

Monday, October 20, 2014

Senate Judiciary Committee  
Room

5:00 p.m. to 7:00 p.m.

Legislative Rule-Making  
Review Committee  
(Code §29A-3-10)

Jeffery V. Kessler  
ex officio nonvoting member

Tim Miley  
ex officio nonvoting member

**Senate**

**House**

Snyder, Chairman	Present
Laird	
Miller	
Unger	Present
Boley	
Hall, M.	Present

Poore, Chairman	Present
Marcum, Vice Chairman	Present
Eldridge	Present
Fleischauer	Present
Frich	Present
Sobonya	Present

The Legislative Rule-Making Review Committee, met in the Senate Judiciary Committee Room at 5:00 p.m. on Monday, October 20, 2014. The meeting was called to order by Senator Snyder, and a silent roll call was taken, as reflected above. Delegate Poore moved to adopt the minutes of the September 8<sup>th</sup> and 9<sup>th</sup>, meetings. The motion was adopted.

Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Bureau for Public Health, Public Water Systems, 64CSR3**, and responded to questions from the Committee. Mr. Johnson explained that the Bureau had agreed to technical modifications.

Bill Hicks, Assistant General Counsel, DHHR, and Bill Toomey, DHHR, distributed a handout entitled "DHHR Fiscal Notes Associated with SB373 and proposed 64CSR3" and responded to questions from the Committee.

Delegate Poore moved the proposed rule be approved as modified. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by **Division of Natural Resources, Special Boating, 58CSR26**.

Delegate Poore moved the proposed rule be approved. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Division of Natural Resources, General Hunting, 58CSR49**. Ms. Graham stated that the Division has agreed to technical modifications.

Delegate Poore moved the proposed rule be approved as modified. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Division of Natural Resources, Commercial Whitewater Outfitters, 58CSR12**, and responded to questions from the Committee. Ms. Graham stated that the Division has agreed to technical modifications.

Delegate Poore moved the proposed rule be approved as modified. The motion was adopted.

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Governor's Committee on Crime Delinquency and Correction, Law Enforcement Training and Certification Standards, 149CSR2**. Mr. Skinner stated that the Governor's Committee has agreed to technical modifications.

Delegate Poore moved the proposed rule be approved as modified. The motion was adopted.

Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Department of Health and Human Resources - Office of Health Facility Licensure and Certification, Nursing Home Licensure, 64CSR13**. Mr. Johnson stated that the Department has agreed to technical modifications.

Delegate Poore moved the proposed rule be approved as modified. The motion was adopted.

Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Department of Health and Human Resources - Office of Health Facility Licensure and Certification, Administration of Medication and Performance of Health Maintenance Tasks by Unlicensed Personnel, 64CSR60**. Mr. Johnson stated that the Department has agreed to technical modifications.

Delegate Poore moved the proposed rule be approved as modified. The motion was adopted.

Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Department of Health and Human Resources - Office of Health Facility Licensure and Certification, Nurse Aide Abuse and Neglect Registry, 69CSR6**. Mr. Johnson stated that the Department has agreed to technical modifications.

Delegate Poore moved the proposed rule be approved as modified. The motion was adopted.

Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **Department of Health and Human Resources - Office of Health Facility Licensure and Certification, Chronic Pain Management Clinic Licensure, 69CSR8**.

Delegate Poore moved the rule be approved. The motion was adopted.

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Physical Therapy, Fees for Physical Therapist and Physical Therapist Assistant, 16CSR4**.

Delegate Poore moved the proposed rule be approved. The motion was adopted.

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Pharmacy, Immunizations Administered by Pharmacists, 15CSR12**, and responded to questions from the Committee. The Chair announced that the bill would lay over.

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **Board of Pharmacy, Controlled Substances Monitoring, 15CSR8**. Mr. Hatfield stated that the Board approved technical modifications.

Delegate Poore moved the proposed rule be approved as modified. The motion was adopted.

Jay Lazell, Associate Counsel, explained his abstract on the rule proposed by the **DEP, Solid Waste Management Rule, 33CSR1**, and responded to questions from the Committee. Mr. Lazell stated that the DEP approved technical modifications. Senator Unger moved to modify the rule. The DEP approved this technical modification.

Delegates Fleischauer and Frich requested that Scott Mandirola, Director, DEP Division of Wastewater Management, return to answer questions regarding this rule at a future date.

Delegate Poore moved the proposed rule be approved as modified. The motion was adopted.

There being no further business to come before the Committee, Delegate Poore moved to adjourn. The motion was adopted.