

**WEST VIRGINIA  
SECRETARY OF STATE  
KEN HECHLER  
ADMINISTRATIVE LAW DIVISION**

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**FILED**

MAR 28 11 52 AM '00

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**EXPIRATION OF FILING OF LEGISLATIVE RULE**

AGENCY: Division of Health TITLE NUMBER: 64

SERIES NUMBER OF RULE: 14

TITLE OF RULE: Personal Care Homes

THE ABOVE RULE EXPIRED March 10, 2000 FAILED TO THE PASS THE  
2000 LEGISLATURE OR DISALLOWED IN HB 4250

  
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DIRECTOR, ADMINISTRATIVE LAW DIVISION

8 relating to the division of health (behavioral health centers  
9 licensure, 64 CSR 11), is authorized.

10 (b) The legislative rule filed in the state register on the sixth  
11 day of August, one thousand nine hundred ninety-nine, autho-  
12 rized under the authority of section five, article five-d, chapter  
13 sixteen, of this code, modified by the division of health to meet  
14 the objections of the legislative rule-making review committee  
15 and refiled in the state register on the twenty-second day of  
16 October, one thousand nine hundred ninety-nine, relating to the  
17 division of health (personal care homes, 64 CSR 14), is  
18 disapproved and not authorized for promulgation.

19 (c) The legislative rule filed in the state register on the  
20 fourth day of August, one thousand nine hundred ninety-nine,  
21 authorized under the authority of section seven, article one,  
22 chapter sixteen, of this code, modified by the division of health  
23 to meet the objections of the legislative rule-making review  
24 committee and refiled in the state register on the twentieth day  
25 of January, two thousand, relating to the division of health  
26 (food establishments, 64 CSR 17), is authorized with the  
27 following amendments:

28 "On page one, section 2.1.a., at the end of the sentence, by  
29 inserting the words 'and the definition of "whole-muscle, intact  
30 beef" in subparagraph 1-201.10(B)(94)';

31 On page two, section 2.1.b., after the words 'Chapter 2' by  
32 inserting a comma and the words "except for paragraph 2-  
33 103.11(H), Persons In Charge;"

34 On page two, section 2.1.c. after the word "paragraphs" by  
35 inserting "3-201.11(E), Compliance With Food Law,";

36 On page two, section 2.1.c. after the words " 3-  
37 401.11(D)(2)" by striking out the words "Cooking of";



**WEST VIRGINIA LEGISLATURE**  
**Legislative Rule-Making Review Committee**

*State Capitol - Room MB-49*  
*Charleston, West Virginia 25305*  
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*Senator Mike Ross, Co-Chairman*  
*Delegate Mark Hunt, Co-Chairman*  
*Debra A. Graham, Counsel*

*Joseph A. Altizer, Associate Counsel*  
*Rita Pauley, Associate Counsel*  
*Teri Anderson, Administrative Assistant*

October 18, 1999

NOTICE OF ACTION TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Ken Hechler, Secretary of State, State Register

TO: John M. Wilkinson  
Health & Human Resources  
Capitol Complex  
Building 3, Room 550

FROM: Legislative Rule-Making Review Committee

Proposed Rule: **Personal Care Homes, 64CSR14**

The Legislative Rule-Making Review Committee recommends that the West Virginia Legislature:

1. Authorize the agency to promulgate the Legislative Rule
  - (a) as originally filed
  - (b) as modified by the agency

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2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached.
 

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3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached.
 

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4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached.
 

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5. Recommends that the rule be withdrawn; a statement of reasons for such recommendation is attached.
 

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