

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 361

By Senator Woodrum

[Passed March 11, 2023; 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 and as modified by the
4 Legislative Rule-Making Review Committee, and as amended by the Legislature; relating
5 to authorizing the Board of Accountancy to promulgate a legislative rule relating to board
6 rules of professional conduct; relating to authorizing the Board of Acupuncture to
7 promulgate a legislative rule relating to advertising by licensed acupuncturists; relating to
8 authorizing the Board of Acupuncture to promulgate a legislative rule relating to standards
9 of practice of acupuncture by licensed acupuncturists; relating to authorizing the Board of
10 Acupuncture to promulgate a legislative rule relating to continuing education requirements;
11 relating to authorizing the Department of Agriculture to promulgate a legislative rule
12 relating to the West Virginia apiary rule; relating to authorizing the Department of
13 Agriculture to promulgate a legislative rule relating to schedule of charges for inspection
14 services: fruit; relating to authorizing the Department of Agriculture to promulgate a
15 legislative rule relating to noxious weeds; relating to authorizing the Department of
16 Agriculture to promulgate a legislative rule relating to Grade "A" pasteurized milk; relating
17 to authorizing the Department of Agriculture to promulgate a legislative rule relating to
18 inspection of nontraditional, domesticated animals; relating to authorizing the Department
19 of Agriculture to promulgate a legislative rule relating to hemp products; relating to
20 authorizing the Department of Agriculture to promulgate a legislative rule relating to
21 livestock care standards; relating to authorizing the Department of Agriculture to
22 promulgate a legislative rule relating to farm-to-food bank tax credit; relating to authorizing
23 the Department of Agriculture to promulgate a legislative rule relating to farmers markets;
24 relating to authorizing the Athletic Commission to promulgate a legislative rule relating to
25 administrative rules; relating to authorizing the Athletic Commission to promulgate a
26 legislative rule relating to regulation of mixed martial arts; relating to authorizing the State

27 Auditor to promulgate a legislative rule relating to standards for voluntary payroll
28 deductions; relating to authorizing the Conservation Agency to promulgate a legislative
29 rule relating to operation of West Virginia State Conservation Committee and conservation
30 districts; relating to authorizing the Conservation Agency to promulgate a legislative rule
31 relating to conservation district accounting and auditing standards; relating to authorizing
32 the Board of Dentistry to promulgate a legislative rule relating to dental recovery networks;
33 relating to authorizing the Board of Funeral Service Examiners to promulgate a legislative
34 rule relating to funeral director, embalmer, apprentice, courtesy card holders, and funeral
35 establishment requirements; relating to authorizing the Board of Funeral Service
36 Examiners to promulgate a legislative rule relating to crematory requirements; relating to
37 authorizing the Board of Funeral Service Examiners to promulgate a legislative rule
38 relating to a fee schedule; relating to authorizing the Board of Landscape Architects to
39 promulgate a legislative rule relating to registration of landscape architects; relating to
40 authorizing the Board of Medicine to promulgate a legislative rule relating to licensing of
41 physicians and podiatric physicians and disciplinary procedures for applicants, licensees,
42 and credential holders; relating to authorizing the Board of Medicine to promulgate a
43 legislative rule relating to relating to licensure, practice requirements, disciplinary and
44 complaint procedures, continuing education, physician assistants; authorizing the Board of
45 Medicine to promulgate a legislative rule relating to collaborative pharmacy practice;
46 relating to authorizing the Board of Medicine to promulgate a legislative rule relating to
47 prohibiting sexual misconduct by health care practitioners; relating to authorizing the
48 Board of Optometry to promulgate a legislative rule relating to optometric telehealth
49 practice; relating to authorizing the Board of Osteopathic Medicine to promulgate a
50 legislative rule relating to osteopathic physician assistants; relating to authorizing the
51 Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of
52 pharmacy; relating to authorizing the Board of Pharmacy to promulgate a legislative rule

53 relating to the Uniform Controlled Substance Act; relating to authorizing the Board of
54 Pharmacy to promulgate a legislative rule relating to Board of Pharmacy rules for
55 registration of pharmacy technicians; relating to authorizing the Board of Pharmacy to
56 promulgate a legislative rule relating to regulations governing pharmacy permit; relating to
57 authorizing the Board of Pharmacy to promulgate a legislative rule relating to inspections;
58 relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to the
59 Donated Drug Repository Program; relating to authorizing the Psychologists to promulgate
60 a legislative rule relating to code of conduct; relating to authorizing the Board of Registered
61 Professional Nurses to promulgate a legislative rule relating to requirements for
62 registration and licensure and conduct constituting professional misconduct; relating to
63 authorizing the Board of Registered Professional Nurses to promulgate a legislative rule
64 relating to advanced practice registered nurse licensure requirements; relating to
65 authorizing the Board of Registered Professional Nurses to promulgate a legislative rule
66 relating to limited prescriptive authority for nurses in advanced practice; relating to
67 authorizing the Board of Registered Professional Nurses to promulgate a legislative rule
68 relating to continuing education and competence; relating to authorizing the Board of
69 Registered Professional Nurses to promulgate a legislative rule relating to fees for services
70 rendered by the board; relating to authorizing the Board of Registered Professional Nurses
71 to promulgate a legislative rule relating to practitioner requirements for accessing the West
72 Virginia Controlled Substance Monitoring Program database; relating to authorizing the
73 Board of Registered Professional Nurses to promulgate a legislative rule relating to
74 telehealth practice; requirements; definitions; relating to authorizing the Secretary of State
75 to promulgate a legislative rule relating to early voting in-person satellite precincts; relating
76 to authorizing the Secretary of State to promulgate a legislative rule relating to the
77 Combined Voter Registration and Driver Licensing Fund; relating to authorizing the
78 Secretary of State to promulgate a legislative rule relating to administrative procedures for

79 the Nonpublic Funding for Election Administration Fund; relating to authorizing the State
80 Treasurer to promulgate a legislative rule relating to enforcement of the Uniform
81 Unclaimed Property Act; relating to authorizing the State Treasurer to promulgate a
82 legislative rule relating to the Hope Scholarship Program; and relating to authorizing the
83 State Treasurer to promulgate a legislative rule relating to Jumpstart Savings Program.

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

§64-9-1. Board of Accountancy.

1 The legislative rule filed in the State Register on July 27, 2022, authorized under the
2 authority of §30-9-5 of this code, relating to the Board of Accountancy (board rules of professional
3 conduct, 1 CSR 01), is authorized.

§64-9-2. Board of Acupuncture.

1 (a)The legislative rule filed in the State Register on July 29, 2022, authorized under
2 the authority of §30-36-14(f) of this code, modified by the Board of Acupuncture to meet the
3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
4 September 28, 2022, relating to the Board of Acupuncture (advertising by licensed acupuncturists,
5 32 CSR 05), is authorized.

6 (b) The legislative rule filed in the State Register on July 30, 2022, authorized under the
7 authority of §30-36-7 of this code, modified by the Board of Acupuncture to meet the objections of
8 the Legislative Rule-Making Review Committee and refiled in the State Register on September 28,
9 2022, relating to the Board of Acupuncture (standards of practice of acupuncture by licensed
10 acupuncturists, 32 CSR 06), is authorized with the amendment set forth below:

11 On page 2, by striking out section 6.1 and inserting in lieu thereof a new section 6.1 to read
12 as follows:

13 Injection therapy- A practitioner shall be limited to perform pointpuncture injections

14 using sterile disposable needles and sterile solutions. Injection therapy shall be the injection
15 of sterile herbs, vitamins, minerals, homeopathic substance, or other similar substances
16 specifically manufactured for injection into acupuncture points by means of sterile needles used
17 primarily for this purpose. Permissible substances include saline, glucose, lidocaine, procaine,
18 oriental herbs, vitamin B-12, traumeel, sarapin, and homeopathic substances. Practitioners
19 trained in injection therapy must comply with the ability to perform resuscitative procedures,
20 including access to epinephrine injections and nasal oxygen if their patient exhibits symptoms of
21 anaphylaxis;

22 On page 3, by inserting a new section, designated section 6.3. to read as follows:

23 6.3. Hand washing – The acupuncturist shall vigorously scrub his or her hands with
24 soap and warm water immediately before examining patients or handling acupuncture needles
25 and other instruments and between patients.

26 (c) The legislative rule filed in the State Register on July 29, 2022, authorized under
27 the authority of §30-36-7 of this code, modified by the Board of Acupuncture to meet the objections
28 of the Legislative Rule-Making Review Committee and refiled in the State Register on September
29 28, 2022, relating to the Board of Acupuncture (continuing education requirements, 32 CSR 09), is
30 authorized.

§64-9-3. Department of Agriculture.

1 (a)The legislative rule filed in the State Register on July 18, 2022, authorized under
2 the authority of §19-13-4 of this code, modified by the Department of Agriculture to meet the
3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
4 October 3, 2022, relating to the Department of Agriculture (West Virginia apiary rule, 61 CSR 02),
5 is authorized with the amendment set forth below:

6 On page 2, by striking out all of section 3.1. and inserting in lieu thereof a new section
7 3.1. to read as follows:

8 3.1. The Commissioner shall furnish an application for registration of bees to all

9 person known to keep bees. The Commissioner shall mail the applications during the month of
10 June to all persons who have registered their bees during the previous year. Upon receipt of a
11 properly executed bee registration application, the Commissioner shall issue a certificate of
12 registration which will be based upon the information provided on the application.

13 (b)The legislative rule filed in the State Register on May 12, 2022, authorized under
14 the authority of §19-2-10 of this code, modified by the Department of Agriculture to meet the
15 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
16 September 22, 2022, relating to the Department of Agriculture (schedule of charges for inspection
17 services: fruit, 61 CSR 08B), is authorized.

18 (c)The legislative rule filed in the State Register on June 14, 2022, authorized under
19 the authority of §19-12D-4 of this code, modified by the Department of Agriculture to meet the
20 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
21 September 22, 2022, relating to the Department of Agriculture (noxious weeds rule, 61 CSR 14A),
22 is authorized.

23 (d)The legislative rule filed in the State Register on July 21, 2022, authorized under
24 the authority of §19-11E-8(1) of this code, modified by the Department of Agriculture to meet the
25 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
26 September 22, 2022, relating to the Department of Agriculture (Grade "A" pasteurized milk, 61
27 CSR 15), is authorized.

28 (e)The legislative rule filed in the State Register on November 15, 2021, authorized
29 under the authority of §19-29-4 of this code, modified by the Agriculture Commissioner to meet the
30 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
31 October 26, 2022, relating to the Agriculture Commissioner (inspection of nontraditional,
32 domesticated animals, 61 CSR 23D), is authorized.

33 (f) The legislative rule filed in the State Register on July 28, 2022, authorized under
34 the authority of §19-12E-7 of this code, modified by the Department of Agriculture to meet the

35 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
36 September 22, 2022, relating to the Department of Agriculture (hemp products, 61 CSR 30), is
37 authorized.

38 (g)The legislative rule filed in the State Register on June 2, 2022, authorized under the
39 authority of §19-1C-4 of this code, modified by the Department of Agriculture to meet the
40 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
41 September 22, 2022, relating to the Department of Agriculture (livestock care standards, 61 CSR
42 31), is authorized.

43 (h)The legislative rule filed in the State Register on May 18, 2022, authorized under
44 the authority of §11-13DD-5(b) of this code, modified by the Department of Agriculture to meet the
45 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
46 September 22, 2022, relating to the Department of Agriculture (farm to food bank tax credit, 61
47 CSR 36), is authorized with the amendments set forth below:

48 On page 3, after “5.2.c.” by inserting the following: “No more than \$200,000 of tax
49 credits may be allocated to the Department of Agriculture in any fiscal year.”

50 And,

51 On page 4, by striking out section 5.3 and inserting in lieu thereof a new section 5.3. to
52 read as follows:

53 5.3. After review of the receipt form and any supporting documentation, and after
54 ensuring that the limit of \$200,000 of tax credits per fiscal year has not been exceeded, the
55 Department of Agricultural shall determine the amount, if any, of the tax credit due to the farming
56 taxpayer. The amount of the credit is equal to 30 percent of the value of the donated edible
57 agricultural products, but not to exceed \$5,000 during a taxable year.

58 (i) The legislative rule filed in the State Register on June 24, 2022, authorized under
59 the authority of §19-35-4 of this code, modified by the Department of Agriculture to meet the
60 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on

61 September 22, 2022, relating to the Department of Agriculture (farmers markets, 61 CSR 38), is
62 authorized with the amendment set forth below:

63 On page 6, by striking out subdivision 6.2.h. and inserting in lieu thereof a new
64 subdivision 6.2.h. to read as follows:

65 6.2.h. Any potentially hazardous freeze-dried foods.

§64-9-4. Athletic Commission.

1 (a)The legislative rule filed in the State Register on July 26, 2022, authorized under
2 the authority of §29-5A-24 of this code, modified by the Athletic Commission to meet the
3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
4 October 20, 2022, relating to the Athletic Commission (administrative rules of the West Virginia
5 State Athletic Commission, 177 CSR 01), is authorized.

6 (b)The legislative rule filed in the State Register on July 27, 2022, authorized under
7 the authority of §29-5A-3a of this code, modified by the Athletic Commission to meet the
8 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
9 October 20, 2022, relating to the Athletic Commission (regulation of mixed martial arts, 177 CSR
10 02), is authorized.

§64-9-5. State Auditor.

1 The legislative rule filed in the State Register on July 29, 2022, authorized under the
2 authority of §12-3-13b of this code, relating to the State Auditor (standards for voluntary payroll
3 deductions, 155 CSR 03), is authorized.

§64-9-6. Conservation Agency.

1 (a)The legislative rule filed in the State Register on July 12, 2022, authorized under
2 the authority of §19-21A-4a of this code, modified by the Conservation Agency to meet the
3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
4 September 20, 2022, relating to the Conservation Agency (operation of West Virginia State
5 Conservation Committee and conservation districts, 63 CSR 01), is authorized.

6 (b)The legislative rule filed in the State Register on July 12, 2022, authorized under
7 the authority of §19-21A-4 of this code, modified by the Conservation Agency to meet the
8 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
9 September 20, 2022, relating to the Conservation Agency (conservation district accounting and
10 auditing standards, 63 CSR 04), is authorized.

§64-9-7. Board of Dentistry.

1 The legislative rule filed in the State Register on July 22, 2022, authorized under the
2 authority of §30-4-6 of this code, modified by the Board of Dentistry to meet the objections of the
3 Legislative Rule-Making Review Committee and refiled in the State Register on October 4, 2022,
4 relating to the Board of Dentistry (dental recovery networks, 5 CSR 15), is authorized.

§64-9-8. Board of Funeral Service Examiners.

1 (a)The legislative rule filed in the State Register on July 27, 2022, authorized under
2 the authority of §30-6-6 of this code, modified by the Board of Funeral Service Examiners to meet
3 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register
4 on October 4, 2022, relating to the Board of Funeral Service Examiners (funeral director,
5 embalmer, apprentice, courtesy card holders and funeral establishment requirements, 6 CSR 01),
6 is authorized.

7 (b) The legislative rule filed in the State Register on July 27, 2022, authorized under
8 the authority of §30-6-6 of this code, modified by the Board of Funeral Service Examiners to meet
9 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register
10 on October 4, 2022, relating to the Board of Funeral Service Examiners (crematory requirements,
11 6 CSR 02), is authorized.

12 (c)The legislative rule filed in the State Register on July 27, 2022, authorized under
13 the authority of §30-6-6 of this code, modified by the Board of Funeral Service Examiners to meet
14 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register
15 on October 4, 2022, relating to the Board of Funeral Service Examiners (fee schedule, 6 CSR 07),

16 is authorized.

§64-9-9. Board of Landscape Architects.

1 The legislative rule filed in the State Register on July 30, 2022, authorized under the
2 authority of §30-22-7 of this code, modified by the Board of Landscape Architects to meet the
3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
4 September 22, 2022, relating to the Board of Landscape Architects (registration of landscape
5 architects, 9 CSR 01), is authorized.

§64-9-10. Board of Medicine.

1 (a) The legislative rule filed in the State Register on July 27, 2022, authorized under
2 the authority of §30-3-7(a) of this code, relating to the Board of Medicine (licensing of physicians
3 and podiatric physicians and disciplinary procedures for applicants, licensees, credential holders,
4 11 CSR 01A), is authorized.

5 (b)The legislative rule filed in the State Register on July 27, 2022, authorized under
6 the authority of §30-3E-3 of this code, relating to the Board of Medicine (licensure, practice
7 requirements, disciplinary and complaint procedures, continuing education, physician assistants,
8 11 CSR 01B), is authorized.

9 (c)The legislative rule filed in the State Register on July 29, 2022, authorized under
10 the authority of §30-5-7(c) of this code, relating to the Board of Medicine (collaborative pharmacy
11 practice, 11 CSR 08), is authorized.

12 The legislative rule filed in the State Register on July 28, 2022, authorized under the
13 authority of §30-3-14 of this code, relating to the Board of Medicine (prohibiting sexual misconduct
14 by health care practitioners, 11 CSR 16), is authorized.

§64-9-11. Board of Optometry.

1 The legislative rule filed in the State Register on July 30, 2022, authorized under the
2 authority of §30-1-26 of this code, modified by the Board of Optometry to meet the objections of
3 the Legislative Rule-Making Review Committee and refiled in the State Register on September 28,

4 2022, relating to the Board of Optometry (optometric telehealth practice, 14 CSR 12), is authorized
5 with amendment set forth below:

6 On page 4, by striking out all of section 5.1. and inserting in lieu thereof a new section
7 5.1. to read as follows:

8 5.1. Nothing in this section shall be construed to invalidate §30-8A-3 or to permit use
9 of any automated refractor or other automated or remote testing device to generate refractive
10 data.

§64-9-12. Board of Osteopathic Medicine.

1 The legislative rule filed in the State Register on July 29, 2022, authorized under the
2 authority of §30-3E-3 of this code, relating to the Board of Osteopathic Medicine (osteopathic
3 physician assistants, 24 CSR 02), is authorized.

§64-9-13. Board of Pharmacy.

1 (a)The legislative rule filed in the State Register on July 29, 2022, authorized under
2 the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of
3 the Legislative Rule-Making Review Committee and refiled in the State Register on October 17,
4 2022, relating to the Board of Pharmacy (licensure and practice of pharmacy, 15 CSR 01), is
5 authorized with the amendments set forth below:

6 On page 10, subsection 4.3, after the word “to” by inserting the words “six”;

7 And,

8 On page 40, by striking out the entirety of subdivision 24.1.b. and inserting in lieu thereof a
9 new subdivision 24.1.b. to read as follows:

10 24.1.b. for drug regimen review of prescription orders for a patient in an institutional facility,
11 for the pharmacist to authorize the dispensing and administration, provided the pharmacist is
12 licensed to practice pharmacist care in West Virginia.

13 (b)The legislative rule filed in the State Register on July 29, 2022, authorized under
14 the authority of §60A-3-301 of this code, modified by the Board of Pharmacy to meet the

15 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
16 October 17, 2022, relating to the Board of Pharmacy (Uniform Controlled Substance Act, 15 CSR
17 02), is authorized.

18 (c)The legislative rule filed in the State Register on July 29, 2022, authorized under
19 the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of
20 the Legislative Rule-Making Review Committee and refiled in the State Register on October 17,
21 2022, relating to the Board of Pharmacy (registration of pharmacy technicians, 15 CSR 07), is
22 authorized.

23 (d)The legislative rule filed in the State Register on July 29, 2022, authorized under
24 the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of
25 the Legislative Rule-Making Review Committee and refiled in the State Register on October 17,
26 2022, relating to the Board of Pharmacy (pharmacy permits, 15 CSR 15), is authorized.

27 (e)The legislative rule filed in the State Register on April 4, 2022, authorized under the
28 authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the
29 Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2022,
30 relating to the Board of Pharmacy (inspections, 15 CSR 19), is authorized.

31 (f) The legislative rule filed in the State Register on July 29, 2022, authorized under
32 the authority of §60B-1-8 of this code, modified by the Board of Pharmacy to meet the objections of
33 the Legislative Rule-Making Review Committee and refiled in the State Register on October 17,
34 2022, relating to the Board of Pharmacy (Donated Drug Repository Program, 15 CSR 20), is
35 authorized.

§64-9-14. Psychologists.

1 The legislative rule filed in the State Register on September 7, 2022, authorized under the
2 authority of §30-21-6 of this code, relating to the Board of Examiners of Psychologists (code of
3 conduct, 17 CSR 06), is authorized.

§64-9-15. Board of Registered Professional Nurses.

1 (a)The legislative rule filed in the State Register on July 27, 2022, authorized under
2 the authority of §30-7-4 of this code, relating to the Board of Registered Professional Nurses
3 (requirements for registration and licensure and conduct constituting professional misconduct, 19
4 CSR 03), is authorized.

5 (b)The legislative rule filed in the State Register on July 26, 2022, authorized under
6 the authority of §30-7-4 of this code, modified by the Board of Registered Professional Nurses to
7 meet the objections of the Legislative Rule-Making Review Committee and refiled in the State
8 Register on November 10, 2022, relating to the Board of Registered Professional Nurses
9 (advanced practice registered nurse licensure requirements, 19 CSR 07), is authorized with the
10 amendment set forth below:

11 On page 7, by inserting a new subsection 10.2., to read as follows:

12 10.2. In case of national recertification, any licensure suspension shall immediately by
13 removed, and no further discipline may occur, if information is provided indicating that
14 recertification has not lapsed.

15 (c)The legislative rule filed in the State Register on July 26, 2022, authorized under
16 the authority of §30-7-15a of this code, modified by the Board of Registered Professional Nurses
17 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State
18 Register on November 10, 2022, relating to the Board of Registered Professional Nurses (limited
19 prescriptive authority for nurses in advanced practice, 19 CSR 08), is authorized.

20 (d)The legislative rule filed in the State Register on July 26, 2022, authorized under
21 the authority of §30-7-4 of this code, modified by the Board of Registered Professional Nurses to
22 meet the objections of the Legislative Rule-Making Review Committee and refiled in the State
23 Register on November 10, 2022, relating to the Board of Registered Professional Nurses
24 (continuing education and competence, 19 CSR 11), is authorized.

25 (e)The legislative rule filed in the State Register on July 26, 2022, authorized under
26 the authority of §30-7-4 of this code, modified by the Board of Registered Professional Nurses to

27 meet the objections of the Legislative Rule-Making Review Committee and refiled in the State
28 Register on November 10, 2022, relating to the Board of Registered Professional Nurses (fees for
29 services rendered by the board, 19 CSR 12), is authorized with the amendments set forth below:

30 On page 1, subsection 2.4., by striking out the number “30.00” and inserting in lieu
31 thereof the number “20.00”;

32 On page 2, subsection 2.8., by striking out the number “35.00” and inserting in lieu
33 thereof the number “25.00”;

34 And,

35 On page 2, by striking out subsection 2.20. and renumbering the remaining
36 subsections.

37 (f) The legislative rule filed in the State Register on July 26, 2022, authorized under
38 the authority of §60A-9-5a of this code, modified by the Board of Registered Professional Nurses
39 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State
40 Register on November 10, 2022, relating to the Board of Registered Professional Nurses
41 (practitioner requirements for accessing the West Virginia Controlled Substance Monitoring
42 Program database, 19 CSR 14), is authorized.

43 (g) The legislative rule filed in the State Register on July 26, 2022, authorized under
44 the authority of §30-1-26 of this code, relating to the Board of Registered Professional Nurses
45 (telehealth practice; requirements; definitions, 19 CSR 16), is authorized.

§64-9-16. Secretary of State.

1 (a) The legislative rule filed in the State Register on August 1, 2022, authorized under
2 the authority of §3-3-2a of this code, modified by the Secretary of State to meet the objections of
3 the Legislative Rule-Making Review Committee and refiled in the State Register on November 10,
4 2022, relating to the Secretary of State (early voting in-person satellite precincts, 153 CSR 13), is
5 authorized.

6 (b) The legislative rule filed in the State Register on July 29, 2022, authorized under

7 the authority of §3-1A-6 of this code, modified by the Secretary of State to meet the objections of
8 the Legislative Rule-Making Review Committee and refiled in the State Register on November 10,
9 2022, relating to the Secretary of State (Combined Voter Registration and Driver Licensing Fund,
10 153 CSR 25), is authorized.

11 The legislative rule filed in the State Register on August 1, 2022, authorized under the
12 authority of §3-1A-9 of this code, modified by the Secretary of State to meet the objections of the
13 Legislative Rule-Making Review Committee and refiled in the State Register on November 10,
14 2022, relating to the Secretary of State (administrative procedures for the Nonpublic Funding for
15 Election Administration Fund, 153 CSR 54), is authorized.

§64-9-17. State Treasurer.

1 (a) The legislative rule filed in the State Register on July 29, 2022, authorized under the
2 authority of §36-8-28 of this code, modified by the State Treasurer to meet the objections of the
3 Legislative Rule-Making Review Committee and refiled in the State Register on September 15, 2022,
4 relating to the State Treasurer (enforcement of the Uniform Unclaimed Property Act, 112 CSR 05), is
5 authorized.

6 (b) The legislative rule filed in the State Register on April 21, 2022, authorized under
7 the authority of §18-31-9 of this code, modified by the Treasurer's Office to meet the objections of
8 the Legislative Rule-Making Review Committee and refiled in the State Register on January 25,
9 2023, relating to the Treasurer's Office (Hope Scholarship Program, 112 CSR 18), is authorized.

10 (c) The legislative rule filed in the State Register on July 22, 2022, authorized under
11 the authority of §18-30A-16 of this code, modified by the State Treasurer to meet the objections of
12 the Legislative Rule-Making Review Committee and refiled in the State Register on September 15,
13 2022, relating to the State Treasurer (Jumpstart Savings Program, 112 CSR 20), is authorized.