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This week's publication includes documents submitted by the following agencies:

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NO NEW RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**

NEW EMERGENCY RULES FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE FOR HEARING**
Health (64-109, Amendment)	Medical Cannabis Program General Provisions	§16A-3-1(b)	September 12, 2019	Due by July 22, 2019
Health (64-110, Amendment)	Medical Cannabis Program Grower/Processors	§§16A-3-1-(b), 16A-7-3 and 16A-13-7	September 12, 2019	Due by July 22, 2019
Health (64-111, Amendment)	Medical Cannabis Program Laboratories	§§16A-3-1(b) and 16A-7-3	September 12, 2019	Due by July 22, 2019
Health (64-112, Amendment)	Medical Cannabis Program Dispensaries	§§16A-3-1(b) and 16A-7-3	September 12, 2019	Due by July 22, 2019
Health (64-113, Amendment)	Medical Cannabis Program Safe Harbor Letter	§§16A-3-1(b) and 16A-3-5	September 12, 2019	Due by July 22, 2019

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

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TITLE	1	ACCOUNTANCY
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
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TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
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TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
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TITLE	91	MOTOR VEHICLES
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TITLE	110	TAX DEPARTMENT
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TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
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TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1.	Agency Name, (Title and Series Number)
Column	2.	Rule Title, Price and Type
Column	3.	Date Notice of Public Hearing or Comment Period Filed
Column	4.	Date of Public Hearing or Last Date Comments Will Be Received
Column	5.	Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule)
Column	6.	Date Agency Approved Legislative Rules Filed.
Column	7.	Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee
Column	8.	Legislative Action
Column	9.	Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules
Column	10.	Date Rule is Effective

- $ Emergency rules will not have a "Notice" date until the agency files one, but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
- $ If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-01)	Board Rules and Rules of Professional Conduct Legislative	6/7/2019 8/22/2019	7/8/2019 9/22/2019		7/23/2019				
Acupuncture (32-04)	Fees of the Board of Acupuncture Legislative	6/13/2019	7/14/2019	6/13/2019 Effective 7/25/2019	7/22/2019				
Acupuncture (32-14)	Auricular Detoxification Therapy Certificate Legislative	6/13/2019	7/14/2019	6/13/2019 Effective 7/25/2019	7/22/2019				
Acupuncture (32-15)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019		7/22/2019				
Acupuncture (32-16)	Consideration of Prior Criminal Convictions In Initial Licensure Determinations Legislative	8/19/2019	9/19/2019						
Administration (148-12)	Rules for the General Administration of Records Management and Preservation Legislative	6/24/2019	7/24/2019		7/26/2019				
Administration (148-13)	Rules for Retention and Disposal Scheduling Legislative	6/24/2019	7/24/2019		7/26/2019				
Administration (148-14)	Rules for the Management of Records Maintained b the Records Center Legislative	6/24/2019	7/24/2019		7/26/2019				
Administration (148-23)	Exemptions from Management Services Provided by the Fleet Management Division Legislative	5/3/2019	6/3/2019	4/5/2019 Effective 5/17/2019	7/8/2019				
Administration (148-24)	Financial Services Reporting Legislative	6/24/2019	7/24/2019		7/26/2019				
Agriculture (61-01)	Animal Disease Control Legislative	6/21/2019	7/22/2019		7/22/2019				
Agriculture (61-10)	Fresh Food Act Legislative	6/26/2019	7/26/2019	7/31/2019 Approved 8/2/2019	7/26/2019				
Agriculture (61-11B)	Auctioneers Legislative	6/26/2019	7/26/2019		7/26/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-13A)	Poultry- Rules for Hatcheries, Growers and Contractors Pertaining to Poultry Disease Control and Eradication Legislative	6/11/2019	7/10/2019		7/11/2019				
Agriculture (61-20)	Employment Reference and Inquiries and Background Checks Legislative	6/24/2019	7/24/2019		7/26/2019				
Agriculture (61-24)	West Virginia Spay Neuter Assistance Program Legislative	6/26/2019	7/26/2019		7/26/2019				
Agriculture (61-29)	Industrial Hemp Legislative	6/21/2019	7/22/2019		7/26/2019				
Agriculture (61-30)	Hemp Products Legislative	6/21/2019	7/22/2019		7/26/2019				
Agriculture (61-34)	Captive Cervid Farming Legislative	6/21/2019	7/22/2019		7/22/2019				
Agriculture (61-38)	Farmers Markets Legislative	6/24/2019	7/24/2019		7/26/2019				
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/5/2019	7/9/2019		7/19/2019				
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/5/2019	7/9/2019		7/19/2019				
Architects (2-01)	Registration of Architects Legislative	6/5/2019 8/22/2019	7/9/2019 9/22/2019		7/16/2019				
Architects (2-03)	Fees for Registration of Architects Legislative	6/5/2019	7/9/2019		7/16/2019				
Auditor (155-06)	Local Government Purchasing Card Program Legislative	5/21/2019	6/20/2019		7/8/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Chiropractic Examiners (4-07)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/10/2019				
Chiropractic Examiners (4-08)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/5/2019	9/9/2019		9/10/2019				
Coal Mine Health and Safety (36-01)	Rules and Regulations Governing Approvals and Permits, Explosives and Ventilation For The Construction of Shaft And/Or Slope Operations In The State Of West Virginia Legislative Exempt	9/5/2019	10/21/2019						
Coal Mine Health and Safety (36-03)	Rules and Regulations Governing The Certification and Statutory Duties of Shaft And/Or Slope Superintendent Examiner Foreman and Examiner Foreman Legislative Exempt	9/5/2019	10/21/2019						
Coal Mine Health and Safety (36-04)	Rules and Regulations Governing The Movement of Mining Equipment Within Coal Mines In The State of West Virginia Legislative Exempt	9/5/2019	10/21/2019						
Coal Mine Health and Safety (36-06)	Longwall Mining Legislative Exempt	9/5/2019	10/21/2019						
Community and Technical College Education (135-08)	West Virginia Invests Grant Program Legislative	4/29/2019	5/30/2019	4/29/2019 Effective 4/29/2019	6/3/2019				
Conservation Agency (63-03)	State Conservation Committee Grant Program Legislative	5/30/2019	6/29/2019		7/10/2019				
Counseling (27-13)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/26/2019				
Dentistry, WV Board of (5-01)	Rule for the West Virginia Board of Dentistry Legislative	5/31/2019 7/26/2019	7/1/2019 8/26/2019		7/19/2019				
Dentistry, WV Board of (5-08)	Dental Advertising Legislative	5/31/2019	7/1/2019		7/19/2019				

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Development Office (145-15)	Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program Legislative	6/17/2019	7/17/2019	7/18/2019 Approved 7/30/2019	7/18/2019				
Dietitians (31-01)	Licensure and Renewal Requirements Legislative	7/29/2019	8/29/2019		8/30/2019				
Dietitians (31-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/24/2019	7/25/2019		7/25/2019				
Election Commision (146-01)	Corporate and Membership Organization Political Activity Legislative	6/6/2019	7/10/2019	6/6/2019 Effective 7/18/2019	7/26/2019				
Election Commission (146-03)	Regulation of Campaign Finance Legislative	6/6/2019	7/10/2019	6/6/2019 Effective 7/18/2019	7/26/2019				
Environmental Protection - Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2019	7/8/2019		7/25/2019				
Fire Commission (87-01)	Fire Code Legislative	6/13/2019	7/16/2019		7/25/2019				
Fire Commission (87-04)	State Building Code Legislative	6/13/2019	7/16/2019		7/25/2019				
Forestry (22-02)	Sediment Control During Commerical Timber-Harvesting Operations-Licensing Legislative	6/26/2019	7/26/2019	6/26/2019 Effective 8/7/2019	7/26/2019				
Forestry (22-03)	Sediment Control During Commercial Timber-Harvesting Operations-Logger Certification Legislative	6/26/2019	7/26/2019	6/26/2019 Effective 8/7/2019	7/26/2019				
Funeral Service Examiners (6-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/17/2019	7/18/2019		7/23/2019				
Funeral Service Examiners (6-06)	Consideration of Prior Criminal Convictions in Initial Licensure Determination Legislative	8/22/2019	9/22/2019						

		RULE MONITOR							
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-03)	Public Water Systems Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-13)	Nursing Home Licensure Rule Legislative	6/14/2019	7/12/2019 Extended to: 7/22/2019		7/25/2019				
Health (64-30)	Fees for Permits Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-32)	Vital Statistics Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-48)	Emergency Medical Services Legislative	6/14/2019	7/15/2019		7/16/2019				
Health (64-70)	Primary Care Center Uncompensated Care Grants Legislative	6/21/2019	7/22/2019		7/25/2019				
Health (64-71)	Primary Care Seed Money Grants Legislative	6/26/2019	7/26/2019		7/26/2019				
Health (64-109)	Medical Cannabis Program General Provisions Legislative	6/21/2019	7/22/2019	4/3/2018 Effective 4/3/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019				
Health (64-110)	Medical Cannabis Program Grower/Processors Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019				
Health (64-111)	Medical Cannabis Program Laboratories Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019				

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-112)	Medical Cannabis Program Dispensiaries Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019				
Health (64-113)	Medical Cannabis Program Safe Harbor Letter Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/24/2019				
Heath and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/17/2019	7/17/2019	6/19/2019 Effective 7/31/2019	7/22/2019				
Health Care Authority (65-09)	Critical Access Hospitals Legislative	6/13/2019	7/15/2019		7/16/2019				
Hearing Aid Dealers (8-04)	Application for Waiver of Initial Licensing Fee for Certain Individuals Legislative	6/24/2019	7/24/2019		7/25/2019				
Hearing Aid Dealers (8-05)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/22/2019	9/22/2019						
Higher Education Policy Commission (133-03)	Higher Education Report Card Legislative	6/17/2019	7/17/2019						
Higher Education Policy Commission (133-49)	Accountability System Legislative	6/17/2019	7/17/2019		7/18/2019				
Highways (157-06)	Use of State Road Rights of Way and Adjacent Areas Legislative	6/27/2019	7/29/2019		7/29/2019				
Highways (157-07)	Transportation of Hazardous Wastes Upon the Roads and Highways Legislative	6/26/2019	7/26/2019		7/26/2019				
Highways (157-13)	Small Wireless Facilities on Division of Highways Rigts-of-Way Legislative	6/27/2019	7/29/2019		7/29/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Human Services (78-02)	Child Placing Agencies Licensure Legislative	6/17/2019	7/17/2019	8/16/2019 Effective 9/27/2019	7/26/2019				
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults in West Virginia Legislative	6/18/2019	7/18/2019	8/16/2019 Effective 9/27/2019	7/26/2019				
Human Services (78-24)	Qualifications for a Provisional License to Practice As A Social Worker Within the Department of Health and Human Resources Legislative	6/18/2019	7/18/2019		7/24/2019				
Human Services (78-26)	Pilot Program for Drug Screening of Applicants for Cash Assistance Legislative				9/4/2019 Sunset Extension				
Insurance Commission (114-24)	Medicare Supplement Insurance Legislative	6/10/2019	7/10/2019		7/26/2019				
Insurance Commission (114-40)	Credit for Reinsurance Legislative	2/8/2019	3/25/2019	1/18/2019 Effective 3/1/2019	3/26/2019				
Labor (42-19)	West Virginia Manufactured Housing Construction and Safety Standards Board Legislative	6/11/2019	7/11/2019		7/18/2019				
Labor (42-32)	Supervision of Plumbing Work Legislative	6/10/2019	7/11/2019		7/17/2019				
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/10/2019	7/11/2019		7/17/2019				
Landscape Architects (9-01)	Registration of Landscape Architects Legislative	6/24/2019	7/24/2019		7/25/2019				
Landscape Architects (9-05)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/22/2019	9/22/2019						
Massage Therapy Licensure Board (194-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019		7/22/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Massage Therapy Licensure Board (194-06)	Consideration of Prior Criminal Convictions in Initial Licensure Determination Legislative	8/19/2019	9/19/2019						
Medical Imaging and Radiation Therapy Tech. Bd. of Exam. (18-01)	WV Medical Imaging and Radiation Therapy Technology Board of Examiners Legislative	6/5/2019 8/26/2019	7/7/2019 9/27/2019		7/25/2019				
Medicine (11-01B)	Licensure, Disciplinary and Compliant Procedures, Continuing Education, Physician Assistants Legislative	6/19/2019	7/19/2019	6/19/2019 Amendment 7/25/2019 Approved 7/30/2019	7/25/2019				
Medicine (11-13)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/19/2019	7/19/2019		7/25/2019				
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/19/2019	7/19/2019	6/19/2019 Effective 7/31/2019	7/25/2019				
Miners Health Safety and Training (56-22)	Rules Governing the Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors Legislative	6/19/2019	7/19/2019	6/19/2019 Effective 7/31/2019	7/25/2019				
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Rule Legislative	6/5/2019	7/8/2019		7/25/2019				
Mining and Reclamation (38-02F)	Groundwater Protection Rules Coal Mining Operations Legislative	6/5/2019	7/8/2019		7/25/2019				
Motor Vehicles (91-15)	Safety and Treatment Program Legislative	7/17/2019	8/16/2019	7/16/2019 Approved 7/30/2019	8/19/2019				
Motor Vehicles (91-24)	State Vehicle Title, Registration and Relicensing Project of 2018 Legislative	6/27/2019	7/29/2019	6/27/2019 Effective 8/8/2019	7/29/2019				
Municipal Bond Commission (109-02)	Rules Covering Meetings of the WV Municipal Bond Commission Procedural	6/27/2019	7/29/2019					8/21/2019	10/1/2019
Natural Resources (58-12)	Commerical Whitewater Outfitters Legislative	6/10/2019	7/10/2019		7/23/2019				

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-16)	Transporting and Selling Wildlife Pelts and Parts Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-25)	Boating Rule Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-26)	Special Boating Rules Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-28)	Special Requirements Concerning Boating Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-32)	Public Use of Campgrounds in West Virginia State Parks and State Forests, and Campsites in State Rail Trails Under the Division of Natural Resources Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-34)	Special Projects and Grants for West Virginia State Parks, State Forests, and State Rail Trails Under the Division of Natural Resources Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-46)	Defining of Terms Used In All Hunting and Trapping Legislative	6/10/2019	7/10/2019		7/24/2019				
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-61)	Special Fishing Rule Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-62)	Catching and Selling Bait Fish Legislative	6/10/2019	7/10/2019		7/23/2019				
Natural Resources (58-65)	Falconry Legislative	6/10/2019	7/10/2019		7/24/2019				
Occupational Therapy (13-03)	Fees For Services Rendered By the Board Legislative	5/8/2019	7/1/2019		7/3/2019				
Occupational Therapy (13-07)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/13/2019	7/1/2019		7/3/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Oil & Gas Conservation Commission (39-01)	Rules of The Commission Legislative	6/14/2019	7/16/2019	6/14/2019 Withdrawn 7/26/2019	7/25/2019				
Optometry (14-01)	Rules of the West Virginia Board of Optometry Legislative	6/26/2019 8/29/2019	7/26/2019 9/29/2019		7/26/2019				
Osteopathic Medicine (24-02)	Osteopathic Phyician Assistants Legislative	6/28/2019	7/29/2019	6/28/2019 Amendment 7/31/2019 Approved 8/5/2019	7/31/2019				
Osteopathic Medicine (24-08)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/28/2019	7/29/2019		7/30/2019				
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-04)	Record Keeping and Automated Data Processing Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	6/26/2019 8/15/2019	7/26/2019 9/16/2019		7/26/2019				
Pharmacy (15-12)	Immunizations Administered by Pharmacists and Pharmacy Interns Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/26/2019	7/26/2019		7/26/2019				
Pharmacy (15-16)	Licensure and Practice of Pharmacist Care Legislative	8/15/2019	9/16/2019						
Pharmacy (15-18)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/26/2019	7/26/2019		7/26/2019				

		RULE MONITOR							
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistants Legislative	8/30/2019	9/30/2019						
Physical Therapy (16-04)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	8/30/2019	9/30/2019						
Physical Therapy (16-05)	General Provisions for Athletic Trainers Legislative	7/24/2019	8/26/2019						
Physical Therapy (16-06)	Fees for Athletic Trainers Legislative	7/25/2019	8/26/2019						
Physical Therapy (16-09)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/4/2019	7/5/2019		7/18/2019				
Professional Engineers (7-01)	Examination, Licensure and Practice of Professional Engineers Legislative	6/18/2019 8/19/2019	7/19/2019 9/18/2019		7/24/2019				
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in West Virginia Legislative	6/4/2019 8/12/2019	7/9/2019 9/13/2019		7/15/2019				
Psychologists (17-07)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/30/2019	9/30/2019						
Public Defender Services (89-01)	Payment of Fees and Reimbursement of Expenses of Court-Appointed Attorneys Legislative	5/20/2019	6/21/2019	5/21/2019 Effective 7/2/2019	7/22/2019				
Public Service Commission (150-33)	Rules Governing Electric Utility Net Metering Arrangements and Interconnections Legislative Exempt	9/6/2018 03/13/2019	11/8/2018 04/30/2019						
Racing Commission (178-01)	Throughbred Racing Legislative	6/10/2019	7/10/2019		7/18/2019				
Real Estate Appraiser Licensing & Certification Bd. (190-02)	Requirements for Licensure and Certification Legislative	6/26/2019 8/6/2019	7/26/2019 9/6/2019		7/26/2019 9/9/2019				
Real Estate Commission (174-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/31/2019	6/30/2019		7/2/2019				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Real Estate Commission (174-07)	Conisderation of Prior Criminal Convictions In Initial License Eligibility Determination Legislative	8/27/2019	9/26/2019						
Registered Professional Nurses (19-03)	Requirements for Registration and Licensure and Constituting Professional Misconduct Legislative	8/29/2019	9/30/2019						
Registered Professional Nurses (19-15)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	7/17/2019	8/17/2019		8/22/2019				
Respiratory Care (30-02)	Establishment of Fees Legislative	5/7/2019	6/7/2019		6/27/2019				
Respiratory Care (30-09)	Student Temporary Permits Legislative	5/22/2019	6/24/2019		6/27/2019				
Sanitarians (20-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/17/2019 8/29/2019	7/19/2019 9/29/2019		7/23/2019				
School Building Authority of WV (164-01)	Policy and Procedures Handbook of the School Building Authority of WV Procedural	6/5/2019	7/5/2019					9/5/2019	10/7/2019
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	8/27/2019	9/26/2019						
Social Work Examiners (25-03)	Fee Schedule Legislative	6/5/2019	7/5/2019		7/10/2019				
Speech-Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	5/14/2019	6/17/2019		6/28/2019				
Speech-Language Pathology and Audiology (29-04)	Disciplinary & Complaint Procedures for Speech-Language Pathology & Audiology Legislative	8/8/2019	9/13/2019						
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/13/2019	7/13/2019		7/15/2019				
Tax (110-13AC)	Reduced Serverance Tax Rates for Thermal or Steam Coal Interpretive	7/22/2019	8/22/2019					9/11/2019	10/11/2019

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEAACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-15C)	Consumers Sales and Service Tax and Use Tax Drugs, Durable Medical Goods, Mobility Enhancing Equipment and Prosthetic Devices Per SE Exemption; Motor Vehicles Per SE Exemption Legislative	6/13/2019	7/13/2019		7/16/2019				
Tax (110-43)	Special Valuation Method for Certain Wireless Technolgy Property Interpertive	7/3/2019	8/2/2019						
Tax (110-50C)	Exchange of Information Pursuant to Written Agreement Legislative	6/13/2019	7/13/2019		7/15/2019				
Veterinary Medicine (26-01)	Organization and Operation and Licenisng of Veterinarians Legislative	8/7/2019	9/8/2019		9/9/2019				
Veterinary Medicine (26-03)	Registration of Veterinary Technicians Legislative	5/30/2019 8/7/2019	7/7/2019 9/8/2019		7/11/2019 9/9/2019				
Veterinary Medicine (26-06)	Schedule of Fees Legislative	5/30/2019 8/7/2019	7/7/2019 9/8/2019		7/11/2019 9/9/2019				
Waste Management, Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/5/2019	7/8/2019		7/25/2019				
Water Resources, Div. of Water & Waste Mgmt. (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	3/21/2019	5/6/2019						
Workers Compensation (85-12)	Comprise & Settlement of Workers' Compensation Issues Legislative Exempt	8/19/2019	9/19/2019						

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
9/10/2019 3:24:12 PM
Office of West Virginia Secretary Of State

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Legislative

AGENCY: Chiropractic Examiners TITLE-SERIES: 4-08

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: 4-08 Consideration of Prior Criminal Convictions in Initial Licensure Determinations

PRIMARY CONTACT

NAME: WV Board of Chiropractic

ADDRESS: 415 1/2 D Street Suite B
PO Box 8532
South Charleston, WV 25303

EMAIL: wvchiroboard@outlook.com

PHONE NUMBER: 304-746-7839

CITE STATUTORY AUTHORITY: §30-1-24 and §30-16-5

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

House Bill 118, signed by the Governor on June 17, 2019 - - every Board subject to the provisions of this section shall propose rules or amendments to existing rules for legislative approval to comply with the provisions of this section. These rules or amendments to rules shall be proposed pursuant to the provisions of §29A-3-1 et seq. of this code within the applicable time limit to be considered by the Legislature during its regular session in the year 2020.

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 8/5/2019

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 9/9/2019

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR MEDICAL SERVICES
Commissioner's Office
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3712
Telephone: (304) 558-1700 Fax: (304) 558-1451

Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

September 9, 2019

FILED
2019 SEP -9 P 2:25
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☒
New Medicaid Policy	☐
Medicaid Policy Update	☐
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 519.19
Title: Women's Health Services.1

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Signature of Person Receiving Above Material

Date

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
9/9/2019 11:35:42 AM
Office of West Virginia
Secretary Of State

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Legislative

AGENCY: Real Estate Appraiser Licensing And Certification Board TITLE-SERIES: 190-02

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: 190-02 Requirements for Licensure and Certification

PRIMARY CONTACT

NAME: Jennifer K Akers

ADDRESS: 405 Capitol Street
Suite 906
Charleston, WV 25301

EMAIL: jennifer.k.akers@wvago.gov

PHONE NUMBER: 304-558-3919

CITE STATUTORY AUTHORITY: WV Code 30-38-9

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

Allows the board to enact legislative rules to provide for licensure and certification requirements, fees and fee schedules for appraisers and AMC's, surety bond requirements for AMC's, education requirements and requirements for AMC's to maintain records

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 8/6/2019

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 9/6/2019

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

WEST VIRGINIA SECRETARY OF STATE
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9/9/2019 12:07:08 PM
Office of West Virginia
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NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Veterinary Medicine TITLE-SERIES: 26-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: 26-01 Organization and Operation and Licensing of Veterinarians

PRIMARY CONTACT

NAME: Patricia Holstein

ADDRESS: 5509 Big Tyler Road Suite 3

Cross Lanes, WV 25313

EMAIL: patricia.a.holstein@wv.gov

PHONE NUMBER: 304-776-8032

CITE STATUTORY AUTHORITY: §30-10-6.

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

§30-10-6. Rule-making authority.
(a) The board shall propose rules for legislative approval, in accordance with the provisions of article three, chapter twenty-nine-a of this code, to implement the provisions of this article, including:

Statutory Authority - §30-10-6.a.1. Standards and requirements for a license, permit, certificate and registration;
§26-1-9. Petition for Licensure Eligibility Determination.
§26-1.10. Criminal History Record Check
Statutory Authority §30-10-6.a.11. Set standards for ethical conduct;
§26-1-8. Veterinarian Disciplinary Action.
Statutory Authority §30-10-6.a.14. The procedures for denying, suspending, revoking, reinstating or limiting the practice of a licensee, permittee, certificate holder or registrant;
§26-1-8. Veterinarian Disciplinary Action.
Statutory Authority §30-10-6.a.16. Any other rules necessary to effectuate the provisions of this article.
§26-1-2. Definitions.

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 8/7/2019

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 9/6/2019

COMMENTS RECEIVED: Yes

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

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9/9/2019 11:12:35 AM
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NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Legislative

AGENCY: Veterinary Medicine TITLE-SERIES: 26-03

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: 26-03 Registration of Veterinary Technicians

PRIMARY CONTACT

NAME: Patricia Holstein

ADDRESS: 5509 Big Tyler Road Suite 3

Cross Lanes, WV 25313

EMAIL: patricia.a.holstein@wv.gov

PHONE NUMBER: 304-776-8032

CITE STATUTORY AUTHORITY: §30-10-6.

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

§30-10-6. Rule-making authority.
(a) The board shall propose rules for legislative approval, in accordance with the provisions of article three, chapter twenty-nine-a of this code, to implement the provisions of this article, including:

Statutory Authority - §30-10-6.a.1. Standards and requirements for a license, permit, certificate and registration;
§26-3-9. Petition for Registration Eligibility Determination.
§26-3.10. Criminal History Record Check
Statutory Authority §30-10-6.a.11. Set standards for ethical conduct;
§26-3-8. Registered Veterinary Technician Disciplinary Action.
Statutory Authority §30-10-6.a.14. The procedures for denying, suspending, revoking, reinstating or limiting the practice of a licensee, permittee, certificate holder or registrant;
§26-3-8. Registered Veterinary Technician Disciplinary Action.
Statutory Authority §30-10-6.a.16. Any other rules necessary to effectuate the provisions of this article.
§26-3-2. Definitions.

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 8/7/2019

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 9/8/2019

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

WEST VIRGINIA SECRETARY OF STATE
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9/9/2019 12:12:59 PM
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NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Veterinary Medicine TITLE-SERIES: 26-06

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: 26-06 Schedule of Fees

PRIMARY CONTACT

NAME: Patricia Holstein

ADDRESS: 5509 Big Tyler Road Suite 3

Cross Lanes, WV 25313

EMAIL: patricia.a.holstein@wv.gov

PHONE NUMBER: 304-776-8032

CITE STATUTORY AUTHORITY: §30-10-6.

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

§30-10-6. Rule-making authority.
(a) The board shall propose rules for legislative approval, in accordance with the provisions of article three, chapter twenty-nine-a of this code, to implement the provisions of this article, including:

Statutory Authority §30-10-6.a.9. Fee Schedule
§26-6-3. Schedule of Fees.

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 8/7/2019

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 9/8/2019

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

9/11/2019 11:35 AM

Office of West Virginia Secretary Of State

Interpretive

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Tax

TITLE-SERIES: 110-13AC

RULE TYPE: Interpretive Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: REDUCED SEVERANCE TAX RATES FOR THERMAL OR STEAM COAL

CITE STATUTORY AUTHORITY: W. Va. Code §11-10-5.

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

October 11, 2019

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Allen R Prunty -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
9/12/2019 11:36:45 AM
Office of West Virginia
Secretary Of State

Emergency

NOTICE OF AN EMERGENCY AMENDMENT TO AN EMERGENCY RULE

AGENCY: Health
TITLE-SERIES: 64-109
RULE TYPE: Legislative
Amendment to Existing Rule: Yes
RULE NAME: MEDICAL CANNABIS PROGRAM GENERAL PROVISIONS

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §16A-3-1(b).

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

N/A

DATE EMERGENCY RULE WAS ORIGINALLY FILED: 04/03/2018

DATE(S) OF PREVIOUS EMERGENCY AMENDMENT(S)

N/A

PRIMARY CONTACT:

NAME: April L Robertson General Counsel
ADDRESS: One Davis Square Suite 100 East
Charleston, WV 25301
EMAIL: april.l.robertson@wv.gov
PHONE NUMBER: 304-558-9149

WEST VIRGINIA SECRETARY OF STATE
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9/12/2019 12:35:18 PM
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NOTICE OF AN EMERGENCY AMENDMENT TO AN EMERGENCY RULE

AGENCY: Health
TITLE-SERIES: 64-110
RULE TYPE: Legislative
Amendment to Existing Rule: No
RULE NAME: MEDICAL CANNABIS PROGRAM GROWER/PROCESSORS

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

Authority. W. Va. Code §§16A-3-1(b), §16A-7-3, and §16A-13-7.

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

N/A

DATE EMERGENCY RULE WAS ORIGINALLY FILED: 04/04/2018

DATE(S) OF PREVIOUS EMERGENCY AMENDMENT(S)

N/A

PRIMARY CONTACT:

NAME: APRIL L ROBERTSON
ADDRESS: One Davis Square Suite 100 East
Charleston, WV 25301
EMAIL: april.l.robertson@wv.gov
PHONE NUMBER: 304-558-9149

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
9/12/2019 12:50:13 PM
Office of West Virginia
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Emergency

NOTICE OF AN EMERGENCY AMENDMENT TO AN EMERGENCY RULE

AGENCY: Health
TITLE-SERIES: 64-111
RULE TYPE: Legislative
Amendment to Existing Rule: Yes
RULE NAME: MEDICAL CANNABIS PROGRAM LABORATORIES

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

. Authority. W. Va. Code §16A-3-1(b) and §16A-7-3.

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

N/A

DATE EMERGENCY RULE WAS ORIGINALLY FILED: 04/04/2018

DATE(S) OF PREVIOUS EMERGENCY AMENDMENT(S)

N/A

PRIMARY CONTACT:

NAME: April L Robertson General Counsel
ADDRESS: One Davis Square Suite 100 East
Charleston, WV 25301
EMAIL: april.l.robertson@wv.gov
PHONE NUMBER: 304-558-9149

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
9/12/2019 1:03:51 PM
Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY AMENDMENT TO AN EMERGENCY RULE

AGENCY: Health
TITLE-SERIES: 64-112
RULE TYPE: Legislative
Amendment to Existing Rule: Yes
RULE NAME: MEDICAL CANNABIS PROGRAM DISPENSIARIES

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

. Authority. W. Va. Code §16A-3-1(b) and §16A-7-3.

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

N/A

DATE EMERGENCY RULE WAS ORIGINALLY FILED: 04/04/2018

DATE(S) OF PREVIOUS EMERGENCY AMENDMENT(S)

N/A

PRIMARY CONTACT:

NAME: April L Robertson General Counsel
ADDRESS: One Davis Square Suite 100 East
Charleston, WV 25301
EMAIL: april.l.robertson@wv.gov
PHONE NUMBER: 304-558-9149

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
9/12/2019 1:05:43 PM
Office of West Virginia
Secretary Of State

Emergency

NOTICE OF AN EMERGENCY AMENDMENT TO AN EMERGENCY RULE

AGENCY: Health TITLE-SERIES: 64-113

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Medical Cannabis Program Safe Harbor Letter

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

. Authority. W. Va. Code §16A-3-1(b) and §16A-3-5.

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

N/A

DATE EMERGENCY RULE WAS ORIGINALLY FILED: 04/04/2018

DATE(S) OF PREVIOUS EMERGENCY AMENDMENT(S)

N/A

PRIMARY CONTACT:

NAME: April L Robertson
ADDRESS: One Davis Square Suite 100 East
Charleston, WV 25301
EMAIL: april.l.robertson@wv.gov
PHONE NUMBER: 304-558-9149

Orders Report

Docket Number	Agency	Respondent	Date Rendered
2017-DB-0022D	Dentistry, WV Board of	John E. Brock, DDS	8/26/2019
15-10-10549-H	Health Care Authority	Acuity Specialty Hospital - Ohio Valley, L.P.	9/6/2019
19-8-11671-X	Health Care Authority	Recovery Care, LLC	9/6/2019
19-3-11680-X	Health Care Authority	Partnership of African American Churches	9/4/2019
19-3-11679-X	Health Care Authority	Partnership of African American Churches	9/4/2019
18-106-W, 19-07-W, 19-08-W	Medicine, West Virginia Board Of	Jeffery Floyd Addison, MD	9/4/2019
18-81-W	Medicine, West Virginia Board Of	Alexander Vladimirovich Otellin, MD	9/9/2019

WEST VIRGINIA ETHICS COMMISSION ADVISORY OPINIONS	
NO.	**OPINION SOUGHT**
2019-18	A State Employee asks whether he may seek election to a county public office.
2019-19	A County Commission asks whether it may accept a donation of materials and labor from a local business to tint windows of its judicial annex when a deputy sheriff contacted the business regarding the window.
2019-21	A State Employee asks whether he may simultaneously serve as a part-time elected mayor.
2019-22	A County Airport Authority member asks whether she may vote on matters concerning her husband's employer.
2019-23	A County Airport Authority member asks whether he may continue his employment with a hotel that uses the airport's services, serve on the board of the Chamber of Commerce, and vote on the creation of an Airport Convention and Visitors Bureau.
2019-24	A Town Council asks whether it may pay an invoice submitted by the previous mayor's wife.

WEST VIRGINIA ETHICS COMMISSION'S COMMITTEE ON OPEN GOVERNMENTAL MEETINGS ADVISORY OPINIONS	
NO.	**OPINION SOUGHT**
2019-03	The Berkeley County Deputy Sheriffs Civil Service Commission asks whether the Open Meetings Act prohibits a quorum of its members from meeting with one another and with staff in private to discuss internal administrative matters.

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600

FILED

2019 SEP 11 A 11:31

Other

September 9, 2019

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **September 6, 2019**.

LETTERS OF INTENT RECEIVED

September 6, 2019 - Cavalier Mobile X-Ray Co., Youngstown, Ohio, CON File #19-WV-11700-P, for the expansion of mobile diagnostic imagining services to all counties in West Virginia; capital expenditure: $143,000.

September 6, 2019 – Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #19-3-11701-P, for the development of an ambulatory health care facility at 3257 Teays Valley Road, Hurricane, Putnam County; capital expenditure: $2,405,000.

LETTER OF INTENT WITHDRAWN

September 5, 2019 - Cavalier Mobile X-Ray Co., Youngstown, Ohio, CON File #19-WV-11691-P, for the expansion of mobile diagnostic imagining services to all counties in West Virginia; capital expenditure: $143,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

September 3, 2019 - Hometown Care LLC, Belington, Barbour County, CON File #19-6-11688-PC, for the provision of personal care services in Marion and Monongalia counties; capital expenditure: $1,500.00.

APPLICATION FOR EXEMPTION RECEIVED

September 5, 2019 – Devaraj Behavioral Healthcare, PLLC, South Charleston, Kanawha County, CON File #19-3-11697-X, for the establishment of a licensed behavioral health center to be located in South Charleston, Kanawha County.

EXEMPTION APPLICATIONS APPROVED

September 4, 2019 - Partnership of African American Churches, Charleston, Kanawha County, CON File #19-3-11679-X, for the development of an office-based medication-assisted treatment program to be located at 210 Virginia Street West, Charleston.

September 4, 2019 - Partnership of African American Churches, Charleston, Kanawha County, CON File #19-3-11680-X, for the development of a residential substance abuse treatment facility to be located at 1511 Washington Street East, Charleston.

September 6, 2019 - Recovery Care LLC, Murrysville, Pennsylvania, CON File #19-8-11671-X, for the development of a behavioral health center in Keyser, Mineral County.

DECISION ON SUBSTANTIAL CHANGE ISSUED

September 6, 2019 – Acuity Specialty Hospital – Ohio Valley, L.P., Charlotte, North Carolina, CON File #15-10-10549-H, for the addition of 16 beds to its existing 13 bed Long-Term Acute Care Hospital within Wheeling Hospital, Wheeling, Ohio County, in West Virginia; capital expenditure: $7,459,588.

The Authority determines that the relocation of the LTACH from the 6th floor of Wheeling Hospital to the former nursing home, Bishop Joseph H. Hodges Continuous Care Center (on the campus of Wheeling Hospital), resulting in a change in the square footage from 18,300 to 19,158, or an increase of 4.7%, does not constitute a substantial change as defined in W. Va. Code St. R. § 65-32-14.1.g.

The Authority further determines that the change in the capital expenditure in excess of the allowed 20% does constitute a substantial change to the project as defined in W. Va. Code St. R. § 65-32-14.1.h. Based upon a review of the financial report provided with the request for a determination of substantial change and the audited financial statements on file at the Authority, the Authority determines that Acuity Specialty Hospital – Ohio Valley, L.P. is financially viable and has sufficient funds to absorb the additional costs for the project.

Accordingly, it is ORDERED that the proposed change to the approved project as set forth above does constitute a substantial change to the project. It is further ORDERED that this change shall not be subject to further review.

Further information may be obtained on any of the above-referenced projects by contacting Barbara Skeen, Director, Certificate of Need Division.

STATE OF WEST VIRGINIA
Offices of the Insurance Commissioner

James A. Dodrill
Insurance Commissioner

Other

NOTICE OF PUBLIC HEARING ON A MEDICAL MALPRACTICE RATE FILING

Great Divide Insurance Company

PURSUANT TO WEST VIRGINIA CODE § 33-20B-4(d), a comment period has been established during which any interested person may submit written comments on the following proposed Medical Malpractice filing:

INSUREDS AFFECTED: Optometrists

PROPOSED RATE CHANGE: 10.0%

The companies have 38 insureds in West Virginia.

FILED
2019 SEP 12 P 3:42
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

The comment period will end on October 14, 2019 at 4:30 p.m.

Only written comments will be accepted, our mailing address is:

John Mooney
Rates & Forms Division
West Virginia Insurance Commission
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