

COMMITTEE SUBSTITUTE

for

H.B. 2689

(BY DELEGATE(S) POORE, MARCUM, FLEISCHAUER, AND ELDRIDGE.)

(Originating in the Committee on the Judiciary)

[March 29, 2013]

A BILL to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating generally to the promulgation of administrative rules by the various executive or administrative agencies and the procedures relating thereto; legislative mandate or authorization for the promulgation of certain legislative rules; authorizing certain of the agencies to promulgate certain legislative rules in the form that the rules were filed in the State Register; authorizing certain of the agencies to promulgate certain legislative rules with various modifications presented to and recommended by the Legislative Rule-Making Review Committee; authorizing

certain of the agencies to promulgate certain legislative rules as amended by the Legislature; authorizing certain of the agencies to promulgate certain legislative rules with various modifications presented to and recommended by the Legislative Rule-Making Review Committee and as amended by the Legislature; authorizing the Board of Medicine to promulgate a legislative rule relating to practitioner requirements for accessing the West Virginia controlled substances monitoring program data base; authorizing the Board of Medicine to promulgate a legislative rule relating to licensure, disciplinary and complaint procedures; continuing education; and physician assistants; authorizing the Board of Medicine to promulgate a legislative rule relating to continuing education for physicians and podiatrists; authorizing the Board of Optometry to promulgate a legislative rule relating to continuing education; authorizing the Board of Optometry to promulgate a legislative rule relating to expanded therapeutic procedures certificates; authorizing the Board of Optometry to promulgate a legislative rule relating to a schedule of fees; authorizing the Board of Osteopathic Medicine to promulgate a legislative rule relating to licensing procedures for osteopathic physicians; authorizing the

Board of Osteopathic Medicine to promulgate a legislative rule relating to practitioner requirements for controlled substances licensure and accessing the West Virginia controlled substances monitoring program database; authorizing the Board of Osteopathic Medicine to promulgate a legislative rule relating to osteopathic physician assistants; authorizing the Board of Pharmacy to promulgate a legislative rule relating to ephedrine and pseudoephedrine control; authorizing the Board of Pharmacy to promulgate a legislative rule relating to controlled substances monitoring; authorizing the Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for licensure and certification; authorizing the Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to renewal of licensure - qualifications for renewal; authorizing the Board of Examiners for Registered Professional Nurses to promulgate a legislative rule relating to fees for services rendered by the Board and supplemental renewal fee for the center for nursing; authorizing the Board of Examiners for Registered Professional Nurses to promulgate a legislative rule relating to practitioner requirements for accessing the West

Virginia controlled substances monitoring program database; authorizing the Board of Examiners for Registered Professional Nurses to promulgate a legislative rule relating to the announcement of advanced practice; authorizing the Board of Examiners for Registered Professional Nurses to promulgate a legislative rule relating to limited prescriptive authority for nurses in advanced practice; authorizing the Secretary of State to promulgate a legislative rule relating to the Uniform Commercial Code; authorizing the Secretary of State to promulgate a legislative rule relating to administration of the address confidentiality program; authorizing the Secretary of State to promulgate a legislative rule relating to the regulation of political party headquarters financing; authorizing the Secretary of State to promulgate a legislative rule relating to the regulation of late registration; authorizing the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the procedures, criteria and curricula for examination and licensure of barbers, cosmetologists, nail technicians, aestheticians and hair stylists; authorizing the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to barber apprenticeships;

authorizing the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the operational standards for schools of barbering and beauty culture; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to animal disease control; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to poultry litter and manure movement into primary poultry breeder rearing areas; authorizing the Board of Architects to promulgate a legislative rule relating to the registration of architects; authorizing the Board of Dental Examiners to promulgate a legislative rule relating to the Board; authorizing the Board of Dental Examiners to promulgate a legislative rule relating to practitioner requirements for accessing the West Virginia controlled substances monitoring program database; authorizing the Board of Dental Examiners to promulgate a legislative rule relating to continuing education requirements; authorizing the Board of Dental Examiners to promulgate a legislative rule relating to the expanded duties of dental hygienists and dental assistants; authorizing the Hatfield-McCoy Regional Recreation Authority to promulgate a legislative rule relating to rules for use of the facility; authorizing

the Treasurer's Office to promulgate a legislative rule relating to the enforcement of the Uniform Unclaimed Property Act; authorizing the Board of Veterinary Medicine to promulgate a legislative rule relating to the organization and operation and licensing of veterinarians; authorizing the Board of Veterinary Medicine to promulgate a legislative rule relating to a schedule of fees; authorizing the Board of Social Work to promulgate a legislative rule relating to a fee schedule; authorizing the Board of Social Work to promulgate a legislative rule relating to qualifications for the profession social work; authorizing the Board of Social Work to promulgate a legislative rule relating to applications; authorizing the Board of Social Work to promulgate a legislative rule relating to continuing education for social workers and providers; authorizing the Board of Social Work to promulgate a legislative rule relating to a code of ethics; authorizing the Board of Examiners for Speech-Language Pathology and Audiology to promulgate a legislative rule relating to the licensure of speech-pathology and audiology; and authorizing the Conservation Committee to promulgate a legislative rule relating to the operation of the West Virginia State Conservation Committee and conservation districts.

Be it enacted by the Legislature of West Virginia:

That article 9, chapter 64 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

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

§64-9-1. Board of Medicine.

1 (a) The legislative rule filed in the State Register on the
2 twenty-eighth day of August, two thousand twelve, authorized
3 under the authority of section five-a, article nine, chapter sixty-a,
4 of this code, modified by the Board of Medicine to meet the
5 objections of the Legislative Rule-Making Review Committee
6 and refiled in the State Register on the sixth day of December,
7 two thousand twelve, relating to the Board of Medicine
8 (practitioner requirements for accessing the West Virginia
9 controlled substances monitoring program data base, 11 CSR
10 10), is authorized.

11 (b) The legislative rule filed in the State Register on the
12 twenty-eighth day of August, two thousand twelve, authorized
13 under the authority of section seven, article three, chapter thirty,
14 of this code, modified by the Board of Medicine to meet the
15 objections of the Legislative Rule-Making Review Committee

16 and refiled in the State Register on the sixth day of December,
17 two thousand twelve, relating to the Board of Medicine
18 (licensure, disciplinary and complaint procedures; continuing
19 education; and physician assistants, 11 CSR 1B), is authorized.

20 (c) The legislative rule filed in the State Register on the
21 twenty-eighth day of August, two thousand twelve, authorized
22 under the authority of section seven, article three, chapter thirty,
23 of this code, modified by the Board of Medicine to meet the
24 objections of the Legislative Rule-Making Review Committee
25 and refiled in the State Register on the sixth day of December,
26 two thousand twelve, relating to the Board of Medicine
27 (continuing education for physicians and podiatrists, 11 CSR 6),
28 is authorized.

§64-9-2. Board of Optometry.

1 (a) The legislative rule filed in the State Register on the
2 thirty-first day of August, two thousand twelve, authorized under
3 the authority of section six, article eight, chapter thirty, of this
4 code, modified by the Board of Optometry to meet the objections
5 of the Legislative Rule-Making Review Committee and refiled
6 in the State Register on the fourteenth day of December, two

7 thousand twelve, relating to the Board of Optometry (continuing
8 education, 14 CSR 10), is authorized.

9 (b) The legislative rule filed in the State Register on the
10 thirty-first day of August, two thousand twelve, authorized under
11 the authority of section six, article eight, chapter thirty, of this
12 code, relating to the Board of Optometry (expanded therapeutic
13 procedures certificate, 14 CSR 12), is authorized with the
14 following amendment:

15 On page one, by striking out everything after the series title
16 and inserting in lieu thereof the following:

“§14-12-1. General.

1 1.1. Scope. — This rule establishes the requirements,
2 procedures and standards for determining whether a procedure
3 is taught at 50% or more of all accredited optometry schools and
4 therefore qualifies as an expanded therapeutic procedure or class
5 of procedures as authorized by W. Va. Code §30-8-6(a)(14) and
6 the certification of a licensee to perform expanded therapeutic
7 procedures which are considered rational to the diagnosis and
8 treatment of the human eye and its appendages.

9 1.2. Authority. — W. Va. Code §30-8-6 and §30-8-9.

10 1.3. Filing Date. —

11 1.4. Effective Date. —

§14-12-2. Definitions.

1 2.1. “Accredited Optometry School” means an optometry
2 school accredited by the Accreditation Council on Optometric
3 Education or its successor organization recognized by the U.S.
4 Department of Education.

5 2.2. “Appendages” means the eyelids, the eyebrows, the
6 conjunctiva and the lacrimal apparatus.

7 2.3. “Board” means the West Virginia Board of Optometry.

8 2.4. “Board Education Committee” means the committee
9 appointed by the Board President to review and recommend
10 action on continuing education matters and to review an
11 application to add an expanded therapeutic procedure or class of
12 procedures.

13 2.5. “Certificate Holder” means a licensee who has met the
14 requirements of this rule and has been issued an Expanded
15 Therapeutic Procedures Certificate by the Board.

16 2.6. “Procedures”, “Therapeutic Procedures”, “Expanded
17 Therapeutic Procedures” or “Approved Procedures” are

18 procedures approved by the West Virginia Board of Optometry
19 that meet the criteria of this rule. All expanded therapeutic
20 procedures must meet the criteria listed in W.Va. Code,
21 §30-8-6(14), which states that all expanded therapeutic
22 procedures shall be taught in at least fifty percent (50%) of all
23 optometry schools accredited by the Accreditation Council on
24 Optometric Education or its successor organization recognized
25 by the U.S. Department of Education.

26 2.7 “Rules Officer” means the officer appointed by the
27 Board President to supervise the development of the rules and
28 policies of the Board.

§14-12-3. Application to Add an Expanded Therapeutic Procedure.

1 3.1. The Board may accept an application from any
2 interested party to add a therapeutic procedure or class of
3 procedures for certification of licensees. The application shall
4 include:

5 3.1.1. The applicant or group’s name, title, and form of
6 licensure, if applicable;

7 3.1.2. The address, telephone number, address and e-mail
8 address of the applicant or group;

9 3.1.3. The name and telephone number of a contact person
10 to discuss the application;

11 3.1.4. The name of the procedure or class of procedures that
12 is being requested for addition to therapeutic practice;

13 3.1.5. A statement of support for the procedure or class of
14 procedures proposed for regulation which has been signed by at
15 least ten residents or citizens of the State of West Virginia who
16 are licensed optometrists;

17 3.1.6. The estimated number of licensees who are
18 represented by the requesting person or group, if applicable;

19 3.1.7. A list of accredited optometry schools that are
20 teaching the expanded therapeutic procedure or class of
21 procedures and written documentation from each accredited
22 school on the list to the effect that each school is teaching the
23 expanded therapeutic procedure or class of procedures;

24 3.1.8. The names and contact information for the Dean of
25 Academic Affairs or his or her designee of each school the
26 applicant lists as teaching the expanded therapeutic procedure or
27 class of procedures; and

28 3.1.9. A definition of the problem which requires the
29 procedure or class of procedures requested and the extent to

30 which consumers need and will benefit from licensees who are
31 certified to practice the proposed therapeutic procedure or class
32 of procedures.

§14-12-4. The Board's Education Committee.

1 4.1. The application to approve a procedure or class of
2 procedures shall be referred to the Board's Education
3 Committee.

4 4.2. The Board's Education Committee shall consist of at
5 least three Board members.

6 4.3. The Board's Education Committee may include
7 additional ex-officio members who are not ~~be~~ members of the
8 Board to act as consultants to the Board.

§14-12-5. Board's Education Committee Data Request.

1 5.1. The Board's Education Committee shall communicate
2 in writing with each optometry school accredited by the
3 American Council on Optometric Education or its successor
4 approved by the U.S. Department of Education which teach the
5 proposed procedure or class of procedures cited in the
6 application. The request may be sent to each optometry school's
7 Dean of Academic Affairs or his or her designee. The Board's

8 Education Committee may enlist the assistance of accrediting
9 bodies or professional associations to obtain this information.

10 The request by the Board's Education Committee shall include:

11 5.1.1. If the procedure or class of procedures are taught by
12 the optometry school; and

13 5.1.2. Additional information the Board determines
14 necessary, which may include, but not be limited to:

15 5.1.2.1. The methods of instruction used to teach the
16 requested procedure or class of procedures; and

17 5.1.2.2. The clinical experience of each student or the
18 methods used to provide instruction for the proposed procedure
19 or class of procedures in a closely supervised environment.

§14-12-6. Board's Education Committee Report.

1 6.1. The Board's Education Committee shall evaluate the
2 responses from accredited optometry schools and confirm that
3 50% of all accredited optometry schools teach the proposed
4 therapeutic procedure or class of procedures. If the Board's
5 Education Committee determines that less than fifty percent
6 (50%) of the accredited optometry schools teach the expanded
7 therapeutic procedure or class of procedures, it shall reject the
8 proposed procedure.

9 6.2. The Board's Education Committee shall prepare a list of
10 schools that teach the proposed procedure or class of procedures
11 and make it available to the public for inspection. The Board's
12 Education Committee may make the list available to the public
13 including, but not limited to, publication through the Board's
14 web site.

15 6.3. The Board's Education Committee may gather
16 additional information and make a recommendation to the Board
17 for approval or disapproval of the procedure or class of
18 procedures based on whether the expanded therapeutic procedure
19 or class of procedures are taught at fifty (50%) or more of all
20 accredited optometry schools and the sufficiency of the
21 supported documentation submitted by the applicant and
22 gathered by the Board's Education Committee. The
23 recommendation shall include:

24 6.3.1. Proposed guidelines for training to ensure the
25 proficiency of optometrists certified in the procedure or class of
26 procedures. The recommendation may include the appropriate
27 hours of instruction required;

28 6.3.2. Treatment guidelines for the proposed procedure or
29 class of procedures; and

30 6.3.3. Methods of testing to be used to ensure that
31 optometrists certified to perform the requested procedure or class
32 of procedures are proficient in using the procedure or class of
33 procedures.

§14-12-7. Public Hearing.

1 7.1. The Board shall hold a public hearing regarding the
2 recommendation of the Board's Education Committee if the
3 Board's Education Committee recommends that the proposed
4 therapeutic procedure or class of procedures be approved. The
5 purpose of the public hearing is to determine whether the
6 documentation reviewed and gathered by the Board's Education
7 Committee is sufficient to prove that the expanded therapeutic
8 procedure is currently being taught at fifty percent or more of all
9 accredited optometry schools.

10 7.2. The Board shall allow those members of the public who
11 wish to speak solely to the sufficiency of the documentation
12 submitted by the applicant and evidence gathered by the Board's
13 Education Committee.

14 7.3. If, after the public hearing and review of the
15 recommendation, the Board determines that the documentation

16 and evidence is sufficient to demonstrate that fifty percent (50%)
17 or more of all accredited optometry schools currently teach the
18 expanded therapeutic procedure, the Board shall approve the
19 application. If the Board determines that the documentation and
20 evidence is not sufficient to demonstrate that fifty percent (50%)
21 or more of all accredited optometry schools currently teach the
22 expanded therapeutic procedure, the board shall reject the
23 application.

24 7.4. The Board shall submit any expanded therapeutic
25 procedure or class of procedures on an application for a sunrise
26 review by the Performance Evaluation Division of the
27 Legislative Auditor's Office, in conformance with W.Va. Code
28 §30-1A-2.

29 7.5 Any additions or deletions of therapeutic procedures
30 shall be submitted to by legislative rule for approval.

§14-12-8. Board Rules Officer.

1 8.1. The Board President may appoint a rules officer to
2 supervise the development of the rules or policies of the Board.

3 8.2. The Rules Officer may prepare a report to the Board on
4 a rule or policy, if required, for a proposed procedure or class of

5 procedures. The recommendation shall include measures to
6 ensure the safety of the public.

§14-12-9. Action of the Board on Proposed Rule or Policy.

1 9.1. The Board shall vote to accept, reject or modify the
2 recommendation of the Rules Officer on the proposed rule or
3 policy.

§14-12-10. Public Access and Board Accountability.

1 10.1. The Board shall follow all applicable rules and law in
2 the promulgation of any suggested rule or policy.

3 10.2. The Board shall make all public information required
4 by the W. Va. Code and the W.Va. State Code of Rules available
5 to the public, including, but not limited to, publication of the
6 required information on the Board's web site. The information
7 shall include:

8 10.2.1. A list of each Board approved procedure,

9 10.2.2. Proof that 50% of all optometry schools accredited
10 by the Accreditation Council on Optometric Education or its
11 successor teach the procedure or class of procedures added
12 following the provisions of W.Va. Code, §30-8-6(a)(14) at the
13 time of the Board's approval of the procedure or class of

14 procedures including the list of schools teaching each such
15 expanded therapeutic procedure or class of procedures along
16 with the documentation to such effect,

17 10.2.3. Approved training for each Board approved pro-
18 cedure or class of procedures, and

19 10.2.4. Treatment guidelines for each Board approved
20 procedure or class of procedures.

§14-12-11. Certification Generally.

1 11.1. A licensee shall complete a Board approved
2 application and meet all requirements as listed in this rule in
3 order to be certified to perform expanded therapeutic procedures.

4 11.2. A licensee shall obtain injectable pharmaceutical
5 agents certification prior to application for certification to
6 perform expanded therapeutic procedures.

§14-12-12. Certification Requirements.

1 To be certified, a licensee shall:

2 12.1. Complete the required application form;

3 12.2. Submit proof of injectable pharmaceutical agents
4 certification;

5 12.3. Submit proof of attendance and satisfactory comple-
6 tion of the required training in expanded therapeutic procedures.

7 The Board shall verify successful completion of the approved
8 directly with the provider accredited school of optometry; and

9 12.4. Submit the Expanded Therapeutic Procedures Fee as
10 listed in the Board's rule, Schedule of Fees, 14 CSR 5.

§14-12-13. Education and Training.

1 13.1. The Board shall accept training for certification in
2 expanded therapeutic procedures that is provided by or through
3 a school or college of optometry accredited by the Accreditation
4 Council on Optometric Education or its successor organization.

5 13.2. The Board may accept expanded therapeutic
6 procedures training used to obtain licensure for expanded
7 therapeutic procedures from another state or states: *Provided,*
8 That the other state or states have requirements that are
9 substantially equivalent to training required by this state.

10 13.3. Additional training requirements may be required by
11 the Board as it deems appropriate when it adds new approved
12 procedures or new classes of procedures.

§14-12-14. Certification.

1 14.1. Upon the licensee's successful completion of the
2 requirements listed in sections 9 through 10 of this rule and

3 approval by the Board or its designee, an expanded therapeutic
4 procedures certificate may be issued.

5 14.2. Upon issuance of the certificate, the licensee's license
6 number shall be changed. The license number shall be followed
7 by a dash and the initial "E" for expanded therapeutic
8 procedures.

§14-12-15. Treatment Guidelines.

1 15.1. A certificate holder may perform Board approved
2 expanded therapeutic procedures which are considered rational
3 to the diagnosis and treatment of the human eye or its
4 appendages.

5 15.2. Any pharmaceutical agent which may be administered
6 while performing approved procedures shall be selected from the
7 agents the certificate holder is authorized to prescribe or
8 administer under his or her topical, oral or injectable
9 pharmaceutical agents certification granted by W.Va. Code,
10 §30-8-1, et. seq. and the provisions of the Board's Rules, Oral
11 Pharmaceutical Certificate, 14 CSR 2, and Injectable
12 Pharmaceutical Agents Certificate, 14 CSR 11;

13 15.3. The certificate holder shall follow all applicable
14 Occupational Safety and Health Administration (OSHA) and

15 Centers for Disease Control (CDC) guidelines pertaining to
16 performance of expanded therapeutic procedures.

17 15.4. The certificate holder shall adhere to generally
18 accepted standards of care and follow established clinical
19 guidelines for approved procedures. The certificate holder shall
20 monitor the patient for an adverse outcome and provide
21 appropriate follow up care for patients treated by expanded
22 therapeutic procedures.

§14-12-16. Reporting.

1 16.1 Any adverse outcome shall be reported to the Board by
2 the certificate holder.

§14-12-17. Recertification.

1 A certificate holder shall meet the following requirements
2 for recertification:

3 17.1. The certificate holder shall submit proof of current
4 certification in life support for the professional rescuer or for
5 medical providers from the American Red Cross or American
6 Heart Association or their successors.

7 17.2. The certificate holder shall submit proof of a minimum
8 of two (2) hours of continuing education instruction in

9 performing expanded therapeutic procedures per two year
10 continuing education cycle as listed in W. Va. Code of Rules,
11 §14-10, Continuing Education.

12 17.3. The certificate holder shall submit the Annual Renewal
13 fee as listed in the Board’s Rule, Schedule of Fees, 14 CSR 5.”

14 (c) The legislative rule filed in the State Register on the
15 thirty-first day of August, two thousand twelve, authorized under
16 the authority of section six, article eight, chapter thirty, of this
17 code, modified by the Board of Optometry to meet the objections
18 of the Legislative Rule-Making Review Committee and refiled
19 in the State Register on the seventeenth day of January, two
20 thousand thirteen, relating to the Board of Optometry (schedule
21 of fees, 14 CSR 5), is authorized.

§64-9-3. Board of Osteopathic Medicine.

1 (a) The legislative rule filed in the State Register on the
2 twenty-eighth day of August, two thousand twelve, authorized
3 under the authority of section four, article one, chapter thirty, of
4 this code, modified by the Board of Osteopathic Medicine to
5 meet the objections of the Legislative Rule-Making Review
6 Committee and refiled in the State Register on the twelfth day of

7 December, two thousand twelve, relating to the Board of
8 Osteopathic Medicine (licensing procedures for osteopathic
9 physicians, 24 CSR 1), is authorized.

10 (b) The legislative rule filed in the State Register on the
11 twenty-eighth day of August, two thousand twelve, authorized
12 under the authority of section five-a, article nine, chapter sixty-a,
13 of this code, modified by the Board of Osteopathic Medicine to
14 meet the objections of the Legislative Rule-Making Review
15 Committee and refiled in the State Register on the twelfth day of
16 December, two thousand twelve, relating to the Board of
17 Osteopathic Medicine (practitioner requirements for controlled
18 substances licensure and accessing the West Virginia controlled
19 substances monitoring program database, 24 CSR 7), is
20 authorized.

21 (c) The legislative rule filed in the State Register on the
22 twenty-eighth day of August, two thousand twelve, authorized
23 under the authority of section four, article one, chapter thirty, of
24 this code, modified by the Board of Osteopathic Medicine to
25 meet the objections of the Legislative Rule-Making Review
26 Committee and refiled in the State Register on the twelfth day of

27 December, two thousand twelve, relating to the Board of
28 Osteopathic Medicine (osteopathic physician assistants, 24 CSR
29 2), is authorized.

§64-9-4. Board of Pharmacy.

1 (a) The legislative rule filed in the State Register on the
2 thirty-first day of August, two thousand twelve, authorized under
3 the authority of section six, article nine, chapter sixty-a, of this
4 code, modified by the Board of Pharmacy to meet the objections
5 of the Legislative Rule-Making Review Committee and refiled
6 in the State Register on the seventh day of February, two
7 thousand thirteen, relating to the Board of Pharmacy (ephedrine
8 and pseudoephedrine control, 15 CSR 11), is authorized.

9 (b) The legislative rule filed in the State Register on the
10 thirty-first day of August, two thousand twelve, authorized under
11 the authority of section six, article nine, chapter sixty-a, of this
12 code, modified by the Board of Pharmacy to meet the objections
13 of the Legislative Rule-Making Review Committee and refiled
14 in the State Register on the seventh day of February, two
15 thousand thirteen, relating to the Board of Pharmacy (controlled
16 substances monitoring, 15 CSR 8), is authorized.

§64-9-5. Real Estate Appraiser Licensing and Certification Board

1 (a) The legislative rule filed in the State Register on the
2 thirty-first day of August, two thousand twelve, authorized under
3 the authority of section nine, article thirty-eight, chapter thirty,
4 of this code, modified by the Real Estate Appraiser Licensing
5 and Certification Board to meet the objections of the Legislative
6 Rule-Making Review Committee and refiled in the State
7 Register on the nineteenth day of December, two thousand
8 twelve, relating to the Real Estate Appraiser Licensing and
9 Certification Board (requirements for licensure and certification,
10 190 CSR 2), is authorized.

11 (b) The legislative rule filed in the State Register on the
12 thirty-first day of August, two thousand twelve, authorized under
13 the authority of section nine, article thirty-eight, chapter thirty,
14 of this code, relating to the Real Estate Appraiser Licensing and
15 Certification Board (renewal of licensure - qualifications for
16 renewal, 190 CSR 3), is authorized.

§64-9-6. Board of Examiners for Registered Professional Nurses

1 (a) The legislative rule filed in the State Register on the first
2 day of August, two thousand twelve, authorized under the

3 authority of section five, article seven, chapter thirty, of this
4 code, modified by the Board of Examiners for Registered
5 Professional Nurses to meet the objections of the Legislative
6 Rule-Making Review Committee and refiled in the State
7 Register on the seventh day of December, two thousand twelve,
8 relating to the Board of Examiners for Registered Professional
9 Nurses (fees for services rendered by the Board and
10 supplemental renewal fee for the center for nursing, 19 CSR 12),
11 is authorized.

12 (b) The legislative rule filed in the State Register on the
13 thirty-first day of July, two thousand twelve, authorized under
14 the authority of section five-a, article nine, chapter sixty-a, of
15 this code, modified by the Board of Examiners for Registered
16 Professional Nurses to meet the objections of the Legislative
17 Rule-Making Review Committee and refiled in the State
18 Register on the seventh day of December, two thousand twelve,
19 relating to the Board of Examiners for Registered Professional
20 Nurses (practitioner requirements for accessing the West
21 Virginia controlled substances monitoring program database, 19
22 CSR 14), is authorized.

23 (c) The legislative rule filed in the State Register on the
24 second day of August, two thousand twelve, authorized under the
25 authority of section one, article seven, chapter thirty, of this
26 code, modified by the Board of Examiners for Registered
27 Professional Nurses to meet the objections of the Legislative
28 Rule-Making Review Committee and refiled in the State
29 Register on the seventh day of December, two thousand twelve,
30 relating to the Board of Examiners for Registered Professional
31 Nurses (announcement of advanced practice, 19 CSR 7), is
32 authorized.

33 (d) The legislative rule filed in the State Register on the first
34 day of August, two thousand twelve, authorized under the
35 authority of section fifteen-a, article seven, chapter thirty, of this
36 code, modified by the Board of Examiners for Registered
37 Professional Nurses to meet the objections of the Legislative
38 Rule-Making Review Committee and refiled in the State
39 Register on the seventh day of December, two thousand twelve,
40 relating to the Board of Examiners for Registered Professional
41 Nurses (limited prescriptive authority for nurses in advanced
42 practice, 19 CSR 8), is authorized.

§64-9-7. Secretary of State.

1 (a) The legislative rule filed in the State Register on the
2 thirty-first day of August, two thousand twelve, authorized under
3 the authority of section five hundred twenty-six, article nine,
4 chapter forty-six, of this code, modified by the Secretary of State
5 to meet the objections of the Legislative Rule-Making Review
6 Committee and refiled in the State Register on the eighteenth
7 day of January, two thousand thirteen, relating to the Secretary
8 of State (Uniform Commercial Code, 153 CSR 35), is
9 authorized.

10 (b) The legislative rule filed in the State Register on the
11 fourteenth day of August, two thousand twelve, authorized under
12 the authority of section one hundred ten, article twenty-eight-a,
13 chapter forty-eight, of this code, modified by the Secretary of
14 State to meet the objections of the Legislative Rule-Making
15 Review Committee and refiled in the State Register on the
16 eighteenth day of January, two thousand thirteen, relating to the
17 Secretary of State (administration of the address confidentiality
18 program, 153 CSR 37), is authorized.

19 (c) The legislative rule filed in the State Register on the
20 twenty-seventh day of August, two thousand twelve, authorized

21 under the authority of section six-a, article two, chapter three, of
22 this code, modified by the Secretary of State to meet the
23 objections of the Legislative Rule-Making Review Committee
24 and refiled in the State Register on the twenty-third day of
25 January, two thousand thirteen, relating to the Secretary of State
26 (regulation of political party headquarters financing, 153 CSR
27 43), is authorized.

28 (d) The legislative rule filed in the State Register on the
29 thirty-first day of August, two thousand twelve, authorized under
30 the authority of section six-a, article two, chapter three, of this
31 code, modified by the Secretary of State to meet the objections
32 of the Legislative Rule-Making Review Committee and refiled
33 in the State Register on the eighteenth day of January, two
34 thousand thirteen, relating to the Secretary of State (regulation
35 of late registration, 153 CSR 44), is authorized.

§64-9-8. Board of Barbers and Cosmetologists.

1 (a) The legislative rule filed in the State Register on the
2 twenty-ninth day of June, two thousand twelve, authorized under
3 the authority of section six, article twenty-seven, chapter thirty,
4 of this code, relating to the Board of Barbers and Cosmetologists

5 (procedures, criteria and curricula for examination and licensure
6 of barbers, cosmetologists, nail technicians, aestheticians and
7 hair stylists, 3 CSR 1), is authorized.

8 (b) The legislative rule filed in the State Register on the
9 twenty-ninth day of June, two thousand twelve, authorized under
10 the authority of section six, article twenty-seven, chapter thirty,
11 of this code, modified by the Board of Barbers and
12 Cosmetologists to meet the objections of the Legislative Rule-
13 Making Review Committee and refiled in the State Register on
14 the tenth day of January, two thousand thirteen, relating to the
15 Board of Barbers and Cosmetologists (barber apprenticeships, 3
16 CSR 13), is authorized.

17 (c) The legislative rule filed in the State Register on the
18 twenty-second day of August, two thousand twelve, authorized
19 under the authority of section six, article twenty-seven, chapter
20 thirty, of this code, modified by the Board of Barbers and
21 Cosmetologists to meet the objections of the Legislative Rule-
22 Making Review Committee and refiled in the State Register on
23 the twenty-ninth day of January, two thousand thirteen, relating
24 to the Board of Barbers and Cosmetologists (operational

25 standards for schools of barbering and beauty culture, 3 CSR 4),
26 is authorized, with the following amendment:

27 On page 4, subdivision 3.2(l), after the stricken word
28 “within” by striking the words, “five (5) day”; and

29 On page 4, by striking subdivision 3.2(s) in its entirety; and

30 On page 7, by striking subsection 7.1, and inserting a new
31 subsection 7.1 to read as follows,

32 “7.1 Daily Records - Each school shall keep a daily class
33 record of each student, showing the number hours earned daily,
34 the total number of hours the student is in attendance and the
35 days each student is absent. Daily hours shall be recorded by the
36 school using a time tracking system that can not be edited by a
37 student. Each student shall clock himself or herself in and out of
38 school.”

§64-9-9. Commissioner of Agriculture.

1 (a) The legislative rule filed in the State Register on the
2 thirty-first day of August, two thousand twelve, authorized under
3 the authority of section two, article nine, chapter nineteen, of this
4 code, relating to the Commissioner of Agriculture (animal
5 disease control, 61 CSR 1), is authorized.

6 (b) The legislative rule filed in the State Register on the
7 thirty-first day of August, two thousand twelve, authorized under
8 the authority of section two, article nine, chapter nineteen, of this
9 code, modified by the Department of Agriculture to meet the
10 objections of the Legislative Rule-Making Review Committee
11 and refiled in the State Register on the fifth day of December,
12 two thousand twelve, relating to the Commissioner of
13 Agriculture (poultry litter and manure movement into primary
14 poultry breeder rearing areas, 61 CSR 28, is authorized, with the
15 following amendment:

16 On page four, section five, line three, by striking out the
17 entire section five and renumbering the remaining sections.

§64-9-10. Board of Architects.

1 The legislative rule filed in the State Register on the
2 sixteenth day of August, two thousand twelve, authorized under
3 the authority of section one, article twelve, chapter thirty, of this
4 code, modified by the Board of Architects to meet the objections
5 of the Legislative Rule-Making Review Committee and refiled
6 in the State Register on the tenth day of October, two thousand
7 twelve, relating to the Board of Architects (registration of

8 architects, 2 CSR 1), is authorized, with the following
9 amendment:

10 On page four, subdivision 2.2.17. after the word “apartment”
11 by inserting the word “and”;

12 On page four, subdivision 2.2.17. after the word
13 “Condominiums” by striking out the words “and dormitories,”;

14 On page six, subdivision 2.2.26. after the words “Other
15 review, or review and corrections, of technical submissions
16 after” by striking out the word “thy” and inserting in lieu thereof
17 the word “they”;

18 On page nine, subdivision 3.11.1. after the words “certificate
19 of” by striking out the underlined words “good standing” and
20 reinserting the stricken word “registration” and;

21 On page nine, paragraph 3.11.2.a. after the word “grading”
22 by inserting a comma;

23 On page ten, subsection 3.12. after the words “before the
24 Board,” by striking out the underlined words “no one shall” and
25 reinserting the stricken words “an applicant or licensee may not”
26 and;

27 On page ten, subsection 4.1. after the words “an applicant
28 for” by reinserting the stricken words “a certificate of”;

29 On page ten, subdivision 5.1.1. by striking out the section in
30 its entirety and inserting in lieu thereof the following:

31 “To be eligible for a certificate of registration, other than
32 pursuant to §2-1-6 of this rule, an applicant shall meet the
33 following requirements:”;

34 On page eleven, paragraph 5.1.1.b. after the word
35 “NCARB’s” by striking out the remainder of said paragraph and
36 inserting in lieu thereof the words “education standards
37 applicable upon passage of this rule during the 2013 Regular
38 Session of the West Virginia Legislature”;

39 On page eleven, paragraph 5.1.1.c. after the words
40 “stipulated by NCARB” by striking out the underlined words
41 “and as accepted by the board”;

42 On page eleven, paragraph 5.1.1.d. after the words “took the
43 examination” by striking out the comma and the words “as
44 accepted by the board” and inserting in lieu thereof a period;

45 On page eleven, subdivision 5.1.4. by reinserting the stricken
46 words “Prior to granting a certificate of registration”, and by
47 striking out the underlined words “When evaluation
48 qualifications” and by striking out the comma and the underlined
49 words “prior to reaching its decision”;

50 On page twelve, subdivision 6.1.2. after the words “to the
51 Board concerning the applicant” by striking out the comma and
52 the words “as the board considers pertinent”;

53 On page thirteen, subdivision 7.3.3. after both instances of
54 the the words “the Board” by striking both instances of the word
55 “will” and inserting in lieu thereof in both instances the word
56 “shall”;

57 On page fifteen, subdivision 8.4.b. by restoring the stricken
58 words “United States”;

59 On page fifteen, subsection 8.6. after the words “non-
60 renewal of any” by reinstating the stricken words “certificate
61 of”;

62 On page seventeen, subdivision 9.1.2 after the words “and
63 municipal building laws” by reinserting the stricken words “and
64 rules and ordinances”;

65 On page seventeen, subdivision 9.1.2 after the words “in
66 violation of those laws” by reinserting the stricken words “and
67 rules and ordinances”;

68 On page nineteen, subdivision 9.3.3.a. after the words
69 “municipal building laws” by restoring the stricken words “and
70 rules or ordinances”;

71 On page nineteen, paragraph 9.3.3.c. after the words “the
72 project” by striking out the underlined words “unless the
73 registered architect is able to cause the matter to be resolved by
74 other means”; and

75 On page twenty, subdivision 9.4.3. after the words
76 “disciplinary action if” by striking out the underlined words
77 “based on grounds substantially similar to those which lead to
78 disciplinary action in this jurisdiction, the architect was
79 disciplined in any other United States jurisdiction” and inserting
80 in lieu thereof the words “he or she was disciplined in another
81 jurisdiction in the United States where the grounds for discipline
82 are substantially similar to those in West Virginia”.

§64-9-11. Board of Dental Examiners.

1 (a) The legislative rule filed in the State Register on the
2 thirty-first day of August, two thousand twelve, authorized under
3 the authority of section six, article four, chapter thirty, of this
4 code, relating to the Board of Dental Examiners (rule for the
5 West Virginia Board of Dental Examiners, 5 CSR 1), is
6 authorized.

7 (b) The legislative rule filed in the State Register on the
8 thirty-first day of August, two thousand twelve, authorized under

9 the authority of section five-a, article nine, chapter sixty-a, of
10 this code, modified by the Board of Dental Examiners to meet
11 the objections of the Legislative Rule-Making Review
12 Committee and refiled in the State Register on the sixth day of
13 December, two thousand twelve, relating to the Board of Dental
14 Examiners (practitioner requirements for accessing the West
15 Virginia controlled substances monitoring program database, 5
16 CSR 10), is authorized.

17 (c) The legislative rule filed in the State Register on the
18 thirty-first day of August, two thousand twelve, authorized under
19 the authority of section seven-a, article one, chapter thirty, of
20 this code, modified by the Board of Dental Examiners to meet
21 the objections of the Legislative Rule-Making Review
22 Committee and refiled in the State Register on the sixth day of
23 December, two thousand twelve, relating to the Board of Dental
24 Examiners (continuing education requirements, 5 CSR 11), is
25 authorized.

26 (d) The legislative rule filed in the State Register on the
27 thirty-first day of August, two thousand twelve, authorized under
28 the authority of section six, article four, chapter thirty, of this

29 code, relating to the Board of Dental Examiners (expanded
30 duties of dental hygienists and dental assistants, 5 CSR 13), is
31 authorized.

§64-9-12. Hatfield-McCoy Regional Recreation Authority.

1 The legislative rule filed in the State Register on the thirtieth
2 day of August, two thousand twelve, authorized under the
3 authority of section five, article fourteen, chapter twenty, of this
4 code, modified by the Hatfield-McCoy Regional Recreation
5 Authority to meet the objections of the Legislative Rule-Making
6 Review Committee and refiled in the State Register on the sixth
7 day of December, two thousand twelve, relating to the Hatfield-
8 McCoy Regional Recreation Authority (rules for use of facility,
9 204 CSR 1), is authorized.

§64-9-13. Treasurer's Office.

1 The legislative rule filed in the State Register on the
2 sixteenth day of August, two thousand twelve, authorized under
3 the authority of section twenty-eight, article eight, chapter thirty-
4 six, of this code, modified by the Treasurer's Office to meet the
5 objections of the Legislative Rule-Making Review Committee
6 and refiled in the State Register on the twenty-fifth day of

7 September, two thousand twelve, relating to the Treasurer's
8 Office (enforcement of the Uniform Unclaimed Property Act,
9 112 CSR 5), is authorized, with the following amendment:

10 On page six, subsection eleven, line eleven, following the
11 words "under the Act", by striking out the words "or under the
12 Unclaimed Stolen Property Act" and inserting in lieu thereof the
13 words "or under W.Va Code §36-8A-1, et seq."

§64-9-14. Board of Veterinary Medicine.

1 (a) The legislative rule filed in the State Register on the
2 thirtieth day of July, two thousand twelve, authorized under the
3 authority of section six, article ten, chapter thirty, of this code,
4 modified by the Board of Veterinary Medicine to meet the
5 objections of the Legislative Rule-Making Review Committee
6 and refiled in the State Register on the twenty-fifth day of
7 October, two thousand twelve, relating to the Board of
8 Veterinary Medicine (organization and operation and licensing
9 of veterinarians, 26 CSR 1), is authorized.

10 (b) The legislative rule filed in the State Register on the
11 thirtieth day of July, two thousand twelve, authorized under the
12 authority of section six, article ten, chapter thirty, of this code,

13 modified by the Board of Veterinary Medicine to meet the
14 objections of the Legislative Rule-Making Review Committee
15 and refiled in the State Register on the twenty-fifth day of
16 October, two thousand twelve, relating to the Board of
17 Veterinary Medicine (schedule of fees, 26 CSR 6), is authorized.

§64-9-15. Board of Social Work.

1 (a) The legislative rule filed in the State Register on the
2 thirty-first day of August, two thousand twelve, authorized under
3 the authority of section six, article thirty, chapter thirty, of this
4 code, modified by the Board of Social Work to meet the
5 objections of the Legislative Rule-Making Review Committee
6 and refiled in the State Register on the twenty-third day of
7 January, two thousand thirteen, relating to the Board of Social
8 Work (fee schedule, 25 CSR 3), is authorized.

9 (b) The legislative rule filed in the State Register on the
10 thirty-first day of August, two thousand twelve, authorized under
11 the authority of section six, article thirty, chapter thirty, of this
12 code, modified by the Board of Social Work to meet the
13 objections of the Legislative Rule-Making Review Committee
14 and refiled in the State Register on the fifth day of February, two

15 thousand thirteen, relating to the Board of Social Work
16 (qualifications for for the profession social work, 25 CSR 1), is
17 authorized, with the following amendment:

18 On page three, subsection 3.1., by striking out “30-30-8” and
19 inserting in lieu thereof “30-30-1”;

20 On page three, subdivision 3.2.2, by striking out “3.2.2.” and
21 inserting in lieu thereof “3.2.1.”;

22 On page three, subdivision 3.2.3., by striking out “3.2.3.”
23 and inserting in lieu thereof “3.2.2.”;

24 On page three, subdivision 3.2.3., renumbered by this
25 amendment as 3.2.2., after the word “candidate” by inserting the
26 word “may”;

27 On page four, subsection 3.3., after the words “qualified
28 supervision and employment” by inserting the words “critical
29 social work workforce shortage”;

30 On page four, subdivision 3.3.1., by striking out all of
31 paragraph (b) and inserting in lieu thereof a new paragraph,
32 designated paragraph (b), to read as follows:

33 “(b) Documentation showing the applicant has met the
34 requirements set forth in W.Va. Code §30-30-16.”;

35 On page four, subdivision 3.3.2., after the words “applicant
36 must submit” by striking out the remainder of the subdivision
37 and inserting in lieu thereof the words “a provisional license
38 agreement contract on a form provided by the board. Along with
39 the contract, the applicant must submit evidence of full time
40 social work employment under a provisional license
41 supervisor.”;

42 On page four, subdivision 3.3.4., after the words “license
43 period.” by striking out the remainder of the subsection and
44 inserting in lieu thereof the words “Successful completion means
45 receiving a passing grade.”;

46 On page four, by striking out all of paragraph 3.3.4.(a);

47 On page five, by striking out all of paragraph 3.3.4.(b);

48 On page five, by striking out all of paragraph 3.3.4.(d);

49 And relettering the remaining paragraphs accordingly;

50 On page six, paragraph 3.3.8.(a), after the words “made prior
51 to” by striking out the remainder of the paragraph and inserting
52 in lieu thereof the words “submitting an application to employ a
53 provisional licensee; and”;

54 On page six, subdivision 3.3.9., at the beginning of the
55 subdivision, by striking out the words “An employer” and

56 inserting in lieu thereof the words “A provisional licensing
57 supervisor”;

58 On page six, subdivision 3.3.9., after the words “while under
59 the” by striking out the words “employment of the agency.” and
60 inserting in lieu thereof the words “supervision of the
61 supervisor.”;

62 On page six, paragraph 3.3.11.(e), by striking out the words
63 “The Provisional Supervisor shall not have” and inserting in lieu
64 thereof the word “Has not”;

65 On page six, at the end of paragraph 3.3.11.(e), by inserting
66 the word “and”;

67 On page seven, subdivision 3.3.6, by renumbering said
68 subdivision as subdivision 3.3.13;

69 On page seven, subsection 3.6, by renumbering said
70 subsection as subsection 3.4;

71 On page seven, subdivision 3.6., renumbered by this
72 amendment as 3.4., after the words “attempting the examination”
73 by striking out the words “an additional time” and inserting in
74 lieu thereof the word “thereafter”;

75 On page seven, subsection 3.8, by renumbering said
76 subsection as subsection 3.5;

77 On page seven, beginning with subsection 3.9, by striking
78 out said subsection 3.9 in its entirety, and striking out
79 subdivision 3.9.1, the first subdivision 3.9.2 and the second
80 subdivision 3.9.2, and inserting in lieu thereof the following:

81 “3.6. As set forth in W. Va. Code §30-30-8, a licensed
82 independent clinical social worker may apply social work theory,
83 methods, assessment, ethics and the professional use of self to
84 the diagnosis, treatment and prevention of psychological
85 dysfunction, disability or impairment, including emotional and
86 mental disorders and developmental disabilities.

87 3.6.1. To be approved by the board to serve as a clinical
88 supervisor, a West Virginia licensed independent clinical social
89 worker, or a licensed clinical social worker from another
90 jurisdiction, shall:

91 (a) Have completed no less than two years of clinical
92 practice since the initial issuance of the clinical license;

93 (b) Submit a clinical supervision contract which identifies
94 the clinical supervisor and the person being supervised, and sets
95 forth the respective duties of employment. A clinical supervisor
96 from another jurisdiction shall provide evidence of having a
97 current, valid clinical social work license in good standing; and

98 (c) Maintain records of supervision, initialed by both parties,
99 of each face-to-face session, for 100 hours, over the course of
100 two years of full time employment or 3,000 hours of part time
101 employment: *Provided*, That up to 30 of the 100 hours may be
102 conducted by electronic means, so long as confidentiality is
103 guaranteed and the communication is not open for view or
104 comment by other parties.”

105 (c) The legislative rule filed in the State Register on the
106 twenty-ninth day of January, two thousand thirteen, authorized
107 under the authority of section six, article thirty, chapter thirty, of
108 this code, relating to the Board of Social Work (applications, 25
109 CSR 4), is authorized, with the following amendment:

110 On page one, subsection 2.1., by striking out the words
111 “mail, fax or email.” and inserting in lieu thereof the words
112 “mail, by fax to 304-558-4189, or by email to
113 bswe2@suddenlink.net or amypolen@wvsocialworkboard.org.”

114 (d) The legislative rule filed in the State Register on the
115 twenty-ninth day of January, two thousand thirteen, authorized
116 under the authority of section six, article thirty, chapter thirty, of
117 this code, relating to the Board of Social Work (continuing

118 education for social workers and providers, 25 CSR 5), is
119 authorized, with the following amendment:

120 On page one, subdivision 3.1.1., after the words “at least” by
121 striking out the word “thirty”;

122 On page two, subdivision 3.1.1., after the words “may be
123 earned via” by striking out the word “technical” and inserting in
124 lieu thereof the word “electronic”;

125 On page two, subsection 3.2., after the words “licensee is
126 not” by inserting in lieu thereof the word “required”;

127 On page two, subdivision 3.3.1., after the words
128 “satisfactorily completing:” by inserting the words “individual
129 professional activities as follows:”;

130 On page two, subdivision 3.3.1., paragraph (b), at the end of
131 the paragraph, after the words “under contract” by striking out
132 the words “and professional meetings”;

133 On page two, subdivision 3.4.3., after the words “three (3)
134 years of time” by striking out the remainder of said subdivision
135 3.4.3. and inserting in lieu thereof the words “preceding the date
136 of renewal. Once the license is renewed, the Board may expunge
137 the records.”;

138 On page three, subdivision 3.7.2., at the beginning of the
139 subdivision, by striking out the words “The license” and
140 inserting in lieu thereof the words “A delinquent license”;

141 On page three, subsection 4.1., in the third sentence of the
142 subsection, after the words “programs under” by striking out the
143 word “it’s” and inserting in lieu thereof the word “its”;

144 On page four, subdivision 4.2.6., after the words “provisions
145 of the” by striking out the word “American’s” and inserting in
146 lieu thereof the word “Americans”;

147 On page five, subdivision 4.3.12., after the words
148 “provisions of the” by striking out the word “American’s” and
149 inserting in lieu thereof the word “Americans”; and

150 On page five, subdivision 4.4.2, in the second sentence of the
151 subdivision, after the words “conducted via” by striking out the
152 word “technical” and inserting in lieu thereof the word
153 “electronic”.

154 (e) The legislative rule filed in the State Register on the
155 twenty-ninth day of January, two thousand thirteen, authorized
156 under the authority of section six, article thirty, chapter thirty, of
157 this code, relating to the Board of Social Work (code of ethics,
158 25 CSR 7), is authorized.

§64-9-16. Board of Examiners for Speech-Language Pathology and Audiology.

1 The legislative rule filed in the State Register on the twelfth
2 day of June, two thousand twelve, authorized under the authority
3 of section ten, article thirty-two, chapter thirty, of this code,
4 relating to the Board of Examiners for Speech-Language
5 Pathology and Audiology (licensure of speech-pathology and
6 audiology, 29 CSR 1), is authorized.

§64-9-17. Conservation Committee.

1 The legislative rule filed in the State Register on the twenty-
2 seventh day of August, two thousand twelve, authorized under
3 the authority of section four, article twenty-one-a, chapter
4 nineteen, of this code, modified by the Conservation Committee
5 to meet the objections of the Legislative Rule-Making Review
6 Committee and refiled in the State Register on the seventeenth
7 day of December, two thousand twelve relating to the
8 Conservation Committee (operation of the West Virginia State
9 Conservation Committee and conservation districts, 63 CSR 1),
10 is authorized, with the following amendment:

11 One page one, section one, subsection 1.1, by striking out the
12 comma and the words “appointment and removal” and inserting
13 in lieu thereof the words “and appointment”;and

Com. Sub. For H. B. No. 2689] 50

14 On page three, section two, by striking out all of subsection

15 2.6.

