

On page 5, by striking out all of subsection 9.1. and inserting in lieu thereof a new subsection 9.1. to read as follows:

9.1. The following provisions apply to current employees and individuals seeking employment at the WVDA who have not been previously employed by the Department.;

On page 5, paragraph 9.1.a.4., after the word "his" by inserting the words "or her";

And,

On page 5, subdivision 9.1.b., after the word "or" by inserting the word "an".

(f) The legislative rule filed in the State Register on July 30, 2024, authorized under the authority of §19-29-1 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 2, 2024, relating to the Department of Agriculture (West Virginia fish processing, 61 CSR 23A), is authorized with amendment set forth below:

On page 19, by adding a new subsection designated 21.4. to read as follows:

"21.4. Up to 20,000 pounds of fish per calendar year slaughtered and/or processed at an official plant are exempt from the antemortem, postmortem, and processing inspection, provided that the fish are slaughtered and processed at an establishment licensed by the Commissioner of Agriculture and approved for fish slaughter operations."

(g) The legislative rule filed in the State Register on August 15, 2024, authorized under the authority of §19-12E-12 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 3, 2024, relating to the Department of Agriculture (select plant-based derivatives and select plant-based derivative products, 61 CSR 30), is authorized with the amendment set forth below:

On page 20, subdivision 13.3.c. after the word "hemp" by inserting the words "and kratom".

(h) The legislative rule filed in the State Register on July 29, 2024, authorized under the authority of §19-1-11 of this code, relating to the Department of Agriculture (Rural Rehabilitation Program, 61 CSR 33), is authorized.

(i) The legislative rule filed in the State Register on August 15, 2024, authorized under the authority of §19-1-7 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 2, 2024, relating to the Department of Agriculture (raw milk, 61 CSR 41), is authorized.

§64-9-2. Board of Architects.

(a) The legislative rule filed in the State Register on August 2, 2024, authorized under the authority of §30-12-1 of this code, modified by the Board of Architects to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on August 28, 2024, relating to the Board of Architects (registration of architects, 2 CSR 01), is authorized.

(b) The legislative rule filed in the State Register on August 13, 2024, authorized under the authority of §311-1-13 of this code, modified by the State Auditor to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2024, relating to the State Auditor (private trust companies, 155 CSR 12), is authorized with the following amendment:

On page 1, by striking out all of subsection 1.6. and inserting in lieu thereof a new subsection 1.6. to read as follows:

1.6. Confidentiality. – Notwithstanding any provision to the contrary in Chapter 29B of the W. Va. Code, none of the following, which are submitted as part of any application for licensure under this Title, shall be subject to disclosure under the provisions of the Freedom of Information Act of the State of West Virginia or otherwise: any Form WVSAO-PTC-Bio, "Biographical Report," incorporated by reference in W. Va. Code R. 155-12-9.6, provided as Exhibit E or F to Form WVSAO-PTC-01 or otherwise; any list of Family Members or list of current or former employees

18 provided as Exhibit H to Form WVSAO-PTC-01 or otherwise; and any Genealogical Chart
19 provided as Exhibit I to Form WVSAO-PTC-01 or otherwise.

§64-9-3. State Auditor.

1 (a) The legislative rule filed in the State Register on March 22, 2024, authorized under the
2 authority of §6-9-2a of this code, relating to the State Auditor (Local Government Purchasing Card
3 Program, 155 CSR 06), is authorized.

4 (b) The legislative rule filed in the State Register on August 13, 2024, authorized under
5 the authority of §311-1-13 of this code, modified by the State Auditor to meet the objections of the
6 Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2024,
7 relating to the State Auditor (private trust companies, 155 CSR 12), is authorized.

§64-9-4. Board of Barbers and Cosmetologists.

1 (a) The legislative rule filed in the State Register on August 14, 2024, authorized under
2 the authority of §30-27-6 of this code, modified by the Board of Barbers and Cosmetologists to
3 meet the objections of the Legislative Rule-Making Review Committee and refiled in the State
4 Register on October 10, 2024, relating to the Board of Barbers and Cosmetologists (operation of
5 barber, cosmetology, nail technology, aesthetic, hair styling, and waxing salons and schools, 3
6 CSR 05), is authorized.

7 (b) The legislative rule filed in the State Register on August 20, 2024, authorized under
8 the authority of §30-27-6 of this code, modified by the Board of Barbers and Cosmetologists to
9 meet the objections of the Legislative Rule-Making Review Committee and refiled in the State
10 Register on October 11, 2024, relating to the Board of Barbers and Cosmetologists (schedule of
11 fees, 3 CSR 06), is authorized.

12 (c) The legislative rule filed in the State Register on August 20, 2024, authorized under
13 the authority of §30-1-8 of this code, modified by the Board of Barbers and Cosmetologists to
14 meet the objections of the Legislative Rule-Making Review Committee and refiled in the State

15 Register on October 8, 2024, relating to the Board of Barbers and Cosmetologists (schedule of
16 fines, 3 CSR 07), is authorized.

§64-9-5. Board of Chiropractic Examiners.

1 The legislative rule filed in the State Register on October 18, 2024, authorized under the
2 authority of §30-1-24 of this code, relating to the Board of Chiropractic Examiners (consideration
3 of prior criminal convictions in initial licensure determinations, 4 CSR 08), is authorized.

§64-9-6. Board of Dentistry.

1 (a) The legislative rule filed in the State Register on July 23, 2024, 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 November 15,
4 2024, relating to the Board of Dentistry (continuing education requirements, 5 CSR 11), is
5 authorized with the amendment set forth below:

6 "On page 8, subdivision 3.9.2., after the word "least", by striking out the number "3" and
7 inserting in lieu thereof the number "2";

8 And,

9 On page 8, subdivision 3.9.2., by striking out the following "drug diversion training and
10 best practice prescribing of controlled substances training and training on prescribing and
11 administration of an opioid antagonist " and inserting in lieu thereof "infection control training".

12 (b) The legislative rule filed in the State Register on July 22, 2024, authorized under the
13 authority of §30-4-6 of this code, modified by the Board of Dentistry to meet the objections of the
14 Legislative Rule-Making Review Committee and refiled in the State Register on November 15,
15 2024, relating to the Board of Dentistry (mobile dental facilities and portable dental units, 5 CSR
16 14), is authorized.

§64-9-7. Election Commission.

1 The legislative rule filed in the State Register on August 30, 2024, authorized under the
2 authority of §3-1A-5 of this code, modified by the Election Commission to meet the objections of

the Legislative Rule-Making Review Committee and refiled in the State Register on January 3, 2025, relating to the Election Commission (regulation of campaign finance, 146 CSR 03), is authorized.

§64-9-8. Board of Funeral Service Examiners.

The legislative rule filed in the State Register on August 29, 2024, authorized under the authority of §30-6-6 of this code, modified by the Board of Funeral Service Examiners to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 22, 2024, relating to the Board of Funeral Service Examiners (funeral director, embalmer, apprentice, courtesy card holders, and funeral establishment requirements, 6 CSR 01), is authorized.

§64-9-9. Massage Therapy Licensure Board.

The legislative rule filed in the State Register on August 30, 2024, authorized under the authority of §30-37-6 of this code, relating to the Massage Therapy Licensure Board (general provisions, 194 CSR 01), is authorized.

§64-9-10. Board of Medicine.

The legislative rule filed in the State Register on April 1, 2024, authorized under the authority of §30-1-23 of this code, relating to the Board of Medicine (waiver of initial licensing fees for certain initial licensure applicants, 11 CSR 13), is authorized.

§64-9-11. Board of Occupational Therapy.

(a) The legislative rule filed in the State Register on June 4, 2024, authorized under the authority of §30-28-7 of this code, relating to the Board of Occupational Therapy (fees for services rendered by the Board, 13 CSR 03), is authorized.

(b) The legislative rule filed in the State Register on June 4, 2024, authorized under the authority of §30-28-7 of this code, modified by the Board of Occupational Therapy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on August 29, 2024, relating to the Board of Occupational Therapy (competency standards for

advanced practice by occupational therapists and occupational therapy assistants, 13 CSR 05), is authorized.

(c) The legislative rule filed in the State Register on January 10, 2024, authorized under the authority of §30-28-6 of this code, relating to the Board of Occupational Therapy (request for waiver of licensing fees for certain individuals, 13 CSR 07), is authorized.

(d) The legislative rule filed in the State Register on January 10, 2024, authorized under the authority of §30-28-7 of this code, modified by the Board of Occupational Therapy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on August 29, 2024, relating to the Board of Occupational Therapy (consideration of prior criminal convictions in initial licensure determinations, 13 CSR 08), is authorized.

(e) The legislative rule filed in the State Register on June 4, 2024, authorized under the authority of §30-1-26 of this code, modified by the Board of Occupational Therapy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on August 29, 2024, relating to the Board of Occupational Therapy (telehealth practice, requirements, and definitions, 13 CSR 09), is authorized.

§64-9-12. Board of Osteopathic Medicine.

The legislative rule filed in the State Register on November 15, 2023, authorized under the authority of §30-1-23 of this code, relating to the Board of Osteopathic Medicine (waiver of initial licensing fees for certain initial licensure applicants, 24 CSR 08), is authorized.

§64-9-13. Board of Pharmacy.

(a) The legislative rule filed in the State Register on August 29, 2024, authorized under the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 16, 2024, relating to the Board of Pharmacy (licensure and practice of pharmacy, 15 CSR 01), is authorized.

6 (b) The legislative rule filed in the State Register on August 29, 2024, authorized under
7 the authority of §60A-3-301 of this code, modified by the Board of Pharmacy to meet the
8 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
9 October 16, 2024, relating to the Board of Pharmacy (Uniform Controlled Substances Act, 15
10 CSR 02), is authorized.

11 (c) The legislative rule filed in the State Register on August 29, 2024, authorized under
12 the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections
13 of the Legislative Rule-Making Review Committee and refiled in the State Register on October
14 16, 2024, relating to the Board of Pharmacy (regulations governing pharmacy permits, 15 CSR
15 15), is authorized.

16 (d) The legislative rule filed in the State Register on July 24, 2024, authorized under the
17 authority of §30-1-23 of this code, relating to the Board of Pharmacy (application of waiver of initial
18 licensing fees for certain individuals, 15 CSR 18), is authorized.

§64-9-14. Board of Examiners of Psychologists.

1 The legislative rule filed in the State Register on August 13, 2024, authorized under the
2 authority of §30-21-6 of this code, modified by the Board of Examiners of Psychologists to meet
3 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register
4 on August 28, 2024, relating to the Board of Examiners of Psychologists (consideration of prior
5 criminal convictions in initial licensure determinations and application for waiver of initial licensing
6 fees for certain individuals, 17 CSR 07), is authorized.

§64-9-15. Real Estate Appraiser Licensing and Certification Board.

1 (a) The legislative rule filed in the State Register on August 30, 2024, authorized under
2 the authority of §30-38-9 of this code, modified by the Real Estate Appraiser Licensing and
3 Certification Board to meet the objections of the Legislative Rule-Making Review Committee and
4 refiled in the State Register on October 7, 2024, relating to the Real Estate Appraiser Licensing
5 and Certification Board (requirements for licensure and certification, 190 CSR 02), is authorized.

(b) The legislative rule filed in the State Register on August 30, 2024, authorized under the authority of §30-38-9 of this code, modified by the Real Estate Appraiser Licensing and Certification Board to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 7, 2024, relating to the Real Estate Appraiser Licensing and Certification Board (renewal of licensure or certification, 190 CSR 03), is authorized.

(c) The legislative rule filed in the State Register on August 30, 2024, authorized under the authority of §30-38-9 of this code, modified by the Real Estate Appraiser Licensing and Certification Board to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 7, 2024, relating to the Real Estate Appraiser Licensing and Certification Board (requirements for registration and renewal of appraisal management companies, 190 CSR 05), is authorized.

§64-9-16. Real Estate Commission.

(a) The legislative rule filed in the State Register on August 14, 2024, authorized under the authority of §30-40-8 of this code, modified by the Real Estate Commission to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 15, 2024, relating to the Real Estate Commission (licensing real estate brokers, associate brokers, and salespersons and the conduct of brokerage business, 174 CSR 01), is authorized with the amendment set forth below:

On page 2, subsection 3.1., by striking out the word “biannual” and inserting in lieu thereof the word “biennial”.

(b) The legislative rule filed in the State Register on June 27, 2024, authorized under the authority of §30-1-23 of this code, relating to the Real Estate Commission (application for waiver of initial licensing fees for certain individuals, 174 CSR 06), is authorized with the amendment set forth below:

