

WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

Volume XLIII

Issue 43

October 30, 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

CONTENTS

Chronological Index

Rule Monitor

Notices

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

Legislative Interims

Orders

Ethics Commission Opinions

Grievances Report

Office of Tax Appeal Decisions

Governor's Executive Orders

Attorney General Opinions

Other Documents or Information Filed

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

Agriculture
Accountancy, WV Bd. of
Corrections & Rehabilitation, WV Div. of
Dentistry, WV Bd. of
Health
Health Care Authority
Higher Education Policy Commission
Human Services
    Bureau for Social Services
Medicine, WV Bd. of

CHRONOLOGICAL INDEX, VOLUME XLIII ISSUE 43			
NO RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**

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

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

Kris Warner
Secretary of State
State of West Virginia

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

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

TITLE NUMBER		NAME OF AGENCY
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/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-01)	Board Rules and Rules of Professional Conduct Legislative	5/13/2026	6/26/2026		7/20/2026	Approved 8/12/2026			
Administration (148-03)	State-Owned Vehicles Legislative	6/29/2026	7/29/2026		7/30/2026				
Administration (148-26)	Construction Management At-Risk Contracting Legislative	6/25/2026	7/25/2026		7/29/2026	Modified & Approved 10/14/2026 Filed 10/19/2026			
Agriculture (61-01C)	Disposal of Poultry Mortality Legislative	6/9/2026	7/9/2026		7/9/2026	Modified & Approved 10/13/2026 Filed 10/22/2026			
Agriculture (61-01D)	List of Restricted Live, Modified Live and Killed Vaccines for Animals Legislative	6/10/2026	7/10/2026		7/24/2026	Modified & Approved 10/13/2026 Filed 10/22/2026			
Agriculture (61-02)	West Virginia Apiary Rule Legislative	6/17/2026	7/17/2026		7/24/2026	Modified & Approved 10/13/2026			
Agriculture (61-02A) Sunset Provision	Labeling of Imported Honey, Honey Products or Honey Bee By-Products; Adulterated Honey, Honey Products or Honey Bee By-Products Legislative				6/5/2026	Modified & Approved 10/13/2026 Filed 10/29/2026			
Agriculture (61-04) Sunset Provision	Traditional Cheese Production Legislative				6/2/2026	Modified & Approved 10/13/2026 Filed 10/29/2026			
Agriculture (61-04A) Sunset Provision	Production of Milk and Cream for Manufacturing Purposes Legislative				6/10/2026	Modified & Approved 10/13/2026 Filed 10/22/2026			
Agriculture (61-04B)	Frozen Desserts and Imitation Frozen Desserts Legislative	5/15/2026	6/15/2026	5/15/2026 Approved 6/2/2026	6/17/2026	Modified & Approved 10/13/2026 Filed 10/22/2026			
Agriculture (61-06D)	Nutrient Management Certification Legislative	6/9/2026	7/9/2026		7/9/2026	Modified & Approved 10/13/2026 Filed 10/22/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-07A) Sunset Provision	Marketing of Eggs Rule Legislative				6/10/2026	Modified & Approved 10/13/2026 Filed 10/22/2026			
Agriculture (61-11)	Regulations Governing Public Markets Legislative	6/22/2026	7/22/2026		7/30/2026	Modified & Approved 10/13/2026 Filed 10/22/2026			
Agriculture (61-11B)	Auctioneers Legislative	5/27/2026	6/27/2026		6/30/2026	Modified & Approved 10/13/2026 Filed 10/22/2026			
Agriculture (61-12) Sunset Provision	Fee Structure for the Pesticide Control Act of 1990 Legislative				6/12/2026	Modified & Approved 10/13/2026 Filed 10/22/2026			
Agriculture (61-12C) Sunset Provision	Wood Destroying Insect Treatment Standards Legislative				6/8/2026	Modified & Approved 10/13/2026 Filed 10/22/2026			
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	6/30/2026	7/30/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/29/2026			
Agriculture (61-28)	Poultry Litter and Manure Movement into Primary Poultry Breeder Rearing Areas Legislative	6/17/2026	7/17/2026		7/30/2026	Modified & Approved 10/13/2026 Filed 10/23/2026			
Agriculture (61-30)	Select Plant-Based Derivatives and Select Plant-Based Derivative Products Hemp Legislative	6/30/2026	7/30/2026	6/30/2026 Effective 8/11/2026	7/31/2026	Modified & Approved 10/13/2026 Filed 10/29/2026			
Agriculture (61-34)	Captive Cervid Farming Legislative	6/22/2026	7/22/2026		7/30/2026	Modified & Approved 10/13/2026 Filed 10/23/2026			
Agriculture (61-38)	Farmers Market Legislative	6/9/2026	7/9/2026		7/9/2026	Modified & Approved 10/13/2026 Filed 10/23/2026			
Agriculture (61-42)	Cottage Foods-Homemade Potentially Hazardous Food Items Legislative	6/1/2026	6/30/2026	6/1/2026 Approved 6/2/2026	7/1/2026	Modified & Approved 10/13/2026 Filed 10/23/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-43)	Select Plant-Based Derivatives and Select Plant-Based Derivative Products-Kratom Legislative	6/24/2026	7/24/2026	6/24/2026 Approved 6/29/2026	7/30/2026	Modified & Approved 10/13/2026 Filed 10/23/2026			
Air Quality (45-02)	Control of Particulate Matter Air Pollution from the Combustion of Fuel in Indirect Heat Exchangers Legislative	6/4/2026	7/7/2026		7/31/2026	Approved 10/13/2026			
Air Quality (45-03)	Control of Air Pollution from the Operation of Hot Mix Asphalt Plants Legislative	6/4/2026	7/7/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/14/2026			
Air Quality (45-05)	Control of Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas Legislative	6/4/2026	7/7/2026		7/31/2026	Approved 10/13/2026			
Air Quality (45-06)	Control of Air Pollution from Combustion of Refuse Legislative	6/4/2026	7/7/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/14/2026			
Air Quality (45-07)	Control of Particulate Matter Air Pollution from Manufacturing Processes and Associated Operations Legislative	6/4/2026	7/7/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/14/2026			
Air Quality (45-10)	Control of Air Pollution from the Emission of Sulfur Oxides Legislative	6/4/2026	7/7/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/14/2026			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/4/2026	7/7/2026		7/31/2026	Approved 10/13/2026			
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/4/2026	7/7/2026		7/31/2026	Approved 10/13/2026			
Air Quality (45-21)	Control of Air Pollution from the Emission of Volatile Organic Compounds Legislative	6/4/2026	7/7/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/14/2026			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/4/2026	7/7/2026		7/31/2026	Approved 10/13/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Alcohol Beverage Control Commission (175-12)	Vape or Smoke Shop Licensure and Enforcement Legislative	6/22/2026	7/21/2026	6/22/2026 Approved 6/23/2026	7/29/2026				
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 Bundled HB4265		
Attorney General (142-04)	Fair Treatment of Crime Victims and Witnesses Legislative					Authorized w/Certain Amendments 10/8/2025	HB4276 SB321 Bundled HB4265		
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 Bundled HB4265		
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 Bundled HB4265		
Attorney General (142-08)	Administration of Preneed Burial Contracts Legislative					Authorized w/Certain Amendments 10/8/2025	HB4279 SB324 Bundled HB4265		
Auditor (155-08)	Procedure for Local Levying Bodies to Apply for Permission to Extend Time to Meet as Levying Body Legislative	4/22/2026	5/22/2026		7/29/2026	Modified & Approved 10/14/2026 Filed 10/14/2026			
Auditor (155-09)	Accountability Requirements for State Funds and Grants Legislative	4/22/2026	5/22/2026		7/29/2026	Modified & Approved 10/14/2026 Filed 10/14/2026			
Chiropractic Examiners (4-06) Sunset Provision	Fees Pertaining to the Practice of Chiropractic Legislative				7/27/2026				
Chiropractic Examiners (4-09) Sunset Provision	Chiropractic Telehealth Practice Legislative				7/15/2026				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Coal Mine Health & Safety (36-22)	Rule Governing No Act Permitted Endangering Security of Mine; Search for Intoxicants, Matches, Etc. Legislative Exempt	9/30/2026	10/31/2026						
Community & Tech. College Education (135-08)	West Virginia Invests Grant Program Legislative	6/5/2026	7/6/2026		7/27/2026	Modified & Approved 9/14/2026 Filed 9/16/2026			
Community & Tech. College Education (135-35)	Business, Occupational, and Trade Schools Legislative	6/8/2026	7/9/2026		8/14/2026	Approved 9/14/2026			
Communtiy & Tech. College Education (135-52) Sunset Provision	Annual Reauthorization of Degree-Granting Institutions Legislative				10/22/2026				
Counseling (27-02) Sunset Provision	Licensed Professional Counselors Fees Rule Legislative				10/13/2026				
Counseling (27-09) Sunset Provision	Marriage and Family Therapist Fees Rule Legislative				10/13/2026				
Counseling (27-10) Sunset Provision	Marriage and Family Therapist License Renewal and Continuing Professional Education Requirements Legislative				10/13/2026				
Crime Delinquency and Correction (149-02)	Law Enforcement Training and Certification Standards Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 8/12/2026 Filed 8/18/2026			
Dentistry (5-03)	Fees Established by the Board Legislative	5/21/2026	6/22/2026		7/21/2026	Modified & Approved 10/14/2026 Filed 10/23/2026			
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	2/12/2026	3/16/2026	2/3/2026 Effective 3/17/2026	4/21/2026	Modified & Approved 10/14/2026 Filed 10/23/2026			
Dentistry (5-14)	Mobile Dental Facilities & Portable Dental Units Legislative	5/21/2026	6/22/2026		7/21/2026	Modified & Approved 10/14/2026 Filed 10/23/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Dentistry (5-16)	Teledentistry Legislative	5/21/2026	6/22/2026		7/21/2026	Modified & Approved 10/14/2026 Filed 10/23/2026			
Education (126-089)	West Virginia Design and Equipment Requirements for School Transportation Vehicles (4334) Legislative Exempt	5/14/2025	6/14/2025		8/3/2026				
Ethics Commission (158-06)	Use of Office for Private Gain, Including Nepotism Legisaltive	6/30/2026	7/30/2026		7/30/2026	Authorized as Modified w/Certain Amendments 10/15/2026 Filed 10/20/2026			
Family Protection Services Board (191-03)	Batterer Intervention and Prevention Programs Licensure Legislative	7/1/2026	7/31/2026		7/31/2026 Withdrawn by Agency 10/7/2026	Modified & Approved 10/13/2026			
Fire Commission (87-04)	State Building Code Legisaltive	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/14/2026			
Fire Commission (87-06)	Certification and Evaluation of Local Fire Departments Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/14/2026			
Fire Commission (87-10)	Volunteer and Part-Volunteer(Part-Paid) Fire Department Equipment and Training Grant Funding Disbursement Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/14/2026			
Fire Commission (87-11)	Specialized Membership Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 8/12/2026 Filed 8/18/2026			
Fire Commission (87-12)	Junior Firefighters Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 8/12/2026 Filed 8/18/2026			
Fire Commission (87-14)	Use of Aqueous Film-Forming Foam (AAFFF) for Fire Training Program Purposes Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 8/12/2026 Filed 8/18/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Fire Marshal (103-04)	Regulation of Fireworks and Related Explosive Materials Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/14/2026			
Fire Marshal (103-05)	Electrician Licensing Rules Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/14/2026			
Foresters (200-04)	Schedule of Fees Legislative	1/27/2026	3/13/2026		3/31/2026				
Funeral Service Examiners (6-01)	Funeral Director, Embalmer, Apprentice, Courtesy Card Holders and Funeral Establishement Requirements Legislative	6/15/2026	7/16/2026	6/16/2026 Approved 6/24/2026	7/20/2026	Modified & Approved 10/14/2026 Filed 10/19/2026			
Health (64-07) Sunset Provision	Reportable Diseases, Events, and Conditions Legislative				10/8/2026				
Health (64-15)	Cross-Connection Control and Backflow Prevention Legislative	6/25/2026	7/25/2026		7/29/2026	Modified & Approved 10/13/2026 Filed 10/26/2026			
Health (64-17)	Food Establishments Legislative	6/25/2026	7/25/2026		7/29/2026	Modified & Approved 10/13/2026 Filed 10/26/2026			
Health (64-18)	General Sanitation Legislative	6/25/2026	7/25/2026		7/29/2026				
Health (64-24, repeal)	Newborn Hearing Screening Legislative	6/25/2026	7/25/2026		7/29/2026	Approved 8/12/2026			
Health (64-42)	Childhood Lead Screening Legislative	6/25/2026	7/25/2026		7/29/2026	Modified & Approved 8/12/2026 Filed 8/19/2026			
Health (64-43) Sunset Provision	Food Manufacturing Facilities Legislative				10/8/2026				
Health (64-49, repeal)	Drinking Water Treatment Revolving Fund Legislative	6/25/2026	7/25/2026		7/29/2026	Approved 10/13/2026			
Health (64-81)	Birth Defects Information System Legislative	6/25/2026	7/25/2026		7/29/2026	Modified & Approved 8/12/2026 Filed 8/19/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-91)	Newborn Screening System Legislative	6/25/2026	7/25/2026		7/30/2026	Modified & Approved 8/12/2026 Filed 8/19/2026			
Health (64-92) Sunset Provision	Clandestine Drug Laboratory Remediation Legislative				10/8/2026				
Health (64-97) Sunset Provision	Maternal Risk Screening Legislative				10/8/2026				
Health (64-100, repeal)	Pulse Oximetry Newborn Testing Legislative	6/25/2026	7/25/2026		7/29/2026	Approved 8/12/2026			
Health (64-109)	Medical Cannabis Program General Provisions Legislative	6/25/2026	7/25/2026		7/29/2026	Approved 8/12/2026			
Health (64-110)	Medical Cannabis Program Grower/Processors Legislative	6/25/2026	7/25/2026		7/29/2026	Modified & Approved 8/12/2026 Filed 8/26/2026			
Health (64-112)	Medical Cannabis Program Dispensaries Legislative	6/25/2026	7/25/2026		7/29/2026	Approved 8/12/2026			
Health (64-116)	Distrubution of Funds from Emergency Medical Services Crisis Response and Mental Health Treatment Fund Legislative	6/25/2026	7/25/2026		7/29/2026	Modified & Approved 10/13/2026 Filed 10/26/2026			
Hearing Aid Dealers (8-01)	Rule Governing the West Virginia Hearing Aid Dealers Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026			
THE ABOVE RULE MOVED TO SPEECH LANGUAGE PATHOLOGY AND AUDIOLOGY 10/14/2026									
Hearing Aid Dealers (8-02)	Contested Case Hearing Procedure Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026			
THE ABOVE RULE MOVED TO SPEECH LANGUAGE PATHOLOGY AND AUDIOLOGY 10/14/2026									
Hearing Aid Dealers (8-03)	Disciplinary and Complaint Procedures for Hearing Aid Dealers Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026			
THE ABOVE RULE MOVED TO SPEECH LANGUAGE PATHOLOGY AND AUDIOLOGY 10/14/2026									
Hearing Aid Dealers (8-04)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
THE ABOVE RULE MOVED TO SPEECH LANGUAGE PATHOLOGY AND AUDIOLOGY 10/14/2026									
Hearing Aid Dealers (8-05)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026			
THE ABOVE RULE MOVED TO SPEECH LANGUAGE PATHOLOGY AND AUDIOLOGY 10/14/2026									
Higher Education Policy Commission (133-06)	Higher Education Future Workforce Grant Program Legislative	6/12/2026	7/13/2026	10/2/2026 ERD by 11/13/2026	7/14/2026	Approved 8/11/2026			
Higher Education Policy Commission (133-07)	West Virginia Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship Program Legislative	6/12/2026	7/13/2026		7/14/2026	Approved 8/11/2026			
Higher Education Policy Commission (133-34)	Medical Student Loan Program Legislative	6/12/2026	7/13/2026		7/14/2026	Approved 8/11/2026			
Higher Education Policy Commission (133-41)	Health Sciences Service Program Legislative	6/12/2026	7/13/2026		7/14/2026	Approved 8/11/2026			
Higher Education Policy Commission (133-42)	West Virginia Higher Education Grant Program Legislative	6/15/2026	7/15/2026	10/2/2026 ERD by 11/13/2026	7/16/2026	Approved 8/11/2026			
Higher Education Policy Commission (133-52) Sunset Provision	Annual Reauthorization of Degree-Granting Institutions Legislative								
Higher Education Policy Commission (133-63)	Mental Health Loan Repayment Program Legislative	6/12/2026	7/13/2026		7/14/2026	Approved 8/11/2026			
Highways (157-03)	Construction and Reconstruction of State Roads Legislative	6/24/2025 6/29/2026	7/24/2025 7/29/2026		8/7/2025 7/30/2026				
Highways (157-05)	Traffic and Safety Rules Legislative	11/10/2025 6/29/2026	12/10/2025 7/29/2025	11/10/2025 Effective 12/22/2025	12/11/2025 7/30/2026				
Human Services (78-26)	Pilot Program for Drug Screening of Applicants Legislative	7/1/2026	7/31/2026		7/31/2026	Modifed & Approved 10/13/2026			
Human Services (78-29)	Licensure and Certification of Alcohol and Drug Counselors Legislative	7/1/2026	7/31/2026		7/31/2026				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Commission (114-42) Sunset Provision	Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters Legislaitve				5/13/2026	Approved 8/12/2026			
Insurance Commission (114-98) Sunset Provision	Adoption of Valuation Manual Legislative				5/13/2026	Approved 8/12/2026			
Insurance Commission (114-99)	Pharmacy Auditing Entities and Pharmacy Benefit Managers Legislative	6/24/2026	7/24/2026		7/31/2026	Modified & Approved 8/12/2026 Filed 8/17/2026			
Insurance Commission (114-102) Sunset Provision	Term and Universal Life Insurance Reserve Financing Legislative				5/13/2026	Approved 8/12/2026			
Labor (42-34)	Regulation of Heating, Ventilating, and Cooling Work Legislative	7/1/2026	7/31/2026		7/31/2026	Approved 10/14/2026			
Lottery Commission (179-01) Sunset Provision	West Virginia Lottery State Lottery Rules Legislative				5/7/2026	Approved 8/12/2026			
Lottery Commission (179-05)	West Virginia Lottery Limited Video Lottery Rule Legisaltive	6/29/2026	7/29/2026		7/30/2026	Approved 10/14/2026			
Medicine (11-01A)	Licensing of Physicians and Podiatric Physicians and Disciplinary Procedures for Applicants, Licensees, Credential Holders Legislative	7/1/2026	7/31/2026	6/30/2026 Effective 8/11/2026	7/31/2026	Modified & Approved 8/12/2026 Filed 8/25/2026			
Medicine (11-05) Sunset Provision	Dispensing of Prescription Drugs by Practitioners Legislative				5/4/2026	Modified & Approved 8/12/2026 Filed 8/25/2026			
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/30/2026	7/30/2026	6/30/2026 Effective 8/11/2026	7/31/2026	Approved 8/12/2026			
Medicine (11-07)	Formation and Approval of Professional Limited Liability Companies Legislative	6/30/2026	7/30/2026		7/31/2026	Approved 8/12/2026			
Medicine (11-09, repeal)	Certification, Disciplinary and Complaint Procedures, Continuing Education, Radiologist Assistants Legislative	6/30/2026	7/30/2026		7/31/2026	Approved 8/12/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Medicine (11-10) Sunset Provision	Practitioner Requirements for Accessing the West Virginia Controlled Substances Monitoring Program Database Legislative				5/4/2026	Modified & Approved 8/12/2026 Filed 8/25/2026			
Medicine (11-11, repeal)	Establishment and Regulation of Limited License to Practice Medicine and Surgery at Certain State Veterans Nursing Home Facilities Legislative	6/30/2026	7/30/2026		7/31/2026	Approved 8/12/2026			
Medicine (11-14) Sunset Provision	Registration to Practice During Declared State of Emergency Legislative				5/4/2026	Modified & Approved 8/12/2026 Filed 8/25/2026			
Medicine (11-15) Sunset Provision	Telehealth and Interstate Telehealth Registration for Physicians, Podiatric Physicians and Physician Assistants Legislative				5/4/2026	Modified & Approved 8/12/2026 Filed 8/25/2026			
Medicine (11-17)	Licensure and Regulation of Genetic Couselors and Active Candidate Status Permits Legislative	6/8/2026	7/8/2026	6/8/2026 Approved 6/9/2026	7/31/2026	Modified & Approved 8/12/2026 Filed 8/25/2026			
Medicine (11-18)	Emeritus Status Licensure for Retired Providers Legislative	6/30/2026	7/30/2026		7/31/2026	Approved 8/12/2026			
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				
Motor Vehicles (91-04)	Examination and Issuance of Drivers License Legislative	6/29/2026	7/29/2026		7/30/2026	Approved 8/12/2026			
Motor Vehicles (91-06)	Dealer Licensing Legislative	6/30/2026	7/30/2026		7/31/2026	Authorized w/Certain Amendments 8/12/2026			
Motor Vehicles (91-09) Sunset Provision	Collection of Tax on the Sale of a Vehicle Legislative				6/29/2026	Approved 8/12/2026			
Natural Resources (58-38) Sunset Provision	Public Shooting Ranges Legislative				3/31/2026	Approved 8/12/2026			
Natural Resources (58-63) Sunset Provision	Commercial Sale of Wildlife Legislative				3/31/2026	Approved 8/12/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-69)	Wildlife Disease Management Legisaltive	6/26/2026	7/27/2026		7/31/2026	Modified & Approved 8/12/2026 Filed 9/9/2026			
Occupational Therapy (13-01)	Adminstrative Rules of the Board of Occupational Therapy and Licensure of Occupational Therapists and Occupational Therapy Assistants Legislative	6/10/2026	7/13/2026		7/14/2026	Modified & Approved 8/12/2026 Filed 8/31/2026			
Office of Inspector General (71-11)	West Virginia Clearance for Access: Registry and Employment Screening Legislative	7/1/2026	7/31/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/20/2026			
Office of Inspector General (71-27)	Medication-Assisted Treatment - Opoid Treatment Programs Legislative	7/1/2026	7/31/2026		7/31/2026	Modified & Approved 10/13/2026 Filed 10/20/2026			
Office of Technology (163-02, repeal)	Chief Information Officer Review Legislative	6/26/2026	7/26/2026		7/29/2026	Approved 10/13/2026			
Office of Technology (163-03)	Cyber Reporting Legislative	6/26/2026	7/25/2026		7/29/2026	Modified & Approved 10/13/2026 Filed 10/21/2026			
Oil and Gas (35-04)	Oil and Gas Wells and Other Wells Legislative	6/24/2026	7/24/2026		7/31/2026				
Oil and Gas (35-08)	Rules Governing Horizontal Well Development Legislative	6/24/2026	7/24/2026		7/31/2026				
Osteopathic Medicine (24-01)	Licensing Proceures for Osteopathic Physicians Legislative	8/11/2026	9/11/2026	8/11/2026 Approved 8/18/2026	10/9/2026				
Osteopathic Medicine (24-07) Sunset Provision	Practitioner Requirements for Controlled Substances Licensure and Accessing the West Virginia Controlled Substances Monitoring Program Database Legislative								
Osteopathic Medicine (24-10) Sunset Provision	Telehealth Practice and Interstate Telehealth Registration for Osteopathic Physicians and Physician Assistants Legislative								

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Personnel (143-01)	Administrative Rule of the West Virginia Division of Personnel Legislative	6/30/2026	7/30/2026		8/4/2026				
Personnel (143-02)	Leave Donation Program Legislative	6/30/2026	7/30/2026		8/4/2026				
Personnel (143-04)	Pre-Employment Reference and Inquires Rule Legislative	6/30/2026	7/30/2026		8/4/2026 10/13/2026				
Personnel (143-06)	Appeal of Adverse Suitability Determination Procedural	6/30/2026	7/30/2026						
Personnel (143-07)	Interdepartmental Transfer of Permanent State Employees Legislative	6/30/2026	7/30/2006		8/4/2026				
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/30/2026	7/30/2026		7/30/2026	Modified & Approved 8/12/2026 Filed 8/26/2026			
Pharmacy (15-03)	Board of Pharmacy Rules for Continuing Education for Licensure of Pharmacists Legislative	6/30/2026	7/30/2026		7/30/2026	Modified & Approved 8/12/2026 Filed 8/26/2026			
Pharmacy (15-05)	Licensure of Wholesale Drug Distributors, Third Party Logistics Providers, and Manufacturers Legislative	6/30/2026	7/30/2026		7/30/2026	Modified & Approved 8/12/2026 Filed 8/26/2026			
Pharmacy (15-08)	Controlled Substances Monitoring Program Legislative	6/30/2026	7/30/2026		7/30/2026	Modified & Approved 8/12/2026 Filed 8/26/2026			
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/30/2026	7/30/2026		7/30/2026	Modified & Approved 8/12/2026 Filed 8/26/2026			
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/30/2026	7/30/2026		7/30/2026	Modified & Approved 8/12/2026 Filed 8/26/2026			
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistants Legislative	6/30/2026	7/30/2026		7/30/2026				
Physical Therapy (16-04)	Fees for Physical Therapist and Physical Therapist Assistants Legislative	6/30/2026	7/30/2026		7/30/2026				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Physical Therapy (16-06)	Fees for Athletic Trainers Legisaltive	6/30/2026	7/30/2026		7/30/2026				
Public Service Commission (150-41)	Rules Governing Review and Regulation of Generating Capacity and Consumer Economic Dispatch of Electric Utilities Legislative	7/20/2026	8/20/2026 Exteneded Hearing 9/28/2026		10/15/2026				
Racing Commission (178-05) Sunset Provision	Pari-Mutuel Wagering Legislative				10/9/2026				
Real Estate Appraiser Licensing and Certification Board (190-02)	Requirements for Licensure and Certification Legislative	6/10/2026	7/10/2026		7/30/2026				
Real Estate Appraiser Licensing and Certification Board (190-03)	Renewal of Licensure or Certification Legislative	6/10/2026	7/10/2026		7/30/2026				
Records Management and Preservation Board (100-01)	County Records Management and Preservation Grant Program Legisaltive	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026 Filed 10/21/2026			
Records Management and Preservation Board (100-02)	Rules for General Management and Preservation of County Records Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026 Filed 10/21/2026			
Secretary of State (153-03) Sunset Provision	Voter Registration at the Division of Motor Vehicles Legislative				6/24/2026	Approved 8/12/2026			
Secretary of State (153-05) Sunset Provision	Voter Registration List Maintenance by the Secretary of State Legislative				6/26/206	Approved 8/12/2026			
Secretary of State (153-30) Sunset Provision	Use of Digial Signatures Legislative				6/26/2026	Approved 8/12/2026			
Secretary of State (153-43) Sunset Provision	Regulation of Political Party Headquarters Finances Legislative				6/26/2026	Approved 8/12/2026			
Secretary of State (153-45) Sunset Provision	Standards and Guidelines for Electronic Notarization, Remote Online Notarization, and Remote Ink Notarization Legislative				6/26/2026	Approved 8/12/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-48) Sunset Provision	Real Property Electronic Recording Standards and Regulations Legislative				6/29/2026	Approved 8/12/2026			
Securities Commission (111-01)	West Virginia Securities Rules and Regulations Legislative	7/1/2026	7/31/2026		7/31/2026				
Social Work Examiners (25-05) Sunset Provision	Continuing Education for Social Workers and Providers Legislative				10/9/2026				
Speech Language Pathology and Audiology (8-01) formerly Hearing Aid Dealers	Rule Governing The West Virginia Hearing Aid Dealers Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026 Filed 10/20/2026			
Speech Language Pathology and Audiology (8-02) formerly Hearing Aid Dealers	Contested Case Hearing Procedure for Hearing Aid Dealers Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026 Filed 10/20/2026			
Speech Language Pathology and Audiology (8-03) formerly Hearing Aid Dealers	Disciplinary and Complaint Procedures for Hearing-Aid Dealers Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026 Filed 10/20/2026			
Speech Language Pathology and Audiology (8-04) formerly Hearing Aid Dealers	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026 Filed 10/20/2026			
Speech Language Pathology and Audiology (8-05) formerly Hearing Aid Dealers	Consideration of Prior Criminal Convictions in Initial Licensure Determinations for Hearing Aid Dealers Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026 Filed 10/20/2026			
Speech Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	5/26/2026 6/29/2026	6/26/2026 7/29/2026	4/28/2026 Approved 6/2/2026	7/31/2026				

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Speech Language Pathology and Audiology (29-02)	Rule Governing Speech-Language Pathology and Audiology Assistants Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026 Filed 10/20/2026			
Speech Language Pathology and Audiology (29-03)	Contested Case Hearing Procedure Procedural	6/29/2026	7/29/2026						
Speech Language Pathology and Audiology (29-04)	Disciplinary and Complaint Procedures for Speech-Language Pathology and Audiology Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026 Filed 10/20/2026			
Speech Language Pathology and Audiology (29-05)	West Virginia Board of Examiners for Speech-Language Pathology and Audiology Code of Ethics Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 10/14/2026 Filed 10/20/2026			
State Police (81-20)	Methods and Standards for Chemical Tests for Intoxication Legislative	6/29/2026	7/29/2026		7/31/2026	Modified & Approved 8/12/2026 Filed 8/18/2026			
Tax (110-13KK)	West Virginia Tax Credit for Federal Excise Tax Imposed Upon Small Arms and Ammunition Manufacturers Legislative	6/23/2026	7/23/2026		7/30/2026	Approved 8/12/2026			
Tax (110-13Y)	Disaster Repair and Recovery Tax Credit Legislative	6/29/2026	7/29/2026		7/30/2026	Approved 8/12/2026			
Tax (110-15F) Sunset Provision	Sales Tax Holiday Legislative				5/6/2026	Approved 8/12/2026			
Tax (110-15L) Sunset Provision	Exemption for Repair, Remodeling, and Maintenance of Aircraft Legislative				5/6/2026	Approved 8/12/2026			
Tax (110-15M) Sunset Provision	Vendor Absorption or Assumption of Sales and Use Tax Legislative				5/6/2026	Approved 8/12/2026			
Tax (110-24) Sunset Provision	Corporation Net Income Tax Legislative				5/6/2026	Approved 8/12/2026			
Transportation (217-01, repeal)	Employment Procedures Legisaltive	6/29/2026	7/29/2026		7/30/2026	Approved 8/12/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Treasurer (112-01)	West Virginia Security for Deposits Act Collateraltion of Public Fund Deposits Legislative	6/26/2026	7/27/2026	6/26/2026 Effective 8/7/2026	7/30/2026				
Treasurer (112-02) Sunset Provision	Substitute Checks-Exceptional Items Fund Legislative				5/5/2026	Approved 8/12/2026			
Treasurer (112-04)	Procedures for Deposit of Moneys with the State Treasurer's Office by State Agencies Legislative	5/8/2026	6/8/2026		6/10/2026	Approved 8/12/2026			
Treasurer (112-05)	Enforcement of the Uniform Unclaimed Property Act Legislative	6/4/2026	7/6/2026	6/5/2026 Approved 6/24/2026	7/15/2026	Approved 8/12/2026			
Treasurer (112-06) Sunset Provision	Selection of State Depositories for Disbursement Accounts Through Competitive Bidding Legislative				5/5/2026	Approved 8/12/2026			
Treasurer (112-07)	Selection of State Depositories for Receipt Accounts Legislative	5/8/2026	6/8/2026		6/10/2026	Approved 8/12/2026			
Treasurer (112-08) Sunset Provision	Procedures for Processing Payments from the State Treasury Legislative				5/5/2026	Approved 8/12/2026			
Treasurer (112-10)	Reporting Debt Legislativve	5/8/2026	6/8/2026		6/10/2026	Approved 8/12/2026			
Treasurer (112-12) Sunset Provision	Procedures for Fees in Collections by Charge, Credit or Debit Card or by Electronic Payment Legislative				5/5/2026	Approved 8/12/2026			
Treasurer (112-13)	Procedures for Providing Services to Political Subdivision Legislative	5/8/2026	6/8/2026		6/26/2026	Approved 8/12/2026			
Treasurer (112-17)	Exempt Purchasing Procedural	9/9/2026	10/9/2026					10/13/2026	11/12/2026
Treasurer (112-18)	Hope Scholarship Program Legislative	6/26/2026	7/27/2026		7/30/2026				
Veterans Assistance, Dept. of (86-05)	West Virginia Military Hall of Fame Legislative	8/12/2026	9/11/2026		10/6/2026				
Veterinary Medicine (26-04)	Standards of Practice Legislative	6/15/2026	7/16/2026		7/27/2026	Modified & Approved 10/14/2026 Filed 10/15/2026			

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Veterinary Medicine (26-06)	Schedule of Fees Legislative	6/15/2026	7/16/2026		7/27/2026	Authorized as Modified w/Certain Amendments 10/14/2026 Filed 10/15/2026			
Water Resources, Div. of Water & Waste Mgmt. (47-05B)	Disaster Repair and Recovery Tax Credit Certification Process Legislative	6/30/2026	7/30/2026	6/30/2026 Effective 8/11/2026	9/28/2026				
Water Resources, Div. of Water & Waste Mgmt. (47-32)	Environmental Laboratories Certification and Standards of Performance Legislative	6/25/2026	7/27/2026		7/31/2026				
Water Resources, Divison of Water and Waste Management (47-63)	Aboveground Storage Tanks Legislative	6/25/2026	7/27/2026		8/3/2026				

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/29/2026 10:08:14 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture

RULE TYPE: Legislative TITLE-SERIES: 61-02A

RULE NAME: Labeling of Imported Honey, Honey Products or Honeybee By-Products, Adulterated Honey, Honey Products, or Honeybee By-Products Rule

CITE AUTHORITY: §19-1-4(j)

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/29/2026 10:11:13 AM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture

RULE TYPE: Legislative TITLE-SERIES: 61-04

RULE NAME: Traditional Cheese Production

CITE AUTHORITY: §19-11D-3

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/29/2026 10:13:05 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture

RULE TYPE: Legislative TITLE-SERIES: 61-16

RULE NAME: Inspection of Meat and Poultry

CITE AUTHORITY: §19-2B-3

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/23/2026 3:40:11 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture

RULE TYPE: Legislative TITLE-SERIES: 61-28

RULE NAME: Poultry Litter And Manure Movement Into Primary Breeder Rearing Areas

CITE AUTHORITY: §19-9-2, 19-9-10

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/29/2026 10:03:55 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture

RULE TYPE: Legislative TITLE-SERIES: 61-30

RULE NAME: Select Plant-Based Derivatives And Select Plant-Based Derivative Products

CITE AUTHORITY: §19-12E-7, 19-12E-12

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/23/2026 3:40:34 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture

RULE TYPE: Legislative TITLE-SERIES: 61-34

RULE NAME: Captive Cervid Farming

CITE AUTHORITY: §19-2H-1, 19-2H-2

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

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

Yes

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

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture

RULE TYPE: Legislative TITLE-SERIES: 61-38

RULE NAME: Farmers Markets

CITE AUTHORITY: §19-35-4

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/23/2026 3:36:38 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture

RULE TYPE: Legislative TITLE-SERIES: 61-42

RULE NAME: Cottage Foods-Homemade Potentially Hazardous Food Items

CITE AUTHORITY: §19-40-4

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/23/2026 3:37:29 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

FILED
2026 OCT 28 A 10:03
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture

RULE TYPE: Legislative TITLE-SERIES: 61-43

RULE NAME: Select Plant-Based Derivatives And Select Plant-Based Derivative Products-Kratom

CITE AUTHORITY: §19-12F-1

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

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

Yes

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

WEST VIRGINIA DIVISION OF CORRECTIONS & REHABILITATION

POLICY DIRECTIVE UPDATES

NUMBER	DATE	SUBJECT
132.03	01 December 2026	Promotion Guidelines
329.00	01 December 2026	Law Libraries
430.00	01 December 2026	Prison Rape Elimination Act (PREA) Compliance

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Dentistry WV Board of

RULE TYPE: Legislative TITLE-SERIES: 5-03

RULE NAME: Fees Established By the Board

CITE AUTHORITY: §30-1-6 and §30-4-6

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Dentistry WV Board of

RULE TYPE: Legislative TITLE-SERIES: 5-13

RULE NAME: Expanded Duties of Dental Hygienists and Dental Assistants

CITE AUTHORITY: §30-4-6

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/23/2026 3:35:27 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Dentistry WV Board of

RULE TYPE: Legislative TITLE-SERIES: 5-14

RULE NAME: Mobile Dental Facilities & Portable Dental Units

CITE AUTHORITY: §30-4-6

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/23/2026 3:36:05 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Dentistry WV Board of

RULE TYPE: Legislative TITLE-SERIES: 5-16

RULE NAME: Teledentistry

CITE AUTHORITY: §30-1-26; §30-4-8b

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/26/2026 2:28:23 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Health

RULE TYPE: Legislative TITLE-SERIES: 64-15

RULE NAME: CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION

CITE AUTHORITY: W. Va. Code §16-1-4 and §16-1-9a

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/26/2026 2:48:53 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Health

RULE TYPE: Legislative TITLE-SERIES: 64-17

RULE NAME: FOOD ESTABLISHMENTS

CITE AUTHORITY: W. Va. Code §16-1-4 and §16-6-2

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/26/2026 2:27:10 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Health

RULE TYPE: Legislative TITLE-SERIES: 64-116

RULE NAME: DISTRIBUTION OF FUNDS FROM EMERGENCY MEDICAL SERVICES CRISIS RESPONSE AND MENTAL HEALTH TREATMENT FUND

CITE AUTHORITY: W. Va. Code §16-4C-25

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

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

Yes

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

WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
10/26/2026 9:41:56 AM
Office of West Virginia Secretary Of State

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-52

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: 18B-1-6

RULE NAME: 133-52 Annual Reauthorization of Degree-Granting Institutions

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

5 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[ ] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [ ] INCORPORATED BY REFERENCE [ ]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

Authorizes baccalaureate and graduate level higher education institutions to operate in the State of West Virginia.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

Provisions of rule have not changed, policy requirements are still applicable.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

N/A

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

N/A

West Virginia Secretary of State Kris Warner Administrative Law Division	DO NOT MARK IN THIS BOX FILED 2026 OCT 26 A 8:34 OFFICE OF WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

Changes to Social Service Manual

Agency: Department of Human Services

Bureau: Bureau for Social Services

Rule: 78 CSR 5

Change Rule: CAS-CS-PI-26-21

Revision to Existing Manual: ☒ Yes ☐ No

Summary of Changes:

Revisions to Child Protective Services Policy

Two Copies Enclosed:
Please file one and return a stamped copy to:

Theresa Kirk
350 Capitol Street
Charleston WV 25301
Theresa.e.kirk@wv.gov

Orders Report

Docket Number	Agency	Respondent	Date Rendered
26-64-W	Medicine, West Virginia Board Of	Durwood F. Gandee, MD	10/27/2026
26-85-W	Medicine, West Virginia Board Of	Robert Brian McLendon, MD	10/27/2026
23-106-W	Medicine, West Virginia Board Of	Joseph Henry Yanta, MD	10/27/2026

West Virginia
Board of Accountancy

405 Capitol Street, Suite 908
Charleston, West Virginia 25301-1744

Patrick Morrisey, Governor

Board Members:
Jason P. Staats, CPA– President
Brian D. Wadsworth, CPA– Vice President
Keith D. Fisher, Esq., Public Member -Secretary
Richard A. Riley, CPA, PhD, CFE, CFF- Asst. Secretary
Barry L. Burgess, CPA, CPA
Richard A. Hudson CPA, Esq.
Virginia C. Slack, CPA

Kristi A. Justice, Executive Director

October 9, 2026

OTHER

FILED
2026 OCT 29 A 10:26
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

The Honorable Kris Warner
West Virginia Secretary of State
State Capitol, Building 1, Suite 157-K
1900 Kanawha Boulevard
Charleston, WV 25305

Dear Honorable Kris Warner,

Enclosed please find the FY2026 Annual Report for the West Virginia Board of Accountancy. This report is submitted in accordance with Chapter 30, Article 1, Section 12 of the West Virginia Code, which requires the submission of annual reports for Chapter 30 Boards.

The report details the activities and accomplishments of the Board of Accountancy over the past two fiscal years. Should you have any questions or require additional information regarding the report, please do not hesitate to contact me.

Sincerely,

Kristi A. Justice
Executive Director

Phone: (304) 558-3557 * Fax: (304) 558-1325 * Email: wvboa@wv.gov * Web: https://www.boa.wv.gov

FILED
WV SECRETARY OF STATE
OCTOBER 26, 2026 09:21 AM

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

10/26/2026

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **10/23/2026**.

LETTER OF INTENT RECEIVED

October 21, 2026 - Grant Memorial Hospital, CON File #26-8-13804-P, for the development of an ambulatory health care facility in Petersburg, Grant County, West Virginia. Capital Expenditure $6,385,000.

LETTER OF INTENT EXPIRED

October 19, 2026 - Kairos Care d/b/a Kairos Homecare, CON File #26-9-13794-PC, for the provision of non-medical Medicaid Waiver homecare services (including personal attendant and homemaker services) in Berkeley and Jefferson Counties, West Virginia. Capital Expenditure $25,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

October 19, 2026 - Thomas Memorial Hospital and THS Physician Partners, Inc., CON File #26-3-13793-P, for the development of an ambulatory health care facility in Charleston, Kanawha County, West Virginia through the acquisition Of the assets of a physician office and the employment or contracting of the physician and Staff. Capital Expenditure $451 ,000.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

October 21, 2026 - Shana Caring Hands Home Care, LLC, CON File #26-9-13788-Z, for the establishment of a Medicare-certified home health agency in Jefferson County, West Virginia. Capital Expenditure $22,050.

Further information may be obtained on any of the above-referenced projects by contacting The West Virginia Healthcare Authority Staff at 304.558.7000.