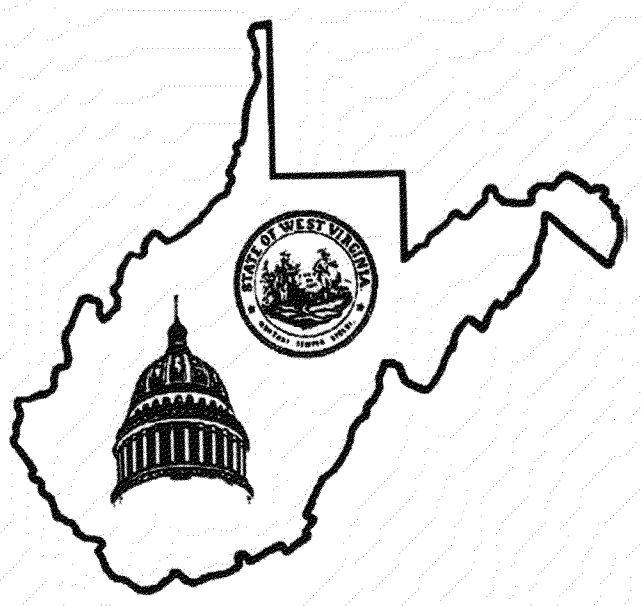

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Administrative Law Division

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Other Documents or Information Filed

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

Administration

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Barbers and Cosmetologists

Dentistry, WV Board of

Education

Health and Human Resources

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Health Care Authority

Medicine, West Virginia Board of

Public Service Commission

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Treasurer

Waste Management Division of Water and Waste Management

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RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION
Barbers and Cosmetologists (3-01)	Procedures, Criteria and Curricula for Examination and Licensure of Barbers, Cosmetologists, Nail Technicians, Aestheticians, and Hair Stylists Legislative	§30-27-5 and 30-27-6	Written Comments Only: May 31, 2023 5:00pm Danielle J. Cordle 1201 Dunbar Ave Dunbar, WV 25064 danielle.j.cordle@wv.gov
Barbers and Cosmetologists (3-15)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	§30-1-23	Written Comments Only: May 15, 2023 5:00pm Danielle J. Cordle 1201 Dunbar Ave Dunbar, WV 25064 danielle.j.cordle@wv.gov
Barbers and Cosmetologists (3-16)	Cosmetology Apprenticeship Legislative	§30-27-8(a)	Written Comments Only: May 31, 2023 5:00pm Danielle J. Cordle 1201 Dunbar Ave Dunbar, WV 25064 danielle.j.cordle@wv.gov
Education (126-044BB)	West Virginia College - and Career – Readiness Standards for Mathematics (Policy 2520.2B) Legislative Exempt	§29A-3B-1, et seq.	Written Comments Only: May 15, 2023 4:00pm Sonya White, Officer of Instructional Leadership and School Improvement WVDE Office of Instructional Leadership and School Improvement Capitol Bldg. 6, Suite 500 1900 Kanawha Blvd., E. Charleston, WV 25305 snjwhite@k12.wv.us
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202) Legislative Exempt	§29A-3B-1, et seq.,	Written Comments Only: May 15, 2023 4:00pm Brad A. Fittro, Coordinator WVDE Certification Services Capitol Bldg. 6, Suite 550 1900 Kanawha Blvd., E. Charleston, WV 25305 bfittro@k12.wv.us

Education (126-161)	Regulations for Alternative Certification Programs for the Education of Teachers (Policy 5901) Legislative Exempt	§29A-3B-1, et seq.,	Written Comments Only: May 15, 2023 4:00pm Robert P. Mellace III, Coordinator WVDE Educator Development and Support Services Capitol Bldg. 6, Suite 550 1900 Kanawha Blvd., E. Charleston, WV 25305 rmellace@k12.wv.us
Public Service Commission (150-25)	Rules Governing Emergency Telephone Service Legislative Exempt	§24-1-1, 24-1-7, 24-2-1, 24-2-2, 24-6-6b, and 24-6-11	Written Comments Only: June 9, 2023 4:00pm Karen Buckley, Executive Secretary PO Box 812 Charleston, WV 25323 kbuckley@psc.state.wv.us

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
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TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
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TITLE	60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
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TITLE	64	HEALTH
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TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	145	DEVELOPMENT OFFICE
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	155	AUDITOR
TITLE	157	HIGWAYS
TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	4/12/2023	5/5/2023
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	4/13/2023	5/1/2023
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	4/13/2023	5/1/2023
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	4/13/2023	5/1/2023
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	4/13/2023	5/1/2023

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	4/13/2023	5/1/2023
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	3/31/2023	6/1/2023
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	3/31/2023	6/1/2023
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		
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		
Barbers and Cosmetologists (3-01)	Procedures, Criteria and Curricula for Examination and Licensure of Barbers, Cosmetologists, Nail Technicians, Aestheticians, and Hair Stylists Legislative	4/12/2023	5/31/2023						
Barbers and Cosmetologists (3-15)	Application For Waiver Of Initial Licensing Fees For Certain Individuals Legislative	4/7/2023	5/15/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Barbers and Cosmetologists (3-16)	Cosmetology Apprenticeship Legislative	4/10/2023	5/31/2023						
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
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		
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	4/12/2023	4/15/2023
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		
Education (126-044BB)	West Virginia College-and Career-Readiness Standards for Mathematics (Policy 2520.2B) Legislative Exempt	4/13/2023	5/15/2023						
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202) Legislative Exempt	4/13/2023	5/15/2023						
Education (126-161)	Regulations for Alternative Certification Programs for the Education of Teachers (Policy 5901) Legislative Exempt	4/13/2023	5/15/2023						
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		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		
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		
Health (64-14) Sunset Provision	Assisted Living Facilities Legislative				2/16/2023				
Health (64-91) Sunset Provision	Newborn Screening System Legislative				2/16/2023				
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 Care Authority (65-06) Sunset Provision	Cooperative Agreement Approval and Compliance Legislative				10/5/2022				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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
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				
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	3/31/2023	5/1/2023
Labor (42-32)	Supervision of Plumbing Work Legislative	6/29/2022	7/29/2022		7/29/2022	Approved 9/14/2022	Bundled SB409	3/31/2023	5/1/2023
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	3/31/2023	5/1/2023
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		
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		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		
Motor Vehicles (91-01)	Administrative Due Process Legislative	6/29/2022	7/29/2022		7/30/2022	Approved 9/11/2022	Bundled SB356	4/3/2023	5/1/2023
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	4/3/2023	5/1/2023
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	4/3/2023	5/1/2023
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		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	4/5/2023	5/1/2023
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		
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		
Public Service Commission (150-25)	Rules Governing Emergency Telephone Service Legislative Exempt	4/10/2023	6/9/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		
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		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		
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						

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	4/13/2023	6/15/2023
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	4/10/2023	4/10/2023
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

eFILED
4/12/2023 11:49:24 AM

Office of West Virginia
Secretary Of State

Legislative

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

AGENCY: Administration TITLE-SERIES: 148-06

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

RULE NAME: Parking

CITE STATUTORY AUTHORITY: §5A-10-3a(c)

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

Authorization is cited in (house or senate bill number) HB 2638

Section §64-2-1 Passed On 3/2/2023 12:00:00 AM

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

May 5, 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

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/13/2023 2:37:29 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: Agriculture TITLE-SERIES: 61-08B

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

RULE NAME: Schedule Of Charges For Inspection Services: Fruit

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

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

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

Section 64-9-3 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:

May 1, 2023

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

August 01, 2033

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/13/2023 12:08:47 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: Agriculture TITLE-SERIES: 61-14A

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

RULE NAME: Noxious Weeds Rule

CITE STATUTORY AUTHORITY: 19-12D-4

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

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

Section 64-9-3 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:

May 1, 2023

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

August 01, 2033

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/13/2023 1:15:35 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: Agriculture TITLE-SERIES: 61-15

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

RULE NAME: Grade "A" Pasteurized Milk

CITE STATUTORY AUTHORITY: 19-11-E-8(1)

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

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

Section 64-9-3 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:

May 1, 2023

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

August 01, 2033

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/13/2023 2:15:21 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: Agriculture TITLE-SERIES: 61-23D

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

RULE NAME: Inspection of Nontraditional, Domesticated Animals

CITE STATUTORY AUTHORITY: 19-29-1 19-29-4

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

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

Section 64-9-3 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:

May 1, 2023

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

August 01, 2033

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/13/2023 3:45:11 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: Agriculture TITLE-SERIES: 61-30

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

RULE NAME: Hemp Products

CITE STATUTORY AUTHORITY: 19-12E-7

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

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

Section 64-9-3 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:

May 1, 2023

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

August 01, 2033

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/12/2023 9:51:28 AM
Office of West Virginia
Secretary Of State

Legislative

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Barbers And Cosmetologists

TITLE-SERIES: 3-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: PROCEDURES, CRITERIA AND CURRICULA FOR EXAMINATION AND LICENSURE OF BARBERS, COSMETOLOGISTS, NAIL TECHNICIANS, AESTHETICIANS, AND HAIR STYLISTS

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-27-5 and 30-27-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/31/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: DANIELLE J. CORDLE

ADDRESS: 1201 DUNBAR AVE

DUNBAR, WV 25064

EMAIL: danielle.j.cordle@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
4/7/2023 9:32:50 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Barbers And Cosmetologists

TITLE-SERIES: 3-15

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: APPLICATION FOR WAIVER OF INITIAL LICENSING FEES FOR CERTAIN INDIVIDUALS

CITE STATUTORY AUTHORITY: 30-1-23

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/15/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: DANIELLE J. CORDLE

ADDRESS: 1201 DUNBAR AVE

DUNBAR, WV 25064

EMAIL: danielle.j.cordle@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
4/10/2023 4:25:48 PM

Office of West Virginia
Secretary Of State

Legislative

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Barbers And Cosmetologists TITLE-SERIES: 3-16

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

RULE NAME: COSMETOLOGY APPRENTICESHIP

CITE STATUTORY AUTHORITY: 30-27-8(a)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/31/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: DANIELLE J. CORDLE

ADDRESS: 1201 DUNBAR AVE

DUNBAR, WV 25064

EMAIL: danielle.j.cordle@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
4/12/2023 10:41:12 AM

Office of West Virginia
Secretary Of State

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

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

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

RULE NAME: Board of Dentistry Rules for Dental Recovery Networks

CITE STATUTORY AUTHORITY: §30-4-6

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

Authorization is cited in (house or senate bill number) SB361

Section §64-9-7 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 15, 2023

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

August 01, 2033

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/13/2023 9:54:05 AM
Office of West Virginia Secretary Of State

Legislative

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education

TITLE-SERIES: 126-044BB

RULE TYPE: Legislative Exempt

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: West Virginia College- and Career-Readiness Standards for Mathematics (Policy 2520.2B)

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

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/15/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sonya White, Officer of Instructional Leadership and School Improvement

ADDRESS: WVDE Office of Instructional Leadership and School Improvement, Capitol Bldg. 6, Suite 500

1900 Kanawha Blvd., E, Charleston, WV 25305

EMAIL: snjwhite@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/13/2023 10:06:36 AM
Office of West Virginia Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education

TITLE-SERIES: 126-136

RULE TYPE: Legislative Exempt

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202)

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

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/15/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brad A. Fittro, Coordinator

ADDRESS: WVDE Certification Services, Capitol Bldg. 6, Suite 550

1900 Kanawha Blvd., E, Charleston, WV 25305

EMAIL: bfittro@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
4/13/2023 10:10:27 AM
Office of West Virginia
Secretary Of State

Legislative

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-161

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

RULE NAME: Regulations for Alternative Certification Programs for the Education of Teachers (Policy 5901)

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

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/15/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Robert P. Mellace III, Coordinator

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

1900 Kanawha Blvd., E, Charleston, WV 25305

EMAIL: rmellace@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

INCOME MAINTENANCE MANUAL CHANGE FORM

Please Stamp Filing Date
FILED
2023 APR 11 P 2:13
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

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

AGENCY:	**West Virginia Department of Health and Human Resources**	**BUREAU:**	**Family Assistance**
TITLE OF MANUAL TO WHICH POLICY IS BEING FILED:	**Income Maintenance Manual**		
STATE RULE:	**FEDERAL RULE:**	**EFFECTIVE DATE:**	**4/1/2023**
CHANGE NUMBER:	**Updated New Income Maintenance Manual 835**		
CHAPTERS/SECTIONS EFFECTED:	**1, 4, 7, 10, 22 & 26**		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE: This change is being made as a result of the Consolidated Appropriations Act of 2023 (CAA) ends the Medicaid continuous enrollment requirement on March 31, 2023, even though the COVID-19 public health emergency will continue until May 11, 2023. Also, under section 1902(e)(14)(A) of the Act West Virginia will delay the resumption of Medicaid premiums during the unwinding period, April 01, 2023, through March 31, 2024, until a full redetermination is completed.

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

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

Monica Hamilton
Authorized Signature

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

Revision 07/07

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

FILED
2023 APR 12 P 2:09
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Legislative

Jeffrey H. Coben, MD
Interim Cabinet Secretary

April 12, 2023

The Honorable Mac Warner
Secretary of State
State Capitol Building, Suite 157-K
Charleston, West Virginia 25305-0770

Dear Secretary Warner:

Please place within the Orders File of the State Register the attached Order and Fee Schedule revising the licensure fees for health care facilities licensed by the West Virginia Department of Health and Human Resources.

The health facility licensure fees will be increased by 6.45 percent, which is the rate of growth to the Consumer Price Index over a period of 12 months from January 1, 2022, to December 31, 2022, pursuant to the following authorities:

Hospitals and Similar Institutions, W. Va. Code §16-5B-4;
Nursing Homes, W. Va. Code §16-5C-6(e);
Assisted Living Residences, W. Va. Code §16-5D-6(i);
Residential Care Communities, W. Va. Code §16-5N-6(e);
Chronic Pain Management Clinics, W. Va. Code R. §69-8-4.4.1.;
Medication-Assisted Treatment/Opioid Treatment Programs, W. Va. Code R. §69-11-6.3.a.; and
Medication-Assisted Treatment/Office-Based MAT, W. Va. Code R. §69-12-6.3.a.

The new licensure fees will become effective: June 1, 2023.

Sincerely,

Jeffrey H. Coben, MD
Interim Cabinet Secretary

JHC:sdw

Enclosures

cc: Tina Wiseman
Starlah Wilcox

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

FILED
2023 APR 12 P 2:09
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Jeffrey H. Coben, MD
Interim Cabinet Secretary

ORDER

In accordance with the provisions of W. Va. Code §16-5B-4; §16-5C-6(e); §16-5D-6(i); §16-5N-6(e); and W. Va. Code R. §69-8-4.4.a.; §69-11-6.3.a.; and §69-12-6.3.a., the Cabinet Secretary of the Department of Health and Human Resources hereby approves and files with the Secretary of State the attached schedule of licensure fees for certain health care facilities. The adjusted health care facility licensure fees shall become effective June 1, 2023.

Jeffrey H. Coben, MD
Interim Cabinet Secretary

One Davis Square, Suite 100, East • Charleston, West Virginia 25301 • 304-558-0684 • 304-558-1130 (fax) • dhhr.wv.gov

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OFFICE OF WEST VIRGINIA SECRETARY OF STATE

Legislative

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Office of the Inspector General
Office of Health Facility Licensure and Certification

Jeffrey H. Coben, MD
Interim Cabinet Secretary

Sheila Lee
Interim Inspector General

EFFECTIVE: JUNE 1, 2023

Facility Type	Licensure Fees Initial	Licensure Fees Renewal	
Hospitals:			
General, Psychiatric, Rehab			
5-49 Beds	$ 1,287.44	$1,287.44	
50-99 Beds	$ 1,927.20	$1,927.20	
100-199 Beds	$ 2,568.69	$2,568.69	
200 & over	$ 3,215.78	$3,215.78	
Nursing Homes	$ 200.00	$ 26.88	per bed
Assisted Living Residence	$ 65.00	$ 9.56	per bed
Residential Care Communities	$ 75.00	$ 7.12	per bed
Medication Assisted Treatment Programs			
Opioid Treatment Programs:			
1-499 Patients	$ 250.00	$ 627.40	
500-1000 Patients	$ 250.00	$1,254.81	
1001 or more Patients	$ 250.00	$1,882.20	
Office Based Programs:			
1-50 Patients	$ 250.00	$ 313.70	
51-100 Patients	$ 250.00	$ 376.44	
101-200 Patients	$ 250.00	$ 501.91	
201 or more Patients	$ 250.00	$ 627.40	
Chronic Pain Management Clinics			
1-499 Patients	$ 250.00	$ 315.98	
500 - 1000 Patients	$ 250.00	$ 631.99	
1001 or more Patients	$ 250.00	$ 947.98	

408 Leon Sullivan Way, Suite 120 • Charleston, West Virginia 25301
304.558.0050 • 304.558.2515 (fax) • www.wvdhhr.org/oig/ohflac

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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4/10/2023 1:06:39 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Public Service Commission TITLE-SERIES: 150-25

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

RULE NAME: Rules Governing Emergency Telephone Service

CITE STATUTORY AUTHORITY: §§24-1-1, 24-1-7, 24-2-1, 24-2-2, 24-6-6b, and 24-6-11.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/09/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Karen Buckley, Executive Secretary

ADDRESS: PO Box 812

Charleston WV 25323

EMAIL: kbuckley@psc.state.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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4/13/2023 2:12:13 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: Treasurer TITLE-SERIES: 112-18

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

RULE NAME: Hope Scholarship Program

CITE STATUTORY AUTHORITY: §18-31-9

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

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

Section §64-9-17(b) 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:

June 15, 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

James G Fuerhoff -- 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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Office of West Virginia
Secretary Of State

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

AGENCY: Waste Management Division Of Water And Waste Management TITLE-SERIES: 33-10

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

RULE NAME: RECYCLING ASSISTANCE GRANT PROGRAM

CITE STATUTORY AUTHORITY: W.Va. Code 22-15A-19(h)(1)

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

Authorization is cited in (house or senate bill number) 2640

Section 64-3-1(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 10, 2023

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

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

Yes

Jason E Wandling -- 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
22-57-W	Medicine, West Virginia Board Of	Albert Francois Oliver, MD	4/4/2023
22-83-W	Medicine, West Virginia Board Of	Rufina Nwanneka Odigwe, MD	4/4/2023
	Registered Nurses, WV Board of	Stephanie Renee Dingess	3/17/2023

FILED
WV SECRETARY OF STATE
APRIL 10, 2023 11:15 AM

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

April 10, 2023

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **April 7, 2023**.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

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

EXPEDITED APPLICATIONS

March 31, 2023 - Saint Francis Hospital and THS Physicians Partners, Inc. For the development of an ambulatory health care facility in Hurricane, Putnam County, WV, CON File#23-3-12654-P, through the acquisition of the assets of a physician's office and the employment or contracting of the physician and staff. Capital Expenditure $88,000.

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

March 31, 2023 – Review cycle begins;

May 1, 2023 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to affected persons;

May 5, 2023 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application;

May 30, 2023 – Decision on the project will be issued by the Authority.

PROJECTS DETERMINED NOT REVIEWABLE

April 6, 2023- Camden-Clark Physician Corporation and Camden Clark Medical Center, CON File #23-5-12634-X, for the relocation of two physician practices and a diagnostic center, to a single location, Parkersburg, Wood County, West Virginia; capital expenditure not to exceed $3,000,000.

Other

PROJECTS EXEMPT FROM REVIEW

March 30, 2023- WV Family Support and Rehabilitation Services, Inc, CON File #23-3-12655-X, for the development of a 12 bed male veterans residential substance abuse treatment facility at 1010 John Norman Street, Charleston, Kanawha County, West Virginia.

March 30, 2023- The Country Retreat, CON File #23-6-12656-X, for the renovation of a home as an ALF, located at 3712 Coal Lick Road, Albright, Preston 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.