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Administrative Law Division

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

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Health and Human Resources

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NO RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

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
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TITLE	22	FORESTRY
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TITLE	25	SOCIAL WORK EXAMINERS
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TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE	30	RESPIRATORY CARE
TITLE	31	DIETITIANS
TITLE	32	ACUPUNCTURE
TITLE	33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE	35	OIL AND GAS
TITLE	36	COAL MINE HEALTH AND SAFETY
TITLE	38	MINING AND RECLAMATION
TITLE	42	LABOR
TITLE	45	AIR QUALITY
TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
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TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
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TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	145	DEVELOPMENT OFFICE
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	155	AUDITOR
TITLE	157	HIGWAYS
TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
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	Modified & Approved 9/10/2023 Filed 9/22/2023			
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	Modified & Approved 9/10/2023 Filed 9/26/2023 11/16/2023			
Agriculture (61-12A)	Certified Pesticide Applicator Rules Legislative	6/28/2023	7/28/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/27/2023 11/3/2023			
Agriculture (61-12B)	Licensing of Pesticide Business Legislative	6/28/2023	7/28/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/26/2023			
Agriculture (61-19) Sunset Provision	WV Manufacture Grade Milk Legislative								
Agriculture (61-20) Sunset Provision	Employment Reference and Inquiries and Background Checks Legislative								
Agriculture (61-23B)	WV Shellfish Legislative	6/28/2023	7/28/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/26/2023			
Agriculture (61-30)	Hemp Products Legislative	6/28/2023	7/28/2023	6/28/2023 Effective 8/9/2023	7/28/2023	Recommends Rejection 10/24/2023			
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	Modified & Approved 9/10/2023 Filed 9/14/2023			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 9/10/2023 Filed 9/14/2023			
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	Modified & Approved 9/10/2023 Filed 9/14/2023			
Air Quality (45-05)	Control of Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas Legislative	5/31/2023	7/6/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/14/2023			
Air Quality (45-06)	Control of Air Pollution from Combustion of Refuse Legislative	5/31/2023	7/6/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/14/2023			
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	Modified & Approved 9/10/2023 Filed 9/14/2023			
Air Quality (45-08)	Ambient Air Quality Standards Legislative	5/31/2023	7/6/2023		7/28/2023	Approved 9/10/2023			
Air Quality (45-10)	Control of Air Pollution from the Emission of Sulfur Oxides Legislative	5/31/2023	7/6/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/14/2023			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	5/31/2023	7/6/2023		7/28/2023	Approved 9/10/2023			
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	Modified & Approved 9/10/2023 Filed 9/14/2023			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	5/31/2023	7/6/2023		7/28/2023	Approved 9/10/2023			
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	Approved 9/10/2023			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Auditor (155-12)	Rules for Private Trust Companies Legislative	10/25/2023	11/27/2023	10/25/2023 Approved 10/31/2023					
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			
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 Filed 8/24/2023			
Barbers and Cosmetologists (3-16)	Cosmetology Apprenticeship Legislative	4/10/2023	5/31/2023		6/14/2023	Modified & Approved 8/7/2023 Filed 8/21/2023			
Community and Technical College Education (135-06)	Performance Indicators Legislative	6/21/2023	7/24/2023		7/26/2023	Approved 10/15/2023			
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	Modified & Approved 9/12/2023 Filed 9/14/2023			
Community and Technical College Education (135-20)	Initial Authorization of Degree-Granting Institutions Legislative	6/21/2023	7/24/2023		7/26/2023	Approved 10/15/2023			
Community and Technical College Education (135-32)	Tuition and Fees Legislative	6/21/2023	7/24/2023		7/26/2023	Approved 10/15/2023			
Community and Technical College Education (135-49, repeal)	Accountability System Legislative	6/21/2023	7/24/2023		7/26/2023	Approved 10/15/2023			
Conservation Agency (63-03) Sunset Provision	State Conservation Committee Grant Program Legislative				10/30/2023				
Counseling (27-01)	Licensing Rule Legislative	9/5/2023	10/5/2023	8/31/2023 Effective 10/12/2023	10/6/2023	Modified & Approved 10/30/2023 Filed 11/15/2023			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Counseling (27-08)	Marriage and Family Therapist Licensing Rule Legislative	9/5/2023	10/5/2023	8/31/2023 Effective 10/12/2023	10/6/2023	Modified & Approved 10/30/2023 Filed 11/15/2023			
Crime Delinquency and Correction (149-02)	Law Enforcement Training and Certification Legislative	6/23/2023	7/24/2023		7/26/2023	Modified & Approved 9/10/2023 Filed 10/4/2023			
Crime Delinquency and Correction (149-03)	Protocol for Law Enforcement Response to Domestic Violence Legislative	6/26/2023	7/26/2023		7/27/2023	Modified & Approved 9/10/2023 Filed 10/4/2023			
Crime Delinquency and Correction (149-11)	Sexual Assault Forensic Examinations Legislative	8/8/2023	9/8/2023		9/8/2023	Modified & Approved 10/24/2023 Filed 11/9/2023			
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	Modified & Approved 9/10/2023 Filed 9/18/2023			
Dietitians (31-01)	Licensure And Renewal Requirements Legislative	3/14/2023	4/14/2023		4/25/2023	Modified & Approved 8/7/2023 Filed 9/11/2023			
Dietitians (31-05)	Continuing Professional Education Requirements Legislative	3/14/2023	4/14/2023		4/25/2023	Modified & Approved 8/7/2023 Filed 9/11/2023			
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	Modified & Approved 9/10/2023 Filed 11/13/2023			
Education (126-044BB)	West Virginia College-and Career-Readiness Standards for Mathematics (Policy 2520.2B) Legislative Exempt	4/13/2023	5/15/2023					8/29/2023	7/1/2024
Education (126-044M)	WV College - and Career-Readiness Programs of Study/Standards for Career Technical Education (2520.13) Legislative Exempt	9/13/2023	10/16/2023					11/8/2023	7/1/2024

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-114)	Approval of Educator Preparation Programs Legislative Exempt	9/13/2023	10/16/2023					11/8/2023	12/11/2023
Education (126-203)	Exempt Purchasing Procedures(8210) Legislative Exempt	10/11/2023	11/13/2023						
Election Commission (146-01)	Corporate and Membership Organization Political Activity Legislative	6/28/2023	7/28/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 10/25/2023			
Election Commission (146-03)	Regulation of Campaign Finance Legislative	7/27/2023	8/28/2023		9/13/2023	Modified & Approved 10/24/2023 Filed 11/17/2023			
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		7/28/2023	Modified & Approved 9/10/2023 Filed 10/25/2023			
Emergency Management (170-02)	Industrial Accident Rapid Response Rule Legislative	6/26/2023	7/26/2023		7/27/2023	Approved 9/10/2023			
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 Effective 8/10/2023	7/28/2023	Modified & Approved 9/10/2023 Filed 9/15/2023			
Environmental Protection Secretarys's Office (60-13)	Design Build Program Procedural	10/27/2023	11/28/2023						
Family Protection Services Board (191-02)	Domestic Violence Program Licensure Standards Legislative	5/30/2023	6/29/2023		7/13/2023	Modified & Approved 10/24/2023 Filed 11/7/2023			
Fire Commission (87-01)	Fire Code Legislative	6/16/2023	7/17/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 10/4/2023			
Fire Commission (87-06)	Certification and Evaluation of Local Fire Departments Legislative	6/23/2023	7/24/2023		7/26/2023	Modified & Approved 9/10/2023 Filed 9/26/2023			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Commission (87-13)	Certification of Fire Chiefs Legislative	6/23/2023	7/24/2023		7/26/2023	Modified & Approved 9/10/2023 Filed 9/26/2023			
Fire Marshal (103-01)	Certification of Electrical Inspectors Legislative	6/23/2023	7/24/2023		7/26/2023	Modified & Approved 9/10/2023 Filed 10/4/2023			
Fire Marshal (103-03)	Supervision of Fire Protection Work Legislative	6/23/2023	7/24/2023		7/27/2023	Modified & Approved 9/10/2023 Filed 9/26/2023			
Fire Marshal (103-05)	Electrician Licensing Rules Legislative	6/23/2023	7/24/2023		7/27/2023	Modified & Approved 9/10/2023 Filed 9/26/2023			
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	Modified & Approved 9/10/2023 Filed 9/26/2023			
Fire Marshal (103-07)	Certification of Home Inspectors Legislative	6/23/2023	7/24/2023		7/27/2023	Modified & Approved 9/10/2023 Filed 9/26/2023			
Forestry (22-02)	Sediment Control During Commercial Timber-Harvesting Operations-Licensing Legislative	6/26/2023	7/27/2023		7/27/2023	Modified & Approved 9/10/2023 Filed 11/13/2023			
Forestry (22-03)	Sediment Control During Timber-Harvesting Operations-Logger Certification Legislative	6/26/2023	7/27/2023		7/27/2023	Modified & Approved 9/10/2023 Filed 11/13/2023			
Health (64-04)	Public Water Systems Operators Legislative	5/17/2023	6/16/2023	10/26/2023 Approved 11/6/2023	7/13/2023	Modified & Approved 10/24/2023 Filed 11/7/2023			
Health (64-05)	Wastewater Systems and Operators Legislative	5/17/2023	6/16/2023	10/26/2023 Approved 11/6/2023	7/13/2023	Modified & Approved 10/24/2023 Filed 11/7/2023			

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-11)	Behavioral Health Centers Licensure Legislative	6/5/2023	7/5/2023		7/13/2023	Modified & Approved 10/30/2023 Filed 11/7/2023			
Health (64-12)	Hospital Licensure Legislative	6/5/2023	7/5/2023		7/13/2023	Modified & Approved 10/24/2023 Filed 11/7/2023			
Health (64-14) Sunset Provision	Assisted Living Residences Legislative				2/16/2023	Modified & Approved 8/7/2023 Filed 8/21/2023			
Health (64-15)	Cross-Connection Control and Backflow Prevention Legislative	5/17/2023	6/16/2023		7/13/2023	Modified & Approved 10/24/2023 Filed 11/7/2023			
Health (64-30, repeal)	Fees for Permits Legislative	5/17/2023	6/16/2023		7/21/2023	Modified & Approved 10/24/2023 Filed 11/7/2023			
Health (64-51)	Fees for Services Legislative	5/17/2023	6/16/2023		7/21/2023	Modified & Approved 10/24/2023 Filed 11/7/2023			
Health (64-84)	Medical Examiner Requirements for Postmortem Inquires Legislative	5/17/2023	6/16/2023		7/13/2023	Modified & Approved 10/30/2023 Filed 11/7/2023			
Health (64-91) Sunset Provision	Newborn Screening System Legislative				2/16/2023	Modified & Approved 8/7/2023 Filed 8/22/2023			
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 Amendment 11/7/2023 ERD by 12/19/2023	7/18/2023	Modified & Approved 10/24/2023 Filed 11/7/2023			
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	Modified & Approved 10/24/2023 Filed 11/7/2023			

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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 Filed 8/21/2023			
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 Filed 8/21/2023			
Health Care Authority (65-06) Sunset Provision	Cooperative Agreement Approval and Compliance Legislative				10/5/2022	Approved 8/7/2023			
Health Care Authority (65-09) Sunset Provision	Critical Access Hospitals Legislative				12/5/2023				
Health Care Authority (65-32)	Certificate of Need Legislative	5/17/2023	6/16/2023		7/21/2023	Approved 10/24/2023			
Higher Education Policy Commission (133-05)	Empolying and Evaluating Presidents Legislative	6/21/2023	7/21/2023		7/25/2023	Approved 9/12/2023			
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	Modified & Approved 9/12/2023 Filed 9/12/2023			
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	Approved 9/12/2023			
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	Approved 9/12/2023			
Higher Education Policy Commission (133-28)	WV Engineering, Science and Technology Scholarship Program Legislative	6/21/2023	7/21/2023		7/24/2023	Approved 9/12/2023			
Higher Education Policy Commission (133-42)	WV Higher Education Grant Program Legislative	6/21/2023	7/21/2023		7/24/2023	Approved 9/12/2023			
Higher Education Policy Commission (133-58)	Nursing Scholarship Program Legislative	6/21/2023	7/21/2023		7/24/2023	Approved 9/12/2023			

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	Modified & Approved 9/10/2023 Filed 11/7/2023			
Highways (157-05)	Traffic and Safety Rules Legislative	6/15/2023	7/17/2023		7/26/2023	Modified & Approved 9/10/2023 Filed 11/8/2023			
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	Modified & Approved 10/24/2023 Filed 11/7/2023			
Human Services (78-26) Sunset Provisions	Pilot Program for Drug Screening of Applicants for Cash Assistance Legislative								
Human Services (78-27)	Procedure to Contest the Substantiation of Child Abuse or Neglect Legislative	5/30/2023	6/29/2023		7/13/2023	Modified & Approved 10/24/2023 Filed 11/7/2023			
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	Modified & Approved 9/10/2023 Filed 9/14/2023			
Insurance Comm. (114-103)	Bail Bondsmen in Criminal Cases Legislative	6/2/2023	7/5/2023		7/11/2023	Authorized as Modified w/Certain Amendements 9/12/2023 Filed 9/14/2023			
Labor (42-08)	Minimum Wage, Maximum Hours, and Overtime Compensation Legislative	5/4/2023	6/5/2023		6/6/2023	Modified & Approved 9/10/2023 Filed 9/19/2023			
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	Approved 9/10/2023			
Massage Therapy Licensure Bd. (194-01)	General Provision Legislative	6/27/2023	7/27/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/22/2023			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Massage Therapy Licensure Bd. (194-04)	Schedule of Fees Legislative	6/28/2023	7/28/2023	6/27/2023 Effective 8/8/2023	7/28/2023	Modified & Approved 9/10/2023 Filed 9/22/2023			
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	Approved 9/10/2023			
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	Modified & Approved 10/30/2023 Filed 11/6/2023			
Medicine (11-01B)	Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/21/2023	7/21/2023		7/27/2023	Modified & Approved 10/30/2023 Filed 11/1/2023			
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/21/2023	7/21/2023		7/27/2023	Modified & Approved 10/30/2023 Filed 11/1/2023			
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 (56-02)	Rule Governing Safety Provisions for Clearing Crews Legislative	6/21/2023	7/21/2023		7/27/2023	Modified & Approved 9/10/2023 Filed 9/14/2023			
Miners Health Safety and Training (56-04)	Rule Governing Protective Clothing and Equipment Legislative	6/21/2023	7/21/2023		7/27/2023	Modified & Approved 9/10/2023 Filed 9/15/2023			
Miners Health Safety and Training (56-10)	Rule Governing Reporting Requirements for Independent Contractors Legislative	6/21/2023	7/21/2023		7/27/2023	Approved 9/10/2023			
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	Modified & Approved 9/10/2023 Filed 9/15/2023			

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		7/27/2023	Modified & Approved 9/10/2023 Filed 9/15/2023			
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		7/27/2023	Modified & Approved 9/10/2023 Filed 9/15/2023			
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/21/2023	7/21/2023		7/27/2023	Modified & Approved 9/10/2023 Filed 9/15/2023			
Miners Health Safety and Training (56-22) Sunset Provision	Rules Governing the Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors Legislative				11/7/2023				
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 (48-04)	Initial Training Program for Prospective Mine Rescue Team Members and Additional Mine Rescue Requirements Legislative Exempt	9/11/2023	10/11/2023						
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	Modified & Approved 10/24/2023 Filed 11/7/2023			
Motor Vehicles (91-06)	Dealer Licensing Legislative	6/23/2023	7/23/2023		7/26/2023	Modified & Approved 10/24/2023 Filed 11/7/2023			
Motor Vehicles (91-10)	Handicapped Parking Permits Legislative	6/6/2023	7/7/2023		7/13/2023	Modified & Approved 10/24/2023 Filed 11/7/2023			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Motor Vehicles (91-15) Sunset Provision	Safety and Treatment Program Legislative								
Motor Vehicles (91-24) Sunset Provision	State Vehicle Title, Registration and Relicensing Project of 2018 Legislative								
Multimodal Transportation Facilities (220-01)	Valuation of Used Rolling Stock and Equipment Legislative	6/28/2023	7/28/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/29/2023			
Natural Resources (58-11)	Hunting, Fishing, and Other Outfitters and Guides Legislative	6/26/2023	7/27/2023		7/27/2023	Modified & Approved 10/24/2023 Filed 11/16/2023			
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	6/26/2023	7/27/2023		7/27/2023	Modified & Approved 10/24/2023 Filed 11/16/2023			
Natural Resources (58-16) Sunset Provision	Transporting and Selling Wildlife Pelts and Parts Legislative								
Natural Resources (58-23)	Revocation of Hunting and Fishing Licenses Legislative	6/26/2023	7/27/2023		7/27/2023	Modified & Approved 10/24/2023 Filed 11/16/2023			
Natural Resources (58-25) Sunset Provision	Boating Rule Legislative								
Natural Resources (58-26) Sunset Provision	Special Boating Rule Legislative								
Natural Resources (58-32) Sunset Provision	Public Use of Campgrounds in WV State Parks and State Forests and Campsites in State Rail Trails under the DNR Legislative								
Natural Resources (58-34) Sunset Provision	Special Projects and Grants for WV State Parks, State Forests, and State Rail Trails Under the DNR Legislative								
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			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-47) Sunset Provision	Prohibitions When Hunting and Trapping Legislative								
Natural Resources (58-61) Sunset Provision	Special Fishing Rule Legislative								
Natural Resources (58-62) Sunset Provision	Catching and Selling Baitfish Legislative								
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	Modified & Approved 10/24/2023 Filed 11/14/2023			
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	Modified & Approved 10/24/2023 Filed 11/16/2023			
Optometry (14-10)	Continuing Education Legislative	6/27/2023	7/27/2023		7/28/2023	Modified & Approved 10/24/2023 Filed 11/15/2023			
Optometry (14-11)	Injectable Pharmaceuticals by Injection Certificate Legislative	6/28/2023	7/28/2023		7/31/2023	Modified & Approved 10/24/2023 Filed 11/16/2023			
Optometry (14-14)	Eyelid Procedures Legislative	6/28/2023	7/27/2023		7/28/2023	Modified & Approved 11/1/2023 Filed 11/15/2023			
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	6/26/2023	7/27/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/15/2023			
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/26/2023	7/27/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/15/2023			
Osteopathic Medicine (24-08) Sunset Provision	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative				11/15/2023				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 9/10/2023 Filed 9/26/2023			
Pharmacy (15-03)	Continuing Education for Licensure for Pharmacists Legislative	6/27/2023	7/27/2023		7/28/2023	Approved 9/10/2023			
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	6/27/2023	7/27/2023		7/28/2023	Approved 9/10/2023			
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	Modified & Approved 9/10/2023 Filed 9/26/2023			
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/29/2023	7/28/2023	6/27/2023 Approved 6/29/2023	7/28/2023	Modified & Approved 9/10/2023 Filed 9/26/2023			
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/27/2023	7/27/2023	6/27/2023 Approved 6/29/2023	7/28/2023	Modified & Approved 9/10/2023 Filed 9/26/2023			
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	Modified & Approved 9/10/2023 Filed 10/3/2023			
Psychologists (17-04)	Disciplinary and Complaint Procedures for Psychologists Legislative	6/15/2023	7/17/2023		7/25/2023	Modified & Approved 9/10/2023 Filed 9/15/2023			
Psychologists (17-05)	Contested Case Hearing Procedure Legislative	6/15/2023	7/17/2023		7/25/2023	Modified & Approved 9/10/2023 Filed 9/15/2023			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	9/7/2023	Authorize with Certain Amendments 11/1/2023			
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/5/2023	7/6/2023		7/26/2023	Authorized w/Certain Amendments 9/10/2023 Filed 9/25/2023			
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	Modified & Approved 9/10/2023 Filed 9/27/2023			
Real Estate Commission (174-02)	Schedule of Fees Legislative	6/12/2023	7/14/2023		7/28/2023	Approved 9/10/2023			
Real Estate Commission (174-03)	Real Estate Courses, Course Providers and Instructors Legislative	6/13/2023	7/14/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/27/2023			
Registered Nurses, WV Board of (19-01)	Policies, Standards and Criteria for the Evaluation, Approval and National Nursing Accreditation of Prelicensure Nursing Education Programs Legislative	6/14/2023	7/14/2023	5/31/2023 Approved 6/27/2023	8/1/2023	Modified & Approved 10/24/2023 Filed 11/16/2023			
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	Modified & Approved 10/30/2023 Filed 11/16/2023			
Registered Nurses, WV Board of (19-07)	Advanced Practice Registered Nurse Licensure Requirements Legislative	6/14/2023	7/14/2023		7/26/2023	Approved 10/24/2023			
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	Approved 10/24/2023			
Respiratory Care (30-09)	Student Temporary Permit - Amended Legislative	4/28/2023	6/1/2023		6/8/2023	Modified & Approved 8/7/2023 Filed 9/28/2023			
Respiratory Care (30-11)	Telehealth Practice Legislative	9/26/2023	10/30/2023						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 9/10/2023 Filed 10/25/2023			
Secretary of State (153-25, repeal)	Combined Voter Registration and Driver Licensinig Fund Legislative	6/282023	7/28/2023		7/28/2023	Approved 9/10/2023			
Secretary of State (153-55)	Minimum Standards for Election Administration, Infrastructure, and Security Legislative	6/27/20223	7/27/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 10/25/2023			
State Police (81-08)	WV State Police Member Grievance Procedure Legislative	6/23/2023	7/23/2023		7/27/2023	Approved 9/10/2023			
State Police (81-18)	WV State Police Purchasing Rule Procedural	10/4/2023	11/3/2023					11/3/2023	12/4/2023
State Police (81-19)	Motor Vehicle Inspection Legislative	6/23/2023	7/23/2023		7/27/2023	Modified & Approved 9/10/2023 Filed 9/26/2023			
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 Filed 8/21/2023			
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	Approved 10/24/2023			
Tax (110-21H)	Income Tax Credits for Property Taxes Paid Legislative	6/8/2023	7/10/2023		7/25/2023	Approved 10/24/2023			
Tax (110-49) Sunset Provision	Administration of Tax on Purchases of Wine and Liquor Legislative				12/30/2022	Modified & Approved 8/7/2023 Filed 8/21/2023			
Tax (110-99)	Privilege Tax on Sales of Hemp-Derived Cannabinoid and Kratom Products Legislative	6/8/2023	7/10/2023		7/25/2023	Approved 10/24/2023			
Treasurer (112-05)	Enforcement of the Unifrom Unclaimed Property Act Legislative	6/27/2023	7/27/2023		7/28/2025	Modified & Approved 10/24/2023 Filed 11/2/2023			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Modified & Approved 10/24/2023 Filed 11/2/2023			
Waste Mgmt. Division of Water and Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/12/2023	7/18/2023		7/24/2023	Modified & Approved 9/10/2023 Filed 9/15/2023			
Water Resources Division of Water and Waste Mgmt. (47-13)	Underground Injection Control Legislative	6/12/2023	7/18/2023		7/28/2023	Modified & Approved 9/10/2023 Filed 9/15/2023			

WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION
INCOME MAINTENANCE MANUAL CHANGE FORM

Please Stamp Filing Date
FILED
2023 DEC -7 A 11: 21
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

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:	January 1, 2024
CHANGE NUMBER:	Updated New Income Maintenance Manual 845		
CHAPTERS/SECTIONS EFFECTED:	4, 5, 22, 23, 24, 26		

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	Annual updates which are effective January 1, 2024. Update to the manual to reflect WV CHIP Continuous Eligibility does not terminate due to becoming an inmate of a public institution until the next redetermination.

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

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

Monica Hamel
Authorized Signature

CONTACT:
Office of the Secretary
West Virginia Department of Health and Human Resources
State Capitol Complex, Building 3, Room 206
Charleston, West Virginia 25305
304.558.7899 Telephone

Revision 07/07

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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12/1/2023 1:58:17 PM
Office of West Virginia Secretary Of State

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Health Care Authority TITLE-SERIES: 65-09

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: 16-5B-14(d)

RULE NAME: 65-09 Critical Access Hospitals

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

5 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 [X] INCORPORATED BY REFERENCE [X]

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

This legislative rule establishes specific standards and procedures to provide for the designation of a critical access hospital as a community outpatient medical center.

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

The Department of Health continues to receive applications from critical access hospitals to be designated as community outpatient medical centers, so the continuation of this rule is required.

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

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12/5/2023 11:48:45 AM

Office of West Virginia
Secretary Of State

LEGISLTIVE

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

AGENCY: Health Care Authority TITLE-SERIES: 65-09

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

RULE NAME: 65-09 Critical Access Hospitals

PRIMARY CONTACT

NAME: April L Robertson

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

EMAIL: april.l.robertson@wv.gov

PHONE NUMBER: 304-558-9149

CITE STATUTORY AUTHORITY: 16-5B-14

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

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED:

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

PUBLIC HEARING:

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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12/1/2023 2:22:09 PM

Office of West Virginia
Secretary Of State

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Human Services TITLE-SERIES: 78-26

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: 9-3-6

RULE NAME: 78-26 Pilot Program for Drug Screening of Applicants for Cash Assistance

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

2 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 [X] INCORPORATED BY REFERENCE [X]

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

This rule establishes and sets forth the requirements for drug screening applicants of benefits from the Temporary Assistance for Needy Families program under a pilot program. For the purposes of the pilot program pursuant to the authority and option granted by 21 U.S.C. 862a(d)(1)(A) to the states, West Virginia hereby exempts all persons domiciled within the state from the application of 21 U.S.C. 862a(a).

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

Pursuant to W. Va. Code 9-3-6(b), the statutory authority for the administration of this program expires on December 31, 2026. In order to capture data required for the annual report mandated by W. Va. Code 9-3-6(p), the sunset date of this rule must be extended.

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

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

This program is funded 100% by federal funds (TANF).

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

No state funds are used for this program.

Orders Report

Docket Number	Agency	Respondent	Date Rendered
2020-DB-0020D	Dentistry, WV Board of	R. Scott Murphy, DDS, MD	11/16/2023

FILED
WV SECRETARY OF STATE
DECEMBER 04, 2023 10:18 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

December 1, 2023

NEWS ITEM

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

November 29, 2023 - Berkeley Medical Center, CON File #23-9-12827-A, for Berkeley Medical Center to acquire 60% of the ownership interests in Ambergris, LLC. Berkeley Medical Center currently owns a minority (40%) of the membership interests in Ambergris, LLC. Following the acquisition Berkeley Medical Center will own 100% of the ownership interests in Ambergris, LLC. Capital Expenditure $3,020,000.

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 **November 30, 2023.**

On or before **January 2, 2024**, 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 **January 4, 2024.** 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 **January 29, 2024.**

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, 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.

Dec. 1, 2023
Date

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

FILED
WV SECRETARY OF STATE
DECEMBER 04, 2023 11:43 AM

OTHER

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

December 4, 2023

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **December 1, 2023.**

LETTER OF INTENT RECEIVED

December 1, 2023- Essential Needs Homecare, CON File #23-6-12835-PC, to provide personal care services in Marion, Harrison, and Monongalia Counties in West Virginia; capital expenditure, $1,500.

December 1, 2023- Physician Reliance Network, LLC (PRN), CON File #23-1/4-12836-A, seeking regulatory approval of a proposed transaction between West Virginia Radiation Therapy Services, Inc, GenesisCare USA of Florida, LLC and GenesisCare USA Services, LLC, as sellers and PRN as purchaser; capital expenditure, $8,125,000.

December 1, 2023- UnitedHealth Group Inc. (UHG), CON File #23-1/3/5/6-12837-A, for the pending transaction/merger of UHG and Amedysis, Inc., in Monongalia, Mercer, Kanawha, Raleigh, and Wood counties in West Virginia; capital expenditure, $112,000,000.

LETTER OF INTENT WITHDRAWN

November 28, 2023- Greenbrier Clinic, CON File #23-4-12829-E, for the addition of fixed magnetic resonance imaging services at the clinic located in White Sulphur Springs, Greenbrier County, West Virginia; capital expenditure, $833,903. Letter of Intent Expired.

November 28, 2023- Essential Needs Homecare, CON File #23-6-12830-PC, to provide personal care services in Marion, Harrison, and Monongalia Counties in West Virginia; capital expenditure, $1,500. Letter of Intent Expired.

CERTIFICATE OF NEED APPLICATION RECEIVED

November 27, 2023- Berkeley Medical Center (BMC), located in Martinsburg, Berkeley County, West Virginia, CON File #23-9-12827-A, to acquire 60% of the ownership interests in Ambergris, LLC. Following this acquisition, BMC will own 100% of the ownership interests in Ambergris, LLC. Ambergris, LLC provides cancer treatment, including radiation therapy, on BMC's hospital campus; capital expenditure, $3,020,000.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

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

EXPEDITED APPLICATIONS

November 29, 2023- Berkeley Medical Center (BMC), located in Martinsburg, Berkeley County, West Virginia, CON File #23-9-12827-A, to acquire 60% of the ownership interests in Ambergris, LLC. Following this acquisition, BMC will own 100% of the ownership interests in Ambergris, LLC. Ambergris, LLC provides cancer treatment, including radiation therapy, on BMC's hospital campus; capital expenditure, $3,020,000.

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

November 30, 2023 – Review cycle begins;

January 2, 2024 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to affected persons;

January 4, 2024 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application;

January 29, 2024 – Decision on the project will be issued by the Authority.

PROJECTS EXEMPT FROM REVIEW

December 1, 2023- The Board of Child Care of the United Methodist Church, Inc., CON File #23-9-12828-X, for the development of six (6) licensed beds at two additional BCC residential child care addresses in Martinsburg, Berkeley County, West Virginia.

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

OTHER

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WV SECRETARY OF STATE
DECEMBER 01, 2023 09:25 AM

Dave Hardy
Secretary of Revenue

STATE TAX DEPARTMENT

Matthew Irby
State Tax Commissioner

ADMINISTRATIVE NOTICE 2023-09

Notice of Adjusted Interest Rates on Tax Underpayments and Overpayments and on Public Contracts for the Period of January 1, 2024 through December 31, 2024

West Virginia Code §§11-10-17 and 17a require the State Tax Commissioner to establish interest rates every year based on the adjusted prime rate charged by banks on December 1 of the prior year.

Notice is hereby given that for the period beginning January 1, 2024 and ending December 31, 2024, inclusive, the rate of interest on underpayments of tax will be 13.00 percent, and the rate of interest on overpayments of taxes and on public contracts when final payment is delayed will be 11.50 percent. Per West Virginia Code §11-14B-14, as amended in 2013 and effective July 1, 2013, the provisions of Section R1230 of the International Fuel Tax Agreement apply to Motor Fuel Taxes Collected under the International Fuel Tax Agreement.

Notice of this determination will be filed in the West Virginia Register.

Issued: December 1, 2023

Matthew R. Irby
State Tax Commissioner

Tax Commissioner's Office, 1001 Lee Street East, P.O. Box 11771, Charleston, WV 25339-1771
Telephone 304-558-0751
Fax 304-558-8999

5509 Big Tyler Road, Suite 3
Cross Lanes, WV 25313
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WEST VIRGINIA
BOARD OF VETERINARY MEDICINE

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

OTHER

December 1, 2023

The Honorable Jim Justice
Governor of West Virginia
State Capitol, Building 1
Charleston, WV 25305

RE: Biennium Report 2022 and 2023

Dear Governor Justice,

Pursuant to §30-1-12.b. mandatory requirement, the West Virginia Board of Veterinary Medicine is submitting our biennium report for the time period of July 1, 2021 – June 30, 2023. This report is an overview of our fiscal year 2022 and 2023 activities.

MISSION

The mission of the Board is to protect the health, safety and welfare of the general public and animals of West Virginia through public education, enforcing licensing standards for veterinarians, registered veterinary technicians, certified animal euthanasia technicians and veterinary and euthanasia facilities.

ACTIVE & NEW LICENSES, REGISTRATIONS, CERTIFICATIONS.

	2021/2022	2022/2023
Licensed Veterinarians	705	726
Inactive Veterinarians (New option effective January 1, 2019)	24	26
New Licensed Veterinarians (included in total)	42	38
Registered Veterinary Technicians	237	248
Inactive Veterinary Technicians	3	4
New Registered Veterinarian Technicians (included in total)	26	17
Certified Animal Euthanasia Technicians	55	55
New Certified Animal Euthanasia Technicians (included in total)	11	12
Veterinary Facilities	268	256
Euthanasia Facilities	24	25