

Legislative Rule-Making Review Committee

Senate Judiciary Committee Room

Minutes for Wednesday, December 8, 2021

9:00 a.m. to 9:00 p.m.

Senate

Sypolt, Chair	Present
Jeffries	Present
Lindsay	Present
Roberts	Present
Rucker	Present
Weld	Present
Blair, Nonvoting	

House

Foster, G., Chair	Present
Fleischauer	Present
Graves	Present
Rowe	
Steele	Present
Worrell	Present
Hanshaw, Nonvoting	

The Legislative Rule-Making Review Committee met in the Senate Judiciary Committee Room at 9:00 a.m. on Wednesday, December 8, 2021. The meeting was called to order by the Chair, Senator Sypolt. A silent roll call was taken by the Clerk to establish a quorum, as reflected above. Staff present included: Jeff Johnson, Senate Counsel; Charlie Roskovensky, House Counsel; Max Wilkinson, House Counsel; Liz Schindzielorz, Senate Counsel; Robert Akers, House Counsel; Carl Fletcher, Senate Counsel; Jaclyn Schiffour, House Counsel; Debra Graham, Senate Counsel; and Cindy Dellinger, Senate Counsel; Adair Sankoff, Director of Legislative Rule-Making Review Committee; and Felisha Sutherland, Committee Clerk.

Chairman Sypolt recognized Delegate Foster for the purpose of a motion to approve the minutes from September 15, 2021. The motion was adopted.

1. Jeff Johnson, Senate Counsel, explained his abstract on the rule proposed by the **Racing Commission, Thoroughbred Racing, [178 CSR 01](#)**, and responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

2. Charlie Roskovensky, House Counsel, reviewed his abstract on the rule proposed by the **Board of Medicine, Telehealth and Interstate Telehealth Registration for Physicians, Podiatric Physicians and Physician Assistants, [11 CSR 15](#)**, and responded to questions from the Committee.

Delegate Foster moved to amend the rule on page 7, subsection 7.4, after the words, "standard of care" by inserting the words, "with respect to an established patient".

With leave of the Committee, Jonathan Osborne, Executive Director of the Board of Osteopathic Medicine, responded to questions from the Committee.

The amendment was adopted.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified and amended.

3. Charlie Roskovensky, House Counsel, explained his abstract on the rule proposed by the **Board of Medicine, Telehealth Practice and Interstate Telehealth Registration for Osteopathic Physicians and Physician Assistants, [24 CSR 10](#)**.

Delegate Foster moved to amend the rule on page 7, subsection 7.4, after the words, "standard of care" by inserting the words, "with respect to an established patient".

The amendment was adopted.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified and amended.

4. Charlie Roskovensky, House Counsel, reviewed his abstract on the rule proposed by the **Board of Registered Professional Nurses, Limited Prescriptive Authority for Nurses in Advanced Practice, [19 CSR 08](#)**.

On motion of Delegate Foster, the rule was approved as filed.

5. Charlie Roskovensky, House Counsel, explained his abstract on the rule proposed by the **Board of Registered Professional Nurses, Telehealth Practices, [19 CSR 16](#)**.

Delegate Foster moved to amend the rule on page 7, subsection 7.4, after the words, "standard of care" by inserting the words, "with respect to an established patient".

The amendment was adopted.

On motion of Delegate Foster, the rule was approved as amended.

6. Charlie Roskovensky, House Counsel, reviewed his abstract on the rule proposed by the **Insurance Commission, Pharmacy Auditing Entities and Pharmacy Benefit Managers, [114 CSR 99](#)**.

On motion of Delegate Foster, the rule was approved as filed.

7. Max Wilkinson, House Counsel, explained his abstract on the rule proposed by the **Division of Natural Resources, Commercial Sale of Wildlife, [58 CSR 63](#)**, and responded to questions from the Committee.

Delegate Foster moved to amend the rule on page 5, by striking out section 8.1 in its entirety and adding therefore a new section 8.1 to read as follows:

"§58-63-8 Penalties.

8.1. Any person accused of violating any provision of this rule may, in the discretion of the Director, be referred to the county prosecutor in the county of the alleged offense for potential prosecution of a misdemeanor or felony. If the county prosecutor determines that a referred violation of this rule meets the act and state of mind requirements for criminal liability under West Virginia law, upon conviction thereof, the violator may be punished by a fine of up to a \$500 or up to 30 days of incarceration in the county jail, or a combination of fine and incarceration. As applicable, the violation may, in the discretion of the county prosecutor, be prosecuted pursuant to and sentenced by a court in accordance with W.Va. Code Chapter 61: *Provided*, That convictions for violations of this rule may only be subject to incarceration if the rule violation convicted of posed a substantial risk to life or public safety, or in fact caused actual substantial harm resulting from the violation."

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified and amended.

8. Robert Akers, House Counsel, reviewed his abstract on the rule proposed by the **Department of Environmental Protection – Water Management, Division of Waste Management, *Requirements for the Management of Coal Combustion Residuals*, [33 CSR 01B](#)**.

On motion of Delegate Foster, the rule was approved as filed.

9. Robert Akers, House Counsel, explained his abstract on the rule proposed by the **Department of Environmental Protection – Water Resources, Division of Water and Waste Management, *Requirements Governing Water Quality Standards*, [47 CSR 02](#)**, and responded to questions from the Committee.

With leave of the Committee, Scott Mandirola, Deputy Secretary for the Department of Environmental Protection, responded to questions from the Committee.

Delegate Fleischauer moved to amend the rule as follows:

On page 16, by deleting all of section 8.2.c in its entirety.

On page 42, Appendix E, Table 1, for the chemical Benzo(k) Fluoranthene^{b,i}, (ug/l), by restoring the permissible levels in category A4 to the current maximum level which is allowed, .0038.

On page 43, Appendix E, Table 1, for the chemical Chrysene^{b,i}, (ug/l), by restoring the permissible limits in category C3 and A4 to the current maximum levels which is allowed (C3 0.018) (A4 .0038).

On page 43, Appendix E, Table 1, for the chemical DDT^{b,i}, (ug/l), by restoring the permissible limits in category C3 (.00024) and category A4 (0.024).

On page 44, Appendix E, Table 1, for the chemical gamma-BHC (gamma-Hexachloro-cyclohexane)^{b,i}, (ug/l), by restoring the permissible limits in category C3 (0.063) and category A4 (0.019).

On page 44, Appendix E, Table 1, for the chemical Methyl Bromideⁱ, (ug/l), by restoring the permissible limits in category C3 to the current maximum allowable limit (1500) and restoring category A4 to current level (47).

On page 51, by deleting foot note i in its entirety.

The amendment was rejected.

Delegate Lindsay and Fleischauer moved to amend the rule on page 16, subdivision 8.2.c, by striking out the words “but are not” and inserting in lieu thereof the words “and are”.

The amendment was rejected.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

10. Robert Akers, House Counsel, reviewed his abstract on the rule proposed by the **Department of Environmental Protection – Water Resources, Division of Water and Waste Management, *Underground Injection Rule*, [47 CSR13](#)**.

On motion of Delegate Foster, the rule was approved as filed.

11. Robert Akers, House Counsel, explained his abstract on the rule proposed by the **Department of Environmental Protection – Water Resources, Division of Water and Waste Management, *Administrative Proceedings and Civil Penalty Assessment*, [47 CSR 30B](#)**.

On motion of Delegate Foster, the rule was approved as filed.

12. Liz Schindzielorz, Senate Counsel, reviewed her abstract on the rule proposed by the **Ethics Commission, *Use of Office for Private Gain, Including Nepotism*, [158 CSR 06](#)**, and responded to questions from the Committee.

With leave of the Committee, Theresa Kirk, General Counsel for the Ethics Commission, responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

13. Liz Schindzielorz, Senate Counsel, explained her abstract on the rule proposed by the **Secretary of State, *Voter Registration at the Division of Motor Vehicles*, [153 CSR 03](#)**.

On motion of Delegate Foster, the rule was approved as filed.

14. Liz Schindzielorz, Senate Counsel, reviewed her abstract on the rule proposed by the **Secretary of State, Voter Registration List Maintenance by the Secretary of State, [153 CSR 05](#)**.

On motion of Delegate Foster, the rule was approved as filed.

15. Liz Schindzielorz, Senate Counsel, explained her abstract on the rule proposed by the **Secretary of State, Combined Voter Registration and Driver Licensing Fund, [153 CSR 25](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

16. Liz Schindzielorz, Senate Counsel, reviewed her abstract on the rule proposed by the **Secretary of State, Use of Digital Signatures, [153 CSR 30](#)**, and responded to questions from the Committee.

With leave of the Committee, Deak Kersey, General Counsel for the Secretary of State, responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

17. Liz Schindzielorz, Senate Counsel, explained her abstract on the rule proposed by the **Secretary of State, Regulation of Political Party Headquarters Finances, [153 CSR 43](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

18. Liz Schindzielorz, Senate Counsel, reviewed her abstract on the rule proposed by the **Secretary of State, Standards and Guidelines for Electronic Notarization, [153 CSR 45](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

19. Liz Schindzielorz, Senate Counsel, explained her abstract on the rule proposed by the **Secretary of State, Real Property Electronic Recording Standards and Regulations**, [153 CSR 48](#), and responded to questions from the Committee.

On motion of Delegate Foster, the rule was approved as filed.

20. Liz Schindzielorz, Senate Counsel, reviewed her abstract on the rule proposed by the **Department of Transportation, Employment Procedures**, [217 CSR 01](#).

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

Recess. 1:00 p.m.

Called to order. 2:19 p.m.

21. Carl Fletcher, Senate Counsel, explained his abstract on the rule proposed by the **Contractor Licensing Board, Contractor Licensing Rule**, [28 CSR 02](#).

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

22. Jaclyn Schiffour, House Counsel, reviewed her abstract on the rule proposed by the **Alcohol Beverage Control Commission, Private Club Licensing**, [175 CSR 02](#).

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

23. Jaclyn Schiffour, House Counsel, explained her abstract on the rule proposed by the **Alcohol Beverage Control Commission-Beer, Nonintoxicating Beer Licensing and Operations Procedures**, [176 CSR 01](#).

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

24. Debra Graham, Senate Counsel, reviewed her abstract on the rule proposed by the **Department of Agriculture, Commercial Feed**, [61 CSR 05](#), and responded to questions from the Committee.

With leave of the Committee, Crescent Gallagher, Communication Director for the Department of Agriculture, responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

25. Debra Graham, Senate Counsel, explained her abstract on the rule proposed by the **Department of Agriculture, Livestock Care Standards**, [61 CSR 31](#), and responded to questions from the Committee.

With leave of the Committee, Crescent Gallagher, Communication Director of the Department of Agriculture, responded to questions from the Committee.

Delegate Graves moved to amend the rule on page 2, section 2.15, by striking out “2018” and inserting in lieu thereof the words “most recent published edition”.

Delegate Graves moved to amend her amendment.

The motion was granted.

Delegate Graves moved to amend the rule on page 2, section 2.15, by striking out “2018” and inserting in lieu thereof “2020”.

With leave of the Committee, Dwayne O’Dell, Assistant Director of Governor Affairs for the WV Farm Bureau and the WV Poultry Association, responded to questions from the Committee.

The amendment was adopted.

Delegate Sybolt moved to amend the rule as follows:

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

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

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

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

“13.14. Any other widely accepted practices.”;

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

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

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

“14.4.r. Any other widely accepted practices.”;

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

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

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

“15.6.l. Any other widely accepted practices.”;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

And,

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

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

The amendment was adopted.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified and amended.

26. Debra Graham, Senate Counsel, reviewed her abstract on the rule proposed by the **State Auditor, Accountability Requirements for State Funds and Grants, [155 CSR 09](#)**, and responded to questions from the Committee.

With leave of the Committee, Delegate Foster asked the Committee that the modifications made by Counsel be adopted as a conceptual amendment.

Objection heard.

On motion of Senator Sypolt, the rule was moved to the foot of the agenda.

27. Debra Graham, Senate Counsel, explained her abstract on the rule proposed by the **Board of Counseling, Licensing Rule, [27 CSR 01](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

28. Debra Graham, Senate Counsel, reviewed her abstract on the rule proposed by the **Board of Counseling, *Licensed Professional Counselors Fees Rule*, [27 CSR 02](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

29. Debra Graham, Senate Counsel, explained her abstract on the rule proposed by the **Board of Counseling, *Marriage and Family Therapist Licensing Rule*, [27 CSR 08](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

30. Debra Graham, Senate Counsel, reviewed her abstract on the rule proposed by the **Board of Counseling, *Marriage and Family Therapist Fee Rule*, [27 CSR 09](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

31. Debra Graham, Senate Counsel, explained her abstract on the rule proposed by the **Fire Commission, *Fire Code*, [87 CSR 01](#)**, and responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

32. Debra Graham, Senate Counsel, reviewed her abstract on the rule proposed by the **Fire Commission, *State Building Code*, [87 CSR 04](#)**.

With leave of the Committee, Ken Tyree, State Fire Marshal, responded to questions from the Committee.

Delegate Foster moved to amend the rule on page 5, paragraph 4.1.f.1, by striking out everything after the word "shall" and inserting in lieu thereof: "conform to the 2009 edition of the International Energy Conservation Code."

With leave of the Committee, Ken Tyree, State Fire Marshal, responded to additional questions from the Committee.

The amendment was adopted.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified and amended.

33. Debra Graham, Senate Counsel, explained her abstract on the rule proposed by the **Office of Technology, Chief Information Officer Review**, [163 CSR 02](#).

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

34. Debra Graham, Senate Counsel, reviewed her abstract on the rule proposed by the **Office of Technology, Cyber Reporting**, [163 CSR 03](#).

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

35. Debra Graham, Senate Counsel, explained her abstract on the rule proposed by the **Real Estate Appraiser Licensing and Certification Board, Requirements for Licensure and Certification**, [190 CSR 02](#).

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

36. Debra Graham, Senate Counsel, reviewed her abstract on the rule proposed by the **Real Estate Appraiser Licensing and Certification Board, Renewal of Licensure or Certification**, [190 CSR 03](#).

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

37. Debra Graham, Senate Counsel, explained her abstract on the rule proposed by the **Real Estate Appraiser Licensing and Certification Board, Requirements for Registration and Renewal of Appraisal Management Companies, [190 CSR 05](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

38. Debra Graham, Senate Counsel, reviewed her abstract on the rule proposed by the **Social Work Examiners, Qualifications for the Profession of Social Work, [25 CSR 01](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

39. Debra Graham, Senate Counsel, explained her abstract on the rule proposed by the **Social Work Examiners, Continuing Education for Social Workers and Providers, [25 CSR 05](#)**, and responded to questions from the Committee.

With leave of the Committee, Vickie James, Executive Director for the Board of Social Work Examiners, responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

40. Debra Graham, Senate Counsel, reviewed her abstract on the rule proposed by the **Board of Speech-Language, Pathology, and Audiology, Licensure of Speech-Pathology and Audiology, [29 CSR 01](#)**, and responded to questions from the Committee.

With leave of the Committee, Patty Nesbitt, Executive Director of the Board of Speech-Language, Pathology, and Audiology, responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

41. Cindy Dellinger, Senate Counsel, explained her abstract on the rule proposed by the **Board of Chiropractic Examiners, *Chiropractic Telehealth Practice*, [4 CSR 09](#)**, and responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

Recess. 4:29 p.m.

Called to order. 5:30 p.m.

42. Cindy Dellinger, Senate Counsel, reviewed her abstract on the rule proposed by the **Board of Dentistry, *Teledentistry*, [5 CSR 16](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

43. Cindy Dellinger, Senate Counsel, explained her abstract on the rule proposed by the **Bureau of Public Health, *Methods and Standards for Chemical Tests for Intoxication*, [64 CSR 10](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

44. Cindy Dellinger, Senate Counsel, reviewed her abstract on the rule proposed by the **Department of Health and Human Resources, *Hospital Licensure*, [64 CSR 12](#)**, and responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

45. Cindy Dellinger, Senate Counsel, explained her abstract on the rule proposed by the **Bureau of Public Health, *Food Manufacturing Facilities*, [64 CSR 43](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

46. Cindy Dellinger, Senate Counsel, reviewed her abstract on the rule proposed by the **Bureau of Public Health, *Emergency Medical Services*, [64 CSR 48](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

47. Cindy Dellinger, Senate Counsel, explained her abstract on the rule proposed by the **Bureau of Public Health, *Clinical Laboratory Practitioner Licensure and Certification*, [64 CSR 57](#)**, and responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

48. Cindy Dellinger, Senate Counsel, reviewed her abstract on the rule proposed by the **Bureau of Public Health, *Clandestine Drug Laboratory Remediation*, [64 CSR 92](#)**, and responded to questions from the Committee.

With leave of the Committee, Senator Weld addressed the Committee and responded to questions.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

49. Cindy Dellinger, Senate Counsel, explained her abstract on the rule proposed by the **Health Care Authority, *Certificate of Need Rule*, [65 CSR 32](#)**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

50. Cindy Dellinger, Senate Counsel, reviewed her abstract on the rule proposed by the **Department of Health and Human Resources, Syringe Services Program Licensure, [69 CSR 17](#)**, and responded to questions from the Committee.

With leave of the Committee, Jolynn Marra, Director of OHFLAC, responded to questions from the Committee.

On motion of Senator Sypolt, the rule was moved to the foot of the agenda.

51. Cindy Dellinger, Senate Counsel, explained her abstract on the rule proposed by the **Department of Health and Human Resources, All-Payer Claims Database-Data Submission Requirements, [114A CSR 01](#)**.

Delegate Foster and Senator Sypolt moved to amend the rule:

On page 3, subsection 2.22. by striking out the word “procedural” and inserting in lieu thereof the word “legislative”.

And,

On page five, subsection 4.2. by striking out the word “procedural” and inserting in lieu thereof the word “legislative”.

The amendment was adopted.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified and amended.

52. Cindy Dellinger, Senate Counsel, reviewed her abstract on the rule proposed by the **Secretary of the Department of Health and Human Resources, Insurance Commissioner, and the Chair of the Health Care Authority, All-Payer Claims Database-Privacy and Security Requirements, [114A CSR 02](#)**.

On motion of Delegate Foster, the rule was approved as filed.

26. Debra Graham, Senate Counsel, explained that the **State Auditor’s Office**, has agreed to the modifications by counsel on **[155 CSR 09](#), Accountability Requirements for State Funds and Grants**.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

50. Cindy Dellinger, Senate Counsel, reviewed her abstract on the rule proposed by the **Department of Health and Human Resources, Syringe Services Program Licensure, [69 CSR 17](#)**.

Delegate Foster moved that the rule be approved as filed.

Division demanded. Vote of 6/4.

The motion was adopted.

With no further business to come before the committee, Delegate Foster moved to adjourn. The motion was adopted.