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WEST VIRGINIA LEGISLATURE 2011 JAN 11 PM 4:24
Legislative Rule-Making Review Committee

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Delegate Bonnie Brown, Cochair
Debra A. Graham, Chief Counsel
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OFFICE OF THE SECRETARY OF STATE
Rita A. Pauley, Associate Counsel
Brian Skinner, Associate Counsel
Charles Roskovensky, Associate Counsel
Jay Lazell, Associate Counsel

January 10, 2011

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register
TO: Craig Richards
WV Department of Health and Human Resources
350 Capitol Street
Room 350
Charleston, WV 25301

FROM: Legislative Rule-Making Review Committee

Proposed Rule: Sex Offender Treatment Program Certification, 64CSR87

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 _____
2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached. _____
3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
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. _____
5. Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached. X

DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Sex Offender Treatment Program Certification
64CSR87

STATEMENT OF REASON

The Committee recommended that the rule be withdrawn due to inconsistencies in the rule and questions as to whom the rule applied.