

**JULY 24**

Monday, July 24, 2006

4:00 p.m. to 5:00 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**

Minard, Chairman  
Fanning, Vice Chair      Absent  
Prezioso  
Unger  
Boley  
Minear

Mahan, Chairman  
Palumbo, Vice Chair  
Cann  
Pino  
Armstead  
Overington

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

The minutes of the May 23, 2006 meeting was approved.

Debra Graham, Chief Counsel, explained her abstract on the rule proposed by the **Registered Professional Nurses, Dialysis Technicians, 19CSR13**, stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the **Registered Professional Nurses, Policies and Criteria for the Evaluation and Accreditation of Colleges, Departments or Schools of Nursing, 19CSR1**, and stated that the Commission has agreed to technical modifications.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained her abstract on the rule proposed by the **Registered Professional Nurses, Requirements for Registration and Licensure, 19CSR3**, stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the **Registered Professional Nurses, Continuing Education, 19CSR11**, and stated that the Commission has agreed to technical modifications.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Department of Administration, Cannibalization of State Property, 148CSR16**, and stated that the Board has agreed to technical modifications.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Skinner reviewed his abstract on the rule proposed by the **Department of Administration, Waste Disposal of State Property, 148CSR17**, and stated that the Commission has agreed to technical modifications.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Mr. Skinner explained his abstract on the rule proposed by the **West Virginia Division of Forestry, Ginseng Regulations, 22CSR1**, stated that the Board has agreed to technical modifications and responded to questions from the Committee.

Randy Dye, Director of the WV Division of Forestry, responded to questions from the Committee.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the **Consolidated Public Retirement Board, Teachers' Defined Contribution System, 162CSR3**.

Terasa Miller, Acting Executive Director for the Consolidated Public Retirement Board, responded to questions from the Committee and agreed to send notification to all employers within 10 days.

Mr. Cann requested a copy of all delinquencies.

Ms. Mahan moved that the proposed rule be approved. The motion was adopted.

Ms. Graham explained her abstract on the rule proposed by the **Consolidated Public Retirement Board, Teachers' Retirement System, 162CSR4**.

Ms. Mahan moved that the proposed rule be approved. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the **Consolidated Public Retirement Board, Public Employees Retirement System, 162CSR5**, stated that the Commission has agreed to technical modifications, and responded to questions from the Committee.

Ms. Miller responded to question from the Committee and agree to send notification to all employers.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained her abstract on the rule proposed by the **Consolidated Public Retirement Board, Refund, Reinstatement and Loan Interest Factors, 162CSR7**, and stated that the Commission has agreed to technical modifications.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the **Consolidated Public Retirement Board, Deputy Sheriff Retirement System, 162CSR10**, and stated that the Commission has agreed to technical modifications.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained her abstract on the rule proposed by the **West Virginia Board of Medicine, Licensing and Disciplinary Procedures: Physicians; Podiatrists, 11CSR1A**, and stated that the Commission has agreed to technical modifications.

Ms. Mahan 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 Massage Therapy Licensure Board, General Provisions, 194CSR1**, and stated that the Commission has agreed to technical modifications.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

The meeting was adjourned.

**JULY INTERIM ATTENDANCE**  
**Legislative Interim Meetings**  
**July 23, 24, and 25, 2006**

**Monday, July 24, 2006**

4:00 - 5:00 p.m.

**Legislative Rule-Making Review Committee**

Earl Ray Tomblin, ex  
officio nonvoting member \_\_\_\_\_

Robert S. Kiss, ex  
officio nonvoting member \_\_\_\_\_

Senate

Minard, Chair \_\_\_\_\_

Fanning, Vice Chair \_\_\_\_\_

Prezioso \_\_\_\_\_

Unger \_\_\_\_\_

Boley \_\_\_\_\_

Minear \_\_\_\_\_

House

Mahan, Chair \_\_\_\_\_

Palumbo, Vice Chair \_\_\_\_\_

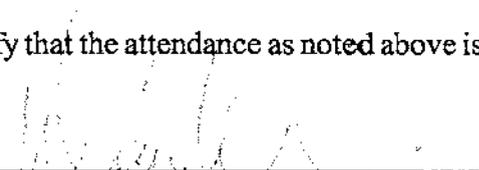
Cann \_\_\_\_\_

Pino \_\_\_\_\_

Armstead \_\_\_\_\_

Overington \_\_\_\_\_

I certify that the attendance as noted above is correct.

  
\_\_\_\_\_  
Staff Person

Debra Graham

**Please return to Brenda in Room 132-E or Fax to 347-4819 ASAP, due to payroll deadline.**

**TENTATIVE AGENDA**  
**LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**  
**Monday, July 24, 2006**  
**4:00 p.m. and 5:00 p.m.**  
**Senate Finance Committee Room**

1. **Approval of Minutes - Meeting of May 23, 2006**
2. **Review of Legislative Rules:**
  - a. **Registered Professional Nurses, WV Board of  
Dialysis Technicians, 19CSR13**
    - Laid Over
  - b. **Registered Professional Nurses, WV Board of  
Policies and Criteria for the Evaluation and Accreditation  
of Colleges, Departments or Schools of Nursing, 19CSR1**
  - c. **Registered Professional Nurses, WV Board of  
Requirements for Registration and Licensure, 19CSR3**
  - d. **Registered Professional Nurses, WV Board of  
Continuing Education, 19CSR11**
  - e. **Administration, Department of  
Cannibalization of State Property, 148CSR16**
  - f. **Administration, Department of  
Waste Disposal of State Property, 148CSR17**
  - g. **Forestry, WV Division of  
Ginseng Regulations, 22CSR1**
  - h. **Consolidated Public Retirement Board  
Teachers' Defined Contribution System, 162CSR3**
  - i. **Consolidated Public Retirement Board  
Teachers' Retirement System, 162CSR4**
  - j. **Consolidated Public Retirement Board  
Public Employees Retirement System, 162CSR5**
  - k. **Consolidated Public Retirement Board  
Refund, Reinstatement and Loan Interest Factors, 162CSR7**

- l. **Consolidated Public Retirement Board**  
Deputy Sheriff Retirement System, 162CSR10
- m. **Board of Medicine, West Virginia**  
Licensing and Disciplinary Procedures: Physicians;  
Podiatrists, 11CSR1A
- N. **Massage Therapy Licensure Board, WV**  
General Provisions, 194CSR1

3. **Other Business**

**TENTATIVE AGENDA**  
**LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**  
**Monday, July 24, 2006**  
**4:00 p.m. and 5:00 p.m.**  
**Senate Finance Committee Room**

1. **Approval of Minutes** - Meeting of May 23, 2006
2. **Review of Legislative Rules:**
  - a. **Registered Professional Nurses, WV Board of  
Dialysis Technicians, 19CSR13**
    - Laid Over
    - Approve As Modified
  - b. **Registered Professional Nurses, WV Board of  
Policies and Criteria for the Evaluation and Accreditation  
of Colleges, Departments or Schools of Nursing, 19CSR1**
    - Approve As Modified
  - c. **Registered Professional Nurses, WV Board of  
Requirements for Registration and Licensure, 19CSR3**
    - Approve As Modified
  - d. **Registered Professional Nurses, WV Board of  
Continuing Education, 19CSR11**
    - Approve As Modified
  - e. **Administration, Department of  
Cannibalization of State Property, 148CSR16**
    - Approve As Modified
  - f. **Administration, Department of  
Waste Disposal of State Property, 148CSR17**
    - Approve As Modified
  - g. **Forestry, WV Division of  
Ginseng Regulations, 22CSR1**
    - Approve As Modified

- h. **Consolidated Public Retirement Board**  
Teachers' Defined Contribution System, 162CSR3
  - Approve
- i. **Consolidated Public Retirement Board**  
Teachers' Retirement System, 162CSR4
  - Approve
- j. **Consolidated Public Retirement Board**  
Public Employees Retirement System, 162CSR5
  - Approve As Modified
- k. **Consolidated Public Retirement Board**  
Refund, Reinstatement and Loan Interest Factors, 162CSR7
  - Approve As Modified
- l. **Consolidated Public Retirement Board**  
Deputy Sheriff Retirement System, 162CSR10
  - Approve As Modified
- m. **Board of Medicine, West Virginia**  
Licensing and Disciplinary Procedures: Physicians;  
Podiatrists, 11CSR1A
  - Approve As Modified
- N. **Massage Therapy Licensure Board, WV**  
General Provisions, 194CSR1
  - Approve As Modified

3. **Other Business**

**JULY INTERIM ATTENDANCE**

**Legislative Interim Meetings**

**July 23, 24 and 25, 2006**

**Monday, July 24, 2006**

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**Legislative Rule-Making Review Committee**

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Robert "Bob" Kiss, ex  
officio nonvoting member

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**House**

Minard, Chair

Fanning, Vice Chair

Prezioso

Unger

Boley

Minear

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Mahan, Chair

Palumbo, Vice Chair

Cann

Pino

Armstead

Overington

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Minard meeting to order  
Minutes approved

- Reg Pro Nurses 19CSR13
- Debra explained & answered ?'s  
Mahan moved as modified  
Approved as Modified

- Reg Pro Nurses 19CSR1
- Debra explained  
Mahan moved as modified  
Approved as modified

- Reg Pro Nurses 19CSR3
- Debra explained & answered ?'s  
Mahan moved as modified  
Approved as Modified

- Reg Pro Nurses 19 CSR 11  
Debra explained  
Mahaw moved as mod  
Approved as modified

- Admin 148 CSR 16  
Brian explained  
Mahaw moved as mod  
Approved as Modified

- Admin 148 CSR 17  
Brian explained  
Mahaw moved as mod  
Approved as Modified

- Forestry 22 CSR 1  
Brian explained & answered ?'s  
Randy Dye Director of Div of Forestry responded  
to questions from the Committee  
Mahaw moved as mod  
Approved as Modified

- CPRB 162 CSR 3  
Debra explained  
Teresa Miller acting Director of CPRB  
responded to ?'s from the Committee  
Cann Request of delinquency  
Mahaw moved rule ~~as is~~ as is

Board agrees to notify employees w/in 10 days  
Approved

- CPRB 162 CSR4

Debra explained

Mahan moved rule as is  
Approved

- CPRB 162 CSR5 <sup>answered ?'s</sup>

Debra explained : addressed the Committee

~~Debra explained~~ Teresa Miller answered ?'s and  
agreed to send letter to employees

Mahan moved rule as modified  
Approved as Modified

- CPRB 162 CSR7

Debra explained

Mahan moved rule as modified  
Approved as Modified

- CPRB 162 CSR10

Debra explained

Mahan moved as modified  
Approved as Modified

- Medicine 11 CSRTA

  - Debra explained

  - Moham moved as modified
  - Approved as modified

- Massage Therapy 194 CSRT

  - Debra explained

  - Moham moved as modified

  - Approved as Modified

- Moham moved

  - Meeting Adjourned

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Senate

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Minard, Chair

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Prezioso

Unger

Boley

Minear

✓  
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✓  
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✓  
\_\_\_\_\_  
✓

Mahan, Chair

Palumbo, Vice Chair

Cann

Pino

Armstead

Overington

✓  
✓  
✓  
✓  
✓  
✓

*Analysis*  
Meeting called to order by Minard.  
Mahan → May 23 minutes approved  
Approve as modified

Mahan RW - Accord  
Approve as mod

Mahan RW - Reg  
Approve as mod  
I responded to questions

Mahan RW - CE  
Approve as mod

Admin - Cannibalization

Brian explained

Mahan

Approve as modified

Administration - Waste Disposal

Brian explained

Mahan

Approve as modified

Forestry - Grubbing

Brian explained & responded to questions

Randy Dodd, Dir Djo of F responded to questions

Mahan

Approve as modified

CPRB - Teachers' Detached Centre

Teressa - responded to questions

1 Acting Dir

Casa wants info on delinquencies

Mahan

Approve ~~as modified~~

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2. **Review of Legislative Rules:**

*Approved  
as modified*

**Registered Professional Nurses, WV Board of  
Dialysis Technicians, 19CSR13**

- Laid Over
- Approve As Modified

*Approved  
as modified*

**Registered Professional Nurses, WV Board of  
Policies and Criteria for the Evaluation and Accreditation  
of Colleges, Departments or Schools of Nursing, 19CSR1**

- Approve As Modified

*Approved  
as modified*

**Registered Professional Nurses, WV Board of  
Requirements for Registration and Licensure, 19CSR3**

- Approve As Modified

*Approved  
as modified*

**Registered Professional Nurses, WV Board of  
Continuing Education, 19CSR11**

- Approve As Modified

*Approved  
as modified*

**Administration, Department of  
Cannibalization of State Property, 148CSR16**

- Approve As Modified

*Approved  
as modified*

**Administration, Department of  
Waste Disposal of State Property, 148CSR17**

- Approve As Modified

*Approved  
as modified*

**Forestry, WV Division of  
Ginseng Regulations, 22CSR1**

- Approve As Modified

*Approved*

**Consolidated Public Retirement Board  
Teachers' Defined Contribution System, 162CSR3**

- Approve

*Approved*

**Consolidated Public Retirement Board  
Teachers' Retirement System, 162CSR4**

- 

*Approved as modified*

**Consolidated Public Retirement Board  
Public Employees Retirement System, 162CSR5**

- Approve As Modified

*Approved as modified*

**Consolidated Public Retirement Board  
Refund, Reinstatement and Loan Interest Factors, 162CSR7**

- Approve As Modified

*Approved as modified*

**Consolidated Public Retirement Board  
Deputy Sheriff Retirement System, 162CSR10**

- Approve As Modified

*Approved as modified*

**Board of Medicine, West Virginia  
Licensing and Disciplinary Procedures: Physicians;  
Podiatrists, 11CSR1A**

- Approve As Modified

*Approved as modified*

**Massage Therapy Licensure Board, WV  
General Provisions, 194CSR1**

- Approve As Modified

**3. Other Business**