

WEST VIRGINIA REGISTER

Published by the Office of the
Secretary of State

Volume XLIII

Issue 7

February 20, 2026

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

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

American Society of Composers, Authors & Publishers
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Health Care Authority

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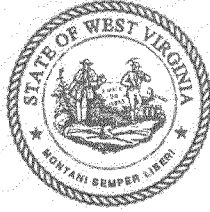
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NO RULES FILED FOR PUBLIC COMMENT THIS WEEK

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

<u>AGENCY/RULE</u>	<u>RULE NAME</u>	<u>AUTHORITY</u>	<u>EFFECTIVE DATE</u>	<u>COMMENT END DATE</u>
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1900 Kanawha Blvd. E.
Building I, 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

GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

- Column 1. Agency Name, (Title and Series Number)
- Column 2. Rule Title and Type
- Column 3. Date Notice of Public Hearing or Comment Period Filed
- Column 4. Date of Public Hearing or Last Date Comments Will Be Received
- Column 5. Date Emergency Rule Filed, Emergency Amendment Filed, Emergency Rule Decision Date (ERD), and Effective Date of Emergency Rule
- Column 6. Date Agency Approved Rule Filed (Legislative Rules Only)
- Column 7. Review date by the Legislative Rule-Making Review Committee or Legislative Oversight Commission on Education Accountability, and Action Taken
- Column 8. Legislative Action
- Column 9. Date Agency Final Files the Rule
- Column 10. Date Rule is Effective

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- Emergency rules will not have a "Notice" date until the agency files one, but the rule will appear in Columns 1, 2, & 5. An Agency must file for a public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
 - If more than one date appears in a column, it means the agency has repeated that step (example: holding an additional comment period)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
TITLE 1	ACCOUNTANCY
TITLE 2	ARCHITECTS
TITLE 3	BARBERS AND COSMETOLOGISTS
TITLE 4	CHIROPRACTIC EXAMINERS
TITLE 5	DENTISTRY
TITLE 6	FUNERAL SERVICE EXAMINERS
TITLE 7	PROFESSIONAL ENGINEERS
TITLE 10	LICENSED PRACTICAL NURSES
TITLE 11	MEDICINE
TITLE 14	OPTOMETRY
TITLE 15	PHARMACY
TITLE 16	PHYSICAL THERAPY
TITLE 17	PSYCHOLOGISTS
TITLE 19	REGISTERED NURSES
TITLE 20	SANITARIANS
TITLE 22	FORESTRY
TITLE 24	OSTEOPATHIC MEDICINE
TITLE 25	SOCIAL WORK EXAMINERS
TITLE 26	VETERINARY MEDICINE
TITLE 27	COUNSELING
TITLE 29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE 30	RESPIRATORY CARE
TITLE 31	DIETITIANS
TITLE 32	ACUPUNCTURE
TITLE 33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE 35	OIL AND GAS
TITLE 36	COAL MINE HEALTH AND SAFETY
TITLE 38	MINING AND RECLAMATION
TITLE 42	LABOR
TITLE 45	AIR QUALITY
TITLE 47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE 53	PUBLIC ENERGY AUTHORITY
TITLE 56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE 58	NATURAL RESOURCES
TITLE 60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE 61	AGRICULTURE
TITLE 64	HEALTH
TITLE 65	HEALTH CARE AUTHORITY
TITLE 71	OFFICE OF THE INSPECTOR GENERAL
TITLE 76	SENIOR SERVICES
TITLE 78	HUMAN SERVICES
TITLE 81	STATE POLICE
TITLE 87	FIRE COMMISSION
TITLE 89	PUBLIC DEFENDER SERVICES
TITLE 90	CORRECTIONS
TITLE 91	MOTOR VEHICLES
TITLE 103	FIRE MARSHAL
TITLE 110	TAX DEPARTMENT
TITLE 112	TREASURER
TITLE 114	INSURANCE COMMISSION
TITLE 126	EDUCATION
TITLE 127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE 133	HIGHER EDUCATION POLICY COMMISSION
TITLE 135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE 143	PERSONNEL
TITLE 144	TOURISM
TITLE 145	DEVELOPMENT OFFICE
TITLE 146	STATE ELECTION COMMISSION
TITLE 148	ADMINISTRATION
TITLE 149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE 150	PUBLIC SERVICE COMMISSION
TITLE 153	SECRETARY OF STATE
TITLE 155	AUDITOR
TITLE 157	HIGWAYS
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/OCEA 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	Modified & Approved 10/2/2025 Filed 10/23/2025	HB4200 SB251 Bundled SB251		
Agriculture (61-01B) Sunset Provision	Registration Forms and Tags for Dogs Legislative				6/23/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4265 SB312		
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	HB4266 SB313		
Agriculture (61-11)	Regulations Governing Public Markets Legislative	6/25/2025	7/25/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4267 SB314		
Agriculture (61-11H) Sunset Provision	Licensing of Livestock Dealers Legislative				6/23/2025	Modified & Approved 8/5/2025 Filed 8/18/2025	HB4268 SB315		
Agriculture (61-15)	Grade "A" Pasteurized Milk Legislative	6/4/2025	7/4/2025	6/4/2025 Approved 6/10/2025	7/8/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4269 SB316		
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	Modified & Approved 10/8/2025 Filed 12/4/2025	HB4270 SB317		
Agriculture (61-37)	Agritourism Legislative	6/25/2025	7/25/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4271 SB318		
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	HB4272 SB310		
Air Quality (45-01)	Alternative Emission Limitations During Startup and Shutdown Legislative	5/30/2025	7/1/2025		7/22/2025	Approved 10/8/2025	HB4205 SB256 Bundled SB256		
Air Quality (45-08)	Ambient Air Quality Standards Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 10/8/2025	HB4206 SB257 Bundled SB256		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/IOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 10/8/2025	HB4207 SB258 Bundled SB256		
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 10/8/2025	HB4208 SB259 Bundled SB256		
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	Approved 9/7/2025	HB4209 SB260 Bundled SB256		
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 9/7/2025	HB4210 SB261 Bundled SB256		
Air Quality (45-43)	Cross-State Air Pollution Rule to Control Annual Nitrogen Oxide Emissions, Annual Sulfur Dioxide Emissions, and Ozone Season Nitrogen Oxides Emissions Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 9/7/2025	HB4211 SB262 Bundled SB256		
Alcohol Beverage Control Commission (175-02)	Private Club Licensing Legislative	6/18/2025	7/18/2025		7/22/2025	Modified & Approved 9/7/2025 Filed 9/11/2025	HB4236 SB287		
Architects (2-01)	Registration of Architects Legislative	6/12/2025	7/12/2025		7/25/2025	Modified & Approved 10/2/2025 Filed 11/25/2025	HB4273 SB325		
Architects (2-03)	Fees for Registration of Architects Legislative	6/12/2025	7/12/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 10/8/2025	HB4274 SB326		
Attorney General (142-03)	Legislative Rule Pertaining to the Establishment and Qualification of Third-Party Dispute Mechanisms Legislative					Authorized w/Certain Amendments 10/8/2025	HB4275 SB320		
Attorney General (142-04)	Fair Treatment of Crime Victims and Witnesses Legislative					Authorized w/Certain Amendments 10/8/2025	HB4276 SB321		
Attorney General (142-05)	Prevention of Unfair or Deceptive Acts or Practices in Home Improvement Transactions Legislative					Authorized w/Certain Amendments 10/8/2025	HB4277 SB322		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Attorney General (142-06)	Legislative Rule Pertaining to the Prevention of Unfair or Deceptive Acts or Practices in Sale of Damaged Goods or Damaged Products Legislative					Authorized w/Certain Amendments 10/8/2025	HB4278 SB323		
Attorney General (142-08)	Administration of Preened Burial Contracts Legislative					Authorized w/Certain Amendments 10/8/2025	HB4279 SB324		
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	Modified & Approved 10/2/2025 Filed 10/17/2025	HB4280 SB327		
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	Modified & Approved 9/5/2025 Filed 9/19/2025	HB4281 SB328		
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	Modified & Approved 9/5/2025 Filed 9/19/2025	HB4282 SB329		
Barbers and Cosmetologists (3-13)	Barber Apprenticeship Legislative	6/17/2025	7/25/2025		7/28/2025	Modified & Approved 9/5/2025 Filed 9/23/2025	HB4283 SB330		
Barbers and Cosmetologists (3-14)	Waxing Specialist Legislative	6/18/2025	7/25/2025		7/28/2025	Approved 9/5/2025	HB4284 SB331		
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 Effective 9/16/2025	7/18/2025	Modified & Approved 9/8/2025 Filed 9/9/2025	HB5354		
Community and Technical College Education (135-30)	Purchasing Procedural	1/23/2026	2/23/2026						
Community and Technical College Education (135-43, repeal)	Purchasing Efficiencies Legislative	6/3/2025	7/7/2025		7/18/2025	Approved 12/8/2025	HB5354		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Contractor Licensing Board (28-02)	West Virginia Contractor Licensing Act Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 9/10/2025	HB4285 SB335		
Counseling (27-01)	Licensing Rule Legislative	6/25/2025	7/24/2025		7/28/2025	Modified & Approved Filed 10/21/2025	HB4286 SB332		
Counseling (27-03)	Licensed Professional Counselor License Requirements and Continuing Professional Education Requirements Legislative	6/25/2025	7/24/2025		7/28/2025	Modified & Approved Filed 10/21/2025	HB4287 SB333		
Counseling (27-08)	Marriage and Family Therapist Licensing Legislative	6/25/2025	7/24/2025		7/28/2025	Modified & Approved Filed 10/21/2025	HB4288 SB334		
Crime Delinquency and Correction (149-02)	Law Enforcement Training and Certification Standards Legislative	6/24/2025	7/24/2025		7/24/2025	Modified & Approved Filed 9/24/2025	HB4230 SB281 Bundled SB281		
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	2/12/2026	3/16/2026	2/3/2026 ERD by 3/17/2026					
Economic Development (145-16) Sunset Provision	Tourism Development Districts Legislative				10/8/2024	Approved 8/5/2025	HB4323 SB374 Bundled SB374		
Economic Development (145-20)	Rule to Petition the Department of Commerce for Certification of a Microgrid District or Certification as a High Impact Data Center Legislative	11/10/2025	12/10/2025	11/10/2025 Effective 12/22/2025	11/12/2026	Modified & Approved Filed 1/29/2026	HB4983 SB695		
Education (126-089)	West Virginia Design and Equipment Requirements for School Transportation Vehicles (4334) Legislative Exempt	5/14/2025	6/14/2025						
Environmental Protection Secretary's Office (60-09)	Voluntary Remediation and Redevelopment De Minimis Standards Interpretive	1/6/2026	2/10/2026						
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	Modified & Approved Filed 9/10/2025	HB4237 SB336		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/IOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	Approved 9/5/2025	HB4238 SB337		
Financial Institutions, Division of (106-17)	Notice and Treatment of Joint Accounts Legislative	6/19/2025	7/21/2025		7/23/2025	Approved 9/5/2025	HB4239 SB338		
Financial Institution (106-21) Sunset Provision	Rule Pertaining to the Fintech Regulatory Sandbox Legislative				2/3/2025	Approved 8/5/2025	HB4240 SB339		
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	Modified & Approved 9/5/2025 Filed 10/6/2025	HB4231 SB282 Bundled SB281		
Foresters (200-04)	Schedule of Fees Legislative	1/27/2026	3/13/2026						
Forestry (22-06)	Rules for the Certification of Managed Timberland Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 12/10/2025 Filed 12/10/2025	HB4324 SB375 Bundled SB374		
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	Modified & Approved 9/5/2025 Filed 9/10/2025	HB4289 SB340		
Health (64-19)	Water Well Regulations Legislative					Authorized w/Certain Amendments 9/5/2025	HB4215 SB266 Bundled HB4215		
Health (64-45)	Lead Abatement Licensing Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 10/2/2025 Filed 10/17/2025	HB4216 SB267 Bundled HB4215		
Health (64-48)	Emergency Medical Services Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 9/10/2025 Filed 9/18/2025	HB4217 SB268 Bundled HB4215		
Health (64-51)	Fees for Services Legislative	6/24/2025	7/24/2025		7/25/2025	Authorized as Modified w/Certain Amendments 10/8/2025 Filed 12/5/2025	HB4218 SB269 Bundled HB4215		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-57)	Clinical Laboratory Practitioner Licensure Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 10/17/2025	HB4219 SB270 Bundled HB4215		
Health (64-59)	Patient Rights at State-Operated Mental Health Facilities Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 9/10/2025	HB4229 SB280 Bundled HB4215		
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	Approved 10/8/2025	HB4220 SB271 Bundled HB4215		
Health (64-73)	Basic Public Health Service Standards for Local Boards of Health Legislative	6/23/2025	7/23/2025		7/25/2025	Authorized as Modified w/Certain Amendments 10/8/2025 Filed 12/5/2025	HB4221 SB272 Bundled HB4215		
Health (64-115)	Diabetes Self-Management Education Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4222 SB273 Bundled HB4215		
Health Care Authority (65-29) Sunset Provision	Exemption from Certificate of Need Legislative				7/21/2025	Approved 8/12/2025	HB4223 SB274 Bundled HB4215	2/9/2026	3/9/2026
Higher Education Policy Commission (133-30)	Purchasing Procedural	1/6/2026	2/6/2026						
Higher Education Policy Commission (133-41)	Health Sciences Service Program Procedural	6/30/2025	7/30/2025					1/22/2026	2/22/2026
Higher Education Policy Commission (133-43, repeal)	Purchasing Efficiencies Legislative	6/30/2025	7/30/2025		7/31/2025	12/8/2025 Approved	HB5354		
Higher Education Policy Commission (133-48, repeal)	Research Trust Fund Legislative	6/30/2025	7/30/2025		7/31/2025	Approved 9/12/2025	HB5354		
Higher Education Policy Commission (133-63)	Mental Health Loan Repayment Program Legislative	6/30/2025	7/30/2025		7/31/2025	Approved 9/12/2025	HB5354		
Higher Education Policy Commission (133-64)	Administrative Exemption Legislative	6/30/2025	7/30/2025		7/31/2025	Modified & Approved 12/8/2025 Filed 12/10/2025	HB5354		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Highways (157-03)	Construction and Reconstruction of State Roads Legislative	6/24/2025	7/24/2025		8/7/2025				
Highways (157-05)	Traffic and Safety Rules Legislative	11/10/2025	12/10/2025	11/10/2025 Effective 12/22/2025	12/11/2025				
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	HB4241 SB288		
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	HB4242 SB289		
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	HB4243 SB290		
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	HB4244 SB291		
Insurance Comm. (114-25) Sunset Provision	Insurance Adjusters Legislative				4/16/2025	Approved 8/5/2025	HB4245 SB292		
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	HB4246 SB293		
Insurance Comm. (114-40) Sunset Provision	Credit for Reinsurance Legislative				4/16/2025	Modified & Approved 8/13/2025 Filed 8/21/2025	HB4247 SB294		
Insurance Comm. (114-64) Sunset Provision	Mental Health Parity Legislative				4/16/2025	Approved 8/5/2025	HB4248 SB295		
Labor (42-09)	Child Labor Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 9/5/2025 Filed 9/10/2025	HB4325 SB376 Bundled SB374		
Landscape Architects (9-03)	Fees Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 10/8/2025	HB4290 SB341		
Landscape Architects (9-04) Sunset Provision	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative				7/25/2025	Approved 8/5/2025	HB4291 SB342		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Lottery Commission (179-10) Sunset Provision	West Virginia Lottery Interactive Wagering Rule Legislative				6/25/2025	Approved 8/5/2025	HB4249 SB296		
Medicine (11-01B)	Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4292 SB343		
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4293 SB344		
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	HB4294 SB345		
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	HB4295 SB346		
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	HB4296 SB347		
Miners' Health Safety and Training (56-03)	Rule Governing the Safety of Those Employed in and Around Surface Mines in West Virginia Legislative	12/15/2025	1/16/2026	12/15/2025 Effective 1/26/2026	1/23/2026				
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	HB4326 SB377 Bundled SB374		
Motor Vehicles (91-11, repeal)	Motor Vehicle Equipment Legislative	6/23/2025	7/23/2025		7/24/2025	Approved 8/5/2025	HB4262 SB309 Bundled SB309		
Motor Vehicles (91-13)	Compulsory Motor Vehicle Liability Insurance Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 9/5/2025 Filed 9/22/2025	HB4263 SB310 Bundled SB309		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Motor Vehicles (91-25) Sunset Provision	Special Purpose Vehicles Legislative				6/23/2025	Approved 8/5/2025	HB4264 SB311 Bundled SB309		
Municipal Pensions Oversight Board (211-02) Sunset Provision	Exempt Purchasing Legislative				10/9/2024	Approved 8/5/2025	HB4297 SB348		
Natural Resources (58-14, repeal)	Rules Governing Small Arms Hunting Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 8/5/2025	HB4327 SB378 Bundled SB374		
Natural Resources (58-21)	Wildlife Rehabilitation Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 10/8/2025 Filed 12/11/2025	HB4328 SB379 Bundled SB374		
Natural Resources (58-26)	Special Boating Rules Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4329 SB380 Bundled SB374		
Natural Resources (58-46) Sunset Provision	Defining the Terms Used in All Hunting and Trapping Legislative				3/31/2025	Approved 8/5/2025	HB4330 SB381 Bundled SB374		
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4331 SB382 Bundled SB374		
Natural Resources (58-50) Sunset Provision	Deer Hunting Rule Legislative				3/31/2025	Approved 8/5/2025	HB4332 SB383 Bundled SB374		
Natural Resources (58-56) Sunset Provision	Special Migratory Game Bird Hunting Legislative				3/31/2025	Approved 8/5/2025	HB4333 SB384 Bundled SB374		
Occupational Therapy (13-04)	Continuing Education and Competence Legislative	4/17/2025	6/1/2025		6/3/2025	Approved 8/5/2025	HB4298 SB349		
Office of Technology (163-03) Sunset Provision	Cyber Reporting Legislative				7/18/2025	Modified & Approved 8/5/2025 Filed 8/14/2025	HB4201 SB252 Bundled SB251		

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	Modified & Approved 12/10/2025 Filed 12/23/2025	HB4224 SB275 Bundled HB4215		
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	Authorized with Certain Amendments 12/10/2025	HB4225 SB276 Bundled HB4215		
Office of the Inspector General (71-21)	Assisted Living Residences Legislative					Authorized with Certain Amendments 12/10/2025	HB4226 SB277 Bundled HB4215		
Office of the Inspector General (71-24)	Syringe Services Program Licensure Legislative	6/23/2025	7/23/2025		7/25/2025	Modified & Approved 12/10/2025 Filed 12/23/2025	HB4227 SB278 Bundled HB4215		
Office of the Inspector General (71-25)	Behavioral Health Centers Licensure Legislative					Authorized with Certain Amendments 12/10/2025	HB4228 SB279 Bundled HB4215		
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	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4299 SB350		
Optometry (14-02)	Oral Pharmaceutical Certificate Legislative	6/10/2025	7/10/2025		7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4300 SB351		
Optometry (14-05)	Schedule of Fees Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 7/9/2025	7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4301 SB352		
Optometry (14-06, repeal)	Interview Evaluation Legislative	11/19/2025	12/19/2025		12/23/2025				
Optometry (14-08)	Licensure by Reciprocity Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 7/9/2025	7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4302 SB353		
Optometry (14-10)	Continuing Education Legislative	6/10/2025	7/10/2025		7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4303 SB354		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	6/25/2025	7/25/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 12/9/2025	HB4304 SB355		
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/25/2025	7/25/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 12/9/2025	HB4305 SB356		
Osteopathic Medicine (24-09) Sunset Provision	Emergency Temporary Permits to Practice During States of Emergency or States of Preparedness Legislative				3/27/2025	Approved 8/5/2025	HB4306 SB357		
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4307 SB358		
Pharmacy (15-06)	Mail-Order and Non-Resident Pharmacies Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4308 SB359		
Pharmacy (15-07)	Board of Pharmacy Rules for Registration of Pharmacy Technicians Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4309 SB360		
Pharmacy (15-10)	Board of Pharmacy Rules for Pharmacist Recovery Networks Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4310 SB361		
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	Modified & Approved 10/2/2025 Filed 10/22/2025	HB4311 SB362		
Pharmacy (15-15)	Rules Governing Pharmacy Permits Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 11/24/2025	HB4312 SB363		
Pharmacy (15-16)	Rules Governing Pharmacist Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4313 SB364		
Pharmacy (15-19)	Inspections Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 10/22/2025	HB4314 SB365		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
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	4/11/2025 7/24/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4315 SB366		
Physical Therapy (16-05)	General Provisions for Athletic Trainers Legislative	6/17/2025	7/17/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4316 SB367		
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	Modified & Approved 12/10/2025 Filed 12/19/2025	HB4317 SB368		
Public Service Commission (150-37) Sunset Provision	Rules Governing the Occupancy of Customer-Provided Conduit Legislative				3/12/2025	Approved 8/5/2025	HB4318 SB369		
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 11/5/2025	HB4250 SB297		
Racing Commission (178-10) Sunset Provision	Advance Deposit Account Wagering (ADW) Legislative				7/22/2025	Approved 8/5/2025	HB4251 SB298		
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	Modified & Approved 9/10/2025 Filed 9/18/2025	HB4319 SB370		
Rehabilitation Services (198-01) Sunset Provision	Ron Yost Personal Assistance Services Act Board Legislative				3/31/2025	Approved 8/5/2025	HB4334 SB385 Bundled SB374		
Risk and Insurance Management (115-01) Sunset Provision	Mine Subsidence Insurance Legislative				7/18/2025	Modified & Approved 8/5/2025 Filed 8/14/2025	HB4202 SB253 Bundled SB251		
Risk and Insurance Management (115-02)	Public Entities Insurance Program Legislative	6/2/2025	7/1/2025		7/8/2025	Modified & Approved 10/2/2025 Filed 10/10/2025	HB4203 SB254 Bundled SB251		
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	HB4204 SB255 Bundled SB251		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA 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	12/15/2025	1/16/2026		6/24/2025	Approved 8/5/2025	HB4320 SB371		2/20/2026
Secretary of State (153-57)	Exempt Purchasing for Critical Election Infrastructure Procedural							1/21/2026	
Senior Services (76-06) Sunset Provision	Shared Table Initiative for Senior Citizens Legislative				7/21/2025	Approved 10/8/2025	HB4321 SB372		
Social Work Examiners (25-03) Sunset Provision	Fee Schedule Legislative				7/25/2025	Approved 8/5/2025	HB4322 SB373		
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	HB4232 SB283 Bundled SB281		
State Police (81-03)	West Virginia State Police Career Progression System Legislative	6/23/2025	7/23/2025		7/23/2025	Modified & Approved 9/5/2025 Filed 9/24/2025	HB4233 SB284 Bundled SB281		
State Police (81-05)	Contracted Police or Security Services Legislative	6/23/2025	7/23/2025		7/23/2025	Modified & Approved 9/5/2025 Filed 9/24/2025	HB4234 SB285 Bundled SB281		
State Police (81-08)	West Virginia State Police Member Grievance Procedure Legislative	6/23/2025	7/23/2025		7/23/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4235 SB286 Bundled SB281		
Tax (110-01H)	Valuation of Timberland and Managed Timberland Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 9/7/2025	HB4252 SB299		
Tax (110-01M)	Valuation of Public Utility Property for Ad Valorem Property Tax Purposes Legislative	6/25/2025	7/25/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4253 SB300		
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	HB4254 SB301		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-13GG) Sunset Provision	Downstream Natural Gas Manufacturing Investment Tax Credit Legislative				3/31/2025	Approved 8/5/2025	HB4255 SB302		
Tax (110-13II) Sunset Provision	High-Wage Growth Business Tax Credit Legislative				3/31/2025	Approved 8/5/2025	HB4256 SB303		
Tax (110-13Q, repeal)	Commercial Patent Incentives Tax Credit Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 9/7/2025	HB4257 SB304		
Tax (110-16A)	On-Line Bingo and Raffles Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4258 SB305		
Tax (110-19, repeal)	Soft Drinks Tax Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 8/5/2025	HB4259 SB306		
Tax (110-21H)	Income Tax Credits for Property Taxes Paid Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4260 SB307		
Tax (110-36)	Preneed Cemetery Companies Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 9/10/2025	HB4261 SB308		
Waste Mgmt. Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	5/30/2025	7/15/2025		7/23/2025	Approved 10/8/2025	HB4212 SB263 Bundled SB256		
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	Modified & Approved 12/10/2025 Filed 1/8/2026	HB4213 SB264 Bundled SB256		
Water Resources, Division of Water & Waste Mgmt. (47-09B)	Carbon Dioxide Sequestration Fee Schedule Legislative	5/30/2025	7/15/2025		7/24/2025	Modified & Approved 12/10/2025 Filed 1/8/2026	HB4214 SB265 Bundled SB256		

Orders Report

Docket Number

Agency

Respondent

Date Rendered

NONE FILED THIS WEEK



State of West Virginia
Office of the Attorney General

John B. McCuskey
Attorney General

February 19, 2026

The Honorable Daniel M. James
Morgan County Prosecuting Attorney
77 Fairfax Street, Suite 301
Berkeley Springs, West Virginia 25411

Dear Prosecutor James:

You have asked for an Opinion of the Attorney General about whether Morgan County can enter into a mutual-aid agreement for reciprocal emergency medical services with a nearby, noncontiguous county, Fulton County, Pennsylvania.

We are issuing this Opinion under West Virginia Code § 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 a tragic ATV accident occurred in Fulton County, Pennsylvania in December 2025. Fulton County emergency personnel asked Morgan County to assist. Morgan County EMS was nearby and could have responded quickly. But because Morgan County did not have a mutual-aid agreement—a contract allowing two counties to share EMS services—with Fulton County, it could not send EMS to the scene. The EMS provider that eventually responded was fifty miles away. A woman died. A child was seriously injured.

To avoid another situation like last December, the Morgan County Commission wants to execute a mutual-aid agreement with the appropriate entity in Fulton County. Your plan for the agreement to require services to run both ways: from Morgan County to Fulton County and vice versa. Morgan County and Fulton County both have their own EMS providers.

Historically, however, Morgan County has entered into agreements of this type only with contiguous counties. Yet Morgan County does not border Fulton County. At the closest point, the two counties are only two miles apart. Washington County, Maryland intersects the two.

FILED

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

AG

The Honorable Daniel M. James
Page 2

Given these unique geographic circumstances, your letter raises the following legal question:

Can either the Morgan County Commission or the Morgan County EMS provider enter into a mutual-aid agreement with Fulton County, Pennsylvania, a noncontiguous county?

Because Morgan County and Fulton County are not contiguous, we conclude that neither the Morgan County Commission nor the EMS provider can execute the mutual-aid agreement. West Virginia Code § 7-1-31 allows county commissions to enter into mutual-aid agreements with local governments in other states, but only if they share a “common border.” Likewise, Sections 15-5-9 and 16-4C-20 allow EMS providers to enter into agreements with entities outside the state, but only if those entities are in contiguous counties. Still, the Commissioner of the Bureau for Public Health can execute a mutual-aid agreement with Fulton County at Morgan County’s request.

DISCUSSION

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 expressly given.” *Syl. pt. 1, State ex rel. State Line Sparkler of WF, Ltd. v. Teach*, 187 W. Va. 271, 418 S.E.2d 585 (1992) (citations omitted); see generally *W. VA. CONST.* art. IX, § 11 (“Powers of county commissions”). Thus, we start with the relevant statutes.

State law authorizes county commissions to enter into certain mutual-aid agreements—but only with a county in a contiguous state. Under West Virginia Code § 7-1-31, county commissions in counties that “share[] a common border with any other state” can “enter into reciprocal agreements” with only subdivisions of “such other” bordering state for fire and EMS services. Although a preceding clause of the same statute seems to allow agreements for “any lawful purpose” with contiguous and non-contiguous governments alike, *id.*, this more general language would not trump the narrower language found in the EMS-specific provision, see *Robinson v. City of Bluefield*, 234 W. Va. 209, 214, 764 S.E.2d 740, 745 (2014) (“[S]pecific statutory language generally takes precedence over more general statutory provisions.” (citation omitted)).

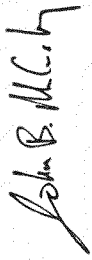
Here, Morgan County does not “share a common border” with Pennsylvania. It borders only Maryland and Virginia, and it can enter cross-border agreements with counties only in those “such other” states. See *Such*, BLACK’S LAW DICTIONARY (12th ed. 2024) (“That or those; having just been mentioned”). Thus, its county commission cannot “enter into reciprocal agreements” for EMS services with Fulton County, Pennsylvania. W. VA. CODE § 7-1-31.

Nor can the EMS providers enter this mutual-aid agreement. Two code sections apply, and both contain a contiguity requirement.

First, Section 15-5-9(c) permits “the director of each local organization [for emergency services]” to “enter into mutual aid agreements” for “day-to-day mutual aid support for fire and

In short, we conclude that Morgan County cannot enter into a mutual-aid agreement for emergency services with Fulton County. But such an agreement may still be created if the West Virginia Commissioner of the Bureau for Public Health executes it with the appropriate official in Pennsylvania.

Sincerely,



John B. McCuskey
West Virginia Attorney General

Holly J. Wilson
Principal Deputy Solicitor General

AG

[EMS]" with entities in "bordering counties in contiguous states" only. Again, Morgan County, West Virginia and Fulton County, Pennsylvania are not "bordering counties in contiguous states."

Second, Section 16-4C-20 authorizes EMS providers to enter "service reciprocity agreements ... [(1)] with the appropriate emergency medical service providers, county, municipal or other governmental units or [(2)] in counties contiguous to the state of West Virginia." W. VA. CODE § 16-4C-20 (emphasis added). The statute contains a "disjunctive 'or,'" so it "connotes an alternative between the two clauses it connects." *State v. Rummel*, 189 W. Va. 369, 377, 432 S.E.2d 39, 47 (1993) (cleaned up). The second clause, allowing mutual-aid agreements "in counties contiguous to the state of West Virginia," plainly does not apply. W. VA. CODE § 16-4C-20. The first clause isn't an option, either. It covers only *intra*-state agreements. The Legislature expressly defined "[e]mergency medical service providers" and "[m]unicipal[ities]" as those located in West Virginia. *Id.* § 16-4C-3(i), (m). And applying the *ejusdem generis* and *nosctitur a sociis* canons, we extend that same limitation to "county" and "governmental units." *Id.* § 16-4C-20; *W. Va. Consol. Pub. Ret. Bd. v. Clark*, 245 W. Va. 510, 859 S.E.2d 453, 463 (2021).

Thus, neither the Morgan County Commission nor the Morgan County EMS provider can enter into a mutual-aid agreement with Fulton County.

One potential avenue—aside from a legislative change to address the unique geographic circumstances in the Eastern Panhandle—remains available. The State "Commissioner of the Bureau for Public Health," W. VA. CODE § 16-4C-3(c), can enter into service reciprocity agreements with "appropriate officials in other states" under Section 16-4C-20. Unlike county commissions and EMS providers, the statute does not geographically limit the Commissioner as to which service reciprocity agreements he may execute. Because of the unique geography of the eastern panhandle of the state—namely, Morgan County's close proximity to Fulton County without the two counties being contiguous—and because a mass casualty event in either county may require dual dispatch of multiple nearby EMS units, a mutual-aid agreement between the two counties may be prudent. But the State Commissioner is the only person statutorily authorized to pursue it.



RICHARD H. REIMER
Senior Vice President
Business & Legal Affairs

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600

February 18, 2026

02/17/2026

Sent via FedEx

Office of West Virginia Secretary of State
Administrative Law Division
Building 1, Suite 157-K
1900 Kanawha Boulevard East
Charleston, WV 25305-0770
Attn: Ms. Maureen Lewis, Manager

2026 FEB 19 A 10:30
OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

OTHER

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **02/13/2026**.

LETTER OF INTENT RECEIVED

February 12, 2026 - Camden-Clark Physician Corporation, CON File #26-5-13520-P, for the development of an ambulatory health care facility in Parkersburg, Wood County, West Virginia. Capital Expenditure \$10,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

February 9, 2026 - Berkeley Medical Center, CON File #26-9-13514-P, for the development of an ambulatory health care facility in Jefferson County, West Virginia, through the acquisition of the assets of an existing private practice physician office. Capital Expenditure \$140,000.

February 13, 2026 - Sunny Days In-Home Care West Virginia Northern Panhandle, LLC d/b/a Sunny Days In-Home Care, CON File #26-10/11-13516-PC, for the provision of in-home personal care services in Hancock, Brooke, Ohio and Marshall Counties in West Virginia. Capital Expenditure \$60,000.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

February 9, 2026 - Havilla Care Services, LLC, CON File #26-6-13508-BH, for the provision of Intellectual and Developmental Disabilities Waiver services in Monongalia and Preston Counties in West Virginia. Capital Expenditure \$20,000.

February 10, 2026 - Berkeley Medical Center, CON File #26-9-13507-P, for the development of an ambulatory health care facility in Martinsburg, Berkeley County, West Virginia, through the acquisition of the assets of an existing private practice physician office. Capital Expenditure \$76,000.

HEARING NOTICE

The Administrative Hearing has been RESCHEDULED in the following matter:

February 9, 2026 - Marietta Memorial Hospital, CON File #25-5-13412-P, for the

Re: West Virginia Compliance -- 2026 Filing

Ladies and Gentlemen:

In compliance with the requirements of Sections 47-2A-2 and 3 of the West Virginia Code, enclosed for filing with your office is a Certification of Compliance of Stephanie Ruyle certifying that true and correct copies of each form of general license agreement offered by ASCAP to "Proprietors" in the State of West Virginia are contained on the USB drive that is also enclosed. For the convenience of West Virginia "Proprietors," I am also enclosing a USB drive containing a current list of ASCAP's members. In addition, ASCAP maintains a searchable online database of the works in the ASCAP repertory and as well as its members, accessible at:

<https://www.ascap.com/repertory/>

Sincerely yours,

Richard H. Reimer

Enclosures
cc: Stephanie Ruyle

Gordon C. Lane, Jr.
Interim Executive Director
General Counsel



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

OTHER

Notice of Review

February 18, 2026

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:

February 9, 2026 - Havilla Care Services, LLC, CON File #26-6-13508-BH, for the provision of Intellectual and Developmental Disabilities Waiver services in Monongalia and Preston Counties in West Virginia. Capital Expenditure \$20,000.

February 10, 2026 - Berkeley Medical Center, CON File #26-9-13507-P, for the development of an ambulatory health care facility in Martinsburg, Berkeley County, West Virginia, through the acquisition of the assets of an existing private practice physician office. Capital Expenditure \$76,000.

February 17, 2026 - West Virginia Rehabilitation Hospital, Inc., CON File #26-6-13513-H, for the relocation, replacement and expansion of WVRH's satellite facility in Harrison County, West Virginia. Capital Expenditure \$58,140,000.

February 17, 2026 - Berkeley Medical Center, CON File #26-9-13514-P, for the development of an ambulatory health care facility in Jefferson County, West Virginia, through the acquisition of the assets of an existing private practice physician office. Capital Expenditure \$140,000



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development of an ambulatory health care facility in Wood County, West Virginia, through the employment of an existing physician. Capital Expenditure \$500,000.

Administrative Hearing: March 3, 2026, at 9:30 a.m.

The prehearing conference and administrative hearing in the above-referenced matter will be held in the offices of the Health Care Authority, 100 Dee Drive, Charleston, West Virginia 25311-1600, unless otherwise noted.

PROJECTS DETERMINED NOT REVIEWABLE

February 9, 2026 - Appalachian Regional Healthcare, Inc., d/b/a Beckley ARH Hospital, CON File #26-1-13502-X, for the conversion of 18 of its 60 psychiatric beds to medical/surgical beds for use by patients in the psychiatric unit. There is no capital cost related to the conversion of these beds.

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

OTHER

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 **February 17, 2026**.

On or before **March 18, 2026**, 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 **March 23, 2026**. 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 **April 17, 2026**.

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.

Feb. 18, 2026
Date

Eddie Fulks
Eddie Fulks
CON Secretary

West Virginia Health Care Authority