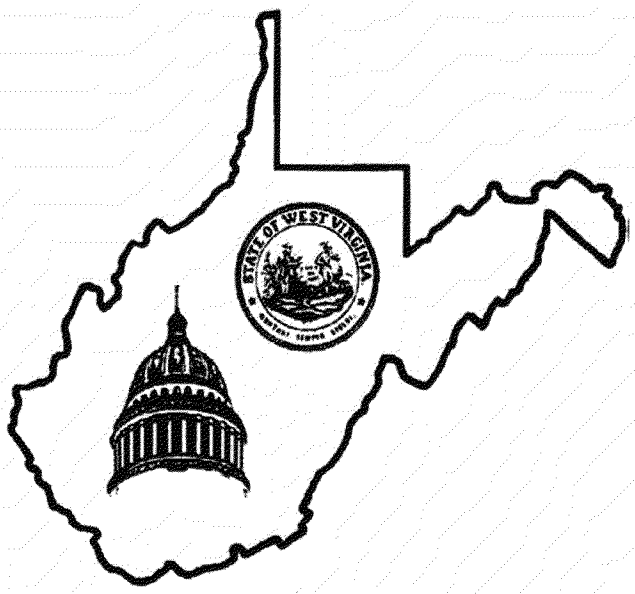

WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XL

Issue 18

May 5, 2023

A Weekly Publication

Administrative Law Division

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

Environmental Protection Secretary's Office

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Labor

Mining and Reclamation

Pharmacy

Prosecuting Attorneys Institute

Respiratory Care

Secretary of State

Underground Facilities Damage Prevention Board

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**
Labor (42-08)	Minimum Wage, Maximum Hours, and Overtime Compensation Legislative	§21-5C-1(h), 21-5C-4, 21-5C-6(a)	Written Comments Only: June 5, 2023, 1:00pm Brooke M. Farber 1900 Kanawha Blvd. East Capitol Complex, Bldg. 3, Room 200 Charleston, WV 25305 brooke.m.farber@wv.gov
Prosecuting Attorneys Institute (168-01)	Payment for Costs of Forensic Medical Examination Procedural	§61-8b-18	Written Comments Only: June 1, 2023, 11:00am Phillip Morrison 1124 Smith Street, Suite 4500 Charleston, WV 25301 phillip.w.morrision@wv.gov
Respiratory Care (30-09)	Student Temporary Permit Legislative	§30-34-6, 30-34-9	Written Comments Only: June 1, 2023, 4:00pm Nancy Massey 106 Dee Dr Ste 1 Charleston, WV 25311 nancy.j.massey@wv.gov
Underground Facilities Damage Prevention Board (214-02)	Rules of Procedure for Complaints and Contested Cases Before the West Virginia Underground Facilities Damage Prevention Board Procedural	§24C-1-2A, 24C-1-9(E)(1)	Written Comments Only: May 29, 2023, 12:00pm Jerry Poage 206 Berkeley St Charleston, WV 25302 jerrypoage@wv811.com

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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
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TITLE	157	HIGWAYS
TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
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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
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	4/14/2023	7/1/2023
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	4/24/2023	5/1/2023
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
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	4/14/2023	5/1/2023
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	4/24/2023	5/1/2023

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-37) 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	4/14/2023	5/1/2023
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						
Barbers and Cosmetologists (3-16)	Cosmetology Apprenticeship Legislative	4/10/2023	5/31/2023						
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	4/26/2023	5/1/2023
Dentistry (5-10)	Practitioner Requirements for Accessing the West Virginia Controlled Substances Monitoring Program Database Legislative	4/19/2023	5/22/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Dietitians (31-01)	Licensure And Renewal Requirements Legislative	3/14/2023	4/14/2023		4/25/2023				
Dietitians (31-05)	Continuing Professional Education Requirements Legislative	3/14/2023	4/14/2023		4/25/2023				
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		
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	4/26/2023	5/1/2023
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	4/28/2023	4/28/2023
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	4/14/2023	7/1/2023

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	4/26/2023	5/1/2023
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	4/26/2023	5/1/2023
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	4/26/2023	5/1/2023
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	4/26/2023	5/1/2023
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	4/27/2023	5/1/2023
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	4/27/2023	5/1/2023
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	4/26/2023	5/1/2023
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				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health Care Authority (65-06) Sunset Provision	Cooperative Agreement Approval and Compliance Legislative				10/5/2022				
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults and Vulnerable and Transitioning Youth Group Homes and Programs in WV Legislative	6/22/2022	7/22/2022		7/27/2022	Approved 9/28/2022	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 (42-08)	Minimum Wage, Maximum Hours, and Overtime Compensation Legislative	5/4/2023	6/5/2023						
Labor (42-18)	Board Organization and Meeting Procedures, Hearing Procedures Procedural	3/29/2023	4/28/2023					5/2/2023	6/5/2023
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
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		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	4/28/2023	4/28/2023
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 Refiled 4/20/2023	5/1/2023 Refiled 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	5/1/2023	5/1/2023
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	5/2/2023	5/2/2023
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	5/2/2023	5/2/2023
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	5/2/2023	5/2/2023
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	5/2/2023	5/2/2023
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	5/2/2023	5/2/2023
Prosecuting Attorneys Institute (168-01)	Payment for Costs of Forensic Medical Examination Procedural	5/1/2023	6/1/2023						
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
Respiratory Care (30-09)	Student Temporary Permit Legislative	4/28/2023	6/1/2023						
Secretary of State (153-01)	Electronic Filing and Formatting of Rules Procedural	3/29/2023	4/28/2023					4/28/2023	5/28/2023
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	4/20/2023	5/1/2023
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 (110-49) 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 (112-18)	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
Underground Facilities Damage Prevention Board (214-02)	Rules of Procedure for Complaints and Contested Cases Before the West Virginia Underground Facilities Damage Prevention Board Procedural	4/28/2023	5/29/2023						

RULE MONITOR

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/28/2023 3:14:12 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: Environmental Protection Secretarys Office TITLE-SERIES: 60-11

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

RULE NAME: RULES FOR RECLAMATION OF SOLAR AND WIND ELECTRICITY GENERATING FACILITIES

CITE STATUTORY AUTHORITY: W.Va. Code 22-32-1 et seq.

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

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

Section 64-3-2 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 28, 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.

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
5/4/2023 10:11:44 AM

Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Labor TITLE-SERIES: 42-08

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

RULE NAME: Minimum Wage, Maximum Hours, and Overtime Compensation

CITE STATUTORY AUTHORITY: §21-5C-1(h); §21-5C-4; and §21-5C-6(a)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/05/2023 1 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brooke M. Farber

ADDRESS: 1900 Kanawha Boulevard East, Capitol Complex, Bldg. 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
4/28/2023 3:05:56 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: Mining And Reclamation TITLE-SERIES: 38-03

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

RULE NAME: RULES FOR QUARRYING AND RECLAMATION

CITE STATUTORY AUTHORITY: 22-1-3 and 22-4-1

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(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 28, 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.

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
5/1/2023 1:41:55 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: Pharmacy TITLE-SERIES: 15-01

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

RULE NAME: Licensure and Practice of Pharmacist Care

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-5-7

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

Authorization is cited in (house or senate bill number) 2577

Section 30-5-7 Passed On 4/13/2013 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

Krista Capehart -- 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
5/2/2023 2:30:55 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: Pharmacy

TITLE-SERIES: 15-02

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: Yes

RULE NAME: Rules of the Board of Pharmacy for the Uniformed Controlled Substance Act

CITE STATUTORY AUTHORITY: W. Va. Code §60A-3-301

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

Authorization is cited in (house or senate bill number) HB 4102

Section 60A-3-301 Passed On 2/6/2020 12:00:00 AM

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

May 2, 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

Krista Capehart -- 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
5/2/2023 3:31:29 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: Pharmacy

TITLE-SERIES: 15-07

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: Yes

RULE NAME: Board of Pharmacy Rules for Registration of Pharmacy Technicians

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-5-7

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

Authorization is cited in (house or senate bill number) HB 2577

Section 30-5-7 Passed On 4/13/2013 12:00:00 AM

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

May 2, 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

Krista Capehart -- 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
5/2/2023 2:40:34 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: Pharmacy TITLE-SERIES: 15-15

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

RULE NAME: Regulations Governing Pharmacy Permits

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-5-7

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

Authorization is cited in (house or senate bill number) HB 2577

Section 30-5-7 Passed On 4/13/2013 12:00:00 AM

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

May 2, 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

Krista Capehart -- 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
5/2/2023 2:46:12 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: Pharmacy TITLE-SERIES: 15-19

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

RULE NAME: Inspection Process for the WV Board of Pharmacy

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-5-7

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

Authorization is cited in (house or senate bill number) HB 2577

Section 30-5-7 Passed On 4/13/2013 12:00:00 AM

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

May 2, 2023

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

August 01, 2027

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

Yes

Krista Capehart -- 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
5/2/2023 3:32:52 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: Pharmacy TITLE-SERIES: 15-20

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

RULE NAME: Donated Drug Repository Program

CITE STATUTORY AUTHORITY: W. Va. Code §60B-1-8

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

Authorization is cited in (house or senate bill number) HB 2817

Section W. Va. Code §60B-1-8 Passed On 3/11/2022 12:00:00 AM

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

May 2, 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

Krista Capehart -- 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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4/28/2023 12:02:58 PM

Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Respiratory Care TITLE-SERIES: 30-09

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

RULE NAME: Student Temporary Permit

CITE STATUTORY AUTHORITY: W. Va. Code 30-34-6 and 30-34-9.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/01/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Nancy Massey

ADDRESS: 106 DEE DR STE 1

CHARLESTON WV 25311

EMAIL: nancy.j.massey@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

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5/1/2023 2:27:01 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: Waste Management Division Of Water And Waste Management

TITLE-SERIES: 33-13

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: RECLAMATION OF ABANDONED AND DILAPIDATED PROPERTIES GRANT PROGRAM

CITE STATUTORY AUTHORITY: W. Va. Code § 22-15A-30

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(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:

May 1, 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.

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
5/2/2023 3:45 PM
Office of West Virginia
Secretary Of State

Procedural

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

AGENCY: Labor TITLE-SERIES: 42-18

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

RULE NAME: Board Organization and Meeting Procedures, Hearing Procedures

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

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

June 5, 2023

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

Yes

Mitchell E Woodrum -- 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
5/1/2023 1:50:29 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Prosecuting Attorneys Institute TITLE-SERIES: 168-01

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

RULE NAME: PAYMENT FOR COSTS OF FORENSIC MEDICAL EXAMINATION

CITE STATUTORY AUTHORITY: W. Va. Code §61-8b-18

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/01/2023 11:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Philip Morrison

ADDRESS: 1124 Smith Street, Suite 4500

Charleston, W.V. 25301

EMAIL: philip.w.morrison@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
4/28/2023 2:58 PM
Office of West Virginia
Secretary Of State

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

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)

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

May 28, 2023

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

Yes

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

Procedural

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
4/28/2023 1:40:45 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Underground Facilities Damage Prevention Board TITLE-SERIES: 214-02

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

RULE NAME: RULES OF PROCEDURE FOR COMPLAINTS AND CONTESTED CASES BEFORE THE WEST VIRGINIA UNDERGROUND FACILITIES DAMAGE PREVENTION BOARD

CITE STATUTORY AUTHORITY: W.VA CODE 24C-1-2A AND WVA CODE 24C-1-9(E)(1)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/29/2023 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: JERRY POAGE

ADDRESS: 206 BERKELEY ST

206 BERKELEY ST

EMAIL: jerrypoage@wv811.com

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

Orders Report

Docket Number	Agency	Respondent	Date Rendered
22-4-12592-P	Health Care Authority	Raleigh General Hospital	4/28/2023
23-IC-02096	Insurance Commissioner	West Virginia Mutual Insurance Company	4/21/2023
23-IC-02130	Insurance Commissioner	American Equity Investment Life Insurance Company	4/28/2023
23-IC-02142	Insurance Commissioner	Enact Mortgage Insurance Corporation	4/28/2023
23-IC-02141	Insurance Commissioner	Enact Financial Assurance Corporation	4/28/2023
23-IC-02140	Insurance Commissioner	Eagle Life Insurance Company	4/28/2023
23-IC-02139	Insurance Commissioner	Continental Heritage Insurance Company	4/28/2023
23-IC-02138	Insurance Commissioner	Consolidated National Insurance Company	4/28/2023
23-IC-02134	Insurance Commissioner	Argonaut Insurance Company	4/28/2023
23-IC-02133	Insurance Commissioner	Argonaut Great Central Insurance Company	4/28/2023
23-IC-02132	Insurance Commissioner	American Inter-Fidelity Exchange	4/28/2023
23-IC-02131	Insurance Commissioner	American Family Life Assurance Company of Columbus	4/28/2023
23-IC-02137	Insurance Commissioner	Colony Specialty Insurance Company	4/28/2023
23-IC-02136	Insurance Commissioner	Caterpillar Insurance Company	4/28/2023
23-IC-02135	Insurance Commissioner	Argonaut-Midwest Insurance Company	4/28/2023

FILED
WV SECRETARY OF STATE
MAY 01, 2023 10:08 AM

Other

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

Jeffrey H. Coben, MD
Interim Cabinet Secretary

Stacy L. Pridemore
Executive Director

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

May 1, 2023

NEWS ITEM

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

April 26, 2023 - Princeton Community Hospital, Princeton, Mercer County, WV, CON File #23-1-12665-P, for the development of an ambulatory health care facility in Mercer County, WV. Capital Expenditure $108,000.00.

April 28, 2023 Charleston Area Medical Center, Inc., Charleston, Kanawha County, WV, CON File #23-3-12666-A, to acquire a controlling interest (70%) in The Eye and Ear Clinic of Charleston, Inc.d/b/a Charleston Surgical Hospital. Capital Expenditure $56,800,000.00.

April 28, 2023 Charleston Area Medical Center, Inc., Charleston, Kanawha County, WV, CON File #23-3-12667-P, to develop an ambulatory care facility at 100 Tracy Way, Charleston, Kanawha County, WV. Capital Expenditure $28,000,000.00.

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

The review cycle begins on **April 28, 2023**.

On or before **May 30, 2023**, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and

location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will be **June, 2, 2023.** After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications.

The Decision on the project referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decision will be issued on or before **June 27, 2023**.

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

May 1, 2023
Date

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

DISTRIBUTION

Raymona Kinneberg, President RKSB Health Care Consulting
David Jarrett, Planning Analyst II Charleston Area Medical Center, Inc.

The Honorable Andrew "Mac" Warner
Secretary of State

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

FILED
WV SECRETARY OF STATE
MAY 01, 2023 11:13 AM

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

Other

May 1, 2023

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **April 28, 2023**.

CERTIFICATE OF NEED APPLICATION RECEIVED

April 24, 2023- Princeton Community Hospital, Princeton, Mercer County, West Virginia, CON File #23-1-12665-P, for the development of an ambulatory health care facility to be located in Mercer County, West Virginia; capital expenditure, $108,000.

April, 27, 2023- Charleston Area Medical Center, Inc, CON File #23-3-12666-A, for the acquisition of controlling ownership interest of approximately seventy percent (70%) in The Eye and Ear Clinic of Charleston, Inc, doing business as Charleston Surgical Hospital. Charleston, Kanawha County, West Virginia; capital expenditure, $56,800,000.

April 27, 2023- Charleston Area Medical Center, Inc, CON File #23-3-12667-P, for the development of an ambulatory health care facility at 100 Tracy Way, Charleston, Kanawha County, West Virginia; capital expenditure, $2,800,000.

ORDER TO WITHDRAW CON APPLICATION ISSUED

April 28, 2023- Raleigh General Hospital, Beckley, Raleigh County, West Virginia, CON File #22-4-12592-P, for the development of an ambulatory health care facility in Fayette County, West Virginia; capital expenditure: $30,000.

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