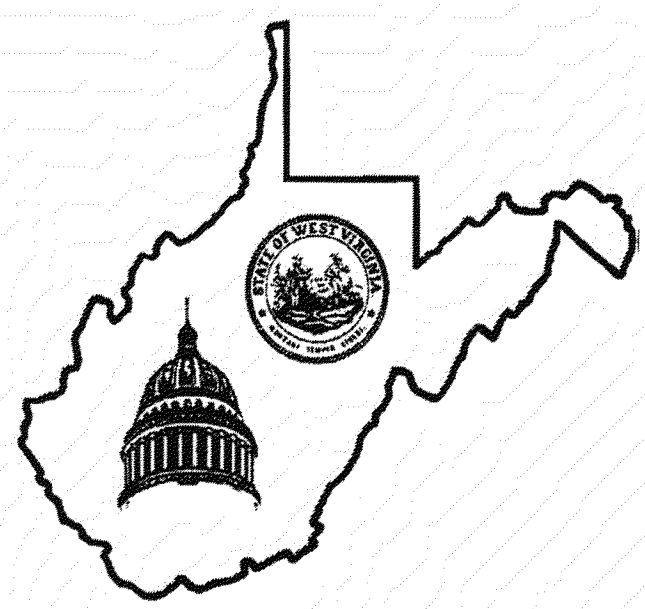

WEST VIRGINIA REGISTER

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A Weekly Publication

Administrative Law Division

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

Acupuncture
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Bureau for Public Health
Coal Mine Health and Safety
Corrections and Rehabilitation
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Election Commission
Emergency Management
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CHRONOLOGICAL INDEX, VOLUME XL ISSUE 26

RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION
Acupuncture (32-03)	Application for Licensure to Practice Acupuncture Legislative	§30-36-7	Written Comments Only: July 28, 2023, 1:00pm Linda Lyter 179 Summers St. Suite 711 Charleston, WV 25301 linda_lyter@frontier.com
Agriculture (61-04B)	Frozen Desserts and Imitation Frozen Desserts Legislative	§19-11B-10	Written Comments Only: July 28, 2023, 10:00am Jodee Martin WV Dept. of Agriculture 1900 Kanawha Blvd., E. Charleston, WV 25305 rulescomments@wvda.us
Agriculture (61-12A)	Certified Pesticide Applicator Rules Legislative	§19-16A-4	Written Comments Only: July 28, 2023, 10:00am Jodee Martin WV Dept. of Agriculture 1900 Kanawha Blvd., E. Charleston, WV 25305 rulescomments@wvda.us
Agriculture (61-12B)	Licensing of Pesticide Businesses Legislative	§19-16A-4,8 & 9	Written Comments Only: July 28, 2023, 10:00am Jodee Martin WV Dept. of Agriculture 1900 Kanawha Blvd., E. Charleston, WV 25305 rulescomments@wvda.us
Agriculture (61-23B)	West Virginia Shellfish Legislative	§19-29-1,3 & 4	Written Comments Only: July 28, 2023, 10:00am Jodee Martin WV Dept of Agriculture 1900 Kanawha Blvd., E. Charleston, WV 25305 rulescomments@wvda.us
Agriculture (61-30)	Hemp Products Legislative	§19-12E-7	Written Comments Only: July 28, 2023, 10:00am Jodee Martin WV Dept. of Agriculture 1900 Kanawha Blvd., E. Charleston, WV 25305 rulescomments@wvda.us

Coal Mine Health and Safety (36-44)	Rule Governing Mine Rescue Requirements Legislative Exempt	§§22A-6-4, 22A-6-5	Written Comments Only July 28, 2023, 4:00 pm Kevin Kidd 1900 Kanawha Blvd. East Building 1, Room W-435 Charleston, WV 25305 kevin.c.kidd@wvago.com
Coal Mine Health and Safety (36-59)	Supervision of Underground Apprentices in Areas Other Than the Working Section Legislative Exempt	§§22A-6-4, 22A-6-5	Written Comments Only July 28, 2023, 12:00 pm Kevin Kidd 1900 Kanawha Blvd. East Building 1, Room W-435 Charleston, WV 25305 kevin.c.kidd@wvago.com
Crime Delinquency and Correction (149-02)	Law Enforcement Training and Certification Standards Legislative	§30-29-3	Written Comments Only: July 24, 2023, 5:00pm Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov
Crime Delinquency and Correction (149-03)	Protocol for Law Enforcement Response to Domestic Violence Legislative	§48-27-1102	Written Comments Only: July 26, 2023, 5:00pm Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov
Crime Delinquency and Correction (149-10)	Sexual Assault Forensic Examinations Legislative	§15-9B-4	Written Comments Only: July 28, 2023, 9:00am Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov
Economic Development, WV Dept. of (145-19)	Rule Governing the Operation of Motorsports Complexes and Events Legislative	§20-19-7	Written Comments Only: July 28, 2023, 4:00pm Graham Platz 1900 Kanawha Blvd., E. Bldg. 3 Suite 800 Charleston, WV 25305 graham.b.platz@wv.gov

Election Commission (146-01)	Corporate and Membership Organization Political Activity Legislative	§3-8-8	Written Comments Only: July 28, 2023, 9:00am Donald Kersey Secretary of State's Office State Capitol Bldg. 1 Ste 157-K Charleston, WV 25305 dkersey@wvsos.gov
Election Commission (146-07)	Application and Approval Process for Secretary of State Expenditures from the County Assistance Voting Equipment Fund Legislative	§3-1-48(m)	Written Comments Only: July 27, 2023, 4:40pm Donald Kersey Secretary of State's Office State Capitol Bldg. 1 Ste 157-K Charleston, WV 25305 dkersey@wvsos.gov
Emergency Management (170-02)	Industrial Accident Rapid Response Rule Legislative	§15-5B-3a	Written Comments Only: July 26, 2023, 5:00pm Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov
Environmental Protection, Secretary's Office (60-12)	Administration of Drinking Water Treatment Revolving Fund and Safe Drinking Water Set-Asides Legislative	§22-36-1	Public Hearing: July 28, 2023, 1:30pm 601 57th Street, SE Charleston, WV 25304 Written Comments: July 28, 2023, 1:30pm Jason Wandling 601 57th Street, SE Charleston, WV 25304 jason.e.wandling@wv.gov
Fire Commission (87-06)	Certification and Evaluation of Local Fire Departments Legislative	§§15A-11-3, 15A-11-5 and 29A-3-1 et seq.	Written Comments Only: July 24, 2023, 5:00pm Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov
Fire Commission (87-13)	Certification of Fire Chiefs Legislative	§15A-11-8	Written Comments Only: July 24, 2023, 5:00pm Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov

Fire Marshal (103-01)	Certification of Electrical Inspectors Legislative	§29-3C-4	Written Comments Only: July 24, 2023, 5:00pm Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov
Fire Marshal (103-03)	Supervision of Fire Protection Work Legislative	§29-3D-4	Written Comments Only: July 24, 2023, 5:00pm Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov
Fire Marshal (103-05)	Electrician Licensing Rules Legislative	§29-3B-5	Written Comments Only: July 24, 2023, 5:00pm Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov
Fire Marshal (103-06)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Officials, Building Code Inspectors and Plans Examiners Legislative	§§15A-10-2, 15A-10-5	Written Comments Only: July 24, 2023, 5:00pm Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov
Fire Marshal (103-07)	Certification of Home Inspectors Legislative	§15A-10-5(a),(b),(c)	Written Comments Only: July 24, 2023, 5:00pm Brandolyn N Felton-Ernest 1900 Kanawha Blvd., E. Building 1, Room W-400 Charleston, WV 25305 brandolyn.feltonernest@wv.gov
Forestry (22-02)	Sediment Control During Commercial Timber-Harvesting Operations-Licensing Legislative	§19-1B-4	Written Comments Only: July 27, 2023, 3:00pm Graham Platz 1900 Kanawha Blvd., East Bldg. 3, Suite 800 Charleston, WV 25305 graham.b.platz@wv.gov

Forestry (22-03)	Sediment Control During Commercial Timber-Harvesting Operations-Logger Certification Legislative	§19-1B-7	Written Comments Only: July 27, 2023, 3:00pm Graham Platz 1900 Kanawha Blvd., East Bldg. 3, Suite 800 Charleston, WV 25305 graham.b.platz@wv.gov
Labor (42-21A)	Licensing of Elevator Mechanics, Accessibility Technicians, and Limited Technicians and Registration of Elevator Mechanic Apprentices Legislative	§§21-3C-11, 21-17-12	Written Comments Only: July 26, 2023, 11:00am Brooke M. Farber 1900 Kanawha Blvd. East Bldg. 3, Room 200 Charleston, WV 25305 brooke.m.farber@wv.gov
Massage Therapy Licensure Board (194-01)	General Provisions Legislative	§30-37-6	Written Comments Only: July 27, 2023, 5:00pm Linda Lyter 179 Summers St. Suite 711 Charleston, WV 25301 linda_lyter@frontier.com
Massage Therapy Licensure Board (194-04)	Schedule of Fees Legislative	§§30-37-6, 30-37-13	Written Comments Only: July 28, 2023, 11:00am Linda Lyter 179 Summers St. Suite 711 Charleston, WV 25301 linda_lyter@frontier.com
Massage Therapy Licensure Board (194-07)	Establishment Licensure Legislative	§§30-37-6, 30-37-13	Written Comments Only: July 28, 2023, 11:00am Linda Lyter 179 Summers St. Suite 711 Charleston, WV 25301 linda_lyter@frontier.com
Motor Vehicles (91-03)	Motor Vehicle Titling and Registration Legislative	§§11-15-3c, 17A-2-9, 17A-4-11	Written Comments Only: July 23, 2023, 11:59pm Adam Holley PO Box 17200 Charleston, WV 25317 adam.holley@wv.gov
Motor Vehicles (91-06)	Dealer Licensing Legislative	§§17A-2-9, 17A-6-2a, 17A-6-3, 17A-6B-13, 17A-6C-17, 17A-6D-15	Written Comments Only: July 23, 2023, 11:59pm Adam Holley PO Box 17200 Charleston, WV 25317 adam.holley@wv.gov

Multimodal Transportation Facilities (220-01)	Valuation of Used Rolling Stock and Equipment Legislative	§§17-16F-5(b), 17-16F-13(f)	Written Comments Only: July 28, 2023, 12:00pm Stephen R. Connolly, Dep. Commissioner Bldg. 5, Rm 132 State Capitol Complex Charleston, WV 25305 stephen.r.connolly@wv.gov
Natural Resources (58-11)	Hunting, Fishing, and Other Outfitters and Guides Legislative	§§20-1-7(30), 20-2-23	Written Comments Only: July 27, 2023, 3:00pm Graham Platz 1900 Kanawha Blvd., East Bldg. 3, Suite 800 Charleston, WV 25305 graham.b.platz@wv.gov
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	§20-2-23a	Written Comments Only: July 27, 2023, 3:00pm Graham Platz 1900 Kanawha Blvd., East Bldg. 3, Suite 800 Charleston, WV 25305 graham.b.platz@wv.gov
Natural Resources (58-23)	Revocation of Hunting and Fishing Licenses Legislative	§§20-1-7(31), 20-2-38	Written Comments Only: July 27, 2023, 3:00pm Graham Platz 1900 Kanawha Blvd., East Bldg. 3, Suite 800 Charleston, WV 25305 graham.b.platz@wv.gov
Natural Resources (58-67)	Lifetime Hunting, Trapping and Fishing Licenses Legislative	§20-2B-7	Written Comments Only: July 26, 2023, 5:00pm Wendy L. Greene 324 4th Avenue Room 328 South Charleston, WV 25303 dnrcomments@wv.gov
Optometry (14-01)	Rules of the WV Board of Optometry Legislative	§§30-8-1, et. seq. HB2967 passed 2023	Written Comments Only: July 27, 2023, 9:00am Pamela Carper 179 Summers Street #231 Charleston, WV 25301 wvbdopt@frontier.com
Optometry (14-06)	Interview Evaluation Legislative	§30-8-1, et. seq.	Written Comments Only: July 28, 2023, 9:00am Pamela Carper 179 Summers Street, #231 Charleston, WV 25301 wvbdopt@frontier.com

Optometry (14-10)	Continuing Education Legislative	§30-8-6 and HB3317 passed 2023	Written Comments Only: July 27, 2023, 9:00am Pamela P. Carper 507 38th Street SE wvbdopt@frontier.com
Optometry (14-11)	Injectable Pharmaceuticals by Injection Certificate Legislative	§30-8-1, et. seq.	Written Comments Only: July 28, 2023, 9:00am Pamela Carper 179 Summers Street, #231 Charleston, WV 25301 wvbdopt@frontier.com
Optometry (14-13)	Ophthalmic Laser Utilization Certificate Legislative	§§30-8-6, 30-8-9	Written Comments Only: July 28, 2023, 9:00am Pamela Carper 179 Summers Street, #231 Charleston, WV 25301 wvbdopt@frontier.com
Optometry (14-14)	Eyelid Procedures Legislative	§§30-8-6, 30-8-9	Written Comments Only: July 27, 2023, 9:00am Pamela Carper 179 Summers Street #231 Charleston, WV 25301 wvbdopt@frontier.com
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	§§30-14-14, 30-1-7a, 30-1D-1(d)	Written Comments Only: July 27, 2023, 5:00pm Chase Holcomb 405 Capitol Street, Suite 402 Charleston, WV 25301 chase.o.holcomb@wv.gov
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	§§30-1-7a, 30-3E-3(a)(1)-(9), 30-1D-1(d)	Written Comments Only: July 27, 2023, 5:00pm Chase Holcomb 405 Capitol Street, Suite 402 Charleston, WV 25301 chase.o.holcomb@wv.gov
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	§30-5-7	Written Comments Only: July 28, 2023, 8:00am Krista Capehart 1207 Quarrier St. 4th Floor Charleston, WV 25301 krista.d.capehart@wv.gov

Pharmacy (15-03)	Continuing Education for Licensure of Pharmacists Legislative	§30-5-7	Written Comments Only: July 27, 2023, 4:00pm Krista Capehart 1207 Quarrier St. 4th Floor Charleston, WV 25301 krista.d.capehart@wv.gov
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	§§30-5-7, 230-5-11A	Written Comments Only: July 27, 2023, 4:00pm Krista Capehart 1207 Quarrier St. 4th Floor Charleston, WV 25301 krista.d.capehart@wv.gov
Pharmacy (15-12)	Immunizations Administered by Pharmacists, Pharmacy Interns and Pharmacy Technicians Legislative	§§30-5-7, 29A-3-15	Written Comments Only: July 27, 2023, 4:00pm Krista Capehart 1207 Quarrier St. 4th Floor Charleston, WV 25301 krista.d.capehart@wv.gov
Pharmacy (15-14)	Centralized Prescription Processing Legislative	§30-5-7	Written Comments Only July 28, 2023, 8:00am Krista Capehart 1207 Quarrier St. 4th Floor Charleston, WV 25301 krista.d.capehart@wv.gov
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	§30-5-7	Written Comments Only: July 27, 2023, 4:00pm Krista Capehart 1207 Quarrier St. 4th Floor Charleston, WV 25301 krista.d.capehart@wv.gov
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	§5d-1-5c(c)	Written Comments Only: July 23, 2023, 4:30pm James Bailey, Chair 1900 Kanawha Blvd. East Bldg. 3, Suite 800 Charleston, WV 25305 graham.b.platz@wv.gov
Secretary of State (153-14)	Guidelines for the Use of Nicknames and Other Designations on the Ballot Legislative	§3-1A-6	Written Comments Only: July 28, 2023, 11:00am Donald Kersey Secretary of State's Office State Capitol Bldg. 1 Ste 157-K Charleston, WV 25305 dkersey@wvsos.gov

Secretary of State (153-25, repeal)	Combined Voter Registration and Driver Licensing Fund Legislative	§3-1A-6	Written Comments Only: July 28, 2023, 9:00am Donald Kersey Secretary of State's Office State Capitol Bldg. 1 Ste 157-K Charleston, WV 25305 dkersey@wvsos.gov
Secretary of State (153-55)	Minimum Standards for Election Administration, Infrastructure, and Security Legislative	§§3-1A-6, 11-22-2(c)(4)	Written Comments Only: July 27, 2023, 3:00pm Donald Kersey Secretary of State's Office State Capitol Bldg. 1 Ste 157-K Charleston, WV 25305 dkersey@wvsos.gov
State Police (81-08)	WV State Police Member Grievance Procedure Legislative	§15-2-6(a)	Written Comments Only: July 23, 2023, 2:00pm Major James Mitchell 725 Jefferson Road South Charleston, WV 25309 james.l.mitchell@wvsp.gov
State Police (81-19)	Motor Vehicle Inspection Legislative	§17C-16-4	Written Comments Only: July 23, 2023, 1:00pm Major James Mitchell 725 Jefferson Road South Charleston, WV 25309 james.l.mitchell@wvsp.gov
Treasurer (112-05)	Enforcement of the Uniform Unclaimed Property Act Legislative	§§36-8-28, 37B-2-7	Written Comments Only: July 27, 2023, 3:00pm James Fuerhoff 1900 Kanawha Blvd., E, Room E-145 Charleston, WV 25305 James.fuerhoff@wvsto.com

EMERGENCY RULES FILED THIS WEEK				
AGENCY/RULE	**RULE NAME**	**AUTHORITY**	**EFFECTIVE DATE**	**COMMENT END DATE**
Agriculture (61-30)	Hemp Products	§19-12E-7	ERD by August 9, 2023	July 28, 2023
Environmental Protection, Secretary's Office (60-12)	Administration of Drinking Water Treatment Revolving Fund and Safe Drinking Water Set-Asides	§§47-66-1 et seq.	ERD by August 10, 2023	July 28, 2023
Massage Therapy Licensure Board (194-04)	Schedule of Fees	§§30-37-6, 30-37-13	ERD by August 8, 2023	July 28, 2023
Massage Therapy Licensure Board (194-07)	Establishment Licensure	§§30-37-6, 30-37-13	ERD by August 8, 2023	July 28, 2023
Motor Vehicles (91-03)	Motor Vehicle Titling and Registration	§§11-15-3c, 17A-2-9, 17A-3-14i 17A-4-11	ERD by August 8, 2023	July 23, 2023
Natural Resources (58-67)	Lifetime Hunting, Trapping and Fishing Licenses	§20-2B-7	ERD by August 7, 2023	July 26, 2023
Pharmacy (15-12)	Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians	§30-5-7, 29A-3-15	June 29, 2023	July 27, 2023
Pharmacy (15-14)	Centralized Prescription Processing	§30-5-7	June 29, 2023	July 27, 2023
Pharmacy (15-15)	Regulations Governing Pharmacy Permits	§30-5-7	June 29, 2023	July 27, 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

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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 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
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TITLE	64	HEALTH
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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
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TITLE	220	MULTIMODAL TRANSPORTATION FACILITIES

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						
Acupuncture (32-03)	Application for Licensure to Practice Acupunture Legislative	6/28/2023	7/28/2023						
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 (61-04B)	Frozen Desserts and Imitation Frozen Desserts Legislative	6/28/2023	7/28/2023						
Agriculture (61-12A)	Certified Pesticide Applicator Rules Legislative	6/28/2023	7/28/2023						
Agriculture (61-12B)	Licensing of Pesticide Business Legislative	6/28/2023	7/28/2023						
Agriculture (61-23B)	WV Shellfish Legislative	6/28/2023	7/28/2023						
Agriculture (61-30)	Hemp Products Legislative	6/28/2023	7/28/2023	6/28/2023 ERD by 8/9/2023					
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						

RULE MONITOR

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

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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				
Coal Mine Health and Safety (36-44)	Rule Governing Mine Rescue Requirements Legislative Exempt	6/28/2023	7/28/2023						
Coal Mine Health and Safety (36-59)	Supervision of Underground Apprentices in Areas Other Than the Working Section Legislative Exempt	6/28/2023	7/28/2023						
Community and Technical College Education (135-06)	Performance Indicators Legislative	6/21/2023	7/24/2023						
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Crime Delinquency and Correction (149-02)	Law Enforcement Training and Certification Legislative	6/23/2023	7/24/2023						
Crime Delinquency and Correction (149-03)	Protocol for Law Enforcement Response to Domestic Violence Legislative	6/26/2023	7/26/2023						
Crime Delinquency and Correction (149-10)	Sexual Assault Forensic Examinations Legislative	6/28/2023	7/28/2023						
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						
Economic Development, WV Dept. of (145-19)	Rule Governing the Operations of Motorsports Complexes and Events Legislative	6/28/2023	7/28/2023						
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
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Election Commission (146-01)	Corporate and Membership Organization Political Activity Legislative	6/28/2023	7/28/2023						
Election Commission (146-07)	Application and Approval Process for Secretary of State Expenditures from the County Assistance Voting Equipment Fund Legislative	6/27/2023	7/27/2023						
Emergency Management (170-02)	Industrial Accident Rapid Response Rule (170-02)	6/26/2023	7/26/2023						
Environmental Protection Secretarys's Office (60-12)	Administration of Drinking Water Treatment Revolving Fund and Safe Drinking Water Set-Asides Legislative	6/28/2023	7/28/2023	6/29/2023 ERD by 8/10/2023					
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						
Fire Commission (87-06)	Certification and Evaluation of Local Fire Departments Legislative	6/23/2023	7/24/2023						
Fire Commission (87-13)	Certification of Fire Chiefs Legislative	6/23/2023	7/24/2023						
Fire Marshal (103-01)	Certification of Electrical Inspectors Legislative	6/23/2023	7/24/2023						
Fire Marshal (103-03)	Supervision of Fire Protection Work Legislative	6/23/2023	7/24/2023						
Fire Marshal (103-05)	Electrician Licensing Rules Legislative	6/23/2023	7/24/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Marshal (103-06)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Bldg Code Officials, Bldg Code Inspectors and Plans Examiners Legislative	6/23/2023	7/24/2023						
Fire Marshal (103-07)	Certification of Home Inspectors Legislative	6/23/2023	7/24/2023						
Forestry (22-02)	Sediment Control During Commercial Timber-Harvesting Operations-Licensing Legislative	6/26/2023	7/27/2023						
Forestry (22-03)	Sediment Control During Timber-Harvesting Operations-Logger Certification Legislative	6/26/2023	7/27/2023						
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						
Health (64-91) Sunset Provision	Newborn Screening System Legislative				2/16/2023				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Approved 6/27/2023					
Higher Education Policy Commission (133-28)	WV Engineering, Science and Technology Scholarship Program Legislative	6/21/2023	7/21/2023						
Higher Education Policy Commission (133-42)	WV Higher Education Grant 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 (133-58)	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 (78-27)	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				
Labor (42-21A)	Licensing of Elevator Mechanics, Accessibility Technicians, and Limited Technicians and Registration of Elevator Mechanic Apprentices Legislative	6/23/2023	7/26/2023						
Massage Therapy Licensure Bd. (194-01)	General Provision Legislative	6/27/2023	7/27/2023						
Massage Therapy Licensure Bd. (194-04)	Schedule of Fees Legislative	6/28/2023	7/28/2023	6/27/2023 ERD by 8/8/2023					

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Massage Therapy Licensure Bd. (194-07)	Establishment Licensure Legislative	6/28/2023	7/28/2023	6/27/2023 ERD by 8/8/2023					
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Miners Health Safety and Training (56-14)	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						
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 (91-03)	Motor Vehicle Titling and Registration Legislative	6/23/2023	7/23/2023	6/27/2023 ERD by 8/8/2023					
Motor Vehicles (91-06)	Dealer Licensing Legislative	6/23/2023	7/23/2023						
Motor Vehicles (91-10)	Handicapped Parking Permits Legislative	6/6/2023	7/7/2023						
Multimodal Transportation Facilities (220-01)	Valuation of Used Rolling Stock and Equipment Legislative	6/28/2023	7/28/2023						
Natural Resources (58-11)	Hunting, Fishing, and Other Outfitters and Guides Legislative	6/26/2023	7/27/2023						
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	6/26/2023	7/27/2023						
Natural Resources (58-23)	Revocation of Hunting and Fishing Licenses Legislative	6/26/2023	7/27/2023						
Natural Resources (58-67)	Lifetime Hunting, Trapping and Fishing Licenses Legislative	6/26/2023	7/26/2023	6/26/2023 ERD by 8/7/2023					
Nursing Home Administrators Licensing Board (21-01)	Nursing Home Administrators Legislative	5/8/2023	6/8/2023		6/9/2023				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Optometry (14-01)	Rules of the WV Board of Optometry Legislative	6/28/2023	7/27/2023						
Optometry (14-06)	Interview Evaluation Legislative	6/28/2023	7/28/2023						
Optometry (14-10)	Continuing Education Legislative	6/27/2023	7/27/2023						
Optometry (14-11)	Injectable Pharmaceuticals by Injection Certificate Legislative	6/28/2023	7/28/2023						
Optometry (14-13)	Opthalmic Laser Utilization Certificate Legislative	6/28/2023	7/28/2023						
Optometry (14-14)	Eyelid Procedures Legislative	6/28/2023	7/27/2023						
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	6/26/2023	7/27/2023						
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/26/2023	7/27/2023						
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/28/2023	7/28/2023						
Pharmacy (15-03)	Continuing Education for Licensure for Pharmacists Legislative	6/27/2023	7/27/2023						
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	6/27/2023	7/27/2023						
Pharmacy (15-12)	Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians Legislative	6/27/2023	7/27/2023	6/27/2023 Approved 6/29/2023					
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/29/2023	7/28/2023	6/27/2023 Approved 6/29/2023					
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/27/2023	7/27/2023	6/27/2023 Approved 6/29/2023					

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Employees Insurance Agency (151-01)	Plan Document Legislative Exempt							6/29/2023	7/1/2023
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	6/23/2023	7/23/2023	6/14/2023 Approved 6/27/2023					
Public Service Commission (150-25)	Rules Governing Emergency Telephone Service Legislative Exempt	4/10/2023	6/9/2023						
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						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Approved 6/27/2023					
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 Approved 6/27/2023					
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						
Secretary of State (153-14)	Guidelines fo the Use of Nicknames and Other Designations on the Ballot Legislative	6/28/2023	7/28/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-25, repeal)	Combined Voter Registration and Driver Licensinig Fund Legislative	6/282023	7/28/2023						
Secretary of State (153-55)	Minimum Standards for Election Administration, Infrastructure, and Security Legislative	6/27/20223	7/27/2023						
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						
State Police (81-08)	WV State Police Member Grievance Procedure Legislative	6/23/2023	7/23/2023						
State Police (81-19)	Motor Vehicle Inspection Legislative	6/23/2023	7/23/2023						
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					6/21/2023	7/21/2023
Treasurer (112-05)	Enforcement of the Unifrom Unclaimed Property Act Legislative	6/27/2023	7/27/2023						
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						

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
6/28/2023 11:45:59 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Acupuncture

TITLE-SERIES: 32-03

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: APPLICATIONS FOR LICENSURE TO PRACTICE ACUPUNCTURE

CITE STATUTORY AUTHORITY: §30-36-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 1:2. PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Linda Lyter

ADDRESS: 179 Summers St. Suite 711

Charleston

EMAIL: linda_lyter@frontier.com

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

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WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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6/28/2023 12:12:06 PM
Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture

TITLE-SERIES: 61-04B

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Frozen Desserts and Imitation Frozen Desserts

CITE STATUTORY AUTHORITY: §19-11B-10

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 10:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jodee Martin

ADDRESS: 1900 Kanawha Boulevard, East

1900 Kanawha Boulevard, East

EMAIL:

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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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture

TITLE-SERIES: 61-12A

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Certified Pesticide Applicator Rules

CITE STATUTORY AUTHORITY: §19-16A-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 10:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jodee Martin

ADDRESS: 1900 Kanawha Boulevard, East

1900 Kanawha Boulevard, East

EMAIL: rulescomments@wvda.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

INCORPORATED BY REFERENCE: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture

TITLE-SERIES: 61-12B

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Licensing Of Pesticide Businesses

CITE STATUTORY AUTHORITY: §19-16A-4,8, & 9

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 10:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jodee Martin

ADDRESS: WV Department of Agriculture

1900 Kanawha Boulevard, East Charleston, WV 25305

EMAIL: rulescomments@wvda.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

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WEST VIRGINIA SECRETARY OF STATE

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6/28/2023 2:26:06 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture TITLE-SERIES: 61-23B

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

RULE NAME: West Virgnia Shellfish

CITE STATUTORY AUTHORITY: §19-29-1, 3 and 4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 10:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jodee Martin

ADDRESS: WV Department of Agriculture

1900 Kanawha Boulevard, East, Charleston WV 25305

EMAIL: rulescomments@wvda.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

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Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Agriculture TITLE-SERIES: 61-30

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

RULE NAME: Hemp Products

CITE STATUTORY AUTHORITY: §19-12E-7

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jodee Martin

ADDRESS: 1900 Kanawha Boulevard, East

Charleston, WV 25305

EMAIL: rulescomments@wvda.us

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RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

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

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6/28/2023 3:56:49 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Coal Mine Health And Safety

TITLE-SERIES: 36-44

RULE TYPE: Legislative Exempt

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Rule Governing Mine Rescue Requirements

CITE STATUTORY AUTHORITY: W. Va. Code 22A-6-4 and 22A-6-5

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Kevin Kidd

ADDRESS: 1900 Kanawha Blvd. East Building 1, Room w-435

Charleston, WV 25305

EMAIL: kevin.c.kidd@wvago.com

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INCORPORATED BY REFERENCE: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Coal Mine Health And Safety

TITLE-SERIES: 36-59

RULE TYPE: Legislative Exempt

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Supervision of Underground Apprentices in Areas Other than the Working Section

CITE STATUTORY AUTHORITY: W. Va. Code 22A-6-4 and 22A-6-5

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LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Kevin Kidd

ADDRESS: 1900 Kanawha Blvd. East Building 1, Room w-435

Charleston, WV 25305

EMAIL: kevin.c.kidd@wvago.com

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WEST VIRGINIA DIVISION OF CORRECTIONS & REHABILITATION

POLICY DIRECTIVE UPDATES

NUMBER	DATE	SUBJECT
456.01	12 July 2023	Death in Custody

WEST VIRGINIA SECRETARY OF STATE

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6/23/2023 2:17:09 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Crime Delinquency And Correction TITLE-SERIES: 149-02

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

RULE NAME: Law Enforcement Training and Certification Standards

CITE STATUTORY AUTHORITY: W.Va. Code 30-29-3

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/24/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brandolyn N Felton-Ernest

ADDRESS: 1900 Kanawha Blvd., E.

Building 1, Room W-400

EMAIL: brandolyn.feltonernest@wv.gov

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6/26/2023 4:43:51 PM
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Crime Delinquency And Correction TITLE-SERIES: 149-03

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

RULE NAME: Protocol for Law Enforcement Response to Domestic Violence

CITE STATUTORY AUTHORITY: W.Va. Code 48-27-1102

COMMENTS LIMITED TO:

Written

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LOCATION OF PUBLIC HEARING:

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ADDRESS: 1900 Kanawha Blvd., E.

Building 1, Room W-400

EMAIL: brandolyn.feltonernest@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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6/28/2023 3:35:13 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Crime Delinquency And Correction TITLE-SERIES: 149-10

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

RULE NAME: Sexual Assault Forensic Examinations

CITE STATUTORY AUTHORITY: W.Va. Code 15-9B-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brandolyn N Felton-Ernest

ADDRESS: 1900 Kanawha Blvd., E.

Building 1, Room W-400

EMAIL: brandolyn.feltonernest@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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6/28/2023 3:39:36 PM
Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Economic Development WV Department of

TITLE-SERIES: 145-19

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Rule Governing the Operation of Motorsports Complexes and Events

CITE STATUTORY AUTHORITY: 20-19-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Graham Platz

ADDRESS: 1900 Kanawha Blvd. East Building 3, Suite 800

Charleston, WV 25305

EMAIL: graham.b.platz@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Election Commission

TITLE-SERIES: 146-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: CORPORATE AND MEMBERSHIP ORGANIZATION POLITICAL ACTIVITY

CITE STATUTORY AUTHORITY: W. Va. Code 3-8-8

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Donald Kersey

ADDRESS: Secretary of State's Office, State Capitol, Bldg. 1, Ste. 157-K

Charleston, WV 25305

EMAIL: dkersey@wvsos.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INCORPORATED BY REFERENCE: No

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6/27/2023 4:34:48 PM
Office of West Virginia
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Election Commission

TITLE-SERIES: 146-07

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: APPLICATION AND APPROVAL PROCESS FOR SECRETARY OF STATE EXPENDITURES FROM THE COUNTY ASSISTANCE VOTING EQUIPMENT FUND

CITE STATUTORY AUTHORITY: W. Va. Code § 3-1-48(m)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 4:40 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Donald Kersey

ADDRESS: Secretary of State's Office, State Capitol, Bldg. 1, Ste. 157-K

Charleston, WV 25305

EMAIL: dkersey@wvsos.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INCORPORATED BY REFERENCE: No

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6/26/2023 4:02:32 PM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Emergency Management

TITLE-SERIES: 170-02

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Industrial Accident Rapid Response Rule

CITE STATUTORY AUTHORITY: W.Va. Code 15-5B-3a

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/26/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brandolyn N Felton-Ernest

ADDRESS: 1900 Kanawha Blvd., E.

Building 1, Room W-400

EMAIL: brandolyn.feltonernest@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Environmental Protection Secretarys Office

TITLE-SERIES: 60-12

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Administration of Drinking Water Treatment Revolving Fund and Safe Drinking Water Set-Asides

CITE STATUTORY AUTHORITY: 22-36-1

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/28/2023 1:30 PM

LOCATION OF PUBLIC HEARING:

601 57th Street, SE, Charleston, WV 25304

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 1:30 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jason Wandling

ADDRESS: 601 57th Street, SE

Charleston, WV 25304

EMAIL: jason.e.wandling@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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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Fire Commission

TITLE-SERIES: 87-06

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Certification and Evaluation of Local Fire Departments

CITE STATUTORY AUTHORITY: W.Va. Code 15A-11-3, 15A-11-5 and 29A-3-1 et seq.

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/24/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brandolyn N Felton-Ernest

ADDRESS: 1900 Kanawha Blvd., E.

Building 1, Room W-400

EMAIL: brandolyn.feltonernest@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

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Fire Commission TITLE-SERIES: 87-13

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

RULE NAME: Certification of Fire Chiefs

CITE STATUTORY AUTHORITY: W. Va. Code 15A-11-8

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/24/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brandolyn N Felton-Ernest

ADDRESS: 1900 Kanawha Blvd., E.

Building 1, Room W-400

EMAIL: brandolyn.feltonernest@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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6/23/2023 10:37:43 AM
Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Fire Marshal TITLE-SERIES: 103-01

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

RULE NAME: Certification of Electrical Inspectors

CITE STATUTORY AUTHORITY: W.Va. Code 29-3C-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/24/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brandolyn N Felton-Ernest

ADDRESS: 1900 Kanawha Blvd., E.

Building 1, Room W-400

EMAIL: brandolyn.feltonernest@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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6/23/2023 10:43:49 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Fire Marshal TITLE-SERIES: 103-03

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

RULE NAME: Supervision of Fire Protection Work

CITE STATUTORY AUTHORITY: W.Va. Code 29-3D-4

COMMENTS LIMITED TO:

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DATE WRITTEN COMMENT PERIOD ENDS: 07/24/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brandolyn N Felton-Ernest

ADDRESS: 1900 Kanawha Blvd., E.

Building 1, Room W-400

EMAIL: brandolyn.feltonernest@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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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Fire Marshal TITLE-SERIES: 103-05

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

RULE NAME: Electrician Licensing Rules

CITE STATUTORY AUTHORITY: W.Va. Code 29-3B-5

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

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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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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INCORPORATED BY REFERENCE: No

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Fire Marshal

TITLE-SERIES: 103-06

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Officials, Building Code Inspectors and Plans Examiners

CITE STATUTORY AUTHORITY: W.Va. Code 15A-10-2 and 15A-10-5

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Building 1, Room W-400

EMAIL: brandolyn.feltonernest@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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6/23/2023 11:17:23 AM
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Fire Marshal

TITLE-SERIES: 103-07

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Certification of Home Inspectors

CITE STATUTORY AUTHORITY: W.Va. Code 15A-10-5(a), (b), (c)

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

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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: Forestry

TITLE-SERIES: 22-02

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Sediment Control During Commercial Timber-Harvesting Operations-Licensing

CITE STATUTORY AUTHORITY: 19-1B-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Graham Platz

ADDRESS: 1900 Kanawha Blvd. East Building 3, Suite 800

Charleston, WV 25305

EMAIL: graham.b.platz@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Forestry

TITLE-SERIES: 22-03

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Sediment Control During Commercial Timber-Harvesting Operations-Logger Certification

CITE STATUTORY AUTHORITY: 19-1B-7

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Labor

TITLE-SERIES: 42-21A

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Licensing of Elevator Mechanics, Accessibility Technicians, and Limited Technicians and Registration of Elevator Mechanic Apprentices

CITE STATUTORY AUTHORITY: W. Va. Code §21-3C-11 and §21-17-12

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Brooke M. Farber

ADDRESS: 1900 Kanawha Boulevard East, Capitol Complex

Building 3, Room 200

EMAIL: brooke.m.farber@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Massage Therapy Licensure Board

TITLE-SERIES: 194-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: GENERAL PROVISIONS

CITE STATUTORY AUTHORITY: §30-37-6

COMMENTS LIMITED TO:

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LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Linda Lyter

ADDRESS: 179 Summers St. Suite 711

Charleston, WV 25301

EMAIL: linda_lyter@frontier.com

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Massage Therapy Licensure Board TITLE-SERIES: 194-04

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

RULE NAME: SCHEDULE OF FEES

CITE STATUTORY AUTHORITY: §30-37-6 and § 30-37-13

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ADDRESS: 179 Summers St. Suite 711

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EMAIL: linda_lyter@frontier.com

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Massage Therapy Licensure Board TITLE-SERIES: 194-07

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

RULE NAME: ESTABLISHMENT LICENSURE

CITE STATUTORY AUTHORITY: §30-37-6 and § 30-37-13

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NAME: Linda Lyter

ADDRESS: 179 Summers St. Suite 711

Charleston, WV 25301

EMAIL: linda_lyter@frontier.com

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Motor Vehicles TITLE-SERIES: 91-03

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

RULE NAME: Motor Vehicle Titling and Registration

CITE STATUTORY AUTHORITY: 11-15-3c, 17A-2-9, 17A-3-14i, and 17A-4-11

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DATE WRITTEN COMMENT PERIOD ENDS: 07/23/2023 11:59 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Adam Holley

ADDRESS: Post Office Box 17200

Charleston, West Virginia 25317

EMAIL: adam.holley@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Motor Vehicles TITLE-SERIES: 91-06

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

RULE NAME: Dealer Licensing

CITE STATUTORY AUTHORITY: 17A-2-9, 17A-6-2a, 17A-6-5a, 17A-6-3, 17A- 6B-13, 17A-6C-17 and 17A-6D-15

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Adam Holley

ADDRESS: Post Office Box 17200

Charleston, West Virginia 25317

EMAIL: adam.holley@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Multimodal Transportation Facilities TITLE-SERIES: 220-01

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

RULE NAME: VALUATION OF USED ROLLING STOCK AND EQUIPMENT

CITE STATUTORY AUTHORITY: 17-16F-5(b); 17-16F-13(f)

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Stephen R. Connolly, Dep. Commissioner

ADDRESS: Bldg. 5, Rm. 132 State Capitol Complex

Charleston, WV 25305

EMAIL: stephen.r.connolly@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-11

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

RULE NAME: Hunting, Fishing, and Other Outfitters and Guides

CITE STATUTORY AUTHORITY: 20-1-7(30) and 20-2-23

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DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Graham Platz

ADDRESS: 1900 Kanawha Blvd. East Building 3, Suite 800

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EMAIL: graham.b.platz@wv.gov

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-12

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

RULE NAME: Commercial Whitewater Outfitters

CITE STATUTORY AUTHORITY: 20-2-23a

COMMENTS LIMITED TO:

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EMAIL: graham.b.platz@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-23

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

RULE NAME: Revocation of Hunting and Fishing Licenses

CITE STATUTORY AUTHORITY: 20-1-7(31) and 20-2-38

COMMENTS LIMITED TO:

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ADDRESS: 1900 Kanawha Blvd. East Building 3, Suite 800

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EMAIL: graham.b.platz@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-67

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

RULE NAME: Lifetime Hunting, Trapping and Fishing Licenses

CITE STATUTORY AUTHORITY: §20-2B-7

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Wendy L. Greene

ADDRESS: 324 4th Avenue

Room 328

EMAIL: dnrcomments@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Optometry TITLE-SERIES: 14-01

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

RULE NAME: Rules of the West Virginia Board of Optometry

CITE STATUTORY AUTHORITY: WV Code, 30-8-1, et.seq. HB2967 passed 2023

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Pamela Carper

ADDRESS: 179 Summers Street, #231

179 Summers Street, #231

EMAIL: wvbdopt@frontier.com

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Optometry TITLE-SERIES: 14-06

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

RULE NAME: Interview Evaluation

CITE STATUTORY AUTHORITY: WV Code, 30-8-1, et.seq.

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LOCATION OF PUBLIC HEARING:

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ADDRESS: 179 Summers Street, #231

179 Summers Street, #231

EMAIL: wvbdopt@frontier.com

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Optometry TITLE-SERIES: 14-10

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

RULE NAME: Continuing Education

CITE STATUTORY AUTHORITY: WV Code, 30-8-6 and HB3317 passed 2023

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LOCATION OF PUBLIC HEARING:

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Pamela P Carper

ADDRESS: 507 38th Street SE

507 38th Street SE

EMAIL: wvbdopt@frontier.com

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Optometry TITLE-SERIES: 14-11

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

RULE NAME: Injectable Pharmaceuticals By Injection Certificate

CITE STATUTORY AUTHORITY: WV Code, 30-8-1, et.seq.

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ADDRESS: 179 Summers Street, #231

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EMAIL: wvbdopt@frontier.com

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Optometry TITLE-SERIES: 14-13

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

RULE NAME: Opthalmic Laser Utilization Certificate

CITE STATUTORY AUTHORITY: WV Code, 30-8-6, 30-8-9

COMMENTS LIMITED TO:

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NAME: WV Board of Optometry

ADDRESS: 179 Summers Street, #231

Charleston, WV 25301

EMAIL: wvbdopt@frontier.com

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Optometry

TITLE-SERIES: 14-14

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Eyelid Procedures

CITE STATUTORY AUTHORITY: WV Code 30-8-6 and WV Code 30-8-9

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ADDRESS: 179 Summers Street, #231

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Osteopathic Medicine

TITLE-SERIES: 24-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Licensing Procedures for Osteopathic Physicians

CITE STATUTORY AUTHORITY: W. Va. Code § 30-14-14, W. Va. Code § 30-1-7a, and W. Va. Code § 30-1D-1(d).

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DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Chase Holcomb

ADDRESS: 405 Capitol Street, Suite 402

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EMAIL: chase.o.holcomb@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Osteopathic Medicine TITLE-SERIES: 24-02

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

RULE NAME: Osteopathic Physician Assistants

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

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COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Chase Holcomb

ADDRESS: 405 Capitol Street, Suite 402

Charleston, WV 25301

EMAIL: chase.o.holcomb@wv.gov

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Pharmacy TITLE-SERIES: 15-01

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

RULE NAME: Licensure and Practice of Pharmacy

CITE STATUTORY AUTHORITY: §30-5-7

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DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 8:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Krista Capehart

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PLEASE INDICATE IF THIS FILING INCLUDES:

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Pharmacy TITLE-SERIES: 15-03

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

RULE NAME: Continuing Education for Licensure for Pharmacists

CITE STATUTORY AUTHORITY: §30-5-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Krista Capehart

ADDRESS: 1207 Quarrier St 4th Floor

Charleston, WV 25301

EMAIL: krista.d.capehart@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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6/27/2023 3:47:26 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Pharmacy TITLE-SERIES: 15-07

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

RULE NAME: Registration of Pharmacy Technicians

CITE STATUTORY AUTHORITY: §30-5-7 and §230-5-11A

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Krista Capehart

ADDRESS: 1207 Quarrier St 4th Floor

Charleston, WV 25301

EMAIL: krista.d.capehart@wv.gov

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RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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6/27/2023 3:15:58 PM
Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Pharmacy TITLE-SERIES: 15-12

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

RULE NAME: Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians

CITE STATUTORY AUTHORITY: §30-5-7 and 29A-3-15

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Krista Capehart

ADDRESS: 1207 Quarrier St 4th Floor

Charleston, WV 25301

EMAIL: krista.d.capehart@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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6/29/2023 11:14:17 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Pharmacy TITLE-SERIES: 15-14

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

RULE NAME: Centralized Prescription Processing

CITE STATUTORY AUTHORITY: §30-5-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 8:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Krista Capehart

ADDRESS: 1207 Quarrier St 4th Floor

Charleston, WV 25301

EMAIL: krista.d.capehart@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INCORPORATED BY REFERENCE: No

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WEST VIRGINIA SECRETARY OF STATE
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6/27/2023 3:17:46 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Pharmacy TITLE-SERIES: 15-15

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

RULE NAME: Regulations Governing Pharmacy Permits

CITE STATUTORY AUTHORITY: §30-5-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Krista Capehart

ADDRESS: 1207 Quarrier St 4th Floor

Charleston, WV 25301

EMAIL: krista.d.capehart@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
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6/27/2023 11:52:40 AM
Office of West Virginia
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NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Pharmacy TITLE-SERIES: 15-17

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: 30-5-7 and 30-5-12c

RULE NAME: 15-17 The Substitution of Biological Pharmaceuticals

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

10 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[ ] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [ ] INCORPORATED BY REFERENCE [ ]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

Establish the standards for the substitution of biological pharmaceuticals.

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

No changes needed.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

None.

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

none

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED
6/29/2023 12:38 PM
Office of West Virginia
Secretary Of State

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

AGENCY: Public Employees Insurance Agency TITLE-SERIES: 151-01

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

RULE NAME: 151CSR1 TITLE 151 LEGISLATIVE RULES PUBLIC EMPLOYEES INSURANCE AGENCY

CITE STATUTORY AUTHORITY: §5-16-1, et seq., 5-16-24

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

July 1, 2023

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

Yes

Kasi L Bell -- 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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6/23/2023 11:45:39 AM
Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Public Energy Authority TITLE-SERIES: 53-05

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

RULE NAME: 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

CITE STATUTORY AUTHORITY: W. Va. Code 5d-1-5c(c)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/23/2023 4:30 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: James Bailey, Chair

ADDRESS: 1900 Kanawha Blvd. East Building 3, Suite 800

Charleston, WV 25305

EMAIL: graham.b.platz@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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6/28/2023 11:24:02 AM
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Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Secretary Of State TITLE-SERIES: 153-14

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

RULE NAME: GUIDELINES FOR THE USE OF NICKNAMES AND OTHER DESIGNATIONS ON THE BALLOT

CITE STATUTORY AUTHORITY: W. Va. Code § 3-1A-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 11:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Donald Kersey

ADDRESS: Secretary of State's Office, State Capitol, Bldg. 1, Ste. 157-K

Charleston, WV 25305

EMAIL: dkersey@wvsos.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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6/28/2023 4:46:56 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Secretary Of State TITLE-SERIES: 153-25

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

RULE NAME: COMBINED VOTER REGISTRATION AND DRIVER LICENSING FUND

CITE STATUTORY AUTHORITY: W. Va. Code § 3-1A-6.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2023 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Donald Kersey

ADDRESS: Secretary of State's Office, State Capitol, Bldg. 1, Ste. 157-K

Charleston, WV 25305

EMAIL: dkersey@wvsos.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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6/27/2023 9:28:31 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Secretary Of State TITLE-SERIES: 153-55

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

RULE NAME: MINIMUM STANDARDS FOR ELECTION ADMINISTRATION, INFRASTRUCTURE, AND SECURITY

CITE STATUTORY AUTHORITY: W. Va. Code §§ 3-1A-6 and 11-22-2(c)(4)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Donald Kersey

ADDRESS: Secretary of State's Office, State Capitol, Bldg. 1, Ste. 157-K

Charleston, WV 25305

EMAIL: dkersey@wvsos.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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INCORPORATED BY REFERENCE: No

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6/23/2023 1:21:27 PM
Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: State Police TITLE-SERIES: 81-08

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

RULE NAME: WEST VIRGINIA STATE POLICE MEMBER GRIEVANCE PROCEDURE

CITE STATUTORY AUTHORITY: 15-2-6(a)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/23/2023 2pm

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Major James Mitchell

ADDRESS: 725 Jefferson Road

EMAIL: james.l.mitchell@wvsp.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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6/23/2023 12:31:17 PM
Office of West Virginia
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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: State Police

TITLE-SERIES: 81-19

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: Motor Vehicle Inspection

CITE STATUTORY AUTHORITY: 17C-16-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/23/2023 1:2

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Major James Mitchell

ADDRESS: 725 Jefferson Road

South Charleston, WV 25309

EMAIL: james.l.mitchell@wvsp.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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6/27/2023 2:03:04 PM
Office of West Virginia
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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Treasurer

TITLE-SERIES: 112-05

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Enforcement of the Uniform Unclaimed Property Act

CITE STATUTORY AUTHORITY: §36-8-28, §37B-2-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/27/2023 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: James Fuerhoff

ADDRESS: 1900 Kanawha Boulevard East, Rm E-145

Charleston, WV 25305

EMAIL: james.fuerhoff@wvsto.com

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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ADMINISTRATIVE LAW DIVISION

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6/26/2023 3:58:35 PM

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LEGISLATIVE

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Treasurer TITLE-SERIES: 112-16

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: §37B-2-7

RULE NAME: 112-16 Reporting and Claiming Unknown and Unlocatable Interest Owners Reserved Interests

PLEASE SELECT A SUNSET PROVISION OPTION:

[ ] EXTEND THE SUNSET DATE OF THE RULE.

REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[X] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [ ] INCORPORATED BY REFERENCE [ ]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

The legislative rule sets forth the requirements of the Unknown and Unlocatable Interest Owners Act pursuant to W.Va. Code §37B-2-1 et. seq. The current rule sets forth definitions and reporting requirements for holders of property.

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

The State Treasurer's Office is not requesting a sunset provision extension for 112 CSR 16. Rather, the STO will be amending its Unclaimed Property rule, 112 CSR 05 to incorporate the rules and regulations for the Unknown and Unlocatable Interest Owner's Act.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

N/A

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

N/A

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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6/28/2023 2:18:46 PM

Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Agriculture TITLE-SERIES: 61-30

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Hemp Products

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§19-12E-7

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:

SB 220 2023 WV Legislative Session

PRIMARY CONTACT:

NAME: Jodee Martin

ADDRESS: 1900 Kanawha Boulevard East

Charleston, WV 25305

EMAIL: rulescomments@wvda.us

PHONE NUMBER: 304-558-3200

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:

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6/29/2023 1:18:51 PM

Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Environmental Protection Secretarys Office TITLE-SERIES: 60-12

RULE TYPE: Legislative Amendment to Existing Rule: No

RULE NAME: ADMINISTRATION OF DRINKING WATER TREATMENT REVOLVING FUND AND SAFE DRINKING WATER SET-ASIDES

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code 22-36-,. et seq.

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:

Not Applicable

PRIMARY CONTACT:

NAME: Jason Wandling

ADDRESS: 601 57th Street Se

Charleston, WV 25304

EMAIL: jason.e.wandling@wv.gov

PHONE NUMBER: 304-553-1405

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:

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2023 JUN 27 P 2:04

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

EMERGENCY

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Higher Education Policy Commission

RULE: 133-19 Guidelines for College Courses for High School Students

STATUTORY AUTHORITY: 18B-1-6, 18B-14-4(d)

DATE FILED AS AN EMERGENCY RULE: 6/21/2023

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is **Approved**.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

____ (1) For the immediate preservation of the public peace, health, safety and welfare;

_X_ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

____ (3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): Rule implements dual enrollment pilot program passed in HB 2005 (2023), and rule-making authority is substantially broad.

Donald Kersey, General Counsel
WV Secretary of State's Office

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/27/2023 3:45:49 PM
Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Massage Therapy Licensure Board TITLE-SERIES: 194-04

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: SCHEDULE OF FEES

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§30-37-6 and § 30-37-13

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:

SB 665 2023 Legislative Session

PRIMARY CONTACT:

NAME: Linda Lyter

ADDRESS: 179 Summers St Ste 711

Charleston, WV 25301

EMAIL: linda_lyter@frontier.com

PHONE NUMBER: 304-558-1060

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:

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6/27/2023 2:56:03 PM
Office of West Virginia
Secretary Of State

EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Massage Therapy Licensure Board TITLE-SERIES: 194-07

RULE TYPE: Legislative Amendment to Existing Rule: No

RULE NAME: ESTABLISHMENT LICENSURE

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§30-37-6 and § 30-37-13

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:

SB 665 2023 Legislative Session

PRIMARY CONTACT:

NAME: Linda Lyter

ADDRESS: 179 Summers St Ste 711

Charleston, WV 25301

EMAIL: linda_lyter@frontier.com

PHONE NUMBER: 304-558-1060

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:

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MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/27/2023 8:44:08 AM
Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Motor Vehicles TITLE-SERIES: 91-03

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Motor Vehicle Titling

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §§11-15-3c, 17A-2-9, 17A-3-14i, and 17A-4-11.

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: Adam Holley

ADDRESS: PO Box 17200

Charleston, West Virginia 25317

EMAIL: adam.holley@wv.gov

PHONE NUMBER: 304-926-0708

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:

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6/26/2023 4:39:14 PM

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EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Natural Resources TITLE-SERIES: 58-67

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Lifetime Hunting, Trapping and Fishing Licenses

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§20-2B-7

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: Wendy L. Greene

ADDRESS: 324 4th Avenue

Room 328

EMAIL: wendy.l.greene@wv.gov

PHONE NUMBER: 304-558-2754

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

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

6/27/2023 1:12:20 PM

Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Pharmacy TITLE-SERIES: 15-12

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§30-5-7 and §29A-3-15

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: Krista Capehart

ADDRESS: 1207 Quarrier St 4th Floor Charleston WV 25301

EMAIL: krista.d.capehart@wv.gov

PHONE NUMBER: 304-206-5767

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:

FILED

2023 JUN 29 A 10: 18

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

EMERGENCY

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Board of Pharmacy

RULE: 15 CSR 12

STATUTORY AUTHORITY: §§ 30-5-7 and 29A-3-15

DATE FILED AS AN EMERGENCY RULE: June 27, 2023

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is **Approved**.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

__X__ (1) For the immediate preservation of the public peace, health, safety and welfare;

____ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

__X__ (3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): The Emergency Rule is required to prevent lapse in authority previously granted by federal COVID PREP Act, which ended May 11, 2023, but which authority was adopted by the Legislature in HB 2574 (2023).

Donald Kersey, General Counsel
WV Secretary of State's Office

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
6/27/2023 1:55:56 PM
Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Pharmacy TITLE-SERIES: 15-14

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Centralized Prescription Processing

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§30-5-7

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: Krista Capehart

ADDRESS: 1207 Quarrier St 4th Floor Charleston WV 25301

EMAIL: krista.d.capehart@wv.gov

PHONE NUMBER: 304-206-5767

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:

FILED

2023 JUN 29 A 10: 18

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

EMERGENCY

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Board of Pharmacy

RULE: 15 CSR 14

STATUTORY AUTHORITY: §§ 30-5-7 and 29A-3-15

DATE FILED AS AN EMERGENCY RULE: June 27, 2023

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is **Approved**.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

__X__ (1) For the immediate preservation of the public peace, health, safety and welfare;

____ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

__X__ (3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): The Emergency Rule is required to provide the procedure to pharmacists to transfer prescriptions or orders from one pharmacy to another when circumstances, such as pharmacy closure, prevent patients from obtaining their medication from their primary pharmacy. This is authorized expressly by statute but was not previously in the Rule because there were rarely pre-COVID closures. Now, closures are common.

Donald Kersey, General Counsel
WV Secretary of State's Office

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/27/2023 3:08:25 PM
Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY RULE

AGENCY: Pharmacy TITLE-SERIES: 15-15

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Regulations Governing Pharmacy Permits

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§30-5-7

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: Krista Capehart

ADDRESS: 1207 Quarrier St 4th Floor Charleston WV 25301

EMAIL: krista.d.capehart@wv.gov

PHONE NUMBER: 304-206-5767

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:

FILED

2023 JUN 29 A 10: 18

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

EMERGENCY

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Board of Pharmacy

RULE: 15 CSR 15

STATUTORY AUTHORITY: §§ 30-5-7 and 29A-3-15

DATE FILED AS AN EMERGENCY RULE: June 27, 2023

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is **Approved**.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

__X__ (1) For the immediate preservation of the public peace, health, safety and welfare;

____ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

__X__ (3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): The Emergency Rule is required to give pharmacies uniform guidance and practices to communicate with patients when a pharmacy is closed temporarily or permanently. This is authorized by statute but was not previously in the Rule because there were rarely pre-COVID closures. Now, closures are common.

Donald Kersey, General Counsel
WV Secretary of State's Office

FILED

2023 JUN 27 P 2: 04

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Public Energy Authority

RULE: 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

STATUTORY AUTHORITY: 5D-1-5c(c)

DATE FILED AS AN EMERGENCY RULE: 6/14/2023

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is **Approved**.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

____ (1) For the immediate preservation of the public peace, health, safety and welfare;

__X__ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

____ (3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): Rule sets out process for petitioning to decommission or deconstruct coal, oil, or natural gas facilities within the mandates of SB 609 (2023).

Donald Kersey, General Counsel
WV Secretary of State's Office

FILED

2023 JUN 27 P 2:04

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

EMERGENCY

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Registered Nurses WV Board of (?)

RULE: 19-01 Policies, Standards and Criteria for the Evaluation, Approval and National Nursing Accreditation of Prelicensure Nursing Education Programs

STATUTORY AUTHORITY: 30-7-4, 30-1-4

DATE FILED AS AN EMERGENCY RULE: 5/31/2023

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is **Approved**.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

__X__ (1) For the immediate preservation of the public peace, health, safety and welfare;

____ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

____ (3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): The Board has broad rule-making authority to establish procedures for submitting, approving, and rejecting applications for a license and permit, and to determine the qualifications of an applicant for a license and permit per W. Va. Code § 30-7-4.

Donald Kersey, General Counsel
WV Secretary of State's Office

FILED

2023 JUN 27 P 2:04

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Registered Nurses WV Board of ("WV Board of Registered Nurses"? Or missing the end?)

RULE: 19-12 – Fees for Services Rendered by The Board

STATUTORY AUTHORITY: 30-7-4, 30-7-8a, 30-1-4

DATE FILED AS AN EMERGENCY RULE: 5/312023 – 10:21 AM

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is **Approved**.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

____ (1) For the immediate preservation of the public peace, health, safety and welfare;

____ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

__X__ (3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): Emergency rule simply adds a fee within its authority in W. Va. Code §30-7-4(a)(4) that was mistakenly excluded from legislative rule amendment in 2023. Without the emergency rule, the Board is without authority to institute the long-standing fee for initial applicants.

Donald Kersey, General Counsel
WV Secretary of State's Office

Orders Report

Docket Number	Agency	Respondent	Date Rendered
23-1C-02146	Insurance Commission	IBEXIS Life & Annuity Insurance Company	6/7/2023
22-1C-02274	Insurance Commission	Forethought Life Insurance Company	6/21/2023
23-1C-02237	Insurance Commission	Highmark West Virginia Inc. dba Highmark Blue Cross Blue Shield WV	6/26/2023
23-1C-02237	Insurance Commission	Highmark Senior Solutions Company	6/26/2023
23-1C-02237	Insurance Commission	Highmark Health Options WV Inc.	6/26/2023
23-14-W	Medicine, West Virginia Board Of	Dean Joseph Wickel, MD	6/26/2023

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

AT CHARLESTON

EXECUTIVE ORDER NO. 1-23

By the Governor

EXECUTIVE ORDER

WHEREAS, a State of Emergency was declared on March 16, 2020, for all counties in West Virginia, to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19 (the "State of Emergency Declaration"); and

WHEREAS, Executive Order 82-20 created the COVID-19 Joint Interagency Task Force (the "COVID-19 JIATF") to support all COVID-19 vaccination preparedness, deployment, and delivery related lines of effort, including logistical support, testing lanes support, and PPE support, and coordinating the receipt and distribution of COVID-19 vaccinations throughout the State of West Virginia; and

WHEREAS, on January 1, 2023, the State of Emergency caused by the COVID-19 pandemic ended in West Virginia; and

WHEREAS, on the May 11, 2023, the national public health emergency caused by the COVID-19 pandemic ended; and

WHEREAS, the COVID-19 JIATF has been successful in the execution of COVID-19 missions, and it is in the best interest of the public that the COVID-19 JIATF demobilize against COVID-19 so that efforts and resources may be employed elsewhere; and

WHEREAS, the COVID-19 JIATF shall be permitted to proceed with the disposition of all equipment and supplies determined to be unnecessary, except for a 30-day supply of Personal Protective Equipment ("PPE"), which the JIATF shall maintain at all times; and

WHEREAS, the JIATF shall continue its work to focus on needs, obstacles, and solutions relating to health disparities across West Virginia, particularly in underserved communities; and

WHEREAS, in response to House Bill 2006, relating to the reorganization of the Department of Health and Human Resources, which passed during the 2023 Regular Legislative Session, the JIATF shall assist the Department of Health and Human Resources (DHHR) as seen fit by the secretary or secretaries of the DHHR, or his or her designees and assigns.

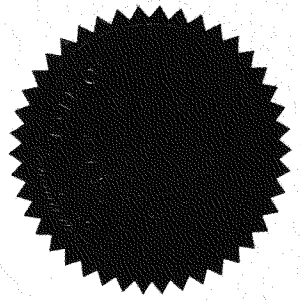
NOW, THEREFORE, I, JIM JUSTICE, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **ORDER,** effective as of January 1, 2023, that:

1. The COVID-19 Joint Interagency Task Force (the "COVID-19 JIATF") shall demobilize its efforts against COVID-19,
2. At that time, the COVID-19 JIATF shall be redesignated the West Virginia Joint Interagency Task Force ("JIATF").
3. In preparation for the demobilization of the COVID-19 JIATF, the JIATF shall have the authority to task the West Virginia National Guard, and other state agencies, as needed to resolve all outstanding COVID-19 missions.
4. The State shall be permitted to seek disposition of all COVID-19 equipment and supplies in accordance with FEMA guidelines, effective January 1, 2023, except for a 30-day supply of PPE, which the JIATF shall maintain at all times.
5. The State shall adhere to the established FEMA guidelines as it relates to the proper disposition of all equipment and supplies, which can be found in the "FEMA Frequently Asked Questions" publication.

6. From the date of demobilization, the JIATF shall focus on resolving the health disparities that exist across West Virginia by identifying needs and obstacles in our underserved communities so that strategies and solutions may be developed and implemented.

7. Furthermore, in order to implement House Bill 2006, the JIATF shall work cooperatively with the West Virginia Department of Health and Human Resources to assist as needed through consultation with the Cabinet Secretary or Secretaries.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the great seal of the State of West Virginia to be affixed.



DONE at the Capitol, in the City of Charleston, State of West Virginia, this the Twenty-Eighth Day of June, in the Year of our Lord, Two Thousand Twenty-Three, and in the One Hundred Sixty-First Year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

EXECUTIVE ORDER

FILED
WV SECRETARY OF STATE
JUNE 28, 2023 01:24 PM

OTHER

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Bureau for Public Health
Office of Environmental Health Services

Jeffrey H. Coben, MD
Interim Cabinet Secretary

Matthew Q. Christiansen, MD, MPH
Commissioner & State Health Officer

MEMORANDUM

TO: Interested Parties

FROM: Logan Davis
Drinking Water Treatment Revolving Fund

DATE: June 28, 2023

SUBJECT: Categorical Exclusion Decision (CE)
Lubeck PSD- New England Road Extension Project - 23DWTRFA002EC

A copy of the Lubeck PSD- New England Road Extension Categorical Exclusion Decision (CE) is enclosed for your records.

The review process concluded that the proposed action is consistent with the categories of actions eligible for a categorical exclusion. This means that environmental information documents and environmental assessments or environmental impact statements **will not** be required for this project and the project is authorized to proceed forward.

This decision is based upon a careful review of supporting documents provided by the applicant and other documentation available to the West Virginia Bureau of Public Health (WVBPH). These documents are on file with the WVBPH, Office of Environmental Health Services (OEHS), and Environmental Engineering Division (EED), and are available for review upon request.

Comments on this decision may be submitted for consideration to WVBPH/OEHS/EED, attention Christopher Thomas, 350 Capitol Street, Room 313 Charleston, WV 25301-3713; or you may fax your comments to (304) 558-0691 or e-mail christopher.w.thomas@wv.gov.

350 Capitol Street, Room 313
Charleston, West Virginia 25301-3713 Telephone:
(304) 558-2981 / Fax: (304) 558-0691

Distribution List (via email):

Lubeck PSD
West Virginia Development Office
West Virginia Division of Natural Resources West Virginia Bureau of Public Health
West Virginia Department of Environmental Protection Division of Culture & History
U.S. Fish and Wildlife Service
Department of the Army
State Register Publication
Kevin Watkins, Thrasher
Daniel Ferrell, Thrasher
OEHS Wheeling District Office

CATEGORICAL EXCLUSION DECISION

(June 28, 2023)

OTHER

TO: ALL INTERESTED PARTIES

In accordance with the Environmental Protection Agency (EPA) regulations for complying with the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190), a review has been performed on a request for a categorical exclusion for the environmental review requirements under NEPA, for the proposed action described below:

Lubeck Public Service District
Wood County, WV
WVIJDC Project #: **2022W-2203**
SRF Project #: **23DWTRFA002EC**
Water System Improvements Project

(Official Project Name and Number)

Lubeck Public Service District
301 Ox Johnson Lane
Washington, West Virginia 26181

(Project Applicant)

Lubeck Public Service District
Wood County, WV

(Project Location, City, County, State)

$ 2,600,000

(Estimated Drinking Water Treatment Revolving Fund Financial Share)

$ 2,600,000

(Estimated Total Project Cost)

PROJECT SUMMARY FOR CATEGORICAL EXCLUSION

PROPOSED ACTION:

This project is proposed to extend centralized water service to 35 new customers in the New England Ridge Road Area. This will involve the installation of 13,900 linear feet of 6'' PVC line, 2 fire hydrants, 35 water meter settings, and other necessary appurtenances. Of the 35 new anticipated customers, 20 have had their wells tested for Perfluoroalkyl and Polyfluoroalkyl substances (PFAS). Of the 20 wells tested, 14 tested above 70 Parts Per Trillion (PPT) and received filters for their wells. The remaining wells, tested below the 70 PPT.

ENVIRONMENTAL BENEFITS:

The aquifer in the areas of New England Ridge Road, Pine Run Road, and Champion School Road is contaminated with PFAS after chemical leaching of the Pine Run and North Fork Lee Creek. The residents in these areas rely on groundwater from wells for their potable water. Approximately 20 wells have been tested so far, and all the samples contained PFAS. The wells that contained PFAS greater than 70PPT qualified for Granular Activated Carbon (GAC) filters. Based on the knowledge of contamination in this area, it's anticipated that the remaining untested wells contain PFAS. The project will provide these residents with safe and reliable water.

CATEGORICAL EXCLUSION CRITERIA:

EPA regulation 40 CFR 6.106(d) permits the use of categorical exclusions from substantive environmental requirements of the National Environmental Policy Act (NEPA) for:

1. Actions which are solely directed toward minor rehabilitation of existing facilities, functional replacement of equipment, or construction of ancillary facilities; or
2. Other actions specifically allowed in program-specific subparts of this regulation. Criteria that would prevent the use of a categorical exclusion are found in 40 CFR §6.107(e) summarized as follows:

3. The action may significantly affect the quality of the human environment, or 4. The action may affect cultural resource areas, endangered or threatened species, environmentally important natural resources, or other identified resource areas of concern; or 5. The action is not cost-effective or may cause public controversy.

ANALYSIS:

The proposed project meets the criteria for a categorical exclusion. By providing an expansion of water lines to approximately 35 new customers that are experiencing PFAS contamination from their well groundwater, will provide the residents with reliable water that meets drinking water standards.

ENERGY EFFICIENCY AND CLIMATE CHANGE EFFECTS

There is no net change in greenhouse gasses anticipated for this project or negative impact on surrounding environmental resources. It can be assumed that there will be no net change in the release of greenhouse gases due to the customers being able to cease private collection methods of acquiring water through private wells or hauling water with vehicles. An Energy Efficiency datasheet was developed for this project and there will be no projected electrical motors/pumps or equipment for the project.

FLOODPLAIN MANAGEMENT ANALYSIS

A small portion of this water line extension will be within the 100-year + 3 Feet flood elevation. This section of line will be horizontally directionally drilled under the North Fork Lee Creek. A flood event will not impact the integrity of this waterline.

REVOCATION:

This conclusion can be revoked if additional and/or future information indicates any of the following:

1. The proposed action no longer meets the defined category due to changes in the proposed action;
2. Serious local or environmental issues now exist; and/or
3. Federal, state, or local laws may be violated.

DOCUMENTATION:

1. Lubeck PSD Preliminary Design Report dated December 2022, as prepared by Daniel Ferrell, PE.
2. Lubeck PSD 2022W-2203 TECH Review dated September 27, 2023
3. Lubeck PSD CE, BABA, EJ, Efficiency Package dated April 5, 2023, as prepared by Kevin Watkins, PE
4. Lubeck PSD Floodplain Verification email dated April 6, 2023, with Kevin Watkins, PE

OTHER

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WV SECRETARY OF STATE
JUNE 26, 2023 03:18 PM

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

June 26, 2023

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **June 23, 2023.**

LETTER OF INTENT RECEIVED

June 23, 2023- Summersville Regional Medical Center, Summersville, Nicholas County, West Virginia, CON FIle #23-4-12721-P, for the development of an ambulatory health care facility in Nicholas County, West Virginia through the acquisition of a physician practice; capital expenditure, $123,000.

LETTER OF INTENT WITHDRAWN

June 23, 2023- West Virginia Home Health, LLC, Martinsburg, Berkeley County, West Virginia, CON File #23-8/9-12615-Z, for the expansion of its home health agency service area from Berkeley and Jefferson Counties into the contiguous three-county area of Morgan, Hampshire, and Mineral counties in West Virginia; capital expenditure, $60,380.

CERTIFICATE OF NEED APPLICATION RECEIVED

June 21, 2023- West Virginia Home Health, LLC, Martinsburg, Berkeley County, West Virginia, CON File #23-8/9-12713-Z, for the expansion of its home health agency service area into Morgan, Hampshire, and Mineral counties in West Virginia; capital expenditure, $60,380.

PROJECTS DETERMINED NOT REVIEWABLE

June 21, 2023- REM West Virginia, CON File #23-5-12684-X, for the relocation of the current office at 111 Lafayette Street Suite 301, 302, and 303 St. Mary's, West Virginia to 111 Lafayette Street Suite 203 St. Mary's, Pleasants County, West Virginia, 26170; capital expenditure, $0.

June 21, 2023- Synergy Health, Inc., CON File #23-3-12686-X, for the relocation of the current office at 1206 Quarrier Street, Charleston, West Virginia, to the Woolworth Building at 205 Capitol Street, Suite 500, Charleston, Kanawha County, West Virginia; capital expenditure, $0.

June 23, 2023- Berkeley Medical Center (BMC), Berkeley County, West Virginia, CON File #23-9-12710-X, for the renovation of BMC to create a neurological interventional radiology laboratory adjacent to the existing interventional radiology laboratory; capital expenditure, $8,500,000.

OTHER

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