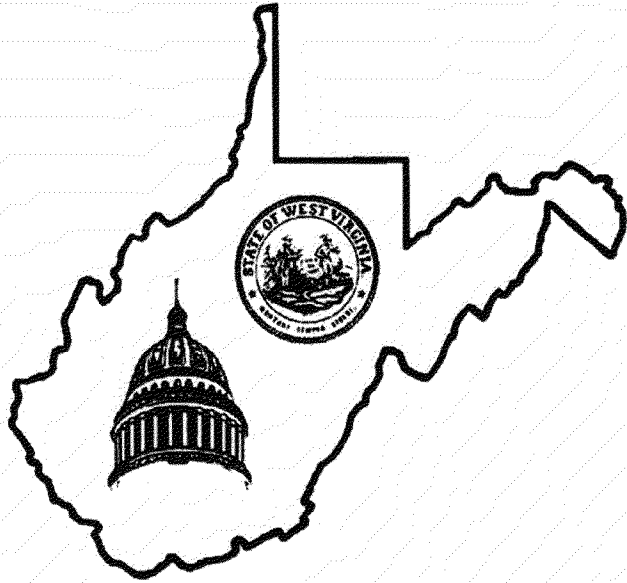




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Administrative Law Division

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CONTENTS

Chronological Index

Rule Monitor

Notices

- a. **Legislative Rules**
- b. **Interpretive Rules**
- c. **Procedural Rules**
- d. **Emergency Rules**
- e. **LRMRC and LOCEA**

Legislative Interims

Orders

Ethics Commission Opinions

Grievances Report

Office of Tax Appeal Decisions

Governor's Executive Orders

Attorney General Opinions

Other Documents or Information Filed

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

Health Care Authority

Highways

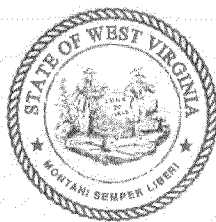
Personnel, WV Div. of

Professional Engineers, WV State Bd. of

CHRONOLOGICAL INDEX

CHRONOLOGICAL INDEX, VOLUME XLII ISSUE 5			
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	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 Derivative 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	
	Standards for Requisitions for Payment Issued by State Officers on the Auditor Legislative	1/2/2025	2/3/2025				
Auditor (155-01) 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					1/30/2025	3/1/2025
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 Baitfish 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 Licensing 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					
THE ABOVE RULE HAS BEEN WITHDRAWN EFFECTIVE 2/1/2025									
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 Legislative	7/29/2024	8/28/2024		8/28/2024	Approved 9/30/2024			
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 Legislative				8/13/2024	Modified & Approved 8/25/2024 Filed 8/28/2024			
Public Defender Services (89-01)	Payment of Fees and Reimbursement of Expenses of Court-Appointed Attorneys Legislative	7/3/2024	8/5/2024		8/19/2024	Approved 10/1/2024			
Public Service Commission (15-07)	Rules for the Government of Water Utilities Legislative Exempt	10/3/2024	11/6/2024					1/9/2025	3/10/2025
Real Estate Appraiser Licensing & Certification Board (190-02)	Requirements for Licensure and Certification Legislative	7/2/2024	8/27/2024		8/30/2024	Modified & Approved 9/30/2024 Filed 10/7/2024			
Real Estate Appraiser Licensing & Certification Board (190-03)	Renewal of Licensure or Certification Legislative	7/1/2024	8/27/2024		8/30/2024	Modified & Approved 9/30/2024 Filed 10/7/2024			
Real Estate Appraiser Licensing & Certification Board (190-05)	Requirements for Registration and Renewal of Appraisal & Certification Companies Legislative	7/1/2024	8/27/2024		8/30/2024	Modified & Approved 9/30/2024 Filed 10/7/2024			
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers, and Salespersons and the Conduct of Brokerage Business Legislative	6/6/2024	7/10/2024		8/14/2024	Modified & Approved 9/30/2024 Filed 10/15/2024			
Real Estate Commission (174-06) Sunset Provision	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative				6/27/2024	Approved 8/25/2024			
Real Estate Commission (174-07) Sunset Provision	Consideration of Prior Criminal Convictions in Initial License Eligibility Determination Legislative				8/9/2024	Approved 8/28/2024			
Registered Nurse, WV Board of (19-03)	Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct Legislative	6/28/2024	7/28/2024		8/23/2024	Approved 9/30/2024			

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 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			



west virginia
DIVISION OF PERSONNEL

Sheryl R. Webb, Director
Eric L. Householder, Cabinet Secretary

MEMORANDUM

TO: Members of the State Personnel Board (SPB)
FROM: Sheryl R. Webb, Director
Division of Personnel
DATE: January 23, 2025
RE: Proposed Withdrawal of the Emergency Rule Revisions to the *Administrative Rule of the West Virginia Division of Personnel*

Your approval is requested for the withdrawal, effective February 1, 2025, of the emergency rule revisions to the *Administrative Rule of the West Virginia Division of Personnel*, W. Va. Code R. § 143-1-1 et seq., filed with the Secretary of State's Office.

Included is a copy of the proposed letter of withdrawal to be filed with the Secretary of State's Office.

Thank you for your consideration of this request.

APPROVED:


Eric L. Householder, Chairman
State Personnel Board
January 23, 2025

SRW/kjh

Attachment



west virginia
DIVISION OF PERSONNEL

Sheryl R. Webb, Director
Eric L. Householder, Cabinet Secretary

February 1, 2025

LEGISLATIVE

The Honorable Kris Warner
Office of the Secretary of State
Building 1, Suite 157-K
Charleston, WV 25305

Dear Secretary Warner:

The Division of Personnel (DOP) desires to withdraw the proposed emergency rule revisions to the *Administrative Rule of the West Virginia Division of Personnel*, W. Va. Code R. § 143-1-1 et seq., filed with the Secretary of State's Office.

This request is being made pursuant to the W. Va. Code § 29-6-10 and § 29-6-13. Enclosed, please find a signed memorandum from the State Personnel Board approving this withdrawal request.

W. Va. Code § 29-6-10 and § 29-6-13 provide that the State Personnel Board "shall have the authority to promulgate, amend, or repeal rules, according to chapter twenty-nine-a of this code, to implement the provisions of this article," and "for such other rules and administrative regulations, not inconsistent with this article, as may be proper and necessary for its enforcement. Subsection 21.1 of the *Administrative Rule of the West Virginia Division of Personnel* provides, in pertinent part:

Pursuant to W. V. Code § 29-6-12, all affiliated agencies' officers and employees shall comply with and aid in all proper ways in carrying out the provisions of W. Va. Code § 29-6-1 et seq. and the rules and orders promulgated thereunder.

Thank you for your assistance.

Sincerely,


Sheryl R. Webb
Director

Enclosure

SRW/kjh

Building 3, Suite 500, 1900 Kanawha Boulevard, East, Charleston, West Virginia 25305-0139
TEL: 304.558.3950 VISIT OUR WEBSITE AT: WWW.PERSONNEL.WV.GOV FAX: 304.957.0141

THE DIVISION OF PERSONNEL IS AN EQUAL OPPORTUNITY EMPLOYER

Building 3, Suite 500, 1900 Kanawha Boulevard, East, Charleston, West Virginia 25305-0139
TEL: 304.558.3950 VISIT OUR WEBSITE AT: WWW.PERSONNEL.WV.GOV FAX: 304.957.0141

THE DIVISION OF PERSONNEL IS AN EQUAL OPPORTUNITY EMPLOYER

2025 JAN 27 PM 1:26

SECRETARY OF STATE
STATE OF WEST VIRGINIA

2025 JAN 27 PM 1:26

SECRETARY OF STATE
STATE OF WEST VIRGINIA

LEGISLATIVE

LEGISLATIVE



WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
1/30/2025 1:55 PM
Office of West Virginia
Secretary Of State

PROCEDURAL

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

AGENCY: Highways TITLE-SERIES: 157-04
RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: Purchase and Disposal of Materials, Equipment
and Supplies
CITE STATUTORY AUTHORITY: W. Va. Code §17-2A-24

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

March 1, 2025

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

Yes

Jonathan W Schaffer -- 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
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NONE THIS WEEK

**STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT**

At Charleston

EXECUTIVE ORDER NO. 10-25

By the Governor

WHEREAS, on January 20, 2025, President Donald J. Trump issued an Executive Order entitled Securing Our Borders to “protect the American people from the disastrous effects of unlawful mass migration and resettlement”;

WHEREAS, in that Executive Order, President Trump noted that “[c]eadly narcotics and other illicit materials have flowed across the border” over the past four years; and

WHEREAS, in that Executive Order, President Trump also noted that under the prior presidential administration, “critical resources” were diverted “away from stopping the entry of contraband and fugitives into the United States” and instead, spent on “processing illegal aliens for release into the United States”; and

WHEREAS, in that Executive Order, President Trump charged the federal government with “cooperating fully with State and local law enforcement officials in enacting Federal-State partnerships to enforce Federal immigration priorities”; and

WHEREAS, in that Executive Order, President Trump recognized the need to “marshal all available resources and authorities to stop this unprecedented flood of illegal aliens into the United States”; and

WHEREAS, on January 20, 2025, President Trump also issued an Executive Order entitled Protecting the American People Against Invasion, which recognized that the prior presidential administration “invited, administered, and oversaw an unprecedented flood of illegal immigration into the United States” in “violation of longstanding Federal laws”; and

WHEREAS, in that Executive Order, President Trump found that “[m]any of these aliens unlawfully within the United States present significant threats to national security and public safety”; and

WHEREAS, in that Executive Order, President Trump further found that enforcing “immigration laws is critically important to the national security and public safety of the United States”; and

WHEREAS, in that Executive Order, President Trump directed federal law enforcement officials to “protect[] the American people by faithfully executing the immigration laws of the United States”; and

WHEREAS, West Virginians have suffered greatly from the open border policies of the prior presidential administration and the resulting influx of deadly drugs into West Virginia’s neighborhoods and communities; and

WHEREAS, last year alone, the vast majority of the overdose-related deaths in West Virginia were caused by fentanyl which was trafficked across the southern border; and

WHEREAS, the law enforcement agencies of the State of West Virginia can provide valuable support and assistance to President Trump in implementing these federal immigration policies; and

WHEREAS, it is in the public interest that the State’s law enforcement officers cooperate fully with President Trump’s initiatives to secure the nation’s borders and stop the flood of deadly drugs into the country; and

WHEREAS, the Constitution of West Virginia vests “chief executive powers” of the State in the Governor, entrusts the Governor to “take care that the laws be faithfully executed,” W. Va. Const. art. VII, § 5 (1872), and makes the Governor the chief law enforcement officer of the State. *Manchin v. Browning*, 170 W. Va. 779, 786, 296 S.E.2d 909, 916 (1982).

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**:

1. All law enforcement entities of the State of West Virginia, including but not limited to the West Virginia Department of Homeland Security, the West Virginia State Police, the West Virginia Division of Corrections, and the West Virginia Division of Natural Resources, to:
 - a. Fully cooperate with United States Immigration and Customs Enforcement and other federal law enforcement agencies’ implementation of President Trump’s

Executive Orders Securing Our Borders (Jan. 20, 2025), and Protecting the American People Against Invasion (Jan. 20, 2025); and

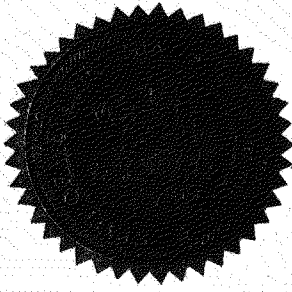
- b. To the maximum extent permitted, enter into agreements under 8 U.S.C. § 1357(g) with the United States Government, as found necessary and appropriate, to perform the functions of immigration officers in relation to the investigation, apprehension, or detention of individuals illegally or unlawfully present in the United States.
2. All officials, departments, divisions, agencies, boards, and employees under the authority of the Governor are further **DIRECTED** and **ORDERED** to cooperate with the law enforcement entities of the State of West Virginia in the implementation 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 Thirtieth Day of January, in the Year of our Lord, Two Thousand Twenty-Five in the One Hundred Sixty-Two Year of the State.


GOVERNOR


SECRETARY OF STATE



FILED
WV SECRETARY OF STATE
JANUARY 28, 2025 12:23 PM

**WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED**

100 Dee Drive
Charleston, West Virginia 25311-1600

01/28/2025

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending 01/24/2025.

CERTIFICATE OF NEED APPLICATION RECEIVED

January 21, 2025 - West Virginia University Hospitals, Inc., CON File #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.

PROJECTS EXEMPT FROM REVIEW

January 21, 2025 - Davis Medical Center, CON File #25-7-13173-X, for the development of behavioral health services via a medication assisted treatment program at an existing ambulatory health care facility located at the Buckhannon Medical Care at 11 North Locust Avenue, Buckhannon Upshur County, West Virginia.

January 21, 2025 - Davis Medical Center, CON File #25-7-13172-X, for the development of behavioral health services via a medication assisted treatment program on the hospital campus located at 812 Gorman Avenue, Elkins, Randolph County, West Virginia.

January 23, 2025 - Lily's Place Residential, CON File #25-2-13175-X, for the addition of two beds to its Residential Treatment Center located at 1439-1441 7th Avenue, Huntington, Cabell County, West Virginia.

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.org

FILED IN THE OFFICE OF
THE SECRETARY OF STATE

November 21, 2024

THIS DATE January 17, 2025
ADMINISTRATIVE LAW DIVISION

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

Please find enclosed an electronic copy of the
FY2024 Annual Report of the West Virginia State
Board of Registration for Professional Engineers.

Thank you!

Dear Governor Justice:

On behalf of the West Virginia State Board of Registration for Professional Engineers, we are pleased to provide you with our FY2024 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 2023-2024, 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.

We are pleased to report that during FY2024, pursuant to W.Va. Code §5A-3-3(9) and 148CSR, our Board completed a Purchasing Division Inspection and Review and received a flawless evaluation with no material findings. In addition, the WV Performance Review Act outlined in W.Va. Code §4-10, required the Performance Evaluation and Research Division (PERD) to conduct a Regulatory Board Review of our agency as well. During the October 2024 legislative interims, PERD staff presented a successful outcome of their review to the Joint Committee on Government Organization. Our Board appreciates the time and effort of both comprehensive reviews and remains committed to continued compliance with legislative standards.

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