WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXVIII

Issue 26

July 2, 2021

A Weekly Publication

Administrative Law Division

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CHRONOLOGICAL INDEX, VOLUME XXXVIII ISSUE 26			
RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Agriculture (61-05)	Commercial Feed Legislative	§19-14-3	Written Comments Only July 24, 2021, 12:00 pm Chad Linton WV Dept. of Agriculture 1900 Kanawha Boulevard, East Charleston, WV 25305 clinton@wvda.us
Agriculture (61-07)	Enrichment of Flour and Bread Law Regulations Legislative	§19-11-A	Written Comments Only July 28, 2021, 12:00 pm Josh Arbaugh WV Dept. of Agriculture 1900 Kanawha Boulevard, East Charleston, WV 25305 jarbaugh@wvda.us
Agriculture (61-08C)	Fruits and Vegetables Certification of Potatoes for Seeding Purposes Legislative	§19-16	Written Comments Only July 28, 2021, 12:00 pm Josh Arbaugh WV Dept. of Agriculture 1900 Kanawha Boulevard, East Charleston, WV 25305 jarbaugh@wvda.us
Agriculture (61-10)	Fresh Food Act Legislative	§19-37-3	Written Comments Only July 29, 2021, 12:00 pm Beth Southern WV Dept. of Agriculture 1900 Kanawha Boulevard, East Charleston, WV 25305 bsouthern@wvda.us
Agriculture (61-11B)	Auctioneers Legislative	§19-2C	Written Comments Only July 29, 2021, 12:00 pm Jodee Martin WV Dept. of Agriculture 1900 Kanawha Boulevard, East Charleston, WV 25305 jodeemartin@wvda.us

Agriculture (61-30)	Hemp Products Legislative	§19-12E-7	Written Comments Only July 28, 2021, 12:00 pm Stoney Helmick WV Dept. of Agriculture 1900 Kanawha Boulevard, East Charleston, WV 25305 shelmick@wvda.us
Agriculture (61-31)	Livestock Care Standards Legislative	§19-1C-4(c)	Written Comments Only July 30, 2021, 12:00 pm Dr. James Maxwell WV Dept. of Agriculture 1900 Kanawha Boulevard, East Charleston, WV 25305 jmaxwell@wvda.us
Agriculture (61-39)	Seed Certification Legislative	§§19-16-3a, 19-16-6	Written Comments Only July 28, 2021, 12:00 pm Josh Arbaugh WV Dept. of Agriculture 1900 Kanawha Boulevard, East Charleston, WV 25305 jarbaugh@wvda.us
Contractor Licensing Board (28-02)	Contractor Licensing Act Legislative	§§30-42-5, 30-42-8, 30-42-16	Written Comments Only July 30, 2021, 12:00 pm Brooke M. Farber 1900 Kanawha Boulevard, East Building 3, Room 200 Charleston, WV 25305 brooke.m.farber@wv.gov
Counseling (27-01)	Licensing Rule Legislative	§§30-31-5(19), 30-31-6	Written Comments Only July 29, 2021, 3:00 pm Cheryl Henry 815 Quarrier Street, Suite 212 Charleston, WV 25301 Cheryl.j.henry@wv.gov
Counseling (27-02)	Licensed Professional Counselor Fees Rule Legislative	§30-31-6	Written Comments Only July 29, 2021, 3:00 pm Cheryl Henry 815 Quarrier Street, Suite 212 Charleston, WV 25301 Cheryl.j.henry@wv.gov

Counseling (27-08)	Marriage and Family Therapist Licensing Rule Legislative	§§30-31-5, 30-31-6	Written Comments Only July 29, 2021, 3:00 pm Cheryl Henry 815 Quarrier Street, Suite 212 Charleston, WV 25301 Cheryl.j.henry@wv.gov
Counseling (27-09)	Marriage and Family Therapist Fees Rule Legislative	§30-31-6	Written Comments Only July 29, 2021, 3:00 pm Cheryl Henry 815 Quarrier Street, Suite 212 Charleston, WV 25301 Cheryl.j.henry@wv.gov
Crime, Delinquency and Correction (149-02)	Law Enforcement Training and Certification Standards Legislative	§30-29-3	Written Comments Only July 28, 2021, 4:00 pm David Lee WVSP Academy, PDC 123 Academy Drive Dunbar, WV 25064 david.m.lee@wv.gov
Environmental Protection, Secretary's Office (60-09)	Voluntary Remediation and Redevelopment De Minimis Standards Interpretive	§22-22-3	Public Hearing: July 28, 2021, 6:00 pm Virtual Written Comments: July 28, 2021, 6:00 pm Casey Korbini 131A Peninsula Street Wheeling, WV 26003 dep.comments@wv.gov
Family Protection Services Bd. (191-01)	Operation of the Family Protection Services Board Legislative	§48-26-403	Written Comments Only July 30, 2021, 12:00 pm April Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov
Family Protection Services Bd. (191-02)	Domestic Violence Program Licensure Standards Legislative	§48-26-403	Written Comments Only July 30, 2021, 12:00 pm April Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov

Fire Commission (87-01)	Fire Code Legislative	§15A-11-3	Public Hearing: July 28, 2021, 11:00 am 1207 Quarrier Street Charleston, WV 25301 Written Comments: July 28, 2021, 4:00 pm Ken Tyree, Fire Marshal 1207 Quarrier Street Charleston, WV 25301 Kenneth.e.tyree@wv.gov
Funeral Service Examiners (6-07)	Fee Schedule Legislative	§30-1-6, et. seq.	Written Comments Only July 30, 2021, 2:00 pm WV Board of Funeral Service Examiners Attn: Rule 179 Summers Street, Suite 319 Charleston, WV 25301 wvfuneralboard@wv.gov
Health (64-10)	Methods and Standards for Chemical Tests for Intoxication Legislative	§§16-1-4, 17C-5-8	Written Comments Only July 29, 2021, 5:00 pm April L Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov
Health (64-42)	Childhood Lead Screening Legislative	§§16-1-4, 16-35-4a	Written Comments Only July 29, 2021, 5:00 pm April L Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov
Health (64-43)	Food Manufacturing Facilities Legislative	§§16-1-4, 16-7-1	Written Comments Only July 30, 2021, 12:00 pm April Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov

Health (64-47)	Sewage Treatment and Collection System Design Standards Legislative	§§16-1-4, 16-1-9	Written Comments Only July 29, 2021, 5:00 pm April L Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov
Health (64-57)	Clinical Laboratory Practitioner Licensure and Certification Legislative	§§16-1-4, 16-1-11, 16-5J-10	Written Comments Only July 29, 2021, 5:00 pm April L Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov
Health (64-92)	Clandestine Drug Laboratory Remediation Legislative	§§16-1-4, 60A-11-3	Written Comments Only July 29, 2021, 5:00 pm April L Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov
Health (64-97)	Maternal Risk Screening Legislative	§§16-1-4, 16-4E-4	Written Comments Only July 29, 2021, 5:00 pm April L Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov
Health Care Authority (65-32)	Certificate of Need Legislative	§§16-2D-4, 16-29B-8	Written Comments Only July 29, 2021, 5:00 pm April L Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov
Labor (42-09)	Child Labor Rule Legislative	§21-6-11	Written Comments Only July 30, 2021, 10:00 am Brooke M. Farber, Deputy Commissioner 1900 Kanawha Boulevard, East Capitol Complex, Building 3, Room 200 Charleston, WV 25305 brooke.m.farber@wv.gov

Massage Therapy Licensure Board (194-01)	General Provisions Legislative	§30-37-6	Written Comments Only July 29, 2021, 2:00 pm Linda Lyter 179 Summers Street, Suite 711 Charleston, WV 25301 linda_lyter@frontier.com
Medicine (11-01A)	Licensing and Disciplinary Procedures: Physicians, Podiatric Physicians and Surgeons Legislative	§§30-3-7(a)(1), 30-1D-1(d), 30-1-26(b)	Written Comments Only July 29,2021, 4:30 pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov
Medicine (11-01B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	§§30-1-7(a), 30-3E-3(a)(1)-(9), 30-1D-1(d)	Written Comments Only July 29,2021, 4:30 pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov
Medicine (11-05)	Board of Medicine Rules for Dispensing of Prescription Drugs by Practitioners Legislative	§§30-3-7(a)(1), 30-3E-3(a), 60A-3-301	Written Comments Only July 29,2021, 4:30 pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	§30-3-7	Written Comments Only July 29,2021, 4:30 pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov
Medicine (11-10)	Practitioner Requirements for Accessing the WV Controlled Substances Monitoring Program Database Legislative	§60A-9-5a(c)	Written Comments Only July 29,2021, 4:30 pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov

Medicine (11-11)	Establishment and Regulation of Limited License to Practice Medicine and Surgery at Certain State Veterans Nursing Home Facilities Legislative	§30-3-11b(d)	Written Comments Only July 29,2021, 4:30 pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov
Medicine (11-14)	Registration to Practice During Declared State of Emergency Legislative	§§30-3-7(a)(1), 30-3E-3(a)	Written Comments Only July 29,2021, 4:30 pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov
Medicine (11-15)	Telehealth and Interstate Telehealth Registration for Physicians, Podiatric Physicians and Physician Assistants Legislative	§30-1-26(b)	Written Comments Only July 29,2021, 4:30 pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	§§22A-1A-2(b) and (c)	Written Comments Only July 26, 2021, 10:00 am Eugene White, Director Office of Miners' Health, Safety and Training 7 Players Club Dr., Suite 2 Charleston, WV 25311 Eugene.e.white@wv.gov
Motor Vehicles (91-04)	Examination and Issuance of Drivers License Legislative	§§17A-2-9, 17B-2-7, 17B-2-15, 17E-1-18	Written Comments Only July 26, 2021, 12:00 pm Adam Holley DMV 5707 MacCorkle Ave. SE PO Box 17200 Charleston, WV 25317 adam.holley@wv.gov

Motor Vehicles (91-06)	Dealer Licensing Legislative	§§17A-2-9, 17A-6-2a, 17A-6-5a, 17A-6-3, 17A-6B-13, 17A-6C-17, 17A-6D-15	Written Comments Only July 29, 2021, 12:00 pm Adam Holley DMV 5707 MacCorkle Ave. SE PO Box 17200 Charleston, WV 25317 adam.holley@wv.gov
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	§20-2-23a	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov
Natural Resources (58-23)	Revocation of Hunting and Fishing Licenses Legislative	§§20-1-7(31), 20-2-38	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov
Natural Resources (58-25)	Boating Rule Legislative	§§20-1-7(31), 20-7-13, 20-7-16, 20-7-22, 20-7-22a, 20-7-23	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov
Natural Resources (58-26)	Special Boating Rule Legislative	§§20-1-7(31), 20-7-22, 20-7-23	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov
Natural Resources (58-27)	Special Motorboating Regulations Legislative	§§20-7-22, 20-7-23	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov

Natural Resources (58-30)	Wildlife Education Facilities Legislative	§§20-1-7(28), 20-1-7(31)	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov
Natural Resources (58-38)	Public Shooting Ranges Legislative	§§20-1-7(31), 20-3-2	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	§20-1-7(31)	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov
Natural Resources (58-49)	General Hunting Legislative	§20-1-7(31)	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov
Natural Resources (58-53)	General Trapping Legislative	§20-1-7(31)	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov
Natural Resources (58-63)	Commercial Sale of Wildlife Legislative	§§20-2-11, 20-1-7(31), 20-2-13	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov

Natural Resources (58-67)	Lifetime Hunting, Trapping and Fishing Licenses Legislative	§20-2B-7	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov
Natural Resources (58-69)	Wildlife Disease Management Legislative	§20-1-7(31)	Written Comments Only July 29, 2021, 9:00 am Wendy Greene 324 4th Ave., Room 343 South Charleston, WV 25303 dnrcomments@wv.gov
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	§§30-14-14, 30-1D-1(d)	Written Comments Only July 29, 2021, 4:30 pm Chase Holcomb 405 Capitol Street, Suite 402 Charleston, WV 25301 chase.o.holcomb@wv.gov
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	§30-3E-3(a) and (b)	Written Comments Only July 29, 2021, 4:30 pm Chase Holcomb 405 Capitol Street, Suite 402 Charleston, WV 25301 chase.o.holcomb@wv.gov
Osteopathic Medicine (24-07)	Practitioner Requirements for Controlled Substances Licensure and Accessing the WV Controlled Substances Monitoring Program Database Legislative	§§60A-9-5a(c), 60A-3-301	Written Comments Only July 29, 2021, 4:30 pm Chase Holcomb 405 Capitol Street, Suite 402 Charleston, WV 25301 chase.o.holcomb@wv.gov
Osteopathic Medicine (24-10)	Telehealth Practice and Interstate Telehealth Registration for Osteopathic Physicians and Physician Assistants Legislative	§30-1-26(b)	Written Comments Only July 29, 2021, 4:30 pm Chase Holcomb 405 Capitol Street, Suite 402 Charleston, WV 25301 chase.o.holcomb@wv.gov

Real Estate Appraiser, Licensing and Certification (190-02)	Requirements for Licensure and Certification Legislative	§30-38	Written Comments Only July 29, 2021, 4:00 pm WV Real Estate Appraiser, Lic. & Cert. Bd. 405 Capitol Street, Ste. 906 Charleston, WV 25301 wvappraiserboard@wv.gov
Real Estate Appraiser, Licensing and Certification (190-03)	Renewal of Licensure or Certification Legislative	§30-38	Written Comments Only July 29, 2021, 4:00 pm WV Real Estate Appraiser, Lic. & Cert. Bd. 405 Capitol Street, Ste. 906 Charleston, WV 25301 wvappraiserboard@wv.gov
Real Estate Appraiser, Licensing and Certification (190-05)	Requirements for Registration and Renewal of Appraisal Management Companies Legislative	§30-38A	Written Comments Only July 29, 2021, 4:00 pm WV Real Estate Appraiser, Lic. & Cert. Bd. 405 Capitol Street, Ste. 906 Charleston, WV 25301 wvappraiserboard@wv.gov
Registered Professional Nurses (19-16)	Telehealth Practice Legislative	§§30-1-25, 30-7-4	Written Comments Only July 30, 2021, 9:00 am Sue Painter 5001 MacCorkle Ave., SW South Charleston, WV 25309 sue.a.painter@wv.gov
School Building Authority of WV (164-01)	Policy and Procedures Handbook of the School Building Authority of WV Procedural	§18-9D-20	Written Comments Only August 2, 2021, 12:00 pm Shannon Driver 2300 Kanawha Boulevard, East Charleston, WV 25311 Shannon.l.driver@wv.gov
Sec. of DHHR, Insurance Commissioner and Chair of Health Care Authority (114A-01)	All-Payer Claims Database – Data Submission Requirements Legislative	§33-4A-8	Written Comments Only July 30, 2021, 12:00 pm April Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov

Sec. of DHHR, Insurance Commissioner and Chair of Health Care Authority (114A-02)	All-Payer Claims Database – Privacy and Security Requirements Legislative	§33-4A-8	Written Comments Only July 30, 2021, 12:00 pm April Robertson One Davis Square, Suite 100 East Charleston, WV 25301 april.l.robertson@wv.gov
Secretary of State (153-25)	Combined Voter Registration and Driver Licensing Fund Legislative	§§3-1A-6, 3-2-12	Written Comments Only July 27, 2021, 3:00 pm Donald Kersey State Capitol Building 1, Ste. 157-K Charleston, WV 25305 dkersey@wvsos.gov
Secretary of State (153-48)	Real Property Electronic Recording Standards and Regulations Legislative	§39A-4-4	Written Comments Only July 29, 2021, 9:00 am Donald Kersey State Capitol Bldg. 1, Ste. 157-K Charleston, WV 25305 dkersey@wvsos.gov
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	§30-30-6	Written Comments Only July 30, 2021, 12:00 pm Vickie James PO Box 5459 Charleston, WV 25361 admin@wvsocialworkboard.org
Social Work Examiners (25-05)	Continuing Education for Social Workers and Providers Legislative	§30-30-6	Written Comments Only July 30, 2021, 12:00 pm Vickie James PO Box 5459 Charleston, WV 25361 admin@wvsocialworkboard.org
State Police (81-03)	Career Progression Legislative	§§15-2-5, 15-2-25	Written Comments Only July 30, 2021, 4:00 pm Major Shallon Oglesby 725 Jefferson Road South Charleston, WV 25309 shallon.r.oglesby@wvsp.gov

Transportation (217-01)	Employment Procedures Legislative	§5F-2-8	Written Comments Only July 30, 2021, 12:00 pm Rita A. Pauley 1900 Kanawha Boulevard, East Building 5, Room 110 Charleston, WV 25305 rita.a.pauley@wv.gov
Treasurer (112-02)	Substitute Checks-Exceptional Items Fund Legislative	§12-4-11	Written Comments Only July 28, 2021, 4:00 pm James Fuerhoff 1900 Kanawha Blvd. E, Room E-145 Charleston, WV 25305 james.fuerhoff@wvsto.com
Treasurer (112-10)	Reporting Debt Legislative	§12-6A-7	Written Comments Only July 29, 2021, 12:00 pm James Fuerhoff 1900 Kanawha Blvd. E, Room E-145 Charleston, WV 25305 james.fuerhoff@wvsto.com
Treasurer (112-12)	Procedures for Fees in Collections by Charge, Credit or Debit Card or by Electronic Payment Legislative	§12-3A-6	Written Comments Only July 28, 2021, 4:00 pm James Fuerhoff 1900 Kanawha Blvd. E, Room E-145 Charleston, WV 25305 james.fuerhoff@wvsto.com
Treasurer (112-13)	Procedures for Providing Services to Political Subdivisions Legislative	§12-3A-6	Written Comments Only July 26, 2021, 5:00 pm James Fuerhoff 1900 Kanawha Blvd. E, Room E-145 Charleston, WV 25305 james.fuerhoff@wvsto.com
Waste Management, Div. of Water & Waste Mgmt. (33-01B)	Requirements for the Management of Coal Combustion Residuals Legislative	§§22-5-15, 22-15-10	Public Hearing: July 26, 2021, 6:00 pm Virtual Written Comments: July 26, 2021, 6:00 pm Johnsely S. Cyrus 601 57th Street SE Charleston, WV 25304 Johnsely.cyrus@wv.gov

NEW EMERGENCY RULES FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE OF HEARING**
Agriculture (61-31)	Livestock Care Standards	§19-1C-4(c)	ERD by August 11, 2021	July 30, 2021
Crime, Delinquency and Correction (149-02)	Law Enforcement Training and Certification Standards	§30-29-3	ERD by August 9, 2021	July 28, 2021
Health (64-48)	Emergency Medical Services	§§16-1-4, 16-4C-6, 16-4C-14, 16-4C-23, 29A-3-15	July 1, 2021	Rule must be put out for public comment by July 31, 2021
Medicine (11-01B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants	§§30-1-7(a), 30-3E-3(a)(1)-(9), 30-1D-1(d)	ERD by August 10, 2021	July 29, 2021
Medicine (11-15)	Telehealth and Interstate Telehealth Registration for Physicians, Podiatric Physicians and Physician Assistants	§30-1-26(b)	ERD by August 10, 2021	July 29, 2021
Natural Resources (58-26)	Special Boating Rules	§§20-1-7(31), 20-7-22, 20-7-23	ERD by August 11, 2021	July 29,2021
Natural Resources (58-38)	Public Shooting Ranges	§§20-1-7(31), 20-3-2	ERD by August 11, 2021	July 29, 2021
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants	§30-3E-3(b)	ERD by August 10, 2021	July 29, 2021
Osteopathic Medicine (24-10)	Telehealth Practice and Interstate Telehealth Registration for Osteopathic Physicians and Physician Assistants	§30-1-26(b)	ERD by August 10, 2021	July 29, 2021
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work	§30-30-6	ERD by August 11, 2021	July 30, 2021

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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

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TITLE	5	DENTISTRY
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TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
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
Agriculture (61-01A)	Feeding of Untreated Garbage to Swine Legislative	6/16/2021	7/16/2021						
Agriculture (61-05)	Commercial Feed Legislative	6/25/2021	7/24/2021						
Agriculture (61-07, Repeal)	Enrichment of Flour and Bread Law Regulations Legislative	6/28/2021	7/28/2021						
Agriculture (61-08C, Repeal)	Fruits and Vegetables Certification of Potatoes for Seeding Purposes Legislative	6/28/2021	7/28/2021						
Agriculture (61-10)	Fresh Food Act Legislative	6/29/2021	7/29/2021						
Agriculture (61-11B)	Auctioneers Legislative	6/29/2021	7/29/2021						
Agriculture (61-30)	Hemp Products Legislative	6/28/2021	7/28/2021						
Agriculture (61-31)	Livestock Care Standards Legislative	6/30/2021	7/30/2021	6/30/2021 ERD by 8/11/2021					
Agriculture (61-33)	Rural Rehabilitation Program Legislative	6/24/2021	7/24/2021						
Agriculture (61-36)	Farm to Food Bank Tax Credit Legislative	6/16/2021	7/16/2021						
Agriculture (61-38)	Farmers Markets Legislative	6/24/2021	7/24/2021						
Agriculture (61-39)	Seed Certification Legislative	6/28/2021	7/28/2021						
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/2/2021	7/6/2021						
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/2/2021	7/6/2021						
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/2/2021	7/6/2021						
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/2/2021	7/6/2021						

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Alcohol Beverage Control Comm. (175-02)	Private Club Licensing Legislative	6/1/2021	7/1/2021						
Alcohol Beverage Control Comm. – Beer (176-01)	Nonintoxicating Beer Licensing and Operations Procedures Legislative	6/1/2021	7/1/2021						
Chiropractic Examiners (4-09)	Chiropractic Telehealth Practice Legislative	6/9/2021	7/9/2021	6/8/2021 ERD by 7/20/2021					
Coal Mine Health and Safety (36-44)	Rule Governing Mine Rescue Requirements for the Office of Miners' Health, Safety and Training Legislative Exempt	5/3/2021	6/17/2021						
Community & Technical College Ed (135-01)	Strengthening Career and Technical Education for the 21st Century Act (Perkins V) Funding Formula for WV Council for Comm. & Tech. College Ed. and WV State Bd. Of Education Procedural	4/28/2021	5/28/2021					6/7/2021	7/7/2021
Community & Technical College Ed (135-59)	Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program Procedural	4/28/2021	5/28/2021					6/7/2021	7/7/2021
Contractor Licensing Board (28-02)	Contractor Licensing Act Legislative	6/30/2021	7/30/2021						
Counseling (27-01)	Licensing Rule Legislative	6/30/2021	7/29/2021						
Counseling (27-02)	Licensed Professional Counselor Fees Rule Legislative	6/29/2021	7/29/2021						
Counseling (27-08)	Marriage and Family Therapist Licensing Rule Legislative	6/30/2021	7/29/2021						
Counseling (27-09)	Marriage and Family Therapist Fees Rule Legislative	6/30/2021	7/29/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Crime, Delinquency and Correction (149-02)	Law Enforcement Training and Certification Standards Legislative	6/28/2021	7/28/2021	6/28/2021 ERD by 8/9/2021					
Dentistry (5-01)	Rule for the WV Board of Dentistry Legislative	6/18/2021	7/21/2021						
Dentistry (5-02)	Formation and Approval of Professional Limited Liability Companies Legislative	6/18/2021	7/21/2021						
Dentistry (5-06)	Formation and Approval of Dental Corporations; and Dental Practice Ownership Legislative	6/18/2021	7/21/2021						
Dentistry (5-11)	Continuing Education Requirements Legislative	6/18/2021	7/21/2021						
Dentistry (5-12)	Administration of Anesthesia by Dentists Legislative	6/18/2021	7/21/2021						
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	6/18/2021	7/21/2021						
Dentistry (5-16)	Teledentistry Legislative	6/17/2021	7/17/2021	6/17/2021 ERD by 7/29/2021					
Education (126-013C)	Non-public School Accreditation (Policy 2330) Legislative Exempt	5/13/2021	6/14/2021						
Education (126-030)	Transformative System of Support for Early Literacy (Policy 2512) Legislative Exempt	4/15/2021	5/17/2021					6/9/2021	7/12/2021
Education (126-044CC)	WV College and Career-Readiness Standards for Science (Policy 2520.3C) Legislative Exempt	6/9/2021	7/12/2021						
Education (126-069)	Regulations for Juvenile Diversion and Transition Programs (Policy 2800) Legislative Exempt	4/15/2021	5/17/2021					6/9/2021	7/12/2021
Education (126-079)	Charter Public Schools (Policy 3300) Legislative Exempt	6/9/2021	7/12/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-143)	County Superintendent Performance Evaluations (Policy 5309) Legislative Exempt	6/9/2021	7/12/2021						
Education (126-146)	Service Personnel Classification, Competency Testing, and Professional Learning (5314) Legislative Exempt	5/13/2021	6/14/2021						
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 (60-09)	Voluntary Remediation and Redevelopment De Minimis Standards Interpretive	6/28/2021	7/28/2021						
Ethics Commission (158-06)	Use of Office for Private Gain, Including Nepotism Legislative	3/22/2021	4/22/2021		5/12/2021				
Family Protection Services Bd. (191-01)	Operation of the Family Protection Services Board Legislative	6/30/2021	7/30/2021						
Family Protection Services Bd. (191-02)	Domestic Violence Program Licensure Standards Legislative	6/30/2021	7/30/2021						
Fire Commission (87-01)	Fire Code Legislative	6/28/2021	7/28/2021						
Fire Commission (87-04)	State Building Code Legislative	6/23/2021	7/26/2021						
Fire Commission (87-10)	Volunteer Fire Department Equipment and Training Grant Funding Disbursement Legislative	4/12/2021	5/31/2021	3/30/2021 Effective 5/11/2021	6/23/2021				
Fire Commission (87-11)	Specialized Membership Legislative	6/22/2021	7/23/2021						
Fire Commission (87-12)	Junior Firefighters Legislative	6/22/2021	7/23/2021	6/22/2021 ERD by 8/3/2021					
Fire Commission (87-13)	Certification of Fire Chiefs Legislative	6/22/2021	7/23/2021	6/22/2021 ERD by 8/3/2021					

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Commission (87-14)	Use of Aqueous Film-Forming Foam (AFFF) for Fire Training Program Purposes Legislative	6/23/2021	7/26/2021						
Fire Marshal (103-04)	Regulation of Fireworks and Related Explosive Materials Legislative	6/25/2021	7/27/2021						
Funeral Service Examiners (6-07)	Fee Schedule Legislative	6/30/2021	7/30/2021						
Health (64-10)	Methods and Standards for Chemical Tests for Intoxication Legislative	6/29/2021	7/29/2021						
Health (64-12)	Hospital Licensure Legislative	6/22/2021	7/22/2021	5/20/2021 ERD by 7/1/2021					
Health (64-42)	Childhood Lead Screening Legislative	6/29/2021	7/29/2021						
Health (64-43)	Food Manufacturing Facilities Legislative	6/30/2021	7/30/2021						
Health (64-47)	Sewage Treatment and Collection System Design Standards Legislative	6/29/2021	7/29/2021						
Health (64-48)	Emergency Medical Services Legislative			7/1/2021 Approved 7/1/2021					
Health (64-57)	Clinical Laboratory Practitioner Licensure and Certification Legislative	6/29/2021	7/29/2021						
Health (64-92)	Clandestine Drug Laboratory Remediation Legislative	6/29/2021	7/29/2021						
Health (64-97)	Maternal Risk Screening Legislative	6/29/2021	7/29/2021						
Health Care Authority (65-32)	Certificate of Need Legislative	6/29/2021	7/29/2021						
Higher Education Policy Comm. (133-59)	Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program Procedural	4/30/2021	6/1/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Approved 3/12/2021	HB3299		
Higher Education Policy Comm. (133-64)	Administrative Exemption Legislative	11/20/2020	12/21/2020		3/11/2021	Modified & Approved 3/12/2021	HB3299		
Highways (157-05)	Traffic and Safety Rules Legislative	7/28/2020	8/28/2020		8/28/2020	Approved 11/17/2020	Bundled HB2400		
Insurance Comm. (114-42)	Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters Legislative	5/28/2021	7/1/2021						
Insurance Comm. (114-99)	Pharmacy Auditing Entities and Pharmacy Benefit Managers Legislative	6/1/2021	7/1/2021						
Insurance Comm. (114-102)	Term and Universal Life Insurance Reserve Financing Legislative	5/28/2021	7/1/2021						
Insurance Comm. (114-103)	Bail Bondsmen in Criminal Cases Legislative	6/1/2021	7/1/2021						
Labor (42-09)	Child Labor Rule Legislative	6/29/2021	7/30/2021						
Lottery Comm. (179-01)	WV Lottery State Lottery Rules Legislative	5/28/2021	6/29/2021						
Lottery Comm. (179-05)	WV Limited Video Lottery Rule Legislative	6/1/2021	7/1/2021						
Massage Therapy Licensure Bd. (194-01)	General Provisions	6/29/2021	7/29/2021						
Medical Imaging & Radiatioin Therapy Tech Bd of Exam (18-06)	Practice of Radiologic Technology Interpretive	5/21/2021	6/30/2021						
Medicine (11-01A)	Licensing and Disciplinary Procedures: Physicians, Podiatric Physicians and Surgeons Legislative	6/29/2021	7/29/2021						
Medicine (11-01B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 ERD by 8/10/2021					

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Medicine (11-05)	Bd. Of Medicine Rule for Dispersing of Prescription Drugs by Practitioners Legislative	6/29/2021	7/29/2021						
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/29/2021	7/29/2021						
Medicine (11-10)	Practitioner Requirements for Accessing the WV Controlled Substances Monitoring Program Database Legislative	6/29/2021	7/29/2021						
Medicine (11-11)	Establishment and Regulation of Limited License to Practice Medicine and Surgery at Certain State Veterans Nursing Home Facilities Legislative	6/29/2021	7/29/2021						
Medicine (11-14)	Registration to Practice During Declared State of Emergency Legislative	6/29/2021	7/29/2021						
Medicine (11-15)	Telehealth and Interstate Telehealth Registration for Physicians, Podiatric Physicians and Physicians Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 ERD by 8/10/2021					
Miners Health Safety and Training (56-03)	Rule Governing the Safety of Those Employed in and Around Surface Mines in WV Legislative	5/7/2021	6/7/2021	5/7/2021 Approved 6/7/2021	6/11/2021				
Miners Health Safety and Training (56-11, repeal)	Rule Governing First-Aid Training of Shaft and Slope Employees Legislative	5/7/2021	6/7/2021		6/11/2021				
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/25/2021	7/26/2021						
Miner Training Education and Certification (48-01)	Standards for Certification of Underground Belt Examiners for Underground Coal Mines Legislative Exempt	5/3/2021	6/17/2021						
Miner Training Education and Certification (48-02)	Safety Training Program for Prospective Underground Coal Miners Legislative Exempt	5/3/2021	6/17/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Miner Training Education and Certification (48-03)	Safety Training Programs for Prospective Surface Coal Miners Legislative Exempt	5/3/2021	6/17/2021						
Miner Training Education and Certification (48-04)	Initial Training Program for Prospective Mine Rescue Team Members and Additional Mine Rescue Requirements Legislative Exempt	5/3/2021	6/17/2021						
Motor Vehicles (91-04)	Examination and Issuance of Drivers License Legislative	6/25/2021	7/26/2021	6/24/2021 ERD by 8/5/2021					
Motor Vehicles (91-06)	Dealer Licensing Legislative	6/29/2021	7/29/2021						
Motor Vehicles (91-09)	Collection of Tax on the Sale of a Vehicle Legislative	6/11/2021	7/12/2021						
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	6/30/2021	7/29/2021						
Natural Resources (58-23)	Revocation of Hunting and Fishing Licenses Legislative	6/30/2021	7/29/2021						
Natural Resources (58-25)	Boating Rule Legislative	6/30/2021	7/29/2021						
Natural Resources (58-26)	Special Boating Rules Legislative	6/30/2021	7/29/2021	6/30/2021 ERD by 8/11/2021					
Natural Resources (58-27)	Special Motorboating Regulations Legislative	6/30/2021	7/29/2021						
Natural Resources (58-30)	Wildlife Education Facilities Legislative	6/30/2021	7/29/2021						
Natural Resources (58-38)	Public Shooting Ranges Legislative	6/30/2021	7/29/2021	6/30/2021 ERD by 8/11/2021					
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/30/2021	7/29/2021						
Natural Resources (58-49)	General Hunting Legislative	6/30/2021	7/29/2021						
Natural Resources (58-53)	General Trapping Legislative	6/30/2021	7/29/2021						
Natural Resources (58-63)	Commercial Sale of Wildlife Legislative	6/30/2021	7/29/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-67)	Lifetime Hunting, Trapping and Fishing Licenses Legislative	6/30/2021	7/29/2021						
Natural Resources (58-69)	Wildlife Disease Management Legislative	6/30/2021	7/29/2021						
Office of Technology (163-02)	Chief Information Officer Review Legislative	6/23/2021	7/23/2021						
Office of Technology (163-03)	Cyber Reporting Legislative	6/15/2021	7/15/2021						
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	6/29/2021	7/29/2021						
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 ERD by 8/10/2021					
Osteopathic Medicine (24-07)	Practitioner Requirements for Controlled Substances Licensure and Accessing the WV Controlled Substances Monitoring Program Database Legislative	6/29/2021	7/29/2021						
Osteopathic Medicine (24-10)	Telehealth Practice and Interstate Telehealth Registration for Osteopathic Physicians and Physician Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 ERD by 8/10/2021					
Personnel (143-01)	Administrative Rule of the WV Division of Personnel Legislative	5/28/2021	6/30/2021						
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/11/2021	7/12/2021						
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative			6/23/2021 ERD by 8/4/2021					
Pharmacy (15-08)	Controlled Substances Monitoring Program Legislative	6/11/2021	7/12/2021						
Pharmacy (15-16)	Regulations Governing Pharmacists Legislative	6/14/2021	7/15/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled SB182		
Public Employees Insurance Agency (151-01)	Plan Document Legislative Exempt							6/25/2021	7/1/2021
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						
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/18/2020	7/20/2020		8/21/2020	Modified & Approved 12/9/2020	Bundled SB160	4/29/2021	7/28/2021
Racing Commission (178-01)	Thoroughbred Racing Legislative	5/28/2021	6/28/2021						
Real Estate Appraiser Licensing and Certification Bd. (190-02)	Requirements for Licensure and Certification Legislative	6/29/2021	7/29/2021						
Real Estate Appraiser Licensing and Certification Bd. (190-03)	Renewal of Licensure or Certification Legislative	6/29/2021	7/29/2021						
Real Estate Appraiser Licensing and Certification Bd. (190-05)	Requirements for Registration and Renewal of Appraisal Management Companies Legislative	6/29/2021	7/30/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Registered Professional Nurses (19-16)	Telehealth Practice Legislative	6/30/2021	7/30/2021						
Risk and Insurance Management (115-01)	Mine Subsidence Insurance Legislative	7/9/2020	8/8/2020		8/18/2020	Approved 11/17/2020	Bundled SB126	5/4/2021	8/1/2021
School Building Authority (164-01)	Policy and Procedures Handbook Procedural	6/30/2021	8/2/2021						
Secondary School Activities Comm. (127-02)	Athletics, Provisioins Governing Eligibility Legislative Exempt	5/13/2021	6/14/2021						
Secondary School Activities Comm. (127-03)	Provisions Governing Contests Legislative Exempt	5/13/2021	6/14/2021						
Sec. of DHHR, Insurance Comm. & Chair of Health Care Authority (114A-01)	All-Payer Claims Database – Data Submission Requirements Legislative	6/30/2021	7/30/2021						
Sec. of DHHR, Insurance Comm. & Chair of Health Care Authority (114A-02, repeal)	All-Payer Claims Database – Privacy and Security Requirements Legislative	6/30/2021	7/30/2021						
Secretary of State (153-25)	Combined Voter Registration and Driver Licensing Fund Legislative	6/25/2021	7/27/2021						
Secretary of State (153-30)	Use of Digital Signatures Legislative	6/24/2021	7/27/2021						
Secretary of State (153-43)	Regulation of Political Party Headquarters Finances Legislative	6/24/2021	7/27/2021						
Secretary of State (153-45)	Standards and Guidelines for Electronic Notarization Legislative	6/24/2021	7/27/2021						
Secretary of State (153-48)	Real Property Electronic Recording Standards and Regulations Legislative	6/29/2021	7/29/2021						
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 (76-04)	WV State Plan for Aging Programs Interpretive	6/22/2021	7/22/2021						
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	6/30/2021	7/30/2021	6/30/2021 ERD by 8/11/2021					
Social Work Examiners (25-05)	Continuing Education for Social Workers and Providers Legislative	6/30/2021	7/30/2021						
Speech Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	4/28/2021	6/4/2021	4/27/2021 Effective 6/8/2021	6/9/2021				
State Emergency Response Comm. (55-03)	Requests for Information Pursuant to the Community Right to Know Act Procedural	5/12/2021	6/11/2021						
State Police (81-03)	Career Progression Legislative	6/29/2021	7/30/2021						
Tax (110-01A)	Valuation of Farmland and Structures Situated Thereon for Ad Valorem Property Tax Purposes Legislative	6/3/2021	7/7/2021						
Tax (110-01J)	Valuation of Producing and Reserve Oil, Natural Gas Liquids, and Natural Gas for Ad Valorem Property Tax Purposes Legislative	6/4/2021	7/7/2021	6/8/2021 ERD by 7/20/2021					
Tax (110-13KK)	WV Tax Credit for Federal Excise Tax Imposed Upon Small Arms and Ammunition Manufacturers Legislative	6/4/2021	7/7/2021						
Tax (110-15F)	Sales Tax Holiday Legislative	5/11/2021	6/11/2021	5/7/2021 Amendment 6/3/2021 ERD by 7/15/2021	6/30/2021				
Tax (110-15L)	Exemption for Repair, Remodeling, and Maintenance of Aircraft Legislative	6/2/2021	7/7/2021	6/2/2021 ERD by 7/14/2021					
Tax (110-15M)	Vendor Absorption or Assumption of Sales and Use Tax Legislative	6/3/2021	7/7/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-16A)	On-Line Bingo and Raffles Legislative	6/3/2021	7/7/2021						
Tax (110-24)	Corporation Net Income Tax Legislative	6/2/2021	7/7/2021						
Transportation (217-01)	Employment Procedures Legislative	6/30/2021	7/30/2021						
Treasurer (112-02)	Substitute Checks-Exceptional Items Fund Legislative	6/28/2021	7/28/2021						
Treasurer (112-10)	Reporting Debt Legislative	6/28/2021	7/29/2021						
Treasurer (112-12)	Procedures for Fees in Collections by Charge, Credit or Debit Card or by Electronic Payment Legislative	6/28/2021	7/28/2021						
Treasurer (112-13)	Procedures for Providing Services to Political Subdivisions Legislative	6/25/2021	7/26/2021						
Underground Facilities Damage Prevention Bd. (214-02)	Rules of Procedure for Complaints and Contested Cases Before the WV Underground Facilities Damage Prevention Board Procedural	4/21/2021	5/21/2021						
Waste Management, Div. of Water and Waste Mgmt. (33-01B)	Requirements for the Management of Coal Combustion Residuals Legislative	6/25/2021	7/26/2021						
Water Resources, Div. of Water and Waste Mgmt. (47-02)	Requirements Governing Water Quality Standards Legislative	6/4/2021	7/19/2021						
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	3/11/2021 Written Comments Extended To 3/26/2021						
Water Resources Division of Water and Waste Management (47-13)	Underground Injection Control Legislative	6/23/2021	7/23/2021						

LEGISLATIVE RULES FILED PER THE SUNSET PROVISION W. Va. Code §29A-3-19 and 29A-3A-20							
AGENCY/SERIES NUMBER	**RULE/SUNSET DATE**	**REQUEST**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Auditor 155-08	Procedure for Local Levying Bodies to Apply for Permission to Extend Time to Meet as Levying Body 7/1/2022	5/13/2021					
Community & Technical College Education 135-35	Correspondence, Business, Occupational, and Trade Schools 7/19/2022	4/5/2021	4/27/2021				
Community & Technical College Education 135-52	Annual Reauthorization of Degree-Granting Institutions 7/19/2022	4/6/2021	4/27/2021				
Dangerous Wild Animal Board 74-01	Dangerous Wild Animals 6/5/2022	4/5/2021	4/5/2021				
Health 64-103	Expedited Paratner Therapy 6/1/2022	5/10/2021	5/10/2021				
Health and Human Resources 69-11	Medication-Assisted treatment – Opioid Treatment Programs 6/1/2022	5/10/2021	5/10/2021				
Higher Education Policy Commission 133-48	Research Trust Fund 8/5/2022	5/5/2021	5/5/2021				
Higher Education Policy Commission 133-52	Annual Reauthorization of Degree-Granting Institutions 8/5/2022	5/5/2021	5/5/2021				
Insurance Commission 114-98	Adoption of Valuation Manual 5/19/2022	3/31/2021	3/31/2021				
Public Service Commission (150-37)	Telephone Conduit Occupancy 8/1/2022	5/6/2021					
Racing Commission 178-05	Pari-Mutuel Wagering 8/1/2022	4/26/2021	4/30/2021				
Registererd Professional Nurses 19-08	Limited Prescriptive Authority for Nurses in Advanced Practice 5/15/2022	3/17/2021	5/10/2021				
Risk and Insurance Management 115-07	Patient Injury Compensation Fund 5/1/2022	4/21/2021					
Secretary of State 153-03	Voter Registration at the Division of Motor Vehicles 5/23/2022	5/10/2021	5/10/2021				
Secretary of State 153-05	Voter Registration List Maintenance by the Secretary of State 5/23/2022	5/10/2021	5/10/2021				

LEGISLATIVE RULES FILED PER THE SUNSET PROVISION W. Va. Code §29A-3-19 and 29A-3A-20							
AGENCY/SERIES NUMBER	**RULE/SUNSET DATE**	**REQUEST**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Treasurer 112-04	Procedures for Deposit of Monies with the State Treasurer's Office by State Agencies 6/1/2022	5/5/2021	5/6/2021				
Treasurer 112-06	Selection of State Depositories for Disbursement Accounts through Competitive Bidding 6/1/2022	5/6/2021	5/6/2021				
Treasurer 112-07	Selection of State Depositories for Receipt Accounts 6/1/2022	5/7/2021	5/7/2021				
Treasurer 112-08	Procedures for Processing Payments from the State Treasury 6/1/2022	5/7/2021	5/7/2021				

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/25/2021 2:34:30 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture

TITLE-SERIES: 61-05

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Commercial Feed

CITE STATUTORY AUTHORITY: §19-14-3

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/24/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Chad Linton

ADDRESS: WV Dept of Agriculture

1900 Kanawha Boulevard, East

EMAIL: clinton@wvda.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: Yes

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6/28/2021 4:44:54 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture

TITLE-SERIES: 61-07

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: Yes

RULE NAME: Enrichment of Flour and Bread Law Regulations

CITE STATUTORY AUTHORITY: §19-11-A

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Josh Arbaugh

ADDRESS: WV Dept of Agriculture

1900 Kanawha Boulevard, EAst Charleston WV 25305

EMAIL: jarbaugh@wvda.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

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture TITLE-SERIES: 61-08C

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

RULE NAME: Fruits and Vegetables Certification of Potatoes for Seeding Purposes

CITE STATUTORY AUTHORITY: §19-16

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Josh Arbaugh

ADDRESS: WV Dept of Agriculture

1900 Kanawha Boulevard, East Charleston, WV 25305

EMAIL: jarbaugh@wvda.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

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6/29/2021 2:05:07 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture TITLE-SERIES: 61-10

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

RULE NAME: Fresh Food Act

CITE STATUTORY AUTHORITY: §19-37-3

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Beth Southern

ADDRESS: WV Dept. of Agriculture

1900 Kanawha Boulevard, East Charleston, WV 25305

EMAIL: bsouthern@wvda.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

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture TITLE-SERIES: 61-11B

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

RULE NAME: Auctioneers

CITE STATUTORY AUTHORITY: §19-2C

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jodee Martin

ADDRESS: WV Dept of Agriculture

1900 Kanawha Boulevard, East Charleston WV 25305

EMAIL: jodeemartin@wvda.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

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6/28/2021 4:43:06 PM
Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture TITLE-SERIES: 61-30

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

RULE NAME: Hemp Products

CITE STATUTORY AUTHORITY: §19-12E-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Stoney Helmick

ADDRESS: WV Dept. of Agriculture

1900 Kanawha Boulevard, East Charleston WV 25305

EMAIL: shelmick@wvda.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INCORPORATED BY REFERENCE: No

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6/30/2021 2:30:55 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture TITLE-SERIES: 61-31

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

RULE NAME: Livestock Care Standards

CITE STATUTORY AUTHORITY: §19-1C-4(c)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Dr. James Maxwell

ADDRESS: WV Dept of Agriculture

1900 Kanawha Boulevard, East Charleston, WV 25305

EMAIL: jmaxwell@wvda.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INCORPORATED BY REFERENCE: Yes

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6/28/2021 2:04:38 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture TITLE-SERIES: 61-39

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

RULE NAME: Seed Certification

CITE STATUTORY AUTHORITY: §19-16-3a §19-16-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Josh Arbaugh

ADDRESS: WV Dept of Agriculture

EMAIL: jarbaugh@wvda.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: Yes

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6/30/2021 11:48:40 AM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Contractor Licensing Board TITLE-SERIES: 28-02

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

RULE NAME: Contractor Licensing Act

CITE STATUTORY AUTHORITY: 30-42-5, 30-42-8, 30-42-16

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 12 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brooke M. Farber

ADDRESS: 1900 Kanawha Boulevard, East
Building 3, Room 200

EMAIL: brooke.m.farber@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

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Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Counseling TITLE-SERIES: 27-01

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

RULE NAME: Series 1 Licensing Rule

CITE STATUTORY AUTHORITY: Board of Examiners in Counseling

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cheryl Henry

ADDRESS: 815 Quarrier Street, Suite 212
Charleston, WV 25301

EMAIL: cheryl.j.henry@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

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6/29/2021 4:48:16 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Counseling

TITLE-SERIES: 27-02

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Series 2 Licensed Professional Counselor Fees Rule

CITE STATUTORY AUTHORITY: Board of Examiners in Counseling

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cheryl Henry

ADDRESS: 815 Quarrier Street, Suite 212

Charleston, WV 25301

EMAIL: cheryl.j.henry@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

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6/30/2021 8:29:20 AM
Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Counseling

TITLE-SERIES: 27-08

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Series 8 Marriage and Family Therapist Licensing Rule

CITE STATUTORY AUTHORITY: Board of Examiners in Counseling

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cheryl Henry

ADDRESS: 815 Quarrier Street, Suite 212

Charleston, WV 25301

EMAIL: cheryl.j.henry@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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6/30/2021 8:33:51 AM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Counseling

TITLE-SERIES: 27-09

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Series 9 Marriage and Family Therapist Fees Rule

CITE STATUTORY AUTHORITY: Board of Examiners in Counseling

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cheryl Henry

ADDRESS: 815 Quarrier Street, Suite 212

Charleston, WV 25301

EMAIL: cheryl.j.henry@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

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6/28/2021 8:36:51 AM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Crime Delinquency And Correction

TITLE-SERIES: 149-02

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Law Enforcement Training and Certification Standards

CITE STATUTORY AUTHORITY: 30-29-3

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: David Lee

ADDRESS: WVSP Academy, PDC, 123 Academy Drive

Dunbar, WV 25064

EMAIL: david.m.lee@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

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6/30/2021 3:11:23 PM
Office of West Virginia
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Family Protection Services Board TITLE-SERIES: 191-01

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

RULE NAME: OPERATION OF THE FAMILY PROTECTION SERVICES BOARD

CITE STATUTORY AUTHORITY: 48-26-403

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April Robertson

ADDRESS: One Davis Square, Suite 100 East
Charleston, WV 25301

EMAIL: april.l.robertson@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

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6/30/2021 3:13:50 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Family Protection Services Board TITLE-SERIES: 191-02

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

RULE NAME: DOMESTIC VIOLENCE PROGRAM LICENSURE STANDARDS

CITE STATUTORY AUTHORITY: 48-26-403

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April Robertson

ADDRESS: One Davis Square, Suite 100 East
Charleston, WV 25301

EMAIL: april.l.robertson@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)

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6/28/2021 4:39:51 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Fire Commission

TITLE-SERIES: 87-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Fire Code

CITE STATUTORY AUTHORITY: 15A-11-3

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/28/2021 11:00 AM

LOCATION OF PUBLIC HEARING:

1207 Quarrier Street

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Ken Tyree, Fire Marshal

ADDRESS: 1207 Quarrier Street

Charleston, WV 25301

EMAIL: kenneth.e.tyree@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: Yes

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

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6/30/2021 1:16:30 PM
Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Funeral Service Examiners

TITLE-SERIES: 6-07

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Fee Schedule

CITE STATUTORY AUTHORITY: § 30-1-6 et. seq.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 2:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: WV Board of Funeral Service Examiners

ADDRESS: Attn: Rule 179 Summers Street, Suite 319

Charleston, WV 25301

EMAIL: wvfuneralboard@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)

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Bill J. Crouch
Cabinet Secretary

FILED LEGISLATIVE
2021 JUL -1 A 10:48
OFFICE WEST VIRGINIA SECRETARY OF STATE

MEMORANDUM

DATE: July 1, 2021

TO: Mac Warner
Secretary of State

FROM: Bill J. Crouch, Cabinet Secretary
Department of Health and Human Resources

RE: **Sewer Systems, Sewage Treatment Systems, and Sewage Tank Cleaners Legislative Rule - W. Va. C.S.R. § 64-9**

On or about April 10, 2020, pursuant to W. Va. Code §15-5-6(c)(7) and the State of Emergency declared by Governor Justice on March 16, 2020, the Bureau for Public Health of the Department of Health and Human Resources requested that W. Va. C.S.R. §64-9, *Sewer Systems, Sewage Treatment Systems, and Sewage Tank Cleaners*, be temporarily suspended, in part.

W. Va. C.S.R. §64-9 establishes and sets forth the minimum requirements for sewer systems, sewage treatment or disposal plants which serve public sewers, and the certification of sewage tank installers. Compliance with all of the provisions of the rule no longer poses a hinderance or delay of necessary action in coping with the emergency declared by the Governor. Therefore, I request that the suspension be lifted, and that the entirety of the rule be made effective July 1, 2021.

One Davis Square, Suite 100, East • Charleston, West Virginia 25301 • 304 558-0684 • 304-558-1130 (fax) • dhhr.wv.gov

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6/29/2021 11:27:11 AM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health TITLE-SERIES: 64-10

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

RULE NAME: METHODS AND STANDARDS FOR CHEMICAL TESTS FOR INTOXICATION

CITE STATUTORY AUTHORITY: 16-1-4 and 17C-5-8

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L Robertson

ADDRESS: One Davis Square, Suite 100 East
Charleston, WV 25301

EMAIL: april.l.robertson@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)

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health TITLE-SERIES: 64-42

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

RULE NAME: CHILDHOOD LEAD SCREENING

CITE STATUTORY AUTHORITY: 16-1-4 and 16-35-4a.

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NAME: April L Robertson

ADDRESS: One Davis Square, Suite 100 East

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health TITLE-SERIES: 64-43

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

RULE NAME: FOOD MANUFACTURING FACILITIES

CITE STATUTORY AUTHORITY: 16-1-4 AND 16-7-1

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health TITLE-SERIES: 64-47

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

RULE NAME: SEWAGE TREATMENT AND COLLECTION SYSTEM DESIGN STANDARDS

CITE STATUTORY AUTHORITY: 16-1-4 and 16-1-9

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OFFICE WEST VIRGINIA
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STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Bill J. Crouch
Cabinet Secretary

MEMORANDUM

DATE: July 1, 2021

TO: Mac Warner
Secretary of State

FROM: Bill J. Crouch, Cabinet Secretary
Department of Health and Human Resources

RE: Infectious Medical Waste Legislative Rule
W. Va. C.S.R. § 64-56

On or about April 7, 2020, pursuant to W. Va. Code §15-5-6(c)(7) and the State of Emergency declared by Governor Justice on March 16, 2020, the Bureau for Public Health of the Department of Health and Human Resources requested that W. Va. C.S.R. §64-56, *Infectious Medical Waste*, be temporarily suspended, in part.

W. Va. C.S.R. §64-56 establishes and sets forth the requirements for the generation, handling, storage, transportation, treatment, and disposal of infectious medical waste in West Virginia. Strict compliance with all provisions of this rule will no longer pose a hinderance or delay to necessary action in coping with the emergency declared by the Governor. Therefore, I request that the suspension be lifted, and that the entirety of the rule be made effective July 1, 2021.

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health

TITLE-SERIES: 64-57

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: CLINICAL LABORATORY PRACTITIONER LICENSURE AND CERTIFICATION

CITE STATUTORY AUTHORITY: 16-1-4, 16-1-11, and 16-5J-10.

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health

TITLE-SERIES: 64-92

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: CLANDESTINE DRUG LABORATORY REMEDIATION

CITE STATUTORY AUTHORITY: 16-1-4 and 60A-11-3

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health TITLE-SERIES: 64-97

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

RULE NAME: MATERNAL RISK SCREENING

CITE STATUTORY AUTHORITY: 16-1-4 and 16-4E-4

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health Care Authority TITLE-SERIES: 65-32

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

RULE NAME: CERTIFICATE OF NEED

CITE STATUTORY AUTHORITY: 16-2D-4 and 16-29B-8

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OFFICE WEST VIRGINIA
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STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Bill J. Crouch
Cabinet Secretary

MEMORANDUM

DATE: July 1, 2021

TO: Mac Warner
Secretary of State

FROM: Bill J. Crouch
Secretary of Department of Health and Human Resources

RE: **Child Placing Agencies Licensure**
W. Va. C.S.R. § 78-2

The Bureau for Children and Families of the Department of Health and Human Resources requests that W. Va. C.S.R. §78-2 be temporarily suspended in part effective immediately pursuant to W. Va. Code §15-5-6(c)(7) and the State of Emergency declared by Governor Justice on March 16, 2020.

W. Va. C.S.R. § 78-2 establishes and sets forth the requirements for child placing agencies. Strict compliance with the following provisions will hinder and delay necessary action in coping with the emergency declared by the Governor in so far as these provisions require in-person visitation between children and families:

W.Va. C.S.R. §78-2.9.1.6.

W.Va. C.S.R. §78-2.9.6.2.g.

If granted, the Bureau for Children and Families further requests that the rule be suspended until such time as the State of Emergency is lifted.

This memorandum supersedes all other such memoranda. Except as stated herein, all other regulations previously suspended are now in full force and effect.

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STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Bill J. Crouch
Cabinet Secretary

MEMORANDUM

DATE: July 1, 2021

TO: Mac Warner
Secretary of State

FROM: Bill J. Crouch
Secretary of Department of Health and Human Resources

RE: **Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults in West Virginia**
W. Va. C.S.R. § 78-3

The Bureau for Children and Families of the Department of Health and Human Resources requests that W. Va. C.S.R. § 78-3 be temporarily suspended in part effective immediately pursuant to W. Va. Code §15-5-6(c)(7) and the State of Emergency declared by Governor Justice on March 16, 2020.

W. Va. C.S.R. § 78-3 establishes and sets forth the requirements for residential child care and treatment facilities for children and transitioning adults. Strict compliance with the following paragraph will hinder and delay necessary action in coping with the emergency declared by the Governor in so far as this provision require in-person visitation between children and families:

W. Va. C.S.R. § 78-3.5.4.1.h.

If granted, the Bureau for Children and Families further requests that the rule be suspended until such time as the State of Emergency is lifted.

This memorandum supersedes all other such memoranda. Except as stated herein, all other regulations previously suspended are now in full force and effect.

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Labor TITLE-SERIES: 42-09

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

RULE NAME: Child Labor Rule

CITE STATUTORY AUTHORITY: W. Va. Code §21-6-11

COMMENTS LIMITED TO:

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DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 10 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brooke M. Farber, Deputy Commissioner

ADDRESS: 1900 Kanawha Boulevard East, Capitol Complex, Building 3, Room 200

Charleston, WV 25305

EMAIL: brooke.m.farber@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Massage Therapy Licensure Board TITLE-SERIES: 194-01

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

RULE NAME: General Provisions

CITE STATUTORY AUTHORITY: 30-37-6

COMMENTS LIMITED TO:

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NAME: Linda Lyter

ADDRESS: 179 Summers Street, Suite 711

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EMAIL: linda_lyter@frontier.com

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine TITLE-SERIES: 11-01A

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

RULE NAME: Licensing and Disciplinary Procedures: Physicians; Podiatric Physicians and Surgeons

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-3-7(a)(1), 30-1D-1(d) and 30-1-26(b)

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NAME: Mark A. Spangler, Executive Director

ADDRESS: 101 Dee Drive, Suite 103

Charleston, West Virginia 25311

EMAIL: mark.a.spangler@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine TITLE-SERIES: 11-01B

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

RULE NAME: Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-1-7(a), 30-3E-3(a)(1)-(9), and 30-1D-1(d).

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine

TITLE-SERIES: 11-05

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Board of Medicine Rules for Dispensing of Prescription Drugs by Practitioners

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-3-7(a)(1), 30-3E-3(a) and 60-A-3-301

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine

TITLE-SERIES: 11-06

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Continuing Education for Physicians and Podiatric Physicians

CITE STATUTORY AUTHORITY: W. Va. Code § 30-3-7

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine

TITLE-SERIES: 11-10

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Practitioner Requirements for Accessing the West Virginia Controlled Substances Monitoring Program Database

CITE STATUTORY AUTHORITY: W.Va. Code § 60A-9-5a(c)

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine

TITLE-SERIES: 11-11

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Establishment and Regulation of Limited License to Practice Medicine and Surgery at Certain State Veterans Nursing Home Facilities

CITE STATUTORY AUTHORITY: W. Va. Code § 30-3-11b(d)

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine

TITLE-SERIES: 11-14

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Registration to Practice During Declared State of Emergency

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-3-7(a)(1), 30-3E-3(a)

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine

TITLE-SERIES: 11-15

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Telehealth and Interstate Telehealth Registration for Physicians, Podiatric Physicians and Physician Assistants

CITE STATUTORY AUTHORITY: W. Va. Code § 30-1-26(b)

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NOTICE OF PUBLIC COMMENT PERIOD

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) and (c)

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DATE WRITTEN COMMENT PERIOD ENDS: 07/26/2021 10:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Eugene White, Director

ADDRESS: Office of Miners' Health, Safety and Training

7 Players Club Dr., Suite 2, Charleston, WV 25311

EMAIL: eugene.e.white@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Motor Vehicles

TITLE-SERIES: 91-04

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: EXAMINATION AND ISSUANCE OF DRIVERS LICENSE

CITE STATUTORY AUTHORITY: W. Va. Code §§17A-2-9, 17B-2-7, 17B-2-15 and 17E-1-18

COMMENTS LIMITED TO:

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DATE WRITTEN COMMENT PERIOD ENDS: 7/26/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Adam Holly DMV

ADDRESS: 5707 MacCorkle Ave SE

P.O. Box 17200

EMAIL: adam.holley@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

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WEST VIRGINIA SECRETARY OF STATE
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6/29/2021 1:00:31 PM
Office of West Virginia
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Motor Vehicles TITLE-SERIES: 91-06

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

RULE NAME: Dealer Licensing

CITE STATUTORY AUTHORITY: West Virginia Code §§17A-2-9, 17A-6-2a, 17A-6-5a, 17A-6-3, 17A- 6B-13, 17A-6C-17 and 17A-6D-15

COMMENTS LIMITED TO:

Written

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LOCATION OF PUBLIC HEARING:

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6/30/2021 10:13:13 AM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-12

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

RULE NAME: Commercial Whitewater Outfitters

CITE STATUTORY AUTHORITY: §20-2-23a

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Wendy Greene

ADDRESS: 324 4th Avenue, Room 343

South Charleston, WV 25303

EMAIL: dnrcomments@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-23

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

RULE NAME: Revocation of Hunting and Fishing Licenses

CITE STATUTORY AUTHORITY: §20-1-7(31) and §20-2-38

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-25

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

RULE NAME: Boating Rule

CITE STATUTORY AUTHORITY: §20-1-7(31), §20-7-13, §20-7-16, §20-7-22, §20-7-22a, §20-7-23

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Wendy L. Greene

ADDRESS: 324 4th Avenue, Room 343

South Charleston, WV 25303

EMAIL: dnrcomments@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-26

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

RULE NAME: Special Boating Rules

CITE STATUTORY AUTHORITY: §§ 20-1-7(31), 20-7-22, and 20-7-23

COMMENTS LIMITED TO:

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-27

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

RULE NAME: Special Motorboating Regulations

CITE STATUTORY AUTHORITY: §20-7-22 and §20-7-23

COMMENTS LIMITED TO:

Written

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6/30/2021 10:34:48 AM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-30

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

RULE NAME: Wildlife Education Facilities

CITE STATUTORY AUTHORITY: §20-1-7(28), §20-1-7 (31)

COMMENTS LIMITED TO:

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-38

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

RULE NAME: Public Shooting Ranges

CITE STATUTORY AUTHORITY: §§20-1-7(31) and 20-3-2.

COMMENTS LIMITED TO:

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-47

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

RULE NAME: Prohibitions When Hunting and Trapping

CITE STATUTORY AUTHORITY: §20-1-7(31).

COMMENTS LIMITED TO:

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-49

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

RULE NAME: General Hunting

CITE STATUTORY AUTHORITY: §20-1-7(31)

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

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ADDRESS: 324 4th Avenue, Room 343
South Charleston, WV 25303

EMAIL: dnrcomments@wv.gov

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-53

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

RULE NAME: General Trapping

CITE STATUTORY AUTHORITY: §20-1-7(31)

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ADDRESS: 324 4th Avenue, Room 343

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-63

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

RULE NAME: Commercial Sale of Wildlife

CITE STATUTORY AUTHORITY: §20-2-11, §20-1-7(31) and §20-2-13

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Wendy L. Greene

ADDRESS: 324 4th Avenue, Room 343

South Charleston, WV 25303

EMAIL: dnrcomments@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-67

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

RULE NAME: Lifetime Hunting, Trapping and Fishing Licenses

CITE STATUTORY AUTHORITY: §20-2B-7

COMMENTS LIMITED TO:

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Wendy L. Greene

ADDRESS: 324 4th Avenue, Room 343
South Charleston, WV 25303

EMAIL: dnrcomments@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-69

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

RULE NAME: Wildlife Disease Management

CITE STATUTORY AUTHORITY: §20-1-7(31)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Wendy L. Greene

ADDRESS: 324 4th Avenue, Room 343
South Charleston, WV 25303

EMAIL: dnrcomments@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INCORPORATED BY REFERENCE: No

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6/29/2021 12:00:19 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Osteopathic Medicine TITLE-SERIES: 24-01

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

RULE NAME: Licensing Procedures for Osteopathic Physicians

CITE STATUTORY AUTHORITY: W. Va. Code § 30-14-14 and § 30-1D-1(d)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 4:30 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Chase Holcomb

ADDRESS: 405 Capitol Street, Suite 402

Charleston, WV 25301

EMAIL: chase.o.holcomb@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

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6/29/2021 11:57:19 AM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Osteopathic Medicine TITLE-SERIES: 24-02

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

RULE NAME: Osteopathic Physician Assistants

CITE STATUTORY AUTHORITY: W. Va. Code § 30-3E-3(a) and (b)

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Written

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Chase Holcomb

ADDRESS: 405 Capitol Street, Suite 402

Charleston, WV 25301

EMAIL: chase.o.holcomb@wv.gov

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6/29/2021 12:06:51 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Osteopathic Medicine TITLE-SERIES: 24-07

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

RULE NAME: Practitioner Requirements for Controlled Substances Licensure and Accessing the West Virginia Controlled Substances Monitoring Program Database

CITE STATUTORY AUTHORITY: W. Va. Code § 60A-9-5a(c) and § 60A-3-301

COMMENTS LIMITED TO:

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6/29/2021 11:50:20 AM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Osteopathic Medicine TITLE-SERIES: 24-10

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

RULE NAME: Telehealth Practice and Interstate Telehealth Registration for Osteopathic Physicians and Physician Assistants

CITE STATUTORY AUTHORITY: W. Va. Code § 30-1-26(b)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

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6/25/2021 1:50 PM
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LEGISLATIVE

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

AGENCY: Public Employees Insurance Agency TITLE-SERIES: 151-01

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

RULE NAME: Plan Document

CITE STATUTORY AUTHORITY: W.Va. Code 5-16-1 et. seq., W.Va. Code 5-16-24

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

July 1, 2021

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

Yes

Kenna M Deraimo -- 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

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6/29/2021 4:12:47 PM
Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

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

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

RULE NAME: Requirements For Licensure And Certification

CITE STATUTORY AUTHORITY: WV Code Chapter 30, Article 38

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: WV Real Estate Appraiser Licensing & Certification Board

ADDRESS: 405 Capitol St. Ste 906

Charleston, WV 25301

EMAIL: wvappraiserboard@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

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6/29/2021 4:14:05 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Real Estate Appraiser Licensing And Certification Board

TITLE-SERIES: 190-03

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Renewal Of Licensure Or Certification

CITE STATUTORY AUTHORITY: WV Code Chapter 30, Article 38

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

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EMAIL: wvappraiserboard@wv.gov

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6/29/2021 4:16:23 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Real Estate Appraiser Licensing And Certification Board

TITLE-SERIES: 190-05

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Requirements for Registration and Renewal of Appraisal Management Companies

CITE STATUTORY AUTHORITY: WV Code Chapter 30, Article 38A

COMMENTS LIMITED TO:

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ADDRESS: 405 Capitol St., Ste 906

Charleston, WV 25301

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6/30/2021 8:32:27 AM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Registered Professional Nurses TITLE-SERIES: 19-16

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

RULE NAME: Telehealth Practice

CITE STATUTORY AUTHORITY: Va. Code §30-1-25, and W. Va. Code §30-7-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sue Painter

ADDRESS: 5001 MacCorkle Ave, SW,

South Charleston, WV 25309

EMAIL: sue.a.painter@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)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/30/2021 3:36:08 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Secretary Of DHHR Insurance Commissioner And Chair Of The Health Care Authority TITLE-SERIES: 114A-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: Yes

RULE NAME: ALL-PAYER CLAIMS DATABASE – DATA SUBMISSION REQUIREMENTS

CITE STATUTORY AUTHORITY: 33-4A-8

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April Robertson

ADDRESS: One Davis Square, Suite 100 East

Charleston, WV 25301

EMAIL: april.l.robertson@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)

WEST VIRGINIA SECRETARY OF STATE
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ADMINISTRATIVE LAW DIVISION

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6/30/2021 4:08:20 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Secretary Of DHHR Insurance Commissioner And Chair Of The Health Care Authority

TITLE-SERIES: 114A-02

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: Yes

RULE NAME: ALL-PAYER CLAIMS DATABASE -- PRIVACY AND SECURITY REQUIREMENTS

CITE STATUTORY AUTHORITY: 33-4A-8

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April Robertson

ADDRESS: One Davis Square, Suite 100 East
Charleston, WV 25301

EMAIL: april.l.robertson@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)

WEST VIRGINIA SECRETARY OF STATE
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6/25/2021 12:43:00 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Secretary Of State

TITLE-SERIES: 153-25

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: COMBINED VOTER REGISTRATION AND DRIVER LICENSING FUND

CITE STATUTORY AUTHORITY: W. Va. Code 3-1A-6 and 3-2-12.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2021 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Donald Kersey

ADDRESS: State Capitol, Bldg. 1, Ste. 157-K
Charleston, WV 25305

EMAIL: dkersey@wvsos.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

(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
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6/29/2021 1:11:48 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Secretary Of State

TITLE-SERIES: 153-48

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: REAL PROPERTY ELECTRONIC RECORDING STANDARDS AND REGULATIONS

CITE STATUTORY AUTHORITY: W. Va. Code 39A-4-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Donald Kersey

ADDRESS: State Capitol, Bldg. 1, Ste. 157-K

Charleston, WV 25305

EMAIL: dkersey@wvsos.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)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/30/2021 3:12:47 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Social Work Examiners

TITLE-SERIES: 25-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Qualifications for the Profession of Social Work

CITE STATUTORY AUTHORITY: 30-30-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Vickie James

ADDRESS: PO Box 5459

Charleston, WV 25361

EMAIL: admin@wvsocialworkboard.org

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

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WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
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6/30/2021 2:23:35 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Social Work Examiners

TITLE-SERIES: 25-05

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Continuing Education for Social Workers and Providers

CITE STATUTORY AUTHORITY: 30-30-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Vickie James

ADDRESS: PO Box 5459

Charleston, WV 25361

EMAIL: admin@wvsocialworkboard.org

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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6/29/2021 4:07:14 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: State Police

TITLE-SERIES: 81-03

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Career Progression

CITE STATUTORY AUTHORITY: W. Va. Code §§15-2-5, 15-2-25

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: MAJOR SHALLON OGLESBY

ADDRESS: 725 JEFFERSON ROAD

SOUTH CHARLESTON, WV 25309

EMAIL: shallon.r.oglesby@wvsp.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)

WEST VIRGINIA SECRETARY OF STATE
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ADMINISTRATIVE LAW DIVISION

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6/30/2021 1:38:55 PM
Office of West Virginia
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LEGISLATIVE

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

AGENCY: Tax TITLE-SERIES: 110-15F

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

RULE NAME: Sales Tax Holiday

PRIMARY CONTACT

NAME: MARK S MORTON

ADDRESS: PO Box 1005

Charleston, WV 25324

EMAIL: taxlegal@wv.gov

PHONE NUMBER: 304-558-5330

CITE STATUTORY AUTHORITY: W. Va. Code §§11-15-9s(c) and 11-10-5

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

The State Tax Commissioner has general rule-making authority pursuant to W. Va. Code §11-10-5. In addition, this new rule is mandated by W.Va. Code§ 11-15-9s(c) to establish eligibility requirements for the exemptions established by that statute. The rule provides procedural and interpretive guidance for implementing the exemptions.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 5/11/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 6/11/2021

COMMENTS RECEIVED: No

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

PUBLIC HEARING: No

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/30/2021 4:46:36 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Transportation Department of TITLE-SERIES: 217-01

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

RULE NAME: Employment Procedures

CITE STATUTORY AUTHORITY: W. Va. Code §5F-2-8

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/30/2021 N:oo r\

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Rita A Pauley

ADDRESS: 1900 kanawha Blvd. E, Bldg. 5, Room110

Charleston, WV 25305

EMAIL: rita.a.pauley@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)

WEST VIRGINIA SECRETARY OF STATE
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ADMINISTRATIVE LAW DIVISION

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6/28/2021 4:13:47 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Treasurer

TITLE-SERIES: 112-02

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Substitute Checks--Exceptional Items Fund

CITE STATUTORY AUTHORITY: §12-4-11

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: James Fuerhoff

ADDRESS: 1900 Kanawha Boulevard East, Rm E-145

Charleston, WV 25305

EMAIL: james.fuerhoff@wvsto.com

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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ADMINISTRATIVE LAW DIVISION

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6/28/2021 5:06:54 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Treasurer

TITLE-SERIES: 112-10

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Reporting Debt

CITE STATUTORY AUTHORITY: §12-6A-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: James G Fuerhoff

ADDRESS: 1900 Kanawha Boulevard East, Rm E-145

Charleston, WV 25305

EMAIL: james.fuerhoff@wvsto.com

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

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6/28/2021 4:06:40 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Treasurer

TITLE-SERIES: 112-12

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Procedures for Fees In Collections by Charge, Credit or Debit Card or by Electronic Payment

CITE STATUTORY AUTHORITY: §12-3A-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: James Fuerhoff

ADDRESS: 1900 Kanawha Boulevard East, Rm E-145

Charleston, WV 25305

EMAIL: james.fuerhoff@wvsto.com

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

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6/25/2021 3:44:55 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Treasurer

TITLE-SERIES: 112-13

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Procedures for Providing Services to Political Subdivisions

CITE STATUTORY AUTHORITY: 12-3A-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/26/2021 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: James Fuerhoff

ADDRESS: 1900 Kanawha Boulevard East, Rm E-145

Charleston, WV 25305

EMAIL: james.fuerhoff@wvsto.com

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

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6/25/2021 1:12:59 PM

Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Waste Management Division Of Water And Waste Management

TITLE-SERIES: 33-01B

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Requirements for the Management of Coal Combustion Residuals

CITE STATUTORY AUTHORITY: W. Va. Code §§ 22-5-15 and 22-15-10

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/26/2021 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual - Details in Public Notice

DATE WRITTEN COMMENT PERIOD ENDS: 07/26/2021 6:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Johnsely S. Cyrus

ADDRESS: 601 57th St. S.E.

Charleston, WV 25304

EMAIL: johnsely.cyrus@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
6/28/2021 2:19:42 PM
Office of West Virginia
Secretary Of State

INTERPRETIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Environmental Protection Secretarys Office TITLE-SERIES: 60-09

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

RULE NAME: Voluntary Remediation and Redevelopment De Minimis Standards

CITE STATUTORY AUTHORITY: W. Va. Code § 22-22-3

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/28/2021 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual - Details in Public Notice

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2021 6:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Casey Korbini

ADDRESS: 131A Peninsula Street

Wheeling, WV 26003

EMAIL: dep.comments@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)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/30/2021 10:02 AM
Office of West Virginia
Secretary Of State

PROCEDURAL

NOTICE OF TECHNICAL AMENDMENT

AGENCY: Registered Professional Nurses TITLE-SERIES: 19-06

RULE TYPE: Procedural

RULE NAME: PROCEDURE FOR OPEN MEETINGS AND BYLAWS

CITE STATUTORY AUTHORITY: W. Va. Code '6-9A-3 and '30-1-5

LIST WITH DETAIL EACH SPECIFIC CHANGE MADE TO THE RULE AND WHERE IT CAN BE FOUND:

4.4. The board shall convene all regular meetings at at the designated office of the Board, unless otherwise changed by a majority vote of those board members present and voting.

FILING DATE: 06/29/2021 EFFECTIVE DATE: 11/08/2016

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

Yes
Sue Ann Painter -- 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
6/30/2021 12:55:14 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

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

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 08/02/2021 12:00 P.M.

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Shannon Driver

ADDRESS: 2300 Kanawha Boulevard, East
Charleston, WV 25311

EMAIL: shannon.l.driver@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: Yes

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

WEST VIRGINIA SECRETARY OF STATE
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6/30/2021 2:20:39 PM
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EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Agriculture TITLE-SERIES: 61-31

RULE TYPE: Legislative Amendment to Existing Rule: No

RULE NAME: Livestock Care Standards

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§19-1C-4(c)

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

Passage of HB2633 during the 2021 regular legislative session becoming effective July 5, 2021

PRIMARY CONTACT:

NAME: Dr. James Maxwell

ADDRESS: WV Dept Of Agriculture

1900 Kanawha Boulevard, East Charleston WV 25305

EMAIL: jmaxwell@wvda.us

PHONE NUMBER: 304-558-2214

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
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eFILED
6/28/2021 8:35:06 AM
Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Crime Delinquency And Correction TITLE-SERIES: 149-02

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Law Enforcement Training and Certification Standards

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

30-29-3

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

PRIMARY CONTACT:

NAME: David Lee

ADDRESS: Wvsp Academy Pdc 123 Academy Drive

Dunbar, WV 25064

EMAIL: david.m.lee@wv.gov

PHONE NUMBER: 304-766-5847

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
7/1/2021 4:39:02 PM

Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Health TITLE-SERIES: 64-48

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: EMERGENCY MEDICAL SERVICES

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

16-1-4, 16-4C-6, 16-4C-14, 16-4C-23, and 29A-3-15

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

n/a

PRIMARY CONTACT:

NAME: April Robertson

ADDRESS: One Davis Square Suite 100 East

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PHONE NUMBER: 304-558-9149

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

FILED

2021 JUL -1 P 5:04

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN RESOURCES BUREAU FOR PUBLIC HEALTH

RULE: 64 CSR 46. EMERGENCY MEDICAL SERVICES

STATUTORY AUTHORITY: W. Va. Code §§ 16-1-4, 16-4C-6, 16-4C-14, and 16-4C-23.

DATE FILED AS AN EMERGENCY RULE: July 1, 2021.

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is **Approved**.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

____ (1) For the immediate preservation of the public peace, health, safety and welfare;

____ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

_X_ (3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): This Emergency Rule is promulgated as an amendment to the existing Rule pursuant to the changes in HB 2427 (2021) and in response to recent changes in statewide restrictions concerning COVID-19 as attested by Agency Counsel.

7/1/2021

Donald Kersey, General Counsel
WV Secretary of State's Office

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/29/2021 2:13:48 PM
Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Medicine

TITLE-SERIES: 11-01B

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

RULE NAME: Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §§ 30-1-7(a), 30-3E-3(a)(1)-(9), and 30-1D-1(d).

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

PRIMARY CONTACT:

NAME: Mark A. Spangler, Executive Director

ADDRESS: 101 Dee Drive Suite 103

Charleston, West Virginia 25311

EMAIL: mark.a.spangler@wv.gov

PHONE NUMBER: 304-558-2921

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/29/2021 2:16:08 PM
Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Medicine

TITLE-SERIES: 11-15

RULE TYPE: Legislative

Amendment to Existing Rule: No

RULE NAME: Telehealth and Interstate Telehealth Registration for Physicians, Podiatric Physicians and Physician Assistants

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code § 30-1-26(b)

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

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ADDRESS: 101 Dee Drive Suite 103

Charleston, West Virginia 25311

EMAIL: mark.a.spangler@wv.gov

PHONE NUMBER: 304-558-2921

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WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/30/2021 10:29:54 AM
Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Natural Resources TITLE-SERIES: 58-26

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Special Boating Rules

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§§ 20-1-7(31), 20-7-22, and 20-7-23.

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

PRIMARY CONTACT:

NAME: Wendy L. Greene

ADDRESS: 324 4th Avenue Room 343

South Charleston, WV 25303

EMAIL: dnrcomments@wv.gov

PHONE NUMBER: 304-558-2754

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/30/2021 10:37:02 AM
Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Natural Resources TITLE-SERIES: 58-38

RULE TYPE: Legislative Amendment to Existing Rule: No

RULE NAME: Public Shooting Ranges

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§§20-1-7(31) and 20-3-2.

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

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EMAIL: dnrcomments@wv.gov

PHONE NUMBER: 304-558-2754

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WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/29/2021 11:55:41 AM
Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Osteopathic Medicine TITLE-SERIES: 24-02

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Osteopathic Physician Assistants

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code § 30-3E-3(b)

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

PRIMARY CONTACT:

NAME: Chase Holcomb

ADDRESS: 405 Capitol Street Suite 402

Charleston, WV 25301

EMAIL: chase.o.holcomb@wv.gov

PHONE NUMBER: 304-558-6095

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/29/2021 11:44:37 AM
Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Osteopathic Medicine TITLE-SERIES: 24-10

RULE TYPE: Legislative Amendment to Existing Rule: No

RULE NAME: Telehealth Practice and Interstate Telehealth Registration for Osteopathic Physicians and Physician Assistants

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code § 30-1-26(b)

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

PRIMARY CONTACT:

NAME: Chase Holcomb

ADDRESS: 405 Capitol Street Suite 402

EMAIL: chase.o.holcomb@wv.gov

PHONE NUMBER: 304-558-6095

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WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

6/30/2021 3:01:46 PM

Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Social Work Examiners TITLE-SERIES: 25-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Qualifications for the Profession of Social Work

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

30-30-6

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

30-1-26

PRIMARY CONTACT:

NAME: Vickie James

ADDRESS: PO Box 5459

Charleston, WV 25361

EMAIL: admin@wvsocialworkboard.org

PHONE NUMBER: 304-400-4980

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

Orders Report

Docket Number	Agency	Respondent	Date Rendered
20-6-11828-H	Health Care Authority	West Virginia University Hospitals, Inc.	6/24/2021
21-2/3-12065-P	Health Care Authority	Prestera Center for Mental Health Services, Inc.	6/24/2021
21-2-12070-P	Health Care Authority	Pleasant Valley Hospital, Inc.	6/11/2021
21-6-12084-X	Health Care Authority	West Virginia University Hospitals, Inc.	6/10/2021
20-8-11959-P	Health Care Authority	Potomac Valley Hospital	6/10/2021
18-6-11297-H	Health Care Authority	West Virginia Universit Hospitals, Inc.	6/10/2021
21-6-12090-X	Health Care Authority	Preston Memorial HomeCare, LLC	6/3/2021
21-6-12097-X	Health Care Authority	United Hospital Center	6/3/2021
21-9-12096-X	Health Care Authority	Berkeley Medical Center	6/3/2021
21-10-12095-X	Health Care Authority	Linx Community Services	6/3/2021
18-1/2/3/4/5/6/7/8/9/10-11411-P	Health Care Authority	West Virginia University Hospitals, Inc.	6/3/2021
21-6-12046-Z	Health Care Authority	Personal Touch Home Care of W. Va., Inc.	5/28/2021
21-1-12078-X	Health Care Authority	REM West Virginia	5/19/2021
21-10-12082-X	Health Care Authority	Interim HealthCare of Pittsburgh, Inc.	5/19/2021
21-3-12059-P	Health Care Authority	Boone Memorial Hospital, Inc.	5/19/2021
18-11-11450-BH	Health Care Authority	REM West Virginia, LLC	5/19/2021
20-MC-STAT-02002	Insurance Commission	Safe Insurance Company	6/11/2021
20-MC-STAT-02000	Insurance Commission	Municipal Mutual Insurance Company	4/15/2021
21-1C-02140	Insurance Commission	Delta Dental Plan of West Virginia, Inc.	6/29/2021
N/A	Registered Professional Nurses, West Virginia Board Of Examiners For	Tiffany Fortune	6/16/2021
N/A	Registered Professional Nurses, West Virginia Board Of Examiners For	Daniel Gilchrist	6/16/2021

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2021-0293-DHHR	Lisa Snodgrass	Department Of Health And Human Resources	6/9/2021
		Bureau For Children And Families	6/9/2021
2021-2226-DOE	Kimberly Hunt	Department of Education	6/9/2021
2021-2238-MAPS	Wesley Guy Curry	Division of Corrections and Rehabilitation	6/10/2021
		Bureau of Prisons and Jails	6/10/2021
		Southern Regional Jail and Correctional Facility	6/10/2021
2020-1555-CONS	Shelly Nicewarner	Department Of Health And Human Resources	6/11/2021
		Bureau For Children And Families	6/11/2021
2021-1864-CONS	Dereck Palmer	Department Of Health And Human Resources	6/14/2021
		John Manchin Sr Health Care Center	6/14/2021
2021-1880-DHHR	James Griffin	Department Of Health And Human Resources	6/14/2021
		Mildred Mitchell-Bateman Hospital	6/14/2021
2019-1778-MerED	Elizabeth Yost	Mercer County Board Of Education	6/15/2021
2021-2037-MU	Phillip Joseph Alexander	Marshall University	6/15/2021
2019-1845-CONS	Ervin Crim, Jr., et al.	Department Of Health And Human Resources	6/15/2021
		William R. Sharpe, Jr. Hospital	6/15/2021
2021-0054-HarED	Chelsea Holcomb	Harrison County Board Of Education	6/16/2021
2020-1030-MAPS	Jonathan A. Cosby	Division of Corrections and Rehabilitation	6/17/2021
		Bureau of Community Corrections	6/17/2021
		Anthony Correctional Center	6/17/2021
2020-0176-DHHR	Tabitha Dix	Department Of Health And Human Resources	6/17/2021
		Jackie Withrow Hospital	6/17/2021
2021-2396-MAPS	David Allen Muzney	Division of Corrections and Rehabilitation	6/17/2021
		Bureau of Prisons and Jails	6/17/2021

2021-2396-MAPS	**David Allen Muzney**	Central Regional Jail and Correctional Facility	6/17/2021
2019-0863-CONS	**Eleanor Goodman, et al.**	Division Of Highways	6/22/2021
2021-0574-CONS	**John Adams, et al.**	Division of Highways	6/23/2021
2021-1999-DOA	**S. W.**	Public Employees Insurance Agency	6/24/2021
2020-0501-TayED	**Destiny Kisner**	Taylor County Board Of Education	6/24/2021
2021-0062-DHHR	**Zangeleia Vonia Sellers**	Department Of Health And Human Resources	6/25/2021
		William R. Sharpe, Jr. Hospital	6/25/2021
		Division Of Personnel	6/25/2021
2020-0894-CONS	**Ivan Hunter Lee**	Department Of Health And Human Resources	6/28/2021
		Bureau For Children And Families	6/28/2021

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

AT CHARLESTON

EXECUTIVE ORDER NO. 21-21

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **AMEND** Executive Order 2-18, dated January 10, 2018, relating to a Regulatory Moratorium, as follows:

1. The "Regulatory Moratorium" created by Executive Order 2-18 is hereby continued as amended herein.

2. The following types of rules shall be exempt from the Regulatory Moratorium:

   (a) Legislative exempt rules enumerated in West Virginia Code §29A-1-3;

   (b) Interpretive rules as defined in West Virginia Code §29A-1-2(c);

   (c) Procedural rules as defined in West Virginia Code §29A-1-2(i);

   (d) Emergency rules meeting the requirements of West Virginia Code §29A-3-15(f);

   (e) Rules amending state rules to be no more stringent than federal rules;

   (f) Rules implementing a federal mandate where no waiver is permitted;

   (g) Rules updating state rules to comply with federal law requirements;

   (h) Rules necessary to avoid violation of a court order;

   (i) Rules promulgated to comply with legislation enacted after the effective date of this Order;

   (j) Rules pertaining to the control, mitigation or eradication of waste, fraud, or abuse within a state agency;

   (k) Rules promoting job creation;

   (l) Rules increasing investment in West Virginia;

   (m) Rules improving the quality of West Virginia's workforce;

   (n) Rules merely repealing of existing rules;

   (o) Rules reducing the regulatory impact of existing rules;

   (p) Rules the effect of which reduce State spending; and

   (q) Rules deemed necessary by the applicable Secretary or agency head.

3. Prior to filing any proposed rule with the Secretary of State and the Legislative Rule-Making Review Committee, agencies shall provide written notice to the Governor of the proposed rule, which shall include a certification that the proposed rule is exempt from the Regulatory Moratorium under the provisions of Section 2 of this Order, such certification to explicitly state which provision(s) of Section 2 of this Order make such proposed rule(s) exempt from the Regulatory Moratorium and to be signed by the applicable Secretary or agency head.

4. All agencies shall cooperate with and provide assistance in the implementation of the Regulatory Moratorium to the fullest extent permitted by law.

5. The Order shall remain in effect until expressly modified or terminated by subsequent Executive Order.

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 Twenty-Ninth day of June, in the Year of our Lord, Two Thousand Twenty-One, an in the One Hundred Fifty-Ninth Year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 22-21

By the Governor

WHEREAS, West Virginia Code §11B-2-20(e) authorizes monies to be borrowed from the Revenue Shortfall Reserve Fund when revenues will be inadequate to make timely payments of the State's obligations, by and pursuant to executive order, to be repaid, without interest, and redeposited to the credit of the Fund within ninety days of such withdrawal; and

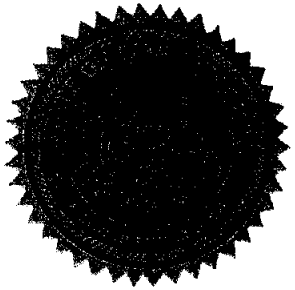
WHEREAS, the revenues the State is in receipt of at the very outset of the new fiscal year will be inadequate to make timely payments of the State's obligations, necessitating that monies must be borrowed from the Revenue Shortfall Reserve Fund; and

WHEREAS, the amount to be borrowed does not exceed the amount necessary to make timely payments of the State's obligations and the amount to be borrowed does not exceed one and one-half percent of the general revenue estimate for fiscal year Two Thousand Twenty-Two; and

WHEREAS, the exercise of this authority is necessary and appropriate to preserve the financial integrity of the State in furtherance of the best interests of its citizens; and

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me as Governor by the Constitution and the laws of this State, do hereby **ORDER** the transfer of Sixty-Eight Million Five Hundred Thousand Dollars ($68,500,000), on July 1, 2021, from the Revenue Shortfall Reserve Fund to the balance of the General Revenue Fund in order to make timely payments of the State's obligations.

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 Thirtieth day of June, in the year of our Lord, Two Thousand Twenty-one in the One Hundred Fifty-ninth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

State of West Virginia
Department of Homeland Security
Division of Administrative Services
Justice and Community Services
1124 Smith Street
Charleston, WV 25301
(304) 558-8814

JEFF S. SANDY, CFE, CAMS
CABINET SECRETARY

MICHAEL V. COLEMAN
DIRECTOR

OTHER

June 30, 2021

FILED
2021 JUN 30 A 11: 24
OFFICE WEST VIRGINIA
SECRETARY OF STATE

Ms. Maureen Lewis
Director
Administrative Law Division
Office of the Secretary of State
State Capitol Building
Charleston, West Virginia 25305

Dear Ms. Lewis:

Please include the following Notice of Public Review in the next State Register:

The Justice and Community Services (JCS) section of the West Virginia Division of Administrative Services (DAS) is announcing the availability of the FY 2021 West Virginia Justice Assistance Grant (JAG) Program application and strategic plan for public review and comment. These grant funds will be used to address drug and violent crime problems facing West Virginia's criminal justice system, as well as the citizens of the state. Copies of the strategic plan may be obtained from our office, Justice and Community Services, 1124 Smith Street, Suite 3100 Charleston, West Virginia 25301-1323. Telephone: (304) 558-8814.

Should you have any questions, please contact me at Marty.A.Hatfield@wv.gov or 304-558-8814, ext. 22414.

Sincerely,

Marty Hatfield

Marty A. Hatfield
Criminal Justice Program Manager

Justice & Community Services

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

FILED
2021 JUN 28 A 11: 08
OFFICE WEST VIRGINIA
SECRETARY OF STATE

June 28, 2021

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **June 25, 2021**.

CERTIFICATE OF NEED APPLICATIONS RECEIVED

June 24, 2021 – Pocahontas Memorial Hospital, Buckeye, Pocahontas County, CON File #21-4-12109-P, for the development of an outpatient rehabilitation therapy center providing physical and occupational therapy services in Cass, Pocahontas County; capital expenditure: $31,000.

June 25, 2021 – Preston Memorial Hospital, Kingwood, Preston County, CON File #21-6-12110-P, for the development of an ambulatory health care facility to be located at 105 McDonald Street, Kingwood, through the acquisition of the assets and a lease of the real property of Milestones Family Practice and employment of Drs. Bernice and Michael Schwarzenberg; capital expenditure: $150,000.

ORDER TO WITHDRAW CERTIFICATE OF NEED ISSUED

June 24, 2021 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #20-6-11828-H, for the construction of a 25-bed hospital in Fairmont, Marion County, as a campus and department of Ruby Memorial Hospital; capital expenditure: $35,300,000.

PROJECT EXEMPT FROM REVIEW

June 25, 2021 – Potomac Valley Hospital, Keyser, Mineral County, CON File #21-8-12115-X, for the provision of outpatient behavioral health and substance use disorder treatment services at 514 New Creek Highway, Suite 2, Keyser, West Virginia 26726.

CERTIFICATE OF NEED APPROVAL ISSUED

June 24, 2021 – Prestera Center for Mental Health Services, Inc., Huntington, Cabell County, CON File #21-2/3-12065-P, for the provision of primary care services at its Huntington and Charleston campuses; capital expenditure: $11,800.

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

FILED
2021 JUL -1 A 11:02
OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
WV Health Care Authority

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

July 1, 2021

NEWS ITEM

The Health Care Authority (Authority), pursuant to the Certificate of Need program, has declared complete and accepted for review the expedited application referenced below:

June 29, 2021 – Pocahontas Memorial Hospital, Buckeye, Pocahontas County, CON File #21-4-12109-P, for the development of an outpatient rehabilitation therapy center providing physical and occupational therapy services in Cass, Pocahontas County; capital expenditure: $31,000.

An application that has been 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.

The review cycle begins on **June 30, 2021**.

On or before **July 30, 2021**, any affected person has the right to request that the Authority hold a public hearing on the project as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will be **August 4, 2021**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the application.

The Decision on the project referenced above will be issued by the Authority after it has reviewed the contents of the case file of the project, including the application, additional information submitted to the Authority during the review, and the record of

any Authority public hearing. If there is no request for public hearing, the Decision will be issued on or before **August 30, 2021**.

A press release will be issued after the decision is made. Anyone wishing to be directly notified of the Decision should submit a written request to Barbara Skeen, Director, Certificate of Need, Health Care Authority, 100 Dee Drive, Charleston, West Virginia, 25311-1600. Further information on the project referenced in this news release may be obtained by contacting the Certificate of Need office at telephone number (304) 558-7000.

7/1/21
Date

Barbara Skeen
Barbara Skeen, Director, Certificate of Need
Health Care Authority

JUN 29 2021

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
WV Health Care Authority

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

OTHER

In Re:

WVUHS HOME CARE, LLC
CON File No. 21-8/9-12037-Z

FILED
2021 JUL -1 A 11:36
OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF CANCELLATION OF PREHEARING CONFERENCE AND ADMINISTRATIVE HEARING

PLEASE TAKE NOTICE that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, that Barbara Skeen, Interim Executive Director of the West Virginia Health Care Authority, wishes to announce that Northern WV Home Health, LLC dba Valley Health Home Health/West Virginia and Grant Memorial Homecare and Hospice, LLC dba Grant Memorial HomeCare has withdrawn their requests for a hearing in the above-captioned matter.

As such, **the PREHEARING CONFERENCE** scheduled for **June 23, 2021, at 1:30 p.m. and the ADMINISTRATIVE HEARING** scheduled for **June 30, 2021, at 9:00 a.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia has been **CANCELLED**.

This application concerns the provision of home health services in Hampshire, Hardy, Mineral and Morgan counties, West Virginia.

If you have any questions concerning this matter, please contact Barbara Skeen, Director of Certificate of Need, at (304) 558-7000.

Date: June 28, 2021

Barbara Skeen
Barbara Skeen, Interim Executive Director

WEST VIRGINIA
HEALTH CARE AUTHORITY

FILED
2021 JUN 29 A 11:36
OFFICE WEST VIRGINIA SECRETARY OF STATE

In Re: WVUHS HOME CARE, LLC
CON File # 21-8/9-12037-Z

ORDER

On June 17, 2021, Northern WV Home Health, LLC dba Valley Health Home Health/West Virginia and Grant Memorial Homecare and Hospice, LLC dba Grant Memorial HomeCare, withdrew their requests for a hearing in the above-referenced matter. Accordingly, the pre-hearing scheduled for June 23, 2021, and hearing scheduled for June 30, 2021, are hereby cancelled and the administrative hearing is DISMISSED from the active docket of the West Virginia Health Care Authority.

Entered this 28th day of June, 2021.

B. Allen Campbell
B. Allen Campbell
Senior Assistant Attorney General
Counsel for the WV Health Care Authority

FILED OTHER
2021 JUL -1 P 2:53
OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA TAX CREDIT DISCLOSURE LIST

2014 REPORT

As Required by West Virginia Code §11-10-5s(b)

Release Date: July 1, 2021

FILED
2021 JUL -1 P 2:54
OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA TAX CREDIT DISCLOSURE LIST

Neighborhood Investment Program

2014 REPORT

As Required by West Virginia Code §11-13J-10

Release Date: July 1, 2021

Dave Hardy
Secretary of Revenue

Matthew Irby
State Tax Commissioner

STATE TAX DEPARTMENT

OTHER

July 1, 2021

FILED
2021 JUL -1 P 5:09
OFFICE WEST VIRGINIA
SECRETARY OF STATE

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Attached for filing in the State Register are tentative natural resource property valuation variables for the 2022 Tax Year that have been developed by the State Tax Department for use in determining the appraised value of coal, oil, natural gas, managed timberland and other natural resource properties for ad valorem tax purposes.

Sincerely,

Matthew R. Irby
State Tax Commissioner

Attachment

Tax Commissioner's Office, 1001 Lee Street East, P.O. Box 11771, Charleston, WV 25339-1771
Telephone 304-558-0751
Fax 304-558-8999

Dave Hardy
Secretary of Revenue

Matthew Irby
State Tax Commissioner

STATE TAX DEPARTMENT

July 2, 2021

FILED
2021 JUL -2 A 9:32
OFFICE WEST VIRGINIA
SECRETARY OF STATE

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

On July 1, 2021, the State Tax Department filed with the Secretary of State tentative natural resource property valuation variables for the 2022 Tax Year for use in determining the appraised value of coal, oil, natural gas, managed timberland and other natural resource properties for ad valorem tax purposes.

The State Tax Department will accept written public comments on all variables until August 1, 2021. Final valuation variables will be filed on or before September 1, 2021. Public comments concerning the variables should be forwarded to the following address:

West Virginia State Tax Department
Property Tax Division
Attention: Travis Payne
P.O. Box 2389
Charleston, Wv 25328-2389

Sincerely,

Matthew R. Irby
State Tax Commissioner

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Fax 304-558-8999