

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

Senate Bill 334

BY SENATOR SYPOLT

[Originating in the Committee on the Judiciary;

reported on January 21, 2022]

1 A BILL to amend and reenact §64-9-1 *et seq.* of the Code of West Virginia, 1931, as amended,
2 relating generally to authorizing certain miscellaneous agencies and boards to promulgate
3 legislative rules; authorizing the rules, as filed, as modified, and as amended by the
4 Legislative Rule-Making Review Committee, and as amended by the Legislature;
5 authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to
6 feeding of untreated garbage to swine; authorizing the Commissioner of Agriculture to
7 promulgate a legislative rule relating to commercial feed; authorizing the Commissioner of
8 Agriculture to promulgate a legislative rule relating to enrichment of flour and bread law
9 regulations; authorizing the Commissioner of Agriculture to promulgate a legislative rule
10 relating to fruits and vegetables: certification for potatoes for seedling purposes;
11 authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to
12 Fresh Food Act; authorizing the Commissioner of Agriculture to promulgate a legislative
13 rule relating to auctioneers; to authorizing the Commissioner of Agriculture to promulgate
14 a legislative rule relating to hemp products; authorizing the Commissioner of Agriculture
15 to promulgate a legislative rule relating to livestock care standards; authorizing the
16 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 chiropractic telehealth
26 practices; authorizing the Contractor Licensing Board to promulgate a legislative rule

27 relating to the Contractor Licensing Act; authorizing the West Virginia Board of Examiners
28 in Counseling to promulgate a legislative rule relating to licensure; authorizing the West
29 Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to
30 licensed professional counselors fees; authorizing the West Virginia Board of Examiners
31 in Counseling to promulgate a legislative rule relating to marriage and family therapist
32 licensing; authorizing the West Virginia Board of Examiners in Counseling to promulgate
33 a legislative rule relating to marriage and family therapist fees; authorizing the Dangerous
34 Wild Animal Board to promulgate a legislative rule relating to dangerous wild animals;
35 authorizing the West Virginia Board of Dentistry to promulgate a legislative rule relating to
36 the West Virginia Board of Dentistry; authorizing the West Virginia Board of Dentistry to
37 promulgate a legislative rule relating to the formation and approval of professional limited
38 liability companies; authorizing the West Virginia Board of Dentistry to promulgate a
39 legislative rule relating to the formation and approval of dental corporation and dental
40 practice ownership; authorizing the West Virginia Board of Dentistry to promulgate a
41 legislative rule relating to continuing education requirements; authorizing the West Virginia
42 Board of Dentistry to promulgate a legislative rule relating to the administration of
43 anesthesia by dentists; authorizing the West Virginia Board of Dentistry to promulgate a
44 legislative rule relating to the expanded duties of dental hygienists and dental assistants;
45 authorizing the West Virginia Board of Dentistry to promulgate a legislative rule relating to
46 teledentistry; authorizing the West Virginia Board of Funeral Service Examiners to
47 promulgate a legislative rule relating to the fee schedule; authorizing the West Virginia
48 Massage Therapy Licensure Board to promulgate a legislative rule relating to general
49 provisions; authorizing the West Virginia Board of Medicine to promulgate a legislative
50 rule relating to licensing and disciplinary procedures for physicians, podiatric physicians,
51 and surgeons; authorizing the West Virginia Board of Medicine to promulgate a legislative
52 rule relating to licensure, practice requirements disciplinary and complaint procedures,

53 continuing education, and physician assistants; authorizing the West Virginia Board of
54 Medicine to promulgate a legislative rule relating to dispensing of prescription drugs by
55 practitioners; authorizing the West Virginia Board of Medicine to promulgate a legislative
56 rule relating to continuing education for physicians and podiatric physicians; authorizing
57 the West Virginia Board of Medicine to promulgate a legislative rule relating to practitioner
58 requirements for accessing the West Virginia Controlled Substances Monitoring Program
59 Database; authorizing the West Virginia Board of Medicine to promulgate a legislative rule
60 relating to the establishment and regulation of limited license to practice medicine and
61 surgery at certain state veterans nursing home facilities; authorizing the West Virginia
62 Board of Medicine to promulgate a legislative rule relating to registration to practice during
63 a declared State of Emergency; authorizing the West Virginia Board of Osteopathic
64 Medicine to promulgate a legislative rule relating to licensing procedures for osteopathic
65 physicians; authorizing the West Virginia Board of Osteopathic Medicine to promulgate a
66 legislative rule relating to Osteopathic Physicians Assistants; authorizing the West Virginia
67 Board of Osteopathic Medicine to promulgate a legislative rule relating to practitioner
68 requirements for controlled substances licensure and Accessing the West Virginia
69 Controlled Substances Monitoring Program Database; authorizing the West Virginia
70 Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of
71 pharmacy care; authorizing the West Virginia Board of Pharmacy to promulgate a
72 legislative rule relating to the Controlled Substance Monitoring Program; authorizing the
73 West Virginia Board of Pharmacy to promulgate a legislative rule relating to regulations
74 governing pharmacists; authorizing the Public Service Commission to promulgate a
75 legislative rule relating to rules governing the occupancy of customer-provided conduit;
76 authorizing the West Virginia Real Estate Appraiser Licensing and Certification Board to
77 promulgate a legislative rule relating to requirements for licensure or certification;
78 authorizing the West Virginia Real Estate Appraiser Licensing and Certification Board to

79 promulgate a legislative rule relating to the renewal of licensure and certification;
80 authorizing the West Virginia Real Estate Appraiser Licensing and Certification Board to
81 promulgate a legislative rule relating to requirements for registration and renewal of
82 appraisal management companies; authorizing the West Virginia Board of Examiners for
83 Registered Professional Nurses to promulgate a legislative rule relating to limited
84 prescriptive authority for nurses in advanced practice; authorizing the Secretary of State
85 to promulgate a legislative rule relating to voter registration at the Division of Motor
86 Vehicles; authorizing the Secretary of State to promulgate a legislative rule relating to
87 voter registration list maintenance by the Secretary of State; authorizing the Secretary of
88 State to promulgate a legislative rule relating to the combined Voter Registration and
89 Driver Licensing Fund; authorizing the Secretary of State to promulgate a legislative rule
90 relating to the use of digital signatures; authorizing the Secretary of State to promulgate a
91 legislative rule relating to regulation of political party headquarters finances; authorizing
92 the Secretary of State to promulgate a legislative rule relating to standards and guidelines
93 for electronic notarization, remote online notarization, and remote ink notarization;
94 authorizing the Secretary of State to promulgate a legislative rule relating to real property
95 electronic recording standards and regulations; authorizing the West Virginia Board of
96 Social Work Examiners to promulgate a legislative rule relating to qualifications for the
97 profession of social work; authorizing the West Virginia Board of Social Work Examiners
98 to promulgate a legislative rule relating to continuing education for social workers and
99 providers; authorizing the West Virginia Board of Examiners for Speech-Language
100 Pathology and Audiology to promulgate a legislative rule relating to licensure of speech-
101 pathology and audiology; authorizing the State Treasurer to promulgate a legislative rule
102 relating to substitute checks- Exceptional Items Fund; authorizing the State Treasurer to
103 promulgate a legislative rule relating to procedures for deposit of monies with the State
104 Treasurer's Office by state agencies; authorizing the State Treasurer to promulgate a

105 legislative rule relating to the selection of state depositories for disbursement accounts
106 through competitive bidding; authorizing the State Treasurer to promulgate a legislative
107 rule relating to the selection of state depositories for receipt accounts; authorizing the
108 State Treasurer to promulgate a legislative rule relating to procedures for processing
109 payments from the State Treasury; authorizing the State Treasurer to promulgate a
110 legislative rule relating to reporting debt; authorizing the State Treasurer to promulgate a
111 legislative rule relating to procedures for fees in collections by charge, credit, or debit card
112 or by electronic payment; and authorizing the State Treasurer to promulgate a legislative
113 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.

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

35 (h) The legislative rule filed in the State Register on July 30, 2021, authorized under the
36 authority of §19-1C-4 of this code, modified by the Commissioner of Agriculture to meet the
37 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
38 January 3, 2022, relating to the Commissioner of Agriculture (Livestock Care Standards , 61 CSR

39 31), is authorized with the amendments set forth below:

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

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

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

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

45 On page 7, after subsection 13.13, by adding a new subsection 13.14. to read as follows:
46 “13.14. Any other widely accepted practices.”;

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

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

50 On page 9, after subdivision 14.4.q., by adding a new subdivision 14.q.r. to read as follows:
51 “14.q.r. Any other widely accepted practices.”;

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

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

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

57 “16.6.l. Any other widely accepted practices.”;

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

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

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

63 “16.2.a.8. Any other widely accepted practices.”;

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

65 On page 12, paragraph 16.2.b.8., by striking out the period and inserting in lieu thereof a
66 semicolon and the word “or”; paragraph subsection 16.2.b.9. to read as follows:

67 “16.2.b.9. Any other widely accepted practices.”;

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

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

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

73 “16.2.c.4. Any other widely accepted practices.”;

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

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

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

79 “17.3.l. Any other widely accepted practices.”;

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

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

83 And,

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

86 “18.3.f. Any other widely accepted practices.”

87 (i) The legislative rule filed in the State Register on July 27, 2021, authorized under the
88 authority of §19-1-11 of this code, modified by the Commissioner of Agriculture to meet the
89 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
90 October 5, 2021, relating to the Commissioner of Agriculture (Rural Rehabilitation Program, 61

91 CSR 33), is authorized.

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

97 (k) The legislative rule filed in the State Register on July 30, 2021, authorized under the
98 authority of §19-35-4 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 (Farmers Markets, 61 CSR 38), is
101 authorized with the amendments set forth below:

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

103 And,

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

106 (l) The legislative rule filed in the State Register on July 30, 2021, authorized under the
107 authority of §19-16-6 of this code, modified by the Commissioner of Agriculture to meet the
108 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
109 October 6, 2021, relating to the Commissioner of Agriculture (Seed Certification, 61 CSR 39), is
110 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 The legislative rule filed in the State Register on July 13, 2021, authorized under the
2 authority of §30-16-5 of this code, modified by the West Virginia Board of Chiropractic Examiners
3 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State
4 Register on December 15, 2021, relating to the West Virginia Board of Chiropractic Examiners
5 (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 legislative rule filed in the State Register on July 26, 2021, authorized under the
23 authority of §30-4-6 of this code, modified by the West Virginia Board of Dentistry to meet the
24 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
25 September 17, 2021, relating to the West Virginia Board of Dentistry (Formation and Approval of
26 Dental Corporation and Dental Practice Ownership, 5 CSR 06), is authorized.

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

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

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

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

§64-9-8. 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.

§64-9-9. 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”.

§64-9-10. 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.

§64-9-11. 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.

§64-9-12. 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.

§64-9-13. 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.

§64-9-14. 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.

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

13 (c) The legislative rule filed in the State Register on July 30, 2021, authorized under the
14 authority of §30-38A-2 of this code, modified by the West Virginia Real Estate Appraiser Licensing
15 and Certification Board to meet the objections of the Legislative Rule-Making Review Committee
16 and refiled in the State Register on December 21, 2021, relating to the West Virginia Real Estate
17 Appraiser Licensing and Certification Board (Requirements for Registration and Renewal of
18 Appraisal Management Companies, 190 CSR 05), is authorized.

§64-9-15. West Virginia Board of Examiners for Registered Professional Nurses.

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

§64-9-16. 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”.

§64-9-17. West Virginia Board of Social Work Examiners.

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

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

**§64-9-18. 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.

§64-9-19. 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.

