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Administrative Law Division

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

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Education

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- Bureau for Children & Families
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Health Care Authority

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RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Education (126-012)	WV System of Support and Accountability (Policy 2322) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only December 13, 2021, 4:00 pm Charlene Coburn, Accountability Officer WVDE Office of Support and Accountability Capitol Building 6, Suite 700 1900 Kanawha Blvd., E. Charleston, WV 25305 ccoburn@k12.wv.us
Education (126-067)	Comprehensive School Counseling Program (Policy 2315) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only December 13, 2021, 4:00 pm Stephanie Hayes, Coordinator WVDE Student Support and Well-Being Svcs. Capitol Building 6, Suite 700 1900 Kanawha Blvd., E. Charleston, WV 25305 Stephanie.hayes@k12.wv.us
Education (126-114)	Approval of Educator Preparation Programs (Policy 5100) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only December 13, 2021, 4:00 pm Jodi Oliveto, Coordinator WVDE Educator Dev. And Support Services Capitol Building 6, Suite 550 1900 Kanawha Blvd., E. Charleston, WV 25305 joliveto@k12.wv.us

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

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

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

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	2	ARCHITECTS
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED PROFESSIONAL NURSES
TITLE	20	SANITARIANS
TITLE	22	FORESTRY
TITLE	24	OSTEOPATHIC MEDICINE
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE	30	RESPIRATORY CARE
TITLE	31	DIETITIANS
TITLE	32	ACUPUNCTURE
TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE	35	OIL AND GAS
TITLE	36	COAL MINE HEALTH AND SAFETY
TITLE	38	MINING AND RECLAMATION
TITLE	42	LABOR
TITLE	45	AIR QUALITY
TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH AND HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	87	FIRE COMMISSION
TITLE	89	PUBLIC DEFENDER SERVICES
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
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TITLE	133	HIGHER EDUCATION POLICY COMMISSION
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TITLE	146	STATE ELECTION COMMISSION
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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		7/19/2021	Modified & Approved 9/12/2021 Filed 10/5/2021			
Agriculture (61-05)	Commercial Feed Legislative	6/25/2021	7/24/2021	7/27/2021 Approved 8/9/2021	7/26/2021				
Agriculture (61-07, Repeal)	Enrichment of Flour and Bread Law Regulations Legislative	6/28/2021	7/28/2021		7/28/2021	Modified & Approved 8/19/2021 Filed 8/31/2021			
Agriculture (61-08C, Repeal)	Fruits and Vegetables Certification of Potatoes for Seeding Purposes Legislative	6/28/2021	7/28/2021		7/28/2021	Approved 8/19/2021			
Agriculture (61-10)	Fresh Food Act Legislative	6/29/2021	7/29/2021		7/29/2021	Modified & Approved 9/15/2021 Filed 10/5/2021			
Agriculture (61-11B)	Auctioneers Legislative	6/29/2021	7/29/2021		7/29/2021	Modified & Approved 9/12/2021 Filed 10/5/2021			
Agriculture (61-30)	Hemp Products Legislative	6/28/2021	7/28/2021	7/30/2021 Approved 8/9/2021	7/30/2021	Modified & Approved 9/15/2021 Filed 10/5/2021			
Agriculture (61-31)	Livestock Care Standards Legislative	6/30/2021	7/30/2021	6/30/2021 Effective 8/11/2021	7/30/2021				
Agriculture (61-33)	Rural Rehabilitation Program Legislative	6/24/2021	7/24/2021		7/27/2021	Modified & Approved 9/12/2021 Filed 10/5/2021			
Agriculture (61-36)	Farm to Food Bank Tax Credit Legislative	6/16/2021	7/16/2021		7/19/2021	Modified & Approved 9/12/2021 Filed 10/5/2021			
Agriculture (61-38)	Farmers Markets Legislative	6/24/2021	7/24/2021	7/30/2021 Approved 8/9/2021	7/30/2021	Modified & Approved 9/12/2021 Filed 10/5/2021			

RULE MONITOR									
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Agriculture (61-39)	Seed Certification Legislative	6/28/2021	7/28/2021		7/30/2021	Modified & Approved 9/12/2021 Filed 10/6/2021			
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/2/2021	7/6/2021		7/16/2021	Approved 8/19/2021			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/2/2021	7/6/2021		7/16/2021	Approved 8/19/2021			
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/2/2021	7/6/2021		7/16/2021	Modified & Approved 8/20/2021 Filed 8/26/2021			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/2/2021	7/6/2021		7/16/2021	Approved 8/19/2021			
Alcohol Beverage Control Comm. (175-02)	Private Club Licensing Legislative	6/1/2021	7/1/2021		7/27/2021				
Alcohol Beverage Control Comm. – Beer (176-01)	Nonintoxicating Beer Licensing and Operations Procedures Legislative	6/1/2021	7/1/2021		7/28/2021				
Auditor (155-09)	Accountability Requirements for State Funds and Grants Legislative	7/30/2021	8/30/2021		9/13/2021				
Chiropractic Examiners (4-09)	Chiropractic Telehealth Practice Legislative	6/9/2021	7/9/2021	6/8/2021 Effective 7/20/2021	7/13/2021				
Community & Technical College Ed (135-08)	WV Invests Grant Program Legislative	10/8/2021	11/9/2021		11/10/2021				
Contractor Licensing Board (28-02)	Contractor Licensing Act Legislative	6/30/2021	7/30/2021		7/30/2021				
Counseling (27-01)	Licensing Rule Legislative	6/30/2021	7/29/2021		7/29/2021				
Counseling (27-02)	Licensed Professional Counselor Fees Rule Legislative	6/29/2021	7/29/2021		7/30/2021				

RULE MONITOR									
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Counseling (27-08)	Marriage and Family Therapist Licensing Rule Legislative	6/30/2021	7/29/2021		7/30/2021				
Counseling (27-09)	Marriage and Family Therapist Fees Rule Legislative	6/30/2021	7/29/2021		7/30/2021				
Crime, Delinquency and Correction (149-02)	Law Enforcement Training and Certification Standards Legislative	6/28/2021	7/28/2021	6/28/2021 Effective 8/9/2021	7/29/2021	Modified & Approved 9/12/2021 Filed 9/23/2021			
Dentistry (5-01)	Rule for the WV Board of Dentistry Legislative	6/18/2021	7/21/2021		7/26/2021	Modified & Approved 9/12/2021 Filed 9/17/2021			
Dentistry (5-02)	Formation and Approval of Professional Limited Liability Companies Legislative	6/18/2021	7/21/2021		7/26/2021	Modified & Approved 9/12/2021 Filed 9/17/2021			
Dentistry (5-06)	Formation and Approval of Dental Corporations; and Dental Practice Ownership Legislative	6/18/2021	7/21/2021		7/26/2021	Modified & Approved 9/12/2021 Filed 9/17/2021			
Dentistry (5-11)	Continuing Education Requirements Legislative	6/18/2021	7/21/2021		7/26/2021	Modified & Approved 9/12/2021 Filed 9/17/2021			
Dentistry (5-12)	Administration of Anesthesia by Dentists Legislative	6/18/2021	7/21/2021		7/26/2021	Modified & Approved 9/12/2021 Filed 9/20/2021			
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	6/18/2021	7/21/2021		7/26/2021	Modified & Approved 9/12/2021 Filed 9/20/2021			
Dentistry (5-16)	Teledentistry Legislative	6/17/2021	7/17/2021	6/17/2021 Amendment 7/26/2021 Effective 9/6/2021	7/26/2021				
Economic Development, Dept. (145-18)	Cable and Fiber Broadband Funding Assistance Procedural	10/27/2021	11/26/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-003A)	WV Board of Education Rulemaking Process (Policy 1242) Legislative Exempt	10/14/2021	11/15/2021						
Education (126-012)	WV System of Support and Accountability (Policy 2322) Legislative Exempt	11/10/2021	12/13/2021						
Education (126-022)	Driver Education Regulations (Policy 2422.2) Legislative Exempt	8/16/2021	9/15/2021					10/14/2021	11/15/2021
Education (126-044CC)	WV College and Career-Readiness Standards for Science (Policy 2520.3C) Legislative Exempt	6/9/2021	7/12/2021					8/16/2021	7/1/2022
Education (126-067)	Comprehensive School Counseling Program (Policy 2315) Legislative Exempt	11/10/2021	12/13/2021						
Education (126-114)	Approval of Educator Preparation Programs (Policy 5100) Legislative Exempt	11/10/2021	12/13/2021						
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202) Legislative Exempt	8/16/2021	9/15/2021					10/14/2021	11/15/2021
Education (126-189)	Intercounty Student Transfer Appeal (Policy 7212) Legislative Exempt	8/16/2021	9/15/2021					10/14/2021	11/15/2021
Education (126-201)	Computation of Average Daily Attendance (ADA) and Average Daily Membership (ADM) (Policy 8100.1) Legislative Exempt	9/9/2021	10/12/2021					11/10/2021	12/13/2021
Emergency Management (170-06)	Purchasing Policy Procedural	10/18/2021	11/17/2021						
Environmental Protection, Secretary's Office (60-10)	Purchasing Procedure Procedural	8/19/2021	9/20/2021						
Ethics Commission (158-06)	Use of Office for Private Gain, Including Nepotism Legislative	3/22/2021	4/22/2021		5/12/2021				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Commission (87-01)	Fire Code Legislative	6/28/2021	7/28/2021		7/30/2021				
Fire Commission (87-04)	State Building Code Legislative	6/23/2021	7/26/2021		7/30/2021				
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	Modified & Approved 9/12/2021 Filed 9/21/2021			
Fire Commission (87-11)	Specialized Membership Legislative	6/22/2021	7/23/2021		7/30/2021	Approved 9/12/2021			
Fire Commission (87-12)	Junior Firefighters Legislative	6/22/2021	7/23/2021	6/22/2021 Effective 8/3/2021	7/30/2021	Approved 9/12/2021			
Fire Commission (87-13)	Certification of Fire Chiefs Legislative	6/22/2021	7/23/2021	6/22/2021 Effective 8/3/2021	7/30/2021	Modified & Approved 9/12/2021 Filed 9/21/2021			
Fire Commission (87-14)	Use of Aqueous Film-Forming Foam (AFFF) for Fire Training Program Purposes Legislative	6/23/2021	7/26/2021		7/27/2021	Approved 9/12/2021			
Fire Marshal (103-04)	Regulation of Fireworks and Related Explosive Materials Legislative	6/25/2021	7/27/2021		7/28/2021	Approved 9/12/2021			
Funeral Service Examiners (6-07)	Fee Schedule Legislative	6/30/2021	7/30/2021		7/30/2021	Modified & Approved 9/12/2021 Filed 9/23/2021			
Health (64-10)	Methods and Standards for Chemical Tests for Intoxication Legislative	6/29/2021	7/29/2021		7/30/2021				
Health (64-12)	Hospital Licensure Legislative	6/22/2021	7/22/2021	5/20/2021 Effective 7/1/2021	7/23/2021				
Health (64-42)	Childhood Lead Screening Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 9/12/2021 Filed 9/24/2021			
Health (64-43)	Food Manufacturing Facilities Legislative	6/30/2021	7/30/2021		7/30/2021				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-47)	Sewage Treatment and Collection System Design Standards Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 9/12/2021 Filed 9/24/2021			
Health (64-48)	Emergency Medical Services Legislative	7/29/2021	8/30/2021	7/1/2021 Approved 7/1/2021	9/10/2021				
Health (64-57)	Clinical Laboratory Practitioner Licensure and Certification Legislative	6/29/2021	7/29/2021		7/30/2021				
Health (64-92)	Clandestine Drug Laboratory Remediation Legislative	6/29/2021	7/29/2021		7/30/2021				
Health (64-97)	Maternal Risk Screening Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 9/12/2021 Filed 9/24/2021			
Health & Human Resources (69-17)	Syringe Services Program Licensure Legislative	7/15/2021	8/16/2021	7/15/2021 Effective 8/26/2021 Amendment 8/27/2021 Effective 10/8/2021	8/27/2021				
Health Care Authority (65-32)	Certificate of Need Legislative	6/29/2021	7/29/2021		7/30/2021				
Insurance Comm. (114-42)	Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters Legislative	5/28/2021	7/1/2021		7/8/2021	Approved 8/19/2021			
Insurance Comm. (114-99)	Pharmacy Auditing Entities and Pharmacy Benefit Managers Legislative	6/1/2021	7/1/2021		7/27/2021				
Insurance Comm. (114-102)	Term and Universal Life Insurance Reserve Financing Legislative	5/28/2021	7/1/2021		7/8/2021	Approved 9/12/2021			
Insurance Comm. (114-103)	Bail Bondsmen in Criminal Cases Legislative	6/1/2021	7/1/2021		7/9/2021	Modified & Approved 8/19/2021 Filed 8/24/2021			
Labor (42-09)	Child Labor Rule Legislative	6/29/2021	7/30/2021		7/30/2021	Modified & Approved 8/19/2021 Filed 9/1/2021			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Lottery Comm. (179-01)	WV Lottery State Lottery Rules Legislative	5/28/2021	6/29/2021		7/7/2021	Modified & Approved 9/12/2021 Filed 9/27/2021			
Lottery Comm. (179-05)	WV Limited Video Lottery Rule Legislative	6/1/2021	7/1/2021		7/8/2021	Modified & Approved 9/12/2021 Filed 9/27/2021			
Massage Therapy Licensure Bd. (194-01)	General Provisions Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 8/19/2021 Filed 9/1/2021			
Medicine (11-01A)	Licensing and Disciplinary Procedures: Physicians, Podiatric Physicians and Surgeons Legislative	6/29/2021	7/29/2021		7/30/2021	Approved 9/14/2021			
Medicine (11-01B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 Effective 8/10/2021	7/30/2021	Modified & Approved 9/14/2021 Filed 10/25/2021 2nd Filed 11/2/2021			
Medicine (11-05)	Bd. Of Medicine Rule for Dispersing of Prescription Drugs by Practitioners Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 9/14/2021 Filed 10/25/2021			
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/29/2021	7/29/2021		7/30/2021	Approved 9/14/2021			
Medicine (11-10)	Practitioner Requirements for Accessing the WV Controlled Substances Monitoring Program Database Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 9/14/2021 Filed 10/25/2021			
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		7/30/2021	Modified & Approved 9/14/2021 Filed 10/25/2021			
Medicine (11-14)	Registration to Practice During Declared State of Emergency Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 9/14/2021 Filed 10/25/2021			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Effective 8/10/2021	7/30/2021				
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 Amendment 8/24/2021 Effective 10/5/2021	6/11/2021	Modified & Approved 8/18/2021 Filed 8/24/2021			
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	Approved 8/18/2021			
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/25/2021	7/26/2021		7/30/2021	Modified & Approved 8/19/2021 Filed 8/24/2021			
Miner Training Education and Certification (48-02)	Safety Training Program for Prospective Underground Coal Miners Legislative Exempt	5/3/2021	6/17/2021					9/7/2021	1/5/2022
Miner Training Education and Certification (48-03)	Safety Training Programs for Prospective Surface Coal Miners Legislative Exempt	5/3/2021	6/17/2021					9/7/2021	1/5/2022
Motor Vehicles (91-04)	Examination and Issuance of Drivers License Legislative	6/25/2021	7/26/2021	6/24/2021 Effective 8/5/2021	7/27/2021	Modified & Approved 8/19/2021 Filed 8/30/2021			
Motor Vehicles (91-06)	Dealer Licensing Legislative	6/29/2021	7/29/2021		7/29/2021	Authorized with certain amendments 9/15/2021 Filed 9/22/2021			
Motor Vehicles (91-09)	Collection of Tax on the Sale of a Vehicle Legislative	6/11/2021	7/12/2021		7/20/2021	Modified & Approved 8/19/2021 Filed 8/30/2021			
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	6/30/2021	7/29/2021		7/30/2021				

RULE MONITOR									
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Natural Resources (58-23)	Revocation of Hunting and Fishing Licenses Legislative	6/30/2021	7/29/2021		7/30/2021	Modified & Approved 8/19/2021 Filed 8/31/2021			
Natural Resources (58-25)	Boating Rule Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-26)	Special Boating Rules Legislative	6/30/2021	7/29/2021	6/30/2021 Effective 8/11/2021	7/30/2021				
Natural Resources (58-27)	Special Motorboating Regulations Legislative	6/30/2021	7/29/2021		7/30/2021	Approved 8/19/2021			
Natural Resources (58-30)	Wildlife Education Facilities Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-38)	Public Shooting Ranges Legislative	6/30/2021	7/29/2021	6/30/2021 Effective 8/11/2021	7/30/2021	Modified & Approved 8/19/2021 Filed 8/31/2021			
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-49)	General Hunting Legislative	6/30/2021	7/29/2021		7/30/2021	Approved 8/19/2021			
Natural Resources (58-53)	General Trapping Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-63)	Commercial Sale of Wildlife Legislative	6/30/2021	7/29/2021		7/30/2021				
Natural Resources (58-67)	Lifetime Hunting, Trapping and Fishing Licenses Legislative	6/30/2021	7/29/2021		7/30/2021	Modified & Approved 8/19/2021 Filed 8/31/2021			
Natural Resources (58-69)	Wildlife Disease Management Legislative	6/30/2021	7/29/2021		7/30/2021				
Office of Technology (163-02)	Chief Information Officer Review Legislative	6/23/2021	7/23/2021		7/30/2021				
Office of Technology (163-03)	Cyber Reporting Legislative	6/15/2021	7/15/2021		7/30/2021				
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 9/14/2021 Filed 9/24/2021			

RULE MONITOR									
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/29/2021	7/29/2021	6/29/2021 Effective 8/10/2021	7/30/2021	Modified & Approved 9/14/2021 Filed 9/29/2021			
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		7/30/2021	Modified & Approved 9/14/2021 Filed 9/24/2021			
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 Effective 8/10/2021	7/30/2021				
Personnel (143-01)	Administrative Rule of the WV Division of Personnel Legislative	5/28/2021	6/30/2021		7/29/2021	Modified & Approved 8/18/2021 Filed 8/24/2021			
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/11/2021	7/12/2021		7/21/2021	Modified & Approved 9/14/2021 Filed 9/28/2021			
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative	7/21/2021	8/25/2021	6/23/2021 Effective 8/4/2021	9/28/2021				
Pharmacy (15-08)	Controlled Substances Monitoring Program Legislative	6/11/2021	7/12/2021		7/21/2021	Modified & Approved 9/14/2021 Filed 9/28/2021			
Pharmacy (15-16)	Regulations Governing Pharmacists Legislative	6/14/2021	7/15/2021		7/21/2021	Modified & Approved 9/14/2021 Filed 9/29/2021			
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 (150-09)	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						

RULE MONITOR									
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Racing Commission (178-01)	Thoroughbred Racing Legislative	5/28/2021	6/28/2021		7/28/2021				
Real Estate Appraiser Licensing and Certification Bd. (190-02)	Requirements for Licensure and Certification Legislative	6/29/2021	7/29/2021		7/30/2021				
Real Estate Appraiser Licensing and Certification Bd. (190-03)	Renewal of Licensure or Certification Legislative	6/29/2021	7/29/2021		7/30/2021				
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		7/30/2021				
Registered Professional Nurses (19-16)	Telehealth Practice Legislative	6/30/2021 7/30/2021	7/30/2021 8/29/2021	7/2/2021 Withdrawn 7/8/2021 7/29/2021 Effective 9/9/2021	8/31/2021				
School Building Authority (164-02)	Funding School Building Authority Projects Legislative	9/29/2021	11/1/2021						
Sec. of WV DHHR, and WV Insurance Commissioner (114A-01)	All-Payer Claims Database – Data Submission Requirements Legislative	6/30/2021	7/30/2021		7/30/2021				
Sec. of WV DHHR, and WV Insurance Commissioner (114A-02, repeal)	All-Payer Claims Database – Privacy and Security Requirements Legislative	6/30/2021	7/30/2021		7/30/2021				
Secretary of State (153-25)	Combined Voter Registration and Driver Licensing Fund Legislative	6/25/2021	7/27/2021		7/30/2021				
Secretary of State (153-30)	Use of Digital Signatures Legislative	6/24/2021	7/27/2021		7/30/2021				
Secretary of State (153-43)	Regulation of Political Party Headquarters Finances Legislative	6/24/2021	7/27/2021		7/30/2021				
Secretary of State (153-45)	Standards and Guidelines for Electronic Notarization, Remote Online Notarization, and Remote Ink Notarization Legislative	6/24/2021	7/27/2021		7/30/2021				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-48)	Real Property Electronic Recording Standards and Regulations Legislative	6/29/2021	7/29/2021		7/30/2021				
Secretary of State (153-53)	Election Processes and Absentee Eligibility During State of Emergency			3/20/2020 Effective 3/20/2020					
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	6/30/2021	7/30/2021	6/30/2021 Effective 8/11/2021	7/30/2021				
Social Work Examiners (25-05)	Continuing Education for Social Workers and Providers Legislative	6/30/2021	7/30/2021		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		7/30/2021	Modified & Approved 8/18/2021			
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 Effective 7/20/2021	7/30/2021				
Tax (110-13KK)	WV Tax Credit for Federal Excise Tax Imposed Upon Small Arms and Ammunition Manufacturers Legislative	6/4/2021	7/7/2021		7/8/2021	Modified & Approved 8/19/2021 Filed 9/7/2021			
Tax (110-15F)	Sales Tax Holiday Legislative	5/11/2021	6/11/2021	5/7/2021 Amendment 6/3/2021 Approved 6/7/2021	6/30/2021	Modified & Approved 9/12/2021 Filed 9/21/2021			
Tax (110-15L)	Exemption for Repair, Remodeling, and Maintenance of Aircraft Legislative	6/2/2021	7/7/2021	6/2/2021 Effective 7/14/2021	7/8/2021	Modified & Approved 8/19/2021 Filed 9/7/2021			
Tax (110-15M)	Vendor Absorption or Assumption of Sales and Use Tax Legislative	6/3/2021	7/7/2021		7/8/2021	Approved 9/12/2021			

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		7/8/2021	Approved 9/12/2021			
Tax (110-24)	Corporation Net Income Tax Legislative	6/2/2021	7/7/2021		7/27/2021	Modified & Approved 9/12/2021 Filed 9/21/2021			
Tourism (144-03)	Purchasing Procedures Procedural	11/1/2021	12/1/2021						
Transportation (217-01)	Employment Procedures Legislative	6/30/2021	7/30/2021		7/30/2021				
Treasurer (112-02)	Substitute Checks-Exceptional Items Fund Legislative	6/28/2021	7/28/2021		7/29/2021	Approved 8/19/2021			
Treasurer (112-10)	Reporting Debt Legislative	6/28/2021	7/29/2021		7/29/2021	Approved 8/19/2021			
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		7/29/2021	Approved 8/19/2021			
Treasurer (112-13)	Procedures for Providing Services to Political Subdivisions Legislative	6/25/2021	7/26/2021		7/29/2021	Approved 8/20/2021			
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 & Waste Mgmt. (33-01B)	Requirements for the Management of Coal Combustion Residuals Legislative	6/25/2021	7/26/2021		7/30/2021				
Water Resources, Div. of Water & Waste Mgmt. (47-02)	Requirements Governing Water Quality Standards Legislative	6/4/2021	7/19/2021		7/30/2021				
Water Resources, Div. of Water & Waste Mgmt. (47-13)	Underground Injection Control Legislative	6/23/2021	7/23/2021		7/30/2021				
Water Resources, Div. of Water & Waste Mgmt. (47-30B)	Administrative Proceedings and Civil Penalty Assessment Legislative	9/14/2021	10/15/2021	8/19/2021 Effective 9/30/2021	10/19/2021				

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
Administration 148-06	Parking 3/1/2023	10/14/2021	10/15/2021				
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	Approved 9/14/2021			
Community & Technical College Education 135-52	Annual Reauthorization of Degree-Granting Institutions 7/19/2022	4/6/2021	4/27/2021	Approved 9/14/2021			
Dangerous Wild Animal Board 74-01	Dangerous Wild Animals 6/5/2022	4/5/2021	4/5/2021	Approved 8/18/2021			
Health 64-103	Expedited Paratner Therapy 6/1/2022	5/10/2021	5/10/2021	Approved 9/12/2021			
Health and Human Resources 69-11	Medication-Assisted treatment – Opioid Treatment Programs 6/1/2022	5/10/2021	5/10/2021	Approved 9/14/2021			
Higher Education Policy Commission 133-48	Research Trust Fund 8/5/2022	5/5/2021	5/5/2021	Approved 9/14/2021			
Higher Education Policy Commission 133-52	Annual Reauthorization of Degree-Granting Institutions 8/5/2022	5/5/2021	5/5/2021	Approved 9/14/2021			
Insurance Commission 114-98	Adoption of Valuation Manual 5/19/2022	3/31/2021	3/31/2021	Approved 8/19/2021			
Public Service Commission 150-37	Rules Governing the Occupancy of Customer-Provided Conduit 8/1/2022	5/6/2021	8/6/2021	Modified & Approved 8/19/2021 Filed 8/24/2021			
Racing Commission 178-05	Pari-Mutuel Wagering 8/1/2022	4/26/2021	4/30/2021	Approved 8/18/2021			
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					

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
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				
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	Approved 8/19/2021			
Treasurer 112-06	Selection of State Depositories for Disbursement Accounts through Competitive Bidding 6/1/2022	5/6/2021	5/6/2021	Approved 8/19/2021			
Treasurer 112-07	Selection of State Depositories for Receipt Accounts 6/1/2022	5/7/2021	5/7/2021	Approved 8/19/2021			
Treasurer 112-08	Procedures for Processing Payments from the State Treasury 6/1/2022	5/7/2021	5/7/2021	Approved 8/19/2021			

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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11/10/2021 2:44:54 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Community And Technical College Education TITLE-SERIES: 135-08

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

RULE NAME: 135-08 West Virginia Invests Grant Program

PRIMARY CONTACT

NAME: Angela S Kerns

ADDRESS: 1018 Kanawha Blvd East
Suite 700
Charleston, WV 25301

EMAIL: kems@wvctcs.org

PHONE NUMBER: 304-558-0265

CITE STATUTORY AUTHORITY: §18B-1-6 and §18C-9-4

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:

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: 10/8/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 11/9/2021

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
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11/10/2021 11:46:47 AM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-012

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

RULE NAME: West Virginia System of Support and Accountability (2322)

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

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 12/13/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Charlene Coburn, Accountability Officer

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

1900 Kanawha Blvd., E, Charleston, WV 25305

EMAIL: ccoburn@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

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11/10/2021 11:42:05 AM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-067

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

RULE NAME: Comprehensive School Counseling Program (2315)

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

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 12/13/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Stephanie Hayes, Coordinator

ADDRESS: WVDE Student Support and Well-being Services, Capitol Bldg. 6, Suite 700

1900 Kanawha Blvd., E, Charleston, WV 25305

EMAIL: stephanie.hayes@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
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ADMINISTRATIVE LAW DIVISION

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11/10/2021 11:51:41 AM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-114

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

RULE NAME: Approval of Educator Preparation Programs (5100)

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

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 12/13/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jodi Oliveto, Coordinator

ADDRESS: WVDE Educator Development and Support Services, Capitol Bldg. 6, Suite 550

1900 Kanawha Blvd., E, Charleston, WV 25305

EMAIL: joliveto@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
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ADMINISTRATIVE LAW DIVISION

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11/10/2021 11:37 AM
Office of West Virginia Secretary Of State

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

AGENCY: Education TITLE-SERIES: 126-201

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

RULE NAME: Computation of Average Daily Attendance (ADA) and Average Daily Membership (ADM) (8100.1)

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

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

December 13, 2021

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

Yes
Michele L Blatt -- 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.

LEGISLATIVE

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

Please Stamp Filing Date
FILED
2021 NOV -8 P 1:36
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

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

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

TITLE OF MANUAL TO WHICH POLICY IS BEING FILED:	**Income Maintenance Manual**		
STATE RULE:	**FEDERAL RULE:**	**EFFECTIVE DATE:**	**11/1/2021**
CHANGE NUMBER:	**Updated New Income Maintenance Manual 811**		
CHAPTERS/SECTIONS EFFECTED:	**1, 4, 9, 14, 15, 17, 18, 21, AFG**		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	Purpose of this change: Added information about Consolidated Work Notice, Update Census income to count for SNAP, updated Chapter 17 to match FY22 SNAP E&T state plan. Clarified and added Mobility Coaching to WV WORKS Policy.

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

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

Monica Hamilton
Authorized Signature

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

Revision 07/07

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

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2021 NOV -8 P 1:36

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

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

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

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

STATE RULE:	**FEDERAL RULE:**	**EFFECTIVE DATE:**	**11/1/2021**

CHANGE NUMBER:	**Updated New Income Maintenance Manual 812**
CHAPTERS/SECTIONS EFFECTED:	**1 and 26**

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	Purpose for this change to update language to clarify circumstances for which a worker may reopen closed or delayed benefits. Additionally, the address has been updated for Health Management Systems (HMS).

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

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

Monica Hamilton

Authorized Signature

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

Orders Report

Docket Number	Agency	Respondent	Date Rendered
[redacted]	Health Care Authority	Potomac Valley Hospital, Inc.	11/5/2021
[redacted]	Health Care Authority	Encompass Health Rehabilitation Hospital of Huntington	11/5/2021
[redacted]	Health Care Authority	Boone Memorial Hospital, Inc.	11/5/2021
[redacted]	Health Care Authority	Boone Memorial Hospital, Inc.	11/5/2021
[redacted]	Health Care Authority	Delta Lifestyle Solutions, LLC	11/4/2021
[redacted]	Health Care Authority	Williamson Health and Wellness Center, Inc.	10/27/2021
[redacted]	Health Care Authority	Stellar Support Service	10/19/2021
[redacted]	Health Care Authority	Oak Hill Clinic Corp. dba Plateau Medical Group	10/15/2021
[redacted]	Health Care Authority	Boone Memorial Hospital, Inc.	10/15/2021
[redacted]	Health Care Authority	Webster Equity Partners III-A, L.P.	9/27/2021
		Webster Equity Partners III-A, L.P.	10/15/2021
[redacted]	Health Care Authority	Camden-On-Gauley Medical Center, Inc.	10/13/2021
[redacted]	Health Care Authority	Pocahontas Memorial Hospital	10/13/2021
[redacted]	Health Care Authority	PathWell Health, Inc.	10/13/2021
[redacted]	Health Care Authority	BrightSpring Health Services, Inc.	9/27/2021
[redacted]	Health Care Authority	WVUHS Home Care, LLC	9/27/2021
[redacted]	Health Care Authority	WVUHS Home Care, LLC	9/27/2021
[redacted]	Osteopathic Medicine, WV Board of	Robert T. Hogan, II, D.O.	11/5/2021

Public Notice

west virginia dep department of environmental protection

Public Notice

West Virginia Department of Environmental Protection
Division of Air Quality

Comment Period Opens: November 5, 2021
Comment Period Closes: December 10, 2021

Publication: Charleston Newspapers and West Virginia State Register
Publication Date: November 12, 2021

Type of Notice: Public Comment Period Extension

Location: Statewide

Proposed Activity: Regional Haze State Implementation Plan

Project Description: The West Virginia Department of Environmental Protection (DEP), Division of Air Quality (DAQ) is extending the public comment period from December 6 to December 10, 2021.

The DEP, Division of Air Quality is proposing a Regional Haze State Implementation Plan (SIP) for the Second Implementation Period as required by Part 40 of the Code of Federal Regulations, Section 51.308. A public comment period and public hearing is being held as required by federal regional haze regulations.

The proposed Regional Haze SIP is available at:
- the DAQ website at https://dep.wv.gov/daq/publicnoticeandcomment/Pages/default.aspx
- If you do not have internet capability, please contact the DAQ for alternatives.

Point of Contact: Todd Shrewsbury (todd.h.shrewsbury@wv.gov or 304-926-0475)

Written comments may be submitted at any time during the public comment as instructed below. Comments must be received by 5:00pm on December 10, 2021. The DEP is holding the public hearing virtually to prevent the spread of COVID-19 and to accommodate commenters who may have had a great distance to travel to attend in person. Instructions for participating and providing oral comments virtually are provided below. Both oral and written comments will be made part of the official record. Comments received after the conclusion of the public comment period will not be accepted.

"Promoting a healthy environment"

OTHER

Written Comments:
- E-mail written comments to todd.h.shrewsbury@wv.gov with "Proposed Regional Haze State Implementation Plan" in the subject line, or
- Mail hard copy comments to the attention of Sandra Adkins at the WV Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston, WV 25304.

Public Hearing: November 30, 2021, at 6:00 p.m.
The purpose of the public hearing is to receive comments concerning the proposed Regional Haze SIP for the second implementation period (2028).

To participate online or by telephone, registration is required by 5:00 p.m. on Tuesday, November 30, 2021. To register, please complete the participant registration form at https://forms.gle/s3ptkaAY4AuLBrxs7. To register to speak, please indicate "yes" you want to provide oral comments on the record when you register with the previously provided link. A confirmation email will be sent with information on how to join the public hearing. If you do not have internet access and want to register, please contact Sandra Adkins or Stephanie Hammonds at (304) 926-0475. Registration for the online hearing is required to fulfill the state's obligation under federal air quality regulations to include a list of participants.

If you wish to speak at the public hearing, verbal testimony is limited to 5 minutes for each witness. Video demonstrations and screen sharing by witnesses is not permitted.

FILED
WV SECRETARY OF STATE
NOVEMBER 05, 2021 03:24 PM

WEST VIRGINIA
ALCOHOL BEVERAGE CONTROL ADMINISTRATION
FREDRIC L. WOOTON, COMMISSIONER

November 5, 2021

VIA HAND DELIVERY
Maureen Lewis
Secretary of State's Office – Administrative Law
Bldg. 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770

Re: West Virginia Code of State Rules
– Administrative Notice for 175 CSR 6

Dear Maureen:

Pursuant to WV legislative rule 175 CSR 6, specifically §§ 8.5, 11.1 and 11.2 and the WVABCA Commissioner's Order dated November 5, 2021, the attached Table 1 amended by publication on November 5, 2021 in the State Register which will be effective February 3, 2022, (at least 90 days from the date the Administrative Notice was published).

The relevant sections are as follows:

> "11.1. Suppliers doing business with ABCC under the bailment inventory system will be charged for routine warehousing services, such charges will be deducted from the amount due the suppliers for withdrawals of their stock from bailment inventory." . . . **"The amount of such charges will be imposed by administrative notices filed in the State Register."**
>
> 11.2. ABCC may also impose handling fees when extra services are performed. Examples of extra services and charges are as follows: (See Table 1 at the end of this rule.)"

If you have any further questions, please feel free to contact the WVABCA at 304-356-5507.

Sincerely,

Anoop Bhasin, Esq.
General Counsel

304-356-5500 900 Pennsylvania Ave., 4th Floor, Charleston, WV 25302 FAX: 304-558-0081
www.abca.wv.gov

OTHER

ORDER OF THE WEST VIRGINIA
ALCOHOL BEVERAGE CONTROL ADMINISTRATION COMMISSIONER

I, Fredric L. Wooton, West Virginia Alcohol Beverage Control Administration Commissioner (the "Commissioner") duly appointed by the Governor of the State of West Virginia, orders the WVABCA Spirits Division and Warehouse to change certain prices and fees set forth in Table 1 to 175 CSR 6 in order to generate the requisite net profit for the General Fund of the State of West Virginia and in accordance with Chapter 60 of the West Virginia Code, more specifically as authorized in W. Va. Code §60-3A-17 and the West Virginia legislative rules at 175 CSR 5 and 175 CSR 6, effective February 3, 2022.

Based on the above, it is hereby **ORDERED** that the certain prices and fees set forth in Table 1 to 175 CSR 6 on liquor will change, effective February 3, 2022.

ENTERED THIS 5th DAY OF NOVEMBER, 2021

FREDRIC L. WOOTON, COMMISSIONER
W.Va. Alcohol Beverage Control Administration

OTHER

TABLE 1

SERVICE	CHARGE*
Recouping/Repacking damaged cases	$2.00 per case (new carton not needed)
Supplying new cartons for damaged cases	$5.00 per box
Relabeling or recoding cases	$5.00 per label
Restacking or hand unloading pallets	$15.00 per layer
Loading cases for return to supplier	$10.00 per pallet + $.80 per case Bailment withdrawal
Delivery fee	$2.75 per case
Return of cases from stores to ABCC Warehouse	$2.75 per case
Destruction of cases	$2.75 per case
Out of stock (inventory level as required by WVABCA)	32% of Vendor's Delivered Case Cost for each backordered case
Delivery no show/no call	$100.00 the 1st occurrence, $250.00 the 2nd occurrence $250.00, and on the 3rd occurrence the WVABCA will review the trucking company, manufacturer and broker's files to determine whether or not to continue to accept deliveries.

Upon a showing of good cause, the Commissioner may, in his sole discretion, waive a charge or fee on this list.

* Note: Charges are subject to change with ninety (90) days' notice by ABCC, such notice to be filed in the State Register. (See 175 CSR 6, specifically §§8.5., 11.1. and 11.2.)

Filed: November 5, 2021

Published: November 5, 2021

Effective from: February 3, 2022

FILED
WV SECRETARY OF STATE
NOVEMBER 10, 2021 08:19 AM

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR PUBLIC HEALTH
OFFICE OF ENVIRONMENTAL HEALTH SERVICES

Bill J. Crouch
Cabinet Secretary

Ayne Amjad, MD, MPH
Commissioner & State Health Officer

MEMORANDUM

TO: Interested Parties

FROM: Stephanie D. Hickerson, P. E. SDH
Drinking Water Treatment Revolving Fund

DATE: November 10, 2021

SUBJECT: Categorical Exclusion Decision (CE)
City of Parkersburg – Water System Improvements Project

A copy of the City of Parkersburg Water System Improvements Project Categorical Exclusion Decision (CE) is enclosed for your records.

The review process concluded that the proposed action is consistent with the categories of actions eligible for categorical exclusion. This means that environmental information documents and environmental assessments or environmental impact statements **will not** be required for this project and the project is authorized to proceed forward.

This decision is based upon a careful review of supporting documents provided by the applicant and other documentation available to the West Virginia Bureau of Public Health (WVBPH). These documents are on file with the WVBPH, Office of Environmental Health Services (OEHS), Environmental Engineering Division (EED), and are available for review upon request.

Comments on this decision may be submitted for consideration to WVBPH/OEHS/EED, attention Christopher Thomas, 350 Capitol Street, Room 313 Charleston, WV 25301-3713; or you may fax your comments to (304) 558-0691 or e-mail christopher.w.thomas@wv.gov.

Enclosures

350 Capitol Street, Room 313
Charleston, West Virginia 25301-3713
Telephone: (304) 558-2981 / Fax: (304) 558-0691

Distribution List (via email):

Eric Bennett, PUB
West Virginia Development Office
West Virginia Division of Natural Resources
West Virginia Bureau of Public Health
West Virginia Department of Environmental Protection
Division of Culture & History
U.S. Fish and Wildlife Service
Department of the Army
State Register Publication
Lise Sibicky, Burgess and Niple
OEHS St. Albans District Office

OTHER

CATEGORICAL EXCLUSION DECISION

(November 10, 2021)

TO: ALL INTERESTED PARTIES

In accordance with the Environmental Protection Agency (EPA) regulations for complying with the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190), a review has been performed on a request for a categorical exclusion for the environmental review requirements under NEPA, for the proposed action described below:

City of Parkersburg Water System Improvements Project
Wood County, WV
WVIJDC Project #: **2020W-1882**
SRF Project #: **20DWTRFB027**

(Official Project Name and Number)

City of Parkersburg
125 19th Street
Parkersburg, WV 26101-2516

(Project Applicant)

City of Parkersburg
Wood County, West Virginia

(Project Location, City, County, State)

$ 9,893,147

(Estimated Drinking Water Treatment Revolving Fund Financial Share)

$ 16,893,147

(Estimated Total Project Cost)

PROJECT SUMMARY FOR CATEGORICAL EXCLUSION

OTHER

PROPOSED ACTION:

The Parkersburg Utility Board (PUB) project consists of rehabilitating the existing backwash settling basins, rehabilitation of the South Reservoir, demolition of the old South Reservoir, water storage tank improvements to (5) existing storage tanks, construction of a new booster pump station, construction of a new 200,000-gallon elevated water storage tank and replacing large and small diameter water mains throughout the distribution system.

ENVIRONMENTAL BENEFITS:

The water treatment plant backwash settling basins were converted from the previous water treatment plant sedimentation basins as originally constructed in the 1950's. The basins have shown some concrete deterioration, several of the operating valves are not functioning reliably, and handrail and grating need replacement.

An inspection of the steel water storage facilities was conducted in December of 2013 and inspection of the South Reservoir, a prestressed concrete tank, was completed in 2016. The reports identified critical and non-critical deficiencies and provided recommendations for preventive maintenance of storage tanks and reservoirs.

In 2016, the WV Bureau for Public Health conducted a sanitary survey of the Parkersburg Utility Board water system. The sanitary survey noted excess levels of unaccounted for water as the most notable deficiency. Currently, PUB is working on meter replacements throughout the distribution system and utilizing leak detection correlators to evaluate leakage in critical areas. In addition, extensive water main replacements are included in the current water system improvement project.

CATEGORICAL EXCLUSION CRITERIA:

EPA regulation 40 CFR 6.106(d) permits the use of categorical exclusions from substantive environmental requirements of the National Environmental Policy Act (NEPA) for:

1. Actions which are solely directed toward minor rehabilitation of existing facilities, functional replacement of equipment, or construction of ancillary facilities; or
2. Other actions specifically allowed in program specific subparts of this regulation.
   Criteria which would prevent the use of a categorical exclusion are found in 40 CFR §6.107(e) summarized as follows:
3. The action may have a significant effect on the quality of the human environment, or
4. The action may affect cultural resource areas, endangered or threatened species, environmentally important natural resource, or other identified resource areas of concern; or
5. The action is not cost-effective or may cause public controversy.

ANALYSIS:

The proposed project meets the criteria for categorical exclusion. It involves replacement of water mains and rehabilitations to water treatment plant equipment. A new water storage tank and booster station will be constructed with this project, but our review indicates that structures will be located on previously disturbed soil within residential areas. All work will have no adverse environmental impact.

ENERGY EFFICIENCY AND CLIMATE CHANGE EFFECTS

This upgrade project should reduce the unaccounted water amount once the project is completed by replacing old and deteriorated waterlines. The approximate reduction in carbon dioxide emissions due to the reduction in unaccounted water loss will be approximately 61,000 pounds per year.

The project will also include the construction of a new booster station with associated pumps and a new water storage tank. This improvement will slightly increase the project overall greenhouse gas emissions but can not be accurately estimated until actual operating times are known. High efficiency pumps are planned to be used to reduce the electrical demand as much as possible.

FLOODPLAIN MANAGEMENT ANALYSIS

All above-grade infrastructure improvements included with Parkersburg Utility Board water system improvements project are located at an elevation above the 100-year flood plus 3 feet (609' plus 3'). These above-grade improvements include:

- the rehabilitation of the waste backwash basins and replacement of waste backwash water pumps at the water treatment plant; it is noted that controls for these replacement pumps are located above the 100-year flood elevation plus 3 feet
- storage tank improvements at five existing water storage tank sites (North Reservoirs, Marrtown tank. Rosemar tank, Lee's Hill tank, and Pettyville tank)
- rehabilitation and improvements at the South Reservoir
- construction of a new water booster station with check valve vault at 12th Avenue at Blizzard Drive
- construction of new water storage tank near Moss Alley/12th Avenue
- construction of check valve vault at 17th Avenue

The project also includes water main construction in areas located in the 100-year floodplain. These mains are designed to be installed with a minimum of 4 feet of cover to provide protection from impacts during a flood event.

REVOCATION:

This conclusion can be revoked if additional and/or future information indicates any of the following:

1. The proposed action no longer meets the defined category due to changes in the proposed action;
2. Serious local or environmental issues now exist; and/or
3. Federal, state or local laws may be violated.

DOCUMENTATION:

1. Parkersburg Utility Board Water System Improvements Preliminary Engineering Report dated June 2020 as prepared by Lise Sibicky, PE, Burgess and Niple, Inc.

2. Categorical Exclusion Checklist as prepared by Lise Sibicky, PE, Burgess and Niple, Inc.

3. Email on floodplain dated October 11, 2021, from Lise Sibicky, PE, Burgess and Niple, Inc.

OTHER