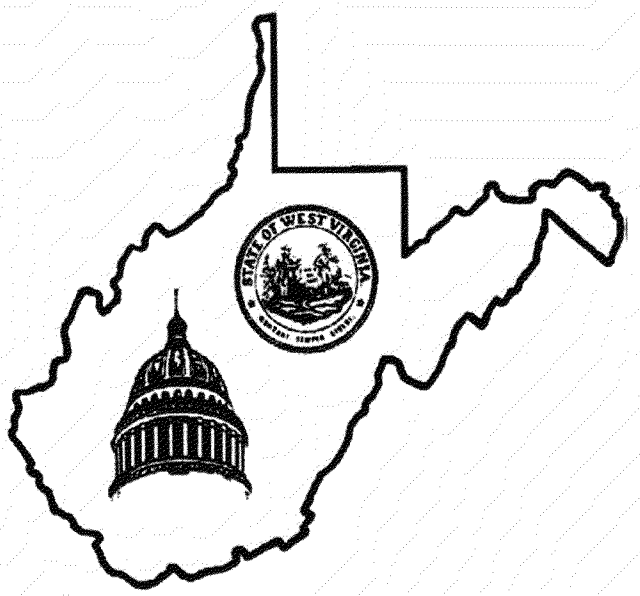

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Administrative Law Division

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

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Health

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Labor

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RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION
Labor (42-18)	Board Organization and Hearing Procedural	§231-9-4, 29A-5-1 et seq.	Written Comments Only: April 28, 2023 1pm Brooke Farber 1900 Kanawha Blvd East, Capitol Complex Building 3, Room 200 Charleston, WV 25305 brooke.m.farber@wv.gov
Secretary of State (153-01)	Electronic Filing and Formatting of Rules Procedural	§29A-2-6(c)	Written Comments Only: April 28, 2023 12:00pm Maureen Lewis 1900 Kanawha Blvd East, Bldg 1 Suite 157K Charleston, WV 25305 mlewis@wvsos.gov

NO EMERGENCY RULES FILED THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	EFFECTIVE DATE	DATE NOTICE OF HEARING

Office of the Secretary of State
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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

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

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	2	ARCHITECTS
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED PROFESSIONAL NURSES
TITLE	20	SANITARIANS
TITLE	22	FORESTRY
TITLE	24	OSTEOPATHIC MEDICINE
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE	30	RESPIRATORY CARE
TITLE	31	DIETITIANS
TITLE	32	ACUPUNCTURE
TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE	35	OIL AND GAS
TITLE	36	COAL MINE HEALTH AND SAFETY
TITLE	38	MINING AND RECLAMATION
TITLE	42	LABOR
TITLE	45	AIR QUALITY
TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH AND HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	87	FIRE COMMISSION
TITLE	89	PUBLIC DEFENDER SERVICES
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
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
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TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
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TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-01)	Board Rules and Rules of Professional Conduct Legislative	5/12/2022	7/1/2022		7/27/2022	Approved 9/15/2022	Bundled SB361	3/30/2023	4/1/2023
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	Bundled SB361		
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	Bundled SB361		
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	Bundled SB361		
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	Bundled HB2638		
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	Bundled HB2638		
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	Bundled SB361		
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	Bundled SB361		
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	Bundled SB361		
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	Bundled SB361		

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	Bundled SB361		
Agriculture (61-30)	Hemp Products Legislative	6/28/2022	7/28/2022		7/28/2022	Modified & Approved 9/11/2022 Filed 9/22/2022	Bundled SB361		
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	Bundled SB361		
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	Bundled SB361		
Agriculture (61-37) Sunset Provision	Agritourism Legislative				12/15/2022				
Agriculture (61-38)	Farmers Markets Legislative	6/24/2022	7/24/2022		7/25/2022	Modified & Approved 9/11/2022 Filed 9/22/2022	Bundled SB361		
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	Bundled HB2640		
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 Filed 12/20/2022	Bundled HB2640		
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/1/2022	7/5/2022		7/21/2022	Approved 9/11/2022	Bundled HB2640		
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	Bundled HB2640		
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	Bundled SB361		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled SB361		
Auditor (155-03)	Standards for Voluntary Payroll Deductions Legislative	6/27/2022	7/27/2022		7/29/2022	Approved 9/11/2022	Bundled SB361		
Community & Technical College Education (135-02)	Performance-Based Funding Formula Legislative	6/10/2022	7/13/2022	6/10/2022 Effective 6/10/2022	7/22/2022	Approved 9/11/2022	HB2800	3/16/2023	4/16/2023
Community & Technicial College Education (135-12) Sunset Provision	Capital Project Management Legislative				6/13/2022		HB2800	3/16/2023	4/16/2023
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	HB2800	3/20/2023	4/20/2023
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	HB2800	3/20/2023	4/20/2023
Community & Techncial College Education (135-55) Sunset Provision	Human Resources Administration Legislative				6/13/2022		HB2800	3/20/2023	4/20/2023
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	Bundled SB361		
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	Bundled SB361		
Crime Delinquency and Correction (149-03) Sunset Provision	Protocol for Law Enforcement Response to Domestic Violence Legislative				7/29/2022	Approved 9/28/2022	Bundled SB335		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled SB361		
Dietitians (31-01)	Licensure And Renewal Requirements Legislative	3/14/2023	4/14/2023						
Dietitians (31-05)	Continuing Professional Education Requirements Legislative	3/14/2023	4/14/2023						
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	Bundled SB409		
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	Bundled SB335		
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	Bundled HB2640		
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	Bundled SB345		
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	Bundled SB335		
Fire Commission (87-05, repeal)	Certification of Home Inspectors Legislative	6/29/2022	7/29/2022		7/29/2022	Approved 9/28/2022	Bundled SB335		
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	Bundled SB335		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled SB335		
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	Bundled SB335		
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	Bundled SB335		
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	Bundled SB335		
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	Bundled SB361		
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	Bundled SB361		
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	Bundled SB361		
Health (64-14) Sunset Provision	Assisted Living Facilities Legislative				2/16/2023				
Health (64-17)	Food Establishments Legislative							3/30/2023	4/1/2023
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	Bundled HB2648	3/30/2023	4/1/2023
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	Bundled HB2648	3/30/2023	4/1/2023

RULE MONITOR

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	Bundled HB2648	3/30/2023	4/1/2023
Health (64-91) Sunset Provision	Newborn Screening System Legislative				2/16/2023				
Health (64-110)	Medical Cannabis Program – Growers/Processors Legislative	6/22/2022	7/22/2022		7/22/2022	Approved 9/28/2022	Bundled HB2648	3/30/2023	4/1/2023
Health (64-112)	Medical Cannabis Program – Dispensaries Legislative	6/22/2022	7/22/2022		7/22/2022	Approved 9/28/2022	Bundled HB2648	3/30/2023	4/1/2023
Health and Human Resources (69-08) Sunset Provision	Chronic Pain Management Clinic Licensure Legislative				2/16/2023				
Health and Human Resources (69-12) Sunset Provision	Medication Assisted Treatment-Office-Based Medication-Assisted Treatment Legislative				2/16/2023				
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	Bundled HB2648	3/30/2023	3/31/2023
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	Bundled HB2648	3/30/2013	4/1/2023
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	Bundled HB2648	3/30/2023	4/1/2023
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	Bundled HB2648	3/30/2023	4/1/2023

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Education Policy Commission (133-02)	Performance-Based Funding Formula Legislative	6/13/2022	7/13/2022	6/13/2022 Effective 6/13/2022	7/29/2022	Approved 9/11/2022	HB2800	3/1/2023	4/1/2023
Higher Education Policy Commission (133-12) Sunset Provision	Capital Project Management Legislative				6/14/2022	Approved 6/12/2022	HB2800	3/1/2023	4/1/2023
Higher Education Policy Commission (133-32)	Tuition and Fee Policy Legislative	6/13/2022	7/13/2022		7/29/2022	Approved 9/11/2022	HB2800	3/1/2023	4/1/2023
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	HB2800	3/1//2023	4/1/2023
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	HB2800	3/1/2023	4/1/2023
Higher Education Policy Commission (133-55) Sunset Provision	Human Resources Administration Legislative				6/14/2022	Approved 6/12/2022	HB2800	3/2/2023	4/2/2023
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	Bundled SB356		
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	Bundled HB2648	3/30/2023	4/1/2023
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	Bundled HB2648	3/30/2023	6/28/2023
Human Services (78-18)	Family Child Care Facility Licensing Legislative	6/23/2022	7/25/2022		7/27/2022	Approved 9/28/2022	Bundled HB2648	3/30/2023	4/1/2023

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled HB2648	3/30/2023	4/1/2023
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	Bundled HB2648	3/30/2023	4/1/2023
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	Bundled HB2648	3/30/2023	4/1/2023
Human Services (78-25, repeal)	Goals for Foster Children Legislative	8/9/2022	9/8/2022		9/20/2022	Approved 9/28/2022	Bundled HB2648		
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	Bundled HB2648	3/30/2023	4/1/2023
Insurance Comm. (114-11B)	Suitability in Annuity Transactions Legislative	6/2/2022	7/5/2022		7/19/2022	Approved 9/11/2022	Bundled SB345	3/29/2023	6/8/2023
Insurance Comm. (114-27) Sunset Provision	Aids Regulations Legislative				3/29/2023				
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	Bundled SB345	3/29/2023	4/1/2023
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	Bundled SB345	3/29/2023	4/1/2023
Labor (42-18)	Board Organization and Hearing Procedural	3/29/2023	4/28/2023						
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	Bundled SB409		
Labor (42-32)	Supervision of Plumbing Work Legislative	6/29/2022	7/29/2022		7/29/2022	Approved 9/14/2022	Bundled SB409		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled SB409		
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	Bundled SB409		
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	Bundled SB409		
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	Bundled SB361		
Lottery Comm. (179-09)	WV Lottery Sports Wagering Rule Legislative	6/2/2022	7/3/2022		7/21/2022	Approved 9/11/2022	Bundled SB345	3/28/2023	3/28/2023
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	Bundled SB361		
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	Bundled SB361		
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	Bundled SB361		
Medicine (11-12) Sunset Provision	Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows Legislative				11/21/2022				
Medicine (11-16)	Prohibiting Sexual Misconduct by Health Care Practitioners Legislative	6/24/2022	7/25/2022		7/28/2022	Approved 9/11/2022	Bundled SB361		
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	Bundled HB2640		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Motor Vehicles (91-01)	Administrative Due Process Legislative	6/29/2022	7/29/2022		7/30/2022	Approved 9/11/2022	Bundled SB356		
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	Bundled SB356		
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	Bundled SB356		
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	Bundled SB409		
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	Bundled SB409		
Natural Resources (58-27)	Special Motorboating Regulations Legislative	6/28/2022	7/27/2022		7/29/2022	Approved 9/11/2022	Bundled SB409		
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	Bundled SB409		
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	HB2719 SB388		
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	Bundled SB361		
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	Bundled SB361		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Bundled SB361		
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	Bundled SB361		
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	Bundled SB361		
Pharmacy (15-19)	Inspections Legislative	2/3/2022	3/7/2022	1/6/2022 Approved 1/7/2022 Amendment 10/17/2022 Effective 11/28/2022	4/4/2022	Modified & Approved 9/28/2022 Filed 10/17/2022	Bundled SB361		
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	Bundled SB361		
Psychologists (17-06) Sunset Provision	Code of Conduct Legislative				9/7/2022	Approved 9/28/2022	Bundled SB361		
Registered 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	Bundled SB361		
Registered 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	Bundled SB361		
Registered 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	Bundled SB361		
Registered 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	Bundled SB361		

RULE MONITOR									
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Registered 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	Bundled SB361		
Registered 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	Bundled SB361		
Registered Nurses (19-16)	Telehealth Practice; Requirements; Definitions Legislative	5/16/2022	6/15/2022		7/26/2022	Approved 9/12/2022	Bundled SB361		
Secretary of State (153-01)	Electronic Filing and Formatting of Rules Procedural	3/29/2023	4/28/2023						
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	Bundled SB361		
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	Bundled SB361		
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	Bundled SB361		
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	Recommend Rejection 12/5/2022	Bundled HB2648		
THE ABOVE RULE WAS DISAPPROVED IN HB2648, §64-5-2, EFFECTIVE MARCH 6, 2023									
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	Bundled SB335		
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	Bundled SB345		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-13DD) Sunset Provision	Farm-To-Food Bank Tax Credit Legislative				3/25/2022	Approved 9/11/2022	Bundled SB345		
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	Bundled SB345		
Tax (110-15K) Sunset Provision	Aircraft Operated Under A Fractional Ownership Program Legislative				3/28/2023				
Tax (110-21B) Sunset Provision	Citizen Tax Credit for Property Taxes Paid Legislative				12/30/2022				
Tax (110-22) Sunset Provision	Property Transfer Tax Legislative				3/25/2022	Approved 9/11/2022	Bundled SB345		
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	Bundled SB345		
Tax (110-42) Sunset Provision	Personnel Rule for the Tax Division Legislative				3/25/2022	Approved 9/11/2022	Bundled SB345		
Tax (110-49) Sunset Provision	Administration of Tax on Purchases of Wine and Liquor Legislative				12/30/2022				
Tax Appeals (121-01)	Rules of Practice and Procedure Before the West Virginia Office of Tax Appeals Procedural	12/19/2022	1/23/2023						
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	Bundled SB361		

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 Admendment 10/13/2022 Effective 11/24/2022 Amendment 1/4/2023 Effective 2/15/2023	4/21/2022	Modified & Approved 1/25/2023 Filed 1/25/2023	Bundled SB361		
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	Bundled SB361		
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	Bundled HB2640		
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	Bundled HB2640		

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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3/30/2023 3:33:05 PM

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2023 MAR 30 A 8:40

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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

AGENCY: Accountancy TITLE-SERIES: 1-01

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

RULE NAME: Board Rules and Rules of Professional Conduct

CITE STATUTORY AUTHORITY: WV Code 30-9-5

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

Authorization is cited in (house or senate bill number) 361

Section Article 9 Passed On 3/11/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2032

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

Yes
Kristi Justice -- 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 DIVISION OF CORRECTIONS & REHABILITATION

POLICY DIRECTIVE UPDATES

NUMBER	DATE	SUBJECT
410.15	12 April 2023	Hospice Care for Inmates
424.01	12 April 2023	Medical Co-Payments & Health Services Requests
504.00	12 April 2023	Tablet Program

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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3/30/2023 4:08:53 PM

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

AGENCY: Health

TITLE-SERIES: 64-17

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

RULE NAME: FOOD ESTABLISHMENTS

CITE STATUTORY AUTHORITY: 16-1-4

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(a) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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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3/30/2023 12:54:21 PM

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Secretary Of State

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

AGENCY: Health

TITLE-SERIES: 64-26

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

RULE NAME: PROCEDURES PERTAINING TO THE DANGEROUSNESS ASSESSMENT ADVISORY BOARD

CITE STATUTORY AUTHORITY: 27-6A-2

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(b) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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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3/30/2023 12:59:10 PM

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Legislative

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

AGENCY: Health

TITLE-SERIES: 64-73

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

RULE NAME: BASIC PUBLIC HEALTH SERVICE STANDARDS FOR LOCAL BOARDS OF HEALTH

CITE STATUTORY AUTHORITY: 16-1-6

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(c) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

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: 61-12-3 and 61-12-16

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(d) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Health

TITLE-SERIES: 64-110

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

RULE NAME: MEDICAL CANNABIS PROGRAM GROWER/PROCESSORS

CITE STATUTORY AUTHORITY: 16A-3-1

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(e) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

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

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(f) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Health And Human Resources TITLE-SERIES: 69-13

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

RULE NAME: DEVELOPMENT OF METHODOLOGIES TO EXAMINE NEEDS FOR SUBSTANCE USE DISORDER TREATMENT FACILITIES WITHIN THE STATE

CITE STATUTORY AUTHORITY: 16-53-3

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(i) Passed On 3/6/2023 12:00:00 AM

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

March 31, 2023

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

August 01, 2028

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

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3/30/2023 3:52:19 PM

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

AGENCY: Health And Human Resources TITLE-SERIES: 69-19

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

RULE NAME: CORE BEHAVIORAL HEALTH CRISIS SERVICES SYSTEM

CITE STATUTORY AUTHORITY: 16-42-6

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(j) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

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3/30/2023 3:45:01 PM

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Legislative

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

AGENCY: Health Care Authority TITLE-SERIES: 65-13

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

RULE NAME: FINANCIAL DISCLOSURE RULE

CITE STATUTORY AUTHORITY: 16-29B-8 AND 16-29B-24

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(g) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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
3/30/2023 3:47:56 PM

Office of West Virginia
Secretary Of State

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

AGENCY: Health Care Authority TITLE-SERIES: 65-34

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

RULE NAME: UNIFORM BILL DATABASE

CITE STATUTORY AUTHORITY: 16-29b-24

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(h) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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
3/30/2023 1:16:23 PM

Office of West Virginia
Secretary Of State

Legislative

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

AGENCY: 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

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(k) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes
April L Robertson -- 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
3/30/2023 4:05:21 PM

Office of West Virginia
Secretary Of State

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

AGENCY: 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: 27-17-3

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(l) Passed On 3/6/2023 12:00:00 AM

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

June 28, 2023

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

August 01, 2028

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

Yes
April L Robertson -- 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
3/30/2023 12:08:50 PM

Office of West Virginia
Secretary Of State

Legislative

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

AGENCY: 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 REQUIREMENTS

CITE STATUTORY AUTHORITY: 49-2-121

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(m) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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
3/30/2023 12:13:29 PM

Office of West Virginia
Secretary Of State

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

AGENCY: 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 REQUIREMENTS

CITE STATUTORY AUTHORITY: 49-2-121

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(n) Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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
3/30/2023 12:20:08 PM

Office of West Virginia
Secretary Of State

Legislative

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

AGENCY: 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 REGISTRATION REQUIREMENTS

CITE STATUTORY AUTHORITY: 49-2-121

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(o)

Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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
3/30/2023 12:36:19 PM

Office of West Virginia
Secretary Of State

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

AGENCY: 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 CENTER LICENSING REQUIREMENTS

CITE STATUTORY AUTHORITY: 49-2-121

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(p)

Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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
3/30/2023 12:38:21 PM

Office of West Virginia
Secretary Of State

Legislative

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

AGENCY: 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

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

Authorization is cited in (house or senate bill number) HB2648

Section 64-5-1(r)

Passed On 3/6/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

April L Robertson -- 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
3/29/2023 12:35:09 PM

Office of West Virginia
Secretary Of State

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

AGENCY: Insurance Commission

TITLE-SERIES: 114-11B

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: SUITABILITY IN ANNUITY TRANSACTIONS

CITE STATUTORY AUTHORITY: W.Va. Code 33-2-10

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

Authorization is cited in (house or senate bill number) Senate Bill 345

Section §64-7-2(a)

Passed On 3/10/2022 12:00:00 AM

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

June 8, 2023

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

August 01, 2028

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

Yes

Anoop Bhasin -- 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
3/28/2023 3:49:19 PM

Office of West Virginia
Secretary Of State

Legislative

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Insurance Commission TITLE-SERIES: 114-27

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: W.Va. Code §§33-2-10 and 16-3C-2

RULE NAME: 114-27 AIDS Regulations

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:

The purpose of this rule is to comply with W.Va. Code §16-3C-2, which requires the Insurance Commissioner to develop standards regarding consent for use by insurers which test for the presence of HIV antibodies.

This rule establishes standards for AIDS-related underwriting questions and AIDS testing in connection with applications for life insurance policies. Specifically, it governs medical and lifestyle application questions and underwriting guidelines, sets forth a testing protocol for AIDS-related or HIV testing of life insurance applicants, and establishes notice and consent forms.

There are no changes being proposed to this rule except for an extension of the sunset date.

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

W.Va. Code §16-3C-2 requires the Insurance Commissioner to develop standards regarding consent for use by insurers which test for the presence of HIV antibodies. Accordingly, the Insurance Commissioner promulgated 114 CSR 27 in 1991 and has amended it multiple times between 1991 and 2003. Most recently, the rule was amended in 2019 by the Legislature directly in Senate Bill 545 (2019) at the request of the American Council for Life Insurers (ACLI), which represents the life insurance industry.

Life insurers often test for HIV in processing life insurance applications. The 2003 version of 114 CSR 27 set forth a specific HIV antibody testing protocol that insurers were required to follow. In 2019, the testing protocol in the 2003 version of this rule was alleged to be outdated by the life insurance industry, which is understandable given that testing technology is consistently advancing. To allow for future advancements, the amendments made to 114 CSR 27 in Senate Bill 545 (2019), struck the explicit testing protocol and left in place a more general testing protocol. The remaining requirement says that no proposed insured may be denied coverage or rated a substandard risk based on HIV testing unless acceptable testing protocol is followed including the use of FDA-licensed tests. No further specific testing protocol is noted or required.

The Insurance Commissioner is suggesting no further changes to this rule, but is only requesting a sunset date extension.

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
3/29/2023 12:23:26 PM

Office of West Virginia
Secretary Of State

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

AGENCY: Insurance Commission TITLE-SERIES: 114-27

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

RULE NAME: 114-27 Aids Regulations

PRIMARY CONTACT

NAME: Erin K Hunter

ADDRESS: 900 Pennsylvania Ave 9th Floor

Charleston, WV 25302

EMAIL: erin.k.hunter@wv.gov

PHONE NUMBER: 304-414-8487

CITE STATUTORY AUTHORITY: W.Va. Code §§33-2-10 and 16-3C-2

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:

W.Va. Code 33-2-10 gives the Insurance Commissioner general rulemaking authority in regard to the regulation of the insurance industry. However, W.Va. Code §16-3C-2(i) also requires the Insurance Commissioner to develop standards regarding consent for use by insurers which test for the presence of HIV antibodies.

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: No

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

PUBLIC HEARING: No

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
3/29/2023 12:30:09 PM

Office of West Virginia
Secretary Of State

Legislative

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

AGENCY: Insurance Commission TITLE-SERIES: 114-99

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

RULE NAME: PHARMACY AUDITING ENTITIES AND PHARMACY BENEFIT MANAGERS

CITE STATUTORY AUTHORITY: W. Va. Code §§33-51-8, 33-51-9, 33-51-10, 33-51-12 and 33-2-10

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

Authorization is cited in (house or senate bill number) House Bill 4112 (2022)

Section W.Va. Code §§ 33-51-8, 9, 10 Passed On 3/12/2022 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

Anoop Bhasin -- 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
3/29/2023 5:09:30 PM

Office of West Virginia
Secretary Of State

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

AGENCY: Insurance Commission TITLE-SERIES: 114-103

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

RULE NAME: BAIL BONDSMEN IN CRIMINAL CASES

CITE STATUTORY AUTHORITY: W. Va. Code §§33-2-10 and 51-10-8

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

Authorization is cited in (house or senate bill number) Senate Bill 345

Section §64-7-2(c) Passed On 3/10/2023 12:00:00 AM

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

April 1, 2023

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

August 01, 2028

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

Yes

Anoop Bhasin -- 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
3/28/2023 4:01:50 PM

Office of West Virginia
Secretary Of State

Legislative

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

AGENCY: Lottery Commission TITLE-SERIES: 179-09

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

RULE NAME: West Virginia Lottery Sports Wagering Rule

CITE STATUTORY AUTHORITY: W. Va. Code §29-22D-4(c), W. Va. Code §29-22A-1 et seq., and W. Va. Code §29A-3-15.

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

Authorization is cited in (house or senate bill number) C.S. SB 345

Section W. Va. Code §64-7-3 Passed On 3/10/2023 12:00:00 AM

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

March 28, 2023

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

August 01, 2028

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

Yes

Anoop Bhasin -- 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
3/28/2023 8:55:16 AM

Office of West Virginia
Secretary Of State

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

AGENCY: Tax TITLE-SERIES: 110-15K

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

RULE NAME: Aircraft Operated Under a Fractional Ownership Program

PRIMARY CONTACT

NAME: Mark S Morton

ADDRESS: PO Box 1005

Charleston, WV 25324

EMAIL: taxlegal@wv.gov

PHONE NUMBER: 304-558-5330

CITE STATUTORY AUTHORITY: W. Va. Code §11 15-9p

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:

West Virginia Code §11-15-9p states that the Tax Commissioner shall propose rules for legislative approval to establish the eligibility requirements for the exemption established by that section. West Virginia Code §11-15-9p deals with the exemption for purchases of services and tangible personal property sold for the repair, remodeling and maintenance of aircraft operated under a fractional ownership program. West Virginia Code §11-10-5 also gives the Tax Commissioner the authority to make all need rules and regulations for taxes to which the Tax Procedure and Administration Act applies, which would include the Consumer Sales and Service Tax and the Use Tax.
Pursuant to this statutory authority, the rule contains sections that do the following: define terms, explain the exemption from the Consumer Sales and Service Tax, explain the exemption from Use Tax, and set forth the procedures for claiming the exemption.

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: No

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
3/29/2023 10:10:45 AM
Office of West Virginia
Secretary Of State

Procedural

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Labor TITLE-SERIES: 42-18

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

RULE NAME: Board Organization and Hearing

CITE STATUTORY AUTHORITY: W. Va. Code §21-9-4 and §29A-5-1 et seq.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 04/28/2023 1 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brooke Farber

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
3/29/2023 11:06:25 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Secretary Of State TITLE-SERIES: 153-01

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

RULE NAME: Electronic Filing And Formatting Of Rules

CITE STATUTORY AUTHORITY: §29A-2-6(c)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 04/28/2023 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Maureen Lewis

ADDRESS: 1900 Kanawha Blvd East, Bldg. 1 Suite 157K

Charleston, WV 25305

EMAIL: mlewis@wvsos.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

Orders Report

Docket Number	Agency	Respondent	Date Rendered
07-FY-2023	Medical Imaging And Radiation Therapy Technology Board Of Examiners	Kayla G. Moore	3/28/2023
0622A	Veterinary Medicine	Julia Carson-Thomas	3/23/2023

3/30/2023 4:44:17 PM

FILED
WV SECRETARY OF STATE
MARCH 27, 2023 08:51 AM

Other

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

March 27, 2023

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **March 24, 2023**.

LETTER OF INTENT RECEIVED

March 20, 2023- Saint Francis Hospital and THS Physician Partners, Inc, CON File #23-3-12654-P, for the development of an ambulatory health care facility in Hurricane, Putnam County, West Virginia; capital expenditure, $88,000.

PROJECTS DETERMINED NOT REVIEWABLE

March 20, 2023- Crittenton Services d/b/a Wellspring Family Services, CON File #23-6-12626-X, for the relocation of their office from 827 Fairmont Road, Westover, Monongalia County, to 20 Scott Avenue, Morgantown, Monongalia County, West Virginia; capital expenditure, $497,955.73.

March 24, 2023- Cabell Huntington Hospital, Inc, CON File #23-2-12648-X, for the cessation of the ambulatory surgery services at Cabell Huntington Hospital's Surgery Center, Huntington, Cabell County, West Virginia, effective April 29, 2023; capital expenditure, $0.

March 24, 2023- Cabell Huntington Hospital, Inc, CON File #23-2-12647-X, for the cessation of Cabell Huntington Hospital Home Health Services, Cabell County, West Virginia, effective June 11, 2023; capital expenditure, $0.

PROJECTS EXEMPT FROM REVIEW

March 21, 2023- Charleston Area Medical Center, Inc, CON File #23-3-12629-X, to provide physician specialty services via a mobile clinic throughout the Vandalia Health System footprint at facilities operated by the Vandalia Health System and at existing health care facilities both within that footprint and across the state that request CAMC physician specialists, West Virginia.

CERTIFICATE OF NEED APPROVAL ISSUED

March 20, 2023- Jackson General Hospital, CON File #23-5-12607-P, for the acquisition of an ambulatory health care facility in Jackson County, West Virginia, through the development of an urgent care center; capital expenditure, $60,000.

March 20, 2023- Princeton Community Hospital, CON File #23-1-12603-P, for the development of an ambulatory care center in Mercer County; capital expenditure, $422,000.

March 20, 2023- Thomas Memorial Hospital, CON File #22-3-12525-P, for the development of an ambulatory health care facility in South Charleston; capital expenditure, $2,780,000.

March 20, 2023- Appalachian Regional Healthcare, Inc. d/b/a Beckley ARH Hospital, CON File #22-1-12444-H, for the provision of elective therapeutic cardiac catheterization services at BARH; capital expenditure, $41,500.

March 20, 2023- Boone Memorial Hospital, Inc, CON File #22-2-12445-P, for the development of an ambulatory care center at 80 Friendly Neighbor Plaza, Suite C, Chapmanville, Logan County, West Virginia; capital expenditure; $82,000.

NOTICE OF SUBSTANTIAL COMPLIANCE

The following project has been implemented in substantial compliance with the decision issued in this matter and the case file is now closed:

March 20, 2023- Potomac Valley Hospital, CON File #21-8-12328-P, for the development of a walk-in/urgent care clinic in Keyser, Mineral County, West Virginia; capital expenditure, $827,636.

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