WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2002

ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 4205

(By Delegates Mahan, Wills, Cann, Kominar, Faircloth and Riggs)

Passed March 9, 2002
In Effect from Passage
AN ACT to amend and reenact article five, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating generally to the promulgation of administrative rules by the various executive or administrative agencies and the procedures relating thereto; continuing rules previously promulgated by state agencies and boards; 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 bureau for public health to promulgate legislative rule relating to design standards for swimming pools; authorizing bureau for public health to promulgate legislative rule relating to public water systems; authorizing bureau for public health to promulgate legislative rule relating to public water systems operators; authorizing bureau for public health to promulgate legislative rule relating to reportable diseases, events and conditions; authorizing bureau for public health to promulgate legislative rule relating to recreational water facilities; authorizing bureau for public health to promulgate legislative rule relating to emergency medical services; authorizing bureau for public health to promulgate legislative rule relating to birth score program; and authorizing bureau for public health to promulgate legislative rule relating to Alzheimer/dementia special care units and programs.

Be it enacted by the Legislature of West Virginia:

That article five, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLES. AUTHORIZATION FOR DEPARTMENT OF HEALTH AND HUMAN RESOURCES TO PROMULGATE LEGISLATIVE RULES.


(a) The legislative rule authorized under the authority of section four, article one, chapter sixteen, of this code, relating to the bureau for public health (design standards for swimming pools, 64 CSR 25), is hereby repealed.

(b) The legislative rule filed in the state register on the twenty-fifth day of July, two thousand one, authorized under the
authority of section nine-a, article one, chapter sixteen, of this
code, modified by the bureau for public health to meet the
objections of the legislative rule-making review committee and
refiled in the state register on the twenty-sixth day of November,
two thousand one, relating to the bureau for public health
(public water systems, 64 CSR 3), is authorized.

(c) The legislative rule filed in the state register on the
twenty-seventh day of July, two thousand one, authorized under
the authority of section four, article one, chapter sixteen of this
code, modified by the bureau for public health to meet the
objections of the legislative rule-making review committee and
refiled in the state register on the twenty-sixth day of November,
two thousand one, relating to the bureau for public health
(public water systems operators, 64 CSR 4), is authorized.

(d) The legislative rule filed in the state register on the
twenty-seventh day of July, two thousand one, authorized under
the authority of section twelve, article three, chapter sixteen, of
this code, modified by the bureau for public health to meet the
objections of the legislative rule-making review committee and
refiled in the state register on the twenty-first day of November,
two thousand one, relating to the bureau for public health
(reportable diseases, events and conditions, 64 CSR 7), is
authorized with the following amendments:

On page seven, paragraph 3.5.b.2. after the words “Autism
Spectrum Disorder” by inserting the words “not reported to the
Bureau according to the protocol in the West Virginia Report-
able Diseases Protocol Manual.”;

And,

On page seven, paragraph 3.5.b.4. after the word “malign-
ant” by striking out the word “brain” and inserting in lieu
thereof the words “intracranial and central nervous system”.
(e) The legislative rule filed in the state register on the twenty-fifth day of July, two thousand one, authorized under the authority of section four, article one, chapter sixteen, of this code, modified by the bureau for public health to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-first day of November, two thousand one, relating to the bureau for public health (recreational water facilities, 64 CSR 16), is authorized.

(f) The legislative rule filed in the state register on the thirty-first day of July, two thousand one, authorized under the authority of section twenty-three, article four-c, chapter sixteen, of this code, modified by the bureau for public health to meet the objections of the legislative rule-making review committee and refiled in the state register on the eleventh day of January, two thousand two, relating to the bureau for public health (emergency medical services, 64 CSR 48), is authorized.

(g) The legislative rule filed in the state register on the twentieth day of July, two thousand one, authorized under the authority of section four, article twenty-two-b, chapter sixteen, of this code, modified by the bureau for public health to meet the objections of the legislative rule-making review committee and refiled in the state register on the sixteenth day of August, two thousand one, relating to the bureau for public health (birth score program, 64 CSR 83), is authorized.

(h) The legislative rule filed in the state register on the twenty-fourth day of July, two thousand one, authorized under the authority of section five, article five-r, chapter sixteen, of this code, modified by the bureau for public health to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-first day of November, two thousand one, relating to the bureau for public health (Alzheimer/dementia special care units and programs, 64 CSR 85), is authorized.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 3rd day of April, 2002.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/02/02
Time 4:00