

# **WEST VIRGINIA LEGISLATURE**

**2022 REGULAR SESSION**

**Enrolled**

**Committee Substitute**

**for**

**Senate Bill 334**

BY SENATOR SYPOLT

[Passed March 12, 2022; in effect from passage]



1 AN ACT to amend and reenact §64-9-1 *et seq.* of the Code of West Virginia, 1931, as amended,  
2 relating generally to authorizing and directing certain miscellaneous agencies and boards  
3 to promulgate legislative rules; authorizing the rules, as filed, as modified, and as  
4 amended by the Legislative Rule-Making Review Committee, and as amended by the  
5 Legislature; authorizing the Commissioner of Agriculture to promulgate a legislative rule  
6 relating to feeding of untreated garbage to swine; authorizing the Commissioner of  
7 Agriculture to promulgate a legislative rule relating to commercial feed; authorizing the  
8 Commissioner of Agriculture to promulgate a legislative rule relating to enrichment of flour  
9 and bread law regulations; authorizing the Commissioner of Agriculture to promulgate a  
10 legislative rule relating to fruits and vegetables: certification for potatoes for seedling  
11 purposes; authorizing the Commissioner of Agriculture to promulgate a legislative rule  
12 relating to Fresh Food Act; authorizing the Commissioner of Agriculture to promulgate a  
13 legislative rule relating to auctioneers; to authorizing the Commissioner of Agriculture to  
14 promulgate a legislative rule relating to hemp products; authorizing the Commissioner of  
15 Agriculture to promulgate a legislative rule relating to livestock care standards; authorizing  
16 the Commissioner of Agriculture to promulgate a legislative rule relating to the Rural  
17 Rehabilitation Program; authorizing the Commissioner of Agriculture to promulgate a  
18 legislative rule relating to the Farm-to-Food Bank Tax Credit; authorizing the  
19 Commissioner of Agriculture to promulgate a legislative rule relating to farmers markets;  
20 authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to  
21 seed certification; authorizing the State Auditor to promulgate a legislative rule relating to  
22 the procedure for local levying bodies to apply for permission to extend time to meet as  
23 levying body; authorizing the State Auditor to promulgate a legislative rule relating to  
24 accountability requirements for state funds and grants; authorizing the West Virginia Board  
25 of Chiropractic Examiners to promulgate a legislative rule relating to fees established by

26 the Board; directing the West Virginia Board of Chiropractic Examiners to promulgate a  
27 legislative rule relating to chiropractic telehealth practices; authorizing the Contractor  
28 Licensing Board to promulgate a legislative rule relating to the Contractor Licensing Act;  
29 authorizing the West Virginia Board of Examiners in Counseling to promulgate a  
30 legislative rule relating to licensure; authorizing the West Virginia Board of Examiners in  
31 Counseling to promulgate a legislative rule relating to licensed professional counselors  
32 fees; authorizing the West Virginia Board of Examiners in Counseling to promulgate a  
33 legislative rule relating to marriage and family therapist licensing; authorizing the West  
34 Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to  
35 marriage and family therapist fees; authorizing the Dangerous Wild Animal Board to  
36 promulgate a legislative rule relating to dangerous wild animals; authorizing the West  
37 Virginia Board of Dentistry to promulgate a legislative rule relating to the West Virginia  
38 Board of Dentistry; authorizing the West Virginia Board of Dentistry to promulgate a  
39 legislative rule relating to the formation and approval of professional limited liability  
40 companies; directing the West Virginia Board of Dentistry to promulgate a legislative rule  
41 relating to fees; authorizing the West Virginia Board of Dentistry to promulgate a legislative  
42 rule relating to the formation and approval of dental corporation and dental practice  
43 ownership; authorizing the West Virginia Board of Dentistry to promulgate a legislative  
44 rule relating to continuing education requirements; authorizing the West Virginia Board of  
45 Dentistry to promulgate a legislative rule relating to the administration of anesthesia by  
46 dentists; authorizing the West Virginia Board of Dentistry to promulgate a legislative rule  
47 relating to the expanded duties of dental hygienists and dental assistants; authorizing the  
48 West Virginia Board of Dentistry to promulgate a legislative rule relating to teledentistry;  
49 directing the West Virginia Board of Licensed Dietitians to promulgate a legislative rule  
50 relating to licensure and renewal requirements; directing the West Virginia Board of

51 Professional Engineers to promulgate a legislative rule relating to examination, licensure,  
52 and practice of professional engineers; authorizing the West Virginia Board of Funeral  
53 Service Examiners to promulgate a legislative rule relating to the fee schedule; authorizing  
54 the West Virginia Massage Therapy Licensure Board to promulgate a legislative rule  
55 relating to general provisions; directing the West Virginia Medical Imaging and Radiation  
56 Therapy Technology Board of Examiners relating to medical imaging technologists;  
57 authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to  
58 licensing and disciplinary procedures for physicians, podiatric physicians, and surgeons;  
59 authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to  
60 licensure, practice requirements disciplinary and complaint procedures, continuing  
61 education, and physician assistants; authorizing the West Virginia Board of Medicine to  
62 promulgate a legislative rule relating to dispensing of prescription drugs by practitioners;  
63 authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to  
64 continuing education for physicians and podiatric physicians; authorizing the West Virginia  
65 Board of Medicine to promulgate a legislative rule relating to practitioner requirements for  
66 accessing the West Virginia Controlled Substances Monitoring Program Database;  
67 authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to  
68 the establishment and regulation of limited license to practice medicine and surgery at  
69 certain state veterans nursing home facilities; authorizing the West Virginia Board of  
70 Medicine to promulgate a legislative rule relating to registration to practice during a  
71 declared state of emergency; authorizing the West Virginia Board of Medicine to  
72 promulgate a legislative rule relating to telehealth and interstate telehealth registration for  
73 physicians, podiatric physicians, and physician assistants; authorizing the West Virginia  
74 Board of Osteopathic Medicine to promulgate a legislative rule relating to licensing  
75 procedures for osteopathic physicians; authorizing the West Virginia Board of Osteopathic

76 Medicine to promulgate a legislative rule relating to Osteopathic Physicians Assistants;  
77 authorizing the West Virginia Board of Osteopathic Medicine to promulgate a legislative  
78 rule relating to practitioner requirements for controlled substances licensure and  
79 Accessing the West Virginia Controlled Substances Monitoring Program Database;  
80 authorizing the West Virginia Board of Osteopathic Medicine to promulgate a legislative  
81 rule relating to telehealth practice and interstate telehealth registration for osteopathic  
82 physicians and physician assistants; authorizing the West Virginia Board of Pharmacy to  
83 promulgate a legislative rule relating to licensure and practice of pharmacy care;  
84 authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating  
85 to the Controlled Substance Monitoring Program; authorizing the West Virginia Board of  
86 Pharmacy to promulgate a legislative rule relating to regulations governing pharmacists;  
87 directing the West Virginia Board of Psychologists to promulgate a legislative rule relating  
88 to fees; authorizing the Public Service Commission to promulgate a legislative rule relating  
89 to rules governing the occupancy of customer-provided conduit; authorizing the West  
90 Virginia Real Estate Appraiser Licensing and Certification Board to promulgate a  
91 legislative rule relating to requirements for licensure or certification; authorizing the West  
92 Virginia Real Estate Appraiser Licensing and Certification Board to promulgate a  
93 legislative rule relating to the renewal of licensure and certification; authorizing the West  
94 Virginia Real Estate Appraiser Licensing and Certification Board to promulgate a  
95 legislative rule relating to requirements for registration and renewal of appraisal  
96 management companies; authorizing the West Virginia Board of Examiners for Registered  
97 Professional Nurses to promulgate a legislative rule relating to limited prescriptive  
98 authority for nurses in advanced practice; authorizing the West Virginia Board of  
99 Examiners of Registered Professional Nurses to promulgate a legislative rule relating to  
100 telehealth practice; authorizing the Secretary of State to promulgate a legislative rule

101 relating to voter registration at the Division of Motor Vehicles; authorizing the Secretary of  
102 State to promulgate a legislative rule relating to voter registration list maintenance by the  
103 Secretary of State; authorizing the Secretary of State to promulgate a legislative rule  
104 relating to the combined Voter Registration and Driver Licensing Fund; authorizing the  
105 Secretary of State to promulgate a legislative rule relating to the use of digital signatures;  
106 authorizing the Secretary of State to promulgate a legislative rule relating to regulation of  
107 political party headquarters finances; authorizing the Secretary of State to promulgate a  
108 legislative rule relating to standards and guidelines for electronic notarization, remote  
109 online notarization, and remote ink notarization; authorizing the Secretary of State to  
110 promulgate a legislative rule relating to real property electronic recording standards and  
111 regulations; authorizing the West Virginia Board of Social Work Examiners to promulgate  
112 a legislative rule relating to qualifications for the profession of social work; directing the  
113 West Virginia Board of Social Work Examiners to promulgate a legislative rule relating to  
114 the fee schedule; authorizing the West Virginia Board of Social Work Examiners to  
115 promulgate a legislative rule relating to continuing education for social workers and  
116 providers; authorizing the West Virginia Board of Examiners for Speech-Language  
117 Pathology and Audiology to promulgate a legislative rule relating to licensure of speech-  
118 pathology and audiology; authorizing the State Treasurer to promulgate a legislative rule  
119 relating to Substitute Checks- Exceptional Items Fund; authorizing the State Treasurer to  
120 promulgate a legislative rule relating to procedures for deposit of monies with the State  
121 Treasurer's Office by state agencies; authorizing the State Treasurer to promulgate a  
122 legislative rule relating to the selection of state depositories for disbursement accounts  
123 through competitive bidding; authorizing the State Treasurer to promulgate a legislative  
124 rule relating to the selection of state depositories for receipt accounts; authorizing the  
125 State Treasurer to promulgate a legislative rule relating to procedures for processing

126 payments from the State Treasury; authorizing the State Treasurer to promulgate a  
127 legislative rule relating to reporting debt; authorizing the State Treasurer to promulgate a  
128 legislative rule relating to procedures for fees in collections by charge, credit, or debit card  
129 or by electronic payment; and authorizing the State Treasurer to promulgate a legislative  
130 rule relating to procedures for providing services to political subdivisions.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 9. AUTHORIZATION FOR MISCELLANEOUS AGENCIES AND BOARDS TO  
PROMULGATE LEGISLATIVE RULES.**

**§64-9-1. Commissioner of Agriculture.**

1 (a) The legislative rule filed in the State Register on July 19, 2021, authorized under the  
2 authority of §19-9A-7 of this code, modified by the Commissioner of Agriculture to meet the  
3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
4 October 5, 2021, relating to the Commissioner of Agriculture (Feeding of Untreated Garbage to  
5 Swine, 61 CSR 01A), is authorized.

6 (b) The legislative rule filed in the State Register on July 26, 2021, authorized under the  
7 authority of §19-14-3 of this code, modified by the Commissioner of Agriculture to meet the  
8 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
9 January 3, 2022, relating to the Commissioner of Agriculture (Commercial Feed, 61 CSR 05), is  
10 authorized with the amendment set forth below:

11 On page 14, subsection 11.4, after the word “may” by deleting the word “NOT”.

12 (c) The legislative rule filed in the State Register on July 28, 2021, authorized under the  
13 authority of §19-11A-10 of this code, modified by the Commissioner of Agriculture to meet the  
14 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
15 August 31, 2021, relating to the Commissioner of Agriculture (Enrichment of Flour and Bread  
16 Law Regulations, 61 CSR 07), is authorized.

17 (d) The legislative rule filed in the State Register on July 28, 2021, authorized under the  
18 authority of §19-16-7 of this code, relating to the Commissioner of Agriculture (Fruits and  
19 Vegetables: Certification of Potatoes for Seedling Purposes, 61 CSR 08C), is authorized.

20 (e) The legislative rule filed in the State Register on July 29, 2021, authorized under the  
21 authority of §19-37-3 of this code, modified by the Commissioner of Agriculture to meet the  
22 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
23 October 5, 2021, relating to the Commissioner of Agriculture (Fresh Food Act, 61 CSR 10), is  
24 authorized.

25 (f) The legislative rule filed in the State Register on July 29, 2021, authorized under the  
26 authority of §19-2C-3a of this code, modified by the Commissioner of Agriculture to meet the  
27 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
28 October 5, 2021, relating to the Commissioner of Agriculture (Auctioneers, 61 CSR 11B), is  
29 authorized, with the following amendments:

30 On page 8, subdivision 16.1, by striking “two hundred dollars (\$200)” and inserting in lieu  
31 thereof “\$100”;

32 On page 8 subdivision 16.3, by striking “two hundred dollars (\$200)” and inserting in lieu  
33 thereof “\$100”;

34 On page 9, subdivision 16.6 by striking “two hundred dollars (\$200)” and inserting in lieu  
35 thereof “\$100”;

36 On page 9, subdivision 16.7, by striking “two hundred dollars (\$200)” and inserting in lieu  
37 thereof “\$100”.

38 (g) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
39 authority of §19-12E-7 of this code, modified by the Commissioner of Agriculture to meet the  
40 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
41 October 5, 2021, relating to the Commissioner of Agriculture (Hemp Products, 61 CSR 30), is  
42 authorized.

43 (h) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
44 authority of §19-1C-4 of this code, modified by the Commissioner of Agriculture to meet the  
45 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
46 January 3, 2022, relating to the Commissioner of Agriculture (Livestock Care Standards , 61 CSR  
47 31), is authorized with the amendments set forth below:

48 On page 2, subsection 2.15, by striking out “2018” and inserting in lieu thereof “2020”;

49 On page 6, subdivision 13.2.a., by striking out the “5” and inserting in lieu thereof a “9”;

50 On page 7, subsection 13.12., by striking out the word “and”;

51 On page 7, subsection 13.13., by striking out the period and inserting in lieu thereof a  
52 semicolon and the word “or”;

53 On page 7, after subsection 13.13, by adding a new subsection 13.14. to read as follows:

54 “13.14. Any other widely accepted practices.”;

55 On page 9, subdivision 14.4.p., by striking out the word “and”;

56 On page 9, subdivision 14.4.q., by striking out the period and inserting in lieu thereof a  
57 semicolon and the word “or”;

58 On page 9, after subdivision 14.4.q., by adding a new subdivision 14.q.r. to read as follows:

59 “14.q.r. Any other widely accepted practices.”;

60 On page 11, subdivision 15.6.j., by striking out the word “and”;

61 On page 11, subdivision 15.6.k., by striking out the period and inserting in lieu thereof a  
62 semicolon and the word “or”;

63 On page 11, after subdivision 15.6.k. by adding a new subdivision 16.6.l. to read as  
64 follows:

65 “16.6.l. Any other widely accepted practices.”;

66 On page 12, paragraph 16.2.a.6., by striking out the word “and”;

67 On page 12, paragraph 16.2.a.7., by striking out the period and inserting in lieu thereof a  
68 semicolon and the word “or”;

69 On page 12, after paragraph 14.2.a.7., by adding a new paragraph 16.2.a.8. to read as  
70 follows:

71 “16.2.a.8. Any other widely accepted practices.”;

72 On page 12, paragraph 16.2.b.7., by striking out the word “and”;

73 On page 12, paragraph 16.2.b.8., by striking out the period and inserting in lieu thereof a  
74 semicolon and the word “or”;

75 On page twelve, after paragraph 16.2.b.8. by adding a new paragraph 16.2.b.9. to read  
76 as follows:

77 “16.2.b.9. Any other widely accepted practices.”;

78 On page 12, paragraph 16.2.c.2., by striking out the word “and”;

79 On page 12, paragraph 16.2.c.3., by striking out the period and inserting in lieu thereof a  
80 semicolon and the word “or”;

81 On page 12, after paragraph 16.2.c.3., by adding a new paragraph 16.2.c.4. to read as  
82 follows:

83 “16.2.c.4. Any other widely accepted practices.”;

84 On page 13, subdivision 17.3.j., by striking out the word “and”;

85 On page 13, subdivision 17.3.k., by striking out the period and inserting in lieu thereof a  
86 semicolon and the word “or”;

87 On page 13, after subdivision 17.3.k., by adding a new subdivision 17.3.l. to read as  
88 follows:

89 “17.3.l. Any other widely accepted practices.”;

90 On page 14, paragraph 18.3.d.2., by striking out the word “and”;

91 On page 14, subdivision 18.3.e., by striking out the period and inserting in lieu thereof a  
92 semicolon and the word “or”;

93 And,

94 On page 14, after subdivision 18.3.e., by adding a new subsection 18.3.f., to read as  
95 follows:

96 “18.3.f. Any other widely accepted practices.”

97 (i) The legislative rule filed in the State Register on July 27, 2021, authorized under the  
98 authority of §19-1-11 of this code, modified by the Commissioner of Agriculture to meet the  
99 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
100 October 5, 2021, relating to the Commissioner of Agriculture (Rural Rehabilitation Program, 61  
101 CSR 33), is authorized.

102 (j) The legislative rule filed in the State Register on July 19, 2021, authorized under the  
103 authority of §11-13DD-5 of this code, modified by the Commissioner of Agriculture to meet the  
104 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
105 October 5, 2021, relating to the Commissioner of Agriculture (Farm-to-Food Bank Tax Credit, 61  
106 CSR 36), is authorized.

107 (k) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
108 authority of §19-35-4 of this code, modified by the Commissioner of Agriculture to meet the  
109 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
110 October 5, 2021, relating to the Commissioner of Agriculture (Farmers Markets, 61 CSR 38), is  
111 authorized with the amendments set forth below:

112 On page 11, subdivision 8.1.d by striking out the words “holding a Food Handler’s Card;

113 And,

114 On page 11, subdivision 8.1.d, after the word “completed” by inserting the words “Better  
115 Process Control School or”.

116 (l) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
117 authority of §19-16-6 of this code, modified by the Commissioner of Agriculture to meet the  
118 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on

119 October 6, 2021, relating to the Commissioner of Agriculture (Seed Certification, 61 CSR 39), is  
120 authorized.

**§64-9-2. State Auditor.**

1 (a) The legislative rule filed in the State Register on January 3, 2022, authorized under  
2 the authority of §11-8-9 of this code, modified by the Auditor to meet the objections of the  
3 Legislative Rule-Making Review Committee and refiled in the State Register on January 10, 2022,  
4 relating to the Auditor (Procedure for Local Levying Bodies to Apply for Permission to Extend  
5 Time to Meet as Levying Body, 155 CSR 08), is authorized.

6 (b) The legislative rule filed in the State Register on September 13, 2021, authorized under  
7 the authority of §12-4-14 of this code, modified by the Auditor to meet the objections of the  
8 Legislative Rule-Making Review Committee and refiled in the State Register on January 3, 2022,  
9 relating to the Auditor (Accountability Requirements for State Funds and Grants, 155 CSR 09), is  
10 authorized.

**§64-9-3. West Virginia Board of Chiropractic Examiners.**

1 (a) The Legislature directs the West Virginia Board of Chiropractic Examiners to  
2 amend the legislative rule filed in the State Register on April 1, 2014, authorized under the  
3 authority of §30-16-5 of this code, relating to the West Virginia Board of Chiropractic Examiners  
4 (Fees Established by the Board, 4 CSR 06) with the amendments set forth below:

5 On page one, after subsection 1.4., by adding a new subsection 1.5. to read as follows:

6 "1.5. Sunset Provision. — This rule shall terminate and have no further force or effect on  
7 August 1, 2027.";

8 On page one, subdivision 6.2.1, after the words "in West Virginia is," by striking out "\$300",  
9 and inserting in lieu thereof "\$261";

10 On page one, subdivision 6.2.1.,after the words "chiropractors is," by striking out "\$150"  
11 and inserting in lieu thereof "\$130";

12 On page one, subdivision 6.2.2 by striking out "\$200", and inserting in lieu thereof "\$175";

13 On page one, subdivision 6.2.3 by striking out “\$200”, and inserting in lieu thereof “\$175”;

14 On page one, subdivision 6.2.4, after the words “articles of incorporation,” by striking out  
15 “\$150”, and inserting in lieu thereof “\$130”;

16 On page one, subdivision 6.2.4., after the words “limited liability company is,” by striking  
17 out “\$150”, and inserting in lieu thereof “\$130”;

18 On page one, subdivision 6.2.4., after the words “annual renewal fee of,” by striking out  
19 “\$150”, and inserting in lieu thereof “\$130”;

20 On page one, subdivision 6.2.5, after the words “examination fee is,” by striking out “\$150”,  
21 and inserting in lieu thereof “\$130”;

22 On page one, subdivision 6.2.5., after the words “and a fee of,” by striking out “\$50” and  
23 inserting “\$45.”;

24 On page one, subdivision 6.2.6 by striking out “\$50”, and inserting in lieu thereof “\$45”;

25 On page one, subdivision 6.2.7 by striking out “\$100”, and inserting in lieu thereof “\$87”;

26 On page one, subdivision 6.2.8 by striking out “\$50”, and inserting in lieu thereof “\$45”;

27 And,

28 On page one, subdivision 6.2.2 by striking out “\$250”, and inserting in lieu thereof  
29 “\$218”;

30 (b) The legislative rule filed in the State Register on July 13, 2021, authorized under  
31 the authority of §30-16-5 of this code, modified by the West Virginia Board of Chiropractic  
32 Examiners to meet the objections of the Legislative Rule-Making Review Committee and refiled  
33 in the State Register on December 15, 2021, relating to the West Virginia Board of Chiropractic  
34 Examiners (Chiropractic Telehealth Practice, 4 CSR 09), is authorized.

**§64-9-4. West Virginia Contractor Licensing Board.**

1 The legislative rule filed in the State Register on July 30, 2021, authorized under the  
2 authority of §30-42-5 of this code, modified by the West Virginia Contractor Licensing Board to  
3 meet the objections of the Legislative Rule-Making Review Committee and refiled in the State

4 Register on December 9, 2021, relating to the West Virginia Contractor Licensing Board  
5 (Contractor Licensing Act, 28 CSR 02), is authorized with the amendment set forth below:

6 On page 1, subsection 3.2, after the word “public.” by adding a new sentence to read as  
7 follows: “If a contractor maintains an internet website, any advertisement by the contractor may  
8 direct potential customers to the contractor’s online landing page for a link to the information  
9 required by W. Va. Code §30-42-6(b).”

**§64-9-5. West Virginia Board of Examiners in Counseling.**

1 (a) The legislative rule filed in the State Register on July 29, 2021, authorized under the  
2 authority of §30-31-6 of this code, modified by the West Virginia Board of Examiners in Counseling  
3 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State  
4 Register on December 13, 2021, relating to the West Virginia Board of Examiners in Counseling  
5 (Licensing Rule, 27 CSR 01), is authorized.

6 (b) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
7 authority of §30-31-6 of this code, modified by the West Virginia Board of Examiners in Counseling  
8 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State  
9 Register on December 13, 2021, relating to the West Virginia Board of Examiners in Counseling  
10 (Licensed Professional Counselors Fees Rule, 27 CSR 02), is authorized.

11 (c) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
12 authority of §30-31-6 of this code, modified by the West Virginia Board of Examiners in Counseling  
13 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State  
14 Register on December 13, 2021, relating to the West Virginia Board of Examiners in Counseling  
15 (Marriage and Family Therapist Licensing Rule, 27 CSR 08), is authorized.

16 (d) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
17 authority of §30-31-6 of this code, modified by the West Virginia Board of Examiners in Counseling  
18 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State

19 Register on December 13, 2021, relating to the West Virginia Board of Examiners in Counseling  
20 (Marriage and Family Therapist Fees Rule, 27 CSR 09), is authorized.

**§64-9-6. Dangerous Wild Animal Board.**

1 The legislative rule filed in the State Register on April 5, 2021, authorized under the  
2 authority of §19-34-3 of this code, relating to the Dangerous Wild Animal Board (Dangerous Wild  
3 Animal, 74 CSR 01), is authorized.

**§64-9-7. West Virginia Board of Dentistry.**

1 (a) The legislative rule filed in the State Register on July 26, 2021, authorized under the  
2 authority of §30-4-6 of this code, modified by the West Virginia Board of Dentistry to meet the  
3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
4 September 17, 2021, relating to the West Virginia Board of Dentistry (Rule for the West Virginia  
5 Board of Dentistry, 5 CSR 01), is authorized with the amendments set forth below:

6 On page 2, subsection 3.3, after the words “certification of the dean of the dental school”  
7 by inserting the words “or program director of a dental residency program”;

8 On page 2, subsection 3.3, after the word “staff at that school” by inserting the words “or  
9 program”;

10 On page 2, subsection 3.3, after the words “dental school dean” by inserting the words “or  
11 program director of a dental residency program”;

12 On page 2, subsection 3.3, after the words “location of the dental school” by inserting the  
13 words “or program”;

14 And,

15 On page 2, subsection 3.3, after the word “functions in the dental school” by inserting the  
16 words “or program”.

17 (b) The legislative rule filed in the State Register on July 26, 2021, authorized under the  
18 authority of §31B-13-1304 of this code, modified by the West Virginia Board of Dentistry to meet  
19 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register

20 on September 17, 2021, relating to the West Virginia Board of Dentistry (Formation and Approval  
21 of Professional Limited Liability Companies, 5 CSR 02), is authorized.

22 (c) The Legislature directs the West Virginia Board of Dentistry to amend the legislative  
23 rule filed in the State Register on May 1, 2014, authorized under the authority of §30-4-6 of this  
24 code, relating to the West Virginia Board of Dentistry (Fees Established by the Board, 5 CSR 03)  
25 with the amendments set forth below:

26 On page one, after subsection 1.4., by adding a new subsection 1.5. to read as follows:

27 “1.5. Sunset Provision. – This rule shall terminate and have no further force or effect on  
28 August 1, 2027.”;

29 On page one, subsection 2.1 by striking out “\$185.00”, and inserting in lieu thereof  
30 “\$167.00”;

31 On page one, subsection 2.2 by striking out “\$20.00”, and inserting in lieu thereof “\$18.00”;

32 On page one, subsection 2.3 by striking out “\$200.00”, and inserting in lieu thereof  
33 “\$180.00”;

34 On page one, subsection 2.4 by striking out “\$200.00”, and inserting in lieu thereof  
35 “\$180.00”;

36 On page one, subsection 2.5 by striking out “\$200.00”, and inserting in lieu thereof  
37 “\$180.00”;

38 On page one, subsection 2.6 by striking out “\$50.00”, and inserting in lieu thereof “\$45.00”;

39 On page one, subsection 2.7 by striking out “\$185.00”, and inserting in lieu thereof  
40 “\$167.00”;

41 On page one, subsection 3.1 by striking out “\$300.00”, and inserting in lieu thereof  
42 “\$270.00”;

43 On page one, subsection 4.1 by striking out “\$75.00”, and inserting in lieu thereof “\$68.00”;

44 On page one, subsection 4.2 by striking out “\$20.00”, and inserting in lieu thereof “\$18.00”;

45 On page one, subsection 4.3 by striking out "\$100.00", and inserting in lieu thereof  
46 "\$90.00";

47 On page one, subsection 4.4 by striking out "\$100.00", and inserting in lieu thereof  
48 "\$90.00";

49 On page one, subsection 4.5 by striking out "\$100.00", and inserting in lieu thereof  
50 "\$90.00";

51 On page two, subsection 4.6 by striking out "\$50.00", and inserting in lieu thereof "\$45.00";

52 On page two, subsection 4.7 by striking out "\$75.00", and inserting in lieu thereof "\$68.00";

53 On page two, subsection 4.8 by striking out "\$65.00", and inserting in lieu thereof "\$59.00";

54 On page two, subsection 4.9 by striking out "\$50.00", and inserting in lieu thereof "\$45.00";

55 On page two, subsection 4.10 by striking out "\$50.00", and inserting in lieu thereof  
56 "\$45.00";

57 On page two, subsection 4.11 by striking out "\$25.00", and inserting in lieu thereof  
58 "\$23.00";

59 On page two, subsection 4.12 by striking out "\$100.00", and inserting in lieu thereof  
60 "\$90.00";

61 On page two, subsection 4.13 by striking out "\$25.00", and inserting in lieu thereof  
62 "\$23.00";

63 On page two, subsection 4.14 by striking out "\$25.00", and inserting in lieu thereof  
64 "\$23.00";

65 On page two, subsection 4.15 by striking out "\$50.00", and inserting in lieu thereof  
66 "\$45.00";

67 On page two, subsection 4.16 by striking out "\$25.00", and inserting in lieu thereof  
68 "\$23.00";

69 On page two, subsection 5.1 by striking out "\$25.00", and inserting in lieu thereof "\$23.00";

70 On page two, subsection 5.2 by striking out "\$25.00", and inserting in lieu thereof "\$23.00";

71 On page two, subsection 6.1 by striking out "\$250.00", and inserting in lieu thereof  
72 "\$225.00";

73 On page two, subsection 6.2 by striking out "\$150.00", and inserting in lieu thereof  
74 "\$135.00";

75 On page two, subsection 6.3 by striking out "\$25.00", and inserting in lieu thereof "\$23.00";

76 On page two, subsection 7.1 by striking out "\$50.00", and inserting in lieu thereof "\$45.00";

77 On page two, subsection 7.2 by striking out "\$15.00", and inserting in lieu thereof "\$14.00";

78 On page two, subsection 7.3 by striking out "\$900.00", and inserting in lieu thereof  
79 "\$810.00";

80 On page two, subsection 7.4 by striking out "\$300.00", and inserting in lieu thereof  
81 "\$270.00";

82 On page two, subsection 7.5 by striking out "\$50.00", and inserting in lieu thereof "\$45.00";

83 On page three, subsection 7.6 by striking out "\$25.00", and inserting in lieu thereof  
84 "\$23.00";

85 On page three, subsection 7.7 by striking out "\$200.00", and inserting in lieu thereof  
86 "\$180.00";

87 On page three, subsection 8.1 by striking out "\$250.00", and inserting in lieu thereof  
88 "\$225.00";

89 On page three, subsection 8.2 by striking out "\$175.00", and inserting in lieu thereof  
90 "\$158.00";

91 On page three, subsection 8.3 by striking out "\$25.00", and inserting in lieu thereof  
92 "\$23.00";

93 On page three, subsection 9.1 by striking out "\$1,500.00", and inserting in lieu thereof  
94 "\$1,350.00";

95 On page three, subsection 9.2 by striking out "\$250.00", and inserting in lieu thereof  
96 "\$225.00";

97 On page three, subsection 9.3 by striking out "\$1,000.00", and inserting in lieu thereof  
98 "\$900.00";

99 On page three, subsection 9.4 by striking out "\$250.00", and inserting in lieu thereof  
100 "\$225.00";

101 On page three, subsection 9.5 by striking out "\$500.00", and inserting in lieu thereof  
102 "\$450.00";

103 On page three, subsection 9.6 by striking out "\$50.00", and inserting in lieu thereof  
104 "\$45.00";

105 On page three, subsection 9.7 by striking out "\$250.00", and inserting in lieu thereof  
106 "\$225.00";

107 On page three, subsection 9.8 by striking out "\$50.00", and inserting in lieu thereof  
108 "\$45.00";

109 On page three, subsection 10.1 by striking out "\$25.00", and inserting in lieu thereof  
110 "\$23.00";

111 On page three, subsection 10.2 by striking out "\$25.00", and inserting in lieu thereof  
112 "\$23.00";

113 On page three, subsection 10.3 by striking out "\$100.00", and inserting in lieu thereof  
114 "\$90.00";

115 On page three, subsection 10.6 by striking out "\$100.00", and inserting in lieu thereof  
116 "\$90.00";

117 And,

118 On page three, subsection 10.7 by striking out "\$200.00", and inserting in lieu thereof  
119 "\$180.00".

120 (d) The legislative rule filed in the State Register on July 26, 2021, authorized under the  
121 authority of §30-4-6 of this code, modified by the West Virginia Board of Dentistry to meet the  
122 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on

123 September 17, 2021, relating to the West Virginia Board of Dentistry (Formation and Approval of  
124 Dental Corporation and Dental Practice Ownership, 5 CSR 06), is authorized.

125 (e) The legislative rule filed in the State Register on July 26, 2021, authorized under the  
126 authority of §30-4-6 of this code, modified by the West Virginia Board of Dentistry to meet the  
127 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
128 September 17, 2021, relating to the West Virginia Board of Dentistry (Continuing Education  
129 Requirements, 5 CSR 11), is authorized.

130 (f) The legislative rule filed in the State Register on July 26, 2021, authorized under the  
131 authority of §30-4-6 of this code, modified by the West Virginia Board of Dentistry to meet the  
132 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
133 September 20, 2021, relating to the West Virginia Board of Dentistry (Administration of Anesthesia  
134 by Dentists, 5 CSR 12), is authorized.

135 (g) The legislative rule filed in the State Register on July 26, 2021, authorized under the  
136 authority of §30-4-6 of this code, modified by the West Virginia Board of Dentistry to meet the  
137 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
138 September 20, 2021, relating to the West Virginia Board of Dentistry (Expanded Duties of Dental  
139 Hygienists and Dental Assistants, 5 CSR 13), is authorized.

140 (h) The legislative rule filed in the State Register on July 26, 2021, authorized under the  
141 authority of §30-4-6 of this code, modified by the West Virginia Board of Dentistry to meet the  
142 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
143 December 13, 2021, relating to the West Virginia Board of Dentistry (Teledentistry, 5 CSR 16), is  
144 authorized.

**§64-9-8. West Virginia Board of Licensed Dietitians.**

1 The Legislature directs the West Virginia Board of Licensed Dietitians to amend the  
2 legislative rule filed in the State Register on March 26, 2020, authorized under the authority of

3 §30-35-4 of this code, relating to the West Virginia Board of Licensed Dietitians (Licensure and  
4 Renewal Requirements, 31 CSR 01) with the amendments set forth below:

5 On page one, subsection 1.5 by striking out “March 26, 2030”, and inserting in lieu thereof  
6 “August 1, 2030”

7 On page two, paragraph 4.1.2.1 by striking out “\$75.00”, and inserting in lieu thereof  
8 “\$69.00”;

9 On page two, paragraph 4.1.2.2 by striking out “\$75.00”, and inserting in lieu thereof  
10 “\$69.00”;

11 On page two, paragraph 4.1.2.3 by striking out “\$50.00”, and inserting in lieu thereof  
12 “\$46.00”;

13 And,

14 On page two, subsection 31.6.3 by striking out “\$50.00”, and inserting in lieu thereof  
15 “\$46.00”.

**§64-9-9. West Virginia Board of Professional Engineers.**

1 The Legislature directs the West Virginia Board of Professional Engineers to amend the  
2 legislative rule filed in the State Register on March 30, 2020, authorized under the authority of  
3 §30-13-9 of this code, relating to the West Virginia Board of Professional Engineers (Examination,  
4 Licensure and Practice of Professional Engineers, 7 CSR 01) with the amendments set forth  
5 below:

6 On page one, subsection 1.5., by striking “April 1, 2030” and inserting in lieu thereof  
7 “August 1, 2030”;

8 On page eighteen, by striking all of subsection 13.4, and inserting in lieu thereof a new  
9 subsection 13.4 to read as follows:

“13.4. Fee Amounts. The fees for various services provided by Board are:

Engineering Intern	
Application Fee	\$23.00
Examination Fee	As charged by NCEES

Enr CS for SB 334

Professional Engineer	
Application Fee	\$72.00
Examination Fee	As charged by NCEES
Re-examination Fee	As charged by NCEES
Certificate Fee	\$23.00
Comity Application Fee	\$135.00
Certificate of Authorization	
Application Fee for Sole Proprietor with no employees	\$ 0.00
Application Fee for Firm with three or fewer Professional Engineers*	\$90.00
Application Fee for Firm with four or more Engineers*	\$135.00
Two-Year Renewal Fee	
Professional Engineer	\$63.00
Professional Engineer-Retired	\$27.00
COA for Sole Proprietor with no Employees	\$ 0.00
COA for Firm with three Or fewer Professional Engineers*	\$ 90.00
COA for Firm with four or more Professional Engineers*	\$450.00
Late Fee	25% of fee
Reinstatement Applications	
Professional Engineer	\$167.00
COA for Sole Proprietor with No employees	0.00
COA for Firm with three or fewer engineers	\$180.00
COA for Firm with four or more Professional Engineers*	\$630.00
PE or COA Roster **	\$ 23.00
Replacement Certificates	\$ 23.00
Returned Checks	\$ 23.00

\*Regardless of the PE's state of registration or licensure

\*\*Available for free download on the Board website”

**§64-9-10. West Virginia Board of Funeral Service Examiners.**

1           The legislative rule filed in the State Register on July 30, 2021, authorized under the  
2 authority of §30-6-6 of this code, modified by the West Virginia Board of Funeral Service  
3 Examiners to meet the objections of the Legislative Rule-Making Review Committee and refiled  
4 in the State Register on September 23, 2021, relating to the West Virginia Board of Funeral  
5 Service Examiners (Fee Schedule , 6 CSR 07), is authorized.

**§64-9-11. West Virginia Massage Therapy Licensure Board.**

1           The legislative rule filed in the State Register on July 30, 2021, authorized under the  
2 authority of §30-37-6 of this code, modified by the West Virginia Massage Therapy Licensure  
3 Board to meet the objections of the Legislative Rule-Making Review Committee and refiled in the  
4 State Register on September 1, 2021, relating to the West Virginia Massage Therapy Licensure  
5 Board (General Provisions, 194 CSR 01), is authorized with the amendment set forth below:

6           On page 4, subdivision 4.1.h, after the words “written medical directive” by inserting the  
7 words “prescribed by a medical doctor, doctor of osteopathy, physician assistant, or an advanced  
8 practice registered nurse”.

**§64-9-12. West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners.**

1           The Legislature directs the West Virginia Board of Medical Imaging and Radiation Therapy  
2 Technology Board of Examiners to amend the legislative rule filed in the State Register on March  
3 30, 2020, authorized under the authority of §30-23-7 of this code, relating to the West Virginia  
4 Medical Imaging and Radiation Therapy Technology Board of Examiners (Medical Imaging  
5 Technologists, 18 CSR 01) with the amendments set forth below:

6           On page one, subsection 1.5., by striking “March 30, 2035” and inserting in lieu thereof  
7 “August 1, 2035”;

8 On page 6, subdivision 4.7.a. by striking out "\$100.00" and inserting in lieu thereof  
9 "\$92.00";

10 On page 6, subdivision 4.7.b. by striking out "\$65.00" and inserting in lieu thereof "\$60.00";

11 On page 6, subdivision 4.7.c. by striking out "\$40.00" and inserting in lieu thereof "\$37.00";

12 On page 6, subdivision 4.7.f. by striking out "\$40.00" and inserting in lieu thereof "\$37.00";

13 On page 6, subdivision 4.7.j. by striking out "\$100.00" and inserting in lieu thereof "\$92.00";

14 On page 6, subdivision 4.7.k. by striking out "\$100.00" and inserting in lieu thereof  
15 "\$92.00";

16 On page 7, paragraph 4.8.a.1. by striking out "\$1000.00" and inserting in lieu thereof  
17 "\$920.00";

18 On page 7, paragraph 4.8.a.2. by striking out "\$1000.00" and inserting in lieu thereof  
19 "\$920.00";

20 On page 7, paragraph 4.8.a.3. by striking out "\$500.00" and inserting in lieu thereof  
21 "\$460.00";

22 And,

23 On page 7, paragraph 4.8.a.4. by striking out "\$500.00" and inserting in lieu thereof  
24 "\$460.00".

**§64-9-13. West Virginia Board of Medicine.**

1 (a) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
2 authority of §30-3-7 of this code, relating to the West Virginia Board of Medicine (Licensing and  
3 Disciplinary Procedures: Physicians, Podiatric Physicians and Surgeons, 11 CSR 01A), is  
4 authorized.

5 (b) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
6 authority of §30-3E-3 of this code, modified by the West Virginia Board of Medicine to meet the  
7 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
8 November 2, 2021, relating to the West Virginia Board of Medicine (Licensure, Practice

9 Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician  
10 Assistants, 11 CSR 01B), is authorized.

11 (c) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
12 authority of §30-3-7 of this code, modified by the West Virginia Board of Medicine to meet the  
13 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
14 October 25, 2021, relating to the West Virginia Board of Medicine (Dispensing of Prescription  
15 Drugs by Practitioners, 11 CSR 05), is authorized.

16 (d) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
17 authority of §30-3-7 of this code, relating to the West Virginia Board of Medicine (Continuing  
18 Education for Physicians and Podiatric Physicians, 11 CSR 06), is authorized.

19 (e) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
20 authority of §60A-9-5a of this code, modified by the West Virginia Board of Medicine to meet the  
21 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
22 October 25, 2021, relating to the West Virginia Board of Medicine (Practitioner Requirements for  
23 Accessing the West Virginia Controlled Substances Monitoring Program Database, 11 CSR 10),  
24 is authorized.

25 (f) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
26 authority of §30-3-7 of this code, modified by the Board of Medicine to meet the objections of the  
27 Legislative Rule-Making Review Committee and refiled in the State Register on October 25, 2021,  
28 relating to the West Virginia Board of Medicine (Establishment and Regulation of Limited License  
29 to Practice Medicine and Surgery at Certain State Veterans Nursing Home Facilities, 11 CSR 11),  
30 is authorized.

31 (g) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
32 authority of §30-3E-3 of this code, modified by the West Virginia Board of Medicine to meet the  
33 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on

34 October 25, 2021, relating to the West Virginia Board of Medicine (Registration to Practice During  
35 Declared State of Emergency, 11 CSR 14), is authorized.

36 (h) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
37 authority of §30-3-7 of this code, modified by the Board of Medicine to meet the objections of the  
38 Legislative Rule-Making Review Committee and refiled in the State Register on December 16,  
39 2021, relating to the Board of Medicine (Telehealth and Interstate Telehealth Registration for  
40 Physicians, Podiatric Physicians and Physician Assistants, 11 CSR 15), is authorized with the  
41 amendment set forth below:

42 On page seven, by striking out all of subsection 7.4 and inserting in lieu thereof a new  
43 subsection 7.4 to read as follows:

44 7.4 Nothing in this rule requires a practitioner to use telemedicine technologies to treat a  
45 patient if the practitioner, in his or her discretion, determines that an in-person encounter is  
46 required.;

47 And,

48 On page nine, subsection 8.4, by striking out the words “based solely upon a telemedicine  
49 encounter”.

**§64-9-14. West Virginia Board of Osteopathic Medicine.**

1 (a) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
2 authority of §30-14-14 of this code, modified by the West Virginia Board of Osteopathic Medicine  
3 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State  
4 Register on September 24, 2021, relating to the West Virginia Board of Osteopathic Medicine  
5 (Licensing Procedures for Osteopathic Physicians, 24 CSR 01), is authorized.

6 (b) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
7 authority of §30-3E-3 of this code, modified by the West Virginia Board of Osteopathic Medicine  
8 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State

9 Register on September 29, 2021, relating to the West Virginia Board of Osteopathic Medicine  
10 (Osteopathic Physician Assistants, 24 CSR 02), is authorized.

11 (c) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
12 authority of §60A-9-5a of this code, modified by the West Virginia Board of Osteopathic Medicine  
13 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State  
14 Register on September 24, 2021, relating to the West Virginia Board of Osteopathic Medicine  
15 (Practitioner Requirements for Controlled Substances Licensure and Accessing the West Virginia  
16 Controlled Substances Monitoring Program Database, 24 CSR 07), is authorized.

17 (d) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
18 authority of §30-14-14 of this code, modified by the Board of Osteopathic Medicine to meet the  
19 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
20 December 15, 2021, relating to the Board of Osteopathic Medicine (Telehealth Practice and  
21 Interstate Telehealth Registration for Osteopathic Physicians and Physician Assistants, 24 CSR  
22 10), is authorized with the amendment set forth below:

23 On page seven, by striking out all of subsection 7.4 and inserting in lieu thereof a new  
24 subsection 7.4 to read as follows:

25 7.4 Nothing in this rule requires a practitioner to use telemedicine technologies to treat a  
26 patient if the practitioner, in his or her discretion, determines that an in-person encounter is  
27 required.;

28 And,

29 On page nine, subsection 8.4, by striking out the words “based solely upon a telemedicine  
30 encounter”.

**§64-9-15. West Virginia Board of Pharmacy.**

1 (a) The legislative rule filed in the State Register on July 21, 2021, authorized under the  
2 authority of §30-5-7 of this code, modified by the West Virginia Board of Pharmacy to meet the

3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
4 September 28, 2021, relating to the West Virginia Board of Pharmacy (Licensure and Practice of  
5 Pharmacist Care, 15 CSR 01), is authorized.

6 (b) The legislative rule filed in the State Register on July 21, 2021, authorized under the  
7 authority of §60A-9-6 of this code, modified by the West Virginia Board of Pharmacy to meet the  
8 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
9 September 28, 2021, relating to the West Virginia Board of Pharmacy (Controlled Substances  
10 Monitoring Program, 15 CSR 08), is authorized.

11 (c) The legislative rule filed in the State Register on July 21, 2021, authorized under the  
12 authority of §30-5-7 of this code, modified by the West Virginia Board of Pharmacy to meet the  
13 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
14 September 29, 2021, relating to the West Virginia Board of Pharmacy (Regulations Governing  
15 Pharmacists, 15 CSR 16), is authorized.

**§64-9-16. West Virginia Board of Psychologists.**

1 The Legislature directs the West Virginia Board of Psychologists to amend the legislative  
2 rule filed in the State Register on April 25, 2018, authorized under the authority of §30-21-6 of this  
3 code, relating to the West Virginia Board of Psychologists (Fees, 17 CSR 01) with the  
4 amendments set forth below:

5 One page one, subsection 1.5. by striking out “July 1, 2028”, and inserting in lieu thereof  
6 “August 1, 2028”;

7 On page one, subsection 2.1 by striking out “\$133.00”, and inserting in lieu thereof  
8 “\$120.00”;

9 On page one, paragraph 2.2 by striking out “\$100.00”, and inserting in lieu thereof  
10 “\$90.00”;

11 On page one, subdivision 2.2.1 by striking out "\$100.00", and inserting in lieu thereof  
12 "\$90.00";

13 On page one, subdivision 2.3.1 by striking out "\$450.00", and inserting in lieu thereof  
14 "\$405.00";

15 On page one, subdivision 2.3.2 by striking out "\$133.00", and inserting in lieu thereof  
16 "\$120.00";

17 On page one, subdivision 2.2.3 by striking out "\$200.00", and inserting in lieu thereof  
18 "\$180.00";

19 On page two, subdivision 2.3.4 by striking out "\$300.00", and inserting in lieu thereof  
20 "\$270.00";

21 Strike the entirety of page two, subsection 2.5, and renumber the remaining subsections;

22 On page two, subsection 2.6 by striking out "\$78.00", and inserting in lieu thereof "\$68.00";

23 On page two, subdivision 2.7.1 by striking out "\$450.00", and inserting in lieu thereof  
24 "\$405.00";

25 On page two, subdivision 2.7.2 by striking out "\$200.00", and inserting in lieu thereof  
26 "\$180.00";

27 On page two, subsection 2.8 by striking out "\$133.00", and inserting in lieu thereof  
28 "\$120.00";

29 On page two, subsection 2.9 by striking out "\$300.00", and inserting in lieu thereof  
30 "\$270.00";

31 On page two, subsection 2.11 by striking out "\$100.00", and inserting in lieu thereof  
32 "\$90.00";

33 On page two, subdivision 2.12.1 by striking out "\$200.00", and inserting in lieu thereof  
34 "\$180.00";

35 On page two, subdivision 2.12.2 by striking out "\$50.00", and inserting in lieu thereof  
36 "\$45.00";

37 On page two, subsection 2.13 by striking out “\$50.00”, and inserting in lieu thereof  
38 “\$45.00”;

39 On page two, subsection 2.14 by striking out “\$50.00”, and inserting in lieu thereof  
40 “\$45.00”;

41 And,

42 On page two, subsection 2.15 by striking out “\$200.00”, and inserting in lieu thereof  
43 “\$180.00”.

**§64-9-17. Public Service Commission.**

1 The legislative rule filed in the State Register on August 6, 2021, authorized under the  
2 authority of §24-2E-3 of this code, modified by the Public Service Commission to meet the  
3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
4 August 24, 2021, relating to the Public Service Commission (Rules Governing the Occupancy of  
5 Customer-Provided Conduit, 150 CSR 37), is authorized.

**§64-9-18. West Virginia Real Estate Appraiser Licensing and Certification Board.**

1 (a) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
2 authority of §30-38-9 of this code, modified by the West Virginia Real Estate Appraiser Licensing  
3 and Certification Board to meet the objections of the Legislative Rule-Making Review Committee  
4 and refiled in the State Register on December 21, 2021, relating to the West Virginia Real Estate  
5 Appraiser Licensing and Certification Board (Requirements for Licensure and Certification, 190  
6 CSR 02), is authorized with the amendments set forth below:

7 On page twenty-five, subdivision 10.2.a., by striking out “one hundred fifty dollars (\$150)”,  
8 and inserting in lieu thereof “\$120”;

9 On page twenty-five, subdivision 10.2.b., by striking out “two hundred sixty-five dollars  
10 (\$265)”, and inserting in lieu thereof “\$210”;

11 On page twenty-five, subdivision 10.2.c., by striking out “one hundred dollars (\$100)”, and  
12 inserting in lieu thereof “\$80”;

13 On page twenty-five, subdivision 10.2.d., following the words “temporary permit fee of” by  
14 striking out “two hundred fifty dollars (\$250)”, and inserting in lieu thereof “\$200”;

15 On page twenty-five, subdivision 10.2.d., following the words “non-residential appraisal  
16 and,” and inserting in lieu thereof “\$200”;

17 On page twenty-six, subdivision 10.2.e., by striking out “one hundred fifty dollars (\$150)”,  
18 and inserting in lieu thereof “\$120”;

19 On page twenty-six, subdivision 10.2.f., by striking out “four hundred sixty-five dollars  
20 (\$465)”, and inserting in lieu thereof “\$375”;

21 On page twenty-six, subdivision 10.2.g., by striking out “three hundred fifteen dollars  
22 (\$315)”, and inserting in lieu thereof “\$250”;

23 On page twenty-six, subdivision 10.2.h., by striking out “one hundred dollars (\$100)”, and  
24 inserting in lieu thereof “\$80”;

25 On page twenty-six, subdivision 10.2.j., by striking out “one hundred fifty dollars (\$150)”,  
26 and inserting in lieu thereof “\$120”;

27 On page twenty-six, subdivision 10.2.k., by striking out “one hundred fifty dollars (\$150)”,  
28 and inserting in lieu thereof “\$120”;

29 On page twenty-six, subdivision 10.2.l., by striking out “one hundred ninety dollars (\$190)”,  
30 and inserting in lieu thereof “\$150”;

31 On page twenty-six, subdivision 10.2.m., by striking out “twenty-five dollars (\$25)”, and  
32 inserting in lieu thereof “\$20”;

33 On page twenty-six, subdivision 10.2.n., by striking out “Copy fees: fifty cents (\$.50) per  
34 page”

35 On page twenty-six, subdivision 10.2.n., following the words Administrative fee of,” striking  
36 “fifty cents (\$.50),” and inserting in lieu thereof “\$.40”

37 On page twenty-six, subdivision 10.2.o., by striking out “one hundred fifty dollars (\$150)”,  
38 and inserting in lieu thereof “\$120”;

39           On page twenty-six, subdivision 10.2.p., by striking out “one hundred fifty dollars (\$150)”,  
40 and inserting in lieu thereof “\$120”;

41           On page twenty-six, subdivision 10.2.q., after the words “One roster-fee of” by striking out  
42 “thirty-five dollars (\$35), and inserting in lieu thereof “\$28”;

43           On page twenty-six, subdivision 10.2.q., after the words roster subscription fee-of” by  
44 striking out “fifty dollars (\$50)”, and inserting in lieu thereof “\$40”;

45           On page twenty-six, subdivision 10.2.r., by striking out “fifty dollars (\$50)”, and inserting in  
46 lieu thereof “\$40”;

47           On page twenty-six, subdivision 10.2.s., by striking out “fifty dollars (\$550)”, and inserting  
48 in lieu thereof “\$40”;

49           On page twenty-six, subdivision 10.2.t., by striking out “seventy-five dollars (\$75)”, and  
50 inserting in lieu thereof “\$60”;

51           And,

52           On page twenty-six, subdivision 10.2.u., by striking out “twenty-five dollars (\$25)”, and  
53 inserting in lieu thereof “\$20”.

54           (b) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
55 authority of §30-38-9 of this code, modified by the West Virginia Real Estate Appraiser Licensing  
56 and Certification Board to meet the objections of the Legislative Rule-Making Review Committee  
57 and refiled in the State Register on December 21, 2021, relating to the West Virginia Real Estate  
58 Appraiser Licensing and Certification Board (Renewal of Licensure or Certification, 190 CSR 03),  
59 is authorized.

60           (c) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
61 authority of §30-38A-2 of this code, modified by the West Virginia Real Estate Appraiser Licensing  
62 and Certification Board to meet the objections of the Legislative Rule-Making Review Committee  
63 and refiled in the State Register on December 21, 2021, relating to the West Virginia Real Estate

64 Appraiser Licensing and Certification Board (Requirements for Registration and Renewal of  
65 Appraisal Management Companies, 190 CSR 05), is authorized.

**§64-9-19. West Virginia Board of Examiners for Registered Professional Nurses.**

1 (a) The legislative rule filed in the State Register on May 10, 2021, authorized under  
2 the authority of §30-7-15a of this code, relating to the West Virginia Board of Examiners for  
3 Registered Professional Nurses (Limited Prescriptive Authority for Nurses in Advanced Practice,  
4 19 CSR 08), is authorized.

5 (b) The legislative rule filed in the State Register on August 31, 2021, authorized under  
6 the authority of §30-7-4 of this code, relating to the Board of Registered Professional Nurses  
7 (Telehealth Practice, 19 CSR 16), is authorized with the amendments set forth below:

8 On page three, subdivision 3.3.2., by striking out the word “state” and inserting in lieu  
9 thereof the words “State of West Virginia”;

10 On page three, subdivision 3.3.2., by striking out the words “location or”;

11 On page five, subsection 5.9., by striking out the word “applicant” and inserting in lieu  
12 thereof the word “registrant”;

13 On page five, after subsection 5.12, by renumbering the remaining subsections;

14 On page six, subsection 5.11., by striking out the words “apply anew” and inserting in lieu  
15 thereof the word “reapply”;

16 On page seven, subsection 7.3., after the words “prescription if” by inserting in lieu thereof  
17 the words “the nurse”;

18 On page seven, by striking out all of subsection 7.4 and inserting in lieu thereof a new  
19 subsection 7.4 to read as follows:

20 7.4. Nothing in this rule requires a practitioner to use telemedicine technologies to treat a  
21 patient if the practitioner, in his or her discretion, determines that an in-person encounter is  
22 required.;

23 On page eight, subsection 7.8., after the word “practices” by striking out the word “to” and  
24 inserting in lieu thereof the words “while treating”;

25 On page eight, subsection 8.1, by striking out the words “of the provider’s profession in  
26 the State of West Virginia pursuant to qualified advanced practice registered nurses to prescribe  
27 prescription drugs in accordance with the” and inserting in lieu thereof the words “as set forth in  
28 the”;

29 On page eight, subsection 8.2, by striking out the words “Schedules III through V of”;

30 On page eight, subsection 8.3, by striking out the words “based solely upon a telemedicine  
31 encounter”;

32 On page nine, subdivision 10.2.1., by striking out the words “Shall not engage” and  
33 inserting in lieu thereof the word “Engaging”;

34 On page nine, subdivision 10.2.1., by inserting a period after the words “this rule”;

35 On page nine, subdivision 10.2.1., by striking out the words “or they” and inserting in lieu  
36 thereof the words “A registered nurse or advance practice registered nurse who engages in  
37 professional misconduct”;

38 And,

39 On page nine, subsection 11.2., by striking out the words “the following” and inserting in  
40 lieu thereof the word “that”.

**§64-9-20. Secretary of State.**

1 (a) The legislative rule filed in the State Register on May 10, 2021, authorized under the  
2 authority of §3-2-11 of this code, relating to the Secretary of State (Voter Registration at the  
3 Division of Motor Vehicles, 153 CSR 03), is authorized.

4 (b) The legislative rule filed in the State Register on May 10, 2021, authorized under the  
5 authority of §3-2-23a of this code, relating to the Secretary of State (Voter Registration List  
6 Maintenance by the Secretary of State, 153 CSR 05), is authorized.

7 (c) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
8 authority of §3-2-12 of this code, modified by the Secretary of State to meet the objections of the  
9 Legislative Rule-Making Review Committee and refiled in the State Register on December 29,  
10 2021, relating to the Secretary of State (Combined Voter Registration and Driver Licensing Fund,  
11 153 CSR 25), is authorized.

12 (d) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
13 authority of §39A-3-3 of this code, modified by the Secretary of State to meet the objections of  
14 the Legislative Rule-Making Review Committee and refiled in the State Register on December  
15 29, 2021, relating to the Secretary of State (Use of Digital Signatures, 153 CSR 30), is authorized.

16 (e) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
17 authority of §3-8-2c of this code, modified by the Secretary of State to meet the objections of the  
18 Legislative Rule-Making Review Committee and refiled in the State Register on December 29,  
19 2021, relating to the Secretary of State (Regulation of Political Party Headquarters Finances, 153  
20 CSR 43), is authorized.

21 (f) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
22 authority of §39-4-37 and §39-4-38 of this code, modified by the Secretary of State to meet the  
23 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
24 December 29, 2021, relating to the Secretary of State (Standards and Guidelines for Electronic  
25 Notarization, Remote Online Notarization, and Remote Ink Notarization, 153 CSR 45), is  
26 authorized.

27 (g) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
28 authority of §39A-4-4 of this code, relating to the Secretary of State (Real Property Electronic  
29 Recording Standards and Regulations, 153 CSR 48), is authorized with amendments set forth  
30 below:

31 On page 2, section 3.1, by striking out the words “as amended from time to time”;

32 On page 3, subdivision 3.3.1, by striking out the words “as amended from time to time”;

33 And,

34 On page 3, subdivision 3.3.2, by striking out the words “as amended from time to time”.

**§64-9-21. West Virginia Board of Social Work Examiners.**

1 (a) The legislative rule filed in the State Register on July 30, 2021, authorized under  
2 the authority of §30-30-6 of this code, modified by the West Virginia Board of Social Work  
3 Examiners to meet the objections of the Legislative Rule-Making Review Committee and refiled  
4 in the State Register on December 20, 2021, relating to the West Virginia Board of Social Work  
5 Examiners (Qualifications for the Profession of Social Work, 25 CSR 01), is authorized.

6 (b) The Legislature directs the West Virginia Board of Social Work Examiners to amend  
7 the legislative rule filed in the State Register on May 12, 2020, authorized under the authority of  
8 §30-30-6 of this code, relating to the West Virginia Board of Social Work Examiners (Fee  
9 Schedule, 25 CSR 03) with the amendments set forth below:

10 On page two, subdivision 3.1.2., by striking out “fifty dollars (\$50)”, and inserting in lieu  
11 thereof “\$45”;

12 On page two, subdivision 3.2.1., by striking out “(\$100)”, and inserting in lieu thereof “\$90”;

13 On page two, subdivision 3.2.2., following the words “biennial license renewal is” by  
14 striking out “eighty-five dollars (\$85)”, and inserting in lieu thereof “\$76”;

15 On page two, subdivision 3.2.2., following the words “provisional license renewal is” by  
16 striking “ninety dollars (\$90)”, and inserting in lieu thereof “\$80”;

17 On page two, subdivision 3.2.3., by striking out “fifty dollars (\$50)”, and inserting in lieu  
18 thereof “\$45”;

19 On page two, subdivision 3.2.4., by striking out “one hundred fifteen dollars (\$115)”, and  
20 inserting in lieu thereof “\$104”;

21 On page two, subdivision 3.2.5., by striking out “twenty-five dollars (\$25)”, and inserting in  
22 lieu thereof “\$23”;

23 On page two, subdivision 3.2.6., by striking out “fifty dollars (\$50)”, and inserting in lieu  
24 thereof “\$45”;

25 On page two, subdivision 3.2.7., by striking out “thirty dollars (\$30)”, and inserting in lieu  
26 thereof “\$27”;

27 On page two, subdivision 3.2.8., by striking out “one hundred dollars (\$100)”, and inserting  
28 in lieu thereof “\$90”;

29 On page two, subdivision 3.2.9., by striking out “fifty-five dollars (\$55)”, and inserting in  
30 lieu thereof “\$50”;

31 On page two, subdivision 3.2.10., by striking out “twenty-five dollars (\$25)”, and inserting  
32 in lieu thereof “\$23”;

33 On page three, subdivision 3.4.1., by striking out “one hundred dollars (\$100)”, and  
34 inserting in lieu thereof “\$90”;

35 On page three, subdivision 3.4.2., by striking out “sixty dollars (\$60)”, and inserting in lieu  
36 thereof “\$54”;

37 And,

38 On page three, subdivision 3.5.1., by striking out “one hundred dollars (\$100)”, and  
39 inserting in lieu thereof “\$90”.

40 (c) The legislative rule filed in the State Register on July 30, 2021, authorized under the  
41 authority of §30-30-6 of this code, modified by the West Virginia Board of Social Work Examiners  
42 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State  
43 Register on December 20, 2021, relating to the West Virginia Board of Social Work Examiners  
44 (Continuing Education for Social Workers and Providers, 25 CSR 05), is authorized.

**§64-9-22. West Virginia Board of Examiners for Speech-Language Pathology and  
Audiology.**

1 The legislative rule filed in the State Register on June 9, 2021, authorized under the  
2 authority of §30-32-7 of this code, modified by the West Virginia Board of Speech-Language

3 Pathology and Audiology to meet the objections of the Legislative Rule-Making Review  
4 Committee and refiled in the State Register on December 16, 2021, relating to the West Virginia  
5 Board of Speech-Language Pathology and Audiology (Licensure of Speech-Pathology and  
6 Audiology, 29 CSR 01), is authorized.

**§64-9-23. State Treasurer.**

1 (a) The legislative rule filed in the State Register on July 29, 2021, authorized under the  
2 authority of §12-4-11 of this code, relating to the Treasurer (Substitute Checks-Exceptional Items  
3 Fund, 112 CSR 02), is authorized.

4 (b) The legislative rule filed in the State Register on May 6, 2021, authorized under the  
5 authority of §12-2-2 of this code, relating to the Treasurer (Procedures for Deposit of Moneys with  
6 the State Treasurer's Office by State Agencies, 112 CSR 04), is authorized.

7 (c) The legislative rule filed in the State Register on May 6, 2021, authorized under the  
8 authority of §12-1-2 of this code, relating to the Treasurer (Selection of State Depositories for  
9 Disbursement Accounts Through Competitive Bidding, 112 CSR 06), is authorized.

10 (d) The legislative rule filed in the State Register on May 7, 2021, authorized under the  
11 authority of §12-1-2 of this code, relating to the Treasurer (Selection of State Depositories for  
12 Receipt Accounts, 112 CSR 07), is authorized.

13 (e) The legislative rule filed in the State Register on May 7, 2021, authorized under the  
14 authority of §12-3-1 of this code, relating to the Treasurer (Procedures for Processing Payments  
15 from the State Treasury, 112 CSR 08), is authorized.

16 (f) The legislative rule filed in the State Register on July 29, 2021, authorized under the  
17 authority of §12-6A-7 of this code, relating to the Treasurer (Reporting Debt, 112 CSR 10), is  
18 authorized.

19 (g) The legislative rule filed in the State Register on July 29, 2021, authorized under the  
20 authority of §12-3A-6 of this code, relating to the Treasurer (Procedure for Fees in Collections by  
21 Charge, Credit or Debit Card or by Electronic Payment, 112 CSR 12), is authorized.

22           (h) The legislative rule filed in the State Register on July 29, 2021, authorized under the  
23 authority of §12-3A-6 of this code, relating to the Treasurer (Procedures for Providing Services to  
24 Political Subdivisions, 112 CSR 13), is authorized.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

.....  
*Chairman, Senate Committee*

.....  
*Chairman, House Committee*

Originated in the Senate.

In effect from passage.

.....  
*Clerk of the Senate*

.....  
*Clerk of the House of Delegates*

.....  
*President of the Senate*

.....  
*Speaker of the House of Delegates*

\_\_\_\_\_

The within ..... this the.....  
Day of ....., 2022.

.....  
*Governor*