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

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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

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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
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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
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TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
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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
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TITLE	157	HIGWAYS
TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
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TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
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TITLE	220	MULTIMODAL TRANSPORTATION FACILITIES

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-01)	Board Rules and Rules of Professional Conduct Legislative	5/10/2023	6/30/2023		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			

RULE MONITOR

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			
Coal Mine Health and Safety (36-57)	Rule Governing Proximity Detection Systems and Haulage Safety Generally Legislative Exempt	12/11/2023	1/10/2024						
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				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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			
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 (126-012)	WV System of Support and Accountability (2322) Legislative Exempt	12/13/2023	1/16/2024						

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-042)	Assuring the Quaility of Education: Regulations for Education Programs (2510) Legislative Exempt	12/13/2023	2/12/2024						
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
Education (126-203)	Exempt Purchasing Procedures(8210) Legislative Exempt	10/11/2023	11/13/2023					12/13/2023	1/16/2024
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			
Emergency Management (170-06)	Purchasing Policy Procedural	12/8/2023	1/8/2024						
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						

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

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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			
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	12/12/2023 ERD by 1/23/2023	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			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-116)	Distribution of Funds from Emergency Medical Services Salary Enhancement Fund Legislative	5/17/2023	6/16/2023	5/18/2023 Approved 5/18/2023 Amendment 11/7/2023 Effective 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			
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			

RULE MONITOR

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

RULE MONITOR

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

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Miners Health Safety and Training (56-10)	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			
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					12/11/2023	1/10/2024
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					12/11/2023	1/10/2024
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			

RULE MONITOR

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

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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			
Natural Resources (58-47) Sunset Provision	Prohibitions When Hunting and Trapping Legislative								
Natural Resources (58-60)	Fishing Regulations Legislative Exempt							12/27/2023	1/1/2024
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			

RULE MONITOR

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

RULE MONITOR

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

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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						
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 (81-19)	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			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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			
Treasurer (112-19)	West Virginia Hope Scholarship Board Procedures and Bylaws Procedural	8/16/2023	9/15/2023					12/14/2023	1/15/2024
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 21 A 10: 46
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, *10		

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. *Updated to be in compliance with CMS on continuous eligibility.

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

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

Monica Hamilton
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

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

December 26, 2023

FILED
2023 DEC 26 P 3: 32
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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: 513
Title: Intellectual Developmental Disabilities Waiver 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 12/26/23

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 DEC 26 P 3: 32
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SECRETARY OF STATE

LEGISLATIVE

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To: West Virginia Secretary of State
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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: 519.16
Title: Surgical 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 12/26/23

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 DEC 26 P 3: 32
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

December 26, 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

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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: 519.20
Title: Wound Care 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 12/26/23

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

eFILED

12/27/2023 12:32 PM

Office of West Virginia Secretary Of State

LEGISLATIVE

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

AGENCY: Natural Resources TITLE-SERIES: 58-60

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

RULE NAME: FISHING REGULATIONS

CITE STATUTORY AUTHORITY: §§20-1-7(31) and 20-1-17(7)

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

January 1, 2024

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

Yes

James Bailey -- 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.

Orders Report

Docket Number	Agency	Respondent	Date Rendered
23-76-W	Medicine, West Virginia Board Of	Grace Autumn Hutcheson, MD	12/19/2023
23-77-W	Medicine, West Virginia Board Of	Sonya Joy Inderbitzin-Fischer, MD	12/19/2023
23-79-W	Medicine, West Virginia Board Of	Joseph Anthony Jurand, MD	12/19/2023

OFFICE OF TAX APPEAL DECISIONS		
NO.	SYNOPOSIS	DATE ISSUED
22-110	On April 13, 2022, a West Virginia State Tax Department criminal investigator was conducting motor fuel enforcement activities in COUNTY A, West Virginia. The following day he issued an assessment to the Petitioner, alleging that he had refused inspection of his vehicle for the purpose of taking a fuel sample, in violation of West Virginia Code Section 11-14C-37(a). On June 21, 2022, the Petitioner timely filed his Petition for Reassessment with this Tribunal, and the matter came for an evidentiary hearing on January 11, 2023.	04/28/2023
21-171	On September 7, 2021, the Taxpayer Services Division of the West Virginia State Tax Department (the "Tax Commissioner" or "Respondent") issued a Notice of Assessment against Xxx Xxx Xxx, Inc. (the "Petitioner"). This assessment was issued pursuant to the authority of the State Tax Commissioner, granted to him by the provisions of Chapter 11, Article 10 *et seq*, of the West Virginia Code. The assessment was for Pass Through Entity tax, for tax years 2017 through 2020, for tax in the amount of $_____, penalties and additions in the amount of $_____, and interest in the amount of $_____ for a total assessed tax liability of $_____. Thereafter, on November 1, 2021, the Petitioner timely filed with this Tribunal, the West Virginia Office of Tax Appeals, a petition for reassessment. *See* W. Va. Code Ann. §§ 11-10A-8(1); 11-10A-9 (West 2010). Subsequently, notice of a hearing on the petition was sent to the Petitioner, and, in accordance with the provisions of West Virginia Code Section 11-10A-10, a hearing was held on June 27, 2022, after which the parties filed legal briefs. The matter became ripe for a decision upon the conclusion of the briefing schedule.	05/31/2023
21-169	On August 25, 2021, the Auditing Division of the West Virginia State Tax Department (the "Tax Commissioner" or "Respondent") issued an Audit Notice of Assessment against the Petitioner. This assessment was issued pursuant to the authority of the State Tax Commissioner, granted to him by the provisions of Chapter 11, Article 10 *et seq*, of the West Virginia Code. The assessment was for combined sales and use tax for the period January 1, 2018, through March 31, 2021, for tax in the amount of $xxx,xxx.xx, interest in the amount of $ xx,xxx.xx, and additions to tax in the amount of $ xx,xxx.xx, for a total assessed tax liability of $ xxx,xxx.xx. Thereafter, on October 15, 2021, the Petitioner timely filed with this Tribunal, the West Virginia Office of Tax Appeals, a petition for appeal. *See* W. Va. Code Ann. §§ 11-10A-8(1); 11-10A-9 (West 2010). Subsequently, notice of a hearing on the petition was sent to the Petitioner, and, in accordance with the provisions of West Virginia Code Section 11-10A-10, a hearing was held on September 8, 2022, after which the parties filed legal briefs. The matter became ripe for decision at the conclusion of the briefing schedule.	06/22/2023

OFFICE OF TAX APPEAL DECISIONS		
NO.	SYNOPOSIS	DATE ISSUED
19-421	On June 21, 2019, the Compliance Division of the West Virginia State Tax Commissioner's Office (hereinafter "Tax Department" or "Respondent") issued an Assessment against the Petitioners, AAA (hereinafter "Petitioners"). This assessment was issued pursuant to the authority of the State Tax Commissioner, granted to him by the provisions of Chapter 11, Article 10 *et seq*, of the West Virginia Code. The Petitioners were originally assessed for personal income taxes, interest, and penalties/additions for tax years 2009, 2016 & 2017. The Petitioners were assessed only penalties/additions for tax years 2010-2014 and 2018. The original underlying tax assessment was in the amount of $x,xxx.xx, interest in the amount of $x,xxx.xx, additions and/or penalties in the amount of $x,xxx.xx, for a total personal income tax assessment of $ x,xxx.xx, and was for the period from 2009 through 2018. On September 15, 2022, the Respondent issued amended balances for a total of $ x,xxx.xx, as the parties resolved the 2016 tax year. In the Petition for Reassessment, the Petitioners indicated that they received a copy of the assessment at issue on June 27, 2019. The Petitioners timely filed their Petition for Appeal with this Tribunal on August 26, 2019. Subsequently, notice of a hearing on the petition was sent to the parties and in accordance with the provisions of West Virginia Code Section 11-10A-10, a hearing was held on September 15, 2022. Thereafter, the parties submitted briefs containing proposed findings of fact and conclusions of law, the evidence closed on January 25, 2023, and the matter became ripe for decision at that time.	07/24/2023
21-013	On November 20, 2020, the Compliance Division of the West Virginia State Tax Commissioner's Office (hereinafter the "Tax Commissioner" or "Respondent") issued a Notice of Proposed Tax Lien/Intent to Offset, against the Petitioner, AAA (hereinafter the "Petitioner"). This assessment was issued pursuant to the authority of the State Tax Commissioner, granted to him by the provisions of Chapter 11, Articles 10 and 21 *et seq*, of the West Virginia Code. The Notice informed the Petitioner that he had unpaid taxes, interest, and additions for tax years 2015 through 2017, in the aggregate amount of $------. Written correspondence of this Notice was served on the Petitioner, as required by law. Subsequently, a notice of a hearing on the petition was sent to the Petitioner, and, in accordance with the provisions of West Virginia Code Section 11-10A-10, a hearing was held on March 24, 2022, after which the parties filed legal briefs. The matter became ripe for decision at the conclusion of the briefing schedule.	08/22/2023

OFFICE OF TAX APPEAL DECISIONS		
NO.	SYNOPOSIS	DATE ISSUED
22-058	On November 30, 2020, the Compliance Division of the West Virginia State Tax Commissioner's Office ("the Tax Department" or "the Respondent") issued a Denial or Reduction of Refund to the Petitioners, AAA and AAA AAA, ("Petitioners"). This refund denial was issued pursuant to the authority of the State Tax Commissioner, granted to him by the provisions of Chapter 11, Article 10 *et seq*, of the West Virginia Code. The refund denial stated that the Petitioners' refund had been reduced from a requested amount of $xx,xxx.xx to zero for year ending December 31, 2017, and for a reduction from $x,xxx.xx to zero for year ending December 31, 2018. The Petitioners received their refunds from the Respondent on March 16, 2022, for the 2017 tax year and on March 17, 2022, for the 2018 tax year after the IRS verified the Petitioners' reduction in income. However, the Petitioners' appeal does not originate from the refunds but instead from the amount of interest on their refunds. The Petitioners timely filed their Petition for Appeal with this Tribunal on April 5, 2022. Subsequently, notice of a hearing on the petition was sent to the parties and in accordance with the provisions of West Virginia Code Section 11-10A-10, a hearing was held on November 10, 2022. Thereafter, the parties submitted briefs containing proposed findings of fact and conclusions of law, with the evidence closed on April 20, 2022, and the matter became ripe for decision at that time.	10/18/2023

West Virginia
Board of Accountancy

405 Capitol Street, Suite 908
Charleston, West Virginia 25301-1744

Jim Justice, Governor

Board Members:
Barry L. Burgess, CPA– President
Keith D. Fisher, Esq., Public Member -Vice President
Virginia C. Slack, CPA- Secretary
Richard A. Hudson, CPA, Esq- Asst. Secretary
Jason P. Staats, CPA
Richard A. Riley, CPA, PhD, CFE, CFF
Brian D. Wadsworth, CPA

Kristi A. Justice, Executive Director

December 12, 2023

FILED
2023 DEC 27 A 11:02
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

The Honorable Mac Warner
West Virginia Secretary of State
State Capitol, Building 1, Suite 157-K
1900 Kanawha Boulevard,
Charleston, WV 25305

Dear Honorable Mac Warner,

Please, find enclosed the FY2023 Annual Report for the West Virginia Board of Accountancy. This report is submitted in accordance with Chapter 30, Article 1, Section 12 of the West Virginia Code, requiring submission of annual reports of Chapter 30 Boards.

The report reflects the activities of the Board of Accountancy for the past two fiscal years. Please, do not hesitate to contact me should you have questions about the content of the report.

Sincerely,

Kristi A. Justice
Executive Director

OTHER

West Virginia Board of Architects

FILED
2023 DEC 26 A 11:55
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Annual Report
FY2023 & FY2022

The West Virginia Board of Architects safeguards the life, health, property, and public welfare of the people of West Virginia against the unauthorized, unqualified, and improper practice of architecture.

Over 100 Years Protecting West Virginians

West Virginia Board of Architects
405 Capitol Street, Mezzanine Suite 3
Charleston, WV 25301
(304)-558-1406
Fax (304)-558-1407
Emily.B.Papdopoulos@wv.gov

FILED
WV SECRETARY OF STATE
DECEMBER 26, 2023 10:10 AM

OTHER

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

December 26, 2023

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **December 22, 2023**.

LETTER OF INTENT RECEIVED

December 19, 2023- Hospice of Huntington, Inc., CON File #23-2-12848-PC, For the development of in-home personal care services in Cabell and Mason Counties in West Virginia; capital expenditure, $5,000.

December 19, 2023- Hospice of Huntington, Inc., CON File #23-2-12849-PC, For the development of in-home personal care services in Lincoln and Wayne Counties in West Virginia; capital expenditure, $5,000.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

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

EXPEDITED APPLICATIONS

December 13, 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.

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

December 15, 2023 – Review cycle begins;

January 16, 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 19, 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;

February 13, 2024 – Decision on the project will be issued by the Authority.

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

West Virginia State Board of Registration
for Professional Engineers

304-558-3554 Phone
304-558-6232 Fax
800-324-6170 Toll Free

www.wvpebd.gov

Please find enclosed an electronic copy of the FY2023 Annual Report of the West Virginia State Board of Registration for Professional Engineers.

Thank you!

November 20, 2023

The Honorable Jim Justice
Governor, State of West Virginia
State Capitol Building
1900 Kanawha Boulevard, East
Charleston, WV 25305

FILED
2023 DEC 26 A 11:5
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Dear Governor Justice:

On behalf of the West Virginia State Board of Registration for Professional Engineers, we are pleased to provide you with our FY2023 Annual Report. This report is hereby submitted in compliance with mandates of the statutory requirements of W.Va. Code §30-1-12(b).

In order to safeguard life, health and property and to promote the public welfare, the practice of engineering in this state is declared to be subject to regulation in the public interest. The WV PE Board is charged with the administration and enforcement of the provisions of W.Va. Code §30-13 governing the practice of professional engineering. Enclosed is the Board's certified Annual Report covering fiscal years 2022-2023, including required documentation of agendas, minutes, receipts, disbursements, rosters and a listing of filed complaints. As always, all information contained within this report, as well as other relevant applicant and examinee information, is accessible 24 hours a day, 7 days a week, via our website at www.wvpebd.gov.

In closing, please know the WV State Board of Registration for Professional Engineers and their staff will continue to strive to provide superior service to the engineering students, the engineering professionals, and the citizens of our great state! Should you have any comments or questions regarding the content of this report, please do not hesitate to contact our office.

Sincerely,

Lesley L. Rosier-Tabor, P.E.
Executive Director

cc: Craig Blair, President of the Senate
Roger Hanshaw, Speaker of the House of Delegates
Lee Cassis, Clerk of the Senate
Steve Harrison, Clerk of the House of Delegates
Mac Warner, Secretary of State
DeAnnia Spelock, Resources Manager of Legislative Library
Aaron Parsons, Director of Archives and History

300 Capitol Street, Suite 910, Charleston, West Virginia 25301

OTHER

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WV SECRETARY OF STATE
DECEMBER 21, 2023 02:17 PM

Larry Pack
Acting Secretary of Revenue

STATE TAX DEPARTMENT

Matthew Irby
State Tax Commissioner

ADMINISTRATIVE NOTICE 2023-10

Acute Care Tax Rate Change

West Virginia Code §11-27-39(b) requires the State Tax Commissioner to publish applicable rates for the additional gross receipts tax on eligible acute care hospitals pursuant to W. Va. Code §11-27-39(a).

As allowed by the Centers for Medicare and Medicaid Services and calculated by the West Virginia Bureau for Medical Services, the rate of tax on eligible acute care hospitals pursuant to W. Va. Code §11-27-39(a) shall be 0.250%, effective January 1, 2024.

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

Issued: December 21, 2023

Matthew Irby
State Tax Commissioner

Legal Division, 1001 Lee Street East, P.O. Box 1005, Charleston, WV 25324-1005
Telephone 304-558-5330
Fax 304-558-8728