WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXVIII

Issue 6

February 12, 2021

A Weekly Publication

Administrative Law Division

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

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Health and Human Resources

    Bureau for Children & Families

Health Care Authority

Public Service Commission

School Building Authority

Water Resources, Div. of Water & Waste Mgmt.

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NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Education (126-007)	Regulations for Adult Diversion and Transition Programs (Policy 1471) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only March 15, 2021, 4:00 pm Jacob Green, Superintendent WVDE Schools of Diversion & Transition Capitol Bldg. 6, Room 825 1900 Kanawha Blvd E Charleston, WV 25305 jgreen@k12.wv.us
Education (126-008)	Drug-Free Workplace (Policy 1461) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only March 15, 2021, 4:00 pm Jonah Adkins, Coordinator WVDE Office of Support and Accountability Capitol Bldg. 6, Room 700 1900 Kanawha Blvd E Charleston, WV 25305 jwadkins@k12.wv.us
Public Service Commission (150-02)	Rules for the Construction and Filing of Tariffs Legislative Exempt	§§24-1-1, 24-1-7, 24-2-1, 24-2-2, 24-2-4a, 24-2-4b, 24-2-5, 24-2-7, 24-2-8, 24-2-9, 24-3-2, 24-3-5, 24A-1-1, 24A-5-2a	Comment Period Extended Written Comments Only June 15, 2021 Connie Graley PO Box 812 Charleston, WV 25323 cgraley@psc.state.wv.us
Public Service Commission (150-09)	Rules Governing Motor Carriers, Private Commercial Carriers, and the Filing of Evidence of Insurance and Financial Responsibility by Motor Carriers Legislative Exempt	§§14-2-1b, 24-2-2, 24A-2-3, 24A-3-4, 24A-3-6, 24A-4-1, 24A-5-2b, 24A-5-5	Comment Period Extended Written Comments Only June 15, 2021 Connie Graley PO Box 812 Charleston, WV 25323 cgraley@psc.state.wv.us

Water Resources, Div. of Water & Waste Mgmt. (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	§22-11-7b(f)	Public Hearing: March 10, 2021, 6:00 pm Zoom online hearing (see rule cover sheet for details) or dial by phone (646) 558-8656 Written Comments: March 10, 2021, 8:00 pm John Wirts 601 57th Street SE Charleston, WV 25311 john.c.wirts@wv.gov

NO NEW EMERGENCY RULES FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE OF 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	2	ARCHITECTS
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
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TITLE	20	SANITARIANS
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TITLE	145	DEVELOPMENT OFFICE
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	155	AUDITOR
TITLE	157	HIGWAYS
TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
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
Administration (148-01)	Purchasing Legislative	7/7/2020	8/6/2020		8/10/2020	Modified w/Certain Amendments & Approved 12/9/2020			
Agriculture (61-01)	Animal Disease Control Legislative	7/28/2020	8/27/2020		8/27/2020	Approved 12/9/2020			
Agriculture (61-09)	WV Seed Law Legislative	7/28/2020	8/27/2020		8/27/2020	Modified & Approved 12/9/2020 Filed 12/23/2020			
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	7/14/2020	8/13/2020		8/17/2020	Approved 12/9/2020			
Agriculture (61-28)	Poultry Litter and Manure Movement Into Primary Poultry Breeder Rearing Areas Legislative				Sunset Extension 7/27/2020	Approved 12/9/2020			
Agriculture (61-39)	Seed Certification Program Legislative	7/27/2020	8/26/2020		8/26/2020	Modified & Approved 12/9/2020 Filed 12/22/2020			
Agriculture (61-40)	WV Exempted Dairy Farms and Milk and Milk Products Processing Rule Legislative	8/21/2020	9/20/2020		9/21/2020	Approved 12/9/2020			
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-23)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-33)	Acid Rain Provisions and Permits Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-44)	Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units Legislative	6/24/2020	7/28/2020		8/26/2020	Modified & Approved 9/25/2020 Filed 9/28/2020			
Alcohol Beverage Control Comm. (175-02)	Private Club Licensing Legislative	6/18/2020	7/20/2020		7/24/2020	Modified & Approved 11/17/2020 Filed 11/18/2020			
Alcohol Beverage Control Comm. (175-10)	Distilleries, Mini-Distilleries and Micro-Distilleries Legislative	6/22/2020	7/23/2020		7/24/2020	Modified & Approved 11/17/2020 Filed 11/18/2020			
Auditor (155-01)	Standards for Requisitions for Payment Issued by State Officers on the Auditor Legislative	7/13/2020	8/13/2020		8/17/2020	Modified & Approved 11/16/2020 Filed 11/19/2020			
Auditor (155-02)	Indexing Of State-Owned Lands Procedural	11/25/2020	12/28/2020					1/29/2021	3/1/2021
Coal Mine Health & Safety (36-01)	Shaft and/or Slope Operations in the State of WV Legislative Exempt	12/14/2020	1/28/2021						
Coal Mine Health & Safety (36-05)	Rule Governing Telephone Service or Communication Facilities Legislative Exempt	12/14/2020	1/28/2021						
Coal Mine Health & Safety (36-14)	Rule Governing Electrical Equipment in Mines; Required Examinations Legislative Exempt	12/14/2020	1/28/2021						
Coal Mine Health & Safety (36-25)	Underground Equipment Requirements and Operation Legislative Exempt	12/14/2020	1/28/2021						
Coal Mine Health & Safety (36-26)	Rule Governing Construction and Rehabilitation Operations in Underground Mines Legislative Exempt	12/14/2020	1/28/2021						
Development Office (145-07)	Neighborhood Investment Program Act Procedural	7/22/2020	8/28/2020						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Development Office (145-16)	Tourism Development Districts Legislative	7/20/2020	8/21/2020	7/1/2020 Approved 7/2/2020	8/25/2020	Modified & Approved 11/17/2020			
Education (126-007)	Regulations for Adult Diversion and Transition Programs (Policy 1471) Legislative Exempt	2/10/2021	3/15/2021						
Education (126-008)	Drug-Free Workplace (Policy 1461) Legislative Exempt	2/10/2021	3/15/2021						
Education (126-161)	Regulations for the Alternative Certification Programs for the Education of Teachers (Policy 5901) Legislative Exempt	1/14/2021	2/16/2021						
Emergency Management (170-04)	SIRN Emergency Purchasing Procedure Procedural	1/29/2021	3/1/2021						
Emergency Management (170-05)	Purchases During States of Emergency Procedural	1/29/2021	3/1/2021						
Environmental Protection – Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	7/2/2020	8/11/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/11/2020			
Financial Institutions, Div. of (106-21)	Rule Pertaining to the Fintech Regulatory Sandbox Legislative	6/26/2020	7/31/2020	6/26/2020 Approved 7/1/2020 Amendment 11/30/2020 Approved 12/16/2020	8/13/2020	Modified & Approved 11/17/2020 Filed 11/30/2020			
Financial Institutions, Div. of (106-22)	Exempt Purchasing Procedural	1/11/2021	2/10/2021						
Fire Commission (87-07)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code (Repeal) Legislative	6/22/2020	7/22/2020		8/24/2020	Approved 11/16/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Marshal (103-06)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Legislative	6/22/2020	7/22/2020		8/13/2020	Approved 11/16/2020			
Funeral Service Examiners (6-01)	Funeral Director, Embalmer, Apprentice, Courtesy Card Holders and Funeral Establishment Requirements Legislative	7/22/2020	8/24/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 11/18/2020			
Funeral Service Examiners (6-02)	Crematory Requirements Legislative	7/22/2020	8/24/2020		8/24/2020	Modified & Approved 11/16/2020 Filed 11/18/2020			
Funeral Service Examiners (6-07)	Fee Schedule Legislative	7/21/2020	8/24/2020		8/24/2020	Modified & Approved 11/16/2020 Filed 11/18/2020			
Health (64-11)	Behavioral Health Centers Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 1/4/2021			
Health (64-12)	Hospital Licensure Legislative	7/1/2020	7/31/2020		8/21/2020	Approved 12/9/2020			
Health (64-13)	Nursing Home Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/16/2020			
Health (64-45)	Lead Abatement Licensing Legislative	7/2/2020	8/3/2020		8/21/2020	Modified & Approved 11/17/2020 Filed 12/10/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-48)	Emergency Medical Services Legislative	9/4/2020	10/5/2020	9/4/2020 Approved 9/30/2020 Amendment 10/1/2020 Approved 10/1/2020 Amendment 1/13/2021 Approved 1/13/2021	11/20/2020	Modified & Approved 12/9/2020 Filed 1/4/2021			
Health (64-59)	Patient Rights at State-Operated Mental Health Facilities Legislative	7/1/2020	7/31/2020		8/26/2020	Modified & Approved 12/9/2020 Filed 12/9/2020			
Health (64-60)	Delegation of Medication Administration and Health Maintenance Tasks to Approved Medication Assistive Personnel Legislative	7/1/2020	7/31/2020		8/21/2020	Modified & Approved 12/9/2020 Filed 12/16/2020			
Health (64-114)	Public Health Standards for Businesses Remaining Open During the COVID-19 Outbreak Legislative	5/15/2020 5/18/2020	6/15/2020 6/17/2020	4/16/2020 Approved 4/16/2020 Amendment 4/21/2020 Approved 4/21/2020 Amendment 5/15/2020 Approved 5/15/2020 Amendment 1/13/2021 Approved 1/13/2021	8/28/2020	Modified & Approved 12/9/2020 Filed 12/15/2020			
Health (64-115)	Diabetes Self-Management Education Legislative	7/2/2020	8/3/2020		8/26/2020	Modified & Approved 11/17/2020 Filed 11/20/2020			
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	7/1/2020	7/31/2020		8/21/2020	Modified & Approved 11/17/2020 Filed 11/20/2020			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health and Human Resources (69-15)	Recovery Residence Certification and Accreditation Program Legislative	5/8/2020	6/8/2020	4/29/2020 Effective 6/10/2020	7/1/2020	Modified & Approved 12/9/2020 Filed 12/9/2020			
Health Care Authority (65-29)	Exemption from Certificate of Need Legislative	8/24/2020	9/23/2020		9/28/2020	Approved 12/9/2020			
Hearing Aid Dealers (8-01)	Rule Governing the WV Bd. Of Hearing Aid Dealers Legislative	7/21/2020	8/22/2020		8/28/2020	Modified & Approved 11/16/2020 Filed 12/1/2020			
Higher Education Policy Comm. (133-63)	Mental Health Loan Repayment Program Legislative	6/26/2020	7/27/2020	6/26/2020 Effective 6/26/2020	7/29/2020				
Higher Education Policy Comm. (133-64)	Administrative Exemption Legislative	11/20/2020	12/21/2020						
Highways (157-01)	Rules Relating Generally to Various Functions of the Commissioner of Highways Procedural	11/17/2020	12/18/2020						
Highways (157-05)	Traffic and Safety Rules Legislative	7/28/2020	8/28/2020		8/28/2020	Approved 11/17/2020			
Highways (157-14)	Contract Administration Purchasing Process Procedural	12/14/2020	1/14/2021						
Human Services (78-02)	Child Placing Agencies Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/16/2020			
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults and Vulnerable and Transitioning Youth Group Homes and Programs in WV Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/15/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Human Services (78-27)	Procedure to Contest the Substantiation of Child Abuse or Neglect Legislative	7/1/2020	7/31/2020		8/26/2020	Modified & Approved 12/9/2020 Filed 12/15/2020			
Insurance Comm. (114-02A)	Fingerprinting Requirements for Applicants for Insurance Producer License and Insurance Adjuster License Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-25)	Insurance Adjusters Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-40)	Credit for Reinsurance Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-42)	Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters Legislative	6/18/2020	7/24/2020		7/27/2020	Approved 9/25/2020			
Insurance Comm. (114-64)	Mental Health Parity Legislative	6/22/2020	7/24/2020		8/11/2020	Modified & Approved 9/25/2020 Filed 9/30/2020			
Insurance Comm. (114-100)	Health Benefit Plan Network Access and Adequacy Legislative	6/22/2020	7/24/2020		8/11/2020	Modified & Approved 11/16/2020 Filed 11/17/2020			
Insurance Comm. (114-101)	Exempt Purchasing Procedural	12/30/2020	2/1/2021					2/2/2021	3/4/2021
Labor (42-03)	Steam Boiler Inspection Legislative	7/16/2020	8/17/2020		8/24/2020	Modified w/Certain Amendments & Approved 12/9/2020			
Landscape Architects (9-01)	Registration of Landscape Architects Legislative	7/23/2020	8/24/2020		8/27/2020	Modified & Approved 11/16/2020 Filed 12/1/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Landscape Architects (9-04)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	7/23/2020	8/24/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/23/2020			
Livestock Care Standards Bd. (73-01)	Livestock Care Standards Legislative	7/21/2020	8/20/2020		8/21/2020	Approved 12/9/2020			
Lottery (179-10)	WV Lottery Interactive Wagering Rule Legislative	6/11/2020	7/11/2020	5/15/2020 Approved 5/18/2020	8/10/2020	Modified & Approved 12/9/2020 Filed 12/21/2020			
Medicine (11-14)	Registration to Practice During Declared State of Emergency Legislative	4/23/2020	5/23/2020	3/26/2020 Approved 3/26/2020	6/24/2020	Approved 11/16/2020			
Miners' Health Safety and Training (56-08)	The Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of WV Legislative	7/14/2020	8/13/2020		8/19/2020	Approved 11/17/2020			
Motor Vehicles (91-04)	Examination and Issuance of Driver's License Legislative	7/8/2020	8/9/2020		8/11/2020	Modified & Approved 9/25/2020 Filed 9/29/2020			
Motor Vehicles (91-05)	Denial, Suspension, Revocation, Disqualification, Restriction, Non-Renewal, Cancellation, Administrative Appeals and Reinstatement of Driving Privileges Legislative	7/15/2020	8/17/2020		8/19/2020	Approved 9/25/2020			
Motor Vehicles (91-13)	Compulsory Motor Vehicle Liability Insurance Legislative	7/29/2020	8/28/2020		8/28/2020	Modified & Approved 9/25/2020 Filed 9/29/2020			
Motor Vehicles (91-25)	Special Purpose Vehicles Legislative	7/1/2020	7/31/2020		8/7/2020	Modified & Approved 11/16/2020 Filed 11/17/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Municipal Pensions Oversight Bd. (211-02)	Exempt Purchasing Legislative	6/26/2020	7/27/2020		8/7/2020	Modified & Approved 11/17/2020 Filed 11/17/2020			
Natural Resources (58-36)	Cabwaylingo State Forest Trail System Two Year Pilot Project Permitting ATVs and ORVs Legislative				Sunset Extension 2/26/2020	Approved 9/25/2020			
Natural Resources (58-46)	Defining the Terms Used in All Hunting and Trapping Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020			
Natural Resources (58-50)	Deer Hunting Rule Legislative	7/29/2020	8/28/2020		8/28/2020	Modified & Approved 9/25/2020 Filed 9/29/2020			
Natural Resources (58-56)	Special Migratory Game Bird Hunting Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020			
Natural Resources (58-58)	Special Waterfowl Hunting Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020			
Occupational Therapy (13-09)	Telehealth Practice; Requirements; Definitions Legislative	6/15/2020	8/1/2020		8/10/2020	Approved 11/16/2020			
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	7/28/2020	8/28/2020	7/28/2020 Effective 9/8/2020	8/28/2020	Modified & Approved 11/16/2020 Filed 11/23/2020			
Osteopathic Medicine (24-09)	Emergency Temporary Permits to Practice During States of Emergency or State of Preparedness Legislative	4/15/2020	5/15/2020	3/26/2020 Approved 3/26/2020	6/22/2020	Modified & Approved 11/16/2020 Filed 11/23/2020			
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	4/30/2020	5/31/2020	4/30/2020 Approved 4/30/2020 Amendment 8/26/2020 Effective 10/7/2020	6/5/2020				
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	7/22/2020	8/21/2020		8/26/2020	Approved 11/16/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative	4/30/2020	5/31/2020	4/1/2020 Approved 4/1/2020	6/5/2020				
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020			
Pharmacy (15-03)	Continuing Education for Licensure of Pharmacists Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020			
Pharmacy (15-05)	Licensure of Wholesale Drug Distributors, Third Party Logistics Providers, and Manufacturers Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020			
Pharmacy (15-08)	Controlled Substances Monitoring Program Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020			
Pharmacy (15-12)	Immunizations Administered by Pharmacist and Pharmacy Interns Legislative	5/1/2020 7/22/2020	6/2/2020 8/21/2020	4/20/2020 Approved 4/20/2020	6/5/2020 9/4/2020	Modified & Approved 11/16/2020 Filed 12/2/2020			
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistants Legislative	9/17/2020	10/19/2020		10/19/2020	Modified & Approved 12/9/2020 Filed 12/18/2020			
Physical Therapy (16-04)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	7/28/2020	8/27/2020		8/28/2020	Modified & Approved 12/9/2020 Filed 12/16/2020			
Physical Therapy (16-05)	General Provisions for Athletic Trainers Legislative	9/17/2020	10/19/2020		10/19/2020	Modified & Approved 12/9/2020 Filed 12/21/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Physical Therapy (16-06)	Fees for Athletic Trainers Legislative	7/29/2020	8/28/2020		8/28/2020	Modified & Approved 12/9/2020 Filed 12/16/2020			
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in WV Legislative	7/13/2020	8/14/2020		8/24/2020	Modified & Approved 11/16/2020 Filed 11/19/2020			
Public Service Commission (150-02)	Rules for the Construction and Filing of Tariffs Legislative Exempt	8/4/2020	10/5/2020 Extended to 6/15/2021						
Public Service Commission (150-05)	Rules for the Government of Sewer Utilities Legislative Exempt	11/10/2020	1/11/2021 Extended to 1/18/2021						
Public Service Commission (150-07)	Rules for the Government of Water Utilities Legislative Exempt	11/10/2020	1/11/2021 Extended to 1/18/2021						
Public Service Commission (150-09)	Rules Governing Motor Carriers, Private Commercial Carriers, and the Filing of Evidence of Insurance and Financial Responsibility by Motor Carriers Legislative Exempt	8/4/2020	10/5/2020 Extended to 6/15/2021						
Public Service Commission (150-16)	Rules Governing the Transportation of Natural Gas Legislative Exempt	10/7/2020	11/16/2020						
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/18/2020	7/20/2020		8/21/2020	Modified & Approved 12/9/2020			
Racing Commission (178-02)	Greyhound Racing Legislative	6/18/2020	7/20/2020		8/17/2020	Approved 12/9/2020			
Racing Commission (178-10)	Advance Deposit Account Wagering (ADW) Legislative	7/1/2020	7/31/2020	7/1/2020 Approved 7/1/2020	8/17/2020	Modified & Approved 12/9/2020			
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers, and Salespersons and the Conduct of Brokerage Business Legislative	7/21/2020	8/20/2020		8/24/2020	Modified & Approved 12/9/2020 Filed 12/11/2020			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Rehabilitation Services (198-01)	Ron Yost Personal Assistance Services Act Bd. Legislative	7/24/2020	8/26/2020		8/26/2020	Approved 12/9/2020			
Respiratory Care (30-01)	Criteria for Licensure Legislative	7/20/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 11/17/2020			
Risk and Insurance Management (115-01)	Mine Subsidence Insurance Legislative	7/9/2020	8/8/2020		8/18/2020	Approved 11/17/2020			
Risk and Insurance Management (115-02)	Public Entities Insurance Program Legislative	7/9/2020	8/8/2020		8/18/2020	Modified & Approved 11/17/2020 Filed 11/30/2020			
Risk and Insurance Management (115-05)	Procedure for Providing Written Notification of Claims of Potential Liability to the State or Its Employees (Repeal) Legislative	7/9/2020	8/8/2020		8/18/2020	Approved 11/17/2020			
School Building Authority (164-01)	Policy and Procedures Handbook of the School Building Authority of West Virginia Procedural	12/16/2020	1/19/2021					2/5/2021	3/8/2021
Secretary of State (153-07)	Submission of Other Documents to Solicit Contributions for Charitable Organizations Interpretive	12/7/2020	1/8/2021						
Secretary of State (153-10)	Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Election Systems, Software, Services and Upgrades Legislative	4/24/2020	5/29/2020	3/25/2020 Amendment 4/24/2020 Amendment 4/27/2020 Effective 6/8/2020	6/23/2020	Modified & Approved 11/17/2020 Filed 12/4/2020			
Secretary of State (153-45)	Guidelines and Standards for Electronic Notarization Legislative	4/30/2020	6/1/2020	3/27/2020 Amendment 3/31/2020 Approved 4/1/2020	6/25/2020	Modified & Approved 11/17/2020 Filed 12/4/2020			
Secretary of State (153-53)	Election Processes and Absentee Eligibility During State of Emergency			3/20/2020 Effective 3/20/2020					

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Senior Services (76-06)	Shared Table Initiative for Senior Citizens Legislative	7/24/2020	8/24/2020		8/25/2020	Modified & Approved 11/17/2020 Filed 11/30/2020			
State Emergency Response Comm. (55-01)	Emergency Planning and Community Right to Know Legislative	7/13/2020	8/12/2020		8/28/2020	Approved 11/16/2020			
State Emergency Response Comm. (55-02)	Emergency Planning Grant Program Legislative	7/13/2020	8/12/2020		8/28/2020	Approved 11/16/2020			
Tax (110-13FF)	Tax Credit for Providing Vehicles to Low-Income Workers Legislative	6/22/2020	7/22/2020		8/17/2020	Modified & Approved 9/25/2020 Filed 10/5/2020			
Tax (110-13GG)	Downstream Natural Gas Manufacturing Investment Tax Credit Legislative	6/22/2020	7/22/2020		7/29/2020	Approved 12/9/2020			
Tax (110-13II)	High-Wage Growth Business Tax Credit Legislative	6/22/2020	7/22/2020		7/29/2020	Modified & Approved 9/25/2020 Filed 10/5/2020			
Waste Mgmt., Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	7/8/2020	8/11/2020		8/25/2020	Approved 9/25/2020			
Water Resources Division of Water and Waste Management (47-02)	Requirements Governing Water Quality Standards Legislative	3/31/2020	5/19/2020		8/17/2020	Modified & Approved 12/9/2020 Filed 12/22/2020			
Water Resources Division of Water and Waste Management (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	2/9/2021	3/10/2021						

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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2/10/2021 4:44:47 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education

TITLE-SERIES: 126-007

RULE TYPE: Legislative Exempt

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Regulations for Adult Diversion and Transition Programs (Policy 1471)

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)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 03/15/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jacob Green, Superintendent

ADDRESS: WVDE West Virginia Schools of Diversion and Transition,Capitol Bldg. 6, Room 825

1900 Kanawha Blvd E, Charleston, WV 25305

EMAIL: jgreen@k12.wv.us

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)

WEST VIRGINIA SECRETARY OF STATE
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2/10/2021 4:26:45 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education

TITLE-SERIES: 126-008

RULE TYPE: Legislative Exempt

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Drug-Free Workplace (Policy 1461)

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)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 03/15/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jonah Adkins, Coordinator

ADDRESS: WVDE Office of Support and Accountability, Capitol Bldg. 6, Room 700

1900 Kanawha Blvd E, Charleston, WV 25305

EMAIL: jwadkins@k12.wv.us

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)

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

Please Stamp Filing Date
FILED
2021 FEB -9 P 1:33
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:**	12/1/2020
CHANGE NUMBER:	Updated New Income Maintenance Manual 796		
CHAPTERS/SECTIONS EFFECTED:	18 & 20		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	Added penalty for child support non-cooperation and collateral examples, removed 2nd change application requirement. Emergency assistance guidelines were updated.

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

LEGISLATIVE

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

Please Stamp Filing Date
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2021 FEB -9 P 1:33
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:**	11/16/2020
CHANGE NUMBER:	Updated New Income Maintenance Manual 797		
CHAPTERS/SECTIONS EFFECTED:	21		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	Released under Emergency Rule. Update the annual income levels and the maximum allowable payment for the LIEAP Program.

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

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

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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:**	1/1/2021
CHANGE NUMBER:	Updated New Income Maintenance Manual 798		
CHAPTERS/SECTIONS EFFECTED:	4		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	Released under Emergency Rule. Update the annual income levels and the maximum allowable payment for the LIEAP Program.

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

WEST VIRGINIA
SECRETARY OF STATE
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INCOME MAINTENANCE MANUAL CHANGE FORM

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2021 FEB -9 P 1:34
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:**	1/1/2021
CHANGE NUMBER:	Updated New Income Maintenance Manual 799		
CHAPTERS/SECTIONS EFFECTED:	4, 5, 10, 22, 23, 24, 26 & 29		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	This change is being made to update the Asset Assessment Amounts and Maximum Spousal Maintenance Allowance Standard, Medicare Premium Amount, SSI Amounts, 300% Special Income Level for Long Term Care, SSI-Related Allocation Amount and Student Earned Income Exclusion effective January 1, 2021. Update the asset limit for QMB, SLMB and QI. To reflect the Customer Service Center no longer is the only entity handling COVID-19 Testing Group Medicaid applications effective December 14, 2020. Updated language to add valid Medicaid closure reasons during the COVID-19 public health emergency (PHE) in accordance with CMS guidance issued in new Section 42 C.F.R. 433.400; and to clarify when WVCHIP coverage may be closed during the COVID-19 PHE.

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

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

Please Stamp Filing Date

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2021 FEB -9 P 1:34

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:**	2/1/2021
CHANGE NUMBER:	Updated New Income Maintenance Manual 800		
CHAPTERS/SECTIONS EFFECTED:	4 & 7		
SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS			
REASON FOR MANUAL CHANGE:	Census income will be excluded for SNAP and WV WORKS through October 31, 2021. Updated income limits for LIEAP, update language for minimum shelter deduction requirement.		

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

LEGISLATIVE

Public Service Commission
Jessica M. Lane, General Counsel
201 Brook Street, P.O. Box 812
Charleston, WV 25323
Phone: (304) 340-0450
Fax: (304) 340-3758
E-mail: jlane@psc.state.wv.us

February 8, 2021

West Virginia Secretary of State
Maureen Lewis, Director
Office of the Secretary of State
State Capitol Building
Charleston, WV 25305
Fax: 304-558-0900
e-mail: mlewis@wvsos.gov

FILED
2021 FEB -8 P 4:12
OFFICE WEST VIRGINIA SECRETARY OF STATE

Re: Request to extend comment period

Dear Ms. Lewis:

I am writing to you today to request an extension until June 15, 2021, of the comment period for the Rules Governing Motor Carriers, Private Commercial Carriers, and the Filing of Evidence of Insurance and Financial Responsibility of Motor Carriers, 150 C.S.R. 9 and the Rules for the Construction and Filing of Tariffs, 150 C.S.R. 2. On August 4, 2020, the Public Service Commission initiated a rulemaking to revise these rules. At that time, the Commission requested a sixty-day comment period until October 5, 2020. The Commission has six months from the end of the comment period, or until April 5, 2021, to issue final rules.

On January 29, 2021, stakeholders in the rulemaking proceeding Waste Management of West Virginia, Inc., Allied Waste Services of North America, LLC dba Republic Services of West Virginia, American Disposal Services of West Virginia, Inc. dba Republic Services of West Virginia and the Independent Waste Haulers and Recyclers Association of West Virginia (Joint Petitioners) filed a joint motion to extend the rulemaking comment period.

In support of the motion to extend the comment period, the Joint Petitioners noted that passage of Enrolled Committee Substitute for House Bill 4587 (HB 4587 creating W. Va. Code §24A-5-2a(d)) on March 7, 2020, by the West Virginia Legislature, was a major factor in the initiation of this rulemaking. In the upcoming legislative session, the

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Joint Petitioners and the Commission will support amendment of W. Va. Code §24A-5-2a(d) to make technical modifications to the current statute.

The Joint Petitioners and the Commission will not know whether supported amendments to the statute will be passed into law until the end of the legislative session on April 10, 2021. To best serve the interests of the Joint Petitioners and other stakeholders, before adopting final rules the Commission should take comments on how changes to W. Va. Code §24A-5-2a(d), if any, should be implemented. That can only be accomplished if the comment period is extended.

Based on the foregoing, the Commission respectfully requests extension of the comment period by 71 days, or until June 15, 2021. Upon receipt of notice from your office that the comment period is extended, the Commission will enter an order setting a deadline for interested parties to file further comments.

Sincerely,

Jessica M. Lane
General Counsel

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
2/5/2021 9:33 AM
Office of West Virginia
Secretary Of State

PROCEDURAL

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

AGENCY: School Building Authority Of WV

TITLE-SERIES: 164-01

RULE TYPE: Procedural

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Policy and Procedures Handbook of the School Building Authority of West Virginia

CITE STATUTORY AUTHORITY: §18-9D-20

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

March 8, 2021

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

Yes

Benjamin Ashley -- 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
2/9/2021 8:31:21 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Water Resources Division Of Water And Waste Management

TITLE-SERIES: 47-02B

RULE TYPE: Procedural

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams

CITE STATUTORY AUTHORITY: W. Va. Code § 22-11-7b(f)

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 03/10/2021 6:00 PM

LOCATION OF PUBLIC HEARING:

Zoom online hearing: https://us02web.zoom.us/j/84064300054?pwd=R0VWdUtmQTIyanptb1M0WDIwOFRBQT09 Meeting ID: 840 6430 0054 Passcode: 381254 To dial by phone: 646 558 8656

DATE WRITTEN COMMENT PERIOD ENDS: 03/10/2021 8:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: John Wirts

ADDRESS: 601 57th St SE

Charleston, WV 25311

EMAIL: john.c.wirts@wv.gov

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

None Received This Week

2/11/2021 3:02:20 PM

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 3-21

By the Governor

WHEREAS, a State of Emergency was declared on the Sixteenth Day of March, Two Thousand Twenty for all counties in West Virginia (the "State of Emergency"), to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19; and

WHEREAS, Chapter 15, Article 5, Section 6 of the Code of West Virginia authorizes the Governor to, among other things, suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules of any state agency, if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, Executive Orders 4-20, 7-20, 10-20, 11-20, 12-20, 17-20, 23-20, 26-20, 31-20, 46-20, 54-20, 57-20, 59-20, 63-20, 66-20, 67-20, 69-20, 72-20, 73-20, 76-20, 81-20, and 83-20 suspended certain provisions and sections of statute that strict compliance therewith would prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, Executive Order 73-20 suspended the requirement that public auctions for lands which are delinquent for the nonpayment of taxes be held "at the front door of the courthouse of the county" in which the property being auctioned sits, in order that such public auctions may take place in locations where adequate social distancing may be maintained by any desiring to attend such public auction; and

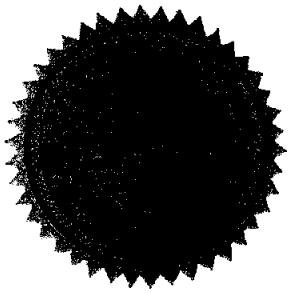
WHEREAS, there has been an additional statutory regulations identified by the West Virginia State Auditor's Office that is preventing the state from best coping with the emergency and assisting the citizens of West Virginia; and

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me pursuant to the provision of Chapter 15, Article 5, Section 6 of the Code of West Virginia, hereby **DECLARE** and **ORDER** that, the following statutory regulations are to be suspended for the duration of the State of Emergency for the sole purpose of removing the technical requirement that public auctions for lands which are subject to sale under Article Three, Chapter 11A of the West Virginia State Code, be held "at the courthouse of the county" in which the property being auctioned sits, in order that such public auctions may take place in locations where adequate social distancing may be maintained by any desiring to attend such public auctions, and that the notice of such auctions may be amended accordingly:

1. In the discretion of the West Virginia State Auditor's Office which may issue additional guidance from time to time, the requirement that a public auction for lands which are delinquent for the nonpayment of taxes be noticed to be held "at the courthouse of the county" in which the property being auctioned sits (W. Va. Code § 11A-3-45); and
2. In the discretion of the West Virginia State Auditor's Office which may issue additional guidance from time to time, the requirement that publication of notice of auctions for lands which are delinquent for the nonpayment of taxes be noticed to be held "in (specify location) the courthouse of" the county in which the property being auctioned sits (W. Va. Code § 11A-3-46).

[Signature Page Follows]

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this Fifth day of February, in the year of our Lord, Two Thousand Twenty-One in the One Hundred Fifty-eighth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

FILED
2021 FEB 10 P 1:39

WEST VIRGINIA
DEPARTMENT OF AGRICULTURE

ANNUAL REPORT

2020

OTHER

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

FILED
2021 FEB -8 A 11:55
OFFICE WEST VIRGINIA
SECRETARY OF STATE

February 8, 2021

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **February 5, 2021**.

LETTERS OF INTENT RECEIVED

February 1, 2021 – Pocahontas Memorial Hospital, Buckeye, Pocahontas County, CON File #21-4-12029-P, for the development of an ambulatory health care facility in Richwood, Nicholas County, providing primary care services and physical and occupational therapy services; capital expenditure: $75,000.

February 5, 2021 – WVUHS Home Care, LLC, Morgantown, Monongalia County, CON File #21-8/9-12037-Z, for the provision of home health services in Hampshire, Hardy, Mineral and Morgan counties; capital expenditure: $50,000.

APPLICATIONS FOR EXEMPTION RECEIVED

February 2, 2021 – Cornerstone Care, Greensboro, PA, CON File #21-6/10/11-12030-X, for a mobile unit providing family planning services, family medicine services, and dental care in Marshall, Ohio, Brooke, Hancock, Wetzel, Monongalia and Preston counties.

February 2, 2021 – Keep Your Faith Corporation, Inc., Charleston, Kanawha County, CON File #21-3-12031-X, for the provision of behavioral health services at 1313 Quarrier Street, Charleston, Kanawha County.

February 2, 2021 – WV Family Support and Rehabilitation Services, Inc., Parkersburg, Wood County, CON File #21-5-12034-X, for the development of a behavioral health facility at 1029 Old Elkins Road, Buckhannon, Upshur County.

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

January 27, 2021 - Cabell Huntington Hospital, Inc., Huntington, Cabell County, CON File #21-2-12014-H, for the construction of an outpatient medical office building on

the hospital campus and related renovations to the hospital; capital expenditure: $51,045,000.

January 29, 2021 - Pegasus Healthcare, LLC d/b/a Pegasus Home Healthcare, LLC, Morgantown, Monongalia County, CON File #20-6-11980-Z, for the development of a home health agency in Morgantown, Monongalia County; no capital expenditure.

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

January 29, 2021 – Review cycle begins;

March 1, 2021 – 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;

March 5, 2021 – 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;

March 20, 2021 – Decision on the project will be issued by the Authority.

PROJECTS EXEMPT FROM REVIEW

February 3, 2021 - Princeton Community Hospital Association, Inc., Princeton, Mercer County, CON File #21-1-12012-X, for the provision of mobile MRI services on the hospital's campus to supplement its fixed MRI.

February 3, 2021 - WV Family Support and Rehabilitation Services, Parkersburg, Wood County, CON File #21-2-12016-X, for the provision of behavioral health and office-based medication assisted treatment services at an office to be located at 6189 Rosalind Road, Huntington, Cabell County.

February 3, 2021 - WV Family Support and Rehabilitation Services, Parkersburg, Wood County, CON File #21-3-12019-X, for the provision of office-based medication assisted treatment services at its facility located at 1303 Washington Street West, Charleston, Kanawha County.

February 3, 2021 - WV Family Support and Rehabilitation Services, Parkersburg, Wood County, CON File #21-2-12020-X, for the provision of office-based medication assisted treatment services at its facility located at 4510 Terrace Avenue, Huntington, Cabell County.

February 3, 2021 - Assurance Medical Consulting & Staffing, LLC d/b/a Assurance Medical, Charleston, Kanawha County, CON File #21-5-12022-X, for the development of an office-based medication assisted treatment program and licensed behavioral health center at 808 Division St., Parkersburg, Wood County.

OTHER

February 3, 2021 - The Healing House, Inc., St. Albans, Kanawha County, CON File #21-3-12023-X, for the development of a transitional living program at 1112 Rosalie Drive, Charleston, Kanawha County, for young women ages 18 – 22 that have exited the foster care program but remain in the state's custody. The Healing House will offer a wide variety of behavioral health services to women that have been negatively impacted by trauma.

RENEWAL GRANTED

February 2, 2021 - Charleston Area Medical Center, Charleston, Kanawha County, CON File #10-3-9227-H, for the construction of a Clinic Office Building to be attached to its existing medical office building located on its hospital campus; capital expenditure: $9,500,000.

Renewal granted through November 30, 2021.

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