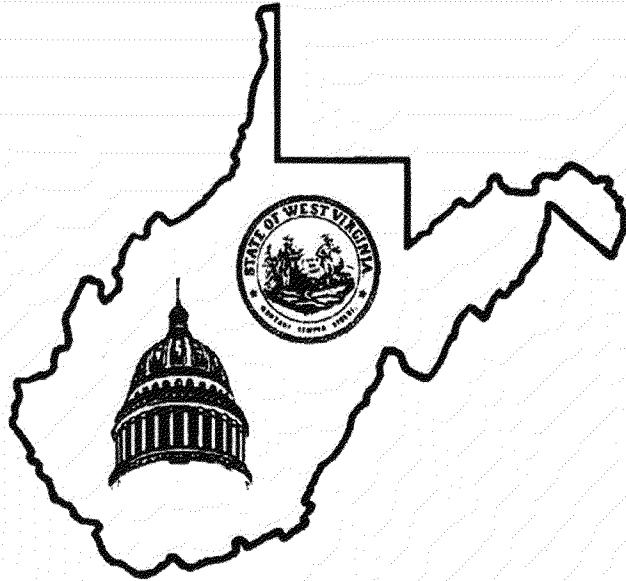




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Administrative Law Division

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Other Documents or Information Filed

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

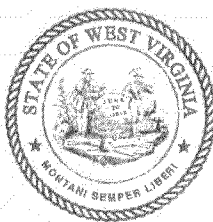
Health Care Authority

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CHRONOLOGICAL INDEX

CHRONOLOGICAL INDEX, VOLUME XLII ISSUE 3			
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

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
TITLE 1	ACCOUNTANCY
TITLE 2	ARCHITECTS
TITLE 3	BARBERS AND COSMETOLOGISTS
TITLE 4	CHIROPRACTIC EXAMINERS
TITLE 5	DENTISTRY
TITLE 6	FUNERAL SERVICE EXAMINERS
TITLE 7	PROFESSIONAL ENGINEERS
TITLE 10	LICENSED PRACTICAL NURSES
TITLE 11	MEDICINE
TITLE 14	OPTOMETRY
TITLE 15	PHARMACY
TITLE 16	PHYSICAL THERAPY
TITLE 17	PSYCHOLOGISTS
TITLE 19	REGISTERED NURSES
TITLE 20	SANITARIANS
TITLE 22	FORESTRY
TITLE 24	OSTEOPATHIC MEDICINE
TITLE 25	SOCIAL WORK EXAMINERS
TITLE 26	VETERINARY MEDICINE
TITLE 27	COUNSELING
TITLE 29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE 30	RESPIRATORY CARE
TITLE 31	DIETITIANS
TITLE 32	ACUPUNCTURE
TITLE 33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE 35	OIL AND GAS
TITLE 36	COAL MINE HEALTH AND SAFETY
TITLE 38	MINING AND RECLAMATION
TITLE 42	LABOR
TITLE 45	AIR QUALITY
TITLE 47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE 53	PUBLIC ENERGY AUTHORITY
TITLE 56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE 58	NATURAL RESOURCES
TITLE 60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE 61	AGRICULTURE
TITLE 64	HEALTH
TITLE 65	HEALTH CARE AUTHORITY
TITLE 71	HEALTH FACILITIES
TITLE 76	SENIOR SERVICES
TITLE 78	HUMAN SERVICES
TITLE 81	STATE POLICE
TITLE 87	FIRE COMMISSION
TITLE 89	PUBLIC DEFENDER SERVICES
TITLE 90	CORRECTIONS
TITLE 91	MOTOR VEHICLES
TITLE 103	FIRE MARSHAL
TITLE 110	TAX DEPARTMENT
TITLE 112	TREASURER
TITLE 114	INSURANCE COMMISSION
TITLE 126	EDUCATION
TITLE 127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE 133	HIGHER EDUCATION POLICY COMMISSION
TITLE 135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE 143	PERSONNEL
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	HIGHWAYS
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
Administration (148-12) Sunset Provision	General Administration of Records Management and Preservation Legislative				3/27/2024	Approved 8/25/2024			
Administration (148-13) Sunset Provision	Retention and Disposal Scheduling Legislative				3/27/2024	Approved 8/25/2024			
Administration (148-14) Sunset Provision	Management of Records Maintained by the Records Center Legislative				3/27/2024	Approved 8/25/2024			
Administration (148-23)	Exemptions From Management Services Provided by the Fleet Management Division Legislative	3/22/2024	4/26/2024		4/30/2024	Approved 8/25/2024			
Administration (148-24) Sunset Provision	Financial Services Reporting Legislative				3/11/2024	Approved 8/25/2024			
Agriculture (61-03, repeal)	State Aid for Fairs and Festivals Legislative	6/25/2024	7/25/2024		7/25/2024	Approved 9/30/2024			
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	5/24/2024	6/24/2024		6/25/2024	Approved 9/30/2024			
Agriculture (61-18, repeal)	Licensing and Other Fees Legislative	6/25/2024	7/25/2024		7/25/2024	Approved 9/30/2024			
Agriculture (61-19)	WV Manufacture-Grade Milk Legislative	7/2/2024	8/2/2024		8/2/2024	Modified & Approved 9/30/2024 Filed 10/18/2024			
Agriculture (61-20)	Employment Reference and Inquiries and Background Checks Legislative	7/3/2024	8/3/2024		8/5/2024	Modified & Approved 9/30/2024 Filed 10/16/2024			
Agriculture (61-23A)	WV Fish Processing Rule Legislative	6/28/2024	7/28/2024		7/29/2024	Modified & Approved 9/30/2024 Filed 12/2/2024			
Agriculture (61-30)	Select Plant-Based Derivatives and Select Plant-Based Derivative Products Legislative	5/10/2024	6/10/2024	4/12/2024 Approved 4/17/2024	7/10/2024 8/15/2024	Modified & Approved 11/13/2024 Filed 12/3/2024			
Agriculture (61-33)	Rural Rehabilitation Loan Program Legislative	6/27/2024	7/27/2024		7/29/2024	Approved 9/30/2024			

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-41)	Raw Milk Legislative	7/2/2024	8/2/2024		8/15/2024	Modified & Approved 11/13/2024 Filed 12/2/2024			
Air Quality (45-08)	Ambient Air Quality Standards Legislative	7/3/2024	8/6/2024		8/23/2024	Approved 11/13/2024			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	7/3/2024	8/6/2024		8/23/2024	Approved 11/13/2024			
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	7/3/2024	8/6/2024		8/23/2024	Modified & Approved 11/13/2024 Filed 11/18/2024			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	7/3/2024	8/6/2024		8/23/2024	Modified & Approved 11/13/2024 Filed 11/18/2024			
Alcohol Beverage Control Commission (175-02)	Private Club Licensing Legislative	7/18/2024	8/16/2024		8/20/2024	Approved 11/13/2024			
Alcohol Beverage Control Commission (175-04)	Sale of Wine Legislative	7/18/2024	8/16/2024		8/20/2024	Modified & Approved 11/13/2024 Filed 11/14/2024			
Alcohol Beverage Control Commission (175-09)	Tobacco Products in Vending Machines Legislative	6/28/2024	7/30/2024		8/20/2024	Approved 10/1/2024			
Alcohol Beverage Control Commission (175-10)	Distilleries, Mini-distilleries, and Micro-Distilleries Legislative	6/28/2024	7/30/2024		8/20/2024	Modified & Approved 11/13/2024 Filed 11/14/2024			
Alcohol Beverage Control Commission (175-11)	Retail Enforcement of Select Plan- Based Derivatives and Dervative Products: Hemp and Kratom Legislative	6/28/2024	7/30/2024		8/20/2024	Approved 11/13/2024			
Alcohol Beverage Control Commission Beer (176-01)	Nonintoxicating Beer Licensing and Operations Procedures Legislative	7/18/2024	8/16/2024		8/20/2024	Modified & Approved 10/1/2024 Filed 10/3/2024			
Architects (2-01) Sunset Provision	Registration of Architects Legislative				8/2/2024	Modified & Approved 8/25/2024 Filed 8/28/2024			

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Architects (2-03) Sunset Provision	Fees for Registration of Architects Legislative				8/2/2024	Approved 8/28/2024			
Auditor (155-01)	Standards for Requisitions for Payment Issued by State Officers on the Auditor Legislative	1/2/2025	2/3/2025						
Auditor (155-06) Sunset Provision	Local Government Purchasing Card Program Legislative				3/22/2024	Approved 8/25/2024			
Auditor (155-12)	Rules for Private Trust Companies Legislative	6/28/2024	7/31/2024	6/28/2024 Effective 8/9/2024	8/13/2024	Modified & Approved 10/1/2024 Filed 10/17/2024			
Barbers and Cosmetologists (3-05)	Operation of Barber, Cosmetology, Nail Technology, Aesthetic, Hair Styling and Waxing Salons and Schools Legislative	6/28/2024	7/31/2024		8/14/2024	Modified & Approved 10/1/2024 Filed 10/10/2024			
Barbers and Cosmetologists (3-06)	Schedule of Fees Legislative	6/28/2024	7/31/2024		8/20/2024	Modified & Approved 10/1/2024 Filed 10/11/2024			
Barbers and Cosmetologists (3-07)	Schedule of Fines Legislative	6/28/2024	7/31/2024		8/20/2024	Modified & Approved 10/1/2024 Filed 10/8/2024			
Chiropractice Examiners (4-08) Sunset Provision	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative				10/18/2024	Approved 11/13/2024			
Community and Technical College Education (135-05)	Employing and Evaluating Presidents Legislative	6/12/2024	7/15/2024		7/25/2024	Approved 10/6/2024			
Conservation Agency (63-03) Sunset Provision	State Conservation Committee Grant Program Legislative				10/30/2023	Approved 8/25/2024			
Crime Delinquency and Correction (149-08)	Protocol for Law Enforcement Response to Child Abuse and Neglect Legislative	7/29/2024	8/28/2024		8/28/2024	Modified & Approved 11/13/2024 Filed 11/20/2024			

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Crime Delinquency and Correction (149-11)	Sexual Assault Forensic Examinations Legislative	7/29/2024	8/28/2024	7/29/2024 Approved 8/5/2024	9/9/2024	Modified & Approved 11/13/2024 Filed 11/20/2024			
Dentistry (5-11)	Continuing Education Requirements Legislative	4/18/2024	5/24/2024		7/23/2024	Modified & Approved 11/13/2024 Filed 11/15/2024			
Dentistry (5-14)	Mobile Dental Facilities & Portable Dental Units Legislative	4/23/2024	5/24/2024		7/22/2024	Modified & Approved 11/13/2024 Filed 11/15/2024			
Economic Development (145-16) Sunset Provision	Tourism Development Districts Legislative				10/8/2024				
Education (126-044D)	WV College-and Career- Readiness Standards for Social Studies (2520.4) Legislative Exempt	4/10/2024	5/27/2024					7/8/2024	7/1/2025
Education (126-044O)	WV Pre-K Standards (Ages 3-5) (2520.15) Legislative Exempt	4/10/2024	5/13/2024					6/12/2024	7/1/2025
Education (126-205)	Charter Public Schools Stimulus Fund (8400) Legislative Exempt	10/10/2024	11/25/2024						
Election Commission (146-03)	Regulations of Campaign Finance Legislative	7/31/2024	8/30/2024		8/30/2024	Modified & Approved 11/13/2024 Filed 1/3/2025			
Funeral Service Examiners (6-01)	Funeral Director, Embalmer, Apprentice, Courtsey Card Holders and Funeral Establishment Requirement Legislative	7/24/2024	8/24/2024		8/29/2024	Modified & Approved 11/13/2024 Filed 11/22/2024			
Health (64-03)	Public Water Systems Legislative	7/26/2024	8/26/2024		8/27/2024	Modified & Approved 10/1/2024 Filed 10/11/2024			
Health (64-27)	Statewide Trauma and Emergency Care System Legislative	7/30/2024	8/29/2024		8/30/2024	Modified & Approved 11/13/2024 Filed 11/25/2024			

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-29, repeal)	Fatality and Mortality Review Team Legislative	7/30/2024	8/28/2024		9/3/2024	Approved 10/1/2024			
Health (64-32)	Vital Statistics Legislative	8/2/2024	9/1/2024		9/3/2024	Modified & Approved 11/13/2024 Filed 11/25/2024			
Health (64-48)	Emergency Medical Services Legislative	7/26/2024	8/26/2024		8/27/2024	Approved 11/13/2024			
Health (64-70)	Primary Care Support Program Legislative	7/26/2024	8/26/2024		8/27/2024	Approved 11/13/2024			
Health (64-109)	Medical Cannabis Program – General Provisions Legislative	7/26/2024	8/26/2024		8/27/2024	Modified & Approved 11/13/2024 Filed 11/25/2024			
Health (64-110)	Medical Cannabis Program – Grower/Processors Legislative	7/30/2024	8/29/2024		8/30/2024	Approved 11/13/2024			
Health (64-111)	Medical Cannabis Program – Laboratories Legislative	7/30/2024	8/29/2024		8/30/2024	Approved 11/13/2024			
Health (64-112)	Medical Cannabis Program – Dispensaries Legislative	7/26/2024	8/26/2024		8/27/2024	Approved 11/13/2024			
Health (64-113, repeal)	Medical Cannabis Program – Safe Harbor Letter Legislative	7/30/2024	8/28/2024		8/30/2024	Approved 11/13/2024			
Health and Human Resources (69-15)	Recovery Residence Certification and Accreditation Program Legislative	7/31/2024	8/30/2024	11/26/2024 Effective 1/7/2025	9/13/2024	Modified & Approved 11/13/2024 Filed 11/26/2024			
Health Care Authority (65-09) Sunset Provision	Critical Access Hospitals Legislative				12/5/2023	Approved 8/25/2024			
Higher Education Policy Commission (133-03)	Higher Education Accountability System Legislative	6/14/2024	7/15/2024		7/19/2024	Approved 10/6/2024			
Higher Education Policy Commission (133-26)	Underwood-Smith Teaching Scholars Program and Teacher Education Loan Repayment Program Legislative	6/13/2024	7/12/2024		7/19/2024	Approved 10/6/2024			

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	7/23/2024	8/23/2024		8/27/2024	Modified & Approved 10/1/2024 Filed 10/11/2024			
Highways (157-04)	Purchase and Disposal of Materials, Equipment and Supplies Procedural	7/24/2024	8/26/2024						
Highways (157-06) Sunset Provision	Use of State Road Rights of Way and Adjacent Areas Legislative				8/9/2024	Approved 8/25/2024			
Highways (157-07) Sunset Provision	Transportation of Hazardous Wastes Upon the Roads and Highways Legislative				7/23/2024	Approved 8/25/2024			
Highways (157-13) Sunset Provision	Small Wireless Facilities on Division of Highways Rights-of- Way Legislative				7/23/2024	Approved 8/25/2024			
Human Services (78-26) Sunset Provisions	Pilot Program for Drug Screening of Applicants for Cash Assistance Legislative	9/12/2024	10/12/2024	9/12/2024 Approved 9/20/2024	10/22/2024	Approved 11/13/2024			
Information Svcs. & Communications Div. (161-01, repeal)	Plan of Operation Legislative	9/18/2024	10/18/2024		11/12/2024	Approved 11/13/2024			
Information Svcs. & Communications Div. (161-02, repeal)	Telecommunications Payments by Spending Units Legislative	9/18/2024	10/18/2024		11/12/2024	Approved 11/13/2024			
Insurance Comm. (114-24) Sunset Provision	Medicare Supplement Insurance Legislative				3/13/2024	Approved 8/25/2024			
Lottery Commission (179-09)	WV Lottery Sports Wagering Rule Legislative	6/26/2024	7/29/2024		8/2/2024	Modified & Approved 11/13/2024 Filed 11/14/2024			
Massage Therapy Licensure Board (194-01)	General Provisions Legislative	7/26/2024	8/26/2024		8/30/2024	Approved 11/13/2024			
Medicine (11-13) Sunset Provision	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative				4/1/2024	Approved 8/25/2024			

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Miners Health Safety and Training (56-08) Sunset Provision	Rule Governing the Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of West Virginia Legislative				9/24/2024				
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	Approved 8/25/2024			
Motor Vehicles (91-05)	Denial, Suspension, Revocation, Disqualification, Restriction, Non-Renewal, Cancellation, Administrative Appeals and Reinstatement of Driving Privileges Legislative	6/17/2024	7/17/2024		8/14/2024	Modified & Approved 9/30/2024 Filed 10/2/2024			
Motor Vehicles (91-08)	Disclosure of Information from the Files of the Division of Motor Vehicles Legislative	6/17/2024	7/17/2024		8/14/2024	Modified & Approved 9/30/2024 Filed 10/4/2024			
Motor Vehicles (91-10)	Handicapped Parking Permits Legislative	6/17/2024	7/17/2024		8/14/2024	Modified & Approved 9/30/2024 Filed 10/2/2024			
Motor Vehicles (91-15) Sunset Provision	Safety and Treatment Program Legislative				8/14/2024	Approved 8/25/2024			
Motor Vehicles (91-24) Sunset Provision	State Vehicle Title, Registration and Relicensing Project of 2018 Legislative				8/14/2024	Approved 8/25/2024			
Municipal Pensions Oversight Board (211-02) Sunset Provision	Exempt Purchasing Legislative				10/9/2024				
Natural Resources (58-16)	Transporting and Selling Wildlife Pelts and Parts Legislative	7/31/2024	8/30/2024		9/3/2024	Approved 10/1/2024			
Natural Resources (58-25) Sunset Provision	Boating Rule Legislative				8/14/2024	Approved 8/25/2024			
Natural Resources (58-26) Sunset Provision	Special Boating Rule Legislative				8/14/2024	Approved 8/25/2024			

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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				8/14/2024	Modified & Approved 8/27/2024 Filed 9/3/2024			
Natural Resources (58-34) Sunset Provision	Special Projects and Grants for WV State Parks, State Forests, and State Rail Trails Under the DNR Legislative				8/14/2024	Approved 8/25/2024			
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	7/31/2024	8/30/2024		9/3/2024	Modified & Approved 10/1/2024 Filed 10/3/2024			
Natural Resources (58-49)	General Hunting Legislative	7/31/2024	8/30/2024		9/3/2024	Approved 10/1/2024			
Natural Resources (58-58)	Special Waterfowl Hunting Legislative	7/31/2024	8/30/2024		9/3/2024	Approved 10/1/2024			
Natural Resources (58-61) Sunset Provision	Special Fishing Rule Legislative				8/14/2024	Approved 8/25/2024			
Natural Resources (58-62) Sunset Provision	Catching and Selling Baifish Legislative				8/14/2024	Approved 8/25/2024			
Natural Resources (58-65)	Falconry Legislative	7/31/2024	8/30/2024		9/3/2024	Approved 10/1/2024			
Occupational Therapy (13-03)	Fees For Services Rendered by the Board Legislative	4/24/2024	6/1/2024		6/4/2024	Approved 8/25/2024			
Occupational Therapy (13-05)	Competency Standards for Advanced Practice by Occupational Therapists and Occupational Therapy Assistants Legislative	4/24/2024	6/1/2024		6/4/2024	Modified & Approved 8/25/2024 Filed 8/29/2024			
Occupational Therapy (13-07) Sunset Provision	Request for Waiver of Initial Licensing Fees for Certain Individuals Legislative				1/10/2024	Approved 8/25/2024			
Occupational Therapy (13-08) Sunset Provision	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative				1/10/2024	Modified & Approved 8/25/2024 Filed 8/29/2024			
Occupational Therapy (13-09)	Telehealth Practice; Requirements; Definitions Legislative	4/24/2024	6/1/2024		6/4/2024	Modified & Approved 8/27/2024 Filed 8/29/2024			

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Office of Technology (163-04)	Plan of Operation Legislative	7/29/2024	8/29/2024		8/29/2024	Modified & Approved 10/1/2024 Filed 10/11/2024			
Office of Technology (163-05)	Telecommunications Payments by Spending Units Legislative	7/29/2024	8/29/2024		8/29/2024	Modified & Approved 10/1/2024 Filed 10/11/2024			
Office of the Inspector General (71-12, formerly 64- 12)	Hospital Licensure Legislative	7/30/2024	8/29/2024		8/30/2024	Modified & Approved 11/13/2024 Filed 11/26/2024			
Office of the Inspector General (71-25, formerly 6411)	Behavioral Health Centers Licensure Legislative	7/30/2024	8/29/2024		8/30/2024	Modified & Approved 11/13/2024 Filed 11/26/2024			
Osteopathic Medicine (24-08) Sunset Provision	Waiver of Initial Licensure Fees for Certain Initial Licensure Applicants Legislative				11/15/2023	Approved 8/25/2024			
Parkway Authority (184-05)	Rules Supporting Electronic Toll Collection and Enforcement Legislative	6/28/2024	7/30/2024		7/31/2024	Modified & Approved 10/1/2024 Filed 10/11/2024			
Personnel (143-01)	Administrative Rule of the West Virginia Division of Personnel Legislative	12/23/2024	1/22/2025	12/23/2024 ERD by 2/3/2025					
Pharmacy (15-01)	Licensure and Practice of Pharmacist Care Legislative	7/23/2024	8/22/2024		8/29/2024	Modified & Approved 9/30/2024 Filed 10/16/2024			
Pharmacy (15-02)	Rules of the Board of Pharmacy for the Uniform Controlled Substances Act Legislative	7/23/2024	8/22/2024		8/29/2024	Modified & Approved 9/30/2024 Filed 10/16/2024			
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	7/24/2024	8/23/2024		8/29/2024	Modified & Approved 9/30/2024 Filed 10/16/2024			
Pharmacy (15-18) Sunset Provision	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative				7/24/2024	Approved 8/25/2024			

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Protective Services (99-02)	Ranks and Duties of Officers Within the Membership of the Division	7/29/2024	8/28/2024		8/28/2024	Approved 9/30/2024			
	Legislative								
Psychologists (17-07) Sunset Provision	Consideration of Prior Criminal Convictions in Initial Licensure Determinations and Application for Waiver of Initial Licensing Fees for Certain Individuals				8/13/2024	Modified & Approved 8/25/2024 Filed 8/28/2024			
	Legislative								
Public Defender Services (89-01)	Payment of Fees and Reimbursement of Expenses of Court-Appointed Attorneys	7/3/2024	8/5/2024		8/19/2024	Approved 10/1/2024			
	Legislative								
Public Service Commission (15-07)	Rules for the Government of Water Utilities	10/3/2024	11/6/2024					1/9/2025	3/10/2025
	Legislative Exempt								
Real Estate Appraiser Licensing & Certification Board (190-02)	Requirements for Licensure and Certification	7/2/2024	8/27/2024		8/30/2024	Modified & Approved 9/30/2024 Filed 10/7/2024			
	Legislative								
Real Estate Appraiser Licensing & Certification Board (190-03)	Renewal of Licensure or Certification	7/1/2024	8/27/2024		8/30/2024	Modified & Approved 9/30/2024 Filed 10/7/2024			
	Legislative								
Real Estate Appraiser Licensing & Certification Board (190-05)	Requirements for Registration and Renewal of Appraisal Management Companies	7/1/2024	8/27/2024		8/30/2024	Modified & Approved 9/30/2024 Filed 10/7/2024			
	Legislative								
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers, and Salespersons and the Conduct of Brokerage Business	6/6/2024	7/10/2024		8/14/2024	Modified & Approved 9/30/2024 Filed 10/15/2024			
	Legislative								
Real Estate Commission (174-06) Sunset Provision	Application for Waiver of Initial Licensing Fees for Certain Individuals				6/27/2024	Approved 8/25/2024			
	Legislative								
Real Estate Commission (174-07) Sunset Provision	Consideration of Prior Criminal Convictions in Initial License Eligibility Determination				8/9/2024	Approved 8/28/2024			
	Legislative								
Registered Nurse, WV Board of (19-03)	Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct	6/28/2024	7/28/2024		8/23/2024	Approved 9/30/2024			
	Legislative								

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Respiratory Care (30-01)	Criteria for Licensure Legislative	7/31/2024	8/30/2024	7/31/2024 ERD by 9/11/2024 Amendment 8/30/2024 Effective 10/11/2024	8/30/2024	Authorized w/Certain Amendments & Approved 11/13/2024			
Respiratory Care (30-10) Sunset Provision	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative				2/27/2024	Modified & Approved 8/25/2024 Filed 9/9/2024			
Respiratory Care (30-11)	Telehealth Practice; Requirements; Definitions Legislative	9/26/2023	10/30/2023		1/26/2024	Modified & Approved 8/25/2024 Filed 9/9/2024			
Sanitarians (20-04)	The Practice of Public Health Sanitation Legislative	7/29/2024	8/29/2024	7/26/2024 Effective 9/6/2024	8/30/2024	Modified & Approved 11/13/2024 Filed 11/18/2024			
Secretary of State (153-56)	Business Organization Name Distinguishability Rules Procedural	8/16/2024	9/16/2024					1/3/2025	2/3/2025
Speech Language Pathology and Audiology (29-02)	Rule Governing Speech-Language Pathology, Audiology and Hearing Aid Dealers Assistants Legislative	5/31/2024	6/30/2024		7/22/2024	Modified & Approved 11/13/2024 Filed 11/14/2024			
State Emergency Response Commission (55-01) Sunset Provision	Emergency Planning and Response Community Right-To-Know Legislative				1/8/2025				
State Emergency Response Commission (55-02)	Emergency Planning Grant Program Legislative	7/30/2024	8/29/2024		8/29/2024	Modified & Approved 9/30/2024 Filed 10/1/2024			
State Police (81-02)	Cadet Selection Legislative	7/29/2024	8/28/2024		8/28/2024	Modified & Approved 9/30/2024 Filed 10/1/2024			
State Police (81-03)	West Virginia State Police Career Progression System Legislative	7/29/2024	8/28/2024		8/28/2024	Modified & Approved 9/30/2024 Filed 10/1/2024			
State Police (81-18)	West Virginia State Police Purchasing Rule Procedural	12/20/2024	1/20/2025						

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-10F) Sunset Provision	Payment of Taxes by Electronic Funds Transfer Legislative				3/11/2024	Modified & Approved 8/27/2024 Filed 9/3/2024			
Tax (110-10G)	Alternative Resolution of Tax Disputes Legislative	7/26/2024	8/26/2024		8/30/2024	Modified & Approved 10/1/2024 Filed 10/9/2024			
Tax (110-15C) Sunset Provision	Consumer Sales and Service Tax and Use Tax- Drugs, Durable Medical Goods, Mobility Enhancing Equipment and Prosthetic Devices Per Se Exemption; Motor Vehicles Per Se Exemption Legislative				3/11/2024	Approved 8/25/2024			
Tax (110-50C) Sunset Provision	Exchange of Information Pursuant to Written Agreement Legislative				3/11/2024	Approved 8/25/2024			
Treasurer (112-18)	Hope Scholarship Program Legislative	3/6/2024 6/25/2024	4/5/2024 7/25/2024	2/7/2024 Effective 3/20/2024 Amendment 6/25/2024 Effective 8/6/2024 Amendment 11/20/2024 Effective 1/1/2025	4/29/2024 8/9/2024	Modified & Approved 11/13/2024 Filed 11/20/2024			
Waste Mgmt. Division of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	7/3/2024	8/15/2024		8/28/2024	Approved 11/13/2024			
Water Resources, Division of Water & Waste Mgmt. (47-02)	Requirements Governing Water Quality Standards Legislative	6/26/2024 Extended Notice 7/3/2024	8/9/2024 8/15/2024		8/29/2024	Modified & Approved 11/13/2024 Filed 11/21/2024			
Water Resources, Division of Water & Waste Mgmt. (47-13)	Underground Injection Control Legislative					Authorized w/Certain Amendments & Approved 11/13/2024			
Water Resources Division of Water and Waste Mgmt. (47-26)	Water Pollution Control Permit Fee Schedules Legislative	7/3/2024	8/15/2024		8/29/2024	Modified & Approved 11/13/2024 Filed 11/21/2024			

Orders Report

Docket Number	Agency	Respondent	Date Rendered
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NONE THIS WEEK

**STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT**

At Charleston

EXECUTIVE ORDER NO. 1-25

By the Governor

WHEREAS, West Virginia's economy depends in large part on growing its population and attracting people, businesses, and economic development to the State; and

WHEREAS, various State taxes, fees, regulations, and workforce and licensing rules, have created barriers to peoples' ability to live, learn, work, and play in West Virginia, and in turn, have led to a decrease in West Virginia's population; and

WHEREAS, various State taxes, fees, regulations, and workforce and licensing rules have also discouraged the growth and development of business and enterprise in the State; and

WHEREAS, many of the State's taxes, fees, regulations, and workforce and licensing rules are more burdensome than those in our neighboring states; and

WHEREAS, in the past, individuals and businesses have chosen not to locate in West Virginia because of these more burdensome taxes, fees, regulations, and workforce and licensing rules and, instead, have located in neighboring states; and

WHEREAS, it is in the best interest of the citizens of West Virginia and future generations to identify those taxes, fees, regulations, and workforce and licensing rules that discourage population and economic growth; and

WHEREAS, it is in the best interest of the citizens of West Virginia to reduce, simplify, and ease taxes, fees, regulations, and workforce and licensing rules burdens so that the State can better compete with neighboring states for people, jobs, businesses, and economic opportunities; and

WHEREAS, engaging in this Backyard Brawl with its neighboring states will allow West Virginia to flourish and improve the general welfare of its citizens.

NOW, THEREFORE, I, PATRICK MORRISEY, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **DECLARE and ORDER**:

1. All departments, divisions, agencies, and boards under the authority of the Governor to engage in a Backyard Brawl with West Virginia's neighboring states with the goal of making West Virginia the most attractive state to live, work, learn, play, and run a business; and
2. As part of this Backyard Brawl, all cabinet secretaries and department heads under the authority of the Governor shall:
 - a. Perform a comprehensive review of all taxes, fees, and legal requirements imposed by any division, agency or board under their department;
 - b. Create a comparison with any tax, fee, or requirement imposed by West Virginia's neighboring states;
 - c. Report the findings of that review, comparison, and calculation to the Office of the Governor within one hundred (100) days of the issuance of this Order; and
3. All officials, departments, divisions, agencies, boards, and employees under the authority of the Governor should cooperate with the cabinet secretaries and department heads in the performance and fulfillment of this Order.

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

DONE at the Capitol in the City of Charleston, State of West Virginia, this Fourteenth Day of January, in the Year of our Lord, Two Thousand Twenty-Five in the One Hundred Sixty-Second Year of the State.

Patrick Morrisey
GOVERNOR

Kristi Manner
SECRETARY OF STATE



STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 2-25

By the Governor

WHEREAS, "education" is "a fundamental, constitutional right in this State," *State v. Beaver*, 248 W. Va. 177, 196, 887 S.E.2d 610, 629 (2022); and

WHEREAS, the Hope Scholarship Act, W. Va. Acts 2021, c. 99 (June 15, 2021) created the most expansive school choice program in the country; and

WHEREAS, that program has empowered thousands of West Virginian families to make educational choices that best suited their children's needs; and

WHEREAS, the Supreme Court of Appeals of West Virginia upheld the Hope Scholarship Program as constitutional in *State v. Beaver*, 248 W. Va. 177, 887 S.E.2d 610 (2022); and

WHEREAS, around the same time, the West Virginia Legislature also established and expanded the process for creating public charter schools, W. Va. Acts 2021 c. 98 (June 1, 2021)—giving West Virginia's families yet another choice in pursuing and achieving their children's educational goals; and

WHEREAS, the lives of thousands of school children in West Virginia have been enriched by these significant school choice options; and

WHEREAS, it is in the public interest that West Virginia's families have the broadest freedoms to choose programs and schools that maximize their children's potential; and

WHEREAS, strengthening the State school systems—through further development and expansion of school choice options—will promote and facilitate the high-quality education West Virginians desire for their children.

NOW, THEREFORE, I, PATRICK MORRISEY, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **DIRECT** and **ORDER** that:

1. The Office of the Governor shall:

- a. Collaborate with legislative leaders to ensure that West Virginia has the broadest and most effective school choice laws in the nation; and
- b. Dedicate any necessary resources to ensure that the school choice programs established in West Virginia succeed.

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

DONE at the Capitol in the City of Charleston, State of West Virginia, this Fourteenth Day of January, in the Year of our Lord, Two Thousand Twenty-Five in the One Hundred Sixty-Second Year of the State.

Patrick Morrisey
GOVERNOR

David Marney
SECRETARY OF STATE



STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 3-25

By the Governor

WHEREAS, the theories of diversity, equity, and inclusion (commonly referenced as “DEI”) have led to the adoption of policies or practices that grant preferential treatment to or discriminate against a person based on that individual’s race, color, sex, ethnicity, or national origin; and

WHEREAS, DEI is generally understood to include any effort to promote differential treatment of or provide special benefits to individuals on the basis of race, color, sex, ethnicity, or national origin; any effort to promote or promulgate policies and procedures designed or implemented with reference to race, color, sex, ethnicity, or national origin; any effort to promote or promulgate trainings, programming, recruitment, retention, or activities designed or implemented with preferential treatment of any race, color, sex, ethnicity, or national origin over another; and

WHEREAS, the Constitutions of West Virginia and the United States safeguard the equal protection of laws to all persons; and

WHEREAS, theories of DEI are contrary to equal protection guarantees of the West Virginia and United States Constitution; and

WHEREAS, it is in the interest of the citizens of West Virginia that the State government treat them as equals under the law instead of preferentially or discriminatorily based on race, color, sex, ethnicity, or national origin.

NOW, THEREFORE, I, PATRICK MORRISSEY, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **DIRECT** and **ORDER** that:

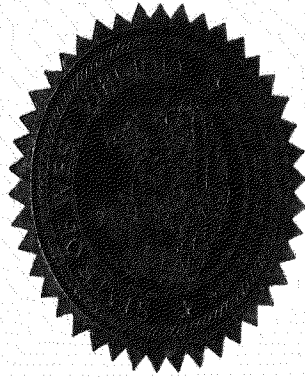
1. No department, division, agency, or board under the authority of the Governor, or any entity receiving state funds, shall utilize state funds, property, or resources to do the following:
 - a. Grant or support DEI staff positions, activities, procedures, or programs to the extent they grant preferential treatment based on one person’s particular race, color, sex, ethnicity, or national origin over that of another;

- b. Mandate any person to participate in, listen to, or receive any education, training, activities, procedures, or programming to the extent such education, training, activity, or procedure promotes or encourages the granting of preferences based on one person’s particular race, color, sex, ethnicity, or national origin over that of another;
 - c. Mandate any person swear, certify, or agree to any loyalty oath that favors or prefers one particular race, color, sex, ethnicity, or national origin over that of another;
 - d. Mandate any person to certify or declare agreement with, recognition of, or adherence to, any particular political, philosophical, religious, or other ideological viewpoint;
 - e. Mandate any applicant for employment to provide a DEI statement or give any applicant for employment preferential consideration based on the provision of such diversity, equity, and inclusion statement; or
 - f. Mandate any person to disclose preferred pronouns;
2. All cabinet secretaries and department heads under the authority of the Governor shall
 - a. Initiate a review of all DEI positions, activities, procedures, and programs in effect for every division, agency, and board within their department;
 - b. Submit a report to the Office of the Governor within thirty (30) days of the issuance of this Order identifying
 - i. Any position, activity, procedure, and program within the divisions, agencies, and boards under their department that advocate or encourages preferential treatment of persons based on theories of DEI;
 - ii. Any state funds, property, or resources received or utilized by their department that advocate or encourages preferential treatment of persons based on theories of DEI;
 - c. Propose a plan to the Office of the Governor within ninety (90) days of the issuance of this Order to address and eliminate any of the items identified in Section 2.b. of this Order including any necessary proposals for legislation; and

3. All officials, departments, divisions, agencies, boards, and employees under the authority of the Governor to cooperate with the cabinet secretaries and department heads in the performance and fulfillment of this Order.

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

DONE at the Capitol in the City of Charleston, State of West Virginia, this Fourteenth Day of January, in the Year of our Lord, Two Thousand Twenty-Five in the One Hundred Sixty-Second Year of the State.



Patrick Morrissey
GOVERNOR

David Warner
SECRETARY OF STATE

STATE OF WEST VIRGINIA EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 4-25

By the Governor

WHEREAS, it is vital to the economic health and prosperity of the State of West Virginia that its administrative services be conducted on sound, efficient, and prudent basis; and that the people of West Virginia be assured of the wise use of their tax dollars, to benefit the State as a whole; and

WHEREAS, much of the federal funding that the State of West Virginia received in recent years due to the COVID-19 pandemic is no longer available and cannot be relied upon in perpetuity; and

WHEREAS, there are currently a number of areas where anticipated expenditures for the 2026 fiscal year budget exceed available revenues; and

WHEREAS, the State of West Virginia must be more cognizant of its expenditures, and look for efficiencies in State government; and

WHEREAS, it is in the interest of the citizens of West Virginia that the State government transform its operations, reduce the costs of its operations, and return the savings from those efficiencies to the citizens and taxpayers of the State.

NOW, THEREFORE, I, PATRICK MORRISSEY, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **DECLARE** and **ORDER**:

1. All cabinet secretaries and department heads under the authority of the Governor to
 - a. Perform a comprehensive review of all current and planned major expenditures within fiscal year 2025—starting on July 1, 2024, and ending on June 30, 2025—for all divisions, agencies, and boards within their department;
 - b. Provide a report and account of all these current and planned expenditures above \$100,000.00 to the Office of the Governor within forty-five (45) days of the issuance of this order including

- i. A detailed justification for each reported expenditure; and
 - ii. An identification of any expenditure that is not essential to the operations of the department and that should be considered for rescinding.
2. All officials, departments, divisions, agencies, boards, and employees under the authority of the Governor to cooperate with the cabinet secretaries and department heads in the performance and fulfillment of this order.

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

DONE at the Capitol in the City of Charleston, State of West Virginia, this Fourteenth Day of January, in the Year of our Lord, Two Thousand Twenty-Five in the One Hundred Sixty-Second Year of the State.



Patrick Morrisey
GOVERNOR

Kristi Wanner
SECRETARY OF STATE

STATE OF WEST VIRGINIA EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 5-25

By the Governor

WHEREAS, the powers of the State government derive from the people of West Virginia and can only be rightfully exercised by their will and appointment; and

WHEREAS, the people of West Virginia have entrusted the government of the State with the proper and efficient use of public funds; and

WHEREAS, every official, department, division, agency, board, and employee under the authority of the Governor has a responsibility to be a proper steward of the public funds entrusted to them; and

WHEREAS, inefficient and wasteful spending of public funds betrays the people of West Virginia's trust in their State government; and

WHEREAS, developing a more efficient and streamlined State government will better utilize public funding, more appropriately serve the people of West Virginia, and significantly improve the general welfare of the State.

NOW, THEREFORE, I, PATRICK MORRISEY, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **DIRECT** and **ORDER**:

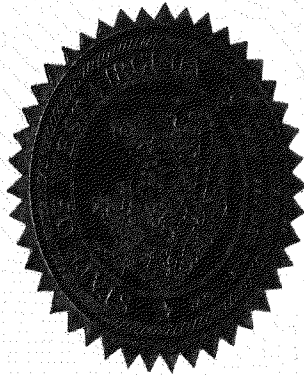
1. All cabinet secretaries and department heads under the authority of the Governor to:
 - a. Perform a comprehensive review of their departments to identify areas of inefficiency or wasteful spending in the operations of each agency and board therein;
 - b. Report the findings of that review to the Office of the Governor within sixty (60) days of the issuance of this Order;
 - c. Propose a plan to address the areas of inefficiency and waste identified in the reports submitted under Section 1 b. of this Order and to streamline operation of each division, agency, and board within their department, including proposals for any

statutory and regulatory changes needed to effectuate that plan, within one hundred (100) days of the issuance of this Order; and.

2. All officials, departments, divisions, agencies, boards, and employees under the authority of the Governor to cooperate with the cabinet secretaries and department heads in the performance and fulfillment of this Order.

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

DONE at the Capitol in the City of Charleston, State of West Virginia, this Fourteenth Day of January, in the Year of our Lord, Two Thousand Twenty-Five in the One Hundred Sixty-Second Year of the State.



Patrick Morrisey
GOVERNOR

Kristi Warren
SECRETARY OF STATE

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
At Charleston

EXECUTIVE ORDER NO. 6-25

By the Governor

WHEREAS, the existence of outdated, overly complex, and inconsistent rules have created undue burdens on West Virginia's workforce and businesses; and

WHEREAS, enforcement of such rules have increased the cost of state government operations and laid an even greater burden on West Virginia taxpayers; and

WHEREAS, the simplification and streamlining of the State's regulatory framework would encourage individuals and businesses to locate in West Virginia and make it easier for West Virginians to live, learn, work, play, and do business in this State; and

WHEREAS, the streamlining and reduction of outdated, overly complex, and inconsistent rules is in the best interest of the citizens of West Virginia.

NOW, THEREFORE, I, PATRICK MORRISEY, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **DIRECT** and **ORDER** that:

1. All cabinet secretaries and department heads under the authority of the Governor shall:
 - a. Perform a comprehensive review of all rules promulgated or enforced by the divisions, agencies, and boards under their departments;
 - b. Identify any of these rules that are outdated, overly complex, inconsistent, confusing, or difficult to administer;
 - c. Make recommendations to the Office of the Governor within one hundred (100) days of the issuance of this Order regarding
 - i. Any rule under within their department that
 1. Impairs the conduct of commerce without any meaningful benefits to the public; or
 2. May be simplified, clarified, modernized, or eliminated;

- ii. Any legislation that may simplify, clarify, or modernize the legal framework under which West Virginians live, learn, work, play, or do business; and
- iii. Any federal regulations that complicate the operations of their department, impair the interest of West Virginians, or may exceed the federal agency's statutory or constitutional authority; and

2. All officials, departments, divisions, agencies, boards, and employees under the authority of the Governor to cooperate with the cabinet secretaries and department heads in the performance and fulfillment of this Order.

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

DONE at the Capitol in the City of Charleston, State of West Virginia, this Fourteenth Day of January, in the Year of our Lord, Two Thousand Twenty-Five in the One Hundred Sixty-Second Year of the State.



Ranall Mongi

GOVERNOR

Krist Warner

SECRETARY OF STATE

STATE OF WEST VIRGINIA EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 7-25

By the Governor

WHEREAS, the Constitution of West Virginia recognizes that all people "are, by nature, equally free and independent," and "have certain inherent rights" of which they cannot justly be deprived or divested, W. Va. Const. Art. III, § 1 (1872); and

WHEREAS, the Constitutions of both the United States and West Virginia acknowledge the "free exercise" of religion, U.S. Const. Amend. I, cl. 2, and freedom "to profess and by argument, maintain" religious opinions, W. Va. Const. art. III, § 15, as among these inherent rights; and

WHEREAS, the Constitution of West Virginia also recognizes that no person can be justly "enforced, restrained, molested or burthened, in his body or goods, or otherwise suffer, on account of his religious opinions or beliefs," and that a person's religious beliefs should "in nowise, affect, diminish or enlarge their civil capacities," W. Va. Const. art. III, § 15; and

WHEREAS, the Constitution of West Virginia further directs the Legislature to "provide, by general law, for a thorough and efficient system of free schools," W. Va. Const. art. XII, § 1;

WHEREAS, the Supreme Court of Appeals of West Virginia found that directive makes "education a fundamental, constitutional right in this State," *State v. Beaver*, 248 W. Va. 177, 196, 887 S.E.2d 610, 629 (2022); and

WHEREAS, Chapter 16, Article 3, Section 4 of the West Virginia Code establishes compulsory vaccination requirements for admission to public schools and state-regulated child care centers; and

WHEREAS, that compulsory vaccination law prevents any child from attending "the schools of the state or a state-regulated child care center until he or she has been immunized against chickenpox, hepatitis-b, measles, meningitis, mumps, diphtheria, polio, rubella, tetanus and whooping cough," W. Va. Code § 16-3-4(c) (2015); and

WHEREAS, the law authorizes the Commissioner of the Bureau for Public Health to “grant . . . exemptions to the compulsory immunization requirements of this section, on a statewide basis, upon sufficient medical evidence that immunization is contraindicated or there exists a specific precaution to a particular vaccine,” W. Va. Code § 16-3-4(b); and

WHEREAS, in isolation, West Virginia Code Section 16-3-4 does not expressly provide for a religious or conscientious based exemption to compulsory school vaccination; and

WHEREAS, the only other states that do not allow any type of non-medical exemption for school immunization are California, New York, Connecticut, and Maine, NATIONAL CONFERENCE OF STATE LEGISLATURES, STATE NON-MEDICAL EXEMPTIONS FROM SCHOOL IMMUNIZATION REQUIREMENTS (Aug. 13, 2024), <https://www.ncsl.org/health/state-non-medical-exemptions-from-school-immunization-requirements>; and

WHEREAS, more recently, the Legislature enacted the Equal Protection for Religion Act of 2023, W. Va. Acts 2023, c. 295 (May 29, 2023), *codified in* W. Va. Code § 35-1A-1 (2023); and

WHEREAS, that law mandates that “no state action may” “[s]ubstantially burden a person’s exercise of religion unless” it “is essential to further a compelling governmental interest” and “is the least restrictive means of” achieving that interest, W. Va. Code § 35-1A-1(a)(1); and

WHEREAS, the Legislature directed the Equal Protection for Religion Act to apply “[n]otwithstanding any other provision of law,” W. Va. Code § 35-1A-1(a); and

WHEREAS, a number of citizens of West Virginia have religious and moral objections to one or more of the vaccines on the compulsory immunization list; and

WHEREAS, compulsory immunization forces those West Virginians to choose between their religious belief and their children’s fundamental right to public education; and

WHEREAS, even after the enactment of the Equal Protection for Religion Act of 2023, the compulsory immunization law is still being used to bar West Virginians with religious and moral objections to vaccines from sending their children to state schools; and

WHEREAS, forcing those West Virginians to vaccinate their children despite their religious and moral objections substantially burdens the free exercise of religion in violation of

the inherent religious liberties guaranteed by the Constitutions of the United States and West Virginia; and

WHEREAS, the Constitution of West Virginia vests “chief executive powers” of the State in the Governor and entrusts the Governor to “take care that the laws be faithfully executed.” W. Va. Const. art. VII, § 5 (1872).

NOW, THEREFORE, I, PATRICK MORRISEY, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **DIRECT** and **ORDER**:

1. The Commissioner of the Bureau for Public Health and the State Health Officer to:

- a. Establish a process for objections to compulsory school immunization from persons who desire to send their children to a state school or state-regulated child care center but object on religious or conscientious grounds to one or more vaccine required by the compulsory immunization law;

- i. For purposes of this process, a writing signed by the objector shall be sufficient proof to establish the objection;

2. When—as directed by the Equal Protection for Religion Act of 2023, W. Va. Code § 35-1A-1 (2023)—the compulsory immunizations requirements violate a religious and moral objection, the Commissioner of the Bureau for Public Health, the State Health Officer, and all officials and employees of the State under their authority shall—consistent with the Equal Protection for Religion Act of 2023, W. Va. Code § 35-1A-1 (2023)—take no action to enforce the compulsory school immunization requirements against the particular objector or his or her child.

3. By February 1, 2025, the Bureau for Public Health and the State Health Officer shall
 - a. Submit a plan the Office of the Governor, including a proposal for any necessary legislation and rules, to enable and facilitate a statewide exemption to the compulsory school immunization in Chapter 16, Article 3, Section 4 of the West Virginia Code for objections based on religious and moral beliefs; and
 - b. Report to the Office of the Governor on the number of people who have filed written objections to the compulsory school immunization requirements.

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

DONE at the Capitol in the City of
Charleston, State of West Virginia, this
Fourteenth Day of January, in the Year of our
Lord, Two Thousand Twenty-Five in the One
Hundred Sixty-Second Year of the State.



Patrick Morrissey
GOVERNOR

David Warner
SECRETARY OF STATE

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 8-25

By the Governor

WHEREAS, there are a significant number of unexpired executive orders from prior governors of the State of West Virginia in the State Journal; and

WHEREAS, many of these executive orders from prior governors addressed historic circumstances but are no longer present; and

WHEREAS, the existence of a significant number of outdated but unexpired executive orders may unduly confuse and burden government officials' attempts to comply with existing executive orders; and

WHEREAS, it may facilitate government officials' compliance with the directions of the Office of the Governor if old, outdated, and currently unnecessary executive orders are rescinded; and

WHEREAS, it is in the interest of the citizens of West Virginia to simplify and streamline the State's administrative framework so that individuals and businesses can understand the laws, rules, and orders in effect; and

WHEREAS, the Constitution of the State of West Virginia vests "chief executive powers" of the State in the Governor and entrusts the Governor to "take care that the laws be faithfully executed;" W. Va. Const. Art. VII, § 5 (1872).

NOW, THEREFORE, I, PATRICK MORRISSEY, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **DIRECT** and **ORDER** that:

1. The General Counsel of the Office of the Governor to:
 - a. Initiate an immediate review of the unexpired executive orders in the State Journal;
 - b. Identify any old, outdated, or currently unnecessary executive orders that remain in effect; and

- c. Make recommendations to the Governor regarding which unexpired executive order in the State Journal may be rescinded.
2. All officials, departments, divisions, agencies, boards, and employees under the authority of the Governor to cooperate with the General Counsel for the Office of the Governor in identifying old, outdated, or currently unnecessary executive orders that may be rescinded.

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

DONE at the Capitol in the City of Charleston, State of West Virginia, this Fourteenth Day of January, in the Year of our Lord, Two Thousand Twenty-Five in the One Hundred Sixty-Second Year of the State.

Patrick Morrisey
GOVERNOR

David M. Manner
SECRETARY OF STATE

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
At Charleston

EXECUTIVE ORDER NO. 9-25

By the Governor

WHEREAS, on January 15, 2025, the Governor of West Virginia will appoint Eric Nelson of Kanawha County, West Virginia as the Secretary of the West Virginia Department of Revenue pending confirmation of the Senate; and

WHEREAS, the West Virginia Division of Financial Institutions is among the agencies incorporated in and administered as part of the Department of Revenue; and

WHEREAS, Eric Nelson also sits on the board of a state chartered bank regulated by the West Virginia Division of Financial Institutions; and

WHEREAS, it is in the public interest that state government officials avoid not only actual ethical conflicts of interest but even the appearance of impropriety; and

WHEREAS, Chapter 11B, Article 1, Section 7 of the West Virginia Code allows an agency under the Department of Revenue to address issues to the Office of the Governor where the Department of Revenue's oversight "may interfere with the successful functioning" of the agency; and

WHEREAS, the Constitution of the State of West Virginia vests "chief executive powers" of the State in the Governor and entrusts the Governor to "take care that the laws be faithfully executed." W. Va. Const. art. VII, § 5 (1872).

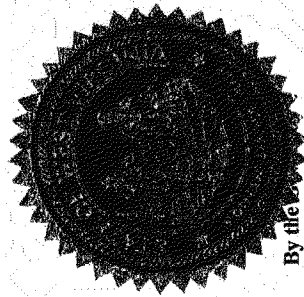
NOW, THEREFORE, I, PATRICK MORRISEY, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby DIRECT and ORDER that:

1. Department of Revenue and Division of Financial Institutions shall immediately create an ethical wall whereby the Cabinet Secretary and all employees of the Department of Revenue shall be screened and walled off from any decision, document, or communication related to the operations of the Division of Financial Institutions;

2. Division of Financial Institutions shall, effective immediately, report directly to the Office of the Governor instead of to the Department of Revenue; and

3. Office of Technology shall cooperate with the Office of the Governor, Department of Revenue, and Division of Financial Institutions to set up any electronic or digital screens and walls necessary to effectuate this Order.

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



DONE at the Capitol in the City of Charleston, State of West Virginia, this Fifteenth Day of January, in the Year of our Lord, Two Thousand Twenty-Five in the One Hundred Sixty-Second Year of the State.

Patricia Moore

GOVERNOR

By the

Keith Harman

SECRETARY OF STATE

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED

100 Dee Drive
Charleston, West Virginia 25311-1600

01/13/2025

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending 01/10/2025.

LETTER OF INTENT RECEIVED

January 10, 2025 - West Virginia University Hospitals, Inc., CON #25-6-13170-P, for the development of an ambulatory health care facility in Morgantown, Monongalia County, West Virginia through the relocation of a physician practice; capital expenditure \$1,830,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

January 6, 2025 - Camden-Clark Physician Corporation, CON File #24-5-13167-P, for the development of an ambulatory health care facility through the acquisition of a physician practice in Mineral Wells, Wood County, West Virginia; capital expenditure \$10,000.

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



OTHER

Sherri A. Young, DO, MBA, FAAP
Cabinet Secretary

Justyn M. Cox
Executive Director

Notice of Review

January 16, 2025

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:

January 15, 2025 - Camden-Clark Physician Corporation, CON File #24-5-13167-P, for the development of an ambulatory health care facility through the acquisition of a physician practice in Mineral Wells, Wood County, West Virginia. Capital Expenditure \$10,000.

January 15, 2025 - Camden-Clark Physician Corporation, CON File #25-5-13169-P, for the development of an ambulatory health care facility in Parkersburg, Wood County, West Virginia. Capital Expenditure \$25,000.

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.

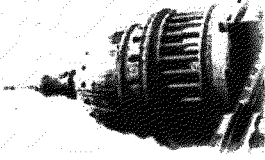
The review cycle begins on January 15, 2025.

On or before February 13, 2025, 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.



STATE OF WEST VIRGINIA

OTHER BOARD OF RESPIRATORY CARE



ANNUAL REPORT

JULY 1, 2023 – JUNE 30, 2024

106 DEE DRIVE, SUITE 1
CHARLESTON, WV 25311
(304) 558-1382

If no public hearing is requested, the file closing date will be **February 18, 2025**. 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 **March 17, 2025**.

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.

1-16-2025

Date

A handwritten signature in black ink, appearing to read "J. Cox".

Justyn M. Cox
Executive Director
West Virginia Health Care Authority