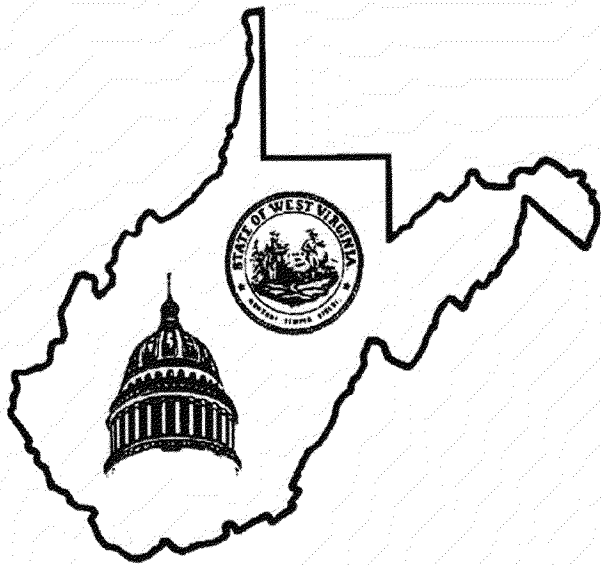




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Administrative Law Division

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

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Insurance Commissioner

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Tax Division

CHRONOLOGICAL INDEX

CHRONOLOGICAL INDEX, VOLUME XLII ISSUE 36			
NO RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

NO EMERGENCY RULES FILED THIS WEEK			
AGENCY/RULE	RULE NAME	AUTHORITY	EFFECTIVE DATE
			COMMENT END DATE



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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1.	Agency Name, (Title and Series Number)
Column	2.	Rule Title 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

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
TITLE 1	ACCOUNTANCY
TITLE 2	ARCHITECTS
TITLE 3	BARBERS AND COSMETOLOGISTS
TITLE 4	CHIROPRACTIC EXAMINERS
TITLE 5	DENTISTRY
TITLE 6	FUNERAL SERVICE EXAMINERS
TITLE 7	PROFESSIONAL ENGINEERS
TITLE 10	LICENSED PRACTICAL NURSES
TITLE 11	MEDICINE
TITLE 14	OPTOMETRY
TITLE 15	PHARMACY
TITLE 16	PHYSICAL THERAPY
TITLE 17	PSYCHOLOGISTS
TITLE 19	REGISTERED NURSES
TITLE 20	SANITARIANS
TITLE 22	FORESTRY
TITLE 24	OSTEOPATHIC MEDICINE
TITLE 25	SOCIAL WORK EXAMINERS
TITLE 26	VETERINARY MEDICINE
TITLE 27	COUNSELING
TITLE 29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE 30	RESPIRATORY CARE
TITLE 31	DIETITIANS
TITLE 32	ACUPUNCTURE
TITLE 33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE 35	OIL AND GAS
TITLE 36	COAL MINE HEALTH AND SAFETY
TITLE 38	MINING AND RECLAMATION
TITLE 42	LABOR
TITLE 45	AIR QUALITY
TITLE 47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE 53	PUBLIC ENERGY AUTHORITY
TITLE 56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE 58	NATURAL RESOURCES
TITLE 60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE 61	AGRICULTURE
TITLE 64	HEALTH
TITLE 65	HEALTH CARE AUTHORITY
TITLE 71	OFFICE OF THE INSPECTOR GENERAL
TITLE 76	SENIOR SERVICES
TITLE 78	HUMAN SERVICES
TITLE 81	STATE POLICE
TITLE 87	FIRE COMMISSION
TITLE 89	PUBLIC DEFENDER SERVICES
TITLE 90	CORRECTIONS
TITLE 91	MOTOR VEHICLES
TITLE 103	FIRE MARSHAL
TITLE 110	TAX DEPARTMENT
TITLE 112	TREASURER
TITLE 114	INSURANCE COMMISSION
TITLE 126	EDUCATION
TITLE 127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE 133	HIGHER EDUCATION POLICY COMMISSION
TITLE 135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE 143	PERSONNEL
TITLE 144	TOURISM
TITLE 145	DEVELOPMENT OFFICE
TITLE 146	STATE ELECTION COMMISSION
TITLE 148	ADMINISTRATION
TITLE 149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE 150	PUBLIC SERVICE COMMISSION
TITLE 153	SECRETARY OF STATE
TITLE 155	AUDITOR
TITLE 157	HIGHWAYS
TITLE 164	SCHOOL BUILDING AUTHORITY
TITLE 174	REAL ESTATE COMMISSION
TITLE 175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE 176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE 177	ATHLETIC COMMISSION
TITLE 178	RACING COMMISSION
TITLE 179	LOTTERY COMMISSION
TITLE 190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE 220	MULTIMODAL TRANSPORTATION FACILITIES

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Administration (148-25)	One-Stop-Shop Permitting Program Legislative	6/10/2025	7/25/2025	6/9/2025 Approved 6/10/2025	8/22/2025				
Agriculture (61-01B) Sunset Provision	Registration Forms and Tags for Registration, Taxation and Control of Dogs Legislative				6/24/2025				
Agriculture (61-08) Sunset Provision	West Virginia Grades and Standards for Apples Legislative				6/24/2025	Modified & Approved 8/13/2025 Filed 8/18/2025			
Agriculture (61-11)	Regulations Governing Public Markets Legislative	6/25/2025	7/25/2025		7/25/2025				
Agriculture (61-11H) Sunset Provision	Licensing of Livestock Dealers Legislative				6/23/2025	Modified & Approved 8/5/2025 Filed 8/18/2025			
Agriculture (61-15)	Grade "A" Pasteurized Milk Legislative	6/4/2025	7/4/2025	6/4/2025 Approved 6/10/2025	7/8/2025				
Agriculture (61-30)	Select Plant-Based Derivatives and Select Plant-Based Derivative Products-Hemp and Kratom Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 6/10/2025	7/25/2025				
Agriculture (61-37)	Agritourism Legislative	6/25/2025	7/25/2025		7/25/2025				
Agriculture (61-40) Sunset Provision	WV Exempted Dairy Farms and Milk and Milk Products Processing Rules Legislative				3/6/2025	Modified & Approved 8/5/2025 Filed 8/20/2025			
Air Quality (45-01)	Alternative Emission Limitations During Startup and Shutdown Legislative	5/30/2025	7/1/2025		7/22/2025				
Air Quality (45-08)	Ambient Air Quality Standards Legislative	5/30/2025	7/1/2025		7/23/2025				
Air Quality (45-16)	Standards of Performance for New Stationary Sources 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 FINAL FILE EFFECTIVE
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		
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		
Barbers and Cosmetologists (3-13)	Barber Apprenticeship Legislative	6/17/2025	7/25/2025		7/28/2025		
Barbers and Cosmetologists (3-14)	Waxing Specialist Legislative	6/18/2025	7/25/2025		7/28/2025		

RULE MONITOR								
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	EFFECTIVE
Coal Mine Health and Safety (36-60)	Rules and Regulations Governing Equipment and Operations for Open-Pit Mines, the Surface of Underground Mines, Preparation Plants and Loadouts Legislative Exempt	6/24/2025	7/24/2025					
Community and Technical College Education (135-28)	Skilled Trades Apprenticeship Nontraditional Degree (STAND) Program Legislative	6/2/2025	7/3/2025	6/2/2025 Approved 7/9/2025 Amendment 8/5/2025 ERD 9/16/2025	7/18/2025			
Community and Technical College Education (135-43, repeal)	Purchasing Efficiencies Legislative	6/3/2025	7/7/2025		7/18/2025			
Contractor Licensing Board (28-02)	West Virginia Contractor Licensing Act Legislative	6/25/2025	7/25/2025		7/25/2025			
Counseling (27-01)	Licensing Rule Legislative	6/25/2025	7/24/2025		7/28/2025			
Counseling (27-03)	Licensed Professional Counselor License Requirements and Continuing Professional Education Requirements Legislative	6/25/2025	7/24/2025		7/28/2025			
Counseling (27-05)	Disciplinary and Complaint Procedures for Counselors Procedural	6/25/2025	7/24/2025					
Counseling (27-06)	Contested Case Hearing Procedure Procedural	6/25/2025	7/24/2025					
Counseling (27-07)	Open Meeting and Bylaws Procedural	6/25/2025	7/24/2025					
Counseling (27-08)	Marriage and Family Therapist Licensing Legislative	6/25/2025	7/24/2025		7/28/2025			
Counseling (27-11)	Disciplinary and Complaint Procedures for Marriage and Family Therapist Procedural	6/25/2025	7/24/2025					

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Counseling (27-12)	Contested Case Hearing Procedures for Marriage and Family Therapist Procedural	6/25/2025	7/24/2025						
Crime Delinquency and Correction (149-02)	Law Enforcement Training and Certification Legislative	6/24/2025	7/24/2025		7/24/2025				
Dentistry (5-09)	Application Procedures for Licensure or Certificate Procedural	8/27/2025	9/26/2025						
Economic Development (145-16) Sunset Provision	Tourism Development Districts Legislative				10/8/2024	Approved 8/5/2025			
Education (126-089)	West Virginia Design and Equipment Requirements for School Transportation Vehicles (4334) Legislative Exempt	5/14/2025	6/14/2025						
Financial Institutions, Division of (106-05)	Rule Pertaining to Mortgage Lenders, Brokers, and Loan Originators Legislative	6/19/2025	7/21/2025		7/24/2025				
Financial Institutions, Division of (106-07)	Installation, Operation and Sharing of Customer Bank Communication Terminals and the Utilization of Nonexclusive Access Interchange System Legislative	6/19/2025	7/21/2025		7/23/2025				
Financial Institutions, Division of (106-17)	Notice and Treatment of Joint Accounts Legislative	6/19/2025	7/21/2025		7/23/2025				
Financial Institution (106-21) Sunset Provision	Rule Pertaining to the Fintech Regulatory Sandbox Legislative				2/3/2025	Approved 8/5/2025			
Fire Commission (87-01)	Fire Code Legislative	3/6/2025 4/9/2025	4/7/2025 5/9/2025	3/6/2025 Approved 3/6/2025	6/3/2025				

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Marshal (103-06)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Officials, Building Code Inspectors and Plans Examiners Legislative	6/23/2025	7/23/2025		7/23/2025				
THE ABOVE RULE HAS BEEN WITHDRAWN 9/4/2025									
Forestry (22-06)	Rules for the Certification of Managed Timberland Legislative	6/24/2025	7/24/2025		7/25/2025				
Funeral Service Examiners (6-01)	Funeral Director, Embalmer, Apprentice, Courtesy Card Holders and Funeral Establishment Requirements Legislative	6/19/2025	7/22/2025	6/19/2025 Approved 7/9/2025	7/25/2025				
Health (64-45)	Lead Abatement Licensing Legislative	6/24/2025	7/24/2025		7/25/2025				
Health (64-48)	Emergency Medical Services Legislative	6/23/2025	7/23/2025		7/24/2025				
Health (64-51)	Fees for Services Legislative	6/24/2025	7/24/2025		7/25/2025				
Health (64-57)	Clinical Laboratory Practitioner Licensure Legislative	6/23/2025	7/23/2025		7/24/2025				
Health (64-59)	Patient Rights at State-Operated Mental Health Facilities Legislative	6/25/2025	7/25/2025		7/25/2025				
Health (64-67, repeal)	Distribution of State Funds for Support of Local Boards of Health Legislative	6/23/2025	7/23/2025		7/24/2025				
Health (64-73)	Basic Public Health Service Standards for Local Boards of Health Legislative	6/23/2025	7/23/2025		7/25/2025				
Health (64-115)	Diabetes Self-Management Education Legislative	6/24/2025	7/24/2025		7/25/2025				
Health Care Authority (65-29) Sunset Provision	Exemption from Certificate of Need Legislative				7/21/2025	Approved 8/12/2025			

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Education Policy Commission (133-41)	Health Sciences Program Procedural	6/30/2025	7/30/2025						
Higher Education Policy Commission (133-43, repeal)	Purchasing Efficiencies Legislative	6/30/2025	7/30/2025		7/31/2025				
Higher Education Policy Commission (133-48, repeal)	Research Trust Fund Legislative	6/30/2025	7/30/2025		7/31/2025				
Higher Education Policy Commission (133-63)	Mental Health Loan Repayment Program Legislative	6/30/2025	7/30/2025		7/31/2025				
Higher Education Policy Commission (133-64)	Administrative Exemption Legislative	6/30/2025	7/30/2025		7/31/2025				
Highways (157-03)	Construction and Reconstruction of State Roads Legislative	6/24/2025	7/24/2025		8/7/2025				
Insurance Comm. (114-02A) Sunset Provision	Fingerprinting Requirements for Applicants for Insurance Producer and Insurance Adjuster License Legislative				4/16/2025	Approved 8/5/2025			
Insurance Comm. (114-07, repeal)	Premium Financing of Life Insurance for College Students Legislative	6/19/2025	7/19/2025		7/22/2025	Approved 8/5/2025			
Insurance Comm. (114-09, repeal)	Mass Marketing of Property and Liability Insurance Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 8/5/2025			
Insurance Comm. (114-10, repeal)	Advertisement of Accident and Sickness Insurance Legislative	6/19/2025	7/19/2025		7/22/2025	Approved 8/5/2025			
Insurance Comm. (114-25) Sunset Provision	Insurance Adjusters Legislative				4/16/2025	Approved 8/5/2025			
Insurance Comm. (114-35)	Insurance Holding Company Systems Legislative	6/19/2025	7/19/2025		7/22/2025	Modified & Approved 8/12/2025 Filed 8/21/2025			
Insurance Comm. (114-40) Sunset Provision	Credit for Reinsurance Legislative				4/16/2025	Modified & Approved 8/13/2025 Filed 8/21/2025			
Insurance Comm. (114-64) Sunset Provision	Mental Health Parity Legislative				4/16/2025	Approved 8/5/2025			

RULE MONITOR								
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	EFFECTIVE
Labor (42-09)	Child Labor Legislative	6/23/2025	7/23/2025		7/24/2025			
Landscape Architects (9-03)	Fees Legislative	6/25/2025	7/25/2025		7/25/2025			
Landscape Architects (9-04) Sunset Provision	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative				7/25/2025	Approved 8/5/2025		
Lottery Commission (179-10) Sunset Provision	West Virginia Lottery Interactive Wagering Rule Legislative				6/25/2025	Approved 8/5/2025		
Medicine (11-01B)	Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/24/2025	7/24/2025		7/25/2025			
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians 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 Legislative	4/11/2025	5/31/2025		6/3/2025	Modified & Approved 8/5/2025 Filed 8/13/2025		
Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-02, repeal)	Continuing Education Legislative	4/1/2025	5/31/2025		6/3/2025	Approved 8/5/2025		
Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-05)	Standard of Ethics Legislative	6/13/2025	7/15/2025		7/16/2025	Modified & Approved 8/5/2025 Filed 8/13/2025		
Miners Health Safety and Training (56-08) Sunset Provision	Rule Governing the Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of West Virginia Legislative				9/24/2024	Approved 8/5/2025		
Motor Vehicles (91-11, repeal)	Motor Vehicle Equipment Legislative	6/23/2025	7/23/2025		7/24/2025	Approved 8/5/2025		
Motor Vehicles (91-13)	Compulsory Motor Vehicle Liability Insurance Legislative	6/23/2025	7/23/2025		7/24/2025			

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Motor Vehicles (91-25) Sunset Provision	Special Purpose Vehicles Legislative				6/23/2025	Approved 8/5/2025			
Municipal Pensions Oversight Board (211-02) 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 (58-45)	Hunting and Trapping Rules Legislative Exempt							8/26/2025	9/1/2025
Natural Resources (58-46) 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) Sunset Provision	Deer Hunting Rule Legislative				3/31/2025	Approved 8/5/2025			
Natural Resources (58-55)	Migratory Bird Hunting Rule Legislative Exempt							8/26/2025	9/1/2025
Natural Resources (58-56) Sunset Provision	Special Migratory Game Bird Hunting Legislative				3/31/2025	Approved 8/5/2025			
Natural Resources (58-57)	Waterfowl Hunting Rule Legislative Exempt							8/26/2025	9/1/2025
Natural Resources (58-59)	Special Waterfowl and Migratory Bird Hunting Areas Legislative Exempt							8/26/2025	9/1/2025
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) Sunset Provision	Cyber Reporting Legislative				7/18/2025	Modified & Approved 8/5/2025 Filed 8/14/2025			

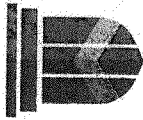
RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Office of the Inspector General (71-15)	Nursing Home Licensure Legislative	6/24/2025	7/24/2025		7/25/2025				
Office of the Inspector General (71-17)	Delegation of Medication 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				
Optometry (14-02)	Oral Pharmaceutical Certificate Legislative	6/10/2025	7/10/2025		7/23/2025				
Optometry (14-05)	Schedule of Fees Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 7/9/2025	7/23/2025				
Optometry (14-08)	Licensure by Reciprocity Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 7/9/2025	7/23/2025				
Optometry (14-10)	Continuing Education Legislative	6/10/2025	7/10/2025		7/23/2025				
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	6/25/2025	7/25/2025		7/28/2025				
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/25/2025	7/25/2025		7/28/2025				
Osteopathic Medicine (24-09)	Emergency Temporary Permits to Practice During States of Emergency or States of Preparedness Legislative				3/27/2025	Approved 8/5/2025			
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/19/2025	7/19/2025		7/24/2025				
Pharmacy (15-06)	Mail-Order and Non-Resident Pharmacies Legislative	6/19/2025	7/19/2025		7/24/2025				
Pharmacy (15-07)	Board of Pharmacy Rules for Registration of Pharmacy Technicians 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	EFFECTIVE
Pharmacy (15-10)	Board of Pharmacy Rules for Pharmacist Recovery Networks Legislative	6/19/2025	7/19/2025		7/24/2025			
Pharmacy (15-12)	Board of Pharmacy Rules for Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians Legislative	6/19/2025	7/19/2025		7/24/2025			
Pharmacy (15-15)	Rules Governing Pharmacy Permits Legislative	6/19/2025	7/19/2025		7/24/2025			
Pharmacy (15-16)	Rules Governing Pharmacist Legislative	6/19/2025	7/19/2025		7/24/2025			
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 6/17/2025	3/28/2025 7/17/2025	2/21/2025 Approved 2/25/2025	4/1/2025 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 Effective 8/20/2025	8/18/2025			
Public Service Commission (150-37) Sunset Provision	Rules Governing the Occupancy of Customer-Provided Conduit Legislative				3/12/2025	Approved 8/5/2025		
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/23/2025	7/23/2025		7/24/2025			
Racing Commission (178-10) Sunset Provision	Advance Deposit Account Wagering (ADW) Legislative				7/22/2025	Approved 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) Sunset Provision	Ron Yost Personal Assistance Services Act Board Legislative				3/31/2025	Approved 8/5/2025		

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Risk and Insurance Management (115-01) Sunset Provision	Mine Subsidence Insurance Legislative				7/18/2025	Modified & Approved 8/5/2025 Filed 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 8/5/2025			
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				6/24/2025	Approved 8/5/2025			
Senior Services (76-04)	West Virginia State Plan for Aging Programs Interpretive	4/2/2025	5/1/2025					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 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				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Filed 8/26/2025			
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			
Tax (110-13Q, repeal)	Commercial Patent Incentives Tax Credit Legislative	6/24/2025	7/24/2025		7/25/2025				
Tax (110-16A)	On-Line Bingo and Raffles Legislative	6/24/2025	7/24/2025		7/25/2025				
Tax (110-19, repeal)	Soft Drinks Tax Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 8/5/2025			
Tax (110-21H)	Income Tax Credits for Property Taxes Paid Legislative	6/24/2025	7/24/2025		7/25/2025				
Tax (110-36)	Preneed Cemetery Companies Legislative	6/24/2025	7/24/2025		7/25/2025				
Waste Mgmt. Div. of Water & Waste Mgmt (33-20)	Hazardous Waste Management System Legislative	5/30/2025	7/15/2025		7/23/2025				
Water Resources, Division of Water & Waste Mgmt. (47-02)	Requirements Governing Water Quality Standards Legislative	5/30/2025	7/15/2025 Extended to 7/21/2025		7/24/2025				
Water Resources, Division of Water & Waste Mgmt. (47-08B)	Carbon Dioxide Sequestration Fee Schedule Legislative	5/30/2025	7/15/2025		7/24/2025				



DAVID L. KELLY
COMMISSIONER

STATE OF WEST VIRGINIA
DEPARTMENT OF HOMELAND SECURITY
DIVISION OF CORRECTIONS
AND REHABILITATION



DOUGLAS P. BUFFINGTON, II
ACTING CABINET SECRETARY

STATE OF WEST VIRGINIA
DEPARTMENT OF HOMELAND SECURITY
Building 1, Suite W-400
1900 Kanawha Blvd., East
Charleston, West Virginia 25305
Established May 28, 2020



OFFICE OF THE SECRETARY
DOUGLAS P. BUFFINGTON, II
ACTING CABINET SECRETARY
Email: Douglas.P.Buffington@wv.gov
Telephone: 304-558-2930
Website: dhs.wv.gov

LEGISLATIVE

Office of the Commissioner
1409 Greenbrier Street
Charleston, WV 25311
304-558-2038 Telephone
304-558-5367 Fax

MEMORANDUM

To: All DCR Employees

From: David L. Kelly, Commissioner

Date: 04 September 2025

Re: Cancellation of Specific Written Instruction

Please be advised DCR Policy Directive 402.00 Food Service recently distributed with an effective date of 17 September 2025 is hereby canceled. The previous version of Policy Directive 402.00 with an effective date of 15 August 2022 will remain in effect until further notice.

cc: Lance Yardley, Deputy Commissioner

FILED
2025 SEP -4 P 2:11
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

September 4, 2025

103 CSR 06
Title 103
Legislative Rule
State Fire Marshal
Series 6

"Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Officials, Building Code Inspectors and Plans Examiners"

103 CSR 06, the legislative rule titled "Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Officials, Building Code Inspectors and Plans Examiners" was Notice filed on June 23, 2025, with the Secretary of State.

The written public comment period ended July 23, 2025, at 12:00 pm. No public comments were received.

Subsequently, the rule was Agency Approved filed on July 23, 2025.

The State Fire Marshal wishes to explore statutory changes to the West Virginia Code prior to making changes to the legislative rule.

As such, the State Fire Marshal has decided to withdraw the legislative rule for further consideration.

HONORING THE PAST, EMBRACING THE PRESENT, CREATING THE FUTURE

Administrative Services - Corrections and Rehabilitations - Emergency Management - Fusion Center
General Counsel - Parole Board - Protective Services - State Fire Marshal - State Police

Orders Report

Docket Number	Agency	Respondent	Date Rendered
23-1C-156703	Insurance Commission	Indemnity Insurance Company of North America	8/29/2025
24-1C-159549	Insurance Commission	Javon Dawson	9/2/2025



State of West Virginia
Office of the Attorney General

John B. McCuskey
Attorney General

September 4, 2025

The Honorable Charlie B. Johnson III
Mineral County Prosecuting Attorney
150 Armstrong Street
Keyser, W. Va. 26726

Dear Prosecutor Johnson:

You have asked for an Opinion of the Attorney General about the Mineral County Commission's authority to require volunteer fire departments to submit to financial review as a condition of receiving levy funds. This Opinion is being issued under West Virginia Code Section 5-3-2, which provides that the Attorney General "may consult with and advise the several prosecuting attorneys in matters relating to the official duties of their office." When this Opinion relies on facts, it depends solely on the factual assertions in your correspondence and discussions with the Office of the Attorney General.

You explain that the Mineral County Commission requires local volunteer fire departments to sign a Memorandum of Understanding as a condition to receive levy funds. That MOU says the VFDs must allow an independent accountant to conduct annual financial reviews following agreed-upon procedures. Under these procedures, the VFD must deposit levy funds into a designated account. The MOU does not say where VFDs must deposit other funds disbursed by the County Commission—such as State Fire Protection Funds. Each VFD signed this MOU, and your letter suggests that the County Commission has withheld levy funds when a VFD has failed to comply with the MOU.

You further explain that the County Commission recently informed the VFDs that *all* fire-related accounts, not just levy accounts, must be included in the financial review. One VFD has objected to this requirement. That VFD will allow the County Commission to review only its levy account, which is also the account into which it deposited the State Fire Protection Funds. In response, the County Commission requested this opinion.

FILED

2025 SEP -4 P 2:50

OFFICE OF THE ATTORNEY GENERAL
STATE OF WEST VIRGINIA
SECRETARY OF STATE

AG OPINION

The Honorable Charlie B. Johnson III
Page 2

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

- (1) Does the County Commission have legal authority to require a financial review of volunteer fire departments' levy accounts and other accounts receiving public funds?
- (2) May the County Commission lawfully withhold levy disbursements from departments that refuse to comply with the financial review requirement?
- (3) If such requirements are not legally permissible, what would be a recommended, legally acceptable method to ensure proper accountability of levy funds disbursed to independent volunteer fire departments?

We conclude first that the County Commission may not require a financial review of either levy accounts or other financial accounts. We also conclude that the County Commission may not lawfully withhold levy disbursements. Finally, the County Commission may request that the Legislative Auditor perform an audit of any VFD about which the County Commission has concerns.

DISCUSSION

I. The County Commission Does Not Have Legal Authority To Require Financial Review Of Any VFD Accounts or Withhold Disbursements.

To determine whether the County Commission has the power to audit VFDs' accounts, we start with the basic principle that county commissions are "created by statute, and possessed only of such powers as are expressly conferred by the Constitution and legislature, together with such as are reasonably and necessarily implied in the full and proper exercise of the powers so ... given." Syl. pt. 1, *State ex rel. State Line Sparkler of WV, Ltd. v. Teach*, 187 W. Va. 271, 418 S.E.2d 585 (1992). So to require the financial reviews here, the County Commission must have either the express or necessarily implied power to do so.

County commissions do not possess an express audit power over VFDs. Your letter does not identify any statute "clearly and unmistakably" providing that authority "with directness and clarity," and we also have not located any. Express, *Black's Law Dictionary* (12th ed. 2024).

We conclude the County Commission has no implied power to conduct such audits, either. For implied audit authority to exist, such power must be "reasonably and necessarily implied in the full and proper exercise of" a county commission's express power. Syl pt. 4, *State ex rel. W. Va. Parkways Auth. v. Barr*, 228 W. Va. 27, 716 S.E.2d 689 (2011). Several statutes guide our analysis.

Start with West Virginia Code Section 7-1-3d(a)(1), which provides that county commissions may "[l]evy for and erect, maintain, and operate fire stations." The statute allows county commissions to "render financial aid to any one or more public fire protection facilities in

operation in the county for the general benefit of the public in the prevention of fires.” *Id.* § 7-1-3d(b). Thus, county commissions are authorized to levy for and provide funding to fire departments, including VFDs.

Nothing about this language implies that the County Commission holds the power to condition those funds on an audit. That silence is meaningful. *See State ex rel. Matthews v. Anderson*, 127 W. Va. 147, 31 S.E.2d 779, 781 (1944) (finding that county court did not have claimed authority over ballots where relevant statutes were “silent” as to the claimed authority). And “[w]here the language of a statute is clear and without ambiguity the plain meaning is to be accepted without resorting to the rules of interpretation.” Syl. pt. 2, *State v. Elder*, 152 W. Va. 571, 165 S.E.2d 108 (1968). Even if some ambiguity could be found, that ambiguity must be resolved *against* the County Commission. Syl. pt. 1, *McCallister v. Nelson*, 186 W. Va. 131, 411 S.E.2d 456 (1991) (“If any reasonable doubt exists as to whether” a county commission “has a power, the power must be denied.”). Indeed, for reasons like this, we determined in a prior opinion that “Code 7-1-3d ... authorizes financial aid to be rendered by a county court to any public fire protection facility within the county (including [VFDs])” but has “no provision made for the audit of such funds.” W. Va. Op. Att’y Gen., Opinion Letter to the Honorable Russell C. Dunbar (April 3, 1968), 1968 WL 94102, at *3.

Next, West Virginia Code Section 8-15-7a specifically reserves (as of July 2025) “the authority and the duty to make a regular review of the finances of each [VFD]” to the West Virginia Legislative Auditor. The Legislative Auditor completes VFD audits “at least once every five years.” *Id.* The statute permits more frequent audits as well if the Legislative Auditor has cause to believe they are necessary. *Id.* The audits would cover accounts with levy funds, too, as the statute calls for review of “all income of the [VFD], regardless of the source of funds.” *Id.*

The “[e]xplicit direction for” the Legislative Auditor to have this power, and the “absence” of such direction for county commissions “implies an intent to negate it in the second context.” *Gibson v. Northfield Ins. Co.*, 219 W. Va. 40, 47, 631 S.E.2d 598, 605 (2005) (cleaned up). After all, “it is generally presumed that the Legislature acts intentionally and purposefully in the disparate inclusion or exclusion” of language in related statutes. *Christopher J. v. Ames*, 241 W. Va. 822, 831, 828 S.E.2d 884, 893 (2019) (cleaned up). This distinction is especially significant given that the Legislature chose to empower county commissions with audit power elsewhere, further reinforcing the significance of the omission here. *See, e.g., W. Va. Code* § 3-1-44 (providing that election expenses “are to be audited by the county commission”).

Finally, the Legislature speaks explicitly when it wants relevant entities to detail and report fire-related expenses. For example, county commissions may contribute to the “county fire board.” W. Va. Code § 7-17-17. The fire board must then deposit those funds “in such bank or banks as the county fire board may direct” and “withdraw[] therefrom in such manner as the county fire board may direct.” *Id.* In that case, the county fire board “shall keep strict account of all its receipts and expenditures and shall each quarter make a quarterly report to the county commission and municipalities containing an itemized statement of its receipts and disbursements during the preceding quarter.” *Id.* County fire boards also must report on their finances annually. *Id.* No similar statutory requirements apply to VFDs. Again, we must “assume the omission was intentional.” *State ex rel. Riffe v. Ranson*, 195 W. Va. 121, 128, 464 S.E.2d 763, 770 (1995).

AG OPINION

Further, the County Commission cannot use the MOU to create a power that doesn’t exist. Remember county commissions “are limited in their authority.” *Barr*, 228 W. Va. at 32, 716 S.E.2d at 694. And unlike the county fire board, county commissions lack general contracting authority or the specific authority to contract for services “in connection with obtaining funds.” W. Va. Code § 7-17-14. Indeed, the Legislature frequently specifies what kinds of contracts county commissions may enter. *See, e.g., W. Va. Code* §§ 7-1-3a (power to contract for construction of streets and sewers), 7-1-3cc (power to contract with telephone companies), and 7-1-3gg (power to enter agreements to lease equipment and materials). A contract for VFD audits isn’t one. And because the power to contract is expressly granted on some subjects, county commissions can only exercise that power “in the mode prescribed.” Syl. pt. 1, *State ex rel. County Court v. Arthur*, 150 W. Va. 293, 145 S.E.2d 34 (1965).

Put simply, it is improper to “arbitrarily ... read into [statutes] that which [they] do[] not say.” *Banker v. Banker*, 196 W. Va. 535, 546-47, 474 S.E.2d 465, 476-77 (1996). And no statutory or constitutional provision—expressly or otherwise—gives the County Commission the power to require VFDs to submit to a financial review as a term of levy disbursement. So they cannot.

It follows, then, that the County Commission also cannot withhold levy disbursements for VFDs who do not comply with that improper condition.

II. The County Commission Can Take Steps Going Forward To Ensure Accountability.

Lastly, you have asked how the County Commission might—short of an audit—ensure that VFDs are spending their funds appropriately.

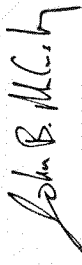
The statute again provides the answer: if the County Commission suspects a VFD of impropriety, the County Commission could contact the Legislative Auditor. *See W. Va. Code* § 8-15-7a. While these audits occur no less than once every five years, the Legislative Auditor needs only “cause to believe that loss, mismanagement, misuse, or waste” is occurring to initiate an audit. *Id.* Though you do not suggest that any specific VFD is guilty of such abuses, this statutorily prescribed audit process is the most direct route to accountability.

You may also seek assistance from the State Auditor’s Office. The Legislature empowered that office to “[m]ak[e] annual or special financial and compliance examinations or audits of local government offices.” W. Va. Code § 6-9-11(a)(1). Local government offices include “any other authority, board, commission, district, office, public authority, public corporation or other instrumentality of a county ... or municipality.” *Id.* § 6-9-11(a). Because the volunteer fire department is always subject to the “governing body” of a municipality, *id.* § 8-1-2(b)(1), § 8-1-4, it would appear to constitute a “local government office” subject to the State Auditor’s broader powers.

We focus on these two legal avenues to ensure accountability, but the County Commission might also find other ways to bring to light financial malfeasance, including public calls for financial disclosure.

AG OPINION

Sincerely,



John B. McCuskey
West Virginia Attorney General

Holly J. Wilson
Principal Deputy Solicitor General

Caleb A. Seckman
Assistant Solicitor General

WEST VIRGINIA HEALTH CARE AUTHORITY

CERTIFICATE OF NEED

100 Dee Drive
Charleston, West Virginia 25311-1600

OTHER

09/02/2025

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **08/29/2025**.

LETTER OF INTENT RECEIVED

August 27, 2025 - Kinstead Family Services, LLC d/b/a Crytzer Group, LLC, CON File #25-2/3-13378-BH, for the provision of CSED Waiver Services in Cabell, Putnam, Kanawha, Lincoln, Mason and Wayne Counties in West Virginia. Capital Expenditure \$10,000.

PROJECTS EXEMPT FROM REVIEW

August 25, 2025 - 150 Hopemont Dr WVA Realty LLC, CON File #25-6-13367-X, for the acquisition from the State of West Virginia Department of Health Facilities ("Seller") of the real property and equipment of Hopemont Hospital, a 98 bed nursing home located at 150 Hopemont Drive, Terra Alta, Preston County, West Virginia.

August 25, 2025 - 105 S Eisenhower Dr WVA Realty LLC, CON File #25-1-13370-X, for the acquisition from the State of West Virginia Department of Health Facilities ("Seller") of the real property and equipment of Jackie Withrow Hospital, a 199 bed nursing home located at 105 S. Eisenhower Drive, Beckley, Raleigh County, West Virginia.

August 25, 2025 - 11522 Ohio River Rd WVA Realty LLC, CON File #25-2-13369-X, for the acquisition from the State of West Virginia Department of Health Facilities ("Seller") of the real property and equipment of Lakin Hospital, a 11 bed nursing home located at 11522 Ohio River Road, West Columbia, Mason County, West Virginia.

August 25, 2025 - 401 Guffey St WVA Realty LLC, CON File #25-6-13368-X, for the acquisition from the State of West Virginia Department of Health Facilities ("Seller") of the real property and equipment of John Machin Sr. Health Care Center, a 100 bed nursing home located at 401 Guffey Street, Fairmont, Marion County, West Virginia.

August 25, 2025 - City Hospital, Inc. d/b/a Berkeley Medical Center, CON File #25-9-13374-X, for the relocation of two BMCs behavioral health services to a new combined site located at 208 Viking Way, Martinsburg, Berkeley County, West Virginia.

August 25, 2025 - Herbert J. Thomas Memorial Hospital Association d/b/a Southway, CON File #25-3-13358-X, for the development of an additional site for outpatient behavioral health services under Southway's existing behavioral health license to be located at 4605 MacCorkle Avenue, SW, South Charleston, Kanawha County, West Virginia.

August 25, 2025 - Hopemont WVA Facility Operations LLC, CON File #25-6-13363-X, for the acquisition from the State of West Virginia Department of Health Facilities ("Seller") of the licensed nursing home operations of Hopemont Hospital, a 98 bed nursing home located at 150 Hopemont Drive, Terra Alta, Preston County, West Virginia.

August 25, 2025 - Jackie Withrow WVA Facility Operations LLC, CON File #25-1-13364-X, for the acquisition from the State of West Virginia Department of Health Facilities ("Seller") of the licensed nursing home operations of Jackie Withrow Hospital, a 199 bed nursing home located at 105 S. Eisenhower Drive, Beckley, Raleigh County, West Virginia.

August 25, 2025 - Lakin WVA Facility Operations LLC, CON File #25-2-13365-X, for the acquisition from the State of West Virginia Department of Health Facilities ("Seller") of the licensed nursing home operations of Lakin Hospital, a 114 bed nursing home located at 11522 Ohio River Road, West Columbia, Mason County, West Virginia.

August 25, 2025 - Manchin WVA Facility Operations LLC, CON File #25-6-13366-X, for the acquisition from the State of West Virginia Department of Health Facilities ("Seller") of the licensed nursing home operations of John Manchin Sr. Health Care Center, a 100 bed nursing home located at 401 Guffey Street, Fairmont, Marion County, West Virginia.

August 25, 2025 - Path Integrated Healthcare - WV LLC, d/b/a Path Behavioral Health, CON File #25-5-13361-X, for the provision of providing behavioral health services located at 422 Charleston Dr., Suite A, Ripley, Jackson County, West Virginia.

August 25, 2025 - Path Integrated Healthcare - WV LLC d/b/a Path Behavioral Health, CON File #25-5-13360-X, for the provision of providing behavioral health services located at 212 Lakeview Drive, Parkersburg, Wood County, West Virginia.

August 25, 2025 - Recovery Resource Group, LLC, CON File #25-2-13362-X, for the provision of expanding its outpatient behavioral health services to be located at 906 20th Street, Huntington, Cabell County, West Virginia.

August 25, 2025 - The Village of Benevolence Senior Care Living, CON File #25-2-13357-X, for the provision of providing assistance with daily activities to include medication management to be located at 3455 RT 75, Huntington, Cabell County, West Virginia.

DECISION ON SUBSTANTIAL CHANGE ISSUED

August 26, 2025 - UnitedHealth Group Incorporated, CON File #23-1/3/5/6-12837-X, for the Merger involving UnitedHealth Group, Inc. for the Merger involving UnitedHealth Group, Inc. to acquire four (4) WV hospice parent facilities (with 2 branch facilities).

POTENTIAL VIOLATION ORDER

August 28, 2025 - Thomas Memorial Hospital Association d/b/a Thomas Memorial Hospital, CON File #24-3-13064-PV, CAMC requested that the Authority investigate the operations at the Thomas' Teays Valley Oncology Center located at 4004 State Route 34, Hurricane, West Virginia referred to as ("Teays Valley Location"). TMH has presented information, as required by the Board, which shows that at no time has the Teays Valley Location ceased all operations for twelve (12) months. Additionally, they have not performed any health care service which they are not currently authorized to offer. Therefore, the facility is found **NOT** to be in violation.

OTHER

Eric Nelson
Secretary of Revenue

The Honorable Kris Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Attached for filing in the State Register are final natural resource property valuation variables for the 2026 Tax Year that have been developed by the State Tax Division for use in determining the appraised value of coal, oil, natural gas, managed timberland, and other natural resource properties for ad valorem tax purposes.

In accordance with the requirements of §§110CSR1-1, 1-J, and 1-K, tentative variables were made available for public comments on July 1, 2024. The Division received comments on the tentative valuation variables.

The first comment the agency received related to the reserve oil and gas rates and the need to engage in an updated review of the rates. The current rates reflect the best information available at the time of filing.

The next comment related to the management fee increase from last year in the valuation of managed timberland. The agency undertook a detailed analysis of the industry following the use of a simple inflationary variable last year. After weighing the validity of sources, a rate of \$8.55 was determined.

The next comment related to historical risk rates not properly brought over from the prior year. This related to a clerical error in last year's final variables. The rate has been properly updated, but no change to the actual value of managed timberland was warranted.

The final comment related to the inflation rate utilized for managed timberland. After review of the rate, it was determined that no changes are necessary at this time.

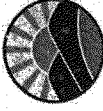
Sincerely,

Matthew Irby
State Tax Commissioner

Attachment

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

Tax Commissioner's Office, 1601 Lee Street East, P.O. Box 11771, Charleston, WV 25319-1771
Telephone: 304.558.2751
Fax: 304.558.8999



WEST VIRGINIA
TAX DIVISION

2025 SEP -2 P 3: 02
Matthew Irby
OFFICE Tax Commissioner
SECRETARY OF REVENUE

FILED