

John D. Rockefeller IV
Governor



L. Clark Hansbarger, M.D.
Director

State of West Virginia

DEPARTMENT OF HEALTH
CHARLESTON 25305

NOTICE OF PUBLIC HEARING

Pursuant to Section five, Article three, Chapter twenty-nine-A of the Code of West Virginia, one thousand nine hundred thirty-one, as amended, the West Virginia Department of Health shall convene a public hearing at 1:00 p.m. on Monday, September 19, 1983, in the P & G Building, Room 11, 2019 Washington Street, East, Charleston, West Virginia 25305 for the purpose of taking evidence pertaining to the filing of proposed procedural rule Procedures for Recovery of Corneal Tissue for Transplant, Chapter 16-19, Series I (1983).

Any citizen or other interested party may appear in person to present evidence. Any citizen or other interested party may submit written evidence to the Regulatory Services Program of the West Virginia Department of Health by mail to 1800 Washington Street, East, Charleston, West Virginia 25305 or in person at Room 10, P & G Building, 2019 Washington Street, East, Charleston, West Virginia 25305 not later than Monday, September 19, 1983 at 4:30 p.m. The Department request that parties wishing to comment make an effort to submit written copies of their comments in order to facilitate review of said comments.

The issues to be heard shall be limited to the actual information contained in the proposed and abovementioned regulations. Copies of the regulations may be obtained from the Regulatory Services Program, address heretofore appearing or by telephoning 304-348-0050.

A handwritten signature in cursive script, appearing to read "L. Clark Hansbarger".

L. Clark Hansbarger, M.D.
Director

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE AW 9.19.1983
Administrative Law Division

Entered

FISCAL NOTE FOR PROPOSED RULES

Rule No. Chapter 16-19, Series (1983) Subject Procedures for Recovery of Corneal Tissue for Transplant

Type of Rule: Legislative Interpretive Procedural

Agency Health Department Address 1800 Washington Street, East
Charleston, WV 25305

Authorized Representative L. Clark Hansbarger, M.D. Phone 348-2971

| 1. Effect of Proposed Rule | ANNUAL | | FISCAL YEAR | | |
|----------------------------|----------|----------|-------------|------|------------|
| | Increase | Decrease | Current | Next | Thereafter |
| Estimated Total Cost | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| Personal Services | | | | | |
| Current Expense | | | | | |
| Repairs and Alterations | | | | | |
| Equipment | | | | | |
| Others | | | | | |

2. Explanation of above estimates.

No expense

FILED IN THE OFFICE OF
A. JAMES MANCHIN
 SECRETARY OF STATE

THIS DATE Aug. 19, 1983
 Administrative Law Division

3. Date July 15, 1983 Agency Health Department

Signature of Agency Head

L. Clark Hansbarger

Signature of Authorized Representative

STATEMENT OF ECONOMIC IMPACT OF PROPOSED RULES OR REGULATIONS

Agency Health Department

Rule No. Chapter 16-19, Series I (1983)

Procedures for Recovery of
Subject Corneal Tissue for Transplant

1. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

-0-

B. Economic Impact on Political Subdivisions; Specific Industries;
Specific groups of citizens.

The West Virginia Medical Eye Bank will utilize funds for removal of tissue, storage and disbursement. These persons awaiting suitable corneas will save expenses attributed to present delay of tissue transplants available.

C. Economic Impact on Citizens/Public at Large.

Savings in Health Care associated with patients currently maintained as recipients of tissues.

Date July 16, 1983 Agency Health Department

Signature of Agency Head

Signature of Authorized Representative

(PROPOSED)
WEST VIRGINIA PROCEDURAL RULES
BOARD OF HEALTH

Chapter 16-19
Series I
(1983)

Procedures for Recovery of Corneal Tissue
for Transplant

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 8/19/83
Administrative Law Division

June 14, 1983

WEST VIRGINIA PROCEDURAL RULES
BOARD OF HEALTH

Procedures for Recovery of Corneal Tissue for Transplant

Chapter 16-19
Series I
(1983)

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WEST VIRGINIA PROCEDURAL RULES
BOARD OF HEALTH

Chapter 16-19
Series I
(1983)

Subject: Procedures for Recovery of Corneal Tissue for Transplant

Section 1. General

1.1. Scope - These procedural rules are issued to establish the corneal tissue recovery program under the authority of the chief medical examiners office.

1.2. Authority - These procedural rules are issued under the authority of and are related to Chapter 16, Article 19, Section 3a of the West Virginia Code of 1931, as amended.

1.3. Filing Date - These procedural rules were promulgated on the _____ day of _____ 1983, and were filed on the _____ day of _____ 1983, in the Secretary of State's office.

1.4. Effective Date - These procedural rules became effective on the _____ day of _____, 1983.

Section 2. Application and Enforcement

2.1. Application - These procedural rules shall apply to the chief medical examiner's office and any technician utilized in the removal of corneas under the conditions and authority of Chapter 16, Article 19 of the West Virginia Code of 1931, as amended.

2.2. Enforcement - The enforcement of these procedural rules is vested with the director of the West Virginia department of health or his lawful designee.

Section 3. Training and Registration of Technicians

3.1. Any technician utilized in the removal of corneas must be registered with the chief medical examiner.

3.2. Registration shall be authorized for only those persons who have been trained for the procedure by the International Medical Eye Bank, Inc., or by an equivalent training program approved in writing by the chief medical examiner.

3.3. Donor cornea retrieval shall only be performed upon medical examiner cases which require autopsy examination.

Section 4. Procedures - The procedures utilized for the treatment, storage and eventual disposition of the corneal tissue will be in accordance with current medical standards pertaining to such tissue removal utilized by the Medical Eye Bank of West Virginia.

Section 5. Severability - If any provisions of these rules or the application thereof to any person or circumstance shall be held invalid, such invalidity thereof shall not affect the provisions or application of these rules which can be given effect without the invalid provisions or application, and to this end the provisions of these rules are declared to be severable.

John D. Rockefeller IV
Governor



L. Clark Hansbarger, M.D.
Director

State of West Virginia

DEPARTMENT OF HEALTH
CHARLESTON 25305

NOTICE OF PUBLIC HEARING

Pursuant to Section five, Article three, Chapter twenty-nine-A of the Code of West Virginia, one thousand nine hundred thirty-one, as amended, the West Virginia Department of Health shall convene a public hearing at 9:00 a.m. on December 6, 1983, in the first floor Conference Room 14 of the P & G Building, 2019 Washington Street, East, Charleston, West Virginia for the purpose of taking evidence pertaining to the filing of proposed legislative rule, Procedures for Recovery of Corneal Tissue for Transplant, West Virginia Board of Health Legislative Rules, Chapter 16 - 19, Series I (1984). This rule was previously offered for public hearing on September 19, 1983 as a procedural rule. This hearing shall consider changing the rule designation from procedural to legislative.

Any citizen or other interested party may appear in person to present evidence. Any citizen or other interested party may submit written evidence to the Regulatory Services Program of the West Virginia Department of Health, by mail to 1800 Washington Street, East, Charleston, West Virginia 25305 or in person at Room 7, second floor, P & G Building, 2019 Washington Street, East, Charleston, West Virginia 25305 not later than 4:30 p.m., December 6, 1983. All comments, written and oral, will be made part of the public record of comments received and will be considered as a part of the public hearing. The Department requests that parties wishing to comment make an effort to submit written copies of their comments in order to facilitate review of the comments.

The issues to be heard shall be limited to the actual information contained in the proposed and abovementioned regulations. Copies of the regulations may be obtained from the address heretofore appearing or by telephoning 304-348-0534 or from the Office of the Secretary of State, Capitol Complex, Charleston, West Virginia 25305, telephone 304-345-4000.

A handwritten signature in cursive script, appearing to read "L. Clark Hansbarger".

L. Clark Hansbarger, M. D.
Director of Health

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE NOV. 4, 1983

Administrative Law Division

Entered

OFFICE OF THE DIRECTOR
CHARLESTON, WEST VIRGINIA 25305

FISCAL NOTE FOR PROPOSED RULES

Rule No. Chapter 16-19, Series I Subject Procedures for Recovery of Corneal Tissue for Transplant

Type of Rule: ⁽¹⁹⁸⁴⁾ Legislative Interpretive Procedural

Agency Health Department Address 1800 Washington Stree, East, Charleston, WV 25305

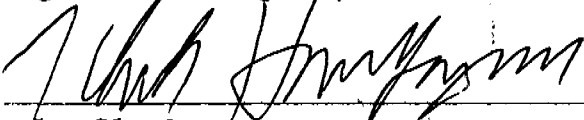
Authorized Representative L. Clark Hansbarger, M.D. Phone 348-2971

| 1. Effect of Proposed Rule | ANNUAL | | FISCAL YEAR | | |
|----------------------------|----------|----------|-------------|------|------------|
| | Increase | Decrease | Current | Next | Thereafter |
| Estimated Total Cost | \$ | \$ | \$ 0 | \$ 0 | \$ 0 |
| Personal Services | | | | | |
| Current Expense | | | | | |
| Repairs and Alterations | | | | | |
| Equipment | | | | | |
| Others | | | | | |

2. Explanation of above estimates.
No expense


3. Date November 2, 1983 Agency Health Department

Signature of Agency Head



L. Clark Hansbarger, M.D.
Director

Signature of Authorized Representative



FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 11/4/83
Administrative Law Division

FISCAL NOTE FOR PROPOSED RULES

Rule No. Chapter 16-19, Series I Subject Procedures for Recovery of Corneal Tissue for Transplant

Type of Rule: ⁽¹⁹⁸⁴⁾ ~~XXX~~ Legislative Interpretive Procedural

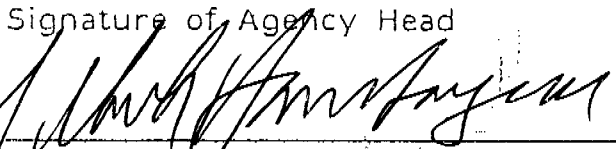
Agency Health Department Address 1800 Washington Stree, East, Charleston, WV 25305

Authorized Representative L. Clark Hansbarger, M.D. Phone 348-2971

| 1. Effect of Proposed Rule | ANNUAL | | FISCAL YEAR | | |
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2. Explanation of above estimates.
No expense

3. Date November 2, 1983 Agency Health Department

Signature of Agency Head

L. Clark Hansbarger, M.D.
Director

Signature of Authorized Representative

(PROPOSED)
WEST VIRGINIA PROCEDURAL RULES
BOARD OF HEALTH

Chapter 16-19
Series I
(1984)

Procedures for Recovery of Corneal Tissue
for Transplant

For Public Hearing
December 6, 1983

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 11/4/83
Administrative Law Division

WEST VIRGINIA LEGISLATIVE RULES
BOARD OF HEALTH

Procedures for Recovery of Corneal Tissue for Transplant

Chapter 16-19
Series I
(1984)

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WEST VIRGINIA LEGISLATIVE RULES
BOARD OF HEALTH

Chapter 16-19
Series I
(1984)

FILLED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 11/4/83
Administrative Law Division

Subject: Procedures for Recovery of Corneal Tissue for Transplant

Section 1. General

1.1. Scope - These legislative rules are issued to establish the corneal tissue recovery program under the authority of the chief medical examiners office.

1.2. Authority - These legislative rules are issued under the authority of and are related to Chapter 16, Article 19, Section 3a of the West Virginia Code of 1931, as amended.

1.3. Filing Date - These legislative rules were promulgated on the ___ day of _____, 1983, and were filed on the ___ day of _____, 1983, in the Secretary of State's office.

1.4. Effective Date - These legislative rules became effective on the ___ day of _____, 1983.

Section 2. Application and Enforcement

2.1. Application - These legislative rules shall apply to the chief medical examiner's office and any technician utilized in the removal of corneas under the conditions and authority of Chapter 16, Article 19 of the West Virginia Code of 1931, as amended.

2.2. Enforcement - The enforcement of these legislative rules is vested with the director of the West Virginia department of health or his lawful designee.

Section 3. Training and Registration of Technicians

3.1. Any technician utilized in the removal of corneas must be registered with the chief medical examiner.

3.2. Registration shall be authorized for only those persons who have been trained for the procedure by the International Medical Eye Bank, Inc. or by an equivalent training program approved in writing by the chief medical examiner.

3.3. Donor cornea retrieval shall only be performed upon medical examiner cases which require autopsy examination.

Section 4. Procedures - The procedures utilized for the treatment, storage and eventual disposition of the corneal tissue will be in accordance with current medical standards pertaining to such tissue removal.

Section 5. Severability - If any provisions of these rules or the application thereof to any person or circumstance shall be held invalid, such invalidity thereof shall not affect the provisions or application of these rules which can be given effect without the invalid provisions or application, and to this end the provisions of these rules are declared to be severable.