

TENTATIVE AGENDA
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
Monday, April 17, 2000
1 p.m. to 3p.m.
Senate Judiciary Committee Room, 208W

1. **Approval of Minutes - January 9, 10, 12, and 20, 2000.**
2. **Review of Legislative Rules:**
 - a. **Department of Agriculture**
Traditional Cheese Production, 61CSR4
 - b. **Department of Administration**
Purchasing, 148CSR1
 - c. **Department of Administration**
West Virginia Design-Build Review Board, 148CSR9
 - d. **Department of Administration**
Rules for Selecting Design-Builders Under Design-Build Procurement Act, 148CSR11
 - e. **West Virginia State Board of Examiners for Licensed Practical Nurses**
Policies and Procedures for Development and Maintenance of Educational Programs in Practical Nursing, 10CSR1
 - f. **West Virginia State Board of Examiners for Licensed Practical Nurses**
Policies Regulating Licensure of the Licensed Practical Nurse, 10CSR2
 - g. **West Virginia State Board of Examiners for Licensed Practical Nurses**
Legal Standards of Nursing Practice for the Licensed Practical Nurse, 10CSR3
 - h. **West Virginia State Board of Examiners for Licensed Practical Nurses**
Continuing Competence, 10CSR6
 - i. **Alcohol Beverage Control Administration**
Licensing of Retail Liquor Stores, 175CSR5
3. **Other Business**

Monday, April 17, 2000

1:00 p.m. - 3:00 p.m.

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

Earl Ray Tomblin
ex officio nonvoting member

Robert "Bob" Kiss
ex officio nonvoting member

Senate

House

Ross, Chairman
Anderson, Vice Chairman
Minard
Snyder Absent
Unger
Minear

Hunt, Chairman
Linch, Vice Chairman
Compton Absent
Jenkins
Faircloth
Riggs Absent

The meeting was called to order by Mr. Ross, Co-Chairman.

The minutes of the January 9, 10, 12 and 20, 2000, meetings were approved.

Debra Graham, Committee Counsel, explained the rule proposed by the *Department of Agriculture-Traditional Cheese Production, 61CSR4*, and stated that the Department has agreed to technical modifications.

Mr. Anderson moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the *Department of Administration-Purchasing, 148CSRI*, and stated that the Department has agreed to technical modifications. She responded to questions. She stated that in her opinion the proposed rule exceeds the scope of Department's authority, and that the Committee should recommend the Department withdraw the proposed rule. Jack Buckalew, Deputy Secretary, stated that he could not respond to questions concerning the proposed rule.

Mr. Hunt moved that the proposed rule be moved to the foot of the agenda. The motion was adopted.

Ms. Graham explained the rule proposed by the *West Virginia State Board of Examiners for Licensed Practical Nurses-Policies and Procedures for Development and Maintenance of Educational Programs in Practical Nursing, 10CSRI*, and stated that the Board has agreed to technical modifications. She, Lanette Anderson, Assistant Executive Secretary, and Nancy Wilson, Executive Secretary, responded to questions from the Committee.

Ms. Minear moved to modify subdivision 9.1.c of the proposed rule to clarify when a criminal history records check should be administered by a sponsoring agency and what effect a criminal history may have on admission and licensure. The motion was adopted.

Mr. Unger moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the *West Virginia State Board of Examiners for Licensed Practical Nurses-Policies Regulating Licensure of the Licensed Practical Nurse, 10CSR2*, and stated that the Board has agreed to technical modifications. She and Ms. Wilson responded to questions.

Mr. Hunt moved that section 13 of the proposed rule relating to complaint procedures be modified to comply with the provisions of Enrolled House Bill 4062 which passed during the 2000 Legislative Session. The motion was adopted.

Mr. Hunt moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained the rule proposed by the *West Virginia State Board of Examiners for Licensed Practical Nurses-Legal Standards of Nursing Practice for the Licensed Practical Nurse, 10CSR3*, and stated that the Board has agreed to technical modifications.

Mr. Minard moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the *West Virginia State Board of Examiners for Licensed Practical Nurses-Continuing Competence, 10CSR6*, and stated that the Board has agreed to technical modifications.

Mr. Hunt moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained the rule proposed by the *Department of Administration-West Virginia Design-Build Review Board, 148CSR9*, and stated that Department has agreed to technical modifications. She also stated that the proposed rule was unnecessary, and that she had recommended to the agency that it withdraw the proposed rule. Mr. Buckalew stated that the Department intends to withdraw the proposed rule.

Ms. Graham reviewed her abstract on the rule proposed by the *Department of Administration-Rules for Selecting Design-Builders Under Design-Build Procurement Act, 148CSR11*, responded to questions and stated that the Department has agreed to technical modifications. She responded to questions.

Mr. Lynch moved to modify the proposed rule on page 3, sections 4.1 and 4.2, by adding the qualifications for design-builders from page 4 of the comments by the ACT Foundation. Mr. Buckalew stated that the Department will accept the modifications. The motion was adopted.

Mr. Hunt moved that the proposed rule be laid over until the Committee's next meeting. The motion was adopted.

The meeting was adjourned.

APRIL INTERIM SCHEDULE
Legislative Interim Meetings
April 17, 2000

Monday, April 17, 2000

1:00 - 3:00 p.m.

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

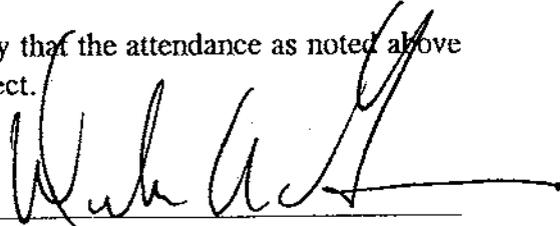
Earl Ray Tomblin, ex
officio nonvoting member

Robert S. Kiss, ex
officio nonvoting member

Senate
Ross, Chair ✓
Anderson, Vice Chair ✓
Minard ✓
Snyder ✓
Unger ✓
Minear ✓

House
Hunt, Chair ✓
Linch, Vice Chair ✓
Compton ✓
Jenkins ✓
Faircloth ✓
Riggs ✓

I certify that the attendance as noted above
is correct.



Staff Person

Debra

REGISTRATION OF PUBLIC
AT
COMMITTEE MEETINGS
WEST VIRGINIA LEGISLATURE

Committee: Legislative Rule-Making Review Committee Date 4-17-2000
Please print or write plainly.

| NAME | ADDRESS | REPRESENTING | Please check (X) if you desire to make a statement. |
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*Approved ✓
as modified*
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Traditional Cheese Production, 61CSR4

Post ✓
b. Department of Administration
Purchasing, 148CSR1

*Agency will be
updraw*
Department of Administration
West Virginia Design-Build Review Board, 148CSR9

Lay over ✓
Department of Administration
Rules for Selecting Design-Builders Under Design-Build
Procurement Act, 148CSR11

*Approved ✓
as modified*
c. West Virginia State Board of Examiners for Licensed Practical
Nurses
Policies and Procedures for Development and Maintenance of
Educational Programs in Practical Nursing, 10CSR1

*Approved as
mod. ✓*
d. West Virginia State Board of Examiners for Licensed Practical
Nurses
Policies Regulating Licensure of the Licensed Practical
Nurse, 10CSR2

*Approved ✓
as modified*
e. West Virginia State Board of Examiners for Licensed Practical
Nurses
Legal Standards of Nursing Practice for the Licensed
Practical Nurse, 10CSR3

*Approved ✓
as modified*
f. West Virginia State Board of Examiners for Licensed Practical
Nurses
Continuing Competence, 10CSR6

*Approved ✓
as modified*
g. i. Alcohol Beverage Control Administration
Licensing of Retail Liquor Stores, 175CSR5

3. Other Business