

FILED

2023 JUN 27 P 2:04

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Registered Nurses WV Board of ("WV Board of Registered Nurses"? Or missing the end?)

RULE: 19-12 – Fees for Services Rendered by The Board

STATUTORY AUTHORITY: 30-7-4, 30-7-8a, 30-1-4

DATE FILED AS AN EMERGENCY RULE: 5/31/2023 – 10:21 AM

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


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

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

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

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

Additional notes or comments (if any): Emergency rule simply adds a fee within its authority in W. Va. Code §30-7-4(a)(4) that was mistakenly excluded from legislative rule amendment in 2023. Without the emergency rule, the Board is without authority to institute the long-standing fee for initial applicants.


Donald Kersey, General Counsel
WV Secretary of State's Office