

**WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**Enrolled**

**Committee Substitute**

**for**

**Senate Bill 361**

BY SENATOR WOODRUM

[Passed March 11, 2023; in effect from passage]

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

2023 MAR 29 P 5: 28

FILED

SB361

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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  
11 requirements; relating to authorizing the Department of Agriculture to promulgate a  
12 legislative rule relating to the West Virginia apiary rule; relating to authorizing the  
13 Department of Agriculture to promulgate a legislative rule relating to schedule of charges  
14 for inspection services: fruit; relating to authorizing the Department of Agriculture to  
15 promulgate a legislative rule relating to noxious weeds; relating to authorizing the  
16 Department of Agriculture to promulgate a legislative rule relating to Grade "A" pasteurized  
17 milk; relating to authorizing the Department of Agriculture to promulgate a legislative rule  
18 relating to inspection of nontraditional, domesticated animals; relating to authorizing the  
19 Department of Agriculture to promulgate a legislative rule relating to hemp products;  
20 relating to authorizing the Department of Agriculture to promulgate a legislative rule  
21 relating to livestock care standards; relating to authorizing the Department of Agriculture  
22 to promulgate a legislative rule relating to farm-to-food bank tax credit; relating to  
23 authorizing the Department of Agriculture to promulgate a legislative rule relating to  
24 farmers markets; relating to authorizing the Athletic Commission to promulgate a  
25 legislative rule relating to administrative rules; relating to authorizing the Athletic  
26 Commission to promulgate a legislative rule relating to regulation of mixed martial arts;

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

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

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

*Be it enacted by the Legislature of West Virginia:*

**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 the  
2 authority of §30-36-14(f) of this code, modified by the Board of Acupuncture to meet the objections  
3 of the Legislative Rule-Making Review Committee and refiled in the State Register on September  
4 28, 2022, relating to the Board of Acupuncture (advertising by licensed acupuncturists, 32 CSR  
5 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  
8 of the Legislative Rule-Making Review Committee and refiled in the State Register on September  
9 28, 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  
12 read as follows:

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

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

22 6.3. Hand washing – The acupuncturist shall vigorously scrub his or her hands with soap  
23 and warm water immediately before examining patients or handling acupuncture needles and  
24 other instruments and between patients.

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

**§64-9-3. Department of Agriculture.**

1 (a) The legislative rule filed in the State Register on July 18, 2022, authorized under the  
2 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 3.1.  
7 to read as follows:

8           3.1. The Commissioner shall furnish an application for registration of bees to all person  
9 known to keep bees. The Commissioner shall mail the applications during the month of June to  
10 all persons who have registered their bees during the previous year. Upon receipt of a properly  
11 executed bee registration application, the Commissioner shall issue a certificate of registration  
12 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 the  
14 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 the  
19 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 the  
24 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 under  
29 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 the  
34 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 the  
44 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 credits  
49 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 ensuring  
54 that the limit of \$200,000 of tax credits per fiscal year has not been exceeded, the Department of  
55 Agricultural shall determine the amount, if any, of the tax credit due to the farming taxpayer. The

56 amount of the credit is equal to 30 percent of the value of the donated edible agricultural products,  
57 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 the  
59 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 subdivision  
64 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 the  
2 authority of §29-5A-24 of this code, modified by the Athletic Commission to meet the objections  
3 of the Legislative Rule-Making Review Committee and refiled in the State Register on October  
4 20, 2022, relating to the Athletic Commission (administrative rules of the West Virginia State  
5 Athletic Commission, 177 CSR 01), is authorized.

6 (b) The legislative rule filed in the State Register on July 27, 2022, authorized under the  
7 authority of §29-5A-3a of this code, modified by the Athletic Commission to meet the objections  
8 of the Legislative Rule-Making Review Committee and refiled in the State Register on October  
9 20, 2022, relating to the Athletic Commission (regulation of mixed martial arts, 177 CSR 02), is  
10 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 the  
2 authority of §19-21A-4a of this code, modified by the Conservation Agency to meet the objections  
3 of the Legislative Rule-Making Review Committee and refiled in the State Register on September  
4 20, 2022, relating to the Conservation Agency (operation of West Virginia State Conservation  
5 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 the  
7 authority of §19-21A-4 of this code, modified by the Conservation Agency to meet the objections  
8 of the Legislative Rule-Making Review Committee and refiled in the State Register on September  
9 20, 2022, relating to the Conservation Agency (conservation district accounting and auditing  
10 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 the  
2 authority of §30-6-6 of this code, modified by the Board of Funeral Service Examiners to meet the  
3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
4 October 4, 2022, relating to the Board of Funeral Service Examiners (funeral director, embalmer,  
5 apprentice, courtesy card holders and funeral establishment requirements, 6 CSR 01), is  
6 authorized.

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

10 October 4, 2022, relating to the Board of Funeral Service Examiners (crematory requirements, 6  
11 CSR 02), is authorized.

12 (c) The legislative rule filed in the State Register on July 27, 2022, authorized under the  
13 authority of §30-6-6 of this code, modified by the Board of Funeral Service Examiners to meet the  
14 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
15 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 the  
2 authority of §30-3-7(a) of this code, relating to the Board of Medicine (licensing of physicians and  
3 podiatric physicians and disciplinary procedures for applicants, licensees, credential holders, 11  
4 CSR 01A), is authorized.

5 (b) The legislative rule filed in the State Register on July 27, 2022, authorized under the  
6 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 the  
10 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 (d) 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  
4 28, 2022, relating to the Board of Optometry (optometric telehealth practice, 14 CSR 12), is  
5 authorized 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 5.1.  
7 to read as follows:

8 5.1. Nothing in this section shall be construed to invalidate §30-8A-3 or to permit use of  
9 any automated refractor or other automated or remote testing device to generate refractive 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 the  
2 authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the  
3 Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2022,  
4 relating to the Board of Pharmacy (licensure and practice of pharmacy, 15 CSR 01), is authorized  
5 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  
9 a 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 the  
14 authority of §60A-3-301 of this code, modified by the Board of Pharmacy to meet the objections  
15 of the Legislative Rule-Making Review Committee and refiled in the State Register on October  
16 17, 2022, relating to the Board of Pharmacy (Uniform Controlled Substance Act, 15 CSR 02), is  
17 authorized.

18           (c) The legislative rule filed in the State Register on July 29, 2022, authorized under the  
19 authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the  
20 Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2022,  
21 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 the  
24 authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the  
25 Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2022,  
26 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 the  
32 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 the  
2 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 the  
6 authority of §30-7-4 of this code, modified by the Board of Registered Professional Nurses to meet  
7 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register  
8 on November 10, 2022, relating to the Board of Registered Professional Nurses (advanced  
9 practice registered nurse licensure requirements, 19 CSR 07), is authorized with the amendment  
10 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 the  
16 authority of §30-7-15a of this code, modified by the Board of Registered Professional Nurses to  
17 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 the  
21 authority of §30-7-4 of this code, modified by the Board of Registered Professional Nurses to meet  
22 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register  
23 on November 10, 2022, relating to the Board of Registered Professional Nurses (continuing  
24 education and competence, 19 CSR 11), is authorized.

25 (e) The legislative rule filed in the State Register on July 26, 2022, authorized under the  
26 authority of §30-7-4 of this code, modified by the Board of Registered Professional Nurses to meet  
27 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register  
28 on November 10, 2022, relating to the Board of Registered Professional Nurses (fees for services  
29 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 thereof  
31 the number "20.00";

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

34 And,

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

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

42 (g) The legislative rule filed in the State Register on July 26, 2022, authorized under the  
43 authority of §30-1-26 of this code, relating to the Board of Registered Professional Nurses  
44 (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 the  
2 authority of §3-3-2a of this code, modified by the Secretary of State to meet the objections of the  
3 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 the  
7 authority of §3-1A-6 of this code, modified by the Secretary of State to meet the objections of the  
8 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 (c) 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,  
4 2022, relating to the State Treasurer (enforcement of the Uniform Unclaimed Property Act, 112  
5 CSR 05), is authorized.

6 (b) The legislative rule filed in the State Register on April 21, 2022, authorized under the  
7 authority of §18-31-9 of this code, modified by the Treasurer's Office to meet the objections of the  
8 Legislative Rule-Making Review Committee and refiled in the State Register on January 25, 2023,  
9 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 the  
11 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  
13 15, 2022, relating to the State Treasurer (Jumpstart Savings Program, 112 CSR 20), is  
14 authorized.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

  
Clerk of the Senate

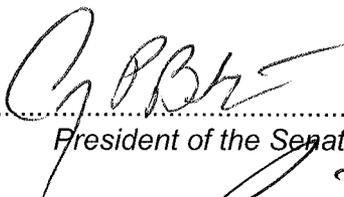
  
Clerk of the House of Delegates

2023 MAR 29 P 5:28  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

FILED

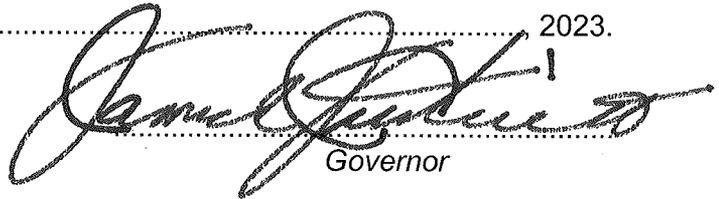
Originated in the Senate.

In effect from passage.

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 29th  
Day of March 2023.

  
Governor

PRESENTED TO THE GOVERNOR

MAR 17 2023

Time 2:54 pm