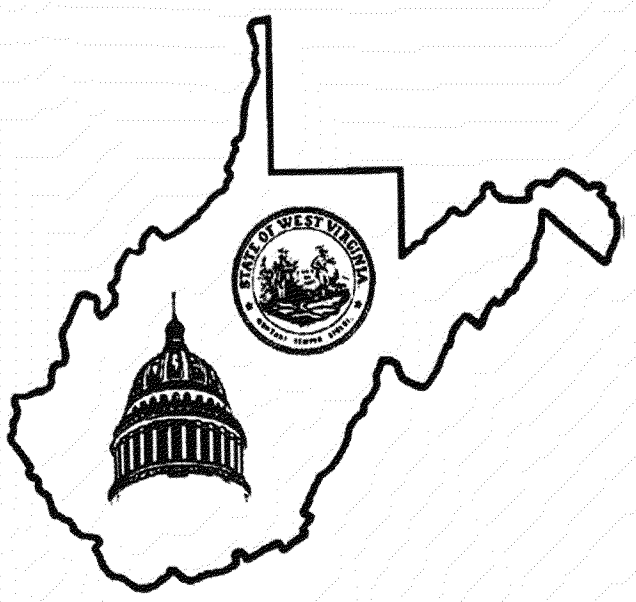

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This week's publication includes documents submitted by the following agencies:

Barbers and Cosmetologists

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- Bureau for Family Assistance
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Health Care Authority

Insurance Commission

Justice and Community Services

Osteopathic Medicine, WV Board of

Parkways Authority

Treasurer

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RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION
Parkways Authority (184-05)	Rules Providing for Electronic Toll Collection and the Enforcement Process Legislative	§§17-16D-3, 17-16D-5	Written Comments Only: September 20, 2023, 4:00pm Jeffrey Miller PO Box 1469 3310 Piedmont Road Charleston, WV 25306 jmiller@wvturnpike.com
Treasurer (112-19)	West Virginia Hope Scholarship Board Procedures and Bylaws Procedural	§§18-31-4, 18-31-5, 18-31-9, 18-31-10	Written Comments Only: September 15, 2023, 3:00pm James G. Fuerhoff 1900 Kanawha Blvd., E. Room E-145 Charleston, WV 25305 james.fuerhoff@wvsto.com

NO EMERGENCY RULES FILED THIS WEEK

AGENCY/RULE	RULE NAME	AUTHORITY	EFFECTIVE DATE	COMMENT END DATE

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1.	Agency Name, (Title and Series Number)
Column	2.	Rule Title, Price and Type
Column	3.	Date Notice of Public Hearing or Comment Period Filed
Column	4.	Date of Public Hearing or Last Date Comments Will Be Received
Column	5.	Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule)
Column	6.	Date Agency Approved Legislative Rules Filed.
Column	7.	Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee
Column	8.	Legislative Action
Column	9.	Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules
Column	10.	Date Rule is Effective

- Emergency rules will not have a "Notice" date until the agency files one, but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
- If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	2	ARCHITECTS
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED 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
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TITLE	45	AIR QUALITY
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TITLE	53	PUBLIC ENERGY AUTHORITY
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
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TITLE	61	AGRICULTURE
TITLE	64	HEALTH
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TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	87	FIRE COMMISSION
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TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	103	FIRE MARSHAL
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
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TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
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		7/24/2023	Approved 8/9/2023			
Acupuncture (32-03)	Application for Licensure to Practice Acupunture Legislative	6/28/2023	7/28/2023		7/28/2023				
Administration (148-03) Sunset Provision	State Owned Vehicles Legislative				10/25/2022	Approved 8/7/2023			
Agriculture (61-04B)	Frozen Desserts and Imitation Frozen Desserts Legislative	6/28/2023	7/28/2023		7/28/2023				
Agriculture (61-12A)	Certified Pesticide Applicator Rules Legislative	6/28/2023	7/28/2023		7/28/2023				
Agriculture (61-12B)	Licensing of Pesticide Business Legislative	6/28/2023	7/28/2023		7/28/2023				
Agriculture (61-23B)	WV Shellfish Legislative	6/28/2023	7/28/2023		7/28/2023				
Agriculture (61-30)	Hemp Products Legislative	6/28/2023	7/28/2023	6/28/2023 Effective 8/9/2023	7/28/2023				
Agriculture (61-37) Sunset Provision	Agritourism Legislative				12/15/2022	Approved 8/7/2023			
Air Quality (45-01)	Alternative Emission Limitations During Startup and Shutdown Operations Legislative	5/31/2023	7/6/2023		7/28/2023				
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		7/28/2023				
Air Quality (45-03)	Control of Air Pollution from the Operation of Hot Mix Asphalt Plants Legislative	5/31/2023	7/6/2023		7/28/2023				

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		7/28/2023				
Air Quality (45-06)	Control of Air Pollution from Combustion of Refuse Legislative	5/31/2023	7/6/2023		7/28/2023				
Air Quality (45-07)	Control of Particulate Matter Air Pollution from Manufacturing Processes and Associated Operations Legislative	5/31/2023	7/6/2023		7/28/2023				
Air Quality (45-08)	Ambient Air Quality Standards Legislative	5/31/2023	7/6/2023		7/28/2023				
Air Quality (45-10)	Control of Air Pollution from the Emission of Sulfur Oxides Legislative	5/31/2023	7/6/2023		7/28/2023				
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	5/31/2023	7/6/2023		7/28/2023				
Air Quality (45-21)	Control of Air Pollution from the Emission of Volatile Organic Compounds Legislative	5/31/2023	7/6/2023		7/28/2023				
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	5/31/2023	7/6/2023		7/28/2023				
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		7/28/2023				
Auditor (155-11)	Rules for Electronic Filing of Legal Notices for State Agencies Procedural	6/14/2023	7/14/2023					7/26/2023	9/1/2023
Barbers and Cosmetologists (3-01)	Procedures, Criteria and Curricula for Examination and Licensure of Barbers, Cosmetologists, Nail Technicians, Aestheticians, and Hair Stylists Legislative	4/12/2023	5/31/2023		6/14/2023	Modified & Approved 8/7/2023 Filed 8/11/2023			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 8/7/2023			
Barbers and Cosmetologists (3-16)	Cosmetology Apprenticeship Legislative	4/10/2023	5/31/2023		6/14/2023	Modified & Approved 8/7/2023			
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		7/26/2023				
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 Approved 6/30/2023	7/26/2023				
Community and Technical College Education (135-20)	Initial Authorization of Degree-Granting Institutions Legislative	6/21/2023	7/24/2023		7/26/2023				
Community and Technical College Education (135-32)	Tuition and Fees Legislative	6/21/2023	7/24/2023		7/26/2023				
Community and Technical College Education (135-49, repeal)	Accountability System Legislative	6/21/2023	7/24/2023		7/26/2023				
Crime Delinquency and Correction (149-02)	Law Enforcement Training and Certification Legislative	6/23/2023	7/24/2023		7/26/2023				
Crime Delinquency and Correction (149-03)	Protocol for Law Enforcement Response to Domestic Violence Legislative	6/26/2023	7/26/2023		7/27/2023				
Crime Delinquency and Correction (149-11)	Sexual Assault Forensic Examinations Legislative	8/8/2023	9/8/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Dentistry (5-10)	Practitioner Requirements for Accessing the West Virginia Controlled Substances Monitoring Program Database Legislative	4/19/2023	5/22/2023		7/25/2023				
Dietitians (31-01)	Licensure And Renewal Requirements Legislative	3/14/2023	4/14/2023		4/25/2023	Modified & Approved 8/7/2023			
Dietitians (31-05)	Continuing Professional Education Requirements Legislative	3/14/2023	4/14/2023		4/25/2023	Modified & Approved 8/7/2023			
Dietitians (31-07)	Telehealth Practice; Requirements; Definitions Legislative	6/21/2023	7/21/2023		7/28/2023	Approved 8/7/2023			
Economic Development, WV Dept. of (145-19)	Rule Governing the Operations of Motorsports Complexes and Events Legislative	6/28/2023	7/28/2023		7/28/2023				
Education (126-030)	Tiered System of Support for Early Literacy and Numeracy (2512) Legislative Exempt	8/9/2023	9/11/2023						
Education (126-044BB)	West Virginia College-and Career-Readiness Standards for Mathematics (Policy 2520.2B) Legislative Exempt	4/13/2023	5/15/2023					7/12/2023	7/1/2024
Education (126-142)	Performance Evaluation of Professional Personnel and Athletic Coaches (Policy 5310) Legislative Exempt	7/12/2023	8/14/2023						
Education (126-161)	Regulations for Alternative Certification Programs for the Education of Teachers (Policy 5901) Legislative Exempt	5/11/2023	6/12/2023					7/12/2023	8/14/2023
Education (126-176)	School Closings or Consolidations (Policy 6204) Legislative Exempt	5/11/2023	6/12/2023					7/12/2023	8/14/2023
Election Commission (146-01)	Corporate and Membership Organization Political Activity Legislative	6/28/2023	7/28/2023		7/28/2023				
Election Commission (146-03)	Regulation of Campaign Finance Legislative	7/27/2023	8/28/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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		7/28/2023				
Emergency Management (170-02)	Industrial Accident Rapid Response Rule Legislative	6/26/2023	7/26/2023		7/27/2023				
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	7/28/2023				
Ethics Commission (158-12)	Lobbying Legislative	5/16/2023	6/16/2023		7/7/2023				
Family Protection Services Board (191-02)	Domestic Violence Program Licensure Standards Legislative	5/30/2023	6/29/2023		7/13/2023				
Fire Commission (87-01)	Fire Code Legislative	6/16/2023	7/17/2023		7/28/2023				
Fire Commission (87-06)	Certification and Evaluation of Local Fire Departments Legislative	6/23/2023	7/24/2023		7/26/2023				
Fire Commission (87-13)	Certification of Fire Chiefs Legislative	6/23/2023	7/24/2023		7/26/2023				
Fire Marshal (103-01)	Certification of Electrical Inspectors Legislative	6/23/2023	7/24/2023		7/26/2023				
Fire Marshal (103-03)	Supervision of Fire Protection Work Legislative	6/23/2023	7/24/2023		7/27/2023				
Fire Marshal (103-05)	Electrician Licensing Rules Legislative	6/23/2023	7/24/2023		7/27/2023				
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		7/27/2023				
Fire Marshal (103-07)	Certification of Home Inspectors Legislative	6/23/2023	7/24/2023		7/27/2023				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Forestry (22-02)	Sediment Control During Commercial Timber-Harvesting Operations-Licensing Legislative	6/26/2023	7/27/2023		7/27/2023				
Forestry (22-03)	Sediment Control During Timber-Harvesting Operations-Logger Certification Legislative	6/26/2023	7/27/2023		7/27/2023				
Health (64-04)	Public Water Systems Operators Legislative	5/17/2023	6/16/2023		7/13/2023				
Health (64-05)	Wastewater Systems and Operators Legislative	5/17/2023	6/16/2023		7/13/2023				
Health (64-11)	Behavioral Health Centers Licensure Legislative	6/5/2023	7/5/2023		7/13/2023				
Health (64-12)	Hospital Licensure Legislative	6/5/2023	7/5/2023		7/13/2023				
Health (64-14) Sunset Provision	Assisted Living Facilities Legislative				2/16/2023	Modified & Approved 8/7/2023			
Health (64-15)	Cross-Connection Control and Backflow Prevention Legislative	5/17/2023	6/16/2023		7/13/2023				
Health (64-30)	Fees for Permits Legislative	5/17/2023	6/16/2023		7/21/2023				
Health (64-51)	Fees for Services Legislative	5/17/2023	6/16/2023		7/21/2023				
Health (64-84)	Medical Examiner Requirements for Postmortem Inquires Legislative	5/17/2023	6/16/2023		7/13/2023				
Health (64-91) Sunset Provision	Newborn Screening System Legislative				2/16/2023	Modified & Approved 8/7/2023			
Health (64-116)	Distribution of Funds from Emergency Medical Services Salary Enhancement Fund Legislative	5/17/2023	6/16/2023	5/18/2023 Approved 5/18/2023	7/18/2023				
Health (64-123, formerly 69-10)	West Virginia Clearance for Access: Registry and Employment Screening Legislative	6/9/2023	7/10/2023		7/19/2023				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health and Human Resources (69-08) Sunset Provision	Chronic Pain Management Clinic Licensure Legislative				2/16/2023	Modified & Approved 8/7/2023			
Health and Human Resources (69-12) Sunset Provision	Medication Assisted Treatment-Office-Based Medication-Assisted Treatment Legislative				2/16/2023	Modified & Approved 8/7/2023			
Health Care Authority (65-06) Sunset Provision	Cooperative Agreement Approval and Compliance Legislative				10/5/2022	Approved 8/7/2023			
Health Care Authority (65-32)	Certificate of Need Legislative	5/17/2023	6/16/2023		7/21/2023				
Higher Education Policy Commission (133-05)	Empolying and Evaluating Presidents Legislative	6/21/2023	7/21/2023		7/25/2023				
Higher Education Policy Commission (133-06)	Higher Education Adult-Part Time Student (HEAPS) Grant Program Legislative	6/21/2023	7/21/2023		7/24/2023				
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		7/26/2023				
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	7/28/2023				
Higher Education Policy Commission (133-28)	WV Engineering, Science and Technology Scholarship Program Legislative	6/21/2023	7/21/2023		7/24/2023				
Higher Education Policy Commission (133-42)	WV Higher Education Grant Program Legislative	6/21/2023	7/21/2023		7/24/2023				
Higher Education Policy Commission (133-58)	Nursing Scholarship Program Legislative	6/21/2023	7/21/2023		7/24/2023				
Highways (157-01)	Rules Relating Generally to Various Functions of the Commissioner of Highways Procedural	6/21/2023	7/21/2023					7/26/2023	8/28/2023

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Highways (157-03)	Construction and Reconstruction of State Roads Legislative	6/22/2023	7/24/2023		7/31/2023				
Highways (157-05)	Traffic and Safety Rules Legislative	6/15/2023	7/17/2023		7/26/2023				
Human Services (67-01, formerly 69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/6/2023	7/6/2023		7/18/2023				
Human Services (78-27)	Procedure to Contest the Substantiation of Child Abuse or Neglect Legislative	5/30/2023	6/29/2023		7/13/2023				
Insurance Comm. (114-27) Sunset Provision	Aids Regulations Legislative				3/29/2023	Approved 8/7/2023			
Insurance Comm. (114-100)	Health Benefit Plan Network Access and Adequacy Legislative	6/2/2023	7/5/2023		7/12/2023				
Insurance Comm. (114-103)	Bail Bondsmen in Criminal Cases Legislative	6/2/2023	7/5/2023		7/11/2023				
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		7/27/2023				
Massage Therapy Licensure Bd. (194-01)	General Provision Legislative	6/27/2023	7/27/2023		7/28/2023				
Massage Therapy Licensure Bd. (194-04)	Schedule of Fees Legislative	6/28/2023	7/28/2023	6/27/2023 Effective 8/8/2023	7/28/2023				
Massage Therapy Licensure Bd. (194-07)	Establishment Licensure Legislative	6/28/2023	7/28/2023	6/27/2023 Effective 8/8/2023	7/28/2023				
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		7/24/2023				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Medicine (11-01B)	Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/21/2023	7/21/2023		7/27/2023				
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/21/2023	7/21/2023		7/27/2023				
Medicine (11-12) Sunset Provision	Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows Legislative				11/21/2022	Approved 8/7/2023			
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					7/27/2023	8/31/2023
Miners Health Safety and Training (56-02)	Rule Governing Safety Provisions for Clearing Crews Legislative	6/21/2023	7/21/2023		7/27/2023				
Miners Health Safety and Training (56-04)	Rule Governing Protective Clothing and Equipment Legislative	6/21/2023	7/21/2023		7/27/2023				
Miners Health Safety and Training (56-10)	Rule Governing Reporting Requirements for Independent Contractors Legislative	6/21/2023	7/21/2023		7/27/2023				
Miners Health Safety and Training (56-12)	Rule Governing Assessing Health and Safety Violation Penalties Legislative	6/21/2023	7/21/2023		7/27/2023				
Miners Health Safety and Training (56-13)	Drug Testing of Mine Inspectors and Mine Safety Inspectors Interpretive	6/21/2023	7/21/2023					7/27/2023	8/31/2023
Miners Health Safety and Training (56-14)	Rule Pertaining to the Office of Miners' Health, Safety and Training Application Process for the WV Innovative Mine Safety Technology Tax Credit Act Legislative	6/21/2023	7/21/2023		7/27/2023				
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					7/27/2023	8/31/2023

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Miners Health Safety and Training (56-18)	Rule for Governing the Program for the Sharing of Information Between Employers Legislative	6/21/2023	7/21/2023		7/27/2023				
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/21/2023	7/21/2023		7/27/2023				
Miners Health Safety and Training (56-23) Sunset Provision	Operating Diesel Equipment in Underground Mines in WV Legislative				7/27/2023	Approved 8/7/2023			
Miner Training Education and Certification (48-09)	Duties and Standards for Certification of Underground Outby Mine Examiners for Coal Mines Legislative Exempt	7/28/2023	8/30/2023						
Motor Vehicles (91-03)	Motor Vehicle Titling and Registration Legislative	6/23/2023	7/23/2023	6/27/2023 Effective 8/8/2023	7/26/2023				
Motor Vehicles (91-06)	Dealer Licensing Legislative	6/23/2023	7/23/2023		7/26/2023				
Motor Vehicles (91-10)	Handicapped Parking Permits Legislative	6/6/2023	7/7/2023		7/13/2023				
Multimodal Transportation Facilities (220-01)	Valuation of Used Rolling Stock and Equipment Legislative	6/28/2023	7/28/2023		7/28/2023				
Natural Resources (58-11)	Hunting, Fishing, and Other Outfitters and Guides Legislative	6/26/2023	7/27/2023		7/27/2023				
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	6/26/2023	7/27/2023		7/27/2023				
Natural Resources (58-23)	Revocation of Hunting and Fishing Licenses Legislative	6/26/2023	7/27/2023		7/27/2023				
Natural Resources (58-36) Sunset Provision	Cabwaylingo State Forest Trail System Two Year Pilot Project Permitting ATV's and ORVs Legislative			7/20/2023		Approved 8/7/2023			
Natural Resources (58-67)	Lifetime Hunting, Trapping and Fishing Licenses Legislative	6/26/2023	7/26/2023	6/26/2023 Effective 8/7/2023	7/27/2023				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Nursing Home Administrators Licensing Board (21-01)	Nursing Home Administrators Legislative	5/8/2023	6/8/2023		6/9/2023	Approved 8/7/2023			
Optometry (14-01)	Rules of the WV Board of Optometry Legislative	6/28/2023	7/27/2023		7/28/2023				
Optometry (14-06)	Interview Evaluation Legislative	6/28/2023	7/28/2023		7/28/2023				
Optometry (14-10)	Continuing Education Legislative	6/27/2023	7/27/2023		7/28/2023				
Optometry (14-11)	Injectable Pharmaceuticals by Injection Certificate Legislative	6/28/2023	7/28/2023		7/31/2023				
Optometry (14-13)	Opthalmic Laser Utilization Certificate Legislative	6/28/2023	7/28/2023		7/28/2023				
Optometry (14-14)	Eyelid Procedures Legislative	6/28/2023	7/27/2023		7/28/2023				
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	6/26/2023	7/27/2023		7/28/2023				
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/26/2023	7/27/2023		7/28/2023				
Parkways Authority (184-05)	Rules Providing for Electronic Toll Collection and the Enforcement Process Legislative	8/17/2023	9/20/2023						
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/28/2023	7/28/2023		7/28/2023				
Pharmacy (15-03)	Continuing Education for Licensure for Pharmacists Legislative	6/27/2023	7/27/2023		7/28/2023				
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	6/27/2023	7/27/2023		7/28/2023				
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	7/28/2023				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/29/2023	7/28/2023	6/27/2023 Approved 6/29/2023	7/28/2023				
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/27/2023	7/27/2023	6/27/2023 Approved 6/29/2023	7/28/2023				
Pharmacy (15-17) Sunset Provision	The Subsitution of Biological Pharmaceuticals Legislative				7/20/2023	Approved 8/7/2023			
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in West Virginia Legislative	6/7/2023	7/7/2023		7/31/2023				
Psychologists (17-04)	Disciplinary and Complaint Procedures for Psychologists Legislative	6/15/2023	7/17/2023		7/25/2023				
Psychologists (17-05)	Contested Case Hearing Procedure Legislative	6/15/2023	7/17/2023		7/25/2023				
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					7/12/2023	9/11/2023
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/5/2023	7/6/2023		7/26/2023				
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		7/28/2023				
Real Estate Commission (174-02)	Schedule of Fees Legislative	6/12/2023	7/14/2023		7/28/2023				
Real Estate Commission (174-03)	Real Estate Courses, Course Providers and Instructors Legislative	6/13/2023	7/14/2023		7/28/2023				

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	8/1/2023				
Registered Nurses, WV Board of (19-03)	Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct Legislative	6/14/2023	7/14/2023		7/26/2023				
Registered Nurses, WV Board of (19-05)	Contested Case Hearing Procedure Procedural	6/14/2023	7/14/2023					7/28/2023	8/31/2023
Registered Nurses, WV Board of (19-07)	Advanced Practice Registered Nurse Licensure Requirements Legislative	6/14/2023	7/14/2023		7/26/2023				
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	7/26/2023				
Respiratory Care (30-09)	Student Temporary Permit - Amended Legislative	4/28/2023	6/1/2023		6/8/2023	Modified & Approved 8/7/2023			
Secondary School Activities Commission (127-01)	Constitution (WVSSAC Series 1) Legislative Exempt	5/11/2023	6/12/2023					7/12/2023	9/11/2023
Secondary School Activities Commission (127-02)	Athletics, Provisions Governing Eligibility (WVSSAC Series 2) Legislative Exempt	5/11/2023	6/12/2023					7/12/2023	9/11/2023
Secondary School Activities Commission (127-03)	Provisions Governing Contests (WVSSAC Series 3) Legislative Exempt	5/11/2023	6/12/2023					7/12/2023	9/11/2023
Secondary School Activities Commission (127-04)	Provisions Governing Conduct (WVSSAC Series 4) Legislative Exempt	5/11/2023	6/12/2023					7/12/2023	9/11/2023
Secretary of State (153-14)	Guidelines fo the Use of Nicknames and Other Designations on the Ballot Legislative	6/28/2023	7/28/2023		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		7/28/2023				
Secretary of State (153-55)	Minimum Standards for Election Administration, Infrastructure, and Security Legislative	6/27/20223	7/27/2023		7/28/2023				
State Police (81-08)	WV State Police Member Grievance Procedure Legislative	6/23/2023	7/23/2023		7/27/2023				
State Police (81-19)	Motor Vehicle Inspection Legislative	6/23/2023	7/23/2023		7/27/2023				
Tax (110-15K) Sunset Provision	Aircraft Operated Under A Fractional Ownership Program Legislative				3/28/2023	Approved 8/7/2023			
Tax (110-21B) Sunset Provision	Citizen Tax Credit for Property Taxes Paid Legislative				12/30/2022	Modified & Approved 8/7/2023			
Tax (110-21G)	Income Tax Paid at the Entity Level by Electing Pass-Through Entities Legislative	6/8/2023	7/10/2023		7/28/2023				
Tax (110-21H)	Income Tax Credits for Property Taxes Paid Legislative	6/8/2023	7/10/2023		7/25/2023				
Tax (110-49) Sunset Provision	Administration of Tax on Purchases of Wine and Liquor Legislative				12/30/2022	Modified & Approved 8/7/2023			
Tax (110-99)	Privilege Tax on Sales of Hemp-Derived Cannabinoid and Kratom Products Legislative	6/8/2023	7/10/2023		7/25/2023				
Treasurer (112-05)	Enforcement of the Unifrom Unclaimed Property Act Legislative	6/27/2023	7/27/2023		7/28/2025				
Treasurer (112-19)	West Virginia Hope Scholarship Board Procedures and Bylaws Procedural	8/16/2023	9/15/2023						
Treasurer (112-20)	Jumpstart Savings Program Legislative	6/9/2023	7/10/2023		7/13/2023				
Waste Mgmt. Division of Water and Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/12/2023	7/18/2023		7/24/2023				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Water Resources Division of Water and Waste Mgmt. (47-13)	Underground Injection Control Legislative	6/12/2023	7/18/2023		7/28/2023				

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/11/2023 2:37:39 PM
Office of West Virginia
Secretary Of State

Legislative

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Barbers And Cosmetologists

RULE TYPE: Legislative TITLE-SERIES: 3-01

RULE NAME: Procedures, Criteria and Curricula for Examination and Licensure of Barbers, Cosmetologists, Nail Technicians, Aestheticians, and Hair Stylists

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

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes
Danielle J Cordle -- 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
INCOME MAINTENANCE MANUAL CHANGE FORM

Please Stamp Filing Date
FILED
2023 AUG 14 A 9:57
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

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

AGENCY:	**West Virginia Department of Health and Human Resources**	**BUREAU:**	**Family Assistance**
TITLE OF MANUAL TO WHICH POLICY IS BEING FILED:	**Income Maintenance Manual**		
STATE RULE:	**FEDERAL RULE:**	**EFFECTIVE DATE:**	**9/1/2023**
CHANGE NUMBER:	**Updated New Income Maintenance Manual 840**		
CHAPTERS/SECTIONS EFFECTED:	**1, 3, 9, 13, 20, 22, and 27 Glossary**		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	**Updated ABAWD sections to reflect the changes that resulted from the requirements set by the Fiscal Responsibility Act of 2023. Added the new definition of SNAP. Removed Language from SNAP regarding face-to-face waivers. Added language regarding late reviews. Modified ABAWD exemption categories. Updated EA policy and removed several sections regarding EA for medical. Effective July 1, 2023 WV CHIP recipients became eligible for Non-Emergency Medical Transportation (NEMT).**

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

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

Maura Hamilton
Authorized Signature

Revision 07/07

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Bureau for Medical Services

Sherri Young, DO, MBA, FAAFP
Interim Cabinet Secretary

Cynthia E. Beane
Commissioner

Legislative

FILED
2023 AUG 16 A 10: 56
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

August 16, 2023

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter ☐
Medicaid Chapter Update ☐
New Medicaid Policy ☐
Medicaid Policy Update ☐X
State Plan Amendment for title XIX, Medicaid ☐
Other ☐

The following is an explanation of the above material:

Chapter Number: 519.18
Title: Tobacco Cessation Services

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Signature of Person Receiving Above Material Date

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Bureau for Medical Services

Sherri Young, DO, MBA, FAAFP
Interim Cabinet Secretary

Cynthia E. Beane
Commissioner

FILED
2023 AUG 16 A 10: 56
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

August 16, 2023

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Commissioner

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New Medicaid Chapter ☐
Medicaid Chapter Update ☐
New Medicaid Policy ☐
Medicaid Policy Update ☐X
State Plan Amendment for title XIX, Medicaid ☐
Other ☐

The following is an explanation of the above material:

Chapter Number: 512
Title: Traumatic Brain Injury Waiver

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Signature of Person Receiving Above Material Date

350 Capitol Street, Room 251 • Charleston, West Virginia 25301 • 304-558-1700 • 304-558-1451 (fax) • dhhr.wv.gov

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Bureau for Medical Services

Sherri Young, DO, MBA, FAAFP
Interim Cabinet Secretary

Cynthia E. Beane
Commissioner

Legislative

FILED
2023 AUG 16 A 10: 56
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

August 16, 2023

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐
New Medicaid Policy	☐
Medicaid Policy Update	☐X
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 518
Title: Pharmacy Services

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Signature of Person Receiving Above Material

Date

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Bureau for Medical Services

Sherri Young, DO, MBA, FAAFP
Interim Cabinet Secretary

Cynthia E. Beane
Commissioner

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2023 AUG 16 A 10: 56
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

August 16, 2023

To: West Virginia Secretary of State
Capitol Complex, Main Building

From: Cynthia Beane, MSW, LCSW
Commissioner

Subject: Material for filing in the Secretary of State's Office

The material indicated below is being forwarded. Please file and publish in the State Register in accordance with the Administrative Procedure Act.

New Medicaid Chapter	☐
Medicaid Chapter Update	☐
New Medicaid Policy	☐
Medicaid Policy Update	☐X
State Plan Amendment for title XIX, Medicaid	☐
Other	☐

The following is an explanation of the above material:

Chapter Number: 800
Title: Program Integrity

Please acknowledge receipt of this material by signing and returning a copy of this document to the attention of:

Margaret Brown
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, West Virginia 25301-3707

Signature of Person Receiving Above Material

Date

350 Capitol Street, Room 251 • Charleston, West Virginia 25301 • 304-558-1700 • 304-558-1451 (fax) • dhhr.wv.gov

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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8/17/2023 11:46:40 AM

Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

Legislative

AGENCY: Parkways Authority

TITLE-SERIES: 184-05

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: RULES PROVIDING FOR ELECTRONIC TOLL COLLECTION AND THE ENFORCEMENT PROCESS

CITE STATUTORY AUTHORITY: West Virginia Parkways Authority

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/20/2023 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jeffrey Miller

ADDRESS: PO Box 1469, 3310 Piedmont Road

Charleston, WV

EMAIL: jmiller@wvturnpike.com

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

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

INCORPORATED BY REFERENCE: No

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

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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8/16/2023 1:16:31 PM
Office of West Virginia
Secretary Of State

Procedural

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Treasurer

TITLE-SERIES: 112-19

RULE TYPE: Procedural

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: West Virginia Hope Scholarship Board Procedures and Bylaws

CITE STATUTORY AUTHORITY: §§18-31-4, 18-31-5, 18-31-9, 18-31-10

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 09/15/2023 3:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: James G 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

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

Orders Report

Docket Number	Agency	Respondent	Date Rendered
23-3-12667-P	Health Care Authority	Charleston Area Medical Center, Inc.	8/8/2023
2020-32	Osteopathic Medicine, WV Board of	Mark Clarkson, D.O.	8/15/2023

FILED
WV SECRETARY OF STATE
AUGUST 14, 2023 11:02 AM

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

Other

August 14, 2023

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **August 11, 2023**.

LETTER OF INTENT RECEIVED

August 11, 2023- Berkeley Medical Center, Martinsburg, Berkeley County, West Virginia, CON File #23-9-12753-P, for the provision of provider- based services at 15 private physician practices in Berkeley and Jefferson counties, thereby creating an ambulatory health care facility at each private practice physician office; capital expenditure, $354,000.

HEARING NOTICE

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

August 8, 2023- Charleston Area Medical Center, Inc., CON File #23-3-12667-P, for the development of an ambulatory care facility at 100 Tracy Way, Charleston, Kanawha County, West Virginia; capital expenditure, $2,800,000.

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

PROJECTS DETERMINED NOT REVIEWABLE

August 8, 2023- East Mountain Health Physicians, Inc., CON File #23-9-12715-X. for the addition of magnetic resonance imaging services and 120 Campus Drive, Martinsburg, Berkeley County, West Virginia.

August 8, 2023- Mercer County Board of Health dba Blue Prince Family Health, CON File #23-1-12723-X, to become a Medicare certified rural health clinic under public law 95-210 at 978 Blue Prince Road, Bluefield, Mercer County, West Virginia; capital expenditure, $0.

August 10, 2023- National Youth Advocate Program, CON File #23-1-12744-X, for an office relocation from 832 West Neville Street, Suite B, Beckley, Raleigh County, to 209 Brookshire Lane, Beckley, Raleigh County, West Virginia; capital expenditure, $0.

August 9, 2023- REM West Virginia, CON File #23-10-12729-X, for the complete relocation of its existing office located at 533 S 4th Avenue, Paden City, Wetzel County, to 450 S 1st Avenue, Paden City, Wetzel County, West Virginia; capital expenditure, $0.

PROJECTS EXEMPT FROM REVIEW

August 11, 2023- PursueCare, CON File #23-9-12734-X, for the development of a mental health and substance use disorder program to be located in Kearneysville, Berkeley County, West Virginia.

NOTICE OF SUBSTANTIAL COMPLIANCE AND DECISION ON SUBSTANTIAL CHANGE

The following project has been implemented in substantial compliance with the decision issued in this matter and the case file is now closed:

August 9, 2023- Roane General Hospital, CON File #21-5-12124-P, the project of developing an ambulatory health care facility in Arnoldsburg, Calhoun County, West Virginia, through the relocation of a rural health clinic currently located on the Roane General Hospital campus is substantially complete. There were significant delays to the project including a hearing request and appeal to the Office of Judges by Minnie Hamilton Health Care Center. The Office of Judges appeal was pending and awaiting transfer to the Intermediate Court of Appeals, due to the court of jurisdiction change required by the HCA/CON code during this period of time. The appeal and related delays significantly increased the cost of the project, due to increases in labor costs and inflation increasing the cost of goods, supplies, and materials. Other delays and cost increases were related to unanticipated prep work including FEMA and the Department of Highways requiring the building location being moved, due to water runoff from the hill behind the property, the location of the existing culvert on the property, and the lack of water and sewer connections on the correct side of the road. The actual capital expenditures are now projected to be $735,559. Based on historical information the additional capital costs are not considered a substantial change. Substantial compliance was granted and the file is now closed.

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

FILED
WV SECRETARY OF STATE
AUGUST 16, 2023 08:42 AM

Other

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

Sherri A. Young, DO, MBA, FAAFP
Interim Cabinet Secretary

Stacy L. Pridemore
Executive Director

Notice of Review

August 16, 2023

NEWS ITEM

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

August 10, 2023 - Charleston Area Medical Center, Inc., CON File #23-1-12747-A, for Charleston Area Medical Center, Inc. to acquire Beckley Oncology Associates, Inc., d/b/a Carl Larson Cancer Center in Beckley, Raleigh County, WV. Capital Expenditure $6,500,000..

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

The review cycle begins on **August 15, 2023**

On or before **September 14, 2023**, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will be **September 19, 2023**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications.

The Decision on the project referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decision will be issued on or before **October 16, 2023.**

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

8-16-23
Date

Stacy Pridemore
Stacy L. Pridemore
Executive Director
West Virginia Health Care Authority

FILED
WV SECRETARY OF STATE
AUGUST 17, 2023 09:14 AM

State of West Virginia
Department of Homeland Security
Division of Administrative Services
Justice and Community Services
1124 Smith Street
Charleston, WV 25301
(304) 558-8814

MARK A. SORSAIA
CABINET SECRETARY

JOSEPH C. THORNTON
DIRECTOR

Other

August 17, 2023

Ms. Maureen Lewis
Manager
Administrative Law Division
Office of the Secretary of State
State Capitol Building
Charleston, West Virginia 25305

Re: FY 2023 West Virginia Justice Assistance Grant Program Application

Dear Ms. Lewis:

Please include the following Notice of Public Review in the next State Register:

> The Justice and Community Services (JCS) section of the West Virginia Division of Administrative Services (DAS) is announcing the availability of the FY 2023 West Virginia Justice Assistance Grant (JAG) Program application and strategic plan for public review and comment. These grant funds will be used to address drug and violent crime problems facing West Virginia's criminal justice system, as well as the citizens of the state. Copies of the strategic plan may be obtained from our office, Justice and Community Services, 1124 Smith Street, Suite 3100 Charleston, West Virginia 25301-1323. Telephone: (304) 558-8814.

Should you have any questions, please contact me at 304-558-8814, extension 22414 or via email at Marty.A.Hatfield@wv.gov.

Very Respectfully,

Marty Hatfield

Marty A. Hatfield
Assistant Director
Justice and Community Services

Justice & Community Services