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Administrative Law Division

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

Community and Technical College Education

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Fire Commission

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Medical Imaging and Radiation Therapy Tech. Board of Examiners

Medicine

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Tax Appeals

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RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION
Community and Technical College Education (135-06)	Performance Indicators Legislative	§§18B-1-6, 18B-1A-2	Written Comments Only July 24, 2023, 4:30 pm Sarah Armstrong Tucker, Chancellor 1018 Kanawha Blvd., East, Suite 700 Charleston, WV 25301 tucker@wvctcs.edu
Community and Technical College Education (135-19)	Guidelines for the Offering of Early Enrollment Courses to High School Students Legislative	§§18B-1-1A, 18B-1B-6	Written Comments Only July 24, 2023, 4:30 pm Sarah Armstrong Tucker, Chancellor 1018 Kanawha Blvd., East, Suite 700 Charleston, WV 25301 tucker@wvctcs.edu
Community and Technical College Education (135-20)	Initial Authorization of Degree-Granting Institutions Legislative	§18B-4-7	Written Comments Only July 24, 2023, 4:30 pm Sarah Armstrong Tucker, Chancellor 1018 Kanawha Blvd., East, Suite 700 Charleston, WV 25301 tucker@wvctcs.edu
Community and Technical College Education (135-32)	Tuition and Fees Legislative	§18B-1D 3(a)(2)(B)	Written Comments Only July 24, 2023, 4:30 pm Sarah Armstrong Tucker, Chancellor 1018 Kanawha Blvd., East, Suite 700 Charleston, WV 25301 tucker@wvctcs.edu
Community and Technical College Education (135-49)	Accountability System Legislative	§§18B-1-6, 18B-1D-1	Written Comments Only July 24, 2023, 4:30 pm Sarah Armstrong Tucker, Chancellor 1018 Kanawha Blvd., East, Suite 700 Charleston, WV 25301 tucker@wvctcs.edu
Dietitians (31-07)	Telehealth Practice; Requirements; Definitions Legislative	§30-35-4	Written Comments Only July 21, 2023, 12:00pm Mallory Mount 101 Dee Drive Suite D Charleston, WV 25311 wvbold@wv.gov

Fire Commission (87-01)	Fire Code Legislative	§15A-11-3	Written Comments Only: July 17, 2023, 5:00pm Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov
Higher Education Policy Commission (133-05)	Employing and Evaluating Presidents Legislative	§18B-1-6	Written Comments Only: July 21, 2023, 5:00pm Chancellor Sarah Tucker 1018 Kanawha Blvd., E., Suite 700 Charleston, WV 25301 chancellors.office@wvhepc.edu
Higher Education Policy Commission (133-06)	Higher Education Adult-Part Time Student (HEAPS) Grant Program Legislative	§18B-1-6	Written Comments Only: July 21, 2023, 5:00pm Chancellor Sarah Tucker 1018 Kanawha Blvd., E., Suite 700 Charleston, WV 25301 chancellors.office@wvhepc.edu
Higher Education Policy Commission (133-07)	West Virginia Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship Program Legislative	§18B-1-6	Written Comments Only: July 21, 2023, 5:00pm Chancellor Sarah Tucker 1018 Kanawha Blvd., E., Suite 700 Charleston, WV 25301 chancellors.office@wvhepc.edu
Higher Education Policy Commission (133-19)	Guidelines for College Courses for High School Students Legislative	§18B-1-6	Written Comments Only: July 21, 2023, 5:00pm Chancellor Sarah Tucker 1018 Kanawha Blvd., E., Suite 700 Charleston, WV 25301 chancellors.office@wvhepc.edu
Higher Education Policy Commission (133-28)	West Virginia Engineering, Science and Technology Scholarship Program Legislative	§18B-1-6	Written Comments Only: July 21, 2023, 5:00pm Chancellor Sarah Tucker 1018 Kanawha Blvd., E., Suite 700 Charleston, WV 25301 chancellors.office@wvhepc.edu
Higher Education Policy Commission (133-42)	West Virginia Higher Education Grant Program Legislative	§18B-1-6	Written Comments Only: July 21, 2023, 5:00pm Chancellor Sarah Tucker 1018 Kanawha Blvd., E., Suite 700 Charleston, WV 25301 chancellors.office@wvhepc.edu

Higher Education Policy Commission (133-58)	Nursing Scholarship Program Legislative	§18B-1-6	Written Comments Only: July 21, 2023, 5:00pm Chancellor Sarah Tucker 1018 Kanawha Blvd., E., Suite 700 Charleston, WV 25301 chancellors.office@wvhepc.edu
Highways (157-01)	Rules Relating Generally to Various Functions of the Commissioner of Highways Procedural	§§17-2A-4b and 8	Written Comments Only July 21, 2023, 4:00 pm Lori Ann Suite 1900 Kanawha Blvd. E Charleston, WV 25305 lori.a.suite@wv.gov
Highways (157-03)	Construction and Reconstruction of State Roads Legislative	§§17-2A-8, 17-4-19	Written Comments Only July 24, 2023, 4:00 pm Lori Ann Suite 1900 Kanawha Blvd. E Charleston, WV 25305 lori.a.suite@wv.gov
Medical Imaging and Radiation Therapy Technology Board of Examiners (18-01)	WV Medical Imaging and Radiation Therapy Technology Board of Examiners Legislative	§30-23	Written Comments Only: July 22, 2023, 11:59pm Jamie Browning 1124 Smith St, Suite B-300 Charleston, WV 25301 jamie.s.browning@wv.gov
Medicine (11-01B)	Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	§§30-1-7A, 30-3E(a)(1)-(9), 30-1D-1(d)	Written Comments Only: July 21, 2023, 4:30pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	§§30-1-7a, 30-3-7	Written Comments Only: July 21, 2023, 4:30pm Mark A. Spangler, Executive Director 101 Dee Drive, Suite 103 Charleston, WV 25311 mark.a.spangler@wv.gov
Miners Health Safety and Training (56-01)	Procedure and Practice Before the Office of Miners' Health, Safety and Training Procedural	§22A-1-6	Written Comments Only July 21, 2023, 4:00 pm Frank Foster, Director, OMHST 7 Players Club Drive, Suite 2 Charleston, WV 25311 frank.g.foster@wv.gov

Miners Health Safety and Training (56-02)	Rule Governing Safety Provisions for Clearing Crews Legislative	§§22A-1-6, 22A-1-38	Written Comments Only July 21, 2023, 4:00 pm Frank Foster, Director, OMHST 7 Players Club Drive, Suite 2 Charleston, WV 25311 frank.g.foster@wv.gov
Miners Health Safety and Training (56-04)	Rule Governing Protective Clothing and Equipment Legislative	§22A-2-55(j)	Written Comments Only July 21, 2023, 4:00 pm Frank Foster, Director, OMHST 7 Players Club Drive, Suite 2 Charleston, WV 25311 frank.g.foster@wv.gov
Miners Health Safety and Training (56-10)	Rule Governing Reporting Requirements for Independent Contractors Legislative	§22A-1-6	Written Comments Only July 21, 2023, 4:00 pm Frank Foster, Director, OMHST 7 Players Club Drive, Suite 2 Charleston, WV 25311 frank.g.foster@wv.gov
Miners Health Safety and Training (56-12)	Rule Governing Assessing Health and Safety Violation Penalties Legislative	§22A-1-21	Written Comments Only July 21, 2023, 4:00 pm Frank Foster, Director, OMHST 7 Players Club Drive, Suite 2 Charleston, WV 25311 frank.g.foster@wv.gov
Miners Health Safety and Training (56-13)	Drug Testing of Mine Inspectors and Mine Safety Inspectors Interpretive	§§22A-1-6, 22A-1-9, 22A-1-12, 29A-3-1 et seq.	Written Comments Only July 21, 2023, 4:00 pm Frank Foster, Director, OMHST 7 Players Club Drive, Suite 2 Charleston, WV 25311 frank.g.foster@wv.gov
Miners Health Safety and Training (56-14)	Rule Pertaining to the Office of Miners' Health, Safety and Training Application Process for the WV Innovative Mine Safety Technology Tax Credit Act Legislative	§11-13BB-13	Written Comments Only July 21, 2023, 4:00 pm Frank Foster, Director, OMHST 7 Players Club Drive, Suite 2 Charleston, WV 25311 frank.g.foster@wv.gov
Miners Health Safety and Training (56-17)	Rule Governing Organization and Implementation Procedures for Control of Coal Dust, Rock Dust Standards Procedural	§§22A-1-6, 22A-2-24	Written Comments Only July 21, 2023, 4:00 pm Frank Foster, Director, OMHST 7 Players Club Drive, Suite 2 Charleston, WV 25311 frank.g.foster@wv.gov

Miners Health Safety and Training (56-18)	Rule Governing the Program for the Sharing of Information Between Employers Legislative	§22A-1-4(b)(12)	Written Comments Only July 21, 2023, 4:00 pm Frank Foster, Director, OMHST 7 Players Club Drive, Suite 2 Charleston, WV 25311 frank.g.foster@wv.gov
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	§22A-1A-2(b) and (c)	Written Comments Only July 21, 2023, 4:00 pm Frank Foster, Director, OMHST 7 Players Club Drive, Suite 2 Charleston, WV 25311 frank.g.foster@wv.gov
Speech Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	§32-32-7	Written Comments Only: July 16, 2023, 4:00pm WV Bd. Of Examiners for Speech-Language Pathology and Audiology 99 Edmiston Way Ste. 214 Box 11 Buckhannon, WV 26201 wvbeslpa@wv.gov
Speech Language Pathology and Audiology (29-02)	Rule Governing Speech-Language Pathology, Audiology and Hearing Aid Dealers Assistants Legislative	§32-32-7	Written Comments Only: July 16, 2023, 4:00pm Pamela Coughlin 99 Edmiston Way Ste. 214 Box 11 Buckhannon, WV 26201 wvbeslpa@wv.gov
Speech Language Pathology and Audiology (29-03)	Contested Case Hearing Procedure Procedural	§32-32-7	Written Comments Only: July 16, 2023, 4:00pm Pamela Coughlin 99 Edmiston Way Ste. 214 Box 11 Buckhannon, WV 26201 wvbeslpa@wv.gov
Speech Language Pathology and Audiology (29-04)	Disciplinary and Complaint Procedures for Speech-Language Pathology, Audiology and Hearing Aid Dealers Procedural	§30-32-1, and 30-1-1	Written Comments Only: July 16, 2023, 4:00pm Pamela Coughlin 99 Edmiston Way Ste. 214 Box 11 Buckhannon, WV 26201 wvbeslpa@wv.gov

Speech Language Pathology and Audiology (29-05)	WV Bd. Of Examiners for Speech-Language Pathology, Audiology, or Hearing Aid Dealers Code of Ethics Legislative	§30-32-7	Written Comments Only: July 16, 2023, 4:00pm Pamela Coughlin 99 Edmiston Way Ste. 214 Box 11 Buckhannon, WV 26201 wvbeslpa@wv.gov

EMERGENCY RULES FILED THIS WEEK				
AGENCY/RULE	**RULE NAME**	**AUTHORITY**	**EFFECTIVE DATE**	**COMMENT END DATE**
Community and Technical College Education (135-19)	Guidelines for the Offering of Early Enrollment Courses for High School Students	§§18B-1-1A, 18B-1B-6	ERD by August 2, 2023	July 24, 2023
Higher Education Policy Commission (133-19)	Guidelines for College Courses for High School Students	§18B-1-6	ERD by August 2, 2023	July 21, 2023

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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
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TITLE	2	ARCHITECTS
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED PROFESSIONAL NURSES
TITLE	20	SANITARIANS
TITLE	22	FORESTRY
TITLE	24	OSTEOPATHIC MEDICINE
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE	30	RESPIRATORY CARE
TITLE	31	DIETITIANS
TITLE	32	ACUPUNCTURE
TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE	35	OIL AND GAS
TITLE	36	COAL MINE HEALTH AND SAFETY
TITLE	38	MINING AND RECLAMATION
TITLE	42	LABOR
TITLE	45	AIR QUALITY
TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH AND HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	87	FIRE COMMISSION
TITLE	89	PUBLIC DEFENDER SERVICES
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
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
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
Auditor (155-11)	Rules for Electronic Filing of Legal Notices for State Agencies Procedural	6/14/2023	7/14/2023						
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		6/14/2023				
Barbers and Cosmetologists (3-15)	Application For Waiver Of Initial Licensing Fees For Certain Individuals Legislative	4/7/2023	5/15/2023		6/14/2023				
Barbers and Cosmetologists (3-16)	Cosmetology Apprenticeship Legislative	4/10/2023	5/31/2023		6/14/2023				
Community and Technical College Education (135-06)	Performance Indicators Legislative	6/21/2023	7/24/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Community and Technical College Education (135-19)	Guidelines for the Offering of Early Enrollment Courses for High School Students Legislative	6/21/2023	7/24/2023	6/21/2023 ERD by 8/2/2023					
Community and Technical College Education (135-20)	Initial Authorization of Degree-Granting Institutions Legislative	6/21/2023	7/24/2023						
Community and Technical College Education (135-32)	Tuition and Fees Legislative	6/21/2023	7/24/2023						
Community and Technical College Education (135-49)	Accountability System Legislative	6/21/2023	7/24/2023						
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						
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				
Dietitians (31-07)	Telehealth Practice; Requirements; Definitions	6/21/2023	7/21/2023						
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					6/14/2023	7/17/2023

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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						
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
Fire Commission (87-01)	Fire Code Legislative	6/16/2023	7/17/2023						
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						
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Approved 5/18/2023					
Health (64-123, formerly 69-10)	West Virginia Clearance for Access: Registry and Employment Screening Legislative	6/9/2023	7/10/2023						
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						
Higher Education Policy Commission (133-05)	Empolying and Evaluating Presidents Legislative	6/21/2023	7/21/2023						
Higher Education Policy Commission (133-06)	Higher Education Adult-Part Time Student (HEAPS) Grant Program Legislative	6/21/2023	7/21/2023						
Higher Education Policy Commission (133-07)	WV Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship Program Legislative	6/21/2023	7/21/2023						
Higher Education Policy Commission (133-19)	Guidelines for College Courses for High School Students Legislative	6/21/2023	7/21/2023	6/21/2023 ERD by 8/2/2023					
Higher Education Policy Commission (133-28)	WV Engineering, Science and Technology Scholarship Program Legislative	6/21/2023	7/21/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Education Policy Commission (133-42)	WV Higher Education Grant Program Legislative	6/21/2023	7/21/2023						
Higher Education Policy Commission (133-58)	Nursing Scholarship Program Legislative	6/21/2023	7/21/2023						
Highways (157-01)	Rules Relating Generally to Various Functions of the Commissioner of Highways Procedural	6/21/2023	7/21/2023						
Highways (157-03)	Construction and Reconstruction of State Roads Legislative	6/22/2023	7/24/2023						
Highways (157-05)	Traffic and Safety Rules Legislative	6/15/2023	7/17/2023						
Human Services (67-01, formerly 69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/6/2023	7/6/2023						
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults and Vulnerable and Transitioning Youth Group Homes and Programs in WV Legislative	6/22/2022	7/22/2022		7/27/2022	Approved 9/28/2022	Bundled HB2648	3/30/2023	6/28/2023
Human Services (78-27)	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				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-01)	West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners Legislative	6/21/2023	7/22/2023						
Medicine (11-01B)	Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/21/2023	7/21/2023						
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/21/2023	7/21/2023						
Medicine (11-12) Sunset Provision	Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows Legislative				11/21/2022				
Miners Health Safety and Training (56-01)	Procedure and Practice Before the Office of Miners' Health, Safety and Training Procedural	6/21/2023	7/21/2023						
Miners Health Safety and Training (56-02)	Rule Governing Safety Provisions for Clearing Crews Legislative	6/21/2023	7/21/2023						
Miners Health Safety and Training (56-04)	Rule Governing Protective Clothing and Equipment Legislative	6/21/2023	7/21/2023						
Miners Health Safety and Training (56-10)	Rule Governing Reporting Requirements for Independent Contractors Legislative	6/21/2023	7/21/2023						
Miners Health Safety and Training (56-12)	Rule Governing Assessing Health and Safety Violation Penalties Legislative	6/21/2023	7/21/2023						
Miners Health Safety and Training (56-13)	Drug Testing of Mine Inspectors and Mine Safety Inspectors Interpretive	6/21/2023	7/21/2023						
Miners Health Safety and Training (56-14)	Rule Pertaining to the Office of Miners' Health, Safety and Training Application Process for the WV Innovative Mine Safety Technology Tax Credit Act Legislative	6/21/2023	7/21/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Miners Health Safety and Training (56-17)	Rule Governing Organization and Implementation Procedures for Control of Coal Dust, Rock Dust Standards Procedural	6/21/2023	7/21/2023						
Miners Health Safety and Training (56-18)	Rule for Governing the Program for the Sharing of Information Between Employers Legislative	6/21/2023	7/21/2023						
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/21/2023	7/21/2023						
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		6/9/2023				
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		6/14/2023				
Psychologists (17-04)	Disciplinary and Complaint Procedures for Psychologists Legislative	6/15/2023	7/17/2023						
Psychologists (17-05)	Contested Case Hearing Procedure Legislative	6/15/2023	7/17/2023						
Public Energy Authority (53-05)	Rule to Petition the Public Energy Authority for Approval of Decommissioning or Deconstruction Activities Related to Any Coal, Oil, or Natural Gas Fueled Power Plant Legislative			6/14/2023 ERD by July 26, 2023					
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
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/5/2023	7/6/2023						
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers, and Salespersons and the Conduct of Brokerage Business Legislative	6/12/2023	7/14/2023						
Real Estate Commission (174-02)	Schedule of Fees Legislative	6/12/2023	7/14/2023						
Real Estate Commission (174-03)	Real Estate Courses, Course Providers and Instructors Legislative	6/13/2023	7/14/2023						
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	6/14/2023	7/14/2023	5/31/2023 ERD by 7/12/2023					
Registered Nurses, WV Board of (19-03)	Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct Legislative	6/14/2023	7/14/2023						
Registered Nurses, WV Board of (19-05)	Contested Case Hearing Procedure Procedural	6/14/2023	7/14/2023						
Registered Nurses, WV Board of (19-07)	Advanced Practice Registered Nurse Licensure Requirements Legislative	6/14/2023	7/14/2023						
Registered Nurses, WV Board of (19-12)	Fees for Services Rendered by the Board Legislative	6/14/2023	7/14/2023	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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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						
Speech Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	6/16/2023	7/16/2023						
Speech Language Pathology and Audiology (29-02)	Rule Governing Speech-Language Pathology, Audiology and Hearing Aid Dealers Assistants Legislative	6/16/2023	7/16/2023						
Speech Language Pathology and Audiology (29-03)	Contested Case Hearing Procedure Procedural	6/16/2023	7/16/2023						
Speech Language Pathology and Audiology (29-04)	Disciplinary and Complaint Procedures for Speech-Language Pathology, Audiology and Hearing Aid Dealers Procedural	6/16/2023	7/16/2023						
Speech Language Pathology and Audiology (29-05)	WV Bd. Of Examiners for Speech-Lanuage Pathology, Audiology, or Hearing Aid Dealers Code of Ethics Legislative	6/16/2023	7/16/2023						
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						
Tax (110-21H)	Income Tax Credits for Property Taxes Paid 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 (110-49) 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					6/21/2023	7/21/2023
Treasurer (112-20)	Jumpstart Savings Program Legislative	6/9/2023	7/10/2023						
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
Waste Mgmt. Division of Water and Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/12/2023	7/18/2023						
Water Resources Division of Water and Waste Mgmt. (47-13)	Underground Injection Control Legislative	6/12/2023	7/18/2023						

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Community And Technical College Education TITLE-SERIES: 135-06

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

RULE NAME: Performance Indicators

CITE STATUTORY AUTHORITY: 18B-1-6 and 18B-1A-2

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Community And Technical College Education TITLE-SERIES: 135-19

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

RULE NAME: Guidelines for the Offering of Early Enrollment Courses for High School Students

CITE STATUTORY AUTHORITY: 18B-1-1A and 18B-1B-6

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Community And Technical College Education TITLE-SERIES: 135-20

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

RULE NAME: Initial Authorization of Degree-Granting Institutions

CITE STATUTORY AUTHORITY: 18B-4-7

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Community And Technical College Education TITLE-SERIES: 135-32

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

RULE NAME: Tuition and Fees

CITE STATUTORY AUTHORITY: 18B-1D 3(a)(2)(B)

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Community And Technical College Education

TITLE-SERIES: 135-49

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: Yes

RULE NAME: Accountability System

CITE STATUTORY AUTHORITY: 18B-1-6 and 18B-1D-1

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Dietitians

TITLE-SERIES: 31-07

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: TELEHEALTH PRACTICE; REQUIREMENTS; DEFINITIONS

CITE STATUTORY AUTHORITY: #30-35-4

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NAME: Mallory Mount

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EMAIL: wvbold@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Fire Commission TITLE-SERIES: 87-01

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

RULE NAME: Fire Code

CITE STATUTORY AUTHORITY: W.Va. Code 15A-11-3

COMMENTS LIMITED TO:

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NAME: Brandolyn N Felton-Ernest

ADDRESS: 1900 Kanawha Blvd., E.

Building 1, Room W-400

EMAIL: brandolyn.feltonernest@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-05

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

RULE NAME: Employing and Evaluating Presidents

CITE STATUTORY AUTHORITY: 18B-1-6

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Higher Education Policy Commission

TITLE-SERIES: 133-06

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: Yes

RULE NAME: Higher Education Adult-Part Time Student (HEAPS) Grant Program

CITE STATUTORY AUTHORITY: 18B-1-6

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Higher Education Policy Commission

TITLE-SERIES: 133-07

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: Yes

RULE NAME: West Virginia Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship Program

CITE STATUTORY AUTHORITY: 18B-1-6

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Higher Education Policy Commission

TITLE-SERIES: 133-19

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: Yes

RULE NAME: Guidelines for College Courses for High School Students

CITE STATUTORY AUTHORITY: 18B-1-6

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Higher Education Policy Commission

TITLE-SERIES: 133-28

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: Yes

RULE NAME: West Virginia Engineering, Science and Technology Scholarship Program

CITE STATUTORY AUTHORITY: 18B-1-6

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-42

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

RULE NAME: West Virginia Higher Education Grant Program

CITE STATUTORY AUTHORITY: 18B-1-6

COMMENTS LIMITED TO:

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-58

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

RULE NAME: Nursing Scholarship Program

CITE STATUTORY AUTHORITY: 18B-1-6

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Highways

TITLE-SERIES: 157-03

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: CONSTRUCTION AND RECONSTRUCTION OF STATE ROADS

CITE STATUTORY AUTHORITY: §§17-2A-8, 17-4-19

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/24/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: LORI ANN SUITE

ADDRESS: 1900 Kanawha Blvd E.

1900 Kanawha Blvd E.

EMAIL: lori.a.suite@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

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6/21/2023 2:30:33 PM

Office of West Virginia Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medical Imaging And Radiation Therapy Technology Board Of Examiners

TITLE-SERIES: 18-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: SERIES 1 WEST VIRGINIA MEDICAL IMAGING AND RADIATION THERAPY TECHNOLOGY BOARD OF EXAMINERS

CITE STATUTORY AUTHORITY: Chapter 30 Article 23

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/22/2023 11:59PM PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jamie Browning

ADDRESS: 1124 Smith St, Suite B-300

Charleston, WV 25301

EMAIL: jamie.s.browning@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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6/21/2023 3:22:59 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine

TITLE-SERIES: 11-01B

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-1-7a, 30-3E-3(a)(1)-(9), and 30-1D-1(d).

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DATE WRITTEN COMMENT PERIOD ENDS: 07/21/2023 4:30 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mark A. Spangler, Executive Director

ADDRESS: 101 Dee Drive, Suite 103

Charleston, WV 25311

EMAIL: mark.a.spangler@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medicine

TITLE-SERIES: 11-06

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Continuing Education for Physicians and Podiatric Physicians

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-1-7a and 30-3-7.

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/21/2023 4:30 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mark A. Spangler, Executive Director

ADDRESS: 101 Dee Drive, Suite 103

Charleston, WV 25311

EMAIL: mark.a.spangler@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-02

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

RULE NAME: Rule Governing Safety Provisions for Clearing Crews

CITE STATUTORY AUTHORITY: W. Va. Code 22A-1-6 and 22A-1-38

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/21/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Frank Foster, Director, OMHST

ADDRESS: 7 Players Club Drive, Suite 2

Charleston, WV 25311

EMAIL: frank.g.foster@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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6/21/2023 3:47:43 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-04

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

RULE NAME: Rule Governing Protective Clothing and Equipment

CITE STATUTORY AUTHORITY: W. Va. Code 22A-2-55(j)

COMMENTS LIMITED TO:

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ADDRESS: 7 Players Club Drive, Suite 2

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EMAIL: frank.g.foster@wv.gov

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-10

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

RULE NAME: Rule Governing Reporting Requirements for Independent Contractors

CITE STATUTORY AUTHORITY: W. Va. Code 22A-1-6

COMMENTS LIMITED TO:

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Frank Foster, Director, OMHST

ADDRESS: 7 Players Club Drive, Suite 2

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EMAIL: frank.g.foster@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-12

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

RULE NAME: Rule Governing Assessing Health and Safety Violation Penalties

CITE STATUTORY AUTHORITY: W. Va. Code 22A-1-21

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/21/2023 4:00 PM

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NAME: Frank Foster, Director, OMHST

ADDRESS: 7 Players Club Drive, Suite 2

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EMAIL: frank.g.foster@wv.gov

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training

TITLE-SERIES: 56-14

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Rule Pertaining to the Office of Miners' Health, Safety and Training Application Process for the West Virginia Innovative Mine Safety Technology Tax Credit Act

CITE STATUTORY AUTHORITY: W. Va. Code 11-13BB-13

COMMENTS LIMITED TO:

Written

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ADDRESS: 7 Players Club Drive, Suite 2

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EMAIL: frank.g.foster@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training

TITLE-SERIES: 56-18

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Rule Governing the Program for the Sharing of Information Between Employers

CITE STATUTORY AUTHORITY: W. Va. Code 22A-1-4(b)(12)

COMMENTS LIMITED TO:

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NAME: Frank Foster, Director, OMHST

ADDRESS: 7 Players Club Drive, Suite 2

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EMAIL: frank.g.foster@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-19

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

RULE NAME: Substance Abuse Screening, Standards and Procedures

CITE STATUTORY AUTHORITY: W. Va. Code 22A-1A-2(b) and (c)

COMMENTS LIMITED TO:

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ADDRESS: 7 Players Club Drive, Suite 2

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EMAIL: frank.g.foster@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Speech Language Pathology And Audiology TITLE-SERIES: 29-01

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

RULE NAME: Licensure of Speech-Pathology and Audiology

CITE STATUTORY AUTHORITY: 32-32-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/16/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: West Virginia Board of Examiners for Speech-Language Pathology and Audiology

ADDRESS: 99 Edmiston Way. Ste. 214, Box 11

EMAIL: wvbeslpa@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Speech Language Pathology And Audiology TITLE-SERIES: 29-02

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

RULE NAME: Rule Governing Speech-Language Pathology, Audiology and Hearing Aid Dealers Assistants

CITE STATUTORY AUTHORITY: 32-32-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/16/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Pamela Coughlin

ADDRESS: 99 Edmiston Way, Ste. 214, Box 11

EMAIL: wvbeslpa@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Speech Language Pathology And Audiology TITLE-SERIES: 29-05

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

RULE NAME: West Virginia Board of Examiners for Speech-Language Pathology, Audiology , or Hearing Aid Dealers Code of Ethics

CITE STATUTORY AUTHORITY: 30-32-7

COMMENTS LIMITED TO:

Written

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DATE WRITTEN COMMENT PERIOD ENDS: 07/16/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Pamela Coughlin

ADDRESS: 99 Edmiston Way, Ste. 214, Box 11

EMAIL: wvbeslpa@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INTERPRETIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-13

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

RULE NAME: Drug Testing of Mine Inspectors and Mine Safety Inspectors

CITE STATUTORY AUTHORITY: W. Va. Code 22A-1-6, 22A-1-9, 22A-1-12 and 29A-3-1 et seq.

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Frank Foster, Director, OMHST

ADDRESS: 7 Players Club Drive, Suite 2

Charleston, WV 25311

EMAIL: frank.g.foster@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

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PROCEDURAL

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Highways

TITLE-SERIES: 157-01

RULE TYPE: Procedural

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: RULES RELATING GENERALLY TO VARIOUS FUNCTIONS OF THE COMMISSIONER OF HIGHWAYS

CITE STATUTORY AUTHORITY: W. Va. Code §17-2A-4b and 8.

COMMENTS LIMITED TO:

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DATE WRITTEN COMMENT PERIOD ENDS: 07/21/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: LORI ANN SUITE

ADDRESS: 1900 Kanawha Blvd E.

1900 Kanawha Blvd E.

EMAIL: lori.a.suite@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training

TITLE-SERIES: 56-01

RULE TYPE: Procedural

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Procedure and Practice Before the Office of Miners' Health, Safety and Training

CITE STATUTORY AUTHORITY: W. Va. Code 22A-1-6

COMMENTS LIMITED TO:

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NAME: Frank Foster, Director, OMHST

ADDRESS: 7 Players Club Drive, Suite 2

Charleston, WV 25311

EMAIL: frank.g.foster@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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PROCEDURAL

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training

TITLE-SERIES: 56-17

RULE TYPE: Procedural

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Rule Governing Organization and Implementation Procedures for Control of Coal Dust, Rock Dust Standards

CITE STATUTORY AUTHORITY: W. Va. Code 22A-1-6 amd 22A-2-24

COMMENTS LIMITED TO:

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ADDRESS: 7 Players Club Drive, Suite 2

Charleston, WV 25311

EMAIL: frank.g.foster@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Speech Language Pathology And Audiology

TITLE-SERIES: 29-03

RULE TYPE: Procedural

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Contested Case Hearing Procedure

CITE STATUTORY AUTHORITY: 32-32-7

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/16/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Pamela Coughlin

ADDRESS: 99 Edmiston Way, Ste. 214, Box 11

EMAIL: wvbeslpa@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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6/16/2023 2:52:51 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Speech Language Pathology And Audiology TITLE-SERIES: 29-04

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

RULE NAME: Disciplinary and Complaint Procedures for Speech-Language Pathology, Audiology and Hearing Aid Dealers

CITE STATUTORY AUTHORITY: 30-32-1 and 30-1-1

COMMENTS LIMITED TO:

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EMAIL: wvbeslpa@wv.gov

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PROCEDURAL

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6/21/2023 4:51 PM
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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Tax Appeals TITLE-SERIES: 121-01

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

RULE NAME: Rules of Practice and Procedure Before the West Virginia Office of Tax Appeals

CITE STATUTORY AUTHORITY: 11-10A-20

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

July 21, 2023

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE

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6/21/2023 4:18:08 PM

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EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Community And Technical College Education TITLE-SERIES: 135-19

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Guidelines for the Offering of Early Enrollment Courses for High School Students

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

18B-1-1A, 18B-1B-6

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

PRIMARY CONTACT:

NAME: Sarah Tucker Armstrong, Chancellor

ADDRESS: 1018 Kanawha Blvd East

Suite 700

EMAIL: tucker@wvctcs.edu

PHONE NUMBER: 304-558-0265

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

WEST VIRGINIA SECRETARY OF STATE

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6/21/2023 11:48:08 AM

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Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-19

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Guidelines for College Courses for High School Students

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

18B-1-6

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

18B-4-14(d)

PRIMARY CONTACT:

NAME: Cindy L. Anderson

ADDRESS: 1018 Kanawha Blvd East Suite 700

1018 Kanawha Blvd., East, Suite 700

EMAIL: cindy.anderson@wvhepc.edu

PHONE NUMBER: 304-558-4016

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

Orders Report

Docket Number	Agency	Respondent	Date Rendered

NONE RECEIVED THIS WEEK

6/23/2023 8:49:00 AM

FILED
WV SECRETARY OF STATE
JUNE 16, 2023 09:35 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

June 16, 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:.

June 15, 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 15, 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 15, 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.

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June 15, 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 15, 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 15, 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 15, 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.

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June 15, 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 14, 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 14, 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 14, 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 14, 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 15, 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 15, 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 15, 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 15, 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 15, 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 15, 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.

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 **June 15, 2023**

On or before **July 17, 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 **July 20, 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 **August 14, 2023**.

OTHER

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.

June 16, 2023
Date

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

FILED
WV SECRETARY OF STATE
JUNE 21, 2023 11:09 AM

OTHER

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

June 21, 2023

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **June 16, 2023**.

LETTER OF INTENT RECEIVED

June 16, 2023- Village Caregiving, LLC Barboursville, Cabell County, West Virginia, CON File #23-12-12717-PC, to develop and provide In-Home Personal Care Services in Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Logan, Marion, Marshall, Mason, McDowell, Mercer, Mineral, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, Wood and Wyoming Counties, West Virginia; capital expenditure, $1,500.

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 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.

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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.

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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.

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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.

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

June 15, 2023 – Review cycle begins;

OTHER

July 17, 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 20, 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;

August 14, 2023 – Decision on the project will be issued by the Authority.

HEARING NOTICE

The Administrative Hearing and Prehearing Conference have been SCHEDULED in the following matter:

June 14, 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.

Prehearing Conference: **August 11, 2023 at 1:30 pm**
Administrative Hearing: **August 21, 2023 at 9:00 am**

June 14, 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.

Prehearing Conference: **August 11, 2023 at 2:00 pm**
Administrative Hearing: **August 22, 2023 at 9:00 am**

The prehearing conferences and administrative hearings in the above-referenced matters will be held in the offices of the Health Care Authority, 100 Dee Drive, Charleston, West Virginia 25311-1600, unless otherwise noted.

PROJECTS DETERMINED NOT REVIEWABLE

June 15, 2023- Stonewall Jackson Memorial Hospital, Weston, Lewis County, West Virginia, CON File #23-7-12659-X, for the complete relocation of the hospital to a new location in the same service area; capital expenditure, $56,000,000.

PROJECTS EXEMPT FROM REVIEW

June 15, 2023- Amended Letter- On June 12, 2023, Veltex Medical Inc, d/b/a

Veltex Recovery Group, CON File #23-4-12683-X, was issued an exemption for the development of the in-patient and out-patient licensed behavioral health center to be located at 101 Martin Drive, Mount Hope, Fayette County, West Virginia. Veltex Recovery Group will offer level 3.7 (detox), 3.5 and 3.1 ASAM criteria for 28 residential SUD Waiver treatment beds and out-patient medication assisted/therapeutic treatment. On June 12, 2023, Veltex Medical, Inc d/b/a Veltex Recovery Group submitted an amended exemption application to the Authority to reflect this was a Change in Ownership from Med Surg Physician group, Inc. d/b/a Elena Behavioral Health Services to Veltex Medical, Inc. d/b/a Veltex Recovery Group. As a result of the Change in Ownership, Veltex Recovery Group will continue to offer level 3.7 (detox), 3.5 and 3.1 ASAM criteria for the existing 28 residential SUD Waiver treatment beds and out-patient medication assisted/therapeutic treatment.

June 16, 2023- Turneround Ministries d/b/a Calvary's Hill Church, CON File #23-1-12714-X, for the establishment of an Emergency Child Shelter to be located at 301 Preston Street, Bluefield, Mercer County, West Virginia; capital expenditure,

DENIED EXEMPTION APPLICATIONS

June 14, 2023- Ohio Valley Physicians, Inc. d/b/a OVP Health, CON File #23-2-12664-X, for the development of an American Society of Addiction Medicine ("ASAM") Level 3.1 Treatment Program and Community Health Facility which involves the construction and development of a 58 bed alcohol and drug treatment inpatient facility to be located at 626 West 5th Street, Huntington, Cabell County, West Virginia.

June 14, 2023- Tri-State Addiction Recovery Resources, CON File #23-2-12672-X, for the development of a behavioral health residential adult services for individuals suffering from substance use disorders to be located at 400 Washington Avenue, Huntington, Cabell County, West Virginia.

June 14, 2023- Tri-State Addiction Recovery Resources, CON File #23-2-12673-X, for the development of a behavioral health residential adult services for individuals suffering from substance use disorders to be located at 1057 6th Avenue, Huntington, Cabell County, West Virginia.

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

OTHER