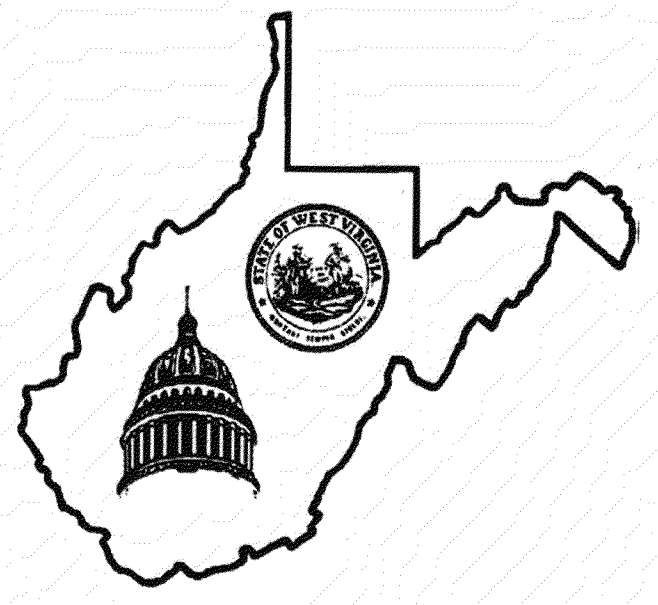

WEST VIRGINIA REGISTER

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A Weekly Publication

Administrative Law Division

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Insurance Commission

Labor

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Motor Vehicles

Professional Surveyors

Racing Commission

Respiratory Care

Tax

Veterinary Medicine

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

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State of West Virginia

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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
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TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
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TITLE	145	DEVELOPMENT OFFICE
TITLE	146	STATE ELECTION COMMISSION
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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

CHRONOLOGICAL INDEX, VOLUME XL ISSUE 23			
RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Health (64-11)	Behavioral Health Centers Licensure Legislative	§27-9-1, 27-17-1 et seq; 27-1A-1 et seq	Written Comments Only: July 5, 2023 4:00pm April L Robertson One Davis Square, Suite 100 E Charleston, WV 25301 april.l.robertson@wv.gov
Health (64-12)	Hospital Licensure Legislative	§16-5b-8	Written Comments Only: July 5, 2023 4:00pm April L Robertson One Davis Square, Suite 100 E Charleston, WV 25301 april.l.robertson@wv.gov
Human Services (67-01, formerly 69-14)	Collection and Exchange of Data Related to Overdoses Legislative	§16-5T-5	Written Comments Only: July 6, 2023, 4:00pm April L. Robertson One Davis Square, Suite 100 E Charleston, WV 25301 april.l.robertson@wv.gov
Insurance Commission (114-100)	Health Benefit Plan Network Access and Adequacy Legislative	§33-2-10 and 33-55-9	Written Comments Only: July 5, 2023, 5:00pm Erin K. Hunter 900 Pennsylvania Ave., 9th Floor Charleston, WV 25302 erin.k.hunter@wv.gov
Insurance Commission (114-103)	Bail Bondsmen in Criminal Cases Legislative	§33-2-10 and 51-10-8	Written Comments Only: July 5, 2023, 5:00pm Erin K. Hunter 900 Pennsylvania Ave., 9th Floor Charleston, WV 25302 erin.k.hunter@wv.gov
Motor Vehicles (91-10)	Handicapped Parking Permits Legislative	§17A-2-9 and 17C-13-6(r)	Written Comments Only: July 7, 2023, 12:00pm Adam Holley 5707 MacCorkle Ave SE Charleston, WV 25317 adam.holley@wv.gov

Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in West Virginia Legislative	§30-13A-6	Written Comments Only: July 7, 2023, 5:00pm WV Board of Professional Surveyors 1124 Smith St Suite 1200 Charleston, WV 25301 amber.legg@wv.gov
Racing Commission (178-01)	Thoroughbred Racing Legislative	§19-23-2(a)	Written Comments Only: July 6, 2023, 5:00pm Joe K. Moore 900 Pennsylvania Avenue Charleston, WV 25302 joe.k.moore@wv.gov
Tax (110-21G)	Income Tax Paid at Entity Level by Electing Pass-Through Entities Legislative	§11-21-3a(p)	Written Comments Only: July 10, 2023, 10:00am Mark S. Morton P.O. Box 1005 Charleston, WV 24324-1005 taxlegal@wv.gov
Tax (110-21H)	Income Tax Credits for Property Taxes Paid Legislative	§29A-2-6(c) and 11-13MM-6	Written Comments Only: July 10, 2023, 10:00am Mark S. Morton P.O. Box 1005 Charleston, WV 24324-1005 taxlegal@wv.gov
Tax (110-99)	Privilege Tax on Sales of Hemp-Derived Cannabinoid and Kratom Products Legislative	§29A-2-99(c), 19-12E-12(i)(9), and 19-12F-7(i)	Written Comments Only: July 10, 2023, 10:00am Mark S. Morton P.O. Box 1005 Charleston, WV 24324-1005 taxlegal@wv.gov

NO EMERGENCY RULES FILED THIS WEEK				
AGENCY/RULE	**RULE NAME**	**AUTHORITY**	**EFFECTIVE DATE**	**COMMENT END DATE**

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-01)	Board Rules and Rules of Professional Conduct Legislative	5/10/2023	6/30/2023						
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				
Agriculture (61-37) Sunset Provision	Agritourism Legislative				12/15/2022				
Air Quality (45-01)	Alternative Emission Limitations During Startup and Shutdown Operations Legislative	5/31/2023	7/6/2023						
Air Quality (45-02)	Control of Particulate Matter Air Pollution from the Combustion of Fuel in Indirect Heat Exchangers Legislative	5/31/2023	7/6/2023						
Air Quality (45-03)	Control of Air Pollution from the Operation of Hot Mix Asphalt Plants Legislative	5/31/2023	7/6/2023						
Air Quality (45-05)	Control of Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas Legislative	5/31/2023	7/6/2023						
Air Quality (45-06)	Control of Air Pollution from Combustion of Refuse Legislative	5/31/2023	7/6/2023						
Air Quality (45-07)	Control of Particulate Matter Air Pollution from Manufacturing Processes and Associated Operations Legislative	5/31/2023	7/6/2023						
Air Quality (45-08)	Ambient Air Quality Standards Legislative	5/31/2023	7/6/2023						
Air Quality (45-10)	Control of Air Pollution from the Emission of Sulfur Oxides Legislative	5/31/2023	7/6/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	5/31/2023	7/6/2023						
Air Quality (45-21)	Control of Air Pollution from the Emission of Volatile Organic Compounds Legislative	5/31/2023	7/6/2023						
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	5/31/2023	7/6/2023						
Air Quality (45-44, repeal)	Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units Legislative	5/31/2023	7/6/2023						
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	5/9/2023	7/1/2023
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	5/9/2023	7/1/2023
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						
Contractor Licensing Board (28-01)	Board Organization and Meeting Procedures; Hearing Procedures Procedural	6/1/2023	7/3/2023						
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				
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	5/11/2023	6/12/2023						
Education (126-176)	School Closings or Consolidations (Policy 6204) Legislative Exempt	5/11/2023	6/12/2023						
Environmental Protection, Secretary's Office (60-10)	Purchasing Procedure Procedural	10/17/2022	11/22/2022					5/9/2023	6/12/2023
Ethics Commission (158-12)	Lobbying Legislative	5/16/2023	6/16/2023						
Family Protection Services Board (191-02)	Domestic Violence Program Licensure Standards Legislative	5/30/2023	6/29/2023						
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
Health (64-04)	Public Water Systems Operators Legislative	5/17/2023	6/16/2023						
Health (64-05)	Wastewater Systems and Operators Legislative	5/17/2023	6/16/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-11)	Behavioral Health Centers Licensure Legislative	6/5/2023	7/5/2023						
Health (64-12)	Hospital Licensure Legislative	6/5/2023	7/5/2023						
Health (64-14) Sunset Provision	Assisted Living Facilities Legislative				2/16/2023				
Health (64-15)	Cross-Connection Control and Backflow Prevention Legislative	5/17/2023	6/16/2023						
Health (64-30)	Fees for Permits Legislative	5/17/2023	6/16/2023						
Health (64-51)	Fees for Services Legislative	5/17/2023	6/16/2023						
Health (64-84)	Medical Examiner Requirements for Postmortem Inquires Legislative	5/17/2023	6/16/2023						
Health (64-91) Sunset Provision	Newborn Screening System Legislative				2/16/2023				
Health (64-116)	Distribution of Funds from Emergency Medical Services Salary Enhancement Fund Legislative	5/17/2023	6/16/2023	5/18/2023 Effective 5/18/2023					
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				
Health Care Authority (65-32)	Certificate of Need Legislative	5/17/2023	6/16/2023						
Human Services (67-01, formerly 69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/6/2023	7/6/2023						

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
Human Services (78-27)	Procedure to Contest the Substantiation of Child Abuse or Neglect Legislative	5/30/2023	6/29/2023						
Insurance Comm. (114-27) Sunset Provision	Aids Regulations Legislative				3/29/2023				
Insurance Comm. (114-100)	Health Benefit Plan Network Access and Adequacy Legislative	6/2/2023	7/5/2023						
Insurance Comm. (114-103)	Bail Bondsmen in Criminal Cases Legislative	6/2/2023	7/5/2023						
Labor (42-08)	Minimum Wage, Maximum Hours, and Overtime Compensation Legislative	5/4/2023	6/5/2023		6/6/2023				
Medicine (11-12) Sunset Provision	Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows Legislative				11/21/2022				
Motor Vehicles (91-10)	Handicapped Parking Permits Legislative	6/6/2023	7/7/2023						
Nursing Home Administrators Licensing Board (21-01)	Nursing Home Administrators Legislative	5/8/2023	6/8/2023						
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in West Virginia Legislative	6/7/2023	7/7/2023						
Prosecuting Attorneys Institute (168-01)	Payment for Costs of Forensic Medical Examination Procedural	5/1/2023	6/1/2023					6/1/2023	7/1/2023
Psychologists (17-02)	Organization and Procedures of the Board of Examiners of Psychologistss Procedural	5/9/2023	6/12/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Public Service Commission (150-25)	Rules Governing Emergency Telephone Service Legislative Exempt	4/10/2023	6/9/2023						
Racing Commission (178-01)	Thoroughbred Racing	6/5/2023	7/6/2023						
Registered Nurses, WV Board of (19-01)	Policies, Standards and Criteria for the Evaluation, Approval and National Nursing Accreditation of Prelicensure Nursing Education Programs Legislative			5/31/2023 ERD by 7/12/2023					
Registered Nurses, WV Board of (19-12)	Fees for Services Rendered by the Board Legislative			5/31/2023 ERD by 7/12/2023					
Respiratory Care (30-09)	Student Temporary Permit - Amended Legislative	4/28/2023	6/1/2023		6/8/2023				
Secondary School Activities Commission (127-01)	Constitution (WVSSAC Series 1) Legislative Exempt	5/11/2023	6/12/2023						
Secondary School Activities Commission (127-02)	Athletics, Provisions Governing Eligibility (WVSSAC Series 2) Legislative Exempt	5/11/2023	6/12/2023						
Secondary School Activities Commission (127-03)	Provisions Governing Contests (WVSSAC Series 3) Legislative Exempt	5/11/2023	6/12/2023						
Secondary School Activities Commission (127-04)	Provisions Governing Conduct (WVSSAC Series 4) Legislative Exempt	5/11/2023	6/12/2023						
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 (110-21G)	Income Tax Paid at the Entity Level by Electing Pass-Through Entities Legislative	6/8/2023	7/10/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-21H)	Income Tax Credits for Property Taxes Paid Legislative	6/8/2023	7/10/2023						
Tax (110-49) Sunset Provision	Administration of Tax on Purchases of Wine and Liquor Legislative				12/30/2022				
Tax (110-99)	Privilege Tax on Sales of Hemp-Derived Cannabinoid and Kratom Products Legislative	6/8/2023	7/10/2023						
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					6/1/2023	7/1/2023

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

LEGISLATIVE

NOTICE OF TECHNICAL AMENDMENT

AGENCY: Administration

TITLE-SERIES: 148-24

RULE TYPE: Legislative

RULE NAME: Financial Services Reporting

CITE STATUTORY AUTHORITY: §5A-2B-2

LIST WITH DETAIL EACH SPECIFIC CHANGE MADE TO THE RULE AND WHERE IT CAN BE FOUND:

Extend month of sunset from March to August.

WEST VIRGINIA DIVISION OF CORRECTIONS & REHABILITATION

POLICY DIRECTIVE UPDATES

NUMBER	DATE	SUBJECT
129.22	21 June 2023	Inmate/Resident Services Prohibited
400.00	21 June 2023	Admission and Orientation
410.14	21 June 2023	Tuberculosis (TB) Testing for Employees
426.00	21 June 2023	Sheltered Housing Unit

FILING DATE: 06/02/2023

EFFECTIVE DATE: 03/11/2020

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

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health

TITLE-SERIES: 64-11

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: BEHAVIORAL HEALTH CENTERS LICENSURE

CITE STATUTORY AUTHORITY: 27-9-1; 27-17-1 et seq.; 27-1A-1 et seq.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/05/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L Robertson

ADDRESS: One Davis Square, Suite 100 E
Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/5/2023 12:19:46 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Health

TITLE-SERIES: 64-12

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: HOSPITAL LICENSURE

CITE STATUTORY AUTHORITY: 16-5b-8

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/05/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L Robertson

ADDRESS: One Davis Square, Suite 100 E
Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE

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ADMINISTRATIVE LAW DIVISION

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6/6/2023 3:09:13 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Human Services

TITLE-SERIES: 67-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: Yes

RULE NAME: COLLECTION AND EXCHANGE OF DATA RELATED TO OVERDOSES

CITE STATUTORY AUTHORITY: 16-5T-5

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L Robertson

ADDRESS: One Davis Square, Suite 100 E

Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
6/2/2023 11:36:55 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Insurance Commission

TITLE-SERIES: 114-100

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: HEALTH BENEFIT PLAN NETWORK ACCESS AND ADEQUACY

CITE STATUTORY AUTHORITY: W. Va. Code §§33-2-10 and 33-55-9

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/05/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Erin K. Hunter

ADDRESS: 900 Pennsylvania Ave., 9th Floor

EMAIL: erin.k.hunter@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

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WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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6/2/2023 11:33:19 AM

Office of West Virginia Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Insurance Commission TITLE-SERIES: 114-103

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

RULE NAME: BAIL BONDSMEN IN CRIMINAL CASES

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

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/05/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Erin K. Hunter

ADDRESS: 900 Pennsylvania Ave., 9th Floor

EMAIL: erin.k.hunter@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

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LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

6/6/2023 11:34:25 AM

Office of West Virginia Secretary Of State

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

AGENCY: Labor TITLE-SERIES: 42-08

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

RULE NAME: 42-08 Minimum Wage, Maximum Hours, and Overtime Compensation

PRIMARY CONTACT

NAME: Brooke M Farber

ADDRESS: 1900 Kanawha Boulevard East Capitol Complex
Building 3 Room 200
Charleston, WV 25305

EMAIL: brooke.m.farber@wv.gov

PHONE NUMBER: 304-558-7890

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

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

W. Va. Code §21-5C-1(h), §21-5C-4, and §21-5C-6(a) give the Commissioner of Labor broad authority to promulgate rules to implement and carry out provisions of the Minimum Wage and Maximum Hours Standards for Employees Act.

Consistent with this broad authority, the proposed rule defines terms used in the Act or the rule; sets forth requirements for the establishment of a workweek and employee notification of changes; identifies employers subject to the minimum wage provisions of the Act and rule; identifies employer exemptions from the maximum hours and overtime provisions of the Act and rule; prohibits the use of employee volunteers by employers; identifies employee exemptions from coverage of the Act and rule; sets forth record-keeping requirements and required pay stub information; identifies procedures for determination of compensable time for non-exempt employees; identifies criteria for determining employer credits toward the minimum hourly wage; specifies procedures for unpaid wages claims or other violations of the Act and rule; and identifies Division of Labor and claimant responsibilities for enforcement of final order for wages owed.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 5/4/2023

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 6/5/2023

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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6/6/2023 1:46:06 PM

Office of West Virginia Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Motor Vehicles

TITLE-SERIES: 91-10

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: HANDICAPPED PARKING PERMITS

CITE STATUTORY AUTHORITY: W. Va. Code §§17A-2-9 and 17C-13-6(r).

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/07/2023 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Adam Holley

ADDRESS: 5707 MacCorkle Ave SE

EMAIL: adam.holley@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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6/7/2023 2:29:42 PM

Office of West Virginia Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Professional Surveyors

TITLE-SERIES: 23-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: EXAMINATION AND LICENSING OF PROFESSIONAL SURVEYORS IN WEST VIRGINIA

CITE STATUTORY AUTHORITY: 30-13A-6.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/07/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: West Virgina Board of Professional Surveyors

ADDRESS: 1124 Smith St

Suite 1200

EMAIL: amber.legg@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
6/5/2023 2:14:03 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Racing Commission TITLE-SERIES: 178-01

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

RULE NAME: Thoroughbred Racing

CITE STATUTORY AUTHORITY: W.Va. Code 19-23-2(a)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Joe K. Moore

ADDRESS: 900 Pennsylvania Avenue

Charleston, WV 25302

EMAIL: joe.k.moore@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)

LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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6/8/2023 3:39:24 PM
Office of West Virginia
Secretary Of State

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

AGENCY: Respiratory Care TITLE-SERIES: 30-09

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

RULE NAME: 30-09 Student Temporary Permits Amended

PRIMARY CONTACT

NAME: Nancy Massey

ADDRESS: 106 Dee Dr Ste 1

CHARLESTON, WestVirginia 25311

EMAIL: nancy.j.massey@wv.gov

PHONE NUMBER: 304-558-1382

CITE STATUTORY AUTHORITY: 3-34-6a & 30-34-9

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

This rules delineates the role of respiratory Student Temporary Permit holders in the practice of Respiratory Care. Specific procedures are broaden to allow students to perform various additional duties while ensuring patient safety

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 4/28/2023

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 6/1/2023

COMMENTS RECEIVED: No

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

PUBLIC HEARING: No

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
6/8/2023 1:49:45 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Tax

TITLE-SERIES: 110-21G

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: INCOME TAX PAID AT THE ENTITY LEVEL BY ELECTING PASS-THOURGH ENTITIES

CITE STATUTORY AUTHORITY: W. Va. Code §11-21-3a(p)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/10/2023 10:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mark S. Morton

ADDRESS: P.O. Box 1005

Charleston, WV 24324-1005

EMAIL: taxlegal@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: Yes

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
6/8/2023 1:44:30 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Tax

TITLE-SERIES: 110-21H

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: INCOME TAX CREDITS FOR PROPERTY TAXES PAID

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-2-6(c) and 11-13MM-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/10/2023 10:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mark S. Morton

ADDRESS: P.O. Box 1005

Charleston, WV 24324-1005

EMAIL: taxlegal@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: Yes

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WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
6/8/2023 1:40:38 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Tax

TITLE-SERIES: 110-99

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: PRIVILEGE TAX ON SALES OF HEMP-DERIVED CANNABINOID AND KRATOM PRODUCTS

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-2-99(c), 19-12E-12 (i)(9), and 19-12F-7(i)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/10/2023 10:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mark S. Morton

ADDRESS: P.O. Box 1005

Charleston, WV 24324-1005

EMAIL: taxlegal@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: Yes

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

Orders Report

Docket Number	Agency	Respondent	Date Rendered
22-113-W	Medicine, West Virginia Board Of	Emmanouel J. Coroneos, MD	6/7/2023
BVMCE0523D	Veterinary Medicine	Linda Richards, DVM	6/1/2023
BVMCE0523E	Veterinary Medicine	Raschel Pecjak	6/7/2023

FILED
WV SECRETARY OF STATE
JUNE 05, 2023 02:43 PM

OTHER

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

June 5, 2023

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **June 2, 2023**.

LETTER OF INTENT RECEIVED

May 30, 2023- Option Care Health, Inc, CON File #23-12-12688-A, for the following merger; On May 3, 2023, Amedisys signed a Merger Agreement with Option Care. On or around September 3, 2023 (the "Closing Date"), subject to customary closing conditions , the parties expect that Uintah Merger Sub, Inc.(the "Merger Sub"), Option Care's subsidiary created for the purposes of this merger transaction, shall merge with and into Amedisys (the "Merger"). Amedisys will continue as the surviving corporation in the Merger as a wholly owned subsidiary of Option Care. The Merger is a broader transaction, but the Letter of Intent and the Certificate of Need application will focus on the West Virginia portion of the Merger; capital expenditure, $102,000,000.

June 1, 2023- Panhandle Support Services, Inc, Danville, Boone County, West Virginia, CON File #23-2/3-12689-PC, to provide personal care services through West Virginia Medicaid in Mason, Putnam, Cabell, Wayne, and Lincoln counties, West Virginia; capital expenditure, $1,500.

June 1, 2023- Panhandle Support Services, Inc, Danville, Boone County, West Virginia, CON File #23-1/2/3/4-12690-PC, to provide personal care services through West Virginia Medicaid in Boone, Kanawha, Clay, Nicholas, Logan, Wyoming, and McDowell counties, West Virginia; capital expenditure, $1,500.

June 1, 2023- Panhandle Support Services, Inc, Danville, Boone County, West Virginia, CON File #23-4/6/7-12691-PC, to provide personal care services through West Virginia Medicaid in Randolph, Tucker, Barbour, Upshur, Lewis, Harrison, Taylor, Webster, and Pocahontas counties, West Virginia; capital expenditure, $1,500.

June 1, 2023- Panhandle Support Services, Inc, Danville, Boone County, West Virginia, CON File #23-8/9-12692-PC, to provide personal care services through West Virginia Medicaid in Grant, Pendleton, Hardy, Hampshire, Mineral, Morgan, Berkeley, and Jefferson counties, West Virginia; capital expenditure, $1,500.

June 1, 2023- Panhandle Support Services, Inc, Danville, Boone County, West Virginia, CON File #23-5/6/7/10-12693-PC, to provide personal care services through West Virginia Medicaid in Jackson, Wood, Wirt, Roane, Ritchie, Pleasants, Tyler, Gilmer, Doddridge, and Wetzel counties, West Virginia; capital expenditure, $1,500.

June 1, 2023- Panhandle Support Services, Inc, Danville, Boone County, West Virginia, CON File #23-1/4-12694-PC, to provide personal care services through West Virginia Medicaid in Fayette, Raleigh, Summers, Monroe, Mercer, and Greenbrier counties, West Virginia; capital expenditure, $1,500.

June 1, 2023- Panhandle Support Services, Inc, Danville, Boone County, West Virginia, CON File #23-6-12695-PC, to provide personal care services through West Virginia Medicaid in Monongalia, Marion, and Preston counties, West Virginia; capital expenditure, $1,500.

June 1, 2023- Panhandle Support Services, Inc, Danville, Boone County, West Virginia, CON File #23-10/11-12696-PC, to provide personal care services through West Virginia Medicaid in Ohio, Marshall, Brooke, and Hancock counties, West Virginia; capital expenditure, $1,500.

June 1, 2023- Elder Aide Services, LLC dba Right at Home, Charleston, Kanawha County, West Virginia, CON File #23-2/3/4-12697-PC, for the development of in-home personal care services in Putnam, Cabell, Wayne, and Fayette counties, West Virginia; capital expenditure, $21,500.

June 1, 2023- Southern Home Care Services, Inc, Louisville, Jefferson County, Kentucky, CON File #23-2/5-12698-PC, for the provision of personal care services in Cabell, Wayne, Lincoln, Mason, and Jackson counties, West Virginia from the Huntington, West Virginia office; capital expenditure, $10,000.

June 1, 2023- Southern Home Care Services, Inc, Louisville, Jefferson County, Kentucky, CON File #23-2/3/4/5-12699-PC, for the provision of personal care services in Nicholas, Roane, Clay, Putnam, Boone, and Logan counties, West Virginia from the Cross Lanes, West Virginia office; capital expenditure, $10,000.

June 1, 2023- Southern Home Care Services, Inc, Louisville, Jefferson County, Kentucky, CON File #23-1/4-12700-PC, for the provision of personal care services in Monroe, Wyoming, McDowell, Raleigh, Summers, and Greenbrier counties, West Virginia from the Princeton, West Virginia office; capital expenditure, $10,000.

June 1, 2023- Southern Home Care Services, Inc, Louisville, Jefferson County, Kentucky, CON File #23-5/6-12701-PC, for the provision of personal care services in Wirt, Pleasants, Ritchie, Doddridge, Harrison, Marion, and Monongalia counties, West Virginia from the Parkersburg, West Virginia office; capital expenditure, $10,000.

June 2, 2023- A Special Touch In-Home Care, LLC, South Charleston, Kanawha County, West Virginia, CON File #23-2/3/4-12702-PC, to provide personal care services

Kanawha, Fayette, Putnam, Cabell and Wayne counties in West Virginia; capital expenditure, $5,000.

June 2, 2023- Hometown Care, LLC, Belington, Barbour County, West Virginia, CON File #23-4/7-12703-PC, to provide personal care services in Lewis, Upshur, Randolph, Braxton, Webster, Pocahontas, Nicholas, and Greenbrier counties in West Virginia; capital expenditure, $1,500.

June 2, 2023- Hometown Care, LLC, Belington, Barbour County, West Virginia, CON File #23-6-12704-PC, to provide personal care services in Taylor County, West Virginia; capital expenditure, $1,500.

June 2, 2023- Hometown Care, LLC, Belington, Barbour County, West Virginia, CON File #23-8/9-12705-PC, to provide personal care services in Mineral, Hampshire, Hardy, Morgan, Berkeley, and Jefferson counties in West Virginia; capital expenditure, $1,500.

June 2, 2023- Hometown Care, LLC, Belington, Barbour County, West Virginia, CON File #23-5/10-12706-PC, to provide personal care services in Wetzel, Tyler, and Ritchie counties in West Virginia; capital expenditure, $1,500.

June 2, 2023- Special Touch Nursing Service, CON File #23-2/3-12707-PC, to provide in-home personal care services in Lincoln and Putnam counties in West Virginia; capital expenditure, $5,000.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

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

EXPEDITED APPLICATIONS

May 9, 2023 - Monongalia County General Hospital Company, CON File #23-6-12680-P, To establish an ambulatory care facility at 3132 Collins Ferry Road in Morgantown, Monongalia County, West Virginia. The project involves the acquisition of assets of an existing physician's practice, a lease of real property and the employment of the existing physicians. Capital Expenditure $170,000.00.

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

May 31, 2023 – Review cycle begins;

June 30, 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;

July 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;

July 31, 2023 – Decision on the project will be issued by the Authority.

PROJECTS EXEMPT FROM REVIEW

June 1, 2023- Recovery Point West Virginia Behavioral Health, Inc., Huntington, Cabell County, West Virginia, CON File #23-3-12682-X, for the addition of a new outpatient facility to be added to their license to be located at 1612 6th Avenue, Charleston, Kanawha County, West Virginia.

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