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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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Secretary of State

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RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Agriculture (61-08B)	Schedule of Charges for Inspection Services: Fruit Legislative	§§19-2-5, 19-1-4(k)	Written Comments Only May 11, 2022, 12:00 pm Jodee Martin WV Dept. of Agriculture 1900 Kanawha Boulevard, East Charleston, WV 25305 rulescomments@wvda.us
Education (126-014)	West Virginia Measure of Academic Progress (Policy 2340) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only May 16, 2022, 4:00 pm Dr. Vaughn G. Rhudy, Director WVDE Assessment Services Capitol Building 6, Suite 500 1900 Kanawha Blvd., E. Charleston, WV 25305 vrhudy@k12.wv.us
Education (126-016)	Regulations for the Education of Students with Exceptionalities (Policy 2419) Legislative Exempt	§§29A-3B-1, et seq.	Public Hearings: May 2, 2022, 6:00 – 8:00 pm Woodrow Wilson High School Auditorium 400 Stanaford Road Beckley, WV 25801 May 3, 2022, 6:00 – 8:00 pm Musselman High School Auditorium 126 Excellence Way Inwood, WV 25428 May 4, 2022, 6:00 – 8:00 pm Wood Co. Technical Center 1515 Blizzard Drive Parkersburg, WV 26101 Written Comments: May 16, 2022, 4:00 pm Sheila Paitsel, Director WVDE Special Education Services Capitol Building 6, Suite 750 1900 Kanawha Blvd., E. Charleston, WV 25305 sgpaitsel@k12.wv.us

Education (126-067)	Comprehensive School Counseling Model (Policy 2315) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only May 16, 2022, 4:00 pm Stephanie Hayes, Coordinator WVDE Student Support & Well-being Svcs. Capitol Building 6, Suite 700 1900 Kanawha Blvd., E. Charleston, WV 25305 Stephanie.hayes@k12.wv.us
Education (126-149)	Professional Learning for West Virginia Educators (Policy 5500) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only May 16, 2022, 4:00 pm Dr. Sonya J. White Teaching and Learning Officer WVDE Office of Teaching and Learning Capitol Building 6, Suite 500 1900 Kanawha Blvd., E Charleston, WV 25305 snjwhite@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
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TITLE	32	ACUPUNCTURE
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TITLE	35	OIL AND GAS
TITLE	36	COAL MINE HEALTH AND SAFETY
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TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
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TITLE	145	DEVELOPMENT OFFICE
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	155	AUDITOR
TITLE	157	HIGWAYS
TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled SB334		
Agriculture (61-05)	Commercial Feed Legislative	6/25/2021	7/24/2021	7/27/2021 Approved 8/9/2021	7/26/2021	Modified & Approved 12/9/2021 Filed 1/3/2022	Bundled SB334		
Agriculture (61-08B)	Schedule of Charges for Inspection Services: Fruit Legislative	4/12/2022	5/11/2022						
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	Bundled SB334		
Agriculture (61-11B)	Auctioneers Legislative	6/29/2021	7/29/2021		7/29/2021	Modified & Approved 9/12/2021 Filed 10/5/2021	Bundled SB334		
Agriculture (61-14A)	Rules Dealing with Noxious Weeds Legislative	3/30/2022	4/29/2022						
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	Bundled SB334		
Agriculture (61-31)	Livestock Care Standards Legislative	6/30/2021	7/30/2021	6/30/2021 Effective 8/11/2021	7/30/2021	Modified w/Certain Amendments & Approved 12/13/2021 Filed 1/3/2022	Bundled SB334		
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	Bundled SB334		
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	Bundled SB334	4/14/2022	4/15/2022
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	Bundled SB334		

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	Bundled SB334		
Alcohol Beverage Control Comm. (175-02)	Private Club Licensing Legislative	6/1/2021	7/1/2021		7/27/2021	Modified & Approved 12/8/2021 Filed 12/20/2021	Bundled SB312		
Alcohol Beverage Control Comm. – Beer (176-01)	Nonintoxicating Beer Licensing and Operations Procedures Legislative	6/1/2021	7/1/2021		7/28/2021	Modified & Approved 12/8/2021 Filed 12/20/2021	Bundled SB312		
Auditor (155-09)	Accountability Requirements for State Funds and Grants Legislative	7/30/2021	8/30/2021		9/13/2021	Modified & Approved 12/9/2021 Filed 1/3/2022	Bundled SB334		
Chiropractic Examiners (4-06)	Fees Pertaining to the Practice of Chiropractic Legislative							4/6/2022	7/1/2022
Chiropractic Examiners (4-09)	Chiropractic Telehealth Practice Legislative	6/9/2021	7/9/2021	6/8/2021 Effective 7/20/2021	7/13/2021	Modified & Approved 12/9/2021 Filed 12/15/2021	Bundled SB334	4/1/2022	6/30/2022
Coal Mine Health and Safety (36-23)	Surface Construction Operations Within the Coal Mining Industry of the State of WV Legislative Exempt	2/17/2022	4/4/2022						
Community & Technical College Ed (135-08)	WV Invests Grant Program Legislative	10/8/2021	11/9/2021		11/10/2021	Approved 12/5/2021	HB4291	4/5/2022	6/5/2022
Contractor Licensing Board (28-02)	Contractor Licensing Act Legislative	6/30/2021	7/30/2021		7/30/2021	Modified & Approved 12/8/2021 Filed 12/9/2021	Bundled SB334	4/1/2022	5/1/2022
Counseling (27-01)	Licensing Rule Legislative	6/30/2021	7/29/2021		7/29/2021	Modified & Approved 12/9/2021 Filed 12/13/2021	Bundled SB334		
Counseling (27-02)	Licensed Professional Counselor Fees Rule Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 12/9/2021 Filed 12/13/2021	Bundled SB334		

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	Modified & Approved 12/9/2021 Filed 12/13/2021	Bundled SB334		
Counseling (27-09)	Marriage and Family Therapist Fees Rule Legislative	6/30/2021	7/29/2021		7/30/2021	Modified & Approved 12/9/2021 Filed 12/13/2021	Bundled SB334		
Counseling (27-14)	Telehealth and Interstate Telehealth Registration for Licensed Professional Counselors and Licensed Marriage and Family Therapists Legislative	12/6/2021	1/14/2022	1/10/2022 Approved 1/13/2022	1/26/2022				
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	Bundled HB4141		
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	Bundled SB334		
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	Bundled SB334		
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	Bundled SB334		
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	Bundled SB334		
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	Bundled SB334		
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	Bundled SB334		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Dentistry (5-16)	Teledentistry Legislative	6/17/2021	7/17/2021	6/17/2021 Amendment 7/26/2021 Effective 9/6/2021 Amendment 12/13/2021 Effective 1/24/2022	7/26/2021	Modified & Approved 12/9/2021 Filed 12/13/2021	Bundled SB334		
Economic Development Auth. (117-02)	Meetings and Meeting Notices Procedural	2/24/2022	3/28/2022						
Education (126-004)	Rules of Procedure for Administrative Hearings and Appeals (Policy 1340) Legislative Exempt	3/9/2022	4/11/2022						
Education (126-014)	WV Measure of Academic Progress (Policy 2340) Legislative Exempt	4/14/2022	5/16/2022						
Education (126-015)	Reg. and English Language Proficiency Standards for English Learners and Alternate English Language Proficiency Standards for English Learners and Significant Cognitive Disabilities (Policy 2417) Legislative Exempt	2/10/2022	3/11/2022					4/14/2022	5/16/2022
Education (126-016)	Regulations for the Education of Students with Exceptionalities (Policy 2419) Legislative Exempt	4/14/2022	5/16/2022						
Education (126-042)	Assuring Quality of Education: Regulations for Education Programs (Policy 2510) Legislative Exempt	12/9/2021	1/10/2022					2/10/2022	7/1/2022
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 (126-044M)	WV College- and Career-Readiness Programs of Study/Standards for Career Technical Ed. (Policy 2520.13) Legislative Exempt	12/9/2021	1/10/2022					2/10/2022	7/1/2022

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-067)	Comprehensive School Counseling Model (Policy 2315) Legislative Exempt	4/14/2022	5/16/2022						
Education (126-094)	Procedures for the Collection, Maintenance, and Disclosure of Student Data (Policy 4350) Legislative Exempt	3/9/2022	4/11/2022						
Education (126-149)	Professional Learning for WV Educators (Policy 5500) Legislative Exempt	4/14/2022	5/16/2022						
Education (126-185)	Intercounty Transfer Arrangements (Policy 7200) Legislative Exempt	12/9/2021	1/10/2022					2/10/2022	7/1/2022
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	Modified & Approved 12/8/2021 Filed 12/16/2021	Bundled HB4114	3/31/2022	5/15/2022
Fire Commission (87-01)	Fire Code Legislative	6/28/2021	7/28/2021		7/30/2021	Modified & Approved 12/9/2021 Filed 1/7/2022	Bundled HB4141		
Fire Commission (87-04)	State Building Code Legislative	6/23/2021	7/26/2021		7/30/2021	Modified w/Certain Amendments & Approved 12/13/2021 Filed 1/7/2022	Bundled HB4141		
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	Bundled HB4141		
Fire Commission (87-11)	Specialized Membership Legislative	6/22/2021	7/23/2021		7/30/2021	Approved 9/12/2021	Bundled HB4141		
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	Bundled HB4141		
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	Bundled HB4141		

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		7/27/2021	Approved 9/12/2021	Bundled HB4141		
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	Bundled HB4141		
Health (64-26)	Procedures Pertaining to the Dangerousness Assessment Advisory Board Legislative	2/4/2022	3/7/2022	2/4/2022 Approved 2/4/2022	3/8/2022				
Health (64-43)	Food Manufacturing Facilities Legislative	6/30/2021	7/30/2021		7/30/2021	Modified & Approved 12/9/2021 Filed 12/14/2021	Bundled HB4126	4/4/2022	5/31/2022
Health (64-57)	Clinical Laboratory Practitioner Licensure and Certification Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 12/9/2021 Filed 12/16/2021	Bundled HB4126	4/4/2022	5/1/2022
Health (64-92)	Clandestine Drug Laboratory Remediation Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 12/9/2021 Filed 12/16/2021	Bundled HB4126	4/4/2022	5/1/2022
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	Bundled SB312		
Insurance Comm. (114-99)	Pharmacy Auditing Entities and Pharmacy Benefit Managers Legislative	6/1/2021	7/1/2021		7/27/2021	Approved 12/8/2021	Bundled SB312		
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	Bundled SB312		
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	Bundled SB312		
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	Bundled HB4242	3/31/2022	5/1/2022
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	Bundled SB312	4/14/2022	7/1/2022

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled SB312	4/14/2022	7/1/2022
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	Bundled SB334		
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	Bundled SB334		
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	Bundled SB334		
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	Bundled SB334		
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/29/2021	7/29/2021		7/30/2021	Approved 9/14/2021	Bundled SB334		
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	Bundled SB334		
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	Bundled SB334		
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	Bundled SB334		

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	Modified w/Certain Amendments & Approved 12/8/2021 Filed 12/16/2021	Bundled SB334		
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	Bundled HB4242	4/5/2022	5/5/2022
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	Bundled HB4242	4/5/2022	7/1/2022
Mining and Reclamation (38-03)	Rules for Quarrying and Reclamation Legislative	4/6/2022	5/11/2022						
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	Bundled HB4242		
Natural Resources (58-27)	Special Motorboating Regulations Legislative	6/30/2021	7/29/2021		7/30/2021	Approved 8/19/2021	Bundled HB4242		
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	Bundled HB4242		
Natural Resources (58-49)	General Hunting Legislative	6/30/2021	7/29/2021		7/30/2021	Approved 8/19/2021	Bundled HB4242		
Natural Resources (58-63)	Commercial Sale of Wildlife Legislative	6/30/2021	7/29/2021		7/30/2021	Modified w/Certain Amendments & Approved 12/8/2021 Filed 12/29/2021	Bundled HB4242		
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	Bundled HB4242		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled SB334		
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	Bundled SB334		
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	Bundled SB334		
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	Modified w/Certain Amendments & Approved 12/8/2021 Filed 12/15/2021 2/16/2022	Bundled SB334		
Parole Board (92-01)	Procedural Rules of the WV Parole Board Eligibility, Decisions and Discharge Procedural	3/16/2022	4/15/2022						
Personnel (143-01)	Administrative Rule of the WV Division of Personnel Legislative	5/28/2021	6/30/2021	1/4/2022 Approved 1/7/2022 Withdrawn 2/1/2022	7/29/2021	Modified & Approved 8/18/2021 Filed 8/24/2021	Bundled HB4114	3/24/2022	7/1/2022
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	Bundled SB334	4/14/2022	4/14/2022
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	Bundled SB334	4/14/2022	4/14/2022
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	Bundled SB334	4/14/2022	4/14/2022
Pharmacy (15-19)	Inspections Legislative	2/3/2022	3/7/2022	1/6/2022 Approved 1/7/2022	4/4/2022				

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	Modified & Approved 12/8/2021 Filed 12/8/2021	Bundled SB312		
Real Estate Appraiser Licensing and Certification Bd. (190-02)	Requirements for Licensure and Certification Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 12/9/2021 Filed 12/21/2021	Bundled SB334	4/8/2022	4/8/2022
Real Estate Appraiser Licensing and Certification Bd. (190-03)	Renewal of Licensure or Certification Legislative	6/29/2021	7/29/2021		7/30/2021	Modified & Approved 12/9/2021 Filed 12/21/2021	Bundled SB334	4/8/2022	4/8/2022
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	Modified & Approved 12/9/2021 Filed 12/21/2021	Bundled SB334	4/8/2022	4/8/2022
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	Authorized w/Certain Amendments & Approved 12/8/2021	Bundled SB334		
School Building Authority (164-02)	Funding School Building Authority Projects Legislative	9/29/2021	11/1/2021		12/15/2021	Approved 1/10/2022	SB499	4/1/2022	5/1/2022
Secretary of State (153-25)	Combined Voter Registration and Driver Licensing Fund Legislative	6/25/2021	7/27/2021		7/30/2021	Modified & Approved 12/8/2021 Filed 12/29/2021	Bundled SB334		
Secretary of State (153-30)	Use of Digital Signatures Legislative	6/24/2021	7/27/2021		7/30/2021	Modified & Approved 12/8/2021 Filed 12/29/2021	Bundled SB334	4/14/2022	4/14/2022
Secretary of State (153-43)	Regulation of Political Party Headquarters Finances Legislative	6/24/2021	7/27/2021		7/30/2021	Modified & Approved 12/8/2021 Filed 12/29/2021	Bundled SB334		
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	Modified & Approved 12/8/2021 Filed 12/29/2021	Bundled SB334		

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	Approved 12/8/2021	Bundled SB334		
Secretary of State (153-53)	Election Processes and Absentee Eligibility During State of Emergency			3/20/2020 Effective 3/20/2020					
Senior Services (76-04)	WV State Plan for Aging Programs Interpretive	3/14/2022	4/13/2022					4/14/2022	10/1/2022
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	Modified & Approved 12/9/2021 Filed 12/20/2021	Bundled SB334		
Social Work Examiners (25-05)	Continuing Education for Social Workers and Providers Legislative	6/30/2021	7/30/2021		7/30/2021	Modified & Approved 12/9/2021 Filed 12/20/2021	Bundled SB334		
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	Modified & Approved 12/9/2021 Filed 12/16/2021	Bundled SB334	4/1/2022	5/1/2022
State Police (81-03)	Career Progression Legislative	6/29/2021	7/30/2021		7/30/2021	Modified & Approved 8/18/2021 Filed 1/10/2022	Bundled HB4141		
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	Recommend Rejection 1/9/2022			
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	Bundled SB312		
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	Bundled SB312		
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	Bundled SB312		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled SB312		
Tax (110-16A)	On-Line Bingo and Raffles Legislative	6/3/2021	7/7/2021		7/8/2021	Approved 9/12/2021	Bundled SB312		
Tax (110-21F)	The Coal Severance Tax Rebate Interpretive	2/7/2022	3/9/2022						
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	Bundled SB312		
Treasurer (112-15)	WV College & Jumpstart Savings Programs Bd of Trustees Bylaws Procedural	4/4/2022	5/4/2022						
Treasurer (112-18)	Hope Scholarship Program Legislative	2/9/2022	3/11/2022	2/9/2022 Effective 3/23/2022					
Treasurer (112-19)	WV Hope Scholarship Board Procedures and Bylaws Procedural	2/10/2022	3/14/2022						
Workers Compensation Bd. Of Review (102-01)	Rules of Practice and Procedure and Litigation of Protests Procedural	2/23/2022	3/25/2022					4/4/2022	7/1/2022

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				
Agriculture 61-23D	Inspection of Nontraditional, Domesticated Animals 4/22/2023	11/15/2021	11/15/2021				
Athletic Commission 177-02	Regulation of Mixed Martial Arts 6/1/2023	1/27/2022	1/27/2022				
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	1/3/2022	Modified & Approved 1/9/2022 Filed 1/10/2022	Bundled SB334		
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	HB4291	4/5/2022	6/5/2022
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	HB4291	4/5/2022	6/5/2022
Health and Human Resources 69-13	Development of Methodologies to Examine Needs for Substance Use Disorder Treatment Facilities within the State 3/22/2023	12/3/2021					
Higher Education Policy Commission 133-48	Research Trust Fund 8/5/2022	5/5/2021	5/5/2021	Approved 9/14/2021		4/8/2022	6/5/2022
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		4/8/2022	6/5/2022
Highways 157-02	Disposal, Lease and Management of Real Property and Appurtenant Structures and Relocation Assistance 4/6/2023	12/17/2021					
Insurance Commission 114-98	Adoption of Valuation Manual 5/19/2022 Technical Amendment Filed 8/1/2022	3/31/2021	3/31/2021	Approved 8/19/2021	Bundled SB312		
Labor 42-35	Registration of Service Persons and Service Agencies 3/30/2023	11/30/2021	11/30/2021				
Labor 42-36	Registration of Weighing and Measuring Devices Used by Businesses in Commercial Transactions 3/30/2023	11/29/2021	11/30/2021				

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
Natural Resources 58-11	Hunting, Fishing, and Other Outfitters and Guides 5/7/2023	11/30/2021	11/30/2021				
Natural Resources 58-64	Miscellaneous Permits and Licenses 5/7/2023	11/30/2021	11/30/2021				
Psychologists 17-06	Code of Ethics 7/1/2023	2/3/2022					
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	Bundled SB334		
Racing Commission 178-05	Pari-Mutuel Wagering 8/1/2022	4/26/2021	4/30/2021	Approved 8/18/2021	Bundled SB312		
Registererd Professional Nurses 19-08	Limited Prescriptive Authority for Nurses in Advanced Practice 5/15/2022	3/17/2021	5/10/2021	Approved 12/8/2021	Bundled SB334		
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	Approved 12/8/2021	Bundled SB334		
Secretary of State 153-05	Voter Registration List Maintenance by the Secretary of State 5/23/2022	5/10/2021	5/10/2021	Approved 12/8/2021	Bundled SB334		
Tax 110-13DD	Farm-To-Food Bank Tax Credit 8/1/2023	3/23/2022	3/25/2022				
Tax 110-22	Property Transfer Tax 8/1/2023	3/23/2022	3/25/2022				
Tax 110-28	Municipal Sales and Service and Use Tax Administration 8/1/2023	3/23/2022	3/25/2022				
Tax 110-42	Personnel Rule for the Tax Division 8/1/2023	3/10/2022	3/25/2022				

WEST VIRGINIA SECRETARY OF STATE
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture TITLE-SERIES: 61-08B

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

RULE NAME: Schedule of Charges for Inspection Services: Fruit

CITE STATUTORY AUTHORITY: §19-2-5, §19-1-4(k)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/11/2022 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: rulescomments@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: No

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

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

AGENCY: Agriculture TITLE-SERIES: 61-36

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

RULE NAME: Farm to Food Bank Tax Credit

CITE STATUTORY AUTHORITY: §11-13DD-5(b)

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

Authorization is cited in (house or senate bill number) SB 334

Section §64-9-1 Passed On 3/12/2022 12:00:00 AM

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

April 15, 2022

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

August 01, 2032

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

Yes

Norman Bailey -- 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

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education

TITLE-SERIES: 126-014

RULE TYPE: Legislative Exempt

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: West Virginia Measure of Academic Progress (2340)

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: 05/16/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Dr. Vaughn G. Rhudy, Director

ADDRESS: WVDE Assessment Services, Capitol Building 6, Suite 500

1900 Kanawha Blvd., E, Charleston, West Virginia 25305

EMAIL: vrhudy@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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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Education

TITLE-SERIES: 126-015

RULE TYPE: Legislative Exempt

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Regulations and English Language Proficiency Standards for English Learners and Alternate English Language Proficiency Standards for English Learners with Significant Cognitive Disabilities (2417)

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:

May 16, 2022

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.

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education

TITLE-SERIES: 126-016

RULE TYPE: Legislative Exempt

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Regulations for the Education of Students with Exceptionalities (2419)

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:

Oral and Written

DATE OF PUBLIC HEARING: See Supporting Document

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/16/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sheila Paitsel, Director

ADDRESS: WVDE Special Education Services, Capitol Building 6, Suite 750

1900 Kanawha Blvd., E, Charleston, West Virginia 25305

EMAIL: sgpaitsel@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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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 Model (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)

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/16/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Stephanie Hayes, Coordinator

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

1900 Kanawha Blvd., E, Charleston, West Virginia 25305

EMAIL: stephanie.hayes@k12.wv.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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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-149

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

RULE NAME: Professional Learning for West Virginia Educators (5500)

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:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/16/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Dr. Sonya J. White, Teaching and Learning Officer

ADDRESS: WVDE Office of Teaching and Learning, Capitol Bldg. 6, Suite 500

1900 Kanawha Blvd., E, Charleston, West Virginia 25305

EMAIL: snjwhite@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

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Office of West Virginia
Secretary Of State

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

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-48

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

RULE NAME: Research Trust Fund Program

CITE STATUTORY AUTHORITY: 18B-1-6

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

Authorization is cited in (house or senate bill number) House Bill 4291

Section 18B-17-2(nn) Passed On 3/7/2022 12:00:00 AM

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

June 5, 2022

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

June 05, 2027

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

Yes

Cindy L Anderson – 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
4/8/2022 10:41:21 AM

Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-52

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

RULE NAME: Annual Reauthorization of Degree-Granting Institutions

CITE STATUTORY AUTHORITY: 18B-1-6

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

Authorization is cited in (house or senate bill number) House Bill 4291

Section 18B-17-2(oo) Passed On 3/7/2022 12:00:00 AM

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

June 5, 2022

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

June 05, 2027

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

Yes

Cindy L Anderson -- 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
4/12/2022 2:26 PM

Office of West Virginia
Secretary Of State

NOTICE OF TECHNICAL AMENDMENT

AGENCY: Insurance Commission TITLE-SERIES: 114-98

RULE TYPE: Legislative

RULE NAME: Adoption of Valuation Manual

CITE STATUTORY AUTHORITY: W. Va. Code §§33-7-9(n) and 33-2-10.

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

The rule was amended in 1.3 to add a "technical amendment filed" date of April 12, 2022, and in 1.5 to extend the sunset date from May 17, 2022 to August 1, 2022. The font was also reduced from 12 point size to 11 point size per current SOS formatting.

FILING DATE: 04/12/2022 EFFECTIVE DATE: 05/17/2017

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/14/2022 10:49:27 AM

Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Lottery Commission TITLE-SERIES: 179-01

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

RULE NAME: West Virginia Lottery State Lottery Rules

CITE STATUTORY AUTHORITY: W. Va. Code 29-22-5, 9(b), 9(c), 10, 16 and 17

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

Authorization is cited in (house or senate bill number) C.S. SB 312

Section W. Va. Code 64-7-3(a) Passed On 3/12/2022 12:00:00 AM

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

July 1, 2022

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

August 01, 2027

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/14/2022 10:52:21 AM

Office of West Virginia
Secretary Of State

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

AGENCY: Lottery Commission TITLE-SERIES: 179-05

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

RULE NAME: West Virginia Lottery Limited Video Lottery Rule

CITE STATUTORY AUTHORITY: W. Va. Code 29-22B-402

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

Authorization is cited in (house or senate bill number) C.S. SB 312

Section W. Va. Code 64-7-3(b) Passed On 3/12/2022 12:00:00 AM

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

July 1, 2022

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

August 01, 2027

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/14/2022 10:36:52 AM

Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Pharmacy TITLE-SERIES: 15-01

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

RULE NAME: Licensure and Practice of Pharmacy

CITE STATUTORY AUTHORITY: 30-5-7

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

Authorization is cited in (house or senate bill number) 334

Section 1 Passed On 3/12/2022 12:00:00 AM

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

April 14, 2022

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

August 01, 2027

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

Yes

Ryan L Hatfield -- 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
4/14/2022 10:39:01 AM

Office of West Virginia
Secretary Of State

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

AGENCY: Pharmacy TITLE-SERIES: 15-08

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

RULE NAME: Controlled Substances Monitoring Program

CITE STATUTORY AUTHORITY: 30-5-7; 60A-9-6; 60A-9-9

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

Authorization is cited in (house or senate bill number) 334

Section one Passed On 3/12/2022 12:00:00 AM

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

April 14, 2022

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

August 01, 2027

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

Yes

Ryan L Hatfield -- 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
4/14/2022 11:27:25 AM

Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: Pharmacy TITLE-SERIES: 15-16

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

RULE NAME: Regulations Governing Pharmacists

CITE STATUTORY AUTHORITY: 30-5-7

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

Authorization is cited in (house or senate bill number) 334

Section one Passed On 3/12/2022 12:00:00 AM

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

April 14, 2022

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

August 01, 2027

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

Yes

Ryan L Hatfield -- 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
4/8/2022 3:26:10 PM

Office of West Virginia
Secretary Of State

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

AGENCY: 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: Chapter 30 Article 38

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

Authorization is cited in (house or senate bill number) SB 334

Section 64-9-18 Passed On 3/12/2022 12:00:00 AM

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

April 8, 2022

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

August 01, 2027

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

Yes

Patricia R Pope -- 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
4/8/2022 3:27:26 PM

Office of West Virginia
Secretary Of State

LEGISLATIVE

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

AGENCY: 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: Chapter 30 Article 38

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

Authorization is cited in (house or senate bill number) SB 334

Section 64-9-18

Passed On 3/12/2022 12:00:00 AM

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

April 8, 2022

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

August 01, 2027

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

Yes

Patricia R Pope -- 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
4/8/2022 3:39:38 PM

Office of West Virginia
Secretary Of State

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

AGENCY: 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: Chapter 30 Article 38A

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

Authorization is cited in (house or senate bill number) SB 334

Section 64-9-18

Passed On 3/12/2022 12:00:00 AM

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

April 8, 2022

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

August 01, 2027

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

Yes

Patricia R Pope -- 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.

Office of the Secretary of State
State Capitol
Charleston, West Virginia 25305

Mac Warner
Secretary of State
State of West Virginia

FILED
2022 APR 14 P 4:01
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Telephone: (304) 558-6000
Toll Free: 1-866-SOS-VOTE
Fax: (304) 558-0900
www.wvsos.gov

MEMORANDUM

Date: April 14, 2022
To: Maureen Lewis, Administrative Law Division Director
From: Donald Kersey, General Counsel
RE: Lifting the Suspension of 153 CSR 30. Use of Digital Signatures, State Certificate Authority and State Repository

---

Given the evolving nature of the COVID-19 pandemic, as well as the passage of SB 334 (2022) and the subsequent Final File amending various provisions of 153 CSR 30, the Memorandum dated March 23, 2020 justifying the Rule's suspension is no longer required for affected agencies' compliance with the law.

Therefore, the provisions of 153 CSR 30 shall be returned to an active Legislative Rule, which has the full force and effect of law.

LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/14/2022 3:19:03 PM
Office of West Virginia
Secretary Of State

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

AGENCY: Secretary Of State TITLE-SERIES: 153-30

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

RULE NAME: Use of Digital Signatures

CITE STATUTORY AUTHORITY: W. Va. Code §39A-3-3

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

Authorization is cited in (house or senate bill number) SB 334

Section W. Va. Code §64-9-20(d) Passed On 3/12/2022 12:00:00 AM

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

April 14, 2022

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

August 01, 2027

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

Yes
Donald Kersey -- 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
4/14/2022 3:04 PM
Office of West Virginia
Secretary Of State

INTERPRETIVE

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

AGENCY: Senior Services TITLE-SERIES: 76-04

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

RULE NAME: West Virginia State Plan for Aging Programs

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

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

October 1, 2022

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

Yes

Robert E Roswall -- 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.

Orders Report

Docket Number	Agency	Respondent	Date Rendered

None Received This Week

State of West Virginia
Board of Medicine

101 Dee Drive, Suite 103
Charleston, WV 25311
Telephone (304) 558-2921
Fax (304) 558-2084
www.wvbom.wv.gov

KISHORE K. CHALLA, MD, FACC
PRESIDENT

QUARTEL-AYNE AMJAD, MD, MPH
SECRETARY

VICE PRESIDENT

MARK A. SPANGLER, MA
EXECUTIVE DIRECTOR

FILED
2022 APR 12 P 12: 10
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

OTHER

The Honorable Jim Justice
Governor, State of West Virginia
State Capitol Building
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice:

Pursuant to W. Va. Code §30-1-12(b) the West Virginia Board of Medicine is pleased to provide you with our annual report for the biennium of July 1, 2019 – June 30, 2021.

This report, as well as supportive material and relevant licensee information, is accessible on the Board's website, www.wvbom.wv.gov.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Mark A. Spangler, MA
Executive Director

MAS/jcf
Enclosure (1 CD)

cc: Craig Blair, President of the Senate (with enclosure)
Roger Hanshaw, Speaker of the House of Delegates (with enclosure)
Lee Cassis, Clerk of the Senate (with enclosure)
Steve Harrison, Clerk of the House of Delegates (with enclosure)
Mac Warner, Secretary of State (with enclosure)
Legislative Librarian (with enclosure)