

WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXIX

Issue 25

June 24, 2022

A Weekly Publication

Administrative Law Division

Mac Warner
Secretary of State
Bldg. 1, Suite 157K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770

(304) 558-6000

sos.wv.gov

CONTENTS

Chronological Index

Rule Monitor

Notices

a. **Legislative Rules**
b. **Interpretive Rules**
c. **Procedural Rules**
d. **Emergency Rules**
e. **LRMRC and LOCEA**

Legislative Interims

Orders

Ethics Commission Opinions

Grievances Reports

Office of Tax Appeal Decisions

Governor's Executive Orders

Attorney General Opinions

Other Documents or Information Filed

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

Corrections & Rehabilitation

Dentistry, WV Board of

Health

Health and Human Resources

Office of Medical Cannabis

Health Care Authority

Human Services

Labor

Public Service Commission

Transportation, WV Dept. of

CHRONOLOGICAL INDEX, VOLUME XXXIX ISSUE 25			
RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Dentistry, WV Board of (5-15)	Dental Recovery Networks Legislative	§30-4-6	Written Comments Only July 18, 2022, 12:00 pm WV Board of Dentistry PO Box 1447 Crab Orchard, WV 25827 wvbde@suddenlinkmail.com
Health (64-84)	Medical Examiner Requirements for Postmortem Inquiries Legislative	§61-12-16	Written Comments Only July 25, 2022, 4:00 pm April Robertson One Davis Square, Suite 100 E Charleston, WV 25301 April.l.robertson@wv.gov
Health (64-110)	Medical Cannabis Program – Growers/Processors Legislative	§§16A-3-1(b), 16A-7-3, 16A-13-7	Written Comments Only July 22, 2022, 4:00 pm April Robertson One Davis Square, Suite 100 E Charleston, WV 25301 April.l.robertson@wv.gov
Health (64-112)	Medical Cannabis Program – Dispensaries Legislative	§§16A-3-1, 16A-7-3	Written Comments Only July 22, 2022, 4:00 pm April Robertson One Davis Square, Suite 100 E Charleston, WV 25301 April.l.robertson@wv.gov
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	§16-49-9	Written Comments Only July 25, 2022, 4:00 pm April Robertson One Davis Square, Suite 100 E Charleston, WV 25301 April.l.robertson@wv.gov
Human Services (78-01)	Child Care Centers Licensing Legislative	§49-2-121	Written Comments Only July 25, 2022, 4:00 pm Cammie Chapman One Davis Square, Suite 100 E Charleston, WV 25301 Cammie.l.chapman@wv.gov

Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults and Vulnerable and Transitioning Youth Group Homes and Programs in WV Legislative	§§49-2-121, 27-17-3, 27-1A-4(g), 27-1A-6(6), 27-1A-7	Written Comments Only July 22, 2022, 4:00 pm Cammie Chapman One Davis Square, Suite 100 E Charleston, WV 25301 cammie.l.chapman@wv.gov
Human Services (78-18)	Family Child Care Facility Licensing Legislative	§49-2-121	Written Comments Only July 25, 2022, 4:00 pm Cammie Chapman One Davis Square, Suite 100 E Charleston, WV 25301 Cammie.l.chapman@wv.gov
Human Services (78-19)	Family Child Care Home Registration Legislative	§49-2-121	Written Comments Only July 25, 2022, 4:00 pm Cammie Chapman One Davis Square, Suite 100 E Charleston, WV 25301 Cammie.l.chapman@wv.gov
Human Services (78-20)	Informal and Relative Family Child Care Home Legislative	§49-2-121	Written Comments Only July 25, 2022, 4:00 pm Cammie Chapman One Davis Square, Suite 100 E Charleston, WV 25301 Cammie.l.chapman@wv.gov
Human Services (78-21)	Out of School Time Child Care Legislative	§49-2-121	Written Comments Only July 25, 2022, 4:00 pm Cammie Chapman One Davis Square, Suite 100 E Charleston, WV 25301 Cammie.l.chapman@wv.gov
Human Services (78-28)	Deemed Head Start Child Care Center Licenses Legislative	§49-2-115a	Written Comments Only July 22, 2022, 4:00 pm Cammie Chapman One Davis Square, Suite 100 E Charleston, WV 25301 cammie.l.chapman@wv.gov

Labor (42-19)	WV Board of Manufactured Housing Construction and Safety Legislative	§21-9-4	Written Comments Only July 25, 2022, 12:00 pm Brooke M. Farber, Deputy Commissioner 1900 Kanawha Boulevard East Capitol Complex, Building 3, Room 200 Charleston, WV 25305 brooke.m.farber@wv.gov
Public Service Commission (150-38)	Rules for the Government of Pole Attachments Legislative Exempt	§§24-1-1, 24-1-7, 24-2-1, 24-2-2, 31G-4-4	Written Comments Only August 1, 2022, 4:00 pm Karen Buckley, Executive Secretary PO Box 812 Charleston, WV 25323 jneal@psc.state.wv.us
Public Service Commission (150-40)	Trench Sharing Rule Legislative Exempt	§17-2E-5	Written Comments Only August 1, 2022, 4:00 pm Karen Buckley, Executive Secretary PO Box 812 Charleston, WV 25323 jneal@psc.state.wv.us

EMERGENCY RULES FILED THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	EFFECTIVE DATE	DATE NOTICE OF HEARING
Health (64-84)	Medical Examiner Requirements for Postmortem Inquiries	§61-12-16	ERD by August 4, 2022	July 25, 2022

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

Mac Warner
Secretary of State
State of West Virginia

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

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
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	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
Accountancy (1-01)	Board Rules and Rules of Professional Conduct Legislative	5/12/2022	7/1/2022						
Administration (148-01)	Purchasing Legislative			6/13/2022 Approved 6/13/2022					
Agriculture (61-02)	WV Apiary Law Legislative	6/2/2022	7/2/2022						
Agriculture (61-08B)	Schedule of Charges for Inspection Services: Fruit Legislative	4/12/2022	5/11/2022		5/12/2022				
Agriculture (61-14A)	Rules Dealing with Noxious Weeds Legislative	3/30/2022 Hearing Notice 5/5/2022	4/29/2022 Hearing Date 6/9/2022		6/14/2022				
Agriculture (61-15)	Grade "A" Pasteurized Milk Legislative	6/14/2022	7/14/2022						
Agriculture (61-31)	Livestock Care Standards Legislative	6/2/2022	7/2/2022						
Agriculture (61-36)	Farm to Food Bank Tax Credit Legislative	4/18/2022	5/18/2022		5/18/2022				
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/1/2022	7/5/2022						
Air Quality (45-22)	Air Quality Management Fee Program Legislative	6/1/2022	7/5/2022						
Air Quality (45-30)	Requirements for Operating Permits Legislative	6/1/2022	7/5/2022						
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/1/2022	7/5/2022						
Air Quallity (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/1/2022	7/5/2022						
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		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		
Athletic Commission (177-01)	Regulation of Boxing Legislative	6/3/2022	7/5/2022						
Athletic Commission (177-02)	Regulation of Mixed Martial Arts Legislative	6/7/2022	7/8/2022						
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	5/4/2022	8/1/2022
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 Education (135-02)	Finance Legislative	6/10/2022	7/13/2022	6/10/2022 Effective 6/10/2022					
Community & Techncial College Education (135-27)	Workforce Development: Learn and Earn, Technical Program Development, and WV Advance Rapid Response Grants Legislative	6/10/2022	7/13/2022						
Community & Techncial College Education (135-52)	Annual Reauthorization of Degree-Granting Institutions Legislative	6/13/2022	7/15/2022						
Conservation Agency (63-01)	Operation of WV State Conservation Committee and Conservation Districts Legislative	5/2/2022	6/16/2022						
Conservation Agency (63-04)	Conservation District Accounting and Auditing Standards Legislative	5/2/2022	6/16/2022						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		
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	5/5/2022	8/1/2022
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	5/3/2022	7/1/2022
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	5/2/2022	7/1/2022
Dentistry (5-03)	Fees Established by The Board Legislative							5/9/2022	8/7/2022
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	5/2/2022	7/1/2022
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	5/2/2022	7/1/2022

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	5/2/2022	7/1/2022
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	5/3/2022	7/1/2022
Dentistry (5-15)	Dental Recovery Networks Legislative	6/16/2022	7/18/2022						
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	5/3/2022	7/1/2022
Education (126-008)	Drug-Free Workplace (Policy 1461) Legislative Exempt	6/9/2022	7/11/2022						
Education (126-014)	WV Measure of Academic Progress (Policy 2340) Legislative Exempt	4/14/2022	5/16/2022					6/9/2022	7/11/2022
Education (126-016)	Regulations for the Education of Students with Exceptionalities (Policy 2419) Legislative Exempt	4/14/2022	5/16/2022						
Education (126-022)	Regulations for Driver Education and Student Licensing (Policy 2422.2) Legislative Exempt	6/9/2022	7/11/2022						
Education (126-025A)	Standards for Basic and Specialized Health Care Procedures and Standards for the Possession and Use of Medical Cannabis by a Student (Policy 2422.7) Legislative Exempt	6/9/2022	7/11/2022						
Education (126-026)	Participation in Extracurricular Activities (Policy 2436.10) Legislative Exempt	5/12/2022	6/13/2022						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-028)	West Virginia's Universal Access to a Quality Early Education System (Policy 2525) Legislative Exempt	6/9/2022	7/11/2022						
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
Education (126-067)	Comprehensive School Counseling Model (Policy 2315) Legislative Exempt	4/14/2022	5/16/2022					6/9/2022	7/11/2022
Education (126-149)	Professional Learning for WV Educators (Policy 5500) Legislative Exempt	4/14/2022	5/16/2022					6/9/2022	7/11/2022
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						
Financial Institutions, Div. of (106-23)	Rule Pertaining to Money Transmission Services Legislative	6/3/2022	7/5/2022						
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	5/5/2022	8/1/2022
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	5/5/2022	8/1/2022

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	5/5/2022	8/1/2022
Fire Commission (87-11)	Specialized Membership Legislative	6/22/2021	7/23/2021		7/30/2021	Approved 9/12/2021	Bundled HB4141	5/5/2022	8/1/2022
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	5/5/2022	8/1/2022
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	5/5/2022	8/1/2022
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	5/5/2022	8/1/2022
Health (64-26)	Procedures Pertaining to the Dangerousness Assessment Advisory Board Legislative	2/4/2022 5/11/2022	3/7/2022 6/10/2022	2/4/2022 Approved 2/4/2022	3/8/2022				
Health (64-84)	Medical Examiner Requirements for Postmortem Inquiries Legislative	6/23/2022	7/25/2022	6/23/2022 ERD by 8/4/2022					
Health (64-110)	Medical Cannabis Program – Growers/Processors Legislative	6/22/2022	7/22/2022						
Health (64-112)	Medical Cannabis Program – Dispensaries Legislative	6/22/2022	7/22/2022						
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	6/23/2022	7/25/2022						
Higher Education Policy Commission (133-02)	Higher Education Finance Policy Legislative	6/13/2022	7/13/2022	6/13/2022 Effective 6/13/2022					
Higher Education Policy Commission (133-10)	Policy Regarding Program Review Procedural	6/13/2022	7/13/2022						

RULE MONITOR									
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Higher Education Policy Commission (133-11)	Submission of Proposals for Academic Programs at Public Regional Institutions and the Monitoring and Discontinuance of Existing Programs Procedural	6/13/2022	7/13/2022						
Higher Education Policy Commission (133-32)	Tuition and Fee Policy Legislative	6/13/2022	7/13/2022						
Higher Education Policy Commission (133-52)	Annual Reauthorization of Degree-Granting Institutions Legislative	6/13/2022	7/13/2022						
Highways (157-02)	Disposal, Lease and Management of Real Property and Appurtenant Structures and Relocation Assistance Legislative	6/8/2022	7/8/2022						
Highways (157-03, repeal)	Construction and Reconstruction of State Roads Legislative	6/10/2022	7/11/2022						
Human Services (78-01)	Child Care Centers Licensing Legislative	6/24/2022	7/25/2022						
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults and Vulnerable and Transitioning Youth Group Homes and Programs in WV Legislative	6/22/2022	7/22/2022						
Human Services (78-18)	Family Child Care Facility Licensing Legislative	6/23/2022	7/25/2022						
Human Services (78-19)	Family Child Care Home Registration Legislative	6/23/2022	7/25/2022						
Human Services (78-20)	Informal and Relative Family Child Care Home Legislative	6/23/2022	7/25/2022						
Human Services (78-21)	Out of School Time Child Care Legislative	6/23/2022	7/25/2022						
Human Services (78-28)	Deemed Head Start Child Care Center Licenses Legislative	6/23/2022	7/22/2022						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Comm. (114-11B)	Suitability in Annuity Transactions Legislative	6/2/2022	7/5/2022						
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	6/6/2022	7/1/2022
Insurance Comm. (114-99)	Pharmacy Auditing Entities and Pharmacy Benefit Managers Legislative	6/2/2022	7/5/2022						
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	6/2/2022	7/1/2022
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	6/6/2022	7/1/2022
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	6/6/2022	7/1/2022
Labor (42-19)	WV Board of Manufactured Housing Construction and Safety Legislative	6/23/2022	7/25/2022						
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
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
Lottery Comm. (179-09)	WV Lottery Sports Wagering Rule Legislative	6/2/2022	7/3/2022						
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	5/9/2022	7/1/2022
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		5/26/2022				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Parole Board (92-01)	Procedural Rules of the WV Parole Board Eligibility, Decisions and Discharge Procedural	3/16/2022	4/15/2022					6/1/2022	7/1/2022
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 (15-19)	Inspections Legislative	2/3/2022	3/7/2022	1/6/2022 Approved 1/7/2022	4/4/2022				
Professional Engineers (7-01)	Examination, Licensure and Practice of Professional Engineers Legislative						Bundled SB334	5/5/2022	8/1/2022
Public Service Commission (150-38)	Rule for the Government of Pole Attachments Legislative Exempt	6/16/2022	8/1/2022						
Public Service Commission (150-40)	Trench Sharing Rule Legislative Exempt	6/16/2022	8/1/2022						
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	5/27/2022	8/27/2022
Registered Professional Nurses (19-03)	Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct Legislative	5/18/2022	6/16/2022						
Registered Professional Nurses (19-07)	Advanced Practice Registered Nurse Licensure Requirements Legislative	5/16/2022	6/15/2022						
Registered Professional Nurses (19-08)	Limited Prescriptive Authority in Nurses in Advanced Practice Legislative	5/16/2022	6/15/2022						
Registered Professional Nurses (19-11)	Continuing Education and Competence Legislative	5/17/2022	6/15/2022						
Registered Professional Nurses (19-12)	Fees for Services Rendered by the Board Legislative	5/17/2022	6/16/2022						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Registered Professional Nurses (19-14)	Practitioner Requirements for Accessing the WV Controlled Substances Monitoring Program Database Legislative	5/16/2022	6/15/2022						
Registered Professional Nurses (19-16)	Telehealth Practice; Requirements; Definitions Legislative	5/16/2022	6/15/2022						
Secondary School Activities Comm. (127-01)	Constitution Legislative Exempt	5/12/2022	6/13/2022						
Secondary School Activities Comm. (127-02)	Athletics, Provisions Governing Eligibility Legislative Exempt	5/12/2022	6/13/2022						
Secondary School Activities Comm. (127-03)	Provisions Governing Contests Legislative Exempt	5/12/2022	6/13/2022						
Secondary School Activities Comm. (127-05)	Band and Other Activities Legislative Exempt	5/12/2022	6/13/2022						
Secretary of State (153-22)	Filing Procedures for Political Party Executive Committee Membership Lists Procedural	6/2/2022	7/5/2022						
Secretary of State (153-53)	Election Processes and Absentee Eligibility During State of Emergency			3/20/2020 Effective 3/20/2020					
Secretary of State (153-54)	Administrative Procedures for the Nonpublic Funding for Election Administration Fund Legislative			6/2/2022 ERD by 7/14/2022					
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	4/28/2022	7/1/2022
Social Work Examiners (25-03)	Fee Schedule Legislative						Bundled SB334	4/28/2022	7/1/2022

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	4/28/2022	7/1/2022
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	Bundled SB312		
THE ABOVE RULE FIILNG EXPIRES ON JULY 1, 2022									
Tax (110-01J)	Valuation of Producing and Reserve Oil, Natural Gas Liquids, and Natural Gas for Ad Valorem Property Tax Purposes Legislative	6/13/2022	7/13/2022	6/13/2022 ERD by 7/25/2022					
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 (110-13X)	WV Film Industry Investment Act Legislative	6/3/2022	7/3/2022						
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		
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 (110-24)	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		
Tax (110-28)	Municipal Sales and Use Tax Administration Legislative	6/3/2022	7/3/2022						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Treasurer (112-18)	Hope Scholarship Program Legislative	2/9/2022	3/11/2022	2/9/2022 Effective 3/23/2022 Admendment 4/22/2022 Effective 6/3/2022	4/21/2022				
Treasurer (112-20)	Jumpstart Savings Program Legislative	5/19/2022	6/20/2022	5/20/2022 ERD by 7/1/2022					
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 8/1/2023	10/14/2021	10/15/2021				
Agriculture 61-23D	Inspection of Nontraditional, Domesticated Animals 8/1/2023	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	5/4/2022	7/1/2022
Community & Technical College Education 135-12	Capital Project Management 6/8/2023	6/13/2022	6/13/2022				
Community & Technical College Education 135-55	Human Resources Administration 7/9/2023	6/13/2022	6/13/2022				
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	6/22/2022				
Higher Education Policy Commission 133-12	Capital Project Management 6/4/2023		6/14/2022				
Higher Education Policy Commission 133-42	West Virginia Higher Education Grant Program 8/5/2022		6/14/2022				
Higher Education Policy Commission 133-55	Human Resources Administration 6/4/2023		6/14/2022				
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	6/6/2022	7/1/2022
Labor 42-35	Registration of Service Persons and Service Agencies 3/30/2023	11/30/2021	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
Labor 42-36	Registration of Weighing and Measuring Devices Used by Businesses in Commercial Transactions 3/30/2023	11/29/2021	11/30/2021				
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	5/27/2022	7/31/2022
Risk and Insurance Management 115-07	Patient Injury Compensation Fund 5/1/2022	4/21/2021					
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				

FILED

2022 JUN 21 A 10:52

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

GENERAL DISTRIBUTION

WEST VIRGINIA DIVISION OF CORRECTIONS & REHABILITATION

POLICY DIRECTIVE UPDATES

NUMBER	DATE	SUBJECT
326.00	01 July 2022	Segregation Units (Administrative & Punitive)
326.03	01 July 2022	Special Management Status
401.01	01 July 2022	Classification Guidelines
401.05	01 July 2022	Selection Criteria for Specific Facilities
506.00	01 July 2022	Library Services

LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

6/16/2022 9:51:22 AM

Office of West Virginia Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Dentistry WV Board of TITLE-SERIES: 5-15

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

RULE NAME: BOARD OF DENTISTRY RULES FOR DENTAL RECOVERY NETWORKS

CITE STATUTORY AUTHORITY: §30-4-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/18/2022 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: WV Board of Dentistry

ADDRESS: PO Box 1447

Crab Orchard, WV 25827

EMAIL: wvbde@suddenlinkmail.com

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/23/2022 3:22:21 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health

TITLE-SERIES: 64-84

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: MEDICAL EXAMINER REQUIREMENTS FOR POSTMORTEM INQUIRIES

CITE STATUTORY AUTHORITY: 16-1-4, 16-1-11, 61-12-3(f) and 61-12-16

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/25/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April Robertson

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/22/2022 1:40:33 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health

TITLE-SERIES: 64-110

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: MEDICAL CANNABIS PROGRAM - GROWERS/PROCESSORS

CITE STATUTORY AUTHORITY: 16A-3-1(b), 16A-7-3, and 16A-13-7.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/22/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April Robertson

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/22/2022 1:46:22 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health
TITLE-SERIES: 64-112
RULE TYPE: Legislative
Amendment to Existing Rule: Yes
Repeal of existing rule: No
RULE NAME: MEDICAL CANNABIS PROGRAM - DISPENSARIES
CITE STATUTORY AUTHORITY: 16A-3-1(b) and 16A-7-3
COMMENTS LIMITED TO:
Written

DATE OF PUBLIC HEARING:
LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/22/2022 4:00 PM
COMMENTS MAY BE MAILED OR EMAILED TO:
NAME: April L Robertson
ADDRESS: One Davis Square, Suite 100 E
Charleston, WV 25301
EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:
RELEVANT FEDERAL STATUTES OR REGULATIONS: No
(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No
(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/23/2022 4:17:20 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health And Human Resources
TITLE-SERIES: 69-10
RULE TYPE: Legislative
Amendment to Existing Rule: Yes
Repeal of existing rule: No
RULE NAME: WEST VIRGINIA CLEARANCE FOR ACCESS: REGISTRY AND EMPLOYMENT SCREENING
CITE STATUTORY AUTHORITY: 16-49-9
COMMENTS LIMITED TO:
Written

DATE OF PUBLIC HEARING:
LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/25/2022 4:00 PM
COMMENTS MAY BE MAILED OR EMAILED TO:
NAME: April Robertson
ADDRESS: One Davis Square, Suite 100 E
Charleston, WV 25301
EMAIL:

PLEASE INDICATE IF THIS FILING INCLUDES:
RELEVANT FEDERAL STATUTES OR REGULATIONS: No
(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No
(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/22/2022 12:58:55 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: Health And Human Resources TITLE-SERIES: 69-13

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

RULE NAME: 69-13 Methodologies to Examine Needs for Substance Use Disorder Treatment Facilities Within the State

PRIMARY CONTACT

NAME: April Robertson

ADDRESS: One Davis Square Suite 100 E

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PHONE NUMBER: 304-558-9149

CITE STATUTORY AUTHORITY: 16-1-4

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:

16-53-3

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

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? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED:

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

PUBLIC HEARING:

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/24/2022 10:03:55 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services TITLE-SERIES: 78-01

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

RULE NAME: CHILD CARE CENTERS LICENSING

CITE STATUTORY AUTHORITY: 49-2-121

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/25/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cammie Chapman

ADDRESS: One Davis Square, suite 100 E

Charleston, WV 25301

EMAIL: cammie.l.chapman@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/22/2022 2:39:25 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services TITLE-SERIES: 78-03

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

RULE NAME: MINIMUM LICENSING REQUIREMENTS FOR RESIDENTIAL CHILD CARE AND TREATMENT FACILITIES FOR CHILDREN AND TRANSITIONING ADULTS AND VULNERABLE AND TRANSITIONING YOUTH GROUP HOMES AND PROGRAMS IN WEST VIRGINIA

CITE STATUTORY AUTHORITY: 49-2-121, 27-17-3, 27-1A-4(g), 27-1A-6(6) and 27-1A-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/22/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cammie Chapman

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: cammie.l.chapman@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/23/2022 3:58:59 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services TITLE-SERIES: 78-18

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

RULE NAME: FAMILY CHILD CARE FACILITY LICENSING

CITE STATUTORY AUTHORITY: 49-2-121

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/25/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cammie Chapman

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: cammie.l.chapman@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/23/2022 4:02:56 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services TITLE-SERIES: 78-19

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

RULE NAME: FAMILY CHILD CARE HOME REGISTRATION

CITE STATUTORY AUTHORITY: 49-2-121

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/25/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cammie Chapman

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: cammie.l.chapman@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/23/2022 4:06:19 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services TITLE-SERIES: 78-20

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

RULE NAME: INFORMAL AND RELATIVE FAMILY CHILD CARE HOME

CITE STATUTORY AUTHORITY: 49-2-121

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/25/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cammie Chapman

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: cammie.l.chapman@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/23/2022 4:15:19 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services

TITLE-SERIES: 78-21

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: OUT OF SCHOOL TIME CHILD CARE

CITE STATUTORY AUTHORITY: 49-2-121

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/25/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cammie Chapman

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: cammie.l.chapman@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/23/2022 8:34:04 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services

TITLE-SERIES: 78-28

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: DEEMED HEAD START CHILD CARE CENTER LICENSES

CITE STATUTORY AUTHORITY: 49-2-115a

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/22/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Cammie Chapman

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: cammie.l.chapman@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/23/2022 4:11:40 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Labor TITLE-SERIES: 42-19

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

RULE NAME: WV Board of Manufactured Housing Construction and Safety

CITE STATUTORY AUTHORITY: §21-9-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/25/2022 12 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brooke M. Farber, Deputy Commissioner/Counsel

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

Charleston, WV 25305

EMAIL: brooke.m.farber@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/16/2022 11:13:36 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Public Service Commission TITLE-SERIES: 150-38

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

RULE NAME: Rules for the Government of Pole Attachments

CITE STATUTORY AUTHORITY: 24-1-1, 24-1-7, 24-2-1, 24-2-2, 31G-4-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 08/01/2022 4 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Karen Buckley, Executive Secretary

ADDRESS: PO Box 812

Charleston, WV 25323

EMAIL: jneal@psc.state.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

6/16/2022 10:34:22 AM

Office of West Virginia Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Public Service Commission TITLE-SERIES: 150-40

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

RULE NAME: Trench Sharing Rule

CITE STATUTORY AUTHORITY: 17-2E-5

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 08/01/2022 4 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Karen Buckley, Executive Secretary

ADDRESS: PO Box 812

Charleston, WV 25323

EMAIL: jneal@psc.state.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/23/2022 3:24:04 PM
Office of West Virginia Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Health TITLE-SERIES: 64-84

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: MEDICAL EXAMINER REQUIREMENTS FOR POSTMORTEM INQUIRIES

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

61-12-16

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

PRIMARY CONTACT:

NAME: April Robertson

ADDRESS: One Davis Square Suite 100 E

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PHONE NUMBER: 304-558-9149

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

FILED

2022 JUN 21 A 8:31

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Higher Education Policy Commission

RULE: 133 CSR 02. Higher Education Finance Policy

STATUTORY AUTHORITY: W. Va. Code §§ 18B-1-6 and 18B-1B-4.

DATE FILED AS AN EMERGENCY RULE: June 13, 2022.

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

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

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

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

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

Additional notes or comments (if any):

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

Orders Report

Docket Number	Agency	Respondent	Date Rendered

None Received This Week

FILED
WV SECRETARY OF STATE
JUNE 22, 2022 02:41 PM

WEST VIRGINIA Department of Health & Human Resources
BUREAU FOR PUBLIC HEALTH
Office of Medical Cannabis

May 20, 2022

TECHNICAL ADVISORY GUIDANCE
INFORMATION REQUIRES IMMEDIATE ATTENTION

To: All Medical Cannabis Licensees in West Virginia

Issuing Agency: West Virginia Bureau for Public Health/Office of Medical Cannabis

Effective Date: June 1, 2022

RE: Destruction/Disposal of Medical Cannabis at Dispensaries

The West Virginia Department of Health and Human Resources, Bureau for Public Health, Office of Medical Cannabis (OMC) is issuing this technical advisory to provide updated guidance on destruction/disposal of medical cannabis. Currently, licensees are required to return any products which are defective, damaged, expired, or contaminated to the grower/processor from which they received the cannabis. This advisory permits the licensee to destroy/dispose of medical cannabis at their retail location. In order to perform this action in the retail location, medical cannabis products must be destroyed and rendered unusable by using the methods set forth in this advisory.

The dispensary shall notify OMC regarding plans for destruction. Notification shall include the date and time the cannabis will be rendered unusable and disposed of. If the dispensary designates the destruction of medical cannabis on the same day and time weekly, communication of that day and time shall be sufficient to comply with this paragraph. Any change in the date and time must be communicated to OMC. All waste and unusable product shall be weighed, recorded, and entered into the inventory tracking system (METRC) prior to rendering it unusable. The destruction of medical cannabis must be conducted by no fewer than two employees. One of these employees must be a member of management at the retail store. A book of record shall be kept at the dispensary that includes the date, time, and names of personnel involved in the destruction process. The destruction must be conducted in a designated limited-access area with fully functioning video surveillance. All external refuse containers shall be maintained in a locked condition.

Unless otherwise required by local, state, or federal waste management authorities, the allowable method for rendering medical cannabis waste unusable is by thermal treatment or melting; shredding, grinding, or tearing; incorporating the medical cannabis waste with other municipal waste; and/or incorporating the

350 Capitol Street, Rm 523 ♦ Charleston, WV 25301 ♦ 304.356.5090 ♦ fax 304.558.0035 ♦ omc.wv.gov
email ♦ medcanwv@wv.gov

OTHER

waste with other ground material so the resulting mixture is at least fifty-one percent (51%) non-cannabis waste. Other methods to render cannabis waste unusable must be approved by OMC before implementation. The two categories of acceptable waste in which cannabis may be included are as follows:

Compostable waste in which cannabis is to be disposed of as compost feedstock or in another organic waste method may be mixed with the following types of waste materials:

a) Food waste;

b) Yard waste;

c) Vegetable-based grease or oils; or

d) Other wastes as approved by OMC (e.g., agriculture material, biodegradable products and paper, clean wood, fruits and vegetables, plant material).

Non-compostable mixed waste in which cannabis is to be disposed of in a landfill or by another disposal method may be mixed with the following types of waste materials:

a) Paper waste;

b) Cardboard waste;

c) Plastic waste;

d) Soil; or

e) Other wastes as approved by OMC (e.g., non-recyclable plastic, cat litter, pharmaceutical waste disposal solution).

Medical cannabis waste rendered using the methods described above can be disposed of at a permitted solid waste facility. The waste must be transported by a third-party waste hauler for final disposition. The dispensary must disclose to the waste hauler that cannabis waste is contained in the material being disposed of. Examples of acceptable permitted solid waste facilities include:

a) Compostable mixed waste: compost, anaerobic digester, or other facility.

b) Non-compostable mixed waste: landfill, incinerator, or other facility.

350 Capitol Street, Rm 523 ♦ Charleston, WV 25301 ♦ 304.356.5090 ♦ fax 304.558.0035 ♦ omc.wv.gov
email ♦ medcanwv@wv.gov

FILED
WV SECRETARY OF STATE
JUNE 22, 2022 02:42 PM

OTHER

WEST VIRGINIA Department of Health & Human Resources
BUREAU FOR PUBLIC HEALTH
Office of Medical Cannabis

May 20, 2022

TECHNICAL ADVISORY GUIDANCE
INFORMATION REQUIRES IMMEDIATE ATTENTION

To: All Medical Cannabis Licensees in West Virginia

Issuing Agency: West Virginia Bureau for Public Health/Office of Medical Cannabis

Effective Date: June 1, 2022

RE: Updated Procedure for New Employee Background Checks

The West Virginia Department of Health and Human Resources, Bureau for Public Health, Office of Medical Cannabis (OMC) has revised the employee background check process. An Employee Background Request Form has been added under the industry tab on the OMC website, omc.wv.gov.

Industry members must complete this form and electronically submit it to OMC once an employee has been to IdentoGO for fingerprinting. It is most important to note that the IdentoGO process and submission of information to them will continue as is.

Once both the Employee Background Request Form and the results from IdentoGO have been reviewed by OMC, the primary contact will be notified of the results via the contact information listed on the online form, replacing the requirement to email OMC for employee background check results.

350 Capitol Street, Rm 523 ♦ Charleston, WV 25301 ♦ 304.356.5090 ♦ fax 304.558.0035 ♦ omc.wv.gov
email ♦ medcanwv@wv.gov

FILED
2022 JUN 16 A 10:12
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

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

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

June 16, 2022

NEWS ITEM

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

June 13, 2022 - Boone Memorial Hospital, Inc., Madison, Boone County, CON File #22-2-12445-P, for the development of an ambulatory care center at 80 Friendly Neighbor Plaza, Suite C, Chapmanville, Logan County; capital expenditure: $82,000.

June 13, 2022 - Boone Memorial Hospital, Inc., Madison, Boone County, CON File #22-3-12446-H, for the renovation of an existing building located at 448 Smoot Avenue, Danville, Boone County, into a medical pavilion where the hospital will relocate certain existing services including an existing ambulatory care center; capital expenditure: $14,135,572.80.

June 15, 2022 - Appalachian Regional Healthcare, Inc. d/b/a Beckley ARH Hospital, Lexington, Kentucky, CON File #22-1-12444-H, for the provision of elective therapeutic cardiac catheterization services at Beckley ARH Hospital, Raleigh County; capital expenditure: $41,500.

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

The review cycle begins on **June 15, 2022**.

On or before **July 15, 2022**, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing

100 Dee Drive • Charleston, West Virginia 25311-1600 • 304.558.7000 • 304.558.4776/Fax • www.hca.wv.gov

is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will be **July 20, 2022**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications.

The Decision on the projects referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decisions will be issued on or before **August 15, 2022**.

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

6/16/22
Date

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

OTHER

FILED
WV SECRETARY OF STATE
JUNE 21, 2022 11:34 AM

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

June 21, 2022

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **June 16, 2022**.

LETTER OF INTENT RECEIVED

June 14, 2022 - Cabell Huntington Hospital, Inc., Huntington, Cabell County, CON File #22-2-12454-A, for the acquisition of the membership interests of Pleasant Valley Hospital, Inc.; capital expenditure: $49,600,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

June 16, 2022 - Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #22-1-12452-P, for the development of an ambulatory health care facility providing pediatric endocrinology services at 252 Rural Acres Drive, Beckley, Raleigh County; capital expenditure: $150,000.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

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

EXPEDITED APPLICATIONS

June 13, 2022 - Boone Memorial Hospital, Inc., Madison, Boone County, CON File #22-2-12445-P, for the development of an ambulatory care center at 80 Friendly Neighbor Plaza, Suite C, Chapmanville, Logan County; capital expenditure: $82,000.

June 13, 2022 - Boone Memorial Hospital, Inc., Madison, Boone County, CON File #22-3-12446-H, for the renovation of an existing building located at 448 Smoot Avenue, Danville, Boone County, into a medical pavilion where the hospital will relocate certain existing services including an existing ambulatory care center; capital expenditure: $14,135,572.80.

June 15, 2022 - Appalachian Regional Healthcare, Inc. d/b/a Beckley ARH Hospital, Lexington, Kentucky, CON File #22-1-12444-H, for the provision of elective therapeutic cardiac catheterization services at Beckley ARH Hospital, Raleigh County;

capital expenditure: $41,500.

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

June 15, 2022 – Review cycle begins;

July 15, 2022 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to affected persons;

July 20, 2022 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application;

August 15, 2022 – Decision on the project will be issued by the Authority.

PROJECTS DETERMINED NOT REVIEWABLE

June 14, 2022 - WVUHS Home Care, LLC, Morgantown, Monongalia County, CON File #22-9-12442-X, for the relocation of a home health branch office from 130 East Burr Blvd., Suite 1, Kearneysville, Jefferson County to 1314 Edwin Miller Blvd., Suite 101, Martinsburg, Berkeley County; capital expenditure: $10,000.

June 14, 2022 - WVUHS Home Care, LLC, Morgantown, Monongalia County, CON File #22-8-12443-X, for the relocation of a hospice branch office from 433 Mineral Street, Keyser, Mineral County to 1952 New Creek Highway, Keyser, Mineral County; capital expenditure: $10,000.

June 14, 2022 - WVUHS Home Care, LLC, Morgantown, Monongalia County, CON File #22-8-12447-X, for the relocation of a home health branch office from 433 Mineral Street, Keyser, Mineral County to 1952 New Creek Highway, Keyser, Mineral County; capital expenditure: $10,000.

June 15, 2022 - West Virginia United Health System, Inc. d/b/a West Virginia University Health System (WVUHS), Morgantown, Monongalia County, CON File #22-6-12441-X, for the transfer of physician employment from one WVUHS subsidiary to another; no capital expenditure.

June 15, 2022 - Hometown Care LLC, Belington, Barbour County, CON File #22-7-12448-X, for a complete relocation from 320 Crim Avenue, Belington, Barbour County to 63 New Era Village, Belington, Barbour County; no capital expenditure.

CERTIFICATE OF NEED DENIAL ISSUED

June 13, 2022 - Stonewall Jackson Memorial Hospital Company, Weston, Lewis County, CON File #21-7-12157-H, for the relocation of the hospital and construction of a new 29-bed acute care hospital to be located at Staunton Drive, Weston, Lewis County; capital expenditure: $55,950,000.

OTHER

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

THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
CHARLESTON, WEST VIRGINIA

FILED
2022 JUN 21 A 8:46
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

OTHER

ABSTRACT FROM THE RECORDS OF THE
SECRETARY'S ORDERS

DATED

June 16, 2022

WHEREAS, Chapter 5F, Article 2, Section 2, of the Official Code of West Virginia, 1931, as amended, authorizes the Secretary of the Department of Transportation to employ persons, consolidate positions, assign duties and name persons to fill more than one position; and

WHEREAS, the aforementioned Section of the Code further authorizes the Secretary to reorganize internal functions or operations; and

WHEREAS, the aforementioned Section of the Code further authorizes the Secretary to delegate duties to or among employees; and

WHEREAS, the aforementioned Section requires the efficient, effective and economical operation of the Department of Transportation; and

WHEREAS, to promote maximum efficient and effectiveness in carrying out the duties and responsibilities for the full range of transportation services desired by the citizens of West Virginia, and her visitors, by the Department of Transportation, it is necessary and proper to organize the Office of the Secretary of the Department of Transportation and the Division of Highways in the most effective means possible;

NOW, THEREFORE, BE IT RESOLVED that all previous Secretary's Orders, Commissioner's Orders and Organization Charts pertaining to the organization structure of the Office of the Secretary and the Division of Highways be amended; and

BE IT FURTHER ORDERED that the organizational structure and personnel assignments and duties shown on the attached Department of Transportation Organization Chart dated June 16, 2022, are hereby established and will take effect immediately.

All provisions of this ORDER will become effective upon entry.

Entered this 16th day of June 2022.

Jimmy Wriston, P.E.
Secretary of Transportation

Attachment

DISTRIBUTION:

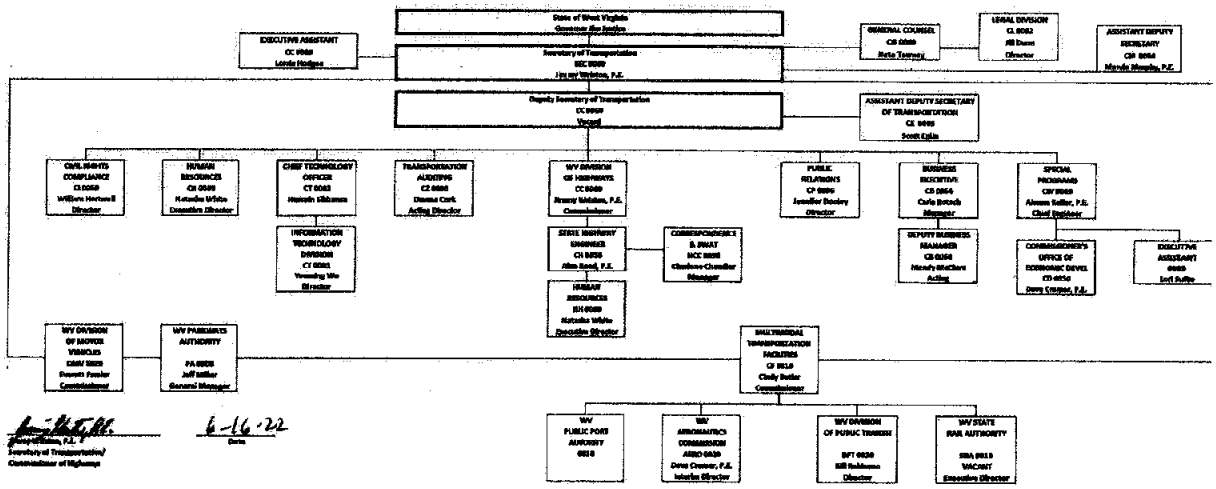
Administrative Staff
Division of Motor Vehicles
Aeronautics Commission
State Rail Authority
Division of Public Transit
WV Parkways Authority
Office of the Governor
Department of Administration
West Virginia State Auditor
Secretary of State
Federal Highway Administration

STATE OF WEST VIRGINIA
WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, TO WIT:

Given under my hand and seal of the Department of Transportation, I do hereby certify that the foregoing is a true abstract from the Orders of the West Virginia Secretary of Transportation, entered of record this 16th day of June 2022.

Charlene C. Chandler
Department of Transportation

West Virginia Department of Transportation
Organizational Chart



6-16-22
Date

FILED
2022 JUN 21 A 8:46
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

OTHER