Sewage Permit Applications
 - Section 4. Sewage Collection Systems
 - Section 5. Sewage Treatment Works
 - Section 6. Individual Sewage Systems
 - Section 7. Sewage Tank Cleaning
 - Section 8. Septage Treatment & Disposal
 - Section 9. Animal Waste Handling Facilities
 - Section 10. Grease Traps
 - Section 11. Administrative Due Process
 - Section 12. Enforcement
- Tables

SERIES 48 - EMERGENCY MEDICAL SERVICES

Authority - §16-4C-23

Type - Legislative

Price - \$11.00

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Requirements for Emergency Medical Services Agencies
- Section 4. Licensure for Emergency Medical Services Agencies
- Section 5. Licensing Standards
- Section 6. Issuance of Emergency Medical Services Agencies License
- Section 7. Emergency Medical Services Agencies Vehicle Requirements
- Section 8. Classification of EMS Vehicles
- Section 9. EMS Personnel Requirements
- Section 10. Criminal Convictions of EMS Personnel
- Section 11. Personnel Positions and Roles
- Section 12. Standard of Conduct
- Section 13. EMS Vehicle Personnel Requirements
- Section 14. Certification, Recertification, Legal Recognition and Scope of Practice for EMS Personnel
- Section 15. Disciplinary Recertification and Corrective Action
- Section 16. Accreditation of Training Agencies
- Section 17. OEMS Medical Direction System

SERIES 49 - DRINKING WATER TREATMENT REVOLVING FUND

Authority - §16-13C-2(b)

Type - Legislative

Price - \$4.20

Effective - June 1, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Procedure
- Section 4. Fund Establishment
- Section 5. Project and System Eligibility
- Section 6. Priority Ranking Procedures
- Section 7. Financial Administration
- Section 8. Disadvantaged Communities
- Section 9. Application Procedures and Requirements
- Section 10. Capacity Development
- Section 11. Environment Review
- Section 12. Records
- Section 13. Administrative Due Process

SERIES 50 - LEGALLY UNLICENSED HEALTH CARE HOMES

Authority - §§16-1-7; 16-5E-1a(a)

Type - Legislative

Price - \$4.00

Effective - July 1, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. State Administrative Procedures
- Section 4. Administration of the Legally Unlicensed Home
- Section 5. Physical Environment Requirements
- Section 6. Nutrition Requirements
- Section 7. Requirements Related to the Provision of Limited and Intermittent Nursing
- Section 8. Medication Administration Requirements
- Section 9. Protective and Personal Care Requirements
- Section 10. Treatment
- Section 11. Penalties
- Section 12. Administrative Due Process

SERIES 51 - FEES FOR SERVICES

Authority - §§16-1-21; 29-1H-6; 29B-1-3

Type - Legislative

Price - \$4.40

Effective - April 29, 2004

- Section 1. General
 - Section 2. Application and Enforcement
 - Section 3. Definitions
 - Section 4. Fees Generally
 - Section 5. Laboratory Service Fees
 - Section 6. Environmental Health Fees
 - Section 7. Health Facility Fees
 - Section 8. Epidemiology and Health Promotion Fees
 - Section 9. Fees for Services Provided by Local Boards of Health
 - Section 10. Administrative Due Process
- Appendices

SERIES 52 - PERTUSSIS GUIDELINES

Authority - §16-3B

Type - Interpretive

Price - \$2.80

Effective - August 1, 1987

- Section 1. General
- Section 2. Application and Administration
- Section 3. Definitions
- Section 4. Circumstances Under Which Pertussis Vaccine Should Not Be Administered
- Section 5. Circumstances Under Which Administration of Pertussis Vaccine Should Be Delayed
- Section 6. Categories of Potential Recipients Significantly More Vulnerable to Major Adverse Reactions
- Section 7. Reviews; Procedure to Notify Health Care Providers of the Guidelines and Updates
- Section 8. System to Collect and Report Data on the Incidence of Pertussis and Major Adverse Reactions to Pertussis Vaccine
- Section 9. Severability

SERIES 53 - HAZARDOUS MATERIAL TREATMENT INFORMATION REPOSITORY

Authority - §16-3A-2

Type - Legislative

Price - \$2.40

Effective - June 1, 1987

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Program for Assembling and Updating Hazardous Materials List
- Section 5. Program for Distribution of Information to Medical and Emergency Personnel
- Section 6. Repository for Information
- Section 7. Penalties
- Section 8. Administrative Due Process
- Section 9. Severability

SERIES 54 - LICENSURE OF HOSPICE CARE PROGRAMS

Authority - §§16-5I and 16-5D

Type - Legislature

Price - \$4.40

Effective - July 1, 1989

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. State Administrative Procedures
- Section 5. Organization and Management
- Section 6. Hospice System of Care
- Section 7. Plan of Care
- Section 8. Quality Assurance
- Section 9. Clinical Records
- Section 10. Staffing Requirements
- Section 11. Client Rights
- Section 12. Penalties
- Section 13. Administrative Due Process
- Section 14. Severability

SERIES 55 - INCORPORATION OF POLICY AND PROCEDURES MANUAL FOR THE SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC) PROGRAM

Authority - §§16-1-10; 16-1-15; 7 CFR 246

Type - Legislative

Price - \$2.00 (without incorporated manual)

Effective - October 1, 1980

- Section 1. General
- Section 2. Incorporation of Manual by Reference

Ed Note: This manual or parts of the manual are available from the Secretary of State or the WV Department of Health

SERIES 56 - INFECTIOUS MEDICAL WASTE

Authority - §§20-5J-6(a); 22-18-7(d); 20-5J-1 et seq.

Type - Legislative

Price - \$12.00

Effective - July 1, 1999

- Section 1. General
 - Section 2. Applicability; Exemptions; Enforcement
 - Section 3. Definitions
 - Section 4. Permit Application and Approval Procedures for Non-Commercial Infectious Medical Waste Facilities
 - Section 5. Infectious Medical Waste Management Plan
 - Section 6. Packaging and Labeling
 - Section 7. Management of Spills of Infectious Medical Waste
 - Section 8. Storage of Infectious Medical Waste
 - Section 9. Transportation
 - Section 10. Methods of Treatment
 - Section 11. Commercial Infectious Medical Waste Management Facilities
 - Section 12. Requirements Related to Manifests
 - Section 13. Record Keeping and Reporting
 - Section 14. Inspections; Right of Entry; Sampling; Reports and Analyses; Subpoenas
 - Section 15. Enforcement Orders; Related Hearings; Permit Reinstatement
 - Section 16. Criminal Penalties
 - Section 17. Civil Penalties
 - Section 18. Imminent and Substantial Hazards; Orders; Penalties; Hearings
 - Section 19. Administrative Due Process
 - Section 20. Severability
- Table

SERIES 57 - CLINICAL LABORATORY, TECHNICIAN AND TECHNOLOGIST LICENSURE AND CERTIFICATION

Authority - §16-5J-10

Type - Legislative

Price - \$3.60

Effective - July 1, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Incorporation by Reference
- Section 4. Prohibition; Persons Subject to Licensure; Clinical Laboratory Practitioner Trainees
- Section 5. Licensure Requirements, Duration, Renewal
- Section 6. Reciprocity
- Section 7. Limitations on Certification, License and Use of Titles by Health Care Facilities
- Section 8. Revocation and Non-issuance of Clinical Laboratory Practitioner Certifications
- Section 9. Hearings

SERIES 58 - IMMUNIZATION CRITERIA FOR TRANSFER STUDENTS

Authority - §16-3-4

Type - Legislative

Price - \$2.00

Effective - April 18, 1988

- Section 1. General
- Section 2. Application
- Section 3. Minimum Criteria for Provisional Enrollment

SERIES 59 - BEHAVIORAL HEALTH CLIENT RIGHTS

Authority - §27-5-9(g)

Type - Legislative

Price - \$7.40

Effective - May 1, 1995

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Adoption of Other Standards
- Section 5. Clients' Rights Generally
- Section 6. Clients' Right to Treatment
- Section 7. Medical and Dental Care, Other Therapies and Informal Consent
- Section 8. Right to Refuse Treatment
- Section 9. Research and Experimental Treatment
- Section 10. Seclusion and Restraints
- Section 11. Confidentiality and Records
- Section 12. Right to Unrestricted Communication
- Section 13. Personal Clothing and Possessions
- Section 14. Outdoor Exercise and Other Recreational Programming
- Section 15. Physical Environment
- Section 16. Food
- Section 17. Clients' Labor, Earnings and Funds
- Section 18. Employee Responsibilities
- Section 19. Juveniles' Additional Rights
- Section 20. Client Advocacy and Grievance Procedure
- Section 21. Severability

SERIES 60 - MEDICATION ADMINISTRATION BY UNLICENSED PERSONNEL

Authority - §§16-50-11; 16-1-7

Type - Legislative

Price - \$4.40

Effective - July 1, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Facility Administrative Procedures
- Section 4. Administration of Medications in Facilities
- Section 5. Instruction and Training
- Section 6. Eligibility Requirements of Facility Staff in Order to be Trained
- Section 7. Facility Oversight of Medication Administration by Unlicensed Personnel
- Section 8. Withdrawal of Authorization
- Section 9. Limitations on Medication Administration by Unlicensed Personnel
- Section 10. Administrative Due Process

SERIES 61 - PUBLIC WATER SYSTEMS CAPACITY DEVELOPMENT

Authority - §§16-13C-2(b); 16-1-7

Type - Legislative

Price - \$3.00

Effective - May 14, 1999

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Capacity Development of New Public Water Systems
- Section 5. Capacity Development of Existing Public Water Systems
- Section 6. Inspections and Sanitary Surveys of Public Water Systems
- Section 7. Penalties
- Section 8. Administrative Due Process

SERIES 62 - MEETINGS OF THE REGIONAL HEALTH ADVISORY COUNCIL

Authority - §16-2D-5a

Type - Procedural

Price - \$2.40

Effective - September 8, 1989

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Meetings; Public Notice; Voting; Officers
- Section 5. Records
- Section 6. Severability

SERIES 63 - ASBESTOS ABATEMENT LICENSING RULE

Authority - §16-32-3

Type - Legislative

Price - \$4.20

Effective - May 4, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. License Required, Procedures, Application, Qualifications
- Section 4. Licensed Contractor Duties
- Section 5. Clearance Air Monitor Duties
- Section 6. Minimum Air Clearance Standards
- Section 7. Asbestos Inspector Duties

- Section 8. Asbestos Project Designer Duties
- Section 9. Training Accreditation
- Section 10. Responsibilities of owners
- Section 11. Applicable Federal Standards
- Section 12. Inspections
- Section 13. Penalties
- Section 14. Administrative Due Process
- Tables

SERIES 64 - AIDS-RELATED MEDICAL TESTING AND CONFIDENTIALITY

Authority - §§16-3C-8; 16-1-7; 16-5J-3

Type - Legislative

Price - \$3.80

Effective - May 15, 2000

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Testing
- Section 5. Cease and Desist Orders
- Section 6. Review of Marriage License
- Section 7. Charting Information
- Section 8. Post-Exposure Care and Treatment
- Section 9. Confidentiality
- Section 10. Contact Notification
- Section 11. Consent by Legal Representative
- Section 12. School Exclusion
- Section 13. Requirements for Health Care Providers to Report Positive Serologic and Other Tests for the Human Immunodeficiency Virus
- Section 14. Requirements for Laboratories to Report Positive Serologic and Other Tests for Human Immunodeficiency Virus
- Section 15. Quality Control of Laboratories Conducting HIV Tests
- Section 15. Banking Blood
- Section 17. Administrative Due Process

SERIES 65 - RESERVED

Repealed by 64CSR14

Effective - April 29, 2004

SERIES 66 - SPECIALIZED HEALTH PROCEDURES

Authority - §18-5-22

Type - Legislative

Price - \$2.00 (Without manual)

\$29.60 (With manual)

Effective - April 22, 1992

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Training and Retraining
- Section 5. Standards
- Section 6. Revision of Training Courses and Standards
- Section 7. Severability
- Manual

SERIES 67 - DISTRIBUTION OF STATE AID TO LOCAL BOARDS OF HEALTH

Authority - §16-2-3; 16-2A-6

Type - Legislative

Price - \$2.40

Effective - April 8, 1994

- Section 1. General
- Section 2. Application of Enforcement
- Section 3. Definitions
- Section 4. Formula; Allocation of Funds
- Section 5. Emergency Fund; Establishment; Administration
- Section 6. Administrative Due Process
- Section 7. Severability

SERIES 68 - CANCER REGISTRY

Authority - §§16-5A-2a(e); 16-1-21(d) & 16-1-7

Type - Legislative

Price - \$2.60

Effective - July 1, 2000

- Section 1. General
- Section 2. Applications and Enforcement
- Section 3. Definitions
- Section 4. Reporting
- Section 5. Confidentiality; Disclosure
- Section 6. Distribution of Rule
- Section 7. Violations and Sanctions
- Section 8. Administrative Due Process

SERIES 69 - BREAST AND CERVICAL CANCER TREATMENT FUND

Authority - §16-33-8

Type - Legislative

Price - \$2.60

Effective - May 4, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Confidentiality
- Section 4. Eligibility
- Section 5. Procedures Covered
- Section 6. Review and Authorization
- Section 7. Application and Process
- Section 8. Administrative Due Process

SERIES 70 - PRIMARY CARE CENTER UNCOMPENSATED CARE

Authority - §16-2H-2(e)

Type - Legislative

Price - \$3.00

Effective - June 11, 1993

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Application Procedures
- Section 5. Eligibility
- Section 6. Application Reviews and Grant Awards
- Section 7. Audits
- Section 8. Administrative Due Process
- Section 9. Severability

SERIES 71 - PRIMARY CARE SEED MONEY GRANTS

Authority - §16-2H-2(e)
Type - Legislative
Price - \$2.80
Effective - June 11, 1993

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Applications
- Section 5. Award Process
- Section 6. Reporting
- Section 7. Administrative Due Process
- Section 8. Severability

SERIES 72 - INTERSTATE COMPACT ON MENTAL HEALTH

Authority - §27-14-2
Type - Legislative
Price - \$2.40
Effective - July 1, 1999

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Compact Administration; Powers and Duties
- Section 5. Due Process

SERIES 73 - STANDARDS FOR LOCAL BOARDS OF HEALTH

Authority - §16-1-7
Type - Legislative
Price - \$2.80
Effective - April 22, 1996

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Organization
- Section 5. Health Services and Programs
- Section 6. Reports and Records
- Section 7. General Administration of the Local Health Department
- Section 8. Financial management
- Section 9. Physical Facilities
- Section 10. Program Plan
- Section 11. Penalties
- Section 12. Administrative Due Process
- Section 13. Severability

SERIES 74 - BEHAVIORAL HEALTH CONSUMER RIGHTS

Authority - §27-5-9(g)

Type - Legislative

Price - \$3.60

Effective - July 1, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability to Other Standards
- Section 4. General Rights
- Section 5. Advance Psychiatric Directive Right
- Section 6. Informed Consent Right
- Section 7. Right to Treatment
- Section 8. Right to Refuse Treatment
- Section 9. Right to Research and Experimental Treatment
- Section 10. Right Regarding Seclusion and Restraints
- Section 11. Right of Confidentiality
- Section 12. Right to Unrestricted Communication
- Section 13. Rights Regarding Labor, Earnings and Funds
- Section 14. Juveniles' Additional Rights
- Section 15. Right of Advocacy and Grievance Procedure

SERIES 75 - RESIDENTIAL CARE COMMUNITIES

Authority - §§16-5N-3(k); 16-5N-5; 16-1-7

Type - Legislative

Price - \$12.20

Effective - July 1, 1999

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. State Administrative Procedures
- Section 5. Administrative, Staffing and Personnel Requirements
- Section 6. Resident Rights
- Section 7. Health Care Standards
- Section 8. Activities
- Section 9. Dietetic Services
- Section 10. Fire Safety, Disaster and Emergency Preparedness
- Section 11. Physical Facilities
- Section 12. Requirements Related to the Provision of Limited and Intermittent Nursing
- Section 13. Penalties
- Section 14. Administrative Due Process

SERIES 76 - TUBERCULOSIS CONTROL

Authority - §26-5A-7(f)

Type - Legislative

Price - \$3.00

Effective - July 1, 1999

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Report of Admissions, Registration by Division of Health
- Section 5. Forms for Admitting and Committing Patients; Other Records
- Section 6. Report of Tuberculosis Cases
- Section 7. Procedure When Patient is a Health Menace to Others
- Section 8. Procedures for Immediate Involuntary Commitment
- Section 9. Severability

SERIES 77 - PUBLIC WATER SYSTEMS DESIGN STANDARDS

Authority - §§16-1-9; 16-1-9a; 16-1-7

Type - Legislative

Price - \$13.40

Effective - July 1, 2000

- Section 1. General
- Section 2. Submission of Plans
- Section 3. General Design Considerations
- Section 4. Source Development
- Section 5. Treatment (General and Clarification)
- Section 6. Chemical Application
- Section 7. Pumping Facilities
- Section 8. Finished Water Storage
- Section 9. Distribution Systems
- Section 10. Enforcement Penalties
- Section 11. Administrative Due Process

SERIES 78 - RADON LICENSURE

Authority - §§16-34-6; 16-1-7

Type - Legislative

Price - \$3.00

Effective - July 1, 1999

- Section 1. General
 - Section 2. Application and Enforcement
 - Section 3. Definitions
 - Section 4. General Prohibitions
 - Section 5. Application for Licensure as a Radon Mitigation Contractor, Radon Tester, Mitigation Specialist, Radon Laboratory, Radon Testing, or Radon Training Facility
 - Section 6. License Renewal
 - Section 7. License Requirements
 - Section 8. Special License Requirements
 - Section 9. Record Keeping and Confidentiality
 - Section 10. Applications from out of State Practitioners
 - Section 11. Records review
 - Section 12. Reprimands, Suspensions or Revocation of Licenses, Orders, Hearings
 - Section 13. Penalties
- Tables

SERIES 79 - PRIMARY CARE CENTER INFORMATION RELEASES BY THE DIVISION OF HEALTH

Authority - §16-1-7

Type - Interpretive

Price - \$2.60

Effective - January 1, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. West Virginia Freedom of Information Act
- Section 4. Audits
- Section 5. Applications
- Section 6. Procedures
- Section 7. Fees
- Section 8. Other Releases of Information
- Section 9. Severability

SERIES 80 - BODY PIERCING STUDIO BUSINESS

Authority - §§16-37-4; 16-1-4

Type - Legislative

Price - \$5.20

Effective - July 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Plan Review, Permits, Hearings, Notices and Orders
- Section 4. Inspections
- Section 5. Facility Requirements
- Section 6. Temporary and Mobile Facilities
- Section 7. Housekeeping Standards
- Section 8. Exposure Control Plan
- Section 9. Exposure Control Training Requirements
- Section 10. Approved Sterilization Equipment and Monitoring Methods
- Section 11. Instrument Sterilization and Set-Up
- Section 12. Contaminated Wastes
- Section 13. Clients
- Section 14. Body Piercing Procedures
- Section 15. Violations and Penalties
- Section 16. Administrative Due Process

SERIES 81 - BIRTH DEFECTS INFORMATION SYSTEM

Authority - §§16-1-4; 16-40-7

Type - Legislative

Price - \$3.00

Effective - April 29, 2004

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Reporting Requirements
- Section 5. Confidentiality
- Section 6. Penalties

SERIES 82 - NEEDLESTICK INJURY PREVENTION

Authority - §16-36-2

Type - Legislative

Price - \$3.60

Effective - July 1, 2001

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Use of Needleless Systems or Other Engineering Controls
- Section 5. Sharps Injury Log
- Section 6. Lists of Needleless Systems and Needles with Engineered Injury Protections
- Section 7. Training
- Section 8. Vaccinations
- Section 9. Protective Equipment
- Section 10. Placement of Sharps Containers
- Section 11. Confidentiality; Disclosure
- Section 12. Distribution of Rule
- Section 13. Violations and Sanctions
- Section 14. Administrative Due Process

SERIES 83 - BIRTH SCORE PROGRAM

Authority - §§16-22B-4; 16-1-4

Type - Legislative

Price - \$2.60

Effective - July 1, 2002

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Purpose and Goals
- Section 5. Protocol, Reporting and Referral
- Section 6. Program Monitoring
- Section 7. Confidentiality
- Section 8. Penalties
- Section 9. Administrative Due Process

SERIES 84 - MEDICAL EXAMINER RULE FOR POSTMORTEM INQUIRIES

Authority - §§61-12-3(f); 16-1-4 & -11

Type - Legislative

Price - \$6.00

Effective - May 15, 2003

- Section 1. General
- Section 2. Application & Enforcement
- Section 3. Definitions
- Section 4. Training & Certification of County Medical Examiners & Coroners
- Section 5. Authority of the county Medical Examiner, Assistant County Medical Examiner & County Coroner When Investigating a Death
- Section 6. Death Circumstances That Require Medico-Legal Death Investigation
- Section 7. Responsibilities of the county Medical Examiner, Assistant County Medical Examiner & County Coroner
- Section 8. Pronouncement, Investigation & Certification of Deaths
- Section 9. Obtaining Blood, Body Fluids & Tissue Material for Examination
- Section 10. Transport of the Body
- Section 11. Circumstances Requiring Consultation with the OCME
- Section 12. Documentation of Findings Obtained by Medico-Legal Death Investigation by the County Medical Examiner, Assistant County Medical Examiner or County Coroner

SERIES 85 - ALZHEIMER'S/DEMENTIA SPECIAL CARE UNITS AND PROGRAMS

Authority - §§16-1-4; 16-5R-5(a)

Type - Legislative

Price - \$5.00

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. State Administrative Procedures
- Section 4. Human Resources
- Section 5. Admission Transfer and Discharge
- Section 6. Assessments and Plans of Care
- Section 7. Behavior Management
- Section 8. Social Services
- Section 9. Activities
- Section 10. Physical Environment
- Section 11. Penalties
- Section 12. Administrative Due Process

SERIES 86 - SURROGATES FOR INCAPACITATED PERSONS IN HEALTH CARE FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Authority - §16-30-8(a)(7)

Type - Legislative

Price - \$2.00

Effective - July 1, 2003

- Section 1. General
- Section 2. Application & Enforcement Section
- Section 3. Definitions
- Section 4. Designation of Individuals & Entities
- Section 5. Prohibited Surrogates

SERIES 87 - RESERVED

SERIES 88 - RESERVED

SERIES 89 - UNIFORM CREDENTIALING OF HEALTH CARE PRACTITIONERS

Authority - §§16-1A-2; 16-1-4; 33-2-10

Type - Legislative

Price - \$8.40

Effective - July 1, 2003

- Section 1. General
 - Section 2. Scope
 - Section 3. Definitions
 - Section 4. Mandatory Use of Uniform Credentialing Form & Uniform Recredentialing Form
 - Section 5. Amendment of Uniform Credentialing & Uniform Recredentialing Forms
 - Section 6. Confidentiality of Credentialing & Recredentialing Data
 - Section 7. Delegation of Credentialing or Recredentialing Activities
 - Section 8. Violation
- Appendices

TITLE 69

HEALTH AND HUMAN RESOURCES

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Total Cost for all of Title 69 - \$16.00	

SERIES 1 - RULES FOR HEARINGS UNDER THE ADMINISTRATIVE PROCEDURES ACT

Authority - §§5F-2-2; 29A-5-1 et seq.

Type - Procedural

Price - \$3.00

Effective - February 26, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Administrative Hearings; Notice and Place
- Section 4. Parties and Conduct of Hearings
- Section 5. Correction of the Record
- Section 6. Subpoenas
- Section 7. Discovery
- Section 8. Hearing Officers
- Section 9. Concluding the Hearing
- Section 10. Severability

SERIES 2 - IMPLEMENTATION OF OMNIBUS HEALTH CARE ACT

Authority - §16-29D-7

Type - Legislative

Price - \$4.20

Effective - April 11, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Purpose
- Section 4. Non-Interference with Medicaid Program
- Section 5. Condition of Participation Other Program Patients
- Section 6. Withdrawal by Health Care Providers from Participation
- Section 7. Testimony by Providers
- Section 8. Violations and Show Cause Proceedings; Penalties
- Section 9. Declaratory Rulings and Informal Opinions
- Section 10. Severability

SERIES 3 - IMPLEMENTATION OF OMNIBUS HEALTH CARE ACT PAYMENT PROVISIONS

Authority - §16-29D-7

Type - Legislative

Price - \$2.80

Effective - April 11, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Purpose
- Section 4. Methodology
- Section 5. Propriety Nature of Fees
- Section 6. Prompt Payment

SERIES 4 - ADVISORY COMMITTEE FOR THE OMNIBUS HEALTH CARE ACT

Authority - §§6-9A-3; 29A-3-3

Type - Procedural

Price - \$2.80

Effective - December 28, 1989

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Meetings; Rules of Order; Selection of Chairperson and Vice-Chairperson
- Section 5. Proceedings to be Open; Exceptions; Executive Session Permitted
- Section 6. Minutes
- Section 7. Majority Vote Required; Vote by Proxy Prohibited
- Section 8. Records of the Advisory Committee

SERIES 5 - RESERVED

SERIES 6 - NURSE AIDE ABUSE REGISTRY

Authority - §§9-6-2; 16-1-4; 16-5B-8; 16-5C-5

Type - Legislative

Price - \$3.20

Effective - July 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Reporting
- Section 4. Investigations
- Section 5. Notification
- Section 6. Hearing
- Section 7. Court Determination
- Section 8. Facility Notice & Record Keeping
- Section 9. Enforcement

TITLE 65

HEALTH CARE AUTHORITY

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COST FOR ALL OF TITLE 65 - \$70.40	

SERIES 1 - PROCEDURAL RULES FOR MEETINGS OF THE HEALTH CARE COST REVIEW AUTHORITY

Authority - §6-9A-3
Type - Procedural
Price - \$2.40
Effective - September 16, 1983

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Meetings
- Section 5. Proceedings to be Open; Exceptions; Executive Session Permitted
- Section 6. Minutes
- Section 7. Majority Vote Required; Vote by Proxy Prohibited
- Section 8. Records of the Board Public

SERIES 2 - LEGISLATIVE RULES FOR THE FREEZE ON HOSPITAL RATES AND GRANTING OF TEMPORARY RATE INCREASES

Authority - §16-29B-1
Type - Legislative
Price - \$4.60
Effective - May 18, 1984

- Section 1. General
- Section 2. Definitions
- Section 3. Freeze on Hospital Rates

- Section 4. Temporary Rate Changes Allowed
- Section 5. Temporary Rate Change Procedures
- Section 6. Standards of Reasonableness
- Section 7. Criteria for Rate Increases
- Section 8. Methods for Determining the Amount of Rate Change
- Section 9. Decisions and Records Available
- Section 10. Severability

SERIES 3 - RESERVED

**SERIES 4 - LEGISLATIVE RULES TO IMPLEMENT UTILIZATION REVIEW AND QUALITY ASSURANCE PROGRAM
- PHASE 1**

Authority - §16-29B-8(a)(1)
Type - Legislative
Price - \$2.40
Effective - May 20, 1985

- Section 1. General
- Section 2. Definitions
- Section 3. Professional Review Organization
- Section 4. Patient Data
- Section 5. Patient Confidentiality
- Section 6. Sanctions
- Section 7. Phase 2
- Section 8. Severability

SERIES 5 - HOSPITAL COST-BASE RATE REVIEW SYSTEM

Authority - §16-29B-19a
Type - Legislative
Price - \$6.80
Effective - April 29, 1993

- Section 1. General
- Section 2. Introduction
- Section 3. Definitions
- Section 4. Overview
- Section 5. Full Financial Requirements (FFR)
- Section 6. Procedure for Requesting a Permanent Rate Increase - Standard Application
- Section 7. Temporary/Emergency Rate Applications
- Section 8. Automatic Rate Increase Applications
- Section 9. Expedited Review
- Section 10. Overages
- Section 11. Penalties for Overages
- Section 12. Cost Base Adjustments
- Section 13. New Service
- Section 14. Request for Hearing
- Section 15. Hearings
- Section 16. Reconsideration
- Section 17. Appeals
- Section 18. Rates During Reconsideration Proceedings and Appeals
- Section 19. Denial of an Application
- Section 20. Compliance Reports and Orders
- Section 21. Reasonableness & Uniformity of Rates
- Section 22. Approval of Discount Contracts
- Section 23. Failure to Comply with Rules
- Section 24. Health Care Facility Financial Disclosure Act
- Section 25. Additional Information
- Section 26. Time Periods
- Section 27. Decision and Records Available
- Section 28. Severability

SERIES 6 - REVIEW AGENCY PROCEDURES TO CARRY OUT THE AGREEMENT REGARDING SECTION 1122 OF THE SOCIAL SECURITY ACT

Authority - §16-1-7
Type - Procedural
Price - \$2.60
Effective - July 1, 1983

- Section 1. General
- Section 2. Definitions
- Section 3. Request for Review Agency Hearing
- Section 4. Commencement of Hearing
- Section 5. Procedures for Review
- Section 6. Hearing Officer
- Section 7. Notice to Public
- Section 8. Availability of Record
- Section 9. Decision of Hearing Officer
- Section 10. Supersession of State Agency, Finding or Recommendation
- Section 11. Remand to State Agency for Further Action
- Section 12. Review Agency Regulations and Procedures
- Section 13. Severability
- Section 14. Construction

SERIES 7 - CERTIFICATE OF NEED

Authority - §§16-2D-3(b); 16-2D-3(b)(5), 7(u) & 8(c)
Type - Legislative
Price - \$6.80
Effective - July 1, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Certificate of Need Requirements
- Section 4. Certificate of Need Application
- Section 5. Expedited Applications
- Section 6. Long-Range Plans
- Section 7. Access to Information and Facilities
- Section 8. Additional Information or Amendments to Application
- Section 9. Application Withdrawal
- Section 10. Batching of Applications
- Section 11. Application Review Procedure
- Section 12. Review Criteria
- Section 13. Stays and Extensions of Review Periods
- Section 14. Decision
- Section 15. Exemptions from Certificate of Need Programs
- Section 16. Exemptions Review Procedure
- Section 17. Reconsideration of Final Board Decision

- Section 18. Appeal of Certificate of Need Decision
- Section 19. Judicial Review
- Section 20. Progress Reports/Extension of Certificate of Need
- Section 21. Substantial Changes to Project After Issuance of Certificate of Need
- Section 22. Transferability
- Section 23. Substantial Compliance Review
- Section 24. Withdrawal of Certificate of Need
- Section 25. Declaratory Ruling or Ruling of Reviewability
- Section 26. Public Access to Information
- Section 27. Applicability
- Section 28. Addition of Health Services

SERIES 8 - LIMITATION ON HOSPITAL GROSS PATIENT REVENUE

Authority - §16-29B-1
Type - Legislative
Price - \$3.20
Effective - May 5, 1984

- Section 1. General
- Section 2. Definitions
- Section 3. Gross Patient Revenue to be Allowed Hospitals During the Control Period
- Section 4. Determination of Certificate of Need Related Adjustments to be Allowed Gross Patient Revenue
- Section 5. Reporting Required
- Section 6. Decisions and Records Available
- Section 7. Severability

SERIES 9 - INTERIM STANDARDS FOR LITHOTRIPSY SERVICES

Authority - §16-2D-8; 16-29B-11
Type - Legislative
Price - \$2.60
Effective - May 28, 1986

- Section 1. General
- Section 2. Introduction
- Section 3. Definition
- Section 4. Accessibility of Services
- Section 5. Availability of Services
- Section 6. Quality of Services
- Section 7. Cost of Services
- Section 8. Continuity of Services
- Section 9. Acceptability of Services
- Section 10. Termination of Interim Standards

SERIES 10 - FEE SCHEDULE FOR CERTIFICATE OF NEED MATTERS

Authority - §§16-2D-5(g); 16-2D-8; 16-29B-11
Type - Procedural
Price - \$2.80
Effective - May 31, 1991

- Section 1. General
- Section 2. Introduction
- Section 3. Fee Schedule
- Section 4. Fee Schedule for Exemption Requests
- Section 5. Waivers of Fees
- Section 6. Credits and Refunds of Fees
- Section 7. Adjustments to Fees Paid
- Section 8. Conflicts in the Applicable Fee
- Section 9. Failures to Comply with Rule
- Section 10. Severability

SERIES 11 - RESERVED

SERIES 12 - COVERAGE OF FINANCIAL DISCLOSURE ACTS AND UTILIZATION REVIEW REQUIREMENTS

Authority - §§16-29-B-8, 17, 18 & 23; 16-5F-3(a)

Type - Interpretive

Price - \$2.40

Effective - July 28, 1988

- Section 1. General
- Section 2. Definitions
- Section 3. Introduction
- Section 4. Utilization Review and Quality Assurance
- Section 5. Annual Financial Reporting System
- Section 6. Health Care Facility Financial Disclosure
- Section 7. Rate Review Act
- Section 8. Discrete Part Units

SERIES 13 - FINANCIAL DISCLOSURE RULE

Authority - §§16-5F-3 et seq.; 16-29B-16(a), 17, 18, 23

Type - Legislative

Price - \$3.40

Effective - April 10, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Annual Public Disclosure Report
- Section 4. Statements, Schedules, Reports to be Filed with Board
- Section 5. Exemption
- Section 6. Additional Information
- Section 7. Short Form
- Section 8. Hearing
- Section 9. Confidentiality
- Section 10. Public Access to Information
- Section 11. Injunctions
- Section 12. Penalties for Failure to Comply
- Section 13. Severability

SERIES 14 - RESERVED

SERIES 15 - EXEMPTION FOR CONVERSION OF ACUTE CARE BEDS TO SKILLED NURSING CARE BEDS

Authority - §§18-2D-4a; 16-2D-8

Type - Legislative

Price - \$2.60

Effective - April 5, 1990

- Section 1. General
- Section 2. Introduction
- Section 3. Definitions
- Section 4. Exemption Criteria
- Section 5. Verified Notice; Filing Fee and Review Period
- Section 6. Substantial Compliance Review

SERIES 16 - EXEMPTION FOR SHARED SERVICES

Authority - §16-2D-4(f)
Type - Legislative
Price - \$2.60
Effective - April 10, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Exemption Criteria
- Section 4. Exemption Procedure
- Section 5. Requests for Hearings

SERIES 17 - HEALTH SERVICES OFFERED BY HEALTH PROFESSIONALS

Authority - §§16-2D-4(a)(1); 16-2D-8(c)
Type - Legislative
Price - \$2.40
Effective - July 1, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Health Services, Major Medical Equipment and/or Facilities
- Section 4. Batching Category

SERIES 18 THRU 19 - RESERVED

SERIES 20 - CONVERSION OF ACUTE CARE BEDS TO SKILLED NURSING CARE BEDS

Authority - §§16-2D-5(I); 16-2D-8
Type - Legislative
Price - \$3.60
Effective - April 10, 1992

- Section 1. General
 - Section 2. Introduction
 - Section 3. Definitions
 - Section 4. Application
 - Section 5. Additional Information or Amendments to Application
 - Section 6. Application Withdrawal
 - Section 7. Batching of Applications
 - Section 8. Application Review Procedure
 - Section 9. Stays and Extensions of Review Periods
 - Section 10. Criteria and Standards
- Tables

SERIES 21 - DEVELOPMENT OF LIFE CARE RETIREMENT CENTERS

Authority - §§16-2D-5(j); 16-2D-8
Type - Legislative
Price - \$3.00
Effective - April 10, 1992

- Section 1. General
- Section 2. Introduction
- Section 3. Definitions
- Section 4. Application
- Section 5. Additional Information or Amendments to Application
- Section 6. Application Withdrawal
- Section 7. Batching of Applications
- Section 8. Application Review Procedure
- Section 9. Stays and Extensions of Review Periods
- Section 10. Criteria and Standards

SERIES 22 - TEMPORARY APPROVAL OF DISCOUNT CONTRACTS FOR BORDER HOSPITALS

Authority - §§16-29B-8(a)(1); 19a; 20
 Type - Legislative
 Price - \$3.20
 Effective - June 24, 1993

- Section 1. General
- Section 2. Introduction
- Section 3. Definitions
- Section 4. Temporary Approval
- Section 5. Notice
- Section 6. Effective Date of Temporary Approval; Retroactive Review
- Section 7. Protective Orders
- Section 8. Final Order; Requests for Hearings
- Section 9. Appeal
- Section 10. Severability

SERIES 23 - EXEMPTION FOR NEW PRIMARY CARE SERVICES

Authority - §§16-2D-4(a)(5) and 8
 Type - Legislative
 Price - \$2.80
 Effective - June 24, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Exemption Criteria
- Section 4. Exemption Procedure
- Section 5. Requests for Hearings
- Section 6. Competing Applications
- Section 7. Severability

SERIES 24 - EXEMPTION FOR BIRTHING CENTERS

Authority - §§16-2D-4(a)(6) and 8
 Type - Legislative
 Price - \$2.80
 Effective - June 24, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Exemption Criteria
- Section 4. Exemption Procedure
- Section 5. Requests for Hearings
- Section 6. Competing Applications
- Section 7. Severability

SERIES 25 - EXEMPTION FOR RURAL PRIMARY CARE

Authority - §§16-2D-4(g) and 8
 Type - Legislative
 Price - \$2.60
 Effective - June 24, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Exemption Criteria
- Section 4. Exemption Procedure
- Section 5. Requests for Hearings
- Section 6. Notification by Office of Rural Health Policy
- Section 7. Severability

SERIES 26 - BENCHMARKING AND DISCOUNT CONTRACT RULE

Authority - §16-29B-8(a)(1), 19, 19a and 20

Type - Legislative

Price - \$4.80

Effective - June 1, 2003

Section	1.	General
Section	2.	Definitions
Section	3.	Overview
Section	4.	Calculation of Benchmarks Bankings
Section	5.	Peer Groups and the Variables of the Benchmark Banking Process
Section	6.	Allowed Adjustments
Section	7.	Outpatient Services
Section	8.	Procedure for Requesting a Rate Increase Under the Benchmarking System
Section	9.	Review by the Authority
Section	10.	Notice to the Community
Section	11.	Request for Hearing
Section	12.	Hearings
Section	13.	Compliance
Section	14.	Denial of an Application
Section	15.	Order
Section	16.	Revised Budget & Schedule of Rates
Section	17.	Reconsideration
Section	18.	Appeals
Section	19.	Rates During Reconsideration Proceedings and Appeals
Section	20.	Compliance Reports and Orders
Section	21.	Reasonableness and Uniformity of Rates
Section	22.	Discount Contracts
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Section	24.	Failure to Comply with Rates
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Section	27.	Decisions and Records Available
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TITLE 8

WEST VIRGINIA BOARD OF HEARING AID DEALERS

SERIES 1 - REGULATIONS GOVERNING THE WEST VIRGINIA HEARING AID DEALERS

Authority - §30-26

Type - Legislative

Price - \$3.20

Effective - June 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Application for License and Permits
- Section 4. Issuance of Licenses and Permits
- Section 5. Reciprocity
- Section 6. Responsibilities of the Licensee
- Section 7. Sales Receipt
- Section 8. Advertising
- Section 9. Complaint Procedures
- Section 10. Causes for the Suspension or Revocation of Licenses of Permits
- Section 11. Right to Rescind Purchase Agreement

SERIES 2 - CONTESTED CASE HEARING PROCEDURE

Authority - §§30-26-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$4.40

Effective - February 28, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedure
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 6. Conferences; Informal Disposition of Cases
- Section 7. Depositions
- Section 8. Subpoenas
- Section 9. Orders
- Section 10. Appeal

SERIES 3 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR HEARING AID DEALERS

Authority - §§30-26-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$3.40

Effective - February 28, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses of Hearing-Aid Dealers, Hearing-Aid Fitters or Trainees
- Section 5. Disposition of Complaints
- Section 6. Contested Case Hearings
- Section 7. Appeals

TITLE 133

HIGHER EDUCATION POLICY COMMISSION

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TOTAL COST FOR TITLE 133 - \$120.80		

SERIES 1 - PERFORMANCE INDICATORS

Authority - §18B-1A-2
 Type - Legislative
 Price - \$2.80
 Effective - April 9, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Performance Indicators

SERIES 2 - HIGHER EDUCATION FINANCE POLICY

Authority - §18B-1B-4(a)(8)
 Type - Legislative
 Price - \$2.80
 Effective - July 1, 2001

- Section 1. General
- Section 2. Purpose
- Section 3. Guidelines
- Section 4. Principles

SERIES 3 - HIGHER EDUCATION REPORT CARD

Authority - §§18B-1-8a; 18B-1-6; 18B-1-8
 Type - Legislative
 Price - \$3.80
 Effective - April 9, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Guidelines
- Section 4. Health Sciences Indicators
- Section 5. Rural Health
- Section 6. Presentation of Higher Education Report Cards

SERIES 4 - RULES, GUIDELINES AND OTHER POLICY STATEMENTS BY GOVERNING BOARDS

Authority §18B-1-6
 Type - Procedural
 Price - \$2.40
 Effective - October 31, 2001

- Section 1. General
- Section 2. Application
- Section 3. Adoption of Rules, Guidelines or Policy Statements

SERIES 5 - GUIDELINES FOR GOVERNING BOARDS IN EMPLOYING PRESIDENTS OR OTHER ADMINISTRATIVE HEADS OF INSTITUTIONS

Authority - §§18B-1B-4; 18B-1B-7; 18B-1-6
 Type - Procedural
 Price - \$2.40
 Effective - October 10, 2001

- Section 1. General
- Section 2. State Colleges and Universities
- Section 3. Regional Campuses of West Virginia University and Administratively Linked Community and Technical Colleges
- Section 4. Component Community and Technical Colleges
- Section 5. Council for Community and Technical College Education

SERIES 6 - HIGHER EDUCATION ADULT PART-TIME STUDENT (HEAPS) GRANT PROGRAM

Authority - §18C-5-7

Type - Legislative

Price - \$3.40

Effective - April 6, 2004

- Section 1. General
- Section 2. Purpose
- Section 3. Funding
- Section 4. Administration
- Section 5. Eligibility Criteria
- Section 6. Additional Programs and Courses
- Section 7. Amount of Grant
- Section 8. Agreement to Participate and Reports
- Section 9. Audits

SERIES 7 - WEST VIRGINIA PROVIDING REAL OPPORTUNITIES FOR MAXIMIZING IN-STATE STUDENT EXCELLENCE (PROMISE) SCHOLARSHIP PROGRAM

Authority - §18C-7-6

Type - Legislative

Price - \$4.20

Effective - April 9, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Funding
- Section 4. Administration
- Section 5. Student Criteria
- Section 6. Eligible Institutions
- Section 7. Amount of Award
- Section 8. Promise Scholarship Supplemental Fund
- Section 9. Appeals Process

SERIES 8 - PERSONNEL ADMINISTRATION

Authority - §§18B-1-6; 18B-1-8; 18B-9-4

Type - Procedural

Price - \$4.00

Effective - November 22, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Compensation Review Committee
- Section 4. Compensation; Pay Calculations
- Section 5. Compensatory and Holiday Premium Time Off
- Section 6. Workweek
- Section 7. Appointment
- Section 8. Access to Personnel File
- Section 9. Changes in Name, Address, Number of Dependents and Related Matters
- Section 10. Classification Review Request
- Section 11. Job Evaluation Process
- Section 12. Entry Rates
- Section 13. Promotion
- Section 14. Upgrade
- Section 15. Demotion
- Section 16. Downgrade
- Section 17. Transfer
- Section 18. Reviews and Appeals
- Section 19. Salary Schedule and Implementation Strategy

SERIES 9 - ACADEMIC FREEDOM, PROFESSIONAL RESPONSIBILITY, PROMOTION AND TENURE

Authority - §§18B-1-6; 18B-1B-4

Type - Procedural

Price - \$4.20

Effective - January 10, 2004

- Section 1. General
- Section 2. Academic Freedom and Professional Responsibility
- Section 3. Faculty: Ranks and Definitions
- Section 4. Faculty: Types and Conditions of Appointment
- Section 5. Joint Institutional Appointments
- Section 6. Emeritus Status
- Section 7. Promotion in Rank
- Section 8. Faculty Resignations
- Section 9. Tenure
- Section 10. Tenure-Track Status
- Section 11. Faculty Evaluation
- Section 12. Dismissal
- Section 13. Termination Because of Reduction or Discontinuance of an Existing Program
- Section 14. Termination Due to Financial Exigency
- Section 15. Faculty Grievance Procedure
- Section 16. Informal Procedures for Conflict Resolution
- Section 17. Notification of Terms and Conditions of Faculty Appointments

SERIES 10 - POLICY REGARDING PROGRAM REVIEW

Authority - §§18B-1B-4;; 18B-1-6

Type - Procedural

Price - \$3.80

Effective - December 25, 2001

- Section 1. General
- Section 2. Basis of Program Review Process
- Section 3. Assumptions Used in Developing the Review Process
- Section 4. Program Review Levels
- Section 5. Possible Outcomes

SERIES 11 - SUBMISSION OF PROPOSALS FOR NEW ACADEMIC PROGRAMS AND THE DISCONTINUANCE OF EXISTING PROGRAMS

Authority - §§18B-1B-4; 18B-1-6

Type - Procedural

Price - \$4.60

Effective - December 25, 2001

- Section 1. General
- Section 2. Background
- Section 3. Submission Procedures
- Section 4. Program Need and Justification
- Section 5. Program Implementation and Projected Resource Requirements
- Section 6. Offering Existing Programs at New Locations
- Section 7. Program Evaluation
- Section 8. Termination of a Program
- Section 9. Guidelines for Cooperative Doctoral Programs
- Section 10. Form 1
- Section 11. Form 2

SERIES 12 - CAPITAL PROJECT MANAGEMENT

Authority - §§18B-1-6; 18B-1B-4; 18B-10-8

Type - Procedural

Price - \$3.00

Effective - December 25, 2001

- Section 1. General
- Section 2. Purpose
- Section 3. Responsibilities of the Governing Boards, Institutions and Policy Commission
- Section 4. Efficient Use of Facilities and Services
- Section 5. Responsibilities of the Chancellor and Policy Commission Staff

SERIES 13 - CHANGE IN THE ORGANIZATION OF COLLEGES OR SCHOOLS

Authority - §18B-1-6

Type - Procedural

Price - \$2.00

Effective - April 19, 2002

- Section 1. General
- Section 2. Policy

SERIES 14 - HOLIDAYS

Authority - §18B-1-6

Type - Procedural

Price - \$2.00

Effective - April 19, 2002

- Section 1. General
- Section 2. Granting Power
- Section 3. Number of Full Holidays
- Section 4. Half Holidays
- Section 5. Schedules
- Section 6. Policy Commission and West Virginia Network for Educational Telecomputing

SERIES 15 - ACCEPTANCE OF ADVANCED PLACEMENT CREDIT

Authority - §18B-2a-4

Type - Legislative

Price - \$2.60

Effective - June 22, 2002

- Section 1. General
- Section 2. Statement of Principle
- Section 3. Guidelines for Acceptance of Advanced Placement Credit
- Section 4. Institutional Guidelines
- Section 5. Institutional Policy

SERIES 16 - COLLEGE-LEVEL EXAMINATION PROGRAM

Authority - §18B-1B-4

Type - Procedural

Price - \$2.60

Effective - June 22, 2002

- Section 1. General
- Section 2. Regulations
- Section 3. Subject Examinations
- Section 4. General Examinations
- Section 5. Academic Record
- Section 6. Enrollment
- Section 7. Review

SERIES 17 - TRANSFERABILITY OF CREDITS AND GRADES AT THE UNDERGRADUATE LEVEL

Authority - §§18B-1-1A, 18B-1-4
 Type - Procedural
 Price - \$2.40
 Effective - June 22, 2002

- Section 1. General
- Section 2. Transfer Guidelines

SERIES 18 - ASSIGNMENT OF ACADEMIC CREDIT AND FINANCING NONCREDIT INSTRUCTION

Authority - §18B-1B-4
 Type - Procedural
 Price - \$2.00
 Effective - June 22, 2002

- Section 1. General
- Section 2. Policy

SERIES 19 - GUIDELINES FOR THE OFFERING OF COLLEGE COURSES FOR HIGH SCHOOL STUDENTS

Authority - §18B-1-1A
 Type - Procedural
 Price - \$2.40
 Effective - August 1, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Curriculum
- Section 4. Credit
- Section 5. Correlation with Advanced Placement
- Section 6. Faculty
- Section 7. Admissions
- Section 8. Tuition/Fees
- Section 9. School Reimbursement and Credit Hour Accrual
- Section 10. Accountability

SERIES 20 - AUTHORIZATION OF DEGREE GRANTING INSTITUTIONS

Authority - §18B-4-7
 Type - Procedural
 Price - \$4.40
 Effective - August 10, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Exemptions
- Section 5. Prohibitions
- Section 6. Authorization to Operate
- Section 7. Granting of Authorization
- Section 8. Criteria for Authorization – Seminary or Bible College
- Section 9. Criteria for Authorization – Private College or University
- Section 10. Procedures for Review or Accreditation Status, Private College or University
- Section 11. Notification of Institution: Authorization and Termination of State Authorization
- Section 12. Notification and Deposit of Records upon Discontinuance of a Program or Institution

SERIES 21 - FRESHMAN ASSESSMENT AND PLACEMENT STANDARDS

Authority - §18B-1B-4
Type - Procedural
Price - \$2.40
Effective - August 1, 2002

- Section 1. General
- Section 2. Policy
- Section 3. Mathematics
- Section 4. English Composition
- Section 5. Reading

SERIES 22 - GRADE POINT AVERAGE FOR ASSOCIATE AND BACCALAUREATE DEGREES

Authority - §§18B-1-1A; 18B-1B-4
Type - Procedural
Price - \$2.40
Effective - August 1, 2002

- Section 1. General
- Section 2. Grade-Point Average Required for Graduation
- Section 3. D and F Repeat Provisions
- Section 4. Discretionary Academic Forgiveness Provisions
- Section 5. Application Only to Graduation Requirements

SERIES 23 - STANDARDS AND PROCEDURES FOR UNDERGRADUATE ADMISSIONS

Authority §§18B-1-1A; 18B-1-4
Type - Procedural
Price - \$3.20
Effective - August 10, 2002

- Section 1. General
- Section 2. Statement of Principles
- Section 3. Basic Admissions Standards
- Section 4. Institutional Admissions Procedures
- Section 5. Institutional Admissions Policies
- Section 6. Implementation Date

SERIES 24 - PREPARATION OF STUDENTS FOR COLLEGE

Authority - §18B-1-1e
Type - Procedural
Price - \$4.00
Effective - August 10, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Assisting Students in Preparing for College
- Section 4. Minimum Levels of Knowledge, Skill and Competency Needed for College
- Section 5. Achieving Minimum Levels of Knowledge, Skill and competency Needed for College
- Section 6. Communicating Knowledge, Skill and Competency Levels
- Section 7. Teacher Preparation Programs
- Section 8. Future Policy Development

SERIES 25 - RESIDENCY CLASSIFICATION FOR ADMISSION AND FEE PURPOSES

Authority - §§18B-1-6; 18B-1-7; 18B-10
Type - Procedural
Price - \$2.60
Effective - August 1, 2002

- Section 1. General
- Section 2. Classification for Admission and Fee Purposes
- Section 3. Residence Determined by Domicile
- Section 4. Dependency Status
- Section 5. Change of Residence
- Section 6. Military
- Section 7. Aliens
- Section 8. Former Domicile
- Section 9. Appeal Process

SERIES 26 - RESERVED

SERIES 27 - FINANCIAL ASSISTANCE TO ATHLETES

Authority - §18-2-26-8
Type - Procedural
Price - \$2.00
Effective - August 1, 2002

- Section 1. General
- Section 2. Awarding Financial Assistance
- Section 3. Retaining Financial Assistance

SERIES 28 - RESERVED

SERIES 29 - TRAVEL

Authority - §12-3-11
Type - Procedural
Price - \$3.00
Effective - August 1, 2002

- Section 1. General
- Section 2. Provisions Applicable Only to the Commission and the Governing Boards
- Section 3. Delegation of Authority and Responsibilities
- Section 4. Travel Regulations Applicable to Employees, Commission and Governing Board Members, and Non-Employees
- Section 5. Transportation
- Section 6. Lodging
- Section 7. Meals
- Section 8. Registration Fees
- Section 9. Other Expenses
- Section 10. Form of Payment for Business Travel
- Section 11. Reimbursement Forms
- Section 12. Other Provisions

SERIES 30 - PURCHASING

Authority - §§18-5-4 through 18-5-8

Type - Procedural

Price - \$4.00

Effective - August 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Authority of the Commission
- Section 5. Authority and Duties of the Vice Chancellor for Administration
- Section 6. Delegation of Purchasing Authority and Responsibilities
- Section 7. Authority, Duties and Remedies of the Chief Procurement Officer
- Section 8. Purchase or Acquisition of Materials, Supplies, Equipment, Services, Construction and Printing
- Section 9. Protests and Reconsideration
- Section 10. Suspension and Reconsideration
- Section 11. Qualifications of a Buyer and a Chief Procurement Officer
- Section 12. Prompt Payment
- Section 13. Receiving and Inventory Management
- Section 14. Disposal of Surplus or Obsolete Materials, Supplies and Equipment
- Section 15. Violations
- Section 16. Performance Audits
- Section 17. Permitting Private Institutions of Higher Education to Join as Purchasers

SERIES 31 - ETHICS

Authority - §§18B-1-6; 6B-2-5(L)

Type - Procedural

Price - \$3.00

Effective - August 1, 2002

- Section 1. General
- Section 2. Approval of Activity
- Section 3. Solicitation of Gifts
- Section 4. Use of Public Office for Private Gain
- Section 5. Interests in Public Contracts
- Section 6. Additional Ethical Standards
- Section 7. Presidents

SERIES 32 - RESERVED

SERIES 33 - ANATOMICAL BOARD

Authority - §§18B-1-6; 18B-4-8

Type - Interpretative

Price - \$3.20

Effective - September 6, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Appointments of Members
- Section 4. Compensation of Board Members
- Section 5. Budget
- Section 6. Promulgation of Rules and Regulations
- Section 7. Reporting Requirements
- Appendix

SERIES 34 - MEDICAL EDUCATION FEE AND MEDICAL STUDENT LOAN PROGRAM

Authority - §§18-1-6; 18-3-1
Type - Procedural
Price - \$3.00
Effective - September 6, 2002

- Section 1. General
- Section 2. Purpose
- Section 3. Medical Education Fee Adjustments
- Section 4. Medical Education Fee Collection and Disposition
- Section 5. Financial Management
- Section 6. The Higher Education Policy Commission Medical Student Loan Program and Fund
- Section 7. Application Process
- Section 8. Selection of Recipients
- Section 9. Loan Provisions and Agreement
- Section 10. Promissory Note
- Section 11. Loan Repayment
- Section 12. Loan Forgiveness Provisions
- Section 13. Evidence of Practice and Application for Loan Forgiveness
- Section 14. Notification of Recipients and Disbursement of Funds

SERIES 35 - CORRESPONDENCE, BUSINESS, OCCUPATIONAL AND TRADE SCHOOLS

Authority - §18B-3-5
Type - Procedural
Price - \$4.00
Effective - April 3, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Exemptions
- Section 4. Application for Permit
- Section 5. Permit Application Fee
- Section 6. Surety Bond Requirements
- Section 7. Maintenance of Records
- Section 8. Change of School Ownership
- Section 9. School Closing
- Section 10. Student Enrollment Contact
- Section 11. Cancellation and Refund Policies
- Section 12. Advertising
- Section 13. Student Complaints
- Section 14. Warning, Suspension, Withdrawal or Revocation or Accreditation License and/or Approval to Operate

SERIES 36 - SPORTS PROGRAMS AT COMMUNITY COLLEGES

Authority - §18-26
Type - Procedural
Price - \$2.00
Effective - January 8, 1980

- Section 1. General
- Section 2. Policy

SERIES 37 - INCREASED FLEXIBILITY FOR FREESTANDING COMMUNITY AND TECHNICAL COLLEGES

Authority - §18B-3-6

Type - Procedural

Price - \$2.60

Effective - June 12, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Technology in the Delivery of Courses and Programs
- Section 4. Delivery of Curricula Utilizing Modules
- Section 5. Facilitator for Brokering Education Programs
- Section 6. Faculty Types and Conditions of Employment
- Section 7. Occupational Program Approval
- Section 8. Reporting

SERIES 38 - EMPLOYEE LEAVE

Authority - §18-1-6

Type - Procedural

Price - \$3.40

Effective - November 19, 1992

- Section 1. General
- Section 2. General Leave Coverage
- Section 3. Annual Leave
- Section 4. Other Conditions for Annual Leave
- Section 5. Sick and Emergency Leave
- Section 6. Medical Leave of Absence Without Pay
- Section 7. Parental Leave
- Section 8. Catastrophic Leave
- Section 9. Personal Leave of Absence Without Pay
- Section 10. Military Leave
- Section 11. Special Emergency Leave With Pay
- Section 12. Witness and Jury Leave
- Section 13. Managing Work Time in Areas Affected by Interruption to Utility Service or Similar Situations

SERIES 39 - CLASSIFIED EMPLOYEES

Authority - §18B-1-6

Type - Procedural

Price - \$2.60

Effective - September 5, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Part-time and Temporary Employees
- Section 4. Work Schedules
- Section 5. Appointment or Promotion
- Section 6. Probationary Period
- Section 7. Compensatory/Overtime Provisions
- Section 8. Posting

SERIES 40 - EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

Authority - §18B-1-6

Type - Procedural

Price - \$2.40

Effective - April 3, 1992

- Section 1. General
- Section 2. General Policy

SERIES 41 - HEALTH SCIENCES SCHOLARSHIP PROGRAM

Authority - §18-3-3
Type - Procedural
Price - \$4.00
Effective - January 19, 2003

- Section 1. General
- Section 2. Purpose
- Section 3. Funding
- Section 4. Eligibility Criteria
- Section 5. Application Process
- Section 6. Selection of Recipients
- Section 7. Scholarship Provisions and Agreement
- Section 8. Notification of Recipients and Fund Disbursement
- Section 9. Fulfillment of Scholarship Agreement
- Section 10. Repayment of Scholarship in Lieu of Service
- Section 11. Cancellation and Waiver of Practice Obligation
- Section 12. Certification of Practice and Credit Earned Toward Scholarship Obligation Fulfillment

SERIES 42 - RESERVED

SERIES 43 - PURCHASING EFFICIENCIES

Authority - §18B-5-9
Type - Legislative
Price - \$2.80
Effective - April 6, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Purchase or Acquisition of Materials, Supplies, Equipment, Services, Construction and Printing

SERIES 44 - RESERVED

SERIES 45 - COMMUNITY AND TECHNICAL COLLEGE FACULTY INSTRUCTIONAL LOAD

Authority - §18B-1-6
Type - Procedural
Price - \$2.40
Effective - April 5, 2004

- Section 1. General
- Section 2. Establishment of Guidelines
- Section 3. Faculty Workload Guidelines

TITLE 157

WEST VIRGINIA DIVISION OF HIGHWAYS

Index for Department of Highways

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Series	1. Regulations Pertaining to Particular Functions of the Commissioner of Highways	280
Series	2. Acquisition, Disposal, Lease and Management of Real Property and Appurtenant Structures and Relocation Assistance	282
Series	3. Construction and Reconstruction of State Roads	281
Series	4. Purchase and Disposal of Materials, Equipment and Supplies	281
Series	5. Traffic and Safety Rules and Regulations	281
Series	6. Regulations Relating to Use of State Road Rights of Way and Areas Adjacent Thereto	282
Series	7. Transportation of Hazardous Wastes by Highway Transporters	282
Series	8. Waste Tire Remediation/Environmental Clean-Up	282
TOTAL COST FOR ALL OF TITLE 157 - \$52.20		

SERIES 1 - REGULATIONS PERTAINING TO PARTICULAR FUNCTIONS OF THE COMMISSIONER OF HIGHWAYS

Authority - §§17-2A-4b; 17-2A-8

Type - Procedural

Price - \$6.00

Effective - May 21, 1995

Section	1. General
Section	2. Commissioner's Orders
Section	3. Hearing Procedures
Section	4. Scholarships for Prospective WV Department of Highways Personnel
Section	5. Location, Relocation, Classification or Reclassification of State Roads
Section	6. Abandonment and Discontinuance of State Roads
Section	7. Procurement Procedures for Negotiated Contracts
Exhibits	

SERIES 2 - ACQUISITION, DISPOSAL, LEASE AND MANAGEMENT OF REAL PROPERTY AND APPURTENANT STRUCTURES AND RELOCATION ASSISTANCE

Authority - §§17-2A-5, 8, 17, 19, 19a, 20

Type - Legislative

Price - \$3.60

Effective - April 20, 1995

Section	1. General
Section	2. Acquisition of Real Property
Section	3. Sale, Exchange or Lease of Real Property and Structures
Section	4. Exchange of Real Property
Section	5. Public Sale of Excess Real Property
Section	6. Disposition of Structures
Section	7. Persons Ineligible to Purchase Real Property or Structures from the Division of Highways
Section	8. Lease of Department of Highways' Property Division
Section	9. Rental of Property from Other Persons
Section	10. Damage by Owner or Occupant
Section	11. Relocation Assistance
Forms	

SERIES 3 - CONSTRUCTION AND RECONSTRUCTION OF STATE ROADS

Authority - §§17-2A-8(1); 17-4-19; 17-2A-8(1); 17-4-19

Type - Legislative

Price - \$17.20

Effective - April 17, 2000

- Section 1. General
 - Section 2. Definitions
 - Section 3. Plans and Specifications for the Construction and Reconstruction of State Roads
 - Section 4. Bidding Requirements and Conditions
 - Section 5. Award and Execution of Contract
 - Section 6. Scope of Work
 - Section 7. Control of Work
 - Section 8. Control of Material
 - Section 9. Legal Relations and Responsibility to Public
 - Section 10. Prosecution and Progress
 - Section 11. Measurement and Payment
 - Section 12. Miscellaneous Provisions
 - Section 13. Disqualification and Suspension of Prequalified Contractors
- Tables

SERIES 4 - PURCHASE AND DISPOSAL OF MATERIALS, EQUIPMENT AND SUPPLIES

Authority - §17-2A-8

Type - Procedural

Price - \$2.40

Effective - January 1, 1983

- Section 1. General
- Section 2. Purchase of Materials, Equipment and Supplies; Registration of Vendors
- Section 3. Disposition of Materials, Equipment and Supplies

SERIES 5 - TRAFFIC AND SAFETY RULES AND REGULATIONS

Authority - §§17-2A-8 & 9; 17C-17 et seq.

Type - Legislative

Price - \$7.40

Effective - April 1, 2003

- Section 1. General
 - Section 2. Definitions
 - Section 3. Uniform Traffic Control Devices
 - Section 4. Speed Controls
 - Section 5. Traffic Regulation by Local Authorities
 - Section 6. Signs
 - Section 7. Lighting Devices; Safety Glass; Seat Belts
 - Section 8. Special Permits
 - Section 9. Other Safety Regulations
 - Section 10. Studded Tires
- Appendices

SERIES 6 - REGULATIONS RELATING TO USE OF STATE ROAD RIGHTS OF WAY AND AREAS ADJACENT THERETO

Authority - §17-1, 2A, 4, 16, 20, 22 & 23

Type - Legislative

Price - \$7.60

Effective - June 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Use of Right of Way; Permits
- Section 4. Rules for Issuance of Permits for Making Openings or Placing Structures, In, Upon, Along, Over, Under and Across State Roads
- Section 5. Removal of Obstructions from Roadway
- Section 6. Constructing Driveways on State Highway Right-of-Way
- Section 7. Requirements for Outdoor Advertising on the State Highway System
- Section 8. Salvage Yards
- Section 9. Roadside Memorials

SERIES 7 - TRANSPORTATION OF HAZARDOUS WASTES UPON THE ROADS AND HIGHWAYS

Authority - §22-18-17(a)

Type - Legislative

Price - \$3.00

Effective - July 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Uniform Hazardous Waste Manifest System
- Section 4. Recordkeeping
- Section 5. Transportation Requirements
- Section 6. Discharges

SERIES 8 - WASTE TIRE REMEDIATION/ENVIRONMENTAL CLEAN-UP

Authority - §§17-23-3; 17-24 et seq.

Type - Legislative

Price - \$5.80

Effective - May 4, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Location and Identification
- Section 4. Prohibition on Starting or Increasing the Size of Waste Tire Piles
- Section 5. Contractual Services
- Section 6. Right of Entry
- Section 7. Other Agency Rules
- Section 8. Commissioner Bureau of Public Health
- Section 9. Remediation
- Section 10. Orders/Notices
- Section 11. Liens
- Section 12. Injunctive Relief
- Section 13. Records Retention
- Section 14. Hauling Waste Tires
- Section 15. Owners Remediation
- Section 16. Storage
- Section 17. Disposal
- Section 18. Individual Tire Collection and disposal
- Section 19. Rodent/Vector Control
- Section 20. Right of Appeal
- Section 21. Priority Listing
- Section 22. TREC Funds
- Section 23. Miscellaneous

TITLE 116

HOSPITAL FINANCE AUTHORITY

SERIES 1 - FEE SCHEDULE AND COST ALLOCATIONS APPLICABLE TO THE ISSUANCE OF BONDS BY THE HOSPITAL FINANCE AUTHORITY

Authority - §16-29A-5
Type - Legislative
Price - \$2.40
Effective - May 31, 1991

- Section 1. General
- Section 2. Establishment of Fee Schedule
- Section 3. Allocation of Costs
- Section 4. Amendment of Fee Schedule

SERIES 2 - ESTABLISHMENT OF PROCEDURES FOR GIVING NOTICE TO THE PUBLIC AND MEDIA OF MEETINGS OF THE WEST VIRGINIA HOSPITAL FINANCE AUTHORITY

Authority - §§16-29A-5; 6-9A-3
Type - Procedural
Price - \$2.40
Effective - January 3, 1989

- Section 1. General
- Section 2. Procedure of the West Virginia Hospital Finance Authority
- Section 3. Procedure for Giving Notice of Special Meetings of West Virginia Hospital Finance Authority
- Section 4. Publication of Notice of Meeting at Which Bond Issue Will be Finally Considered
- Section 5. Emergency Meetings

SERIES 3 - ESTABLISHMENT OF UNIFORM PROCEDURES AND GUIDELINES FOR HOSPITAL APPLICATION FINANCINGS BY THE WEST VIRGINIA HOSPITAL FINANCE AUTHORITY

Authority - §§16-29A-5(a); 29A-3-3
Type - Procedural
Price - \$2.60
Effective - January 3, 1989

- Section 1. General
 - Section 2. Application Requirements
 - Section 3. Advance Notice of Key Meetings and Actions
 - Section 4. Drafts of Financing Documents
 - Section 5. Additional and Updated Information
- Appendix

TITLE 88

WEST VIRGINIA HOUSING DEVELOPMENT FUND

SERIES 1 - ADMINISTRATION OF SINGLE FAMILY MORTGAGE LOANS FOR WV STATE BOARD OF INVESTMENTS UNDER STATE MORTGAGE AND INDUSTRIAL DEVELOPMENT INVESTMENT

Authority - §31-18B-I
Type - Legislative
Price - \$4.20
Effective - August 15, 1982

- Section 1. General
- Section 2. Description of Program
- Section 3. Determining Eligibility for Program Loans
- Section 4. Determining Eligibility of Dwelling
- Section 5. Introduction of Forms; Procedural Guide to Provide Supplementary Requirements

SERIES 2 - NOTICE OF MEETINGS OF HOUSING DEVELOPMENT FUND

Authority - §6-9A-3
Type - Procedural
Price - \$2.00
Effective - September 18, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Notice
- Section 4. Severability

TITLE 77

WEST VIRGINIA HUMAN RIGHTS COMMISSION

Index for Human Rights Commission

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TOTAL COST FOR ALL OF TITLE 77 - \$30.80		

SERIES 1 - RULES REGARDING DISCRIMINATION AGAINST THE HANDICAPPED

Authority - §§5-11-8(h); 29A-3-1; 5-11A-20

Type - Legislative

Price - \$4.80

Effective - May 19, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Verification of Disability
- Section 4. Employment Discrimination Prohibited
- Section 5. Pre-Employment and Employment Practices
- Section 6. Housing Discrimination Prohibited
- Section 7. Public Accommodations

SERIES 2 - RULES AND REGULATIONS PERTAINING TO PRACTICE AND PROCEDURE BEFORE THE WV HUMAN RIGHTS COMMISSION

Authority - §§5-11-8(h); 29A-3 et seq.

Type - Procedural

Price - \$7.60

Effective - January 1, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Complaint; Content, Filing Time, Amendment, Withdrawal and Dismissal; Preservation of Records
- Section 4. Investigation; Determination; Conciliation; Request for Review and Mediation
- Section 5. Notice of Hearing; Continuances
- Section 6. Answer
- Section 7. Hearings: Administrative Law Judge; Appearances; Subpoenas; Discovery and Procedure
- Section 8. The Record
- Section 9. Final Decision of the Administrative Law Judge
- Section 10. Appeal to the Commission
- Section 11. Judicial Appeal
- Section 12. General Investigations
- Section 13. Declaratory Rulings and Guidelines
- Section 14. Certification
- Section 15. Public Information

SERIES 3 - RELIGIOUS DISCRIMINATION

Authority - §§5-11-8(h); 29A-3-15(g)

Type - Legislative

Price - \$3.20

Effective - April 29, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Employment Discrimination Prohibited; Obligation to Make Reasonable Accommodations
- Section 4. Religious Harassment
- Section 5. Selection Practices
- Section 6. Application to Labor Organizations, Employment Agencies, and Apprentice Training Programs
- Section 7. Exceptions
- Section 8. Public Accommodations

SERIES 4 - SEXUAL HARASSMENT

Authority - §§5-11-8(h); 29A-3-15(g)

Type - Legislative

Price - \$2.40

Effective - April 29, 1992

- Section 1. General
- Section 2. Sexual Harassment Prohibited
- Section 3. Employer Liability for Sexual Harassment
- Section 4. Public and Housing Accommodations

SERIES 5 - EXEMPTION OF PRIVATE CLUBS

Authority - §§5-11-8(h); 29A-3-15(g)

Type - Legislative

Price - \$2.60

Effective - April 29, 1992

- Section 1. General
- Section 2. Exemptions of Truly Private Clubs
- Section 3. Additional Indicators
- Section 4. Standards of Review; Burden of Proof
- Section 5. Preservation of and Defense of Right of Expressive Association

SERIES 6 - WAIVER OF RIGHTS

Authority - §§5-11-8(h); 29A-3-1 et seq.; 42 U.S.C. §626

Type - Legislative

Price - \$2.40

Effective - August 12, 2002

- Section 1. General
- Section 2. Commissioner's Right to Investigate
- Section 3. Waiver Must be Knowing and Voluntary
- Section 4. Waiver in Connection with Group Programs
- Section 5. Burden of Proof on Waiver and Duress
- Section 6. Waiver as a Defense
- Section 7. Limit on Confidentiality Provisions
- Section 8. Scope of Coverage

SERIES 7 - DEFINITION OF EMPLOYER

Authority - §§5-11-8(h); 29A-3-1 et seq.

Type - Procedural

Price - \$3.00

Effective - August 12, 2002

Section 1. General

Section 2. Definitions; Manner of Calculating Employees

SERIES 8 - RULES FOR THE PROCESSING OF COMPLAINTS AND ADMINISTRATIVE PROCEEDINGS UNDER THE WEST VIRGINIA FAIR HOUSING ACT

Authority - §§5-11-8(h); 5-11A-8; 5-11A-9; 5-11A-20 & 29A-3-15(g)

Type - Procedural

Price - \$7.80

Effective - September 28, 1992

Section 1. General

Section 2. Definitions; Time Computations; Service and Filing

Section 3. Complaints

Section 4. Investigation Procedures

Section 5. Conciliation Procedures

Section 6. Issuance of Charge

Section 7. Administrative Law Judge

Section 8. Parties

Section 9. Pleadings and Motions

Section 10. Discovery

Section 11. Subpoenas

Section 12. Prehearing Procedures

Section 13. Hearing Procedures

Section 14. Dismissals and Decisions

Section 15. Judicial Review and Enforcement of Final Decision

TITLE 78

DEPARTMENT OF HUMAN SERVICES

Index for Human Services

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TOTAL COST FOR ALL OF TITLE 78 - \$55.90 (WITHOUT INCORPORATED REFERENCES)	

SERIES 1 - DAY CARE CENTER LICENSING

Authority - §49-2B-4

Type - Legislative

Price - \$7.40

Effective - July 1, 2003

Section 1.	General
Section 2.	Application & Enforcement
Section 3.	Definitions
Section 4.	Licensing Information & Provisions
Section 5.	Inspection & Investigation
Section 6.	Governance
Section 7.	The Child & Family
Section 8.	Staffing
Section 9.	Staff Responsibilities & Qualifications
Section 10.	Supervision of Children in Groups
Section 11.	Supervision of the Individual Child
Section 12.	Space Requirement
Section 13.	Furnishings, Equipment & Materials
Section 14.	Program
Section 15.	Health
Section 16.	Nutrition & Food
Section 17.	Sanitation
Section 18.	Animals
Section 19.	Safety & Emergency Operating Procedures
Section 20.	Environmental Safety
Section 21.	Pest Management
Section 22.	Transportation
Section 23.	Enforcement Actions
Section 24.	Administrative & Judicial Review
Appendices	

SERIES 2 - CHILD PLACING AGENCY LICENSURE

Authority - §49-2B-4

Type - Legislative

Price - \$11.80

Effective - July 1, 2001

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Licensing Information and Provisions
- Section 5. Inspections, Complaints, Plans of Correction and Waivers
- Section 6. Governance
- Section 7. Staffing Process
- Section 8. Employee Requirements
- Section 9. The Child's and Family's Basic Rights
- Section 10. Placement Plans and Procedures
- Section 11. Transfers and Discharges
- Section 12. The Agency's Responsibilities to Foster and Adoptive Parents
- Section 13. Foster and Adoptive Parents' Characteristics and Criteria
- Section 14. Foster and Adoptive Parents' Agreement with an Agency
- Section 15. Safety Requirements for Foster and Adoptive Homes
- Section 16. Comprehensive Home Study
- Section 17. Approval or Denial of a Foster Home for Placement
- Section 18. Approval or Denial of an Adoptive Home for Placement
- Section 19. Evaluations for Approved Foster and Adoptive Parents
- Section 20. Training for Parents
- Section 21. Foster Child Placement and Home Closure Information
- Section 22. Services to Biological Parents
- Section 23. Adoption
- Section 24. Transitional Living Services Program
- Section 25. Community Re-entry Program
- Section 26. Grievance Procedure
- Section 27. Administrative Due Process

SERIES 3 - GROUP RESIDENTIAL FACILITIES LICENSING

Authority - §49-2

Type - Legislative

Price - \$13.90

Effective - June 1, 1982

- Section 1. General
- Section 2. General Commentary - General Commentary
- Section 3. Administration and Organization
- Section 4. Administrative Practices and procedures - Commentary
- Section 5. Waiver - Commentary
- Section 6. The Governing Body, The Board of Directors and the Advisory Board - Commentary
- Section 7. Composition and Organization of a Board of Directors
- Section 8. The Advisory Board for a publicly Operated Facility
- Section 9. Organization
- Section 10. Statement of Purpose
- Section 11. Program Description
- Section 12. Fiscal Management
- Section 13. Conflict of Interest
- Section 14. Contracts, leases & Rental Agreements
- Section 15. Insurance Coverage
- Section 16. Fund Raising and Publicity
- Section 17. Photography and Audio or Audio-Visual Recording
- Section 18. Research
- Section 19. Confidentiality
- Section 20. Children's Case Records
- Section 21. Administrative File
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- Section 25. Location of Facilities

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Section 75.	Corrective Devices
Section 76.	Immunizations
Section 77.	Religious Objection to Medical Treatment
Section 78.	Medical and Dental Records
Section 79.	Administration of medication
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Section 81.	Emergency Medical Services
Section 82.	Illness, Accident, Death
Section 83.	Children's Grievance Procedure - Commentary
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Section 85.	Direct Service Management - General Commentary
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Section 93.	Service Planning and Child Management: The Intermediate or Group Level - Commentary
Section 94.	Services Planning and Child Management: The Individual Level - Commentary
Section 95.	Problem Management - Commentary
Section 96.	Limitation on Potentially Damaging Responses - Commentary
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Section 100.	General Commentary - Education and On-Ground Education Program
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Section 102.	Administration and Organization - Commentary
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Section 118.	Education - Commentary
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Section 124.	Direct Service Management - Commentary
Section 125.	Quality of Life - Commentary
Section 126.	Education
Section 127.	Restraint - Commentary
Section 128.	Locked Isolation - Commentary
Section 129.	Mechanical Restraint - Commentary
Section 130.	Chemical Restraint - Commentary
Section 131.	Maternity Home - Commentary
Section 132.	Physical Environment
Section 133.	Human Resources - Personnel
Section 134.	Administration
Section 135.	Quality of Life
Section 136.	Direct Service Management
Section 137.	Glossary

SERIES 4 - ECONOMIC SERVICES

Authority - §§9-2-6; 7CFR; 42CFR; 45CFR

Type - Legislative

Price - \$2.00 (without incorporated documents)*

Effective - September 19, 1985

Section 1.	General
Section 2.	Economic Services Manual Incorporated by Reference

SERIES 5 - SOCIAL SERVICES

Authority - §§9-1; 9-6; 49-1, 2, 3, 5, 6 and 7

Type - Legislative

Price - \$2.00 (without incorporated documents)*

Effective - July 1, 1986

Section 1. General

Section 2. Social Services Manual Incorporated by Reference

SERIES 6 - INCORPORATION OF CHILD ADVOCATE OFFICE POLICY AND PROCEDURAL MANUAL

Authority - §§9-2-6; 9-3-4; 9-3-5; 21A-6-16; 48-7; 48-8; 48-9

Type - Legislative

Price - \$2.00 (without incorporated documents)*

Effective - February 26, 1988

Section 1. General

Section 2. Child Advocate Office Manual Incorporated by Reference

SERIES 7 - WORK AND TRAINING

Authority - §§9-2-6; P.L. 97-35; P.L. 95-113; 45CFR and 7CFR

Type - Legislative

Price - \$2.00 (without incorporated documents)*

Effective - November 17, 1995

Section 1. General

Section 2. Work and Training Manual Incorporated by Reference

SERIES 8 - HEARINGS AND COMMON CHAPTERS

Authority - §§9-2-6; 9-3; 9-5

Type - Legislative

Price - \$2.00 (without incorporated documents)*

Effective - October 1, 1985

Section 1. General

Section 2. Hearings and Common Chapters Manual Incorporated by Reference

SERIES 9 - HANDICAPPED CHILDREN SERVICES

Authority - §49-4

Type - Legislative

Price - \$2.00 (without incorporated documents)*

Effective - November 1, 1985

Section 1. General

Section 2. Handicapped Children Services Manual Incorporated by Reference

SERIES 10 - INCORPORATION OF WEST VIRGINIA STATE PLAN FOR TITLE XIX, MEDICAID

Authority - §42 CFR C

Type - Legislative

Price - \$2.00 (without incorporated documents)*

Effective - October 1, 1985

Section 1. General

Section 2. Medical Services Manual Incorporated by Reference

* Ed. Note: Series 4 through 10 manuals incorporated by reference available from West Virginia Department of Human Services or the Secretary of State.

SERIES 11 - TERMINATION OF INCOME WITHHOLDING

Authority - §§48A-5-3; 42 USC §666(b)(10); 45 CFR §393.100(a)(9)

Type - Legislative

Price - \$2.00

Effective - June 15, 1989

Section 1. General

Section 2. Termination of Income Withholding

SERIES 12 - RESERVED

Repealed and Replaced by 97CSR3

Effective - July 1, 1997

SERIES 13 - RESERVED

Repealed & Replaced by 97CSR4

Effective - July 1, 1997

SERIES 14 - RESERVED

Repealed by HB 4250

Effective - March 10, 2000

SERIES 15 - TEL-ASSISTANCE PROGRAM

Authority - §24-2C-4

Type - Legislative

Price - \$2.40

Effective - July 2, 2003

Section 1. General

Section 2. Purpose

Section 3. Definitions

Section 4. Responsibilities of the Department

Section 5. Eligibility Requirements

Section 6. Determination & Communication of Eligibility

Section 7. Notification of Eligibility

Section 8. Questions of Eligibility

SERIES 16 - RESERVED

Repealed by HB 4250

Effective - March 10, 2000

SERIES 17 - RESERVED

Repealed and Replaced by Chapter 900 of the Medicaid Regulation

Effective - January 24, 2001

SERIES 18 - FAMILY DAY CARE FACILITY CERTIFICATION

Authority - §49-2B-4

Type - Legislative

Price - \$6.20

Effective - June 23, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Administrative Procedures
- Section 4. Administration of Family Day Care Facilities
- Section 5. Family Day Care Facility Personnel
- Section 6. Physical Plant, Sanitation and Nutrition
- Section 7. Fire Safety
- Section 8. Reporting and Investigation of Complaints
- Section 9. Sanctions
- Section 10. Administrative Due Process

SERIES 19 - FAMILY DAY CARE HOME REGISTRATION REQUIREMENTS

Authority - §49-2B-4

Type - Legislative

Price - \$7.20

Effective - July 31, 2003

- Section 1. General
 - Section 2. Application & Enforcement
 - Section 3. Definitions
 - Section 4. Certificate of Registration Information
 - Section 5. Inspection & Investigation
 - Section 6. Caregiver, Substitute & Household Member Requirements
 - Section 7. Home Safety Requirements
 - Section 8. Fire Safety
 - Section 9. Environmental Safety
 - Section 10. Health, Sanitation & Nutrition
 - Section 11. Water Safety
 - Section 12. Emergency Practices
 - Section 13. Transportation
 - Section 14. Program & Equipment
 - Section 15. Guidance & Discipline
 - Section 16. Infants & Toddlers
 - Section 17. Night Time Care
 - Section 18. Parent Involvement
 - Section 19. Required Reporting to the Department
 - Section 20. Enforcement Action
 - Section 21. Administrative & Judicial Review
- Appendices

TITLE 161

INFORMATION SERVICES AND COMMUNICATIONS DIVISIONS

SERIES 1 - PLAN OF OPERATION

Authority - §5A-7-2

Type - Legislative

Price - \$2.40

Effective - April 3, 1991

Section	1. General
Section	2. Applicability
Section	3. Definitions
Section	4. Rate Schedules and Invoicing
Section	5. Requisition Review

TITLE 167

INFRASTRUCTURE AND JOBS DEVELOPMENT COUNCIL

SERIES 1 - INFRASTRUCTURE AND JOBS DEVELOPMENT COUNCIL

Authority - §§31-15A-4; 31-15A-5; 31-15A-10

Type - Legislative

Price - \$3.80

Effective - May 4, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Projects
- Section 4. Review Guidelines
- Section 5. Infrastructure Fund Administration
- Appendix

TITLE 114

INSURANCE COMMISSIONER

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SERIES 1 - PROXIES, CONSENTS AND AUTHORIZATIONS OF DOMESTIC STOCK INSURERS

Authority - §33-5-31

Type - Legislative

Price - \$3.80

Effective - June 30, 1966

Section	1. General
Section	2. Procedures
Section	3. Information Required in Proxy Statement
Section	4. Information to be Included in Statements Filed by or on Behalf of a Participant (other than the Insurer) in a Proxy Solicitation in an Election Contest

SERIES 2 - LICENSING AND CONDUCT OF AGENTS, BROKERS AND SOLICITORS

Authority - §33-2-10

Type - Legislative

Price - \$2.60

Effective - April 16 2004

Section	1. General
Section	2. Requirements for Licensing
Section	3. Requirements for Licensing Insurance Agencies
Section	4. Commissions
Section	5. Switching
Section	6. Referrals

SERIES 3 - CANCELLATION OF AUTOMOBILE LIABILITY POLICIES

Authority - §33-6A-5

Type - Legislative

Price - \$2.40

Effective - May 24, 1967

Section	1. General
Section	2. Informal Procedure for Review of Complaint Regarding Cancellation or Non-Renewal
Section	3. Hearing Regarding Canceling and Non-Renewal

SERIES 4 - INSIDER TRADING OF EQUITY SECURITIES OF A DOMESTIC STOCK INSURER

Authority - §33-5-30
 Type - Legislative
 Price - \$3.80
 Effective - April 16, 1968

- Section 1. General
- Section 2. General Application
- Section 3. Regulations Under SubSection (a) of WV Code 33-5-30
- Section 4. Regulations Under SubSection (b) of WV Code 33-5-30
- Section 5. Regulations Under SubSection (c) of the Act
- Section 6. Regulation Under SubSection (e) of the Act

SERIES 5 - PROCEDURES TO BE FOLLOWED BY FIRE RATING ORGANIZATIONS

Authority - §33-2-10
 Type - Legislative
 Price - \$2.60
 Effective - April 18, 1968

- Section 1. General
- Section 2. Filing Procedures for Fire Rating Organizations
- Section 3. Town Inspections by Fire Rating Organizations and Change in Classification

SERIES 6 - REGULATION OF CREDIT LIFE INSURANCE AND CREDIT ACCIDENT AND SICKNESS INSURANCE

Authority - §§33-2-10; 46A-3-109(c)
 Type - Legislative
 Price - \$4.60
 Effective - April 13, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Amount of Credit Life Insurance and Credit Accident and Sickness Insurance
- Section 4. Term of Credit Life Insurance and Credit Accident and Sickness Insurance
- Section 5. Provisions of Policies, Certificates, Applications and Notices of Proposed Insurance
- Section 6. Rates and Refunds of Credit Life Insurance and Accident and Sickness Insurance
- Section 7. Amendments
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SERIES 7 - PREMIUM FINANCING OF LIFE INSURANCE FOR COLLEGE STUDENTS

Authority - §33-2-10
 Type - Legislative
 Price - \$2.40
 Effective - July 1, 1970

- Section 1. General
- Section 2. Financing Arrangement
- Section 3. Receipt
- Section 4. Transfer of Note
- Section 5. Selling Practices
- Section 6. Separability

SERIES 8 - REPLACEMENT OF LIFE INSURANCE

Authority - §§33-2-10; 33-11-5a; 33-11-6

Type - Legislative

Price - \$4.40

Effective - May 16, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Exemptions
- Section 4. Duties of Agents
- Section 5. Duties of Replacing Insurers
- Section 6. Duties of Insurers with Respect to Direct-Response Sales
- Section 7. Duties of Existing Insurer
- Section 8. Violations
- Appendix

SERIES 9 - MASS MARKETING OF PROPERTY AND LIABILITY INSURANCE

Authority - §33-2-10

Type - Legislative

Price - \$2.60

Effective - May 15, 1972

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Standards and Requirements
- Section 5. Prohibitions

SERIES 10 - ADVERTISEMENT OF ACCIDENT AND SICKNESS INSURANCE

Authority - §33-2-10

Type - Legislative

Price - \$3.20

Effective - April 20, 1973

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Disclosure
- Section 5. Standards
- Section 6. Advertisements of Benefits Payable, Losses Covered or Premiums Payable
- Section 7. Qualifying Conditions; Disclosure Required
- Section 8. Testimonials or Endorsements by Third Parties
- Section 9. Use of Statistics
- Section 10. Identification of Plan or Number of Policies
- Section 11. Comparisons
- Section 12. Jurisdictional Licensing and Status of Insurer
- Section 13. Identity of Insurer
- Section 14. Special Underwriting Privileges
- Section 15. Introductory, Initial or Special Offers
- Section 16. Statements About an Insurer
- Section 17. Enforcement Procedures
- Section 18. Special Enforcement Procedures
- Section 19. Separability
- Section 20. Violations

SERIES 11 - DISCLOSURE AND DECEPTIVE PRACTICES IN THE ADVERTISEMENT, SOLICITATION AND SALE OF LIFE INSURANCE

Authority - §33-2-10
 Type - Legislative
 Price - \$2.60
 Effective - April 22, 1974

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Content of Advertisements Generally
- Section 5. Basic Requirements
- Section 6. Prohibited Deceptive Acts
- Section 7. Special Enforcement Procedures
- Section 8. Separability
- Section 9. Violations

SERIES 12 - INDIVIDUAL ACCIDENT AND SICKNESS INSURANCE MINIMUM STANDARDS

Authority - §§33-2-10; 33-28-4, 5 and 6
 Type - Legislative
 Price - \$7.60
 Effective - April 30, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Policy Definitions
- Section 4. Prohibited Policy Provisions
- Section 5. Minimum Standards for Benefits
- Section 6. Required Disclosure Provisions
- Section 7. Requirements for Replacement
- Section 8. Separability
- Appendix

SERIES 13 - RULES OF PRACTICE AND PROCEDURE FOR HEARINGS BEFORE THE WEST VIRGINIA INSURANCE COMMISSIONER

Authority - §33-2-10
 Type - Procedural
 Price - \$2.80
 Effective - October 29, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Hearings
- Section 4. Conferences; Informal Disposition of Cases
- Section 5. Notice of Hearing
- Section 6. Conduct of Hearings
- Section 7. Record; Transcript; When Required
- Section 8. Orders
- Section 9. Separability

SERIES 14 - UNFAIR TRADE PRACTICES

Authority - §33-11-6
Type - Legislative
Price - \$3.60
Effective - April 3, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. File and Record Documentation
- Section 4. Unfair or Deceptive Acts or Practices
- Section 5. Standards for the Acknowledgment of Pertinent Communications
- Section 6. Standards for Prompt Investigations and Fair and Equitable Settlements Applicable to All Insurers
- Section 7. Standards for Prompt, Fair and Equitable Settlements Applicable to Automobile Insurance
- Section 8. Separability
- Section 9. Penalty for Violation of Any Provision of this Regulation

SERIES 15 - EXAMINERS' COMPENSATION, QUALIFICATIONS AND CLASSIFICATION

Authority - §§33-2-9(n); 33-2-10
Type - Legislative
Price - \$3.20
Effective - April 3, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Examination, Analysis and Review Funding
- Section 4. Examination, Analysis and Review Activities
- Section 5. Contracts for Services & Bond Requirements for Other Individuals
- Section 6. Compensation and Accrued Time of Accredited Examiners
- Section 7. Travel and Living Expenses
- Section 8. Examiner Reporting Requirements

SERIES 16 - RESERVED

Repealed by HB 2717
Effective - May 30, 2001

SERIES 17 - MEDICARE SUPPLEMENT INSURANCE COVERAGE

Authority - §33-2-10
Type - Legislative
Price - \$4.00
Effective - December 28, 1981

- Section 1. General
- Section 2. Definitions
- Section 3. Policy Definitions and Terms
- Section 4. Minimum Standards for Medicare Supplement and Limited Benefit Medicare Supplement Policies and Contracts
- Section 5. Prohibited Policy Provisions
- Section 6. Required Disclosure Provisions
- Section 7. Loss Ratio Standards
- Section 8. Prohibited Acts or Practices
- Section 9. Duplication of Insurance
- Section 10. Replacement of Insurance
- Section 11. Penalties for Violation

SERIES 18 THRU 19 - RESERVED

SERIES 20 - EXCESS LINE BROKERS

Authority - §33-2-10
 Type - Legislative
 Price - \$3.00
 Effective - April 16, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Licensing of a Surplus Lines Licensee; Revocation, Suspension or Refusal to Renew License and Penalty in Lieu Thereof
- Section 4. Placement of Surplus Lines Coverages
- Section 5. Surplus Lines Premium Tax Annual Return and Report by Surplus Lines Licensee
- Section 6. Allocation of Surplus Lines Insurance Premium Tax on Multi-State Risks
- Section 7. Export List
- Section 8. Conditions for Marketing Insurance With Surplus Lines Insurers
- Section 9. Separability

SERIES 21 - WEST VIRGINIA ESSENTIAL PROPERTY INSURANCE ASSOCIATION

Authority - §§33-20A-3(b); 33-2-10
 Type - Legislative
 Price - \$2.60
 Effective - April 4, 1988

- Section 1. General
- Section 2. Definitions
- Section 3. Type - of Organization
- Section 4. Administration
- Section 5. Management
- Section 6. Commencement and Termination of Operations
- Section 7. Rates
- Section 8. Policy Forms
- Section 9. Coverage Limits and Types
- Section 10. Underwriting
- Section 11. Application for Insurance and Policy Issuance
- Section 12. Agent Commissions
- Section 13. Inspection of Property
- Section 14. Appeal Procedures
- Section 15. Premium Taxes
- Section 16. Annual Report
- Section 17. Severability

SERIES 22 - MEDICAL MALPRACTICE ANNUAL REPORTING REQUIREMENTS

Authority - §§33-20B-6(b); 33-2-13
 Type - Legislative
 Price - \$3.60
 Effective - April 4, 1988

- Section 1. General
- Section 2. Definitions
- Section 3. Insurers Subject to Reporting Requirements
- Section 4. Filing Deadline; Failure to Submit Information
- Section 5. Information Required to be Reported
- Section 6. Severability
- Exhibits

SERIES 23 - MEDICAL MALPRACTICE LOSS EXPERIENCE AND LOSS EXPENSE ANNUAL REPORTING REQUIREMENTS

Authority - §§33-20B-6(a); 33-2-10

Type - Legislative

Price - \$2.80

Effective - April 4, 1988

- Section 1. General
- Section 2. Definitions
- Section 3. Insurers Subject to Reporting Requirements
- Section 4. Filing Deadlines; Failure to Submit Information
- Section 5. Information Required to be Reported
- Section 6. Evaluation by Commissioner
- Section 7. Severability
- Exhibits

SERIES 24 - MEDICARE SUPPLEMENT INSURANCE

Authority - §§33-28-5b; 33-2-10; 33-16-3d

Type - Legislative

Price - \$15.20

Effective - April 16 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Policy Definitions and Terms
- Section 4. Policy Provisions
- Section 5. Minimum Benefit Standards for Policies or Certificates Issued for Delivery Prior to August 5, 1991
- Section 6. Benefit Standards for Policies or Certificates Issued or Delivered on or After August 5, 1991
- Section 7. Standard Medicare Supplement Benefit Plans
- Section 8. Medicare Select Policies and Certificates
- Section 9. Open Enrollment
- Section 10. Guaranteed Issue for Eligible Persons
- Section 11. Standards for Claims Payment
- Section 12. Loss Ratio Standards and Refund or Credit of Premium
- Section 13. Filing and Approval of Policies and Certificates and Premium Rates
- Section 14. Permitted Compensation Arrangements
- Section 15. Required Disclosure Provisions
- Section 16. Requirements for Application Forms and Replacement Coverage
- Section 17. Filing Requirements for Advertising
- Section 18. Standards for Marketing
- Section 19. Appropriateness of Recommended Purchase and Excessive Insurance
- Section 20. Reporting of Multiple Policies
- Section 21. Prohibition Against Preexisting Conditions, Waiting Periods, Elimination Periods and Probationary Periods in Replacement Policies or Certificates

Appendices

SERIES 25 - INSURANCE ADJUSTERS

Authority - §§33-12B-12; 33-2-10

Type - Legislative

Price - \$3.00

Effective - April 19, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. License Requirements
- Section 4. Categories and Types of Licenses
- Section 5. Qualifications
- Section 6. Waiver of Examination Requirement
- Section 7. Records Maintenance

- Section 8. Prohibited Practices; Voidable Contracts
- Section 9. Addresses of Adjusters; Filing
- Section 10. Change of Address, Notice
- Section 11. Licensing of Nonresident Adjusters
- Section 12. Application
- Section 13. License Fee
- Section 14. Expiration of License; Renewal
- Section 15. Revocation, Suspension, Refusal to Renew or Issue License; Penalty in Lieu Thereof
- Section 16. Severability

SERIES 26 - ACCIDENT AND SICKNESS RATE FILING

Authority - §§33-2-10; 33-6-9(e); 33-16B-2
Type - Legislative
Price - \$3.60
Effective - April 16 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Rate Filing Requirements

SERIES 27 - AIDS REGULATIONS

Authority - §§33-2-10; 16-3C-2(j)
Type - Legislative
Price - \$3.40
Effective - April 3, 2003

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Medical/Lifestyle Applications Questions and Underwriting Guidelines
- Section 5. Testing
- Section 6. Notice and Consent Form

SERIES 27A - AIDS REGULATIONS

Authority - §§33-2-10; 16-3C-2(j)
Type - Interpretive
Price - \$3.00
Effective - September 1, 2002

- Section 1. General
- Section 2. Interpretive Note
- Section 3. Allowance of FDA Approved Urine HIV Tests
- Section 4. Compliance with Protocol Established in Interpretive Rule
- Section 5. Sunset Date
- Appendix

SERIES 28 - GROUP COORDINATION OF BENEFITS

Authority - §§33-2-10; 33-25A-20; 33-16-3d; 33-25-6; 33-25-11

Type - Legislative

Price - \$4.40

Effective - June 18, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Model COB Contract Provisions
- Section 4. Rules for Coordination of Benefits
- Section 5. Procedure to be Followed by Secondary Plan
- Section 6. Miscellaneous Provisions
- Section 7. Model Coordination of Benefits Provisions
- Section 8. Severability
- Appendix

SERIES 29 - HEALTH INSURANCE BENEFITS FOR TEMPOROMANDIBULAR AND CRANIOMANDIBULAR DISORDERS

Authority - §§33-2-10; 33-6-8; 33-6-9; 33-24-6; 33-25-11; 33-25A-3(1); 33-25A-20; 33-16-3F(b)

Type - Legislative

Price - \$2.60

Effective - May 31, 1991

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Mandatory Coverage
- Section 5. Procedures Covered
- Section 6. Rate and Form Filings
- Section 7. Separability

SERIES 30 - "TAIL" MALPRACTICE INSURANCE COVERING CERTAIN MEDICAL AND ALLIED HEALTH CARE PROVIDERS

Authority - §§33-2-10; 33-20D-4

Type - Legislative

Price - \$2.40

Effective - April 3, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. "Tail" Insurance Offer Mandated
- Section 5. Premium Payment Amortization
- Section 6. Premium Due Dates; Acceleration of Premium Due Upon Payment Default
- Section 7. Penalty for Insurer's Non-Compliance
- Section 8. Separability

SERIES 31 - GUARANTEED LOSS RATIOS AS APPLIED TO INDIVIDUAL SICKNESS AND ACCIDENT INSURANCE POLICIES

Authority - §§33-6C-3; 33-2-10

Type - Legislative

Price - \$3.00

Effective - May 19, 1992

- Section 1. General
- Section 2. Application to Operate on a Guaranteed Loss Ratio Basis
- Section 3. Guaranteed Loss Ratio Filings
- Section 4. Rejection or Cancellation of Loss Ratio Guarantee
- Section 6. Separability

SERIES 32 - LONG TERM CARE INSURANCE

Authority - §§33-2-10; 33-15A-6

Type - Legislative

Price - \$6.20

Effective - June 19, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Policy Definitions
- Section 4. Policy Practices and Provisions
- Section 5. Required Disclosure Provisions
- Section 6. Prohibition Against Post-Claims Underwriting
- Section 7. Minimum Standards for Home Health and Community Care Benefits in Long-Term Care Insurance Policies
- Section 8. Requirement to Offer Inflation Protection
- Section 9. Requirements for Application Forms and Replacement Coverage
- Section 10. Reporting Requirements
- Section 11. Licensing
- Section 12. Discretionary Powers of Commissioner
- Section 13. Reserve Standards
- Section 14. Loss Ratio
- Section 15. Filing Requirements
- Section 16. Filing Requirements for Advertising
- Section 17. Standards for Marketing
- Section 18. Appropriateness of Recommended Purchase
- Section 19. Prohibition Against Preexisting Conditions and Probationary Periods in Replacement Policies or Certificates
- Section 20. Standard Format Outline of Coverage
- Section 21. Requirement to Deliver Shopper's Guide
- Section 22. Penalties
- Section 23. Severability
- Appendix

SERIES 33 - RESERVED

Repealed

Effective - April 30, 1999

SERIES 34 - FILING FEES FOR PURCHASING GROUPS, AND FOR RISK RETENTION GROUPS NOT CHARTERED IN THIS STATE

Authority - §§33-2-10; 33-3-13(b); 33-2-16; 33-32-4(e) & (f); 33-22-17(e)

Type - Legislative

Price - \$2.40

Effective - April 27, 1994

- Section 1. General
- Section 2. Registration Fees for Purchasing Groups and for Risk Retention Groups Not Chartered in this State
- Section 3. Annual Financial Statement for Risk Retention Groups Not Chartered in this State
- Section 4. Retaliatory Fee Increases for Risk Retention Groups Not Chartered in this State
- Section 5. Fees Designated for Insurance Department Operation
- Section 6. Severability

SERIES 35 - INSURANCE HOLDING COMPANY SYSTEMS REPORTING FORMS

Authority - §§33-2-10; 33-27-14

Type - Legislative

Price - \$6.40

Effective - April 13, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Forms - General Requirements
- Section 4. Forms - Incorporation by Reference, Summaries and Omissions
- Section 5. Forms - Information Unknown or Unavailable and Extension of Time to Furnish
- Section 6. Forms - Additional Information and Exhibits
- Section 7. Subsidiaries of Domestic Insurers
- Section 8. Acquisition of Control - Statement Filing
- Section 9. Amendments to Form A
- Section 10. Acquisition of Section 3(a)(1) Insurers
- Section 11. Annual Registration of Insurers - Statement Filing
- Section 12. Summary of Registration - Statement Filing
- Section 13. Amendments to Form B
- Section 14. Alternative and Consolidated Registrations
- Section 15. Disclaimers and Termination of Registration
- Section 16. Transactions Subject to Prior Notice - Notice Filing
- Section 17. Extraordinary Dividends and Other Distributions
- Section 18. Adequacy of Surplus
- Section 19. Severability Clause
- Appendix

SERIES 36 - THE WEST VIRGINIA LIFE AND HEALTH GUARANTY ASSOCIATION ACT NOTICE REQUIREMENTS

Authority - §§33-2-10; 33-26A-19(d)

Type - Legislative

Price - \$2.80

Effective - April 13, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Form and Content of Notice
- Appendix

SERIES 37 - SUBSTANDARD RISK MOTOR VEHICLE INSURANCE NOTICE REQUIREMENTS

Authority - §§33-2-10; 33-6-31c

Type - Legislative

Price - \$2.60

Effective - April 2, 1996

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Format of Substandard Risk Insurance Application Notice
- Section 5. Format of Substandard Risk Insurance Policy
- Section 6. Submission of Form Filing Required
- Section 7. Notice of Eligibility for Coverage Under Standard of Preferred Policy
- Section 8. Severability

SERIES 38 - CONTINUATION OF COVERAGE UNDER AUTOMOBILE LIABILITY POLICIES

Authority - §§33-2-10; 33-6-36(c)

Type - Legislative

Price - \$2.60

Effective - April 22, 1994

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Notice of Policy Availability
- Section 5. Mandatory Continuation of Coverage
- Section 6. No lapse in Coverage
- Section 7. Changes in Coverage Amount
- Section 8. Severability
- Appendix

SERIES 39 - GROUP ACCIDENT AND SICKNESS INSURANCE MINIMUM POLICY COVERAGE STANDARDS

Authority - §§33-2-10; 33-16-3(f); 33-16-17; 33-16D-6

Type - Legislative

Price - \$5.20

Effective - April 3, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Policy Definitions
- Section 4. Prohibited Policy Provisions
- Section 5. Minimum Standards for Benefits
- Section 6. Required Disclosure Provisions
- Section 7. Association Group Policy Disclosure, Affiliation of Association & Insurer
- Section 8. Billing of Association Dues by an Insurer
- Section 9. Eligibility of Associations
- Section 10. Severability

SERIES 40 - CREDIT FOR REINSURANCE

Authority - §33-2-10

Type - Legislative

Price - \$4.20

Effective - April 16 2004

- Section 1. General
- Section 2. Purpose
- Section 3. Credit for Reinsurance
- Section 4. Credit for Reinsurance - Reinsurer Licensed in This State
- Section 5. Credit for Reinsurance - Accredited Reinsurers
- Section 6. Credit for Reinsurance - Reinsurer Domiciled and Licensed in Another State
- Section 7. Credit for Reinsurance - Reinsurers Maintaining Trust Funds
- Section 8. Credit for Reinsurance Required by Law
- Section 9. Asset or Reduction from Liability for Reinsurance Ceded to Unauthorized Assuming Insurer
- Section 10. Trust Agreements Qualified Under Section 9
- Section 11. Letters of Credit Qualified Under Section 9
- Section 12. Other Security
- Section 13. Reinsurance Contract
- Section 14. Contracts Affected
- Section 15. Severability

SERIES 41 - ACTUARIAL OPINION AND MEMORANDUM RULE

Authority - §32-2-10; 33-7-9(N)

Type - Legislative

Price - \$5.40

Effective - April 2, 1996

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. General Requirements
- Section 5. Required Opinions
- Section 6. Statement of Actuarial Opinion not Including an Asset Adequacy Analysis
- Section 7. Statement of Actuarial Opinion Based on an Asset Adequacy Analysis
- Section 8. Description of Actuarial Memorandum Including an Asset Adequacy Analysis
- Section 9. Additional Considerations for Analysis

SERIES 42 - CONTINUING EDUCATION FOR INSURANCE AGENTS

Authority - §33-2-10; 33-12-35

Type - Legislative

Price - \$3.20

Effective - April 3, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. Exemptions
- Section 5. Continuing Insurance Education Course Requirements
- Section 6. Insurance Producer Continuing Insurance Education Requirements
- Section 7. Proof of Completion
- Section 8. Disciplinary Process
- Section 9. Severability

SERIES 43 - HEALTH MAINTENANCE ORGANIZATION

Authority - §§33-25A-3(3), 5 & 20

Type - Legislative

Price - \$3.00

Effective - April 3, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Intermediary Contract Requirements
- Section 4. HMO Requirements
- Section 5. Guarantees
- Section 6. Separability

SERIES 44 - MINIMUM RESERVE STANDARDS FOR INDIVIDUAL AND GROUP HEALTH INSURANCE CONTRACTS

Authority - §§33-2-10; 33-7-9(m)

Type - Legislative

Price - \$4.40

Effective - April 2, 1996

- Section 1. General
- Section 2. Purpose
- Section 3. Scope
- Section 4. Categories of Reserves
- Section 5. Appendices

- Section 6. Claim Reserves
- Section 7. Premium Reserves
- Section 8. Contract Reserves
- Section 9. Reinsurance
- Section 10. Severability
- Appendices

SERIES 45 - RECOGNIZING ANNUITY MORTALITY TABLES FOR USE IN DETERMINING RESERVE LIABILITIES FOR ANNUITIES

Authority - §§33-2-10; 33-7-9A; 33-7-9(e)(2), (3) and (5)
Type - Legislative
Price - \$2.40
Effective - May 7, 1999

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Individual Annuity or Pure Endowment Contracts
- Section 5. Group Annuity or Pure Endowment Contracts
- Section 6. Application of the 1994 GAR Table

SERIES 46 - FILING PROCEDURES FOR HEALTH MAINTENANCE ORGANIZATIONS

Authority - §§33-25A-3, 12, 15, 20 & 22
Type - Legislative
Price - \$3.40
Effective - April 2, 1996

- Section 1. General
- Section 2. Application for Certificate of Authority
- Section 3. Application for Amendment to Certificate of Authority
- Section 4. Annual Financial Statement
- Section 5. Grievance Procedure Annual Report
- Section 6. Regulation of Marketing

SERIES 47 - RESERVED

SERIES 48 - LIFE AND HEALTH REINSURANCE AGREEMENTS

Authority - §§33-4-15(h); 33-2-10
Type - Legislative
Price - \$3.20
Effective - May 16, 1997

- Section 1. General
- Section 2. Preamble
- Section 3. Accounting Requirements
- Section 4. Written Agreements
- Section 5. Existing Agreements
- Section 6. Severability

SERIES 49 - VALUATION OF LIFE INSURANCE POLICIES

Authority - §33-2-10

Type - Legislative

Price - \$9.00

Effective - January 1, 1998

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. General Calculation Requirements for Basic Reserves and premium Deficiency Reserves
- Section 5. Calculation of Minimum Valuation Standard for Policies with Guaranteed Nonlevel Premiums or Guaranteed Nonlevel Benefits (Other Than Universal Life Insurance Policies)
- Section 6. Calculation of Minimum Valuation Standard for Flexible premium and Fixed Premium Universal Life Insurance Policies That Certain Provisions Resulting in the Ability of a Policyowner to Keep a Policy in Force Over a Secondary Guarantee Period of More Than Five Years

SERIES 50 - EMERGENCY MEDICAL SERVICES

Authority - §§33-2-10; 33-25A-7a; 33-25A-8; 33-25A-8d; 33-25A-34

Type - Legislative

Price - \$2.60

Effective - May 16, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Emergency Medical Service Provider Contracts
- Section 4. Requirements for Emergency Medical Services

SERIES 51 - UTILIZATION MANAGEMENT

Authority - §§33-2-10; 33-25A-4(1); 33-25a-17a

Type - Legislative

Price - \$3.60

Effective - May 16, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Goals of Utilization Management Program
- Section 4. Requirements of Utilization Management Program

SERIES 52 - DIABETES REGULATION

Authority - §§33-2-10; 33-15C-1; 33-16-16

Type - Legislative

Price - \$2.00

Effective - May 16, 1997

- Section 1. General
- Section 2. Insurance Coverage for Diabetes

SERIES 53 - QUALITY ASSURANCE

Authority - §§33-2-10; 33-25A-4(1)(b); 33-25A-17a

Type - Legislative

Price - \$4.00

Effective - April 3, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Goals of a Quality Assurance Program
- Section 4. Requirements of a Quality Assurance Program
- Section 5. Quality Management Improvement
- Section 6. Credentialing and Recredentialing
- Section 7. Members' Rights and Responsibilities
- Section 8. Preventive Health Services
- Section 9. Medical Records
- Section 10. Severability

SERIES 54 - GROUP ACCIDENT AND SICKNESS INSURANCE ISSURANCE, PORTABILITY AND MARKETING REQUIREMENTS

Authority - §§33-2-10; 33-16-3(f); 33-16D-6

Type - Legislative

Price - \$5.00

Effective - April 30, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Limitations on Preexisting Condition Exclusion Period
- Section 4. Application of Creditable Coverage to Reduce Preexisting Condition Exclusion Period
- Section 5. Certification of Creditable Coverage
- Section 6. Renewability and Modification of Coverage
- Section 7. Prohibition Against Discrimination Based on a Health Status - Related Factor
- Section 8. Special Enrollment Periods
- Section 9. Guaranteed Availability for Small Employers
- Section 10. Severability

SERIES 55 - GUARANTEED ISSUANCE OF INDIVIDUAL ACCIDENT AND SICKNESS INSURANCE

Authority - §33-2-10

Type - Legislative

Price - \$3.60

Effective - April 30, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Election of Coverage
- Section 4. Dependent
- Section 5. Certification of Creditable Coverage
- Section 6. Determination of an Eligible Individual
- Section 7. Severability

SERIES 56 - QUALITY ASSURANCE STANDARDS FOR PREPAID LIMITED HEALTH SERVICE ORGANIZATIONS

Authority - §§33-2-10; 33-25D-7 & 33-25D-22

Type - Legislative

Price - \$4.40

Effective - April 24, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Goals of a Quality Assurance Program
- Section 4. Requirements of a Quality Assurance Program
- Section 5. Quality Management and Improvement
- Section 6. Utilization Management Program
- Section 7. Credentialing and Recredentialing
- Section 8. Members' Rights and Responsibilities
- Section 9. Preventive Health Services
- Section 10. Treatment Records
- Section 11. Severability

SERIES 57 - PRIVACY OF CONSUMER FINANCIAL AND HEALTH INFORMATION

Authority - §§33-2-10; 33-6F-1; 33-11A-4

Type - Legislative

Price - \$9.80

Effective - April 8, 2002

- Section 1. General
 - Section 2. Definitions
 - Section 3. Initial Privacy Notice to Consumers Required
 - Section 4. Annual Privacy Notice to Consumers Required
 - Section 5. Information to be Included in Privacy Notices
 - Section 6. Form of Opt-Out Notice to Consumers and Opt-Out Methods
 - Section 8. Delivery
 - Section 9. Limitation on Disclosure of Nonpublic Personal Financial Information
 - Section 10. Limits on Redisclosure and Reuse of Nonpublic Personal Financial Information
 - Section 11. Limits on Sharing Account Information for Marketing Purposes
 - Section 12. Exception to Opt-Out Requirements for Disclosure of Nonpublic Personal Financial Information for Service Providers and Joint Marketing
 - Section 13. Exceptions to Notice and Opt-Out Requirements for Disclosure of Nonpublic Personal Financial Information for Processing and Servicing Transactions
 - Section 14. Other Exceptions to Notice and Opt-Out Requirements for Disclosure of Nonpublic Personal Financial Information
 - Section 15. When Authorization Required for Disclosure of Nonpublic Personal Health Information
 - Section 16. Authorizations
 - Section 17. Authorization Request Delivery
 - Section 18. Relationship to Federal Rules
 - Section 19. Relationship to State Laws
 - Section 20. Protection of Fair Credit Reporting Act
 - Section 21. Nondiscrimination
 - Section 22. Construction
- Appendix

SERIES 58 - EXTERNAL REVIEW OF COVERAGE DENIALS

Authority - §§33-2-10; 33-25C-6; 33-25C-9

Type - Legislative

Price - \$5.60

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions

- Section 3. Notice of Right to External Review
- Section 4. Request for External Review
- Section 5. Standard External Review
- Section 6. Expedited External Review
- Section 7. Binding nature of External Review Decision
- Section 8. Approval of External Review Organizations
- Section 9. Minimum Qualifications for External Review Organizations
- Section 10. External Review Organization Reporting Requirements
- Section 11. Liability of External Review Organizations
- Section 12. Exemption from External Review Requirements
- Section 13. Electronic and Facsimile Transmissions

SERIES 59 - MEDICAL MALPRACTICE INSURANCE CONSENT TO RATE & GUIDE "a" RATE AGREEMENTS

Authority - §§33-2-10; 33-20B-2(e)

Type - Legislative

Price - \$3.40

Effective - April 3, 2003

- Series 1. General
- Section 2. Definitions
- Section 3. Approval Required for All Non-standard Rates
- Section 4. Amendments to the West Virginia Medical Malpractice Policy Agreement Form
- Section 5. Violation
- Appendix

SERIES 60- AFFIDAVITS OF CUSTODIAN BANKS

Authority - §§33-2-10; 33-8A-3(b)

Type - Procedural

Price - \$2.80

Effective - August 25, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Custodian Affidavit Forms
- Appendix

SERIES 61 - CREDIT PERSONAL PROPERTY INSURANCE

Authority - §§33-2-10; 46A-3-109©)

Type - Legislative

Price - \$3.20

Effective - July 31, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Amount, Term & Coverage of Credit Personal Property Insurance; Prohibited Practices
- Section 4. Disclosure to Debtors; Provisions of Policies & Certificates of Insurance
- Section 5. Filing & Approval of Rate & Forms
- Section 6. Reasonableness of Benefits in Relation to Premium Charge
- Section 7. Experience Reports
- Section 8. Cancellation & Refund of Unearned Premium
- Section 9. Claims

SERIES 62 - STANDARDS FOR SAFEGUARDING CUSTOMER INFORMATION

Authority - §§33-2-10; 33-6F-1

Type - Legislative

Price - 2.40

Effective - April 3, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Information Security Program
- Section 4. Objectives of Information Security Programs
- Section 5. Methods of Development & Implementation
- Section 6. Violation

SERIES 63 - STANDARD MOTOR VEHICLE POLICY PROVISIONS

Authority - §§33-2-10; 33-6-31(l)

Type - Legislative

Price - \$2.80

Effective - April 3, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Liability Insurance Provisions
- Section 4. Uninsured Motor Vehicle Insurance Provisions
- Section 5. Underinsured Motor Vehicle Provisions
- Section 6. Replacement of Earlier Provisions & Future Compliance

SERIES 64 - MENTAL HEALTH PARITY

Authority - §§33-2-10; 33-16-3a

Type - Legislative

Price - \$2.80

Effective - April 3, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Providing Benefits for Serious Mental Illness
- Section 4. Allowance of Additional Cost Containment Measures
- Section 5. Calculation for Application of Additional Cost Containment Measures
- Section 6. Aggregate Lifetime Limits
- Section 7. Annual Limits
- Section 8. Rates & Forms Filings
- Section 9. Coverage for Alcohol Treatment

SERIES 65 - SELF-INSURANCE POOLS FOR POLITICAL SUBDIVISIONS

Authority - §§29-12A-16(g); 33-2-10

Type - Legislative

Price - \$3.80

Effective - April 16 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Establishment of Pools Authorized
- Section 4. Criteria for Establishing and Maintaining Self-Insurance Pools
- Section 5. Authorization of Pools
- Section 6. Investments

SERIES 66 - MENTAL HEALTH PARIT COST CONTAINMENT MEASURES APPLICATION AND ANNUAL REPORT REQUIREMENTS

Authority - §§33-2-10; 33-16-3a

Type - Procedural

Price - 2.60

Effective - August 28, 2003

Section 1. General

Section 2. Applicability

Appendix

SERIES 67 - RATE AND FORM FILING ABSTRACTS

Authority - §33-2-10

Type - Procedural

Price - \$6.80

Effective - August 28, 2003

Section 1. General

Section 2. Definitions

Section 3. Rate Filing Requirements

Section 4. Applicability of Forms

Appendices

WEST VIRGINIA BOARD OF INVESTMENTS

AUTHORIZING CODE WAS REPEALED AND REPLACED BY SB 563 EFFECTIVE APRIL 12, 1997. ALL RULE MAKING AUTHORITY IS UNDER THE STATE TREASURER'S OFFICE.

TITLE 95

JAIL AND PRISON STANDARDS COMMISSION

SERIES 1 - WEST VIRGINIA MINIMUM STANDARDS FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF JAILS

Authority - §31-20-9
Type - Legislative
Price - \$9.40
Effective - June 3, 1996

- Section 1. General
- Section 2. Administration, Organization and Management
- Section 3. Fiscal Management
- Section 4. Personnel
- Section 5. Training and Staff Development
- Section 6. Management Information and Research
- Section 7. Inmate Records
- Section 8. Physical Plant
- Section 9. Safety and Emergency Procedures
- Section 10. Sanitation and Hygiene
- Section 11. Security and Control
- Section 12. Special Management Inmates
- Section 13. Food Service
- Section 14. Medical and Health Care Services
- Section 15. Inmate Rights
- Section 16. Inmate Rules and Discipline
- Section 17. Communication, Mail and Visitation
- Section 18. Admission, Orientation, Property Control and Release
- Section 19. Classification
- Section 20. Inmate Work Programs
- Section 21. Inmate Services and Programs
- Section 22. Release Preparation and Temporary Release
- Section 23. Citizens Involvement and Volunteers
- Section 24. Glossary

SERIES 2 - MINIMUM STANDARDS FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF CORRECTIONAL FACILITIES

ED NOTE: HB 4702 Repealed the statutory authority supporting this rule. LRMRC says that it must go through the process to be "officially" repealed.

Authority - §§31-2-9; 31-20-9
Type - Legislative
Price - \$11.20
Effective - June 3, 1996

- Section 1. General
- Section 2. Administration, Organization and Management
- Section 3. Fiscal Management
- Section 4. Personnel
- Section 5. Training and Staff Development
- Section 6. Management Information and Research
- Section 7. Records
- Section 8. Physical Plant
- Section 9. Safety and Emergency Procedures
- Section 10. Security and Control
- Section 11. Special Management Inmates
- Section 12. Food Service
- Section 13. Sanitation and Hygiene
- Section 14. Medical and Health Care Services
- Section 15. Inmates Rights

- Section 16. Inmate Rules and Discipline
- Section 17. Communication, Mail and Visitation
- Section 18. Reception and Orientation
- Section 19. Classification
- Section 20. Inmate Work Programs
- Section 21. Academic and Vocational Education
- Section 22. Library Services
- Section 23. Reserved
- Section 24. Religious Services
- Section 25. Social Services
- Section 26. Release Preparation and Temporary Release
- Section 27. Citizen Involvement and Volunteers
- Section 28. Glossary

SERIES 3 - WEST VIRGINIA MINIMUM STANDARDS FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF HOLDING FACILITIES

Authority - §31-30-9
Type - Legislative
Price - \$10.40
Effective - November 2, 1993

- Section 1. General
- Section 2. Administration, Organization and Management
- Section 3. Fiscal Management
- Section 4. Personnel
- Section 5. Training and Staff Development
- Section 6. Management Information and Research
- Section 7. Inmate Records
- Section 8. Physical Plant
- Section 9. Safety and Emergency Procedures
- Section 10. Sanitation and Hygiene
- Section 11. Security and Control
- Section 12. Food Service
- Section 13. Medical and Health Care Services
- Section 14. Inmates Rights
- Section 15. Inmate Rules and Discipline
- Section 16. Communication, Mail and Visitation
- Section 17. Special Management Inmates
- Section 18. Admission, Orientation, Property Control and Release
- Section 19. Classification
- Section 20. Inmate Work Programs
- Section 21. Administration, Organization and Management
- Section 22. Fiscal Management
- Section 23. Training and Staff Development
- Section 24. Inmates Records
- Section 25. Physical Plant
- Section 26. Sanitation and Hygiene
- Section 27. Security and Control
- Section 28. Food Service
- Section 29. Medical and Health Care Services
- Section 30. Inmates Rights
- Section 31. Inmates Rules and Discipline
- Section 32. Communication, Mail and Visitation
- Section 33. Special Management Inmates
- Section 34. Admission, Orientation, Property Control and Release
- Section 35. Classification
- Section 36. Glossary

TITLE 101

WEST VIRGINIA DIVISION OF JUVENILE SERVICES

SERIES 1 - WEST VIRGINIA STANDARDS FOR STRUCTURE, OPERATION AND MAINTENANCE OF JUVENILE DETENTION & CORRECTIONAL FACILITIES

Authority - §31-20-9a

Type - Legislative

Price - \$2.00

Effective - May 5, 2003

Section	1. General
Section	2. Administration, Organization & Philosophy
Section	3. Personnel
Section	4. Training & Staff Development
Section	5. Management Information & Research
Section	6. Resident Records
Section	7. Physical Plant
Section	8. Sanitation & Hygiene
Section	9. Medical & Health Care Services
Section	10. Resident Rules & Discipline
Section	11. Food Services
Section	12. Academic & Vocational Education
Section	13. Library Services
Section	14. Recreation & Activities
Section	15. Communication, Mail & Visitation
Section	16. Religious Observance
Section	17. Institutional Abuse & Neglect

TITLE 42

WEST VIRGINIA DEPARTMENT OF LABOR

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Series 19. West Virginia Manufactured Housing Construction and Safety Standards Board	328
Series 20. Rules of Procedure for Contested Case Hearings	328
Series 21. Elevator Safety Act	328
Series 22. Regulation of Trade, Weights and Measurers	329
Series 23. Commercial Bungee Jumping Safety Act	329
Series 24. Crane Operator Certification Act	329
Series 25. Crane Operator Certification Act - Practical Examination	330
TOTAL COST FOR ALL OF TITLE 42 - \$171.60 (WITHOUT INCORPORATED REFERENCES)	

SERIES 1 - PRIVATE EMPLOYMENT AGENCIES

Authority - §21-2-5
Type - Legislative
Price - \$2.80
Effective - December 31, 1982

- Section 1. General
- Section 2. Definitions
- Section 3. License
- Section 4. Records and Reports
- Section 5. Copies and Receipts
- Section 6. Advertising
- Section 7. Prohibited Activities
- Section 8. Basis for Fee Charges

SERIES 2 - SAFETY CODE FOR AERIAL PASSENGER TRAMWAYS

Authority - §21-3-2
Type - Legislative
Price - \$2.00 (Without Incorporated Document)
Effective - May 26, 1983

- Section 1. General
- Section 2. Safety Code (Incorporated)

SERIES 3 - STEAM BOILER INSPECTION

Authority - §21-3-7

Type - Legislative

Price - \$4.20

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Boilers of all Types
- Section 4. New Installations
- Section 5. Existing Installations
- Section 6. Inspection Fee Schedule
- Table

SERIES 4 - LISTING OF HAZARDOUS CHEMICAL SUBSTANCES

Authority - §21-3-18

Type - Legislative

Price - \$8.00

Effective - December 31, 1982

- Section 1. General
- Section 2. Listing of Hazardous Substances

SERIES 5 - WAGE PAYMENT AND COLLECTION ACT

Authority - §21-5-13

Type - Legislative

Price - \$3.60

Effective - March 29, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Enforcement
- Section 4. Forms of Records; Scope of Records
- Section 5. Records of Retroactive Payment of Wages
- Section 6. Petition for Special Agreement - Records
- Section 7. Place for Keeping Records
- Section 8. When Wages are Payable
- Section 9. Employee Absent on a Payday
- Section 10. Petition for Special Agreement - Paydays
- Section 11. Assignment of Wages
- Section 12. Agreements Contra to This Regulation Void
- Section 13. Employees Separated From Payroll Before Payday
- Section 14. Notification to Employees, Records Maintained by Employers and Posting of Notices Required
- Section 15. Collection of Wages Due Through Action by the Commissioner
- Section 16. Bonding Procedures
- Section 17. Amendments to Regulations

SERIES 6 - PSYCHOPHYSIOLOGICAL DETECTION OF DECEPTION EXAMINATIONS, LIMITATIONS OF USE, REQUIREMENTS, LICENSES, AND PENALTIES

Authority - §§21-5-5c; 29A-1-1

Type - Legislative

Price - \$3.20

Effective - June 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. License
- Section 4. Internship Training
- Section 5. Reciprocity
- Section 6. Intervention; Employee Organizations
- Section 7. Standards of Accuracy
- Section 8. Conditions and Procedures for Psychophysiological Detection of Deception Examinations

SERIES 7 - PREVAILING WAGE

Authority - §21-5A

Type - Legislative

Price - \$3.40

Effective - December 31, 1982

- Section 1. General
- Section 2. Definitions
- Section 3. Required Provisions to be Contained in All Advertised Specifications and Contracts for Public Work
- Section 4. Duty of the Public Authority
- Section 5. Prevailing Wage Established at Regular Intervals -- How Determined -- Hearings on Objections -- Judicial Review
- Section 6. Posting of Wage Rates
- Section 7. Records and Inspection
- Section 8. Penalties for Violation of Act
- Section 9. Severability
- Section 10. Amendments or Regulations
- Section 11. Adopted Definitions
- Section 12. Coverage of Specific Classes of Work

SERIES 8 - MINIMUM WAGES AND MAXIMUM HOURS STANDARDS

Authority - §21-5C-6

Type - Legislative

Price - \$3.80

Effective - December 31, 1982

- Section 1. General
- Section 2. Definitions
- Section 3. Enforcement
- Section 4. Records to be Kept by Employers
- Section 5. Records to be Kept and Reserved for a Period of Not Less, Than Two Years
- Section 6. Petition for Exemptions
- Section 7. Place for Keeping Records
- Section 8. Specific Exemptions and Other Special Requirements
- Section 9. Principles for Determination of Hours Worked
- Section 10. Credits
- Section 11. Notification to Employees and Records to be Kept by Employer
- Section 12. Collection of Wages Due Through Action by the Commissioner
- Section 13. Amendments to Regulations

SERIES 9 - CHILD LABOR

Authority - §21-6-11

Type - Interpretive

Price - \$3.40

Effective - August 1, 2002

- Section 1. General
- Section 2. General Requirements
- Section 3. No Permits or Certificate Necessary
- Section 4. Minors Aged Fourteen (14) Through and Fifteen (15)
- Section 5. Minors Aged Sixteen (16) and Seventeen (17)
- Section 6. Volunteer Fire Activities
- Section 7. Hazardous Occupations
- Section 8. Responsibilities of an Employer
- Section 9. Instructions for Local Officials Issuing Work Permits and Age Certification

SERIES 10 - PACKAGING AND LABELING

Authority - §47-1-24

Type - Legislative

Price - \$5.20

Effective - July 1, 1976

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Identity
- Section 5. Declaration of Identity: Nonconsumer Packages
- Section 6. Declaration of Responsibility: Consumer and Nonconsumer Packages
- Section 7. Declaration of Quantity: Consumer Packages
- Section 8. Declaration of Quantity: Nonconsumer Packages
- Section 9. Prominence and Placement: Consumer Packages
- Section 10. Prominence and Placement: Nonconsumer Packages
- Section 11. Requirements: Specific Consumer Commodities, Packages Containers
- Section 12. Exemptions
- Section 13. Variations to be Allowed
- Section 14. Retail Sale Price Representation
- Section 15. Revocation of Conflicting Regulations

SERIES 11 - METHOD OF SALE OF COMMODITIES

Authority - §47-1-19

Type - Legislative

Price - \$2.80

Effective - June 1, 1976

- Section 1. General
- Section 2. Food Products
- Section 3. Non-Food Products
- Section 4. Application
- Section 5. Revocation of Conflicting Regulations

SERIES 12 - BEDDING AND UPHOLSTERED FURNITURE

Authority - §47-1A-15
Type - Legislative
Price - \$2.80
Effective - December 31, 1982

- Section 1. General
- Section 2. Definitions
- Section 3. Administration
- Section 4. License
- Section 5. Prohibition
- Section 6. Sterilization
- Section 7. Tagging, Tags

SERIES 13 - SAFETY GLAZING ACT

Authority - §47-5-1
Type - Legislative
Price - \$2.60
Effective - August 6, 1971

- Section 1. General
- Section 2. Intent of Safety Glazing Act
- Section 3. Definitions

SERIES 14 - BUILDING CONSTRUCTION, HIGHWAY CONSTRUCTION AND HEAVY CONSTRUCTION

Authority - §21-5A
Type - Legislative
Price - \$35.00
Effective - January 5, 2004

- Section 1. Definitions
- Section 2. Heavy Construction Rates
- Section 3. Highway Construction Rates
- Section 4. Heavy and Highway Construction Rates
- Section 5. Communication System Wage Rates
- Section 6. Building and Construction Wage Rates by County
- Ed. Note: Series 14 is updated and refiled each January as required by W. Va. Code §21-5A.

SERIES 15 - WEST VIRGINIA OCCUPATIONAL SAFETY AND HEALTH ACT - ADOPTION OF FEDERAL STANDARDS

Authority - §21-3A-6
Type - Legislative
Price - \$3.00
Effective - April 15, 1998

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Adoption of Federal Standards; Additional State Standards
- Section 5. Duties of Employers and Employees
- Section 6. Inspections and Investigations
- Section 7. Citations
- Section 8. Research; Education and Training Programs
- Section 9. Optional Coverage by Political Subdivisions
- Ed. Note: The Federal OSHA standards are available from the U. S. Department of Labor

SERIES 16 - STANDARDS FOR WEIGHTS AND MEASURES INSPECTORS: ADOPTION OF NBS HANDBOOK 130, 1987

Authority - §47-1-19
 Type - Legislative
 Price - \$2.00 (Without Handbook)
 Effective - April 1, 1988

Section 1. General
 Section 2. Incorporation by Reference
 Ed. Note: NBS Handbook available from Secretary of State at cost

SERIES 17 - AMUSEMENT RIDES AND AMUSEMENT ATTRACTIONS SAFETY ACT

Authority - §§21-10-3; 29A-1-1
 Type - Legislative
 Price - \$4.00
 Effective - May 1, 2000

Section 1. General
 Section 2. Definitions
 Section 3. Rules and Regulations
 Section 4. Operation Procedures for Amusement Rides and Attractions Owner, Operator's and Agent's Responsibility
 Section 5. Operational Testing
 Section 6. Maintenance Procedures for Amusement Devices
 Section 7. Miscellaneous Safety Requirements for Amusement Rides and Attractions
 Section 8. Insurance
 Section 9. Permit Required
 Section 10. Permit Application Requirements
 Section 11. Fee Schedule
 Section 12. Qualifications of Approved Special Inspectors

SERIES 18 - BOARD ORGANIZATION AND MEETING PROCEDURE; CONTESTED CASE HEARING PROCEDURE

Authority - §§21-9-4; 29A-5-1
 Type - Procedural
 Price - \$2.80
 Effective - March 5, 1990

Section 1. General
 Section 2. Application and Enforcement
 Section 3. Definitions
 Section 4. Regular Meetings
 Section 5. Special meetings
 Section 6. Open Proceedings; Notice
 Section 7. Minutes
 Section 8. Board Membership; Conflict of Interest
 Section 9. Reimbursement of Board Members
 Section 10. Board Staff and Offices
 Section 11. Board Actions
 Section 12. Contested Case Hearings
 Section 13. Appeals
 Section 14. Severability

SERIES 19 - WEST VIRGINIA MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS BOARD

Authority - §21-9-4
Type - Legislative
Price - \$5.40
Effective - April 5, 2003

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Licensure of Manufacturers
- Section 5. Licensure of Dealers and Distributors
- Section 6. Licensure of Contractors
- Section 7. Adoption of Federal Standards and Regulations; Designation by HUD as an SAA
- Section 8. Inspections; DAPIAs; IPIAs
- Section 9. Labeling, Recordkeeping and Reporting
- Section 10A. Consumer Manuals; Installation
- Section 10B. Consumer Installation of a Manufactured Home
- Section 11. Alterations and Repairs
- Section 12. Transportation
- Section 13. Complaint Handling
- Section 14. Disciplinary Sanctions
- Section 15. State Manufactured Housing Recovery Fund

SERIES 20 - RULES OF PROCEDURE FOR CONTESTED CASE HEARINGS

Authority - §§21-5-11 and 13; 21-5B-2; 21-5C-6
Type - Procedural
Price - \$2.40
Effective - October 28, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Notice of Hearings
- Section 4. How Hearings are to be Conducted
- Section 5. Continuation and Adjournment
- Section 6. Transcript of Reported Testimony and Evidence
- Section 7. Submission of Proposed Finding of Fact and Conclusion of Law; Time for Submission
- Section 8. Appointment of Hearing Examiner; Function of Hearing Examiner
- Section 9. Orders; Content
- Section 10. Appeal
- Section 11. Severability

SERIES 21 - ELEVATOR SAFETY ACT

Authority - §21-3C-11
Type - Legislative
Price - \$3.00
Effective - April 7, 2003

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Registration of Elevators
- Section 5. Certificate of Operation Required
- Section 6. Inspection
- Section 7. Competency of Inspectors
- Section 8. Powers and Duties of Counties & Municipalities
- Section 9. Penalties
- Section 10. Severability

SERIES 22 - REGULATION OF TRADE, WEIGHTS AND MEASURES

Authority - §47-1-3(c)
 Type - Legislative
 Price - \$2.40
 Effective - April 5, 2003

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Uniform Regulation for National Type Evaluation
- Section 5. Uniform Regulation of the Voluntary Registration of Servicepersons and Service Agencies for Commercial Weighing and Measuring Devices
- Section 6. Uniform Regulation for Motor Fuel

SERIES 23 - COMMERCIAL BUNGEE JUMPING SAFETY ACT

Authority - §21-12-3
 Type - Legislative
 Price - \$3.80
 Effective - April 1, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Permit Required, Application and Fees
- Section 4. Records to be Kept
- Section 5. Inspection
- Section 6. Site, Equipment and General Requirements
- Section 7. Testing Requirements
- Section 8. Replace of Rigging Equipment
- Section 9. Identification of Equipment, Rigging, Bungee Cord and Safety Equipment
- Section 10. Jump Zone Requirements
- Section 11. Site Requirements
- Section 12. Jumper Requirements
- Section 13. Injury and Damage
- Section 14. Staff and Duties
- Section 15. Site Operating Manual
- Section 16. Emergency Provisions and Procedures

SERIES 24 - CRANE OPERATOR CERTIFICATION ACT

Authority - §21-3D-3
 Type - Legislative
 Price - \$3.40
 Effective - May 1, 2001

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Adoption of Standards
- Section 5. Certification Required: Exemptions
- Section 6. Minimum Qualifications for Certification
- Section 7. Examinations Required
- Section 8. Training
- Section 9. Denial, Suspension, Revocation or Reinstatement of Certification
- Section 10. Effect of Accident
- Section 11. Penalties
- Section 12. Crane Operator Certification Fund; Fees; Disposition of Funds
- Section 13. Reciprocity

Labor

SERIES 25 - CRANE OPERATOR CERTIFICATION ACT - PRACTICAL EXAMINATION

Authority - §23-3D-3(1)

Type - Legislative

Price - \$2.40

Effective - May 1, 2001

Section	1.	General
Section	2.	Application and Enforcement
Section	3.	Definitions
Section	4.	Adoption of Standards
Section	5.	Practical Examination
Section	6.	Examiners

TITLE 51

LABOR-MANAGEMENT RELATIONS BOARD

NO RULES ON FILE

TITLE 23

STATE BOARD OF LAND SURVEYORS

SERIES 1 - RULES AND MINIMUM STANDARDS FOR PRACTICE OF LAND SURVEYING IN WEST VIRGINIA

Authority - §§30-1-7a; 30-13A-4(a)

Type - Legislative

Price - \$2.80

Effective - May 15, 2004

- Section 1. General
- Section 2. General Purposes
- Section 3. Definitions
- Section 4. Qualifications of Applicants for Licenses, Exceptions, Fees, Examinations
- Section 5. Issuance of License, Notice of Expiration, Renewal, Renewal Fee, Display; Certificate of Authorization; Professional Limited Liability Company (PLLC)
- Section 6. Accredited Surveying Curricula
- Section 7. Unethical Practices
- Section 8. Suspension or Revocation of License; Procedure for Hearings of Application for an Original or Renewal License or Suspension or Revocation of any License; Judicial Review
- Section 9. Competency in Field and Office Techniques
- Section 10. Underground Surveys and Maps; Specific Technical Fields
- Section 11. Licensing of Nonresident Surveyors

SERIES 2 - MANDATORY CONTINUING EDUCATION FOR LAND SURVEYORS

Authority - §§30-1-7a; 30-13A-4

Type - Legislative

Price - \$2.80

Effective - July 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Continuing Professional Competency Requirements
- Section 4. Reporting and Record Keeping
- Section 5. Exemptions
- Section 6. Review and Audit Processes

SERIES 3 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR LAND SURVEYORS

Authority - §§30-13A-4(a); 30-1-1 et seq.

Type - Procedural

Price - \$3.60

Effective - September 1, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Disposition of Complaints
- Section 5. Requests for Hearing Following Denial of a License
- Section 6. Hearing Procedure
- Section 7. Transcription of Testimony and Evidence
- Section 8. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 9. Depositions and Discovery
- Section 10. Orders
- Section 11. Appeal

TITLE 9

WEST VIRGINIA STATE BOARD OF LANDSCAPE ARCHITECTS

SERIES 1 - RULES OF THE WEST VIRGINIA BOARD OF LANDSCAPE ARCHITECTS

Authority - §§30-22-1 et seq.; 29A-5-1 et seq.; 6-9A-3

Type - Legislative

Price - \$3.20

Effective - July 1, 2004

Section	1.	General
Section	2.	Duties of the Board
Section	3.	Administration
Section	4.	Applications
Section	5.	Continuing Education
Section	6.	Fees
Section	7.	Professional Ethics
Section	8.	Licensee's Seal
Section	9.	Hearings
Section	10.	Examinations

TITLE 108

WEST VIRGINIA LENDING AND CREDIT RATE BOARD

SERIES 1 - PROCEDURAL RULES OF THE WEST VIRGINIA LENDING AND CREDIT RATE BOARD

Authority - §§6-9A-3; 47a-1-4

Type - Procedural

Price - \$2.60

Effective - May 16, 1993

Section	1.	General
Section	2.	Scheduling of Regular Meetings and Emergency Meetings
Section	3.	Establishing Alternative Maximum Rate of Interest and Financing Charges
Section	4.	Meeting not Required

TITLE 173

WEST VIRGINIA LIBRARY COMMISSION

SERIES 1 - ADMINISTRATIVE REGULATIONS

Authority - §10-1 et seq.

Type - Legislative

Price - \$3.80

Effective - July 1, 1997

Section	1.	General
Section	2.	Definitions
Section	3.	Regulations for Use of Funds for Public Library Service
Section	4.	Regulations for Use of Funds for Public Library Construction
Section	5.	Grace Period for Return of Library Materials

TITLE 10

WEST VIRGINIA STATE BOARD OF EXAMINERS FOR LICENSED PRACTICAL NURSES

		<u>Page</u>
Series	1. Policies and Procedures for Development and Maintenance of Educational Programs in Practical Nursing	336
Series	2. Policies Regulating Licensure of the Licensed Practical Nurses	336
Series	3. Legal Standards of Nursing Practice for the Licensed Practical Nurse	337
Series	4. Fees for Service Rendered by the Board	337
Series	5. Open Meetings and Bylaws	337
Series	6. Continuing Competence	337
TOTAL COST FOR ALL OF TITLE 10 - \$18.40		

SERIES 1 - POLICIES AND PROCEDURES FOR DEVELOPMENT AND MAINTENANCE OF EDUCATIONAL PROGRAMS IN PRACTICAL NURSING

Authority - §30-7A-5
Type - Legislative
Price - \$4.40
Effective - April 12, 2004

Section	1. General
Section	2. Definition of Terms
Section	3. Accreditation
Section	4. Establishing a New Program
Section	5. Practical Nurses Program Advisory Committee
Section	6. Classroom and Clinical Facilities
Section	7. Faculty
Section	8. Program of Instruction
Section	9. Students
Section	10. Records, Reports and Bulletins

SERIES 2 - POLICIES REGULATING LICENSURE OF THE LICENSED PRACTICAL NURSES

Authority - §§3-7A-5, 30-7A-1 et seq.; 64-9-17(e)
Type - Legislature
Price - \$3.60
Effective - May 24, 2001

Section	1. General
Section	2. Qualifications for Licensure
Section	3. Examination for License
Section	4. Licensure by Examination
Section	5. Notification of Examination Results
Section	6. License by Waiver
Section	7. Licensure by Endorsement
Section	8. Endorsement to Another States
Section	9. Annual Renewal of License
Section	10. Non-Practicing Status
Section	11. Change of Name or Address, Duplicate License
Section	12. Disciplinary Proceedings: Grounds for Discipline
Section	13. Complaint Procedures
Section	14. Investigations
Section	15. Disciplinary Proceedings: Disciplinary Action

SERIES 3 - LEGAL STANDARDS OF NURSING PRACTICE FOR THE LICENSED PRACTICAL NURSE

Authority - §30-7A-5
 Type - Legislative
 Price - \$2.40
 Effective - May 24, 2001

- Section 1. General
- Section 2. Purpose of Standards
- Section 3. Standards Related to the Licensed Practical Nurses' Contribution to, and Responsibility for, the Nursing Process
- Section 4. Standards Relating to the Licensed Practical Nurses' Responsibility as a Member of the Health Care Team

SERIES 4 - FEES FOR SERVICE RENDERED BY THE BOARD

Authority - §30-7A-1 et seq.
 Type - Legislative
 Price - \$2.00
 Effective - May 1, 1995

- Section 1. General
- Section 2. Schedule of Fees for Services by the West Virginia Board of Examiners for Licensed Practical Nurses

SERIES 5 - OPEN MEETINGS AND BYLAWS

Authority - §§6-9A-3; 30-1-5
 Type - Procedural
 Price - \$3.00
 Effective - September 15, 2000

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Regular Meetings
- Section 5. Special Meetings
- Section 6. Emergency Meetings
- Section 7. Executive Sessions
- Section 8. Minutes
- Section 9. Quorum
- Section 10. Records of the Board
- Section 11. Election of Officers
- Section 12. Resignation of Members
- Section 13. Committees
- Section 14. Parliamentary Authority

SERIES 6 - CONTINUING COMPETENCE

Authority - §30-7A-5
 Type - Legislative
 Price - \$3.00
 Effective - May 24, 2001

- Section 1. General
- Section 2. Definition of Terms - Continuing Competence
- Section 3. Continuing Competence - a Prerequisite for Renewal
- Section 4. Continuing Education - Providers

TITLE 179

LOTTERY COMMISSION

	<u>Page</u>
Series 1. State Lottery Rules and Regulations	338
Series 2. Regulations Pertaining to Procedures, Appeals and Other Proceedings	338
Series 3. Licensees and the Americans with Disabilities Act	338
Series 4. Limited Gaming Facility Rules	339
Series 5. Limited Video Lottery Rule	342
Series 6. Notice and Conduct of Meetings	342
TOTAL COST FOR ALL OF TITLE 179 - \$32.30	

SERIES 1 - STATE LOTTERY RULES AND REGULATIONS

Authority - §§29-22-5, 9(b), 10, 16 & 17

Type - Legislative

Price - \$4.60

Effective - April 21, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Financial Administration
- Section 4. Licensing
- Section 5. Instant Games
- Section 6. On-line Games
- Section 7. Payment of Prizes - General Provisions for Instant and On-line Games
- Section 8. Use of West Virginia Lottery Trademarks

SERIES 2 - REGULATIONS PERTAINING TO PROCEDURES, APPEALS AND OTHER PROCEEDINGS

Authority - §§29 et seq.; 29A et seq.

Type - Procedural

Price - \$3.20

Effective - January 1, 1998

- Section 1. General
- Section 2. Hearing Examiner
- Section 3. Briefs, Oral Argument
- Section 4. Appearance and Practice Before the Hearing Examiner
- Section 5. Standards of Ethical Conduct
- Section 6. Discovery
- Section 7. Rules of Evidence
- Section 8. Appeal of Decisions
- Section 9. Waiver of Hearing
- Section 10. Filing and Service of Documents and Orders
- Section 11. Forms

SERIES 3 - LICENSEES AND THE AMERICANS WITH DISABILITIES ACT

Authority - §29-22-5; Paxton v. State of West Virginia, Dept of Tax and Revenue, 451 S.E. 2d 779 (W. Va. 1994)

Type - Legislative

Price - \$2.80

Effective - April 15, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Accessibility of the Public to the Licensed Premises
- Section 4. Licensing and Relicensing
- Section 5. Enforcement Provisions
- Section 6. Appeals

Ed. Note: Rules governing individual games (Win with West Virginia; Lotto; Sky's the Limit, etc.) are also on file. Please request by name if you wish a particular game rule.

SERIES 4 - LIMITED GAMING FACILITY RULES

Authority - §29-25-5

Type - Legislative

Price - \$15.10

Effective - July 1, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Provisions Pertaining to Applications, Records and Commission Authority
- Section 4. Related Party Contracts or Transactions
- Section 5. Duty of Reasonable Care
- Section 6. Commission Reports
- Section 7. Mandatory Contract Notification
- Section 8. Confidential Records
- Section 9. Waiver, Restriction or Alteration of Requirements
- Section 10. General Reporting Requirements; Obligation to Report Certain Events
- Section 11. Licensee's Duty to Disclose Violation of Licenses
- Section 12. Applicant's Obligation to Report Certain Events
- Section 13. Contents of Notice and Supplementation Requirement
- Section 14. Reserved
- Section 15. Restricted Transactions
- Section 16. Restrictions on Gift-Giving
- Section 17. Restrictions on the Limited Gaming Facility Licensee Interest in a Supplier Licensee
- Section 18. Review of Information at Licensee's or Applicants Premises; Costs
- Section 19. Reserved
- Section 20. Applications
- Section 21. Classification of Licenses
- Section 22. Fees, Fines, Charges and Assessments
- Section 23. Persons Required to be Qualified for Issuance and Renewal of Gaming Facility and Supplier Licenses
- Section 24. Limited Gaming Facility Licensing Procedures
- Section 25. Limited Gaming Facility License Application
- Section 26. Issuance of a Limited Gaming License
- Section 27. Payment of the Annual License Maintenance Fee
- Section 28. Limited Gaming Facility License Renewal
- Section 29. Limited Gaming Facility Licensee's Duty to Remain Eligible, Qualified and Suitable; Duty to Disclose Material Changes
- Section 30. Required Notification of Anticipated or Actual Changes in Directors, Partners, and Officers of the Limited Gaming Facility License and its Immediate Parent Company, if Any
- Section 31. Notification of New Financial Sources Required
- Section 32. Notification by Publicly Traded Applicants, Licensees, or Holding Companies Required
- Section 33. Qualification of New Directors, Officers or Other Key Persons
- Section 34. Qualification of New Directors and Officers of Holding Company
- Section 35. Reserved
- Section 36. Reserved
- Section 37. Reserved
- Section 38. Reserved
- Section 39. Reserved
- Section 40. Supplier License Required to Provide Gaming-Related Devices, Supplies and/or Services
- Section 41. Supplier's License Application
- Section 42. Supplier's License Issuance; Standards and Criteria
- Section 43. Supplier License Application; Commission Actions
- Section 44. Denied License; Reapplication
- Section 45. Annual License Maintenance Fee; Report
- Section 46. Renewal of Supplier License
- Section 47. Occupational License Requirement; License Classes; Application; Exemptions
- Section 48. Occupational License, Level 1
- Section 49. Occupational License, Level 2
- Section 50. Occupational License, Level 3
- Section 51. Applications for Occupational Licenses
- Section 52. Occupational Licensing Procedures
- Section 53. Commission Action on Occupational License Applications
- Section 54. Requirements for Occupational License Identification Badge
- Section 55. Reapplication for Denied License
- Section 56. Annual Maintenance Fees; Renewal of Occupational Licenses
- Section 57. Reserved

Lottery
Series 4, Cont'd.

Section 58.	Reserved
Section 59.	Reserved
Section 60.	Rules of Game; Purpose
Section 61.	Hours of Operation
Section 62.	Minimum and Maximum Wagers
Section 63.	Floor Plans
Section 64.	Authorized Games
Section 65.	Submission and Approval of Game Rules
Section 66.	Amendments to Game Rules
Section 67.	Table Limits
Section 68.	Playing Card Specifications
Section 69.	Dice Specifications
Section 70.	Removal of Cards or Dice From Play
Section 71.	Storage of Cards or Dice
Section 72.	Inspection of Cards
Section 73.	Inspection of Dice
Section 74.	Casino Gaming Wagering; Cashless Wagering System Required
Section 75.	Cashing-In
Section 76.	Submission of Chips for Review and Approval
Section 77.	Chip Specifications
Section 78.	Primary, Secondary, and Reserve Sets of Gaming Chips
Section 79.	Issuance and Use of Tokens for Gaming in Electronic Gaming Devices
Section 80.	Distribution of Coupons for Complimentary Chips and Tokens
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Section 84.	Use of Tokens
Section 85.	Destruction of Chips and Tokens
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Section 88.	Submission of Accounting Procedures and Internal Controls for Complimentary Chip and Token Program
Section 89.	Amendments to Internal Control Procedures
Section 90.	Accounting Procedures and Distribution Program
Section 91.	Coupon Requirements
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Section 108.	Reserved
Section 109.	Reserved
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Section 111.	Surveillance and Recording Systems; Staffing; Installation of Different or New Types of Audio or Visual Recording or Surveillance Technology
Section 112.	Surveillance and Commission Surveillance Room Specifications
Section 113.	Detained or Arrested Persons
Section 114.	Secured Delivery Station Specifications
Section 115.	Required Surveillance Equipment
Section 116.	Closed Circuit Television Required Surveillance
Section 117.	Closed Circuit Television Surveillance System Coverage
Section 118.	Closed Circuit Television Surveillance System Recording Requirements
Section 119.	Retention of Recorded Activities
Section 120.	Segregated and secured Telephone Communication
Section 121.	Daily Surveillance Logs; Visitors Logs
Section 122.	West Virginia Lottery; Casino Premises Office

Section 123.	Surveillance Equipment; Maintenance and Malfunctions
Section 124.	Emergency Procedures
Section 125.	Incident Management Training Required
Section 126.	Surveillance Plan
Section 127.	Surveillance of Employees
Section 128.	Communications Equipment
Section 129.	Reserved
Section 130.	Reserved
Section 131.	Commission License as Revocable Privilege; Reasons for Investigation of, or disciplinary Action Against, Licensee; Hearing Procedure
Section 132.	Actions Available to Hearing Officer and Commission
Section 133.	Special Proceedings
Section 134.	Reserved
Section 135.	Reserved
Section 136.	Ownership Records
Section 137.	Accounting Records
Section 138.	Standard Financial and Statistical Records
Section 139.	Special Audits and Licensee Annual Compliance Reports
Section 140.	Accounting Controls Within the Cashier's Cage
Section 141.	Procedures for Exchange of Checks Submitted by Gaming Patrons and Granting Credit
Section 142.	Handling Cash at Gaming Tables
Section 143.	Tips or Gratuities
Section 144.	Deposits of Wagering Tax
Section 145.	Reserved
Section 146.	Reserved
Section 147.	Reserved
Section 148.	Reserved
Section 149.	Reserved
Section 150.	Reserved
Section 151.	Purpose of Credit Extension Procedures; Establishment of Procedures
Section 152.	Submission of Written Extension of Credit Procedures in the West Virginia Lottery
Section 153.	Amendments to Procedures for Extending Credit
Section 154.	Application of Credit
Section 155.	Verification of Credit
Section 156.	Issuance of Markers
Section 157.	Receipt of Payments
Section 158.	Front Money Deposits
Section 159.	Check Cashing
Section 160.	Handling of Returned Checks
Section 161.	Collection of Past Due Accounts
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Section 163.	Reserved
Section 164.	Reserved
Section 165.	Reserved
Section 166.	Reserved
Section 167.	Reserved
Section 168.	Reserved
Section 169.	Reserved
Section 170.	Reserved
Section 171.	Exclusion List; Duty to Exclude
Section 172.	Distribution and Availability of Exclusion Lists
Section 173.	Criteria for Exclusion and Placement of Exclusion List
Section 174.	Procedure for Entry of Names on Exclusion List
Section 175.	Petition for Removal from Exclusion List
Section 176.	Offenses and Penalties
Section 177.	Reserved
Section 178.	Reserved
Section 179.	Reserved
Section 180.	Reserved
Section 181.	Patron Dispute Process
Section 182.	Investigation; Possible Disciplinary Action

SERIES 5 - LIMITED VIDEO LOTTERY RULE

Authority - §29-22B-402

Type - Legislative

Price - \$6.60

Effective - June 10, 2004

- Section 1. General
- Section 2. Definitions of Terms and Words
- Section 3. Review of Continuing Eligibility for License
- Section 4. Application Forms and Other Documents
- Section 5. Bonding Requirements for Operators and Limited Video Lottery Retailers Who Are Permittees
- Section 6. Additional Duties of Limited Video Lottery Retailers
- Section 7. Additional Duties of Limited Video Lottery Retailer Regarding Payment of Credits
- Section 8. Supplemental Duties of Manufacturers
- Section 9. Supplemental Duties of Service Technicians
- Section 10. Additional Requirements for Testing of Video Lottery Terminals and Associated Equipment
- Section 11. Additional Video Lottery Hardware and Software Specifications Not Found in W. Va. Code §§29-22B-901 through 912
- Section 12. Only Licensed Manufacturers May Sell or Lease Video Lottery Terminals to Permittees
- Section 13. Modifications to Previously Approved Video Lottery Terminals
- Section 14. Unapproved Video Lottery Terminals; Action on Licenses; Civil Penalty
- Section 15. Initial Permit Fee Payment
- Section 16. Reservation of Authority to Have Video Lottery Terminals on or Before August 1, 2001 by Persons Who Held a Private Club License or Class "A" Nonintoxicating Beer License on January 1, 2001
- Section 17. The Bidding Process
- Section 18. Examples of the Preference for Current Permit Holders in Year 2011
- Section 19. Operator - Retailer Contracts
- Section 20. Additional Requirements Regarding the 150-foot Requirement for Location of a Limited Video Lottery Retailer License
- Section 21. Testing and Installation of Approved Lottery Terminals
- Section 22. Transportation From Manufacturer and Registration of Video Lottery Terminals
- Section 23. Training for Service Technician Licensees and License Applicants
- Section 24. Master Keys
- Section 25. Sealing the Logic Area of the Video Lottery Terminal and the Controller Unit
- Section 26. Repairs to Logic Board of Circuitry
- Section 27. Accounting for the State's Share of Gross Terminal Income
- Section 28. Resolution of Discrepancies
- Section 29. Pay Over the State's Share of Gross Terminal Income When Electronic Funds Transfer is Inoperative
- Section 30. Distribution of Shares of Gross Profits
- Section 31. Examination of Permittee and Retailer Books and Records
- Section 32. Additional Requirements Concerning Appeal of an Order
- Section 33. Judicial Review
- Section 34. Prohibition on Retailer and Operator Advertising and Promotion Activities; Restriction on Retailer Corporation and Doing-Business-As Names of Retail License Locations
- Section 35. Prohibition Against a Business Selling Petroleum Products Establishing a Separate Room or Building Which is a Part of, Contiguous to, or Adjoining the Place of Business as a Restricted Access Adult-Only Facility

Appendices

SERIES 6 - NOTICE AND CONDUCT OF MEETINGS

Authority - §§6-9A-3; 29-22-5

Type - Procedural

Price - \$2.40

Effective - July 18, 2004

- Section 1. General
- Section 2. Preface
- Section 3. Notice of Meetings
- Section 4. Conduct of Meetings
- Section 5. Meeting by Conference Call

TITLE 194

WEST VIRGINIA MASSAGE THERAPY LICENSING BOARD

SERIES 1 - MASSAGE THERAPY LICENSING RULE

Authority - §30-37-6
Type - Legislative
Price - \$2.80
Effective - June 23, 2003

- Section 1. General
- Section 2. Definitions: Massage Therapy Board Fund; Expenses; Disposition of Funds
- Section 3. Requirements for Licensure
- Section 4. Duties of Board; Authorization to Propose Rules and Fees

SERIES 2 - HEARING PROCEDURE

Authority - §§30-37-1 et seq.; 30-1-1 et seq.; 29A-5-1 et seq.
Type - Procedural
Price - \$3.00
Effective - January 28, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedures
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 6. Hearing Examiner
- Section 7. Conferences: Informal Disposition of Cases
- Section 8. Depositions
- Section 9. Subpoena
- Section 10. Orders
- Section 11. Appeal
- Section 12. Severability

SERIES 3 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR MASSAGE THERAPISTS

Authority - §§30-37-1; 30-37-6
Type - Procedural
Price - \$2.60
Effective - January 15, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Revocation of Licenses of Massage Therapists
- Section 5. Disposition of complaints
- Section 6. Contested Case Hearings
- Section 7. Appeals

TITLE 11

WEST VIRGINIA BOARD OF MEDICINE

Index for the Board of Medicine

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TOTAL COST FOR ALL OF TITLE 11 - \$23.40	

SERIES 1A - LICENSING, DISCIPLINARY AND COMPLAINT PROCEDURES: PHYSICIANS; PODIATRISTS

Authority - §§30-3-7(a)(1)

Type - Legislative

Price - \$5.20

Effective - April 15, 2004

Section 1.	General
Section 2.	Application and Enforcement
Section 3.	Definitions Applicable to All Board of Medicine Rules
Section 4.	Qualification and Application for a Licensure to Practice Medicine and Surgery
Section 5.	Application Required for Examination - Federation of State Medical Boards Licensing Examination (FLEX); USMLE Step Three (3)
Section 6.	Qualification for the Issuance of a License to Practice Medicine and Surgery by Reciprocal Endorsement
Section 7.	License to Practice Medicine and Surgery by Reciprocal Endorsement; Application Required
Section 8.	Application Forms and Processing
Section 9.	License Renewals; Renewal Application Form
Section 10.	Practice of Podiatry
Section 11.	License Exemptions
Section 12.	Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses of Physicians and Podiatrists
Section 13.	Required Reports from Hospitals, Professional Societies, Insurers, Courts
Section 14.	Appeal
Section 14.	Disposition of Reports and Complaints
Section 15.	Practice of Podiatry
Section 16.	Severability

SERIES 1B - CERTIFICATION, DISCIPLINARY AND COMPLAINT PROCEDURES: PHYSICIAN ASSISTANTS

Authority - §§30-3-16(b); 30-1-8(h)

Type - Legislative

Price - \$4.20

Effective - August 1, 2003

Section 1.	General
Section 2.	Definitions
Section 3.	Supervision of Physician Assistants by Licensed Physician; Services That May be Performed by Physician Assistants
Series 4.	Submission of Application; Job Description
Series 5.	Biennial Report of Physician Assistant's Performance; Biennial Report of the Board
Section 6.	Supervision & Control of Physician Assistant
Section 7.	Limitations on Supervision & Scope of Duties of Physician Assistants
Section 8.	Identification of Physician Assistant
Section 9.	Responsibilities of the Supervising Physician
Section 10.	Disciplinary Action Against a Physician Assistant

SERIES 2 - RESERVED

SERIES 3 - BOARD ORGANIZATION AND MEETING PROCEDURE; CONTESTED CASE HEARING PROCEDURE

Authority - §§29A-5-1 and 6-9A-1

Type - Procedural

Price - \$4.00

Effective - May 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Regular Meetings Established; Time, Place
- Section 4. Special Meetings; Notice Required, Time, Place and Purpose
- Section 5. Proceedings to be Open; Exceptions; Executive Session Permitted; Broadcasting and Recording
- Section 6. Minutes
- Section 7. Quorum; Majority Open Vote Required; Vote by Proxy Prohibited
- Section 8. Records of the Board - Public Document
- Section 9. Board Membership and Organization
- Section 10. Reports and Complaints
- Section 11. Hearings
- Section 12. Transcription of Reported Testimony and Evidence
- Section 13. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 14. Hearing Examiner
- Section 15. Conferences; Informal Disposition of Cases
- Section 16. Depositions
- Section 17. Subpoenas
- Section 18. Orders
- Section 19. Appeal

SERIES 4 - FEES FOR SERVICES RENDERED BY THE BOARD OF MEDICINE

Authority - §30-3-7(a)(1)

Type - Legislative

Price - \$2.00

Effective - May 1, 2000

- Section 1. General
- Section 2. Schedule of Fees for Services Rendered by the West Virginia Board of Medicine for Physicians, Podiatrists and Physician Assistants

SERIES 5 - DISPENSING OF LEGEND DRUGS BY PHYSICIANS AND PODIATRISTS

Authority - §§30-3-7(a)(1); 60A-3-301

Type - Legislative

Price - \$2.80

Effective - July 1, 1989

- Section 1. General
- Section 2. Definitions
- Section 3. General Rules for Dispensing Physicians
- Section 4. Duties of Dispensing Physicians
- Section 5. Sale at Retail Prohibited
- Section 6. Freedom of Choice
- Section 7. Packaging
- Section 8. Labeling
- Section 9. Dispensing Records
- Section 10. Other Legal Authority
- Section 11. Disciplinary Action

SERIES 6 - CONTINUING EDUCATION FOR PHYSICIANS AND PODIATRISTS

Authority - §30-3-12

type - Legislative

Price - \$2.80

Effective - April 10, 1992

- Section 1. General
- Section 2. Continuing Education Satisfactory to the Board
- Section 3. Certification of Successful Completion of Continuing Education Requirements
- Section 4. Written Documentation of Successful Completion of Continuing Education Requirements

SERIES 7 - FORMATION AND APPROVAL OF PROFESSIONAL LIMITED LIABILITY COMPANIES

Authority - §31B-13-1304

Type - Legislative

Price - \$2.40

Effective - June 1, 1997

- Section 1. General
- Section 2. Definition
- Section 3. Procedures for Formation and Approval of Professional Limited Liability Companies for Physicians and Podiatrists; Fees
- Section 4. Notification of Non-Compliance, Cessation of Rendering Professional Services
- Section 5. Physician-Patient and Podiatrist-Patient Relationship

TITLE 37

MINE BOARD OF APPEALS

SERIES 1 - RULES AND REGULATIONS GOVERNING PROCEDURES AND PRACTICES BEFORE THE BOARD OF APPEALS

Authority - §22-1
Type - Procedural
Price - \$4.20
Effective - May 13, 1982

- Section 1. General
- Section 2. Hearings
- Section 3. Rules Applicable to Proceedings Initiated to Withdraw Certification
- Section 4. Rules Applicable to Proceedings Initiated Alleging Discrimination or for Compensation Owed to Miners as a Result of a Withdrawal Order

SERIES 2 - PROCEDURES FOR TEMPORARY SUSPENSION OF CERTIFICATES ISSUED TO PERSONS PURSUANT TO CHAPTER 22A OF THE CODE PENDING FULL HEARING BEFORE THE BOARD OF APPEALS

Authority - §§29A-3-3; 29A-3-15
Type - Procedural
Price - \$2.40
Effective - September 11, 1983

- Section 1. General
- Section 2. Procedures

TITLE 41

MINE INSPECTORS EXAMINING BOARD

REFER TO MINERS' HEALTH, SAFETY & TRAINING, TITLE 56, SERIES 3, SECTION 11

TITLE 56

MINERS' HEALTH, SAFETY AND TRAINING

(Ed. Note: Title 56 Also Includes Rules Governing Oil and Gas. See Also the Environmental Protection Rules.)

Index for Miners' Health, Safety and Training

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Series 1. Rules and Regulations Governing Procedures and Practice Before the Department of Mines	349
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Series 3. Rules and Regulations Governing the Safety of Those Employed in and Around Surface Mines in West Virginia	349
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Series 10. Rule Governing Reporting Requirements for Independent Contractors	352
Series 11. Rules Governing First-Aid Training of Shaft and Slope Employees	352
Series 12. Rules Governing Assessing Health and Safety Violation Penalties	352
TOTAL COST FOR ALL OF TITLE 56 - \$37.90	

SERIES 1 - RULES AND REGULATIONS GOVERNING PROCEDURES AND PRACTICE BEFORE THE DEPARTMENT OF MINES

Authority - §22-1-3
Type - Procedural
Price - \$5.20
Effective - January 30, 1983

- Section 1. General Provisions
- Section 2. Rules Applicable to Proceedings Initiated to Assess Civil Penalties
- Section 3. Hearings
- Section 4. Rules Applicable to Proceedings for Modification Extension, Termination or Review of Orders and Notices
- Section 5. Rules Applicable to Proceedings Initiated Upon Petition for Declaratory Ruling

SERIES 2 - RESERVED

SERIES 3 - RULES AND REGULATIONS GOVERNING THE SAFETY OF THOSE EMPLOYED IN AND AROUND SURFACE MINES IN WEST VIRGINIA

Authority - §22-6-4
Type - Legislative
Price - \$13.10
Effective - April 29, 1991

- Section 1. General
- Section 2. Effect of Law and Regulations
- Section 3. Definitions
- Section 4. Applicability and Enforcement of Laws Safeguarding Life and Property; Regulations; Authority of Department of Mines Regarding Safety Laws
- Section 5. Director of the Department of Mines - Appointment; Term of Office
- Section 6. Director of the Department of Mines - Powers and Duties
- Section 7. Director of the Department of Mines - Eligibility; Salary
- Section 8. Director of the Department of Mines - Oath and Bond
- Section 9. Mine Inspectors May be Appointed to Fill Vacancy in Department; Permanent Tenure Benefits Not Affected
- Section 10. Eligibility for Appointment as Surface Mine Inspector; Qualifications; Salary and Expenses; Removal

- Section 11. Mine Inspectors' Examining Board
- Section 12. Director and Inspectors Authorized to Enter Mines; Duties of Inspectors to Examine Mines; No Advance Notice; Reports After Fatal Accidents
- Section 13. Findings, Orders and Notices
- Section 14. Review of Orders and Notices by the Director
- Section 15. Posting of Notices, Orders, and Decisions; Delivery to Agent of Operator; Names and Addresses to be Filed by Operator
- Section 16. Judicial Review
- Section 17. Injunctions
- Section 18. Penalties
- Section 19. Discrimination
- Section 20. Records and Reports
- Section 21. Mine Foreman Examiner for Mine Foreman and Assistant Mine Foreman Salary
- Section 22. Withdrawal of Certification
- Section 23. Certification of Mine Foreman or Assistant Mine Foreman Whose License to Engage in Similar Activities Suspended in Another State
- Section 24. Board of Appeals
- Section 25. Certification of Surface Mine Foreman
- Section 26. Instruction of Employees and Supervision of Apprentices; Annual Examination of Persons Using Flame Safety Lamps; Records of Examination; Maintenance of Methane Detectors, Etc.
- Section 27. Mine Foreman and Assistant Mine Foreman; Daily Inspection of Working Places; Records
- Section 28. Duty of Mine Foreman to Notify Operator When Unable to Comply with Law; Duty of Operator
- Section 29. Death or Resignation of Mine Foreman; Successor
- Section 30. Excavating
- Section 31. Drilling
- Section 32. Explosives and Blasting
- Section 33. Underground Workings
- Section 34. Haulage
- Section 35. Auger Mining
- Section 36. General Provisions
- Section 37. Electricity
- Section 38. Hand-Held Electric Drills and Rotating Tools; Trailing Cables
- Section 39. Installation of Lighting
- Section 40. Compressed Gases and Welding
- Section 41. When Respiratory Equipment to be Worn; Control of Dust
- Section 42. Equipment
- Section 43. Ramps, Tipples, Cleaning Plants, and Other Surface Areas
- Section 44. Coal Storage Bins; Recovery Tunnels; Coal Storage Piles
- Section 45. Fire Protection
- Section 46. Duties of Persons Subject to Article; Rules and Regulations of Operators
- Section 47. Protective Equipment and Clothing
- Section 48. First-Aid Equipment
- Section 49. Thermal Coal Dryers and Plants
- Section 50. Explosion or Accident; Notice; Investigation by Department of Mines
- Section 51. Preservation of Evidence Following Accident or Disaster
- Section 52. Monthly Report by Operator
- Section 53. Emergency Medical Personnel
- Section 54. First-Aid Training of Coal Mine Employees
- Section 55. Certificate of Competency and Qualification or Permit of Apprenticeship Required of All Surface and Underground Mines
- Section 56. Permit of Apprenticeship - Surface Miner
- Section 57. Supervision of Apprentices
- Section 58. Certificate of Competency and Qualification - Underground or Surface Miner
- Section 59. Refusal to Issue Certificate; Appeal
- Section 60. Limitations of Article
- Section 61. Violations; Penalties
- Section 62. Operators Filing of Plans - Oil and Gas Wells
- Section 63. Annual Examination of Persons Using Flame Safety Lamps; Record of Examination; Maintenance of Methane Detectors, Etc.

SERIES 4 - RESERVED

SERIES 5 - RESERVED

Repealed by 38CSR2C
Effective May 1, 1995

SERIES 6 - RULES AND REGULATIONS GOVERNING OPEN-PIT MINES, EXCLUSIVE OF SURFACE MINES

Authority - §22-3-3
Type - Legislative
Price - \$2.60
Effective - September 11, 1969

- Section 1. General
- Section 2. Excavating
- Section 3. Drilling
- Section 4. Explosives and Blasting
- Section 5. Operation of Equipment
- Section 6. Fire Protection
- Section 7. Haulage

SERIES 7 - RULES AND REGULATIONS GOVERNING OPEN-PIT LIMESTONE AND SANDSTONE MINES

Authority - §22-3-3
Type - Legislative
Price - \$3.00
Effective - September 11, 1969

- Section 1. General
- Section 2. Surface Structures
- Section 3. Excavating
- Section 4. Drilling
- Section 5. Explosives and Blasting
- Section 6. Underground Workings
- Section 7. Operation of Equipment
- Section 8. Ventilation
- Section 9. Roof Support
- Section 10. Transportation of Men
- Section 11. Fire Protection
- Section 12. Haulage

SERIES 8 - RULES AND REGULATIONS GOVERNING THE SUBMISSION AND APPROVAL OF A COMPREHENSIVE MINE SAFETY PROGRAM FOR COAL MINING OPERATIONS IN THE STATE OF WEST VIRGINIA

Authority - §22-1-a
Type - Legislative
Price - \$3.20
Effective - April 1, 1990

- Section 1. General
- Section 2. Preamble - Comprehensive Safety Program for Coal Mining Operations in the State of West Virginia
- Section 3. Definitions
- Section 4. Responsibility for Comprehensive Mine Safety Program
- Section 5. Submission of Initial Comprehensive Mine Safety Program
- Section 6. Mine Evaluation for Development of the Initial Comprehensive Mine Safety Program; Submittals to Director
- Section 7. Primary Safety Program Components
- Section 8. Annual Review of the Comprehensive Mine Safety Program
- Section 9. Modifications
- Section 10. Review Procedure
- Section 11. Right of Mine Employees to Review and Comment on the Comprehensive Mine Safety Program; Posting Requirements
- Section 12. Miscellaneous

SERIES 9 - RULES AND REGULATIONS GOVERNING REQUESTS FOR INFORMATION

Authority - §29B-1-1
Type - Procedural
Price - \$2.60
Effective - May 1, 1988

- Section 1. General
- Section 2. Definitions
- Section 3. Form of Request
- Section 4. Responsibilities of the Department
- Section 5. Exemptions
- Section 6. Fees

SERIES 10 - RULE GOVERNING REPORTING REQUIREMENTS FOR INDEPENDENT CONTRACTORS

Authority - §22A-1-6
Type - Legislative
Price - \$2.00
Effective - May 3, 2004

- Section 1. General
- Section 2. Reporting Requirements

SERIES 11 - RULES GOVERNING FIRST-AID TRAINING OF SHAFT AND SLOPE EMPLOYEES

Authority - §22A-7-8
Type - Legislative
Price - \$2.00
Effective - May 1, 1994

- Section 1. General
- Section 2. Effect of Law and Rule
- Section 3. First-Aid Training of Shaft and/or Slope Employees

SERIES 12 - RULES GOVERNING ASSESSING HEALTH AND SAFETY VIOLATION PENALTIES

Authority - §22A-1-21
Type - Legislative
Price - \$3.20
Effective - July 1, 2002

- Section 1. General
 - Section 2. Definitions
 - Section 3. Assessment Procedure for Operators
 - Section 4. Assessment Procedure for Knowing Violations
 - Section 5. Assessment Procedure for Individuals
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TITLE 48

BOARD OF MINES TRAINING EDUCATION AND CERTIFICATION

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Series	1. Rules and Regulations Governing the Standards for Certification of Underground Belt Examiners for Underground Coal Mines	353
Series	2. Rules and Regulations Governing the Safety Training Program for Prospective Underground Coal Miners in West Virginia	353
Series	3. Rules and Regulations Governing the Safety Program for Prospective Surface Coal Miners in West Virginia	354
Series	4. Rules and Regulations Governing the Initial Training Program for Prospective Mine Rescue Team Members in the State of West Virginia	354
Series	5. Reserved	354
Series	6. Rules and Regulations Governing the Certification of Surface Mine Foremen in West Virginia	354
Series	7. Rules and Regulations Governing the Standards for Certification of Coal Mine Electricians in West Virginia	355
TOTAL COST FOR ALL OF TITLE 48 - \$24.20		

SERIES 1 - STANDARDS FOR CERTIFICATION OF UNDERGROUND BELT EXAMINERS

Authority - §22-9-6
Type - Legislative
Price - \$2.40
Effective - May 1, 1987

- Section 1. General
- Section 2. Definitions
- Section 3. Criteria for Belt Examiners Certification
- Section 4. Exam Components
- Section 5. Application for Certification and Testing Procedures

SERIES 2 - SAFETY TRAINING PROGRAM FOR PROSPECTIVE UNDERGROUND COAL MINERS

Authority - §22A-9-6
Type - Legislative
Price - \$7.00
Effective - May 12, 1987

- Section 1. General
- Section 2. Criteria for Health and Safety Training Programs
- Section 3. Course Outline
- Section 4. Training Objectives
- Section 5. Approval Procedures for Training Programs
- Section 6. Approval Procedures for Instructors

SERIES 3 - SAFETY TRAINING PROGRAMS FOR PROSPECTIVE SURFACE COAL MINERS

Authority - §22A-7-6

Type - Legislative

Price - \$6.60

Effective - July 1, 1998

- Section 1. General
- Section 2. Criteria for Health and Safety Training Program for Prospective Surface Coal Miners in West Virginia
- Section 3. Course Outline of the Training for Prospective Surface Coal Miners
- Section 4. Training Objectives for Surface Coal Mine Health and Safety Training Course
- Section 5. Approval Procedures for Training Programs
- Section 6. Approval Procedures for Instructors

SERIES 4 - INITIAL TRAINING PROGRAM FOR PROSPECTIVE MINE RESCUE TEAM MEMBERS

Authority - §22A-9-6

Type - Legislative

Price - \$2.60

Effective - November 4, 1978

- Section 1. General
- Section 2. Criteria for the Initial Mine Rescue Team Member Training Program
- Section 3. Experience Requirements
- Section 4. Training Requirements
- Section 5. Mine Rescue Instructor Requirements
- Section 6. Course Outline
- Section 7. Alternate Approved Training Program
- Section 8. Certification

SERIES 5 - RESERVED

SERIES 6 - CERTIFICATION OF SURFACE MINE FOREMEN

Authority - §22A-3-20(b)

Type - Legislative

Price - \$2.40

Effective - November 4, 1978

- Section 1. General
- Section 2. Criteria for Certification
- Section 3. Criteria for Mine Foreman Examiner
- Section 4. Criteria for Duties of Examiner
- Section 5. Criteria for Location and Time of Exams
- Section 6. Criteria for Preparation of Exams, Notice, Investigation and Applicants
- Section 7. Certification of Successful Applicants
- Section 8. Records of Exams
- Section 9. Certification Required

SERIES 7 - STANDARDS FOR CERTIFICATION OF COAL MINE ELECTRICIANS

Authority - §22-1-15

Type - Legislative

Price - \$3.20

Effective - April 14, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Classifications of Electrical Certification
- Section 4. Qualifications
- Section 5. Examinations
- Section 6. Certification Procedures
- Section 7. Exceptions
- Section 8. Criteria for Apprentice Electrical Training Program
- Section 9. Annual Training

TITLE 38

ENVIRONMENTAL PROTECTION MINING AND RECLAMATION

(TITLE 38 WAS FORMERLY CALLED DIVISION OF ENVIRONMENTAL PROTECTION.)
(SEE ALSO TITLE 35, OIL AND GAS)

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TOTAL COST FOR ALL OF TITLE 38 - \$114.60	

SERIES 1 - RESERVED

SERIES 2 - SURFACE MINING RECLAMATION REGULATIONS

Authority - §§22-1-3; 3a; 22-3-4

Type - Legislative

Price - \$29.00

Effective - June 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Permit Application Requirements and Contents
- Section 4. Haulageways, Roads or Access Roads
- Section 5. Drainage and Sediment Control Systems
- Section 6. Blasting
- Section 7. Premining and Postmining Land Use
- Section 8. Fish and Wildlife Considerations
- Section 9. Revegetation
- Section 10. Prime Farmlands
- Section 11. Insurance and Bonding
- Section 12. Replacement, Release and Forfeiture of Bonds
- Section 13. Requirements of a Notice of Intent to Prospect
- Section 14. Performance Standards
- Section 15. Performance Standards Applicable only to Underground Mining Operations
- Section 16. Subsidence Control
- Section 17. Small Operator Assistance Program
- Section 18. Citizens' Actions
- Section 19. Designation of Areas Unsuitable for Mining
- Section 20. Inspection and Enforcement
- Section 21. Surface Mine Board
- Section 22. Coal Refuse
- Section 23. Performance Standards Applicable Only to Remining Operations
- Section 24. Exemption for Coal Extraction Incidental to Extraction of Other Minerals

SERIES 2A - RESERVED**SERIES 2B - RULES FOR MINING AND RECLAMATION OF MINERALS OTHER THAN COAL**

Authority - §§22-1-3; 22-4-1

Type - Legislative

Price - \$6.80

Effective - January 1, 1983

- Section 1. General
- Section 2. Definitions
- Section 3. Haulageways
- Section 4. Blasting
- Section 5. Drainage System
- Section 6. Method of Operation
- Section 6A. Requirements for Special Land Use Purposes
- Section 6B. Steep Slope Mining
- Section 6C. Mountaintop Removal
- Section 6D. Disposal of Spoil or Toxic Forming Materials or Permanent Overburden Disposal Sites by Methods Other than Valley or Head-of-hollow Fills
- Section 6E. Disposal of Spoil Materials in Valley or Head-of-hollow Fills
- Section 7. Revegetation and Standards for Evaluating Vegetative Cover
- Section 8. Bond and Permit Requirements
- Section 9. Other Mining Operations on Surface Mined Areas
- Section 10. Modifications
- Section 11. State and Federal Compliance

**Drainage Handbook for Surface Mining Adopted by Reference

SERIES 2C - STANDARDS FOR CERTIFICATION OF BLASTERS

Authority - 22-1-3; 22-1-3a; 22-3-4(b)(1); 22-3-13(b)(15)(D)

Type - Legislative

Price - \$3.20

Effective - May 1, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Certification of Blasters
- Section 4. Training
- Section 5. Examination of Certification of Examiner/Inspector and Certified Blaster
- Section 6. Approval of Certification
- Section 7. Conditions or Practices Prohibiting Certification
- Section 8. Recertification Requirements for Certified Blasters
- Section 9. Presentation of Certificate; Transfer and Delegation of Authority
- Section 10. Violations by a Certified Blaster
- Section 11. Penalties
- Section 12. Hearings and Appeals
- Section 13. Blasting Crew
- Section 14. Reciprocity With Other States

SERIES 2D - RESERVED

Replaced by Office of Abandoned Mine Lands, Title 59, Series
(Technical Clean-up)

1

SERIES 2E - DEPARTMENT OF ENERGY ARTICLE 3 FORMS

Authority - §22-1-15

Type - Procedural

Price - \$45.00

Effective - September 29, 1993

- Section 1. General
- Section 2. Forms

SERIES 2F - GROUNDWATER PROTECTION REGULATIONS - COAL MINING OPERATIONS

Authority - §22-12-5

Type - Legislative

Price - \$3.00

Effective - June 1, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Groundwater Protection Plans and Practices for Coal Mining Operations
- Section 4. Monitoring
- Section 5. Fees
- Section 6. Prohibitions
- Section 7. Enforcement
- Section 8. Remediation
- Section 9. Applicability of Requirements
- Section 10. Appropriateness Study

SERIES 3 - RULES FOR QUARRYING AND RECLAMATION

Authority - §§22-1-3; 22-4 et seq.

Type - Legislative

Price - \$13.00

Effective - August 1, 2001

Section	1.	General
Section	2.	Definitions
Section	3.	Permit Application Requirements and Contents
Section	4.	Bond and Bond Pooling Fund
Section	5.	Haulageways and Transportation Facilities
Section	6.	Blasting
Section	7.	Drainage System
Section	8.	Method of Operation
Section	9.	Permanent Excess Spoil Disposal, Temporary Spoil Storage Areas
Section	10.	Revegetation and Standards for Evaluating Vegetative Cover
Section	11.	Mapping, Approved Persons and Markers
Section	12.	Transfer or Sale of Permit Rights
Section	13.	Public Hearings
Section	14.	Annual Bonding Progress Report Map and Permit Renewals
Section	15.	Permit Modifications
Section	16.	Inspection and Enforcement
Section	17.	Final Release of Bond or Bond Pooling Fund, Final Inspection Report
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SERIES 4 - COAL RELATED DAM SAFETY RULES

Authority - §§22-1-3(a); 22-14

Type - Legislative

Price - \$11.00

Effective - June 1, 2003

Section	1.	General
Section	2.	Definitions
Section	3.	Classification of Dams
Section	4.	Certificate of Approval
Section	5.	Application Procedures
Section	6.	Plans and Specifications
Section	7.	Design Requirements
Section	8.	Subsidence Evaluation
Section	9.	Breakthrough Potential Evaluation
Section	10.	Geotechnical Considerations
Section	11.	Structural Considerations
Section	12.	Construction or Modification of a Dam
Section	13.	Blasting
Section	14.	Storm Water Discharge
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Section	16.	Disposal of Construction Wastes
Section	17.	Dust Control
Section	18.	Construction Quality Control
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Section	23.	Enlargement of a Structure to Jurisdiction
Section	24.	Sale or Transfer of Dam
Section	25.	Operation and Maintenance
Section	26.	Inspection, Reporting and Certification Requirements
Section	27.	Completion of Construction
Section	28.	Inspection of Completed Dams
Section	29.	Inspection of Dams with Serious Problems
Section	30.	Reporting Requirements
Section	31.	Inspection and Certification Requirements
Section	32.	Monitoring Plans

Mining & Reclamation
Series 4, Cont'd.

- Section 33. Emergency Warning Plans
- Section 34. Emergency Procedures
- Section 35. Inspection and Enforcement
- Section 36. Application Fee for Certificate of Approval of a Dam

SERIES 5 THRU 8 - RESERVED

SERIES 9 - RESERVED

Repealed and Replaced by 60CSR2 Effective February 21, 1997

SERIES 10 - RESERVED

See Title 60, Series 1

SERIES 11 - RESERVED

Moved to 35CSR1

SERIES 12 - RESERVED

Moved to 35CSR2

SERIES 13 - RESERVED

SERIES 14 - RESERVED

Repealed by SB 765 Effective March 10, 1998

SERIES 15 - RESERVED

SERIES 16 - RESERVED

Repealed by SB 765 Effective March 10, 1998

SERIES 17 - RESERVED

SERIES 18 - RESERVED

See 35CSR4

SERIES 19 - HEARING AND APPEALS PROCEDURES

Authority - §§22-1-13; 22-1-15; 22-1-16; 22-1-17; 22B-1-2; 22B-1-4; 22B-1-7; 22B-1-28; 29A-4-1

Type - Procedural

Price - \$3.60

Effective - October 30, 1987

Section 1. General

Section 2. Hearing and Appeal Procedures

Section 3. Rules Applicable to Proceedings Initiated Upon Petition for Declaratory Ruling

SERIES 20 - RESERVED

SERIES 21 - RESERVED

See 35CSR5

SERIES 22 - RESERVED

See 35CSR6

SERIES 23 - RESERVED

See 35CSR3

TITLE 43

MINIMUM WAGE RATE BOARD

SERIES 1 - RULES AND REGULATIONS FOR THE WEST VIRGINIA PREVAILING WAGE ACT

Authority - §21-5A

Type - Legislative

Price - \$3.40

Effective - January 1, 1983

- Section 1. General
- Section 2. Definitions
- Section 3. Required Provisions to be Contained in all Advertised Specifications and Contracts for Public Work
- Section 4. Duty of the Public Authority
- Section 5. Prevailing Wage Established at Regular Intervals - How Determined - Hearings on Objections - Judicial Review
- Section 6. Posting of Wage Rates
- Section 7. Records and Inspection
- Section 8. Penalties for Violation of Act
- Section 9. Severability
- Section 10. Amendments

TITLE 91

DEPARTMENT OF MOTOR VEHICLES

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TOTAL COST FOR ALL OF TITLE 91 - \$62.60	

SERIES 1 - ADMINISTRATIVE DUE PROCESS

Authority - §§17A-2-9; 17A-6B-13; 17A-6C-17; 17B-2-15; 17D-2-1; 17E-1-8

Type - Legislative

Price - \$3.00

Effective - April 26, 2004

- Section 1. General
Section 2. Application and Enforcement
Section 3. Hearings

SERIES 2 - MOTOR VEHICLE REGISTRATION

Authority - §17A-2-9

Type - Legislative

Price - \$3.80

Effective - May 19, 1965

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Licensing or Registration Instructions
- Section 4. Receipt Showing Payment of Personal Property Taxes on all Motor Vehicles
- Section 5. Issuance of Temporary Registration Card
- Section 6. Dual Registration of Vehicles Subject to the Title and Registration Laws of Two or More States
- Section 7. Use of a Dolly or Other Mechanical Device in Moving Wrecked Motor Vehicles or Motor Vehicles that for any Reason must be Towed by a Wrecker
- Section 8. Formula for Establishing Registration Fees for Class H Vehicles Engaged in the Interstate Transportation of Persons
- Section 9. Physical Inspection of Serial Number of all Motor Vehicles Being Registered in this State From any Other Jurisdiction
- Section 10. Exchange of License Plate Involving a Class A Registration Under the Staggered Monthly System
- Section 11. Fee Required After Expiration Date for Class A Registration Issued Under Staggered Monthly System
- Section 12. Disabled Veterans Exemption from Payment of Registration Fee
- Section 13. Special Issue Plates Issued to Disabled Veterans
- Section 14. Special License Plate for Use by the Department of Public Safety

SERIES 3 - MOTOR VEHICLE TITLING

Authority - §17A-2-9

Type - Legislative

Price - \$3.80

Effective - April 30, 1985

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Titling a Vehicle
- Section 4. Liens
- Section 5. Procedure to be Followed When Transferring a Certificate of Title to a New Owner and There is an Unsatisfied Lien Recorded Thereon
- Section 6. Transferring a Motor Vehicle Titled in the Name of a Deceased Person
- Section 7. Titling a Vehicle Repossessed Under a Conditional Sales Contract
- Section 8. Titling a Vehicle Sold Under a Security Agreement, a Chattel Mortgage or a Deed of Trust
- Section 9. Titling a Vehicle Sold by Order of a Court or Justice of the Peace
- Section 10. Titling a Vehicle Sold to Satisfy a Mechanic's Lien or Other Miscellaneous Lien
- Section 11. Reassignment of Out-of-State Certificate of Title to a Motor Vehicle
- Section 12. Certificate of Title and License Required for All Types of House Trailers
- Section 13. Requirements and Procedures for Titling Assembled Trailers or Semi-Trailers
- Section 14. Titling Vehicles That are Not Operated on the Highway
- Section 15. Titling and Registering Vehicles Designated as Trucks or Trailers that are Designated and Used Primarily as Off-the-Highway Vehicles

SERIES 4 - EXAMINATION AND ISSUANCE OF DRIVER'S LICENSES

Authority - §§17A-2-9; 17B-2-7; 17B-2-15; 17E-1-18

Type - Legislative

Price - \$4.60

Effective - July 1, 2003

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Preliminary Examination of Applicants Never Licensed, Holding a License Expired More Than 6 Months or Holding an Expired License From Another State or Jurisdiction
- Section 5. Road Skill Examinations
- Section 6. Issuance and Content of the Driver's License and Identification Card
- Section 7. Renewal of Driver's License and Identification Card
- Section 8. Transfer of Driver's License
- Section 9. Reissuance of Driver's License with Changes or Issuance of a Duplicate Driver's License or Identification Card
- Section 10. Residence Requirement
- Section 11. Identity Requirements
- Section 12. Proof of Legal Presence in the United States
- Section 13. Motorcycle License or Endorsement
- Section 14. Commercial Driver's License
- Section 15. Non Driver Identification Cards
- Section 16. Review and Verification of Documents

SERIES 5 - DENIAL, SUSPENSION, REVOCATION OR NONRENEWAL OF DRIVING PRIVILEGES

Authority - §§17A-2-9; 17C-5A-2; 17C-5A-3a

Type - Legislative

Price - \$5.20

Effective - April 1, 2003

- Section 1. General
- Section 2. Applications and Enforcement
- Section 3. Denial of Driving Privileges for Medical Reasons
- Section 4. Reinstatement of Suspended Registration
- Section 5. Reinstatement of Driving Privileges of Persons Whose Driver's Licenses Were Revoked Under Prior Enactment of §17C-5-2
- Section 6. Suspending West Virginia Resident's License Upon Conviction in Another State or Jurisdiction
- Section 7. The Point System
- Section 8. Driver Improvement Course
- Section 9. Procedures for Medical and Driving Re-Examination of Licensed Drivers
- Section 10. Suspension or Revocation Following Notice of Returned Check
- Section 11. Suspension Under Nonresident Violator Compact
- Section 12. Suspension or Denial Under Student Attendance Law
- Section 13. Suspension Under Resident Violator Program
- Section 14. Driving Under the Influence
- Section 15. Suspending or Restricting a Licensee for Failure to Maintain Court Ordered Child Support Payments
- Section 16. Alcohol Test and Lock Program

**SERIES 6 - MOTOR VEHICLE DEALERS, WRECKER/DISMANTLER/REBUILDERS AND LICENSE SERVICES;
AUTOMOBILE AUCTIONS, VEHICLE LEASING COMPANIES AND DAILY PASSENGER CAR
BUSINESSES AND ADMINISTRATIVE DUE PROCESS**

Authority - §§17A-2-9; 17A-6-2a; 17A-6-3a; 17A-6-5a; 17A-6C-17; 17A-6D-15

Type - Legislative

Price - \$6.80

Effective - April 1, 2003

- Section 1. General
- Section 2. Requirements for License - General
- Section 3. Wrecker/Dismantler/Rebuilder Dealer License
- Section 4. License Services - General
- Section 5. Automobile Auction Businesses
- Section 6. Vehicle Leasing Companies Lessor License
- Section 7. Civil Penalties for Unlicensed Dealers
- Section 8. Administrative Appeals of Commissioner's Orders or Decisions
- Section 9. Daily Passenger Rental Car Business
- Section 10. Dealer Recovery Fund

SERIES 7 - SPECIAL PERMITS

Authority - §17A-2-9

Type - Legislative

Price - \$3.60

Effective - October 24, 1971

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Special Parking Permit for Disabled Persons
- Section 4. House Trailer One Trip Special Permits or Stickers
- Section 5. Authorization of Emergency Vehicle Permits
- Section 6. Eligibility and Requirements Necessary to Issue an Authorized Emergency Vehicle Permit

**SERIES 8 - POLICIES PERTAINING TO THE COLLECTION, FILING AND DISTRIBUTION OF INFORMATION FROM
THE FILES OF THE DEPARTMENT OF MOTOR VEHICLES**

Authority - §17A-2-9

Type - Legislative

Price - \$2.80

Effective - September 13, 1974

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Policies Pertaining to the Collection, Filing and Distribution of Information from the Files of the Department of Motor Vehicles

SERIES 9 - RESERVED

Repealed & Replaced by 91CSR5

Effective April 1, 2003

SERIES 10 - HANDICAPPED PARKING PERMITS

Authority - §§17A-2-9; 17C-13-6

Type - Interpretive

Price - \$2.60

Effective - December 16, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Handicapped Parking Permits - Eligibility
- Section 4. Application Procedural
- Section 5. Renewal
- Section 6. Display of Placard
- Section 7. Identification Cards
- Section 8. Reciprocity
- Section 9. Expiration of Old Permits

SERIES 11 - MOTOR VEHICLE EQUIPMENT

Authority - §17A-2-9

Type - Legislative

Price - \$3.20

Effective - August 4, 1974

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Motorcycle Safety Equipment and Approval Procedures
- Section 4. Slow Moving Vehicles
- Section 5. Truck Cab or Truck Crew Compartment Designed for Occupancy of Four Persons, Including Driver

SERIES 12 - MOTOR VEHICLE INSPECTION MANUAL

Authority - §§17A-2-9, 17C-16-4

Type - Legislative

Price - \$2.00 (without incorporated manual)

\$33.10 (with manual)*

Effective - April 10, 2003

- Section 1. General
- Section 2. Motor Vehicle Inspection Manual (Incorporated)

*Ed. Note: This manual is also available from the State Police

SERIES 13 - COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE REGULATIONS

Authority - §§17A-2-9, 17D-2A-8

Type - Legislative

Price - \$3.60

Effective - May 13, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Verification of Insurance
- Section 4. Owner Cancellation of Insurance
- Section 5. Company Cancellation of Insurance
- Section 6. Traffic Accident Reports
- Section 7. Traffic Citations
- Section 8. Company Forms and Procedures
- Section 9. Administrative Due Process

SERIES 14 - WAIVER OF SAFETY BELT REQUIREMENTS

Authority - §§17A-2-9; 17C-15-49(b)

Type - Procedural

Price - \$2.40

Effective - September 30, 1993

- Section 1. General
- Section 2. Application
- Section 3. Physician Certification
- Section 4. Display and Use of Safety Belt Waiver
- Section 5. Enforcement

SERIES 15 - SAFETY AND TREATMENT PROGRAM

Authority - §§17A-2-9, 17C-5A-3

Type - Legislative

Price - \$2.80

Effective - May 4, 1984

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Program Responsibilities
- Section 5. Program Levels of Referral
- Section 6. Staff Qualifications
- Section 7. Program Participant Evaluation
- Section 8. Fiscal Procedures
- Section 9. Reinstatement of License

SERIES 16 - ELIGIBILITY FOR REINSTATEMENT FOLLOWING SUSPENSION OR REVOCATION OF DRIVING PRIVILEGES

Authority - §17A-2-9

Type - Legislative

Price - \$2.40

Effective - April 2, 1986

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Suspension or Revocation of Driving Privileges
- Section 4. Eligibility for Reinstatement
- Section 5. Cross Reference

SERIES 17 - RESERVED

Reserved by 91 CSR 6, June 15, 1993

SERIES 18 - RESERVED

Reserved by 91 CSR 6, June 15, 1993

SERIES 19 - APPROVAL OF MOTOR VEHICLE ACCIDENT PREVENTION COURSE

Authority - §§17A-2-9, 33-20-19(a)
 Type - Interpretive
 Price - \$2.60
 Effective - August 7, 1986

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Application for Course Approval
- Section 4. Criteria for Course Approval
- Section 5. Course Administration
- Section 6. Course Approval Withdrawal
- Section 7. Severability

SERIES 20 - SEIZURE OF DRIVERS LICENSE, ISSUANCE OF TEMPORARY

Authority - §§17A-2-9, 17C-5A-1, 17C-5A-2
 Type - Legislative
 Price - \$2.40
 Effective - June 12, 1987

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Seizure and Disposition of Driver's License
- Section 4. Issuance of Temporary Driver's License
- Section 5. Extension of Temporary Driver's License
- Section 6. Severability

SERIES 21 - FEDERAL SAFETY STANDARDS INSPECTION PROGRAM

Authority - §§17A-2-9, 17A-3A-1
 Type - Legislative
 Price - \$2.40
 Effective - June 12, 1987

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Inspection Station Appointment
- Section 4. Vehicle Compliance Inspection
- Section 5. Severability

SERIES 22 - RESERVED

Repealed by 91 CSR 6, June 15, 1993

SERIES 23 - VESSEL NUMBERS

Authority - §§17A-2-9; 20-7-12
 Type - Procedural
 Price - \$2.60
 Effective - February 11, 1988

- Section 1. General
- Section 2. Definitions
- Section 3. Persons Subject to These Regulations
- Section 4. Motorboats Requiring Numbering
- Section 5. Exceptions
- Section 6. Application
- Section 7. Certificate
- Section 8. Vessel Identification
- Section 9. Numbering Livery Boats

TITLE 109

WEST VIRGINIA MUNICIPAL BOND COMMISSION

SERIES 1 - RULES OF PROCEDURE GOVERNING BOARD AND EXECUTIVE COMMITTEE MEETINGS OF THE WV MUNICIPAL BOND COMMISSION

Authority - §13-3-6

Type - Procedural

Price - \$2.60

Effective - March 12, 1984

- Section 1. General
- Section 2. Background
- Section 3. Commission Authorized
- Section 4. Commission Organization
- Section 5. Meetings
- Section 6. Minutes of Meeting
- Section 7. Agenda Meeting
- Section 8. Executive Session
- Section 9. General

TITLE 58 **DIVISION OF NATURAL RESOURCES**

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Series 68.	Issuance of Hunting, Trapping and Fishing Licenses by Telephone and Other Electronic Methods	385
Total Cost of all of Title 58 - \$152.60		

SERIES 1 - REGULATIONS FOR OPEN GOVERNMENTAL PROCEEDINGS

Authority - §6-9A-1
Type - Procedural
Price - \$2.60
Effective - November 8, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Governing Bodies Within the Department of Natural Resources
- Section 4. Notice of Meetings
- Section 5. Public Attendance

SERIES 2 - RULES CONTROLLING THE PUBLIC LAND CORPORATION'S SALE, LEASE, EXCHANGE OR TRANSFER OF LANDS OR MINERALS

Authority - §20-1A-1 through §20-1A-9
Type - Legislative
Price - \$2.80
Effective - May 20, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Rules for Sale, Exchange or Transfer of Land or Minerals
- Section 4. Bidding Procedures for Land Sales
- Section 5. Competitive Bidding and Notice Procedures for the Lease of Minerals

SERIES 3 - RESERVED

SERIES 4 - RESERVED

SERIES 5 - RECYCLING ASSISTANCE FUND GRANT PROGRAM

Authority - §20-11-5a(h)(1)
Type - Legislative
Price - \$3.80
Effective - May 1, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Grants Available from Recycling Assistance Fund Grant Program
- Section 4. Grant Program Priority and Other Criteria
- Section 5. Use of a Grant
- Section 6. General Conditions Applicable to Grant
- Section 7. Schedule of Grants Available
- Section 8. Criteria for Developing a Grant Proposal
- Section 9. Recycling Assistance Fund Grant Review Committee
- Section 10. Submittal of Grant Applications; Awarding of Grants; Financial Management; and Unexpended Grant and Termination of Grant
- Section 11. Site Visits and Reports Required

- Section 12. Equal Employment Opportunity
- Section 13. Certification Regarding Drug-Free Workplace Requirements
- Section 14. Submission of an Application

SERIES 6 - LITTER CONTROL GRANT PROGRAM

Authority - §20-7-25(b)
Type - Legislative
Price - \$2.80
Effective - May 1, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. In-Kind Services
- Section 5. Authorized Uses of Grant Funds
- Section 6. Unauthorized Uses of Grant Funds
- Section 7. Reporting Requirements
- Section 8. Grant Withdrawal and Penalty
- Section 9. Nondiscrimination Provision
- Section 10. Unexpended Funds
- Section 11. Reduction of the Litter Control Fund

SERIES 7 - AWARDING OF MATCHING GRANTS FOR LOCAL LITTER CONTROL PROGRAMS

Authority - §20-7-25(b)
Type - Procedural
Price - \$6.00
Effective - December 29, 1986

- Section 1. General
- Section 2. Definitions
- Section 3. Applicability
- Section 4. In-Kind Services
- Section 5. Authorized Uses of Grant Funds
- Section 6. Unauthorized Uses of Grant Funds
- Section 7. Grant Withdrawal and Penalty
- Section 8. Nondiscrimination Provision
- Section 9. Unexpended Funds
- Section 10. Reduction of the Litter Control Fund

SERIES 8 - RESERVED

SERIES 9 - RESERVED

SERIES 10 - RESERVED

SERIES 11 - HUNTING AND FISHING OUTFITTERS AND GUIDES

Authority - §§20-1-7(30); 20-1-23
Type - Legislative
Price - \$2.60
Effective - April 1, 1988

- Section 1. General
- Section 2. Definitions
- Section 3. Outfitters License
- Section 4. Hunting and Fishing Trips
- Section 5. Accident Reports
- Section 6. Enforcement and Penalties
- Section 7. Appeals

SERIES 12 - COMMERCIAL WHITEWATER OUTFITTERS

Authority - §20-2-23A

Type - Legislative

Price - \$3.60

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Designated Whitewater Zones
- Section 4. Commercial Whitewater Outfitters License
- Section 5. Special Whitewater Study and Improvement Fee
- Section 6. Transfer of License
- Section 7. Use Allocations
- Section 8. Daily Use Limits
- Section 9. Commercial Whitewater Operations
- Section 10. Equipment
- Section 11. Accidents Reports
- Section 12. Trip Guides and Trip Leaders
- Section 13. Enforcement and Penalties
- Section 14. Appeals

SERIES 13 - CONTRACTED EXTRAORDINARY LAW ENFORCEMENT SERVICES

Authority - §20-7-1(e)

Type - Legislative

Price - \$2.60

Effective - June 27, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Application for Contracted Extraordinary Law Enforcement Services
- Section 4. Contract Guidelines
- Section 5. Assignment to Officers
- Section 6. Compensation
- Section 7. Office Conduct

SERIES 14 - RULES GOVERNING SMALL ARMS HUNTING

Authority - §20-1-7(30)

Type - Legislative

Price - \$2.00

Effective - March 29, 2002

- Section 1. General
- Section 2. General Small Arms Hunting Rules
- Section 3. Penalties

SERIES 15 - PERMITS TO KILL DEER AND OTHER WILDLIFE CAUSING DAMAGE TO CULTIVATED CROPS, FRUIT TREES OR COMMERCIAL NURSERIES

Authority - §20-2-15
 Type - Procedural
 Price - \$3.00
 Effective - May 20, 1992

- Section 1. General
- Section 2. Applicability
- Section 3. Exceptions
- Section 4. Authorized Persons
- Section 5. Procedure
- Section 6. Issuance of Permits
- Section 7. Duties of Permittees
- Section 8. Reoccurrence
- Section 9. Disposition of Animals

SERIES 16 - TRANSPORTING AND SELLING WILDLIFE PELTS

Authority - §20-2-12
 Type - Legislative
 Price - \$2.80
 Effective - May 1, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Shipping Tags
- Section 4. Fur Dealer Licensing
- Section 5. Fur Dealer Record Keeping
- Section 6. Fur Dealer Reporting
- Section 7. License and Permit Revocations
- Section 8. Penalties

SERIES 17 - FUR DEALER TRANSACTIONS

Authority - §20-1-7(30)
 Type- Procedural
 Price - \$4.20
 Effective - September 10, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Application Submission and Review
- Section 4. Renewal of Issued Licenses and Permits
- Section 5. Transaction Reporting
- Appendix

SERIES 18 - BEAR DAMAGE REGULATIONS

Authority - §20-2-22A
 Type - Procedural
 Price - \$3.20
 Effective - September 10, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Bear Damage Complaint Procedures
- Section 4. Bear Damage Hunts
- Section 5. Bear Damage Claims Procedures
- Section 6. Bear Damage Appraisals
- Appendix

SERIES 19 - GUN REPAIR SHOP EXEMPTIONS

Authority - 2§§0-2-58; 61-7-12 and 29A-3

Type - Procedural

Price - \$3.40

Effective - September 10, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Application Procedures
- Section 4. Notice Requirements
- Section 5. Objections to a Grant of Exemption
- Section 6. Inspections
- Appendix

SERIES 20 - GUN REPAIR SHOP EXEMPTIONS

Authority - §§20-2-58; 61-7-12 and 29A-3

Type - Interpretive

Price - \$2.00

Effective - September 10, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Nontransferability
- Section 4. Safety Requirements
- Section 5. Revocation of Exemption

SERIES 21 - RESERVED

SERIES 22 - RESERVED

SERIES 23 - REVOCATION OF HUNTING AND FISHING LICENSES

Authority - §20-1-7(30)

Type - Legislative

Price - \$2.60

Effective - July 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Revocation of Licenses
- Section 4. Surrender of Licenses
- Section 5. Restoration of License Privileges
- Section 6. Assignment of Points
- Section 7. Removal of Points
- Section 8. Hearing and Appeal Procedures
- Section 9. License Fee Refunds

SERIES 24 - POINT SYSTEM FOR THE REVOCATION OF HUNTING AND FISHING LICENSES

Authority - §§20-2-38; 20-1-7

Type - Legislative

Price - \$2.00

Effective - January 1, 1983

- Section 1. General
- Section 2. General Purpose
- Section 3. Revocation of License, Duration
- Section 4. Assignment of Points
- Section 5. Removal of Points
- Section 6. Hearing

SERIES 25 - BOATING RULE

Authority - §§20-1-7(30); 20-7-13, 20-7-22 and 20-7-23
 Type - Legislative
 Price - \$3.80
 Effective - June 5, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Certification of Vessels
- Section 4. Required Equipment
- Section 5. Right-of-Way
- Section 6. Prohibited Operations
- Section 7. Restricted Areas
- Section 8. Overloading and Overpowering
- Section 9. Water Skis and Surfboards
- Section 10. Accident Reports
- Section 11. Boating on Government-Owned Reservoirs
- Section 12. Special Requirements for Motorboats Which Carry Passengers for Hire
- Section 13. Penalties

SERIES 26 - SPECIAL BOATING REGULATIONS

Authority - §§20-1-7(30); 20-7-22 & 20-7-23
 Type - Legislative
 Price - \$3.20
 Effective - April 9, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Special Rules for Government-Owned Lakes

SERIES 27 - SPECIAL MOTORBOATING REGULATIONS

Authority - §20-7-22,23
 Type - Legislative
 Price - \$2.40
 Effective - May 17, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. No Wake Speed Zones

SERIES 28 - SPECIAL REQUIREMENTS CONCERNING BOATING

Authority - §§20-1-7(30); 20-7-13
 Type - Legislative
 Price - \$2.00
 Effective - October 1, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Special Requirements

SERIES 29 - SPECIAL BOATING RULE FOR JENNINGS RANDOLPH LAKE

Authority - §§20-1-7(30); 20-7-13; 20-7-22; 20-7-23 & 29-1J-1

Type - Legislative

Price - \$3.00

Effective - May 20, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Prohibitions
- Section 4. Vessel Operator Blood Alcohol Content; Testing Method and Loss of Privileges
- Section 5. Water Skis, Surfboards or Similar Devices
- Section 6. Sailboards
- Section 7. Skin and Scuba Diving
- Section 8. Boating Safety Education Certificate
- Section 9. Noise Level Limits
- Section 10. Sanitation Devices
- Section 11. Waste Products
- Section 12. Penalties

SERIES 30 - SHORELINE CAMPING ON GOVERNMENT OWNED RESERVOIR AREAS IN WEST VIRGINIA

Authority - §20-1-7

Type - Legislative

Price - \$2.00

Effective - January 1, 1983

- Section 1. General
- Section 2. General Regulations
- Section 3. Special Regulations

SERIES 31 - PUBLIC USE OF WEST VIRGINIA STATE PARKS, STATE FORESTS AND STATE WILDLIFE MANAGEMENT AREAS UNDER THE DIVISION OF NATURAL RESOURCES

Authority - §20-5-2

Type - Legislative

Price - \$3.00

Effective - May 1, 2002

- Section 1. General
- Section 2. General Rules Governing Use of State Parks, Governing Public Use of State Forests, and Recreational Areas in State Wildlife Management Areas Under Division of Natural Resources
- Section 3. Enforcement of Rules Governing Public Use of State Forests, and Recreational Areas in State Wildlife Management Areas Under Division of Natural Resources and Penalties

SERIES 32 - PUBLIC USE OF CAMPGROUNDS IN WEST VIRGINIA STATE PARKS, STATE FORESTS AND STATE WILDLIFE MANAGEMENT AREAS UNDER THE DIVISION OF NATURAL RESOURCES

Authority - §20-5-2

Type - Legislative

Price - \$2.80

Effective - July 1, 1996

- Section 1. General
- Section 2. Rules Governing Public Use of Campgrounds in State Parks, State Forests and State Wildlife Management Areas Under the Division of the Division of Natural Resources
- Section 3. Enforcement of Rules Governing Public Use of Campgrounds in State Forests, and Recreational Areas in State Wildlife Management Areas Under Division of Natural Resources and Penalties

SERIES 33 - PUBLIC USE OF SWIMMING AREAS IN WEST VIRGINIA STATE PARKS, STATE FORESTS AND STATE WILDLIFE MANAGEMENT AREAS UNDER THE DIVISION OF NATURAL RESOURCES

Authority - §20-5-2
Type - Legislative
Price - \$2.40
Effective - July 1, 1996

- Section 1. General
- Section 2. Rules Governing Public Use of Swimming Areas in State Parks, State Forests and State Wildlife Management Areas Under the Division of the Division of Natural Resources
- Section 3. Enforcement of Rules Governing Public Use of Swimming Areas in State Forests, and Recreational Areas in State Wildlife Management Areas Under Division of Natural Resources and Penalties

SERIES 34 - RULES GOVERNING SPECIAL PROJECTS AND GRANTS FOR WEST VIRGINIA STATE PARKS, STATE FORESTS AND STATE WILDLIFE MANAGEMENT AREAS UNDER THE DIVISION OF NATURAL RESOURCES

Authority - §20-5-2
Type - Legislative
Price - \$2.00
Effective - May 11, 2001

- Section 1. General
- Section 2. General Rules Governing Special Projects and Grants for West Virginia State Parks, State Forests and State Wildlife Management Areas Under the Division of Natural Resources

SERIES 35-40 - RESERVED

SERIES 41 - WILDLIFE DAMAGE CONTROL AGENTS

Authority - §§20-2-7 and 20-2-50a
Type - Legislative
Price - \$3.40
Effective - August 8, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Licensing
- Section 4. Annual Fee
- Section 5. Background Check
- Section 6. Training
- Section 7. Procedures
- Section 8. Disposition of Nuisance Wildlife
- Section 9. Records and Reports
- Section 10. Revocation and Suspension
- Section 11. Liabilities

SERIES 42 - WILDLIFE SCIENTIFIC COLLECTING PERMIT

Authority - §§20-1-7(30) and 20-2-50
Type - Legislative
Price - \$2.80
Effective - May 10, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Application
- Section 4. Conditions of Issuance, Denial and Revocations
- Section 5. Permit Length
- Section 6. Record Keeping and Reporting
- Section 7. Penalties

SERIES 43 - WEST VIRGINIA WILDLIFE MANAGEMENT AREAS

Authority - §§20-1-7(30); 20-3-2

Type - Legislative

Price - \$2.80

Effective - May 9, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. General Regulations
- Section 4. Special Regulations
- Section 5. Department of Commerce Facilities
- Section 6. Public Shooting Ranges
- Section 7. Mountain Bikes or Bicycles in Wildlife Management Areas
- Section 8. Horseback Riding in Wildlife Management Areas

SERIES 44 - COOPERATION WITH FEDERAL GOVERNMENT IN MANAGEMENT OF FEDERAL LANDS WITHIN THE STATE

Authority - §20-1-18c

Type - Legislative

Price - \$2.00

Effective - October 3, 1983

- Section 1. General
- Section 2. General Regulations

SERIES 45 - HUNTING AND TRAPPING REGULATIONS (EXEMPT RULES)

Authority - §§20-1-17(7); 20-1-7(30)

Type - Legislative

Price - \$3.40

Effective - September 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Deer Hunting Seasons
- Section 4. Bear Hunting Seasons
- Section 5. Wild Turkey Hunting Seasons
- Section 6. Wild Boar Hunting Seasons
- Section 7. Other Hunting Seasons
- Section 8. Hunting Bag and Possession Limits
- Section 9. Trapping Seasons
- Section 10. Trapping Bag and Possession Limits

SERIES 46 - RULE DEFINING THE TERMS TO BE USED CONCERNING ALL HUNTING AND TRAPPING RULE

Authority - §20-1-7(30)

Type - Legislative

Price - \$2.40

Effective - July 16, 2001

- Section 1. General
- Section 2. Definitions

SERIES 47 - PROHIBITIONS WHEN HUNTING AND TRAPPING

Authority - §20-1-7(30)
Type - Legislative
Price - \$2.40
Effective - April 9, 2003

Section 1. General
Section 2. Definitions
Section 3. Prohibitions

SERIES 48 - RESERVED

Repealed by SB 310 March 18, 2000
See 58-45

SERIES 49 - GENERAL HUNTING REGULATIONS

Authority - §20-1-7(30)
Type - Legislative
Price - \$2.00
Effective - July 16, 2001

Section 1. General
Section 2. Definitions
Section 3. General Hunting Rules

SERIES 50 - DEER HUNTING RULE

Authority - §20-1-7(30)
Type - Legislative
Price - \$2.40
Effective - April 9, 2003

Section 1. General
Section 2. Definitions
Section 3. Deer Hunting Rules

SERIES 51 - WILD TURKEY REGULATIONS

Authority - §20-1-7(30)
Type - Legislative
Price - \$2.00
Effective - July 1, 1993

Section 1. General
Section 2. Definitions
Section 3. Wild Turkey Hunting Rules
Section 4. Possession, Propagation and Release of Pen-raised Turkeys

SERIES 52 - WILD BOAR HUNTING RULE

Authority - §20-1-7(30)
Type - Legislative
Price - \$2.00
Effective - July 1, 2002

Section 1. General
Section 2. Definitions
Section 3. Wild Boar Hunting Rules
Section 4. License Requirements

SERIES 53 - GENERAL TRAPPING RULE

Authority - §20-1-7(30)

Type - Legislative

Price - \$2.40

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. General Trapping Rules

SERIES 54 - DOG TRAINING REGULATIONS

Authority - §20-1-7(30)

Type - Legislative

Price - \$2.00

Effective - July 1, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Dog Training Rules

SERIES 55 - MIGRATORY BIRD HUNTING RULES (EXEMPT RULES)

Authority - §§20-1-17(7); 29A-1-3(c)

Type - Legislative

Price - \$2.60

Effective - September 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. General Migratory Bird Hunting Rules
- Section 4. Open Shooting and Falconry Season
- Section 5. Shooting and Falconry Hours
- Section 6. Shooting Bag and Possession Limits
- Section 7. Falconry Bag and Possession Limits

SERIES 56 - SPECIAL MIGRATORY BIRD HUNTING

Authority - §20-1-7(30)

Type - Legislative

Price - \$2.60

Effective - April 16, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. General Migratory Bird Hunting Rules

SERIES 57 - WATERFOWL HUNTING REGULATIONS

Authority - §§20-1-17(7); 29A-1-3(c)

Type - Legislative

Price - \$3.00

Effective - September 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. General Provisions
- Section 4. Open Shooting and Falconry Seasons
- Section 5. Shooting and Falconry Hours
- Section 6. Shooting Bag and Possession Limits
- Section 7. Falconry Bag and Possession Limits
- Section 8. Youth Waterfowl Hunting Season

SERIES 58 - SPECIAL WATERFOWL HUNTING

Authority - §§20-1-7(30); 29A-1-3c

Type - Legislative

Price - \$2.80

Effective - April 16, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. General Waterfowl Hunting Rules

SERIES 59 - SPECIAL WATERFOWL HUNTING AREAS

Authority - §§20-1-7(30); 29A-1-3(c)

Type - Legislative

Price - \$2.40

Effective - September 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. McClintic Wildlife Management Area
- Section 4. Green Bottom Wildlife Management Area
- Section 5. Warden Lake Wildlife Management Area

SERIES 60 - FISHING REGULATIONS

Authority - §§20-1-17(30); 20-1-17(7)

Type - Legislative

Price - \$5.20

Effective - January 1, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. General Fishing Rules
- Section 4. Open and Closing Dates
- Section 5. Daily Creel Limits and Possession Limits
- Section 6. Size Limits
- Section 7. Catch and Release Black Bass Fishing Regulations
- Section 8. Catch and Release Muskellunge Fishing Regulations
- Section 9. Catch and Release Trout Fishing Regulations
- Section 10. Fly Fishing Only Fishing Regulations
- Section 11. Other Fishing Methods
- Section 12. Use of Live Minnows as Bait
- Section 13. Night Fishing Regulations
- Section 14. McClintic Wildlife Management Area

SERIES 61 - SPECIAL FISHING RULE

Authority - §§20-1-7(30); 20-1-17(7)

Type - Legislative

Price - \$2.80

Effective - April 13, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Prohibitions
- Section 4. Special Fishing Areas for Children and Persons Possessing a Valid Class Q License
- Section 5. Special Fishing Area Rule for London, Marmet and Winfield Dam Tailwaters on the Kanawha River
- Section 6. Special Fishing Area Rule for Division of Natural Resources - Owned or Leased Public Boating and Fishing Access Sites

SERIES 62 - CATCHING AND SELLING BAIT FISH

Authority - §20-1-7(30)

Type - Legislative

Price - \$2.40

Effective - June 1, 1989

- Section 1. General
- Section 2. Definition
- Section 3. Species Which May be Legally Caught and Sold
- Section 4. Possession Limit
- Section 5. Sales Limits
- Section 6. Size Limits
- Section 7. Legal Collection Methods
- Section 8. Restricted Areas

SERIES 63 - COMMERCIAL SALE OF WILDLIFE

Authority - §20-2-11

Type - Legislative

Price - \$3.20

Effective - April 9, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Wildlife Acquisition
- Section 4. Wildlife Sales or Transfer
- Section 5. Record Keeping
- Section 6. Inspections
- Section 7. Possession for Commercial Purposes Prohibited
- Section 8. Penalties

SERIES 64 - MISCELLANEOUS PERMITS AND LICENSES

Authority - §§20-1-7(20); 20-1-7(30)

Type - Procedural

Price - \$5.00

Effective - May 10, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Application Submission and Review
- Section 4. Renewal of Issued Permits and Licenses
- Section 5. Record Keeping and Reporting
- Section 6. Inspections
- Section 7. Terms and Conditions
- Section 8. Penalties
- Section 9. Appeals to the Director
- Appendix

SERIES 65 - FALCONRY

Authority - §20-1-7(30)

Type - Legislative

Price - \$3.20

Effective - July 6, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Permit Requirements
- Section 4. Classes of Permits
- Section 5. Examination
- Section 6. Facilities and Equipment
- Section 7. Nonresident Permits
- Section 8. Reporting
- Section 9. Marking
- Section 10. Restrictions
- Section 11. Revocation of Permit

SERIES 66 - FERTILITY CONTROL OF FREE ROAMING WILDLIFE

Authority - §20-1-5d

Type - Legislative

Price - \$2.40

Effective - May 7, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. General Application Requirements
- Section 4. Chemical Registration/Licensing
- Section 5. Permit Conditions
- Section 6. Public Notice

SERIES 67 - LIFETIME HUNTING, TRAPPING AND FISHING LICENSES

Authority - §20-2B-7

Type - Legislative

Price - \$2.40

Effective - August 28, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Lifetime Hunting, Trapping and Fishing License Requirements
- Section 4. Fees for Lifetime Hunting, Trapping and Fishing Licenses
- Section 5. Fees for Issuing Duplicate Lifetime Hunting, Trapping and Fishing Licenses

SERIES 68 - ISSUANCE OF HUNTING, TRAPPING AND FISHING LICENSES BY TELEPHONE AND OTHER ELECTRONIC METHODS

Authority - §20-2-33

Type - Legislative

Price - \$2.00

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Licenses Sold by Telephone Transaction
- Section 4. Licenses Sold by Internet Transaction
- Section 5. Licenses Sold Electronically at the Point of Sale

TITLE 21

WEST VIRGINIA NURSING HOME ADMINISTRATORS LICENSING BOARD

SERIES 1 - NURSING HOME ADMINISTRATORS

Authority - §§30-25-7; 30-1-1 et seq.

Type - Legislative

Price - \$4.40

Effective - July 3, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Examinations
- Section 4. Education, Training and Experience
- Section 5. Licenses
- Section 6. Suspension or Revocation; Hearings; and Judicial Review
- Section 7. Reciprocity
- Section 8. Restoration
- Section 9. Refunds

SERIES 2 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR NURSING HOME ADMINISTRATORS, ADMINISTRATOR-IN-TRAINING, EMERGENCY AND TEMPORARY PERMIT HOLDERS

Authority - §§30-25-1 et seq., 30-1-1 et seq.

Type - Procedural

Price - \$2.60

Effective - December 20, 2000

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses or Permits of Nursing Home Administrators, AITs, Permit Holders or Applicants
- Section 5. Disposition of Complaints

TITLE 12

WEST VIRGINIA NURSING HOME LICENSING ADVISORY COUNCIL

Repealed March 25, 2002

TITLE 13

WEST VIRGINIA BOARD OF OCCUPATIONAL THERAPY

SERIES 1 - RULES OF THE BOARD OF OCCUPATIONAL THERAPY

Authority - §30-28-6

Type - Legislative

Price - \$4.40

Effective - July 1, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Powers and Duties of the Board
- Section 4. Duties of the Chairperson
- Section 5. Duties of the Secretary/Treasurer
- Section 6. Executive Director or Executive Secretary
- Section 7. Application for Licenses and Limited Permits
- Section 8. Examination Process
- Section 9. Issuance of Licenses and Limited Permits
- Section 10. Exemptions
- Section 11. Renewal
- Section 12. Continuing Competency Requirements for Renewal of License
- Section 13. Responsibilities of the Licensee or Limited Permit Holder
- Section 14. Display of License or Limited Permit
- Section 15. Duplicate License
- Section 16. Notice of Change of Address, Change of Name
- Section 17. Fees Shall be Collected and Determined by the Board for the Following (All Fees are Non-Refundable)
- Section 18. Suspension, Revocation and Refusal to Renew License or Limited Permit
- Section 19. Hearing Procedures
- Section 20. Procedures for Judicial Review

SERIES 2 - DISCIPLINARY, COMPLAINT AND CONTESTED CASE HEARING PROCEDURES FOR OCCUPATIONAL THERAPISTS AND OCCUPATIONAL THERAPY

Authority - §30-28-6 et seq.

Type - Procedural

Price - \$5.20

Effective - March 1, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses of Occupational Therapists, Occupational Therapy Assistants, Limited Permit Holders
- Section 5. Disposition of Complaints
- Section 6. Emergency Action Matters
- Section 7. Appeals
- Section 8. Hearing Procedures
- Section 9. Transcription of Testimony and Evidence
- Section 10. Submission of Proposed Findings and Conclusion of Law
- Section 11. Conferences; Informal Disposition of Cases
- Section 12. Depositions
- Section 13. Subpoenas
- Section 14. Orders
- Section 15. Appeal
- Section 16. Procedures for Judicial Review

TITLE 35

DIVISION OF ENVIRONMENTAL PROTECTION OFFICE OF OIL AND GAS

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Series 1. Miscellaneous Water Pollution Control (Formerly 38CSR11)	389
Series 2. Solid Waste (Formerly 38CSR12)	389
Series 3. Coalbed Methane Wells (Formerly 38CSR23)	390
Series 4. Oil and Gas Wells and Other Wells (Formerly 38CSR18)	390
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TOTAL COST FOR ALL OF TITLE 35 - \$30.00	

SERIES 1 - MISCELLANEOUS WATER POLLUTION CONTROL RULE (FORMERLY 38CSR11)

Authority - §§22-1-10; 22-1-11; 22-6-2; 22-6-7; 22-11-1 thru 27

Type - Legislative

Price - \$4.00

Effective - June 1, 1991

Section	1. General
Section	2. Definitions
Section	3. Discharge Notification and Response
Section	4. Waste Load Allocations
Section	5. Small Waste Water Treatment Plants
Section	6. Outlet Markers
Section	7. Spill Prevention - Production Facilities
Section	8. Spill Prevention - Workover Operations
Section	9. Submittal of Spill Prevention Plans

SERIES 2 - OIL AND GAS OPERATIONS (FORMERLY 38CSR12)

Authority - §§22-1-13; 22-1-10; 22-1-11; 22-6-3 and 22-15-1 thru 8

Type - Legislative

Price - \$2.00

Effective - June 12, 1987

Section	1. General
Section	2. Definitions
Section	3. Permits
Section	4. Permit by Rule

SERIES 3 - COALBED METHANE WELLS (FORMERLY 38CSR23)

Authority - §22-21-3, 4

Type - Legislative

Price - \$6.00

Effective - June 1, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Inspectors, Inspection Forms, Violations, Abatement
- Section 4. Permit Required for Coalbed Methane Well; Permit Fee; Soil Erosion Control Plan
- Section 5. Casing Requirements - Coalbed Methane Wells
- Section 6. Notice of Plugging and Reclamation of a CBM Well; Right to Take Well; Objection; Plugging Order; Plugging for Mine Through
- Section 7. Work Order: Manner and Method of Plugging a CBM Well
- Section 8. Plugging of Coalbed Methane Wells When a Workable Coal Seam is Encountered
- Section 9. Form and Contents of Plats
- Section 10. Rules Applicable to Separate Bonds; Blanket Bonds; Financial Responsibility; Financial Security for Stimulation in the Absence of Consent of Affected Coal Operators or Owners; Regulation; Designation of Agent Transfer of Title and Operator Status; Transfer Procedures; Periodical Circular; Ineffective Bonds; and Financial Responsibility
- Section 11. Waste
- Section 12. Records and Reports
- Section 13. Water Protection, Testing and Redemption
- Section 14. Operation and Reclamation
- Section 15. Requirements for Production and Gathering Pipelines
- Section 16. Variances

SERIES 4 - OIL AND GAS WELLS AND OTHER WELLS (FORMERLY 38CSR18)

Authority - §§22-12-5; 22-1-3 and 22-6-2

Type - Legislative

Price - \$7.20

Effective - May 10, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Inspectors' Forms, Forms, Department Records
- Section 4. Inspector's Findings of Violation, Abatement
- Section 5. Permits, Notice, Review
- Section 6. Plats, Notice to Coal Owner, Operator or Lessee
- Section 7. Operational Rules on Liquid Injection and Waste Disposal Wells
- Section 8. Objections to Applications; Notice
- Section 9. Form and Contents of Plats
- Section 10. Separate Bonds; Blanket Bonds; Financial Responsibility; Registration; Designation of Agent; Transfer of Title and Operator Status; Transfer Procedures; Periodical Circular; Hearings; Ineffective Bonds; and financial Responsibility from Competing Interests
- Section 11. Operational Criteria
- Section 12. Well Records
- Section 13. Plugging, Abandonment and Reclamation
- Section 14. Plugging Methods
- Section 15. Reports
- Section 16. Reclamation
- Section 17. Preventing Waste
- Section 18. Variances
- Section 19. Water Supply Testing
- Section 20. Groundwater Remediation

SERIES 5 - DESIGNATION OF FUTURE USE AND INACTIVE STATUS FOR OIL AND GAS WELLS (FORMERLY 38CSR21)

Authority - §§22-6-1 THRU 7; 22-6-11; 22-6-19; 22-6-23,24; 22-6-26; 22-6-28,29,30; 22-6-32; 22-6-34; 22-9-5; and 22-10-1 thru 12

Type - Legislative

Price - \$2.80

Effective - July 1, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Procedure for Designation of Bona Fide Future Use
- Section 4. Demonstration of Designation of Bona Fide Future Use
- Section 5. Inactive Status
- Section 6. Effect on Nongovernmental Actions

SERIES 6 - ABANDONED WELLS (FORMERLY 38CSR22)

Authority - §§22-1-3; 22-6-2 and 22-10-10

Type - Legislative

Price - \$4.00

Effective - July 1, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Declaration of Operator Status
- Section 4. Financial Responsibility Requirements
- Section 5. Plugging by Interested Parties
- Section 6. Priority of Expenditures From the Oil and Gas Reclamation Fund
- Section 7. Schedules for Plugging of Abandoned Wells
- Section 8. Emergency Procedure

SERIES 7 - CERTIFICATION OF GAS WELLS

Authority - §§22-1-3; 22-1-10; 22-6-2; 22-6-2(c)(11)

Type - Legislative

Price - \$4.00

Effective - May 10, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Filing Requirements
- Section 4. Certification Procedure

TITLE 39

WEST VIRGINIA OIL AND GAS CONSERVATION COMMISSION

SERIES 1 - RULES OF THE COMMISSION

Authority - §22-8
Type - Procedural
Price - \$3.60
Effective - May 23, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. General Rules
- Section 4. Operational Rules
- Section 5. Secondary Recovery Rules
- Section 6. Special Field Rules

SERIES 2 - PROCEDURAL RULES OF THE COMMISSION

Authority - §22C-9
Type - Procedural
Price - \$2.40
Effective - May 23, 2003

- Section 1. General
- Section 2. Rules of Practice and Procedure

TITLE 40

OIL AND GAS INSPECTORS EXAMINING BOARD

SERIES 1 - RULES AND REGULATIONS GOVERNING PROCEDURES BEFORE THE OIL AND GAS INSPECTORS
EXAMINING BOARD

Authority - §§22-13-3; 29A-3

Type - Procedural

Price - \$2.80

Effective - October 9, 1990

Section	1.	General
Section	2.	Definitions
Section	3.	Application
Section	4.	Compensation for Inspectors and Supervising Inspectors
Section	5.	Hearings Before the Board

TITLE 14

WEST VIRGINIA BOARD OF OPTOMETRY

	<u>Page</u>
Series 1. Rules of the West Virginia Board of Optometry	394
Series 2. Rules for Expanded Prescriptive Authority	394
Series 3. Contested Case Hearing Procedure	394
Series 4. Disciplinary and Complaint Procedures for Optometrists	395
Series 5. Schedule of Fees	395
Series 6. Written and Oral Examination and Scoring Policy	395
Series 7. Administration and Board Meetings	395
Series 8. Licensure by Endorsement	395
TOTAL COST FOR ALL OF TITLE 14 - \$19.80	

SERIES 1 - RULES OF THE WEST VIRGINIA BOARD OF OPTOMETRY

Authority - §30-8-1 et seq.

Type - Legislative

Price - \$2.80

Effective - April 6, 2004

- Section 1. General
- Section 2. Application and Examinations
- Section 3. Rules for Examination
- Section 4. Colleges of Optometry
- Section 5. Licenses
- Section 6. Renewals
- Section 7. Unlawful Use of the Prefix "Doctor" or "Dr."
- Section 8. Continuing Education

SERIES 2 - EXPANDED PRESCRIPTIVE AUTHORITY

Authority - §§30-8-2a; 30-8-2b

Type - Legislative

Price - \$2.40

Effective - June 21, 2002

- Section 1. General
- Section 2. Certification
- Section 3. Re-certification
- Section 4. Insurance
- Section 5. Procedures for Certification
- Section 6. Fees
- Section 7. Drug Formulary
- Section 8. Restrictions

SECTION 3 - CONTESTED CASE HEARING PROCEDURE

Authority - §§30-8-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$3.00

Effective - December 28, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedure
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 6. Conferences: Informal Disposition of Cases
- Section 7. Depositions
- Section 8. Subpoenas
- Section 9. Orders
- Section 10. Appeals

SERIES 4 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR OPTOMETRISTS

Authority - §§30-8-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$2.60

Effective - September 11, 2003

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial Probation, Limitation, Discipline, Suspension or Revocation of Licenses of Optometrists
- Section 5. Disposition of Complaints
- Section 6. Contested Case Hearings
- Section 7. Appeals
- Section 8. Court Action and the Unlicensed Practice of Optometry

SERIES 5 - SCHEDULE OF FEES

Authority - §30-8-3

Price - \$2.00

Type - Legislative

Effective - June 21, 2002

- Section 1. General
- Section 2. Schedule of Fees

SERIES 6 - WRITTEN AND ORAL EXAMINATION AND SCORING POLICY

Authority - §30-8

Type - Procedural

Price - \$2.40

Effective - February 21, 2003

- Section 1. General
- Section 2. Anonymity
- Section 3. Preparation
- Section 4. Grading
- Section 5. Pass-Fail Scoring

SERIES 7 - ADMINISTRATION AND BOARD MEETINGS

Authority - §§30-8; 14-7

Type - Procedural

Price - \$2.40

Effective - September 8, 2003

- Section 1. General
- Section 2. Administration
- Section 3. Meetings of the Board

SERIES 8 - LICENSURE BY ENDORSEMENT

Authority - §30-8-5(c)

Type - Legislative

Price - \$2.20

Effective - August 8, 2003

- Section 1. General
- Section 2. Requirements for Licensure by Endorsement
- Section 3. Application for Licensure by Endorsement
- Section 4. Examination for Licensure by Endorsement

TITLE 24

WEST VIRGINIA BOARD OF OSTEOPATHY

	<u>Page</u>
Series 1. Licensing, Disciplinary and Complaint Procedures, Osteopathic Physicians	396
Series 2. Osteopathic Physician Assistants	396
Series 3. Contested Case Hearing Procedure	397
Series 4. Formation and Approval of Professional Limited Liability Companies	397
Series 5. Fees for Services Rendered by the Board of Osteopathy	397
Series 6. Disciplinary and Complaint Procedure	397
Total Cost for all of Title 24 - \$19.40	

SERIES 1 - LICENSING PROCEDURES, OSTEOPATHIC PHYSICIANS

Authority - §30-1-4; 30-14-1 et seq.

Type - Legislative

Price - \$4.60

Effective - July 5, 2001

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Qualifications and Application for a License to Practice Medicine and Surgery
- Section 5. Application for State Board Examination
- Section 6. Qualifications for the Issuance of a License to Practice Medicine and Surgery by Reciprocal Endorsement
- Section 7. License to Practice Medicine and Surgery by Reciprocal Endorsement; Application Required
- Section 8. Temporary Permit to Practice Osteopathic Medicine and Surgery; Qualifications
- Section 9. Temporary Permit to Practice Osteopathic Medicine and Surgery; Application Required
- Section 10. Temporary Permit to Practice Osteopathic Medicine and Surgery; Conditions of Practice
- Section 11. Temporary Permit to Practice Osteopathic Medicine and Surgery; Examination Required
- Section 12. Application Forms and Processing
- Section 13. Educational Training Permits
- Section 14. Written Examination, Examinee Conduct
- Section 15. License Renewal; Renewal Application Form
- Section 16. Policy Regarding License Applicants for New Licensure, License Renewal, or License Reactivation Who Have Had a License Revoked or Surrendered in Another State
- Section 17. License Exemptions
- Section 18. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses of Osteopathic Physicians
- Section 19. Severability

SERIES 2 - OSTEOPATHIC PHYSICIAN ASSISTANTS

Authority - §30-14-1

Type - Legislative

Price - \$4.00

Effective - April 5, 1994

- Section 1. General
- Section 2. Rules for Osteopathic Physician Assistants
- Section 3. Severability

SERIES 3 - CONTESTED CASE HEARING PROCEDURE

Authority - §§30-14-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$3.00

Effective - March 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedures
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusion
- Section 6. Hearing Examiner
- Section 7. Conferences; Informal Disposition of Case
- Section 8. Depositions
- Section 9. Subpoenas
- Section 10. Orders
- Section 11. Appeals

SERIES 4 - FORMATION AND APPROVAL OF PROFESSIONAL LIMITED LIABILITY COMPANIES

Authority - §31B-13-1304

Type - Legislative

Price - \$2.40

Effective - April 29, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Procedures for Formation and Approval of Professional Limited Liability Companies for Osteopathic Physicians; Fees
- Section 4. Notification of Non-Compliance, Cessation of Rendering Professional Services
- Section 5. Physician-Patient Relationship

SERIES 5 - FEES FOR SERVICES RENDERED BY THE BOARD OF OSTEOPATHY

Authority - §30-1-4; 30-1-6

Type - Legislative

Price - \$2.00

Effective - April 29, 1999

- Section 1. General
- Section 2. Schedule of Fees for Services Rendered by the West Virginia Board of Osteopathy for Physicians

SERIES 6 - DISCIPLINARY AND COMPLAINT PROCEDURES

Authority - §§30-14-1; 30-1-1

Type - Procedural

Price - \$3.40

Effective - March 1, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses or Training Permits
- Section 5. Disposition of Reports and Complaints
- Section 6. Appeals
- Section 7. Severability

TITLE 184

PARKWAYS, ECONOMIC DEVELOPMENT AND TOURISM AUTHORITY

SERIES 1 - WEST VIRGINIA PARKWAYS, ECONOMIC DEVELOPMENT AND TOURISM AUTHORITY PROCEDURAL AND INTERPRETIVE RULES REGARDING ECONOMIC DEVELOPMENT AND TOURISM

Authority - §§16-6a-6,13; 29A-3-3

Type - Procedural

Price - \$2.60

Effective - December 27, 1991

- Section 1. General
- Section 2. Eligible Projects
- Section 3. Application Procedures
- Section 4. Preliminary Application Information
- Section 5. Criteria Evaluation
- Section 6. Selection of Project

SERIES 2 THRU 7 - RESERVED

SERIES 8 - WEST VIRGINIA PARKWAYS, ECONOMIC DEVELOPMENT AND TOURISM AUTHORITY HEARING PROCEDURE RULES

Authority - §§17-16A-13(b); 29A-3-3

Type - Procedural

Price - \$2.80

Effective - March 24, 1990

- Section 1. General
- Section 2. Notice
- Section 3. Time of Notice Publication
- Section 4. Environmental Statement Notices
- Section 5. Other Notice
- Section 6. Transmittal Letter
- Section 7. Mailing
- Section 8. Location
- Section 9. Equipment
- Section 10. Time
- Section 11. Conduct of a Hearing
- Section 12. Transcript
- Section 13. Alternate Compliance

TITLE 143

DIVISION OF PERSONNEL

SERIES 1 - ADMINISTRATIVE RULES OF THE WEST VIRGINIA DIVISION OF PERSONNEL

Authority - §29-6-10

Type - Legislative

Price - \$10.20

Effective - July 1, 2003

- Section 1. General
- Section 2. Preamble
- Section 3. Definitions
- Section 4. Classification Plans
- Section 5. Compensation Plans and Salary Administration
- Section 6. Applications and Examinations
- Section 7. Registers
- Section 8. Certification of Eligibles
- Section 9. Appointments
- Section 10. Probationary Period
- Section 11. Promotions, Demotions and Transfers
- Section 12. Separation, Tenure and Reinstatement
- Section 13. Reconsideration and Appeals
- Section 14. Attendance and Leave
- Section 15. Performance Evaluations
- Section 16. Political Activities
- Section 17. Employment Conflicts
- Section 18. Payroll Certification
- Section 19. Records and Reports
- Section 20. Confidentiality
- Section 21. Duties of State Officers; Legal Proceedings to Secure Compliance; Penalties
- Section 22. Grievance Procedure
- Section 23. Training and Development
- Section 24. Employee Representative Organization Bulletin Boards
- Section 25. Amendments

SERIES 2 - LEAVE DONATION PROGRAM

Authority - §29-6-27

Type - Legislative

Price - \$2.80

Effective - July 1, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Eligibility
- Section 4. Recipient Status
- Section 5. Method of Donations and Use of Donated Leave
- Section 6. Appointing Authorities' Responsibilities
- Section 7. Division of Personnel's Responsibilities and Annual Report

**SERIES 3 - WEST VIRGINIA DIVISION OF PERSONNEL WORKERS' COMPENSATION TEMPORARY TOTAL
DISABILITY RULE**

Authority - §§23-4-1; 23-5A-4

Type - Legislative

Price - \$2.40

Effective - July 1, 2000

Section	1.	General
Section	2.	Definitions
Section	3.	Pay
Section	4.	Leave
Section	5.	Order of Separation for Layoff

TITLE 15

STATE BOARD OF PHARMACY

	<u>Page</u>
Series 1. Rules of the West Virginia Board of Pharmacy	401
Series 2. Rules of the West Virginia Board of Pharmacy for the Uniform Controlled Substances Act	402
Series 3. Continuing Education for Licensure of Pharmacists	402
Series 4. Computer Regulations	402
Series 5. Licensing of Wholesale Distributors	403
Series 6. Mail Order House	403
Series 7. Registration of Pharmacy Technicians	403
Series 8. Controlled Substances Monitoring	404
Series 9. Complaint Procedures	404
Series 10. Board of Pharmacy Rules for Pharmacist Recovery Networks	404
TOTAL COST FOR ALL OF TITLE 15 - \$35.80	

SERIES 1 - RULES OF THE WEST VIRGINIA BOARD OF PHARMACY

Authority - §30-5-19
Type - Legislative
Price - \$10.20
Effective - June 30, 2002

Section 1.	General
Section 2.	Definitions
Section 3.	General Provisions
Section 4.	Internship Requirements
Section 5.	Examination for Licensure and Registration and Renewal Requirements
Section 6.	Reciprocity; Licensure of Pharmacists from Other States or Countries
Section 7.	Proceedings for Disciplinary Action
Section 8.	Review by Circuit Court and Supreme Court of Board's Refusal to Issue Suspension or Revoke Permit
Section 9.	Transfer of Legend Drugs
Section 10.	Refilling Prescription Orders
Section 11.	Transferring Prescription Orders Between Pharmacies
Section 12.	Returning Drugs and Devices
Section 13.	Drug Product Selection and Substitution
Section 14.	Regulations Governing Pharmacy Permits
Section 15.	Equipment, Facilities and Record Systems
Section 16.	Sterile Pharmaceutical Compounding
Section 17.	Licensure and Control of Nuclear Pharmacies
Section 18.	Sanitary Regulations of Pharmacies
Section 19.	Rules of Professional Conduct
Section 20.	Duties and Responsibilities of the Pharmacist-in-Charge
Section 21.	Manner of Issuance of a Prescription
Section 22.	Labeling
Section 23.	Pharmacists Consultants
Section 24.	Specialized Dispensing Systems
Section 25.	Institutions and Other Places Needing a Controlled Substance Permit
Section 26.	Emergency Dispensing by Pharmacists

SERIES 2 - RULES OF THE BOARD OF PHARMACY FOR THE UNIFORM CONTROLLED SUBSTANCES ACT

Authority - §60A-3-301

Type - Legislative

Price - \$5.80

Effective - May 1, 2001

- Section 1. General
- Section 2. Adoption of Federal Law
- Section 3. Controlled Substance Permits
- Section 4. Security Requirements
- Section 5. Labeling and Packaging Requirements for Controlled Substances
- Section 6. Records and Reports of Registrants
- Section 7. Prescriptions
- Section 8. Miscellaneous

SERIES 3 - CONTINUING EDUCATION FOR LICENSURE OF PHARMACISTS

Authority - §30-5-3A

Type - Legislative

Price - \$3.20

Effective - June 30, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Purpose
- Section 4. Continuing Pharmaceutical Education Requirements
- Section 5. Methods of Acquiring continuing Pharmaceutical Education
- Section 6. Program Administration
- Section 7. Continuing Education Commission
- Section 8. Responsibilities of Providers and Sponsors
- Section 9. Responsibilities of Pharmacists
- Section 10. Approval of Providers and Sponsors
- Section 11. Approval of Continuing Pharmaceutical Programming
- Section 12. Program Evaluation
- Section 13. Credits and Records

SERIES 4 - COMPUTER REGULATIONS

Authority - §60A-8-9

Type - Legislative

Price - \$2.60

Effective - April 9, 1992

- Section 1. General
- Section 2. Use of Automated Data Processing
- Section 3. Definitions
- Section 4. Record of Dispensing Prescription Drugs
- Section 5. Record of Retrieval (Documentation of Activity)
- Section 6. Auxiliary Recordkeeping system
- Section 7. Operating the ADP System

SERIES 5 - LICENSING OF WHOLESALE DISTRIBUTORS

Authority - §60A-8-9

Type - Legislative

Price - \$3.20

Effective - April 9, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Wholesale Drug Distributor Licensing Requirements
- Section 4. Minimum Required Information for Licensure
- Section 5. Minimum Qualifications
- Section 6. Personnel
- Section 7. Violation and Penalties
- Section 8. Minimum Requirements for the Storage and Handling of Prescription Drugs and for the Establishment and Maintenance of Prescription Drugs

SERIES 6 - MAIL ORDER HOUSE

Authority - §30-5-6a

Type - Legislative

Price - \$2.40

Effective - April 9, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Permits for Mail Order Houses
- Section 4. The Mail Order House Shall Maintain Prescription Records Which are Available for Review if Required by the Board
- Section 5. Mail Order Houses Shall Have a Toll Free Accessible Telephone for Consumers to Obtain Counseling with a Licensed Pharmacist During Regular Working Hours and the Telephone Number Shall be Prominently Identified on the Prescription Container or on the Prescription Container Label
- Section 6. Mail Order Houses Soliciting, Receiving and Dispensing and Delivering Orders Comprising Legend Drugs and Scheduled Controlled Drug Substances as Defined in 21 UCS 1 et seq., and 21 CFR 1 et seq., (1989) and Delivered to Ultimate Consumers in West Virginia Constitutes Doing Business in West Virginia
- Section 7. Mail order Houses Doing Business in West Virginia by Dispensing and Delivering Prescription Orders to West Virginia Consumers Shall Designate a Resident Agent for Purposes of Service of Process and Notice

SERIES 7 - REGISTRATION OF PHARMACY TECHNICIANS

Authority - §30-5-5(a)

Type - Legislative

Price - \$3.20

Effective - June 1, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Qualifications for Registration as a Pharmacy Technician; 20 Hour Training Program
- Section 4. Registration and Examination; 2,080 Hour Training Program
- Section 5. Duties and Restrictions of a Pharmacy Technician
- Section 6. Identification of Technicians and Technician Trainees
- Section 7. Certificate of Registration; Transfer of Registration

SERIES 8 - CONTROLLED SUBSTANCES MONITORING

Authority - §60A-9-6
Type - Legislative
Price - \$2.60
Effective - June 23, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Prescription Monitoring Program
- Section 4. Information to be Transmitted Weekly
- Section 5. Prescription Forms
- Section 6. Central Repository; Designation; Powers and Duties
- Section 7. Confidentiality

SERIES 9 - COMPLAINT PROCEDURES

Authority - §§30-5-1; 30-1-8(h)
Type - Procedural
Price - \$2.60
Effective - January 15, 2001

- Section 1. General
- Section 2. Complaint Procedures.

SERIES 10 - BOARD OF PHARMACY RULES FOR PHARMACISTS RECOVERY NETWORKS

Authority - §30-5-7c(d)
Type - Legislative
Price - \$2.80
Effective - June 23, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Pharmacists Recovery Network Agreements
- Section 4. Due Process
- Section 5. Receipt and Use of Information of Suspected Impairment
- Section 6. Intervention & Referral
- Section 7. Monitoring Treatment
- Section 8. Monitoring Rehabilitation and Performance
- Section 9. Monitoring Post-Treatment Support
- Section 10. Reports of Cases of Impairment to the Board
- Section 11. Periodic Reporting of Statistical Information
- Section 12. Confidentiality
- Section 13. Fees

TITLE 16

WEST VIRGINIA BOARD OF PHYSICAL THERAPY

SERIES 1 - GENERAL PROVISIONS

Authority - §30-20-1 et seq.

Type - Legislative

Price - \$3.40

Effective - June 1, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Applications
- Section 4. Scores
- Section 5. Issuance, Renewal or Reinstatement of License
- Section 6. Temporary Permits for Physical Therapists
- Section 7. Temporary Permits for Physical Therapy Assistants
- Section 8. Nature of Practice for Physical Therapists
- Section 9. Supervision of a Physical Therapist Assistant
- Section 10. Licensing Individuals Outside the United States
- Section 11. Fees

SERIES 2 - CONTESTED CASE HEARING PROCEDURE

Authority - §§30-12-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$3.00

Effective - January 15, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Conferences; Informal Disposition of Cases
- Section 4. Depositions
- Section 5. Subpoenas
- Section 6. Hearing Procedure
- Section 7. Transcription of Testimony and Evidence
- Section 8. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 9. Orders
- Section 10. Appeal

SERIES 3 - DISCIPLINARY AND COMPLAINT PROCEDURES

Authority - §§30-20-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$2.60

Effective - January 15, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses of Physical Therapists
- Section 5. Disposition of Complaints
- Section 6. Contested Case Hearings
- Section 7. Appeals

TITLE 118

WEST VIRGINIA PREPAID TUITION TRUST FUND

SERIES 1. RULES FOR THE WEST VIRGINIA PREPAID TUITION TRUST FUND

Authority - 18-30 et seq.

Type - Legislative

Price - \$3.80

Effective - June 9, 1998

Section	1.	General
Section	2.	Definitions
Section	3.	Program Description
Section	4.	Application, Contract, Pricing and Payments
Section	5.	Contract Purchasers
Section	6.	Administrative Fee Schedule
Section	7.	Grievance Petitions

TITLE 92

WEST VIRGINIA BOARD OF PROBATION AND PAROLE

SERIES 1 - WEST VIRGINIA BOARD OF PROBATION AND PAROLE PROCEDURAL RULES

Authority - §62-12-13(c)

Type - Procedural

Price - \$4.00

Effective - August 23, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Board Decisions
- Section 4. Eligibility for Parole Consideration
- Section 5. Interviews of Inmates
- Section 6. Factors in Decision
- Section 7. Waiver of Interview
- Section 8. Decisions of the Board
- Section 9. Rescission of Parole
- Section 10. Revocation of Parole
- Section 11. Prerequisites to Revocation Hearing
- Section 12. Representation by Counsel
- Section 13. Procedure at Revocation
- Section 14. Waiver of Revocation Hearing
- Section 15. Decision by the Board
- Section 16. Revocation Procedure
- Section 17. Severability

TITLE 189

PROPERTY VALUATION AND PROCEDURES COMMISSION

	<u>Page</u>
Series 1. Instructions for Hiring Approval	408
Series 2. Statewide Procedures for the Visitation and Recommended Data Collection Procedures for the Different Species of Property	408
Series 3. Guidelines for Neat, Final Manual Drafting of Surface Tax Maps	408
Series 4. Statewide Procedures for the Manual Maintenance of Surface Tax Maps	409
Series 5. Tax Map Sales	409
TOTAL COST FOR ALL OF TITLE 189 - \$15.40	

SERIES 1 - INSTRUCTIONS FOR HIRING APPROVAL

Authority - §11-1C-4(d)
Type - Procedural
Price - \$2.40
Effective - September 27, 1990

- Section 1. General
- Section 2. General Statement
- Section 3. Hiring Approval Form
- Section 4. Hiring Approval Procedure

SERIES 2 - STATEWIDE PROCEDURES FOR THE VISITATION AND RECOMMENDED DATA COLLECTION PROCEDURES FOR THE DIFFERENT SPECIES OF PROPERTY

Authority - §11-1C-4(d)
Type - Procedural
Price - \$5.00
Effective - September 27, 1990

- Section 1. General
 - Section 2. Introduction
 - Section 3. Standard Visitation Procedures
 - Section 4. Recommended Residential Data Collection Procedures
 - Section 5. Data Collector Checklist
 - Section 6. Recommended Commercial/Industrial Data Collection Procedures
- Table

SERIES 3 - GUIDELINES FOR NEAT, FINAL MANUAL DRAFTING OF SURFACE TAX MAPS

Authority - §11-1C-4(d)
Type - Procedural
Price - \$2.40
Effective - September 27, 1990

- Section 1. General
- Section 2. Introduction
- Section 3. General Information

SERIES 4 - STATEWIDE PROCEDURES FOR THE MANUAL MAINTENANCE OF SURFACE TAX MAPS

Authority - §11-1D-4(d)
Type - Procedural
Price - \$3.40
Effective - September 27, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. General Guidelines
- Section 4. Existing Surface Tax Maps
- Section 5. Map Content - Existing Maps; Essential Information
- Section 6. Tax Mapping Procedures

SERIES 5 - TAX MAP SALES

Authority - §§11-10-5; 11-1C-4(d)
Type - Legislative
Price - \$3.20
Effective - April 15, 1992

- Section 1. General
- Section 2. Purchasing, Location, Ordering Procedures, Price Schedule and Authority for Sale of Tax Maps
- Section 3. County Assessors Performing Own Drafting or with Property Tax Division's Vendor for Drafting
- Section 4. County Sales of Maps, Bonding, Contracts, Accounting, Inspection and Sales Deposits
- Section 5. Prohibiting Reproduction of Tax Maps and Prescribing Penalty for Violation
- Section 6. Tax Map Revisions; Revised Copies Provided to Department of Tax and Revenue
- Section 7. County Assessors Addresses and Telephone Numbers

TITLE 168

PROSECUTING ATTORNEY'S INSTITUTE

SERIES 1 - PAYMENT FOR COSTS OF FORENSIC MEDICAL EXAMINATION

Authority - §61-8b-18

Type - Procedural

Price - \$2.60

Effective - July 3, 2002

Section	1.	General
Section	2.	Definitions
Section	3.	Responsibilities of the Licensed Medical Facility
Section	4.	Responsibilities of Law Enforcement Agencies
Section	5.	Responsibilities of the Prosecuting Attorney
Section	6.	Responsibilities of Prosecuting Attorneys Institute
Section	7.	Limitations on Use of Fund

TITLE 99

DIVISION OF PROTECTIVE SERVICES

SERIES 1- RESERVED

SERIES 2- RANKS AND DUTIES OF OFFICERS WITHIN THE MEMBERSHIP OF THE DIVISION

Authority - §15-2D-3(c)(1)(B)

Type - Legislative

Price - \$2.00

Effective - April 4, 2002

- Section 1. General
- Section 2. Organizational Structure
- Section 3. Duties

TITLE 17

STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS

	<u>Page</u>
Series 1. Penalties and Fees	412
Series 2. Organization and Procedures of the Board of Examiners of Psychologists	412
Series 3. Qualifications for Licensure as a Psychologists and/or a School Psychologist	412
Series 4. Disciplinary and Complaint Procedures for Psychologists	413
Series 5. Contested Case Hearing Procedure	413
TOTAL COST FOR ALL OF TITLE 17 - \$15.40	

SERIES 1 - FEES

Authority - §30-21-6
Type - Legislative
Price - \$2.20
Effective - April 30, 2004

- Section 1. General
- Section 2. Summary of Fees

SERIES 2 - ORGANIZATION AND PROCEDURES OF THE BOARD OF EXAMINERS OF PSYCHOLOGISTS

Authority - §§30-21-5,6(a)(6)
Type - Procedural
Price - \$3.00
Effective - October 13, 1996

- Section 1. General
- Section 2. Organization of Meetings of the Board
- Section 3. Employees of the Board
- Section 4. Special Procedures and Definitions for Board Consideration of Applications Made for Licensing Under Provisions Other Than Standard, With Examination
- Section 5. Procedures for Processing of Application Made Under the Standard Provision, with Examination
- Section 6. Examinations
- Section 7. Notification
- Section 8. Temporary Permits
- Section 9. Renewals
- Section 10. Registers

SERIES 3 - QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST AND/OR A SCHOOL PSYCHOLOGIST

Authority - §30-21-6
Type - Legislative
Price - \$3.60
Effective - June 1, 1997

- Section 1. General
- Section 2. Requirements of Graduate Degree Granting Institutions
- Section 3. Master's Level Training Requirements
- Section 4. Doctoral Level Training Requirements
- Section 5. Adequacy of Supervised Experience
- Section 6. Professional Ethics
- Section 7. Responsibilities of Licensees
- Section 8. Standards for Supervision of Persons Working Under the Direct and Regular Supervision of Licensees
- Section 9. Standards for Supervision of Applicants for Licensure
- Section 10. Standards for Supervision of Students
- Section 11. Standards for Supervision of Psychological Assistants, Psychological Technicians or Psychometricians
- Section 12. Licensure of School Psychologists
- Section 13. Supervision Requirements for School Psychologist Applicants
- Section 14. School Psychology Continuing Education Requirements for Licensed Psychologists

SERIES 4 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR PSYCHOLOGISTS

Authority - §§30-21-6; 30-1-4

Type - Procedural

Price - \$3.60

Effective - March 1, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses of Psychologists
- Section 5. Disposition of Complaints
- Section 6. Appeals

SERIES 5 - CONTESTED CASE HEARING PROCEDURE

Authority - §§39-21-6; 30-1-4

Type - Procedural

Price - \$3.20

Effective - March 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedure
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 6. Hearing Examiner
- Section 7. Conferences; Informal Dispositions of Cases
- Section 8. Depositions
- Section 9. Subpoenas
- Section 10. Orders
- Section 11. Penalties
- Section 12. Appeal

TITLE 151

WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE AGENCY

Index for Public Employees Insurance Agency

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Series	1. Legislative Rules Pertaining to the General Administration of the West Virginia Public Employees Insurance Plan	414
Series	2. Reserved	414
Series	3. Rules of Procedure for Contested Case Hearings and Declaratory Rulings	414
Series	4. Procedural Rules for the Public Employees Insurance Agency Finance Board	415
Series	5. Reserved	415
TOTAL COST FOR ALL OF TITLE 151 - \$9.40		

SERIES 1 - LEGISLATIVE RULES PERTAINING TO THE GENERAL ADMINISTRATION OF THE WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE PLAN

Authority - §15-16-5
Type - Legislative
Price - \$4.20
Effective - January 1, 2000

Section	1. General
Section	2. Definitions
Section	3. Establishment and Implementation of the Plan
Section	4. Participation in the Plan
Section	5. Termination of Coverage
Section	6. Appeals Process
Section	7. Nonstate Agencies
Section	8. Health Maintenance Organizations (HMO)
Section	9. Refund Policy
Section	10. Administrative Expense Fund
Section	11. Miscellaneous
Section	12. Earned Extended Insurance Coverage
Section	13. Optional Life

SERIES 2 - RESERVED

SERIES 3 - RULES OF PROCEDURE FOR CONTESTED CASE HEARINGS AND DECLARATORY RULINGS

Authority - §§5-16-18; 29A-5-1(a); 29A-4-1
Type - Procedural
Price - \$3.00
Effective - April 1, 1987

Section	1. General
Section	2. Application
Section	3. Definitions
Section	4. Hearings
Section	5. Continuation and Adjournment
Section	6. Transcription of Reported Testimony and Evidence
Section	7. Submission of Proposed Findings of Fact and Conclusions of Law; Time for Submission
Section	8. Appointment of Hearing Examiner; Function of Hearing Examiner
Section	9. Conferences; Informal Disposition of Cases; Disposition of Cases Without Hearing
Section	10. Discovery
Section	11. Orders; Content
Section	12. Declaratory Ruling - Procedures
Section	13. Appeal
Section	14. Severability

SERIES 4 - PROCEDURAL RULES FOR THE PUBLIC EMPLOYEES INSURANCE AGENCY FINANCE BOARD

Authority - §6-9A-3; 5-16-3(c); 5-16-24

Type - Procedural

Price - \$2.60

Effective - December 13, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Meeting
- Section 4. Public Hearings
- Section 5. Meetings General Open to Public; Executive Session
- Section 6. Decisions
- Section 7. Minutes; Records

SERIES 5 - RESERVED

Repealed the Board was Sunset by the 1997 Legislature

PUBLIC EMPLOYEES RETIREMENT SYSTEM

See Consolidated Public Retirement Board
Title 162, Series 5

TITLE 147

PUBLIC EMPLOYEE SUGGESTION AWARD BOARD

**SERIES 1 - RULES AND REGULATIONS GOVERNING THE OPERATION OF THE WEST VIRGINIA PUBLIC
EMPLOYEE SUGGESTION PROGRAM**

Authority - §5A-1A

Type - Procedural

Price - \$2.80

Effective - October 22, 1995

- Section 1. General
- Section 2. Preamble
- Section 3. Definitions
- Section 4. Responsibility of the Employee Suggestion Award Board
- Section 5. Eligible Employees
- Section 6. Ineligible Employees
- Section 7. Eligible Suggestions.
- Section 8. Ineligible Suggestions
- Section 9. Submission and Processing of Suggestion
- Section 10. Suggestions with Statewide Application
- Section 11. Annual Report

TITLE 53

PUBLIC ENERGY AUTHORITY

SERIES 1 - RULES AND PROCEDURE FOR THE ISSUANCE OF BONDS, ESTABLISHMENT OF FEE SCHEDULE AND COST ALLOCATIONS

Authority - §5D-1-5(11)
Type - Legislative
Price - \$2.80
Effective - April 15, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Prerequisites to Authority's Approval of Bond Issue
- Section 4. Special Notice Requirements of Meetings at Which a Bond Issue will be Finally Considered
- Section 5. Fees for the Issuance of Bonds
- Section 6. Allocation of Costs Applicable to Issuance of Bonds
- Section 7. Amendment of Fee Schedule

SERIES 2 - PROCEDURE FOR PROVIDING NOTICE OF MEETINGS

Authority - §§5D-1-5; 6-9A-3
Type - Procedural
Price - \$2.40
Effective - October 7, 1991

- Section 1. General
- Section 2. Notice of Regular Meetings
- Section 3. Notice of Special Meetings
- Section 4. Notice of Emergency Meetings
- Section 5. Notice Requirements of Meeting at Which Bond Issue will be Finally Considered
- Section 6. Notice Requirements of Meeting at Which Exercise of Right of Eminent Domain will be Finally Considered

SERIES 3 - RULES AND PROCEDURES FOR THE EXERCISE OF THE POWERS OF EMINENT DOMAIN FOR QUALIFIED PROJECTS

Authority - §5D-1-5(14)
Type - Legislative
Price - \$3.20
Effective - April 15, 1992

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Notices to Property Owners and Record Keeping
- Section 5. Criteria for Appraisals
- Section 6. Application for Authority's Approval of Eminent Domain Power
- Section 7. Approval of Acquiring Entity's Application
- Section 8. Prerequisites to Authority's Approval of Eminent Domain Power
- Section 9. Special Notice of Meetings at Which the Exercise of Eminent Domain will be Finally Considered
- Section 10. Exercising the Right to Eminent Domain

**SERIES 4 - RULES AND PROCEDURE FOR APPLICATION FOR AND ENVIRONMENTAL ASSESSMENT OF
PROJECTS SEEKING QUALIFICATION FOR PUBLIC ENERGY AUTHORITY'S ASSISTANCE**

Authority - §5D-1-5(34)

Type - Legislative

Price - \$2.60

Effective - June 10, 1993

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Application and Environmental Assessment for Authority's Assistance
- Section 5. Notice to Public Counties in Which Project Located
- Section 6. Request for Supplemental Information or Data
- Section 7. Review by Counsel and Assistance of Appropriate Governmental Agencies
- Section 8. Public Hearing on Application
- Section 9. Criterion for Approval of Proposed Project's Application

TITLE 89

WEST VIRGINIA PUBLIC LEGAL SERVICES COUNCIL

SERIES 1 - PUBLIC MEETING NOTIFICATION

Authority - §§29-21-4; 6 and 6-9A-3

Type - Procedural

Price - \$2.00

Effective - February 4, 1983

- Section 1. General
- Section 2. Written Notice
- Section 3. Written Notice of Special Meeting
- Section 4. Exceptions
- Section 5. Executive Session

TITLE 166

PUBLIC PORT AUTHORITY

SERIES 1 - PORT DISTRICT APPLICATION REQUIREMENTS

Authority - §17-16B-8

Type - Procedural

Price - \$2.60

Effective - March 1, 1995

Section	1.	General
Section	2.	Definitions
Section	3.	Application Package
Section	4.	Liability
Section	5.	Application Submission and West Virginia Public Port Authority Decision
Form		

TITLE 150

PUBLIC SERVICE COMMISSION

Index for the Public Service Commission

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Series	1. Rules of Practice and Procedure	423
Series	2. Rules and Regulations for the Government of the Construction and Filing of Tariffs of Public Utilities and Common Carriers by Motor Vehicle	423
Series	3. Rules and Regulations for the Government of Electric Utilities	424
Series	4. Rules and Regulations for the Government of Gas Utilities and Gas Pipeline Safety	424
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Series	6. Rules and Regulations for the Government of Telephone Utilities	425
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Series	9. Rules Governing Motor Carriers, Private Commercial Carriers and the Filing of Evidence of Insurance and Financial Responsibility by Motor Carriers	426
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Series	15. Rules and Regulations for the Use of the Number "911"	428
Series	16. Transportation of Natural Gas	428
Series	17. Government of Public Service Districts	428
Series	18. Carrier Access to the Lines and Facilities of Other Carriers	428
Series	19. Shipper Access to the Lines and Facilities of Rail Carriers	428
Series	20. Use and Consumption of Water by Inhabitants and All Users Regardless of Class of Service, During Times of Emergency and Periods of Temporary Inadequacy of Supply of Available Water	429
Series	21. Certification and Operation of Telecommunication Relay Service (TRS)	429
Series	22. Implementation of the Single State Registration System for Interstate Motor Carriers Operating in West Virginia	429
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Series	27. Rules and Regulations for the Transportation of Coal by Commercial Motor Vehicles	432
Series	28. Rules for the Government of Fees for Installation of United States Department of Veterans Affairs Markers	432

TOTAL COST FOR ALL OF TITLE 150 - \$174.60

SERIES 1 - RULES OF PRACTICE AND PROCEDURE

Authority - §24-1-7

Type - Procedural

Price - \$7.00

Effective - August 28, 2001

- Section 1. General Offices and Hearings
- Section 2. Secretary to Furnish Information
- Section 3. Records
- Section 4. Filing Papers
- Section 5. Parties and Protests
- Section 6. Complaints
- Section 7. Answer and Service
- Section 8. Amendments
- Section 9. Reserved
- Section 10. Application for Authority or Permission
- Section 11. Prehearing Conference
- Section 12. Hearings
- Section 13. Evidence
- Section 14. Subpoenas for Witnesses and Documents
- Section 15. Witness Fees
- Section 16. Service of Subpoena and Notice
- Section 17. Proposed Findings and Conclusions of Parties
- Section 18. Briefs and Oral Arguments
- Section 19. Further Hearings, Reopenings or Rehearing
- Section 20. Change of Depreciation Rates
- Section 21. Financial Condition Defined
- Section 22. Certified Copies
- Section 23. Notice of Orders
- Section 24. Address
- Section 25. Ethical Responsibilities
- Section 26. Forms

SERIES 2 - RULES AND REGULATIONS FOR THE GOVERNMENT OF THE CONSTRUCTION AND FILING OF TARIFFS OF PUBLIC UTILITIES AND COMMON CARRIERS BY MOTOR VEHICLE

Authority - §§24-1-1; 24-1-7; 24-2-1,2; 24A-1-1; 24A-2-4a

Type - Legislative

Price - \$19.90

Effective - December 24, 2002

- Section 1. General
- Section 2. General Applicability
- Section 3. Form and Size of Tariffs
- Section 4. Contents of Schedules
- Section 5. Designation of Tariffs
- Section 6. Filing Additional Schedules
- Section 7. Change or Withdrawal of Rate Schedules or Regulations
- Section 8. Change of Rates on Application Without Proposed Effective Dates
- Section 9. Change of Rates on Notice with Proposed Effective Date
- Section 10. Statutory Notice to the Public of Filing to Change Rates with Proposed Effective Date
- Section 11. Failure to Give Thirty (30) Days Statutory Notice to the Commission of Filing to Change Rates with Proposed Effective Date
- Section 12. Filing of Tariffs on Less Than Statutory Notice
- Section 13. Accelerated Rate Procedure for Gas, Water, Sewer and Electric Utilities
- Section 14. Change of Ownership
- Section 15. Posting Tariffs
- Section 16. Filing Special Contracts
- Section 17. Withdrawing Tariffs
- Section 18. Report of Tariff Changes
- Section 19. Information to be Submitted With Filing of Tariff or Application to Initiate or Change Rates
- Section 20. Tariff Form 42
- Section 21. Purchase of Gas Supplies

- Section 22. Electric Cooperative, Natural Gas Cooperative, Telephone Cooperative and Municipal Utility Ratemaking and Appeal Procedures
 - Section 23. General Applicability - Common Carriers by Motor Vehicles
 - Section 24. Form and Size of Tariff
 - Section 25. Contents of Schedules
 - Section 26. Designation of Tariffs
 - Section 27. Filing Additional Schedules
 - Section 28. Change or Withdrawal of Rate Schedules or Regulations
 - Section 29. Change of Rates on Application
 - Section 30. Change of Rates on Notice with Proposed Effective Date
 - Section 31. Statutory Notice to Public of Filing to Change Rates with Proposed Effective Dates
 - Section 32. Failure to Give Thirty (30) Days Statutory Notice to the Commission of Filing to Change Rates with Proposed Effective Date
 - Section 33. Filing Tariffs on Less than Statutory Notice
 - Section 34. Change of Ownership - Adoption Notice
 - Section 35. Posting Tariffs
 - Section 36. Information to be Submitted with Filing of Tariff or Application to Initiate or Change Rates
- Tables

SERIES 3 - RULES AND REGULATIONS FOR THE GOVERNMENT OF ELECTRIC UTILITIES

Authority - §§24-1-1; 24-1-7; 24-2-1; 24-2-2

Type - Legislative

Price - \$12.40

Effective - January 3, 2000

- Section 1. General
 - Section 2. Records, Reports and Other Information to be Supplied to the Commission
 - Section 3. Meter Requirements
 - Section 4. Customer Relations
 - Section 5. Engineering Requirements
 - Section 6. Inspection and Tests
 - Section 7. Standards of Quality of Service
 - Section 8. Safety Requirements
 - Section 9. Transmission Line Construction
 - Section 10. Promotional Practices
 - Section 11. Consumer Reimbursement Program
 - Section 12. Cogeneration and Small Power Production
- Forms

SERIES 4 - RULES AND REGULATIONS FOR THE GOVERNMENT OF GAS UTILITIES AND GAS PIPELINE SAFETY

Authority - §§24-1-1; 24-1-7; 24-2-1; 24-2-2; 16-13A-9; 8-18-23

Type - Legislative

Price - \$12.70

Effective - July 21, 1996

- Section 1. General
 - Section 2. Records, Reports and Other Information to be Supplied to the Consumer
 - Section 3. Meter Requirements
 - Section 4. Customer Relations
 - Section 5. Engineering Requirements
 - Section 6. Inspections and Tests
 - Section 7. Standards of Quality of Service
 - Section 8. Safety Requirements
 - Section 9. Rules and Regulations Governing Gas Pipeline Safety
 - Section 10. Promotional Practices
 - Section 11. Inspection, Enforcement and Appeals
- Forms

SERIES 5 - RULES AND REGULATIONS FOR THE GOVERNMENT OF SEWER UTILITIES

Authority - §§24-1-1; 24-1-7; 24-2-1; 24-2-2; 24-2-5; 24-2-7, 8, & 9; 24-3-2; 24-3-5; 16-13A-2; 16-13A-9; 8-18-23

Type - Legislative

Price - \$6.00

Effective - October 24, 2003

- Section 1. General
 - Section 2. Records, Reports and Other Information to be Supplied to the Commission
 - Section 3. Meter Requirements
 - Section 4. Customer Relations
 - Section 5. Utility Facilities; Service Pipes; Extension of System
 - Section 6. Safety Requirements
 - Section 7. Creation or Alteration of Public Service Districts
- Forms

SERIES 6 - RULES AND REGULATIONS FOR THE GOVERNMENT OF TELEPHONE UTILITIES

Authority - §§24-1-1; 24-1-7; 24-2-1; 24-2-2; 16-13A-9; 18-10-23

Type - Legislative

Price - \$11.60

Effective - February 8, 2004

- Section 1. General
 - Section 2. Customer Relations
 - Section 3. Engineering
 - Section 4. Metering Inspections and Tests
 - Section 5. Records and Receipts
 - Section 6. Standards of Quality of Service
 - Section 7. Safety
 - Section 8. Promotional Practices
 - Section 9. Local Emergency Telephone System
 - Section 10. Reduced Rates for Certain Low-Income Residential Customers
 - Section 11. Customer Owned Public Telephones
 - Section 12. Intrastate Use of Automatic Dialing and Announcing Devices
 - Section 13. Alternative Operator Services
- Forms

SERIES 7 - RULES AND REGULATIONS FOR THE GOVERNMENT OF WATER UTILITIES

Authority - §§24-1-1; 24-1-7; 24-2-1; 24-2-2; 16-13A-9; 8B-18-23

Type - Legislative

Price - \$9.00

Effective - October 24, 2003

- Section 1. General
 - Section 2. Records, Reports and Other Information to be Supplied to the Commission
 - Section 3. Meter Requirements
 - Section 4. Customer Relations
 - Section 5. Utility Facilities; Service Pipes; Extension of System
 - Section 6. Inspections and Tests
 - Section 7. Safety Requirements
 - Section 8. Creation or Alteration of Public Service Districts
- Forms

SERIES 8 - RULES AND REGULATIONS FOR THE GOVERNMENT OF RAILROAD SAFETY AND SANITATION

Authority - §24-1-7

Type - Legislative

Price - \$5.60

Effective - February 18, 1984

- Section 1. Requirements to Govern the Provision, Construction and Maintenance of Sanitation and Shelter Facilities for Railroad Company Employees
- Section 2. Accident Reporting
- Section 3. Clearances
- Section 4. Construction, Reconstruction and Maintenance of Walkways Adjacent to Railroad Truckage; and Removal of Debris, Trash, etc.
- Section 5. Filing of Rules of the Operating Departments of Railroad Corporations
- Section 6. Safety Programs
- Section 7. Inspection of Trackage, Roadbeds, Bridges and Other Structures: And to Maintenance and Repairs of Bridges and other Structures
- Section 8. Adoption of Federal Regulations
- Section 9. Reserved
- Section 10. Minimum Motor Vehicle Standards
- Section 11. Right-of-Way Drainage
- Section 12. Track Motor Car
- Section 13. Time Limits for Correcting Violations
- Table

SERIES 9 - RULES GOVERNING MOTOR CARRIERS, PRIVATE COMMERCIAL CARRIERS AND THE FILING OF EVIDENCE OF INSURANCE AND FINANCIAL RESPONSIBILITY BY MOTOR CARRIERS

Authority - §§24-2-1b; 24-2-2; 24A-2-3; 24A-3-4; 24A-3-6; 24A-4-1; 24A-5-5

Type - Legislative

Price - \$14.50

Effective - January 10, 2004

- Section 1. General
- Section 2. Rules & Regulations Governing the Filing and Approval of Surety Bonds, Policies or Certificates of Insurance, Qualifications as a Self-Insurer, and Other Evidence of Financial Responsibility by Motor Carriers
- Section 3. Rules Applicable to All or Some Motor Carriers
- Section 4. Rules and Regulations Applicable to Motor Carriers Transporting Passengers
- Section 5. Rules and Regulations Applicable to Wrecker Companies
- Section 6. Rules Applicable to Motor Carriers Transporting Solid Waste
- Section 7. Temporary Authority
- Section 8. Leased Equipment
- Section 9. Forms
- Forms

SERIES 10 - RESERVED

Repealed and Replaced by 150CSR2

Effective December 24, 2002

SERIES 11 - TRANSPORTING HAZARDOUS WASTE BY RAIL

Authority - §22-18-7(b)

Type - Legislative

Price - \$3.00

Effective - December 24, 2002

- Section 1. General
- Section 2. The Manifest System
- Section 3. Recordkeeping
- Section 4. Labeling
- Section 5. Discharges
- Section 6. Revisions to Regulations
- Section 7. Variances
- Section 8. Standards for Universal Waste Transporters
- Section 9. Standards for Used Oil Transporters
- Section 10. Standards Applicable to the Transportation of Solid Waste Military Munitions

SERIES 12 - INTRASTATE RAIL TRANSPORTATION

Authority - §24-1-7

Type - Legislative

Price - \$6.20

Effective - August 27, 1990

- Section 1. General
- Section 2. Filing of Railroad Rates
- Section 3. Investigation and Suspension of Railroad Rates
- Section 4. Procedural Requirements for Protest and Replies Regarding Proposed Rail Rates, Classification, Rule or Practice
- Section 5. Rules Relating to Determination of Market Dominance in Commission Proceedings - Market Dominance Guidelines
- Section 6. Rules, Regulations and Requirements Relative to Complaints Against the Reasonableness of Intrastate Railroad Rates
- Section 7. Rules, Regulations and Requirements Related to Intrastate Railroad Transportation Contracts
- Section 8. Exemptions of Particular Rail Transportation from Regulation Under USC 10505
- Section 9. Discrimination
- Section 10. Limited Liability Rate

SERIES 13 - RULES AND REGULATIONS GOVERNING THE USE OF BROADCAST AND STILL PHOTOGRAPHIC EQUIPMENT IN PUBLIC HEARINGS OF THE WEST VIRGINIA PUBLIC SERVICE COMMISSION

Authority - §24-1-7

Type - Procedural

Price - \$2.00

Effective - August 15, 1981

- Section 1. General
- Section 2. Use of Broadcasts and Still Picture

SERIES 14 - RESERVED

Repealed & Replaced by 150CSR9

Effective - August 25, 2003

SERIES 15 - RULES AND REGULATIONS FOR THE USE OF THE NUMBER "911"

Authority - §24-6-10
Type - Legislative
Price - \$2.00
Effective - July 11, 1997

- Section 1. General
- Section 2. Prohibition Regarding the use of the Number "911"

SERIES 16 - TRANSPORTATION OF NATURAL GAS

Authority - §§24-3-3a, 24-1-1, 24-1-7, 24-2-7, 24-2-11
Type - Legislative
Price - \$4.60
Effective - December 4, 2000

- Section 1. General
- Section 2. Transportation Obligations
- Section 3. Transportation Rates, Practices and Services
- Section 4. Bypass
- Section 5. Utility to Utility Competition
- Section 6. Existing Transportation Arrangements
- Section 7. Priority of Service
- Section 8. Reporting Requirements
- Section 9. Modifications
- Forms

SERIES 17 - RESERVED

Repealed and Replaced by 150CSR5 and 150CSR7 effective October 24, 2003

SERIES 18 - CARRIER ACCESS TO THE LINES AND FACILITIES OF OTHER CARRIERS

Authority - §§24-1-1; 24-1-7; 24-2-7; 24-3-3b
Type - Legislative
Price - \$3.40
Effective - December 12, 1987

- Section 1. General
- Section 2. Procedures for Carrier Access
- Section 3. Determination of Access Charges
- Section 4. Operations by the Accessing Carrier or Shipper
- Section 5. Miscellaneous Provisions

SERIES 19 - SHIPPER ACCESS TO THE LINES AND FACILITIES OF RAIL CARRIERS

Authority - §§24-1-1; 24-1-7; 24-2-7; 24-3-3b
Type - Legislative
Price - \$3.40
Effective - December 12, 1987

- Section 1. General
- Section 2. Procedures for Shipper Access
- Section 3. Determination of an Access Charge
- Section 4. Operations by the Accessing Shipper
- Section 5. Miscellaneous Provisions

SERIES 20 - USE AND CONSUMPTION OF WATER BY INHABITANTS AND ALL USERS REGARDLESS OF CLASS OF SERVICE, DURING TIMES OF EMERGENCY AND PERIODS OF TEMPORARY INADEQUACY OF SUPPLY OF AVAILABLE WATER

Authority - §§24-1-1; 24-1-7; 24-2-1; 24-2-7

Type - Legislative

Price - \$2.60

Effective - June 1, 1989

- Section 1. General
- Section 2. Local Water Rationing Plan

SERIES 21 - CERTIFICATION AND OPERATION OF TELECOMMUNICATIONS RELAY SERVICE (TRS)

Authority - §§24-1-1; 24-1-7; 24-2-1; 29A-3-1; 29A-3-15

Type - Legislative

Price - \$8.60

Effective - January 16, 1993

- Section 1. General
- Section 2. Commission Requests for Certificate Applications
- Section 3. Telecommunication Relay Service Certificates
- Section 4. Term of Certificate
- Section 5. TRS Rates
- Section 6. Irrevocability of Applications and Penalties for Failure to Provide Service in Accordance with the Certificate Granted
- Section 7. Proprietary/Confidential Information
- Section 8. Contracting or Subcontracting
- Section 9. Service and Operational Standards

SERIES 22 - IMPLEMENTATION OF THE SINGLE STATE REGISTRATION SYSTEM FOR INTERSTATE MOTOR CARRIERS OPERATING IN WEST VIRGINIA

Authority - §§24-2-1; 24-2-2; 24A-5-5; 24A-6A-14; 49 U.S.C. 11506

Type - Legislative

Price - \$6.80

Effective - September 24, 1994

- Section 1. General
 - Section 2. Definitions
 - Section 3. Implementation
 - Section 4. Registration Process
 - Section 5. Designation of Process Agent
 - Section 6. Proof of Insurance
 - Section 7. Registration Receipts
 - Section 8. Change of Name, Address and/or Ownership of Registrant
 - Section 9. Compliance
 - Section 10. Registration State Accounting
 - Section 11. Auditing
 - Section 12. Reciprocity
 - Section 13. Acquisition of ICC Authority After Holding Exempt Authority
 - Section 14. Forms
- Appendix

SERIES 23 - RULES AND REGULATIONS IMPLEMENTING A UNIFORM REGISTRATION AND PERMITTING PROGRAM FOR MOTOR CARRIERS TRANSPORTING HAZARDOUS MATERIALS

Authority - §24-2-1; 24-2-2; 24A-5-5; 24A-6B-1; Public Law #101-615

Type - Legislative

Price - \$3.60

Effective - December 12, 1994

Section	1.	General
Section	2.	Definitions
Section	3.	Preemption
Section	4.	Implementation
Section	5.	Base State Agreements
Section	6.	Base State Selection
Section	7.	Single Trip Permits
Section	8.	Owner/Operator Vehicles
Section	9.	Uniform Program Application
Section	10.	Hazardous Materials Registration - Part I
Section	11.	Apportioned Vehicle Registration Fees
Section	12.	Hazardous Materials Registration - Part II
Section	13.	Hazardous Materials Registration - Part III
Section	14.	Certification of Information - Part IV
Section	15.	Grants and Revenues
Section	16.	Suspension, Revocation and Denial
Section	17.	Enforcement

SERIES 24 - RULES AND REGULATIONS FOR DISCOUNTED TELECOMMUNICATIONS SERVICES

Authority - §§24-1-1; 24-1-7; 24-2-1; 24-2-2

Type - Legislative

Price - \$2.60

Effective - June 1, 1998

Section	1.	General
Section	2.	Eligibility
Section	3.	Discount Mechanism
Section	4.	Matrix
Section	5.	Consortia
Section	6.	Application for Funding
Section	7.	Funding of Discounts
- Table

SERIES 25 - RULES AND REGULATIONS GOVERNING EMERGENCY TELEPHONE SERVICE

Authority - §§24-1-1; 24-1-7; 24-2-1; 24-2-2; 24-6-6b and 24-6-11

Type - Legislative

Price - \$3.40

Effective - February 24, 2000

- Section 1. General -- Franchising Procedures
- Section 2. Issuance of Cable Television Franchises
- Section 3. Renewal of Existing Cable Television Franchises
- Section 4. Issuance of Cable Television Franchise to Non-Franchised Cable Operators Already Providing Cable Service
- Section 5. Procedure for Granting Transfer of a Cable Franchise or Cable System
- Section 6. Requests for Information
- Section 7. Violation of Rules; Penalties
- Section 8. Severability
- Section 9. Notification of Service and Rate Changes
- Section 10. Payment of Annual Fees
- Section 11. Payment of Filing and Document Fees
- Section 12. Charges for Disconnection and Downgrades
- Section 13. Notice of Potential Transfers Due to Encumbrances
- Section 14. Exception
- Section 15. Rate Regulation
- Section 16. Notice of Requirements When Cable Operator Proposes to Install Cable Television Services of Facilities Upon Property of Landlord
- Section 17. Calculation of Collection of Late Fees
- Section 18. Notices to be Mailed and Filed by Cable Operators
- Section 19. Annual Report
- Section 20. Technical Standards

SERIES 26 - RULES AND REGULATIONS FOR THE GOVERNMENT OF CABLE TELEVISION

Authority - §24D-1-1 et seq.

Type - Legislative

Price - \$13.50

Effective - February 24, 2000

- Section 1. General
- Section 2. Applicability
- Section 3. Request for Proposals
- Section 4. Invitation of Applications; Public Notice of Request for Proposals
- Section 5. Required Contents of Application
- Section 6. Investigation and Due Diligence Required
- Section 7. Requirement for Public Hearing on Reasonable Notice
- Section 8. Timing and Manner of Award of Franchise
- Section 9. Procedure for Renewal of Existing Franchises
- Section 10. Procedure for Franchising Non-franchised Cable Operators Already Providing Cable Service
- Section 11. Procedure for Granting Transfer of a Cable Franchise or Cable System
- Section 12. Request for Information
- Section 13. Violation of Rules; Penalties
- Section 14. Severability
- Section 15. Rate Regulation
- Section 16. Notice of Requirements When Cable Operator Proposes to Install Cable Television Service or Facilities Upon Property of Landlord
- Section 17. Calculation and Collection of Late Fees
- Section 18. Notices to be Mailed and Filed by Cable Operators
- Section 19. Annual Report
- Section 20. Technical Standards

Forms and Instructions

SERIES 27 - RULES AND REGULATIONS FOR THE TRANSPORTATION OF COAL BY COMMERCIAL MOTOR VEHICLES

Authority - §§17C-17A-3(c); 17C-17A-5(k); 17C-17A-6(d); 17C-17A-7; 17C-17A-8(1); 17C-17A-8(3); 17C-17A-9(f)(4)

Type - Legislative

Price - \$7.80

Effective - July 7, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Permit Applications for the Coal Resource Transportation System
- Section 4. Reporting of Coal Shipments
- Section 5. Administrative Process for Issuing Administrative Sanctions
- Section 6. Administrative Sanctions Concerning Coal Shipments
- Section 7. Appeals of Administrative Sanctions
- Section 8. Impoundments of Vehicle and its Load
- Section 9. Scales for Weighing Coal Shipments
- Section 10. Vehicle Operations and Safety
- Section 11. Business Records
- Section 12. Public Toll Free Number
- Section 13. Forms

SERIES 28 - RULES FOR THE GOVERNMENT OF FEES FOR INSTALLATION OF UNITED STATES DEPARTMENT OF VETERANS AFFAIR MARKERS

Authority - §24F-1-1 et seq.

Type - Legislative

Price - \$2.40

Effective - February 17, 2004

- Section 1. General
- Section 2. Prices
- Section 3. Discrimination
- Section 4. Petitions for Relief

TITLE 186

GOVERNOR'S COMMITTEE FOR THE PURCHASE OF COMMODITIES AND SERVICES FROM THE HANDICAPPED

Index for Title 186

	<u>Page</u>
Series 1. Fair Market Determination	433
Series 2. Violations and Grievances	433
Series 3. Procurement List	433
Series 4. Qualifications for Participation: Commission for the Purchase of Commodities and Services From the Handicapped	434
Series 5. Monitoring the Central Nonprofit Agency	434
Total Cost for Title 186: \$14.60	

SERIES 1 - FAIR MARKET DETERMINATION

Authority - §5A-3A-5
Type - Legislative
Price - \$3.40
Effective - June 17, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. General Rules
- Section 4. Initial Fair Market Price Determination Procedures
- Section 5. Fair Market Price Changes or Follow-up Determination Procedures
- Section 6. Access to Information

SERIES 2 - VIOLATIONS AND GRIEVANCES

Authority - §5A-3A-4
Type - Procedural
Price - \$2.60
Effective - October 19, 1990

- Section 1. General
- Section 2. Violations
- Section 3. Grievances
- Section 4. Hearings

SERIES 3 - PROCUREMENT LIST

Authority - §5A-3-5
Type - Legislative
Price - \$3.20
Effective - June 17, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Procurement List
- Section 4. Development of Commodities and Services for Reservation on the Procurement List
- Section 5. Distribution of Orders
- Section 6. Exceptions
- Section 7. Quality of Commodities and Services
- Section 8. Specification Changes
- Section 9. Production of Commodities and Value Added
- Section 10. Allocation and Orders
- Section 11. Adjustment and Cancellation of Orders
- Section 12. Shipping and Packing
- Section 13. Payments

SERIES 4 - QUALIFICATIONS FOR PARTICIPATION: COMMISSION FOR THE PURCHASE OF COMMODITIES AND SERVICES FROM THE HANDICAPPED

Authority - §5A-3A-5
Type - Legislative
Price - \$2.80
Effective - July 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Qualification for Program Participation

SERIES 5 - MONITORING THE CENTRAL NONPROFIT AGENCY

Authority - §5A-3A-4
Type - Procedural
Price - \$2.80
Effective - June 21, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Committee Responsibilities
- Section 4. CNA Responsibilities
- Section 5. Compliance
- Section 6. Annual Budget
- Section 7. Purpose of Annual Review
- Section 8. Independent Audit
- Section 9. Community Rehabilitation Program
- Section 10. State Use Program
- Section 11. Review
- Section 12. Formal Recommendation

TITLE 178

WEST VIRGINIA RACING COMMISSION

Index for the Racing Commission

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Series 1. Thoroughbred Rules	435
Series 1A. Determining the Organizations to Represent the Horsemen in the State	436
Series 2. Greyhound Rules	437
Series 3. Organization and Meeting Notices	438
Series 4. Dispute Resolutions Procedure	438
Series 5. Pari-Mutuel Wagering	438
TOTAL COST FOR ALL OF TITLE 178 - \$43.50	

SERIES 1 - THOROUGHbred RULES

Authority - §19-23-6

Type - Legislative

Price - \$14.10

Effective - May 31, 2004

Section 1.	General
Section 2.	Definitions
Section 3.	Calculation of Time
Section 4.	Administrative
Section 5.	Financial Responsibility
Section 6.	Minors
Section 7.	Telephone, Telegraph, Radio and Television
Section 8.	Associations
Section 9.	Officials
Section 10.	Stewards
Section 11.	Racing Secretary
Section 12.	Horsemen's Bookkeeper
Section 13.	Placing Judges
Section 14.	Paddock Judge
Section 15.	Timer
Section 16.	Starter
Section 17.	Clerk of the Scales
Section 18.	Jockey Room Custodian
Section 19.	Handicapper
Section 20.	Horse Identifier
Section 21.	Racing Commission Veterinarians
Section 22.	Bleeders
Section 23.	Practicing Veterinarian
Section 24.	Test Barn
Section 25.	Chemist
Section 26.	Split Samples
Section 27.	Administrative Procedures Prior to Split Sample Testing
Section 28.	Administrative Procedures Subsequent to a Split Sample Testing
Section 29.	Cost of Split Sample Testing
Section 30.	Storage Shipment of Split Samples
Section 31.	Trainer Responsibility
Section 32.	Camera and Film Patrol
Section 33.	Policing
Section 34.	Sanitation
Section 35.	Colors and Equipment
Section 36.	Declarations and Scratches
Section 37.	Disciplinary Action
Section 38.	Engagements and Transfer
Section 39.	Entries, Declarations and Subscriptions
Section 40.	Also Eligible
Section 41.	Preferred List
Section 42.	Penalties and Allowances

Racing Commission
Series 1, Cont'd.

Section	43.	Occupational Permits and Permit Holders
Section	44.	Tip Sheet Vendor
Section	45.	Jockeys and Apprentice Jockeys
Section	46.	Jockey Agents
Section	47.	Naming of Riders
Section	48.	Blacksmiths
Section	49.	Owners - Trainers
Section	50.	Authorized Agents
Section	51.	Licensing Requirements for Multiple Owners
Section	52.	Partnerships
Section	53.	Stable Names
Section	54.	Trainers
Section	55.	Claiming
Section	56.	Postponement and Cancellation of Races
Section	57.	Dead Heats
Section	58.	Paddock to Starting Gate
Section	59.	Starting Gate to Finish
Section	60.	Illegal and Corrupt Practices
Section	61.	Objections and Protests
Section	62.	Scale of Weights for Age
Section	63.	Weighing Out
Section	64.	Weighing In
Section	65.	Workout
Section	66.	Medication
Section	67.	Vendors of Horse Feed or Medicine
Section	68.	Appeal and Review
Section	69.	Auditor of Pari-Mutuel
Section	70.	State Security Officer
Section	71.	State Breeder Awards
Section	72.	West Virginia Thoroughbred Development Fund
Section	73.	Alcohol and Drug Testing
Section	74.	Health and Disability Benefits for West Virginia Jockeys
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SERIES 1A - DETERMINING THE ORGANIZATIONS TO REPRESENT THE HORSEMEN OF THE STATE

Authority - §19-23-6

Type - Procedural

Price - \$2.60

Effective - March 4, 1996

Section	1.	General
Section	2.	Interpretative Note
Section	3.	Definitions
Section	4.	Petition
Section	5.	Notification of Election
Section	6.	Organizational Funds
Section	7.	Ballots
Section	8.	Who may Receive Ballots
Section	9.	Mailing Ballots
Section	10.	Receipt and Counting Ballots
Section	11.	Challenges

SERIES 2 - GREYHOUND RULES

Authority - §19-23-6

Type - Legislative

Price - \$10.40

Effective - May 31, 2004

Section	1.	General
Section	2.	Definitions
Section	3.	Calculation of Time
Section	4.	Administrative
Section	5.	Financial Responsibility
Section	6.	Checks
Section	7.	Minors
Section	8.	Telephone, Telegraph, Radio and Television
Section	9.	Associations
Section	10.	Officials
Section	11.	Judges
Section	12.	Association's Racing Secretary
Section	13.	Paddock Judge
Section	14.	Timer
Section	15.	Starter
Section	16.	Clerk of Scales
Section	17.	Chart Writer
Section	18.	Lead-Outs
Section	19.	Racing Commission Veterinarians
Section	20.	Test Area
Section	21.	Chemist
Section	22.	Camera and Film Patrol
Section	23.	Policing
Section	24.	Kennel Names
Section	25.	Registration
Section	26.	Owners
Section	27.	Partnerships
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Section	29.	Authorized Agents
Section	30.	Schooling
Section	31.	Entries
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Section	33.	Declarations
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Section	38.	Dead Heats
Section	39.	Objections
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Section	41.	Occupational Permits and Permit Holders
Section	42.	Tip Sheet Vendor
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Section	45.	Illegal and Corrupt Practices
Section	46.	Medication
Section	47.	Vendors of Greyhound Feed or Medicine
Section	48.	Appeal and Review
Section	49.	Auditor of Pari-Mutuel
Section	50.	Racing Commission Security Officer
Section	51.	Greyhound Breeding Development Fund
Section	52.	Alcohol and Drug Testing
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SERIES 3 - ORGANIZATION AND MEETING NOTICES

Authority - §§6-9A, 19-23
Type - Procedural
Price - \$2.00
Effective - December 20, 1982

- Section 1. General
- Section 2. Organization

SERIES 4 - DISPUTE RESOLUTIONS PROCEDURE

Authority - §19-23-6
Type - Procedural
Price - \$2.80
Effective - September 30, 1991

- Section 1. General
- Section 2. Definitions
- Section 3. Hearings and Appeal Procedures

SERIES 5 - PARI-MUTUEL WAGERING

Authority - §19-23-6
Type - Legislative
Price - \$11.60
Effective - April 3, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Information of a General Nature
- Section 4. Totalisator System
- Section 5. Account Wagering
- Section 6. Simulcast Wagering
- Section 7. Interstate Common Pool Wagering
- Section 8. Calculation of Payoffs and Distribution of Pools
Tables

TITLE 18

WEST VIRGINIA RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS

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Series 1. Rules & Regulations of the West Virginia Board of Examiners of Radiologic Technologists	439
Series 2. Continuing Education	439
Series 3. Contested Case Hearing Procedure	440
Series 4. Disciplinary and Complaint Procedures for Radiologic Technologists	440
Series 5. Standard of Ethics	440
Series 6. Practice of Radiologic Technology	440
TOTAL COST FOR ALL OF TITLE 18 - \$17.00	

SERIES 1 - RULES AND REGULATIONS OF THE WEST VIRGINIA BOARD OF EXAMINERS OF RADIOLOGIC TECHNOLOGISTS

Authority - §30-23-5
Type - Legislative
Price - \$2.80
Effective - June 24, 2003

Section 1.	General
Section 2.	Definitions
Section 3.	Board Functions
Section 4.	Licenses and Temporary Permits
Section 5.	Educational Requirements for Applicants for Licensure

SERIES 2 - CONTINUING EDUCATION

Authority - §30-7A-1 et seq.
Type - Legislative
Price - \$3.60
Effective - May 1, 1998

Section 1.	General
Section 2.	Definitions
Section 3.	Continuing Education
Section 4.	Exceptions to Continuing Education Requirements
Section 5.	Failure to meet Requirements or Exceptions to Requirements
Section 6.	Reinstatement of a License on Non-Practicing or Suspended Status or Issuance of a Temporary License
Section 7.	Audit of Licenses
Section 8.	Continuing Education - Providers
Section 9.	Minimum Standards for Approved Providers
Section 10.	Independent or Self-Study
Section 11.	Continuing Education Subjects

SERIES 3 - CONTESTED CASE HEARING PROCEDURE

Authority - §§30-23-1; 30-1-1

Type - Procedural

Price - \$3.00

Effective - January 15, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedure
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 6. Conferences; Informal Disposition of Cases
- Section 7. Depositions
- Section 8. Subpoenas
- Section 9. Orders
- Section 10. Appeal

SERIES 4 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR RADIOLOGIC TECHNOLOGISTS

Authority - §§30-23-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$2.60

Effective - August 15, 2003

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses
- Section 5. Disposition of Complaints
- Section 6. Contested Case Hearings
- Section 7. Appeals

SERIES 5 - STANDARD OF ETHICS

Authority - §§30-23-1 et seq. and 30-1-1 et seq.

Type - Procedural

Price - \$3.00

Effective - November 28, 2003

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Standard of Practice
- Section 5. Code of Ethics

SERIES 6 - PRACTICE OF RADIOLOGIC TECHNOLOGY

Authority - §§30-23-1 et seq; 30-1-1 et seq.

Type - Interpretive

Price - \$2.00

Effective - June 10, 2004

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Interpretative Ruling

TITLE 190

REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD

SERIES 1 - RESERVED

Repealed and Replaced by 190 CSR 2
Effective May 27, 1997

SERIES 2 - REQUIREMENTS OF LICENSURE AND CERTIFICATION

Authority - §§30-38-6; 30-38-7; 30-38-9

Type - Legislative

Price - \$4.40

Effective - June 25, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Exceptions to License Requirement
- Section 4. General Qualifications for Licensure or Certification
- Section 5. Additional Qualifications for Licensed Residential Real Estate Appraisers
- Section 6. Additional Qualifications for Certified General and Certified Residential Real Estate Appraisers
- Section 7. Procedure for Calculation of Experience by the Board
- Section 8. Qualifications for Licensure or Certification by Reciprocity
- Section 9. Qualifications for Temporary Permit as a Licensed Residential Real Estate Appraiser; Certified Residential or Certified General Real Estate Appraiser
- Section 10. License and Certification Fees
- Section 11. Apprentice Permits
- Section 12. Inactive Status
- Section 13. Licenses and Certifications
- Section 14. Standards of Professional Appraisal Practice

SERIES 3 - RENEWAL OF LICENSURE OR CERTIFICATION

Authority - §§30-38-7; 30-38-9; 30-38-11

Type - Legislative

Price - \$2.60

Effective - June 25, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Renewal Term
- Section 4. Qualifications for Renewal
- Section 5. Policies and Procedures of the Board for Approving Continuing Education Courses
- Section 6. Procedures for Renewal
- Section 7. Board Discretion to Deny Renewal
- Section 8. Standards of Professional Appraisal Practice

SERIES 4 - INVESTIGATIVE AND HEARING PROCEDURES

Authority - §37-14-6

Type - Procedural

Price - \$3.20

Effective - March 19, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Powers and Proceedings
- Section 4. Contested Hearing Case
- Section 5. Disposition
- Section 6. Motion for Rehearing
- Section 7. Final Decision
- Section 8. Ex Parte Communications
- Section 9. Judicial Review
- Section 10. Application for Reinstatement
- Section 11. Public Records and Publication of Decisions
- Section 12. Quasi-Judicial Immunity
- Section 13. Standards of Professional Appraisal Practice

TITLE 174

WEST VIRGINIA REAL ESTATE COMMISSION

SERIES 1 - REQUIREMENTS IN LICENSING REAL ESTATE BROKERS AND SALESMEN AND THE CONDUCT OF BROKERAGE BUSINESS

Authority - §47-12-3,19
Type - Legislative
Price - \$4.00
Effective - July 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. License Fees
- Section 4. License Certificates
- Section 5. Branch Offices
- Section 6. Cancellations and Transfers
- Section 7. Qualifications for Real Estate Broker's License
- Section 8. Office Signs
- Section 9. Advertising
- Section 10. Trade and Fictitious Names
- Section 11. Offer of Inducements and Gifts
- Section 12. Location of Office
- Section 13. Renewal of License
- Section 14. Examinations
- Section 15. Complaints
- Section 16. Trust Funds
- Section 17. Commingling Defined
- Section 18. Closing Statements
- Section 19. Requirements of Broker
- Section 20. Court Action
- Section 21. Bad Checks
- Section 22. Agency Disclosure

SERIES 2 - SCHEDULE OF FEES

Authority - §30-40-8
Type - Legislative
Price - \$2.40
Effective - November 1, 2003

- Section 1. General
- Section 2. Schedule of Fees

SERIES 3 - REQUIREMENTS IN APPROVAL AND REGISTRATION OF REAL ESTATE COURSES, COURSE PROVIDERS AND INSTRUCTORS

Authority - §30-40-8
Type - Legislative
Price - \$2.60
Effective - July 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Real Estate Courses, Course Providers and Instructors

TITLE 100

RECORDS MANAGEMENT AND PRESERVATION BOARD

SERIES 1 - COUNTY RECORDS MANAGEMENT AND PRESERVATION GRANT PROGRAM

Authority §5A-8-15

Type - Legislative

Price - \$2.40

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. County Records Management Assessment Program
- Section 4. County Records Management Program
- Section 5. County Records Management and Preservation Grants Program

SERIES 2 - RULE FOR GENERAL MANAGEMENT AND PRESERVATION OF COUNTY RECORDS

Authority - §5A-8-15

Type - Legislative

Price - \$3.80

Effective - July 1, 2004

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Objectives
- Section 5. Responsibilities

TITLE 94

REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY

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Series	1. Establishment of Regular Meetings	445
Series	2. Public Hearings to be Held Before Beginning Construction, Acquisition or Renovation of New Facilities or Existing Facilities or Existing Facilities Not Currently Being Used as Jails for Use as a Regional Jail or Prison Facility	445
Series	3. Criteria & Procedures for Determination of Cost Per Day for Inmates Incarcerated in Regional Jails Operated by the Authority	446
Series	4. Regulations Establishing Criteria for Identifying and Potential Sites for Private Prisons and Providing for Public Hearings to Allow Reasonable Participation in the Selection Process by the Citizens of the Area to be Affected by the Construction & Operation of a Private Prison Facility	446
Series	5. Handbook of Inmate Rules and Procedures	446
TOTAL COST OF ALL OF TITLE 94 \$16.80		

SERIES 1 - ESTABLISHMENT OF REGULAR MEETINGS

Authority - §31-20-4
Type - Procedural
Price - \$2.60
Effective - October 19, 1989

Section	1. General
Section	2. Application and Enforcement
Section	3. Definitions
Section	4. Regular Meetings Established, Time, Place
Section	5. Special Meetings, Notice Required, Time, Place, Purpose
Section	6. Proceeding to be Open, Exceptions, Executive Session Permitted
Section	7. Minutes
Section	8. Quorum, Majority Vote Required, Vote by Proxy Prohibited
Section	9. Records of the Board - Public Document

SERIES 2 - PUBLIC HEARINGS TO BE HELD BEFORE BEGINNING CONSTRUCTION, ACQUISITION OR RENOVATION OF NEW FACILITIES OR EXISTING FACILITIES NOT CURRENTLY BEING USED AS JAILS FOR USE AS A REGIONAL JAIL OR CORRECTIONAL FACILITY OR PRIVATE PRISON

Authority - §§31-20-5; 25-5-10
Type - Procedural
Price - \$2.40
Effective - April 5, 1999

Section	1. General
Section	2. Application and Enforcement
Section	3. Definition
Section	4. Public Hearings
Section	5. Notice
Section	6. Conduct of Hearings
Section	7. Site Selection Criteria

SERIES 3 - CRITERIA AND PROCEDURES FOR DETERMINATION OF COST PER DAY FOR INMATES INCARCERATED IN REGIONAL JAILS OPERATED BY THE AUTHORITY

Authority - §31-20-10(h)

Type - Procedural

Price - \$2.60

Effective - July 1, 1995

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Annual Schedule of Operational Expenditures
- Section 4. Annual Statement of Cost Per Inmate Per Day
- Section 5. Calculation of Cost Per Inmate Day
- Section 6. Preparation and Distribution of Monthly Statements of Costs Incurred
- Section 7. Allocation of Costs for Inmates Sentenced to the Division of Corrections
- Section 8. Extraordinary Costs
- Section 9. Settlement Statement

SERIES 4 - REGULATIONS ESTABLISHING CRITERIA FOR IDENTIFYING AND EVALUATING POTENTIAL SITES FOR PRIVATE PRISONS AND PROVIDING FOR PUBLIC HEARINGS TO ALLOW REASONABLE PARTICIPATION IN THE SELECTION PROCESS BY THE CITIZENS OF THE AREA TO BE AFFECTED BY THE CONSTRUCTION AND OPERATION OF A PRIVATE PRISON FACILITY

Authority - §25-5-10(a)

Type - Legislative

Price - \$2.60

Effective - April 17, 1991

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definition
- Section 4. Public Hearing
- Section 5. Notice
- Section 6. Conduct of Public Hearings
- Section 7. Criteria for Identifying and Evaluating Potential Sites for Private Prisons

SERIES 5 - HANDBOOK OF INMATE RULES AND PROCEDURES

Authority - §§31-20-5(v); 29A-1-3(c)

Type - Legislative

Price - \$6.60

Effective - October 8, 1994

- Section 1. General
- Section 2. Adoption by Reference

TITLE 19

WEST VIRGINIA BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES

Index for Registered Professional Nurses

		<u>Page</u>
Series	1. Policies and Criteria for the Evaluation and Accreditation of Colleges, Departments or Schools of Nursing	447
Series	2. Reserved	447
Series	3. Requirements for Registration and Licensure as a Registered Professional Nurse	448
Series	4. Qualification of Graduates of Foreign Nursing Schools for Admission to the Professional Nurse Licensing Examination	448
Series	5. Contested Case Hearing Procedure	448
Series	6. Procedure for Open Meetings and Bylaws	449
Series	7. Announcement of Advanced Practice	449
Series	8. Limited Prescriptive Authority for Nurses in Advanced Practice	449
Series	9. Disciplinary Action	450
Series	10. Standards for Professional Nursing Practice	450
Series	11. Continuing Education	450
Series	12. Fees	450
TOTAL COST FOR ALL OF TITLE 19 - \$31.40		

SERIES 1 - ACCREDITATION OF SCHOOLS POLICIES AND CRITERIA FOR THE EVALUATION AND ACCREDITATION OF COLLEGES, DEPARTMENTS OR SCHOOLS OF NURSING

Authority - §30-7-4; 30-1-4

Type - Legislative

Price - \$3.20

Effective - April 10, 2000

Section	1. General
Section	2. Definition
Section	3. Purposes of Accreditation
Section	4. Application for Legal Accreditation
Section	5. Accreditation of Education Unit
Section	6. Loss of Accreditation
Section	7. Closing of a Program
Section	8. Reports
Section	9. Mission and Goals/Outcomes of the Nursing Education Unit
Section	10. Organization and Administrative Control of the Nursing Education Unit
Section	11. Faculty of the Nursing Education Unit
Section	12. Students in the Nursing Education Unit
Section	13. Curriculum
Section	14. Resources, Facilities and Services
Section	15. Evaluation of the Nursing Education Unit

SERIES 2 - RESERVED

Repealed by 19-1 Effective April 5, 1995

SERIES 3 - REQUIREMENTS FOR REGISTRATION AND LICENSURE

Authority - §§30-1-4; 30-7-4

Type - Legislative

Price - \$4.00

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Application for Examination
- Section 4. Temporary Permit to Practice as a Registered Professional Nurse
- Section 5. Licensure Examination
- Section 6. Failure to Pass Licensure Examination
- Section 7. Licensure by Endorsement
- Section 8. Change of Name and/or Address
- Section 9. Renewal of License
- Section 10. Reinstatement of Lapsed License
- Section 11. Verification of Licensure to Another State Board of Nursing
- Section 12. Loss of Certificate of Registration or Current Licensure Card
- Section 13. Penalty for Presentation of Non-Negotiable Check
- Section 14. Professional Misconduct
- Section 15. Impaired Nurse Treatment Program
- Section 16. Expungement of Records

SERIES 4 - QUALIFICATION OF GRADUATES OF FOREIGN NURSING SCHOOLS FOR ADMISSION TO THE PROFESSIONAL NURSE LICENSING EXAMINATION

Authority - §30-7-4a & b

Type - Legislation

Price - \$2.40

Effective - April 9, 1984

- Section 1. General
- Section 2. Suppression and Repeal of Former Regulations
- Section 3. Application and Enforcement
- Section 4. Definition
- Section 5. Qualification of Graduates of Foreign Nursing Schools for Admission to the RN Licensing Examination

SERIES 5 - CONTESTED CASE HEARING PROCEDURE

Authority - §§30-7-1 et seq.; 29A-5-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$3.00

Effective - February 7, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedure
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 6. Hearing Examiner
- Section 7. Conferences; Informal Disposition of Cases
- Section 8. Depositions
- Section 9. Subpoenas
- Section 10. Orders
- Section 11. Appeal

SERIES 6 - PROCEDURES FOR OPEN MEETINGS AND BYLAWS

Authority - §§6-9A-3; 30-1

Type - Procedural

Price - \$2.80

Effective - November 13, 1987

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Regular Meetings: Notice, Time, Place
- Section 5. Special Meetings: Notice Required, Time, Place and Purpose
- Section 6. Proceedings to be Open, Exceptions, Executive Session Permitted
- Section 7. Minutes
- Section 8. Quorum; Majority Vote Required; Vote by Proxy Prohibited
- Section 9. Records of the Board to be Public
- Section 10. Election of Officers, Duties of Officers
- Section 11. Resignation of Members
- Section 12. Committees
- Section 13. Amendments to Procedural Policies
- Section 14. Parliamentary Authority

SERIES 7 - ANNOUNCEMENT OF ADVANCED PRACTICE

Authority - §30-7-4

Type - Legislative

Price - \$2.40

Effective - July 1, 1991

- Section 1. General
- Section 2. Definition
- Section 3. Announcement of Advanced Practice
- Section 4. Approval of National Certifying Body

SERIES 8 - LIMITED PRESCRIPTIVE AUTHORITY FOR NURSES IN ADVANCED PRACTICE

Authority - §§30-7-15a; 30-15-7a

Type - Legislative

Price - \$3.00

Effective - June 15, 1993

- Section 1. General
- Section 2. Definition
- Section 3. Application and Eligibility for Limited Prescriptive Authority
- Section 4. Renewal of Prescriptive Privileges
- Section 5. Pharmacology Course Requirements
- Section 6. Drugs Excluded From Prescriptive Authority
- Section 7. Termination of Limited Prescriptive Privileges
- Section 8. Adoption/Revision of Rules/Policies

SERIES 9 - DISCIPLINARY ACTION

Authority - §§30-1; 30-7; 30-15; 30-24

Type - Legislative

Price - \$3.40

Effective - May 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Investigations
- Section 4. Disciplinary Action
- Section 5. Professional Misconduct
- Section 6. Impaired Nurse Treatment Program

SERIES 10 - STANDARDS FOR PROFESSIONAL NURSING PRACTICE

Authority - §30-7-1 et seq.

Type - Legislative

Price - \$2.60

Effective - April 1, 1994

- Section 1. General
- Section 2. Standards Related to the Registered Professional Nurse's Responsibility to Implement the Nursing Process
- Section 3. Standards Related to the Registered Professional Nurse's Responsibility as a Member of the Nursing Profession

SERIES 11 - CONTINUING EDUCATION

Authority - §§30-1-4; 30-7-4

Type - Legislative

Price - \$3.00

Effective - April 5, 1995

- Section 1. General
- Section 2. Definition of Terms
- Section 3. Continuing Education
- Section 4. Continuing Education Providers

SERIES 12 - FEES

Authority - §§30-7-4; 30-1-4

Type - Legislative

Price - \$2.40

Effective - July 1, 2002

- Section 1. General
- Section 2. Schedule of Fees for Services Rendered by the West Virginia Board of Examiners for Registered Professional Nurses

TITLE 30

WEST VIRGINIA BOARD OF RESPIRATORY CARE

Index for West Virginia Board of Respiratory Care

	<u>Page</u>
Series 1. Procedure for License Application	451
Series 2. Establishment of Fees	451
Series 3. Continuing Education Requirements	451
Series 4. Disciplinary Action	452
Series 5. Disciplinary and Complaint Procedures for Respiratory Practitioners	452
Series 6. Contested Case Hearing Procedure	452
Series 7. Home Medical Suppliers	452
TOTAL COST FOR ALL OF TITLE 30 - \$17.60	

SERIES 1 - PROCEDURE FOR LICENSURE APPLICATION

Authority - §30-34-6
Type - Legislative
Price - \$2.40
Effective - June 24, 1997

- Section 1. General
- Section 2. Application for Licensure
- Section 3. Temporary Permits
- Section 4. Grandfather Applicants
- Section 5. Restricted Titles

SERIES 2 - ESTABLISHMENT OF FEES

Authority - §30-34
Type - Legislative
Price - \$2.00
Effective - June 24, 1997

- Section 1. General
- Section 2. Application Fee
- Section 3. Renewal Fee Schedule

SERIES 3 - CONTINUING EDUCATION REQUIREMENTS

Authority - §30-34-5
Type - Legislative
Price - \$2.80
Effective - April 20, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Accrual of Continuing Education Units Mandatory; Computation of Accrual
- Section 4. Methods of Acquiring Continuing Education Units
- Section 5. Procedures for Accreditation of Sponsors and Approval of Continuing Education Activities
- Section 6. Responsibilities and Reporting Requirements of the Carry Over Licensees
- Section 7. Carry-over of Continuing Education Units
- Section 8. Board to Approve Continuing Education Units; Appeal When Approval Denied
- Section 9. Temporary License Holders and Inactive Status

SERIES 4 - DISCIPLINARY ACTION

Authority - §30-34-5
Type - Legislative
Price - \$2.80
Effective - April 22, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Investigation
- Section 4. Disciplinary Action
- Section 5. Professional Misconduct

SERIES 5 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR RESPIRATORY PRACTITIONERS

Authority - §30-34-5 et seq.
Type - Procedural
Price - \$2.60
Effective - March 1, 2001

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses of Respiratory Practitioners
- Section 5. Disposition of Complaints
- Section 6. Contested Case Hearings
- Section 7. Appeals

SERIES 6 - CONTESTED CASE HEARING PROCEDURE

Authority - §§30-34-5 et seq. 30-1-1 et seq.
Type - Procedural
Price - \$3.00
Effective - March 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedure
- Section 4. Transcription of Testimony and Evidence
- Section 5. Submission of Proposed Findings of Fact and Conclusion of Law
- Section 6. Conferences; Informal Disposition of Cases
- Section 7. Depositions
- Section 8. Subpoenas
- Section 9. Orders
- Section 10. Appeal

SERIES 7 - HOME MEDICAL SUPPLIERS

Authority - §30-34-15d
Type - Interpretive
Price - \$2.00
Effective - September 7, 2000

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Actions Allowed by Non-Licensed Home Medical Equipment Dealers or Their Agents
- Section 5. Restrictions of Non-Licensed Home Medical Equipment Dealers or Their Agents

TITLE 84
BOARD OF REVIEW

SERIES 1 - BOARD OF REVIEW PROCEDURAL RULES

Authority - §§21A-4-13; 21A-7-7; and 21A-7-13

Type - Procedural

Price - \$3.60

Effective - October 29, 1999

Section	1.	General
Section	2.	Basic Provisions
Section	3.	General Appeals
Section	4.	Labor Dispute Cases
Section	5.	Appeal from Appeal Tribunal's Decision
Section	6.	General Hearing Procedures and Policies

TITLE 115

STATE BOARD OF RISK AND INSURANCE MANAGEMENT

Index for the Board of Risk and Insurance Management

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Series 1. Mine Subsidence Insurance	454
Series 2. Public Entities Insurance Program	454
Series 3. Administrative Regulations of State Board of Risk and Insurance Management	454
Series 4. Discontinuation of Professional Malpractice Insurance	455
Series 5. Procedure for Providing Written Notification of Claims of Potential Liability to the State or its Employees	455
Series 6. Preferred Medical Liability and High Risk Medical Liability Program	455
Total Cost for all of Title 115 B \$16.40	

SERIES 1 - MINE SUBSIDENCE INSURANCE

Authority - §33-30-15

Type - Legislative

Price - \$4.40

Effective - May 8, 2002

- Section 1. General
 - Section 2. Definitions
 - Section 3. Implementation of Insurance Coverage
 - Section 4. Miscellaneous Provisions
- Appendix

SERIES 2 - PUBLIC ENTITIES INSURANCE PROGRAM

Authority - §§29-12-1 et seq.; 29-12A-1 et seq.

Type - Legislative

Price - \$2.40

Effective - April 30, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Designation of Agent of Record
- Section 4. Service Fee
- Section 5. Commission of Agent of Record
- Section 6. Ineligible Classes
- Section 7. Rates and Coverages
- Section 8. Advisory Committee
- Section 9. Cancellation Provisions

SERIES 3 - ADMINISTRATIVE REGULATIONS OF STATE BOARD OF RISK AND INSURANCE MANAGEMENT

Authority - §29-12-1 et seq.

Type - Procedural

Price - \$2.00

Effective - September 17, 2003

- Section 1. General
- Section 2. Administration
- Section 3. Control of Risk
- Section 4. Settlement of Claims

SERIES 4 - DISCONTINUATION OF PROFESSIONAL MALPRACTICE INSURANCE

Authority - §29-12-5C
 Type - Legislative
 Price - \$2.00
 Effective - April 14, 1992

- Section 1. General
- Section 2. Purpose
- Section 3. Findings
- Section 4. Discontinuation of the Program

SERIES 5 - PROCEDURE FOR PROVIDING WRITTEN NOTIFICATION OF CLAIMS OF POTENTIAL LIABILITY TO THE STATE OR ITS EMPLOYEES

Authority - §29-12-5
 Type - Legislative
 Price - \$2.60
 Effective - June 1, 2000

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Reporting Requirements
- Appendix

SERIES 6 - PREFERRED MEDICAL LIABILITY AND HIGH RISK MEDICAL LIABILITY PROGRAM

Authority - §29-12-5(c)(2)(N)
 Type - Legislative
 Price - \$3.00
 Effective - March 27, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Implementation of Insurance Coverage
- Section 4. Miscellaneous Provisions

TITLE 198

RON YOST PERSONAL ASSISTANCE SERVICES ACT BOARD

SERIES 1 - RON YOST PERSONAL ASSISTANCE SERVICES ACT BOARD

Authority - §18-10L-6

Type - Legislative

Price - \$3.00

Effective - July 1, 2000

Section	1.	General
Section	2.	Description of Program
Section	3.	Board Membership, Length of Term, Attendance, Officers, Expenses and Meetings
Section	4.	Program
Section	5.	Appeals
Section	6.	Funding
Section	7.	Sliding Scale

TITLE 20

BOARD OF REGISTRATION FOR SANITARIANS

SERIES 1 - RULES FOR PROCEDURE FOR CONTESTED CASE HEARINGS AND DECLARATORY RULINGS

Authority - §30-17-1

Type - Procedural

Price - \$2.80

Effective - May 6, 1982

- Section 1. General
- Section 2. Application
- Section 3. Definitions
- Section 4. Hearings
- Section 5. Transcription of Reported Testimony and Evidence
- Section 6. Submission of Proposed Findings of Fact and Conclusions of Law
- Section 7. Appointment of Hearing Examiner
- Section 8. Conferences; Informal Disposition of Cases
- Section 9. Depositions Permitted
- Section 10. Subpoenas
- Section 11. Orders
- Section 12. Principal Office
- Section 13. Declaratory Ruling - Procedures
- Section 14. Appeal
- Section 15. Severability

SERIES 2 - PROCEDURE FOR THE INVESTIGATION AND RESOLUTION OF COMPLAINTS

Authority - §§30-1-8; 30-17-9

Type - Legislative

Price - \$2.80

Effective - February 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Filing of Complaint
- Section 4. Notice of Hearing
- Section 5. Investigation of Complaint
- Section 6. Conduct of Hearing
- Section 7. Disposition of Complaints
- Section 8. Penalties
- Section 9. Appeals

TITLE 164

SCHOOL BUILDING AUTHORITY OF WEST VIRGINIA

SERIES 1 - PROCEDURAL HANDBOOK FOR THE SCHOOL BUILDING AUTHORITY

Authority - §18-9D-1(16)

Type - Procedural

Price - \$8.00

Effective - October 29, 1995

Section 1. General

Section 2. Incorporation of School Building Authority of West Virginia Revised Policy and Procedures Handbook

TITLE 127

SECONDARY SCHOOLS ACTIVITIES COMMISSION

Index for Secondary Schools Activities Commission

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Series 2. Athletics - Eligibility	459
Series 3. Provisions Governing Contests	460
Series 4. Provisions Governing Conduct	460
Series 5. Band Activities	461
Series 6. Violations of the Athletic Rules	461
Series 7. Officials' Handbook	461
TOTAL FOR ALL OF TITLE 127 \$25.00	

SERIES 1 - CONSTITUTION

Authority - §18-2-5
Type - Legislative
Price - \$4.60
Effective - August 10, 2004

Section 1.	General
Section 2.	Name
Section 3.	Objects
Section 4.	Membership
Section 5.	Administration
Section 6.	Officers and Duties
Section 7.	Meetings
Section 8.	Board of Appeals
Section 9.	Funds
Section 10.	Amendments
Section 11.	Executive Secretary
Section 12.	Duties of Executive Secretary
Section 13.	Review Board
Section 14.	Rules and Regulations
Section 15.	Board of Trustees

SERIES 2 - ATHLETICS, PROVISIONS GOVERNING ELIGIBILITY

Authority - §18-2
Type - Legislative
Price - \$4.00
Effective - August 10, 2004

Section 1.	General
Section 2.	Note
Section 3.	Enrollment & Team Memberships
Section 4.	Agent
Section 5.	Semester and Session
Section 6.	Scholarship
Section 7.	Residence - Transfer
Section 8.	Adoption - Guardianship
Section 9.	Undue Influence - Recruiting
Section 10.	Nonschool Participation
Section 11.	Amateur
Section 12.	Participation as an Ineligible
Section 13.	Practice

SERIES 3 - PROVISIONS GOVERNING CONTESTS

Authority - §18-2-25

Type - Legislative

Price - \$6.00

Effective - August 10, 2004

Section	1.	General
Section	2.	Duties and Responsibilities of Principal
Section	3.	Physical Exam - Parental Permission
Section	4.	All-Star Participation
Section	5.	Awards
Section	6.	Coaches
Section	7.	Camps - Out-of-Season Coaching
Section	8.	Forfeit and Restitution
Section	9.	Game Officials
Section	10.	Classification
Section	11.	Exchange of Eligibility Certificates
Section	12.	Legal Opponents
Section	13.	Contracts
Section	14.	Definition of a Game or Contest
Section	15.	Sunday Contests
Section	16.	Sports Rules - Game Protests
Section	17.	Sanctioning and Travel
Section	18.	State Championships
Section	19.	Season Regulations
Section	20.	Baseball
Section	21.	Basketball (Boys and Girls)
Section	22.	Cheerleading
Section	23.	Cross Country
Section	24.	Football
Section	25.	Golf
Section	26.	Soccer
Section	27.	Softball
Section	28.	Swimming
Section	29.	Tennis
Section	30.	Track and Field
Section	31.	Volleyball
Section	32.	Wrestling

SERIES 4 - PROVISIONS GOVERNING CONDUCT

Authority - §18-2-25

Type - Legislative

Price - \$3.00

Effective - September 6, 2002

Section	1.	General
Section	2.	Sportsmanship
Section	3.	Code for Interscholastic Athletics

SERIES 5 - BAND ACTIVITIES

Authority - §18-2-25
Type - Legislative
Price - \$2.60
Effective - August 6, 2002

- Section 1. General
- Section 2. Enrollment and Membership - Band
- Section 3. Scholarship - Band
- Section 4. Festivals - Band
- Section 5. Sanctioning - Band
- Section 6. Awards - Band
- Section 7. Classification of Schools - Band

SERIES 6 - VIOLATIONS OF THE ATHLETIC RULES

Authority - §18-2-25
Type - Legislative
Price - \$2.80
Effective - August 6, 2002

- Section 1. General
- Section 2. Powers of the Board of Appeals to Impose Penalties
- Section 3. Method for Protests - Deputies
- Section 4. Method of Protests - Executive Secretary
- Section 5. Method of Protests - Contested Cases
- Section 6. Review Board

SERIES 7 - OFFICIALS' HANDBOOK

Authority - §18-2
Type - Legislative
Price - \$2.00
Effective - August 6, 2002

- Section 1. General (Incorporation of 1987-88 Handbook)

TITLE 153

SECRETARY OF STATE

Index for the Secretary of State

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Series	1. Filing of Rules, Orders, Opinions, Meeting Notices and Other Documents in the Secretary of State's Office for Inclusion in the State Register	463
Series	2. Fees Relating to Electronic Records	463
Series	3. Registration Forms and Receipts	463
Series	4. Procedure Rule for Submitting Suggestee Executions Served on the Office of the Secretary of State	463
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Series	6. Standard Size and Format for Rules and Related Documents Filed in the Secretary of State's Office	464
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Series	8. Electioneering Prohibition - Measurement of Prohibited Area	465
Series	9. Elimination of Precinct Registration Books	465
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Series	12. Rules of Procedure for Contested Case Hearings Related to Licensing of Private Detectives and Security Guards	465
Series	13. West Virginia Farm Lien Central Filing System	466
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Series	17. Reserved	466
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Series	19. Procedures for Filing For Authorization to do Business by Voluntary Associations and Business Trusts	467
Series	20. Procedures for Recount of Election Results	467
Series	21. Reserved	467
Series	22. Rules and Procedure for Contested Case Hearings Dealing With Denials and Revocations of Notary Public Commissions	468
Series	23. Absentee Voting Military Voters Who Are Members of Reserve Units Called to Active Duty	468
Series	24. Numbered Divisions for the Election of Circuit Judges	468
Series	25. Combined Voter Registration and Driver Licensing Fund	468
Series	26. Official Election Forms and Vendor Authorization	469
Series	27. Procedures for Handling Ballots and Counting Write-In Votes in Counties Using Punch Card or Optical Scan Ballots	469
Series	28. Agencies Designated to Provide Voter Registration Services	469
Series	29. Trademark and Service Marks	469
Series	30. Use of Digital Signatures, State Certification Authority and State Repository	470
Series	31. Reserved	470
Series	32. Registry Requirements for Celebrants of Marriage	470
Series	33. Registry for Notification of a State of Emergency	470
Series	34. Reserved	470
Series	35. Uniform Commercial Code, Revised Article 9	471
TOTAL COST FOR ALL OF TITLE 153 - \$71.80		

SERIES 1 - FILING OF RULES, ORDERS, OPINIONS, MEETING NOTICES AND OTHER DOCUMENTS IN THE SECRETARY OF STATE'S OFFICE FOR INCLUSION IN THE STATE REGISTER

Authority - §29A-2-6
 Type - Procedural
 Price - \$2.60
 Effective - November 16, 1992

- Section 1. General
- Section 2. Quantity
- Section 3. Time Requirements
- Section 4. Notices Format
- Section 5. Refusal to Accept Filing of Rules
- Section 6. Final Filing of Interpretive, Procedural or Exempt Proposed Rules
- Section 7. Final Filing of Proposed Legislative Rules Authorized by the Legislature
- Section 8. Fees for Copies

SERIES 2 - FEES RELATING TO ELECTRONIC RECORDS

Authority - §59-1-2
 Type - Legislative
 Price - \$2.80
 Effective - April 1, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Records of the Administrative Law Division
- Section 4. Records of the Corporation Division
- Section 5. Records of the Uniform Commercial Code (UCC) Division
- Section 6. Records of the Charitable Organization, Elections and Executive Records Division and Other Public Information
- Section 7. Subscriber Accounts; Multiple Users and Access to Records of Multiple Divisions
- Section 8. Purchase of Database Index; Records for Resale

SERIES 3 - REGISTRATION FORM AND RECEIPTS

Authority - §§3-1A-6, 3-2-19, 3-2-20, 3-2-41
 Type - Legislative
 Price - \$2.00
 Effective - February 3, 1987

- Section 1. General
- Section 2. Registration Form Prescribed, Issuance of Previous Forms Prohibited
- Section 3. Registration Receipts

SERIES 4 - PROCEDURE RULE FOR SUBMITTING SUGGESTEE EXECUTIONS SERVED ON THE OFFICE OF THE SECRETARY OF STATE

Authority - §29A-3-2
 Type - Procedural
 Price - \$2.00
 Effective - September 4, 1981

- Section 1. General
- Section 2. General Purpose
- Section 3. Procedure for Submitting Suggestee Executions

SERIES 5 - MATTERS RELATING TO CORPORATIONS AND OTHER BUSINESS ENTITY FILING

Authority - §31-1-67
Type - Legislative
Price - \$2.60
Effective - April 3, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Corporate and other Business Names; Availability, Consent, Reservation of Names
- Section 4. Good Standing Certificates
- Section 5. Procedure for Reinstatement of Corporation or Other Business Administratively Revoked or Dissolved by a Court
- Section 6. Filing in the Office of the Clerk of the County Commission

SERIES 6 - STANDARD SIZE AND FORMAT FOR RULES AND RELATED DOCUMENTS FILED IN THE SECRETARY OF STATE'S OFFICE

Authority - §29A-2-6(c)
Type - Legislative
Price - \$4.00
Effective - June 7, 1996

- Section 1. General
 - Section 2. Definitions
 - Section 3. Standard Size of Rules and Related Documents
 - Section 4. Forms and Other Documents
 - Section 5. Numbering and Indention
 - Section 6. Underlining and Strike-Throughs, Capitalization
 - Section 7. Repeal and Replacement
 - Section 8. Incorporation by Reference
 - Section 9. Filing Proposed Amendments to An Existing Series
 - Section 10. Filing of a Proposed New Series Rules
 - Section 11. Filing of Emergency Rule
 - Section 12. Tables, Charts, Diagrams, etc.
 - Section 13. Effective Dates
 - Section 14. Electronic Filing
 - Section 15. Publication of Materials from State Register
- Table

SERIES 7 - SUBMISSION OF OTHER DOCUMENTS FOR APPROVAL TO SOLICIT CONTRIBUTIONS FOR A CHARITABLE ORGANIZATION

Authority - §§29-19-3(c); 29-19-5(a); 29-19-5(c); 29-19-8; 29-19-9 and 29A-1-2(c)
Type - Interpretive
Price - \$2.40
Effective - March 26, 1993

- Section 1. General
- Section 2. Other Documents Prescribed by the Secretary of State
- Section 3. Examination of Applications
- Section 4. Contracts to be Filed

SERIES 8 - ELECTIONEERING PROHIBITION - MEASUREMENT OF PROHIBITED AREAS

Authority - §§3-1A-6; 3-1-20; 3-1-37; 3-9-6 and 3-9-9

Type - Interpretive

Price - \$2.00

Effective - October 25, 1985

- Section 1. General
- Section 2. Measurement

SERIES 9 - ELIMINATION OF PRECINCT REGISTRATION BOOKS

Authority - §3-2-21

Type - Legislative

Price - \$2.00

Effective - June 12, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Elimination of Separate Precinct Registration Books

SERIES 10 - RESERVED

REPEALED AND REPLACED BY 146CSR4 EFFECTIVE JUNE 7, 1996

SERIES 11 - RESERVED

REPEALED AND REPLACED January 27, 1997

SERIES 12 - RULES OF PROCEDURE FOR CONTESTED CASE HEARINGS RELATED TO LICENSING OF PRIVATE DETECTIVES AND SECURITY GUARDS

Authority - §§30-18; 30-1-8 and 29A-5

Type - Procedural

Price - \$2.60

Effective - December 21, 2000

- Section 1. General
- Section 2. Request for Hearing Following Denial of Initial Licensure
- Section 3. Reapplication Following Denial of Initial Licensure
- Section 4. Required Hearing Prior to Suspension, Revocation or Refusal to Renew; Notice
- Section 5. Conduct of Hearings
- Section 6. Continuation or Delay of Hearing
- Section 7. Transcription of Reported Testimony and Evidence
- Section 8. Submission of Proposed Findings of Fact and Conclusions of Law; Time for Submission
- Section 9. Appointment of Hearing Examiner; Function of Hearing Examiner
- Section 10. Conferences; Informal Disposition of Cases
- Section 11. Depositions Permitted
- Section 12. Subpoenas
- Section 13. Orders, Content
- Section 14. Appeal
- Section 15. Severability

SERIES 13 - WEST VIRGINIA FARM LIEN CENTRAL FILING SYSTEM

Authority - §46-9-407(8)

Type - Legislative

Price - \$5.80

Effective - July 1, 1990

- Section 1. General
 - Section 2. Definitions
 - Section 3. Effective Financing Statement
 - Section 4. EFS Information
 - Section 5. Place of Filing EFS
 - Section 6. Amendment or Continuation of EFS
 - Section 7. Effect of EFS
 - Section 8. Obligations Subject to Central Filing
 - Section 9. Registration
 - Section 10. Master List
 - Section 11. Portions of the Master List
 - Section 12. Farm Product List and Codes
 - Section 13. Crop Year
 - Section 14. Amount and Reasonable Description
 - Section 15. Distribution of Portions of Master List
 - Section 16. Fees
 - Section 17. Forms
 - Section 18. Continuation of Farm Product Liens Perfected Under Prior Law
- Tables

SERIES 14 - GUIDELINES FOR THE USE OF NICKNAMES AND OTHER DESIGNATIONS ON THE BALLOT

Authority - §§3-1A-6; 3-5-13

Type - Legislative

Price - \$2.40

Effective - June 7, 1996

- Section 1. General
- Section 2. Allowable Additions or Alterations to Legal Names
- Section 3. Unallowable Additions or Alterations to Legal Names
- Section 4. Maximum Length of Name

SERIES 15 - FILING FEES FOR CREDIT SERVICE

Authority - §46A-6C-5(e)

Type - Legislative

Price - \$2.00

Effective - April 4, 2000

- Section 1. General
- Section 2. Filing Fee

SERIES 16 - RESERVED

Repealed and Replaced with 153 CSR 18
June 7, 1996

SERIES 17 - RESERVED

Repealed and Replaced with 153 CSR 18
June 7, 1996

SERIES 18 - PROCEDURES FOR CANVASSING ELECTIONS

Authority - §3-1A-6
 Type - Legislative
 Price - \$3.00
 Effective - June 7, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Preparation
- Section 4. Order of Canvassing Procedures b Voting System
- Section 5. Receiving the Absentee Ballots for All Voting Systems
- Section 6. Canvassing Each Precinct
- Section 7. Special Canvassing Procedures for Elections Conducted With Lever Voting Machines
- Section 8. Special Canvassing Procedures for Elections Conducted With Electronically Tabulated Ballots; Hand Counting Five Percent (5%) of Precincts
- Section 9. Declaring the Results
- Section 10. Certifying the Results
- Section 11. Preparing for a Recount

SERIES 19 - PROCEDURES FOR FILING FOR AUTHORIZATION TO DO BUSINESS BY VOLUNTARY ASSOCIATIONS AND BUSINESS TRUSTS

Authority - §§47-9A-1 et seq.; 31-1-67
 Type - Procedural
 Price - \$2.00
 Effective - February 13, 1989

- Section 1. General
- Section 2. Definitions
- Section 3. Filing Procedure

SERIES 20 - PROCEDURES FOR RECOUNT OF ELECTION RESULTS

Authority - §3-1A-6
 Type - Legislative
 Price - \$3.40
 Effective - May 8, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Requesting a Recount
- Section 4. Preparation
- Section 5. Notification of Recount
- Section 6. Conducting the Recount
- Section 7. Order of Recount Procedures by Voting System
- Section 8. Special Recount Procedures for Elections Conducted With Lever Voting Machines
- Section 9. Special Recount Procedures for Elections Conducted With Electronically Tabulated Ballots; Hand Counting Five Percent (5%) of Precincts
- Section 10. Recount by Step Procedures
- Section 11. Certifying the Results

SERIES 21 - RESERVED

SERIES 22 - RULES OF PROCEDURE FOR CONTESTED CASE HEARINGS DEALING WITH DENIALS AND REVOCATIONS OF NOTARY PUBLIC COMMISSIONS

Authority - §29C-7-101
Type - Procedural
Price - \$2.60
Effective - February 8, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Notice of Hearing
- Section 4. How Hearings to be Conducted
- Section 5. Continuation and Adjournment
- Section 6. Transcription of Reported Testimony and Evidence
- Section 7. Submission of Proposed Findings of Fact and Conclusion of Law, Time for Submission
- Section 8. Appointment of Hearing Examiner, Function of Hearing Examiner
- Section 9. Conferences; Informal Disposition of Cases
- Section 10. Orders; Content
- Section 11. Appeal
- Section 12. Severability

SERIES 23 - ABSENTEE VOTING MILITARY VOTERS WHO ARE MEMBERS OF RESERVE UNITS CALLED TO ACTIVE DUTY

Authority - §3-1A-6; 42 U.S.C. §1973ff-1
Type - Legislative
Price - \$2.40
Effective - June 7, 1996

- Section 1. General
 - Section 2. Absentee Voting for Activated Reservists
 - Section 3. Procedures
- Affidavit

SERIES 24 - NUMBERED DIVISIONS FOR THE ELECTION OF CIRCUIT JUDGES

Authority - §§3-1A-6; 3-1-17
Type - Procedural
Price - \$2.40
Effective - June 7, 1996

- Section 1. General
- Section 2. Designation of Numbered Divisions
- Section 3. Nomination of Circuit Judges in Numbered Divisions
- Section 4. Election of Circuit Judges in Numbered Divisions
- Section 5. Continuity of Numbered Divisions

SERIES 25 - COMBINED VOTER REGISTRATION AND DRIVER LICENSING PROGRAM

Authority - §§3-1A-6; 3-2-12; 17-3-1; 17B-2-8
Type - Legislative
Price - \$2.80
Effective - June 7, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Revenue
- Section 4. Expenditures

SERIES 26 - OFFICIAL ELECTION FORMS AND VENDOR AUTHORIZATION

Authority - §3-1A-6
Type - Legislative
Price - \$2.40
Effective - June 7, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Official Election Forms Prescribed; Issuance of Forms Prohibited, Acceptance of Forms
- Section 4. Approval of Official Forms Offered for Sale by Vendors
- Section 5. Duties of the Secretary of State

SERIES 27 - PROCEDURES FOR HANDLING BALLOTS AND COUNTING WRITE-IN VOTES IN COUNTIES USING PUNCH CARD OR OPTICAL SCAN BALLOTS

Authority - §§3-1A-6; 3-4A-27; 3-6-4a; 3-6-5
Type - Procedural
Price - \$3.20
Effective - June 7, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Casting and Counting Write-In Votes
- Section 4. Procedures for Punch Card Ballots
- Section 5. Procedures for Optical Scan Ballots

SERIES 28 - AGENCIES DESIGNATED TO PROVIDE VOTER REGISTRATION SERVICES

Authority - §§3-1A-6; 3-2-13
Type - Legislative
Price - \$2.40
Effective - July 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Designated Public Assistance Agencies
- Section 4. Designated Disabilities Service Agencies
- Section 5. Designated County Marriage License Offices

SERIES 29 - TRADEMARKS AND SERVICE MARKS

Authority - §47-2-10
Type - Legislative
Price - \$3.40
Effective - June 12, 1997

- Section 1. General
- Section 2. Application for New Registration
- Section 3. Review and Approval of Registration
- Section 4. Renewal of Registration
- Section 5. Assignments, Changes of Cancellation
- Section 6. Classification of Goods and Services
- Section 7. Fees

SERIES 30 - USE OF ELECTRONIC SIGNATURES BY STATE AGENCIES

Authority - §39-5-4

Type - Legislative

Price - \$4.40

Effective - June 21, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Agency Use of Electronic Records and Electronic Signatures Generally
- Section 4. Agency Procedures for Adoption, Modification or Revocation of Electronic Signature Acceptance
- Section 5. Requirements for Acceptance of Digital Marks
- Section 6. Security Requirements for Acceptance of Digital Signature
- Section 7. Requirements for Acceptance of Digital Signatures
- Section 8. Requirements for Acceptance of Other Forms of Electronic Signatures
- Section 9. Selection of State Authority; Eligibility Requirements for Registration and Certificate Management and Authority
- Section 10. Requirements for State Certificate Management Authority Practice
- Section 11. Requirements for State Repository Practice
- Section 12. Requirements for Issuance of Certificates
- Section 13. Subscribers; Duties upon Acceptance of Certificate
- Section 14. Suspension of Certificate
- Section 15. Revocation of Certificate
- Section 16. Expiration of Certificate
- Section 17. Form of Certificates
- Section 18. Record Keeping and Retention
- Section 19. Compliance Audit
- Section 20. Procedure on Discontinuance of Business of State Certification Authority or State Repository
- Section 21. Fees for Issuance of Certificates

SERIES 31 - RESERVED

Repealed & Replaced by 153CSR30

Effective June 21, 2002

SERIES 32 - REGISTRY REQUIREMENTS FOR CELEBRANTS OF MARRIAGE

Authority - §48-2-402

Type - Legislative

Price - \$2.40

Effective - June 21, 2002

- Section 1. General
- Section 2. Secretary of State's Registry of Persons Authorized to Celebrate Marriages
- Section 3. Registry Requirements
- Section 4. Proof of Qualifications of Religions Representative to Celebrate Marriages
- Section 5. Application Fees Received by the Secretary of State
- Section 6. Order Authorizing a Person to Celebrate Marriages in All Counties

SERIES 33 - REGISTRY FOR NOTIFICATION OF A STATE OF EMERGENCY

Authority - §46A-6J-4

Type - Legislative

Price - \$2.00

Effective - June 23, 2003

- Section 1. General
- Section 2. Applying to be Notified of State Declared Emergencies and Natural Disasters
- Section 3. Fees
- Section 4. Notification to Registrants
- Section 5. Withdrawing From Notification

SERIES 34 - RESERVED

SERIES 35 - UNIFORM COMMERCIAL CODE, REVISED ARTICLE 9

Authority - §46-9-526

Type - Legislative

Price - \$4.40

Effective - June 21, 2002

Section	1.	General
Section	2.	Definitions
Section	3.	Filing Office Information
Section	4.	UCC Document Delivery and Time of Filing
Section	5.	Approved Forms
Section	6.	Fees
Section	7.	Payment of Fees
Section	8.	Overpayment and Underpayment Policies
Section	9.	Public Records Services
Section	10.	New Practices and Technologies
Section	11.	Acceptance and Refusal of Documents
Section	12.	UCC Information Management System
Section	13.	Filing and Data Entry Procedures
Section	14.	Search Requests and Reports
Section	15.	Other Notices of Liens

TITLE 111

COMMISSIONER OF SECURITIES

SERIES 1 - COMMISSIONER OF SECURITIES RULES OF PRACTICE AND PROCEDURE

Authority - §32-4-41(2)

Type - Legislative

Price - \$7.40

Effective - June 12, 1985

Section	1.	General
Section	2.	Reserved
Section	3.	Reserved
Section	4.	Reserved
Section	5.	Reserved
Section	6.	Reserved
Section	7.	Reserved
Section	8.	Reserved
Section	9.	Reserved
Section	10.	Rules of Practice and Procedure
Section	11.	Registration of Broker-Dealer and Agents
Section	12.	Post Registration Provisions
Section	13.	Licensing of Investment Advisers
Section	14.	Registration of Securities
Section	15.	General Provisions

TITLE 76

WEST VIRGINIA BUREAU OF SENIOR SERVICES

(Formerly the West Virginia Commission on Aging)

	<u>Page</u>
Series 1. Hearing and Appeals	473
Series 2. Meetings and Organization	473
Series 3. West Virginia State Plan for Aging Programs	473
Series 4. West Virginia Long-Term Care Ombudsman Program	474
Series 5. West Virginia Long-Term Care Ombudsman Program Procedural Rules	474
TOTAL COST FOR ALL OF TITLE 76 WITHOUT INCORPORATED DOCUMENTS - \$18.60	

SERIES 1 - HEARING AND APPEAL PROCEDURES

Authority - §29-14, §29A-5 and 45 CFR

Type - Procedural

Price - \$3.00

Effective - July 31, 1986

- Section 1. General
- Section 2. Regional Hearing
- Section 3. State Hearing/Appeal

SERIES 2 - MEETINGS AND ORGANIZATION

Authority - §29-14 and §6-9A

Type - Procedural

Price - \$2.40

Effective - July 31, 1986

- Section 1. General
- Section 2. Officers and Duties
- Section 3. Meetings
- Section 4. Committees
- Section 5. Parliamentary Procedure
- Section 6. Amendments

SERIES 3 - WEST VIRGINIA STATE PLAN FOR AGING PROGRAMS

Authority - §16-5P-1

Type - Interpretive

Price - \$2.00 (Without Manual) \$13.80 (With Manual)

Effective - November 24, 2002

- Section 1. General
- Section 2. Incorporation by Reference

SERIES 4 - WEST VIRGINIA LONG-TERM CARE OMBUDSMAN PROGRAM

Authority - §16-5L-21

Type - Legislative

Price - \$5.00

Effective - July 1, 1994

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Office of the State Long-term Care Ombudsman
- Section 5. State Long-term Care Ombudsman Continuing Education
- Section 6. Duties of the State Long-term Care Ombudsman Programs
- Section 7. Designation of Regional Long-term Care Ombudsman Programs
- Section 8. Conflict of Interest
- Section 9. Regional and Volunteer Long-term Care Ombudsman
- Section 10. Duties of the Regional and Volunteer Long-term Care Ombudsman
- Section 11. Certification and Continuing Education
- Section 12. Investigation of Complaints
- Section 13. Confidentiality of Information
- Section 14. Procedure for Complaints Filed Against Regional or Volunteer Long-term Care Ombudsman
- Section 15. Severability

SERIES 5 - WEST VIRGINIA LONG-TERM CARE OMBUDSMAN PROGRAM PROCEDURAL RULE

Authority - §16-5L-21

Type - Procedural

Price - \$6.20

Effective - July 31, 1995

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Office of the State Long-Term Care Ombudsman
- Section 5. Designation of Regional Long-Term Care Ombudsman Programs
- Section 6. Certification and Continuing Education
- Section 7. Conflict of Interest
- Section 8. Investigation of Complaints
- Section 9. Ombudsman Program Services
- Section 10. Legal Issues
- Section 11. Willing Interference
- Section 12. Severability

TITLE 50

SHALLOW GAS WELL REVIEW BOARD

SERIES 1 - RULES OF PRACTICE BEFORE THE BOARD

Authority - §§22-7-6; 29A-3

Type - Procedural

Price - \$3.80

Effective - August 22, 1987

Section	1.	General
Section	2.	Rules Applicable to Proceedings Concerning the Location of Shallow Gas Wells
Section	3.	Rules Applicable to Proceedings to Establish Drilling Units
Section	4.	Disputes Under Pooling Order
Section	5.	Hearings

TITLE 25

BOARD OF SOCIAL WORK EXAMINERS

SERIES 1 - QUALIFICATIONS FOR LICENSURE AS A SOCIAL WORKER

Authority - §§30-30-(3)(a), (3)(e)(4), (3)(e)(5), (3)(e)(6); 30-30-9; 30-1-(8)(a); 30-1-(15)(e)

Type - Legislative

Price - \$4.80

Effective - July 1, 2002

Section	1.	General
Section	2.	Definitions
Section	3.	Qualifications for License
Section	4.	Code of Ethics
Section	5.	Applications
Section	6.	Contested Case Hearing Procedures
Section	7.	Responsibilities of Licensees
Section	8.	Continuing Social Work Education Requirements for Licensees
Section	9.	Continuing Social Work Education Requirements for Providers
Section	10.	Disciplinary Proceedings
Section	11.	Violations of Child Support Orders

SERIES 2 - ORGANIZATION AND PROCEDURES OF THE BOARD OF SOCIAL WORK EXAMINERS

Authority - §30-30 et seq.

Type - Procedural

Price - \$2.00

Effective - November 30, 1992

Section	1.	General
Section	2.	Organization of Meetings of the Board
Section	3.	Applications
Section	4.	Examinations
Section	5.	Availability of Rules and Regulations

SERIES 3 - FEE SCHEDULE

Authority - §§30-1-6(c); 30-30-3(3)(1)(4); 30-30-11

Type - Legislative

Price - \$2.60

Effective - July 1, 2002

Section	1.	General
Section	2.	Fee Schedule

TITLE 63

SOIL CONSERVATION COMMISSION

SERIES 1 - SOIL CONSERVATION COMMITTEE REGULATIONS

Authority - §§19-21A; 18-21B

Type - Legislative

Price - \$2.80

Effective - July 1, 1998

Section	1.	General
Section	2.	Procedure for Appointing and Electing District Soil Conservation Supervisors
Section	3.	Expenditures of Funds by the State Soil Conservation Committee for Watershed Programs
Section	4.	Procedure for Complying with Open Governmental Proceedings Law

TITLE 54

SOLID WASTE MANAGEMENT BOARD

Index for the Solid Waste Management Board

		<u>Page</u>
Series	1. Rules and Regulations Governing Disbursement of Loans and Grants to Governmental Agencies for the Acquisition or Construction of Solid Waste Disposal	478
Series	2. The Establishment of Fee Schedule and Cost Allocations Applicable to the Issuance of Bonds by the West Virginia Solid Waste Management Board	478
Series	3. Comprehensive Litter and Solid Waste Control Plans	478
Series	4. Commercial Solid Waste Facility Siting Plans	479
Series	5. Disbursement of Grants to Solid Waste Authority	479
TOTAL COST FOR OF TITLE 54 - \$17.40		

SERIES 1 - RULES AND REGULATIONS GOVERNING DISBURSEMENT OF LOANS AND GRANTS TO GOVERNMENTAL AGENCIES FOR THE ACQUISITION OR CONSTRUCTION OF SOLID WASTE DISPOSAL

Authority - §16-26-1
Type - Legislative
Price - \$3.40
Effective - June 17, 1991

- Section 1. General
- Section 2. Definitions
- Section 3. Grants
- Section 4. Loans

SERIES 2 - THE ESTABLISHMENT OF FEE SCHEDULE AND COST ALLOCATIONS APPLICABLE TO THE ISSUANCE OF BONDS BY THE WEST VIRGINIA SOLID WASTE MANAGEMENT BOARD

Authority - §16-26-1 et seq.
Type - Legislative
Price - \$2.40
Effective - June 17, 1991

- Section 1. General
- Section 2. Definitions
- Section 3. Fees
- Section 4. Allocations of Costs Applicable to Issuance of Bonds of the Board
- Section 5. Amendment of Fee Schedule

SERIES 3 - RULES AND REGULATIONS FOR THE DEVELOPMENT OF COMPREHENSIVE LITTER AND SOLID WASTE CONTROL PLANS

Authority - §§22C-3-6; 22C-4-8; 22C-4-23; 20-11-1 et seq.
Type - Legislative
Price - \$4.60
Effective - May 21, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Requirement and Procedure for Plan Development, Update and Approval
- Section 4. Required Format of Plan
- Section 5. Content of Plan
- Section 6. Development, Update and Amendment Process
- Section 7. Public Participation Process

SERIES 4 - COMMERCIAL SOLID WASTE FACILITY SITING PLANS

Authority - §§22C-3-6; 22C-4-24

Type - Legislative

Price - \$3.60

Effective - May 21, 2001

Section	1.	General
Section	2.	Definitions
Section	3.	Procedure for Plan Development and Approval
Section	4.	Required Format of Commercial Siting Plan
Section	5.	Required Content of Commercial Siting Plan
Section	6.	Review and Amendment Process
Section	7.	Public Participation Process

SERIES 5 - DISBURSEMENT OF GRANTS TO SOLID WASTE AUTHORITY

Authority - §§22C-3-6; 22C-4-30

Type - Legislative

Price - \$3.40

Effective - April 15, 2002

Section	1.	General
Section	2.	Definitions
Section	3.	Application for Grants
Section	4.	Eligibility for Participation
Section	5.	Personnel Qualifications
Section	6.	Compliance With Federal and State Laws
Section	7.	Authorized Use of Grant Funds and Factors Considered in Evaluation Applications
Section	8.	Grant Withdrawal and Penalty
Section	9.	Reporting Requirements
Section	10.	Management of Grant
Section	11.	Disposition of Equipment
Section	12.	General Conditions and Requirements

TITLE 29

BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

SERIES 1 - LICENSE OF SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

Authority - §30-32-10

Type - Legislative

Price - \$4.60

Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Qualifications
- Section 4. Provisional License
- Section 5. Renewal
- Section 6. Reinstatement of Expired Licenses
- Section 7. Standards of Conduct
- Appendix

SERIES 2 - RULE GOVERNING SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY ASSISTANTS

Authority - §30-32-10

Type - Legislative

Price - \$2.60

Effective - May 1, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Qualifications
- Section 4. Responsibilities of the Supervisor
- Section 5. Role of the Speech-Language Pathology and/or Audiology Assistant
- Section 6. Renewal of Assistant Registration

SERIES 3 - CONTESTED CASE HEARING PROCEDURE

Authority - §30-32-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$3.00

Effective - March 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Hearing Procedure
- Section 4. Transcription of Testimony and Evidence
- Section 5. Hearing Examiner
- Section 6. Conferences; Informal Disposition of Cases
- Section 7. Depositions
- Section 8. Subpoenas
- Section 9. Orders
- Section 10. Appeal

SERIES 4 - DISCIPLINARY AND COMPLAINT PROCEDURES FOR SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

Authority - §§30-32-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$3.00

Effective - March 1, 2001

Section	1.	General
Section	2.	Application
Section	3.	Definitions
Section	4.	Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Licenses of Speech-Language Pathologists, Audiologist, Provisional Licenses and Assistants
Section	5.	Disposition of Complaints
Section	6.	Contested Case Hearings
Section	7.	Appeals

TITLE 55

STATE EMERGENCY RESPONSE COMMISSION

SERIES 1 - EMERGENCY PLANNING AND COMMUNITY RIGHT TO KNOW

Authority - §15-5A-5

Type - Legislative

Price - \$3.60

Effective - June 14, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Reporting by Covered Facilities
- Section 4. Emergency Notification
- Section 5. Requests for Information - General Provisions
- Section 6. Requests for MSDS Information
- Section 7. Requests for Hazardous Chemical Inventory Forms
- Section 8. Trade Secrets and Confidential Information
- Section 9. Fees
- Section 10. Grants
- Section 11. Enforcement

TITLE 81

WEST VIRGINIA STATE POLICE

Index for State Police

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Series 1. Supplemental Pay	483
Series 2. Cadet Selection Physical Qualifications	483
Series 3. West Virginia State Police - Career Progression System	484
Series 4. Modified Vehicle Inspection	484
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Series 6. Carrying of Handguns by Retired or Medically Discharged Members	484
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TOTAL COST FOR ALL OF TITLE 81 - \$51.60	

SERIES 1 - SUPPLEMENTAL PAY

Authority - §15-2-25
Type - Legislative
Price - \$2.00
Effective - March 29, 1999

- Section 1. General
Section 2. Supplemental Pay

SERIES 2 - CADET SELECTION PHYSICAL QUALIFICATIONS

Authority - §15-2-5
Type - Legislative
Price - \$4.00
Effective - June 15, 1998

- Section 1. General
Section 2. General Rules of Cadet Selection
Section 3. Application Stage
Section 4. Applicant Screening Initial Stage
Section 5. Interview Stage
Section 6. Background Investigation Stage
Section 7. Psychological Assessment Stage
Section 8. Medical Selection Stage
Section 9. Final Selection Stage

SERIES 3 - WEST VIRGINIA STATE POLICE - CAREER PROGRESSION SYSTEM

Authority - §15-2-5; 15-2-25

Type - Legislative

Price - \$4.20

Effective - July 1, 2004

- Section 1. General
- Section 2. For the Purposes of this Rule
- Section 3. Career Progression System - General Requirements
- Section 4. Permanent Rank Promotions
- Section 5. Non-supervisory Rank Reclassification
- Section 6. Criminal List Reclassification
- Section 7. Administrative Support Specialist Reclassification
- Section 8. Creation of Career Progression Review Committee/Duties

SERIES 4 - MODIFIED VEHICLE INSPECTION

Authority - §17C-15-48(i)

Type - Legislative

Price - \$4.20

Effective - June 15, 1998

- Section 1. General
- Section 2. General Requirements
- Section 3. Modified Vehicle Inspection Definitions
- Section 4. Modified Vehicle Inspection Requirements

SERIES 5 - CONTRACTED POLICE OR SECURITY SERVICES

Authority - §15-2-18(b)

Type - Legislative

Price - \$2.60

Effective - June 15, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Application for Contracted Police or Security Services
- Section 4. Contract Guidelines
- Section 5. Assignment of Members
- Section 6. Compensation

SERIES 6 - CARRYING OF HANDGUNS BY RETIRED OR MEDICALLY DISCHARGED MEMBERS

Authority - §15-2-25

Type - Legislative

Price - \$2.40

Effective - June 15, 1998

- Section 1. General
- Section 2. Authorization Requirements
- Section 3. Authorization Issuance
- Section 4. Authorization Termination and Revocation
- Section 5. Handgun Certification

SERIES 7 - REQUESTS FOR INFORMATION (FREEDOM OF INFORMATION ACT)

Authority - §29B-1-3

Type - Procedural

Price - \$2.60

Effective - December 13, 2003

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Form of Request
- Section 5. Responsibilities of the Division
- Section 6. Fees
- Fee Schedule

SERIES 8 - WEST VIRGINIA STATE POLICE GRIEVANCE PROCEDURE

Authority - §15-2-6(a)

Type - Legislative

Price - \$3.40

Effective - June 15, 1998

- Section 1. General
- Section 2. Purpose
- Section 3. Definitions
- Section 4. Grievance Procedure Generally
- Section 5. Procedural Levels and Procedure at each Level
- Section 6. Hearings Generally
- Section 7. Enforcement and Reviewability; Costs; Good Faith
- Section 8. Allocation of Costs
- Section 9. Mandamus Proceeding
- Section 10. Grievant's Right to Attorney's Fees and Costs
- Section 11. Application of Rule

SERIES 9 - WEST VIRGINIA DNA DATABASE

Authority - §15-2-24a

Type - Legislative

Price - \$3.00

Effective - April 1, 1996

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Procedures for the Withdrawal of Blood Samples for DNA Analysis
- Section 5. Receipt of Blood Samples at State Police Headquarters
- Section 6. Transport and Receipt of Dried Blood Stains to Marshall University for DNA Analysis
- Section 7. Handling, Processing and Analyzing Blood Samples at Marshall
- Section 8. The Monitoring, Inspection and Prohibitions on the Exchange of Information
- Section 9. The Expungement of Information

SERIES 10 - WEST VIRGINIA STATE POLICE PROFESSIONAL STANDARDS INVESTIGATIONS, EMPLOYEE RIGHTS, EARLY ID SYSTEM, PSYCHOLOGICAL ASSESSMENT

Authority - §15-2-5
Type - Legislative
Price - \$5.20
Effective - May 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Professional Standards Unit Organization and Responsibilities
- Section 4. Incidents to be Investigated
- Section 5. Complaint Filing Procedure
- Section 6. Records Retention
- Section 7. Operational Procedures
- Section 8. Employee Rights and Conduct During an Internal Investigation or Inquiry
- Section 9. Early Identification System
- Section 10. Psychological Assessment Program
- Section 11. Progressive Discipline

SERIES 11 - WEST VIRGINIA UNIFORM CRIME REPORTING PROGRAM: GENERAL GUIDELINES AND REPORTING REQUIREMENTS

Authority - §§15-2-24(i) & (j); 48-2A-9(d)
Type - Procedural
Price - \$3.20
Effective - September 2, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Purposes
- Section 4. Objectives
- Section 5. Information Collected
- Section 6. Jurisdictional Reporting
- Section 7. Records Needed
- Section 8. Reporting Requirements Established
- Section 9. Certification and Approval
- Section 10. Supplies and Services Offered to UCR Contributors

SERIES 12 - WRITTEN DIRECTIVE SYSTEM

Authority - §15-2-5
Type - Legislative
Price - \$2.40
Effective - March 29, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Written Directives of the West Virginia State Police

SERIES 13 - ORGANIZATIONAL STRUCTURE

Authority - §15-2-3
Type - Interpretive
Price - \$2.60
Effective - January 28, 2000

- Section 1. General
- Section 2. Organizational Structure

SERIES 14 - GUIDELINES PERTAINING TO THE WEST VIRGINIA SEX OFFENDER REGISTRATION ACT

Authority - §§15-1-1 and 62-21-2

Type - Procedural

Price - \$7.00

Effective - July 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Purposes
- Section 4. Objectives
- Section 5. Persons Required to Register
- Section 6. Duration of Registration
- Section 7. Responsibilities of Administrators of Incarceration Facilities, Probation or Parole Officers
- Section 8. Responsibilities of the Sentencing Court
- Section 9. Responsibility of Circuit Court
- Section 10. Responsibility of the Prosecuting Attorney
- Section 11. Sex Offender Registration Advisory Board
- Section 12. Responsibilities of the Board
- Section 13. Responsibilities of the State Police
- Section 14. The Responsibilities of Law Enforcement Agencies, Other Than the State Police
- Section 15. Responsibilities of the Sex Offender Registry
- Section 16. Responsibilities of Community Organizations or Religious Organizations Authorized to Receive Sex Offender Registration Information
- Section 17. Responsibilities of Those Persons Required to Register
- Section 18. Responsibility of a Person Who is Qualified to be Registered as a Sex Offender, but is not Registered and has been Arrested on a New Criminal Charge
- Section 19. Community Notification/Education Meetings
- Section 20. Responsibilities of the Public
- Section 21. Documents Available

SERIES 15 - BAIL BOND ENFORCER REGISTRATION, AUTHORIZATION AND NOTIFICATION PROCEDURES AND REQUIREMENTS

Authority - §§51-10A-2(g); 15-2-25

Type - Interpretive

Price - \$2.80

Effective - September 18, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Persons Required to Register
- Section 4. Requirements and Procedures for Registration, Authorization and Notification

TITLE 172

STATE RAIL AUTHORITY

SERIES 1 - ORGANIZATION AND MEETING

Authority - §29-18 et seq.

Type - Procedural

Price - \$2.80

Effective - September 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Office of the Authority
- Section 4. Board of Directors
- Section 5. Meetings of the Board of Directors
- Section 6. Officers of the Authority
- Section 7. Duties of Officers
- Section 8. Resignations
- Section 9. Fiscal Year
- Section 10. Seal

SERIES 2 - VALUATION OF USED ROLLING STOCK AND EQUIPMENT

Authority - §29-18-6-11(B)(i)

Type - Legislative

Price - \$2.00

Effective - May 1, 2002

- Section 1. General
- Section 2. Valuation of Used Rolling Stock and Equipment

TITLE 169

WEST VIRGINIA STATEWIDE ADDRESSING AND MAPPING BOARD

SERIES 1 - RESERVED

**SERIES 2 - ADDRESSING AND MAPPING STANDARDS AND PARTICIPATION BY PUBLIC AGENCIES IN
STATEWIDE ADDRESSING AND MAPPING PROJECT**

Authority - §§24E-1-6, 7 & 9(b); 29A-3-15

Type - Legislative

Price - \$4.20

Effective - April 8, 2004

Section	1.	General
Section	2.	Addressing and Mapping Standards
Section	3.	Creation of the Statewide Addressing and Mapping Systems; Participation by Public Agencies and Other Entities; Rights and Responsibilities of Participating Public Agencies and Other Entities
Section	4.	Protection of Privacy, Homeland Security and Distribution of Works

TITLE 49

SURFACE MINE BOARD

SERIES 1 - PROCEDURAL RULES GOVERNING APPEALS BEFORE THE SURFACE MINE BOARD

Authority - §22B-1-3c

Type - Procedural

Price - \$3.00

Effective - February 24, 1997

Section	1.	General
Section	2.	Notice of Appeal; Answer
Section	3.	The Certified Record
Section	4.	Filing and Service of Documents
Section	5.	Orders of the Board; Submission of Motions
Section	6.	Site Visits
Section	7.	Intervention
Section	8.	Discovery
Section	9.	Evidentiary Hearings
Section	10.	Rules of Evidence and Procedure
Section	11.	Ex Parte Contracts
Section	12.	Confidential Information

TITLE 121

OFFICE OF TAX APPEALS

SERIES 1 - RULES OF PRACTICE AND PROCEDURE BEFORE THE WEST VIRGINIA OFFICE OF TAX APPEALS

Authority - §11-10A-20

Type - Procedural

Price - \$14.70

Effective - April 20, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Name of Office, Location and Business Hours
- Section 4. Jurisdiction of Office of Tax Appeals
- Section 5. Timely Filing
- Section 6. Computation of Time
- Section 7. West Virginia Legal Holidays
- Section 8. Enlargement or Reduction of Time
- Section 9. Office Records
- Section 10. Confidentiality of Records and Information
- Section 11. Proceedings Not Open to Public
- Section 12. Seal; authenticating Records; Judicial Notice
- Section 13. Payment of Fees or Charges
- Section 14. Disability of Administrative Law Judge
- Section 15. Form and Style of Papers
- Section 16. Docketing of Cases
- Section 17. Appearances and Representation of Parties
- Section 18. Encouraged Resolution of Controversies by the Parties
- Section 19. Counsel Conference
- Section 20. Ex Parte Communications
- Section 21. Commencement of Proceedings
- Section 22. Filing of Petition
- Section 23. Special Rule for Appeal of Jeopardy Assessment
- Section 24. Service of Papers
- Section 25. Proper Parties; Capacity
- Section 26. Processing of Filed Petition
- Section 27. Scheduling of Hearing
- Section 28. General Rules of Pleading
- Section 29. Form of Pleading
- Section 30. Signing of Pleadings
- Section 31. Answer
- Section 32. Reply
- Section 33. Pleading Special Matters
- Section 34. Defenses and Objections Made by Pleading or Motion
- Section 35. Amended and Supplemental Pleadings
- Section 36. Motions
- Section 37. Motion for More Definite Statement
- Section 38. Motion to Strike
- Section 39. Motion to Dismiss
- Section 40. Motions -- Timely Filing and Joinder of Motions
- Section 41. Parties
- Section 42. Permissive Joinder of Parties
- Section 43. Misjoinder of Parties
- Section 44. Intervention
- Section 45. Substitution of Parties; Change or Correction in Name
- Section 46. Depositions and Discover
- Section 47. Stipulations for Evidentiary Hearing
- Section 48. Cases Consolidated for Hearing
- Section 49. Prehearing Conference
- Section 50. Motion to Dismiss

Tax Appeals

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Section	52.	Summary Judgment
Section	53.	Submission Without Evidentiary Hearing
Section	54.	Default and Dismissal
Section	55.	Motions and Other Matters
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Section	64.	Evidence
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Section	78.	Motion to Reopen Record
Section	79.	Motion for Reconsideration of Findings or Opinion
Section	80.	Motion to Vacate Decision and Hold a New Hearing
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DIVISION OF TAX

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TOTAL COST FOR ALL OF TITLE 110 - \$330.10

SERIES 1 - APPRAISAL OF PROPERTY FOR PERIODIC STATEWIDE REAPPRAISALS FOR AD VALOREM PROPERTY TAX PURPOSES

Authority - §11-1A-1(f)

Type - Legislative

Price - \$14.20

Effective - April 4, 1988

Section	1.	General
Section	2.	Reserved
Section	3.	Reserved
Section	4.	Reserved
Section	5.	Reserved
Section	6.	Reserved
Section	7.	Reserved
Section	8.	Reserved
Section	9.	Reserved
Section	10.	Reserved
Section	11.	Valuation of Certain Classes or Species of Property

**SERIES 1A - VALUATION OF FARMLAND AND STRUCTURES SITUATED THEREON FOR AD VALOREM
PROPERTY TAX PURPOSES**

Authority - §11-1C-1(b)
Type - Legislative
Price - \$4.60
Effective - July 26, 1991

Section 1. General
Section 2. Valuation Rule
Appendices

SERIES 1B - LISTING OF INTERESTS IN NATURAL RESOURCES

Authority - §11-1A-1(f)
Type - Legislative
Price - \$2.60
Effective - June 12, 1987

Section 1. General
Section 2. Identification of Property to be Appraised; Persons Required to Make Returns
Section 3. Failure to List Property, etc; Collection of Penalties and Forfeitures

**SERIES 1C - GUIDELINES FOR ASSESSORS TO ASSURE FAIR AND UNIFORM NONUTILITY PERSONAL
PROPERTY VALUES**

Authority - §11-1A-29a
Type - Legislative
Price - \$2.80
Effective - May 13, 1987

Section 1. General
Section 2. Definitions
Section 3. Assessor's Activities
Section 4. Tax Commissioner Activities
Section 5. Rights to a Hearing

SERIES 1D - ADMINISTRATIVE REVIEW OF APPRAISALS BY THE TAX COMMISSIONER

Authority - §11-1A-1(f)
Type - Legislative
Price - \$2.80
Effective - June 12, 1987

Section 1. General
Section 2. Definitions
Section 3. Mailing Notice of Valuation
Section 4. Information Provided by the Tax Commissioner
Section 5. Request for Review of Property Valuation
Section 6. Tax Commissioner Review of Valuation
Section 7. Correction of Error or Mistake
Section 8. Reimbursement of Expenses
Section 9. Property Returnable to the Tax Commissioner

SERIES 1E - REVIEW OF APPRAISALS BY THE COUNTY COMMISSION SITTING AS AN ADMINISTRATIVE APPRAISAL REVIEW BOARD

Authority - §11-1A-1(f)
Type - Legislative
Price - \$2.80
Effective - June 12, 1987

- Section 1. General
- Section 2. Definitions
- Section 3. Petition for Hearing of Record
- Section 4. Hearing of Record
- Section 5. Protest
- Section 6. Intervening

SERIES 1F - ADDITIONAL REVIEW AND IMPLEMENTATION OF PROPERTY APPRAISALS

Authority - §11-1A-1(f)
Type - Legislative
Price - \$5.60
Effective - May 13, 1987

- Section 1. General
- Section 2. Definitions
- Section 3. Intent and Application of These Rules
- Section 4. Appraisal of Property - Generally
- Section 5. Preparation of Property Lists by the Tax Commissioner and Publication by the Sheriff
- Section 6. Notice of Appraised Values of Real Property to Owner by the Tax Commissioner; Content and Form of Such Notice
- Section 7. Additional Newspaper, Radio and TV Advertising Required
- Section 8. Review by County Commission; Petition Therefore; Hearing; Decisions
- Section 9. Agreements by Owner, Tax Commissioner and Assessor, Stipulations; Agreed Values to be Used as Appraised Values
- Section 10. Property Tax Appraisal Consultants, Assignment, Duties; Recommendations to the Tax Commissioner
- Section 11. Right of Other Property Owners or Assessor to Petition for Review or Intervene
- Section 12. Time of Decision by County Commission
- Section 13. Duty of Assessor to Assist County Commission, Inventory of Flood Damaged Property
- Section 14. Review by Circuit Court on Certiorari
- Section 15. Right of Tax Commissioner; Assessor on Property Owner to Review of Newly Discovered Matters, Limitations
- Section 16. Reimbursement of Costs to Assessor and Sheriff
- Section 17. Reports by County Commission Required, Reports to the Legislature
- Section 18. Appraisal of Property; Date of Implementation Assessor to Make Assessments

SERIES 1G - REVIEW BY CIRCUIT COURT ON CERTIORARI

Authority - §11-1A-1(f)
Type - Legislative
Price - \$2.00
Effective - May 13, 1987

- Section 1. General
- Section 2. Definitions
- Section 3. Request for Review by Circuit Court

SERIES 1H - VALUATION OF TIMBERLAND AND MANAGED TIMBERLAND

Authority - §§11-1C-5(a)(2)(B); 11-1C-11(c)(1) and 11-1C-11b(c)

Type - Legislative

Price - \$4.60

Effective - May 1, 1999

Section	1.	General
Section	2.	Introduction
Section	3.	Definitions
Section	4.	Classification of Timberland and Managed Timberland
Section	5.	Valuation of Farm Woods Lots
Section	6.	Timberland Improvements
Section	7.	Appraised Value of Timberland
Section	8.	Valuation of Less than Ten Acres
Section	9.	Harvest Volumes Per Acre
Section	10.	Appraised Value Per Acre of Managed Timberland
Section	11.	Procedures for Determining Value Per Acre of Managed Timberland
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Section	13.	Application for Certification and Valuation as Managed Timberland
Section	14.	Summary of Method of Determining Appraised Value
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SERIES 1I - VALUATION OF ACTIVE AND RESERVE COAL PROPERTY FOR AD VALOREM PROPERTY TAX PURPOSES

Authority - §§11-1A-11; 11-1C-5(b)

Type - Legislative

Price - \$6.20

Effective - May 1, 1999

Section	1.	General
Section	2.	Introduction
Section	3.	Definitions
Section	4.	Valuation Methods
Appendix		

SERIES 1J - APPRAISAL OF PRODUCING AND RESERVE OIL AND NATURAL GAS PROPERTY FOR PERIODIC STATEWIDE REAPPRAISALS FOR AD VALOREM TAX PURPOSES

Authority - §§11-1C-5(a) & (d); 11-1C-5a and 11-1C-10(d)

Type - Legislative

Price - \$4.80

Effective - May 1, 1999

Section	1.	General
Section	2.	Introduction
Section	3.	Definitions
Section	4.	Methods of Valuation

SERIES 1K - VALUATION OF NATURAL RESOURCES PROPERTY OTHER THAN COAL, OIL OR NATURAL GAS FOR AD VALOREM TAX PURPOSES

Authority - §§11-1C-5(a) & (d); 11-1C-5a and 11-1C-10(d)

Type - Legislative

Price - \$3.80

Effective - May 1, 1999

- Section 1. General
- Section 2. Introduction
- Section 3. Definitions
- Section 4. Valuation Methods

SERIES 1L - VALUATION OF PUBLIC PROPERTY FOR AD VALOREM PROPERTY TAX PURPOSES

Authority - §§11-1C-5(b); 11-6C-1

Type - Legislative

Price - \$4.00

Effective - July 26, 1991

- Section 1. General
- Section 2. Definitions
- Section 3. Situs of Intangible
- Section 4. Valuation of Operating Public Utility Property (excluding Commercial Motor Vehicle Property)
- Section 5. Valuation of Commercial Motor Vehicles
- Section 6. Taxpayer Return for all Public Utility Property Except Commercial Motor Vehicles

SERIES 1M - VALUATION OF PUBLIC UTILITY PROPERTY FOR AD VALOREM PROPERTY TAX PURPOSES

Authority - §11-1C-5(b)-1

Type - Legislative

Price - \$3.20

Effective - May 1, 2001

- Section 1. General
- Section 2. Definition
- Section 3. Situs
- Section 4. Valuation of Operating Public Utility Property (Excluding Interstate Commercial Vehicle Property)
- Section 5. Valuation of Interstate Commercial Motor Vehicles
- Section 6. Taxpayer Returns for All Public Utility Property Except Commercial Vehicle

SERIES 1N - VALUATION OF VEHICLES, WATERCRAFT AND AIRCRAFT FOR AD VALOREM PROPERTY TAX PURPOSES

Authority - §11-1C-1 et seq.

Type - Legislative

Price - \$2.40

Effective - July 26, 1991

- Section 1. General
- Section 2. Definitions
- Section 3. Valuation of Automobiles
- Section 4. Valuation of Trucks, Recreational Vehicles, Motorcycles, Mopeds and Other Vehicles
- Section 5. Valuation of Watercraft
- Section 6. Valuation of Airplanes
- Section 7. Taxpayer Returns

SERIES 1P - VALUATION OF COMMERCIAL AND INDUSTRIAL REAL AND PERSONAL PROPERTY FOR AD VALOREM PROPERTY TAX PURPOSES

Authority - §11-1C-1 et seq.

Type - Legislative

Price - \$3.20

Effective - July 26, 1991

- Section 1. General
- Section 2. Appraisal of Valuation of Commercial and Industrial Real Property

SERIES 2 - ELECTRONIC DATA PROCESSING SYSTEM NETWORK FOR PROPERTY TAX ADMINISTRATION

Authority - §§11-1C-4; 11-1A-21(d)

Type - Legislative

Price - \$3.20

Effective - May 1, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Network Development Responsibility
- Section 4. County Responsibility
- Section 5. Network Operations
- Section 6. Network Security and Safeguards

SERIES 3 - EXEMPTION OF PROPERTY FROM AD VALOREM PROPERTY TAXATION

Authority - §§11-3-9; 29A-3-1

Type - Legislative

Price - \$8.60

Effective - May 1, 1989

- Section 1. General
- Section 2. Definitions
- Section 3. Constitutional Authority
- Section 4. Statutory Exemptions from Ad Valorem Property Taxes
- Section 5. Ruling by the County Assessor
- Section 6. Tax Commissioner's Ruling
- Section 7. Appeal
- Section 8. Property Belonging to the United States
- Section 9. Property Belonging Exclusively to the State
- Section 10. Property Belonging Exclusively to any County, District, City, Village or Town in This State and Used for Public Purposes
- Section 11. Property Located in This State Belonging to any City, Town, Village, county or Other Political Subdivision of Another State and Used for Public Purposes
- Section 12. Places of Divine Worship
- Section 13. Parsonages, Household Goods and Furniture
- Section 14. Mortgages, Bonds and Other Evidence of Indebtedness in the Hands of Bona Fide Owners and Holders sold by Churches and Religious Societies for the Purpose of Securing Money to be Used in the Erection of Church Buildings Used Exclusively for Divine Worship
- Section 15. Cemeteries
- Section 16. Property Belonging to, or Held in Trust for, Colleges, Seminaries, Academies and Free Schools, if Used for Educational, Literary or Scientific Purposes, Including Books, Apparatus, Annuities and Furniture
- Section 17. Property Belonging to, or Held in Trust for, Colleges or Universities Located in West Virginia, or any Public or Private Nonprofit Foundation or Corporation Which Receives Contributions Exclusively for Such College or University, if the Property or Dividends, Interest Rents or Royalties Derived Therefrom are Used or Devoted to Educational Purposes of Such College or University
- Section 18. Public and Family Libraries
- Section 19. Public and Family Libraries
- Section 20. Property Used for Area Economic Development Purposes by Nonprofit Corporations When Such Property is not Leased for Profit

Tax
Series 3, Cont'd.

- Section 21. Real Estate not Exceeding One Half Acre in Extent, and the Buildings Thereon, and Used Exclusively by any College or University Society as a Literary Hall, or as a Dormitory or club Room if not Leased or Otherwise Used with a View to Profit
- Section 22. Property Belonging to Benevolent Associations, not conducted for Private Profit
- Section 23. Property Belonging to any Public Institution for the Education of the Deaf, Dumb or Blind
- Section 24. Charitable Hospitals
- Section 25. House of Refuge and Lunatic or Orphan Asylums
- Section 26. Homes for Children or for the Aged, Friendless, or Infirm, not Conducted for Private Profit
- Section 27. Fire Engines and Implements for Extinguishing Fires, and Property Used Exclusively for the Safekeeping Thereof, and for the Meeting of Fire Companies
- Section 28. Property on Hand to be Used in the Subsistence of Livestock on Hand at the Commencement of the Assessment Year
- Section 29. Household Goods and Personal Effects
- Section 30. Bank Deposits and Money
- Section 31. Household Goods not Held or Used for Profit
- Section 32. Personal Effects not Held or Used for Profit
- Section 33. Dead Victuals
- Section 34. Property Used for the Public Purposes of Distributing Water or Providing Sewer Services by a Duly Chartered Nonprofit Corporation when Such Property is not Held, Leased out, or Used for Profit
- Section 35. Other Property Exempt by Law.

SERIES 3B - PROCEDURES FOR WHEN THE TAX COMMISSIONER ORDERS A COUNTY ASSESSOR OR COUNTY COMMISSION OR BOTH TO COMPLY WITH TAX ASSESSMENTS

Authority - §§11-1-2; 11-1-6
Type - Procedural
Price - \$2.80
Effective - January 21, 1988

- Section 1. General
- Section 2. Notice from Tax Commissioner to County Assessor and County Commission of Improper Assessment
- Section 3. Notice of Order to Increase Assessments
- Section 4. Review and Resubmission of the Property Books by the County Assessor
- Section 5. Reassessment by Tax Commissioner
- Section 6. Notice of Increased Assessment
- Section 7. Review by County Commission
- Section 8. Grounds for Removal from Office
- Section 9. Revision of Levy Rates
- Section 10. Appeal to Circuit Court
- Section 11. Payment of Costs

SERIES 4 - VALUATION OF PERCENTAGE OF COMPLETION OF IMPROVEMENTS AND INFRASTRUCTURE DEVELOPMENT IN A RECORDED PLAN OR PLAT

Authority - 11-3-1b(b)
Type - Legislative
Price - \$2.80
Effective - May 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Recordation of a Plan or Plat Not to be Used as a Basis of Assessments
- Section 4. Valuation of Remaining Lots
- Section 5. Proposed Land Use
- Section 6. Administrative Remedy
- Section 7. Effective Date

SERIES 5 - RESERVED

SERIES 6 - POLLUTION CONTROL FACILITIES

Authority - §§11-6A-4; 11-10-5

Type - Legislative

Price - \$2.60

Effective - May 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Statement of Pollution Control Facilities Tax Treatment
- Section 4. Approval as Pollution Control Facility
- Section 5. Allocation or Separation of Values
- Section 6. Recommendation of Values to County Assessor
- Section 7. Annual List of Eligible Facility Items
- Section 8. Administrative Remedy

SERIES 6A - SOLID WASTE ASSESSMENT FEE

Authority - §§20-5F-5a(f); 11-10-5; 29A-3-1 et seq.

Type - Legislative

Price - \$3.40

Effective - April 2, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Imposition of Tax
- Section 4. Rate
- Section 5. Return and Due Date
- Section 6. Exemptions from Fees
- Section 7. Records
- Section 8. Records Keeping
- Section 9. Confidentiality
- Section 10. Procedure and Administration
- Section 11. Criminal Penalties
- Section 12. Deposit of Funds
- Section 13. Person Disposing of Solid Waste to Pay, Accounting by Solid Waste Disposal Facility
- Section 14. No Profit Accruing
- Section 15. Receivership, Bankruptcy; Priority of Tax
- Section 16. Exempt Facilities
- Section 17. Remittance of Fee from Customers Billed Monthly
- Section 18. Limitation of Liability of Solid Waste Facility Operator Where Customer Fails to Pay Fee
- Section 19. Solid Waste from Both Inside and Outside the Water Shed

SERIES 6B - SEE SERIES 50A**SERIES 6D - DETERMINING THE EARLIEST DATE WHEN THE ALTERNATIVE FUEL MOTOR VEHICLE TAX CREDIT MAY APPLY TO QUALIFIED INVESTMENT**

Authority - §11-6D-8(b)

Type - Interpretive

Price - \$2.80

Effective - October 8, 1996

- Section 1. General
- Section 2. Definitions
- Section 3. Ineligibility for Credit
- Section 4. Investment Period

SERIES 6F - PROPERTY TAX VALUATION OF CERTAIN MANUFACTURING PROPERTY

Authority - §11-6F-5

Type - Legislative

Price - \$5.80

Effective - May 1, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Application for Certification of Capital Addition Property
- Section 4. Polymer Alliance Zone Investment
- Section 5. The Point in Time When Entitlement to Special Property Tax Valuation Accrues
- Section 6. Period of Time Over Which Property is Placed in Service
- Section 7. Period of Time Over Which Special Property Tax Valuation Applies

SERIES 7 - RESERVED

SERIES 8 - REVISION OF LEVY ESTIMATES

Authority - §11-1

Type - Legislative

Price - \$2.00

Effective - June 29, 1964

- Section 1. General
- Section 2. County Courts
- Section 3. Municipalities

SERIES 9 - RESERVED

WITHDRAWN APRIL 24, 1995 SEE 189CSR5

SERIES 10 - EXCEPTIONS TO CONFIDENTIALITY OF TAXPAYER INFORMATION, DISCLOSURE OF CERTAIN TAXPAYER INFORMATION

Authority - §11-10-5s

Type - Legislative

Price - \$2.60

Effective - April 15, 1992

- Section 1. General
- Section 2. Reserved for Future Use
- Section 3. Reserved for Future Use
- Section 4. Reserved for Future Use
- Section 5. Reserved for Future Use
- Section 5a. Reserved for Future Use
- Section 5b. Reserved for Future Use
- Section 5c. Reserved for Future Use
- Section 5d. Reserved for Future Use
- Section 5e. Reserved for Future Use
- Section 5f. Reserved for Future Use
- Section 5g. Reserved for Future Use
- Section 5h. Reserved for Future Use
- Section 5i. Reserved for Future Use
- Section 5j. Reserved for Future Use
- Section 5k. Reserved for Future Use
- Section 5l. Reserved for Future Use
- Section 5m. Reserved for Future Use
- Section 5n. Reserved for Future Use
- Section 5o. Reserved for Future Use
- Section 5p. Reserved for Future Use
- Section 5q. Reserved for Future Use
- Section 5r. Reserved for Future Use
- Section 5s. Disclosure of Certain Taxpayer Information

SERIES 10B - PAYMENT OF TAXES BY CREDIT CARD OR DEBIT CARD

Authority - §§11-10-5; 11-10-5n(e)

Type - Legislative

Price - \$3.40

Effective - May 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Payments by Credit Card and Debit Card
- Section 4. Resolution of Errors Related to Paying Taxes by Credit Card or Debit Card
- Section 5. Return of Funds Pursuant to Error Resolution Procedures
- Section 6. Fees or Charges
- Section 7. Authority to Enter into Agreements
- Section 8. Use and Disclosure of Information Relating to Payment of Taxes by Credit Card and Debit Card

SERIES 10C - RESERVED**SERIES 10D - USE AND ACCEPTANCE OF ELECTRONIC RECORDS**

Authority - §39A-3-2

Type - Procedural

Price - \$3.60

Effective - March 18, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Electronic Records That May be Filed Electronically
- Section 4. Acceptance of Electronic Signatures
- Section 5. Who May Electronically Sign
- Section 6. Restrictions on Electronic Filing
- Section 7. Implementation
- Section 8. Contact Information

SERIES 10E - RESERVED**SERIES 10F - PAYMENT OF TAXES BY ELECTRONIC FUNDS TRANSFER**

Authority - §11-10-5e

Type - Legislative

Price - \$4.20

Effective - May 1, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Payments by Electronic Funds Transfer (EFT)
- Section 4. Tax Types Covered
- Section 5. Identification of EFT Taxpayers
- Section 6. Notification of Taxpayers Required to use EFT
- Section 7. Registration of EFT Taxpayers
- Section 8. Payment Alternatives
- Section 9. Payment Procedures - General Provisions
- Section 10. Procedures for Payment - ACH Debit Payment Method
- Section 11. Procedures for Payment - ACH Credit Payment Method
- Section 12. Requirement for Filing Returns
- Section 13. Penalties, etc. for Noncompliance
- Section 14. Voluntary Use of EFT to Pay Taxes
- Section 15. Proof of Payment
- Section 16. Correction of Errors
- Section 17. Emergency Payment
- Section 18. Grace Period During Implementation

SERIES 10G- ALTERNATE RESOLUTION OF TAX DISPUTES

Authority - §11-10-23

Type - Legislative

Price - \$3.20

Effective - June 15, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Jurisdiction and Scope of Alternative Dispute Resolution
- Section 4. Conciliation
- Section 5. Confidentiality

SERIES 11 - INHERITANCE AND TRANSFER TAX

Authority - §11-10

Type - Legislative

Price - \$3.00

Effective - September 16, 1966

- Section 1. General
- Section 2. Deduction of Federal Estate Tax
- Section 3. Jointly Held Property

SERIES 12 - RESERVED

SERIES 12A - ANNUAL TAX ON INCOMES OF CERTAIN CARRIERS

Authority - §11-10-5a

Type - Legislative

Price - \$4.80

Effective - January 1, 1974

- Section 1. General
- Section 2. Definition
- Section 3. Imposition of Gross Tax
- Section 4. Imposition of Net Tax
- Section 5. Problems and Solutions
- Section 6. Return of Taxpayer
- Section 7. Reserved
- Section 8. Tax Year
- Section 9. Payment
- Section 10. Assessment of Deficiency
- Section 11. Reserved
- Section 12. Petition for Reassessment
- Section 13. Hearings and Appeals
- Section 14. Reserved
- Section 15. Reserved
- Section 16. Penalties
- Section 17. Extension of Time

SERIES 12B - REGISTRATION OF TRANSIENT VENDORS

Authority - §11-12-24

Type - Legislative

Price - \$3.00

Effective - May 13, 1987

- Section 1. General
- Section 2. Definitions
- Section 3. Registration
- Section 4. Certificates
- Section 5. Notice
- Section 6. Bond
- Section 7. Notification to Tax Commissioner
- Section 8. Revocation or Suspension
- Section 9. Seizure of Property
- Section 10. Forfeiture Proceeding

SERIES 12C - CONTRACTOR PREFERENCE FOR DETERMINING SUCCESSFUL BIDS

Authority - §§11-10-5; 5A-3-37

Type - Interpretive

Price - \$3.00

Effective - October 2, 1992

- Section 1. General
- Section 2. Definitions
- Section 3. Preference - Construction Services
- Section 4. Preference - Commodities and Printing
- Section 5. Certification
- Section 6. Investigating Certifications
- Section 7. Preference to be Considered in Making Awards
- Section 8. Violations
- Section 9. Jeopardizing Federal Funds

SERIES 13 - BUSINESS AND OCCUPATION TAX

Authority - §§11-10-5; 29A-3-1 et seq.

Type - Legislative

Price - \$5.80

Effective - May 1, 1996

- Section 1. General
- Section 1A. Definitions
- Section 2. Imposition of Privilege Tax
- Section 2D. Public Service or Utility Business
- Section 2E. Business of Gas Storage; Effective Date
- Section 2M. Business of Generating or Producing Electric Power, Exceptions; Rates
- Section 2N. Business of Generating or Producing or Selling Electric Power; Exemptions Rates
- Section 2O. Business of Generating, Producing or Selling Electricity on or After June 1, 1995; Definitions; Rate of Tax
- Section 3. Exemptions
- Section 3A. Reserved for Future Use
- Section 3B. Reserved for Future Use
- Section 4. Compilation of Tax; Payment
- Section 5. Return and Remittance by the Taxpayer
- Section 6. Reserved
- Section 7. Reserved
- Section 8. Reserved
- Section 9. Tax Year and Method of Accounting
- Section 10. Reserved
- Section 11. Reserved
- Section 12. Reserved
- Section 13. Reserved
- Section 14. Reserved

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Section	15.	Reserved
Section	16.	Reserved
Section	17.	Reserved
Section	18.	Reserved
Section	19.	Reserved
Section	20.	Reserved
Section	21.	Reserved
Section	22.	Reserved
Section	23.	Reserved
Section	24.	Reserved
Section	25.	Reserved
Section	26.	Reserved
Section	27.	General Procedure and Administration

SERIES 13A - SEVERANCE TAX

Authority - §§11-13A-23(b); 11-10-5

Type - Legislative

Price - \$6.80

Effective - April 15, 1992

Section	1.	General
Section	2.	Definitions
Section	2a.	Determination of Gross Value
Section	3.	Imposition of Tax
Section	4.	Treatment Processes as Production
Section	5.	Oil and Gas Operating Unit
Section	6.	Additional Tax for Benefit of Counties
Section	7.	Accounting
Section	8.	Annual Return
Section	9.	Estimated Taxes
Section	10a.	Development Investment Credits
Section	11.	Filing Extensions
Section	12.	Remittance Extensions
Section	13.	Filing
Section	14.	Payment
Section	15.	Signature and Verification
Section	16.	Bond
Section	17.	Special Rules for Remittance
Section	18.	Records Retention
Section	19.	Procedure and Administration
Section	20.	Crimes and Penalties
Section	21.	Severability
Section	22.	Short Taxable Year
Section	23.	Reserved for Future Use
Section	24.	Priority of Tax in Distributions of Property and Estates

SERIES 13B - TELECOMMUNICATIONS TAX

Authority - §11-10-5

Type - Legislative

Price - \$4.00

Effective - April 4, 1988

Section	1.	General
Section	2.	Definitions
Section	3.	Tax Imposed on Telecommunications Businesses; Effective Date
Section	4.	Accounting Periods and Methods of Accounting
Section	5.	Annual Return
Section	6.	Periodic Installment Payments of Tax
Section	7.	Extension of Time for Filing Returns
Section	8.	Extensions of Time for Paying Taxes
Section	9.	Place for Filing Returns or Other Documents

Section	10.	Time and Place for Paying Tax Shown on Returns
Section	10a.	Tax Credit for Business Investment and Jobs Expansion; Credit for Eligible Research and Development Projects; Credit for Reducing Telephone Rates for Certain Low-Income Residential Customers; Rules
Section	11.	Signing of Returns and Other Documents
Section	12.	Records
Section	13.	Preservation of Rights and the Liabilities of Taxpayers
Section	14.	General Procedure and Administration
Section	15.	Criminal Penalties
Section	16.	Severability
Tables		

**SERIES 13C - BUSINESS INVESTMENT AND JOBS EXPANSION TAX CREDIT, CORPORATION HEADQUARTERS
RELOCATION TAX CREDIT, AND SMALL BUSINESS TAX CREDIT**

Authority - §§11-10-5; 11-13C-14(g); 29A-3-15

Type - Legislative

Price - \$14.90

Effective - May 1, 1995

Section	1.	General
Section	2.	Overview of the Credit
Section	3.	Definitions
Section	4.	Amount of Credit Allowed - When Investment is Placed in Service - Time Period Over Which Investment Can be Placed in Service
Section	4a.	Credit Allowed for Locating Corporate Headquarters in This State
Section	4b.	Credit Allowable for Certified Projects
Section	5.	Application of Annual Credit Allowance
Section	6.	Qualified Investment
Section	7.	New Jobs Percentage
Section	7a.	Small Business Credit
Section	8.	Forfeiture of Unused Tax Credits; Redetermination of Credit Allowed
Section	8a.	Recapture of Credit, Recapture Tax
Section	9.	Transfer of Qualified Investment to Successors
Section	10.	Identification of Investment Credit Property
Section	11.	Failure to Keep Records of Investment Credit Property
Section	12.	Interpretation and Construction
Section	13.	Severability
Section	14.	Restrictions and Limitations on Credits Allowed by West Virginia Code Article §11-13C
Section	15.	Definition of Controlled Group of Corporations
Section	15A.	Excluded Stock
Section	15B.	Rules for Determining Stock Ownership
Section	15C.	Franchised Corporations

SERIES 13I - TAX CREDIT FOR EMPLOYING FORMER EMPLOYEES OF COLIN ANDERSON CENTER

Authority - §§11-10-5; 11-13I-3(a) & 29A-3-15

Type - Legislative

Price - \$2.60

Effective - May 1, 1996

Section	1.	General
Section	2.	Definitions
Section	3.	Availability
Section	4.	Amount
Section	5.	Application
Section	6.	Documentation

SERIES 13J - TAX CREDIT FOR QUALIFIED AGRICULTURAL EQUIPMENT

Authority - §11-13J-5

Type - Legislative

Price - \$2.60

Effective - June 1, 1997

Section	1. General
Section	2. Definitions
Section	3. Description of the Credit
Section	4. General Procedure and Administration

SERIES 13M - TAX CREDIT FOR NEW VALUE-ADDED WOOD MANUFACTURING OPERATIONS

Authority - §11-13M-7, 8 & 10

Type - Legislative

Price - \$3.00

Effective - May 1, 1999

Section	1. General
Section	2. Definitions
Section	3. Overview of the Credit
Section	4. Application of the Credit
Section	5. Annual Computation of New Jobs Held by Full-Time Employees
Section	6. Availability of Credit Between Eligible Predecessor and Successor Taxpayers
Section	7. Credit Recapture for Improperly Claiming the Credit or for Excessive Jobs Loss
Section	8. General Procedure and Administration

SERIES 13N - TAX CREDITS FOR NEW STEEL, ALUMINUM OR POLYMER MANUFACTURING OPERATIONS

Authority - §§11-13N-7, 8 & 10; 11-13O-7, 8 & 10

Type - Legislative

Price - \$2.80

Effective - May 1, 1999

Section	1. General
Section	2. Definitions
Section	3. Overview of the Credit
Section	4. Application of the Credit
Section	5. Annual Computation of New Jobs Held by Full-Time Employees
Section	6. Availability of Credit Between Eligible Predecessor and Successor Taxpayers
Section	7. Credit Recapture for Improperly Claiming the Credit or for Excessive Jobs Loss
Section	8. General Procedure and Administration

SERIES 13P - TAX CREDIT FOR MEDICAL MALPRACTICE LIABILITY INSURANCE PREMIUMS

Authority - §11-13P-8

Type - Legislative

Price - \$3.20

Effective - May 1, 2003

Section	1. General
Section	2. Definitions
Section	3. Tax Credit Authorized
Section	4. Excess Credit Forfeited
Section	5. Determination of Tax Base for Application of the Credit
Section	6. Filing of the Return and Payment of Tax
Section	7. Computation and Application of Credit
Section	8. Burden of Proof

SERIES 13AA - INFORMATION TO BE UTILIZED FOR CALCULATING THE DISTRIBUTION OF OIL AND GAS SEVERANCE TAXES

Authority - §11-13A-5a(c)
 Type - Procedural
 Price - \$2.40
 Effective - October 1, 2001

- Section 1. General
- Section 2. Interpretive Note
- Section 3. Definitions
- Section 4. Activity for Which Information is Needed
- Section 5. Information Gathering Process
- Section 6. Presumptions

SERIES 13AB - REDUCED SEVERANCE TAX RATES FOR THIN SEAMS OF COAL

Authority - §11-10-5
 Type - Interpretive
 Price - \$2.60
 Effective - October 17, 1997

- Section 1. General
- Section 2. Interpretive Note
- Section 3. Definitions
- Section 4. Reduction of Severance Tax Rates

SERIES 14 - GASOLINE AND SPECIAL FUEL EXCISE TAX

Authority - §§11-10-5; 29A-3-1 et seq.
 Type - Legislative
 Price - \$4.80
 Effective - April 2, 1990

- Section 1. General
- Section 2. Definitions
- Section 3. Imposition of Tax
- Section 3a. Applicability of Rate Increase to Gasoline or Special Fuel on Hand or in Inventory
- Section 4. Computation of Tax
- Section 5. Exemptions from Tax
- Section 5a. Exemption for Bulk Sales to Interstate Motor Carriers
- Section 6. Gasoline or Special Fuel Exported or in Interstate Commerce; Distributors or Producers may Pay Tax Shipments into State
- Section 7. Due Date of Reports; Reports Required; Records to be Kept; Examination of Records; Subpoena Powers; Examination of Witnesses
- Section 8. Tax Due
- Section 9. Reserved for Future Use
- Section 10. Refund of Taxes Illegally Collected, etc.; Refund
- Section 11. Refund of Tax Because of Certain Nonhighway Uses; Statute of Limitations and Effective Date
- Section 11a. Refund of Tax Used by Volunteer Fire Departments, Nonprofit Ambulance Services and Emergency Rescue Services
- Section 12. Partial Refund of Tax on Tax Paid Gallonage Consumed in Buses
- Section 13. Surety Bonds Required; Release of Surety; New Bond
- Section 14. Reserved for Future Use
- Section 15. Reserved for Future Use
- Section 16. Reserved for Future Use
- Section 17. Reserved for Future Use
- Section 18. Reserved for Future Use
- Section 19. Penalty for Failure to File Required Return When no Tax Due
- Section 20. Reserved for Future Use
- Section 21. Reserved for Future Use
- Section 22. Reserved for Future Use

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Section	23.	Reserved for Future Use
Section	24.	Reserved for Future Use
Section	25.	Receivership or Insolvency Proceeding
Section	26.	Reserved for Future Use
Section	27.	Reserved for Future Use
Section	28.	Reserved for Future Use
Section	29.	Severability
Section	30.	General Procedure and Administration

SERIES 14A - MOTOR CARRIER ROAD TAX

Authority - §§11-10-5; 29A-3-1 et seq.

Type - Legislative

Price - \$3.60

Effective - April 2, 1990

Section	1.	General
Section	2.	Definitions
Section	3.	Imposition of Tax, Amount; Tax in Addition to All Other Taxes
Section	4.	Computation of Tax
Section	5.	Reports of Carriers; Joint Reports; Records; Examination of Records; Subpoenas and Witnesses
Section	6.	Payment of Tax
Section	7.	Identification Markers; Fees; Criminal Penalty
Section	8.	Exemptions
Section	9.	Credits Against Tax
Section	10.	Reserved for Future Use
Section	11.	Refunds Authorized; Claim for Refund and Procedure Thereon; Surety Bonds
Section	12.	Enforcement Powers
Section	13.	Reserved for Future Use
Section	14.	Reserved for Future Use
Section	15.	Reserved for Future Use
Section	16.	Penalty for Failure to File Return When No Tax Due
Section	17.	Reserved for Future Use
Section	18.	Reserved for Future Use
Section	19.	Reserved for Future Use
Section	20.	Reserved for Future Use
Section	21.	Reserved for Future Use
Section	22.	Reserved for Future Use
Section	23.	Reserved for Future use
Section	24.	Reserved for Future Use
Section	25.	Reserved for Future use
Section	26.	Severability
Section	27.	General Procedure and Administration

SERIES 14B - INTERNATIONAL FUEL TAX AGREEMENT

Authority - §§11-10-5; 11-14B-12

Type - Legislative

Price - \$2.80

Effective - May 1, 1996

Section	1.	General
Section	2.	Definitions
Section	3.	Registration of Motor Carriers
Section	4.	Change of Issuance Dates for Identification Markers (Decals) and Transition Rules for Identification Markers Issued During the Period of July 1, 1994 to December 31, 1995
Section	5.	Exchange of Information
Section	6.	All Interstate Motor Carriers Doing Business in West Virginia Required to Join the International Fuel Tax Agreement

SERIES 15 - CONSUMERS SALES AND SERVICE TAX AND USE TAX

Authority - §11-10-5

Type - Legislative

Price - \$26.40

Effective - July 15, 1993

Section	1. General
Section	2. Definitions
Section	3. Imposition of Tax; Rates; Tax Base
Section	4. Collection of Tax; Accrual; Liabilities
Section	4a. Liability of Officers of Corporation
Section	4b. Priority of Tax in Distributions of Property and Estates
Section	5. Remittance of Tax
Section	6. Taking Exemption Certificate, Material Purchase Certificate Number or Direct Pay Permit Number
Section	7. Tax Computed on Gross Proceeds or Gross Value of Tangible Personal Property Sold to Consumers, or Consumed or Used, by the Manufacturer or Producer Thereof
Section	8. Furnishing of Services Included; Exceptions
Section	8a. Contracting Services
Section	8b. Nonresident Contractors - Registration, Bond, etc. Required
Section	8c. Transition Rules for Elimination of Exemption for Materials and Supplies Incorporated in Real Property Owned by Governmental Entities
Section	8d. Limitations on Right to Assert Exemptions
Section	9. Exemptions
Section	9a. Method of Claiming Exemptions, Refunds of Tax, Credit Against Other Taxes
Section	9b. Reserved for Future Use
Section	9c. Direct Pay Permits
Section	9d. Apportionment of Purchase Price
Section	10. Material Purchase Certificate
Section	11. Imposition of Tax on Gasoline and Special Fuels
Section	12. Reserved for Future Use
Section	13. Reserved for Future Use
Section	14. Maintenance of Records
Section	14a. Record Keeping of Transactions
Section	14b. Auditing Taxpayer Records
Section	15. Bond to Secure Payment
Section	16. Canceling or Revoking Permits to Collect Use Tax
Section	17. Liability and Penalties
Section	18. Transition Rules for Amendments to Statute or Regulations
Section	19. Agency Relationships; Direct Purchases
Section	20. Reserved for Future Use
Section	21. Reserved for Future Use
Section	22. Reserved for Future Use
Section	23. Reserved for Future Use
Section	24. Reserved for Future Use
Section	25. Reserved for Future Use
Section	26. Reserved for Future Use
Section	27. Reserved for Future Use
Section	28. General Procedure and Administration
Section	29. Criminal Penalties
Section	30. Sales to and Purchases by Nonresident Individuals
Section	31. Banking Business
Section	32. Containers, Wrapping, Packing and Shipping Materials
Section	33. Persons Rendering Services
Section	34. Sales by the State, Counties and Municipalities
Section	35. Personal Services and Sales to Persons Rendering Such Services
Section	36. Hospitals
Section	37. Nursing and Convalescent Homes
Section	38. Hotels, Motels, Tourist Homes and Rooming Houses
Section	39. Camp Grounds and Non-educational Camps
Section	40. Elementary and Secondary Schools
Section	41. Churches and Religious Groups
Section	42. Nonprofit Organizations
Section	43. Out-of-State Purchases
Section	44. Leased Departments

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Section	45.	Rentals, Licenses and Leases of Tangible Personal Property; Generally
Section	46.	Money-operated Machines and Devices, Vending Machines, etc.
Section	47.	Reserved for Future Use
Section	48.	Radio and Television Broadcasting Stations
Section	49.	Printers
Section	50.	Newspapers and Magazines
Section	51.	Florists
Section	52.	Amusement Services and Places of Amusement
Section	53.	Employees' Meals
Section	54.	Reserved for Future Use
Section	55.	Reserved for Future Use
Section	56.	Trading Stamps, Coupons and Meal Tickets
Section	57.	Public Assistance
Section	58.	Collection Agencies
Section	59.	Funeral Directors
Section	60.	Employee or Independent Contractor
Section	61.	Pawn Brokers
Section	62.	Dentists, Dental laboratories, Optometrists, Opticians
Section	63.	Warranties
Section	64.	Boat and Aircraft Dealers
Section	65.	Motor Vehicle Dealers
Section	66.	Well Servicing
Section	67.	Laundries, Laundromats and Dry Cleaning
Section	68.	Photographers, Film Developers
Section	69.	Parking
Section	70.	Fraternity and Sorority Houses
Section	71.	Advertising Agencies
Section	72.	Organizations Which Qualify or are Qualified under I.R.C. §501(c)(3) and §501(c)(4) of the Internal Revenue Code
Section	73.	Distributors of Gasoline and/or Special Fuel
Section	74.	Reserved for Future Use
Section	75.	Weight Loss Programs
Section	76.	Electronic Data Processing Services and Related Software
Section	77.	Sales of Data Processing Equipment
Section	78.	Physical Fitness Centers
Section	79.	Tanning Salons
Section	80.	Masseuses and Masseurs
Section	81.	Travel Agencies
Section	82.	Barber and Beauty Shops
Section	83.	Reserved for Future Use
Section	84.	Interior Decorating
Section	85.	Bookkeeping
Section	86.	Auctioneers, Auction Sales, Auctions
Section	87.	Real Estate Brokers and Real Estate Salesman
Section	88.	Commodity Brokers
Section	89.	Delivery Charges
Section	90.	Jewelry, Furniture, Hardware, Dry Goods, Apparel Stores
Section	91.	Restaurants and Bars
Section	92.	Drugs
Section	93.	Farm Equipment
Section	94.	Service Stations
Section	95.	Grocery Store Coupons
Section	96.	Mineral Royalties
Section	97.	Trailer Parks
Section	98.	Medical laboratories
Section	99.	Professionals - Lawyers, Doctors, Etc.
Section	100.	Flight Instruction
Section	101.	Dance Instruction
Section	102.	Consultants
Section	103.	Exterminators
Section	104.	Plane and Boat Rides
Section	105.	Insurance Agencies
Section	106.	Natural Resource Brokers
Section	107.	Contracting: General Rules
Section	108.	Contracting: Transition Rules
Section	109.	Contracting for Governmental Entities

Section	110.	Nonresident Contractors
Section	111.	Installation of Tangible Personal Property
Section	112.	Materials Produced or Manufactured by Contractors
Section	113.	Contractors Who are Also Retailers
Section	114.	Sales of Tangible Personal Property With Incidental Installation
Section	115.	Maintaining, Servicing or Repairing Tangible Personal Property
Section	116.	Maintaining, Servicing, Repairing, Altering, Improving or Decorating of Buildings, Structures or Real Property
Section	117.	Specific Businesses with Contracting Issues
Section	118.	Reserved For Future Use
Section	119.	Reserved for Future Use
Section	120.	Reserved for Future use
Section	121.	Reserved for Future Use
Section	122.	Mobile Homes, Modular Homes and Manufactured Homes
Section	123.	Direct Use Concept
Section	124.	Reserved for Future Use
Section	125.	Educational Summer Camps
Section	126.	Food
Section	127.	Roadside Market, Open-Air Market, Farmer's market, Etc.
Section	128.	Mail Order Sales
Section	129.	Leases of Tangible Personal Property
Section	130.	Emergency Medical Services and Ambulance Authorities
Appendix		

SERIES 15A - BABY-SITTING SERVICES

Authority - §11-10-5
Type - Interpretive
Price - \$2.40
Effective - August 17, 1992

Section	1.	General
Section	2.	Interpretive Note
Section	3.	Definitions
Section	4.	Applicability of Consumers Sales Tax

SERIES 15B - NAILS AND FENCING - COMMERCIAL PRODUCTION OF AN AGRICULTURE PRODUCT

Authority - §11-10-5
Type - Interpretive
Price - \$2.40
Effective - August 17, 1992

Section	1.	General
Section	2.	Interpretive Note
Section	3.	Definitions
Section	4.	Applicability of Consumers Sales Tax

SERIES 15C - RESERVED

SERIES 15D - SERVICES OF CERTAIN COMMUNITY-BASED SERVICE ORGANIZATIONS EXEMPT FROM TAX

Authority - §11-10-5
Type - Interpretive
Price - \$3.20
Effective - October 2, 1992

Section	1.	General
Section	2.	Interpretive Note
Section	3.	Definitions
Section	4.	Applicability of Consumers Sales Tax

SERIES 15E - RESERVED

SERIES 15F - SALES TAX HOLIDAY

Authority - §11-10-5

Type - Interpretive

Price - \$5.00

Effective - August 2, 2004

- Section 1. General
 - Section 2. Interpretive Note
 - Section 3. Definitions
 - Section 4. Exemption for Certain Clothing and Footwear
 - Section 5. Exemption for Certain School Supplies Other Than Computers and Computer Accessories
 - Section 6. Exemption for Certain Computers and Computer Accessories
 - Section 7. Articles Normally Sold as a Unit
 - Section 8. Sets Containing Both Exempt and Taxable Items
 - Section 9. Buy One, Get One Free or for a Reduced Price
 - Section 10. Exchanging a Tax-Exempt Purchase after the Holiday Ends
 - Section 11. Returning an Eligible Item
 - Section 12. Coupons and Discounts
 - Section 13. Gift Certificates
 - Section 14. Layaway Sales
 - Section 15. Mail, Telephone, E-mail and Internet Orders and Custom Orders
 - Section 16. Rain Checks
 - Section 17. Rebates
 - Section 18. Repairs and Alterations
 - Section 19. Refunds
 - Section 20. Shipping and Handling Charges
 - Section 21. Records and Reporting
 - Section 22. Exceptions
 - Section 23. Listing of Taxable and Exempt Items
- List of Representative Items

SERIES 16 - WEST VIRGINIA BINGO RULES AND REGULATIONS

Authority - §§47-20-23; 11-10-5

Type - Legislative

Price - \$7.80

Effective - May 1, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Bingo Operations
- Section 4. Licensing
- Section 5. Annual License
- Section 6. Limited Occasion License
- Section 6a. Super-bingo License
- Section 7. License Fees and Exemption from Taxes
- Section 8. Information Required in Applications
- Section 9. Amendment of License
- Section 10. Licensee Rules
- Section 11. Limits on Prizes Awarded: State Fair Excepted
- Section 12. Operators of Bingo Games and Related Concessions: State Fair Excepted
- Section 12a. Compensation of Bingo Operator
- Section 13. Compensation
- Section 14. Concessions Exception
- Section 15. Use of Facilities for Bingo
- Section 16. Payment of Reasonable Expenses: Disbursement and Net Proceeds
- Section 17. Records
- Section 18. Advertising
- Section 19. Fraud; Penalties

Section	20.	Obtaining License Fraudulently; Penalties
Section	21.	Violation of Provisions; Penalties
Section	22.	Proceeds of State Fair
Section	23.	State Fair
Section	24.	Administration
Section	25.	Filing of Reports
Section	26.	Filing a Copy of License
Section	27.	County Option Election
Section	28.	Prohibited Acts
Section	28a.	Smoking and Nonsmoking Sections
Section	29.	Restrictions on Use of Bingo Equipment
Section	30.	Requirement for a Registration Statement
Section	31.	Additional Remedies for the Tax Commissioner, Administrative Procedures; Deposit of Money Penalties
Appendices		

SERIES 17 - TOBACCO PRODUCTS EXCISE TAX

Authority - §§11-10-5; 11-17-10; 60-9-5

Type - Legislative

Price - \$5.40

Effective - May 1, 2002

Section	1.	General
Section	2.	Definitions
Section	3.	Tobacco Products Dealer Requirements
Section	4.	Cigarette Tax Paid Stamps and Taxing Other Tobacco Products
Section	5.	Affixing Stamps
Section	6.	Authority and Permit for Use of Metering Devices and Heat Applied Stamp Machine
Section	7.	Sales of Cigarettes on Railways, Boats and Buses
Section	8.	State Institutions and the Excise Tax
Section	9.	Metering Machines
Section	10.	Contractual Obligations of Meter Users and Stamp Machine Users
Section	11.	Prohibitions
Section	12.	Records and Reports
Section	13.	Audits
Section	14.	Administrative Sanctions
Section	15.	General Enforcement Provisions

SERIES 17A - TOBACCO PRODUCTS EXCISE TAX ON FLOORSTOCKS

Authority - §11-10-5

Type - Procedural

Price - \$2.00

Effective - June 16, 2003

Section	1.	General
Section	2.	Incorporation
Section	3.	Payment of Tobacco Products Excise Tax on Floorstocks and Tax Stamps

SERIES 18 - RESERVED

SERIES 19 - SOFT DRINKS TAX

Authority - §11-10-5

Type - Legislative

Price - \$4.80

Effective - April 15, 1992

Section	1. General
Section	2. Definitions
Section	3. Excise Tax on Bottled Soft Drinks, Syrups and Dry Mixtures; Disposition Thereof
Section	4. Reserved for Future Use
Section	5. Affixing of Tax Stamps or Tax Crowns
Section	5a. Cancellation and Removal of Stamps
Section	5b. Disposition of Unused Crowns; Penalty for Violation
Section	6. Purchase of Tax Stamps or Tax Crowns; Discounts and Commissions; Refunds and Statute of Limitations
Section	6a. Due Date of Reports; Additional Reports; Extensions of Time
Section	6b. Additional Penalty for Late Filing or Payment
Section	6c. Reserved for Future Use
Section	6d. Interstate Sales
Section	7. Reserved for Future Use
Section	8. Reserved for Future Use
Section	8a. Seizure and Sale of Soft Drink Syrups by Commissioner; Forfeiture; Collection of Tax
Section	9. Reserved for Future Use
Section	10. Altering Counterfeiting or Reusing Tax Stamps or Tax Crowns; Penalty
Section	11. Penalties; Crimes; Tax Crimes and Penalties Act Applicable
Section	12. Separability
Section	13. General Procedure and Administration
Section	14. Representative List of Taxable Soft Drink Products
Section	15. Priority of Tax in Distribution of Property and Estates

SERIES 20 - RESERVED

SERIES 21 - PERSONAL INCOME TAX

Authority - §§11-21-1 et seq.; 29A-3-15

Type - Legislative

Price - \$15.00

Effective - April 2, 1990

Section	1. General
Section	2. Legislative Findings
Section	3. Imposition of Tax; Minimum Tax; Persons Subject to Tax
Section	4. Rate of Tax
Section	5. Effect of Rate Changes During Taxable Year
Section	6. Accounting Periods and Methods
Section	7. Resident and Nonresident Defined
Section	8. Credits Against Tax
Section	9. Meaning of Terms
Section	9a. Pledge of Credit or Collateral by Endorser, Guarantor or Accommodator Not to Constitute Investment in Borrower
Section	10. Reserved
Section	11. West Virginia Taxable Income of Resident Individual
Section	12. West Virginia Adjusted Gross Income of Resident Individual
Section	12a. Additional Modification Reducing Federal Adjusted Gross Income
Section	12b. Modification for the Purchase of Revenue Bonds Under an Individual Higher Education Savings Plan Program
Section	13. West Virginia Deduction of Resident Individual Abolished
Section	14. Reserved
Section	15. Reserved
Section	16. West Virginia Personal Exemptions of a Resident Individual
Section	17. Resident Partners
Section	17a. Resident Shareholders of S Corporations
Section	18. West Virginia Taxable Income of Resident Estate or Trust
Section	19. Share of Resident Estate, Trust or Beneficiary in West Virginia Fiduciary Adjustment
Section	20. Credit for Income Tax of Another State
Section	21. Reserved

Section	22.	Reserved
Section	23.	Reserved
Section	24.	Reserved
Section	25.	Reserved
Section	26.	Reserved
Section	27.	Reserved
Section	28.	Reserved
Section	29.	Reserved
Section	30.	Reserved
Section	31.	West Virginia Taxable Income of Nonresident Individual
Section	32.	West Virginia Adjusted Gross Income of a Nonresident Individual
Section	33.	West Virginia Deduction of a Nonresident Individual
Section	34.	Reserved
Section	35.	Reserved
Section	36.	West Virginia Personal Exemptions of Nonresident Individual
Section	37.	Nonresident Partners
Section	37a.	Nonresident S Corporation Shareholders
Section	38.	West Virginia Taxable Income of Nonresident Estate or Trust
Section	39.	Share of Nonresident Estate, Trust or Beneficiary in Income from West Virginia Sources
Section	40.	Credit for Income Tax of State of Residence
Section	41.	Special Case in Which Nonresident Need not File West Virginia Income Tax Return
Section	42.	Veterans Incentive Tax Credit
Section	43.	Credit for Consumers Sales and Service Tax and Use Tax Paid
Section	44.	Reserved for Future Use
Section	45.	Reserved for Future Use
Section	46.	Reserved for Future Use
Section	47.	Reserved for Future Use
Section	48.	Reserved for Future use
Section	49.	Reserved for Future Use
Section	50.	Reserved for Future Use
Section	51.	Returns and Liabilities
Section	51a.	Composite Returns
Section	52.	Time and Place for Filing Returns and Paying Tax
Section	53.	Signing of Returns and Other Documents
Section	54.	Change of Resident Status During Year
Section	55.	Declarations of Estimated Tax
Section	56.	Payments of Estimated Tax
Section	57.	Extensions of Time
Section	58.	Requirements Concerning Returns, Notices, Records and Statements
Section	59.	Report of Change in Federal Taxable Income
Section	60.	Change of Election
Section	61.	Reserved for Future Use
Section	62.	Reserved for Future Use
Section	63.	Reserved for Future Use
Section	64.	Reserved for Future Use
Section	65.	Reserved for Future Use
Section	66.	Reserved for Future Use
Section	67.	Reserved for Future Use
Section	68.	Reserved for Future Use
Section	69.	Reserved for Future Use
Section	70.	Reserved for Future Use
Section	71.	Requirements of Withholding Tax from Wages
Section	72.	Information Statement for Employee
Section	73.	Credit for Tax Withheld
Section	74.	Employer's Return and Payment of Withheld Taxes
Section	75.	Employer's Liability for Withheld Taxes
Section	76.	Employer's Failure to Withhold
Section	77.	Reserved
Section	78.	Reserved
Section	79.	Reserved
Section	80.	Criminal Penalties
Section	81.	General Procedure and Administration
Section	82.	Severability

SERIES 21A - PERSONAL INCOME TAX LOW INCOME EXCLUSION

Authority- §§11-21-51(a)(1); 11-21-71(a)

Type - Legislative

Price - \$2.40

Effective - June 1, 1997

Section	1. General
Section	2. Definitions
Section	3. Taxable Income Calculation
Section	4. Amount of Deduction
Section	5. Withholding
Section	6. Filing of a Return

SERIES 21B - SENIOR CITIZEN TAX CREDIT FOR PROPERTY TAXES PAID

Authority - §11-21-21(c)

Type - Legislative

Price - \$3.00

Effective - May 1, 2002

Section	1. General
Section	2. Definitions
Section	3. Senior Citizen Tax Credit
Section	4. Qualification for Homestead Exemption
Section	5. Determination of Eligibility
Section	6. Notice of Eligibility, Forms and Instructions
Section	7. Calculation of Credit
Appendix	

SERIES 21C - METHOD OF REPORTING THE ALTERNATIVE METHOD FOR DISTRIBUTION OF QUALIFIED REHABILITATED BUILDINGS INVESTMENT CREDIT

Authority - §11-21-8e(b)

Type - Procedural

Price - \$2.60

Effective - September 15, 2001

Section	1. General
Section	2. Definitions
Section	3. Methods for Certain Entities to Distribute Credit
Section	4. Sale, Assignment or Other Transfer of Credit

SERIES 22 - PROPERTY TRANSFER TAX

Authority - §§11-22-5; 11-10-5

Type - Legislative

Price - \$3.00

Effective - April 15, 1992

Section	1. General
Section	2. Definitions
Section	3. Taxation Rate
Section	4. Stamps, Affixation and Cancellation
Section	5. Reports
Section	6. Penalties
Section	7. Refunds and Credits

SERIES 23 - BUSINESS FRANCHISE TAX

Authority - §11-10-5

Type - Legislative

Price - \$8.00

Effective - April 15, 1992

- Section 1. General
- Section 2. General Overview
- Section 3. Definitions
- Section 4. Tax Base Determined
- Section 5. Apportionment of Tax Base
- Section 5a. Special Apportionment Rules - Financial Organizations Effective for Taxable Years Beginning on or After January 1, 1991
- Section 6. Imposition of Tax
- Section 7. Persons and Organizations Exempt from Tax
- Section 8. Accounting Periods and Methods of Accounting
- Section 9. Annual Returns
- Section 10. Extension of Time for Filing Returns
- Section 11. Time and Place for Paying Tax Shown on Returns
- Section 11a. Priority of Tax in Distributions of Property and Estate
- Section 12. Extensions of Time for Paying Tax
- Section 13. Declaration and Payment of Estimated Tax
- Section 14. Requirements Concerning Returns, Notices, Records and Statements
- Section 15. Signing of Returns and Other Documents
- Section 16. Place for Filing Returns or Other Documents
- Section 17. Credits Against Tax
- Section 17a. Tax Credit for Business Investment and Jobs Expansion; Industrial Expansion and Revitalization; Eligible Research and Development Projects and Coal Loading Facilities; Consumer Sales and Service Tax and Use Tax Paid
- Section 18. Tax Under Section §11-23-11 et seq. of the West Virginia Code is in Addition to All Other Taxes
- Section 19. Records
- Section 20. Criminal Penalties
- Section 21. General Procedure and Administration
- Section 22. Severability
- Section 23. Reserved for Future Use
- Section 24. Reserved for Future use
- Section 25. Credit for Consumers Sales and Service Tax and Use Tax Paid
- Section 26. Reserved for Future Use
- Section 27. Credit for Franchise Tax Paid to Another State by a Financial Organization
- Section 28. Notice of Business Activities Report

SERIES 24 - CORPORATION NET INCOME TAX

Authority - §§11-10-5; 29A-3-1 et seq.

Type - Legislative

Price - \$12.00

Effective - April 15, 1992

- Section 1. General
- Section 2. Introductory Statement
- Section 3. Definitions
- Section 3a. Specific Terms Defined
- Section 4. Imposition of Tax
- Section 4a. Effect of Rate Changes During Taxable Years
- Section 5. Corporations Exempt from Tax
- Section 6. Adjustments in Determining West Virginia Taxable Income
- Section 7. Allocation and Apportionment
- Section 7a. Special Apportionment Rules for Motor Carriers
- Section 7b. Special Apportionment Rules for Financial Organizations
- Section 8. Accounting Periods and Methods of Accounting
- Section 9. Reserved for Future Use
- Section 9a. Severance Tax Credit Against Corporation Net Income Tax
- Section 9b. Reserved
- Section 9c. Research and Development Credit
- Section 10. Reserved

Tax
Series 24, Cont'd.

Section	11.	Credit for Reducing Electric and Natural Gas Utility Rates for Low Income Residential Customers
Section	11a.	Credit for Reducing Telephone Utility Rates for Low Incomes
Section	12.	Veteran's Incentive Tax Credit
Section	13.	Returns; Time for Filing
Section	13a.	Method for Filing
Section	13b.	Information Return for Corporation Electing to be Taxed Under Subchapter 5
Section	14.	Time and Place for Filing Returns and Paying Tax
Section	15.	Signing of Returns and Other Documents
Section	16.	Declarations of Estimated Tax
Section	17.	Payments of Estimated Tax
Section	18.	Extensions of Time
Section	19.	Requirements Concerning Returns, Notices, Records and Statements
Section	20.	Report of Change in Federal Taxable Income
Section	21.	Change of Election
Section	22.	Reserved
Section	23.	Credit for Consumer Sales and Service Tax and Use Tax Paid
Section	23a.	Credit for Qualified Rehabilitated Buildings Investment
Section	23b.	Definitions
Section	23c.	Procedures
Section	23e.	Carry Back, Carry Forward
Section	23f.	Termination of Credit by Law
Section	24.	Credit for Income Tax Paid to Another State
Section	25.	Reserved
Section	26.	Priority of Tax in Distributions of Property and Estates
Section	27.	Reserved
Section	29.	Reserved
Section	30.	Reserved
Section	31.	Reserved
Section	32.	Reserved
Section	33.	Reserved
Section	34.	Reserved
Section	35.	Reserved
Section	36.	Reserved
Section	37.	Reserved
Section	38.	Reserved
Section	39.	Reserved
Section	40.	Severability
Section	41.	General Procedure and Administration

SERIES 25 - RESERVED

SERIES 26 - MUNICIPAL BUSINESS AND OCCUPATION TAX

Authority - §§8-13-5; 11-10-5
Type - Legislative
Price - \$12.00
Effective - April 15, 1992

Section	1.	General
Section	1a.	Definitions
Section	2.	Imposition of Privilege Tax
Section	2a.	Production of Natural Resource Products
Section	2b.	Manufacturing, Compounding or Preparing Products; processing of Food Excepted
Section	2c.	Selling Tangible Property; Exempt Sales
Section	2d.	Public Service or Utility Business
Section	2e.	Contracting
Section	2f.	Reserved for Future Use
Section	2g.	Business of Operating Amusements
Section	2h.	Service Business or Calling
Section	2i.	Furnishing Property for Hire; Rental and Royalty
Section	2j.	Small Loan and Industrial Loan Business
Section	2k.	Banking and Other Financial Business

Section	3. Exemptions
Section	4. Compilation of Tax; Payment
Section	5. Return and Remittance by Taxpayer
Section	6. Reserved for Future Use
Section	7. Reserved for Future Use
Section	8. Reserved for Future Use
Section	9. Reserved for Future Use
Section	10. Taxability of Specific Businesses
Section	11. Doing Business Within and Without the Municipality
Section	12. Jurisdiction to Impose a Municipal Business and Occupational Tax
Section	13. Business Activity Subject to Municipal Business and Occupational Tax in More than One Municipality
Section	14. Procedure and Administration
Section	15. Maximum Rates
Section	16. Reciprocal Exchange Agreements
Table	

SERIES 27-34 - RESERVED

SERIES 35 - CHARITABLE RAFFLE BOARDS AND GAMES

Authority - §§11-10-5; 47-23-11

Type - Legislative

Price - \$3.40

Effective - May 1, 1994

Section	1. General
Section	2. Definitions
Section	3. Fees
Section	4. No Fees on Charitable Raffle Boards and Games by Municipalities or Other Governmental Subdivisions
Section	5. Reserved
Section	6. Reserved
Section	7. Surety Bonds Required; Release of Surety; New Bond
Section	7a. Requirement of Wholesalers and Distributors to be Licensed to do Business in State; Resident Agent Requirement
Section	8. How Fee Paid; Reports Required; Due Date; Records to be Kept; Inspection of Records and Stocks; Examination of Witnesses, Summons, etc.
Section	9. Penalty for Failure to File Return When no Fee Due; Crimes; Other Offenses; Penalties; Seizures of Illegal Boards and Games; Disposition
Section	10. Transportation of Charitable Raffle Boards and games; Forfeitures and Sales of Charitable Raffle Boards, Charitable Raffle Games and Equipment; Criminal Sanctions
Section	11. Administration; Rule-making; Required Verification
Section	12. Severability
Section	13. General Procedure and Administration

SERIES 36 - PRENEED CEMETERY COMPANIES

Authority - §§5F-2-2(a)(11); 5F-1-1(a)(1)

Type - Legislative

Price - \$3.60

Effective - May 1, 1994

Section	1. General
Section	2. Definitions
Section	3. Information Filing; Fees, Compliance Agent
Section	4. Exemptions
Section	5. Deposit in Preneed Trust Required; Who May Serve as Trustee
Section	6. Requirements for Preneed Cemetery Company Contracts
Section	7. Identification of Funds
Section	8. Corpus of Trust Account and Income to Remain in Preneed Trust Account; Exception
Section	9. Disbursement of Trust Funds Upon Performance of Contract; Mausoleum Construction Required
Section	10. Seller Required to Keep Records
Section	11. Financial Report and Written Assurance Required
Section	12. Inclusion of Property, Goods & Services to be Delivered Within One Hundred Twenty Days
Section	13. Breach of Contract by Seller; Trust to be Single Purpose Trust
Section	14. Trustee May Rely on Certifications and Affidavits
Section	15. Transfer of Trust Funds to Another Trustee
Section	16. Use of Trustee's Name in Advertisements
Section	17. Cemetery Property Maintained by Cemetery Company
Section	18. Waiver of Article Void
Section	19. Violation a Misdemeanor

SERIES 37 - CHARITABLE RAFFLES

Authority - §§47-21-21; 11-10-5 & 29A-3-1 et seq.

Type - Legislative

Price - \$7.40

Effective - May 1, 2001

Section	1. General
Section	2. Definitions
Section	3. Raffle Operations
Section	4. Licensing
Section	5. Annual License
Section	6. Limited Occasion License
Section	7. License Fees and Exemptions From Taxes
Section	8. Information Required in Applications
Section	9. Amendment of License
Section	10. Licensee Regulations
Section	11. Limits on Prizes Awarded: General Provisions
Section	12. Compensation of Raffle Operator
Section	13. Compensation for Concession Operator; Concession Operated by Charitable or Public Service Organization
Section	14. Payment of Reasonable Expenses from Proceeds; Net Proceeds Disbursements
Section	15. Records
Section	16. Advertising
Section	17. Fraud; Penalties
Section	18. Obtaining License Fraudently; Penalties
Section	19. Violation of Provisions; Penalties
Section	20. Proceeds of State Fair
Section	21. State Fair
Section	22. Administration
Section	23. Filing of Reports
Section	24. Filing of Copy of License
Section	25. County Option Election
Section	26. Prohibited Acts
Section	26a. Smoking and Nonsmoking Section
Section	27. Restriction on Use of Raffle Equipment
Section	28. Requirement for a Registration Statement
Appendix	

SERIES 50A - EXCHANGE OF INFORMATION AGREEMENT BETWEEN TAX DIVISION AND DIVISION OF ENVIRONMENTAL PROTECTION

Authority - §§11-10-5; 11-10-5s

Type - Legislative

Price - \$2.00

Effective - May 1, 1995

Section	1. General
Section	2. Purpose
Section	3. Disclosure of Certain Information Authorized

SERIES 50B - EXCHANGE OF INFORMATION AGREEMENT BETWEEN THE STATE TAX DEPARTMENT AND THE ALCOHOL BEVERAGE CONTROL ADMINISTRATION

Authority - §§11-10-5 & 55; 60-9-5(a) & 8(a)

Type - Legislative

Price - \$2.00

Effective - May 1, 2001

Section	1. General
Section	2. Purpose
Section	3. Disclosure of Certain Information Authorized

TITLE 119

SECRETARY OF TAX AND REVENUE

SERIES 301 - REGISTRATION OF TELEMARKETERS

Authority - §§29A-3-15; 46A-6F-301; 46A-6F-303

Type - Legislative

Price - \$2.60

Effective - April 9, 1999

Section	1. General
Section	2. Registration Fees
Section	3. Failure to Register or Meet Security Requirement; Remedies

TITLE 144

DIVISION OF TOURISM COMMISSION

SERIES 1 - RESERVED

SERIES 2 - DIRECT ADVERTISING GRANTS

Authority - §§5B-1-9(b); 5B-2-12

Type - Procedural

Price - \$2.60

Effective - February 1, 2003

Section	1. General
Section	2. Definitions
Section	3. Applications
Section	4. Review and Evaluations
Section	5. Evaluation Criteria
Section	6. Match Requirement
Section	7. Eligible Expenditures; Ineligible Expenditures
Section	8. Audit & Compliance
Section	9. Project Agreement

TITLE 197

WEST VIRGINIA TRAUMATIC BRAIN AND SPINAL CORD INJURY REHABILITATION FUND BOARD

SERIES 1- TRAUMATIC BRAIN AND SPINAL CORD INJURY REHABILITATION FUND BOARD

Authority - §18-10K-3
Type - Legislative
Price - \$2.60
Effective - July 1, 2000

Section	1. General
Section	2. Description of Program
Section	3. Criteria and Priorities for Use of Fund
Section	4. Fund as Payer of Last Resort
Section	5. Appeals

SERIES 2- WEST VIRGINIA TRAUMATIC BRAIN AND SPINAL CORD INJURY REHABILITATION FUND BOARD PROCEDURAL RULES

Authority - §18-10K-3
Type - Procedural
Price - \$2.60
Effective - August 1, 1999

Section	1. General
Section	2. Description of Program
Section	3. Election of Officers
Section	4. Committees
Section	5. Meetings
Section	6. Procedures

TITLE 112

STATE TREASURER

	<u>Page</u>
Series 1. Procedure for Deposit of Funds in the Treasurer's Office by State Agencies	527
Series 2. Substitute Checks - Exceptional Items Fund	527
Series 3. Establishment of Imprest Funds	527
Series 4. Procedure for Deposit of Moneys with the State Treasurer's Office by State Agencies	528
Series 5. Rules for Enforcement of the Uniform Disposition of Unclaimed Property Act	528
Series 6. Selection of State Depositories for Disbursement Account Through Competitive Bidding	528
Series 7. Selection of State Depositories for Receipt Accounts	528
Series 8. Procedures for Processing Payments from the State Treasury	529
Series 9. Rules for Reporting Debt Capacity	529
Series 10. Rules for Reporting of State Debt to the State Treasurer's Office	529
Series 11. Procedures for the West Virginia Prepaid Tuition Trust Fund	529
TOTAL COST FOR ALL OF TITLE 112 - \$28.20	

SERIES 1 - PROCEDURE FOR DEPOSIT OF FUNDS IN THE TREASURER'S OFFICE BY STATE AGENCIES

Authority - §12-2-2
Type - Procedural
Price - \$2.60
Effective - July 8, 1981

- Section 1. General
- Section 2. Definitions
- Section 3. Procedures for Deposit

SERIES 2 - SUBSTITUTE CHECKS - EXCEPTIONAL ITEMS FUND

Authority - §12-4-11
Type - Procedural
Price - \$2.00
Effective - September 17, 1979

- Section 1. General
- Section 2. Procedures and Conditions for Issuance of Duplicate or Substitute Checks

SERIES 3 - ESTABLISHMENT OF IMPREST FUNDS

Authority - §12-2-2
Type - Legislative
Price - \$2.40
Effective - May 7, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Establishment of Imprest Fund
- Section 4. Increasing or Decreasing the Balance
- Section 5. Change of Person Responsible for the Imprest Fund
- Section 6. Audit and Record Keeping

SERIES 4 - PROCEDURE FOR DEPOSIT OF MONEYS WITH THE STATE TREASURER'S OFFICE BY STATE AGENCIES

Authority - §12-2-2
Type - Legislative
Price - \$2.60
Effective - May 7, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Procedures for Deposits

SERIES 5 - RULES FOR ENFORCEMENT OF THE UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT

Authority - §36-8-28
Type - Legislative
Price - \$3.20
Effective - March 31, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Presumption of Abandonment
- Section 4. Safe Deposit Boxes
- Section 5. Dormancy Charges and Other Deductions
- Section 6. Reporting and Due Diligence
- Section 7. Payment or Delivery
- Section 8. Advertising
- Section 9. Custody by State
- Section 10. Claims
- Section 11. Destruction or Disposition of Property
- Section 12. Periods of Limitation
- Section 13. Requests for Reports and Examination of Records
- Section 14. Disposition/Reporting of Property Held by Law Enforcement Agencies
- Section 15. Descent and Distribution

SERIES 6 - SELECTION OF STATE DEPOSITORIES FOR DISBURSEMENT ACCOUNT THROUGH COMPETITIVE BIDDING

Authority - §12-1-2
Type - Legislative
Price - \$2.60
Effective - May 7, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Procedures for Bidding
- Section 4. Award and Compensation

SERIES 7 - SELECTION OF STATE DEPOSITORIES FOR RECEIPT ACCOUNTS

Authority - §12-1-2
Type - Legislative
Price - \$2.40
Effective - May 7, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Selection of Depositories for Receipt Accounts
- Section 4. Procedures
- Section 5. Compensation

SERIES 8 - PROCEDURES FOR PROCESSING PAYMENTS FROM THE STATE TREASURY

Authority - §12-3-1
 Type - Legislative
 Price - \$2.40
 Effective - May 7, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Procedures for Processing State Warrants and Checks

SERIES 9 - RULES FOR THE REPORTING OF DEBT CAPACITY

Authority - §12-6B-4
 Type - Legislative
 price - \$2.60
 Effective - May 7, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Debt Capacity and Debt Impact Reporting

SERIES 10 RULES FOR THE REPORTING OF STATE DEBT TO THE STATE TREASURER'S OFFICE

Authority - §12-6A-7
 Type - Legislative
 Price - \$3.00
 Effective - May 7, 1998

- Section 1. General
- Section 2. Definitions
- Section 3. Debt Information Reporting Timetables
- Section 4. Reporting Information Requirements

SERIES 11 - PROCEDURES FOR THE WEST VIRGINIA PREPAID TUITION TRUST FUND

Authority - §18-30-1
 Type - Procedural
 Price - \$2.80
 Effective - October 31, 1997

- Section 1. General
- Section 2. Board
- Section 3. Location of Office Hours
- Section 4. Public Information and Inspection of Records
- Section 5. Public Access to the West Virginia Prepaid Tuition Trust Fund
- Section 6. Rulemaking Proceedings
- Section 7. Board Chairman and officers
- Section 8. Meetings
- Section 9. Meeting Agenda
- Section 10. Conflict of Interest
- Section 11. Amendments

TITLE 128

HIGHER EDUCATION INTERIM GOVERNING BOARD (UNIVERSITY)
BOARD OF TRUSTEES

See TITLE 133
Higher Education Policy Commission

TITLE 86

WEST VIRGINIA DEPARTMENT OF VETERANS' AFFAIRS

SERIES 1 - STATE HOME FOR VETERANS

Authority - §9A-2-3
Type - Procedural
Price - \$2.80
Effective - December 26, 1997

Section	1. General
Section	2. General Plan of Filing
Section	3. West Virginia Veterans Home in Barboursville
Section	4. Leaves of Absence, Furloughs or Discharges
Section	5. Discipline
Section	6. Floor Leaders
Section	7. Clothing
Section	8. Medical Care
Section	9. Burials
Section	10. General
Section	11. Report of Administrator to Division of Veterans Affairs
Section	12. Administrator May Accept Gifts, Donations or Requests

SERIES 2 - STATE HOME FOR VETERANS - FISCAL

Authority - §9A-2-3
Type - Legislative
Price - \$2.40
Effective - April 22, 1996

Section	1. General
Section	2. Federal Aid Accepted for Veterans Homes
Section	3. Veterans Home Operating Fund, Consolidated Federal Funds Veterans Home Fund - Moneys for the Maintenance of the Veterans Home to be Deposited With State Treasurer
Section	4. Contribution for Residents of Home - Creation of Special Fund

SERIES 3 - PROCEDURAL RULES AND REGULATIONS FOR THE OPERATION OF THE DIVISION OF VETERANS' AFFAIRS

Authority - §9A-1-10
Type - Procedural
Price - \$9.20
Effective - March 22, 1992

Section	1. General
Section	2. Duties of the Director
Section	3. Employment Policies
Section	4. Personnel
Section	5. Office Procedures
Appendix	

SERIES 4 - VA HEADSTONES OR MARKERS

Authority - §9A-1-1

Type - Legislative

Price - \$2.00

Effective - March 26, 1998

Section 1. General

Section 2. Definitions

Section 3. Priority in Setting Markers

TITLE 26

WEST VIRGINIA BOARD OF VETERINARY MEDICINE

Index for Veterinary Medicine

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Series	2. Hearing Procedures of the West Virginia Board of Veterinary Medicine	533
Series	2A. Contested Case Hearing Procedures	534
Series	3. Registration of Veterinary Technicians	534
Series	4. Standards of Practice	534
Series	5. Certified Animal Euthanasia Technicians	534
Series	6. Schedule of Fees	535
TOTAL COST OF ALL OF TITLE 26 - \$21.00		

SERIES 1 - ORGANIZATION AND OPERATION OF WEST VIRGINIA BOARD OF VETERINARIAN MEDICINE

Authority - §30-10-1 et seq.

Type - Legislative

Price - \$3.80

Effective - April 28, 1992

Section	1. General
Section	2. The Board; Procedures
Section	3. Applications and Examinations
Section	4. Examination Procedure
Section	5. Licenses
Section	6. License Renewals
Section	7. Temporary Permits
Section	8. Reciprocity
Section	9. Disciplinary Action
Section	10. Severability

SERIES 2 - HEARING PROCEDURES OF THE WEST VIRGINIA BOARD OF VETERINARY MEDICINE

Authority - §30-10-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$2.60

Effective - February 1, 2001

Section	1. General
Section	2. Application
Section	3. Definitions
Section	4. Causes for Denial, Probation, Limitation, Discipline, Suspension or Revocation of Veterinarians
Section	5. Disposition of Complaints
Section	6. Contested Case Hearings
Section	7. Appeals

SERIES 2A - CONTESTED CASE HEARING PROCEDURES

Authority - §§30-10-1 et seq.; 30-1-1 et seq.

Type - Procedural

Price - \$3.00

Effective - February 1, 2001

Section	1. General
Section	2. Definitions
Section	3. Hearing Procedure
Section	4. Transcription of Testimony and Evidence
Section	5. Submission of Proposed Findings of Fact and Conclusions of Law
Section	6. Conferences; Informal Disposition of Cases
Section	7. Depositions
Section	8. Subpoenas
Section	9. Orders
Section	10. Appeals

SERIES 3 - REGISTRATION OF VETERINARY TECHNICIANS

Authority - §30-10-7

Type - Legislative

Price - \$3.20

Effective - August 1, 2002

Section	1. General
Section	2. Registration of Veterinary Technicians
Section	3. Boards Authority

SERIES 4 - STANDARDS OF PRACTICE

Authority - §30-10-4

Type - Legislative

Price - \$5.60

Effective - July 1, 2003

Section	1. General
Section	2. Definitions
Section	3. General Professional Ethics
Section	4. Minimum Standards of Practice
Section	5. Minimum Veterinary Facility Standards
Section	6. Abandoned Animals

SERIES 5 - CERTIFIED ANIMAL EUTHANASIA TECHNICIANS

Authority - §30-10A-9

Type - Legislative

Price - \$2.80

Effective - April 1, 1999

Section	1. General
Section	2. Application and Exam Fees
Section	3. Certified Animal Euthanasia Technicians Program
Section	4. Written Examination
Section	5. Practical Skills Examination
Section	6. Testing Date
Section	7. Revocations, Suspensions
Section	8. Continuing Education Requirement
Section	9. Certification Annual Renewal
Section	10. Record Keeping
Section	11. Storage

SERIES 6 - SCHEDULE OF FEES

Authority - §30-10-4(c)

Type - Legislative

Price - \$2.20

Effective - July 1, 2003

Section 1. General

Section 2. Schedule of Fees

TITLE 129

VOCATIONAL EDUCATION, STATE BOARD OF

(SEE DEPARTMENT OF EDUCATION)

TITLE 130

DIVISION OF VOCATIONAL REHABILITATION

Index for Vocational Rehabilitation

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Series 2. WVDVR Resources	537
Series 3. Reserved	537
Series 4. Hearings Involving Applicants Who Have Been Denied Attendant Care Services	537
Series 5. Hearings Involving Applicants Who Have Been Found Not Eligible to Receive Rehabilitation Services or For Any Eligible Client Who Has Been Denied Specific Rehabilitation Service	538
Series 6. Consumer Advisory Committees, Meetings and Duties	538
TOTAL COST OF ALL OF TITLE 130 - \$11.20	

SERIES 1 - WVDVR CASE SERVICES

Authority - §18-10F
Type - Procedural
Price - \$2.00 (Without Incorporated Documents)
Effective - January 3, 1983

Section	1. General
Section	2. Case Services Manual Incorporated

SERIES 2 - WVDVR RESOURCES

Authority - §18-10F
Type - Legislative
Price - \$2.00 (Without Incorporated Documents)
Effective - January 3, 1983

Section	1. General
Section	2. Resources Manual Incorporated

SERIES 3 - RESERVED

SERIES 4 - HEARINGS INVOLVING APPLICANTS WHO HAVE BEEN DENIED ATTENDANT CARE SERVICES

Authority - §§18-10A-1 thru 15; 18-10-4A
Type - Procedural
Price - \$2.40
Effective - January 1, 1987

Section	1. General
Section	2. Application
Section	3. Definitions
Section	4. Applications for Services
Section	5. Right to Appeal Decision if Denied Attendant Care Services
Section	6. Responsibility to Inform All Applicants of Their Right to Appeal
Section	7. Hearings

SERIES 5 - HEARINGS INVOLVING APPLICANTS WHO HAVE BEEN FOUND NOT ELIGIBLE TO RECEIVE REHABILITATION SERVICES FOR ANY ELIGIBLE CLIENT WHO HAS BEEN DENIED SPECIFIC REHABILITATION SERVICE

Authority - §§18-10A-1 thru 15; 18-10-4A

Type - Procedural

Price - \$2.40

Effective - January 1, 1987

Section	1. General
Section	2. Applications
Section	3. Definitions
Section	4. Application for Rehabilitation Services
Section	5. Right to Appeal Decision if Found Not Eligible to Receive Rehabilitation Services
Section	6. Responsibility to Inform All Applicants of Their Right to Appeal
Section	7. Hearings

SERIES 6 - CONSUMER ADVISORY COMMITTEES, MEETINGS AND DUTIES

Authority - §§18-10A-1 thru 18-10-4A

Type - Procedural

Price - \$2.40

Effective - January 11, 1987

Section	1. General
Section	2. Application
Section	3. Definitions
Section	4. Regular Meetings Established, Time Place
Section	5. Special Meetings
Section	6. Proceeding to be Open, Exceptions, Executive Session Permitted
Section	7. Minutes
Section	8. Quorum, Majority Vote Required, Vote by Proxy Prohibited
Section	9. Records of the Committees to be Public
Section	10. Membership

TITLE 132

VOCATIONAL-TECHNICAL-OCCUPATIONAL EDUCATION

SERIES 1 - CERTIFICATE DEFINITIONS

Authority - §18-2B-2(b)

Type - Interpretive

Price - \$2.00

Effective - October 9, 1995

Section	1. General
Section	2. Collegiate Certificate Program
Section	3. Technical Certificate Program
Section	4. Occupational Certificate Program

SERIES 2 - PROGRAM APPROVAL PROCESS

Authority - §18-2B-2(b)

Type - Procedural

Price - \$2.60

Effective - January 3, 1996

Section	1. General
Section	2. Standard Length Courses
Section	3. Short-Term Courses
Section	4. Joint Commission Review Criteria
Section	5. Program Approval Review
Table	

TITLE 33

ENVIRONMENTAL PROTECTION OFFICE OF WASTE MANAGEMENT

(TITLE 33 WAS FORMERLY INCLUDED IN TITLE 47 ENVIRONMENTAL PROTECTION WATER RESOURCES - WASTE MANAGEMENT. THE FOLLOWING INDEX SHOWS THE NEW SERIES NUMBERS WITH THE CORRECT NAMES FOLLOWED BY A CROSS REFERENCE CHART OF THE OLD SERIES NUMBERS.)

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Series	3. Yard Waste Composting	542
Series	4. Lead Acid Battery	542
Series	5. Waste Tire Management	543
Series	6. Solid Waste Management Fee Exemption (Procedural)	543
Series	7. Proof of Proper Solid Waste Disposal (Interpretive)	543
Series	8. Standards for Beneficial Use of Materials Similar to Sewage Sludge	543
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Series	22. Assessment of Civil Administrative Penalties	544
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Series	37. Reserved	546
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TOTAL COST OF ALL OF TITLE 33 - \$81.40		

TITLE 33 - OFFICE OF WASTE MANAGEMENT		
OLD	NEW	NAME OF RULE
47CSR4	33CSR22	Assessment of Civil Administrative Penalties
47CSR12	33CSR23	Groundwater Protection Standards (Hazardous Waste Facilities)
47CSR35	33CSR20	Hazardous Waste Management
47CSR35A	33CSR21	Commercial Hazardous Waste Management Siting Fees
47CSR36	33CSR30	Underground Storage Tank
47CSR37	33CSR31	Underground Storage Tank Fee Assessment
47CSR37A	33CSR32	Underground Storage Tank Insurance Trust Fund
47CSR38	33CSR1	Solid Waste Management
47CSR38A	33CSR6	Solid Waste Management Fee Exemption (Procedural)
47SR38B	33CSR7	Proof of Proper Solid Waste Disposal (Interpretive)
47CSR38C	33CSR40	Commercial Solid Waste Landfill Closure Assistance Program
47CSR38D	33CSR2	Sewage Sludge Management
47CSR38E	33CSR3	Yard Waste Composting
47CSR38F	33CSR4	Lead Acid Battery
47CSR38G	33CSR5	Waste Tire Management
47CSR40A	33CSR26	Hazardous Waste Emergency Response Fund
47CSR40B	33CSR27	Hazardous Waste Emergency Response Fund (Interpretive)

SERIES 1 - SOLID WASTE MANAGEMENT

Authority - §§22-15-5; 22-15-8(e); 22-15-10; 22-15-12; 22-15-13 & 22-15-14

Type - Legislative

Price - \$23.20

Effective - April 14, 2004

- Section 1. General
- Section 2. Definitions
- Section 3. Solid Waste Facility & Permitting Requirements
- Section 4. Landfill Performance Standards
- Section 5. Other Solid Waste Facility Performance Standards
- Section 6. Closure and Post-Closure Care
- Section 7. Open Dumps
- Appendix

SERIES 2 - SEWAGE SLUDGE MANAGEMENT RULE

Authority - §§22-15-8(e); 22-15-20(b) AND 22-15-20(q)

Type - Legislative

Price - \$5.40

Effective - June 12, 2000

- Section 1. General
- Section 2. Definitions
- Section 3. Standards for Use, Disposal and Processing of Sewage Sludge
- Section 4. Permits Required
- Section 5. General Processing Facility and Land Application Permit Requirements
- Section 6. Fee Bonding Requirements
- Appendix
- Table

SERIES 3 - YARD WASTE COMPOSTING RULE

Authority - §20-11-8(c)

Type - Legislative

Price - \$4.00

Effective - June 26, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Yard Waste Composting and Permitting Requirements
- Section 4. Closure Requirements for a Commercial Yard Waste Composting Facility
- Section 5. Commercial Yard Waste Composting Operator, Training and Certification Program

SERIES 4 - LEAD ACID BATTERY REGULATIONS

Authority - §20-11C; 20-11-8c

Type - Legislative

Price - \$2.40

Effective - June 1, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Lead Acid Battery Handling, Storage and Disposal Requirements

SERIES 5 - WASTE TIRE MANAGEMENT RULE

Authority - §§22-1-3; 22-1-3a; 20-11-8(D); 22-15-21(k)

Type - Legislative

Price - \$4.00

Effective - June 26, 2001

- Section 1. General
- Section 2. Definitions
- Section 3. Permitting Requirements

SERIES 6 - SOLID WASTE ASSESSMENT FEE EXEMPTIONS

Authority - §20-5F-4

Type - Procedural

Price - \$3.00

Effective - April 1, 1999

- Section 1. General
 - Section 2. Solid Waste Assessment Fee Exemptions
 - Section 3. Certificates of Exemption
- Appendix

SERIES 7 - PROOF OF PROPER SOLID WASTE DISPOSAL

Authority - §20-9-9

Type - Interpretive

Price - \$2.00

Effective - April 1, 1999

- Section 1. General
- Section 2. Proof of Proper Solid Waste Disposal

SERIES 8 - STANDARDS FOR BENEFICIAL USE OF MATERIALS SIMILAR TO SEWAGE SLUDGE

Authority - §22-15-22(b)

Type - Legislative

Price - \$5.00

Effective - March 21, 2003

- Section 1. General
 - Section 2. Definitions
 - Section 3. Standards for Beneficial Use of Sludge or Other Approved Materials
 - Section 4. Permits Required
 - Section 5. Permit Application Requirements
 - Section 6. Draft Permits and Public Comments
 - Section 7. Modification, Revocation and Reissuance, Suspension and Revocation of Permits
 - Section 8. Permit Contents and Requirements
 - Section 9. Fees
 - Section 10. Bonding Requirements
- Appendices

SERIES 9-19 - RESERVED

SERIES 20 - HAZARDOUS WASTE MANAGEMENT RULE

Authority - §22-18-6

Type - Legislative

Price - \$6.20

Effective - April 8, 2004

Section	1. General
Section	2. Hazardous Waste Management System: General
Section	3. Identification and Listing of Hazardous Waste
Section	4. Notification of Hazardous Waste Activity Regulations
Section	5. Standards Applicable to Generators of Hazardous Waste
Section	6. Standards Applicable to Transporters of Hazardous Waste
Section	7. Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities
Section	8. Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities
Section	9. Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities
Section	10. Land Disposal Restrictions
Section	11. The Hazardous Waste Permit Program
Section	12. Deed and Lease Disclosure; Notice in Deed to Property
Section	13. Universal Waste Rule
Section	14. Standards for the Management of Used Oil
Section	15. Appeal Rights
Tables	

SERIES 21 - COMMERCIAL HAZARDOUS WASTE MANAGEMENT FACILITY SITING FEES

Authority - §22C-5-6(b)

Type - Legislative

Price - \$2.00

Effective - June 1, 1994

Section	1. General
Section	2. Definitions
Section	3. Application Fees

SERIES 22 - ASSESSMENT OF CIVIL ADMINISTRATIVE PENALTIES

Authority - §§22-18-17; 22-15-15

Type - Legislative

Price - \$4.40

Effective - April 22, 1991

Section	1. General
Section	2. Definitions
Section	3. Notice of Violations
Section	4. Penalty Assessment Procedures
Section	5. Hearings and Appeals
Section	6. Individual Civil Administrative Penalties
Section	7. Civil Administrative Penalty Calculation Procedures
Tables	

SERIES 23 - GROUNDWATER PROTECTION STANDARDS

Authority - §§22-18; 22-11

Type - Legislative

Price - \$2.00

Effective - April 25, 1984

Section	1. General
Section	2. Groundwater Protection Standards

SERIES 24 - HAZARDOUS WASTE MANAGEMENT FEE

Authority §§22-18-22(b), (c); 29A-1 et seq.

Type - Legislative

Price - \$3.00

Effective - April 17, 2003

Section	1. General
Section	2. Definitions
Section	3. Fee Assessment and Deposits
Section	4. Information and Reporting Requirements
Section	5. Fee Assessment
Table	

SERIES 25 - RESERVED**SERIES 26 - HAZARDOUS WASTE EMERGENCY RESPONSE FUNDS FEE ASSESSMENT**

Authority - §22-19-5(d)

Type - Procedural

Price - \$3.20

Effective - September 27, 2002

Section	1. General
Section	2. Definitions
Section	3. Fee Assessment Deposits
Section	4. Information and Reporting Requirements
Section	5. Fee Assessments
Appendix	

SERIES 27 - RESERVED

Repealed September 21, 1999

SERIES 28-29 - RESERVED**SERIES 30 - UNDERGROUND STORAGE TANKS**

Authority - §22-17-6

Type - Legislative

Price - \$3.20

Effective - July 1, 2001

Section	1. General
Section	2. Adoption of Federal Regulations
Section	3. Certification Requirements for Individuals who Install, Repair, Retrofit, Upgrade, Perform Changes-in-Service or Close Tightness Test Underground Storage Tank Systems; or Install, Repair, Upgrade or Test Corrosion Protection on Underground Storage Tank Systems
Section	4. Notification Requirements
Section	5. Carriers
Appendix	

SERIES 31 - UNDERGROUND STORAGE TANK FEE ASSESSMENTS

Authority - §22-17-6
Type - Legislative
Price - \$2.80
Effective - June 14, 1993

- Section 1. General
- Section 2. Definitions
- Section 3. Fee Assessment
- Section 4. Fee Collection
- Section 5. Fee Deposit

SERIES 32 - UNDERGROUND STORAGE TANK INSURANCE TRUST FUND

Authority - §20-5H-6
Type - Legislative
Price - \$2.80
Effective - July 1, 1999

- Section 1. General
- Section 2. Applicability
- Section 3. Definitions
- Section 4. Applying for Coverage
- Section 5. Capitalization Fees
- Section 6. Powers and Duties of the Board
- Section 7. Cancellation of Coverage
- Section 8. Emergency Claims
- Section 9. Non-emergency Claims
- Section 10. Notification Requirements
- Section 11. Powers and Duties of the Advisory Committee
- Section 12. Severability of Requirements

SERIES 33-39 - RESERVED

SERIES 40 - COMMERCIAL SOLID WASTE LANDFILL CLOSURE ASSISTANCE PROGRAM REGULATIONS

Authority - §22-16-13
Type - Legislative
Price - \$2.80
Effective - June 1, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Closure Assistance Application
- Section 4. Conditions for Closure Assistance Application Approval
- Section 5. Interim Status Assistance
- Section 6. Post Closure Assistance
- Section 7. Contracting
- Section 8. Final Closure Assistance Priority

TITLE 44

WATER DEVELOPMENT AUTHORITY

SERIES 1 - REQUIREMENTS GOVERNING DISBURSEMENT OF LOANS AND GRANTS TO GOVERNMENTAL AGENCIES FOR THE DESIGN, ACQUISITION OR CONSTRUCTION OF WATER DEVELOPMENT FACILITIES

Authority - §20-5C-6
Type - Legislative
Price - \$6.40
Effective - June 12, 1987

Section	1. General
Section	2. Definitions
Section	3. Step I Projects - State Loans
Section	4. Step II Projects - State Loans
Section	5. Step III Projects - State Grants
Section	6. PL-660 Projects - State Matching Grants - Cost Overruns
Section	7. PL-660 Projects - State Grants
Section	8. Priority System for Construction Grant Recipients to Determine Whether a State Hardship Grant Should be Provided to Help Relieve a Hardship in Local Funding
Section	9. Loans to Governmental Agencies for Design, Construction or Acquisition of Water Development Projects
Section	10. Financing Water Development Projects by issuance of Revenue Bonds in Conjunction with the Small Business Administration Guarantee of Lease Between Authority and Small Business Concern

SERIES 2 - REQUIREMENTS GOVERNING DISBURSEMENT OF LOANS AND GRANTS TO GOVERNMENTAL AGENCIES FOR THE ACQUISITION OR CONSTRUCTION OF WATER DEVELOPMENT PROJECTS (WATER FACILITIES)

Authority - §20-5C-6
Type - Legislative
Price - \$3.00
Effective - July 1, 1985

Section	1. General
Section	2. Definitions
Section	3. State Grants
Section	4. State Loans

SERIES 3 - RULE CONFIRMING EXISTING PRACTICES AND ADDITIONAL NEW PROCEDURES FOR OPEN MEETINGS

Authority - §§22C-1-6(1); 6-9A-3
Type - Procedural
Price - \$2.20
Effective - November 4, 1999

Section	1. General
Section	2. Procedures
Section	3. Emergency Meeting
Section	4. Continued Meeting
Section	5. Additional Notice

TITLE 47

DIVISION OF ENVIRONMENTAL PROTECTION OFFICE OF WATER RESOURCES

(TITLE 47 WAS FORMERLY TITLE 47 ENVIRONMENTAL PROTECTION WATER RESOURCES - WASTE MANAGEMENT. DUE TO DEP RESTRUCTURING THIS TITLE HAS BEEN DIVIDED INTO TWO SEPARATE SECTIONS TITLE 47 AND TITLE 33 - OFFICE OF WASTE MANAGEMENT.)

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Series 57B. Groundwater Protection Standards at Steam Electric Generating Facility	555
Series 58. Groundwater Protection Regulations	555
Series 59. Monitoring Well Regulations	555
Series 60. Monitoring Well Design Standards	556
TOTAL COST OF ALL OF TITLE 47 - \$137.20 (NOT INCLUDING INCORPORATED REFERENCES)	

SERIES 1 - ADMINISTRATIVE PROCEEDINGS AND CIVIL PENALTY ASSESSMENT

Authority - §22-11-22(b)

Type - Legislative

Price - \$3.00

Effective - May 1, 2002

Section 1. General
Section 2. Definitions
Section 3. Applicability of the Rule
Section 4. Notice
Section 5. Administrative Proceedings
Section 6. Civil Penalty Assessment
Section 7. Entry of Consent Decree
Appendix

SERIES 2 - RESERVED

SERIES 3 - POLLUTION PREVENTION AND COMPLIANCE ASSISTANCE

Authority - §§22-1-1(b)(10); 22-1-6d
 Type - Legislative
 Price - \$2.40
 Effective - May 7, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. Powers and Limitations
- Section 4. Confidentiality
- Section 5. Imminent Hazard

SERIES 5A - STATE CERTIFICATION OF ACTIVITIES REQUIRING FEDERAL LICENSES AND PERMITS

Authority - §§22-11-7(a); 22-1-6(d)(6)
 Type - Legislative
 Price - \$4.60
 Effective - July 1, 2002

- Section 1. General
- Section 2. Definitions
- Section 3. Scope and Effect of Certification
- Section 4. Applications, Procedures for Certification Issuance
- Section 5. Public Notice, Public Hearings
- Section 6. Compensatory Mitigation
- Section 7. Appeal of Certification
- Section 8. Enforcement of Certification Provisions

SERIES 6-8 - RESERVED

SERIES 9 - UNDERGROUND INJECTION CONTROL FEE SCHEDULE

Authority - §22-11-10
 Type - Legislative
 Price - \$3.40
 Effective - June 1, 1994

- Section 1. General
 - Section 2. Definitions
 - Section 3. Fee Assessment and Collection
 - Section 4. Initial UIC Permit Application Fees
 - Section 5. Permit Renewal Application
 - Section 6. Permit Modification Application Fees
 - Section 7. Annual Permit Fees
 - Section 8. Area Permit Fees
- Tables

SERIES 9A - RESERVED

Repealed November 3, 1999

SERIES 10 - STATE/NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM REGULATIONS (NPDES)

Authority - §22-11
Type - Legislative
Price - \$12.20
Effective - August 25, 1993

Section	1. General
Section	2. Definitions
Section	3. Permits
Section	4. Application for Permits
Section	5. Conditions Applicable to all Permits
Section	6. Establishing Permit Conditions
Section	7. Calculating NPDES Permit Conditions
Section	8. Schedules of Compliance
Section	9. Modification, Revocation and Reissuance, Suspension and Revocation of Permits
Section	10. Draft Permits
Section	11. Fact Sheet
Section	12. Public Comment and Hearings and Effective Date of Permit
Section	13. Special NPDES Programs
Section	14. Pretreatment Program
Section	15. Federal Effluent Limitations Guidelines and Standards Incorporation
Section	16. Enforcement
Section	17. Conflict of Interest
Section	18. Conflicting Provisions
Appendix	

SERIES 11 - SPECIAL REGULATIONS

Authority - §22-11 et seq.
Type - Legislative
Price - \$3.20
Effective - July 1, 1987

Section	1. General
Section	2. Reporting Spills and Accidental Discharges
Section	3. Coin Operated and Other Commercial Laundries
Section	4. Coin Operated and Other Fee Generating Car Washing Establishments
Section	5. Water Purification Wastewater Control Measure
Section	6. Waste Load Allocations for Sewage Discharges
Section	7. Small Wastewater Treatment Plants
Section	8. Permit Application Filing Fee
Section	9. Outlet Markers

SERIES 11A - WASTE LOADS

Authority - §22-11-4(a)(14)
Type - Procedural
Price - \$2.60
Effective - December 23, 1996

Section	1. General
Section	2. Definition
Section	3. Interpretation of the Waste Load Allocation Concept
Section	4. Waste Load Allocation Procedure
Section	5. Transfer or Assignment of Waste Load Allocation

SERIES 12 - RESERVED

SERIES 13 - UNDERGROUND INJECTION CONTROL

Authority - §22-11-8(B)(7)

Type - Legislative

Price - \$10.20

Effective - June 1, 2002

Section	1. General
Section	2. Definitions
Section	3. Criteria for Exempted Aquifer Status
Section	4. Classes of Wells
Section	5. Area of Review
Section	6. Corrective Action and Mechanical Integrity
Section	7. Requirements for Wells Injecting Hazardous Waste
Section	8. Criteria and Standards Applicable to Class 1 Wells
Section	9. Criteria and Standards Applicable to Class 2 Wells
Section	10. Criteria and Standards Applicable to Class 3 Wells
Section	11. Criteria and Standards Applicable to Class 4 Wells
Section	12. Criteria and Standards Applicable to Class 5 Injection Wells
Section	13. Injection Well Permitting Program
Table	

SERIES 14 - RESERVED

Repealed & Replaced See 47CSR13.2 effective July 15, 1998

SERIES 15-25 - RESERVED**SERIES 26 - WATER POLLUTION CONTROL PERMIT FEES SCHEDULE**

Authority - §22-11-10

Type - Legislative

Price - \$4.60

Effective - April 28, 2003

Section	1. General
Section	2. Definitions
Section	3. Fee Assessment and Collection
Section	4. Initial Permit Application Fees
Section	5. Permit Renewal Application Fees
Section	6. Permit Modification Application Fees
Section	7. Annual Permit Fees
Tables	

SERIES 27-29 - RESERVED

SERIES 30 - WV/NPDES REGULATIONS

Authority - §22-11-1 et seq.

Type - Legislative

Price - \$12.20

Effective - June 1, 2004

Section	1. General
Section	2. Definitions
Section	3. Permits
Section	4. Application for Permits
Section	5. Conditions Applicable to All Permits
Section	6. Establishing WV/NPDES Permit Conditions
Section	7. Calculating WV/NPDES Conditions
Section	8. Modification, Reissuance, Suspension and Revocation of Permits
Section	9. Permits for Major Facilities
Section	10. Procedure for Permit Issuance
Section	11. Fact Sheet
Section	12. New Sources
Section	13. General Permits
Section	14. Decision of Variances
Section	15. Enforcement
Tables	

SERIES 30A - WV/NPDES COAL AND QUARRY MINING FORMS

Authority - §§22-1-3; 22-11-4(14)

Type - Procedural

Price - \$14.60

Effective - March 19, 1998

Section	1. General
Section	2. Forms

SERIES 31 - STATE WATER POLLUTION CONTROL REVOLVING FUND PROGRAM

Authority - §§22C-2-3(b); 22C-2-7(a)

Type - Legislative

Price - \$17.80

Effective - May 4, 2000

Section	1. General
Section	2. Definitions
Section	3. State Priority System and Project Priority List
Section	4. Fund Establishment and Administration
Section	5. Program Requirements
Section	6. Environmental Review of Funded Projects
Section	7. Facilities Planning
Section	8. Project Design and Construction
Appendix	

SERIES 32 - ENVIRONMENTAL LABORATORIES CERTIFICATION AND STANDARDS OF PERFORMANCE

Authority - §22-1-15

Type - Legislative

Price - \$6.00

Effective - May 1, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Certification Program; Application Procedures and Requirements
- Section 4. Laboratory Requirements
- Section 5. Methodology, Quality Control and Record Keeping
- Section 6. Appeals
- Tables

SERIES 33 - STATE CONSTRUCTION GRANTS PROGRAM RULE

Authority - 22C-2-6

Type - Legislative

Price - \$2.60

Effective - May 7, 1999

- Section 1. General
- Section 2. Definitions
- Section 3. State Water Pollution Control Revolving Fund
- Section 4. Fund Establishment and Administration
- Section 5. Hardship Grants Program Requirements
- Section 6. Review Guidelines

SERIES 33A - RESERVED

Repealed by Agency July 15, 1998

SERIES 34 - DAM SAFETY REGULATIONS

Authority - §22-14-4

Type - Legislative

Price - \$10.40

Effective - May 1, 1995

- Section 1. General
- Section 2. Definitions
- Section 3. Classification of Dams
- Section 4. Certificates of Approval
- Section 5. Application Procedures
- Section 6. Plans and Specifications
- Section 7. Design Requirements
- Section 8. Construction or Modification of a Dam
- Section 9. Breaching of a Dam
- Section 10. Removal of a Dam
- Section 11. Abandonment of a Dam
- Section 12. Reduction or Enlargement of a Dam
- Section 13. Dams Completed Before July 1, 1973
- Section 14. Sale or Transfer of a Dam
- Section 15. Dam Operations and Safety
- Section 16. Dam Maintenance
- Section 17. Dam Repairs
- Section 18. Application and Annual Registration Fees
- Section 19. Civil Administrative Penalties
- Tables

SERIES 35-54 - RESERVED

SERIES 55 - GROUNDWATER PROTECTION ACT FEE SCHEDULE

Authority - §22-12-9(a)

Type - Legislative

Price - \$2.60

Effective - June 1, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Groundwater Protection Fund and Groundwater Remediation Fund Fees
- Section 4. Severability

SERIES 56 - ASSESSMENT OF CIVIL ADMINISTRATIVE PENALTIES

Authority - §22-12-10

Type - Legislative

Price - \$3.60

Effective - June 1, 1994

- Section 1. General
 - Section 2. Definitions
 - Section 3. Notice of Violations
 - Section 4. Penalty Assessment Procedures
 - Section 5. Hearings and Appeals
 - Section 6. Individual Civil Administrative Penalties
 - Section 7. Civil Administrative Procedures
- Tables

SERIES 57 - GROUNDWATER QUALITY STANDARD VARIANCES

Authority - §22-12-1 et seq.

Type - Legislative

Price - \$3.20

Effective - June 1, 1994

- Section 1. General
- Section 2. Definitions
- Section 3. Statutory Exemptions
- Section 4. Contamination in Excess of Groundwater Quality Standards
- Section 5. Deviation from Existing Quality
- Section 6. Variances from Groundwater Quality Standards and Preventative Action Limits

SERIES 57A - GROUNDWATER PROTECTION STANDARDS AT STREAM GENERATING FACILITIES

Authority - §22-12-5(l)

Type - Legislative

Price - \$3.80

Effective - June 1, 2000

- Section 1. General
 - Section 2. Definitions
 - Section 3. Variance Applicable Areas
 - Section 4. Groundwater Protection Standards and Preventative Action Limits
 - Section 5. Terms and Conditions
 - Section 6. Periodic Review
- Tables

SERIES 57B - GROUNDWATER PROTECTION STANDARDS AT STEAM ELECTRIC GENERATING FACILITY

Authority - §22-12-5(1)
 Type - Legislative
 Price - \$3.20
 Effective - June 1, 2002

Section	1. General
Section	2. Definitions
Section	3. Variance Applicable Area
Section	4. Groundwater Protection Standards and Preventative Action Limits
Section	5. Terms and Conditions
Section	6. Periodic Review
Table	

SERIES 58 - GROUNDWATER PROTECTION REGULATIONS

Authority - §22-12-5(d)
 Type - Legislative
 Price - \$3.20
 Effective - June 1, 1994

Section	1. General
Section	2. Definitions
Section	3. Conflicting Provisions
Section	4. Groundwater Protection Practices for Industrial Establishments
Section	5. Applicability to Facilities or Activities not Included in the Definition of an Industrial Establishment
Section	6. Groundwater Protection Practices for Private or Publicly Owned Sewage Treatment Operations (Reserved)
Section	7. Prohibitions
Section	8. Remediation
Section	9. Fees
Section	10. Enforcement
Section	11. Waiver Provision
Section	12. Appeals
Section	13. Requirements for Reuse of Sludges (Reserved)

SERIES 59 - MONITORING WELL REGULATIONS

Authority - §22-12-5(d)
 Type - Legislative
 Price - \$2.60
 Effective - June 1, 1994

Section	1. General
Section	2. Definitions
Section	3. Application and Enforcement
Section	4. Certification of Monitoring Well Drillers
Section	5. Monitoring Well Drillers Identification
Section	6. Advisory Board
Section	7. Denial, Suspension, Revocation or Certification
Section	8. Administrative Due Process
Section	9. Severability

SERIES 60 - MONITORING WELL DESIGN STANDARDS

Authority - §22-12-5(d)

Type - Legislative

Price - \$5.20

Effective - May 1, 1996

Section	1. General
Section	2. Applicability
Section	3. Definitions
Section	4. Conflicting Provisions
Section	5. Borehole Protection
Section	6. Monitoring Well Location and Reporting Requirements
Section	7. Well Riser
Section	8. Well Screen
Section	9. Tremic Pipes and Sealing Procedures
Section	10. Filter Packs
Section	11. Sealing Requirements
Section	12. Drilling Methods and Fluids
Section	13. Cross Contamination
Section	14. Disposal and Decontamination
Section	15. Borehole Diameter
Section	16. Recovery Wells
Section	17. Well Development, Redevelopment and Reconditioning
Section	18. Monitoring Well Construction Documentation
Section	19. Abandonment Requirements
Section	20. Driven Point Wells
Section	21. Temporary Monitoring Wells
Section	22. Special Circumstances and Exceptions
Section	23. Enforcement
Table	

TITLE 98

WEST VIRGINIA WOMEN'S COMMISSION

SERIES 1 - MEETINGS AND BYLAWS

Authority - §§6-9A-3; 29-20-5

Type - Procedural

Price - \$2.60

Effective - August 1, 1998

Section	1. General
Section	2. Definitions
Section	3. Regular Meetings
Section	4. Special Meetings; Emergency Meetings
Section	5. Cancellation of Meetings
Section	6. Open Meetings; Exceptions; Executive Meeting
Section	7. Minutes and Records
Section	8. Quorum; Majority Vote Required; Proxy Vote Prohibited
Section	9. Appointment, Election and Duties of Officers
Section	10. Resignation of Members

TITLE 85

WORKERS' COMPENSATION COMMISSION

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TOTAL COST FOR ALL OF TITLE 85 - \$118.60 (WITHOUT INCORPORATED REFERENCES)		

SERIES 1 - RULES AND REGULATIONS OF THE WORKERS' COMPENSATION FUND

Authority - §23-1

Type - Legislative

Price - \$6.00

Effective - March 1, 2004

(Ed. Note: Sections 11, 14 and 20 were repealed and replaced by 85CSR20 effective June 14, 2004.)

Section	1. General
Section	2. Reserved (85-9 Effective February 6, 1997)
Section	3. Reserved (85-9 Effective February 6, 1997)
Section	4. Reserved (85-9 Effective February 6, 1997)
Section	5. Reserved (85-9 Effective February 6, 1997)
Section	6. Reserved (85-9 Effective February 6, 1997)
Section	7. Reserved (85-9 Effective February 6, 1997)
Section	8. Reserved (85-9 Effective February 6, 1997)
Section	9. Employer's Report of Injuries; Wage Information
Section	10. Employees Report of Injuries and Application for Compensation
Section	11. Reserved
Section	12. Investigation of Claims

Section	13.	Awards
Section	14.	Reserved
Section	15.	Travel Expenses - Medical Examination and Treatment
Section	16.	Reserved
Section	17.	Reserved
Section	18.	Access to Records
Section	19.	Transcripts and Other Papers
Section	20.	Reserved

SERIES 2 - COAL-WORKERS PNEUMOCONIOSIS FUND

Authority - §23-4B
Type - Legislative
Price - \$4.00
Effective - July 1, 1986

Section	1.	General
Section	2.	Subscription
Section	3.	Coverage
Section	4.	Classification and Premium Rates
Section	5.	Payment of Benefits
Section	6.	Quarterly Reports
Section	7.	Cancellation and Reinstatement
Section	8.	Audit Inspection
Section	9.	Withdrawal
Section	10.	Transfers
Section	11.	Access to Records
Section	12.	Liquidating the Assets of the Fund

SERIES 3 - EMPLOYERS' EXCESS LIABILITY FUND

Authority - §23-4C
Type - Legislative
Price - \$3.40
Effective - July 1, 1984

Section	1.	General
Section	2.	Definitions
Section	3.	Premiums and Coverage
Section	4.	Coverage of Insuring Agreement
Section	5.	Limit of Liability
Section	6.	Policy Exclusion
Section	7.	Condition
Section	8.	Petition for Settlement
Section	9.	Contents of Petition
Section	11.	Criteria for Approval
Section	12.	Modification and/or Approval of a Petition
Section	13.	Confidentiality of Records

SERIES 4 - ATTORNEY FEES

Authority - §23-5
Type - Legislative
Price - \$2.80
Effective - May 23, 1985

Section	1. General
Section	2. Compensable Representation
Section	3. Fee Petition
Section	4. Contract for Legal Services
Section	5. Duties of Attorneys and Other Employees
Section	6. Time Expended
Section	7. Reimbursement of Expenses
Section	8. Fee Limits
Section	9. Action Upon Petition; Notice; Review
Section	10. Payment of Fees

SERIES 5 - RESERVED

Repealed and Replaced September 15, 1997
See 85CSR9

SERIES 6 - ADJUDICATIONS AND AWARDS

Authority - §23-1
Type - Legislative
Price - \$2.60
Effective - May 23, 1985

Section	1. General
Section	2. Initial Rulings
Section	3. Medical Authorizations
Section	4. Disability Benefits
Section	5. Vocational Rehabilitation
Section	6. Invoices
Section	7. Protests; Hearings; Motions
Section	8. Commissioner's Final Decision; Appeal

SERIES 7 - HEARINGS

Authority - §23-1-1
Type - Procedural
price - \$3.00
Effective - May 6, 1996

Section	1. General
Section	2. Definitions
Section	3. Administrative Hearings; Notice and Place
Section	4. Parties and Conduct of Hearings
Section	5. Correction of the Record
Section	6. Subpoenas
Section	7. Discovery
Section	8. Hearing Officers
Section	9. Concluding the Hearing
Section	10. Severability

SERIES 8 - REPEALED

SERIES 9 - RISK MANAGEMENT

Authority - §§21A-2-6(2); 21A-3-7(b) & (c); 23-1-1; 23-2-4; 23-2-9 & 23-2-18

Type - Legislative

Price - \$12.50

Effective - December 6, 1999

Section	1. General
Section	2. Purpose of Rule
Section	3. Definitions
Section	4. Auditing; Classifications and Inspections
Section	5. Employers
Section	6. Employees Covered; Employers Required to Subscribe; Coverage Elections; Assignment
Section	7. Ratemaking
Section	8. Guaranteed Cost Plan
Section	9. Deductibles
Section	10. Group Retrospective Rating Plan
Section	11. Individual Retrospective Rating Plan
Section	12. Adverse Risk Plan
Section	13. Reserved (July 1, 2004 by 85-18)
Section	14. Tax Liability Policy Guidelines for Receivables Management
Section	15. Reports of Gross Wages; Remittances; Requests for Refunds
Section	16. Name and Address of Employer; Legal Notice; Fee for Employer Records and Publications
Section	17. Sale, Transfer, Absorption of Merger of Business
Section	18. Late Penalties for Filing and Reporting; Penalty Premium Rate
Section	19. Implementation
Section	20. Administrative Protests and Hearings
Section	21. Information
Section	22. Severability

SERIES 10 - PRIMARY CONTRACTOR LIABILITY

Authority - §23-1-1a; 23-2-1d; 23-1-1a(j)(3)

Type - Legislative

Price - \$3.40

Effective - March 1, 2004

Section	1. General
Section	2. Purpose of Rule
Section	3. Definitions
Section	4. Primary Contractor's Liability; Generally
Section	5. Avoiding Primary Contractor Liability
Section	6. Extent of Liability
Section	7. Additional Penalties; Limitations
Section	8. Collections efforts
Section	9. Appeal Process
Section	10. Severability

SERIES 11 - ENFORCEMENT OF REPORTING AND PAYMENT REQUIREMENTS

Authority - §§23-3-1; 23-2-5; 23-2-9; 23-1-13; 23-4A-6; 29A-3-3; 5F-2-2(a)(11) & (12)

Type - Legislative

Price - \$5.80

Effective - August 22, 1996

Section	1. General
Section	2. Definitions
Section	3. Employer Delinquency and Default or Termination
Section	4. Further Effects of Delinquency
Section	5. Notice to Employees of Delinquent Employers
Section	6. Audits of Employers
Section	7. Methods of Collection of Payments and Enforcement
Section	8. Statutory Lien
Section	9. Civil Actions
Section	10. Injunctions from Carrying on Business
Section	11. Receivership and Insolvency Proceedings; Bankruptcy
Section	12. Distraint upon Personal Property
Section	13. Applications for Reinstatement
Section	14. Administrative Hearings
Section	15. Interest
Section	16. Clearance of Backlog
Section	17. Criminal Penalties
Section	18. Freedom of Information Act
Section	19. Severability

SERIES 12 - COMPROMISE AND SETTLEMENT OF WORKERS' COMPENSATION ISSUES

Authority - §§21A-2-6(2); 21A-3-7(b); 21A-3-7(c); 23-1-1; 23-1-5; 23-1-8; 23-1-13; 23-1-14; 23-1-15; 23-4-1 et seq.; 23-5-1; 23-5-7

Type - Procedural

Price - \$3.20

Effective - September 12, 2002

Section	1. General
Section	2. Purpose
Section	3. Definitions
Section	4. Parties
Section	5. Notice
Section	6. Issues Subject to Settlement
Section	7. Manner of Payment
Section	8. Dependent's Benefits
Section	9. Settlement Not to be Considered an Admission Against Interest
Section	10. Effective Date of Settlement
Section	11. Minor Dependents and Claimants
Section	12. Death of Claimant
Section	13. Deduction from Settlement Award
Section	14. Severability

SERIES 13 - RESERVED

Repealed & Replaced by 85CSR20

Effective June 14, 2004

SERIES 14 - COMPENSATION PROGRAMS PERFORMANCE COUNCIL

Authority - §§6-9A-3; 21a-3-7; 29a-3-3

Type - Procedural

Price - \$2.80

Effective - May 15, 1994

- Section 1. General
- Section 2. Application and Enforcement
- Section 3. Definitions
- Section 4. Meetings; Rules of Order; Selection of Vice-Chairperson
- Section 5. Proceeding to be Open; Exceptions; Executive Session Permitted
- Section 6. Subcommittee
- Section 7. Minutes
- Section 8. Majority Vote Required; Exception, Voting by Proxy Prohibited
- Section 9. Records of the Council - Public

SERIES 15 - VOCATIONAL AND PHYSICAL REHABILITATION

Authority - §§21A-3-7(b)(c); 23-4-9C

Type - Legislative

Price - \$5.00

Effective - May 5, 2004

- Section 1. General
- Section 2. Purpose of Rule; Cooperation
- Section 3. Definitions
- Section 4. Priorities
- Section 5. Identification of Rehabilitation Candidates; the Rehabilitation Assessment/Evaluation Process
- Section 6. Implementation of the Rehabilitation Plan
- Section 7. Payment of Indemnity Benefits
- Section 8. Rehabilitation Closure Report
- Section 9. Registration of Providers
- Section 10. Payment for Physical and Vocational Rehabilitation Services
- Section 11. Trial Return to Work
- Section 12. Employer-Preferred Vocational Rehabilitation Services
- Section 13. Severability

SERIES 16 - RESERVED

Repealed and Replaced by 85CSR20

Effective June 14, 2004

SERIES 17 - ELECTRONIC SUBMITTAL OF INVOICES AND RECEIPT OF PAYMENTS

Authority - §§21A-2-6(1) - 6(14); 21A-3-7(b) & 7(c); 23-1-1; 23-1-13 & 14

Type - Legislative

Price - \$2.60

Effective - November 1, 1997

- Section 1. General
- Section 2. Purpose of These Rules
- Section 3. Definitions
- Section 4. Electronic Submission of Invoices
- Section 5. Payment by Electronic Means
- Section 6. Self-Insured Employers
- Section 7. Exemptions
- Section 8. Implementation
- Section 9. Severability

SERIES 18 - SELF INSURANCE SELF ADMINISTRATION AND THIRD PARTY ADMINISTRATORS

Authority - §§23-1-1a; 23-2-4; 23-2-9

Type - Legislative

Price - \$8.40

Effective - July 1, 2004

Section	1. General
Section	2. Purpose of Rule
Section	3. Definitions
Section	4. Self Insurance Status
Section	5. Application for Self Insurance
Section	6. Reconciliation and Settlement of Applicant's Account
Section	7. Catastrophe Reserve Election
Section	8. Commission's Review of the Application for Self-Insurance
Section	9. Security and Bond
Section	10. Self-Insured Employer's Modification of Business
Section	11. Voluntary Termination of Self-Insured Status
Section	12. Present Value Payment of Unpaid but Awarded Claims Liabilities
Section	13. Subscribing Employers Buy-Out of Liability Previously Incurred as Self-Insured Employer
Section	14. Current Status of Employers Not Affected
Section	15. Self Administration of Claims
Section	16. Payroll Reports and Premium Taxes
Section	17. Auditing, Monitoring and Inspections; Record Keeping
Section	18. Maintaining Self-Insured Status; Annual Review
Section	19. Involuntary Revocation of Self-Insurance Status
Section	20. Name and Address of Employer; Legal Notice; Publications; Employer Correspondence
Section	21. Third Party Administrators
Section	22. Administrative Protests and Hearings
Section	13. Severability

SERIES 19 - SELF INSURANCE RISK POOLS

Authority - §§23-1-1a; 23-2-4; 23-2-9(i)

Type - Legislative

Price - \$3.80

Effective - July 1, 2004

Section	1. General
Section	2. Purpose of Rule
Section	3. Definitions
Section	4. Self Insurance Pools; Establishment; Application of Funds
Section	5. Participation
Section	6. Surety Requirements
Section	7. Security Pool Funding
Section	8. Security Pool Assessments Pursuant to W. Va. Code §23-2-9(i)
Section	9. Guaranty Pool Funding
Section	10. Converting to Regular Subscriber Status or Becoming Inactive
Section	11. Severability

SERIES 20 - GUIDELINES FOR THE TREATMENT OF WORKERS' COMPENSATION INJURIES

Authority - §23-1-1a(j)(3)

Type - Legislative

Price - \$19.10

Effective - June 14, 2004

Section	1. General
Section	2. Purpose of these Rules
Section	3. Definitions
Section	4. Adoption of Standards and Acceptance of Rules
Section	5. Qualified Providers and Registration
Section	6. The Role of the Treating Physician
Section	7. Initial Reporting of Injury
Section	8. Additional Reporting Requirements
Section	9. Coverage and Billing Provisions

Section	10. Supplies
Section	11. Vision Care
Section	12. Psychiatric/Psychological Services
Section	13. Coverage Medication Checks
Section	14. Medication/Injections
Section	15. Dental Services
Section	16. Experimental Procedures
Section	17. Unusual Treatment
Section	18. Organ Transplants
Section	19. Other Non-Covered Services
Section	20. Payment for Appearance at Hearings
Section	21. Treatment of Unrelated Conditions
Section	22. Consultations
Section	23. Miscellaneous Coverage and Reimbursement Issues
Section	24. Treatment Guidelines: Post Concussion Syndrome
Section	25. Treatment Guidelines: Corneal Abrasion
Section	26. Treatment Guidelines: Corneal Foreign Body
Section	27. Treatment Guidelines: Hyphema
Section	28. Treatment Guidelines: Eyelid Laceration
Section	29. Treatment Guidelines: Canalicular Laceration
Section	30. Treatment Guidelines: Orbital Contusion
Section	31. Treatment Guidelines: Orbital Fracture
Section	32. Treatment Guidelines: Corneoscleral Lacerations
Section	33. Treatment Guidelines: Chemical Ocular Injuries
Section	34. Treatment Guidelines: Functional Capacity Evaluations and Work Hardening programs
Section	35. Treatment Guidelines: Cervical Musculoligamentous Injury (Sprain/Strain)
Section	36. Treatment Guidelines: Acute Herniated Cervical Disc
Section	37. Treatment Guidelines: Low Back Musculoligamentous Injury
Section	38. Treatment Guidelines: Herniated Lumbar Disc
Section	39. Treatment Guidelines: Lumbar Fusion
Section	40. Treatment Guidelines: Shoulder Injury Guidelines
Section	41. Treatment Guidelines: Carpal Tunnel Syndrome
Section	42. Treatment Guidelines: Injuries to the Knee
Section	43. Treatment Guidelines: Knee Sprains
Section	44. Treatment Guidelines: Meniscal Injuries
Section	45. Treatment Guidelines: Foot and Ankle Injuries
Section	46. Treatment Guidelines: Physical Medicine
Section	47. Treatment Guidelines: Protocols and Procedures for Performing Audiological Examinations and Evaluations in Workers' Compensation Claims for Noise-Induced hearing Loss
Section	48. Treatment Guidelines: Psychiatric Claims
Section	49. Treatment Guidelines: Multi-Disciplinary Pain Management
Section	50. Treatment Guidelines: Interventional Management of Chronic Pain
Section	51. Treatment Guidelines: Complex Regional Pain Syndrome
Section	52. Procedure in Occupational Pneumoconiosis Cases
Section	53. Long-Term Opioid Therapy Guideline
Section	54. Drugs with Specific Limitations
Section	55. Drugs and Medications: Actions by the Commission
Section	56. Physician's Records of Medication
Section	57. Payment for Oral Opioid Treatment for Chronic, Noncancer Pain.
Section	58. Required Authorization for Treatment of Chronic, Noncancer Pain with Opioids
Section	59. Required Documentation to be Submitted for Continued Coverage of Opioids to Treat Chronic, Noncancer Pain
Section	60. Duration Commission will Continue to Pay for Opioids to Treat Chronic, Noncancer Pain
Section	61. Denial of Payment of Opioid Medications Used to Treat Cancer, Noncancer Pain
Section	62. Payment for Nonopioid Medications for the Treatment of Chronic, Noncancer Pain; Chelation Therapy
Section	63. Expected Period of Time to Reach Maximum Medical Improvement
Section	64. Ranges of Partial Disability Awards for Common Injuries and Diseases
Section	65. Adoption of Standards
Section	66. Evidentiary Requirements
Section	67. Exceptions to the Guides
Section	68. Payment for Evaluations
Section	69. Violation and Penalties
Section	70. Severability
Tables	

SERIES 21 - RESERVED

Repealed and Replaced by 85CSR20, Effective June 14, 2004

SERIES 22 - GUIDELINES FOR PSYCHIATRIC PERMANENT IMPAIRMENT EVALUATIONS, EVIDENCE AND RATINGS OF PSYCHIATRIC IMPAIRMENT DUE TO WORKERS' COMPENSATION INJURIES

Authority - §§21A-2-6(1), (2), (14); 21A-2-19; 21A-3-7(b)3-1-1; 21A-3-7(c); 29A-3-1; Executive Order #5-94

Type - Legislative

Price - \$10.00

Effective - September 22, 1995

Section	1. General
Section	2. Purpose of These Rules
Section	3. Definitions
Section	4. Evidentiary Requirements
Section	5. Psychiatric Evaluation and Impairment Guidelines
Section	6. Psychological Examination Guidelines
Section	7. Appendices
Section	8. Severability
Appendices	

SERIES 23 - LOSS PREVENTION

Authority - §§21A-3-6(1); 21A-2-6(2); 21A-2-6(14); 21A-2-19; 21A-3-7(b) & (c); 23-2B-2; 23-2-4 & 23-1-1

Type - Legislative

Price - \$3.80

Effective - February 6, 1997

Section	1. General
Section	2. Purpose of Rule
Section	3. Definitions
Section	4. Tier One: Focus Program Employer
Section	5. Tier Two: Target Program Employer
Section	6. Tier Three Employer
Section	7. New Subscriber Employers
Section	8. General Provisions: Classification and Reclassification
Section	9. Notification
Section	10. Administrative Protests and Hearings
Section	11. Experience Modification Factors
Section	12. Forms
Section	13. Retaliation Complaint Procedure
Section	14. Severability
Table	

SERIES 24 - QUALIFIED LOSS MANAGEMENT PROGRAM

Authority - §§21A-3-6(1); 21A-2-6(2); 21A-2-6(14); 21A-2-19; 21A-3-7(b) & (c); 23-2B-2; 23-2-4 & 23-1-1

Type - Legislative

Price - \$3.80

Effective - February 6, 1997

Section	1. General
Section	2. Purpose of Rule
Section	3. Definitions
Section	4. Employer Participation; Eligibility
Section	5. Small Employer's Group Associations
Section	6. Qualifications for Loss Management Service Providers
Section	7. Assignment of Credit Factors
Section	8. Credits
Section	9. Withdrawal of Plan Approval
Section	10. Termination of Participation by Client Employer
Section	11. Notification
Section	12. Administrative Protests and Hearings
Section	13. Retaliation Complaint Procedure
Section	14. Severability

SERIES 25 - RESERVED**SERIES 26 - HEALTH CARE ADVISORY PANEL**

Authority - §§23-4-3b; 23-4-7a

Type - Legislative

Price - \$3.20

Effective - June 20, 1997

- Section 1. General
- Section 2. Definitions
- Section 3. Appointments
- Section 4. Chair; Vice Chair; Secretary
- Section 5. Meetings; Conduct of Business
- Section 6. Subpanels
- Section 7. Resignation

SERIES 27 - QUALIFIED REHABILITATION PROVIDER

Authority - §§21A-2-6(1); 21A-2-6(2); 21A-2-6(14); 21A-2-19; 21A-3-7(b); 21A-3-7(c); 23-1-1; 23-1-15

Type - Legislative

Price - \$2.80

Effective - February 17, 2003

- Section 1. General
- Section 2. Purpose of Rule
- Section 3. Definitions
- Section 4. Minimum Educational Requirements
- Section 5. Minimum Experience Requirements
- Section 6. Acceptable Employment Experience
- Section 7. Continuing Education
- Section 8. Transition Period

SERIES 28 - RULES FOR HEALTH CARE VENDOR HEARINGS

Authority - §§21A-2-6(1), -6(2)(14); 21A-2-19; 21A-3-7(b), 7(c); 23-1-1; 23-4-3; 3-4-3c

Type - Procedural

Price - \$3.40

Effective - May 5, 2003

- Section 1. General
- Section 2. Definitions
- Section 3. Overpayments: Notification and Reconsideration
- Section 4. Suspension or Termination
- Section 5. Final Decision; Petition for hearing
- Section 6. Hearings; General Provisions
- Section 7. Parties and Conduct of Hearings
- Section 8. Burden of Proof
- Section 9. Correction of the Record
- Section 10. Subpoenas
- Section 11. Hearing Officers
- Section 12. Conclusion of Hearing
- Section 13. Pending Petitions
- Section 14. Notices
- Section 15. Severability

SERIES 29 - 30 - RESERVED

SERIES 31 - EMPLOYEE LEASING

Authority - §§21A-2-6(1) & 6(2); 21A-3-7(b) & 7(c); 23-1-1; 23-2-4

Type - Legislative

Price - \$3.20

Effective - September 1, 2000

Section	1. General
Section	2. Purpose of Rule
Section	3. Definitions
Section	4. Application
Section	5. Reporting
Section	6. Classification of Risk; Loss Experience Assignment
Section	7. Notification; no Amendment or Abrogation of Employment Law or Employee Rights
Section	8. Coal-Workers' Pneumoconiosis Fund
Section	9. Severability

TITLE 102

WORKERS' COMPENSATION APPEAL BOARD

SERIES 1 - RULES OF PRACTICE AND PROCEDURE

Authority - §§21A-2-6(1), -6(2) & -6(14); 21A-2-19; 21A-3-8(b) & 7(c); 23-1-1; 23-5-11; 23-5-12

Type - Procedural

Price - \$3.20

Effective - August 23, 2002

Section	1. General
Section	2. Purpose
Section	3. Appeal Process; Generally
Section	4. Initiation of the Appeal Process
Section	5. Briefs
Section	6. Sessions of the Board and Argument Document
Section	7. Motions
Section	8. Settlements and Stipulations
Section	9. Application of Rules
Appendix	

TITLE 93

WORKERS' COMPENSATION OFFICE OF JUDGES

SERIES 1 - LITIGATION OF PROTESTS

Authority - §§23-4-8C; 23-4-15b; 23-5-8(e); 23-5-8(f)
Type - Procedural
Price - \$4.00
Effective - January 1, 2004

Section 1. General
Section 2. Index
Section 3. Litigation Process

SERIES 2 - RULES ON TIME STANDARDS' COMPENSATION OFFICE OF JUDGES

Authority - §§23-5-8; 23-5-9; 29A-1-2; 29A-3-3
Type - Procedural
Price - \$2.80
Effective - July 1, 2004

Section 1. General
Section 2. Definitions
Section 3. Implementation of Rules
Section 4. Motions
Section 5. Hearings
Section 6. Time Standards
Section 7. Issuance of Decisions
Section 8. Severability

STEP PROCEDURE FOR LEGISLATIVE RULE-MAKING

- Step 1. RECOGNITION OF NEED** - An agency recognizes the need for filing a new rule, amending an existing rule or revoking an existing rule or part of a rule. This need may be based on changes in state statute, federal statute or rule, judicial order, request by interested groups or citizens, agency investigation of a problem, etc.
- Step 2. DRAFTING** - During the process of drafting a rule an agency should seek information on content from numerous sources, i.e., staff investigations, interest groups, other state rules, other state agencies, court rulings, scientific or association publications, the agency's Attorney General representative, etc. It is during the drafting stage when many problems, interests and jurisdictional conflicts can be dealt with preventing greater problems from arising during public hearings or legislative review.
- Step 3. REVIEW OF DRAFT** - When an agency files any draft of a proposed rule with the Secretary of State and Legislative Rule-making Review Committee (LRMRC), it **MUST** have prior written approval of the Cabinet Secretary with administrative supervision over the agency. If the agency is an agency, board or commission which is not administered by a Cabinet Secretary, the agency **MUST** have prior written consent of the agency head, board or commission.
- Step 4. THE PROPOSED RULE** - The final draft of the proposed rule **MUST** follow the format established by the Secretary of State's rule 153CSR6 Standard Size and Format for Rules and Related Documents Filed in the Secretary of State's Office. The agency must include as Section 1, a GENERAL section. Within the GENERAL section there must be the following subsections - "scope", "authority", "filing date", "effective date" and if necessary a provision for "repeal of a former rule". During the time the legislative rule is proposed, the "filing date" and the "effective date" shall be blank. If the agency is amending an existing rule, the new language **MUST** be underlined and the language to be deleted **MUST** be stricken through, but clearly legible. If the agency is proposing major changes to an existing rule, the agency may decide to repeal the existing rule and replace the rule as a new rule. If so, underlining and strike-throughs are not required but a provision **MUST** be placed in the GENERAL section of the proposed rule. **This should only be done if the agency is proposing major changes to the rule.**

All copies of the rules **MUST** be filed on 8 1/2 x 11 paper, single sided or double sided, but not a combination of both. The copy of the legislative rule filed with the Secretary of State's office **MUST** be an original with page numbering and no staples.

- Step 5. PUBLIC HEARING AND/OR COMMENT PERIOD - FILING** - The agency shall file its proposed rule with the Secretary of State for Public Hearing and/or Comment Period. The following documents must be included in this order when filing:
1. One copy of the Notice of Public Hearing and/or Comment Period, forms #1 or #2, signed
 2. One copy of Approval of Filing by the Cabinet Secretary, agency head, board or commission, who administers the agency
 3. One copy of brief summary of the proposed rule
 4. One copy of statement of circumstances which require this rule
 5. One copy of the fiscal note, with name of contact person and telephone number
 6. One copy of the proposed rule with page numbering
 7. One copy of any relevant federal statutes or regulations, if applicable

The agency should decide whether it will hold a public hearing and/or a comment period for the proposed rule. The proper notice **MUST** contain the TIME, DATE AND PLACE of the public hearing and/or where the written comments may be mailed. **THE PUBLIC HEARING AND/OR COMMENT PERIOD NOTICE MUST BE FILED IN THE SECRETARY OF STATE'S OFFICE NOT LESS THAN THIRTY (30) DAYS NOR MORE THAN SIXTY (60) DAYS BEFORE THE DATE OF THE PUBLIC HEARING AND/OR THE END OF THE COMMENT PERIOD.** The notice must contain the rule title and an authorized signature for filing notice.

The agency should file one complete set of the proposed rule with the LRMRC at this time. Additional information may be requested by the committee following preliminary staff review.

Even though the Code only requires notice of Public Hearing and/or Comment Period to be filed with the Secretary

of State for inclusion in the State Register and grants to each agency discretionary publication as a Class I legal advertisement, the following other distributions are prudent:

1. Capitol News Service
2. Interested or affected state and local agencies
3. Interested or affected federal agencies
4. Interested or affected associations
5. Interested or affected individuals, legislators and the Governor's Office

5A. CONDUCT OF PUBLIC HEARING AND/OR COMMENT PERIOD - The conduct of the public hearing is under the discretion of the agency and the procedure that best ensures the receipt of comments. However, the manner in which comments are received and the conduct of the hearing should be partially determined by the needs of the agency and the information required by the Administrative Procedures Act for legislative review and State Register filing.

5B. FOLLOWING PUBLIC HEARING AND/OR COMMENT PERIOD - The agency should review all comments received to determine possible changes in the proposed rule. No comments can be reviewed and/or accepted after the close of the public hearing and/or comment period. The following actions are required to be documented and filed with the rule:

1. If a public hearing was held, a transcript of the hearing and names of all who attended
2. Comments received, both written and oral with a response to the comments
3. Amendments made to the proposed rule as a result of comments or other information received
4. Reasons for the amendments

Step 6. AGENCY APPROVAL OF PROPOSED RULE AND FILING WITH LRMRC - Again, before the agency files the agency approved rule with the Secretary of State and LRMRC, the agency **MUST** have prior written approval by the Cabinet Secretary, agency head, board or commission, who administers the agency. This must be done within ninety (90) days of the public hearing or close of comment period, or the rule will be deemed withdrawn (unless a specific exemption is granted by LRMRC).

This is a 2-step procedure. The agency MUST first file all documents with the Secretary of State's office. After properly filing with the Secretary of State's office, the agency is required to file the documents with LRMRC.

****REMEMBER THAT THIS IS A FILING OF AN AGENCY APPROVED RULE AND NOT THE FINAL FILING OF THE RULE. It is still a PROPOSED rule and must be approved by the Legislature.****

6A. FILING APPROVED RULE WITH THE SECRETARY OF STATE - Be sure to perform this step accurately and completely. The following documents MUST be filed in this order with the Secretary of State:

1. One copy of the notice of agency approval and submission to the LRMRC, form #3, signed
2. One copy of Approval of Filing by the Cabinet Secretary, agency head, board or commission, who administers the agency
3. One copy of the completed LRMRC questionnaire, with name of contact person, clearly printed, address and telephone number
4. One copy of brief summary of agency approved rule
5. One copy of statement of circumstances which require this rule
6. One copy of the fiscal note
7. One copy of the agency approved rule, with page numbering
8. One copy of all documents listed in 5B

6B. FILING WITH THE LRMRC - The following documents are required to be included when filing an agency approved rule with the LRMRC:

- a. Fifteen (15) copies of the document package filed with the Secretary of State's office in Step 6A
- b. Any other information requested by the LRMRC rules. Additional information may be requested by the committee following preliminary staff review.

Filing may be at the LRMRC staff office, located at the Main Capitol, Room MB 47, or at a LRMRC meeting.

A proposed legislative rule will be placed on the LRMRC agenda following completion of staff analysis. It is therefore necessary that a proposed rule be filed early enough for this work to be accomplished. The agency will be notified at which meeting the proposed rules will be placed on the agenda. During the course of staff analysis it may be necessary to meet with committee staff. A copy of the analysis will be sent to the agency and a written response to the analysis by the agency may be filed with the LRMRC or responses may be delivered orally before the LRMRC. When filing with the LRMRC remember that all documents must be present and complete.

****IMPORTANT: The text of the proposed rule filed with the Secretary of State and with LRMRC MUST be identical - word for word, comma for comma. Failure to ensure this fact may result in the LRMRC's authorization of a rule different from the agency approved rule in the Secretary of State's Office. The Legislature may authorize a rule that is not filed with the Secretary of State and therefore not legally in existence.****

Step 7. LRMRC REVIEW - Department heads, board chairpersons or executive secretaries should be present at all meetings at which their agency approved rules are on the agenda. Support personnel may also attend the meetings to aid the department head or board chairperson. Be prepared to:

1. Explain the need for the rule
2. Explain the general content of the rule
3. Respond to questions of the committee members
4. Respond to staff analysis, etc.

The committee review shall also include those areas enumerated in W. Va. Code §29A-3-11(b). The committee may hold a public hearing on the proposed rules, delay action until later, recommend changes to be made by the agency prior to committee action at a later meeting or take action upon the rule. After the review the committee will recommend one of the following to the Legislature:

1. Authorize the promulgation of the legislative rule, or
2. Authorize the promulgation of part of the legislative rule, or
3. Authorize the promulgation of the legislative rule with certain amendments, or
5. Recommend that the proposed rule be withdrawn.

The committee shall immediately file a notice of which action occurs in the State Register and with the agency proposing the legislative rule. When the recommendation is other than the promulgation of the proposed legislative rule, a statement of the reasons for such recommendation will be stated in the notice to be filed in the State Register and with the agency.

Step 8. COMPLYING WITH RECOMMENDATIONS OF LRMRC - In the event of LRMRC authorizes the agency to promulgate the legislative rule as originally filed, the agency is not required to file any documents with the Secretary of State's office. The committee will submit the proposed legislative rule to the Legislature in its agency approved form.

In the event the agency or the committee decides to make changes or modifications to the proposed legislative rule, the agency should consult with committee staff on the preparation of such modifications. Again, before the agency complies with the recommendations of LRMRC, the agency **MUST** have prior written approval by the Cabinet Secretary, agency head, board or commission, who administers the agency. Within 10 days of the LRMRC meeting the agency **MUST** file with the Secretary of State and LRMRC the following:

1. One copy of the Notice of Rule Modification of Proposed Rule, form #4

2. One copy of Approval of Filing by the Cabinet Secretary, agency head, board or commission, who administers the agency
3. One copy of proposed legislative rule with modifications
4. Ten copies of the document package filed with the Secretary of State's office above in 1, 2 & 3 to be filed with LRMRC

If the committee recommends that the rule be withdrawn, the agency may comply by submitting a letter stating that the proposed rule be withdrawn with proper signatures to the Secretary of State's office to be published in the State Register.

Step 9. SUBMISSION OF LEGISLATIVE RULE TO LEGISLATURE - The LRMRC drafts a Bill of Authorization including a copy of the proposed legislative rule to be introduced prior to the 20th day of the Session. A notice of the submission to the Legislature will be filed in the State Register by the LRMRC prior to the 20th day of the Session.

Step 10. LEGISLATIVE SESSION - Bills of Authorization are treated like other bills and go through the usual enactment process. The agency may contact Committee staff or this office to determine the status of any particular Bill of Authorization during the Session.

Step 11. EFFECTIVE AND FILING DATE - The effective date may be established by the Legislature or the agency following passage of the **Bill of Authorization**. In either case the agency **MUST FINAL FILE** the proposed legislative rule with the Secretary of State. Again, before the agency files the final filed rule with the Secretary of State, the agency **MUST** have prior written approval by the Cabinet Secretary, agency head, board or commission, who administers the agency. The documents required to final file the rule are:

1. One completed copy of the Notice of Final Filing and Adoption, form #6
2. One copy of Approval of Filing by the Cabinet Secretary, agency head, board or commission, who administers the agency
3. Promulgation history of the proposed rule
4. The effective date of the legislative rule, if the Legislature has not established the effective date in the **Bill of Authorization**. ****IMPORTANT**** The agency has up to 60 days following the Governor's signature of the **Bill of Authorization** to final file the legislative rule with the Secretary of State's office. The agency may set the effective date of the legislative rule up to 90 days from the date the legislative rules are final filed with the Secretary of State.
5. The agency **MUST** submit the legislative rule on a 3 1/2" disk, in a WordPerfect compatible format, to the Secretary of State's office. The disk copy **MUST** be a **CLEAN COPY**, with all underlining and strike-throughs taken out. The text of the computer filed rule **MUST** be identical - word for word, comma for comma as the hard copy authorized by the Legislature. Please state on the disk the format the rule is in and the title it is filed under.

Step 12. PROOFREADING - The final rule, as produced by the Secretary of State, shall be sent to the agency for review and proofing. The agency may have up to ten (10) working days to review the final rule and return any corrections or a statement of confirmation. Following confirmation or corrections, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records. (153CSR10.8.b).

These twelve (12) steps constitute legislative rule-making. If there is to be a deviation from these procedures, **PLEASE** contact the LRMRC staff or the Secretary of State's office for guidance on specific cases. This information is not intended to replace W. Va. Code §29A (the Administrative Procedures Act) but is to assist the agency with its compliance. The APA is the controlling document and should be consulted during the entire rule-making process.

The Secretary of State's office understands the complexity of filing legislative rules for rule-making. If at anytime a question arises, **PLEASE CALL OUR OFFICE AND WE WILL BE GLAD TO HELP.**

STEP PROCEDURE FOR INTERPRETIVE OR PROCEDURAL RULE-MAKING

Definitions of INTERPRETIVE and PROCEDURAL rule: [W. Va. Code §29A-1-2(c) & (g)]

Interpretive means every rule adopted by an agency independently of any delegation of legislative power which is intended by the agency to provide information or guidance to the public regarding the agency's interpretations, policy or opinions upon the law enforced or administered by it and which is not intended by the agency to be determinative of any issue affecting private rights, privileges or interest.

Procedural means every rule which fixes rules of procedure, practice or evidence for dealings with or proceedings before and agency, including forms prescribed by the agency.

- Step 1. RECOGNITION OF NEED** - The agency recognizes the need for filing a new rule, amending an existing rule or revoking an existing rule or part of a rule. This need may be based on changes in state statute, federal statute or rule, judicial order, request by interested groups or citizens, agency investigation of a problem, etc.
- Step 2. DRAFTING** - The agency must classify the proposed rule as either Legislative, Interpretive or Procedural rule according to W. Va. Code §29A. The agency may reclassify a Interpretive or Procedural as a Legislative rule, but a Legislative rule can not become a Interpretive or Procedural rule. During the process of drafting a rule an agency should seek information on content from numerous sources, i.e., staff investigations, interest groups, other state rules, other state agencies, court rulings, scientific or association publications, the agency's Attorney General representative, etc. It is during the drafting stage when many problems, interests and jurisdictional conflicts can be dealt with preventing greater problems from arising during public hearings or legislative review.
- Step 3. REVIEW OF DRAFT** - When an agency files any draft of a proposed rule with the Secretary of State and Legislative Rule-making Review Committee (LRMRC), it **MUST** have prior written approval of the Cabinet Secretary with administrative supervision over the agency. If the agency is an agency, board or commission which is not administered by a Cabinet Secretary, the agency **MUST** have prior written consent of the agency head, board or commission.
- Step 4. THE PROPOSED RULE** - The final draft of the proposed rule **MUST** follow the format established by the Secretary of State's rule 153CSR6 Standard Size and Format for Rules and Related Documents Filed in the Secretary of State's Office. The agency must include as Section 1, a GENERAL section. Within the GENERAL section there must be the following subsections -- "scope", "authority", "filing date", effective date" and if necessary a provision for "repeal of a former rule". During the time the rule is proposed, the "filing date" and the "effective date" shall be blank. If you are amending an existing rule, the new language **MUST** be underlined and the language to be deleted **MUST** be stricken through, but clearly legible. If the agency is proposing major changes to an existing rule, the agency may decide to repeal the existing rule and replace the rule as a new rule. If so underlining and strike-throughs are not required but a provision **MUST** be placed in the GENERAL section of the proposed rule. **This should only be done if the agency is proposing major changes to the rule.**

All copies of the rules **MUST** be filed on 8 1/2 x 11 paper, single sided or double sided, but not a combination of both. The copy of the proposed rule filed with the Secretary of State's office **MUST** be an original with page numbering and no staples.

- Step 5. PUBLIC HEARING AND/OR COMMENT PERIOD - FILING** - The agency files their proposed rule with the Secretary of State for Public Hearing and/or Comment Period. The following documents must be included in this order when filing:
1. One copy of the Notice of Public Hearing and/or Comment Period, forms #1 or #2, signed
 2. One copy of Approval of Filing by the Cabinet Secretary, agency head, board or commission, who administers the agency
 3. One copy of brief summary of the proposed rule
 4. One copy of the statement of circumstances which require this rule
 5. One copy of the fiscal note, with name of contact person and telephone number
 6. One copy of the proposed rule, with page numbering

The agency should decide whether it will hold a public hearing and/or a comment period for the proposed rule. The proper notice **MUST** contain the TIME, DATE AND PLACE of the public hearing and/or where the written comments may be mailed. **THE PUBLIC HEARING AND/OR COMMENT PERIOD NOTICE MUST BE FILED IN THE SECRETARY OF STATE'S OFFICE NOT LESS THAN THIRTY (30) DAYS NOR MORE THAN SIXTY (60) DAYS BEFORE THE DATE OF THE PUBLIC HEARING AND/OR COMMENT PERIOD.** The notice must contain the rule title and an authorized signature for filing notice.

Even though the Code only requires notice of Public Hearing and/or Comment Period to be filed with the Secretary of State for inclusion in the State Register and grants to each agency discretionary publication as a Class I legal advertisement, the following other distributions are prudent:

1. Capitol News Service
2. Interested or affected state and local agencies
3. Interested or affected federal agencies
4. Interested or affected associations
5. Interested or affected individuals, legislators and the Governor's Office

5A. CONDUCT OF PUBLIC HEARING AND/OR COMMENT PERIOD - The conduct of the public hearing is under the discretion of the agency and the procedure that best ensures the receipt of comments. However, the manner in which comments are received and the conduct of the hearing should be partially determined by the needs of the agency and the information required by the Administrative Procedures Act, W. Va. Code §29A for legislative review and State Register filing.

5B. FOLLOWING PUBLIC HEARING AND/OR COMMENT PERIOD The agency should review all comments received to determine possible changes in the proposed rule. No comments can be reviewed and/or accepted after the close of the public hearing and/or comment period. The following actions are required to be documented and filed with the rule:

1. If a public hearing was held, a transcript of the hearing and names of all who attended
2. Comments received, both written and oral with a response to comments
3. Amendments made to the proposed rule as a result of comments or other information received
4. Reasons for the amendments

Step 6. AGENCY ADOPTION OF PROPOSED RULE - Again, before the agency files the agency adopted rule with the Secretary of State, the agency **MUST** have prior written approval by the Cabinet Secretary, agency head, board or commission, who administers the agency. This must be done within six months of the public hearing or close of comment period, or the rule will be deemed withdrawn.

****AMENDMENTS TO THE RULE AFTER HEARING DO NOT REQUIRE AN ADDITIONAL HEARING BUT CANNOT CHANGE THE MAIN PURPOSE OF THE RULE.****

6A. FILING ADOPTED RULE WITH THE SECRETARY OF STATE - This is an extremely important and frequently omitted step. Be sure to perform this step accurately and completely. The following documents **MUST** be filed with the Secretary of State in this order:

1. One copy of the notice of agency adoption, form #5, signed
2. One copy of Approval of Filing by the Cabinet Secretary, agency head, board or commission, who administers the agency
3. One copy of the agency adopted rule, with page numbering
4. One copy of the documents listed in Step 5B
5. The agency **MUST** submit the procedural or interpretive rule on a 3 1/2" disk, in a WordPerfect compatible format, to the Secretary of State's office. The disk copy **MUST** be a **CLEAN COPY**, with all underlining and strike-throughs taken out. The text of the computer filed rule **MUST** be identical - word for word, comma for comma as the hard copy. Please state on the disk the format the rule is in and the title it is filed under.

Remember to include the **effective date** of the rule. This can be established by the agency or the effective date

will be thirty (30) days after filing, whichever date is later. The agency MUST adopt or withdraw the rule within six (6) months after the close of public comment and/or comment period or the rule will be deemed withdrawn.

Step 7. PROOFREADING - The final rule as produced by the Secretary of State shall be sent to the agency for review and proofing. The agency may have up to ten (10) working days to review the final rule and return any corrections or a statement of confirmation. Following confirmation or corrections, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records. (153CSR10-8.b)

These are the seven (7) steps for adoption of an Interpretive or Procedural rule. They are quite similar to the steps for Legislative rules. Consult W. Va. Code §29A, the Administrative Procedures Act for guidance as to whether the agency's proposal falls within the definition of an interpretive or procedural rule and not within the definition of a legislative rule. Simply calling a rule interpretive or procedural does not make it so. The content and effect of the rule dictates its type, not the mere label.

AGAIN, IF THE AGENCY IS IN DOUBT OR HAS ANY QUESTIONS - PLEASE CALL THE SECRETARY OF STATE'S OFFICE!!!!

STEP PROCEDURE FOR EMERGENCY RULE MAKING

ONLY Legislative rules can be filed as an Emergency rule NOT Interpretive or Procedural rules. Emergency rules remain valid up to fifteen (15) months from filing.

Step 1. RECOGNITION OF NEED - Same as a Legislative Rule

Step 2. DRAFTING - Same as a Legislative Rule

Step 3. REVIEW OF DRAFT - Same as a Legislative Rule

Step 4. THE PROPOSED EMERGENCY RULE - Same as a Legislative Rule

Step 5. FILING AN AGENCY ADOPTED EMERGENCY RULE - Again, before the agency files the agency adopted emergency rule with the Secretary of State and LRMRC, the agency **MUST** have prior written approval by the Cabinet Secretary, agency head, board or commission, who administers the agency. The following documents **MUST** be filed in this order with the Secretary of State's office:

1. Fourteen (14) copies of Notice of an Emergency rule, form #7
2. Fourteen (14) copies of Approval of Filing by the Cabinet Secretary, agency head, board or commission, who administers the agency
3. Fourteen (14) copies of LRMRC Emergency Rule Questionnaire with the name of the contact person and telephone number clearly printed..
4. Fourteen (14) copies of brief summary of the proposed Emergency rule, with statement of circumstances constituting the emergency.
5. Fourteen (14) copies of Fiscal Note.
6. Fourteen (14) copies of the proposed Emergency rule with page numbering with new language underlined and with language to be deleted from any existing rule stricken through but clearly legible

Be specific about the facts and circumstances constituting the emergency and cite the appropriate and applicable necessity enumerated in W. Va. Code §29A-3-15(f).

IMPORTANT - The agency **MUST** file a notice for a public hearing and/or comment period with the Secretary of State's office **WITHIN** thirty (30) days of the date the emergency rule was filed. If the agency fails to do this, the emergency rule **WILL EXPIRE** on the thirty-first (31st) day.

The Secretary of State's office is required by law (W. Va. Code §29A-3-15) to review all emergency rules to determine:

1. That the scope of statutory authority has not been exceeded
2. Whether there exists a justified emergency
3. Whether the agency complied with these procedures

The Secretary of State has forty-two (42) days from the date the rule is filed as an emergency to make the above determination. The Secretary of State may disapprove an emergency rule for any of the reasons listed above. This decision is appealable to the Supreme Court of Appeals. The Secretary of State may solicit additional information, conduct a public hearing, meet with the agency or take other actions to acquire information needed to reach a decision to approve or disapprove an emergency rule.

The Secretary of State strongly urges agencies to at least conduct a public hearing and/or comment period on proposed rule before considering filing proposed rule as an emergency.

NOTE: An Emergency Rule will become effective upon the approval of the Secretary of State or upon the forty-second (42nd) day following filing, whichever occurs first. (W. Va. Code §29A-3-15).

Step 6. FILING WITH LRMRC - The filing of an agency adopted emergency rule requires the following documents to be filed with the LRMRC:

1. One copy of the documents filed with the Secretary in Step 5 above

Step 7. LRMRC REVIEW - The LRMRC may review the emergency rule to determine:

1. That the scope of statutory authority has not been exceeded
2. Whether there exists a justified emergency
3. Whether the agency complied with these procedures

The LRMRC may recommend to the agency, the Legislature or the Secretary of State such actions as it may deem proper.

The agency MUST, as part of the legislative rule making procedure, file the agency approved rule with the LRMRC. If the agency fails to file the agency approved rule with the Secretary of State and the LRMRC within ninety (90) days from the date the emergency rule was filed, the rule WILL EXPIRE on the ninety-first (91st) day.

****Remember** the filing of the emergency rule with the LRMRC (Step 6 above) is separate from the filing of the agency approved rule with the LRMRC (Step 6 of the Legislative rule-making procedure). **** DO NOT** confuse the two SEPARATE steps below:

- a. The filing of an emergency rule
- b. The filing of an agency approved rule to go through the legislative rule-making procedure.

****IMPORTANT** If an emergency rule expires due to the agency's failure to follow Steps 5, 6 & 7, the emergency rule cannot be revived by ANY method.**

Step 8. AMENDMENTS TO AN EMERGENCY RULE - if the agency wishes to amend an emergency rule the agency **MUST** have prior written approval by the Cabinet Secretary, agency head, board or commission, who administers the agency before filing with the Secretary of State and LRMRC. The agency MUST file with the Secretary of State the following:

1. Fourteen (14) copies of the Notice of an Emergency Amendment to an Emergency rule, form # 8, signed
2. Fourteen (14) copies of all documents in Step 5 above, with amendments
3. The agency is required to submit One copy of all documents filed above to the LRMRC

NOTE: The emergency amendment will become effective upon the approval of the Secretary of State or upon the forty-second (42nd) day following filing of the amendment, whichever occurs first. The amendment will be included into the original emergency rule BUT this does not gain the agency additional time or relieve you from Steps 6 or 7.

****REMEMBER** - The Emergency rule and/or the Emergency rule amendment will remain in effect for a TOTAL of fifteen (15) months, or until the Legislative rule goes into effect.

ONCE AGAIN IF THE AGENCY HAS ANY QUESTIONS ABOUT THE EMERGENCY RULE PROCESS - PLEASE CALL THE SECRETARY OF STATE'S OFFICE.

OCCUPATIONAL LICENSING

Title	1	State Board of Accountancy
Title	2	West Virginia Board of Architects
Title	3	State Board of Barbers and Cosmetologists
Title	4	West Virginia Board of Chiropractic Examiners
Title	5	West Virginia Board of Dental Examiners
Title	6	West Virginia Board of Embalmers and Funeral Directors
Title	7	State Board of Registration for Professional Engineers
Title	8	West Virginia Board of Hearing Aid Dealers
Title	9	West Virginia Board of Landscape Architects
Title	10	West Virginia State Board of Examiners for Licensed Practical Nurses
Title	11	West Virginia Board of Medicine
Title	12	West Virginia Nursing Home Licensing Advisory Council
Title	13	West Virginia Board of Occupational Therapy
Title	14	West Virginia Board of Optometry
Title	15	State Board of Pharmacy
Title	16	West Virginia Board of Physical Therapy
Title	17	State Board of Examiners of Psychologists
Title	18	West Virginia Radiologic Technology Board of Examiners
Title	19	West Virginia Board of Examiners for Registered Professional Nurses
Title	20	Board of Registration for Sanitarians
Title	21	West Virginia Nursing Home Administrators Licensing Board
Title	22	Division of Foresters
Title	23	State Board of Land Surveyors
Title	24	West Virginia Board of Osteopathy
Title	25	Board of Social Work Examiners
Title	26	West Virginia Board of Veterinary Medicine
Title	27	Board of Examiners in Counseling
Title	28	West Virginia Contractor's Licensing Board
Title	29	West Virginia Board of Examiners for Speech-Language Pathology and Audiology
Title	30	West Virginia Board of Respiratory Care
Title	31	West Virginia Board of Licensure for Dietitians
Title	32	West Virginia Board of Acupuncture

ENVIRONMENTAL PROTECTION

Title	33	Office of Waste Management
Title	34	Coal Bed Methane Review Board
Title	35	Office of Oil & Gas
Title	36	Board of Coal Mine Health and Safety
Title	37	Mine Board of Appeals
Title	38	Mining & Reclamation
Title	39	West Virginia Oil and Gas Conservation Commission
Title	40	Oil and Gas Inspectors Examining Board
Title	41	Mine Inspectors Examining Board
Title	42	West Virginia Department of Labor
Title	43	Minimum Wage Rate Board
Title	44	Water Development Authority
Title	45	Office of Air Quality
Title	46	Office of Environmental Quality Board
Title	47	Office of Water Resources
Title	48	Miner Training, Education and Certification Board
Title	49	Surface Mining Board
Title	50	Shallow Gas Well Review Board
Title	51	Labor-Management Relations Board
Title	52	Air Quality Board
Title	53	Public Energy Authority
Title	54	Solid Waste Management Board
Title	55	State Emergency Response Commission
Title	56	Office of Miners' Health, Safety & Training
Title	57	Commercial Hazardous Waste Management Facility Siting Board
Title	58	Natural Resources
Title	59	Office of Abandoned Mine Lands
Title	60	Environmental Protection - Director's Office

AGRICULTURE - HEALTH

Title	61	Department of Agriculture
Title	62	Beef Industry Self-Improvement Assessment Board
Title	63	Soil Conservation Commission
Title	64	West Virginia State Board of Health
Title	65	Health Care Cost Review Authority
Title	66	Reserved
Title	67	Farm Management Commission
Title	68	Reserved
Title	69	Health and Human Resources
Title	70	WV Cancer Advisory Committee
Title	71	WV Primary Care Support Program Advisory Board
Title	72	Catastrophic Illness Commission
Title	73	Reserved
Title	74	Reserved
Title	75	Reserved

SOCIAL AND HUMAN SERVICES

Title	76	West Virginia Commission on Aging
Title	77	West Virginia Human Rights Commission
Title	78	Department of Human Services
Title	79	Commission on Children and Youth
Title	80	Commission on Drunk Driving Prevention
Title	81	West Virginia State Police
Title	82	Department of Culture and History
Title	83	Department of Employment Security
Title	84	Employment Security Board of Review
Title	85	Workers' Compensation Fund
Title	86	West Virginia Department of Veterans' Affairs
Title	87	State Fire Commissioner
Title	88	West Virginia Housing Development Fund
Title	89	West Virginia Public Legal Services Council
Title	90	Department of Corrections
Title	91	Department of Motor Vehicles
Title	92	Board of Probation and Parole
Title	93	Workers' Compensation Office of Judges
Title	94	Regional Jail and Prison Authority
Title	95	Jail and Prisons Standards Commission
Title	96	Bureau of Employment Programs
Title	97	Child Support Enforcement Division
Title	98	Women's Commission
Title	99	Division of Protective Services
Title	100	Records Management and Preservation Board
Title	101	West Virginia Juvenile Facilities Standards Commission
Title	102	Workers' Compensation Appeal Board
Title	103	West Virginia Fire Marshal
Title	104	Reserved
Title	105	Reserved

INSURANCE AND FINANCE

Title	106	Commissioner on Banking
Title	107	West Virginia Board of Banking and Financial Institutions
Title	108	West Virginia Lending and Credit Rate Board
Title	109	West Virginia Municipal Bond Commission
Title	110	State Tax Department
Title	111	Commissioner of Securities
Title	112	State Treasurer
Title	113	Reserved
Title	114	Insurance Commissioner
Title	115	State Board of Risk and Insurance Management

INSURANCE AND FINANCE, CONT'D.

Title 116	Hospital Finance Authority
Title 117	Economic Development Authority
Title 118	Prepaid Tuition Trust Fund Board of Trustees
Title 119	West Virginia Department of Tax and Revenue
Title 120	West Virginia Economic Development Grant Committee
Title 121	Office of Tax Appeals
Title 122	Reserved
Title 123	Reserved
Title 124	Reserved
Title 125	Reserved

EDUCATION

Title 126	Department of Education
Title 127	Secondary Schools Activities Commission
Title 128	Board of Trustees
Title 129	State Board of Vocational Education
Title 130	Division of Vocational Rehabilitation
Title 131	Board of Directors
Title 132	West Virginia Commission for Vocational-Technical-Occupational Education
Title 133	Higher Education Policy Commission
Title 134	Board of the Promise Scholarship Program
Title 135	West Virginia Council for Community and Technical College Education
Title 136	Reserved
Title 137	Reserved
Title 138	Reserved
Title 139	Reserved
Title 140	Reserved

GOVERNMENT

Title 141	The Adjutant General
Title 142	Attorney General
Title 143	Division of Personnel
Title 144	Tourism Commission
Title 145	West Virginia Development Office
Title 146	State Elections Commission
Title 147	Employee Suggestion Award Board
Title 148	Administration
Title 149	Governor's Committee on Crime, Delinquency and Corrections
Title 150	Public Service Commission
Title 151	West Virginia Public Employees Insurance Board
Title 152	Reserved
Title 153	Secretary of State
Title 154	Reserved
Title 155	Auditor
Title 156	Educational and State Employees Grievance Board
Title 157	Department of Highways
Title 158	Ethics Commission
Title 159	State Building Commission
Title 160	Court of Claims
Title 161	Information Services and Communications Division
Title 162	Consolidated Public Retirement Board
Title 163	Reserved
Title 164	School Building Authority of West Virginia
Title 165	Council for Community and Economic Development
Title 166	WV Public Port Authority
Title 167	Infrastructure and Jobs Development Council Funding Rules
Title 168	West Virginia Prosecuting Attorney's Institute
Title 169	West Virginia Statewide Addressing and Mapping Board
Title 170	Reserved

MISCELLANEOUS COMMISSIONS

Title 171	State Aeronautics Commission
Title 172	State Rail Authority
Title 173	West Virginia Library Commission
Title 174	Real Estate Commission
Title 175	Alcohol Beverage Control Commission
Title 176	Alcohol Beverage Control Commission - Beer
Title 177	Athletic Commission
Title 178	West Virginia Racing Commission
Title 179	Lottery Commission
Title 180	Archives and History Commission
Title 181	Blennerhassett Historical Park Commission
Title 182	Commercial Whitewater Advisory Board
Title 183	Reserved
Title 184	Parkways, Economic Development and Tourism Authority
Title 185	Public Transportation
Title 186	Purchase of Commodities & Services from the Handicapped, Governor's Comm. for
Title 187	Reserved
Title 188	Capitol Building Commission
Title 189	Property Valuation Training and Procedures Commission
Title 190	WV Real Estate Appraiser Licensing & Certification Board
Title 191	Family Protection Board
Title 192	West Virginia Commission for the Hearing Impaired
Title 193	West Virginia Technology Related Assistance Revolving Fund for Individuals with Disabilities
Title 194	West Virginia Massage Therapy Licensure Board
Title 195	West Virginia Educational Broadcasting Authority
Title 196	West Virginia Diesel Commission
Title 197	West Virginia Traumatic Brain and Spinal Cord Injury Rehabilitation Fund Board
Title 198	Ron Yost Personal Assistance Service Act Board
Title 199	Office of Explosives and Blasting
Title 200	State Board of Registration for Foresters
Title 201	West Virginia Design-Build Board
Title 202	Retail Liquor Licensing Board
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