WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XXXIX

Issue 46

November 18, 2022

A Weekly Publication

Administrative Law Division

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Public Service Commission

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Secretary of State

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NO RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

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
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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
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TITLE	78	HUMAN SERVICES
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TITLE	89	PUBLIC DEFENDER SERVICES
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TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
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TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
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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		7/27/2022	Approved 9/15/2022			
Acupuncture (32-05)	Advertising by Licensed Acupuncturists Legislative	6/29/2022	7/29/2022		7/29/2022	Modified & Approved 9/11/2022 Filed 9/28/2022			
Acupuncture (32-06)	Standards of Practice of Acupuncture by Licensed Acupuncturists Legislative	6/30/2022	7/30/2022		7/30/2022	Modified & Approved 9/11/2022 Filed 9/28/2022			
Acupuncture (32-09)	Continuing Education Requirements Legislative	6/29/2022	7/29/2022		7/29/2022	Modified & Approved 9/11/2022 Filed 9/28/2022			
Administration (148-01)	Purchasing Legislative	6/28/2022	7/28/2022	6/13/2022 Approved 6/13/2022	7/28/2022	Approved 9/11/2022			
Administration (148-03) Sunset Provision	State Owned Vehicles Legislative				10/25/2022				
Administration (148-06) Sunset Provision	Parking Legislative				10/15/2021	Authorized w/Certain Amendments & Approved 9/15/2022			
Agriculture (61-02)	WV Apiary Rule Legislative	6/2/2022	7/2/2022		7/18/2022	Modified & Approved 10/2/22 Filed 10/3/2022			
Agriculture (61-08B)	Schedule of Charges for Inspection Services: Fruit Legislative	4/12/2022	5/11/2022		5/12/2022	Modified & Approved 9/11/2022 Filed 9/22/2022			
Agriculture (61-14A)	Noxious Weeds Rule Legislative	3/30/2022 Hearing Notice 5/5/2022	4/29/2022 Hearing Date 6/9/2022		6/14/2022	Modified & Approved 9/11/2022 Filed 9/22/2022			
Agriculture (61-15)	Grade “A” Pasteurized Milk Legislative	6/14/2022	7/14/2022		7/21/2022	Modified & Approved 9/11/2022 Filed 9/22/2022			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-23D) Sunset Provision	Inspection of Nontraditional, Domesticated Animals Legislative				11/15/2021	Modified & Approved 9/11/2022 Filed 10/26/2022			
Agriculture (61-30)	Hemp Products Legislative	6/28/2022	7/28/2022		7/28/2022	Modified & Approved 9/11/2022 Filed 9/22/2022			
Agriculture (61-31)	Livestock Care Standards Legislative	6/2/2022	7/2/2022		7/18/2022	Modified & Approved 9/11/2022 Filed 9/22/2022			
Agriculture (61-36)	Farm to Food Bank Tax Credit Legislative	4/18/2022	5/18/2022		5/18/2022	Modified & Approved 9/11/2022 Filed 9/22/2022			
Agriculture (61-38)	Farmers Markets Legislative	6/24/2022	7/24/2022		7/25/2022	Modified & Approved 9/11/2022 Filed 9/22/2022			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/1/2022	7/5/2022		7/21/2022	Approved 9/11/2022			
Air Quality (45-30)	Requirements for Operating Permits Legislative	6/1/2022	7/5/2022		7/21/2022	Authorized as Modifed w/ certain Amendments 10/3/2022			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/1/2022	7/5/2022		7/21/2022	Approved 9/11/2022			
Air Quallity (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/1/2022	7/5/2022		7/21/2022	Modified & Approved 9/11/2022 Filed 9/16/2022			
Athletic Commission (177-01)	Administrative Rule of the WV State Athletic Commission Legislative	6/3/2022	7/5/2022		7/26/2022	Modified & Approved 9/11/2022 Filed 10/20/2022			
Athletic Commission (177-02)	Regulation of Mixed Martial Arts Legislative	6/7/2022	7/8/2022		7/27/2022	Modified & Approved 9/11/2022 Filed 10/20/2022			
Auditor (155-03)	Standards for Voluntary Payroll Deductions Legislative	6/27/2022	7/27/2022		7/29/2022	Approved 9/11/2022			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Coal Mine Health and Safety (36-57)	Proximity Detection Systems and Haulage Safety Generally Legislative Exempt	8/12/2022	9/14/2022						
Community & Technical College Education (135-02)	Finance Legislative	6/10/2022	7/13/2022	6/10/2022 Effective 6/10/2022	7/22/2022	Approved 9/11/2022			
Community & Technicial College Education (135-12) Sunset Provision	Capital Project Management Legislative				6/13/2022				
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		7/21/2022	Approved 9/11/2022			
Community & Techncial College Education (135-52)	Annual Reauthorization of Degree-Granting Institutions Legislative	6/13/2022	7/15/2022		7/21/2022	Approved 9/11/2022			
Community & Techncial College Education (135-55) Sunset Provision	Human Resources Administration Legislative				6/13/2022				
Conservation Agency (63-01)	Operation of WV State Conservation Committee and Conservation Districts Legislative	5/2/2022	6/16/2022		7/12/2022	Modified & Approved 9/11/2022 Filed 9/20/2022			
Conservation Agency (63-04)	Conservation District Accounting and Auditing Standards Legislative	5/2/2022	6/16/2022		7/12/2022	Modified & Approved 9/11/2022 Filed 9/20/2022			
Corrections (90-10)	Purchasing Procedure Procedural	10/25/2022	11/28/2022						
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				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Crime Delinquency and Correction (149-03) Sunset Provision	Protocol for Law Enforcement Response to Domestic Violence Legislative				7/29/2022	Approved 9/28/2022			
Dentistry (5-09)	Application Procedures for Licensure or Certificate Procedural	7/22/2022	8/23/2022					10/25/2022	12/1/2022
Dentistry (5-15)	Dental Recovery Networks Legislative	6/16/2022	7/18/2022		7/22/2022	Modified & Approved 9/28/2022 Filed 10/4/2022			
Economic Development, WV Dept. of (145-15)	Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program Legislative	6/28/2022	7/28/2022		7/29/2022	Modified & Approved 9/15/2022 Filed 11/1/2022			
Education (126-016)	Regulations for the Education of Students with Exceptionalities (Policy 2419) Legislative Exempt	4/14/2022	5/16/2022					10/12/2022	11/14/2022
Emergency Management (170-06)	Purchasing Policy Procedural	9/23/2022	10/24/2022					10/25/2022	11/25/2022
Emergency Management (170-07)	National Flood Insurance Program Legislative	6/29/2022	7/28/2022		7/29/2022	Modified & Approved 9/11/2022 Filed 9/15/2022			
Environmental Protection, Secretary's Office (60-10)	Purchasing Procedure Procedural	10/17/2022	11/22/2022						
Environmental Protection, Secretary's Office (60-11)	Rules for Reclamation of Solar and Wind Electricity Generating Facilities Legislative	6/27/2022	7/28/2022		7/29/2022	Approved 9/28/2022			
Financial Institutions, Div. of (106-23)	Rule Pertaining to Money Transmission Services Legislative	6/3/2022	7/5/2022		7/27/2022	Modified & Approved 9/11/2022 Filed 9/19/2022			
Fire Commission (87-03)	Hazardous Substance Emergency Response Training Programs Legislative	6/28/2022	7/28/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/5/2022			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Commission (87-05, repeal)	Certification of Home Inspectors Legislative	6/29/2022	7/29/2022		7/29/2022	Approved 9/28/2022			
Fire Commission (87-08)	Volunteer Firefighters' Training, Equipment, and Operating Standards Legislative	6/28/2022	7/28/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/5/2022			
Fire Marshal (103-01)	Certification of Electrical Inspectors Legislative	6/28/2022	7/28/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/5/2022			
Fire Marshal (103-03)	Supervision of Fire Protection Work Legislative	6/28/2022	7/28/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/5/2022			
Fire Marshal (103-05)	Electrician Licensing Rules Legislative	6/28/2022	7/28/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/5/2022			
Fire Marshal (103-07)	Certification of Home Inspectors Legislative	6/29/2022	7/29/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/5/2022			
Funeral Service Examiners (6-01)	Funeral Director, Embalmer, Apprentice, Courtesy Card Holders and Funeral Establishment Requirements Legislative	6/27/2022	7/27/2022	7/27/2022 Approved 8/11/2022	7/27/2022	Modified & Approved 10/2/2022 Filed 10/4/2022			
Funeral Service Examiners (6-02)	Crematory Requirements Legislative	6/27/2022	7/27/2022		7/27/2022	Modified & Approved 10/2/2022 Filed 10/4/2022			
Funeral Service Examiners (6-07)	Fee Schedule Legislative	6/27/2022	7/27/2022	7/27/2022 Approved 8/11/2022	7/27/2022	Modified & Approved 9/28/2022 Filed 10/4/2022			
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 2nd Comment Period Withdrawn 9/1/2022	Modified & Approved 9/28/2022 Filed 10/4/2022			
Health (64-73)	Basic Public Health Service Standards for Local Boards of Health Legislative	6/27/2022	7/27/2022		7/28/2022	Modified & Approved 9/28/2022 Filed 10/14/2022			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-84)	Medical Examiner Requirements for Postmortem Inquiries Legislative	6/23/2022	7/25/2022	6/23/2022 Effective 8/4/2022	7/25/2022	Modified & Approved 9/28/2022 Filed 10/14/2022			
Health (64-110)	Medical Cannabis Program – Growers/Processors Legislative	6/22/2022	7/22/2022		7/22/2022	Approved 9/28/2022			
Health (64-112)	Medical Cannabis Program – Dispensaries Legislative	6/22/2022	7/22/2022		7/22/2022	Approved 9/28/2022			
Health and Human Resources (69-13) Sunset Provision	Development of Methodologies to Examine Needs for Substance Use Disorder Treatment Facilities within the State Legislative				6/22/2022	Modified & Approved 9/11/2022 Filed 10/26/2022			
Health and Human Resources (69-19)	Core Behavioral Health Crisis Services System Legislative	6/24/2022	7/26/2022	6/24/2022 Effective 8/5/2022	7/27/2022	Modified & Approved 9/28/2022 Filed 10/4/2022			
Health Care Authority (65-06) Sunset Provision	Cooperative Agreement Approval and Compliance Legislative				10/5/2022				
Health Care Authority (65-13) Sunset Provision	Financial Disclosure Rule Legislative				8/24/2022	Approved 9/28/2022			
Health Care Authority (65-34)	Uniform Bill Database Legislative	6/29/2022	7/29/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/4/2022			
Higher Education Policy Commission (133-02)	Higher Education Finance Policy Legislative	6/13/2022	7/13/2022	6/13/2022 Effective 6/13/2022	7/29/2022	Approved 9/11/2022			
Higher Education Policy Commission (133-12) Sunset Provision	Capital Project Management Legislative				6/14/2022	Approved 6/12/2022			
Higher Education Policy Commission (133-32)	Tuition and Fee Policy Legislative	6/13/2022	7/13/2022		7/29/2022	Approved 9/11/2022			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Education Policy Commission (133-42) Sunset Provision	West Virginia Higher Education Grant Program Legislative				6/14/2022 Emergency 8/2/2022 Effective 8/2/2022	Approved 6/12/2022			
Higher Education Policy Commission (133-52)	Annual Reauthorization of Degree-Granting Institutions Legislative	6/13/2022	7/13/2022		7/29/2022	Approved 9/11/2022			
Higher Education Policy Commission (133-55) Sunset Provision	Human Resources Administration Legislative				6/14/2022	Approved 6/12/2022			
Highways (157-02)	Disposal, Lease and Management of Real Property and Appurtenant Structures and Relocation Assistance Legislative	6/8/2022	7/8/2022		7/21/2022	Modified & Approved 10/2/2022 Filed 10/3/2022			
Highways (157-03, repeal)	Construction and Reconstruction of State Roads Legislative	6/10/2022	7/11/2022		7/21/2022	Approved 9/28/2022			
Human Services (78-01)	Child Care Centers Licensing Legislative	6/24/2022	7/25/2022		7/27/2022	Modified & Approved 10/3/2022 Filed 10/14/2022			
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		7/27/2022	Approved 9/28/2022			
Human Services (78-18)	Family Child Care Facility Licensing Legislative	6/23/2022	7/25/2022		7/27/2022	Approved 9/28/2022			
Human Services (78-19)	Family Child Care Home Registration Legislative	6/23/2022	7/25/2022		7/27/2022	Modified & Approved 10/3/2022 Filed 10/14/2022			
Human Services (78-20)	Informal and Relative Family Child Care Home Legislative	6/23/2022	7/25/2022		7/27/2022	Modified & Approved 10/3/2022 Filed 10/14/2022			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Human Services (78-21)	Out of School Time Child Care Legislative	6/23/2022	7/25/2022		7/27/2022	Modified & Approved 10/3/2022 Filed 10/14/2022			
Human Services (78-25, repeal)	Goals for Foster Children Legislative	8/9/2022	9/8/2022		9/20/2022	Approved 9/28/2022			
Human Services (78-28)	Deemed Head Start Child Care Center Licenses Legislative	6/23/2022	7/22/2022		7/27/2022	Approved 9/28/2022			
Insurance Comm. (114-11B)	Suitability in Annuity Transactions Legislative	6/2/2022	7/5/2022		7/19/2022	Approved 9/11/2022			
Insurance Comm. (114-99)	Pharmacy Auditing Entities and Pharmacy Benefit Managers Legislative	6/2/2022	7/5/2022		7/19/2022	Modified & Approved 9/11/2022 Filed 9/20/2022			
Insurance Comm. (114-103)	Bail Bondsmen in Criminal Cases Legislative	7/7/2022	8/8/2022	7/1/2022 Approved 8/11/2022 Amendement 10/4/2022 Effective 10/14/2022	8/17/2022	Authorized as Modified w/certain Amendments 10/3/2022 Filed 10/4/2022			
Labor (42-19)	WV Board of Manufactured Housing Construction and Safety Legislative	6/23/2022	7/25/2022		7/26/2022	Modified & Approved 9/11/2022 Filed 9/15/2022			
Labor (42-32)	Supervision of Plumbing Work Legislative	6/29/2022	7/29/2022		7/29/2022	Approved 9/14/2022			
Labor (42-34)	Regulation of HVAC Work Legislative	6/29/2022	7/29/2022		7/29/2022	Modified & Approved 9/11/2022 Filed 9/15/2022			
Labor (42-35) Sunset Provision	Registration of Service Persons and Service Agencies Legislative				11/30/2021	Modified & Approved 9/11/2022 Filed 9/15/2022			
Labor (42-36) Sunset Provision	Registration of Weighing and Measuring Devices Used by Businesses in Commercial Transactions Legislative				11/30/2021	Modified & Approved 9/11/2022 Filed 9/15/2022			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Landscape Architects (9-01)	Registration of Landscape Architects Legislative	6/30/2022	7/30/2022		7/30/2022	Modified & Approved 9/11/2022 Filed 9/22/2022			
Lottery Comm. (179-09)	WV Lottery Sports Wagering Rule Legislative	6/2/2022	7/3/2022		7/21/2022	Approved 9/11/2022			
Medicine (11-01A)	Licensing of Physicians and Podiatric Physicians and Disciplinary Procedures for Applicants, Licensees, Credential Holders Legislative	6/24/2022	7/25/2022	6/24/2022 Effective 8/5/2022	7/27/2022	Approved 9/11/2022			
Medicine (11-01B)	Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/24/2022	7/25/2022	6/24/2022 Effective 8/5/2022	7/27/2022	Approved 9/11/2022			
Medicine (11-08)	Collaborative Pharmacy Practice Legislative	6/29/2022	7/29/2022	7/29/2022 Approved 8/11/2022	7/29/2022	Approved 9/11/2022			
Medicine (11-16)	Prohibiting Sexual Misconduct by Health Care Practitioners Legislative	6/24/2022	7/25/2022		7/28/2022	Approved 9/11/2022			
Mining and Reclamation (38-03)	Rules for Quarrying and Reclamation Legislative	4/6/2022	5/11/2022		5/26/2022	Modified & Approved 9/28/2022 Filed 10/6/2022			
Motor Vehicles (91-01)	Administrative Due Process Legislative	6/29/2022	7/29/2022		7/30/2022	Approved 9/11/2022			
Motor Vehicles (91-04)	Examination and Issuance of Drivers License Legislative	6/28/2022	7/28/2022		7/30/2022	Modified & Approved 9/11/2022 Filed 9/16/2022			
Motor Vehicles (91-05)	Denial, Suspension, Revocation, Disqualification, Restriction, Nonrenewal, Cancellation, Administrative Appeals and Reinstatement of Driving Privileges Legislative	6/29/2022	7/28/2022		7/30/2022	Modified & Approved 9/11/2022 Filed 9/16/2022			
Natural Resources (58-10)	Purchasing Rule Procedural	10/6/2022	11/5/2022					11/16/2022	12/16/2022

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-11) Sunset Provision	Hunting, Fishing, and Other Outfitters and Guides Legislative				11/30/2021	Authorized as Modified w/Certain Amendments & Approved 9/11/2022 Filed 9/29/2022			
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	6/28/2022	7/27/2022		7/29/2022	Authorized w/Certain Amendments &Approved 9/11/2022			
Natural Resources (58-27)	Special Motorboating Regulations Legislative	6/28/2022	7/27/2022		7/29/2022	Approved 9/11/2022			
Natural Resources (58-64) Sunset Provision	Miscellaneous Permits and Licenses Legislative				11/30/2021	Authorized as Modified w/Certain Amendments & Approved 9/11/2022 Filed 9/29/2022			
Optometry (14-12)	Optometric Telehealth Practice Legislative	6/29/2022	7/29/2022	8/25/2022 Admendment 10/4/2022 Effective 11/15/2022	7/30/2022	Modified & Approved 9/16/2022 Filed 9/28/2022			
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/28/2022	7/28/2022	6/28/2022 Effective 8/9/2022	7/29/2022	Approved 9/11/2022			
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/29/2022	7/29/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/17/2022			
Pharmacy (15-02)	Rules for the Uniform Controlled Substances Act Legislative	6/28/2022	7/28/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/17/2022			
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	6/28/2022	7/28/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/17/2022			
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/28/2022	7/28/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/17/2022			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-19)	Inspections Legislative	2/3/2022	3/7/2022	1/6/2022 Approved 1/7/2022 Amendment 10/17/2022 ERD by 11/28/2022	4/4/2022	Modified & Approved 9/28/2022 Filed 10/17/2022			
Pharmacy (15-20)	Donated Drug Repository Program Legislative	6/28/2022	7/28/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/17/2022			
Psychologists (17-06) Sunset Provision	Code of Conduct Legislative				9/7/2022	Approved 9/28/2022			
Public Service Commission (150-05)	Rules for the Government of Sewer Utilities Legislative Exempt	11/3/2022	1/2/2023						
Public Service Commission (150-07)	Rules for the Government of Water Utlities Legislative Exempt	11/3/2022	1/2/2023						
Public Service Commission (150-38)	Rule for the Government of Pole Attachments Legislative Exempt	6/16/2022	8/1/2022					11/14/2022	1/13/2023
Public Service Commission (150-40)	Trench Sharing Rule Legislative Exempt	6/16/2022	8/1/2022					11/14/2022	1/13/2023
Registered Professional Nurses (19-03)	Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct Legislative	5/18/2022	6/16/2022	8/5/2022 Approved 8/11/2022	7/27/2022	Approved 9/11/2022			
Registered Professional Nurses (19-07)	Advanced Practice Registered Nurse Licensure Requirements Legislative	5/16/2022	6/15/2022		7/26/2022	Modified & Approved 9/11/2022 Filed 11/10/2022			
Registered Professional Nurses (19-08)	Limited Prescriptive Authority in Nurses in Advanced Practice Legislative	5/16/2022	6/15/2022		7/26/2022	Modified & Approved 9/11/2022 Filed 11/10/2022			
Registered Professional Nurses (19-11)	Continuing Education and Competence Legislative	5/17/2022	6/15/2022		7/26/2022	Modified & Approved 9/11/2022 Filed 11/10/2022			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Registered Professional Nurses (19-12)	Fees for Services Rendered by the Board Legislative	5/17/2022	6/16/2022		7/26/2022	Modified & Approved 9/11/2022 Filed 11/10/2022			
Registered Professional Nurses (19-14)	Practitioner Requirements for Accessing the WV Controlled Substances Monitoring Program Database Legislative	5/16/2022	6/15/2022		7/26/2022	Modified & Approved 9/11/2022 Filed 11/10/2022			
Registered Professional Nurses (19-16)	Telehealth Practice; Requirements; Definitions Legislative	5/16/2022	6/15/2022		7/26/2022	Approved 9/12/2022			
Secondary School Activities Comm. (127-02)	Athletics, Provisions Governing Eligibility Legislative Exempt	9/15/2022	10/17/2022					11/10/2022	1/9/2023
Secondary School Activities Comm. (127-03)	Provisions Governing Contests Legislative Exempt	9/15/2022	10/17/2022					11/10/2022	1/9/2023
Secretary of State (153-13)	Early Voting In-Person Satellite Precincts Legislative	6/30/2022	7/31/2022		8/1/2022	Modified & Approved 9/11/2022 Filed 11/10/2022			
Secretary of State (153-25)	Combined Voter Registration and Driver Licensing Fund Legislative	6/27/2022	7/28/2022		7/29/2022	Modified & Approved 9/11/2022 Filed 11/10/2022			
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	6/30/2022	7/31/2022	6/2/2022 Effective 7/14/2022	8/1/2022	Modified & Approved 9/11/2022 Filed 11/10/2022			
Sec. of WV DHHR and WV Insurance Commissioner (114A-03)	All-Payer Claims Database – Submission Manual Legislative	6/28/2022	7/28/2022		7/29/2022				
State Police (81-10)	WV State Police Professional Standards Investigations, Employee Rights, Early Identification System, Psychological Assessment and Progressive Discipline Legislative	6/29/2022	7/28/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/14/2022			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Approved 7/1/2022	7/29/2022	Modified & Approved 9/28/2022 Filed 10/17/2022			
Tax (110-13DD) Sunset Provision	Farm-To-Food Bank Tax Credit Legislative				3/25/2022	Approved 9/11/2022			
Tax (110-13X)	WV Film Industry Investment Act Legislative	6/3/2022	7/3/2022		7/26/2022	Modified & Approved 9/11/2022 Filed 9/26/2022			
Tax (110-22) Sunset Provision	Property Transfer Tax Legislative				3/25/2022	Approved 9/11/2022			
Tax (110-28)	Municipal Sales and Use Tax Administration Legislative	6/3/2022	7/3/2022		7/26/2022	Modified & Approved 9/11/2022 Filed 9/26/2022			
Tax (110-42) Sunset Provision	Personnel Rule for the Tax Division Legislative				3/25/2022	Approved 9/11/2022			
Treasurer (112-05)	Enforcement of the Uniform Unclaimed Property Act Legislative	6/27/2022	7/27/2022		7/29/2022	Modified & Approved 9/11/2022 Filed 9/15/2022			
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 Admendment 10/13/2022 ERD by 11/24/2022	4/21/2022				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Treasurer (112-20)	Jumpstart Savings Program Legislative	5/19/2022	6/20/2022	5/20/2022 Effective 7/1/2022 Amendment 8/4/2022 Approved 8/11/2022 Amendment 9/30/2022 Effective 11/11/22	7/22/2022	Modified & Approved 9/11/2022 Filed 9/15/2022			
Veterinary Medicine (26-02)	Disciplinary and Complaint Procedures of the West Virginia Board of Veterinary Medicine Procedural	10/24/2022	11/30/2022						
Waste Management, Div. of Water & Waste Mgmt. (33-10)	Recycling Assistance Grant Program Legislative	6/29/2022	7/29/2022		7/29/2022	Approved 9/28/2022			
Waste Management, Div. of Water & Waste Mgmt. (33-13)	Reclamation of Abandoned and Dilapidated Properties Grant Program Legislative	6/28/2022	7/28/2022		7/29/2022	Modified & Approved 9/28/2022 Filed 10/14/2022			

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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11/17/2022 9:09:48 AM
Office of West Virginia
Secretary Of State

Legislative

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-23

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: W.Va. Code §§22A-2A-1001 and 22A-2A-308 (a)

RULE NAME: 56-23 Operating Diesel Equipment in Underground Mines in West Virginia

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

5 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[ ] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [ ] INCORPORATED BY REFERENCE [ ]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

Summary of Content: The legislative rule governs the use and operation of diesel powered equipment in underground coal mines in West Virginia.
Purpose: The legislative rule establishes the standards, procedures and interpretative guidelines under which diesel powered equipment may be used in an underground coal mine in the state of West Virginia.
There are no proposed changes to the existing rule other than to extend the sunset date of the rule.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

W. Va. Code § 22A-2A-101 sets forth that diesel powered equipment for use in underground coal mines may only be approved, operated and maintained in accordance with state code and rules promulgated by the Director of the West Virginia Office of Miners' Health, Safety and Training. Diesel equipment continues to be used in underground coal mines and the continuation of required legislative rules implementing the provisions of WV code and providing for the safe operation of diesel powered equipment is necessary so that coal operators may continue to use diesel powered equipment in a safe, legal manner in West Virginia.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

Neutral

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

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11/14/2022 10:38 AM
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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

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

RULE TYPE: Legislative Exempt Amendment to Existing Rule: No 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

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

January 13, 2023

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

Yes

Janet A Terry -- 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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11/14/2022 10:39 AM

Office of West Virginia
Secretary Of State

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

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 Rules

CITE STATUTORY AUTHORITY: 17-2E-5.

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

January 13, 2023

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

Yes

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

Legislative

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11/10/2022 11:58:03 AM

Office of West Virginia
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NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Registered Nurses WV Board of

RULE TYPE: Legislative TITLE-SERIES: 19-07

RULE NAME: Advanced Practice Registered Nurse Licensure Requirements

CITE AUTHORITY: 30-7-4

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Michael Payne -- 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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11/10/2022 12:01:24 PM

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Secretary Of State

Legislative

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Registered Nurses WV Board of

RULE TYPE: Legislative TITLE-SERIES: 19-08

RULE NAME: Limited Prescriptive Authority for Nurses in Advanced Practice

CITE AUTHORITY: 30-7-15a

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Michael Payne -- 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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MAC WARNER

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11/10/2022 12:21:47 PM

Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Registered Nurses WV Board of

RULE TYPE: Legislative TITLE-SERIES: 19-11

RULE NAME: Continuing Education and Competence

CITE AUTHORITY: 30-7-4 and 30-1-4

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Michael Payne -- 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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ADMINISTRATIVE LAW DIVISION

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11/10/2022 12:22:55 PM

Office of West Virginia
Secretary Of State

Legislative

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Registered Nurses WV Board of

RULE TYPE: Legislative TITLE-SERIES: 19-12

RULE NAME: Fees for Services Rendered by the Board

CITE AUTHORITY: 30-7-4, 30-7-8a and 30-1-4

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Michael Payne -- 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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MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
11/10/2022 11:56:33 AM

Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Registered Nurses WV Board of

RULE TYPE: Legislative TITLE-SERIES: 19-14

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

CITE AUTHORITY: 60A-9-5A

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Michael Payne -- 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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MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
11/10/2022 11:25 AM
Office of West Virginia
Secretary Of State

Legislative

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

AGENCY: Secondary School Activities Commission TITLE-SERIES: 127-02

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

RULE NAME: Athletics, Provisions Governing Eligibility (Series 2)

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:

January 9, 2023

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.

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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11/10/2022 11:34 AM
Office of West Virginia
Secretary Of State

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

AGENCY: Secondary School Activities Commission TITLE-SERIES: 127-03

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

RULE NAME: Provisions Governing Contests (Series 3)

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:

January 9, 2023

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.

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
11/10/2022 3:29:45 PM

Office of West Virginia
Secretary Of State

Legislative

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Secretary Of State

RULE TYPE: Legislative TITLE-SERIES: 153-13

RULE NAME: Early In-Person Satellite Precincts

CITE AUTHORITY: W. Va. Code 3-3-2a(c)

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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
11/10/2022 3:31:58 PM

Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Secretary Of State

RULE TYPE: Legislative TITLE-SERIES: 153-25

RULE NAME: Combined Voter Registration and Driver Licensing Fund

CITE AUTHORITY: W. Va. Code 3-1A-6

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

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11/10/2022 3:39:33 PM

Office of West Virginia
Secretary Of State

Legislative

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Secretary Of State

RULE TYPE: Legislative TITLE-SERIES: 153-54

RULE NAME: Administrative Procedures for the Nonpublic Funding for Election Administration Fund

CITE AUTHORITY: W. Va. Code 3-1-9(e), (f)

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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
11/16/2022 11:20 AM
Office of West Virginia
Secretary Of State

Procedural

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

AGENCY: Natural Resources TITLE-SERIES: 58-10

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

RULE NAME: Purchasing Rule

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

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

December 16, 2022

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

Yes
James 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.

Orders Report

Docket Number	Agency	Respondent	Date Rendered
21-1C-02031	Insurance Commission	Randy Young, Agent for Western & Southern Life Assurance Company	11/1/2022
21-1C-02031	Insurance Commission	Western & Southern Life Assurance Company	11/1/2022
22-1C-02151	Insurance Commission	Trumbell Insurance Company, The Hartford	11/14/2022
03-FY-2023	Medical Imaging And Radiation Therapy Technology Board Of Examiners	Cynthia Boninsegna	11/14/2022
04-FY-2023	Medical Imaging And Radiation Therapy Technology Board Of Examiners	Cheryl Russell	11/10/2022
01-FY-2023	Medical Imaging And Radiation Therapy Technology Board Of Examiners	Miranda Schrack	11/15/2022

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2021-0258-KanCH2	Terry Ray Shafer	Kanawha-Charleston Health Department	8/25/2022
2022-0306-DOC2	Kimberly Ellen Gibson	Division Of Rehabilitation Services	9/29/2022
		Division Of Personnel	9/29/2022
2022-0387-DOT	Samantha Ball	Division Of Highways	10/3/2022
2022-0841-GraED	Joshua Campbell	Grant County Board Of Education	10/5/2022
2022-0868-DHS	Anthony Joe Elkins	Department of Homeland Security	10/5/2022
		Southwestern Regional Jail and Correctional Facility	10/5/2022
2023-0144-WVSU	Azam Bejou	West Virginia State University	10/11/2022
2023-0205-DodED	Annette Benson	Doddridge County Board Of Education	10/11/2022
2022-0658-CONS	Michael Horton, et al.,	Mercer County Board Of Education	10/11/2022
2023-0222-WetED	Kelly Jo Lloyd	Wetzel County Board Of Education	10/11/2022
2023-0033-WetED	Shawna Kendle	Wetzel County Board Of Education	10/13/2022
2023-0004-DodED	Jan Nichols	Doddridge County Board Of Education	10/13/2022
2023-0255-DOR	Patrick Clagett	Tax Department	10/14/2022
2022-0015-DOT	Lisa Spurlock	Division Of Highways	10/14/2022
2020-0812-DHHR	Debbie Buckhannon	Health And Human Resources	10/17/2022
		William R. Sharpe, Jr. Hospital	10/17/2022
2022-0161-DHHR	Brandi Galiano	Health And Human Resources	10/17/2022
		Bureau For Children And Families	10/17/2022
2022-0071-DHS	Matthew Sean Hill	Department of Homeland Security	10/17/2022
		Parole Services	10/17/2022
		Division Of Personnel	10/17/2022
2021-0537-DHHR	Chestina D. Mckenzie	Health And Human Resources	10/19/2022
		Mildred Mitchell Bateman Hospital	10/19/2022

11/18/2022 11:49:06 AM

Grievances Report

2023-0206-HanED	**Kelly Firman**	Hancock County Board Of Education	10/20/2022
2022-0877-CONS	**Brandon Ray Kirk**	Southern West Virginia Community and Technical College	10/24/2022
2022-0011-CONS	**Kyrstyn Noe**	Mingo County Board Of Education	10/26/2022
	Sandy Pinson	Mingo County Board Of Education	10/26/2022
2023-0207-JacED	**Gary Braham**	Jackson County Board Of Education	10/26/2022
2023-0105-DOE	**Christopher Blake**	West Virginia Department of Education	10/27/2022
2020-0138-GilED	**Anthony Canfield**	Gilmer County Board Of Education	10/27/2022
2022-0502-MorED	**Ian Helmick**	Morgan County Board Of Education	10/27/2022
2022-0690-DHHR	**Daniel Krause**	Department Of Health And Human Resources	10/27/2022
		Bureau For Children And Families	10/27/2022
2023-0046-GreEd	**Etta Russell**	Greenbrier County Board Of Education	10/27/2022
2023-0254-DOC	**David Lee Bennett**	Division of Labor	10/28/2022
2020-0918-DOT	**Donald Queen, Jr.**	Division Of Highways	10/28/2022
2022-0347-CONS	**Jimmy Lee Artis, Jr.**	Division Of Rehabilitation Services	10/31/2022
		Division Of Personnel	10/31/2022
	Timothy Lee Trail	Division Of Rehabilitation Services	10/31/2022
		Division Of Personnel	10/31/2022

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WV SECRETARY OF STATE
NOVEMBER 16, 2022 02:07 PM

Other

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

Bill J. Crouch
Cabinet Secretary

Rae J. Bates
Interim Executive Director

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

November 16, 2022

NEWS ITEM

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

November 14, 2022 - Charleston Area Medical Center, Inc., Charleston, Kanawha County, West Virginia, CON File #22-5-12530-A, for the acquisition of Ohio Valley Sleep Diagnostics, LLC, a sleep lab providing services at 137 Clay Lick Road, Ripley, Jackson County; capital expenditure: $225,000.

November 15, 2022 - Tender Loving Care Health Care Services of West Virginia, LLC d/b/a Amedisys Home Health Care (TLC Amedisys), Baton Rouge, Louisiana, CON File #22-11-12531-A, for the acquisition of certain assets of Carriage Inn Home Care of West Virginia, Inc. d/b/a Capital Health Home Care; capital expenditure: $500,000.

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

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

On or before **December 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 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 **December 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.

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

The Decision on the project 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 Decision will be issued on or before **January 17, 2023**

A press release will be issued after the Decision is made. Anyone wishing to be directly notified of the Decision should submit a written request to Timothy E. Adkins, Interim Director, Certificate of Need, West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia, 25311. 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.

11/16/2022
Date

Timothy E. Adkins / td
Timothy E Adkins, Interim Director
Certificate of Need
West Virginia Health Care Authority

DISTRIBUTION

David E. Jarrett, Planning Analyst
Charleston Area Medical Center

Robert L. Coffield
Flaherty Sensabaugh Bonasso

The Honorable Andrew "Mac" Warner
Secretary of State

Dennis Garrison, Director, Consumer Advocacy Division
West Virginia Insurance Commission

Other

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WV SECRETARY OF STATE
NOVEMBER 14, 2022 11:01 AM

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

November 14, 2022

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **November 10, 2022**.

CERTIFICATE OF NEED APPLICATION RECEIVED

November 10, 2022 - Charleston Area Medical Center, Inc., Charleston, Kanawha County, West Virginia, CON File #22-5-12530-A, for the acquisition of Ohio Valley Sleep Diagnostics, LLC, a sleep lab providing services at 137 Clay Lick Road, Ripley, Jackson County; capital expenditure: $225,000.

NOTICE OF PUBLIC COMMENT PERIOD

Proposed Certificate of Need Standards

The West Virginia Health Care Authority (HCA) has scheduled a public comment period to receive comments on the following proposed Certificate of Need Standards:

- **Birthing Centers**
- **In-Home Personal Care**

Written comments may be submitted in care of Tiffany Dempsey, Secretary, Certificate of Need, at the address set forth below and must be received no later than **4:00 p.m. on December 14, 2022**. Copies of the proposed Standards set forth above have been filed with the Secretary of State. The Standards may be viewed at the Authority's website, www.hcawv.org, or copies may be obtained by contacting our officer at (304) 558-7000.

PROJECTS EXEMPT FROM REVIEW

November 9, 2022 - Monarch RAL LLC, New Market, Maryland, CON File #22-9-12527-X, for the purchase of Countryside Assisted Living located at 1228 Berkeley Station Rd, Martinsburg, Berkeley County, West Virginia.

November 9, 2022 - Progressive Treatment Solutions d/b/a CARES, Huntington, Cabell County, West Virginia, CON File #22-2-12528-X, for the development of an outpatient behavioral health facility in Huntington, Cabell County, West Virginia.

November 9, 2022 - Families R Us, LLC, Princeton, Mercer County, West Virginia, CON File #22-1-12532-X, for the development of a behavioral health counseling services provider to be located at 109 Thorn Street, Suite A, Princeton, Mercer County, West Virginia.

November 10, 2022 - LOTUS Recovery Center, LLC, Malden, Kanawha County, West Virginia, CON File #22-3-12542-X, for the development of a licensed behavioral health center program to be located at 4202 Malden Drive, Malden, Kanawha County, West Virginia.

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

Other

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WV SECRETARY OF STATE
NOVEMBER 17, 2022 03:03 PM

Date: November 17, 2022

NOTICE OF COMMENT PERIOD ON A PROPOSED AUTOMOBILE LIABILITY INSURANCE RATE INCREASE

Pursuant to West Virginia Code Section **§33-20-4(l)**, a comment period has been established during which any interested person may submit written comments on the following proposed automobile liability insurance rate increase.

Insurance Company: Encompass Home and Auto Insurance Company

Proposed Liability Rate Increase:

Encompass Home and Auto Insurance Company 15.21%

Insureds Affected: 8,784

The comment period will end on December 19, 2022, at 4:30 p.m.

Only written comments will be accepted, our mailing address is:

Rates & Forms Division
Re: Liability Increase
West Virginia Offices of the Insurance Commissioner
P. O. Box 50540
Charleston, WV 25305-0540