WEST VIRGINIA DEPARTMENT OF HUMAN SERVICES

STATE OF WEST VIRGINIA
DEPARTMENT OF HUMAN SERVICES

Carl Ayers, MSW
Cabinet Secretary

October 7, 2026

Kris Warner
West Virginia Secretary of State
State Capitol Building
Charleston, WV 25305

**(via e-filing through Secretary of State's website)**

**Re: Withdraw of Proposed Rule 191 CSR 3**

Secretary of State Warner:

The Department of Human Services desires to withdraw the proposed rule 191 CSR 3. The agency approved version of the rule, 191 CSR 3, is currently before the Legislative Rule-making Review Committee.

The initial reasoning for filing this proposed rule was to amend 191 CSR 3 to be more compliant with W. Va. Code § 48-26-403, as amended by HB 5466 passed during the 2026 Regular Session. HB 5466 amended the Board's enabling statute to allow licensed abuse intervention programs to offer "live, synchronous virtual classes." The proposed rule adds language to 191 CSR 3 that is specific to virtual classes.

However, the Family Protection Services Board, the state entity charged with promulgating such rules, has brought a number of concerns to the Department's attention regarding the current version of the rule. The concerns are substantial and reasonable in nature and present the question of whether the proposed rule is in accordance with W. Va. Code § 48-26-403(a) given the Board's concerns with the current version of the proposed rule.

Accordingly, the Department requests that the rule be withdrawn so that the Board's feedback and overall vision with respect to virtual abuse intervention classes can be fully incorporated in a future proposed rule.

Sincerely,

*/s/ Daron A. Light*

Daron A. Light
Deputy General Counsel