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Administration Law Division

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

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Senior Services

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NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Senior Services (76-03)	West Virginia State Plan for Aging Programs- Title V	§16-9-1	Written Comments Only: April 8, 2020 4:00 pm Commissioner Robert Roswall 1900 Kanawha Blvd East Charleston, WV 25305

NO NEW EMERGENCY RULES WERE FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE FOR HEARING**

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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)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED PROFESSIONAL NURSES
TITLE	20	SANITARIANS
TITLE	24	OSTEOPATHIC MEDICINE
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TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
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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
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	146	STATE ELECTION COMMISSION
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TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	157	HIGWAYS
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TITLE	174	REAL ESTATE COMMISSION
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TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	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 9/27/2019	Modified & Approved 10/24/2019 Filed 11/8/2019	BUNDLED HB4252		
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	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Acupuncture (32-14)	Auricular Detoxification Therapy Certificate Legislative	6/13/2019	7/14/2019	6/13/2019 Effective 7/25/2019	7/22/2019	Modified & Approved 9/26/2019 Filed 10/17/2019	BUNDLED HB4252		
Acupuncture (32-15)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019		7/22/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Acupuncture (32-16)	Consideration of Prior Criminal Convictions In Initial Licensure Determinations Legislative	8/19/2019	9/19/2019		9/24/2019	Modified & Approved 10/24/2019 Filed 11/14/2019	BUNDLED HB4252		
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	Approved 10/24/2019	BUNDLED SB323	3/12/2020	3/12/2020
Administration (148-24)	Financial Services Reporting Legislative	6/24/2019	7/24/2019		7/26/2019	Modified & Approved 10/24/2019 Filed 10/29/2019	BUNDLED SB323	3/11/2020	3/11/2020
Agriculture (61-01)	Animal Disease Control Legislative	6/21/2019	7/22/2019		7/22/2019	Approved 12/18/2019	BUNDLED HB4252		
Agriculture (61-10)	Fresh Food Act Legislative	6/26/2019	7/26/2019	7/31/2019 Approved 8/2/2019	7/26/2019	Approved 12/18/2019	BUNDLED HB4252		
Agriculture (61-11B)	Auctioneers Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/1/2019	BUNDLED HB4252		
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	Approved 9/26/2019	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-15)	Grade "A" Pasteurized Milk Legislative	12/5/2019	1/6/2020	12/6/2019 Approved 12/20/2019	1/7/2020	Approved 1/7/2020	BUNDLED HB4252		
Agriculture (61-19)	WV Manufacture-Grade Milk Legislative	12/5/2019	1/6/2020		1/6/2020	Approved 1/7/2020	BUNDLED HB4252		
Agriculture (61-20)	Employment Reference and Inquiries and Background Checks Legislative	6/24/2019	7/24/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/1/2019	BUNDLED HB4252		
Agriculture (61-24)	West Virginia Spay Neuter Assistance Program Legislative	6/26/2019	7/26/2019		7/26/2019	Approved 12/18/2019	BUNDLED HB4252		
Agriculture (61-29)	Industrial Hemp Legislative	6/21/2019	7/22/2019		7/26/2019	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED HB4252		
Agriculture (61-30)	Hemp Products Legislative	6/21/2019	7/22/2019		7/26/2019	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED HB4252		
Agriculture (61-34)	Captive Cervid Farming Legislative	6/21/2019	7/22/2019		7/22/2019	Approved 9/26/2019	BUNDLED HB4252		
Agriculture (61-38)	Farmers Markets Legislative	6/24/2019	7/24/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/2/2019	BUNDLED HB4252		
Agriculture (61-40)	WV Exempted Dairy Farms and Milk and Milk Products Processing Rules Legislative	12/5/2019	1/6/2020		1/6/2020	Approved 1/7/2020	BUNDLED HB4252		
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		
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	Modified & Approved 9/26/2019 Filed 10/2/2019	BUNDLED HB4217		
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		
Architects (2-01)	Registration of Architects Legislative	6/5/2019 8/22/2019	7/9/2019 9/22/2019		7/16/2019 9/24/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252		
Architects (2-03)	Fees for Registration of Architects Legislative	6/5/2019	7/9/2019		7/16/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252		
Auditor (155-06)	Local Government Purchasing Card Program Legislative	5/21/2019	6/20/2019		7/8/2019	Approved 10/24/2019	BUNDLED HB4252		
Chiropractic Examiners (4-07)	Request for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/10/2019	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED HB4252		
Chiropractic Examiners (4-08)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/5/2019	9/9/2019		9/10/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252		
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					1/7/2020	4/6/2020
Coal Mine Health and Safety (36-06)	Longwall Mining Legislative Exempt	9/5/2019	10/21/2019					1/7/2020	4/6/2020

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Coal Mine Health and Safety (36-07)	Rules and Regulation Governing Shortwall Mining Within The State of West Virginia Legislative Exempt	10/15/2019	11/25/2019						
Coal Mine Health and Safety (36-08)	Rules and Regulations Governing The Right of A Miner to Refuse To Operate Alleged Unsafe Equipment Legislative Exempt	10/11/2019	11/25/2019					1/7/2020	4/6/2020
Coal Mine Health and Safety (36-11)	Rules and Regulations Governing When Underground Mine Foreman-Boss Required; Assistants;Certifications; The Reopening of Abandoned Mines and the Deenergization of Self-Propelled Electric Coal Feeders; Performance Requirements Legislative Exempt	10/15/2019	11/25/2019						
Coal Mine Health and Safety (36-12)	Rules and Regulations Governing Electrical Provisions for Underground Mining Legislative Exempt	10/11/2019	11/25/2019						
Coal Mine Health and Safety (36-13)	Rules and Regulations Governing The Authority, Accountability, and Responsibility of Underground Mine Foreman; Responsibility of Operator In Relation To Mine Foreman; And Regulatory Review Procedures Legislative Exempt	10/11/2019	11/25/2019						
Coal Mine Health and Safety (36-18)	The Responsibility For Care and Maintenance of Equipment Legislative Exempt	10/24/2019	12/9/2019						
Coal Mine Health and Safety (36-57)	Rules Governing Proximity Detection Systems and Haulage Safety Generally Legislative Exempt	10/24/2019	12/9/2019						
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	Approved 10/4/2019	BUNDLED HB4480		
Conservation Agency (63-03)	State Conservation Committee Grant Program Legislative	5/30/2019	6/29/2019		7/10/2019	Approved 10/24/2019	BUNDLED HB4252		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Counseling (27-13)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/9/2019	BUNDLED HB4252		
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 9/20/2019	Approved 11/17/2019	BUNDLED HB4252		
Dentistry, WV Board of (5-08)	Dental Advertising Legislative	5/31/2019	7/1/2019		7/19/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252		
Development Office, Commerce (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	Modified & Approved 11/17/2019 Filed 12/5/2019	BUNDLED SB449		
Dietitians (31-01)	Licensure and Renewal Requirements Legislative	7/29/2019	8/29/2019		8/30/2019	Modified & Approved 9/26/2019 Filed 10/1/2019	BUNDLED HB4252		
Dietitians (31-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/24/2019	7/25/2019		7/25/2019	Modified & Approved 9/26/2019 Filed 10/2/2019	BUNDLED HB4252		
Education (126-012)	West Virginia System of Support and Accountability (2322) Legislative Exempt	12/12/2019	1/24/2020					2/13/2020	3/16/2020
Education (126-042)	Assuring the Quality of Education: Regulations for Education Programs (Policy 2510) Legislative Exempt	12/12/2019	1/24/2020					2/13/2020	7/1/2020
Education (126-079)	Public Charter Schools (3300) Legislative Exempt	11/15/2019	1/14/2020					2/13/2020	3/16/2020
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classification (Policy 5202) Legislative Exempt	1/9/2020	2/10/2020					3/12/2020	4/13/2020
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	Modified & Approved 11/17/2019 Filed 12/2/2019	BUNDLED HB4252		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 11/17/2019 Filed 12/2/2019	BUNDLED HB4252		
Environmental Protection - Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2019	7/8/2019		7/25/2019	Approved 11/17/2019	BUNDLED HB4217		
Fire Commission (87-01)	State Fire Code Legislative	6/13/2019	7/16/2019		7/25/2019	Modified & Approved 12/18/2019 Filed 1/6/2020	BUNDLED HB4275		
Fire Commission (87-04)	State Building Code Legislative	6/13/2019	7/16/2019		7/25/2019	Modified & Approved 12/18/2019 Filed 1/6/2020	BUNDLED HB4275		
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	Approved 11/17/2019	BUNDLED SB449		
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	Approved 11/17/2019	BUNDLED SB449		
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	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Funeral Service Examiners (6-06)	Consideration of Prior Criminal Convictions in Initial Licensure Determination Legislative	8/22/2019	9/22/2019		9/27/2019	Modified & Approved 10/24/2019 Filed 11/7/2019	BUNDLED HB4252		
Health (64-03)	Public Water Systems Legislative	6/14/2019	7/15/2019		7/16/2019	Modified & Approved 10/24/2019 Filed 11/4/2019	BUNDLED SB339		
Health (64-30)	Fees for Permits Legislative	6/14/2019	7/15/2019		7/16/2019	Modified & Approved 12/18/2019 Filed 12/19/2019	BUNDLED SB339		
Health (64-32)	Vital Statistics Legislative	6/14/2019	7/15/2019		7/16/2019	Modified & Approved 10/24/2019 Filed 11/4/2019	BUNDLED SB339		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-48)	Emergency Medical Services Legislative	6/14/2019	7/15/2019		7/16/2019	Modified & Approved 10/24/2019 Filed 11/4/2019	BUNDLED SB339		
Health (64-70)	Primary Care Support Program Legislative	6/21/2019	7/22/2019		7/25/2019	Modified & Approved 12/19/2019 Filed 12/19/2019	BUNDLED SB339		
Health (64-71)	Primary Care Seed Money Grants Legislative	6/26/2019	7/26/2019		7/26/2019	Approved 12/19/2019	BUNDLED SB339		
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	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339		
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	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339		
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	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339		
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	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339		
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	Modifed & Approved 12/18/2019 Filed 12/19/2019	BUNDLED SB339		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Amendment 11/21/2019 Effedtive 1/2/2020	7/22/2019	Modified & Approved 11/17/2019 Filed 11/21/2019	BUNDLED SB339		
Health Care Authority (65-09)	Critical Access Hospitals Legislative	6/13/2019	7/15/2019		7/16/2019	Modified & Approved 11/17/2019 Filed 11/22/2019	BUNDLED SB339		
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	Modified & Approved 9/26/2019 Filed 10/21/2019	BUNDLED HB4252		
Hearing Aid Dealers (8-05)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/22/2019	9/22/2019		9/27/2019	Modified & Approved 10/24/2019 Filed 11/7/2019	BUNDLED HB4252		
Higher Education Policy Commission (133-03)	Higher Education Accountability System Legislative	6/17/2019	7/17/2019		9/30/2019		BUNDLED 4480		
Higher Education Policy Commission (133-26)	Underwood-Smith Teacher Scholarship Legislative	9/30/2019	10/30/2019		11/5/2019		BUNDLED 4480		
Higher Education Policy Commission (133-49)	Accountability System Legislative	6/17/2019	7/17/2019		7/18/2019	Approved 10/4/2019	BUNDLED 4480		
Highways (157-06)	Use of State Road Rights of Way and Adjacent Areas Legislative	6/27/2019	7/29/2019		7/29/2019	Modified & Approved 12/18/2019 Filed 1/8/2020	BUNDLED SB364		
Highways (157-07)	Transportation of Hazardous Wastes Upon the Roads and Highways Legislative	6/26/2019	7/26/2019		7/26/2019	Approved 12/18/2019	BUNDLED SB364		
Highways (157-13)	Small Wireless Facilities on Division of Highways Rights-of-Way Legislative	6/27/2019	7/29/2019		7/29/2019	Modified & Approved 12/18/2019 Filed 1/8/2020	BUNDLED SB364		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED SB339		
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	Modified & Approved 11/17/2019 Filed 11/25/2019	BUNDLED SB339		
Human Services (78-26)	Pilot Program for Drug Screening of Applicants for Cash Assistance Legislative				9/4/2019 Sunset Extension	Approved 11/17/2019	BUNDLED SB339		
Insurance Commission (114-24)	Medicare Supplement Insurance Legislative	6/10/2019	7/10/2019		7/26/2019	Approved 10/24/2019	BUNDLED SB357	2/27/2020	4/1/2020
Insurance Commission (114-40)	Credit for Reinsurance Legislative	2/8/2019	3/25/2019	1/18/2019 Effective 3/1/2019	3/26/2019	Modified & Approved 10/24/2019 Filed 10/29/2019	BUNDLED SB357	2/27/2020	4/1/2020
Insurance Commission (114-99)	Pharmacy Auditing Entities and Pharmacy Benefit Managers Legislative	9/18/2019	10/17/2019		12/6/2019	Approved 12/18/2019	BUNDLED SB357	2/27/2020	4/1/2020
Labor (42-32)	Supervision of Plumbing Work Legislative	6/10/2019	7/11/2019		7/17/2019	Approved 10/24/2019	BUNDLED SB449		
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/10/2019	7/11/2019		7/17/2019	Approved 10/24/2019	BUNDLED SB449		
Landscape Architects (9-05)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/22/2019	9/22/2019		9/27/2019	Modified & Approved 11/17/2019 Filed 11/21/2019	BUNDLED HB4252		
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	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Massage Therapy Licensure Board (194-06)	Consideration of Prior Criminal Convictions in Initial Licensure Determination Legislative	8/19/2019	9/19/2019		9/24/2019	Modified & Approved 10/24/2019 Filed 11/7/2019	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 9/27/2019	Modified & Approved 10/24/2019 Filed 10/31/2019	BUNDLED HB4252		
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	Modified & Approved 9/26/2019 Filed 10/8/2019	BUNDLED HB4252		
Medicine (11-13)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/19/2019	7/19/2019		7/25/2019	Modified & Approved 9/26/2019 Filed 10/8/2019	BUNDLED HB4252		
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	Approved 11/17/2019	BUNDLED SB449	3/9/2020	3/9/2020
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	Approved 11/17/2019	BUNDLED SB449	3/9/2020	3/9/2020
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Rule Legislative	6/5/2019	7/8/2019		7/25/2019	Authorized with Certain Amendments 12/18/2019	BUNDLED HB4217		
Mining and Reclamation (38-02F)	Groundwater Protection Rules Coal Mining Operations Legislative	6/5/2019	7/8/2019		7/25/2019	Approved 12/18/2019	BUNDLED HB4217		
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	Modified & Approved 10/25/2019 Filed 11/6/2019	BUNDLED SB364		
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	Approved 10/24/2019	BUNDLED SB364		
Natural Resources (58-12)	Commerical Whitewater Outfitters Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 12/18/2019	BUNDLED SB449		
Natural Resources (58-16)	Transporting and Selling Wildlife Pelts and Parts Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 12/18/2019	BUNDLED SB449		
Natural Resources (58-25)	Boating Rule Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 12/18/2019	BUNDLED SB449		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-26)	Special Boating Rules Legislative	6/10/2019	7/10/2019		7/23/2019	Modified & Approved 12/18/2019 Filed 12/30/2019	BUNDLED SB449		
Natural Resources (58-28)	Special Requirements Concerning Boating Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 12/18/2019	BUNDLED SB449		
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	Modified & Approved 12/18/2019 Filed 12/30/2019	BUNDLED SB449		
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	Modifiled & Approved 12/18/2019 Filed 12/30/2019	BUNDLED SB449		
Natural Resources (58-36)	Cabwaylingo State Forest Trail System Two Year Pilot Project Permitting ATVs and ORVs Legislative				Sunset Extension 2/26/2020				
Natural Resources (58-46)	Defining of Terms Used In All Hunting and Trapping Legislative	6/10/2019	7/10/2019		7/24/2019	Approved 10/24/2019	BUNDLED SB449		
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 10/24/2019	BUNDLED SB449		
Natural Resources (58-61)	Special Fishing Rule Legislative	6/10/2019	7/10/2019		7/23/2019	Modified & Approved 12/18/2019 Filed 12/30/2019	BUNDLED SB449		
Natural Resources (58-62)	Catching and Selling Bait Fish Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 12/18/2019	BUNDLED SB449		
Natural Resources (58-65)	Falconry Legislative	6/10/2019	7/10/2019		7/24/2019	Approved 12/18/2019	BUNDLED SB449		
Nursing Home Administrators Licensing Board (21-01)	Nursing Home Administrators Legislative	10/24/2019	11/25/2019		11/26/2019	Modified & Approved 12/18/2019 Filed 12/27/2019	BUNDLED HB4252		
Occupational Therapy (13-03)	Fees For Services Rendered By the Board Legislative	5/8/2019	7/1/2019		7/3/2019	Approved 9/26/2019	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Occupational Therapy (13-07)	Request for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/13/2019	7/1/2019		7/3/2019	Modified & Approved 9/26/2019 Filed 9/30/2019	BUNDLED HB4252		
Occupational Therapy (13-08)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	10/30/2019	11/30/2019		12/2/2019	Approved 12/18/2019	BUNDLED HB4252		
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	Modifiifed & Approved 12/19/2019 Filed 1/3/2020	BUNDLED HB4217		
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 10/1/2019	Modified & Approved 11/17/2019 Filed 11/26/2019	BUNDLED HB4252		
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	Modified & Approved 10/24/2019 Filed 11/14/2019	BUNDLED HB4252		
Osteopathic Medicine (24-08)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/28/2019	7/29/2019		7/30/2019	Modified & Approved 10/24/2019 Filed 11/14/2019	BUNDLED HB4252		
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 11/17/2019 Filed 12/2/2019	BUNDLED HB4252		
Pharmacy (15-04)	Record Keeping and Automated Data Processing Systems Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	6/26/2019 8/15/2019	7/26/2019 9/16/2019		7/26/2019 10/11/2019	Modified & Approved 9/26/2019 Filed 10/11/2019	BUNDLED HB4252		
Pharmacy (15-12)	Immunizations Administered by Pharmacists and Pharmacy Interns Legislative	6/26/2019	7/26/2019		7/26/2019	Approved 9/26/2019	BUNDLED HB4252		
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/11/2019	BUNDLED HB4252		
Pharmacy (15-16)	Regulations Governing Pharmacists Legislative	8/15/2019	9/16/2019		10/10/2019	Modified & Approved 11/17/2019 Filed 12/2/2019	BUNDLED HB4252		
Pharmacy (15-18)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/11/2019	BUNDLED HB4252		
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistants Legislative	8/30/2019	9/30/2019		9/30/2019	Modified & Approved 11/17/2019 Filed 11/27/2019	BUNDLED HB4252		
Physical Therapy (16-04)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	8/30/2019	9/30/2019		9/30/2019	Modified & Approved 11/17/2019 Filed 11/27/2019	BUNDLED HB4252		
Physical Therapy (16-05)	General Provisions for Athletic Trainers Legislative	7/24/2019	8/26/2019		9/23/2019	Modified & Approved 11/17/2019 Filed 11/27/2019	BUNDLED HB4252		
Physical Therapy (16-06)	Fees for Athletic Trainers Legislative	7/25/2019	8/26/2019		9/23/2019	Modified & Approved 11/17/2019 Filed 11/27/2019	BUNDLED HB4252		
Physical Therapy (16-09)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/4/2019	7/5/2019		7/18/2019	Modified & Approved 11/17/2019 Filed 11/27/2019	BUNDLED HB4252		
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 9/20/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252		
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 9/17/2019	Modified & Approved 12/19/2019 Filed 12/19/2019	BUNDLED HB4252		
Psychologists (17-07)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/30/2019	9/30/2019		10/11/2019	Modified & Approved 12/192019 Filed 1/8/2020	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Public Service Commission (150-30)	Rules Governing Siting Certificates for Exempt Wholesale Generators Legislative Exempt	1/27/2020	2/26/2020						
Racing Commission (178-01)	Throughbred Racing Legislative	6/10/2019	7/10/2019		7/18/2019	Modified & Approved 12/18/2019 Filed 12/20/2019	BUNDLED SB357	3/11/2020	6/9/2020
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	Modified & Approved 11/17/2019 Filed 12/6/2019	BUNDLED HB4252		
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	Modified & Approved 9/26/2019 Filed 10/7/2019	BUNDLED HB4252		
Real Estate Commission (174-07)	Conisderation of Prior Criminal Convictions In Initial License Eligibility Determination Legislative	8/27/2019	9/26/2019		9/27/2019	Modified & Approved 11/17/2019 Filed 12/3/2019	BUNDLED HB4252		
Registered Professional Nurses (19-03)	Requirements for Registration and Licensure and Constituting Professional Misconduct Legislative	8/29/2019	9/30/2019		10/11/2019	Approved 11/17/2019	BUNDLED HB4252		
Registered Professional Nurses (19-15)	Request for Waiver of Initial Licensing Fees for Certain Individuals Legislative	7/17/2019	8/17/2019		8/22/2019	Modified & Approved 9/26/2019 Filed 10/7/2019	BUNDLED HB4252		
Respiratory Care (30-02)	Establishment of Fees Legislative	5/7/2019	6/7/2019		6/27/2019	Modified & Approved 9/26/2019 Filed 10/1/2019	BUNDLED HB4252		
Respiratory Care (30-09)	Student Temporary Permits Legislative	5/22/2019	6/24/2019		6/27/2019	Modified & Approved 9/26/2019 Filed 10/2/2019	BUNDLED HB4252		
Respiratory Care (30-10)	Conideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	11/7/2019	12/9/2019		12/10/2019	Approved 12/19/2019	BUNDLED HB4252		
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 11/1/2019	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
School Building Authority of WV (164-05)	School Building Authority Contracts and Agreements; Post-Project Evaluation; Suspension of Right to Bid Legislative	11/4/2019	12/4/2019		12/16/2019		SB652		
Senior Services (76-03)	West Virginia State Plan for Aging Programs- Title V Interpretive	3/9/2020	4/8/2020						
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	8/27/2019	9/26/2019		9/27/2019	Modified & Approved 10/24/2019 Filed 11/1/2019	BUNDLED HB4252		
Social Work Examiners (25-03)	Fee Schedule Legislative	6/5/2019	7/5/2019		7/10/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Speech-Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	5/14/2019	6/17/2019		6/28/2019	Modified & Approved 10/24/2019 Filed 11/4/2019	BUNDLED HB4252		
Speech-Language Pathology and Audiology (29-04)	Disciplinary & Complaint Procedures for Speech-Language Pathology & Audiology Legislative	8/8/2019	9/13/2019		9/17/2019	Modified & Approved 10/24/2019 Filed 11/5/2019	BUNDLED HB4252		
Tax (110-21F)	The Coal Severance Tax Rebate Interpretive	9/26/2019	10/26/2019						
Tax (110-43)	Special Valuation Method for Certain Wireless Technology Property Interpertive	7/3/2019 1/28/2020	8/2/2019 2/27/2020						
Veterinary Medicine (26-01)	Organization and Operation and Licenisng of Veterinarians Legislative	8/7/2019	9/8/2019		9/9/2019	Modified & Approved 12/19/2019 Filed 1/2/2020	BUNDLED HB4252		
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	Modified & Approved 12/19/2019 Filed 1/2/2020	BUNDLED HB4252		
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	Authorized as Modified with Certain Amendments 12/19/2019 Filed 1/2/2020	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Water Resources Division of Water and Waste Management (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	2/7/2020	3/26/2020						
Waste Management, Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/5/2019	7/8/2019		7/25/2019	Approved 10/25/2019	BUNDLED HB4217		

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
3/12/2020 2:17:02 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Administration TITLE-SERIES: 148-23

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

RULE NAME: 148-23 Exemptions from Management Services Provided by Fleet Management Division

CITE STATUTORY AUTHORITY: W. Va. Code Section 5A-12-9

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) SB 323

Section W. Va. Code Section 64-2-1 Passed On 1/30/2020 12:00:00 AM

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

March 12, 2020

This rule shall terminate and have no further force or effect from the following date:

March 12, 2025

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

Yes
Misty Peal -- 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

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3/11/2020 3:24:35 PM
Office of West Virginia
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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Administration TITLE-SERIES: 148-24

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

RULE NAME: 148-24 Financial Services Reporting

CITE STATUTORY AUTHORITY: W. Va. Code Section 5A-2B-2

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) SB 323

Section W. Va. Code Section 64-2-1 Passed On 1/30/2020 12:00:00 AM

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

March 11, 2020

This rule shall terminate and have no further force or effect from the following date:

March 11, 2025

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

Yes
Misty Peal -- 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

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3/12/2020 12:15 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

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

AGENCY: Education TITLE-SERIES: 126-136

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

RULE NAME: Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (5202)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

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

April 13, 2020

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

Yes
William C Burch – 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
INCOME MAINTENANCE MANUAL CHANGE FORM

Please Stamp Filing Date

FILED

2020 MAR -6 A 9:50

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF FILING CHANGES TO PUBLIC ASSISTANCE MANUAL WITH THE SECRETARY OF STATE

AGENCY:	**West Virginia Department of Health and Human Resources**	**BUREAU:**	**Children & Families**

TITLE OF MANUAL TO WHICH POLICY IS BEING FILED:	**Income Maintenance Manual**

STATE RULE:	**FEDERAL RULE:**	**EFFECTIVE DATE:**	**3/1/2020**

CHANGE NUMBER:	**Updated New Income Maintenance Manual**
CHAPTERS/SECTIONS EFFECTED:	**1, 2, 4, 7, 18 & AF&G**

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	A SNAP state option, to clarify that shelter verification is mandatory at application, review or when a change of shelter expense is reported; Clarifying for SNAP when to verify shelter expenses and what is acceptable forms of verification. For WV WORKS, post-employment options were updated to be named transitional benefits.

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

The above policy is hereby filed as an incorporated portion of an existing legislative rule.

Monica Hamilton
Authorized Signature

CONTACT:
Office of the Secretary
West Virginia Department of Health and Human Resources
State Capitol Complex, Building 3, Room 206
Charleston, West Virginia 25305
304.558.7899 Telephone

WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION
INCOME MAINTENANCE MANUAL CHANGE FORM

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2020 MAR -6 A 9:48
OFFICE WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

NOTICE OF FILING CHANGES TO PUBLIC ASSISTANCE MANUAL WITH THE SECRETARY OF STATE

AGENCY:	**West Virginia Department of Health and Human Resources**	**BUREAU:**	**Children & Families**
TITLE OF MANUAL TO WHICH POLICY IS BEING FILED:	**Income Maintenance Manual**		
STATE RULE:	**FEDERAL RULE:**	**EFFECTIVE DATE:**	**3/1/2020**
CHANGE NUMBER:	**Updated New Income Maintenance Manual**		
CHAPTERS/SECTIONS EFFECTED:	**4, 10 & 22**		
SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS			
REASON FOR MANUAL CHANGE:	Effective March 1, 2020 a change is made to update the income guidelines based on the Federal Poverty Level (FPL).		

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

The above policy is hereby filed as an incorporated portion of an existing legislative rule.

Monica Hamilton
Authorized Signature

CONTACT:
Office of the Secretary
West Virginia Department of Health and Human Resources
State Capitol Complex, Building 3, Room 206
Charleston, West Virginia 25305
304.558.7899 Telephone

Revision 07/07

Bill J. Crouch
Cabinet Secretary

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

Cynthia E. Beane
Commissioner

March 6, 2020

FILED
2020 MAR 10 A 9:21
OFFICE 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	☐X
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 519.17
Title: Telehealth Services

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

LEGISLATIVE

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

March 6, 2020

FILED
2020 MAR 10 A 9:21
OFFICE 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: 519.18
Title: Tobacco Cessation Services

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

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

March 6, 2020

FILED
2020 MAR 10 A 9:22
OFFICE 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: 522
Title: Federally Qualified Health Center and Rural Health Clinic Services

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

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Charleston, West Virginia 25301-3707

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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

LEGISLATIVE

Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

March 6, 2020

FILED
2020 MAR 10 A 9:2
OFFICE 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: 528.4
Title: Mammography

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
3/9/2020 1:27:35 PM
Office of West Virginia Secretary Of State

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-19

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

RULE NAME: Substance Abuse Screening, Standards and Procedures

CITE STATUTORY AUTHORITY: W.Va. Code §§22A-1A-2(b)&(c), 22A-2-80

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) S.B. 449

Section W. Va. Code §64-10-4(a) Passed On 2/12/2019 12:00:00 AM

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

March 9, 2020

This rule shall terminate and have no further force or effect from the following date:

March 09, 2025

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

Yes
Wesley H White -- 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
3/9/2020 1:24:25 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-22

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

RULE NAME: Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors

CITE STATUTORY AUTHORITY: W. Va. Code §22A-10-3(g)

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) S.B. 449

Section W. Va. Code §64-10-4(b) Passed On 2/12/2020 12:00:00 AM

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

March 9, 2020

This rule shall terminate and have no further force or effect from the following date:

March 09, 2025

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

Yes
Wesley H White -- 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
3/11/2020 3:43:53 PM
Office of West Virginia
Secretary Of State

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Racing Commission TITLE-SERIES: 178-01

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

RULE NAME: Thoroughbred Racing

CITE STATUTORY AUTHORITY: WV Code 19-23-2(a), 19-23-3(17), 19-23-6, 19-23-8, 19-23-9, 19-23-13, 19-23-13b, 19-23-15

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) SB 357

Section 64-7-2 Passed On 2/5/2020 12:00:00 AM

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

June 9, 2020

This rule shall terminate and have no further force or effect from the following date:

June 09, 2030

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

3/9/2020 3:59:25 PM

Office of West Virginia Secretary Of State

INTERPRETIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Senior Services TITLE-SERIES: 76-03

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

RULE NAME: West Virginia State Plan for Aging Programs- Title V

CITE STATUTORY AUTHORITY: WV Code 16-9-1

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 04/08/2020 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Commissioner Robert Roswall

ADDRESS: 1900 Kanawha BLVD East

Charleston, WV 25305

EMAIL:

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

Orders Report

Docket Number	Agency	Respondent	Date Rendered
20-2-11809-X	Health Care Authority	Chapmanville Primary Care Clinic	3/4/2020
20-5-11802-X	Health Care Authority	EWV Holdings, LLC	3/4/2020
20-8-11804-X	Health Care Authority	Potomac Valley Hospital	3/4/2020
18-7-11445-BH	Health Care Authority	RSCR West Virginia, Inc.	3/4/2020
20-6-11810-X	Health Care Authority	Tupelo Holdings, LLC	3/4/2020
20-2-11811-X	Health Care Authority	Lily's Place	3/4/2020
18-1-11442-BH	Health Care Authority	VOCA Corporation of West Virginia, Inc.	3/2/2020
18-2-11154-BH	Health Care Authority	Diversified Assessment & Therapy Services	3/2/2020
20-3-11801-X	Health Care Authority	Diversified Assessment & Therapy Services	3/2/2020
20-2-11805-X	Health Care Authority	The Village at Riverview	3/2/2020
19-8-11703-P	Health Care Authority	Western Maryland Health System Corporation	3/2/2020
18-3-11347-P	Health Care Authority	Claire-Frances Health Care Services, LLC	3/2/2020
19-THP-02081	Insurance Commission	United Services Automobile Association	3/2/2020
19-126-W	Medicine, West Virginia Board Of	Michelle Ann Murray, DPM	3/4/2020
19-183-W	Medicine, West Virginia Board Of	Michael Shramowiat, MD	3/4/2020
18-184-W	Medicine, West Virginia Board Of	Barbara Blasko, MD	3/4/2020
18-173-W	Medicine, West Virginia Board Of	Marc Harris Kolender, MD	3/9/2020

WEST VIRGINIA ETHICS COMMISSION ADVISORY OPINIONS	
NO.	**OPINION SOUGHT**
2020-04	The Governor asks (1) whether he may use state aircraft to fly from Lewisburg to destinations outside of Charleston on official state business, and (2) whether he may participate in campaign activities following his state work and before his return flight provided that the primary purpose of the travel is for official state business and there is no additional use of the aircraft for campaign-related travel.
2020-05	A part-time State Board member asks whether he may be employed by a professional association whose members are regulated by the State Board on which he serves.

WEST VIRGINIA ETHICS COMMISSION CONTRACT EXEMPTION	
NO.	**OPINION SOUGHT**
2020-03	The City of Bridgeport Development Authority seeks an exemption to sell real property to a company in which the Mayor is a member.

WEST VIRGINIA HEALTH CARE AUTHORITY FILED **OTHER**
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600 2020 MAR -9 A 10:01

March 9, 2020

OFFICE WEST VIRGINIA SECRETARY OF STATE

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **March 6, 2020**.

LETTERS OF INTENT RECEIVED

March 2, 2020 – Stonerise Home Health Services 2 LLC, Charleston, Kanawha County, CON File #20-7-11820-A, for the operation of home health services in Lewis, Gilmer and Braxton counties on behalf of a joint venture between Stonewall Jackson Memorial Hospital and Stonerise at Home Holdings; capital expenditure: $290,000.

March 6, 2020 – REM West Virginia, Benwood, Marshall County, CON File #20-4-11822-BH, for the provision of ICF/IID services in Fayette County through the development of a four-bed ICF/IID facility; capital expenditure: $200,000.

CERTIFICATE OF NEED APPLICATIONS RECEIVED

March 2, 2020 - Camden-Clark Memorial Hospital Corporation, Parkersburg, Wood County, CON File #20-5-11812-P, for the development of an ambulatory health care facility through the acquisition of the radiology services currently operated by Parkersburg Radiology Services, Inc., located in Vienna, Wood County; capital expenditure $98,000.

March 2, 2020 - Diversified Assessment & Therapy Services, Kenova, Wayne County, CON File #20-3-11813-BH, for the provision of ICF/IID group home services for children/adolescents in Putnam County; capital expenditure: $245,000.

APPLICATION FOR EXEMPTION RECEIVED

March 3, 2020 – West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #20-6-11821-X, for the transfer of ten skilled nursing beds from St. Joseph's Hospital of Buckhannon to West Virginia University Hospitals.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

An application declared complete is one in which there is sufficient information for the Authority to make an informed decision. It does not mean that the approval of the application is warranted.

EXPEDITED APPLICATIONS

February 28, 2020 - Grant Memorial Hospital, Petersburg, Grant County, CON File #19-8-11764-P, for the provision of outpatient aquatic therapy services at the Hardy County Wellness Center; no capital expenditure.

February 28, 2020 - UPMC Western Maryland Corporation, Cumberland, Maryland, CON File #20-8-11806-P, for the reopening of the Hunt Club Medical Clinic Facility as an ambulatory care center located at 45 Hunt Club Drive, Ridgeley, Mineral County, West Virginia; capital expenditure: $75,000.

The review cycle for the above-referenced projects is as follows:

February 28, 2020 – Review cycle begins;

March 30, 2020 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to affected persons;

April 3, 2020 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application;

April 28, 2020 – Decision on the project will be issued by the Authority.

ORDER TO WITHDRAW CON APPLICATION ISSUED

March 2, 2020 - Western Maryland Health System Corporation, Cumberland, Maryland, CON File #19-8-11703-P, for the establishment of the Hunt Club Medical Clinic facility located at 45 Hunt Club Drive, Ridgeley, Mineral County, as an ambulatory care center; capital expenditure: $35,000.

ORDER TO WITHDRAW CERTIFICATE OF NEED

March 2, 2020 - Claire-Frances Health Services LLC, Ashland, Kentucky, CON File #18-3-11347-P, for the development of an ambulatory infusion center at the existing Infusion Pharmacy located at 5528 MacCorkle Ave., SE, Charleston, Kanawha County; capital expenditure: $13,766.39.

PROJECTS DETERMINED NOT REVIEWABLE

March 2, 2020 – Diversified Assessment & Therapy Services, Kenova, Wayne County, CON File #20-3-11801-X, for the addition of office space to its existing office location at Suite B, 33 Erskine Lane, Scott Depot; no capital expenditure.

March 4, 2020 – Chapmanville Primary Care Clinic, Chapmanville, Logan County, CON File #20-2-11809-X, for the conversion of a private practice to an independent Rural

Health Clinic; no capital expenditure.

EXEMPTION APPLICATIONS APPROVED

March 2, 2020 - The Village at Riverview, Barboursville, Cabell County, CON File #20-2-11805-X, for the construction of twenty-six additional assisted living units.

March 4, 2020 - EWV Holdings, LLC, Elizabeth, Wirt County, CON File #20-5-11802-X, to become the licensed operator of Elizabeth Care Center, a 36-bed nursing home opening in Elizabeth, Wirt County.

March 4, 2020 - Potomac Valley Hospital, Keyser, Mineral County, CON File #20-8-11804-X, for the provision of outpatient behavioral health services.

March 4, 2020 - Tupelo Holdings, LLC, Cabin Creek, Kanawha County, CON File #20-6-11810-X, for the acquisition of the real property associated with part of Taylor Health Care Center, LLC, a nursing home located in Grafton.

March 4, 2020 - Lily's Place, Huntington, Cabell County, CON File #20-2-11811-X, for the development of an outpatient behavioral health center to be known as Lily's Place Family Center.

EXTENSIONS GRANTED

March 2, 2020 - VOCA Corporation of West Virginia, Inc., Louisville, KY, CON File #18-1-11442-BH, for the development of a four-bed intermediate care facility for individuals with intellectual disabilities (ICF/IID) in Wyoming County serving children; capital expenditure: $45,000.

Extension granted through March 31, 2020.

March 2, 2020 - Diversified Assessment & Therapy Services, Kenova, Wayne County, CON File #18-2-11454-BH, for the provision of ICF/IDD group home services in Wayne County serving children; capital expenditure: $239,250.

Extension granted through May 31, 2020.

March 4, 2020 - RSCR West Virginia, Inc., Louisville, KY, CON File #18-7-11445-BH, for the development of a four-bed intermediate care facility for individuals with intellectual disabilities (ICF/IID) in Barbour County serving adults; capital expenditure: $45,000.

Extension granted through April 30, 2020.

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