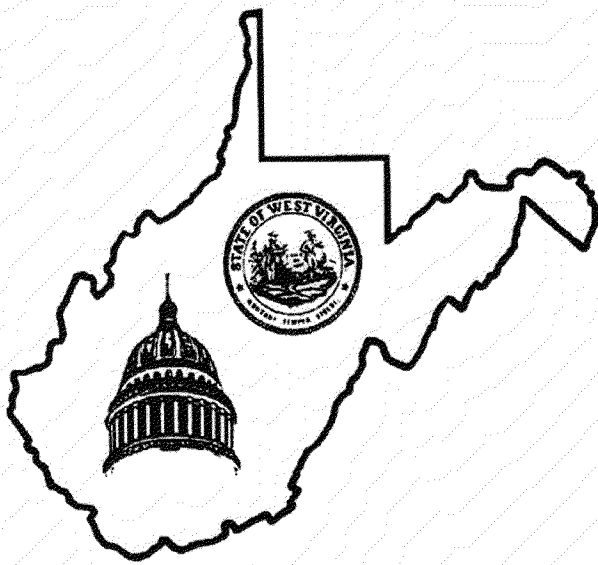




# **WEST VIRGINIA REGISTER**

**Published by the Office of the  
Secretary of State**

Volume      XLII

Issue        34

August 22, 2025

A Weekly Publication

Administrative Law Division

Kris Warner  
Secretary of State  
Bldg. 1, Suite 157K  
1900 Kanawha Blvd. East  
Charleston, WV 25305-0770

(304) 558-6000

[sos.wv.gov](http://sos.wv.gov)

## **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:**

Agriculture  
Corrections & Rehabilitation  
Health Care Authority  
Insurance Commission  
Medical Imaging and Radiation Therapy Tech. Bd. of Examiners  
Psychologists  
Registered Professional Nurses, WV Board of

CHRONOLOGICAL INDEX

| CHRONOLOGICAL INDEX, VOLUME XLII ISSUE 34   |           |           |                                 |
|---------------------------------------------|-----------|-----------|---------------------------------|
| 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 |



1900 Kanawha Blvd. E.  
Building 1, Suite 157K  
Charleston, West Virginia 25305

**Kris Warner**  
Secretary of State  
State of West Virginia

Telephone: (304) 558-6000  
Toll Free: 1-866-SOS-VOTE  
Fax: (304) 558-0900  
[www.wvsos.gov](http://www.wvsos.gov)

### 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                                                                                                                        |

- 
- 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**

| <b><u>TITLE NUMBER</u></b> | <b><u>NAME OF AGENCY</u></b>                          |
|----------------------------|-------------------------------------------------------|
| 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<br>NUMBER                     | RULE                                                                                                           | NOTICE    | HEARING   | EMER RULE                          | AGENCY<br>APPROVED | LRMRC/OCEA<br>ACTION                                   | LEGIS | FINAL FILE | EFFECTIVE |
| Administration<br>(148-25)                  | One-Stop-Shop Permitting<br>Program<br>Legislative                                                             | 6/10/2025 | 7/25/2025 | 6/9/2025<br>Approved<br>6/10/2025  |                    |                                                        |       |            |           |
| Agriculture<br>(61-01B)<br>Sunset Provision | Registration Forms and Tags for<br>Registration, Taxation and Control<br>of Dogs<br>Legislative                |           |           |                                    | 6/24/2025          |                                                        |       |            |           |
| Agriculture<br>(61-08)<br>Sunset Provision  | West Virginia Grades and<br>Standards for Apples<br>Legislative                                                |           |           |                                    | 6/24/2025          | Modified & Approved<br>8/13/2025<br>Filed<br>8/18/2025 |       |            |           |
| Agriculture<br>(61-11)                      | Regulations Governing Public<br>Markets<br>Legislative                                                         | 6/25/2025 | 7/25/2025 |                                    | 7/25/2025          |                                                        |       |            |           |
| Agriculture<br>(61-11H)<br>Sunset Provision | Licensing of Livestock Dealers<br>Legislative                                                                  |           |           |                                    | 6/23/2025          | Modified & Approved<br>8/5/2025<br>Filed<br>8/18/2025  |       |            |           |
| Agriculture<br>(61-15)                      | Grade "A" Pasteurized Milk<br>Legislative                                                                      | 6/4/2025  | 7/4/2025  | 6/4/2025<br>Approved<br>6/10/2025  | 7/8/2025           |                                                        |       |            |           |
| Agriculture<br>(61-30)                      | Select Plant-Based Derivatives<br>and Select Plant-Based Derivative<br>Products-Hemp and Kratom<br>Legislative | 6/10/2025 | 7/10/2025 | 6/10/2025<br>Approved<br>6/10/2025 | 7/25/2025          |                                                        |       |            |           |
| Agriculture<br>(61-37)                      | Agritourism<br>Legislative                                                                                     | 6/25/2025 | 7/25/2025 |                                    | 7/25/2025          |                                                        |       |            |           |
| Agriculture<br>(61-40)<br>Sunset Provision  | WV Exempted Dairy Farms and<br>Milk and Milk Products Processing<br>Rules<br>Legislative                       |           |           |                                    | 3/6/2025           | Modified & Approved<br>8/5/2025<br>Filed<br>8/20/2025  |       |            |           |
| Air Quality<br>(45-01)                      | Alternative Emission Limitations<br>During Startup and Shutdown<br>Legislative                                 | 5/30/2025 | 7/1/2025  |                                    | 7/22/2025          |                                                        |       |            |           |
| Air Quality<br>(45-08)                      | Ambient Air Quality Standards<br>Legislative                                                                   | 5/30/2025 | 7/1/2025  |                                    | 7/23/2025          |                                                        |       |            |           |
| Air Quality<br>(45-16)                      | Standards of Performance for<br>New Stationary Sources<br>Legislative                                          | 5/30/2025 | 7/1/2025  |                                    | 7/23/2025          |                                                        |       |            |           |

| RULE MONITOR                                 |                                                                                                                                                                      |           |           |           |                 |                    |       |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------|-----------------|--------------------|-------|
| AGENCY/SERIES NUMBER                         | RULE                                                                                                                                                                 | NOTICE    | HEARING   | EMER RULE | AGENCY APPROVED | LRMRC/LOCEA ACTION | LEGIS |
| Air Quality (45-18)                          | Control of Air Pollution from Combustion of Solid Waste Legislative                                                                                                  | 5/30/2025 | 7/1/2025  |           | 7/23/2025       |                    |       |
|                                              |                                                                                                                                                                      |           |           |           |                 |                    |       |
| Air Quality (45-25)                          | Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative                                                                 | 5/30/2025 | 7/1/2025  |           | 7/23/2025       |                    |       |
|                                              |                                                                                                                                                                      |           |           |           |                 |                    |       |
| Air Quality (45-34)                          | Emission Standards for Hazardous Air Pollutants Legislative                                                                                                          | 5/30/2025 | 7/1/2025  |           | 7/23/2025       |                    |       |
|                                              |                                                                                                                                                                      |           |           |           |                 |                    |       |
| Air Quality (45-43)                          | Cross-State Air Pollution Rule to Control Annual Nitrogen Oxides Emissions, Annual Sulfur Dioxide Emissions, and Ozone Season Nitrogen Oxides Emissions Legislative  | 5/30/2025 | 7/1/2025  |           | 7/23/2025       |                    |       |
|                                              |                                                                                                                                                                      |           |           |           |                 |                    |       |
| Air Quality (45-45)                          | Standards of Performance for Existing Crude Oil and Natural Gas Facilities Legislative                                                                               | 5/30/2025 | 7/1/2025  |           | 7/23/2025       |                    |       |
|                                              |                                                                                                                                                                      |           |           |           |                 |                    |       |
| Alcohol Beverage Control Commission (175-02) | Private Club Licensing Legislative                                                                                                                                   | 6/18/2025 | 7/18/2025 |           | 7/22/2025       |                    |       |
|                                              |                                                                                                                                                                      |           |           |           |                 |                    |       |
| Architects (2-01)                            | Registration of Architects Legislative                                                                                                                               | 6/12/2025 | 7/12/2025 |           | 7/25/2025       |                    |       |
|                                              |                                                                                                                                                                      |           |           |           |                 |                    |       |
| Architects (2-03)                            | Fees for Registration of Architects Legislative                                                                                                                      | 6/12/2025 | 7/12/2025 |           | 7/24/2025       |                    |       |
|                                              |                                                                                                                                                                      |           |           |           |                 |                    |       |
| 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        |                    |       |
|                                              |                                                                                                                                                                      |           |           |           |                 |                    |       |
| Barbers and Cosmetologists (3-02)            | Qualifications, Training, Examination, and Certification of Instructors in Barbering, Hair Styling, Nail Technology, Aesthetics, Waxing, and Cosmetology Legislative | 6/17/2025 | 7/25/2025 |           | 7/28/2025       |                    |       |
|                                              |                                                                                                                                                                      |           |           |           |                 |                    |       |
| Barbers and Cosmetologists (3-04)            | Operational Standards for Schools of Barbering, Cosmetology, Hair Styling, Nail Technology, Waxing, and Aesthetics Legislative                                       | 6/17/2025 | 7/25/2025 |           | 7/28/2025       |                    |       |
|                                              |                                                                                                                                                                      |           |           |           |                 |                    |       |

| RULE MONITOR                                                        |                                                                                                                                                                                  |           |           |                                                                               |                    |                       |       |            |           |
|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-------------------------------------------------------------------------------|--------------------|-----------------------|-------|------------|-----------|
| AGENCY/SERIES<br>NUMBER                                             | RULE                                                                                                                                                                             | NOTICE    | HEARING   | EMER RULE                                                                     | AGENCY<br>APPROVED | LRMRC/LOCEA<br>ACTION | LEGIS | FINAL FILE | EFFECTIVE |
| Barbers and<br>Cosmetologists<br>(3-13)                             | Barber Apprenticeship<br>Legislative                                                                                                                                             | 6/17/2025 | 7/25/2025 |                                                                               | 7/28/2025          |                       |       |            |           |
| Barbers and<br>Cosmetologists<br>(3-14)                             | Waxing Specialist<br>Legislative                                                                                                                                                 | 6/18/2025 | 7/25/2025 |                                                                               | 7/28/2025          |                       |       |            |           |
| Coal Mine Health<br>and Safety<br>(36-60)                           | Rules and Regulations Governing<br>Equipment and Operations for<br>Open-Pit Mines, the Surface of<br>Underground Mines, Preparation<br>Plants and Loadouts<br>Legislative Exempt | 6/24/2025 | 7/24/2025 |                                                                               |                    |                       |       |            |           |
| Community and<br>Technical College<br>Education<br>(135-28)         | Skilled Trades Apprenticeship<br>Nontraditional Degree (STAND)<br>Program<br>Legislative                                                                                         | 6/2/2025  | 7/3/2025  | 6/2/2025<br>Approved<br>7/9/2025<br>Amendment<br>8/5/2025<br>ERD<br>9/16/2025 | 7/18/2025          |                       |       |            |           |
| Community and<br>Technical College<br>Education<br>(135-43, repeal) | Purchasing Efficiencies<br>Legislative                                                                                                                                           | 6/3/2025  | 7/7/2025  |                                                                               | 7/18/2025          |                       |       |            |           |
| Contractor Licensing<br>Board<br>(28-02)                            | West Virginia Contractor<br>Licensing Act<br>Legislative                                                                                                                         | 6/25/2025 | 7/25/2025 |                                                                               | 7/25/2025          |                       |       |            |           |
| Counseling<br>(27-01)                                               | Licensing Rule<br>Legislative                                                                                                                                                    | 6/25/2025 | 7/24/2025 |                                                                               | 7/28/2025          |                       |       |            |           |
| Counseling<br>(27-03)                                               | Licensed Professional Counselor<br>License Requirements and<br>Continuing Professional Education<br>Requirements<br>Legislative                                                  | 6/25/2025 | 7/24/2025 |                                                                               | 7/28/2025          |                       |       |            |           |
| Counseling<br>(27-05)                                               | Disciplinary and Complaint<br>Procedures for Counselors<br>Procedural                                                                                                            | 6/25/2025 | 7/24/2025 |                                                                               |                    |                       |       |            |           |
| Counseling<br>(27-06)                                               | Contested Case Hearing<br>Procedure<br>Procedural                                                                                                                                | 6/25/2025 | 7/24/2025 |                                                                               |                    |                       |       |            |           |
| Counseling<br>(27-07)                                               | Open Meeting and Bylaws<br>Procedural                                                                                                                                            | 6/25/2025 | 7/24/2025 |                                                                               |                    |                       |       |            |           |
| Counseling<br>(27-08)                                               | Marriage and Family Therapist<br>Licensing<br>Legislative                                                                                                                        | 6/25/2025 | 7/24/2025 |                                                                               | 7/28/2025          |                       |       |            |           |

| RULE MONITOR                                            |                                                                                                                                                                                                            |                      |                      |                                  |                    |                       |       |           |
|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|----------------------------------|--------------------|-----------------------|-------|-----------|
| AGENCY/SERIES<br>NUMBER                                 | RULE                                                                                                                                                                                                       | NOTICE               | HEARING              | EMER RULE                        | AGENCY<br>APPROVED | LRMRC/LOCEA<br>ACTION | LEGIS | EFFECTIVE |
| Counseling<br>(27-11)                                   | Disciplinary and Complaint<br>Procedures for Marriage and<br>Family Therapist<br>Procedural                                                                                                                | 6/25/2025            | 7/24/2025            |                                  |                    |                       |       |           |
| Counseling<br>(27-12)                                   | Contested Case Hearing<br>Procedures for Marriage and<br>Family Therapist<br>Procedural                                                                                                                    | 6/25/2025            | 7/24/2025            |                                  |                    |                       |       |           |
| Crime Delinquency<br>and Correction<br>(149-02)         | Law Enforcement Training and<br>Certification<br>Legislative                                                                                                                                               | 6/24/2025            | 7/24/2025            |                                  | 7/24/2025          |                       |       |           |
| Economic<br>Development<br>(145-16)<br>Sunset Provision | Tourism Development Districts<br>Legislative                                                                                                                                                               |                      |                      |                                  | 10/8/2024          | Approved<br>8/5/2025  |       |           |
| Education<br>(126-089)                                  | West Virginia Design and<br>Equipment Requirements for<br>School Transportation Vehicles<br>(4334)<br>Legislative Exempt                                                                                   | 5/14/2025            | 6/14/2025            |                                  |                    |                       |       |           |
| Financial Institutions,<br>Division of<br>(106-05)      | Rule Pertaining to Mortgage<br>Lenders, Brokers, and Loan<br>Originators<br>Legislative                                                                                                                    | 6/19/2025            | 7/21/2025            |                                  | 7/24/2025          |                       |       |           |
| Financial Institutions,<br>Division of<br>(106-07)      | Installation, Operation and<br>Sharing of Customer Bank<br>Communication Terminals and the<br>Utilization of Nonexclusive Access<br>Interchange System<br>Legislative                                      | 6/19/2025            | 7/21/2025            |                                  | 7/23/2025          |                       |       |           |
| Financial Institutions,<br>Division of<br>(106-17)      | Notice and Treatment of Joint<br>Accounts<br>Legislative                                                                                                                                                   | 6/19/2025            | 7/21/2025            |                                  | 7/23/2025          |                       |       |           |
| Financial Institution<br>(106-21)<br>Sunset Provision   | Rule Pertaining to the Fintech<br>Regulatory Sandbox<br>Legislative                                                                                                                                        |                      |                      |                                  | 2/3/2025           | Approved<br>8/5/2025  |       |           |
| Fire Commission<br>(87-01)                              | Fire Code<br>Legislative                                                                                                                                                                                   | 3/6/2025<br>4/9/2025 | 4/7/2025<br>5/9/2025 | 3/6/2025<br>Approved<br>3/6/2025 | 6/3/2025           |                       |       |           |
| Fire Marshal<br>(103-06)                                | Standards for the Certification and<br>Continuing Education of<br>Municipal, County, and Other<br>Public Sector Building Code<br>Officials, Building Code Inspectors<br>and Plans Examiners<br>Legislative | 6/23/2025            | 7/23/2025            |                                  | 7/23/2025          |                       |       |           |

| RULE MONITOR                                              |                                                                                                                              |           |           |                                   |                    |                       |           |            |           |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------------------------------|--------------------|-----------------------|-----------|------------|-----------|
| AGENCY/SERIES<br>NUMBER                                   | RULE                                                                                                                         | NOTICE    | HEARING   | EMER RULE                         | AGENCY<br>APPROVED | LRMRC/LOCEA<br>ACTION | LEGIS     | FINAL FILE | EFFECTIVE |
| Forestry<br>(22-06)                                       | Rules for the Certification of<br>Managed Timberland<br>Legislative                                                          | 6/24/2025 | 7/24/2025 |                                   | 7/25/2025          |                       |           |            |           |
| Funeral Service<br>Examiners<br>(6-01)                    | Funeral Director, Embalmer,<br>Apprentice, Courtesy Card<br>Holders and Funeral<br>Establishment Requirements<br>Legislative | 6/19/2025 | 7/22/2025 | 6/19/2025<br>Approved<br>7/9/2025 | 7/25/2025          |                       |           |            |           |
| Health<br>(64-45)                                         | Lead Abatement Licensing<br>Legislative                                                                                      | 6/24/2025 | 7/24/2025 |                                   | 7/25/2025          |                       |           |            |           |
| Health<br>(64-48)                                         | Emergency Medical Services<br>Legislative                                                                                    | 6/23/2025 | 7/23/2025 |                                   | 7/24/2025          |                       |           |            |           |
| Health<br>(64-51)                                         | Fees for Services<br>Legislative                                                                                             | 6/24/2025 | 7/24/2025 |                                   | 7/25/2025          |                       |           |            |           |
| Health<br>(64-57)                                         | Clinical Laboratory Practitioner<br>Licensure<br>Legislative                                                                 | 6/23/2025 | 7/23/2025 |                                   | 7/24/2025          |                       |           |            |           |
| Health<br>(64-59)                                         | Patient Rights at State-Operated<br>Mental Health Facilities<br>Legislative                                                  | 6/25/2025 | 7/25/2025 |                                   | 7/25/2025          |                       |           |            |           |
| Health<br>(64-67, repeal)                                 | Distribution of State Funds for<br>Support of Local Boards of Health<br>Legislative                                          | 6/23/2025 | 7/23/2025 |                                   | 7/24/2025          |                       |           |            |           |
| Health<br>(64-73)                                         | Basic Public Health Service<br>Standards for Local Boards of<br>Health<br>Legislative                                        | 6/23/2025 | 7/23/2025 |                                   | 7/25/2025          |                       |           |            |           |
| Health<br>(64-115)                                        | Diabetes Self-Management<br>Education<br>Legislative                                                                         | 6/24/2025 | 7/24/2025 |                                   | 7/25/2025          |                       |           |            |           |
| Health Care<br>Authority<br>(65-29)<br>Sunset Provision   | Exemption from Certificate of<br>Need<br>Legislative                                                                         |           |           |                                   | 7/21/2025          | Approved<br>8/12/2025 |           |            |           |
| Higher Education<br>Policy Commission<br>(133-40)         | Equal Opportunity and Affirmative<br>Action<br>Procedural                                                                    | 6/30/202  | 7/30/2025 |                                   |                    |                       | 7/31/2025 |            | 8/31/2025 |
| Higher Education<br>Policy Commission<br>(133-41)         | Health Sciences Program<br>Procedural                                                                                        | 6/30/2025 | 7/30/2025 |                                   |                    |                       |           |            |           |
| Higher Education<br>Policy Commission<br>(133-43, repeal) | Purchasing Efficiencies<br>Legislative                                                                                       | 6/30/2025 | 7/30/2025 |                                   | 7/31/2025          |                       |           |            |           |

| RULE MONITOR                                              |                                                                                                                       |           |           |           |                    |                                                        |       |            |           |
|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------|--------------------|--------------------------------------------------------|-------|------------|-----------|
| AGENCY/SERIES<br>NUMBER                                   | RULE                                                                                                                  | NOTICE    | HEARING   | EMER RULE | AGENCY<br>APPROVED | LRMRC/LOCEA<br>ACTION                                  | LEGIS | FINAL FILE | EFFECTIVE |
| Higher Education<br>Policy Commission<br>(133-48, repeal) | Research Trust Fund<br>Legislative                                                                                    | 6/30/2025 | 7/30/2025 |           | 7/31/2025          |                                                        |       |            |           |
| Higher Education<br>Policy Commission<br>(133-63)         | Mental Health Loan Repayment<br>Program<br>Legislative                                                                | 6/30/2025 | 7/30/2025 |           | 7/31/2025          |                                                        |       |            |           |
| Higher Education<br>Policy Commission<br>(133-64)         | Administrative Exemption<br>Legislative                                                                               | 6/30/2025 | 7/30/2025 |           | 7/31/2025          |                                                        |       |            |           |
| Highways<br>(157-03)                                      | Construction and Reconstruction<br>of State Roads<br>Legislative                                                      | 6/24/2025 | 7/24/2025 |           | 8/7/2025           |                                                        |       |            |           |
| Insurance Comm.<br>(114-02A)<br>Sunset Provision          | Fingerprinting Requirements for<br>Applicants for Insurance Producer<br>and Insurance Adjuster License<br>Legislative |           |           |           | 4/16/2025          | Approved<br>8/5/2025                                   |       |            |           |
| Insurance Comm.<br>(114-07, repeal)                       | Premium Financing of Life<br>Insurance for College Students<br>Legislative                                            | 6/19/2025 | 7/19/2025 |           | 7/22/2025          | Approved<br>8/5/2025                                   |       |            |           |
| Insurance Comm.<br>(114-09, repeal)                       | Mass Marketing of Property and<br>Liability Insurance<br>Legislative                                                  | 6/25/2025 | 7/25/2025 |           | 7/25/2025          | Approved<br>8/5/2025                                   |       |            |           |
| Insurance Comm.<br>(114-10, repeal)                       | Advertisement of Accident and<br>Sickness Insurance<br>Legislative                                                    | 6/19/2025 | 7/19/2025 |           | 7/22/2025          | Approved<br>8/5/2025                                   |       |            |           |
| Insurance Comm.<br>(114-25)<br>Sunset Provision           | Insurance Adjusters<br>Legislative                                                                                    |           |           |           | 4/16/2025          | Approved<br>8/5/2025                                   |       |            |           |
| Insurance Comm.<br>(114-35)                               | Insurance Holding Company<br>Systems<br>Legislative                                                                   | 6/19/2025 | 7/19/2025 |           | 7/22/2025          | Modified & Approved<br>8/12/2025<br>Filed<br>8/21/2025 |       |            |           |
| Insurance Comm.<br>(114-40)<br>Sunset Provision           | Credit for Reinsurance<br>Legislative                                                                                 |           |           |           | 4/16/2025          | Modified & Approved<br>8/13/2025<br>Filed<br>8/21/2025 |       |            |           |
| Insurance Comm.<br>(114-64)<br>Sunset Provision           | Mental Health Parity<br>Legislative                                                                                   |           |           |           | 4/16/2025          | Approved<br>8/5/2025                                   |       |            |           |
| Labor<br>(42-09)                                          | Child Labor<br>Legislative                                                                                            | 6/23/2025 | 7/23/2025 |           | 7/24/2025          |                                                        |       |            |           |
| Landscape<br>Architects<br>(9-03)                         | Fees<br>Legislative                                                                                                   | 6/25/2025 | 7/25/2025 |           | 7/25/2025          |                                                        |       |            |           |

| RULE MONITOR                                                                   |                                                                                                                                                           |           |           |           |                    |                                                       |       |            |           |
|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------|--------------------|-------------------------------------------------------|-------|------------|-----------|
| AGENCY/SERIES<br>NUMBER                                                        | RULE                                                                                                                                                      | NOTICE    | HEARING   | EMER RULE | AGENCY<br>APPROVED | LRMRC/LOCEA<br>ACTION                                 | LEGIS | FINAL FILE | EFFECTIVE |
| Landscape Architects (9-04)<br>Sunset Provision                                | Application for Waiver of Initial Licensing Fees for Certain Individuals<br>Legislative                                                                   |           |           |           | 7/25/2025          | Approved<br>8/5/2025                                  |       |            |           |
| Lottery Commission (179-10)<br>Sunset Provision                                | West Virginia Lottery Interactive Wagering Rule<br>Legislative                                                                                            |           |           |           | 6/25/2025          | Approved<br>8/5/2025                                  |       |            |           |
| Medicine (11-01B)                                                              | Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants<br>Legislative                        | 6/24/2025 | 7/24/2025 |           | 7/25/2025          |                                                       |       |            |           |
| Medicine (11-06)                                                               | Continuing Education for Physicians and Podiatric Physicians<br>Legislative                                                                               | 6/24/2025 | 7/24/2025 |           | 7/25/2025          |                                                       |       |            |           |
| Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-01)         | WV Medical Imaging and Radiation Therapy Tech. Board of Examiners<br>Legislative                                                                          | 4/11/2025 | 5/31/2025 |           | 6/3/2025           | Modified & Approved<br>8/5/2025<br>Filed<br>8/13/2025 |       |            |           |
| Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-02, repeal) | Continuing Education<br>Legislative                                                                                                                       | 4/1/2025  | 5/31/2025 |           | 6/3/2025           | Approved<br>8/5/2025                                  |       |            |           |
| Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-05)         | Standard of Ethics<br>Legislative                                                                                                                         | 6/13/2025 | 7/15/2025 |           | 7/16/2025          | Modified & Approved<br>8/5/2025<br>Filed<br>8/13/2025 |       |            |           |
| Miners Health Safety and Training (56-08)<br>Sunset Provision                  | Rule Governing the Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of West Virginia<br>Legislative |           |           |           | 9/24/2024          | Approved<br>8/5/2025                                  |       |            |           |
| Motor Vehicles (91-11, repeal)                                                 | Motor Vehicle Equipment<br>Legislative                                                                                                                    | 6/23/2025 | 7/23/2025 |           | 7/24/2025          | Approved<br>8/5/2025                                  |       |            |           |
| Motor Vehicles (91-13)                                                         | Compulsory Motor Vehicle Liability Insurance<br>Legislative                                                                                               | 6/23/2025 | 7/23/2025 |           | 7/24/2025          |                                                       |       |            |           |
| Motor Vehicles (91-25)<br>Sunset Provision                                     | Special Purpose Vehicles<br>Legislative                                                                                                                   |           |           |           | 6/23/2025          | Approved<br>8/5/2025                                  |       |            |           |

| RULE MONITOR                                                    |                                                                                                                             |           |           |                             |                 |                                                 |       |           |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------------------------|-----------------|-------------------------------------------------|-------|-----------|
| AGENCY/SERIES NUMBER                                            | RULE                                                                                                                        | NOTICE    | HEARING   | EMER RULE                   | AGENCY APPROVED | LRMRC/OCEA ACTION                               | LEGIS | EFFECTIVE |
| Municipal Pensions Oversight Board (211-02)<br>Sunset Provision | Exempt Purchasing Legislative                                                                                               |           |           |                             | 10/9/2024       | Approved 8/5/2025                               |       |           |
| Natural Resources (58-14, repeal)                               | Rules Governing Small Arms Hunting Legislative                                                                              | 6/24/2025 | 7/24/2025 |                             | 7/25/2025       | Approved 8/5/2025                               |       |           |
| Natural Resources (58-21)                                       | Wildlife Rehabilitation Legislative                                                                                         | 6/24/2025 | 7/24/2025 |                             | 7/25/2025       |                                                 |       |           |
| Natural Resources (58-26)                                       | Special Boating Rules Legislative                                                                                           | 6/24/2025 | 7/24/2025 |                             | 7/25/2025       |                                                 |       |           |
| Natural Resources (58-46)<br>Sunset Provision                   | Defining the Terms Used in All Hunting and Trapping Legislative                                                             |           |           |                             | 3/31/2025       | Approved 8/5/2025                               |       |           |
| Natural Resources (58-47)                                       | Prohibitions When Hunting and Trapping Legislative                                                                          | 6/24/2025 | 7/24/2025 |                             | 7/25/2025       |                                                 |       |           |
| Natural Resources (58-50)<br>Sunset Provision                   | Deer Hunting Rule Legislative                                                                                               |           |           |                             | 3/31/2025       | Approved 8/5/2025                               |       |           |
| Natural Resources (58-56)<br>Sunset Provision                   | Special Migratory Game Bird Hunting Legislative                                                                             |           |           |                             | 3/31/2025       | Approved 8/5/2025                               |       |           |
| Occupational Therapy (13-04)                                    | Continuing Education and Competence Legislative                                                                             | 4/17/2025 | 6/1/2025  |                             | 6/3/2025        | Approved 8/5/2025                               |       |           |
| Office of Technology (163-03)<br>Sunset Provision               | Cyber Reporting Legislative                                                                                                 |           |           |                             | 7/18/2025       | Modified & Approved 8/5/2025<br>Filed 8/14/2025 |       |           |
| Office of the Inspector General (71-15)                         | Nursing Home Licensure Legislative                                                                                          | 6/24/2025 | 7/24/2025 |                             | 7/25/2025       |                                                 |       |           |
| Office of the Inspector General (71-17)                         | Delegation of Medication Administration and Health Maintenance Tasks to Approved Medication Assistive Personnel Legislative | 6/23/2025 | 7/23/2025 |                             | 7/25/2025       |                                                 |       |           |
| Office of the Inspector General (71-24)                         | Syringe Services Program Licensure Legislative                                                                              | 6/23/2025 | 7/23/2025 |                             | 7/25/2025       |                                                 |       |           |
| Optometry (14-01)                                               | Rules of the West Virginia Board of Optometry Legislative                                                                   | 6/10/2025 | 7/10/2025 | 6/10/2025 Approved 7/9/2025 | 7/23/2025       |                                                 |       |           |

| RULE MONITOR                                           |                                                                                                                                           |           |           |                                   |                    |                       |       |            |           |
|--------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------------------------------|--------------------|-----------------------|-------|------------|-----------|
| AGENCY/SERIES<br>NUMBER                                | RULE                                                                                                                                      | NOTICE    | HEARING   | EMER RULE                         | AGENCY<br>APPROVED | LRMRC/LOCEA<br>ACTION | LEGIS | FINAL FILE | EFFECTIVE |
| Optometry<br>(14-02)                                   | Oral Pharmaceutical Certificate<br>Legislative                                                                                            | 6/10/2025 | 7/10/2025 |                                   | 7/23/2025          |                       |       |            |           |
| Optometry<br>(14-05)                                   | Schedule of Fees<br>Legislative                                                                                                           | 6/10/2025 | 7/10/2025 | 6/10/2025<br>Approved<br>7/9/2025 | 7/23/2025          |                       |       |            |           |
| Optometry<br>(14-08)                                   | Licensure by Reciprocity<br>Legislative                                                                                                   | 6/10/2025 | 7/10/2025 | 6/10/2025<br>Approved<br>7/9/2025 | 7/23/2025          |                       |       |            |           |
| Optometry<br>(14-10)                                   | Continuing Education<br>Legislative                                                                                                       | 6/10/2025 | 7/10/2025 |                                   | 7/23/2025          |                       |       |            |           |
| Osteopathic<br>Medicine<br>(24-01)                     | Licensing Procedures for<br>Osteopathic Physicians<br>Legislative                                                                         | 6/25/2025 | 7/25/2025 |                                   | 7/28/2025          |                       |       |            |           |
| Osteopathic<br>Medicine<br>(24-02)                     | Osteopathic Physician Assistants<br>Legislative                                                                                           | 6/25/2025 | 7/25/2025 |                                   | 7/28/2025          |                       |       |            |           |
| Osteopathic<br>Medicine<br>(24-09)<br>Sunset Provision | Emergency Temporary Permits to<br>Practice During States of<br>Emergency or States of<br>Preparedness<br>Legislative                      |           |           |                                   | 3/27/2025          | Approved<br>8/5/2025  |       |            |           |
| Pharmacy<br>(15-01)                                    | Licensure and Practice of<br>Pharmacy<br>Legislative                                                                                      | 6/19/2025 | 7/19/2025 |                                   | 7/24/2025          |                       |       |            |           |
| Pharmacy<br>(15-06)                                    | Mail-Order and Non-Resident<br>Pharmacies<br>Legislative                                                                                  | 6/19/2025 | 7/19/2025 |                                   | 7/24/2025          |                       |       |            |           |
| Pharmacy<br>(15-07)                                    | Board of Pharmacy Rules for<br>Registration of Pharmacy<br>Technicians<br>Legislative                                                     | 6/19/2025 | 7/19/2025 |                                   | 7/24/2025          |                       |       |            |           |
| Pharmacy<br>(15-10)                                    | Board of Pharmacy Rules for<br>Pharmacist Recovery Networks<br>Legislative                                                                | 6/19/2025 | 7/19/2025 |                                   | 7/24/2025          |                       |       |            |           |
| Pharmacy<br>(15-12)                                    | Board of Pharmacy Rules for<br>Immunizations Administered by<br>Pharmacists, Pharmacy Interns,<br>and Pharmacy Technicians<br>Legislative | 6/19/2025 | 7/19/2025 |                                   | 7/24/2025          |                       |       |            |           |
| Pharmacy<br>(15-15)                                    | Rules Governing Pharmacy<br>Permits<br>Legislative                                                                                        | 6/19/2025 | 7/19/2025 |                                   | 7/24/2025          |                       |       |            |           |
| Pharmacy<br>(15-16)                                    | Rules Governing Pharmacist<br>Legislative                                                                                                 | 6/19/2025 | 7/19/2025 |                                   | 7/24/2025          |                       |       |            |           |

| RULE MONITOR                                               |                                                                                                                      |                        |                        |                                    |                       |                                                       |       |            |           |
|------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|------------------------|------------------------|------------------------------------|-----------------------|-------------------------------------------------------|-------|------------|-----------|
| AGENCY/SERIES NUMBER                                       | RULE                                                                                                                 | NOTICE                 | HEARING                | EMER RULE                          | AGENCY APPROVED       | LRMRC/LOCEA ACTION                                    | LEGIS | FINAL FILE | EFFECTIVE |
| Pharmacy (15-19)                                           | Inspections Legislative                                                                                              | 6/19/2025              | 7/19/2025              |                                    | 7/24/2025             |                                                       |       |            |           |
| Physical Therapy (16-01)                                   | General Provisions for Physical Therapist and Physical Therapist Assistants Legislative                              | 2/25/2025<br>6/17/2025 | 3/28/2025<br>7/17/2025 | 2/21/2025<br>Approved<br>2/25/2025 | 4/1/2025<br>7/24/2025 |                                                       |       |            |           |
| Physical Therapy (16-05)                                   | General Provisions for Athletic Trainers Legislative                                                                 | 6/17/2025              | 7/17/2025              |                                    | 7/24/2025             |                                                       |       |            |           |
| Psychologists (17-03)                                      | Requirements for Licensure as a Psychologist And/Or a School Psychologist Legislative                                | 7/16/2025              | 8/16/2025              | 7/9/2025<br>Effective<br>8/20/2025 | 8/18/2025             |                                                       |       |            |           |
| Public Service Commission (150-37)<br>Sunset Provision     | Rules Governing the Occupancy of Customer-Provided Conduit Legislative                                               |                        |                        |                                    | 3/12/2025             | Approved<br>8/5/2025                                  |       |            |           |
| Racing Commission (178-01)                                 | Thoroughbred Racing Legislative                                                                                      | 6/23/2025              | 7/23/2025              |                                    | 7/24/2025             |                                                       |       |            |           |
| Racing Commission (178-10)<br>Sunset Provision             | Advance Deposit Account Wagering (ADW) Legislative                                                                   |                        |                        |                                    | 7/22/2025             | Approved<br>8/5/2025                                  |       |            |           |
| Real Estate Commission (174-01)                            | Licensing Real Estate Brokers, Associate Brokers, and Salespersons and the Conduct of Brokerage Business Legislative | 7/1/2025               | 7/30/2025              |                                    | 7/31/2025             |                                                       |       |            |           |
| Rehabilitation Services (198-01)<br>Sunset Provision       | Ron Yost Personal Assistance Services Act Board Legislative                                                          |                        |                        |                                    | 3/31/2025             | Approved<br>8/5/2025                                  |       |            |           |
| Risk and Insurance Management (115-01)<br>Sunset Provision | Mine Subsidence Insurance Legislative                                                                                |                        |                        |                                    | 7/18/2025             | Modified & Approved<br>8/5/2025<br>Filed<br>8/14/2025 |       |            |           |
| Risk and Insurance Management (115-02)                     | Public Entities Insurance Program Legislative                                                                        | 6/2/2025               | 7/1/2025               |                                    | 7/8/2025              |                                                       |       |            |           |
| Risk and Insurance Management (115-06, repeal)             | Preferred Medical Liability and High Risk Medical Liability Program Legislative                                      | 6/19/2025              | 7/20/2025              |                                    | 7/21/2025             | Approved<br>8/5/2025                                  |       |            |           |

| RULE MONITOR                                                 |                                                                                                                                                                    |           |           |           |                 |                                                 |       |            |           |
|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------|-----------------|-------------------------------------------------|-------|------------|-----------|
| AGENCY/SERIES NUMBER                                         | RULE                                                                                                                                                               | NOTICE    | HEARING   | EMER RULE | AGENCY APPROVED | LRMRC/LOCEA ACTION                              | LEGIS | FINAL FILE | EFFECTIVE |
| Secretary of State (153-10) Sunset Provision                 | Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Election Systems, Software, Services and Upgrades Legislative | 4/2/2025  | 5/1/2025  |           | 6/24/2025       | Approved 8/5/2025                               |       |            |           |
| Senior Services (76-04)                                      | West Virginia State Plan for Aging Programs Interpretive                                                                                                           |           |           |           |                 |                                                 |       | 6/23/2025  | 10/1/2025 |
| Senior Services (76-06) Sunset Provision                     | Shared Table Initiative for Senior Citizens Legislative                                                                                                            |           |           |           | 7/21/2025       |                                                 |       |            |           |
| Social Work Examiners (25-03) Sunset Provision               | Fee Schedule Legislative                                                                                                                                           |           |           |           | 7/25/2025       | Approved 8/5/2025                               |       |            |           |
| State Emergency Response Commission (55-01) Sunset Provision | Emergency Planning and Community Right-To-Know Legislative                                                                                                         |           |           |           | 1/8/2025        | Modified & Approved 8/5/2025<br>Filed 8/13/2025 |       |            |           |
| State Police (81-03)                                         | West Virginia State Police Career Progression System Legislative                                                                                                   | 6/23/2025 | 7/23/2025 |           | 7/23/2025       |                                                 |       |            |           |
| State Police (81-05)                                         | Contracted Police or Security Services Legislative                                                                                                                 | 6/23/2025 | 7/23/2025 |           | 7/23/2025       |                                                 |       |            |           |
| State Police (81-08)                                         | West Virginia State Police Member Grievance Procedure Legislative                                                                                                  | 6/23/2025 | 7/23/2025 |           | 7/23/2025       |                                                 |       |            |           |
| Tax (110-01H)                                                | Valuation of Timberland and Managed Timberland Legislative                                                                                                         | 6/24/2025 | 7/24/2025 |           | 7/25/2025       |                                                 |       |            |           |
| Tax (110-01M)                                                | Valuation of Public Utility Property for Ad Valorem Property Tax Purposes Legislative                                                                              | 6/25/2025 | 7/25/2025 |           | 7/25/2025       |                                                 |       |            |           |
| Tax (110-13FF) Sunset Provision                              | Tax Credit for Providing Vehicles to Low-Income Workers Legislative                                                                                                |           |           |           | 3/31/2025       | Modified & Approved 8/5/2025                    |       |            |           |
| Tax (110-13GG) Sunset Provision                              | Downstream Natural Gas Manufacturing Investment Tax Credit Legislative                                                                                             |           |           |           | 3/31/2025       | Approved 8/5/2025                               |       |            |           |
| Tax (110-13II) Sunset Provision                              | High-Wage Growth Business Tax Credit Legislative                                                                                                                   |           |           |           | 3/31/2025       | Approved 8/5/2025                               |       |            |           |

| RULE MONITOR                                                       |                                                                  |           |                                          |           |                    |                       |       |            |           |
|--------------------------------------------------------------------|------------------------------------------------------------------|-----------|------------------------------------------|-----------|--------------------|-----------------------|-------|------------|-----------|
| AGENCY/SERIES<br>NUMBER                                            | RULE                                                             | NOTICE    | HEARING                                  | EMER RULE | AGENCY<br>APPROVED | LRMRC/LOCEA<br>ACTION | LEGIS | FINAL FILE | EFFECTIVE |
| Tax<br>(110-13Q, repeal)                                           | Commercial Patent Incentives Tax<br>Credit<br>Legislative        | 6/24/2025 | 7/24/2025                                |           | 7/25/2025          |                       |       |            |           |
| Tax<br>(110-16A)                                                   | On-Line Bingo and Raffles<br>Legislative                         | 6/24/2025 | 7/24/2025                                |           | 7/25/2025          |                       |       |            |           |
| Tax<br>(110-19, repeal)                                            | Soft Drinks Tax<br>Legislative                                   | 6/24/2025 | 7/24/2025                                |           | 7/25/2025          | Approved<br>8/5/2025  |       |            |           |
| Tax<br>(110-21H)                                                   | Income Tax Credits for Property<br>Taxes Paid<br>Legislative     | 6/24/2025 | 7/24/2025                                |           | 7/25/2025          |                       |       |            |           |
| Tax<br>(110-36)                                                    | Preneed Cemetery Companies<br>Legislative                        | 6/24/2025 | 7/24/2025                                |           | 7/25/2025          |                       |       |            |           |
| Waste Mgmt. Div. of<br>Water & Waste<br>Mgmt.<br>(33-20)           | Hazardous Waste Management<br>System<br>Legislative              | 5/30/2025 | 7/15/2025                                |           | 7/23/2025          |                       |       |            |           |
| Water Resources,<br>Division of Water &<br>Waste Mgmt.<br>(47-02)  | Requirements Governing Water<br>Quality Standards<br>Legislative | 5/30/2025 | 7/15/2025<br>Extended<br>to<br>7/21/2025 |           | 7/24/2025          |                       |       |            |           |
| Water Resources,<br>Division of Water &<br>Waste Mgmt.<br>(47-09B) | Carbon Dioxide Sequestration<br>Fee Schedule<br>Legislative      | 5/30/2025 | 7/15/2025                                |           | 7/24/2025          |                       |       |            |           |



WEST VIRGINIA SECRETARY OF STATE  
KRIS WARNER  
ADMINISTRATIVE LAW DIVISION

eFILED  
8/18/2025 1:27:39 PM  
Office of West Virginia  
Secretary Of State



WEST VIRGINIA SECRETARY OF STATE  
KRIS WARNER  
ADMINISTRATIVE LAW DIVISION

eFILED  
8/18/2025 11:39:07 AM  
Office of West Virginia  
Secretary Of State

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture  
RULE TYPE: Legislative  
RULE NAME: West Virginia Grades and Standards for Apples  
CITE AUTHORITY: 19-5

TITLE-SERIES: 61-08

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Norman Bailey -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture  
RULE TYPE: Legislative  
RULE NAME: Licensing of Livestock Dealers  
CITE AUTHORITY: 19-10B-9

TITLE-SERIES: 61-11H

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Norman Bailey -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



FILED

2025 AUG 20 P 3:03

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

WEST VIRGINIA DIVISION OF CORRECTIONS & REHABILITATION

AGENCY: Agriculture  
RULE TYPE: Legislative  
RULE NAME: WV Exempted Dairy Farms and Milk and Milk Products Processing Rules  
CITE AUTHORITY: 19-11E-8

TITLE-SERIES: 61-40

POLICY DIRECTIVE UPDATES

| NUMBER | DATE              | SUBJECT                                           |
|--------|-------------------|---------------------------------------------------|
| 301.00 | 17 September 2025 | Control Centers                                   |
| 326.00 | 17 September 2025 | Disciplinary Segregation                          |
| 402.00 | 17 September 2025 | Food Service                                      |
| 454.09 | 17 September 2025 | Mandatory Post-Release Supervision                |
| 460.00 | 17 September 2025 | Medicaid Enrollment Process for Inmates/Residents |

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Norman Bailey -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Insurance Commission  
RULE TYPE: Legislative  
RULE NAME: INSURANCE HOLDING COMPANY SYSTEMS  
CITE AUTHORITY: W. Va. Code §§33-27-14 and 33-2-10

TITLE-SERIES: 114-35

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Anoop Bhasin -- 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 RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Insurance Commission  
RULE TYPE: Legislative  
RULE NAME: CREDIT FOR REINSURANCE  
CITE AUTHORITY: W. Va. Code §§33-2-10 and 33-4-15a(e)

TITLE-SERIES: 114-40

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

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

Yes

Anoop Bhasin -- 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.



WEST VIRGINIA SECRETARY OF STATE

KRIS WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

8/18/2025 4:58:52 PM

Office of West Virginia  
Secretary Of State

LEGISLATIVE

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

AGENCY: Psychologists TITLE-SERIES: 17-03  
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No  
RULE NAME: 17-03 Requirements for Licensure as a Psychologist and/or a School Psychologist

PRIMARY CONTACT

NAME: Nikki D Jones  
ADDRESS: PO Box 3955  
Charleston, WV 25339  
EMAIL: nikki.d.jones@wv.gov  
PHONE NUMBER: 304-558-3040

CITE STATUTORY AUTHORITY: §30-21-6

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:

§30-21-6 is the general statutory authority. We are making changes to this rule to allow for more master's level psychologists to become licensed in WV.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

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? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 7/16/2025

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 8/16/2025

COMMENTS RECEIVED: Yes

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

PUBLIC HEARING: No

# Orders Report

| Docket Number | Agency                                                                  | Respondent                                 | Date Rendered |
|---------------|-------------------------------------------------------------------------|--------------------------------------------|---------------|
| 25-3-13332-P  | Health Care Authority                                                   | Boone Memorial Hospital, Inc.              | 8/13/2025     |
| 25-9-13330-X  | Health Care Authority                                                   | 1st Americare LLC                          | 7/23/2025     |
| 25-5-13279-P  | Health Care Authority                                                   | Camden-Clark Memorial Hospital Corporation | 7/23/2025     |
| 25-5-13279-P  | Health Care Authority                                                   | Camden-Clark Physician Corporation         | 7/23/2025     |
| 25-9-13278-X  | Health Care Authority                                                   | City Hospital, Inc.                        | 6/11/2025     |
| 25-9-13278-X  | Health Care Authority                                                   | d/b/a Berkeley Medical Center              | 6/11/2025     |
| 25-2-13286-PC | Health Care Authority                                                   | Family Senior Care, Inc.                   | 7/9/2025      |
| 25-10-13283-P | Health Care Authority                                                   | Wheeling Hospital                          | 7/23/2025     |
| 25-10-13217-P | Health Care Authority                                                   | Wheeling Hospital                          | 7/9/2025      |
| 25-12-13216-P | Health Care Authority                                                   | Charleston Area Medical Center, Inc.       | 7/9/2025      |
| 25-12-13215-P | Health Care Authority                                                   | Charleston Area Medical Center, Inc.       | 7/9/2025      |
| 25-6-13336-X  | Health Care Authority                                                   | Necco, LLC                                 | 7/23/2025     |
| 25-5-13316-X  | Health Care Authority                                                   | Camden-Clark Physician Corporation         | 7/23/2025     |
| 25-5-13316-X  | Health Care Authority                                                   | Camden-Clark Medical Center                | 7/23/2025     |
| 24-5-12953-P  | Health Care Authority                                                   | Charleston Area Medical Center, Inc.       | 7/23/2025     |
| 09-FY-2024    | Medical Imaging And Radiation Therapy<br>Technology Board Of Examiners  | Renee L. Atzeni-Dandrea                    | 8/19/2025     |
|               | Registered Professional Nurses, West<br>Virginia Board Of Examiners For | Gary Allen Farley                          | 8/14/2025     |



## State of West Virginia

Office of the Attorney General  
State Capitol, Bldg. 1, Rm F-26  
1900 Kanawha Blvd., E.  
Charleston, WV 25305

(304) 558-2021  
Fax: (304) 558-0140  
[www.wvago.gov](http://www.wvago.gov)

## AG OPINION

Hon. Kent A. Leonhardt  
Page 2

During the 2025 Regular Session, the Legislature passed—and the Governor signed—Senate Bill 941. This bill “clarified” certain authority regarding dams owned or sponsored by local conservation districts; provided that any alteration, improvement, or agreement related to a dam owned or sponsored by a local conservation district is subject solely to the authority of the Department of Environmental Protection; and provided that the [se] provisions ... [were] not [to] be construed to affect or alter any state or federal funding to the West Virginia Conservation Agency.” S.B. 941, 87th Leg. Reg. Sess. (W. Va. 2025).

With these facts in mind, your letter raises the following questions:

1. *What effect, if any, does SB941 have on the O&M Agreements that the conservation district supervisors are currently party to as sponsors?*
2. *What is the scope of the conservation districts' role as sponsors in existing and future sponsorship of projects that involve contracting for construction, repair, or rehabilitation of the dams?*
3. *Will the O&M Agreements currently in force with the NRCS remain in effect?*
4. *What liability, if any, do conservation districts risk in their capacity as sponsors if they cannot fulfill their obligations under existing and future contracts and agreements?*
5. *Will conservation districts continue to be liable if work performed pursuant to their contracts and agreements causes dams to fail?*

We conclude that Senate Bill 941 grants sole authority over alterations, improvements, and agreements related to dams to the Department of Environmental Protection. Thus, conservation district supervisors are now required to obtain DEP's approval before performing work constituting an “alteration, improvement, or agreement,” even when tied to existing O&M agreements. Likewise, DEP approval is required before a conservation district may enter any future contract with the federal government for construction, repair, or rehabilitation of dams. Current O&M agreements with the NRCS remain in effect, but—again—dam-related work constituting “construction” or “alteration” requires DEP approval. Conservation districts that are party to contracts with NRCS are potentially liable if they fail to fulfill their obligations, but contractual liability depends on contractual terms. Conservation districts may have liability if work performed pursuant to their contracts and agreements causes dams to fail.

### Discussion

Conservation districts are created by statute, W. Va. CODE § 19-21A-1, *et seq.*, to “work to recommend and implement programs and policies that improve soil health and water quality,” W. Va. CODE § 19-21A-2(d). They are “subdivision[s] of th[e] state.” *Id.* § 19-21A-3(5). And they are “creatures of statute.” *Div. of Just. & Crim. Servs. v. Fairmont State Univ.*, 242 W. Va. 489, 498, 836 S.E.2d 456, 465 (2019) (cleaned up). As “delegates of the Legislature,” conservation districts “must find within the statute warrant for the exercise of any authority which they claim.”

FILED

2025 AUG 21 A 11:40  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

August 21, 2025

The Honorable Kent A. Leonhardt  
Commissioner of Agriculture  
Chairman, West Virginia State Conservation Committee  
1900 Kanawha Blvd. E, Bldg. 1, Rm 28E  
Charleston, WV 25305

Dear Commissioner Leonhardt:

Your office has asked for an Opinion of the Attorney General about the effects of Senate Bill 941, enacted during the 2025 Regular Legislative Session, on the powers, duties, and liabilities of conservation district supervisors. We are issuing this opinion under West Virginia Code § 5-3-1, which provides that the Attorney General “shall give written opinions and advice on questions of law ... whenever required to do so, in writing, by ... the commissioner of agriculture.” When this Opinion relies on facts, it depends solely on the factual assertions in your correspondence with our office.

According to your letter, since the 1930s, Congress has charged the U.S. Department of Agriculture with developing plans to reduce flooding in selected watersheds. As part of that work, Congress gave the Natural Resources Conservation Service (NRCS) the authority to begin building small watershed flood control dams and channels across the United States. NRCS requires sponsors of these to be a city, county or state agency, a conservation district, or tribal government.

In West Virginia, conservation district supervisors sponsor 170 such flood control dam structures and 22 channels within their respective districts. Each time one of these projects was begun, NRCS and the local conservation districts agreed to an Operation and Maintenance (“O&M”) plan before construction started. These agreements require the parties to ensure the structures will continue to operate as designed. And under these agreements, project sponsors (like conservation district supervisors) are typically responsible for routine operation and maintenance, repairs, or rehabilitation.

*Id.* As relevant here, conservation districts “carry out preventive and control measures and works of improvement within” their respective districts, including “engineering operations” and “water management operations and measures for the prevention of floodwater and sediment damages[.]” W. VA. CODE § 19-21A-8(3).

Effective April 2025, Senate Bill 941 amended conservation districts’ powers related to dams. S.B. 941 provides that “any alteration, improvement, or agreement related to a dam owned or sponsored by a local conservation district is subject solely to the authority of the Department of Environmental Protection.” W. VA. CODE § 19-21A-8(1). S.B. 941 is not to “be construed to affect or alter any state or federal funding to the West Virginia Conservation Agency.” *Id.*

As we explained in a prior Opinion Letter, S.B. 941 is intended to provide DEP with broad authority over all dam-related alterations, improvements, or agreements. *See* W. Va. Op. Att’y Gen., Opinion Letter Regarding Oversight of Dams Owned or Sponsored by Conservation Districts (July 10, 2025), 2025 WL 2050201, at \*2. And “by saying the Department of Environmental Protection was ‘solely’ responsible, [S.B. 941] left no room for anyone else to act—conservation districts included—unless the Department chooses to coordinate or otherwise allow such a role.” *Id.* DEP’s role is limited only where it would “affect” or “alter” federal funding.

Thus, the Department’s permission or coordination is generally necessary for *all* dam-related work that constitutes an “alteration,” “improvement,” or “agreement,” even where that work implicates federal agreements.

The federal agreements to which your letter refers stem from the federal Watershed Protection and Flood Prevention Act, which created a federal-state program for the purpose of “preserving, protecting, and improving the Nation’s land and water resources and the quality of the environment.” 16 U.S.C. § 1001. To carry out that purpose, the U.S. Secretary of Agriculture may “furnish financial and other assistance to local organizations,” like West Virginia’s conservation districts. *Id.* § 1003(a)(4). As part of this financial assistance, project “sponsors” must sign Operation and Maintenance (O&M) agreements with NRCS. *See* USDA National Operation & Maintenance Manual (NOMM), Part 500, available at <https://tinyurl.com/y68bt3pd>; *see also* NOMM, Part 500.20(B); 7 C.F.R. § 654.10 (“A duly authorized official of the sponsor(s) must execute an O&M agreement with NRCS prior to NRCS furnishing financial assistance.”).

Among other things, these agreements—alongside federal regulations—require that project sponsors on non-federal land “are responsible for financing and performing without cost to the Federal Government, needed operation and maintenance (O&M) of project measures installed with Federal financial assistance.” 7 C.F.R. § 654.11(a); *see also* NOMM, Part 500.21 (O&M agreements require disclosure of “[t]he sponsor(s) who will be responsible for inspecting, performing, and financing the O&M” for each project). Sponsors are required to “operate and maintain completed project measures in ... [c]ompliance with applicable Federal, State, and local laws, regulations, and ordinances.” 7 C.F.R. § 654.15(a). O&M agreements are “legally binding contract[s].” NOMM, Part 500.21.

## AG OPINION

Senate Bill 941 doesn’t alter the terms of existing O&M agreements between conservation districts and the federal government. And while conservation districts’ dam-related “alteration” or “improvement” work is subject to DEP approval, that new proviso doesn’t end the conservation districts’ O&M obligations. Rather, it requires DEP approval before conservation districts perform work on dams. That new allocation of *oversight* doesn’t necessarily mean that DEP will take over all work under existing agreements. Nor does it require DEP to serve as the sponsor on all future agreements. But S.B. 941 gives DEP the sole authority to decide the roles and responsibilities of covered decisions pertaining to West Virginia dams.

We caution, however, that DEP would not appear to have authority to terminate or otherwise endanger the O&M agreement, its new authority notwithstanding. Recall that S.B. 941 should not be “construed to affect or alter any state or federal funding to the West Virginia Conservation Agency.” W. VA. CODE § 19-21A-8(1). Early termination of O&M agreements could indeed affect that funding. Sponsors take “responsibility for O&M of” completed projects. 7 C.F.R. § 654.14(a). The O&M agreements say how long that responsibility lasts: It may continue through “(1) [t]he evaluated life of the project, or (2) the evaluated life of measures that are economically evaluated as a unit, or (3) the useful life of cost-shared measures that are for land conservation or land utilization.” *Id.* And during and after the O&M responsibility timeframes, sponsors *must* “operate and maintain completed project measures in ... compliance with applicable Federal, State, and local laws, regulations, and ordinances.” *Id.* § 654.15(a).

Non-compliance with O&M responsibility may lead the federal government to demand “reimbursement of all financial assistance provided by NRCS.” NOMM, Part 500.21. Alternatively, NRCS may “notify authorities having appropriate jurisdiction, withhold further assistance to the project, require the sponsor(s) to reimburse the government for the NRCS share of the cost of the project, and/or pursue other action authorized by the O&M agreement or law.” 7 C.F.R. § 654.20(b).

In short, if a conservation district is a sponsor and it fails to comply with an existing O&M agreement (whether at DEP’s behest or otherwise), and the federal government identifies that failure,<sup>1</sup> then the federal government may hold conservation districts responsible in any of those ways or in any way described in the O&M agreement. But without a specific contract to review, we cannot identify *all* the potential forms of liability that conservation districts may face for non-compliance with a contract’s terms.

Lastly, conservation districts could continue to be held liable if work performed on a covered dam goes awry. Conservation districts have the power “[t]o sue and be sued.” W. VA. CODE § 19-21A-8(11). Senate Bill 941 doesn’t change that. And “[i]n matters of negligence,” for instance, “liability attaches to a wrongdoer ... because of a breach of duty which results in an injury to others.” Syl. Pt. 3, *In re Flood Litigation*, 216 W. Va. 534, 607 S.E.2d 863 (2004).

<sup>1</sup> The NRCS has an officer, called a State Conservationist, “responsible for NRCS activities within a particular State.” 7 C.F.R. § 654.2. The State Conservationist “investigate[s] alleged sponsor violations of the O&M agreement.” *Id.* § 654.20(a). If a violation “has occurred that may prevent the project measure from functioning as intended” or that may “create a health or safety hazard, or prevent the accrual of project benefits,” the State Conservationist provides written notice to the sponsor. *Id.* And if the sponsor fails to “comply with the O&M agreement or ... take corrective action,” then the NRCS can act. *Id.* § 654.20(b).

"[r]easonable measures" are required when "due care" is owed. *Id.* at 548, 607 S.E.2d at 877 (cleaned up). But the "question of reasonableness" is a "fact-specific inquiry demanded of a jury." *Id.* at 542, 607 S.E.2d at 871.

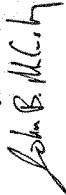
These general principles suggest that conservation districts may be held liable if their work causes dams to fail. That said, we can't speculate on the outcome of any fact-specific inquiry because we lack any facts to do so. And we also lack facts necessary to determine if any immunities that generally apply to political subdivisions would defeat liability. *See, e.g.,* W. Va. CODE § 29-12A-5(10) (providing for immunity from liability arising from "[i]nspection powers or functions, including failure to make an inspection, or making an inadequate inspection, of any property, real or personal, to determine whether the property complies with or violates any law or contains a hazard to health or safety"). Finally, we see nothing in S.B. 941 or any other law that would foreclose a potential indemnity claim by the conservation district.

#### *Conclusion*

We conclude that Senate Bill 941 grants sole authority over alterations, improvements, and agreements related to dams to the Department of Environmental Protection. So, conservation district supervisors are now required to obtain DEP approval of work to be performed under existing O&M agreements, at least where that work constitutes an "alteration," "improvement," or "agreement."

In future contracts with the federal government for construction, repair, or rehabilitation of dams, DEP approval is required before a conservation district may enter a contract. Current O&M agreements with the NRCS remain in effect, but dam-related work in one of the above categories requires DEP approval. Conservation districts that are party to contracts with NRCS are potentially liable to the federal government if they fail to fulfill their obligations, but the full scope of potential liability depends on contractual terms. Conservation districts may also be liable to third parties if they perform work that causes dams to fail.

Sincerely,



John B. McCuskey  
Attorney General

Caleb B. David  
Deputy Solicitor General

WEST VIRGINIA HEALTH CARE AUTHORITY

CERTIFICATE OF NEED

100 Dee Drive  
Charleston, West Virginia 25311-1600

08/11/2025

**AMENDED LEGAL NOTICE**

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **08/08/2025**.

**CERTIFICATE OF NEED APPLICATION RECEIVED**

August 7, 2025 - Boone Memorial Hospital, Inc., CON File #25-3-13347-P, for the asset purchase and operation of Coal River Primary Care and Wellness Center LLC as an ambulatory health care facility providing primary care services. Capital Expenditure \$109,500.00

**HEARING NOTICE**

The Administrative Hearing and Prehearing Conference have been CANCELED in the following matter:

August 5, 2025 - Wetzel County Hospital, CON File #25-5-13227-P, for establishing an urgent care/primary care clinic in Sistersville, Tyler County, West Virginia, Sistersville Rapid Care. Capital Expenditure \$1,300,000.00.

Prehearing Conference: **Tuesday, August 5, 2025, at 1:30 p.m.**  
Administrative Hearing: **Tuesday, August 12, 2025 at 9:00 a.m.**

**PROJECTS DETERMINED NOT REVIEWABLE**

August 5, 2025 - City Hospital, Inc., CON File #25-9-13278-X, for the construction of an inpatient tower on the BMC campus which will allow the addition of 126 acute care inpatient beds to BMC's acute care hospital license for the provision of hospital services.

**PROJECTS EXEMPT FROM REVIEW**

August 6, 2025 - Hope for All - In Memory of Kirsten and Kalen, CON File #25-3-13212-X, for the development of a 10-bed inpatient Residential Substance Abuse Treatment Unit located at 3324 Pennsylvania Avenue, Charleston, Kanawha County, West Virginia.

OTHER

**CERTIFICATE OF NEED APPROVAL ISSUED**

August 6, 2025 - Camden-Clark Memorial Hospital Corporation and Camden-Clark Physician Corporation, CON File #25-5-13279-P, for the development of an ambulatory health care facility through the relocation of a general surgery and podiatry practices in Parkersburg, Wood County, West Virginia. Capital Expenditure \$730,000.00.

Further information may be obtained on any of the above-referenced projects by contacting The West Virginia Healthcare Authority Staff at 305.558.7000.

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

100 Dee Drive  
Charleston, West Virginia 25311-1600

08/18/2025

**OTHER**

of related counseling services to be located at 2333 MacCorkle Ave, Ste 100, St. Albans, Kanawha County, West Virginia.

August 12, 2025 - Behavioral Health Urgent Care and Triage Center, CON File #25-3-13345-X, for the development and operation of a drug and alcohol treatment program and the provision of related counseling services to be located at 2333 MacCorkle Ave, Ste 100 St. Albans, Kanawha County, West Virginia.

August 12, 2025 - Community Health Systems, Inc., CON File #25-1-13354-X, for provision of providing school-based primary healthcare to students and teachers at Fairdale Elementary School located at 772 Bolt Road, Fairdale, Raleigh County, West Virginia.

August 12, 2025 - C&C Recovery, LLC, CON File #25-9-13353-X, for the relocation of Full Circle Healing to 31 Willow Springs Drive, Unit 101, Charles Town, Jefferson County, West Virginia.

August 12, 2025 - Pathway Psychiatry and Counseling Center, LLC, AMENDED, CON File #25-1-13333-X, for the provision of providing outpatient behavioral counseling services to be located at 330 Industrial Drive, Suite , Beckley, Raleigh County, West Virginia. On July 20, 2025, the Authority issued an exemption for the above referenced project. On August 5, 2025, the Authority received an amended request due to an incorrect address location being submitted. The location of the outpatient behavioral counseling services is located at 330 Harper Park Drive, Suite D, Beckley, Raleigh County, West Virginia.

August 12, 2025 - Reynold Memorial Hospital, CON File #25-10-13351-X, for the relocation of RMH's outpatient Behavioral Medicine services from 407 Wheeling Avenue, Moundsville, Marshall County, West Virginia to 100 Teletch Drive, Suite 1, Moundsville, Marshall County, West Virginia.

August 12, 2025 - Ritchie County Primary Care Association, Inc., CON File #25-5-13350-X, for the provision of providing behavioral health services at St.Mary's Downtown Campus, 111 Lafayette St, Ste 201, Saint Marys, Pleasants County, West Virginia.

August 12, 2025 - Ritchie County Primary Care Association, Inc., CON File #25-5-13349-X, for the provision of providing behavioral health services at Criss Elementary School, 2800 22nd Street, Room 12, Parkersburg, Wood County, West Virginia.

August 12, 2025 - Ritchie County Primary Care Association, Inc., CON File #25-5-13348-X, for the provision of providing behavioral health services at Hamilton Middle School, 3501 Cadillac Dr. Rm 122, Parkersburg, Wood County, West Virginia.

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending 08/15/2025.

**LEGAL NOTICE**

**APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW**

August 15, 2025 - Boone Memorial Hospital, Inc., CON File #25-3-13347-P, for the asset purchase and operation of Coal River Primary Care and Wellness Center LLC as an ambulatory health care facility providing primary care services. Capital Expenditure \$109,500.00

**ORDER TO WITHDRAW CON APPLICATION ISSUED**

August 15, 2025 - Boone Memorial Hospital, Inc., CON File #25-3-13332-P, for the asset purchase and operation of Coal River Primary Care and Wellness Center LLC, in Nellis, Boone County, West Virginia.

**PROJECTS DETERMINED REVIEWABLE**

August 15, 2025 - 1st Americare LLC, CON File #25-9-13330-X, for the development of a Medical Adult Day Care Center to be located in Hedgesville, Berkeley County, West Virginia.

**PROJECTS DETERMINED NOT REVIEWABLE**

August 15, 2025 - Camden-Clark Physician Corporation, CON File #25-5-13352-X, for the relocation of a physician practice. The capital expenditure is projected not to exceed \$10,000.

August 15, 2025 - Princeton Community Hospital Association, Inc., CON File #25-1-13343-X, for the construction of a Cancer Center on the hospital campus. The capital expenditure is not to exceed \$37,250,000.

**PROJECTS EXEMPT FROM REVIEW**

August 12, 2025 - Anchor Homes, Inc., CON File #25-3-13346-X, for the development and operation of a drug and alcohol treatment program and the provision

FILED  
WV SECRETARY OF STATE  
AUGUST 18, 2025 10:40 AM  
STATE OF WEST VIRGINIA  
DEPARTMENT OF HEALTH  
HEALTH CARE AUTHORITY



Arvin Singh, EdD, MBA, MPH, MS, FACHE  
Cabinet Secretary

OTHER

Further information may be obtained on any of the above-referenced projects by contacting The West Virginia Healthcare Authority Staff at 305.558.7000.

Gordon C. Lane, Jr.  
Interim Executive Director

## Notice of Review

August 18, 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:

August 15, 2025 - Boone Memorial Hospital, Inc. d/b/a Boone Memorial Health, CON File #25-3-13347-P, for the asset purchase and operation of Coal River Primary Care and Wellness Center, LLC in Nellis, Boone County, West Virginia. Capital Expenditure \$109,500.



100 Dec Drive • Charleston, West Virginia 25311 • 304-558-7000 • 304-558-4776 (fax) • hca.wv.gov

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 **August 15, 2025**.

On or before **September 15, 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.

If no public hearing is requested, the file closing date will be **September 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 **October 14, 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 Gordon C. Lane, Jr., Interim Executive 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.

August 18, 2025  
Date

  
Eddie Fulks  
CON Secretary

West Virginia Health Care Authority

#### DISTRIBUTION

Joseph Ward, Frost Brown Todd, LLP

The Honorable Kris Warner  
Secretary of State

Dennis Garrison, Director, Consumer Advocacy Division  
West Virginia Insurance Commission

OTHER /