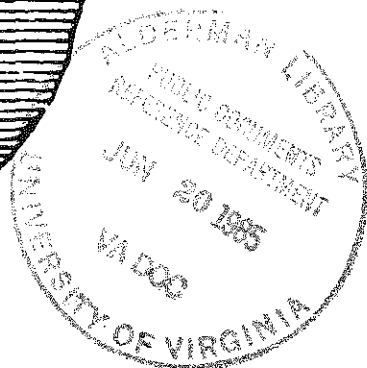
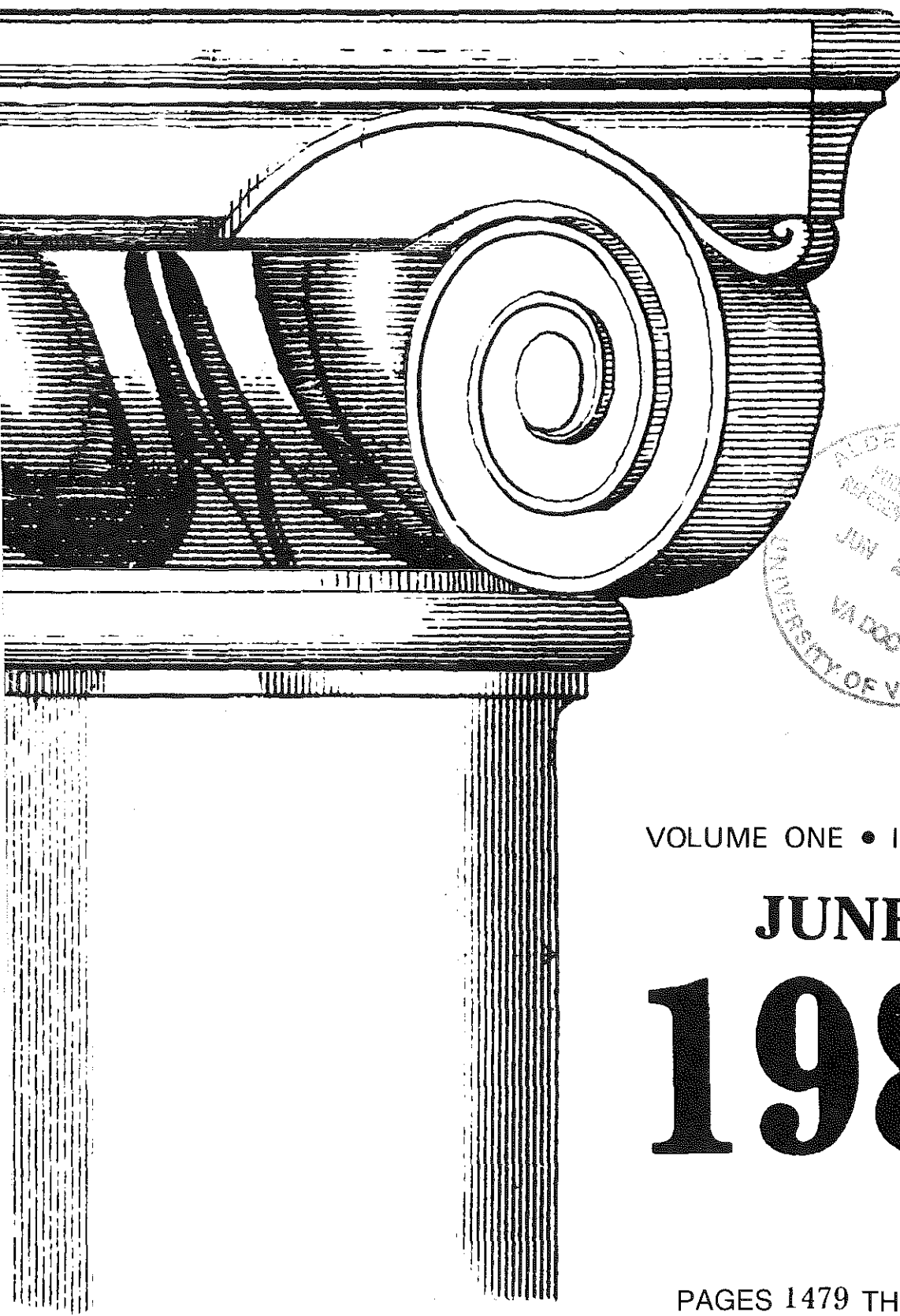


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# VIRGINIA REGISTER

OF REGULATIONS

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VOLUME ONE • ISSUE EIGHTEEN

JUNE 10

# 1985

PAGES 1479 THROUGH 1558

# INFORMATION ABOUT THE VIRGINIA REGISTER OF REGULATIONS

## VIRGINIA REGISTER

The *Virginia Register* is an official state publication issued every other week throughout the year. Indexes are published quarterly, and the last index of the year is cumulative.

The *Virginia Register* has several functions. The full text of all regulations, both as proposed and as finally adopted or changed by amendment are required by law to be published in the *Virginia Register of Regulations*.

In addition, the *Virginia Register* is a source of other information about state government, including all Emergency Regulations issued by the Governor, and Executive Orders, the Virginia Tax Bulletin issued monthly by the Department of Taxation, and notices of all public hearings and open meetings of state agencies.

## ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the Virginia Register a notice of proposed action; a basis, purpose, impact and summary statement; a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations.

Under the provisions of the Administrative Process Act, the Registrar has the right to publish a summary, rather than the full text, of a regulation which is considered to be too lengthy. In such case, the full text of the regulation will be available for public inspection at the office of the Registrar and at the office of the promulgating agency.

Following publication of the proposal in the *Virginia Register*, sixty days must elapse before the agency may take action on the proposal.

During this time, the Governor and the General Assembly will review the proposed regulations. The Governor will transmit his comments on the regulations to the Registrar and the agency and such comments will be published in the *Virginia Register*.

Upon receipt of the Governor's comment on a proposed regulation, the agency (i) may adopt the proposed regulation, if the Governor has no objection to the regulation; (ii) may modify and adopt the proposed regulation after considering and incorporating the Governor's suggestions, or (iii) may adopt the regulation without changes despite the Governor's recommendations for change.

The appropriate standing committee of each branch of the General Assembly may meet during the promulgation or final adoption process and file an objection with the *Virginia Registrar* and the promulgating agency. The objection will be published in the *Virginia Register*. Within twenty-one days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative Committee, and the Governor.

When final action is taken, the promulgating agency must again publish the text of the regulation, as adopted, highlighting and explaining any substantial changes in the final regulation. A thirty-day final adoption period will commence upon publication in the *Virginia Register*.

The Governor will review the final regulation during this time and if he objects, forward his objection to the Registrar and the agency. His objection will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation are substantial, he may suspend the regulatory process for thirty days and

require the agency to solicit additional public comment on the substantial changes.

A regulation becomes effective at the conclusion of this thirty-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the twenty-one day extension period; or (ii) the Governor exercises his authority to suspend the regulatory process for solicitation of additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified which date shall be after the expiration of the period for which the Governor has suspended the regulatory process.

Proposed action on regulations may be withdrawn by the promulgating agency at any time before final action is taken.

## EMERGENCY REGULATIONS

If an agency determines that an emergency situation exists, it then requests the Governor to issue an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited in time and cannot exceed a twelve-months duration. The emergency regulations will be published as quickly as possible in the *Virginia Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures (See "Adoption, Amendment, and Repeal of Regulations," above). If the agency does not choose to adopt the regulations, the emergency status ends when the prescribed time limit expires.

## STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 of Chapter 1.1:1 (§§ 9-6.14:6 through 9-6.14:9) of the Code of Virginia be examined carefully.

## CITATION TO THE VIRGINIA REGISTER

The Virginia Register is cited by volume, issue, page number, and date. 1:3 V.A.R. 75-77 November 12, 1984 refers to Volume 1, Issue 3, pages 75 through 77 of the Virginia Register issued on November 12, 1984.

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**Members of the Virginia Code Commission:** Theodore V. Morrison, Jr., Chairman, Delegate; Dudley J. Emick, Jr., Vice Chairman Senator; A. L. Philpott, Speaker of the House of Delegates; James P. Jones, Senator; Russell M. Carneal, Circuit Judge; John Wingo Knowles, Retired Circuit Judge; William G. Broaddus, Chief Deputy Attorney General; John A. Banks, Jr., Secretary, Director of the Division of Legislative Services.

**Staff of the Virginia Register:** Joan W. Smith, Registrar of Regulations; Ann M. Brown, Assistant Registrar of Regulations.

**Citizen Participation in the Rule-Making Process**

As required by the Administrative Process Act, each agency of the Commonwealth is required to develop, adopt and utilize public participation guidelines for soliciting the input of interested parties in the formation and development of its regulations.

Citizens may participate in the process by which administrative regulations are adopted, amended, or repealed by submitting data or views on proposed regulations either orally or in writing, to the proposing agency (see General Notices and Calendar of Events section of the *Virginia Register*).

**How to Follow State Agency Regulatory Action in the Virginia Register**

Under the provisions of the Administrative Process Act, state agencies must publish in the *Virginia Register* the full text of proposed rules and regulations, if substantive, as well as a summary statement.

In addition, the agency is required to provide a public comment period and hold a public hearing. A notice of hearing will be published sixty days prior to the hearing. Such notices are published in the CALENDAR OF EVENTS section of the *Virginia Register*. Proposed regulations and adopted regulations are published in separate sections of the *Virginia Register*.

All executive orders and comments on regulations issued by the Governor are published under the GOVERNOR section.

The CALENDAR OF EVENTS section not only contains the notices of public comment periods and hearings but also all notices of meetings required to be open under the provisions of the Freedom of Information Act.

***VIRGINIA REGISTER OF REGULATIONS***  
**PUBLICATION DEADLINES AND SCHEDULES**

ISSUE DATE	MATERIAL SUBMITTED BY 4:30 p.m. Friday	Will be included in PUBLICATION MAILED on Friday
Feb. 4 .....	Jan. 18 .....	Feb. 1
Feb. 18 .....	Feb. 1 .....	Feb. 15
Mar. 4 .....	Feb. 15 .....	Mar. 1
Mar. 18 .....	Mar. 1 .....	Mar. 15
Apr. 1 .....	Mar. 15 .....	Mar. 29
Apr. 15 .....	Mar. 29 .....	Apr. 12
		Index
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May 27 .....	May 10 .....	May 24
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# PROPOSED REGULATIONS

For information concerning Proposed Regulations, see information page.

## Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates proposed new text. Language which has been stricken indicates proposed text for deletion.

## DEPARTMENT OF SOCIAL SERVICES

### Title of Regulations: VR 615-01-2. Lump Sum Ineligibility Period in the Aid to Dependent Children (ADC) Program.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Public Hearing Date: August 9, 1985  
(See Calendar of Events Section  
for additional information)

### Summary:

*Current regulations regarding receipt of lump sum income by recipients of Aid to Dependent Children (ADC) require a period of ineligibility to be established based on the amount of the lump sum received and the size of the assistance unit. This period may not be shortened except in extreme situations in which the assistance unit encounters circumstances which are deemed to be life threatening.*

*The federal Deficit Reduction Act of 1984 (Public Law 98-369) contains a provision whereby states may opt to recalculate the period of ineligibility in certain situations including when the lump sum received by the assistance unit is expended or becomes unavailable through circumstances beyond control of the family. The State Board of Social Services has endorsed this federal option and has approved the proposal for a 60-day comment period.*

VR 615-01-2. Lump Sum Ineligibility Period in the Aid to Dependent Children (ADC) Program.

### PART I. DEFINITIONS.

§ 1.1. The following words and terms, when used in these guidelines, shall have the following meaning, unless the context clearly indicates otherwise:

*"Budget month"* means the calendar month in which the income is received.

*"Lump sum income"* means any nonrecurring payment such as an accumulation of benefits for a prior period, earned income tax credit refund, an insurance settlement, lottery winnings, loans for current living expenses, or income from any other unearned source.

*"Payment month"* means the second month following the budget month in which budget month income is reflected.

*"Standard of Need"* means the dollar amount, based on the family size, which has been established to cover predetermined monthly maintenance needs.

### PART II. LUMP SUM PAYMENTS.

§ 2.1. When a lump sum payment is received by any member of an assistance unit, the lump sum shall be added to other countable income and compared against 100% of the state's Standard of Need. If the total income is less than 100% of need, the income is to be reflected in the payment month by reducing the payment or suspending the grant for one month, whichever is appropriate.

If the total income equals or exceeds 100% of need, the total budget month income is divided by the 100% Standard of Need for the appropriate assistance unit size to determine the number of months the assistance unit will be ineligible for assistance. Any income remaining after this calculation is counted as available income in the first month following the period of ineligibility, should the family reapply for assistance in this month.

§ 2.2. Once established, the period of ineligibility may not be shortened unless the lump sum monies have been or will be expended in connection with a life threatening circumstance. Prior to shortening the period of ineligibility, it must be established that (1) the life threatening circumstances occurred after receipt of the lump sum; (2) all lump sum monies spent prior to the occurrence of the life threatening circumstance were used to meet maintenance needs, and (3) the assistance unit currently has no other income or resources sufficient to meet the life threatening circumstances. (i) the standard of need increases and the amount the family would have received also changes, (ii) the lump sum or portion thereof becomes unavailable to the family for a reason beyond the control of the family, or (iii) the family incurs medical expenses during the period of ineligibility and uses lump sum monies to cover the cost of medical services received. For the purpose of item (ii) above, "reasons beyond control of the family" include a family member absconding with the lump sum monies, the theft of such monies, repayment of debts, or any other condition which, in the best judgement of the local agency, is deemed to meet this criteria for shortening the period of ineligibility. Final authority for such decisions will rest with the

## Proposed Regulations

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*superintendent/director of each locality. Medical services which will be allowed under item (iii) will be those services which the Department has identified as follows: inpatient hospital services; outpatient hospital services; laboratory and x-ray services; nursing home care; home health services; clinic services; pharmaceutical services; optometry services; medical supplies and equipment; family planning services; acupuncture; transportation necessary for medical care; screening services; physical, occupational, and speech therapy; and physician's services, including services provided by any person licensed to practice medicine, osteopathy, chiropractic, clinical psychology, podiatry, or midwifery.*

# FINAL REGULATIONS

For information concerning Final Regulations, see information page.

## Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates new text. Language which has been stricken indicates text to be deleted. [Bracketed language] indicates a substantial change from the proposed text of the regulations.

## COMMONWEALTH OF VIRGINIA

### STATE CORPORATION COMMISSION BUREAU OF INSURANCE

April 23, 1985

#### ADMINISTRATIVE LETTER 1985-9

TO: All Insurance Companies, Life and Casualty Cooperative or Assessment Companies, Mutual Assessment Fire Insurance Companies, Prepaid Health Care Plans and Health Maintenance Organizations

RE: Legislation enacted by the 1985 session of the General Assembly of Virginia

Attached are summaries of statutes enacted or amended and reenacted by the General Assembly of Virginia during its 1985 Session.

The effective date of these statutes is July 1, 1985, EXCEPT as otherwise indicated in the attachment.

Each organization to which this letter is being sent should review the attachment carefully and see that notice of these laws is directed to the proper persons (including its licensed representatives) to insure that appropriate action is taken to effect compliance with these new legal requirements.

/s/ James M. Thomson  
Commissioner of Insurance

#### Summary of 1985 Insurance Legislation Commonwealth of Virginia

#### (All Bills Effective July 1, 1985 Unless Otherwise Noted)

#### PROPERTY AND CASUALTY INSURANCE

##### Senate Bill 629

Mutual Aid Insurance Associations. This bill amends § 38.1-42.1 to provide that certain church related mutual aid

insurance associations may write auto physical damage coverage in addition to fire and extended peril coverage without being subject to Virginia's insurance laws.

##### House Bill 1377

Establishment of Fire Programs Fund. This bill amends §§ 9-154 and 58.1-2508 and adds § 38.1-44.1 to establish a Fire Programs Fund to improve fire services and protection. There will be an annual assessment of licensed insurance companies writing fire, miscellaneous property and marine coverages and those combination policies containing fire, miscellaneous property and marine coverages. The assessment will be 8/10 of 1% of the total direct gross premium income for the applicable lines. The assessment will be levied pursuant to § 38.1-45. The minimum assessment will be \$100. The Bureau of Insurance will handle collections and will be reimbursed from the fund for necessary expenses. This bill has a sunset clause stating that its provisions will expire on July 1, 1990.

##### House Bill 1424

Service of Process on Uninsured Motorist Carrier. This bill amends subsection (e) of § 38.1-381. It clarifies and reaffirms existing case law that the only proper service on an uninsured motorist carrier is by "serving process on the insurance carrier as though the insurance company were a party defendant." One may not rely on the provisions of § 8.01-288 relating to constructive service of process to bring an uninsured motorist carrier properly before the court.

##### House Bill 1434

Medical Malpractice Claim Reporting. This bill adds a new section numbered § 38.1-389.3:1 to the insurance laws. It requires that all medical malpractice claims settled or adjudicated to final judgement be reported to the Commissioner of Insurance annually by the insurer of the health care provider, or if there is no insurer, by the health care provider. The form of the annual report shall be prescribed by the Commissioner at a later date. However, the report shall include the following:

- (1) The nature of each claim and the damages asserted;
- (2) The principal medical and legal issues relating to each claim;
- (3) The attorney's fees and expenses incurred in connection with each claim or defense to the extent these amounts are known;
- (4) The amount of each settlement or judgement;
- (5) The specialty of each health care provider;



# Final Regulations

- (6) A statistical summary of the claim date in addition to the individual reports on each claim; and
- (7) Any other pertinent and relevant information that the Commissioner may require.

Each annual report shall be a matter of public record.

## House Bill 1530

Extension of Immunity Under FAIR Plan. This bill extends the immunity provision of § 38.1-753 by (1) including directors, governing committee members, and officers among those immune from liability and by (2) granting immunity from liability for any action taken in good faith in the performance of the powers and duties under the FAIR plan chapter.

## House Bill 1531

Liability Coverage for Rentals Cars. This bill amends subsection (a3) of § 38.1-381. The amendment extends the primary coverage provision presently applicable only to businesses repairing or servicing the owner's motor vehicle to any person that leases or loans a motor vehicle to the owner of a motor vehicle that is being repaired or serviced.

## LIFE AND HEALTH INSURANCE

### House Bill 1111

Increase in Maximum Spouse and Dependent Coverage. This bill amends § 38.1-472.1 by doubling the maximum amount of life insurance that an employee may purchase on the lives of his family members under a group life insurance policy provided by his employer. The new maximums are:

Age of Family Member at Death and Maximum Insurance	
Under 6 Months .....	\$1,000
6 Months and Over .....	5,000
Spouse .....	10,000

### House Bill 1341

Definition of Annuities. This bill amends § 38.1-4 by including contracts that are for a "stated period of time." This extends insurers' authority by allowing them to write temporary annuities or annuities certain. Before the amendment, the only annuities allowed to be issued were those that were dependent upon the continuance of human life.

### House Bill 1507

Mutual Assessment Life, Accident and Sickness Insurance Companies. This bill is a complete revision of the Life and

Casualty Cooperative or Assessment Companies chapter, including a change in the manner of designating such companies. The bill provides for capitalization requirements to be increased from \$10,000 to a range of \$100,000 to \$800,000 depending upon the classes of insurance written. A five-year period is provided for insurers writing the company's traditional classes of insurance to comply with all title-wide requirements, except the Unfair Trade Practices and Privacy Act requirements will be applicable during the five-year period. A number of sections were deleted in the present law and not rewritten since these companies will be subject to a majority of the provisions of the insurance code. The standard incontestability clause limiting the time in which a company can raise certain defenses is required to be included in policies issued by such a company. This will correspond to the requirements to which other companies must adhere. Mandatory grace periods for payment of premiums are required to be included in the policies. These companies will be required to make claim payments within thirty days after receipt of due proof of the occurrence of a loss, which is consistent with similar policies issued by other companies. After July 1, 1990, a company licensed under this chapter will be required to meet all of the provisions of the insurance title, subject to certain grandfather provisions.

### House Bill 1533 (Effective March 14, 1985)

Credit Life Insurance on Variable Rate Loans. This bill repeals § 38.1-482.4:1 and adds a new section numbered 38.1-482.4:2. The complexity of the unearned premium refund requirements of § 38.1-482.4:1 made the sale and administration of credit life insurance on variable rate loans very difficult and cumbersome. This bill resolves the refunding problems by requiring the insurer to calculate premium refunds as if the policy was issued on a conventional fixed rate loan. However, the insurer must always provide enough coverage to liquidate the insured debt, even if the actual debt exceeds the original scheduled debt.

## HEALTH CARE PLANS

### House Bill 1174

Distributions to Affiliated Nonprofit Corporations. This bill amends § 13.1-229 of the corporations title and adds a new section numbered 38.1-39.1 to the insurance title. The Title 13.1 amendment provides that a nonprofit corporation qualifying under § 501 C of the United States Code may distribute income or pay dividends to another nonprofit corporation of which it is a member. However, § 38.1-39.1 provides that a nonstock corporation licensed under Title 38.1 must obtain the Commission's approval prior to such a distribution. Approval shall be based on the condition that the distribution is in the best interest of the subscribers.

This bill applies to nonprofit Health Maintenance Organizations as well as all Blue Cross/Blue Shield Associations.

## House Bill 1225

Open Enrollment Period. This bill adds a new section numbered 38.1-818.2 to the insurance code. The new section requires Blue Cross/Blue Shield Associations to provide open enrollment periods year-round. However, the bill also provides that the open enrollment period may be shorter in duration if credit is given toward any applicable waiting period for coverage of pre-existing conditions for the period of time a person has been continuously enrolled under a Blue Cross/Blue Shield Association's coverage immediately prior to the effective date of the open enrollment coverage.

## House Bill 1508

Change in Agent Status. This bill amends § 38.1-816 by providing a mechanism whereby a Blue Cross/Blue Shield Association may petition the Commission for a change in its status as an agent or nonagent corporation. Any such change shall be subject to the Commission's approval and the Commission may require a nonagent corporation to join the Guaranty Association and/or meet certain surplus requirements.

## House Bill 1759

Discrimination Among Provider Prohibited. This bill amends the Health Maintenance Organizations chapter (§ 38.1-863 et seq.) to prohibit an HMO from excluding any class of health care provider from eligibility from membership on the governing body of any HMO. The bill also prohibits any HMO from unreasonable discriminating against physicians as a class or any class of providers in § 38.1-824 (including podiatrists, chiropractors, optometrists, opticians, psychologists or licensed clinical social workers) if the plan covers the services which members of those classes are licensed to render. However, an HMO is not prevented from selecting the number of providers it considers necessary.

## INSURANCE AGENTS

### House Bill 136

Property and Casualty Insurance Consultants. This bill amends § 38.1-327.9 and adds a new article (§ 38.1-327.62 et seq.) to the agents licensing chapter of the insurance code. The bill requires that persons acting as property and casualty consultants be licensed. Such consultants must meet the same education and examination requirements imposed on property and casualty insurance agents.

The following people are exempted for this new licensing requirement:

1. Any licensed attorney acting in his professional capacity;
2. Any property and casualty insurance agent duly licensed in Virginia;
3. A trust officer of a bank acting in the normal

course of his employment;

4. Any actuary or certified public accountant who consults during the normal course of his business, and
5. Any person employed as a risk manager and who consults for his employer only.

However, property and casualty insurance agents that also act as consultants shall be required to pay the \$50 annual license fee required of consultants, maintain a \$25,000 surety bond required of consultants, and notify the Commission of change in his office or home address.

### House Bill 1235

Cancellation for Nonpayment of Premium. This bill amends § 38.1-327.7 by allowing property and casualty insurance agents, mutual assessments fire insurance agents and ocean marine insurance agents who have extended credit to policyholders to request cancellation of the policy for nonpayment of premium when the agent is not repaid by the policyholder. The bill requires that an insurer who cancels a policy under the new provisions send a cancellation notice to the insured and any mortgagee or lienholder within 10 work days of receipt of the written request for cancellation and the insurer must comply with any other applicable statutory or policy requirement regarding cancellations. The agent will have a lien on any return premium for the policy to the extent of the amount owed. The bill also removes the restriction that an extension of credit be for a period of less than 12 months.

### House Bill 1715 (Effective January 1, 1986\*)

Licensing of Insurance Agents. This bill amends sections of Chapter 7.1 that prescribe the licensing procedure for insurance agents and adds sections that prescribe the procedure for appointment of agents. The bill eliminates the present need for multiple licenses from different companies after receiving a certificate of qualification. Instead the applicant will receive a "license" after completing the requirements of the type of license he is applying for. The agent will then be "appointed" by each individual company within 15 days of the receipt by the insurer of any application for insurance from the agent. The insurer must mail an appointment form to the Commission within the same 15 day period. If the agent does not receive a copy of the form from the Commission within 30 days he must discontinue solicitation for that insurer until the form is received. The bill also eliminates the Life and Health General Certificate of Authority, which would be redundant in light of the foregoing changes.

\*The amendments to subsection A of § 38.1-327.36 which relate to the termination of an inactive agent's license are effective April 3, 1985.

## FINANCIAL REGULATION

### House Bill 1308

Hedging Transactions. This bill amends § 38.1-271.31

# Final Regulations

relating to hedging transactions but it does not expand the investment authority of an insurer. The change is designed to parallel language in the Internal Revenue Code in order to reduce the possibility of an adverse tax ruling.

## House Bill 1609

**Requirements of Alien Insurers.** This bill amends § 38.1-95 to allow an alien stock or mutual insurer to directly qualify in Virginia to do business without first having to qualify in another state. Such an insurer would still have to meet all of the existing requirements of a foreign or alien insurer to qualify to do business in Virginia.

## Senate Bill 735

**International Development Banks.** This bill amends § 38.1-217.21 to allow a domestic insurer to invest in the debt securities of an international development bank of which the United States is a member and whose obligations are included in the three highest grades of a national rating agency which is recognized by the Commission.

## NONINSURANCE ENTITIES

### Senate Bill 410

**Continuing Care Retirement Communities.** This bill adds a new chapter numbered 31 (§ 38.1-995 et seq.) to provide for regulation of continuing care retirement facilities.

Generally, these facilities contract to provide board, lodging and health care services in consideration for a substantial entrance fee and monthly payments. The resident of a facility is entitled to live as independently as his health permits. When a resident can no longer live in his own apartments he is placed in the facility's nursing facility.

The bill is modeled after the concepts used in securities regulation. The bill's primary focus is registration and disclosure. The disclosure statement and standard contracts must be filed with the Commission prior to use and must address a number of areas to be in compliance with the law. The bill also gives the Commissioner limited investigative, injunctive and penal powers to aid in the enforcement of the provisions of the bill.

## DEPARTMENT OF HEALTH

**Title of Regulations:** Eligibility Standards and Charges for Medical Care Services.

**Statutory Authority:** §§ 32.1-11 and 32.1-12 of the Code of Virginia.

**Effective Date:** July 1, 1985.

## Summary:

The income levels for determining eligibility for medical care services in Health Department clinics are based on the federal Poverty Income Guidelines. This revision brings the Health Department's income levels into compliance with the most recent federal guidelines.

Fees for certain services will be increased by 10%. These changes will be effective July 1, 1985.

## Preface:

The current Regulations Governing Eligibility Standards and Charges for Medical Care Services state in § 1.03.02, "The income levels shall be based on the official poverty guidelines defined by the Office of Management and Budget and revised annually in accordance with Section 624 of the Economic Opportunity Act of 1964." These income levels for FY 1985-86 have been prepared in accordance with the latest federal poverty guidelines.

Charges for some services will be increased by 10% effective July 1, 1985. Pursuant to § 9-6.14:6 of the Code of Virginia, these charges are excluded from the operation of the provisions of Article 2 of the Administrative Process Act; however, they are subject to § 9-6.15 of the Code of Virginia, the Virginia Register Act, and are published in accordance with that Act.

Eligibility Standards and Charges for Medical Care Services.

*Eligibility Standards and Charges for Medical Care Services Revised Service Fees.  
Effective July 1, 1985.*

### SERVICE AND CHARGE PER VISIT

<u>Maternity/Gynecology</u> .....	\$20.00
<u>Pediatric/Well Baby</u> .....	20.00
<u>Family Planning</u>	
1. Initial /Annual Visit .....	43.00
2. Follow-Up Visit .....	20.00
<u>General Medical</u>	
1. Initial Visit .....	33.00
2. Follow-Up Visit .....	20.00
<u>Brief Service</u> .....	3.50
<u>Special Services</u>	
1. Venipuncture .....	7.00
2. Administration of Prescribed Medication and/or Nonroutine Immunization .....	3.50
3. Radiological Examination of Chest .....	18.00
4. Activities of Daily Living (ADL) .....	8.00
5. Pharmacy Professional Fee .....	3.50

CHART 1  
HEALTH DEPARTMENT INCOME LEVELS  
FOR DETERMINING ELIGIBILITY FOR MEDICAL SERVICES  
EFFECTIVE JULY 1, 1985

No. In Family	!! INDIGENT !! PATIENTS	!! NEAR INDIGENT !! PATIENTS	!! Annual Gross !! Income	!! Annual Gross !! Income	!! Annual Gross !! Income	!! Annual Gross !! Income	!! Annual Gross !! Income	!! Annual Gross !! Income	!! Annual Gross !! Income	
	!! A - No Charge !!	!! B - 10% Charge !!	!! C - 25% Charge !!	!! D - 50% Charge !!	!! E - 75% Charge !!	!! F - 100% Charge !!				
1	!! \$0 - \$5,250 !!	!! \$5,251 - \$5,775 !!	!! \$5,776 - \$6,998 !!	!! \$6,999 - \$8,747 !!	!! \$8,748 - \$10,500 !!	!! \$10,501 - \$12,248 !!				
2	!! \$0 - \$7,050 !!	!! \$7,051 - \$7,755 !!	!! \$7,756 - \$9,398 !!	!! \$9,399 - \$11,745 !!	!! \$11,746 - \$14,100 !!	!! \$14,101 - \$16,448 !!				
3	!! \$0 - \$8,850 !!	!! \$8,851 - \$9,735 !!	!! \$9,736 - \$11,797 !!	!! \$11,798 - \$14,744 !!	!! \$14,745 - \$17,700 !!	!! \$17,701 - \$20,647 !!				
4	!! \$0 - \$10,650 !!	!! \$10,651 - \$11,715 !!	!! \$11,716 - \$14,196 !!	!! \$14,197 - \$17,743 !!	!! \$17,744 - \$21,300 !!	!! \$21,301 - \$24,846 !!				
5	!! \$0 - \$12,450 !!	!! \$12,451 - \$13,695 !!	!! \$13,696 - \$16,596 !!	!! \$16,597 - \$20,742 !!	!! \$20,743 - \$24,900 !!	!! \$24,901 - \$29,046 !!				
6	!! \$0 - \$14,250 !!	!! \$14,251 - \$15,675 !!	!! \$15,676 - \$18,995 !!	!! \$18,996 - \$23,741 !!	!! \$23,742 - \$28,500 !!	!! \$28,501 - \$33,245 !!				
7	!! \$0 - \$16,050 !!	!! \$16,051 - \$17,655 !!	!! \$17,656 - \$21,395 !!	!! \$21,396 - \$26,739 !!	!! \$26,740 - \$32,100 !!	!! \$32,101 - \$37,445 !!				
8	!! \$0 - \$17,850 !!	!! \$17,851 - \$19,635 !!	!! \$19,636 - \$23,794 !!	!! \$23,795 - \$29,738 !!	!! \$29,739 - \$35,700 !!	!! \$35,701 - \$41,644 !!				
9	!! \$0 - \$19,650 !!	!! \$19,651 - \$21,615 !!	!! \$21,616 - \$26,193 !!	!! \$26,194 - \$32,737 !!	!! \$32,738 - \$39,300 !!	!! \$39,301 - \$45,843 !!				
10	!! \$0 - \$21,450 !!	!! \$21,451 - \$23,595 !!	!! \$23,596 - \$28,593 !!	!! \$28,594 - \$35,736 !!	!! \$35,737 - \$42,900 !!	!! \$42,901 - \$50,043 !!				
Add'l Person	!! \$0 - \$1,800 !!	!! \$1,801 - \$1,980 !!	!! \$1,981 - \$2,399 !!	!! \$2,400 - \$2,999 !!	!! \$3,000 - \$3,600 !!	!! \$3,601 - \$4,199 !!				

# Final Regulations

CHART 2  
HEALTH DEPARTMENT INCOME LEVELS  
FOR DETERMINING ELIGIBILITY FOR MEDICAL SERVICES  
EFFECTIVE JULY 1, 1985 FOR NORTHERN VA.

no. In family	!! !!	INDIGENT PATIENTS	!! !!	NEAR INDIGENT PATIENTS	!! !!	Annual Gross Income	!! !!	Annual Gross Income	!! !!	Annual Gross Income	!! !!	Annual Gross Income	!! !!	Annual Gross Income	!! !!	Annual Gross Income
		A - No Charge		B - 10% Charge		C - 25% Charge		D - 50% Charge		E - 75% Charge		F - 100% Charge				
1	!!	\$0 - \$5,775	!!	\$5,776 - \$6,998	!!	\$6,999 - \$8,747	!!	\$8,748 - \$10,500	!!	\$10,501 - \$12,248	!!	\$12,249 - \$15,390	!!			
2	!!	\$0 - \$7,755	!!	\$7,756 - \$9,398	!!	\$9,399 - \$11,745	!!	\$11,746 - \$14,100	!!	\$14,101 - \$16,448	!!	\$16,449 - \$20,670	!!			
3	!!	\$0 - \$9,735	!!	\$9,736 - \$11,797	!!	\$11,798 - \$14,744	!!	\$14,745 - \$17,700	!!	\$17,701 - \$20,647	!!	\$20,648 - \$25,950	!!			
4	!!	\$0 - \$11,715	!!	\$11,716 - \$14,196	!!	\$14,197 - \$17,743	!!	\$17,744 - \$21,300	!!	\$21,301 - \$24,846	!!	\$24,847 - \$31,230	!!			
5	!!	\$0 - \$13,695	!!	\$13,696 - \$16,596	!!	\$16,597 - \$20,742	!!	\$20,743 - \$24,900	!!	\$24,901 - \$29,046	!!	\$29,047 - \$36,510	!!			
6	!!	\$0 - \$15,675	!!	\$15,676 - \$18,995	!!	\$18,996 - \$23,741	!!	\$23,742 - \$28,500	!!	\$28,501 - \$33,245	!!	\$33,246 - \$41,790	!!			
7	!!	\$0 - \$17,655	!!	\$17,656 - \$21,395	!!	\$21,396 - \$26,739	!!	\$26,740 - \$32,100	!!	\$32,101 - \$37,445	!!	\$37,446 - \$47,060	!!			
8	!!	\$0 - \$19,635	!!	\$19,636 - \$23,794	!!	\$23,795 - \$29,738	!!	\$29,739 - \$35,700	!!	\$35,701 - \$41,644	!!	\$41,645 - \$52,340	!!			
9	!!	\$0 - \$21,615	!!	\$21,616 - \$26,193	!!	\$26,194 - \$32,737	!!	\$32,738 - \$39,300	!!	\$39,301 - \$45,843	!!	\$45,844 - \$57,600	!!			
10	!!	\$0 - \$23,595	!!	\$23,596 - \$28,593	!!	\$28,594 - \$35,736	!!	\$35,737 - \$42,900	!!	\$42,901 - \$50,043	!!	\$50,044 - \$62,900	!!			
Add'l person	!! !!	\$0 - \$1,980	!! !!	\$1,981 - \$2,399	!! !!	\$2,400 - \$2,999	!! !!	\$3,000 - \$3,600	!! !!	\$3,601 - \$4,199	!! !!	\$4,200 - \$5,279	!! !!			

DEPARTMENT OF HEALTH

VIRGINIA VOLUNTARY FORMULARY  
ADDITIONS TO THE VIRGINIA VOLUNTARY

	ACETAMINOPHEN Tablets
Duramed	325mg, 500mg
Geneva Generics/Danbury	325mg
Parmed Pharm./Duramed	325mg, 500mg
	ACETAMINOPHEN Elixir
Bioline Labs.	160mg/5ml
Rugby Labs./Naska	160mg/5ml
	ACETAMINOPHEN with CODEINE Capsules
Lemmon Company	300mg-60mg
	ACETAMINOPHEN with CODEINE Tablets
Barr Labs.	300mg-60mg
Bell Pharm./Barr	325mg-60mg
Bioline Labs./Halsey	325mg-15mg
Drummer Labs./Phoenix	300mg-15mg, 300mg-30mg, 300mg-60mg
Goldline Labs./Zenith	300mg-60mg
Major Pharm./Barr	300mg-60mg
Major Pharm./Cord	300mg-60mg
Major Pharm./Lemmon	325mg-15mg, 300mg-30mg, 300mg-60mg
Major Pharm./Zenith	300mg-60mg
Qualitest Labs./Zenith	300mg-30mg, 300mg-60mg
Parmed Pharm./Phoenix	300mg-30mg, 300mg-60mg
Parmed Pharm./Towne-Paulsen	300mg-30mg, 300mg-60mg
Purepac Pharm./Barr	300mg-60mg
United Research Labs./Lemmon	300mg-15mg
United Research Labs./Towne-Paulsen	325mg-30mg, 325mg-60mg
	ACETAMINOPHEN with CODEINE Elixir
Bioline Labs./National	120mg-12mg/5ml
Qualitest Labs./National	120mg-12mg/5ml
	ACETAMINOPHEN with OXYCODONE Tablets
Halsey Drug Co.	325mg-5mg
Purepac Pharm./Halsey	325mg-5mg

# Final Regulations

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Bell Pharmacal/Bolar Qualitest Labs./Bolar	ACETAZOLAMIDE Tablets 250mg 250mg
Bioline Labs./Boots Goldline Labs./Boots Parmed Pharm./Boots [ Rugby Labs./Chelsea	ALLOPURINOL Tablets 100mg, 300mg 100mg, 300mg 100mg, 300mg 100mg, 300mg ]
Bioline Labs./West-ward Goldline Labs./West-ward Halsey Drug Co.	AMINOPHYLLINE Tablets 100mg, 200mg 100mg, 200mg 100mg
Major Pharm./Cord Qualitest Labs./Halsey Rugby Labs./West-ward [ Unit Dose Labs./Cord	AMINOPHYLLINE Tablets 100mg, 200mg 100mg 100mg, 200mg 200 mg ]
Major Pharm./Biocraft Major Pharm./Cord Purepac Pharmaceutical Qualitest Labs./Mylan [ Unit Dose Labs./Cord	AMITRIPTYLINE HCl Tablets 100mg 10, 25, 50, 75, 100, 150mg 10, 50, 75, 100mg 10, 25, 50, 75, 100mg 10, 25, 50, 75, 100, 150 mg ]
Bioline Labs./Mylan Drummer/Phoenix Goldline Labs./Mylan Major Pharm./Biocraft Parmed Pharm./Mylan Qualitest Labs./Biocraft Qualitest Labs./Mylan	AMOXICILLIN Capsules 250mg, 500mg 250mg, 500mg 250mg, 500mg 250mg, 500mg 250mg, 500mg 250mg, 500mg 250mg, 500mg
Bioline Labs./Biocraft Goldline Labs./Biocraft Major Pharm./Biocraft Qualitest Labs./Biocraft Qualitest Labs./Mylan	AMOXICILLIN Suspension 125mg/5ml, 250mg/5ml 125mg/5ml, 250mg/5ml 125mg/5ml, 250mg/5ml 125mg/5ml, 250mg/5ml 125mg/5ml, 250mg/5ml

Major Pharm./Biocraft Qualitest Labs./Biocraft Qualitest Labs./Mylan	AMPICILLIN Capsules 250mg, 500mg 250mg, 500mg 250mg, 500mg
Qualitest Labs./Biocraft Qualitest Labs./Mylan	AMPICILLIN Suspension 125mg/5ml, 250mg/5ml 125mg/5ml, 250mg/5ml
Bioline Labs./Boots Boots Labs. Geneva Generics/Zenith Parmed Pharm./Boots Qualitest Labs./Zenith Zenith Labs.	ASPIRIN with CAFFEINE and BUTALBITAL Tablets 325mg-40mg-50mg 325mg-40mg-50mg 325mg-40mg-50mg 325mg-40mg-50mg 325mg-40mg-50mg 325mg-40mg-50mg
Barr Labs. Bell Pharmacal/Barr Parmed Pharm./Towne-Paulsen Qualitest Labs./Barr Rugby Labs./Halsey	ASPIRIN with CODEINE Tablets 325mg-30mg, 325mg-60mg 325mg-30mg 325mg-30mg, 325mg-60mg 325mg-30mg, 325mg-60mg 325mg-15mg, 325mg-30mg, 325mg-60mg
Dupont Pharmaceuticals Halsey Drug Company	ASPIRIN with OXYCODONE Tablets 325mg-4.5mg-0.38mg Percodan 325mg-4.5mg-0.38mg
[ NMC Laboratories Parmed Pharm./Clay-Park [ Geneva Generics/NMC	BACITRACIN Ointment 500 units/Gm ] 500 units/Gm 500 units/Gm ]
Bioline Labs./Clay-Park Goldline Labs./Clay-Park Major Pharm./NMC Parmed Pharm./Clay-Park Rugby Labs./Clay-Park	BACITRACIN-NEOMYCIN SULFATE-POLYMYXIN B Ointment 500u-5mg-5000u 500u-5mg-5000u 500u-5mg-5000u 500u-5mg-5000u 500u-5mg-5000u



# Final Regulations

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Lemmon Co. United Research Labs./Lemmon	BELLADONNA ALKALOIDS with PHENOBARBITAL Tablets 0.1296mg-15mg 0.1296mg-15mg
Bay Labs. Bioline Labs./National Geneva Generics/Bay Rugby Labs./Bay	BELLADONNA ALKALOIDS with PHENOBARBITAL Elixir 0.1296mg-15mg/5ml 0.1296mg-15mg/5ml 0.1296mg-15mg/5ml 0.1296mg-15mg/5ml
Merck, Sharp & Dohme  Quantum Pharmaceuticals Rugby Labs./Quantum	BENZTROPINE Tablets 0.5mg, 1mg, 2mg Cogentin 0.5mg, 1mg, 2mg 0.5mg, 1mg, 2mg
D-M/Lemmon Fougera/Byk-Gulden Geneva Generics/NMC NMC Labs Parmed Pharm./Lemmon Pharmaderm/Byk-Gulden Qualitest Labs./NMC Savage Labs./Byk-Gulden	BETAMETHASONE VALERATE Cream 0.1% 0.1% 0.1% 0.1% 0.1% 0.1% 0.1% 0.1%
Fougera/Byk-Gulden Pharmaderm/Byk-Gulden Savage Labs./Byk-Gulden Schering Corp.	BETAMETHASONE VALERATE Lotion 0.1% 0.1% 0.1% 0.1% Valisone
Fougera/Byk-Gulden Geneva Generics/NMC NMC Labs. Qualitest Labs./NMC Savage Labs./Byk-Gulden Schering Corp.	BETAMETHASONE VALERATE Ointment 0.1% 0.1% 0.1% 0.1% 0.1% 0.1% Valisone

	<b>BETHANECHOL CHLORIDE</b>
	Tablets
Bell Pharmacal./Bolar	25mg
Bioline Labs./Bolar	10mg, 25mg
Geneva Generics/Danbury	10mg, 25mg
Major Pharm./Bolar	5, 10, 25, 50mg
Parmed Pharm./Bolar	10mg, 25mg, 50mg
Qualitest Labs./Danbury	10mg, 25mg, 50mg
Rugby Labs./Bolar	10mg, 25mg
[ Unit Dose Labs./Bolar	5, 10, 25, 50mg ]
United Research Labs./Bolar	50mg
	<b>BROMPHENIRAMINE</b>
	MALEATE
	Elixir
Bioline Labs./National	2mg/5ml
	<b>BUTABARBITAL SODIUM</b>
	Tablets
Lemmon Co.	15mg, 30mg
Major Pharm./Lemmon	15mg, 30mg
Qualitest Labs./Phoenix	15mg, 30mg
United Research Labs./Lemmon	15mg, 30mg
	<b>BUTABARBITAL SODIUM</b>
	Elixir
Bioline Labs./National	30mg/5ml
Qualitest Labs./National	30mg/5ml
	<b>CARISOPRODOL</b>
	Tablets
Bell Pharmacal./Bolar	350mg
Bioline Labs./Bolar	350mg
Geneva Generics/Danbury	350mg
Goldline Labs./Bolar	350mg
Major Pharm./Bolar	350mg
Parmed Pharm./Bolar	350mg
Qualitest Labs./Bolar	350mg
	<b>CHLORAL HYDRATE</b>
	Capsules
Bioline Labs./Scherer	500mg
Goldline Labs./Scherer	500mg
	<b>CHLORAL HYDRATE</b>
	Syrup
Qualitest Labs./National	500mg/5ml
	<b>CHLORAMPHENICOL</b>
	Capsules
Goldline Labs./Zenith	250mg
Major Pharm./Zenith	250mg
Qualitest Labs./Zenith	250mg
[ Unit Dose Labs./Rachelle	250mg ]

# Final Regulations

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United Research Labs./Pharmafair  
Rugby/Pharmafair

[ CHLORAMPHENICOL  
Ophthalmic Solution  
5mg/ml  
5mg/ml

United Research Labs./Pharmafair

CHLORAMPHENICOL  
Ophthalmic Ointment  
1% ]

Bell Pharmacal/Barr  
Bioline Labs./Phoenix  
Bioline Labs./Zenith  
Drummer Labs./Phoenix  
Goldline Labs./Phoenix  
Lederle Labs./Pharmaceutic Basics  
Major Pharm./Cord  
Qualitest Labs./Barr  
United Research Labs./Cord  
United Research Labs./Pharm. Basics

CHLORDIAZEPOXIDE HCl  
Capsules  
5mg, 25mg  
5mg, 10mg, 25mg  
5mg, 10mg, 25mg  
5mg, 10mg, 25mg  
5mg, 10mg, 25mg  
5mg, 10mg, 25mg  
5mg, 10mg, 25mg  
5mg, 10mg, 25mg  
5mg, 25mg  
5mg, 25mg

Bioline Labs./Biocraft  
Geneva Generics/Danbury  
Goldline Labs./Biocraft  
Major Pharm./Richlyn

CHLOROQUIN PHOSPHATE  
Tablets  
250mg  
250mg  
250mg  
250mg

Bell Pharmacal/Bolar  
Bell Pharmacal/Mylan  
Bioline Labs./Mylan  
Major Pharm./Bolar  
Qualitest Labs./Mylan  
[ Unit Dose Labs./Bolar

CHLOROTHIAZIDE  
Tablets  
250mg  
500mg  
250mg, 500mg  
250mg  
250mg, 500mg  
250mg ]

Parmed Pharm./Bolar  
Qualitest Labs./Mylan

CHLOROTHIAZIDE  
with RESERPINE  
Tablets  
250mg-0.125mg  
250mg-0.125mg

[ Unit Dose Labs./Cord  
Major Pharm./Cord  
[ Superpharm Corp.

CHLOROPHENIRAMINE  
MALEATE  
Tablets  
4mg ]  
4mg  
4mg ]

Major Pharm./Cord

CHLORPHENIRAMINE  
MALEATE  
Controlled Release Capsules  
8mg, 12mg

Major Pharm./Cord Parmed Pharm./Cord	<b>CHLORPROMAZINE HCl</b> Concentrate 30mg/ml, 100mg/ml 30mg/ml, 100mg/ml
Major Pharm./Cord	<b>CHLORPROMAZINE HCl</b> Syrup 10mg/5ml
Danbury Pharmacal Par Pharmaceutical Pfizer Labs.	<b>CHLORPROPAMIDE</b> Tablets 100mg, 250mg 100mg, 250mg 100mg, 250mg
Rugby Labs./Chelsea Rugby Labs./Zenith Zenith Labs.	Diabinese 100mg, 250mg 100mg 100mg, 250mg
[ <i>Bioline Labs./Superpharm</i> Bioline Labs./Zenith [ <i>Goldline Labs./Superpharm</i> Goldline Labs./Zenith Major Pharm./Bolar Purepac Pharmaceutical Qualitest Labs./Bolar [ <i>Superpharm Corp.</i> Parmed Pharm./Danbury [ <i>Unit Dose Labs./Bolar</i>	<b>CHLORTHALIDONE</b> Tablets <i>25mg, 50mg</i> ] 25mg, 50mg <i>25mg, 50mg</i> ] 25mg, 50mg 25mg, 50mg 50mg 25mg, 50mg <i>25mg, 50mg</i> ] 25mg, 50mg <i>25mg, 50mg</i> ]
Danbury Pharmacal McNeil Pharmaceutical	<b>CHLORZOXAZONE</b> Tablets 250mg 250mg
Par Pharmaceutical	Parafon 250mg
Bioline Labs./Biocraft Goldline Labs./Biocraft Major Pharm./Biocraft Qualitest Labs./Biocraft	<b>CLOXACILLIN</b> Capsules 250mg, 500mg 250mg, 500mg 250mg, 500mg 250mg, 500mg
Rugby Labs./Biocraft	<b>CLOXACILLIN</b> Solution 125mg/5ml



Bell Pharmacal./Bolar	DICYCLOMINE HCl
Bioline Labs./Bolar	Tablets
Lederle Labs./Danbury	20mg
Qualitest Labs./Bolar	20mg
[ Unit Dose Labs./Bolar	20mg
	20mg
	20mg ]
Bioline Labs./National	DICYCLOMINE HCl
Major Pharm./National	Syrup
Qualitest Labs./National	10mg/5ml
	10mg/5ml
	10mg/5ml
Bioline Labs./Riker	DIETHYLPROPION
Goldline Labs./Riker	Controlled Reverse Tablets
M-D Pharm./Riker	75mg
	75mg
	75mg
Amide Pharmaceutical	DIMENHYDRINATE
Major Pharm./Richlyn	Tablets
[ Unit Dose Labs/Barr	50mg
Qualitest Labs./Barr	50mg
Rugby Labs./Amide	50mg ]
	50mg
	50mg
Goldline Labs./National	DIMENHYDRINATE
Qualitest Labs./National	Elixir
	12.5mg/4ml
	12.5mg/4ml
Major Pharm./Cord	DIPHENHYDRAMINE HCl
Qualitest Labs./Danbury	Capsules
[ Unit Dose Labs./Cord	25mg, 50mg
	25mg, 50mg
	25mg, 50mg ]
Bioline Labs./National	DIPHENHYDRAMINE
Halsey Drug Co.	Elixir
[ Rugby Labs./Naske	12.5mg/5ml
United Research Labs./Purepac-Kalipharma	12.5mg/5ml
	<del>12.5mg/5ml</del> ]
	12.5mg/5ml
Bioline Labs./MD	DIPHENOXYLATE
Lederle Labs./MD	with ATROPINE
Qualitest Labs./Zenith	Tablets
[ Unit Dose Labs./Boots	2.5mg-0.025mg
	2.5mg-0.025mg
	2.5mg-0.025mg
	2.5mg-0.025mg ]

# Final Regulations

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Qualitest Labs./National	DIPHENOXYLATE with ATROPINE Liquid 2.5mg-0.025mg/5ml
Barr Labs. [ <i>Bioline Labs./Superpharm</i> Bell Pharmacal/Barr [ <i>Major Pharm/Zenith</i> <i>Major Pharm/Bolar</i> <i>Major Pharm/Cord</i> <i>Goldline Labs/Superpharm</i> Lederle Labs/Barr Parmed Pharm/Par [ <i>Purepac Pharm/Zenith</i> <i>Qualitest Labs/Zenith</i> <i>Superpharm Corp.</i> Smith, Kline & French Labs/Barr [ <i>Unit Dose Labs/Par</i>	DIPYRIDAMOLE Tablets 50mg, 75 mg 25mg, 50mg, 75mg ] 25mg, 50mg, 75mg 25mg, 50mg, 75mg 25mg 25mg 25mg, 50mg, 75mg ] 50mg, 75mg 25mg, 50mg, 75mg 50mg, 75mg 25mg, 50mg, 75mg 25mg, 50mg, 75mg ] 25mg, 50mg, 75mg 25mg ]
Rugby Labs./Pharmacaps Rugby Labs./Richlyn	DOCUSATE SODIUM Capsules 100mg, 250mg 250mg
Bell Pharmacal/National Parmed Pharm./Bay Rugby Labs./Naska	DOCUSATE SODIUM Syrup 20mg/5ml 20mg/5ml 20mg/5ml
Bioline Labs./Scherer Goldline Labs./Scherer	DOCUSATE SODIUM with CASANTHRANOL Capsules 100mg-30mg 100mg-30mg
Bioline Labs./National	DOCUSATE SODIUM with CASANTHRANOL Syrup 60mg-30mg/15ml
Bioline Labs./Rachelle Drummer Labs./Phoenix D-M/Lemmon Geneva Generics/Danbury Goldline Labs./Rachelle Lederle Labs./Mylan Major Pharm./Lemmon Par Pharmaceutical Parmed Pharm./Danbury Parmed Pharm./Lemmon Parmed Pharm./Phoenix Qualitest Labs./Danbury [ <i>Unit Dose Labs./Rachelle</i> Zenith Labs.	DOXYCYCLINE HYCLATE Capsules 50mg, 100mg 100mg 100mg 50mg, 100mg 50mg, 100mg 50mg, 100mg 50mg, 100mg 100mg 50mg, 100mg 100mg 100mg 100mg 50mg, 100mg 50mg, 100mg ] 50mg, 100mg

	<b>DOXYCYCLINE HYCLATE</b>
	Tablets
Barr Labs.	100mg
Bell Pharmacal/Barr	100mg
Geneva Generics/Danbury	100mg
Lederle Labs./Mylan	100mg
Lemmon Co./Danbury	100mg
Major Pharm./Barr	100mg
Parmed Pharm./Danbury	100mg
Qualitest Labs./Danbury	100mg
[ <i>United Research Labs./Heather</i>	<i>100mg</i> ]
United Research Labs./Mylan	100mg
[ <i>United Research Labs./Rachelle</i>	<i>100mg</i> ]
Zenith Labs.	100mg
	<b>EPHEDRINE SULFATE</b>
	Capsules
Major Pharm./Richlyn	25mg
	<b>ERGOLOID MESYLATES</b>
	Tablets
Bell Pharmacal/Danbury	1mg
Bioline Labs./Bolar	1mg
Geneva Generics/Danbury	1mg
Goldline Labs./Bolar	1mg
Major Pharm./Bolar	1mg
Parmed Pharm./Bolar	1mg
Parmed Pharm./Danbury	1mg
Purepac Pharm./Bolar	1mg
Qualitest Labs./Danbury	1mg
Rugby Labs./Chelsea	1mg
	<b>ERGOLOID MESYLATES</b>
	Sublingual Tablets
Bell Pharmacal/Danbury	0.5mg, 1mg
Bioline Labs./Bolar	0.5mg
Bioline Labs./Zenith	1mg
Geneva Generics/Danbury	0.5mg, 1mg
Goldline Labs./Zenith	1mg
Parmed Pharm./Bolar	0.5mg
Parmed Pharm./Danbury	0.5mg, 1mg
Qualitest Labs./Danbury	0.5mg, 1mg
	<b>[ ERYTHROMYCIN BASE</b>
	<i>Enteric Coated Tablets</i>
<i>Abbott Laboratories</i>	<i>333mg</i>
<i>Upjohn Company</i>	<i>333mg</i> ]
	<b>ERYTHROMYCIN</b>
	<b>ETHYLSUCCINATE</b>
	Tablets
Bell Pharmacal/Barr	400mg
Goldline Labs./Barr	400mg
Major Pharm./Barr	400mg
Purepac Pharm./Barr	400mg
Qualitest Labs./Barr	400mg



# Final Regulations

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Goldline Labs./Barr Qualitest Labs./National	ERYTHROMYCIN ETHYLSUCCINATE Suspension 200mg/5ml 200mg/5ml, 400mg/5ml
Lederle Labs./Mylan Qualitest Labs./Mylan	ERYTHROMYCIN STEARATE Tablets 250mg 250mg, 500mg
Goldline Labs./Richlyn Major Pharm./Richlyn	FERROUS FUMARATE Tablets 325mg 325mg
Bell Pharmacal/Danbury Danbury Pharmacal Major Pharm./Cord	FERROUS SULFATE Controlled Release Capsules 150mg 150mg 150mg
Major Pharm./Richlyn Purepac Pharm.	FERROUS SULFATE Tablets 325mg (red), 325mg (green) 300mg (red), 300mg (green)
Bioline Labs./National Goldline Labs./National [ Rugby Labs./Naska	FERROUS SULFATE Elixir 220mg/5ml 220mg/5ml 220mg/5ml ]
Bioline Labs./Clay-Park Major Pharm./Clay-Park NMC Qualitest Labs./Clay-Park	FLUCINOLINE ACETONIDE Cream 0.01%, 0.025% 0.01%, 0.025% 0.01%, 0.025% 0.01%, 0.025%
Goldline Labs./National	FLUCINOLINE ACETONIDE Solution 0.01%
Qualitest Labs./National	FLUCINOLINE ACETONIDE Solution 0.01%
Qualitest Labs./National	FLURANDRENOLIDE Lotion 0.05%
Geneva Generics/Danbury Rugby Labs./Halsey	FOLIC ACID Tablets 1mg 1mg

Bell Pharmacal/Mylan  
 [ *Bioline Labs/Superpharm*  
 Goldline/Mylan  
 [ *Goldline Labs/Superpharm*  
 Heather/Kalapharm  
 Major Pharm./Cord  
 Major Pharm./Mylan  
 Parmed Pharm./Cord  
 Parmed Pharm./Mylan  
 Qualitest Labs./Mylan  
 United Research Labs./Cord  
 United Research Labs./Heather/Kalapharm  
 Zenith Labs.

## FUROSEMIDE

Tablets  
 20mg, 40mg  
 [ *20mg, 40mg* ]  
 40mg  
 [ *20mg, 40mg* ]  
 20mg, 40mg  
 20mg, 40mg  
 20mg, 40mg  
 20mg, 40mg  
 20mg, 40mg  
 20mg, 40mg  
 40mg  
 20mg, 40mg

NMC  
 Parmed Pharm./Clay-Park  
 Qualitest Labs./Clay-Park  
 [ *United Research Labs./Pharmafair*  
*Unit Dose Labs./Pharmafair*

## GENTAMICIN SULFATE

Cream  
 0.1%  
 0.1%  
 0.1%  
 [ *0.1%*  
*0.1%* ]

NMC  
 Parmed Pharm./Clay-Park  
 Qualitest Labs./Clay-Park

## GENTAMICIN SULFATE

Ointment  
 0.1%  
 0.1%  
 0.1%

*United Research Labs./Pharmafair*  
*Rugby/Pharmafair*

## [ GENTAMICIN SULFATE Ophthalmic Solution

*3mg/ml*  
*3mg/ml* ]

Bell Pharmacal/Danbury  
 Bioline Labs./MD  
 Goldline Labs./MD  
 Major Pharm./Cord  
 Qualitest Labs./Danbury  
 United Research Labs./MD

## GLUTETHIMIDE

Tablets  
 500mg  
 500mg  
 500mg  
 500mg  
 500mg  
 500mg

Hoeschst-Roussel Pharm.

## GLYBURIDE

Tablets  
 1.25mg, 2.5mg, 5mg  
 Diabeta  
 1.25mg, 2.5mg, 5mg  
 Micronase

Upjohn Company

## HYDRALAZINE HCl

Tablets  
 10mg  
 10mg, 25mg, 50mg  
 25mg, 50mg  
 10mg, 25mg, 50mg  
 25mg, 50mg  
 100mg  
 100mg  
 50mg  
 10mg, 25mg, 50mg  
 100mg  
 [ *10mg, 25mg, 50mg* ]

Bell Pharmacal/Zenith  
 Bioline Labs./Par  
 Drummer Labs./Phoenix  
 Goldline Labs./Par  
 Major Pharm./Cord  
 Major Pharm./Par  
 Par Pharmaceutical  
 Purepac Pharmaceutical  
 Qualitest Labs./Zenith  
 Rugby Labs./Par  
 [ *Unit Dose Labs./Cord*

# Final Regulations

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Parmed Pharm./Bolar  
Purepac Pharm./Bolar  
Qualitest Labs./Bolar

[ *Unit Dose Labs./Bolar*

Zenith Labs

Parmed Pharm./Bolar  
Qualitest Labs./Bolar

Bioline Labs./Zenith  
Drummer Labs./Phoenix  
Goldline Labs./Zenith  
Lederle Labs.  
Major Pharm./Bolar  
Major Pharm./Boots  
Qualitest Labs./Zenith  
[ *Unit Dose Labs./Bolar*  
United Research Labs./Cord

Bell Pharmacal/Danbury  
Danbury Pharmacal  
Geneva Generics/Danbury  
Lederle Labs./Danbury  
Major Pharm./Bolar  
Major Pharm./Zenith  
Qualitest Labs./Danbury  
[ *Unit Dose Labs./Bolar*

Bioline Labs./Zenith  
Drummer Labs./Phoenix  
Geneva Generics/Danbury  
Qualitest Labs./Bolar

Bioline Labs./Clay-Park  
Geneva Generics/Bay  
Geneva Generics/NMC  
Goldline Labs./Clay-Park  
Major Pharm./NMC  
Parmed Pharm./Clay-Park  
Parmed Pharm./Thames  
Qualitest Labs./Clay-Park

## HYDRALAZINE with HYDROCHLOROTHIAZIDE

Capsules  
25mg-25mg, 50mg-50mg  
25mg-25mg  
25mg-25mg,  
50mg-50mg, 100mg-50mg  
25mg-25mg,  
50mg-50mg, 100mg-50mg ]  
25mg-25mg, 50mg-50mg

## HYDRALAZINE with HYDROCHLOROTHIAZIDE

Tablets  
25mg-15mg  
25mg-15mg

## HYDROCHLOROTHIAZIDE

Tablets  
50mg  
50mg  
100mg  
25mg, 50mg  
25mg, 50mg  
25mg, 50mg  
25mg, 50 mg, 100mg  
25mg, 50mg ]  
50mg

## HYDROCHLOROTHIAZIDE- HYDRALAZINE-RESERPINE

Tablets  
15mg-25mg-0.1mg  
15mg-25mg-0.1mg  
15mg-25mg-0.1mg  
15mg-25mg-0.1mg  
15mg-25mg-0.1mg  
15mg-25mg-0.1mg  
15mg-25mg-0.1mg  
15mg-25mg-0.1mg ]

## HYDROCHLOROTHIAZIDE- RESERPINE

Tablets  
25mg-0.125mg, 50mg-0.125mg  
25mg-0.125mg, 50mg-0.125mg  
25mg-0.125mg, 50mg-0.125mg  
25mg-0.125mg, 50mg-0.125mg

## HYDROCORTISONE

Cream  
0.5%, 1%  
0.5%  
1%  
0.5%, 1%  
0.5%, 1%  
1%  
0.5%, 1%  
1%

	<b>HYDROCORTISONE</b>
	Lotion
Barre Drug/National	0.5%
Clay-Park Labs.	0.5%
Qualitest Labs./Clay-Park	0.5%
Rugby Labs./Clay-Park	0.5%
	<b>HYDROCORTISONE</b>
	Ointment
Bioline Labs./Clay-Park	1%
Goldline Labs./Clay-Park	1%
Major Pharm./NMC	1%
	<b>HYDROCORTISONE</b>
	Tablets
Bioline Labs./West-ward	20mg
Geneva Generics/Towen-Paulsen	10mg, 20mg
Goldline Labs./West-ward	20mg
	<b>HYDROFLUMETHIAZIDE</b>
	Tablets
Parmed Pharm./Bolar	50mg
	<b>HYDROXYZINE HCl</b>
	Tablets
Bell Pharmacal (Danbury)	50mg
Bell Pharmacal/Zenith	10mg, 25mg, 50mg
Bioline Labs./Par	10mg, 25mg, 50mg
Danbury Pharmacal	10mg, 25mg, 50mg
Drummer Labs./Phoenix	10mg, 25mg, 50mg
Geneva Generics/Par	10mg, 25mg, 50mg
Goldline Labs./Par	10mg, 25mg, 50mg
Lederle Labs./KV	10mg, 25mg
Major Pharm./Zenith	10mg, 25mg, 50mg
Parmed Pharm./Par	10mg, 25mg, 50mg
Purepac Pharm./Zenith	10mg, 25mg
Qualitest Labs./Zenith	10mg, 25mg, 50mg
	<b>HYDROXYZINE HCl</b>
	Syrup
Bioline Labs./National	10mg/5ml
Goldline Labs./National	10mg/5ml
Qualitest Labs./National	10mg/5ml
	<b>HYDROXYZINE PAMOATE</b>
	Capsules
Bell Pharmacal	25mg, 50mg
Bioline Labs./Par	25mg, 50mg, 100mg
Geneva Generics/Par	25mg, 50mg, 100mg
Goldline Labs./Bolar	25mg, 50mg, 100mg
Goldline Labs./Par	25mg, 50mg, 100mg
Major Pharm./Bolar	25mg, 50mg, 100mg
Parmed Pharm./Bolar	25mg, 50mg, 100mg
Purepac Pharm./Bolar	25mg, 50mg
Qualitest Labs./Bolar	25mg, 50mg, 100mg
	<b>IBUPROFEN</b>
	Tablets
Boots Pharmaceuticals, Inc.	600mg
Upjohn Company	600mg

# Final Regulations

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Bioline Labs./Par  
Drummer Labs./Phoenix  
Goldline Labs./Par  
Par Pharmaceutical  
Qualitest Labs./Bolar  
[ *Unit Dose Labs./Bolar*

Bioline Labs./Mylan  
Bioline Labs./Par  
Bioline Labs./Zenith  
Geneva Generics/Par  
Geneva Generics/Zenith  
Goldline Labs./Mylan  
Goldline Labs./Par  
Goldline Labs./Zenith  
Lemmon Co./Mylan  
Merck, Sharp & Dohme  
  
Mylan Pharmaceuticals  
Par Pharmaceuticals  
Rugby Labs./Chelsea  
United Research Labs./Mylan  
Zenith Labs.

Bioline Labs./Bolar

Bell Pharmacal/Barr  
Goldline Labs./Par  
Major Pharm./Bolar  
Qualitest Labs./Barr  
Qualitest Labs./Par  
Rugby Labs./West-ward  
[ *Unit Dose Labs./Par*

Bell Pharmacal/Barr  
Geneva Generics/Par  
Goldline Labs./Par  
Major Pharm./Bolar  
Major Pharm./Zenith  
Qualitest Labs./Barr  
United Research Labs./Par

Major Pharm./National  
Qualitest Labs./National

IMIPRAMINE HCl  
Tablets  
10mg, 25mg, 50mg  
10mg, 25mg, 50mg  
10mg, 25mg, 50mg  
10mg, 25mg, 50mg  
10mg, 25mg, 50mg  
10mg, 25mg, 50mg ]

INDOMETHACIN  
Capsules  
25mg, 50mg  
25mg, 50mg  
25mg, 50mg  
25mg, 50mg  
25mg, 50mg  
25mg, 50mg  
25mg, 50mg  
25mg, 50mg  
25mg, 50mg  
25mg, 50mg  
25mg, 50mg  
Indocin  
25mg, 50mg  
25mg 50mg  
25mg, 50mg  
25mg, 50mg  
25mg, 50mg

ISONIAZID  
Tablets  
100mg, 300mg

ISOSORBIDE DINITRATE  
Sublingual Tablets  
2.5mg, 5mg  
2.5mg, 5mg  
2.5mg, 5mg  
2.5mg, 5mg  
10mg  
2.5mg, 5mg  
5mg ]

ISOSORBIDE DINITRATE  
Tablets  
5mg, 10mg, 20mg  
20mg  
5mg, 10mg, 20mg  
5mg  
10mg  
5mg, 10mg, 20mg  
10mg

LINDANE  
Lotion  
1%  
1%

Qualitest Labs./National	LINDANE Shampoo 1%
Qualitest Labs./Bolar	LIOTHYRONINE Tablets 25mcg, 50mcg
Bell Pharmacal/Zenith Drummer Labs./Phoenix Geneva Generics/Park Lederle Labs./KV Qualitest Labs./Danbury Rugby Labs./Par	MECLIZINE HCl Tablets 12.5mg, 25mg 25mg 12.5mg, 25mg 12.5mg, 25mg 12.5mg 25mg
Bioline Labs./Danbury Goldline Labs./Danbury Qualitest Labs./Danbury Rugby Labs./Boots	MECLIZINE HCl Chewable Tablets 25mg 25mg 25mg 25mg
Bell Pharmacal/Danbury Bioline Labs./Zenith Geneva Generics/Danbury Major Pharm./Zenith Qualitest Labs./Zenith United Research Labs./Purepac-Kalipharma	MEPROBAMATE Tablets 200mg, 400mg 200mg, 400mg 200mg 200mg 200mg, 400mg 400mg
Bioline Labs./Zenith Major Pharm./Zenith	MEPROBAMATE with TRIDIHEXETHYL- CHLORIDE Tablets 200mg-25mg, 400mg-25mg 200mg-25mg, 400mg-25mg
Geneva Generics/Par Qualitest Labs./Bolar	METHANDROSTENOLONE Tablets 2.5mg, 5mg 5mg
Bioline Labs./Heather Goldline Labs./Heather Major Pharm./Heather United Research Labs./Heather	METHENAMINE MANDELATE Tablets 500mg, 1 Gm 500mg, 1 Gm 500mg, 1 Gm 500mg, 1 Gm
	METHENAMINE

# Final Regulations

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Bioline Labs./National  
Lederle Labs./National

MANDELATE  
Suspension  
500mg/5ml  
500mg/5ml

Bell Pharmacal/Danbury  
[ *Bioline Labs./Superpharm*  
Geneva Generics/Zenith  
[ *Goldline Labs./Superpharm*  
Lederle Labs.  
Qualitest Labs./Danbury  
[ *Superpharm Corp.*

METHOCARBAMOL  
Tablets  
500mg  
500mg, 750mg ]  
500mg, 750mg  
500mg, 750mg ]  
500mg, 750mg  
500mg, 750mg  
500mg, 750mg ]

Geneva Generics/Zenith  
Qualitest Labs./Zenith

METHOCARBAMOL  
with ASPIRIN  
Tablets  
400mg-325mg  
400mg-325mg

Bell Pharmacal/Bolar  
Bioline Labs./Bolar  
Goldline Labs./Bolar  
Lederle Labs./Mylan  
Major Pharm./Bolar  
Qualitest Labs./Bolar  
Purepac Pharmaceutical/Bolar  
[ *Unit Dose Labs./Bolar*

METHYCLOTHIAZIDE  
Tablets  
5mg  
2.5mg, 5mg  
5mg  
2.5mg  
2.5mg, 5mg  
5mg  
5mg  
5mg ]

Cord Laboratories  
Geneva Generics/Cord  
Merck, Sharp & Dohme

METHYLDOPA  
Tablets  
250mg, 500mg  
250mg, 500mg  
250mg, 500mg  
Aldomet  
250mg, 500mg  
~~250mg, 500mg ]~~  
250mg, 500mg

Professional Services/Cord  
[ ~~Rugby Labs./Chelsea~~  
Rugby Labs./Cord

Bell Pharmacal/Danbury  
Bioline Labs./Zenith  
D-M/Lemmon  
Drummer Labs./Phoenix  
Goldline Labs./Zenith  
Lemmon Co.  
Major Pharm./Cord  
Major Pharm./Zenith  
Qualitest Labs./Zenith  
Parmed Pharm./Danbury  
Parmed Pharm./Phoenix  
Rugby Labs./Chelsea  
United Research Labs./Par  
[ *Unit Dose Labs./Lemmon*

METRONIDAZOLE  
Tablets  
250mg  
500mg  
250mg  
250mg, 500mg  
500mg  
500mg  
250mg, 500mg  
250mg, 500mg  
250mg, 500mg  
250mg, 500mg  
250mg, 500mg  
500mg  
250mg, 500mg  
250mg ]

	[ NEOMYCIN SULFATE with HYDROCORTISONE and POLYMYXIN B SULFATE Otic Solution 3.5mg base-1%-10,000u/ml Cortisporin 3.5mg base-1%-10,000u/ml 3.5mg base-1%-10,000u/ml 3.5mg base-1%-10,000u/ml 3.5mg base-1%-10,000u/ml ]
Burroughs Wellcome Co.	
Carter Glogau Bell Pharmacal/Pharmafair Rugby Labs./Pharmafair United Research Labs./Pharmafair	
	NEOMYCIN SULFATE with HYDROCORTISONE and POLYMYXIN B SULFATE Otic Suspension 3.5mg base-1%-10,000u/ml Cortisporin 3.5mg base 1%-10,000u/ml 3.5mg base-1%-10,000u/ml 3.5mg base-1%-10,000u/ml ]
Burroughs Wellcome Co.	
Bell Pharmacal/Pharmafair Rugby Labs./Pharmafair United Research Labs./Pharmafair	
	NEOMYCIN SULFATE Tablets 500mg
Major Pharm./Biocraft	
	NICOTINIC ACID Controlled Release Capsules 125mg, 250mg
Rugby Labs./Chelsea	
	NICOTINIC ACID Tablets 50mg, 100mg
Major Pharm./Cord	
	NITROFURANTOIN Tablets 50mg, 100mg 50mg, 100mg
Drummer Labs./Phoenix Qualitest Labs./Bolar	
	NYSTATIN Tablets 500,000 u 500,000 u 500,000 u 500,000 u 500,000 u 500,000 u
Bioline Labs./Par Drummer Labs./Phoenix Goldline Labs./Par Major Pharm./Lemmon Par Pharmaceutical Qualitest Labs./Par	



# Final Regulations

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	<p>NYSTATIN Suspension</p>
Bell Pharmacal/National	100,000 u/ml
Bioline Labs./National	100,000 u/ml
Goldline Labs./National	100,000 u/ml
Major Pharm./National	100,000 u/ml
Parmed Pharm./National	100,000 u/ml
Qualitest Labs./National	100,000 u/ml
	<p>NYSTATIN Vaginal Tablets</p>
Bioline Labs./Lemmon	100,000 u
Drummer Labs./Phoenix	100,000 u
Goldline Labs./Phoenix	100,000 u
Qualitest Labs./Phoenix	100,000 u
	<p>NYSTATIN Cream</p>
Bioline Labs./Clay-Park	100,000 u/Gm
Goldline Labs./Clay-Park	100,000 u/Gm
Parmed Pharm./Clay-Park	100,000 u/Gm
Qualitest Labs./Clay-Park	100,000 u/Gm
	<p>NYSTATIN-NEOMYCIN SULFATE-GRAMICIDIN- TRIAMCINOLONE ACETONIDE Cream</p>
Bioline Labs./Clay-Park	100,000u-2.5mg- 0.25mg-1mg/Gm
Goldline Labs./Clay-Park	100,000u-2.5mg- 0.25mg-1mg/Gm
Qualitest Labs./Clay-Park	100,000u-2.5mg- 0.25mg-1mg/Gm
	<p>NYSTATIN-NEOMYCIN SULFATE-GRAMICIDIN- TRIAMCINOLONE ACETONIDE Ointment</p>
Bioline Labs./Clay-Park	100,000u-2.5mg- 0.25mg-1mg/Gm
Goldline Labs./Clay-Park	100,000u-2.5mg- 0.25mg-1mg/Gm
Qualitest Labs./Clay-Park	100,000u-2.5mg- 0.25mg-1mg/Gm
	<p>ORPHENADRINE CITRATE Tablets</p>
Major Pharm./Bolar	100mg
Parmed Pharm./Bolar	100mg
Qualitest Labs./Bolar	100mg

Bioline Labs./Biocraft  
 Goldline Labs./Biocraft  
 Qualitest Labs./Biocraft

OXACILLIN SODIUM  
 Capsules  
 250mg, 500mg  
 250mg, 500mg  
 250mg, 500mg

Rugby Labs./Biocraft

OXACILLIN SODIUM  
 Solution  
 250mg/5ml

Rugby Labs./Bolar  
 United Research Labs./Bolar

OXTRIPHYLLINE  
 Tablets  
 100mg, 200mg  
 100mg, 200mg

Bioline Labs./Purepac-Kalipharma  
 Goldline Labs./Purepac-Kalipharma  
 Qualitest Labs./Purepac-Kalipharma

OXYTETRACYCLINE HCl  
 Capsules  
 250mg  
 250mg  
 250mg

Bell Pharmacal/Danbury  
 Duramed Pharmaceutical  
 Major Pharm./Lemmon  
 Qualitest Labs./Zenith  
 Paramed Pharm./Duramed

PAPAVERINE HCl  
 Controlled Release Capsules  
 150mg  
 150mg  
 150mg  
 150mg  
 150mg

Bioline Labs./Mylan  
 Qualitest Labs./Biocraft  
 Rugby Labs./Biocraft

PENICILLIN G POTASSIUM  
 Tablets  
 250mu, 400mu  
 400mu  
 200mu, 250mu, 400mu

Biocraft Labs.  
 Rugby Labs./Biocraft

PENICILLIN G.  
 POTASSIUM  
 Solution  
 400mu/5ml  
 400mu/5ml

Major Pharm./Biocraft

PENICILLIN VK  
 Tablets  
 250mg, 500mg  
 (round & oval)  
 250mg, 500mg  
 250mg, 500mg

Qualitest Labs./Biocraft  
 Qualitest Labs./Mylan

Bioline Labs./Biocraft  
 Goldline Labs./Biocraft  
 Major Pharm./Biocraft  
 Qualitest Labs./Biocraft  
 Qualitest Labs./Mylan

PENICILLIN VK  
 Suspension  
 125mg/5ml, 250mg/5ml  
 125mg/5ml, 250mg/5ml  
 125mg/5ml, 250mg/5ml  
 125mg/5ml, 250mg/5ml  
 125mg/5ml, 250mg/5ml

# Final Regulations

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Major Pharm./Inwood Rugby Labs./Inwood	PENTAERYTHRITOL TETRANITRATE Controlled Release Capsules 80mg 80mg
Bell Pharmacal/Bolar Bioline Labs./Bolar Goldline Labs./Bolar Parmed Pharm./Bolar Qualitest Labs./Bolar	PENTHERYTHRITOL TETRANITRATE Controlled Release Tablets 80mg 80mg 80mg 80mg 80mg
Bell Pharmacal/Bolar Major Pharm./Bolar Qualitest Labs./Bolar	PENTAERYTHRITOL TETRANITRATE Tablets 20mg 10mg, 20mg 10mg, 20mg
Goldline Labs./Halsey	PENTOBARBITAL SODIUM Capsules 100mg
Bioline Labs./Amide Goldline Labs./Amide Rugby Labs./Amide	PHENAZOPHYRIDINE HCl Tablets 100mg, 200mg 100mg, 200mg 100mg, 200mg
Major Pharm./Cord	PHENDIMETRAZINE TARTRATE Tablets 35mg
Bell Pharmacal/Danbury Bioline Labs./Purepac-Kalipharma Geneva Generics/Purepac-Kalipharma Goldline Labs./Purepac-Kalipharma Lederle Labs./Danbury Qualitest Labs./Danbury Rugby Labs./West-ward	PHENOBARBITAL Tablets 15mg, 30mg, 60mg 15mg, 30mg, 100mg 15mg 15mg, 30mg, 100mg 30mg 15mg, 30mg, 60mg, 100mg 15mg, 30mg
Bell Pharmacal/National Bioline Labs./National	PHENOBARBITAL Elixir 20mg/5ml 20mg/5ml

	<b>PHENTERMINE</b>
	Capsules
Bell Pharmacal/Zenith	30mg
Bioline Labs./Zenith	30mg
Drummer Labs./Phoenix	30mg
Geneva Generics/Zenith	30mg
Goldline Labs./Zenith	30mg
Major Pharm./Lemmon	30mg
Qualitest Labs./Zenith	30mg
	<b>PHENYLBUTAZONE</b>
	Capsules
Parmed Pharm./Cord	100mg
[ <i>Unit Dose Labs./Cord</i> ]	100mg ]
	<b>PHENYLBUTAZONE</b>
	Tablets
Bell Pharmacal/Danbury	100mg
Goldline Labs./Danbury	100mg
Parmed Pharm./Cord	100mg
Parmed Pharm./Danbury	100mg
Qualitest Labs./Danbury	100mg
	[ <i>PILOCARPINE</i>
	<i>HYDROCHLORIDE</i>
	<i>Ophthalmic Solution</i>
Major Pharm./Pharmafair	1%, 2%, 4%, 6%
United Research Labs./Pharmafair	1%, 2%, 3%, 4%, 6%
Rugby/Pharmafair	1%, 2%, 3%, 4%, 6% ]
	<b>PIPERAZINE CITRATE</b>
	Syrup
Major Pharm./National	550mg/5ml
	<b>POTASSIUM CHLORIDE</b>
	Oral Liquid
Bell Pharmacal/National	10%
Parmed Pharm./Bay	10%, 20%
Rugby/Naska	10% (red, orange), 20%
	<b>POTASSIUM CHLORIDE</b>
	Oral Liquid Sugar-Free
Bell Pharmacal/National	20%
United Research Labs./Halsey	10%
	<b>POTASSIUM GLUCONATE</b>
	Elixir
Adria Laboratories	20mEq/15ml
	Kaon
Barre Drug/National	20mEq/15ml
Bell Pharmacal/National	20mEq/15ml
Lederle Labs./National	20mEq/15ml
Rugby Labs./Naska	20mEq/15ml
	<b>PREDNISOLONE</b>
	Tablets
Bell Pharmacal/Danbury	5mg
Bioline Labs./Heather	5mg
Qualitest Labs./Danbury	5mg

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	<b>PREDNISON</b> Tablets 5mg 5mg, 10mg, 20mg 10mg 5mg 10mg 5mg, 10mg, 20mg
Bell Pharmacal/Danbury Bioline Labs./Heather Geneva Generics/Danbury Lederle Labs./Danbury Major Pharm./Barr Qualitest Labs./Danbury	
	<b>PRIMIDONE</b> Tablets 250mg 250mg 250mg
Bell Pharmacal/Danbury Geneva Generics/Danbury United Research Labs./Danbury	
	<b>PROBENECID</b> Tablets 500mg 500mg 500mg 500mg 500mg
Bioline Labs./Mylan Geneva Generics/Danbury Lederle Labs./Mylan Qualitest Labs./Danbury Zenith Labs.	
	<b>PROBENECID with COLCHICINE</b> Tablets 500mg-0.5mg 500mg-0.5mg 500mg-0.5mg 500mg-0.5mg 500mg-0.5mg
Bell Pharmacal/Danbury Bioline Labs./Zenith Geneva Generics/Danbury Major Pharm./Zenith Qualitest Labs./Zenith	
	<b>PROCAINAMIDE HCl</b> Capsules 250mg, 375mg 250mg, 375mg, 500mg 250mg, 500mg 250mg, 500mg 250mg 250mg, 500mg
Bell Pharmacal/Danbury Geneva Generics/Danbury Major Pharm./Bolar Parmed Pharm./Bolar United Research Labs./Bolar [ <i>Unit Dose Labs/Bolar</i>	
	<b>PROMETHAZINE HCl</b> Tablets 25mg 50mg 12.5mg, 25mg 25mg
Qualitest Labs./Danbury Rugby Labs./Cord Rugby Labs./Danbury Rugby Labs./Richlyn	
	<b>[ PROMETHAZINE HCl with CODEINE PHOSPHATE Syrup</b> 6.25mg-10mg/5ml 6.25mg-10mg/5ml <i>Phenergan w/Codeine</i>
Barre Drug/National Wyeth Laboratories	

<p>Barre Drug/National Wyeth Laboratories</p>	<p>PROMETHAZINE HCl with DEXTROMETHORPHAN Syrup 6.25mg-15mg/5ml 6.25mg-15mg/5ml Phenergan w/Dextromethorphan</p>
<p>Barre Drug/National Wyeth Laboratories</p>	<p>PROMETHAZINE HCl with PHENYLEPHRINE HYDROCHLORIDE Syrup 6.25mg-5ml/5ml 6.25mg-5mg/5ml Phenergan VC</p>
<p>Barre Drug/National Wyeth Laboratories</p>	<p>PROMETHAZINE HCl with PHENYLEPHRINE HCl and CODEINE PHOSPHATE Syrup 6.25ml-5mg-10mg/5ml 6.25mg-5mg-10mg/5ml Phenergan VC w/Codeine ]</p>
<p>[ Bell Pharmacal/Danbury Bioline Labs./Par Geneva Generics/Danbury Goldline Labs./Par Major Pharm./Bolar Par Pharmaceutical Rugby Labs./Par United Research Labs./Par</p>	<p>PROPANTHELINE BROMIDE Tablets 15mg 15mg 15mg 15mg ] 15mg 15mg 15mg 15mg</p>
<p>Bioline Labs./Zenith Drummer Labs./Phoenix Qualitest Labs./Zenith</p>	<p>PROPOXYPHENE HCl Capsules 65mg 65mg 65mg</p>
<p>Bioline Labs./Mylan Parmed Pharm./Mylan</p>	<p>PROPOXYPHENE with ACETAMINOPHEN Tablets 65mg-650mg 32mg-325mg, 65mg-650mg</p>
<p>Bioline Labs./Zenith Drummer Labs./Phoenix Geneva Generics/Zenith Lemmon Co. Major Pharm./Zenith Qualitest Labs./Zenith United Research Labs./Zenith</p>	<p>PROPOXYPHENE WITH ASPIRIN and CAFFIENE Capsules 65mg-389mg-32.4mg 65mg-389mg-32.4mg 65mg-389mg-32.4mg 65mg-389mg-32.4mg 65mg-389mg-32.4mg 65mg-389mg-32.4mg 65mg-389mg-32.4mg</p>

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Bell Pharmacal/Danbury	PSEUDOEPHEDRINE HCl
Bioline Labs./Bolar	Tablets
Major Pharm./Lemmon	60mg
Lederle Labs./Danbury	60mg
Qualitest Labs./Danbury	30mg, 60mg
	60mg
	60mg
	PSEUDOEPHEDRINE HCl
	Syrup
Qualitest Labs./National	30mg/5ml
Rugby Labs./Naska	30mg/5ml
	PSEUDOEPHEDRINE
	with TRIPROLIDINE
	Tablets
Bell Pharmacal Danbury	60mg-2.5mg
Geneva Generics/Danbury	60mg-2.5mg
Halsey Drug Co.	60mg-2.5mg
Lederle Labs./Danbury	60mg-2.5mg
Parmed Pharm./Danbury	60mg-2.5mg
Rugby Labs./Chelsea	60mg-2.5mg
[ Unit Dose Labs./Danbury	60mg-2.5mg ]
	PSEUDOEPHEDRINE
	with TRIPROLIDINE
	Syrup
Bay Laboratories	30mg-1.25mg/5ml
Geneva Generics/Bay	30mg-1.25mg/5ml
Halsey Drug Co.	30mg-1.25mg/5ml
Lederle Labs./National	30mg-1.25mg/5ml
Rugby Labs./Bay	30mg-1.25mg/5ml
Rugby Labs./National	30mg-1.25mg/5ml
	QUINIDINE GLUCONATE
	Controlled Release Tablets
Bell Pharmacal/Bolar	324mg
Geneva Generics/Danbury	324mg
Lederle Labs./Bolar	324mg
Major Pharm./Bolar	324mg
Parmed Pharm./Bolar	324mg
Parmed Pharm./Danbury	324mg
Purepac Pharm./Bolar	324mg
Qualitest Labs./Bolar	324mg
	QUINIDINE SULFATE
	Tablets
Bell Pharmacal/Danbury	300mg
Geneva Generics/Danbury	300mg
[ Lederle Labs.	200mg ]
Major Pharm./Cord	200mg
Qualitest Labs./Danbury	200mg, 300mg
[ Unit Dose Labs./Cord	200mg ]
	RAUWOLFIA SERPENTINA
	Tablets
Bioline Labs./Purepac-Kalipharma	50mg, 100mg
Goldline Labs./Purepac-Kalipharma	50mg, 100mg
Qualitest Labs./Purepac-Kalipharma	50mg, 100mg

	RESERPINE
	Tablets
Bioline Labs./West-ward	0.1mg, 0.25mg
Drummer Labs./Phoenix	0.1mg, 0.25mg
Goldline Labs./West-ward	0.1mg, 0.25mg
Qualitest Labs./Zenith	0.25mg
Rugby Labs./Lemmon	0.1mg, 0.25mg
	SECOBARBITAL SODIUM
	Capsules
Goldline Labs./Halsey	100mg
	SPIRONOLACTONE
	Tablets
Bell Pharmacal/Bolar	25mg
Bioline Labs./Bolar	25mg
Goldline Labs./Bolar	25mg
Major Pharm./Bolar	25mg
Parmed Pharm./Cord	25mg
Qualitest Labs./Bolar	25mg
	SPIRONOLACTONE with HYDROCHLOROTHIAZIDE
	Tablets
Major Pharm./Bolar	25mg-25mg
Parmed Pharm./Bolar	25mg-25mg
Parmed Pharm./Cord	25mg-25mg
Qualitest Labs./Bolar	25mg-25mg
	[ SULFACETAMIDE SODIUM
	<i>Ophthalmic Solution</i>
<i>Bell Pharmacal/Pharmafair</i>	<i>10%, 30%</i>
<i>Major Pharm./Pharmafair</i>	<i>10%, 30%</i>
<i>Rugby Labs./Pharmafair</i>	<i>10%, 30%</i>
<i>United Research Labs./Pharmafair</i>	<i>10%, 30%</i>
<i>Rugby/Pharmafair</i>	<i>10%, 30%</i>
	SULFACETIMADE SODIUM
	<i>Ophthalmic Ointment</i>
<i>Major Pharm./Pharmafair</i>	<i>10%</i>
<i>United Research Labs./Pharmafair</i>	<i>10% ]</i>
	SULFACETAMIDE with SULFABENZAMIDE and SULFATHIAZOLE and UREA
	Vaginal Cream
Qualitest Labs./Clay-Park	2.8%-3.7%-3.42%-0.64%
	SULFAMETHOXAZOLE
	Tablets
Bioline Labs./Heather	500mg
Goldline Labs./Heather	500mg
Qualitest Labs./Bolar	500mg
	SULFASALAZINE
	Tablets
Bioline Labs./Bolar	500mg
Geneva Generics/Danbury	500mg
Major Pharm./Bolar	500mg
Parmed Pharm./Bolar	500mg
Qualitest Labs./Bolar	500mg
United Research Labs./Bolar	500mg



# Final Regulations

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Bolar Pharmaceutical  
Pharmacia Laboratories

Qualitest Labs./Bolar

Geneva Generics/Zenith  
Qualitest Labs./Zenith  
United Research Labs./Zenith

Geneva Generics/Zenith  
Bell Pharmacal/Barr  
Qualitest Labs./Zenith

Bell Pharmacal/Danbury  
Bioline Labs./Heather  
Goldline Labs./Heather  
Major Pharm./Heather  
Qualitest Labs./Zenith  
Parmed Pharm./Heather

Bell Pharmacal/National

Bell Pharmacal/National  
Parmed Pharm./Bay  
Rugby Labs./Bay

Amide Pharmaceutical  
[ *Goldline Labs./Westward*  
Major Pharm./Bolar  
Rugby Labs./Amide

Geneva Generics/Pharmacaps  
Goldline Labs./Banner Gelatin  
Major Pharm./Pharmacaps

Qualitest Labs./National  
Rugby Labs./Naska

SULFASALAZINE  
Enteric Coated Tablets  
500mg  
500mg  
Azulfidine  
500mg

SULFINPYRAZONE  
Capsules  
200mg  
200mg  
200mg

SULFINPYRAZONE  
Tablets  
100mg  
500mg  
500mg

TETRACYCLINE HCl  
Capsules  
250mg, 500mg  
250mg  
250mg  
250mg  
250mg, 500mg  
250mg

TETRACYCLINE HCl  
Syrup  
125mg/5ml

THEOPHYLLINE  
Elixir  
80mg/15ml  
80mg/15ml  
80mg/15ml

THEOPHYLLINE-  
EPHEDRINE-  
PHENOBARBITAL  
Tablets  
130mg-24mg-8mg  
*130mg-24mg-8mg* ]  
130mg-24mg-8mg  
130mg-24mg-8mg

THEOPHYLLINE with  
GUAIFENESIN  
Capsules  
150mg-90mg  
150mg-90mg  
150mg-90mg

THEOPHYLLINE with  
GUAIFENESIN  
Liquid  
150mg-90mg/15ml  
150mg-90mg/15ml

Qualitest Labs./National	THEOPHYLLINE with POTASSIUM IODIDE Elixir 80mg-130mg/15ml
Barr Labs. [ <i>Bell Pharm./Mylan</i> Bioline Labs./Bolar Bioline Labs./Mylan Bolar Pharmaceutical Danbury Pharmacal Geneva Generics/Par Goldline Labs./Bolar Goldline Labs./Mylan Lederle Labs./Mylan Mylan Pharmaceutical Par Pharmaceutical Parmed Pharmaceutical/Bolar Parmed Pharmaceutical/Mylan Qualitest Labs./Bolar Rugby Labs./Chelsea Smith, Kline & French Labs./Mylan Zenith Labs.	THIORIDAZINE HCl Tablets 100mg 10mg, 25mg, 50mg ] 100mg, 150mg, 200mg 100mg 150mg, 200mg 10, 15, 25, 50, 100mg 100mg 100mg, 150mg, 200mg 100mg 100mg 100mg 10, 15, 25, 50, 100mg 100mg, 150mg, 200mg 100mg 100mg 10mg, 25mg, 50mg 100mg 100mg
Rugby Labs./Zenith Upjohn Company  Zenith Labs.	TOLAZAMIDE Tablets 250mg 100mg, 250mg, 500mg Tolinase 100mg, 250mg, 500mg
Bioline Labs./Zenith Drummer Labs./Phoenix Goldline Labs./Zenith Major Pharm./Zenith Parmed Pharm./Cord Parmed Pharm./Danbury Qualitest Labs./Danbury	TOLBUTAMIDE Tablets 500mg 500mg 500mg 500mg 500mg 500mg 500mg
Bell Pharmacal/Danbury Geneva Generics/Danbury Qualitest Labs./Danbury	TRIAMCINOLONE Tablets 4mg 4mg 4mg
Bioline Labs./Clay-Park Goldline Labs./Clay-Park Major Pharm./NMC Qualitest Labs./Clay-Park	TRIAMCINOLONE ACETONIDE Cream 0.025%, 0.1%, 0.5% 0.025%, 0.1%, 0.5% 0.025%, 0.1% 0.025%, 0.1%, 0.5%
Qualitest Labs./National	TRIAMCINOLONE ACETONIDE Lotion 0.025%, 0.1%

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	<p>TRIAMCINOLONE ACETONIDE Ointment 0.025%, 0.1%, 0.5% 0.1% 0.025%, 0.1%</p>
<p>Bioline Labs./Clay-Park Major Pharm./NMC Qualitest Labs./Clay-Park</p>	
	<p>TRIFLUOPERAZINE HCl Tablets 2mg, 5mg, 10mg 2mg, 5mg, 10mg 1mg, 2mg, 5mg, 10mg 1mg, 2mg, 5mg, 10mg 2mg, 5mg, 10mg 1mg, 2mg, 5mg, 10mg</p>
<p>Bioline Labs./Zenith Goldline Labs./Zenith Major Pharm./Cord Parmed Pharm./Cord Purepac Pharm./Cord Qualitest Labs./Zenith</p>	
	<p>TRIHEXYPHENIDYL HCl Tablets 2mg 2mg, 5mg 2mg, 5mg 2mg, 5mg 2mg, 5mg 5mg</p>
<p>Bell Pharmacal/Danbury Bioline Labs./Danbury Geneva Generics/Danbury Major Pharm./Bolar Qualitest Labs./Danbury United Research Labs./Bolar</p>	
	<p>TRIMETHOPRIM Tablets 100mg Proloprim 100mg 100mg Triplex 100mg</p>
<p>Burroughs Wellcome</p> <p>Biocraft Labs. Roche Laboratories</p> <p>Rugby Labs./Biocraft</p>	
	<p>TRIMETHOPRIM with SULFAMETHOXAZOLE Tablets 80mg-400mg, 160mg-800mg 80mg-400mg, 160mg-800mg 80mg-400mg, 160mg-800mg 80mg-400mg, 160mg-800mg 80mg-400mg, 160mg-800mg 80mg-400mg, 160mg-800mg 80mg-400mg, 160mg-800mg 80mg-400mg, 160mg-800mg 80mg-400mg, 160mg-800mg ]</p>
<p>D-M/Lemmon Geneva Generics/Danbury Lederle Labs./Biocraft Major Pharm./Biocraft Major Pharm./Lemmon Qualitest Labs./Danbury Parmed Pharm./Phoenix [ Rugby Labs./Chelsea</p>	
	<p>TRIMETHOPRIM with SULFAMETHOXAZOLE Suspension 40mg-200mg/5ml 40mg-200mg/5ml 40mg-200mg/5ml  40mg-200mg/5m</p>
<p>Lederle Labs./Biocraft Major Pharm./National Parmed Pharm./National Qualitest Labs./National (Suspension &amp; Pediatric Suspension)</p>	
	<p>TRIPLENNAMINE HCl Tablets 50mg 50mg 50mg</p>
<p>Bioline Labs./Bolar Parmed Pharm./Bolar Qualitest Labs./Bolar</p>	

## DELETIONS FROM 1984 VIRGINIA VOLUNTARY

ASPIRIN with PHENACETIN, CAFFEINE and BUTALBITAL - Capsules  
 ASPIRIN with PHENACETIN, CAFFEINE and BUTALBITAL - Tablets  
 ASPIRIN with PHENACETIN, CAFFEINE and CODEINE - Tablets

	DIPYRIDAMOLE
	Tablets
[ Bolar Pharmaceutical Co.	<del>25mg</del> ]
Generix Drug Corp./Lemmon	25mg
[ Generix Drug Corp./Zenith	<del>25mg</del> ]
[ Geneva Generics/Cord	<del>25mg</del> ]
[ Geneva Generics/Zenith	<del>25mg, 50mg</del> ]
Lemmon Co.	25mg
[ Professional Services/Cord	<del>25mg</del> ]
Purepac Pharmaceutical	25mg
[ Purepac Pharmaceutical/Bolar	<del>25mg</del> ]
[ Purepac Pharmaceutical/Zenith	<del>25mg, 50mg, 75mg</del> ]
[ Regal Labs./Zenith	<del>25mg</del> ]
[ United Research Labs./Bolar	<del>25mg</del> ]
[ United Research Labs./Zenith	<del>25mg</del> ]
[ Vanguard Labs./Zenith	<del>25mg</del> ]
[ Zenith Labs.	<del>25mg, 50mg, 75mg</del> ]
	PROPOXYPHENE
	with ASPIRIN,
	PHENACETIN
	and CAFFEINE
	Capsules
	THIORIDAZINE HCl
	Tablets
Bolar Pharmaceutical	10, 15, 25, 50mg
[ Lederle Laboratories/Mylan	<del>50mg</del> ]
[ Mylan Pharmaceuticals	<del>10mg, 25mg, 50mg</del> ]
Rugby Laboratories/Bolar	10, 15, 25, 50mg
[ Rugby Laboratories/Mylan	<del>10mg, 25mg, 50mg</del> ]
Rugby Labs./Zenith	10, 25, 50mg
[ United Search Labs./Mylan	<del>10mg, 25mg, 50mg</del> ]
Zenith Laboratories	10, 15, 25, 50mg

# EMERGENCY REGULATION

## DEPARTMENT OF GENERAL SERVICES

### Division of Consolidated Laboratory Services

**Title of Regulations:** VR 330-02-01. Regulations for Breath Alcohol Testing.

**Statutory Authority:** §§ 18.2-267 and 18.2-268 of the Code of Virginia.

**Effective Date:** June 10, 1985 through February 9, 1986.

VR 330-02-01. Regulations for Breath Alcohol Testing.

### DIVISION OF CONSOLIDATED LABORATORY SERVICES

#### REGULATIONS FOR BREATH ALCOHOL TESTING

##### PART I. SCOPE PREAMBLE.

The Department of General Services, Division of Consolidated Laboratory Services ("DCLS"), hereby adopts the following amendments to the Regulations for Breath Alcohol Testing ("Regulations"), previously adopted on May 30, 1980, effective July 1, 1980, pursuant to §§ 18.2-267 and 18.2-268 of the Code of Virginia (1950), as amended. In accordance with authority vested by Sections 18.2-267 and 18.2-268 of the Code of Virginia (1950), as amended, the Division of Consolidated Laboratory Services hereby prescribes these. These regulations prescribe methods for the determination of alcoholic content in the blood by a chemical analysis of the breath of a person arrested or detained for suspicion of driving a motor vehicle while under the influence of alcoholic intoxicants and establish procedures for licensing of persons to perform such analyses. The scope of these regulations is intended to be confined within the framework of and consistent with Sections 18.2-267 and 18.2-268 of the Code of Virginia and these regulations are to be effective on July 1, 1980.

DCLS finds that an emergency situation exists necessitating the immediate promulgation of amendments to the regulations, that such emergency precludes promulgation in accordance with the usual procedures set forth in the Virginia Administrative Process Act ("APA"), §§ 9-6.14:1 through 9-6.14:25 of the Code of Virginia, and that emergency promulgation is permitted in accordance with the APA, § 9-6.14:6 of the Code of Virginia.

The precise reason and factual basis for the emergency situation is the fact that, in complying with the requirements of the Virginia Public Procurement Act, §§ 11-35 through 11-80 of the Code, DCLS from time to time purchases supplies and accessories for breath test instruments other than trademarked or brand named supplies and accessories available from the manufacturers of certain breath test instruments where such equivalent

supplies and accessories are practicably available from other sources. Because the use of alternatives has jeopardized the prosecution of charges of driving under the influence of alcohol under § 18.2-266 of the Code of Virginia or parallel local ordinances and because the regulations do not provide for the use of such supplies and accessories, future prosecutions under § 18.2-266 or local ordinance could be jeopardized. Due to the time requirements for promulgation of permanent regulations imposed by the APA, it is necessary to adopt the amendments to the regulations on an emergency basis.

In addition to the emergency amendments to the regulations, the regulations are further amended to conform some of its provisions with statute, to delete a transitional provision that is no longer applicable, and to conform the format and organization of the regulations to that required for publication in the Virginia Register of Regulations.

These amendments to the regulations shall be in effect as of June 10, 1985, and continue in effect for a period of nine months, until February 9, 1986, during which time the procedure set forth in the APA, including public comment, shall be followed in order to adopt these amendments as permanent regulations.

DCLS will receive, consider and respond to any petitions to reconsider or revise these emergency regulations which might be filed by interested persons prior to the expiration of these emergency regulations.

##### Article 1. Definitions.

§ 1.1. The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:

"Agency" means any town, city, county, or state law enforcement agency under whose auspices breath tests are performed.

A. Division - the term "Division" shall mean the Division of Consolidated Laboratory Services.

B. Blood Alcohol Level - The term "blood alcohol level" shall mean "Blood alcohol level" means percent by weight of alcohol in a person's blood based upon milligrams of alcohol per 100 milliliters of blood.

C. Breath Test Device - The term "breath test device" as used in Part I shall mean "Breath test device" means, as used in Part II, an instrument designed to perform a quantitative chemical test for alcohol on a sample of breath of a person lawfully arrested for any offense of operating a motor vehicle while under the influence of alcoholic intoxicants as provided in § 18.2-268 of the Code of Virginia.

"Division" means the Division of Consolidated

# Emergency Regulation

## Laboratory Services.

"Forms and records" means the prescribed manner of documentation of all information necessary for the implementation of §§ 18.2-267 and 18.2-268 of the Code of Virginia.

"Licensee" means a person holding a valid license from the Division to perform a breath test of the type set forth within these regulations under provisions pursuant to § 18.2-268 of the Code of Virginia.

D. Preliminary Breath Test Device - The term "preliminary breath test device" as used in Part 2 shall mean "Preliminary breath test device" means, as used in Part III, an instrument designed to perform a quantitative chemical test for alcohol on a sample of breath of a person suspected of any offense of operating a motor vehicle while under the influence of alcoholic intoxicants pursuant to § 18.2-267 of the Code of Virginia.

E. Licensee - The term "licensee" shall mean a person holding a valid license from the Division to perform a breath test of the type set forth within these regulations under provisions pursuant to Section 18.2-268 of the Code of Virginia.

F. Agency - The term "agency" shall mean any town, city, county, or state law enforcement agency under whose auspices breath test are performed.

G. Forms and Records - The term "forms and records" shall mean the prescribed manner of documentation of all information necessary for the implementation of Sections 18.2-267 and 18.2-268 of the Code of Virginia.

"Supplies and accessories" means any item, device, chemical, reagent, tube, mouthpiece, replacement part, ampoule, or glassware, whether or not reusable, which is used in conjunction with a breath test device or a preliminary breath test device to determine the blood alcohol level of any person subject to the provisions of §§ 18.2-267 or 18.2-268 of the Code of Virginia.

## PART I II.

### BREATH TESTS UNDER § 18.2-268 OF THE CODE OF VIRGINIA.

#### Section 1 - General

##### Article 1. General.

A. § 2.1. Breath test devices shall be tested for accuracy by the Division at least once every six (6) months. All new breath test devices or those having been repaired by the manufacturer or the manufacturer's authorized repair service shall be tested for accuracy before their return to service.

B. § 2.2. The breath test device must be stored in a clean, dry location which is only accessible to an authorized licensee for the purpose of actually administering a breath test, preventative maintenance check, or other official uses.

C. § 2.3. Proper care shall be taken at all times to ensure that the breath test device shall be kept free from excessive moisture, excessive heat and dust, as well as any unintentional jars, knocks or falls which may damage the internal mechanism.

D. § 2.4. No modifications shall be made on any breath test device without the written consent of the Division.

#### Section 2 - Methods of Conducting Breath Tests

##### Article 2.

##### Methods of Conducting Breath Tests.

§ 2.5. The Division shall approve such methods of performing breath tests as are demonstrated to the satisfaction of the Division to produce accurate and reliable determinations in a reasonable, convenient and effective manner. The Division shall approve methods of performing breath tests on a specific device and model when it is shown to its satisfaction that such device meets high standards of accuracy, reliability and convenience and efficiency of operation. The Division hereby approves the following breath test methods and procedures:

A. All breath test devices must be operated substantially in accordance with the manufacturer's specifications.

B. Breath tests shall be conducted on a breath test device which has been tested for accuracy by the Division within the past six (6) months.

C. All breath tests shall be performed by an individual possessing a valid license to conduct such tests as provided by Section 3 Article 3. In no case may the officer making the arrest or anyone with him at the time of arrest or anyone participating in the arrest of the accused perform the breath test or analyze the results thereof.

D. Observe the person to be tested for at least twenty minutes prior to collection of the breath specimen, during which period the person must not have ingested alcoholic beverages or other fluids, regurgitated, vomited, eaten, or smoked. Should this occur, an additional twenty minute waiting period must be observed.

E. Verify that the instrument is properly calibrated and in proper working order by conducting a room air blank analysis prior to analysis of the breath of the person, and then a control sample analysis immediately following the analysis of the breath of the person.

F. Follow the operational procedures except as provided for herein, set out in the current instruction

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manual of the manufacturer of the instrument in use.

G. Follow the preventative maintenance procedures as set forth by the Division at least once each month, with a signed copy of the Division's preventative maintenance check list to be kept on file for at least three (3) years.

H. Follow any additional instructions or modifications of instructions as may be set out in supplementary written instructions governing the operation or maintenance as may be issued by the Division.

I. Use only supplies and accessories issued by or approved by the Division in conducting breath tests on approved breath test devices.

All breath tests shall be performed on breath test devices approved by the Division. The Division shall maintain a current list of approved devices and shall advise the respective police and sheriff's departments of all approved devices.

## Section 3 - Licensing Procedures

### Article 3. Licensing Procedures.

A. § 2.6. The Division shall issue, renew, terminate and revoke licenses for individuals to perform breath alcohol tests on the basis of standards herein set forth.

1. A. Application for an initial license to perform breath tests shall be made in writing to the Division. The applicant shall have the endorsement of the appropriate supervisory law enforcement officer or designated representative unless an exception is granted by the Division.

2. B. The initial licenses shall be granted to individuals who demonstrate the ability to perform breath tests accurately and reliably in accordance with the method or methods approved by the Division; and satisfactorily explain the theoretical basis for such chemical analysis; and offer satisfactory proof of good character.

3. C. Only individuals successfully completing a course of instruction of a minimum of 40-hours in the operation of the breath test device and the administration of such tests shall be deemed to have demonstrated sufficient ability to qualify for the issuance of a license.

4. D. Licenses shall be limited in scope to the methods or devices for performing breath tests to those for which the individual applying for a license has demonstrated competence. This limitation may be upon the basis of the method or devices that received primary emphasis in the course of instruction attended by the applicant.

5. E. Licenses shall state the date upon which they

are to expire, which date shall, in no event, be longer than twenty-four (24) months from the date of issuance. Licenses shall be subject to renewal at expiration or at such time prior to expiration as is convenient for the Division, on demonstration by the licensee of continuing ability to perform accurate and reliable breath tests, proof of administering a minimum of twenty-four (24) tests, actual or simulated, during a twenty-four (24) month period, and upon renewed proof, if desired by the Division, of good character. The Division may at any time examine licensees to determine such continuing ability. Licenses shall be terminated at the expiration of the period for which issued for failure to renew. Licenses shall be terminated or revoked by the Division upon its finding that the licensee does not meet or no longer meets the qualifications necessary for the issuance of a license.

6. F. Any individual whose license has expired may renew his license within one (1) year after its expiration date by successfully completing a recertification class and by demonstrating his competence in the performance of breath tests. Any individual whose license has expired and who does not renew his license within one (1) year after its expiration date may renew his license by again attending and successfully completing the basic 40-hour course of instruction and demonstrating competence in the performance of breath tests as otherwise required.

B. § 2.7. The Division shall issue, terminate and revoke instructor certificates for individuals to teach breath alcohol testing on the basis of standards thereafter set forth:

1. A. The instructor certificate shall be granted only to individuals who demonstrate the ability to teach the breath test method or methods approved by the Division.

2. B. Individuals who possess a valid breath test license and have satisfactorily completed a 40-hour course for Breath Alcohol Instructors shall be deemed to have demonstrated sufficient ability to qualify as an instructor. The Division may issue instructor certificates to persons who have acquired this ability by past experience or formal education.

3. C. Instructor certificates shall be limited in scope to the methods or devices for which the individual has demonstrated competence.

4. D. The Division may, at any time, examine instructors to determine continuing ability.

5. E. Instructor certificates shall be terminated or revoked by the Division upon its finding that the instructor does not meet or no longer meets the necessary qualifications.

C. § 2.8. All revocation shall be upon notice sent by registered or certified mail from the Division to the instructor.

D. Licenses previously issued by the State Health Commissioner shall continue to be valid until the expiration date thereof.

## Section 4 - Forms and Records

### Article 4. Forms and Records.

A. § 2.9. Each agency is required to keep a permanent log concerning each test administered. This log will be so constructed that the individual pages are not removable and shall contain entries with the date of the test, time of the test, the serial number of the instrument, name of the subject to whom the test is administered, the reading of percent of blood alcohol, licensee's name and his license number. This log must be kept in the same location with the breath test device and shall be subject to periodic inspection by the Division.

B. § 2.10. Preventative maintenance procedures as set forth by the Division shall be conducted at least once each month. A record of this preventative maintenance shall be recorded on the preventative maintenance check list with the signed copy to be kept at least three (3) years.

C. § 2.11. The certificate of breath alcohol analysis as provided by the Division shall be completed and forwarded by the operator to the appropriate clerk of the court, the Division of Consolidated Laboratory Services, and the accused.

## PART 2 III. PRELIMINARY BREATH TESTS UNDER § 18.2-267 OF THE CODE OF VIRGINIA.

### Section 1 - Methods and Procedures for Conducting Preliminary Breath Tests

#### Article 1. Methods and Procedures for Conducting Preliminary Breath Tests.

A. § 3.1. All preliminary breath tests shall be performed on a preliminary breath test device approved by the Division.

B. § 3.2. All preliminary breath tests shall be conducted substantially in accordance with the operational procedures set forth in the instruction manual of the manufacturer of the instrument in use.

C. § 3.3. All preliminary breath tests shall be performed by any police officer of the Commonwealth, of any county, city or town, or by any member of the sheriff's department of any county in the normal discharge of his duties.

D. § 3.4. It shall be the responsibility of each agency using the preliminary breath test devices to provide preventive

maintenance and repairs according to the manufacturer's instructions or procedures.

E. § 3.5. All preliminary breath tests shall be conducted substantially in accordance with any additional instructions or modifications of instructions as may be set forth by the manufacturer.



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# GOVERNOR

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## GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

(Required by § 9-6.14:9.1 of the Code of Virginia)

**Title of Regulation: Core Standards for Interdepartmental Licensure and Certification of Residential Facilities for Children (VR 230-40-001 - Board of Corrections, VR 270-01-003 - Board of Education, VR 469-02-1 - Board of Mental Health and Mental Retardation, VR 615-29-02 - Department of Social Services).**

Agency: Departments of Corrections, Education, Mental Health and Mental Retardation, and Social Services

**Governor's Comments:**

The proposed revisions improve the clarity and organization of the Core Standards. The Departments of Social Services, Corrections, Education, and Mental Health and Mental Retardation are to be commended for these improvements as well as for those changes that eliminate or modify unnecessary or duplicative requirements. I encourage the Departments to continue these efforts as indicated by the Department of Planning and Budget in response to any comments received at the public hearing as well as in future revisions of these regulations.

Charles S. Robb  
Date: May 13, 1985

# GENERAL NOTICES/ERRATA

**Symbol Key †**

† Indicates entries since last publication of the Virginia Register

## NOTICES OF INTENDED REGULATORY ACTION

### VIRGINIA DEPARTMENT FOR THE AGING

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Department of Aging intends to repeal regulations entitled: **Regulation Concerning Area Plans for Aging Services**. The regulation (i) sets forth methods for designating Planning and Service Areas and Area Agencies on Aging in Virginia, (ii) describes the process of allocating funds among the Planning and Service Areas, and (iii) provides guidance to the Area Agencies on Aging in the development and implementation of their Area Plans for Aging Services. The Virginia Department for the Aging intends to repeal this regulation because some sections are outdated and other sections duplicate provisions in the State Plan for Aging Services approved by the Governor.

Statutory Authority: § 2.1-373 of the Code of Virginia.

Written comments may be submitted until July 10, 1985.

CONTACT: Betty Reams, Assistant Commissioner, Virginia Department for the Aging, 101 N. 14th St., 18th Floor, Richmond, Va. 23219, telephone (804) 225-2271.

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### VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Department of Agriculture and Consumer Services intends to consider promulgating regulations entitled: **Rules and Regulations Pertaining To Food Protection In Retail Stores and Food Manufacturing Establishments**. The purpose of the proposed regulations is to formalize requirements for cooking, storage and display temperatures; for cleaning and sanitization of equipment, utensils and other food

contact surfaces; for employee hygiene, for design and fabrication of equipment, utensils and food contact surfaces and for plumbing, water supply and sewage in retail food stores and food manufacturing establishments. The proposed regulation will also prohibit the manufacture or preparation of potentially hazardous food products in domestic areas of private dwellings.

Statutory Authority: § 3.1-398 of the Code of Virginia.

Written comments may be submitted until July 1, 1985, to Raymond D. Vaughan, Secretary, Board of Agriculture and Consumer Services, P. O. Box 1163, Richmond, Virginia 23209.

CONTACT: Don O'Connell, Chief, Bureau of Food Inspection, Virginia Department of Agriculture and Consumer Services, Bureau of Dairy and Foods, P. O. Box 1163, Richmond, Va. 23209, telephone (804) 786-3533.

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### ALCOHOLIC BEVERAGE CONTROL COMMISSION

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Alcoholic Beverage Control Commission intends to promulgate and amend regulations **Concerning the Manufacture, Sale and Advertising of Alcoholic Beverages**. The purpose of the proposed regulations is (i) to provide clarification of various issues; (ii) to establish guidelines, and (iii) to deregulate in certain areas.

#### Notice to the Public

Pursuant to its Public Participation Guidelines contained in § 70 of its Regulations, the Commission intends to consider the amendment or adoption of regulations as set forth below.

*The Commission will hold a public meeting to receive the comments or suggestions of the public on these subjects. The meeting will be in the First Floor Hearing Room at 2901 Hermitage Road, Richmond, Virginia at 10 a.m. on July 2, 1985.*

1. Adopt a new regulation concerning farm wineries. - The proposed regulation will provide clarification concerning requirements for Virginia farm winery licenses by incorporating two recent circular letters concerning (i) the

## General Notices/Errata

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amount of Virginia grapes use in production; (ii) by clarifying what "other agricultural products" are, and (iii) by allowing the additional retail outlet to be a temporary one.

2. Adoption of a new regulation concerning entertainment. - The proposed regulation will permit routine business entertainment by wholesale licensees of retail licensees and define such entertainment.

3. Adopt a new regulation concerning sales by wholesalers. - The proposed regulation will place restrictions on sales by wholesalers to consumers allegedly acting on behalf of retail licensees.

4. Amend § 12. - Wines; qualifying procedures; disqualifying factors, samples; exceptions. - The proposed amendment will eliminate the requirement that wine be analyzed by the Commission before sold in Virginia.

This amendment has been requested by the Virginia Wine Wholesalers Association.

5. Amend § 14. - Wines; purchase orders generally; wholesale wine distributors. - The proposed amendment will allow peddling of wine by Virginia farm wineries to retail wine licensees and to permit peddling of wine coolers by licensed wholesalers.

This amendment has been requested by Mr. Al Weed of La Abra Farm and Winery, Inc. and by the Virginia Beer Wholesalers Association for wine coolers only.

6. Amend § 34. - Rotation of stocks of retailers by wholesalers; permitted and prohibited acts. - The proposed amendment will allow the restocking of wine and beer by wholesalers at any time and the building of original displays of wine and beer by wholesalers.

This amendment has been requested by the Virginia Beer Wholesalers Association.

7. Amend § 35. - Replacements, refunds and adjustments; exceptions. - The proposed amendment will define defective merchandise as defective at the time of delivery and to allow the exchange of a like product by a wholesaler within 10 days of the manufacturer's expiration date.

The change regarding exchanging like product is requested by the Virginia Beer Wholesalers Association.

8. Amend § 38. - Records to be kept by licensees generally; additional requirements for certain retailers; "sale" and "sell" defined; gross receipts; reports. - The proposed amendment will clarify that licensees may commit the subject records to microfilm or other available technologies at any time.

This requested by the Virginia Beer Wholesalers Association.

9. Amend § 39. - Procedures for mixed beverage licensees generally; mixed beverage restaurant licensees; sales of spirits in closed containers; employment of minors; mixed beverages stamps. - The proposed amendment will permit hotels and motels to sell distilled spirits in miniature containers (50 ml).

10. Amend § 57. - Wholesale beer and beverage sales; discounts, price-fixing; price increases; price discrimination; retailers. - The proposed amendment clarifies that a brewery may not discriminate against a wholesaler regarding prices except where the difference in price is due to a bona fide difference in cost of sale or delivery.

This amendment has been requested by the Virginia Beer Wholesalers Association.

11. Amend § 58. - Inducements to retailers; tapping equipment; bottle or can openers; banquet licensees; cut case cards. - The proposed amendment will increase the limit on bottle or can openers which can be furnished by manufacturers or wholesalers to retailers from a total cumulative yearly amount of 50¢ to \$1.00 per opener with no limit on the number of openers.

This amendment has been requested by the Virginia Beer Wholesalers Association.

12. Amend § 60. - Advertising generally; cooperative advertising; federal laws; beverages and cider. - The proposed amendment will allow prominent living people to appear in alcoholic beverage advertisements.

This amendment requested by Mr. Lynn Luck, Lynn Luck Enterprises, Inc.

13. Amend §§ 62 and 63. - Advertising of Alcoholic Beverages. - The proposed amendments to the advertising regulations will allow the terms "spirits" and "liquor" to be used by licensed retailers in various forms of advertising.

14. Amend § 65. - Advertising; novelties and specialties. - The proposed amendment will increase the \$1.00 limit on novelty and specialty items which can be given away to \$2.00.

This amendment requested by the Virginia Beer Wholesalers Association.

15. Amend § 68. - Advertising; coupons. - The proposed amendment will allow wholesalers of wine and beer to put refund coupons on the bottle at the wholesale premises.

This amendment has been requested by Broudy-Kantor Company, Inc.

16. Amend § 69. - Advertising; sponsorship of public events; restrictions and conditions. - The proposed amendment will permit advertising in licensed retail establishments concerning responsible drinking; to make it

clear that manufacturers of alcoholic beverages, not wholesalers, must pay for the sponsorship of permitted events and to allow point-of-sale advertising materials paid for by a charitable organization to be provided to wholesalers of alcoholic beverages by the producer of the advertising material.

The proposal regarding charitable advertising has been requested by the Virginia Beer Wholesalers Association.

Statutory Authority: §§ 4-11, 4-69, 4-69.2, 4-98.14; and 4-103 of the Code of Virginia.

The Commission requests that all persons interested in the above described subjects please submit comments in writing by July 2, 1985, to Larry G. Gilman, P. O. Box 27491, Richmond, Virginia 23261 or attend July 2, 1985.

CONTACT: Larry E. Gilman, Secretary to the Commission, P. O. Box 27491, Richmond, Va. 23261, telephone (804) 257-0616.

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**DEPARTMENT OF HEALTH**

**Notice of Intended Regulatory Action**

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Health intends to consider amending regulations entitled: **State Board of Health Sewage Handling and Disposal Regulations**. The proposed amendments will establish a reasonable fee to be charged each applicant who appears before the State Sewage Handling and Disposal Appeals Review Board.

Statutory Authority: § 32.1-166.10 of the Code of Virginia.

Written comments may be submitted until July 1, 1985.

CONTACT: Peter M. Brooks, Bureau of Sewage and Water, James Madison Bldg., 109 Governor St., Room 502, Richmond, Va. 23219, telephone (804) 786-1931.

**Division of Water Programs, Bureau of Shellfish Sanitation**

**Notice of Intended Regulatory Action**

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Health, Division of Water Programs, Bureau of Shellfish Sanitation, intends to consider promulgating regulations entitled: **Shellfish and Crustacea Sanitation Regulations**. The purpose of the proposed regulations is to define and clarify the responsibilities of the Virginia Department of

Health, and the shellfish and crustacea industries, for the sanitary control of the harvesting, storing, processing and marketing of shellfish and crustacea.

The proposed regulations will replace current regulations governing the sanitary control of shellfish and crabmeat adopted in 1964 and 1969, respectfully.

Statutory Authority: § 28.1-180 of the Code of Virginia.

Written comments may be submitted until June 13, 1985.

CONTACT: Cloyde W. Wiley, Jr., Director, Bureau of Shellfish Sanitation, James Madison Bldg., 109 Governor St., Room 904, Richmond, Va. 23219, telephone (804) 786-7937.

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**BOARD OF HOUSING AND COMMUNITY DEVELOPMENT**

**† Notice of Intended Regulatory Action**

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Housing and Community Development intends to consider amending regulations entitled: **Uniform Statewide Building Code**. The proposed regulations will prohibit the use of 50/50 lead solder or lead-containing fluxes in plumbing that supplies drinking water in buildings, as proposed by the State Health Commissioner based on a study that showed a significant number of instances of lead levels exceeding the present standard. The State Health Commissioner's report is available for inspection at the address below.

Statutory Authority: § 36-98 of the Code of Virginia.

Written comments may be submitted until September 16, 1985.

CONTACT: C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., 4th Floor, Richmond, Va. 23219, telephone (804) 786-4751

**† Notice of Intended Regulatory Action**

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Housing and Community Development intends to consider amending regulations entitled: **Urban Enterprise Zone Program Regulations**. The purpose of the proposed regulations is to bring the Urban Enterprise Zone Program Regulations in line with the 1985 amendments to the Code of Virginia.

Statutory Authority: § 59.1-278 of the Code of Virginia.

Written comments may be submitted until September 16,

# General Notices/Errata

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1985, to Neal J. Barber, Acting Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Virginia 23219.

CONTACT: Stanley S. Kidwell, Jr., Associate Director, Virginia Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4966.

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## DEPARTMENT OF SOCIAL SERVICES

### Division of Benefit Programs

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Social Services, Division of Benefit Programs, intends to consider amending regulations entitled: **Disposition of Nonexempt Real Property in Excess of the \$600 Maximum Allowable Resource Limit in the Aid to Dependent Children (ADC) Program.** The purpose of the proposed regulation is to extend the current six-month period for disposing of excess real property for an additional three months, for a total of nine months, provided the family is making a good faith effort to sell the property. The proposed regulation is contained in § 2626 of the Federal Deficit Reduction Act of 1984 (P.L. 98-369).

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until July 10, 1985, to Mr. I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

CONTACT: Carolyn Ellis, Supervisor, Economic Assistance Unit, Division of Benefit Programs, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046.

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## GENERAL NOTICES

### ERRATA

Agency: Department of Taxation

Title of Regulation: **Individual Income Tax: Net Operating Losses (VR 630-2-322.1.)**

Issue: 1:17 VA.R., page 1440, May 27, 1985

Language was repeated in the paragraph of subsection B of § 6. Section 6 should read as follows:

§ 6. Filing status.

A. Generally.

Taxpayers shall use the same filing status for Virginia purposes as they do for federal purposes. In cases where the taxpayers use a different filing status for federal purposes in the loss year than in the carryback or carryforward year, the federal provisions of Treasury Reg. § 1.172-7 shall be applicable.

B. When taxpayers elect a different Virginia filing status.

Taxpayers may elect a different Virginia filing status in the loss year than they elected in the carryback or carryforward year. Section 58.1-341 of the Code of Virginia allows Virginia taxpayers who file a joint federal income tax return to file either a joint Virginia income tax return, separate Virginia income tax returns or to file separately on a combined return. (See Regulation No. VR 630-2-341(C))

1. When taxpayers elect on their Virginia return to file married, filing jointly in the loss year and to file separately or to file married filing separately on a combined return in the carryback or carryforward year, the loss and all Virginia loss year modifications shall be claimed the loss if separate returns or married filing separately on a combined return had been chosen in the loss year.

2. When taxpayers elect to file separate Virginia returns or elect to file separately on a combined return in the loss year and file married, filing jointly in the carryback or carryforward year, the loss and all Virginia loss year modifications attributable to both spouses for the loss year shall follow the loss to the carryback or carryforward year return.

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## DEPARTMENT OF HEALTH

### Special Supplemental Food Program for Women, Infants and Children (WIC)

The Department of Health announces a period of public comment on the Special Supplemental Food Program for Women, Infants and Children for Fiscal Year 1986.

Written comments on the proposed plan will be accepted in the Office of the Director, WIC Program, State

Department of Health, 109 Governor Street, 6th Floor,  
Richmond, Virginia 23219, until 5 p.m. on June 14, 1985.

The proposed State Plan for WIC Program Operations and  
Administration may be reviewed at your local health  
department.

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## NOTICE TO STATE AGENCIES

Re: Forms for filing material on dates for publication in  
The Virginia Register of Regulations.

All agencies are required to use the appropriate forms  
when furnishing material and dates for publication in The  
Virginia Register of Regulations. The forms are supplied  
by the office of the Registrar of Regulations. If you do not  
have any forms or you need additional forms, please  
contact: Ann M. Brown, Assistant Registrar of Regulations,  
Virginia Code Commission, P. O. Box 3-AG, Richmond, Va.  
23208, telephone (804) 786-3591.

### FORMS:

Proposed (Transmittal Sheet) RR01  
Final (Transmittal Sheet) RR02  
Notice of Meeting RR03  
Notice of Intended Regulatory Action RR04  
Notice of Comment Period RR05  
Agency Response to Legislative  
or Gubernatorial Objections RR06

## NOTICE TO STATE AGENCIES

A list of major meetings of various trade associations and  
organizations is maintained in the office of the Registrar  
of Regulations. Upon request, this list will be made  
available to you in order that you can avoid conflicts  
when setting up meetings and hearings.

# CALENDAR OF EVENTS

## Symbol Key †

† Indicates entries since last publication of the Virginia Register

**NOTICE:** Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the Virginia Register deadline may preclude a notice of such cancellation.

For additional information on open meetings and public hearings held by the Standing Committees of the Legislature during the interim, please call Legislative Information at (804) 786-6530.

## THE VIRGINIA CODE COMMISSION

### EXECUTIVE

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

**August 6, 1985 - 2 p.m. - Public Hearing**  
Board of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Board Room, Second Floor, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Agriculture and Consumer Services intends to amend the following regulations:

1. **Reporting Requirements for Contagious and Infectious Diseases of Livestock in Virginia. (VR 115-02-01)** This regulation requires practicing veterinarians in Virginia to report the existence of certain livestock diseases to the State Veterinarian.

#### STATEMENT

**Subject and Substance:** The proposed regulation replaces AHD 1 (Prevention, Control and Eradication of Contagious and Infectious Diseases of Livestock in Virginia). No change is made in policy.

**Basis:** Communicable diseases of animals are a direct economic menace to the producer. Some of these diseases constitute a direct threat to human health. The prompt notification of the disease, species and numbers involved and location(s) affected are necessary for the prevention and control of disease.

**Purpose:** To require veterinarians practicing in Virginia to report to the State Veterinarian the existence of certain contagious or infectious diseases among livestock.

**Impact:** 1,722 practicing veterinarians are affected by this regulation.

Statutory Authority: § 3.1-726 of the Code of Virginia.

2. **Rules and Regulations Governing the Prevention, Control and Eradication of Bovine Tuberculosis in Virginia. (VR 115-02-02)** This regulation prescribes requirements and methods for the prevention, control and eradication of bovine tuberculosis in Virginia.

#### STATEMENT

**Subject and Substance:** The proposed regulation replaces AHD 2 (Prevention, Control and Eradication of Contagious and Infectious Diseases of Livestock in Virginia - Regulation 2). No change is made in policy.

**Basis:** Bovine tuberculosis is a highly infectious and debilitating disease and it is transmissible from infected animals to man; therefore, its prevention, control and eradication is of paramount interest to the cattle producer and to the general public. Virginia has maintained a bovine tuberculosis free status for more than 10 years, thereby permitting interstate and international trade of its cattle without restrictions due to this disease. This regulation is essential in continuing a bovine tuberculosis free status in Virginia.

**Purpose:** To prescribe the method of reporting and testing bovine tuberculosis, the means of identifying animals passing and reacting to the test, the handling and disposition of reactor animals and the disposition of tuberculosis infected herds.

**Impact:** 1,722 practicing veterinarians and 39,000 cattle owners are affected by this regulation.

Statutory Authority: §§ 3.1-724, 3.1-730 and 3.1-749 of the Code of Virginia.

3. **Rules and Regulations Governing the Control and Eradication of Brucellosis of Cattle in Virginia. (VR 115-02-03)** This regulation prescribes requirements and methods for preventing, controlling and eradicating bovine brucellosis in Virginia.

## STATEMENT

**Subject and Substance:** This regulation replaces regulation AHD 3 (Prevention, Control and Eradication of Contagious and Infectious Diseases of Livestock in Virginia - Regulation 3 (Brucellosis of Cattle)) and incorporates Limited General Quarantine Order No. 1981-1. No change is made in policy.

**Basis:** Brucellosis in cattle is a highly infectious disease and causes substantial economic losses for producers whose herds are affected. It is transmissible to man in whom its effects can be devastating. Accordingly, its prevention, control and eradication is of major interest to cattle breeders/producers and to the general public. Interstate and international trade in cattle from Virginia could be severely impacted if this disease were permitted to progress unchecked in the Commonwealth. The regulatory authority and actions expressed in this regulation are necessary if the cattle industry of Virginia is to continue to experience success with its animals in the market place.

**Purpose:** To prescribe the method of testing of bovine brucellosis, the means of indentifying animals passing and reacting to the test, the handling and movement of tested cattle within the Commonwealth, the procedures for the vaccination of calves and adult cattle and the identification of same, the definition of brucellosis-free certified herds and the classification status of brucellosis in Virginia, and the method for depopulating brucellosis infected herds in the Commonwealth.

**Impact:** 1,722 practicing veterinarians and 39,000 cattle owners are affected by this regulation.

Statutory Authority: §§ 3.1-724, 3.1-725 and 3.1-749 of the Code of Virginia.

**4. Rules and Regulations Governing the Operation of Livestock Markets. (VR 115-02-04)** This regulation prescribes requirements for handling animals at livestock markets, acceptable standards of livestock markets, and procedures employed when inspecting markets to determine compliance.

## STATEMENT

**Subject and Substance:** This regulation replaces regulation AHD 4 (Operation of Livestock Markets) and incorporates Livestock Market Brucellosis Testing Order No. 1981-2. No change is made in policy.

**Basis:** When animals are subjected to common collection points, such as livestock markets, the risk of pooling and interchanging infectious agents is enhanced considerably if these facilities are not maintained in acceptably clean and sanitary conditions. The requirements of this regulation must be enforced to minimize and control the spread of animal diseases among animals passing through the 38 livestock markets located in Virginia.

**Purpose:** To prescribe the regulatory procedures for handling animals passing through Virginia livestock markets and to establish sanitary standards for these facilities and methods for their enforcement.

**Impact:** Thirty-eight operators of livestock markets in Virginia are affected on a direct basis. Also affected are the numerous buyers and sellers who utilize these markets as places to exchange ownership of animals.

Statutory Authority: §§ 3.1-724, 3.1-730 and 3.1-757 of the Code of Virginia.

**5. Health Requirements Governing the Control or Equine Infectious Anemia in Virginia. (VR 115-02-05)** This regulation prescribes testing for intrastate and interstate shipment of horses and prescribes disposition of test reactors.

## STATEMENT

**Subject and Substance:** This regulation replaces regulations AHD 10 of the same title. No changes are made in policy.

**Basis:** Equine infectious anemia is a debilitating viral disease which can terminate in the death of the infected animal. Its ready transmission by biting insects or other blood-letting procedures permits its easy spread from infected to noninfected individuals. Regulatory control of horses in intrastate, interstate and international shipments and the identification and control of horses infected with this disease is highly desirable in preventing and controlling this disease in the equine population of Virginia.

**Purpose:** To specify Virginia's testing requirements for equine infectious anemia (EIA) for intrastate and interstate shipments of horses, and to define those regulatory actions to be taken for those animals which react positively to the official EIA test.

**Impact:** The provisions of this regulation directly affect 36,469 Virginia breeders and owners of horses.

Statutory Authority: §§ 3.1-724 through 3.1-730 of the Code of Virginia.

**6. Requirements Governing the Branding of Cattle in Virginia. (VR 115-02-06)** This regulation prescribes a program for branding of cattle by owners who voluntarily subscribe and register as participants under the program.

## STATEMENT

**Subject and Substance:** This regulation replaces AHD 11 of the same title. No change is made in policy.

**Basis:** Positive life-time indentification for legal ownership is highly desirable when property is easily lost, strayed or stolen as exemplified by farm or range cattle. Establishment of a workable and creditable indentification system for this purpose on a statewide basis is possible



# Calendar of Events

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only if permitted under the auspices of the government of the Commonwealth.

**Purpose:** To establish within state government a voluntary cattle branding system which provides for the design, registration, application and administration of unique identifying brands to Virginia cattle owners who desire to be participants in this statewide identification system.

**Impact:** 39,000 cattle owners are eligible to participate in this branding system. Thirty-eight operators of livestock markets in Virginia are required to maintain a copy of the register of brands in their places of business.

Statutory Authority: § 3.1-796.36 of the Code of Virginia.

**7. Control and Eradication of Pullorum Disease and Fowl Typhoid Flocks and Hatcheries and Products in Virginia. (VR 115-02-07)** This regulation prescribes requirements for control and eradication of pullorum disease and fowl typhoid in poultry flocks and hatcheries in Virginia.

## STATEMENT

**Subject and Substance:** This regulation replaces an unnumbered AHD regulation of the same title. No change is made in policy.

**Basis:** Pullorum disease and fowl typhoid have the proven capabilities to devastate any poultry industry. An in-place program to guard against and to take immediate steps to eradicate these diseases, when and if they appear in Virginia, is required to protect the interests of producers and consumers of poultry products in the Commonwealth.

**Purpose:** To require flocks of poultry in Virginia to be maintained in a U. S. Pullorum-Typhoid Clean status at all times thus qualifying products of these flocks for movement within and without the Commonwealth in conformance with established national and international standards.

**Impact:** This regulation affects 6,948 breeders and owners of poultry in Virginia.

Statutory Authority: §§ 3.1-724 and 3.1-730 of the Code of Virginia.

**8. Rules and Regulations Governing the Qualifications for Humane Investigators. (VR 115-02-08)** This regulation prescribes eligibility, training, examination and appointment for becoming a certified humane investigator in Virginia.

## STATEMENT

**Subject and Substance:** This regulation replaces regulation AHD 13 (Qualifications for Humane Investigators). No change is made in policy.

**Basis:** Animals in Virginia recurringly are subjected to treatment or conditions that are, or are interpreted to be, inhumane. When investigations of inhumane treatment or conditions are made, they should be performed in an objective, efficient, effective and uniform manner. The features of a desirable investigation can be obtained only through training of investigators using uniform methods and guidelines to qualify them to perform this work.

**Purpose:** To prescribe the eligibility, training, examination and appointment requirements for individuals who desire to be certified as humane investigators in Virginia.

**Impact:** This regulation affects approximately 50 persons annually who desire to become humane investigators.

Statutory Authority: § 29-213.75 of the Code of Virginia.

**9. Guidelines Pertaining to A Pound or Enclosure To Be Maintained By Each County or City. (VR 115-02-09)** This regulation prescribes a uniform set of standards to follow for the construction and operation of pounds and enclosures in Virginia.

## STATEMENT

**Subject and Substance:** This regulation replaces regulation ADH 15 of the same title. No change is made in policy.

**Basis:** Guidelines for the construction and operation of humanely suitable pounds and enclosures to confine stray animals are required to ensure the uniform humane treatment of these animals in Virginia.

**Purpose:** In addition to providing a uniform set of standards to follow, the regulation also outlines acceptable sanitary practices at these facilities, the euthanasia methods to be used and the proper disposal of dead animals from these establishments.

**Impact:** 135 counties and municipal governments in the Commonwealth are affected by this regulation.

Statutory Authority: § 29-213.66 of the Code of Virginia.

**10. Rules and Regulations Governing the Recordkeeping By Virginia Cattle Dealers For the Control or Eradication of Brucellosis of Cattle. (VR 115-02-10)** This regulation prescribes records to be kept by registered cattle dealers in Virginia which will assist in tracing diseased animals to their points of origin.

## STATEMENT

**Subject and Substance:** This regulation replaces regulation AHD 16 (Recordkeeping by Virginia Cattle Dealers for the Control or Eradication of Brucellosis of Cattle). No change is made in policy.

**Basis:** Brucellosis in cattle is a highly infectious disease which causes substantial economic losses for producers

whose herds are affected. It is transmissible to man in whom its effects can be devastating. Because livestock dealers operate on an intrastate and interstate basis, and because state and interstate highways readily facilitate the movement of cattle by these dealers, it is imperative that controls of dealer actions through the requirement of mandatory records of purchases, sales and movement of cattle be established by state regulations. These records can provide vital information in the tracing of a diseased animal through dealers and markets to its point of origin. Once the latter is known, proper prevention, control and eradication actions for the disease can be initiated with greater possibility of success.

**Purpose:** To prescribe the records that are to be maintained by cattle dealers in Virginia when cattle are bought, sold or moved by them for breeding or replacement purposes.

**Impact:** 354 cattle dealers in Virginia are affected by this regulation.

**Statutory Authority:** §§ 3.1-724 and 3.1-730 of the Code of Virginia.

11. **Rules and Regulations Governing Laboratory Fees For Services Rendered or Performed.** (VR 115-02-11) This regulation provides certain laboratory diagnostic services to practicing veterinarians on a fee-for-services basis.

## STATEMENT

**Subject and Substance:** This regulation replaces ADH 14 (Rules and Regulations Pertaining to Laboratory Fees for Services Rendered or Performed). No change is made in policy.

**Basis:** Current state statute provides diagnostic laboratory service for livestock and poultry only. Diagnostic laboratory services provided in state operative laboratories for companion animals, exotic birds, or animals other than livestock or poultry, are furnished as prescribed by the Board of Agriculture and Consumer Services.

**Purpose:** To make laboratory diagnostic disciplines for companion animals and birds and exotic animals and birds available to practicing veterinarians in Virginia on a fee-for-service basis.

**Impact:** 1,722 practicing veterinarians licensed by the Virginia Board of Veterinary Medicine are affected by this regulation.

**Statutory Authority:** § 3-1-725 of the Code of Virginia.

12. **Health Requirements Governing the Admission of Livestock, Poultry, Companion Animals and Other Animals or Birds Into Virginia.** (VR 115-02-12) This regulation prescribes qualifications and requirements that animals must meet upon admission into Virginia.

## STATEMENT

**Subject and Substance:** This regulation replaces AHD 5 (Health Requirements Governing the Admission of Livestock Into Virginia) and incorporates the requirements for specified testing of stallions and mares being imported into the Commonwealth from countries where contagious equine metritis has occurred (Limited General Orders No. 1980-1 and 1981-3). This regulation also incorporates the requirements which prohibit the importation of hatching eggs and poultry into Virginia unless they originate from flocks that are designated as being free of *Mycoplasma Gallisepticum* (Limited Quarantine Order No. 1983-1).

**Basis:** Preventing and controlling communicable diseases within an animal population among other considerations is dependent upon the status of health of any new individual(s) introduced into that population. For this reason, it is necessary to establish and maintain a monitoring system that will provide a continual flow of information to regulatory authorities about the health status and origin of any animal(s) being brought into the Commonwealth.

**Purpose:** To prescribe the qualifications and requirements that animal(s) must meet upon admission to Virginia, and to prescribe a monitoring system of official certificates issued by other states or by foreign countries of origin which provide a description of the health status and the place of origin of any animal(s) brought into the Commonwealth.

**Impact:** This regulation affects all persons in Virginia who, for reasons other than that of slaughter, transport an animal(s) into the Commonwealth.

**Statutory Authority:** §§ 3.1-724 and 3.1-730 of the Code of Virginia.

Written comments on any of the above listed regulations may be submitted until July 5, 1985, to Raymond D. Vaughan, P. O. Box 1163, Richmond, Virginia 23219.

**Contact:** Dr. A. J. Roth, Veterinary Program Coordinator, Department of Agriculture and Consumer Services, Division of Animal Health, Washington Bldg., Suite 600, 1100 Bank St., Richmond, Va. 23219, telephone (804) 786-2483

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Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Agriculture and Consumer Services intends to repeal the following regulations:

1. **LIMITED GENERAL QUARANTINE ORDER NO. 1981-3.** This quarantine prescribes specified testing to qualify stallions and mares for quarantine release when originating from countries where contagious equine metritis has occurred.

# Calendar of Events

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Statutory Authority: § 3.1-734 of the Code of Virginia.

**2. LIMITED GENERAL QUARANTINE ORDER NO. 1980-1.** This quarantine prescribes specified testing to qualify stallions for quarantine release when originating from countries where contagious equine metritis has occurred.

Statutory Authority: §§ 3.1-726 and 3.1-734 of the Code of Virginia.

**3. LIMITED QUARANTINE ORDER NO. 1983-1.** This quarantine prohibits the importation into Virginia of hatching eggs and poultry from other than designated disease-free areas.

Statutory Authority: §§ 3.1-723 through 3.1-741 of the Code of Virginia.

*(The provisions of the above three quarantines have been incorporated into proposed VR 115-02-12, Health Requirements Governing the Admission of Livestock, Poultry, Companion Animals and Other Animals and Birds in Virginia, which is anticipated to become effective October 15, 1985.)*

**4. LIMITED GENERAL QUARANTINE ORDER NO. 1981-1.** This quarantine prescribes specified testing of adult breeding cattle for brucellosis upon change of ownership in Virginia. The provisions of this quarantine have been incorporated into proposed VR 115-02-03, Rules and Regulations Governing the Prevention, Control and Eradication of Brucellosis of Cattle in Virginia, which is anticipated to become effective on October 15, 1985.

Statutory Authority: §§ 3.1-726 and 3.1-727 of the Code of Virginia.

**5. LIVESTOCK MARKET BRUCELLOSIS TESTING ORDER NO. 1981-2.** This Order prescribes specified testing at livestock markets for brucellosis when breeding and replacement cattle are returned to the farm. The provisions of the Order have been incorporated into proposed VR 115-02-04, Rules and Regulations Governing the Operations of Livestock Markets, which is anticipated to become effective on October 15, 1985.

Statutory Authority: § 3.1-737 of the Code of Virginia.

**6. AHD 7, ARTIFICIAL INSEMINATION.** This regulation prescribes controls on health status of bull studs used for artificial insemination; also specifies qualifications of individuals certified as inseminators. This regulation is being repealed because the livestock industry has developed satisfactory standards that are in use and replace those contained in this regulation.

Statutory Authority: §§ 3.1-723 through 3.1-741.1 of the Code of Virginia.

Written comments on the repeal of the above listed

regulations may be submitted until August 6, 1985, to Raymond D. Vaughan, P. O. Box 1163, Richmond, Virginia 23219.

Contact: Dr. A. J. Roth, Veterinary Program Coordinator, Washington Bldg., 1100 Bank St., Suite 600, Richmond, Va. 23219, telephone (804) 786-2483

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**August 7, 1985 - 10 a.m. - Public Hearing**  
Department of Agriculture and Consumer Services,  
Washington Building, 1100 Bank Street, Board Room 204,  
Richmond, Virginia. (Location accessible to handicapped.)

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Agriculture and Consumer Services intends to amend regulations entitled: Regulation III of the Rules and Regulations Governing the Production, Processing and Sale of Ice Cream, Frozen Desserts and Similar Products. (VR 115-05-03) This regulation governs the production, processing, labeling and distribution of ice cream and similar products within the Commonwealth.*

## STATEMENT

Basis: The Board of Agriculture and Consumer Services promulgates rules to govern the production, processing, labeling and distribution of ice cream and similar products within the Commonwealth.

The Board has been petitioned by two firms to amend Regulation III which would allow the sale of their products in the Commonwealth.

Purpose: There are two proposed amendments to the regulation. One will allow the use of dry whey, reduced minerals whey, whey protein concentrate and reduced lactose whey as ingredients in the formulation of powder or dry imitation frozen dessert mixes and require that these wheys used in the formation of these mixes shall have been pasteurized or subjected to any other method of process demonstrated to be equally efficient.

The second proposed amendment pertains to a standard of identity for lowfat parevine. The proposed standard is the same as the existing standard for parevine except that the fat content shall not be more than 6.0%.

Impact: The amendments will require no additional expenditure of funds for the Department. One amendment will allow powdered or dry imitation frozen dessert mixes containing whey ingredients either to be used by or compete with other products in the market place. The parevine amendment would enable the manufacture and sale of this product in Virginia.

Statutory Authority: § 3.1-562.1 of the Code of Virginia.

Written comments may be submitted until August 26, 1985.  
Contact: William R. Crump, Jr., Chief, Bureau of Dairy

Services, Department of Agriculture and Consumer Services, Division of Dairy and Foods, P. O. Box 1163, Richmond, Va. 23209, telephone (804) 786-1452

Contact: Larry E. Gilman, 2901 Hermitage Rd., Richmond, Va., telephone (804) 257-0616

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Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Agriculture and Consumer Services intends to adopt regulations entitled: **Rules and Regulations Pertaining to the Registration and Certification of Grape Nursery Stock. (VR 115-04-17)** This regulation would establish a procedure to allow for virus testing and subsequent certification of grape nursery stock found free from virus on a voluntary basis.

## STATEMENT

**Purpose:** The proposed rules and regulations would permit the Department of Agriculture and Consumer Services to plan, develop and implement a program to certify grape nursery stock, including vines, rooted cuttings, cuttings, grafts, or buds, as apparently virus free, and would provide for voluntary participation by applications.

**Basis:** The Virginia wine industry is expanding and, consistent with this expansion is the demand for quality grape nursery stock to establish vineyards. Viral diseases have been shown to be one of the most destructive pests or grapes, and once infected, there are no curative pesticides presently available. Costs to establish a vineyard are high and additional costs for replacement of virus-infected vines would economically retard the growth of the wine industry. The supply of certified virus-free grape plants is limited. In the eastern United States, only the state of New York has a certification program for grape nursery stock and they are unable to meet the demand for certified virus-free grape nursery stock in the East. It is essential to Virginia's growing industry to make quality virus-free vines available for vineyard establishment.

Statutory Authority: § 3.1-188.35 of the Code of Virginia.

Written comments may be submitted until August 5, 1985.

Contact: Raymond D. Vaughan, Secretary, State Board of Agriculture and Consumer Services, P. O. Box 1163, Richmond, Va. 23209, telephone (804) 786-3501

## VIRGINIA ALCOHOLIC BEVERAGE CONTROL COMMISSION

June 10, 1985 - 9:30 a.m. - Open Meeting

June 17, 1985 - 9 a.m. - Open Meeting

2901 Hermitage Road, Richmond, Virginia. (Location accessible to handicapped.)

Meetings to receive and discuss reports on activities from staff members. Other matters not yet determined.

## STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

July 10, 1985 - 9 a.m. - Public Hearing  
Department of Commerce, Travelers Building, 3600 West Broad Street, Room 395, 3rd Floor, Richmond, Virginia.  
(Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects intends to adopt regulations entitled: **Rules and Regulations of the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects.** These regulations govern the practice of architecture, engineering, land surveying, and landscape architecture. It includes entry requirements, standards of practice and provisions for revocation and reinstatement of licenses. Current regulations will be repealed.

## STATEMENT

**Basis, Purpose, Impact and Summary:** Pursuant to Chapter 1.1 and 3 of Title 54; and Chapter 7 of Title 13.1, of the Code of Virginia, and in accordance with §§ 9-6.14:1 - 9-6.14:25 of the Code of Virginia, the State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects proposes to amend, add to, delete, and reorganize existing regulations governing the practices of architecture, professional engineering, land surveying, and landscape architecture.

Regulations governing the practice of these professions apply to approximately 16,190 licensees, 340 professional corporations, and 2,681 business entities offering architecture, engineering, land surveying, and landscape architecture services. Also affected will be approximately 2,900 persons applying for licensure in these professions per year and approximately 2,300 persons annually scheduled for the examinations for architects, engineers, land surveyors, and landscape architects.

The cost of administration of the proposed regulations is estimated at \$260,400.00 for the 1984-1986 biennium. Funds for implementation will come from part of the special dedicated revenue appropriated to the Department of Commerce. Fees from applicant and licensees make up this revenue. No changes in the current fees are considered necessary to generate sufficient funds for administering the proposed regulations.

The Board proposes to repeal current regulations, and adopt new regulations consistent with the Governor's

# Calendar of Events

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Regulatory Review Program to ensure that they represent the least burdensome alternative to meet clearly established and justified regulatory needs.

For the purpose of clarity, these proposed regulations were grouped into six major parts or categories: General, Qualifications for Licensing of Architects, Qualifications for Licensing as a Professional Engineer, Qualifications for Licensing as a Land Surveyor, Qualifications for Certification of Landscape Architects, and Professional Corporations and Business Entities.

Part I, General, specifies who must obtain a license/certificate; expiration, renewal and fees; reinstatement; grounds for suspension, denial of renewal or revocation of a license/certificate; conflicts of interest; solicitation of work and improper conduct; and use of the license/certificate holder's seal.

Part II, Qualifications for Licensing of Architects establishes fees, education and experience requirements to become eligible for the Architect Registration Examination (ARE) and licensing and reciprocity requirements.

Part III, Qualifications for Licensing as a Professional Engineer sets the fee structure and sets education and experience requirements for licensing and eligibility for examinations.

Part IV, Qualifications for Licensing as a Land Surveyor, sets the fees, and establishes experience requirements or the combination of education and experience necessary for licensing and examination. Also, minimum standards and procedures for land boundary surveying practice are established.

Part V, Qualifications for Certification of Landscape Architects, sets fees and establishes experience requirements or the combination of education and experience necessary to become eligible for the written examination and licensing.

Part VI, Professional Corporations and Business Entities, set the information and documents necessary to acquire a certificate of authority as a professional corporation, provides definitions and lists fees, and sets the information required to become registered as a business entity.

A summary of the major changes and their estimated impact is as follows:

1. Part II of the proposed regulations include incorporation of regulation § 2.5 J which formalizes the existing practice of holding a review session between board members and candidates failing Division B and C of the Architect Registration Examination. The table of equivalents regarding education and experience was modified. Proposed regulation § 2.6 would allow the Board to accept a currently valid license in good standing from the

applicant's current base state if he transferred his licensure from the jurisdiction of original licensure.

2. Part III of the proposed regulations includes regulation § 3.9 which broadened the type of experience the Board would accept, thus enabling more persons to qualify faster for the examination.

Regulation § 3.6 differs from the old 5.9 regulation as no certificates will be issued and no experience is required after passing the Fundamentals of Engineering Exam. Upon passing the exam, the Engineering Intern Status will be achieved.

3. Part IV of the proposed regulations, through regulations § 4.4, allows full credit to be given to an applicant who has passed the NCEE examination in another jurisdiction. Such an applicant should find it easier to become licensed in Virginia.

Regulation § 4.10 clarifies the method for grading. It indicates the grade required for the Part II 3(a) NCEE portion of the exams. This exam is currently used by the Board in lieu of the exam which was previously written by Board members.

Regulation § 4.14 B. addresses the problem of subdivision surveys lacking corner monuments. The Board has received several inquiries and complaints regarding this issue. The proposed regulation would require corner monuments identified by witness stakes to be set on such subdivision lots or parcels.

4. Part V of the proposed regulations was revised and unnecessary regulations deleted.

Statutory Authority: Chapters 1.1 and 3 of Title 54 and Chapter 7 of Title 13.1 of the Code of Virginia.

Written comments may be submitted until July 10, 1985.

**Contact:** Johnsie Williams, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8555 (toll-free number 1-800-552-3016)

## VIRGINIA ATHLETIC COMMISSION

**June 26, 1985 - 9 a.m. - Open Meeting**  
Department of Commerce, Travelers Building, 3600 West Broad Street, Board Room 2, Richmond, Virginia. (Location accessible to handicapped.)

A Virginia Athletic Commission meeting.  
**Contact:** Doug Beavers, Assistant Director, 3600 W. Broad St., Room 514, Richmond, Va. 23230, telephone (804) 257-8507

## BOARD OF BARBER EXAMINERS

† **June 24, 1985 - 9 a.m.** – Open Meeting  
Department of Commerce, Travelers Building, 3600 West Broad Street, Conference Room 3, 5th Floor, Richmond, Virginia. (Location accessible to handicapped.)

The Board will meet to (i) review applications for reinstatement of licenses; (ii) review investigative reports of complaints and determine disposition; and (iii) consider general correspondence pertinent to the operation of the Board.

**Contact:** Gale G. Moyer, Assistant Director, Virginia Board of Barber Examiners, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8509

## GOVERNOR'S COMMISSION ON CHILD SUPPORT

† **June 12, 1985 - 9 a.m.** – Open Meeting  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A regular Commission meeting.

The nature of business is as follows:

- The subcommittee will report the conclusions of their study on the Child Support System and preliminary recommendations,
- The Commission will receive final instructions for the July public hearings,
- The Commission will address questions from the news media.

† **July 9, 1985 - 3 p.m.** – Public Hearing (1st Session)  
† **July 9, 1985 - 7 p.m.** – Public Hearing (2nd Session)  
Virginia Polytechnic Institute, Donaldson Brown Center, Blacksburg, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

† **July 18, 1985 - 4 p.m.** – Public Hearing (1st Session)  
† **July 18, 1985 - 7 p.m.** – Public Hearing (2nd Session)  
City Hall, City Council Chambers, Norfolk, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

† **July 22, 1985 - 3 p.m.** – Public Hearing (1st Session)  
† **July 22, 1985 - 7 p.m.** – Public Hearing (2nd Session)  
George Mason University, Student Union II, Fairfax, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

† **July 30, 1985 - 3 p.m.** – Public Hearing (1st Session)  
† **July 30, 1985 - 7 p.m.** – Public Hearing (2nd Session)  
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. (Location accessible to

handicapped; interpreter for deaf provided if requested.)

These public hearings will provide the general public with an opportunity to voice their concerns and recommendations regarding Child Support. Some of the areas of concern are:

- Custody and Visitation,
- Enforcement Modification and Abatement,
- Interstate/ URESA,
- Paternity,
- Support Standards.

† **August 14, 1985 - 9 a.m.** – Open Meeting  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A regular Commission meeting.

The subcommittees will convene at 9 a.m. and 11 a.m. on the 4th, 5th, and 7th floors of the General Assembly Building after initially meeting in House Room C for brief instructions.

At 1 p.m. the full Commission will reconvene in House Room C for a full Commission meeting.

The nature of business is to review the information obtained at the public hearings and to finalize the recommendations to be included in the report for the Governor.

**Contact:** Linda Hence, Staff Assistant to the Commission, Division of Support Enforcement, 8004 Franklin Farms Dr., Lee Bldg., Suite 201, Richmond, Va. 23229-8699, telephone (804) 281-9632

## INTERDEPARTMENTAL COMMITTEE ON RATE SETTING FOR CHILDREN'S FACILITIES

† **June 25, 1985 - 10 a.m.** – Open Meeting  
Koger Executive Center, Blair Building, Conference Rooms A and B, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

The Committee will consider and receive the feedback from the State Boards of Corrections, Education and Social Services on the Committee's rules and regulations as related to § 2.1-703 of the Code of Virginia.

**Contact:** Thomas W. Riddick, 307 Worthington Sq., Portsmouth, Va. 23704, telephone (804) 393-0061

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## DEPARTMENT OF CONSERVATION AND HISTORIC RESOURCES

### Virginia Historic Landmarks Commission

June 18, 1985 - 2 p.m. - Open Meeting  
221 Governor Street, Richmond, Virginia

A general business meeting of the Commission.

Contact: Margaret T. Peters, Information Officer, 221 Governor St., Richmond, Va. 23219, telephone (804) 786-3143

### Division of Historic Landmarks' State Review Board

June 18, 1985 - 10 a.m. - Open Meeting  
221 Governor Street, Richmond, Virginia

A meeting to consider the addition of the following properties to the Virginia Landmarks Register and their nomination to the National Register of Historic Places; (i) Elmwood, Culpeper County, (ii) Fort Boykin Archaeological Site, Isle of Wight County, (iii) Piney Grove, Charles City County, and (iv) Seaboard Coastline Building, Portsmouth.

Contact: Margaret T. Peters, Information Officer, 221 Governor St., Richmond, Va. 23219, telephone (804) 786-3143

## STATE BOARD FOR CONTRACTORS

July 17, 1985 - 10 a.m. - Public Hearing  
Department of Commerce, Travelers Building, 3600 West Broad Street, Room 395, Richmond, Virginia. (Location accessible to handicapped.)

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board for Contractors intends to amend regulations entitled: Rules and Regulations adopted April 11, 1984. (§ 1.4 Class A fee and § 1.5 Class B fee) The proposed amendments will set the amount of fee for an initial Class A Contractor license and for an initial Class B Contractor license and recodify regulations to conform to new form and style procedures for regulations. The proposed amendments will raise initial license fees to cover a projected revenue shortfall in the 1984-1986 biennium.*

### STATEMENT

Preliminary Statement of Basis, Purpose, Impact and Summary: Pursuant to §§ 54-1.28 and 54-119 of the Code of Virginia, and in accordance with §§ 9-6.14:1 et seq. and 54-1.17, the State Board for Contractors proposes to amend its existing regulations.

*Regulations of the State Board for Contractors apply directly to approximately 30,000 actively licensed contractors. There are approximately 6,450 new applicants for licensure per year, of which approximately 1,450 are applicants for a Class A license and approximately 5,000 are applicants for a Class B license.*

*The proposed amendments will raise the initial license fee for Class A Contractors from \$60 to \$100 and raise the initial Class B license fee from \$20 to \$100 for the purpose of increasing revenue to cover the costs of the Department of Commerce in administering the regulation of contractors in Virginia. Amendments will also recodify existing regulations to conform to new form and style requirements for regulations.*

### Estimated impact:

*A. Regulation § 1.4 sets forth the initial license fee for Class A Contractors. The amendment provides a \$40 increase in the initial license fee and will impact upon approximately 1,450 applicants for this type of license per year;*

*B. Regulation § 1.5 sets forth the initial license fee for Class B Contractors. The amendment provides a \$80 increase in the initial license fee and will impact upon approximately 5,000 applicants for this type of license per year; and*

*C. All other amendments are only a recodification of existing regulations to conform to new form and style requirements for regulations. There appears to be no discernable impact involved in this recodification.*

Statutory Authority: §§ 54-128 and 54-119 of the Code of Virginia.

Written comments may be submitted until July 17, 1985.  
Contact: E. G. Andres, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8511 (toll-free 1-800-552-3016)

## BOARD OF CORRECTIONS

† June 12, 1985 - 10 a.m. - Open Meeting  
† July 10, 1985 - 10 a.m. - Open Meeting  
† August 14, 1985 - 10 a.m. - Open Meeting  
4615 West Broad Street, Richmond, Virginia. (Location accessible to handicapped.)

A regular monthly meeting to consider such matters as may be presented to the Board of Corrections.  
Contact: Vivian Toler, Secretary to the Board, 4615 W. Broad St., P. O. Box 26963, Richmond, Va. 23261, telephone (804) 257-6274

## CRIMINAL JUSTICE SERVICES BOARD

### Committee on Criminal Justice Information Systems

† June 19, 1985 - 10 a.m. - Open Meeting  
Ninth Street Office Building, 9th and Grace Streets,  
Cabinet Conference Room, 6th Floor, Richmond, Virginia.  
(Location accessible to handicapped.)

The Committee will meet to consider matters related to information systems development.

Contact: Joseph R. Marshall, Executive Assistant,  
Department of Criminal Justice Services, 805 E. Broad  
St., Richmond, Va. 23219, telephone (804) 786-4000

### DEVELOPMENTAL DISABILITIES PLANNING COUNCIL AND Overall Advisory Council on the Needs of Handicapped Persons

June 12, 1985 - 10 a.m. - Open Meeting  
Holiday Inn - I-64 West, 6531 West Broad Street,  
Richmond, Virginia. (Location accessible to handicapped;  
interpreter for deaf provided if requested.)

A joint business meeting with the Overall Advisory  
Council on the needs of Handicapped Persons.

Contact: Linda C. Veldheer, Director of Developmental  
Disabilities, 109 Governor St., P. O. Box 1797,  
Richmond, Va. 23214, telephone (804) 786-5313

### VIRGINIA WHOLESALE FARMERS' MARKET FEASIBILITY STUDY STEERING COMMITTEE

June 10, 1985 - 7:30 p.m. - Open Meeting  
John Tyler Community College, Bird Hall, C-19, Richmond,  
Virginia. (Location accessible to handicapped.)

June 11, 1985 - 7:30 p.m. - Open Meeting  
Wytheville Community College, Bland Hall, Room 104,  
Wytheville, Virginia. (Location accessible to handicapped.)

The Steering Committee will meet to update and  
educate the public on the Wholesale Farmers' Market  
Facility Feasibility Study, which has been mandated  
by House Joint Resolution No. 337 of the 1985 Session  
of the General Assembly, and to receive public input  
of regional interest.

Contact: T. Robins Buck, Chief, Bureau of Market and  
Economic Development, Room 801, Washington Bldg.,  
1100 Bank St., Richmond, Va. 23219, telephone (804)  
786-8737

## DEPARTMENT OF GENERAL SERVICES

### Art and Architectural Review Board

† August 2, 1985 - 10 a.m. - Open Meeting  
Virginia Museum of Fine Arts, Boulevard and Grove  
Avenue, Main Conference Room, Richmond, Virginia.  
(Location accessible to handicapped.)

The Council will advise the Director of the  
Department of General Services and the Governor on  
architecture of state facilities to be constructed and  
works of art to be accepted or acquired by the  
Commonwealth.

Contact: Dorothy D. Ivankoe, Department of General  
Services, 209 Ninth Street Office Bldg., Richmond, Va.  
23219, telephone (804) 786-3311

### Art and Architectural Review Council

July 12, 1985 - 10 a.m. - Open Meeting  
Virginia Museum of Fine Arts, Boulevard and Grove  
Avenue, Main Conference Room, Richmond, Virginia.  
(Location accessible to handicapped.)

The Council will advise the Director of the  
Department of General Services and the Governor on  
architecture of state facilities to be constructed and  
works of art to be accepted or acquired by the  
Commonwealth.

Contact: Dorothy E. Ivankoe, Department of General  
Services, 209 Ninth Street Office Bldg., Richmond, Va.  
23219, telephone (804) 786-3311

### State Insurance Advisory Board

† June 14, 1985 - 9:30 a.m. - Open Meeting  
Department of General Services, Ninth Street Office  
Building, 9th and Grace Streets, Director's Conference  
Room, Suite 209, Richmond, Virginia. (Location accessible  
to handicapped.)

A quarterly meeting of the State Insurance Advisory  
Board.

Contact: Charles F. Scott, Director, Department of General  
Services, Office of Risk Management, 805 E. Broad St.,  
Room 117, Richmond, Va. 23219, telephone (804)  
786-5968

## GOVERNOR'S EMPLOYMENT AND TRAINING DIVISION

July 29, 1985 - 10 a.m. - Public Hearing  
Governor's Employment and Training Division, 417 East  
Grace Street, 3rd Floor Conference Room, Richmond,  
Virginia

*Notice is hereby given in accordance with § 9-6.14:7.1  
of the Code of Virginia that the Governor's  
Employment and Training Division intends to amend  
regulations entitled: Management Requirements for  
Job Training Partnership Act Programs and  
Activities. These regulations will be used by local  
Service Delivery Areas to plan, administer and operate  
job training programs.*



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## STATEMENT

**Basis:** This regulation is issued under the authority of § 2.1-708 (3) of the Code of Virginia

**Subject:** This regulation sets forth standards for administering and operating Job Training Partnership Act activities.

**Substance:** This revision restructures the regulations and clarifies the language of certain sections. Areas covered by the regulations include responsibilities for: Equal Employment Opportunity/Affirmative Action; grievance; fraud and abuse; participant eligibility and contract management.

**Issues:** The intent of this revision has been to (i) restructure the regulations pursuant to the changes in the Administrative Process Act, (ii) clarify sections which on-going evaluation has revealed to be confusing or insufficient and (iii) simplify language throughout.

**Purpose:** The purpose of this regulation is to (i) provide direction as required of the state in the Job Training Partnership Act and (ii) establish uniform criteria for administering and operating programs.

Statutory Authority: § 2.1-708 (3) of the Code of Virginia.

Written comments may be submitted until July 27, 1985.

**Contact:** Patricia Walsh, Technical Assistance Unit Director, Governor's Employment and Training Division, , 417 E. Grace St., P. O. Box 12083, Richmond, Va. 23241, telephone (804) 786-2254

## GOVERNOR'S JOB TRAINING COORDINATING COUNCIL

† July 15, 1985 - 10:30 a.m. – Open Meeting  
Richmond Marriott, 500 East Broad Street, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

This is a general meeting of the Council and is open to the public.

**Contact:** Gladys Walker, Governor's Employment and Training Division, 417 E. Grace St., P. O. Box 12083, Richmond, Va. 23241, telephone (804) 786-8085

## GOVERNOR'S REGULATORY REFORM ADVISORY BOARD

June 19, 1985 - 10 a.m. – Public Hearing  
June 19, 1985 - 11:30 a.m. – Open Meeting  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

## NOTICE: THIS IS A CORRECTED ENTRY

10:00 - 11:30 - **PUBLIC HEARING** on administrative law judges, exemptions to APA and differences between agencies' legislation and APA.

11:30 to 12:00 - Decision on three issues above; deciding how to proceed

12:00 - 1:00 - Final staff report examining and making recommendations in light of May public hearing on Health Regulatory Boards' regulations; final action and recommendation.

**July 25, 1985 - 10 a.m. – Public Hearing**  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

A review and modification of "staff" draft of legislation incorporating decisions made on the three issues being examined with respect to the Administrative Process Act, and adoption of draft for public hearing.

**September 10, 1985 - 10 a.m. – Public Hearing**  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

A public hearing on the draft legislation proposed at the July 25th meeting; and adoption for introduction at 1986 session.

**Contact:** Philip F. Abraham, State Capitol, Governor's Office, Richmond, Va. 23219, telephone (804) 786-2211

## HAZARDOUS WASTE FACILITY SITING BOARD

**June 12, 1985 - 10 a.m. – Open Meeting**  
James Monroe Building, 101 North 14th Street, Conference Room C, Richmond, Virginia. (Location accessible to handicapped.)

The Board will conduct its regular business meeting.

**Contact:** Harry E. Gregori, Jr., Executive Director, James Monroe Bldg., 17th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-3235

## STATEWIDE HEALTH COORDINATING COUNCIL

**June 18, 1985 - 10 a.m. – Open Meeting**  
Sheraton-Fredericksburg Resort and Conference Center, I-95 & Virginia Route 3, Fredericksburg, Virginia. (Location accessible to handicapped.)

The Statewide Health Coordinating Council will hold its regular business meeting.

**June 19, 1985 - 9 a.m. – Open Meeting**  
Sheraton-Fredericksburg Resort and Conference Center, I-95 & Virginia Route 3, Fredericksburg, Virginia. (Location

accessible to handicapped.)

The Executive Committee, Analysis and Plans Development Committee and Progress and Evaluation Committee will meet to conduct regular business and other subcommittee work.

**Contact:** Raymond O. Perry, 109 Governor St., Room 1010, Richmond, Va., telephone (804) 786-6970

## COMMISSION OF HEALTH REGULATORY BOARDS

† **July 9, 1985 - 1 p.m.** – Open Meeting  
VCU Meeting Center (Harrison and Floyd Streets), 101 North Harrison Street, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A regular quarterly meeting of the Commission to discuss routine matters. A progress report on regulatory review will be presented. The Nominating Committee for 1985-86 Commission Officers and Executive Committee will be appointed. Progress reports of special and standing committees will be received.

**Contact:** Richard D. Morrison, Policy Analyst, 517 W. Grace St., P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0822

## VIRGINIA HEALTH SERVICES COST REVIEW COMMISSION

**June 26, 1985 - 9:30 a.m.** – Open Meeting  
Blue Cross and Blue Shield of Virginia, 2015 Staples Mill Road, Virginia Room, Richmond, Virginia. (Location accessible to handicapped.)

A monthly business meeting of the Commission for the purpose of addressing financial, policy or technical matters which may have arisen since last meeting.

**Contact:** Ann Y. McGee, Director, 805 E. Broad St., 7th Floor, Richmond, Va. 23219, telephone (804) 786-6371

## HIGHWAY AND TRANSPORTATION COMMISSION

**June 20, 1985 - 10 a.m.** – Open Meeting  
Nottoway County Courthouse, Nottoway, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A monthly meeting of the Highway and Transportation Commission to vote on proposals presented regarding bids, permits, additions and deletions to highway system, and any other matters requiring Commission approval.

**Contact:** J. T. Warren, Director of Operations, Department of Highways and Transportation, 1221 E. Broad St., Richmond, Va. 23219, telephone (804) 786-2711

## DEPARTMENT OF HIGHWAYS AND TRANSPORTATION

**June 13, 1985 - 9 a.m.** – Public Hearing  
Salem District Highway Office Building, Salem, Virginia. (Location accessible to handicapped; interpreter for deaf provide if requested.)

A public hearing to receive comments from the 4 western highway districts on highway allocations for the coming year, and on updating the 6 year improvement program for the interstate, primary and urban systems.

**Contact:** J. T. Warren, Director of Operations, 1221 E. Broad St., Richmond, Va. 23219, telephone (804) 786-2711

## BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

**June 17, 1985 - Immediately following the public hearing which commences at 10 a.m.** – Open Meeting  
State Capitol, Capitol Square, House Room 4, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

The Board's regular formal business meeting to (i) review and approve the minutes from the prior meeting; (ii) provide an opportunity for public comments; (iii) review the report of the Director on the operation of the Department of Housing and Community Development since the last Board meeting; (iv) hear reports of the committees of the Board; and (v) consider other matters as they may deem necessary. The planned agenda of the meeting will be available at the following address one week prior to the date of the meeting.

**Contact:** Neal J. Barber, 205 N. 4th St., 7th Floor, Richmond, Va. 23219, telephone (804) 786-1575

**June 17, 1985 - 10 a.m.** – Public Hearing  
State Capitol, House Room 4, Richmond, Virginia. (Location accessible to handicapped.)

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: Virginia Industrialized Building and Mobile Home Safety Regulations/1981. The proposed amendments provide for safety to life and property from fire in manufactured buildings as defined in Chapter 4, (§ 36-70 et seq.) of the Code of Virginia.*

## STATEMENT

**Subject and Substance:** Proposed adoption by the Board of

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*Housing and Community Development of a 1984 edition of the Virginia Industrialized Building and Mobile Home Safety Regulations which will amend and supersede the 1981 edition.*

**Issues:** 1. *Estimated impact with respect to number of persons affected: Producers of factory built industrialized buildings and mobile homes, approved independent inspection agencies, building officials in local jurisdictions, and all owners and users of industrialized buildings and mobile homes will be affected.*

2. *Projected costs for implementation and compliance: No increase in cost to the Department is anticipated because the 1984 edition is merely an updating of the currently effective 1981 edition of the Virginia Industrialized Building and Mobile Home Safety Regulations. Similarly, no increase in cost to those affected is anticipated.*

**Basis:** § 36-70 et seq. of the Code of Virginia.

**Purpose:** *To update the regulations providing for the administration and enforcement of minimum, uniform, statewide health and safety standards for factory built industrialized buildings and mobile homes, wherever produced, in order to make good quality housing more affordable for the citizens of Virginia.*

Statutory Authority: § 36-70 et seq. of the Code of Virginia.

Written comments may be submitted until June 17, 1985.

**Contact:** C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

**June 17, 1985 - 10 a.m. – Public Hearing**  
State Capitol, House Room 4, Richmond, Virginia.  
(Location accessible to handicapped.)

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: Virginia Liquefied Petroleum Gas Regulations. The proposed amendments establish minimum general standards covering design, installation and operation of LP gas equipment and the odorization thereof for the protection of health, welfare and safety of the people.*

## STATEMENT

**Subject and Substance:** *Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Virginia Liquefied Petroleum Gas Regulations which will amend and supersede the 1981 edition.*

**Issues:** 1. *The regulation potentially protects all citizens of Virginia from the hazards of liquefied petroleum gas use by third parties.*

2. *Projected Costs for Implementation and Compliance: No material increase in cost to the agency is anticipated because the 1984 edition is merely an updating of the currently effective 1981 edition of the Virginia Liquefied Petroleum Gas Regulations. Similarly, no increase in cost to those affected is anticipated.*

**Basis:** *Liquefied Petroleum Gases Law, Chapter 7, Title 27, of the Code of Virginia.*

**Purpose:** *To amend the minimum, statewide standards covering the design, construction, location, installation, and operation of equipment for storing, handling, transporting by tank truck, tank trailer, and utilizing liquefied petroleum gases, and the installation of appliances and piping for use with liquefied petroleum gases, and requiring the odorization of said gases and the degree thereof, as reasonably necessary for the protection of the health, welfare and safety of the public and persons using such materials.*

Statutory Authority: Chapter 7, Title 27, of the Code of Virginia.

Written comments may be submitted until June 17, 1985.

**Contact:** C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

**June 17, 1985 - 10 a.m. – Public Hearing**  
State Capitol Building, House Room 4, Richmond, Virginia.  
(Location accessible to handicapped.)

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: Virginia Public Building Safety Regulations/1981. The proposed amendments provide for safety to life and property from fire in public buildings as defined in § 27-72 of the Code of Virginia.*

## STATEMENT

**Subject and Substance:** *Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Virginia Public Building Safety Regulations which will amend and supersede the 1981 edition.*

**Issues:** 1. *Estimated impact with respect to number of persons affected: All citizens of Virginia who enter or use public buildings will be affected.*

2. *Projected costs for implementation and compliance: No material increase in cost to the agency is anticipated because the 1984 edition is merely an updating of the currently effective 1981 edition of the Virginia Public Building Safety Regulations. Similarly, no increase in cost to those affected is anticipated.*

**Basis:** § 27-72 of the Code of Virginia.

# Calendar of Events

**Purpose:** To update minimum, statewide fire safety standards for the protection of life and property in public buildings. Public building generally means any building used by 10 or more persons, and also includes homes for adults when subject to licensure under Ch. 9 (§ 63-1.172 et seq.) of Title 63.1 of the Code of Virginia.

Statutory Authority: Article 2, Chapter 6, Title 27, of the Code of Virginia.

Written comments may be submitted until June 17, 1985.  
**Contact:** C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

**June 17, 1985 - 10 a.m. - Public Hearing**  
State Capitol, House Room 4, Richmond, Virginia.  
(Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: **Virginia Uniform Statewide Building Code, Volume I - New Construction Code/1984.**

## STATEMENT

**Subject and Substance:** Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Virginia Uniform Statewide Building Construction Code/Volume I.

**Issues:** 1. Estimated impact with respect to number of persons affected: All citizens of Virginia who own buildings will be affected.

2. Projected cost for implementation and compliance: No material increase in cost to the agency is anticipated because the 1984 edition is merely an updating of the currently effective 1981 edition of the Virginia Uniform Statewide Building Code. Similarly, no increase in cost to those affected is anticipated.

**Basis:** Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

**Purpose:** To update minimum statewide standards for the protection of life and property in the design, construction, use, repair and demolition of buildings, structures and equipment.

Statutory Authority: Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

Written comments may be submitted until June 17, 1985.  
**Contact:** C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

**June 17, 1985 - 10 a.m. - Public Hearing**  
State Capitol, House Room 4, Richmond, Virginia.

(Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to adopt regulations entitled: **Virginia Uniform Statewide Building Code, Volume II - Building Maintenance Code/1984.**

## STATEMENT

**Subject and Substance:** Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Virginia Uniform Statewide Building Maintenance Code/Volume II.

**Issues:** 1. Estimated impact with respect to number of persons affected: All citizens of Virginia who own buildings will be affected.

2. Projected costs for implementation and compliance: No material increase in cost to the building owner is anticipated because the regulation only requires that buildings be maintained in accordance with the building code in effect at the time of construction.

**Basis:** Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

**Purpose:** To provide one uniform building maintenance standard for the protection of life and property in the use and maintenance of buildings. Enforcement is optional by local government.

Statutory Authority: Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

Written comments may be submitted until June 17, 1985.  
**Contact:** C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

**June 17, 1985 - 10 a.m. - Public Hearing**  
State Capitol, House Room 4, Richmond, Virginia.  
(Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to adopt regulations entitled: **Virginia Uniform Statewide Building Code, Volume III - Fire Prevention Code/1984.**

## STATEMENT

**Subject and Substance:** Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Virginia Uniform Statewide Fire Prevention Code/Volume III.

**Issues:** 1. Estimated impact with respect to number of persons affected: All citizens of Virginia who own buildings will be affected.

# Calendar of Events

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2. *Projected costs for implementation and compliance: No material increase in cost to the agency is anticipated because the regulation only requires that fire safety standards be maintained in accordance with the fire safety requirements when the building was constructed.*

**Basis:** Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

**Purpose:** To provide one uniform Fire Prevention Safety Standard for the protection of life and property in the use and maintenance of buildings. Enforcement is optional by local government.

Statutory Authority: Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

Written comments may be submitted until June 17, 1985.

**Contact:** C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

## DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

**June 17, 1985 - 10 a.m. – Public Hearing**  
State Capitol, House Room 4, Richmond, Virginia.  
(Location accessible to handicapped.)

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Director, Department of Housing and Community Development intends to amend regulations entitled: Certification of Tradesmen Standards.*

### STATEMENTS

**Subject and Substance:** Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Certification of Tradesmen Standards.

**Issues:** 1. *Estimated impact with respect to number of persons affected: All electrical, plumbing and mechanical workers who reside in counties, cities and towns that require tradesmen be certified to work at their trade within their boundaries.*

2. *Projected costs for implementation and compliance: No material increase in cost to the agency is anticipated because the 1984 edition is merely an updating of the currently effective 1981 edition of the Certification of Tradesmen Standards. Similarly, no increase in cost to those affected is anticipated.*

**Basis:** § 15.1-11:4 of the Code of Virginia.

**Purpose:** To update minimum, statewide standards for the Certification of Tradesmen to be used by local governments that choose to require tradesmen who work

*within their boundaries to be certified.*

Statutory Authority: § 15.1-11:4 of the Code of Virginia.

Written comments may be submitted until June 17, 1985.

**Contact:** C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

## VIRGINIA HOUSING DEVELOPMENT AUTHORITY

† **June 18, 1985 - 10 a.m. – Open Meeting**  
13 South 13th Street, Richmond, Virginia. (Location accessible to handicapped.)

This will be the regular monthly meeting of the Board of Commissioners of the Virginia Housing Development Authority. The Board of Commissioners will review and, if appropriate, (i) approve the minutes from the prior monthly meeting; (ii) will consider for approval and ratification mortgage loan commitments under its various programs; (iii) will review the Authority's operations for the prior month; and (iv) will consider such other matters and take such other actions as they may deem appropriate. The planned agenda of the meeting will be available at the offices of the Authority one week prior to the date of the meeting.

**Contact:** Judson McKellar, General Counsel, 13 S. 13th St., Richmond, Va. 23219, telephone (804) 782-1986

## INNOVATIVE TECHNOLOGY AUTHORITY

† **June 17, 1985 - 3:30 p.m. – Open Meeting**  
University of Virginia, The Rotunda, East Oval Room, Charlottesville, Virginia

An annual meeting of Innovative Technology Authority to conduct the business of the Authority.

**Contact:** Darleen Pilarinos, Center for Innovative Technology, P. O. Box 15373, Herndon, Va. 22070-9998, telephone (804) 661-8994

## DEPARTMENT OF LABOR AND INDUSTRY

**August 2, 1985 - 10 a.m. – Public Hearing**  
State Capitol, Capitol Square, House Room 4, Richmond, Virginia. (Location accessible to handicapped.)

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Labor and Industry intends to amend regulations entitled: Virginia Occupational Safety and Health Standards for General Industry, Hazard Communication Standard. (VR 425-02-1) The Hazard Communication Standard's purpose is to ensure that the hazards of all*

chemicals produced or imported by chemical manufacturers or importers are evaluated, and that information concerning their hazards is transmitted to affected employers and employees throughout the private sector.

## STATEMENT

**Subject, Substance, Issues, Basis and Purpose:** *The present Virginia Hazard Communication Standard applies to Standard Industrial Classification (SIC) Codes 20-39 and state and local government employers.*

*The Virginia Occupational Safety and Health (VOSH) Program proposed to amend the scope of the Hazard Communication Standard to include all employers except those in the Agricultural and Construction (SIC) Codes (i.e., thus the scope of the amended Hazard Communication Standard will apply to SIC Codes 20-90 and state and local government employers).*

*Also by the present regulatory action the Virginia Occupational Safety and Health (VOSH) Program proposes to amend § 1910.1200 (i) (3) to include nurses within the definition of "Health Professionals" who may request access to trade secret information in nonemergency situations.*

Statutory Authority: § 40.1-22 (5) of the Code of Virginia.

Written comments may be submitted until July 15, 1985, to Department of Labor and Industry, P. O. Box 12064, Richmond, Virginia 23241.

**Contact:** Dr. Clarence H. Wheeling, Enforcement Director, Bureau of Occupational Health, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-6285

## VIRGINIA STATE LIBRARY BOARD

**June 24, 1985 - 11 a.m. - Open Meeting**  
Virginia State Library, 11th Street at Capitol Square, State Librarian's Office, Richmond, Virginia. (Location accessible to handicapped.)

A regular quarterly meeting to discuss administrative matters.

**Contact:** Jean Reynolds, Virginia State Library, 11th St. at Capitol Square, Richmond, Va. 23219, telephone (804) 786-2332

## MARINE RESOURCES COMMISSION

**June 25, 1985 - 9:30 a.m. - Open Meeting**  
2401 West Avenue, Newport News, Virginia

The Marine Resources Commission normally meets on the fourth Tuesday each month, at 9:30 a.m., at the

agency office, 24th Street and West Avenue, Newport News, Virginia. It hears and decides cases on fishing licensing; oyster ground leasing, environmental permits in wetlands, bottomlands, coastal sand dunes, and beaches. It hears and decides appeals made on local wetlands board decisions.

Fishery Management and Conservation measures are discussed by the Commission. The Commission is empowered to exercise general regulatory power within 15 days, and is empowered to take specialized marine life harvesting and conservation measures within 5 days.

**Contact:** Virginia S. Chappell, Secretary to the Commission, Marine Resources Commission, P. O. Box 756, Newport News, Va. 23607, telephone (804) 247-2208

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

**June 14, 1985 - 9 a.m. - Public Hearing**  
James Madison Building, 109 Governor Street, Main Floor Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to adopt regulations entitled: Appeals Process for Hospital Providers. This regulation provides an appropriate and meaningful appeals process to be utilized by hospital providers of Medicaid services.*

## STATEMENT

**Basis:** *The regulations governing hospital reimbursement is based upon federal statutes and regulations which require the Medicaid Agency to provide hospitals which choose to challenge a rate determination an opportunity to submit additional evidence and request prompt administrative review of payment rates under § 32.1-325(A) of the Code of Virginia. The State Plan for the Department of Medical Assistance Services shall be consistent with Title XIX of the United States Social Security Act under the same section. The State Board of Medical Assistance Services has the authority to amend the State Plan for Medical Assistance Services.*

**Authority:** § 32.1-325A of the Code of Virginia.

*Neither the statute nor the proposed regulations conflict with state or federal laws. The Office of the Attorney General has reviewed these regulations and has made no adverse comment.*

**Purpose:** *The purpose of the proposed regulation is to establish an appropriate and meaningful appeal process to be utilized by hospital provider of Medicaid services in accordance with The Final Judgement Order, Civil Action No. 83-0551-R entered on January 4, 1985, by Judge Robert*

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*Merhige, United States District Court for the Eastern District of Virginia.*

**Impact:** No cost to the providers outside appropriate attorney fees should they decide counsel is needed if they appeal is anticipated. The cost to the Department of Medical Assistance services is approximately \$150,000 which includes the addition of new staff and increased related administrative functions. In addition, the appeals rules will result in making additional payments to those hospitals which successfully appeal their rate determination. The amount of this additional financial cost to the Department is unknown.

**Evaluation:** Ongoing informal assessments of the effectiveness of the appeals process will be conducted. At the end of the first year, a formal evaluation using data acquired over the first year period will be completed.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Written comments may be submitted until June 14.

**Contact:** Dr. Elizabeth Lloyd, Legislative Analyst, Department of Medical Assistance Services, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-7933

**June 28, 1985 - 9 a.m. - Public Hearing**  
James Madison Building, 109 Governor Street, Main Floor Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to adopt regulations entitled: Guidelines for Public Participation in the Formation and Development of Regulations. This regulation provides guidelines for obtaining input from the public prior to and during the rule making process.*

## STATEMENT

**Impact:** Every person identified by these guidelines or who identifies himself as an interested party will be offered an opportunity to comment. Cost to the public should be minimal since comments may be offered in writing for only the cost of paper, an envelope, and postage. There should be no additional cost to local governments since their input can be provided in the same way.

The Department is currently compiling mailing lists of interested persons who have generated substantial comment in the past. The major expense associated with these guidelines will be the biennial advertisement in several newspapers across the State for persons interested in participating. Based on current data for this advertising, the cost should run no more than \$2,000. There will also be some increase in staff time for this activity, but this is expected to be minimal, on the order of ten hours per month.

**Evaluation:** The Department will evaluate increased input from the public in the regulatory process by comparing members and content of comments received under these guidelines with those received prior to the implementation of guidelines. This evaluation will be performed at least annually for those regulations modified during the year.

Statutory Authority: § 9-6.14:7.1 of the Code of Virginia.

Written comments may be submitted until June 28, 1985.

**Contact:** Dr. Elizabeth Lloyd, Legislative Analyst, Department of Medical Assistance Services, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-7933

## VIRGINIA STATE BOARD OF MEDICINE

**June 14, 1985 - 10 a.m. - Open Meeting**  
Department of Health Regulatory Boards, 517 West Grace Street, Richmond, Virginia. (Location accessible to handicapped.)

The Executive Committee will meet to review case decisions of the Board.

**Contact:** Eugenia K. Dorson, Executive Secretary, 517 W. Grace St., P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0575

## MENTAL HEALTH AND MENTAL RETARDATION BOARD

**June 26, 1985 - 10 a.m. - Open Meeting**  
Southside Community Services Board, South Boston, Virginia. (Location accessible to handicapped.)

A regular monthly meeting. The agenda will be published June 19, and may be obtained by calling Jane Helfrich.

† **June 29, 1985 - 10 a.m. - Open Meeting**  
Richmond Hyatt, I-64 West, 6624 West Broad Street, Richmond, Virginia. (Location accessible to handicapped.)

"Discover What We Have In Common: Advocating for the Mentally Disabled." State Board inviting advocacy groups for mentally disabled to meet to discuss mutual efforts.

**Contact:** Jane V. Helfrich, Mental Health and Mental Retardation Board Secretary, Department of Mental Health and Mental Retardation, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3921

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## DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

**June 25, 1985 - 10:30 a.m.** – Public Hearing  
James Madison Building, 109 Governor Street, Mezzanine Level (1st Floor) Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Department of Mental Health and Mental Retardation intends to adopt regulations entitled: **Mandatory Standards for the Certification of First Offender Drug Abuse Diversion and Education Programs.** These standards are intended to establish the criteria for the establishment and operation of programs designed specifically to provide a substance education alternative for court clients. These Standards set minimum criteria for the establishment and operation of the above mentioned programs.*

### STATEMENT

Subject, Substance Issues, Basis and Purpose: The Mandatory Standards for the Certification of First Offender Drug Abuse Diversion and Education Programs are designed to establish minimum criteria for substance abuse diversion and education programs operated in the Commonwealth of Virginia. These programs offer an alternative disposition to courts for first offenders convicted on drug violations.

The standards delineate criteria for the application for certification, program, design, curriculum design, referral agreement, drug toxicology screening, fee structure, staffing and reporting requirements.

The mandatory standards affect substance abuse diversion and education programs currently operating and any proposed program.

Statutory Authority: § 18.2-251 of the Code of Virginia.

Written comments may be submitted until June 25, 1985.

**Contact:** Frank Patterson, Assistant Director for Justice System Services, Virginia Department of Mental Health and Mental Retardation, Box 1797, Richmond, Va. 23214, telephone (804) 786-3908

**June 27, 1985 - 10 a.m.** – Open Meeting  
Department of Personnel and Training, James Monroe Building, 101 North 14th Street, Mezzanine Level, Training Room 2, Richmond, Virginia. (Location accessible to handicapped.)

The Interagency Committee will be developing the strategies necessary to implement the recommendations of The Task Force on the Mentally Ill in Virginia's Jails.

**Contact:** Frank S. Patterson, Office of Forensic Services, Virginia Department of Mental Health and Mental Retardation, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3908

**September 10, 1985 - 7 p.m.** – Public Hearing  
Mary Washington College, Fredericksburg, Virginia. (Location accessible to handicapped.)

**September 11, 1985 - 11 a.m.** – Public Hearing  
Western State Hospital, Staff Development Building, Rooms 86 and 87, Staunton, Virginia. (Location accessible to handicapped.)

**September 12, 1985 - 1 p.m.** – Public Hearing  
Senior Citizen's Center, 307 Park Street, Marion, Virginia. (Location accessible to handicapped.)

A public hearing on proposed Community Rules and Regulations to invite comment from those interested persons who will be affected by these regulations.

**Contact:** Elsie D. Little, A.C.S.W., P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3988

**September 13, 1985 - 11 a.m.** – Public Hearing  
Southeastern Virginia Training Center, Building 3, Inservice Training Room, Chesapeake, Virginia

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mental Health and Mental Retardation intends to adopt regulations entitled: **Rules and Regulations to Assure the Rights of Clients in Community Programs.** (VR 470-03-03) The purpose of the regulations is to delineate the rights of clients of community programs licensed or funded by the Department of Mental Health and Mental Retardation.*

### STATEMENT

Subject, Basis and Purpose: The Rules and Regulations to Assure the Rights of Clients in Community Programs Licensed or Funded by the Department of Mental Health and Mental Retardation are to delineate the rights of clients of community programs licensed or funded by the Department of Mental Health and Mental Retardation. The Community Rules and Regulations identify those fundamental rights which may not be restricted by a community program. The regulations define those client rights which may be restricted for therapeutic reasons, aid in the assurance of client participation in treatment for therapeutic reasons, aid in the assurance of client participation in treatment decision making, and define client participation in work activities. An administrative review process for review of alleged violations of rights is established. That mechanism delineated the roles and responsibilities of the persons involved. These regulations will be more appropriate to meet the requirements and scope of community programs.

The Community Rules and Regulations are needed in order to comply with § 37.1-84.1, of the Code of Virginia. Since protection of individual rights in funded or licensed programs by the Department of Mental Health and Mental Retardation is a mandate, not providing regulations for clients in community programs was considered an acceptable alternative. Without the Community Rules and Regulations, the Department of Mental Health and Mental



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*Retardation could not offer consistent rights protection of those clients. Rights violations might go undetected or be inadequately handled by the community program staff. Rights violations that could be quickly and fairly handled by means set forth in these rules and regulations might be handled by complicated, costly and time consuming court procedures instead if the rules and regulations are not established.*

Substance and Issues: A 16 member task force, established by the Department of Mental Health and Mental Retardation has been working on the Community Rules and Regulations for the past three years. The membership represented a wide variety of public and private professional and consumer interests in all three disability areas. The task force focused its efforts on developing rules and regulations that would present the least burden on regulated programs while still ensuring the protection of client rights.

In May, 1983, October, 1984, and December, 1984, the Department of Mental Health and Mental Retardation mailed out copies of the Community Rules and Regulations to agencies and interested individuals for comments and the rules and regulations were rewritten in response to comments received.

In considering alternative approaches to meet the need, the proposed regulations address a number of options. One alternative approach to these regulations which was considered was to write separate rules and regulations for each of the disability areas (mental illness, mental retardation, and substance abuse) was considered. This idea was rejected because many programs provided services in two or all three of these areas and would, therefore, have to be familiar with two or three sets of rules and regulations. Writing separate rules and regulations for residential and nonresidential programs was yet another alternative considered. This idea was rejected because many community services boards and agencies have both residential and nonresidential programs and would, therefore, have to operate with two sets of rules and regulations.

Statutory Authority: §§ 37.1-10 and 37.1-84.1 of the Code of Virginia.

Written comments may be submitted until September 15, 1985.

**Contact:** Elsie D. Little, A.C.S.W., State Human Rights Director, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3988

## Mental Retardation Advisory Council

**June 21, 1985 - 10 a.m. - Open Meeting**  
James Madison Building, 109 Governor Street, Board Room, 13th Floor, Richmond, Virginia. (Location accessible to handicapped.)

A quarterly meeting to advise the State Board of Mental Health and Mental Retardation on matters pertaining to mental retardation services across the Commonwealth.

**Contact:** Carol Singer-Metz, Director, Mental Retardation Services, Department of Mental Health and Mental Retardation, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-1746

## The Interagency Committee for the Implementation of the Recommendations of the Task Force on the Mentally Ill in Virginia's Jails

† **June 27, 1985 - 10 a.m. - Open Meeting**  
James Monroe Building, Department of Personnel and Training, 101 North 14th Street, Mezzanine Level, Training Room 2, Richmond, Virginia. (Location accessible to handicapped.)

The Committee will meet to develop the strategies necessary to implement the Recommendations of The Task Force on the Mentally Ill in Virginia's Jails.

**Contact:** Frank S. Patterson, Office of Forensic Services, Virginia Department of Mental Health and Mental Retardation, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3908

## STATE MILK COMMISSION

† **June 12, 1985 - 10 a.m. - Open Meeting**  
Ninth Street Office Building, 9th and Grace Streets, Room 1015, Richmond, Virginia. (Location accessible to handicapped.)

A routine monthly meeting of the Commission.

**Contact:** C. H. Coleman, Administrator, 1015 Ninth Street Office Bldg., Richmond, Va. 23219, telephone (804) 786-2013

## DEPARTMENT OF MINES, MINERALS AND ENERGY

**July 15, 1985 - 10 a.m. - Public Hearing**  
Division of Mined Land Reclamation, 622 Powell Avenue, Conference Room, Big Stone Gap, Virginia

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines, Minerals and Energy intends to amend regulations entitled: Chapter 19, Coal Surface Mining Reclamation Regulations. These regulations establish the procedures and requirements through which the Virginia Coal Surface Mining Control and Reclamation Act of 1979 and the Federal Surface Mining Control and Reclamation Act of 1977 are implemented pursuant to the Virginia Permanent Regulatory*

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Program, as approved by the United States Secretary of the Interior.

## STATEMENT

**Basis:** These regulations are issued under the authority granted by § 45.1-230 of the Code of Virginia.

**Purpose:** These regulations set forth the coal mining and reclamation operations subject to the Act; procedures for mining on federal lands in Virginia under a state - federal cooperative agreement; procedures to designate certain areas as unsuitable for mining; applications for and decisions on permits; performance bond and public liability insurance; environmental and other performance standards which apply to mining operations; inspection, enforcement, and civil penalty provisions; and the procedures applicable to the operation of the program to reclaim abandoned coal mine lands.

**Issues:** The Department is proposing major revisions to the current regulations resulting from its regulatory review program. A reorganization and consolidation of most rules plus elimination of a companion Technical Handbook is being considered. Also, many design standards would be replaced by general performance criteria.

The United State Secretary of the Interior notified Virginia that several provisions of the current regulations are not as effective as certain revised federal rules. The proposed revisions will correct those deficiencies as well.

**Substance:** The federal system of numbering has been followed where possible to ensure Virginia's program is as effective as the federal rules and to help identify future revisions to the federal standards which may affect the state's program. Provisions which differ from the federal rules and account for Virginia's climate, terrain, and state and local government processes are proposed where necessary.

Statutory Authority: § 45.1-230 of the Code of Virginia.

Written comments may be submitted until July 15, 1985.

**Contact:** Conrad T. Spangler, Chief Engineer, Drawer U, Big Stone Gap, Va. 24219, telephone (804) 523-2925

## VIRGINIA MUSEUM OF FINE ARTS

### Finance Committee

**June 20, 1985 - 10:30 a.m. - Open Meeting**  
Virginia Museum of Fine Arts, Boulevard and Grove Avenue, Virginia Museum Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

A monthly review of financial statements and consideration of the 1985-86 Museum budget for presentation to the Executive Committees.

**Contact:** Emily C. Robertson, Secretary, Virginia Museum of Fine Arts, Boulevard and Grove Ave., Richmond, Va. 23221, telephone (804) 257-0553, SCATS 327-0553

## BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS

† **June 20, 1985 - 9 a.m. - Open Meeting**  
Department of Commerce, Travelers Building, 3600 West Broad, Richmond, Virginia. (Location accessible to handicapped.)

The Board will meet to take up the following matters:

1. Administer examinations,
2. Review Applications,
3. Proposed Administrator-in-Training Guide,
4. Transmittal (discussion) Board of Commerce, Department of Commerce,
5. Policy.

**Contact:** Geralde W. Morgan, Assistant Director, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8508

## STATE BOARD OF OPTOMETRY

**July 31, 1985 - 9 a.m. - Open Meeting**  
Holiday Inn (Downtown), 301 West Franklin Street, Board Room, 3rd Floor, Richmond, Virginia. (Location accessible to handicapped.)

A general business meeting and a review of the State Board Examination.

**Contact:** Lawrence H. Redford, Executive Director, Virginia Board of Optometry, P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0131

### State Board Examination and Diagnostic Pharmaceutical Agent Examination

**August 1, 1985 - 8 a.m. - Open Meeting**  
Medical College of Virginia, 1101 East Marshall Street, Sanger Hall, Rooms 1-044, 1-067, 1-069, and B1-064, Richmond, Virginia

Optometry State Board Examination & Diagnostic Pharmaceutical Agents Examination.

**Contact:** Lawrence H. Redford, Executive Director, Board of Optometry, P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0131

## OVERALL ADVISORY COUNCIL ON THE NEEDS OF HANDICAPPED PERSONS AND Developmental Disabilities Planning Council

**June 12, 1985 - 10 a.m. - Open Meeting**  
Holiday Inn - I-64 West, 6531 West Broad Street,

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Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A joint business meeting with the Developmental Disabilities Planning Council.

**Contact:** Linda C. Veldheer, Director of Developmental Disabilities, 109 Governor St., P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-5313

## PERINATAL SERVICES ADVISORY COUNCIL

**June 20, 1985 - 12:30 p.m.** – Open Meeting  
James Madison Building, 109 Governor Street, Room 1000, Richmond, Virginia. (Location accessible to handicapped.)

A regular meeting of the Virginia Perinatal Services Advisory Council. An agenda will be provided upon request two weeks prior to the meeting.

**Contact:** Roxanne Kolesar, James Madison Bldg., 109 Governor St., Room 1000, Richmond, Va. 23219, telephone (804) 786-4891

## BOARD OF PHARMACY

† **June 25, 26, 1985 - 7:45 a.m. to 5 p.m.** – Open Meeting  
Richmond Hyatt, I-64 West, 6624 West Broad Street, Richmond, Virginia. (Location accessible to handicapped.)

A Board Meeting and Administering of Board Examinations.

**Contact:** J. B. Carson, Executive Director, 517 W. Grace St., P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0182

## PRIVATE SECURITY SERVICES ADVISORY COMMITTEE

**June 11, 1985 - 10 a.m.** – Open Meeting  
Department of Commerce, Travelers Building, 3600 West Broad Street, 5th Floor, Richmond, Virginia. (Location accessible to handicapped.)

The Committee will meet for the purpose of reviewing the proposed regulations governing training requirements administered by the Department of Criminal Justice Services and to consider revisions to the Department of Commerce's regulations necessary to implement changes in the training regulations. The Director wishes to receive the Committee's comments and suggestions regarding the proposed training requirements that will directly affect the private security industry.

**Contact:** Iva B. Frizzell, 3600 W. Broad St., Richmond, Va.

23230, telephone (804) 257-8515/8563

## VIRGINIA REAL ESTATE COMMISSION

**June 11, 1985 - 10 a.m.** – Open Meeting  
Courthouse, 1400 North Courthouse Road, County Board Room, Room 202, Arlington, Virginia

To conduct a formal fact-finding hearing regarding the Virginia Real Estate Commission v. Karl O. Grutter, Arlington, Virginia.

**Contact:** Sylvia W. Bryant, Hearings Coordinator, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8524

## VIRGINIA RESOURCES AUTHORITY

### Board of Directors

**July 2, 1985 - 10 a.m.** – Open Meeting  
State Water Control Board Room, 2111 North Hamilton Street, Richmond, Virginia

A meeting to approve minutes of the prior monthly Board meeting; to review the Authority's operations for the prior month; and to consider other matters and take other actions as they may deem appropriate. The planned agenda of the meeting will be available at the offices of the Authority one week prior to the date of the meeting.

**Contact:** Shockley D. Gardner, Jr., Executive Director, P. O. Box 1300, Richmond, Va. 23210, telephone (804) 788-8174

## VIRGINIA SAFETY AND HEALTH CODES COMMISSION

† **July 1, 1985 - 10 a.m.** – Open Meeting  
Fourth Street Office Building, 205 North 4th Street, Second Floor Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

The Commission will meet to address organizational and informational matters.

**Contact:** C. P. Deane, Assistant Commissioner, Virginia Department of Labor and Industry, P. O. Box 12064, Richmond, Va. 23241, telephone (804) 786-2383

## STATE SEWAGE HANDLING AND DISPOSAL APPEALS REVIEW BOARD

**June 19, 1985 - 10 a.m.** – Open Meeting  
† **July 17, 1985 - 10 a.m.** – Open Meeting  
† **August 14, 1985 - 10 a.m.** – Open Meeting

General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. (Location accessible to handicapped.)

The Board will meet to hear and render a decision on all appeals of denials of On-Site Sewage Disposal System Permits.

Contact: P. M. Brooks, 502 Madison Bldg., Richmond, Va. 23219, telephone (804) 786-1931

## STATE BOARD OF SOCIAL SERVICES

† June 19, 1985 - 3 p.m. - Open Meeting

† June 20, 1985 - 9 a.m. - Open Meeting

Department of Social Services, Central Office, Koger Executive Center, 8007 Discovery Drive, Richmond, Virginia. (Location accessible to handicapped.)

A work session and formal business meeting of the State Board of Social Services.

Contact: Phyllis J. Sisk, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9236

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† Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Social Services intends to amend regulations entitled: **Lump Sum Income in the Aid to Dependent Children (ADC) Program**. The proposed regulations allow local departments of social services to shorten the period of ineligibility caused by receipt of lump sum income under certain conditions. This provision is an option provided states in the federal Deficit Reduction Act of 1984 (§ 2632).

## STATEMENT

**Subject:** The proposed amendment to the Lump Sum Ineligibility Period in the Aid to Dependent Children (ADC) Program is being proposed for a 60-day comment period.

**Substance:** The State Board of Social Services proposes to allow local departments of social services to recalculate the period of ineligibility caused by receipt of a lump sum payment when (i) the standard of need increases and the amount the family would have received also changes, (ii) the lump sum or portion thereof becomes unavailable to the family for a reason beyond their control, or (iii) the family incurs medical expenses during the period of ineligibility and uses the lump sum moneys to cover the cost of medical expenses received.

For purposes of item (ii), "reasons beyond the control of the family" include a family member absconding with the lump sum moneys, the theft of such moneys, repayment of debts, or any other condition which, in the best judgement

of the local agency, is deemed to meet this criterion for shortening the period of ineligibility. Under current regulations, the period of ineligibility may only be shortened in connection with a life threatening circumstance, incurred by the assistance unit.

**Issues:** As set forth in the federal Deficit Reduction Act of 1984 (P.L. 98-369), states may opt to shorten the lump sum ineligibility period under any, or all, of the above-mentioned conditions. Having carefully reviewed the impact of these conditions, the State Board has endorsed an amendment which will allow the period of ineligibility to be recalculated in all three of the above-mentioned situations.

Pursuant to P.L. 98-369, states which opt to implement conditions (ii) and (iii) set forth above must define the unavailability due to circumstances beyond control of the family, and which medical expenses incurred and paid by the family will be allowed when recalculating the period of ineligibility.

Due to the fact that local agencies are best suited to evaluate situations which may be beyond the family's control, the Board has determined that final authority for such decisions will rest with the superintendent/director of each locality. Further, the Department has developed a list of medical services which will be allowed when recalculating the period of ineligibility, if the cost of such services are paid from the proceeds of a lump sum payment.

**Basis:** The proposed amendment is an option made available to states in the federal Deficit Reduction Act of 1984 (P.L. 98-369). Section 63.1-25 of the Code of Virginia delegates authority to the State Board of Social Services to promulgate rules and regulations necessary for operation of public assistance programs in Virginia.

**Purpose:** The purpose of the proposed regulation is to allow for a reduction in the number of months a family is determined to be ineligible for assistance due to receipt of a lump sum payment. The proposed amendment will not penalize those recipients of lump sum payments in situations where the proceeds of such payments are depleted through no fault of their own.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comment may be submitted until August 9, 1985, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services.

Contact: Carolyn Ellis, Supervisor, Economic Assistance Unit, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

# Calendar of Events

## DEPARTMENT OF SOCIAL SERVICES

### Division of Benefit Programs

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services, Division of Benefit Programs intends to amend regulations entitled: **Earned Income Disregards in the Aid to Dependent Children (ADC) Program/Student Earnings.** (VR 615-01-1) The proposed regulation is intended to disregard the earned income of a full-time student for a period of six months in the first two steps of the eligibility determination process for assistance in the Aid to Dependent Children (ADC) Program.

#### STATEMENT

Subject: Proposed amendment to the following regulation:

*Earned Income Disregards/Student Income in the Aid to Dependent Children (ADC) Program.*

This amendment is being proposed for a 60-day comment period.

Substance: The proposed regulation as set forth will require the earned income of a dependent child who is a full-time student to be disregarded for a period of six months per calendar year in the first two steps of the eligibility determination process for assistance in the Aid to Dependent Children Program. The first step of eligibility determination process consists of screening total gross family income against 185% of the state's standard of need. In the second step, gross income of the family unit, minus the appropriate income disregards, is screened against 90% of the state's standard of need.

Issues: 1. Duration of Disregard -

Federal regulations specify that the earned income of a dependent child who is a full-time student may be disregarded for a period not to exceed six months per calendar year. The proposed regulation disregards such student income for the entire six-month period.

2. Amount to be Disregarded -

Federal regulations specify that all or part of such student income may be disregarded in the first two steps of the eligibility determination process. The proposed regulation disregards all earnings of a full-time student.

Basis: The proposed regulation has been developed pursuant to the provisions of § 63.1-25 of the Code of Virginia and § 2642 of the Federal Deficit Reduction Act of 1984 (P.L. 98-369).

Purpose: The purpose of the proposed regulation is to ensure equity and consistency with regard to application of student income in the determination of a family's eligibility for assistance in the Aid to Dependent Children

Program. Currently, earnings derived by a youth through participation in the Job Training Partnership Act of 1982 (P.L. 97-377) are disregarded for a period of six months per calendar year in the determination of eligibility for assistance in the Aid to Dependent Children Program. The proposed regulation will extend the same disregard to non-Job Training Partnership Act related employment.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until July 26, 1985 to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services.

Contact: Carolyn C. Ellis, Supervisor, Economic Assistance Unit, Division of Benefit Programs, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

### 1986 Low-Income Home Energy Assistance Block Grant

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services intends to amend regulations entitled: **Virginia Fuel Assistance Program.** The proposed amendments will delete the voluntary quit provision; vary benefits by fuel type; replace the Heating Equipment Repairs/Replacement component with an Energy Crisis Assistance Program; and add a ceiling to the administrative costs reimbursement.

#### STATEMENT

Subject: Proposed Amendments to the Virginia Fuel Assistance Program. These amendments are being proposed for a 60-day public comment period.

Substance: The amendments to the Program are as follows; (i) delete the voluntary quit provision as an eligibility criteria, (ii) vary benefits by fuel type, (iii) replace the Heating Equipment Repairs/Replacements (HER/R) component with an Energy Crisis Assistance Program (ECAP), and (iv) add a ceiling to the administrative costs reimbursement to local departments of social service.

Issues: The issues that relate to each amendment are as follows; (i) deleting the voluntary quit provision would mean that quitting a job will have no effect on an applicant's eligibility for fuel assistance or ECAP, (ii) varying benefits by fuel type will lower benefits for lower priced fuels and increase benefits for higher priced fuels, (iii) in administering ECAP, local departments of social services will have the flexibility of choosing which forms of assistance will best meet the needs of the clientele in their locality, and (iv) placing a ceiling on administrative costs reimbursement will mean that some local departments of social services will not be reimbursed for all their expenditures.

Basis: Virginia Code, § 63.1-25 provides the statutory basis

for the promulgation of regulations relative to the Fuel Assistance Program.

**Purpose:** The purpose of each amendment is as follows; (i) the voluntary quit provision is being deleted because it is not cost effective and is not administered equitably statewide, (ii) basing benefits on fuel types more realistically ensures that the program's goal of assisting households with the least income and highest energy costs is achieved, (iii) replacing HER/R with ECAP will provide assistance to households who have energy emergencies that cannot be taken care of by other resources, and (iv) the addition of a ceiling in administrative cost reimbursement will ensure that the Department contains administrative expenses to the maximum federal reimbursable amount at the same time freeing up more funds for direct benefits to clients.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until June 29, 1985 to Guy Lusk, Director, Division of Benefit Programs/Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

**Contact:** Charlene H. Chapman, Supervisor, Energy and Emergency Assistance, Division of Benefit Programs/Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046 (toll-free number 1-800-552-7091)

## VIRGINIA BOARD OF SOCIAL WORK

† **June 14, 1985 - 1 p.m.** – Open Meeting  
Holiday Inn, I-64 West, 6531 West Broad Street, Richmond, Virginia. (Location accessible to handicapped.)

The Board will conduct general board business; review applications; and respond to correspondence.

**Contact:** John W. Braymer, Ph.D., Executive Director, 517 W. Grace St., Richmond, Va. 23220, telephone (804) 786-7703

## VIRGINIA SOIL AND WATER CONSERVATION COMMISSION

† **July 10, 1985 - 2 p.m.** – Open Meeting  
Marriott Inn, 900 Price's Fork Road, N.W., Blacksburg, Virginia. (Location accessible to handicapped.)

The Commission will hold its regular bi-monthly business meeting.

**Contact:** Donald L. Wells, 203 Governor St., Suite 206, Richmond, Va. 23219, telephone (804) 786-2064

## SOLID WASTE COMMISSION

† **July 10, 1985 - 2 p.m.** – Public Hearing  
General Assembly Building, Capitol Square, Senate Room B, Richmond, Virginia. (Location accessible to handicapped.)

A public hearing on the Southeast Compact Commission's Draft Regional Management Plan.

A copy of the draft plan is available for inspection in Room 824, General Assembly Building.

**Contact:** Cheryl Cashman, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-4169

## DEPARTMENT OF TAXATION

**August 8, 1985 - 10 a.m.** – Public Hearing  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to adopt regulations entitled: **Individual Income Tax: Net Operating Losses. (VR 630-2-322.1)** This regulation sets forth and explains the procedures relating to the Virginia tax treatment of federal net operating losses.

## STATEMENT

**Basis:** This regulation is issued under authority granted by § 58.1-203 of the Code of Virginia.

**Purpose:** This regulation sets forth and explains the procedures relating to the Virginia tax treatment of federal net operating losses.

**Issues:** This is a previously unregulated area and the Virginia Code is silent on this subject. Federal law allows a deduction for net operating losses in the computation of federal adjusted gross income. Since the starting point on a Virginia individual income tax return is federal adjusted gross income, which would reflect any federal net operating loss, Virginia taxable income is indirectly affected.

**Substance:** This regulation specifies which Virginia modifications, and in what manner these modifications are to be considered in the recomputation of Virginia taxable income in years in which a federal net operating loss is utilized. To avoid ambiguity, the terms used in this regulation are defined and examples illustrating the computation of the Virginia modification in the loss year are provided. Furthermore, this regulation specifies the procedures for filing a Virginia refund claim in the event of a federal net operating loss. It also addresses such topics as when a claim must be filed, what supporting documents must accompany the claim, where the return must be filed, and how interest is to be computed on the overpayment resulting from the refund claim.

# Calendar of Events

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Statutory Authority: § 58.1-203 of the Code of Virginia.

U, Blacksburg, Va. 24060, telephone (703) 961-6945

Written comments may be submitted until August 8, 1985.  
**Contact:** Danny M. Payne, Director, Tax Policy Division,  
P. O. Box 6-L, Richmond, Va. 23282, telephone (804)  
257-8010

## VIRGINIA BOARD OF VETERINARY MEDICINE

**June 19, 1985 - 9 a.m. - Open Meeting**  
**June 20, 1985 - 9 a.m. - Open Meeting**  
**June 21, 1985 - 9 a.m. - Open Meeting**  
Holiday Inn (Downtown), 301 West Franklin Street, Board  
Room, 3rd Floor, Richmond, Virginia. (Location accessible  
to handicapped.)

A general business, and informal conferences.

**June 20, 1985 - 8 a.m. - Open Meeting**  
Medical College of Virginia, Sanger Hall, Rooms 1-044 and  
2-020, Richmond, Virginia

Veterinarian examinations (Room 2-020), Animal  
Technician examinations (Room 1-044).

**Contact:** Lawrence H. Redford, Virginia Board of  
Veterinary Medicine, P. O. Box 27708, Richmond, Va.  
23261, telephone (804) 786-0069

## BOARD FOR THE VISUALLY HANDICAPPED

† **July 10, 1985 - 11 a.m. - Open Meeting**  
Virginia Rehabilitation Center for the Blind, 401 Azalea  
Avenue, Richmond, Virginia. (Location accessible to  
handicapped; interpreter for deaf provided if requested.)

A quarterly meeting of the Board to review policy and  
procedures of the Department for the Visually  
Handicapped. The Board will review and approve the  
Department's budget, executive agreement, and  
operating plan.

**Contact:** Wanda D. Tompson, Confidential Secretary, 397  
Azalea Avenue, Richmond, Va. 23227, telephone (804)  
264-3145

## VIRGINIA COUNCIL ON VOCATIONAL EDUCATION

† **June 26, 1985 - 1 p.m. - Open Meeting**  
† **June 27, 1985 - 8:30 a.m. - Open Meeting**  
Hyatt Richmond, I-64 West, 6624 West Broad Street,  
Richmond, Virginia. (Location accessible to handicapped.)

June 26 - 1 p.m. General session

June 27 - 8:30 a.m. Business session

**Contact:** George S. Orr, Jr., Executive Director, P. O. Box

## STATE WATER CONTROL BOARD

**June 24, 1985 - 9 a.m. - Open Meeting**  
**June 25, 1985 - 9 a.m. - Open Meeting**  
General Assembly Building, Capitol Square, Senate Room  
B, Richmond, Virginia. (Location accessible to  
handicapped.)

A quarterly board meeting.

**Contact:** Doneva A. Dalton, State Water Control Board,  
Office of Policy Analysis, P. O. Box 11143, Richmond,  
Va. 23230, telephone (804) 257-6829

## COLLEGE OF WILLIAM AND MARY

### Board of Visitors

† **July 1, 1985 - 12 noon - Open Meeting**  
College of William and Mary, Sir Christopher Wren  
Building, Blue Room, Williamsburg, Virginia

A regularly scheduled meeting to act on those  
resolutions that are presented by the administrations  
of the College of William and Mary and Richard  
Bland College.

An informational release will be available four days  
prior to the Board meeting for those individuals and  
organizations who request it.

**Contact:** Office of University Communications, College of  
William and Mary, James Blair Hall, Room 308,  
Williamsburg, Va. 23185, telephone (804) 253-4226

## LEGISLATIVE

### HOUSE APPROPRIATIONS COMMITTEE

† **June 17, 1985 - 9:30 a.m. - Open Meeting**  
General Assembly Building, Capitol Square, 9th Floor  
Committee Room, Richmond, Virginia. (Location accessible  
to handicapped.)

A regular monthly meeting.

**Contact:** Donna C. Johnson, House Appropriations  
Committee, General Assembly Bldg., 9th Floor, Capitol  
Sq., Richmond, Va. 23219, telephone (804) 786-1837

## COAL AND ENERGY COMMISSION

### Energy Preparedness Subcommittee

**June 13, 1985 - 10 a.m.** — Open Meeting  
General Assembly Building, Capitol Square, House Room C,  
Richmond, Virginia. (Location accessible to handicapped.)

The meeting will include a presentation by Virginia Power on their long-term electrical growth and a briefing by the Department of Housing and Community Development on the new American Society of Heating, Refrigeration Air Conditioning Engineers (ASHRAE) Standards.

### Coal and Energy Commission and the Solid Waste Commission JOINT MEETING

† **June 24, 1985 - 9:30 a.m.** — Open Meeting  
General Assembly building, Capitol Square, House Room D,  
Richmond, Virginia. (Location accessible to handicapped.)

The agenda for the meeting will consist of reports from : U.S. Department of Energy, Solid Waste Commission, Virginia Center for Coal and Energy Research, and briefing by Virginia Power.

**Contact:** Michael D. Ward, Staff Attorney, or Martin G. Farber, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

## FEDERAL BLOCK GRANTS JOINT SUBCOMMITTEE

**July 15, 1985 - 10 a.m.** — Public Hearing  
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. (Location accessible to handicapped.)

A public hearing on Federal Block Grants in the areas of (i) Preventive Health and Health Services; (ii) Drug Abuse and Mental Health; and (iii) Community Services.

**Contact:** Norma E. Szakal, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591 or Jayne Thomas, Grant Director, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23288, telephone (804) 281-9217

## REVISION OF THE SAVINGS AND LOAN ACT JOINT SUBCOMMITTEE

**June 17, 1985 - 2 p.m.** — Open Meeting  
General Assembly Building, Capitol Square, House Room C,

Richmond, Virginia. (Location accessible to handicapped.)

An update on reaction to the interstate banking and savings and loan bills from the 1985 Session — the issue of private insurance of accounts and interest rates in Virginia. (HJR 217)

**Contact:** C. William Cramme', III, Staff Attorney, Division of Legislative Services, General Assembly Bldg., 2nd Floor, Richmond, Va. 23219, telephone (804) 786-3591

## COMMISSION ON VETERANS' AFFAIRS

† **June 27, 1985 - 7:30 p.m.** — Public Hearing  
Albemarle County Offices, Meeting Room 7, Charlottesville,  
Virginia

A public hearing on matters affecting the welfare of Virginia's veterans and their dependents. Individual veterans, representatives of veterans organizations, and concerned persons are invited to solicit comments or suggestions for consideration by the Commission for transmittal to the 1986 Session of the General Assembly.

**Contact:** Jessica Bolecek, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

## STATE WATER COMMISSION

**June 18, 1985 - 2 p.m.** — Open Meeting  
State Capitol, Capitol Square, House Room 4, Richmond,  
Virginia. (Location accessible to handicapped.)

The agenda will include an update by the State Water Control Board on activities of the SWPAC subcommittees, as well as, further discussion regarding the public hearings on the new water policy legislation to be scheduled for later this summer.

**Contact:** Michael D. Ward, Staff Attorney, or Martin G. Farber, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

## CHRONOLOGICAL LIST OPEN MEETINGS

### June 10, 1985

Alcoholic Beverage Control Commission, Virginia  
Farmers' Market Feasibility Study Steering Committee  
Virginia Wholesale

### June 11

Farmers' Market Feasibility Study Steering Committee  
Virginia Wholesale  
Private Security Services Advisory Council



# Calendar of Events

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Real Estate Commission, Virginia

**June 12**

Child Support, Governor's Commission on  
Corrections, Board of  
Developmental Disabilities Planning Council  
General Services, Department of  
Art and Architectural Review Council  
Hazardous Waste Facility Siting Board  
Milk Commission, State  
Overall Advisory Council on the Needs  
of Handicapped Persons

**June 13**

Coal and Energy Commission  
Energy Preparedness Subcommittee

**June 14**

General Services, Department of  
State Insurance Advisory Board  
Medicine, Virginia State Board of  
Social Work, Virginia Board of

**June 17**

Alcoholic Beverage Control Commission, Virginia  
Appropriations Committee, House  
Health Coordinating Council, Statewide  
Housing and Community Development, Board of  
Innovative Technology Authority  
Savings and Loan Act, Revisions of the  
Joint Subcommittee

**June 18**

Conservation and Historic Resources, Department of  
Division of Historic Landmarks' State Review  
Board  
Health Coordinating Council, Statewide  
Historic Landmarks Commission, Virginia  
Housing Development Authority, Virginia  
Board of Commissioners  
State Water Commission

**June 19**

Criminal Justice Services Board  
Committee on Criminal Justice Information  
Systems  
Governor's Regulatory Reform Advisory Board  
Health Coordinating Council, Statewide  
State Sewage Handling and Disposal Appeals  
Review Board  
Social Services, State Board of  
Veterinary Medicine, Virginia Board of

**June 20**

Highway and Transportation Commission  
Museum of Fine Arts, Virginia  
Finance Committee  
Nursing Home Administrators, Board of Examiners for  
Perinatal Services Advisory Council  
Social Services, State Board of  
Veterinary Medicine, Virginia Board of

**June 21**

Mental Health and Mental Retardation, Department of  
Mental Retardation Advisory Council  
Veterinary Medicine, Virginia Board of

**June 24**

Barber Examiners, Board of  
Coal and Energy Commission AND  
Solid Waste Commission  
Library Board, Virginia State  
Water Control Board, State

**June 25**

Children's Facilities, Interdepartmental Committee  
on Rate Setting for  
Marine Resources Commission  
Pharmacy, Board of  
Water Control Board, State

**June 26**

Athletic Commission, Virginia  
Health Services Cost Review Commission, Virginia  
Mental Health and Mental Retardation Board, State  
Pharmacy, Board of  
Vocational Education, Virginia Council on

**June 27**

Mental Health and Mental Retardation, Virginia  
Department of  
Mental Health and Mental Retardation, Virginia  
Department of  
Task Force on the Mentally Ill in Virginia's Jails  
Vocational Education, Virginia Council on

**June 29**

Mental Health and Mental Retardation Board

**July 1**

Safety and Health Codes Commission, Virginia  
College of William and Mary  
Board of Visitors

**July 2**

Resources Authority, Virginia  
Board of Directors

**July 9**

Health Regulatory Boards, Commission of

**July 10**

Corrections, Board of  
Soil and Water Conservation Commission  
Visually Handicapped, Board for the

**July 15**

Governor's Job Training Coordinating Council

**July 17**

Sewage Handling and Disposal Appeals  
Review Board, State

# Calendar of Events

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**July 31**  
Optometry, Virginia Board of

**August 1**  
Optometry, Virginia Board of  
State Board Examination & Diagnostic  
Pharmaceutical Agent Examination

**August 2**  
General Services, Department of  
Art and Architectural Review Board

**August 14**  
Child Support, Governor's Commission on  
Corrections, Board of  
Sewage Handling and Disposal Appeals  
Review Board, State

## PUBLIC HEARINGS

**June 13, 1985**  
Highways and Transportation, Department of

**June 14**  
Medical Assistance Services, Department of

**June 15**  
Federal Block Grants  
Joint Subcommittee

**June 17**  
Housing and Community Development, Board of  
Housing and Community Development, Department of

**June 19**  
Governor's Regulatory Reform Advisory Board

**June 25**  
Mental Health and Mental Retardation, Department of

**June 27**  
Veteran's Affairs, Commission on

**June 28**  
Medical Assistance Services, Department of

**July 9**  
Child Support, Governor's Commission on

**July 10**  
Architects, Professional Engineers, Land Surveyors and  
Certified Landscape Architects, State Board of  
Solid Waste Commission

**July 15**  
Mines, Minerals and Energy, Department of

**July 17**  
Contractors, State Board for

**July 18**  
Child Support, Governor's Commission on

**July 22**  
Child Support, Governor's Commission on

**July 25**  
Governor's Regulatory Reform Advisory Board

**July 29**  
Governor's Employment and Training Division

**July 30**  
Child Support, Governor's Commission on

**August 2**  
Labor and Industry, Department of

**August 6**  
Agriculture and Consumer Services, Department

**August 7**  
Agriculture and Consumer Services, Department

**August 8**  
Taxation, Department of

**September 10**  
Governor's Regulatory Reform Advisory Board  
Mental Health and Mental Retardation, Department of

**September 11**  
Mental Health and Mental Retardation, Department of

**September 12**  
Mental Health and Mental Retardation, Department of

**September 13**  
Mental Health and Mental Retardation, Department of

**Calendar of Events**

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