



# WEST VIRGINIA REGISTER

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Administrative Law Division

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

Health Care Authority  
Highways  
Human Services  
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Insurance Commission  
Medicine, WV Bd. of  
Osteopathic Medicine

CHRONOLOGICAL INDEX

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NO RULES FILED FOR PUBLIC COMMENT THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>HEARING/COMMENT PERIOD/LOCATION</u>
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NO EMERGENCY RULES FILED THIS WEEK

<u>AGENCY/RULE</u>	<u>RULE NAME</u>	<u>AUTHORITY</u>	<u>EFFECTIVE DATE</u>	<u>COMMENT END DATE</u>
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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 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 Amendment Filed, Emergency Rule Decision Date (ERD), and Effective Date of Emergency Rule                |
| Column | 6.  | Date Agency Approved Rule Filed (Legislative Rules Only)  |
| Column | 7.  | Review date by the Legislative Rule-Making Review Committee or Legislative Oversight Commission on Education Accountability, and Action Taken |
| Column | 8.  | Legislative Action  |
| Column | 9.  | Date Agency Final Files the Rule  |
| Column | 10. | Date Rule is Effective  |

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- 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 a 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 (example: holding an additional comment period)

## 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	OFFICE OF THE INSPECTOR GENERAL
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	HB2221 SB301 Bundled HB2222		
Administration (148-13) Sunset Provision	Retention and Disposal Scheduling Legislative				3/27/2024	Approved 8/25/2024	HB2222 SB302 Bundled HB2222		
Administration (148-14) Sunset Provision	Management of Records Maintained by the Records Center Legislative				3/27/2024	Approved 8/25/2024	HB2223 SB303 Bundled HB2222		
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	HB2224 SB304 Bundled HB2222		
Administration (148-24) Sunset Provision	Financial Services Reporting Legislative				3/11/2024	Approved 8/25/2024	HB2227 SB305 Bundled HB2222		
Agriculture (61-03, repeal)	State Aid for Fairs and Festivals Legislative	6/25/2024	7/25/2024		7/25/2024	Approved 9/30/2024	HB2283 SB363 Bundled SB369		
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	5/24/2024	6/24/2024		6/25/2024	Approved 9/30/2024	HB2284 SB364 Bundled SB369		
Agriculture (61-18, repeal)	Licensing and Other Fees Legislative	6/25/2024	7/25/2024		7/25/2024	Approved 9/30/2024	HB2285 SB365 Bundled SB369		
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	HB2286 SB366 Bundled SB369		
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	HB2287 SB367 Bundled SB369		
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	HB2288 SB368 Bundled SB369		

**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Amendment 2/18/2025 Approved 2/19/2025	7/10/2024 8/15/2024	Modified & Approved 11/13/2024 Filed 12/3/2024	HB2289 SB369 Bundled SB369		
Agriculture (61-33)	Rural Rehabilitation Loan Program Legislative	6/27/2024	7/27/2024		7/29/2024	Approved 9/30/2024	HB2290 SB370 Bundled SB369		
Agriculture (61-40) Sunset Provision	WV Exempted Dairy Farms and Milk and Milk Products Processing Rules Legislative				3/6/2025				
Agriculture (61-41)	Raw Milk Legislative	7/2/2024	8/2/2024		8/15/2024	Modified & Approved 11/13/2024 Filed 12/2/2024	HB2291 SB371 Bundled SB369		
Air Quality (45-08)	Ambient Air Quality Standards Legislative	7/3/2024	8/6/2024		8/23/2024	Approved 11/13/2024	HB2232 SB312 Bundled HB2233		
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	HB2233 SB313 Bundled HB2233		
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	HB2234 SB314 Bundled HB2233		
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	HB2231 SB315 Bundled HB2233		
Alcohol Beverage Control Commission (175-02)	Private Club Licensing Legislative	7/18/2024	8/16/2024		8/20/2024	Approved 11/13/2024	HB2261 SB341 Bundled HB2267		
Alcohol Beverage Control Commission (175-04)	Sale of Wine and Hard Cider Legislative	7/18/2024	8/16/2024		8/20/2024	Modified & Approved 11/13/2024 Filed 11/14/2024	HB2262 SB342 Bundled HB2267		

**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	HB2263 SB343 Bundled HB2267		
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	HB2264 SB344 Bundled HB2267		
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	HB2265 SB345 Bundled HB2267		
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	HB2266 SB346 Bundled HB2267		
Architects (2-01) Sunset Provision	Registration of Architects Legislative				8/2/2024	Modified & Approved 8/25/2024 Filed 8/28/2024	HB2292 SB372 Bundled SB369		
Architects (2-03) Sunset Provision	Fees for Registration of Architects Legislative				8/2/2024	Approved 8/28/2024	HB2293 SB373 Bundled SB369		
Auditor (155-01)	Standards for Requisitions for Payment Issued by State Officers on the Auditor Legislative	1/2/2025	2/3/2025		2/7/2025				
Auditor (155-06) Sunset Provision	Local Government Purchasing Card Program Legislative				3/22/2024	Approved 8/25/2024	HB2294 SB374 Bundled SB369		
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	HB2295 SB375 Bundled SB369		
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	HB2296 SB376 Bundled SB369		
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	HB2297 SB377 Bundled SB369		



**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	HB2298 SB378 Bundled SB369		
Chiropractice Examiners (4-08) Sunset Provision	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative				10/18/2024	Approved 11/13/2024	HB2299 SB379 Bundled SB369		
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	HB2773		
Conservation Agency (63-03) Sunset Provision	State Conservation Committee Grant Program Legislative				10/30/2023	Approved 8/25/2024	HB2330 SB410 Bundled SB369		
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	HB2255 SB335 Bundled SB336		
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	HB2256 SB336 Bundled SB336		
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	HB2300 SB380 Bundled SB369		
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	HB2301 SB381 Bundled SB369		
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

**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-100)	Personal Electronic Device Usage in Schools Legislative Exempt	2/12/2025	3/20/2025						
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	HB2302 SB382 Bundled SB369		
Financial Institution (106-21) Sunset Provision	Rule Pertaining to the Fintech Regulatory Sandbox Legislative				2/3/2025				
Fire Commission (87-01)	Fire Code Legislative	3/6/2025	4/7/2025	3/6/2025 Approved 3/6/2025					
Funeral Service Examiners (6-01)	Funeral Director, Embalmer, Apprentice, Coursey 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	HB2303 SB383 Bundled SB369		
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	HB2239 SB319 Bundled SB325		
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	HB2240 SB320 Bundled SB325		
Health (64-29, repeal)	Fatality and Mortality Review Team Legislative	7/30/2024	8/28/2024		9/3/2024	Approved 10/1/2024	HB2241 SB321 Bundled SB325		
Health (64-32)	Vital Statistics Legislative	8/2/2024	9/1/2024		9/3/2024	Modified & Approved 11/13/2024 Filed 11/25/2024	HB2242 SB322 Bundled SB325		
Health (64-48)	Emergency Medical Services Legislative	7/26/2024	8/26/2024		8/27/2024	Approved 11/13/2024	HB2243 SB323 Bundled SB325		
Health (64-70)	Primary Care Support Program Legislative	7/26/2024	8/26/2024		8/27/2024	Approved 11/13/2024	HB2244 SB324 Bundled SB325		

**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	HB2245 SB325 Bundled SB325		
Health (64-110)	Medical Cannabis Program – Grower/Processors Legislative	7/30/2024	8/29/2024		8/30/2024	Approved 11/13/2024	HB2246 SB326 Bundled SB325		
Health (64-111)	Medical Cannabis Program – Laboratories Legislative	7/30/2024	8/29/2024		8/30/2024	Approved 11/13/2024	HB2247 SB327 Bundled SB325		
Health (64-112)	Medical Cannabis Program – Dispensaries Legislative	7/26/2024	8/26/2024		8/27/2024	Approved 11/13/2024	HB2248 SB328 Bundled SB325		
Health (64-113, repeal)	Medical Cannabis Program – Safe Harbor Letter Legislative	7/30/2024	8/28/2024		8/30/2024	Approved 11/13/2024	HB2249 SB329 Bundled SB325		
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	HB2252 SB331 Bundled SB325		
Health Care Authority (65-09) Sunset Provision	Critical Access Hospitals Legislative				12/5/2023	Approved 8/25/2024	HB2250 SB330 Bundled SB325		
Higher Education Policy Commission (133-03)	Higher Education Accountability System Legislative	6/14/2024	7/15/2024		7/19/2024	Approved 10/6/2024	HB2773		
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	HB2773		
Higher Education Policy Commission (133-63) Sunset Provision	Mental Health Loan Repayment Program Legislative								
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	HB2273 SB353 Bundled SB358		



**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	HB2268 SB348 Bundled HB2267		
Lottery Commission (179-10) Sunset Provision	West Virginia Lottery Interactive Wagering Rule Legislative								
Massage Therapy Licensure Board (194-01)	General Provisions Legislative	7/26/2024	8/26/2024		8/30/2024	Approved 11/13/2024	HB2304 SB384 Bundled SB369		
Medicine (11-13) Sunset Provision	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative				4/1/2024	Approved 8/25/2024	HB2305 SB385 Bundled SB369		
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	HB2331 SB411 Bundled HB2331		
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	HB2277 SB357 Bundled SB358		
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	HB2278 SB358 Bundled SB358		
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	HB2279 SB359 Bundled SB358		
Motor Vehicles (91-15) Sunset Provision	Safety and Treatment Program Legislative				8/14/2024	Approved 8/25/2024	HB2280 SB360 Bundled SB358		

**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Motor Vehicles (91-24) Sunset Provision	State Vehicle Title, Registration and Relicensing Project of 2018 Legislative				8/14/2024	Approved 8/25/2024	HB2281 SB361 Bundled SB358		
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	HB2332 SB412 Bundled HB2331		
Natural Resources (58-25) Sunset Provision	Boating Rule Legislative				8/14/2024	Approved 8/25/2024	HB2333 SB413 Bundled HB2331		
Natural Resources (58-26) Sunset Provision	Special Boating Rule Legislative				8/14/2024	Approved 8/25/2024	HB2334 SB414 Bundled HB2331		
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	HB2335 SB415 Bundled HB2331		
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	HB2336 SB416 Bundled HB2331		
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	HB2337 SB417 Bundled HB2331		
Natural Resources (58-49)	General Hunting Legislative	7/31/2024	8/30/2024		9/3/2024	Approved 10/1/2024	HB2338 SB418 Bundled HB2331		
Natural Resources (58-58)	Special Waterfowl Hunting Legislative	7/31/2024	8/30/2024		9/3/2024	Approved 10/1/2024	HB2339 SB419 Bundled HB2331		
Natural Resources (58-61) Sunset Provision	Special Fishing Rule Legislative				8/14/2024	Approved 8/25/2024	HB2340 SB420 Bundled HB2331		

**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-62) Sunset Provision	Catching and Selling Batfish Legislative				8/14/2024	Approved 8/25/2024	HB2341 SB421 Bundled HB2331		
Natural Resources (58-65)	Falconry Legislative	7/31/2024	8/30/2024		9/3/2024	Approved 10/1/2024	HB2342 SB422 Bundled HB2331		
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	HB2306 SB386 Bundled SB369		
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	HB2307 SB387 Bundled SB369		
Occupational Therapy (13-07) Sunset Provision	Request for Waiver of Initial Licensing Fees for Certain Individuals Legislative				1/10/2024	Approved 8/25/2024	HB2308 SB388 Bundled SB369		
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	HB2309 SB389 Bundled SB369		
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	HB2310 SB390 Bundled SB369		
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	HB2228 SB308 Bundled HB2222		
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	HB2229 SB309 Bundled HB2222		
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	HB2253 SB333 Bundled SB325		
Office of the Inspector General (71-25, formerly, 64-11)	Behavioral Health Centers Licensure Legislative	7/30/2024	8/29/2024		8/30/2024	Modified & Approved 11/13/2024 Filed 11/26/2024	HB2254 SB334 Bundled SB325		

**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Osteopathic Medicine (24-08) Sunset Provision	Waiver of Initial Licensing Fees for Certain Initial License Applicants Legislative				11/15/2023	Approved 8/25/2024	HB2311 SB391 Bundled SB369		
	Emergency Temporary Permits to Practice During States of Emergency or States of Preparedness Legislative				3/27/2025				
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	HB2282 SB362 Bundled SB358		
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	HB2312 SB392 Bundled SB369		
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	HB2313 SB393 Bundled SB369		
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	HB2314 SB394 Bundled SB369		
Pharmacy (15-18) Sunset Provision	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative				7/24/2024	Approved 8/25/2024	HB2315 SB395 Bundled SB369		
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistant Legislative	2/25/2025	3/28/2025	2/21/2025 Approved 2/25/2025					
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	HB2257 SB337 Bundled SB336		
Psychologists (17-07) Sunset Provision	Consideration of Prior Criminal Convictions in Initial License 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	HB2316 SB396 Bundled SB369		



**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	HB2230 SB310 Bundled HB2222		
Public Service Commission (150-37) Sunset Provision	Rules Governing the Occupancy of Customer-Provided Conduit Legislative				3/12/2025				
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	HB2317 SB397 Bundled SB369		
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	HB2318 SB398 Bundled SB369		
Real Estate Appraiser Licensing & Certification Board (190-05)	Requirements for Registration and Renewal of Appraisal Management Companies Legislative	7/1/2024	8/27/2024		8/30/2024	Modified & Approved 9/30/2024 Filed 10/7/2024	HB2319 SB399 Bundled SB369		
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	HB2320 SB400 Bundled SB369		
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	HB2321 SB401 Bundled SB369		
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	HB2322 SB402 Bundled SB369		
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	HB2324 SB404 Bundled SB369		
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	HB2325 SB405 Bundled SB369		

**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	HB2326 SB406 Bundled SB369		
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	HB2327 SB407 Bundled SB369		
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	HB2328 SB408 Bundled SB369		
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	HB2258 SB338 Bundled SB336		
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	HB2259 SB339 Bundled SB336		
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	HB2260 SB340 Bundled SB336		
State Police (81-18)	West Virginia State Police Purchasing Rule Procedural	12/20/2024	1/20/2025						
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	HB2269 SB349 Bundled HB2267		
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	HB2270 SB350 Bundled HB2267		

**RULE MONITOR**

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	HB2271 SB351 Bundled HB2267		
Tax (110-50C) Sunset Provision	Exchange of Information Pursuant to Written Agreement Legislative				3/11/2024	Approved 8/25/2024	HB2272 SB352 Bundled HB2267		
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	HB2329 SB409 Bundled SB369		
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	HB2235 SB311 Bundled HB2233		
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	HB2236 SB316 Bundled HB2233		
Water Resources, Division of Water & Waste Mgmt. (47-13)	Underground Injection Control Legislative					Authorized w/Certain Amendments & Approved 11/13/2024	HB2237 SB317 Bundled HB2233		
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	HB2238 SB318 Bundled HB2233		



WEST VIRGINIA SECRETARY OF STATE  
KRIS WARNER  
ADMINISTRATIVE LAW DIVISION

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3/21/2025 10:39:45 AM  
Office of West Virginia  
Secretary Of State



WEST VIRGINIA SECRETARY OF STATE  
KRIS WARNER  
ADMINISTRATIVE LAW DIVISION

eFILED  
3/21/2025 11:18:03 AM  
Office of West Virginia  
Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED  
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Highways TITLE-SERIES: 157-06  
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No  
 RULE NAME: Use of State Road Rights of Way and Adjacent Areas

CITE STATUTORY AUTHORITY: W. Va. Code §17-1-1 et seq.; §17-3-9; §§17-4-1, 2, 39, 40, and 45; §17-16-1 et seq.; §17-20-1 et seq.; §17-22-1 et seq.; §17-23-1 et seq.; §17-23-1 et seq.; and §17-24-1 et seq.

The above rule has been authorized by the West Virginia Legislature.  
 Authorization is cited in (house or senate bill number) SB358

Section §64-8-1(a) Passed On 3/12/2025 12:00:00 AM

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

March 21, 2025

This rule shall terminate and have no further force or effect from the following date:

August 01, 2030

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.

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED  
BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Highways TITLE-SERIES: 157-13  
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No  
 RULE NAME: Small Wireless Facilities on Division of Highways Rights-of-Way

CITE STATUTORY AUTHORITY: §31H-2-3

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) SB358

Section §64-8-1(d) Passed On 3/12/2025 12:00:00 AM

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

March 21, 2025

This rule shall terminate and have no further force or effect from the following date:

August 01, 2030

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.

FILED

2025 MAR 21 P 4: 35

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

LEGISLATIVE

West Virginia Department of Human Services

# Temporary Lodging of Children in Foster Care

Bureau for Social Services

Revised March 2025



WEST VIRGINIA SECRETARY OF STATE  
KRIS WARNER  
ADMINISTRATIVE LAW DIVISION

eFILED  
3/27/2025 3:14:21 PM

Office of West Virginia  
Secretary Of State

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

AGENCY: Osteopathic Medicine TITLE-SERIES: 24-09  
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No  
RULE NAME: 24-09 Emergency Temporary Permits to Practice During States of Emergency or States of Preparedness

### PRIMARY CONTACT

NAME: Chase Holcomb  
ADDRESS: 405 Capitol Street Suite 800  
Charleston, WV 25301  
EMAIL: chase.o.holcomb@wv.gov  
PHONE NUMBER: 304-558-6095

CITE STATUTORY AUTHORITY: W. Va. Code §§ 30-14-14 and 30-3E-3

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

W. Va. Code §§ 30-14-14 and 30-3E-3 authorize the Board to promulgate rules regarding the standards and requirements for licensure and registration of osteopathic physicians and physician assistants. The purpose of this rule is to allow the West Virginia Board of Osteopathic Medicine to provide a rapid response to health care and medical needs as a result of disasters or emergencies. In the event the Governor of the State of West Virginia proclaims a State of Emergency or State of Preparedness, the Governor may temporarily suspend regulatory statutes and rules of agencies if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency. When authorized by a lawful State of Emergency or State of Preparedness proclamation, the Board may waive requirements for licensure and issue emergency temporary permits to allow physicians and physician assistants to assist in addressing the disaster or emergency. This rule sets forth the procedures and requirements for such permits.

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

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

DATE eFILED FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

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

COMMENTS RECEIVED: No

# Orders Report

Docket Number	Agency	Respondent	Date Rendered
25-1-13211-X	Health Care Authority	Princeton Community Hospital Association, Inc.	3/12/2025
25-1-13211-X	Health Care Authority	d/b/a Princeton Community Hospital	3/12/2025
25-1-13210-X	Health Care Authority	Princeton Community Hospital Association, Inc.	2/20/2025
25-1-13210-X	Health Care Authority	d/b/a Princeton Community Hospital	2/20/2025
24-8-12964-P	Health Care Authority	Potomac Valley Hospital	3/12/2025
24-5-13167-P	Health Care Authority	Camden-Clark Physician Corporation	3/12/2025
25-5-13169-P	Health Care Authority	Camden-Clark Physician Corporation	3/14/2025
25-8-13221-X	Health Care Authority	Potomac Valley Hospital	3/12/2025
24-1C-177124	Insurance Commission	The Health Plan of West Virginia Inc	3/19/2025
24-1C-177124	Insurance Commission	THP Insurance Company	3/19/2025
24-1C-177116	Insurance Commission	Safeco Insurance Company of America	3/20/2025
24-10-W	Medicine, West Virginia Board Of	Jacob Andrew Young, MD	3/18/2025

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

100 Dee Drive  
Charleston, West Virginia 25311-1600

03/24/2025

OTHER

**LEGAL NOTICE**

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending 03/21/2025.

**LETTER OF INTENT RECEIVED**

March 18, 2025 - Wetzel County Hospital, CON File #25-5-13227-P, for the development of an ambulatory health care facility in Tyler County, West Virginia; capital expenditure \$1,300,000.

**APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW**

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

**EXPEDITED APPLICATIONS**

March 17, 2025 - Wheeling Hospital, CON File #25-10-13217-P, for the development of an ambulatory health care facility in Ohio County, West Virginia; capital expenditure \$30,000

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

03/17/2025— Review cycle begins;

04/16/2025— Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to affected persons;

04/21/2025— If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application;

05/16/2025— Decision on the project will be issued by the Authority.

**PROJECTS DETERMINED NOT REVIEWABLE**

March 17, 2025 - Princeton Community Hospital Association, Inc. d/b/a Princeton Community Hospital, CON File #25-1-13210-X, for the relocation of an ambulatory health care facility from the current location at 508 New Hope Road, Suite 106, Princeton, Mercer County, West Virginia to 403 12th Street Extension, Princeton, Mercer County, West Virginia; capital expenditure will not exceed \$30,000.

March 17, 2025 - Princeton Community Hospital Association, Inc. d/b/a Princeton Community Hospital, CON File #25-1-13211-X, for the relocation of an ambulatory health care facility from its current location at 510 Cherry Street, Suite 206, Bluefield, Mercer County, West Virginia to 488 Cherry Street, Bluefield, Mercer County, West Virginia; capital expenditure will not exceed \$30,000.

**PROJECTS EXEMPT FROM REVIEW**

March 21, 2025 - PATH Integrated Healthcare - WV LLC d/b/a PATH Behavioral Health, CON File #25-2-13218-X, for the provision of providing behavioral health services to be located at 4625 Route 152 Lavalette, Wayne County, West Virginia.

March 21, 2025 - Westbrook Health Services, CON File #25-5-13200-X, for the development of outpatient substance use treatment services at the current WHS Genesis Location, 1016 Market Street, Parkersburg, Wood County, West Virginia.

March 21, 2025 - Westbrook Health Services, CON File #25-5-13201-X, for the transfer of three (3) ASAM level 3.5 beds from WHS' 15 bed Amity location, 1011 Mission Drive, Parkersburg, Wood County, West Virginia to the WHS Genesis ASAM level 3.1 program located at 1016 Market Street, Parkersburg, Wood County, West Virginia.

**NOTICE OF SUBSTANTIAL COMPLIANCE**

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

March 17, 2025 - Potomac Valley Hospital, CON File #24-8-12964-P, for the development of an ambulatory health care facility through the acquisition of a physician practice located in Keyser, West Virginia; capital expenditure \$65,191.

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