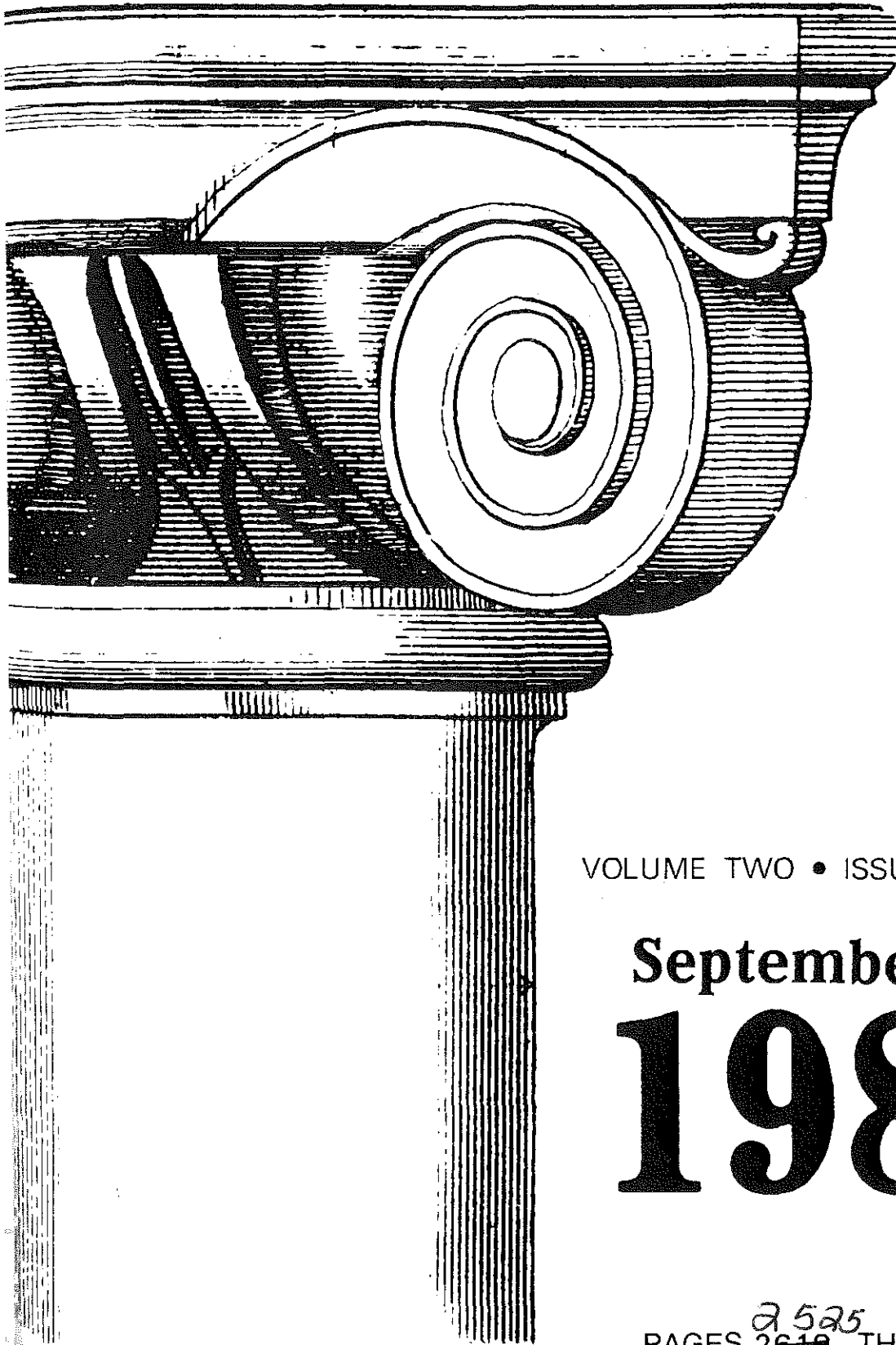


THE VIRGINIA REGISTER

OF REGULATIONS



VOLUME TWO • ISSUE TWENTY-SIX

September 29,
1986

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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

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PUBLICATION DEADLINES AND SCHEDULES

PUBLICATION DATE	MATERIAL SUBMITTED BY 12 noon Wednesday
July 7	June 18
July 21	July 2
Aug. 4	July 16
Aug. 18	July 30
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Nov. 10	Oct. 22
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PROPOSED REGULATIONS

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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 FIRE PROGRAMS (BOARD OF)

Title of Regulation: VR 310-01-2. Regulations Establishing Certification Standards for Fire Inspectors.

Statutory Authority: § 9-155 of the Code of Virginia.

Public Hearing Date: December 19, 1986 - 9:30 a.m.
(See Calendar of Events section
for additional information)

Summary:

The Virginia Fire Services Board proposes to promulgate Regulations Establishing Certification Standards for Fire Inspectors to be adopted pursuant to § 27-34.2 of the Code of Virginia.

The purpose of the regulations is to establish, in writing, the standards which fire inspectors, authorized by their localities to issue summonses and serve warrants, must meet before they may exercise that authority.

The regulations also contain the administrative procedures which the Department of Fire Programs will follow in administering the regulations.

VR 310-01-2. Regulations Establishing Certification Standards for Fire Inspectors.

PART I. DEFINITIONS.

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

"Approved" means acceptable to the authority having jurisdiction.

"Authority having jurisdiction" means the organization, office or individual responsible for "approving" equipment, an installation or a procedure.

"Basic knowledge" means a fundamental acquaintance with facts, truths, or principles.

"Bleve" means Boiling Liquid Expanding Vapor Explosion.

"Candidate" means the individual who has made application to become a Fire Inspector I, Fire Investigator II or Fire Prevention Education Officer II.

"Code Requirement(s)" means the statement in a law, ordinance or legally adopted reference which mandates or guides a particular action or procedure, or restricts a particular action or procedure.

"Demonstrate" means to show by actual use, illustration, simulation or explanation.

"Fire Department" means the agency that provides fire suppression and other fire-related services.

"Fire hazard" means any situation, process, material or condition which, on the basis of applicable data, may cause a fire or explosion or provide a ready fuel supply to augment the spread or intensity of the fire or explosion and which poses a threat to life of property.

"Fire Inspector I" means the candidate who has demonstrated the knowledge and ability to perform the objectives specified in the standard for the Fire Inspector I level.

"Fire Inspector II" means the Fire Inspector I who has demonstrated the knowledge and ability to perform the objectives specified in the standard for the Fire Inspector II level.

"Fire Inspector III" means a Fire Inspector II who is qualified to perform as the technical and administrative supervisor of a group of fire inspectors or placed in charge of a particular branch or section of a fire prevention bureau and has demonstrated the knowledge and ability to perform the objectives specified in the standard for the Fire Inspector III level.

"Identify" means to physically select, indicate or explain verbally or in writing, using acceptable and recognizable terms.

"Labeled" means equipment or materials to which has been attached a label, symbol or other identifying mark of an organization acceptable to the "authority having jurisdiction" and concerned with product evaluation, that maintains periodic inspection of production of labeled equipment or materials and by whose labeling the manufacturer indicates compliance with appropriate standards or performance in a specified manner.

"Listed" means equipment or materials included in a list published by an organization acceptable to the "authority having jurisdiction" and concerned with product evaluation, that maintains periodic inspection of production of listed equipment or materials and whose listing states either that

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the equipment or material meets appropriate standards or has been tested and found suitable for use in a specified manner.

"Local fire alarm" means any fire alarm device or system other than a municipal fire alarm system.

"May" means to indicate a recommendation or that which is advised but not required.

"Objective" means a goal that is achieved through the attainment of a skill, knowledge, or both, which can be observed or measured.

"Qualified" means having satisfactorily completed the requirements of the objectives.

"Regulation" means the statute, laws, ordinance or authorized rules by which something or someone is governed.

"Shall" means to indicate a mandatory requirement.

"Working knowledge" means the ability to translate an understanding of facts, truths or principles into a desired action or application.

PART II. ADMINISTRATION.

Article I. Purpose.

§ 2.1. The standards are designed as the basis for assuring that a Fire Inspector I has a clear understanding of the Fire Prevention Code, laws, rules, and regulations which have been adopted to make Virginia communities a safer place to live, work and play. Upon successfully completing the course, the student will have a clear understanding of how to conduct a fire prevention inspection and what action is required to have hazardous conditions corrected.

It is not the intent of this course to produce an experienced Fire Inspector or Fire Marshal, but to supply the basic knowledge and skills necessary for functioning at a satisfactory level in this position while continuing to gain experience and knowledge.

The students meeting these prerequisites will be certified as meeting the provisions of N.F.P.A. (National Fire Protection Association) Standards Number 1031 for Fire Inspector I as adopted by the Department of Fire Programs and incorporated by reference and made a part of these regulations.

Upon satisfactorily completing the course developed for Inspector I, passing the test developed for that course of study and satisfactorily completing the field work, the individual will be certified to enforce fire prevention codes in the Commonwealth.

Article II. Instructors for the Course.

§ 2.2. Instructors will be State Certified Fire Instructors who have experience and knowledge in the subject area or persons who have special knowledge or skills in a particular subject and who have been approved by the Department of Fire Programs.

§ 2.3. Law-enforcement subjects will be taught by certified Department of Criminal Justice personnel.

§ 2.4. Legal matters will be instructed by a representative from the Attorney General's office, a Commonwealth's Attorney, or an attorney who is knowledgeable in such matters.

Article III. Reference Material.

§ 2.5. The Inspector may choose to use a wide variety of reference material and teaching aids; however, the subject matter will be taken from the currently state accepted BOCA (Building Officials and Code Administrators International, Inc.) Codes and the IFSTA (International Fire Services Training Association) manual 110-Fire Prevention and Inspection Practices promulgated by the Virginia Department of Housing and Community Development.

§ 2.6. Other reference material may include:

Forest Fire and Related Laws, Virginia Department of Forestry
Uniform Statewide Building Code
Statistics from Virginia Fire Incident Reporting System
N.F.P.A. Handbook and Standards.

All other reference materials used shall be approved by the Deputy Director of the Department of Fire Programs.

§ 2.7. When the student has successfully completed the Fire Inspector I training, he shall work for a minimum of 15 hours in his own community under the supervision of an Inspector II having two or more years experience. If there is no such experienced Inspector in his community, he shall make arrangements for working with an experienced Inspector II from a neighboring community, state or federal agency.

§ 2.8. The Inspector under whom the student works shall submit a written report recommending that the student be certified or he shall state why he feels the candidate needs additional training.

Article IV. Who May Attend the Course.

§ 2.9. Any member in good standing of any fire department or fire brigade who is responsible to make Fire Prevention Inspections or Fire Safety Inspections may

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make applications to attend the course. All inspectors who wish to be certified under the N.F.P.A. 1031 Standards in order to make fire prevention inspectors shall successfully complete the Inspector I level of training as one prerequisite.

§ 2.10. Any individual who is responsible for fire inspection or prevention activities may make application to attend the Inspector I course. Course applications shall be approved by the deputy director.

§ 2.11. Upon satisfactory course completion:

A. Those individuals who meet Department of Fire Program's Firefighter III qualifications and Department of Criminal Justice Services medical training requirements will receive a Department of Fire Program's certificate for Inspector I.

or

B. Those individuals who do not meet Firefighter III certification will receive a letter of completion and attendance.

Article V. Grading.

§ 2.12. All grades, reports, and records will be submitted to the Department of Fire Programs within 15 working days following the completion of the course. The procedure for grading will be as follows:

1. All written examinations shall include a minimum of two questions for each hour of mandatory instruction. This requirement likewise includes the classroom instruction on performance-oriented subject matter; however, those subjects which exceed five hours of instruction, 10 questions will suffice as an acceptable minimum.

2. All students shall attain a grade of 100% in each subject category to satisfactorily complete mandatory training, and shall be tested at the completion of each subject. Any student who does not attain 100% in each category will be required to retake missed questions that comprise the subject category and shall be allowed three retests.

3. Performance testing, when utilized, will be graded on a satisfactory or unsatisfactory basis. A satisfactory rating on all performance testing will be required to satisfactorily complete the school. The determination of satisfactory or unsatisfactory performance on any performance test will be determined by the instructor administering the test.

Article VI. Attendance.

§ 2.13. No more than 10% absenteeism for the course will be allowed for any reason. Students who are absent will be required to make up any material missed. If for any

reason a student must be absent from the class, he shall advise the instructor or the deputy director of the Department of Fire Programs immediately upon learning this fact.

Article VII. School Location and Dates.

§ 2.14. The deputy director of the Training Division, Department of Fire Programs, will schedule Inspector I classes, as deemed appropriate, based on the number of inquiries and applications received. The deputy director will select the sites where the classes will be held based on availability of facilities and student interest.

Article VIII. Failure to Comply With the Rules and Regulations.

§ 2.15. Any student who attends the course shall comply with the rules and regulations established by the Department of Fire Programs and the Department of Criminal Justice Services. The deputy director or instructor will be responsible for the proper enforcement of all rules and regulations. Any student who, in the opinion of the instructor or deputy director, fails to follow the rules or regulations, or who behaves in an unsafe or disruptive manner, may be removed from the class if deemed necessary. The instructor will report to the deputy director immediately after the incident who may expel the individual from the school if it is determined such action is necessary and appropriate.

Any student who is expelled will be deemed to have not satisfactorily completed the course and will not be awarded a certificate.

The deputy director will immediately report the incident to the executive director of the Department of Fire Programs and to the student's supervisor. The deputy director will make a complete written report of the circumstances associated with the incident and submit it to the executive director of the Department of Fire Programs within 24 hours.

The rules and regulations will be in effect immediately upon the approval by the Department of Criminal Justice Services and the Virginia Fire Board, subject to the requirements of the Virginia Administrative Process Act Chapter 1.1:1, (§ 9-6.14:1 et seq.) of Title 9 of the Code of Virginia. They will remain in effect until such time as they are amended or rescinded.

Article IX. In-Service Training.

§ 2.16. In order to remain certified and comply with the N.F.P.A. 1031 standards at the Inspector I level an individual shall attend a minimum of 16 hours of training every two years which is approved by the Department of Fire Programs. This training shall include the following:

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Review of constitutional law

Update on state codes

Review of latest court decisions affecting code enforcement

Review of the fire prevention code

Update on code reference material and N.F.P.A. standards.

PART III. CANDIDATES.

§ 3.1. Candidates shall possess a valid driver's license for the state of Virginia and shall identify state and local laws governing the operation of emergency vehicles.

Candidates shall demonstrate an ability to clearly express themselves orally.

Candidates shall demonstrate an ability to clearly express themselves in writing.

Candidates shall demonstrate a knowledge of occupationally related personal safety practices and procedures.

Candidates shall demonstrate through tests, or interview, or both, their ability to interact with the public, under conditions of code enforcement, fire investigation, or fire prevention education duties, with tact, discretion, and without loss of authority.

The candidates shall meet the requirements specified for Fire-fighter III unless such requirements are waived by the executive director.

PART IV. FIRE INSPECTOR I STANDARDS.

Article I. General.

§ 4.1. General.

A. Fire Inspector I shall demonstrate a knowledge of the legally established responsibilities and empowerment related to the performance of the inspector's duties.

B. The Fire Inspector I shall demonstrate a knowledge of the established procedure for modification of requirements.

C. The Fire Inspector I shall demonstrate a knowledge of the established appeals procedure and judicial review process for the jurisdiction in which the inspector is employed.

D. The Fire Inspector I shall demonstrate a knowledge

of other agencies which may be referred to for assistance in correcting hazards.

E. The Fire Inspector I shall demonstrate an ability to initiate corrective procedures for fire hazards discovered during fire inspections.

Article II. Flammable and Combustible Liquids.

§ 4.2. Properties of Flammable and Combustible Liquids.

A. The Fire Inspector I shall identify and explain general properties of flammable and combustible liquids.

B. The Fire Inspector I shall demonstrate a working knowledge of the definition of flash point.

C. The Fire Inspector I shall demonstrate a working knowledge of the definition of ignition temperature.

D. The Fire Inspector I shall demonstrate a working knowledge of the basic effects of temperature and pressure on flammable and combustible liquids.

E. The Fire Inspector I shall demonstrate a working knowledge of the definition of flammable and explosive limits.

F. The Fire Inspector I shall demonstrate a working knowledge of the definition of specific gravity.

G. The Fire Inspector I shall demonstrate a working knowledge of the definition of boiling point.

H. The Fire Inspector I shall demonstrate a working knowledge of the basic class of flammable and combustible liquids as defined by NFPA 30, Flammable and Combustible Liquids Code.

I. The Fire Inspector I shall demonstrate a working knowledge of the definition of toxicity.

J. The Fire Inspector I shall demonstrate a working knowledge of the definition of reactivity.

§ 4.3. Storage, handling and use of flammable and combustible liquids.

A. The Fire Inspector I shall identify the fire hazards associated with the storage, handling and use of flammable and combustible liquids.

B. The Fire Inspector I shall demonstrate the knowledge of the regulations and hazards attendant to the transfer of flammable and combustible liquids.

C. The Fire Inspector I shall demonstrate a knowledge of the regulations and fire hazards attendant to finishing processes that involve flammable and combustible liquids.

D. The Fire Inspector I shall demonstrate a knowledge of what may constitute possible sources of ignition during storage, handling and use of flammable and combustible liquids.

E. The Fire Inspector I shall demonstrate a knowledge of conditions which might be conducive to creating explosive atmospheres in the storage, handling and use of flammable and combustible liquids.

F. The Fire Inspector I shall demonstrate a knowledge of conditions associated with the typical storage, handling and use of flammable and combustible liquids.

G. The Fire Inspector I shall demonstrate a working knowledge of regulations or code provisions related to the storage, handling or use of flammable or combustible liquids.

§ 4.4. Underground storage tanks for flammable and combustible liquids.

A. The Fire Inspector I shall demonstrate a knowledge of regulations and acceptable installation practices relative to underground storage tanks for flammable and combustible liquids.

B. The Fire Inspector I shall demonstrate a knowledge of normal venting procedures and devices installed on underground storage tanks for flammable and combustible liquids.

C. The Fire Inspector I shall demonstrate a knowledge of the normal requirements and acceptable installation practices relative to piping and valves attendant to underground storage tanks for flammable and combustible liquids.

§ 4.5. Aboveground storage tanks for flammable and combustible liquids.

A. The Fire Inspector I shall demonstrate a knowledge of the regulations and acceptable installation practices of above ground storage tanks for flammable and combustible liquids.

B. The Fire Inspector I shall demonstrate an ability to determine if normal and emergency venting devices are being properly maintained.

C. The Fire Inspector I shall demonstrate a knowledge of drainage or diking systems, or both, that may be required for aboveground storage of flammable and combustible liquids.

D. The Fire Inspector I shall demonstrate a knowledge of the requirements for an installation of piping and valves attendant to aboveground storage tanks for flammable and combustible liquids.

§ 4.6. Inside storage tanks for flammable and combustible

liquids.

A. The Fire Inspector I shall demonstrate a knowledge of the regulations and acceptable installation practices relative to inside storage of flammable and combustible liquids.

B. The Fire Inspector I shall demonstrate an ability to determine if normal and emergency venting devices are being properly maintained.

C. The Fire Inspector I shall demonstrate a knowledge of drainage or containment systems which may be required for the inside storage of flammable and combustible liquids.

D. The Fire Inspector I shall demonstrate a knowledge of requirements and acceptable installation practices relative to piping and valves attendant to the inside storage of flammable and combustible liquids.

§ 4.7. Outside container storage for flammable and combustible liquids.

A. The Fire Inspector I shall demonstrate a knowledge of the regulations or code requirements relative to the outside storage of flammable and combustible liquids.

B. The Fire Inspector I shall demonstrate a knowledge of acceptable flammable and combustible liquid containers for outside storage.

C. The Fire Inspector I shall demonstrate a knowledge of acceptable locations and storage parameters such as aisle spacing, stacking, storing of containers in vertical or horizontal positions, relative to the outside storage of flammable and combustible liquids.

D. The Fire Inspector I shall demonstrate a basic knowledge of container venting devices and venting practices.

§ 4.8. Inside container storage for flammable and combustible liquids.

A. The Fire Inspector I shall demonstrate a knowledge of the regulation, including quantity limitations, that may exist for different occupancies relative to the inside storage of flammable and combustible liquids.

B. The Fire Inspector I shall demonstrate a basic knowledge of acceptable flammable and combustible liquid containers for inside storage.

C. The Fire Inspector I shall demonstrate a basic knowledge of the storage parameters such as aisle spacing, stacking, storage of containers in vertical or horizontal positions, relative to the inside storage of flammable and combustible liquids.

D. The Fire Inspector I shall demonstrate a knowledge

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of normal and emergency venting devices or procedures acceptable for the inside storage of flammable and combustible liquids.

§ 4.9. Flammable and combustible liquids fire extinguishment.

A. The Fire Inspector I shall have a knowledge of the basic techniques of flammable and combustible liquids fire extinguishment.

B. The Fire Inspector I shall demonstrate a knowledge of portable fire extinguisher operations and installation requirements for areas involving flammable and combustible liquids.

C. The Fire Inspector I shall demonstrate a basic knowledge of fixed fire extinguishing systems required or installed for flammable and combustible liquids storage, handling or use.

§ 4.10. Flammable and combustible liquids labeling.

A. The Fire Inspector I shall demonstrate a basic understanding of the regulatory labeling and placarding systems used for flammable and combustible liquids identification.

§ 4.11. Transportation of flammable and combustible liquids.

A. The Fire Inspector I shall demonstrate a basic understanding of regulations relative to the transportation of flammable and combustible liquids within the jurisdiction in which the inspector is employed.

B. The Fire Inspector I shall have a knowledge of which agencies regulate the transportation of flammable and combustible liquids within the jurisdiction in which the inspector is employed.

C. The Fire Inspector I shall have a knowledge of which agencies offer assistance in handling flammable and combustible liquids emergencies in the jurisdiction in which the inspector is employed.

Article III.

Compressed and Liquefied Gases.

§ 4.12. Properties of compressed and liquefied gases.

A. The Fire Inspector I shall identify the general properties of compressed and liquefied gases.

B. The Fire Inspector I shall demonstrate a working knowledge of the effects of temperature and pressure as they relate to compressed and liquefied gases.

C. The Fire Inspector I shall demonstrate a working knowledge of the definition of specific gravity particularly as it relates to compressed and liquefied gases.

D. The Fire Inspector I shall demonstrate a knowledge of the differences between compressed and liquefied gases.

E. The Fire Inspector I shall demonstrate an understanding of the definition of toxicity.

F. The Fire Inspector I shall demonstrate an understanding of the definition of reactivity.

§ 4.13. Storage, handling and use of compressed and liquefied gases.

A. The Fire Inspector I shall identify the fire hazards associated with the typical storage, handling, and use of compressed and liquefied gases.

B. The Fire Inspector I shall demonstrate a knowledge of possible ignition sources and fire causes involving compressed and liquefied gases.

C. The Fire Inspector I shall demonstrate an understanding of the conditions which might be conducive to fire initiation and propagation involving compressed and liquefied gases.

§ 4.14. Compressed and liquefied gases containers.

A. The Fire Inspector I shall demonstrate the acceptable practices relative to compressed and liquefied gases container installation and storage.

§ 4.15. Compressed and liquefied gases transfer operations.

A. The Fire Inspector I shall demonstrate a basic knowledge of the practices and procedures involved in the transfer of compressed and liquefied gases.

§ 4.16. Compressed and liquefied gases leaks.

A. The Fire Inspector I shall demonstrate a basic knowledge of the means of compressed and liquefied gases leakage control.

§ 4.17. Transportation of compressed and liquefied gases.

A. The Fire Inspector I shall demonstrate a basic knowledge of the regulations relative to the transportation of compressed and liquefied gases.

B. The Fire Inspector I shall have a knowledge of the agencies which regulate the transportation of compressed and liquefied gases within the jurisdiction in which the inspector is employed.

C. The Fire Inspector I shall have a knowledge of agencies which offer assistance in handling compressed and liquefied gases emergencies within the jurisdiction in which the inspector is employed.

§ 4.18. Fire extinguishment of compressed and liquefied gases.

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A. The fire Inspector I shall have a knowledge of the basic fire extinguishment practices and procedures for compressed and liquefied gases emergencies.

B. The Fire Inspector I shall demonstrate a knowledge of portable fire extinguisher operations and installation requirements for areas involving compressed and liquefied gases.

C. The Fire Inspector I shall demonstrate a basic knowledge of fixed fire extinguishing systems required or installed for the storage, handling, or use of compressed and liquefied gases.

§ 4.19. Labeling of compressed and liquefied gases.

A. The Fire Inspector I shall demonstrate a basic knowledge of the regulatory labeling and placarding regulations relative to compressed and liquefied gases.

Article IV.

Explosives, Including Fireworks.

§ 4.20. Properties of explosives.

A. The Fire Inspector I shall identify the classifications of explosives. (See NFPA 495, Code for the Manufacture, Transportation, Storage and Use of Explosive Materials.)

B. The Fire Inspector I shall understand the need for security of explosives.

§ 4.21. The Fire Inspector I shall understand the regulations relative to the transportation of explosives, including fireworks, within the jurisdiction in which the inspector is employed.

§ 4.22. The Fire Inspector I shall identify the common hazards associated with the typical storage, handling and use of explosives, including fireworks.

§ 4.23. Labeling of explosives, including fireworks.

A. The Fire Inspector I shall demonstrate a knowledge of regulatory labeling and placarding systems relative to explosives, including fireworks.

B. The Fire Inspector I shall have a knowledge of the sources from which detailed or technical information on explosives, including fireworks, might be obtained.

§ 4.24. Storage of explosives, including fireworks.

A. The Fire Inspector I shall have a knowledge of the code requirements and regulations for the storage of explosives, including fireworks.

B. The Fire Inspector I shall have a basic knowledge of the type and construction of storage facilities required for the various classes of explosives.

Article V. Other Hazardous Materials.

§ 4.25. General.

A. The Fire Inspector I shall demonstrate a basic knowledge of the regulatory labeling and placarding systems for various types and quantities of hazardous materials.

B. The Fire Inspector I shall demonstrate a working knowledge of the code requirements and regulations for the typical storage, handling and use of various types and quantities of hazardous materials.

C. The Fire Inspector I shall possess a knowledge of sources of detailed and technical information about various hazardous materials.

§ 4.26. Specific hazardous materials.

A. Fire Inspector I shall have a basic knowledge of the characteristics of corrosives and shall be able to name the more common corrosives.

B. Fire Inspector I shall have a basic knowledge of reactive material characteristics and shall be able to name the more common reactive materials.

C. Fire Inspector I shall have a basic knowledge of unstable material characteristics and shall be able to name the more common unstable materials.

D. The Fire Inspector I shall demonstrate a basic knowledge of toxic materials characteristics and shall be able to name the more common toxic materials.

E. The Fire Inspector I shall have a basic knowledge of radioactive material characteristics and shall be able to name the more common radioactive materials.

F. The Fire Inspector I shall demonstrate a basic knowledge of oxidizing material characteristics and shall be able to name the more common oxidizing materials.

G. The Fire Inspector I shall demonstrate a basic knowledge of the general fire hazard properties of the various types of plastics.

H. The Fire Inspector I shall demonstrate a knowledge of the code requirements and regulations for the typical storage, handling and use of natural and synthetic fibers.

§ 4.27. Combustible metals.

A. The Fire Inspector I shall demonstrate an understanding of combustible metal characteristics and shall be able to name the more common combustible metals.

§ 4.28. Combustible dusts.

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A. The Fire Inspector I shall demonstrate a basic knowledge of combustible dust characteristics and shall be able to name more common combustible dusts.

B. The Fire Inspector I shall understand the basic fire and explosion characteristics of the various combustible dusts.

C. The Fire Inspector I shall demonstrate a basic knowledge of the code requirements and regulations relative to the typical storage and handling of combustible dusts.

Article VI. Fire Protection Equipment.

§ 4.29. Portable fire extinguishers.

A. The Fire Inspector I shall have a basic knowledge of the types of portable fire extinguishers. (See NFPA 10, Standard on Portable Fire Extinguishers.)

B. The Fire Inspector I shall demonstrate a working knowledge of portable fire extinguishers.

C. The Fire Inspector I shall demonstrate an ability to evaluate the operational readiness of portable fire extinguishers.

D. The Fire Inspector I shall demonstrate a knowledge of the capability of extinguishing agents and the proper method for agent application.

E. The Fire Inspector I shall demonstrate a knowledge of code requirements and regulations relative to the distribution and location of portable fire extinguishers.

F. The Fire Inspector I shall demonstrate a basic knowledge of portable fire extinguishers maintenance requirements and procedures.

§ 4.30. Fixed fire extinguishing systems.

A. The Fire Inspector I shall demonstrate a basic understanding of fixed fire extinguishing systems.

B. The Fire Inspector I shall demonstrate an ability to evaluate the operational readiness of fixed fire extinguishing systems.

C. The Fire Inspector I shall demonstrate a working knowledge of fixed fire extinguishing systems.

D. The Fire Inspector I shall demonstrate a knowledge of the capabilities of the extinguishing agent and the proper procedures for agent application in a fixed fire extinguishing system.

§ 4.31. Sprinkler systems.

A. The Fire Inspector I shall demonstrate a basic

knowledge of the different types of sprinkler systems. (See NFPA 13, Standard on Sprinkler Systems.)

B. The Fire Inspector I shall demonstrate a working knowledge of sprinkler systems and their appurtenances.

C. The Fire Inspector I shall demonstrate a knowledge of the capabilities or limitations of sprinkler systems.

§ 4.32. Standpipe and hose systems.

A. The Fire Inspector I shall demonstrate a basic knowledge of the types of standpipe and hose systems. (See NFPA 14, Standard on Sprinkler Systems.)

B. The Fire Inspector I shall demonstrate a working knowledge of standpipe and hose systems and their appurtenances.

C. The Fire Inspector I shall demonstrate an ability to evaluate the operational readiness of a standpipe and hose systems.

D. The Fire Inspector I shall demonstrate a knowledge of standpipe and hose system equipment use and capabilities.

§ 4.33. Private water supply systems.

A. The Fire Inspector I shall demonstrate a basic knowledge of private water supply systems.

B. The Fire Inspector I shall demonstrate an ability to evaluate the operational readiness of a private water supply system.

§ 4.34. Heat, smoke and flame detection systems.

A. The Fire Inspector I shall demonstrate a basic knowledge of heat, smoke and flame detection systems and devices.

B. The Fire Inspector I shall demonstrate an ability to evaluate the operational readiness of heat, smoke and flame detection systems or device.

C. The Fire Inspector I shall demonstrate a basic knowledge of the proper installation locations of heat, smoke and flame detection devices.

§ 4.35. Fire alarm systems and devices.

A. The Fire Inspector I shall demonstrate a basic knowledge of local fire alarm systems and devices.

B. The Fire Inspector I shall demonstrate an ability to evaluate the operational readiness of local fire alarm systems and devices.

C. The Fire Inspector I shall demonstrate a knowledge of the warning capability of local fire alarm systems and

devices.

D. The Fire Inspector I shall demonstrate a basic knowledge of municipal fire alarms systems.

E. The Fire Inspector I shall demonstrate a basic knowledge of the interconnection between local and municipal fire alarm systems.

F. The Fire Inspector I shall differentiate between types of home, local, proprietary, central station, and municipal fire alarm systems.

G. The Fire Inspector I shall demonstrate a basic knowledge of the proper installation locations of fire alarm system components or devices.

§ 4.36. Heating and cooking equipment.

A. The Fire Inspector I shall demonstrate a basic knowledge of the fire hazards related to the various types of heating and cooking equipment.

B. The Fire Inspector I shall demonstrate a knowledge of the general fire safety safeguards incorporated in the various types of heating and cooking equipment systems.

C. The Fire Inspector I shall demonstrate a basic knowledge of the fire hazards and code requirements related to installation and fuel storage of heating and cooking equipment.

D. The Fire Inspector I shall demonstrate a knowledge of sources of detailed and technical information about heating and cooking equipment.

§ 4.37. Principles of electricity.

A. The Fire Inspector I shall have a basic knowledge of applied elementary electrical theory.

B. The Fire Inspector I shall have a basic knowledge of the construction of and safety devices used in electrical systems.

C. The Fire Inspector I shall have a basic knowledge of the fire and life hazards associated with the typical uses of electricity and electrical systems.

D. The Fire Inspector I shall have a knowledge of sources of detailed and technical information related to electricity and electrical systems.

Article VII. Safety to Life.

§ 4.38. General.

A. The Fire Inspector I shall have a basic knowledge of the code requirements, regulations, basic operational features, and fire hazards presented by various

occupancies and, particularly, public assembly, residential, business, mercantile, office, storage, industrial, manufacturing and utility occupancies.

§ 4.39. Means of egress.

A. The Fire Inspector I shall have a knowledge of the means of egress requirements for various occupancies.

B. The Fire Inspector I shall demonstrate an ability to determine if existing egress facilities for the building, floor or room are adequate for the occupancy involved.

C. The Fire Inspector I shall demonstrate the ability to determine whether travel distances to exits are within allowable limits.

D. The Fire Inspector I shall demonstrate an ability to determine if there is adequate access to egress facilities.

E. The Fire Inspector I shall demonstrate an ability to determine if exits are properly illuminated, marked, placed, secured, openable and equipped with hardware.

F. The Fire Inspector I shall demonstrate an ability to distinguish between enclosed stairwells and smoke towers and to determine if general construction and access are properly maintained.

G. The Fire Inspector I shall demonstrate an ability to determine if egress paths are adequate in width and properly illuminated and maintained.

H. The Fire Inspector I shall have a knowledge of the code requirements and regulations relative to the maintenance of means of egress from various occupancies.

§ 4.40. Interior finishes.

A. The Fire Inspector I shall demonstrate an ability to determine the proper interior finish for various areas of an occupancy, particularly that for egress paths.

B. The Fire Inspector I shall demonstrate an ability to conduct a field test of interior finish materials.

C. The Fire Inspector I shall demonstrate a knowledge of acceptable flame spread and smoke ratings for the various areas of an occupancy.

D. The Fire Inspector I shall demonstrate a knowledge of acceptable test methods and markings or labeling for interior finishes.

E. The Fire Inspector I shall demonstrate a knowledge of the purpose and acceptability of fire retardant paints and impregnation treatments.

§ 4.41. Building construction.

A. The Fire Inspector I shall have a basic knowledge of

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the features of fire protection and life safety related to building construction that are germane to various types of occupancies.

B. The Fire Inspector I shall demonstrate a knowledge of the purpose of related building construction.

C. The Fire Inspector I shall demonstrate a knowledge of acceptable test methods and marking or labeling for building construction assemblies or devices.

D. The Fire Inspector I shall demonstrate a working knowledge of the types of fire doors and installation requirements.

E. The Fire Inspector I shall demonstrate a basic knowledge of where rated building construction is required.

F. The Fire Inspector I shall demonstrate a knowledge of building construction components installed for fire-related purposes including, but not limited to, fire stops, draft curtains, fire walls, smoke vents, chimneys, flues, and rated ceilings.

G. The Fire Inspector I shall demonstrate a knowledge of the classes of roof covering.

H. The Fire Inspector I shall demonstrate a knowledge of the requirements for and construction of special building construction features including, but not limited to, projection booths, stages, proscenium openings, and flammable liquid storage rooms.

I. The Fire Inspector I shall demonstrate a knowledge of building construction classification.

§ 4.42. Building equipment.

A. The Fire Inspector I shall have a basic knowledge of the types of and installation requirements for building service equipment that are germane to various occupancies and which can, through their operation, affect fire protection and life safety.

B. The Fire Inspector I shall demonstrate a knowledge of the proper installation, maintenance and use of heating, ventilating and air conditioning systems from a fire safety standpoint including, but not limited to, attendant devices such as dampers, detection devices, thermostats, and operational controls.

C. The Fire Inspector I shall demonstrate a knowledge of the proper installation, maintenance and use of kitchen cooking equipment, including hoods and ducts.

D. The Fire Inspector I shall have a basic knowledge of which other jurisdictional authorities may have requirements, or conduct inspections, involving life safety or fire protection.

§ 4.43. Decorations, decorative materials and furnishings.

A. The Fire Inspector I shall have a knowledge of the basic fire safety requirements for decorations, decorative materials and furnishings.

B. The Fire Inspector I shall demonstrate an ability to field test decorations, decorative materials and furnishings for acceptability and use in various occupancies.

§ 4.44. Fire drills.

A. The Fire Inspector I shall demonstrate a knowledge of the requirements relative to fire drills which may be required within the jurisdiction in which the inspector is employed.

B. The Fire Inspector I shall demonstrate an ability to conduct or evaluate, or both, fire drills in various occupancies.

§ 4.45. General fire safety.

A. The Fire Inspector I shall have a working knowledge of general fire safety code requirements and regulations including, but not limited to, trash and debris, smoking, open burning, maintaining fire department access, housekeeping procedures, reporting of fire incidents, and limiting combustible decorations and furnishings.

B. The Fire Inspector I shall have a basic knowledge of the requirements, and the purpose of emergency evacuation plans.

Article VIII. Code Enforcement Procedures.

§ 4.46. General.

A. The Fire Inspector I shall demonstrate a knowledge of acceptable code enforcement procedures.

B. The Fire Inspector I shall demonstrate a knowledge of jurisdictional responsibilities of federal, state and local governments and organizations relative to code enforcement procedures.

C. The Fire Inspector I shall demonstrate a basic knowledge of anticipated human behavior relative to code enforcement.

D. The Fire Inspector I shall demonstrate a knowledge of local code enforcement procedures.

E. The Fire Inspector I shall demonstrate a basic knowledge of the judicial system, particularly as it relates to code enforcement procedures.

F. The Fire Inspector I shall demonstrate a basic knowledge of the legal processes as they relate to code enforcement procedures.

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G. The Fire Inspector I shall demonstrate a knowledge of recommended courtroom demeanor as it relates to code enforcement procedures.

H. The Fire Inspector I shall demonstrate a basic knowledge of the moral and legal responsibilities associated with code enforcement procedures.

I. The Fire Inspector I shall be knowledgeable as to when licenses, or permits, or both, are required for the sale, use, storage or possession of hazardous materials.

J. The Fire Inspector I shall be knowledgeable of which processes and procedures of business operations involving fire protection equipment require licenses, or permits, or both.

K. The Fire Inspector I shall demonstrate a knowledge of sources of information on code enforcement procedures.

§ 4.47. Report preparation.

A. The Fire Inspector I shall demonstrate a basic knowledge of report preparation.

B. The Fire Inspector I shall demonstrate a knowledge of accepted filing techniques.

§ 4.48. Code enforcement equipment.

A. The Fire Inspector I shall demonstrate a basic knowledge of the essential equipment necessary to accomplish code enforcement including, but not limited to, elementary photography equipment and portable flammable and combustible atmosphere detection equipment.

§ 4.49. Plans and specifications.

A. The Fire Inspector I shall be familiar with the procedures required for the processing of plans and specifications.

§ 4.50. Fire cause determination.

A. The Fire Inspector I shall have a basic knowledge of the requirements, need and purpose for fire cause determination and fire investigation.

§ 4.51. Miscellaneous.

A. The Fire Inspector I shall demonstrate a knowledge of what is required in performing standby fire safety duties in public assembly occupancies.

B. The Fire Inspector I shall demonstrate a knowledge of the general procedures for handling complaints.

C. The Fire Inspector I shall demonstrate a basic knowledge of building code contents and requirements.

CERTIFICATION STANDARDS FOR FIRE INSPECTOR II.

PART V. ADMINISTRATION.

Article I. Purpose.

§ 5.1. The standards are designed as the basis for assuring that a Fire Inspector II has a clear understanding of the Fire Prevention Code, laws, rules, and regulations which have been adopted to make Virginia communities a safer place to live, work and play. Upon successfully completing the course, the student will have a clear understanding of how to conduct a fire prevention inspection and what action is required to have hazardous conditions corrected.

It is not the intent of this course to produce an experienced fire inspector or fire marshal, but to supply the basic knowledge and skills necessary for functioning at a satisfactory level in this position while continuing to gain experience and knowledge.

The students who successfully complete this course will be qualified as having met the requirements of § 27-34.2 of the Code of Virginia and may be granted the powers by their locality.

The students meeting these prerequisites will be certified as meeting the provisions of N.F.P.A. (National Fire Protection Association) Standards Number 1031 for Fire Inspector I and II as established by the Department of Fire Programs.

Upon satisfactorily completing the course of study developed for Inspector II, passing the test developed for that course of study and satisfactorily completing the field work, the individual will be certified to enforce fire prevention codes in the state.

Article II. Instructors for the Course.

§ 5.2. Instructors will be state certified fire instructors who have experience and knowledge in the subject area or persons who have special knowledge or skills in a particular subject and who have been approved by the Deputy Director, Training Division, Department of Fire Programs.

Law enforcement subjects will be taught by certified Department of Criminal Justice personnel.

Legal matters will be instructed by a representative from the Attorney General's office, a Commonwealth Attorney, or an attorney who is knowledgeable in such matters.

Article III. Reference Material.

Proposed Regulations

§ 5.3. The instructor may choose to use a wide variety of reference material and teaching aids; however, the subject matter will be taken from the current state-accepted BOCA (Building Officials and Code Administrators International, Inc.) Codes and the IFSTA (International Fire Services Training Association) manual 110-Fire Prevention and Inspection Practices.

Other reference material may include:

Forest Fire and Related Laws, Virginia Division of Forestry

Uniform Statewide Building Code

Statistics from Virginia Fire Incident Reporting System

N.F.P.A. Handbook and Standards

All other reference materials used shall be approved by the Deputy Director of the Department of Fire Programs.

Article IV. Field Training.

§ 5.4. When the student has successfully completed the Fire Inspector II Program he shall work for a minimum of 15 hours in his own community under the supervision of an Inspector II having two or more years experience. If there is no such experienced Inspector II in his community, he shall work arrangements for working with an experienced Inspector II from a neighboring community, state or federal agency.

The experienced inspector under whom the student works shall submit a written report recommending that the student be certified or he shall state why he feels the candidate needs additional training.

The candidate for Fire Inspector II shall have satisfactorily met the standards for Fire Inspector I, as established by the Commonwealth of Virginia.

Article V. Who May Attend the Course.

§ 5.5. Any member in good standing of any fire department or fire brigade who is responsible for making fire prevention or fire safety inspections may make applications to attend the course. All inspectors who wish to be granted the powers permissible under § 27-34.2 of the Code of Virginia shall successfully complete both the Fire Inspector I and Fire Inspector II courses. (See application).

Any individual who is responsible for fire inspection or prevention activities may make application to attend the Inspector II course. Applications shall be approved by the deputy director.

Upon satisfactory course completion:

A. Those individuals who do not meet Firefighter III certifications will receive a letter of completion and attendance. They will meet the requirements as provided for in § 27-34.2 of the Code of Virginia and may be granted authority permissible under that section.

or

B. Those individuals who meet Firefighter III qualifications (unless granted waiver by the Deputy Director), meet DCJS requirements, and have satisfactorily completed the course requirements for NFPA Inspector II and § 27-34.2 of the Code of Virginia, will receive a Department of Fire Programs certificate for Fire Inspector II.

Article VI. Grading.

§ 5.6. All grades, reports, and records will be submitted to the Department of Fire Programs within 15 working days following the completion of the course. The procedure for grading will be as follows:

A. All written examinations shall include a minimum of two questions for each hour of mandatory instruction. This requirement likewise includes the classroom instruction on performance-oriented subject matter; however, those subjects which exceed five hours of instruction, 10 questions will suffice as an acceptable minimum.

B. All students shall attain a grade of 100% in each subject category to satisfactorily complete mandatory training, and shall be tested at the completion of each subject.

Any student who does not attain 100% in each category will be required to retake missed questions that comprise the subject category and shall be allowed three retests.

C. Performance testing, when utilized, will be graded on a satisfactory or unsatisfactory basis. A satisfactory rating on all performance testing will be required to satisfactorily complete the school. The determination of satisfactory or unsatisfactory performance on any performance test will be determined by the instructor administering the test.

Article VII. Attendance.

§ 5.7. No more than 10% absenteeism for the course will be allowed for any reason. Students who are absent will be required to make up any material missed. If for any reason a student must be absent from the class, he will advise the instructor or the deputy director of the Department of Fire Programs immediately upon learning this fact.

Article VIII. School Location and Dates.

Proposed Regulations

§ 5.8. The deputy director of the training division, Department of Fire Programs, will schedule Inspector II classes as deemed appropriate based on the number of inquiries and applications received. The deputy director will select the sites where the classes will be held based on availability of facilities and student interest.

Article IX.

Failure to Comply With the Rules and Regulations.

§ 5.9. Any student who attends the course shall comply with the rules and regulations established by the Department of Fire Programs and the Department of Criminal Justice Services. The deputy director or instructor will be responsible for the proper enforcement of all rules and regulations. Any student who, in the opinion of the instructor or deputy director, fails to follow the rules or regulations, or who behaves in an unsafe or disruptive manner, may be removed from the class if deemed necessary. The instructor will report to the deputy director immediately after the incident who may expel the individual from the school if it is determined such action is necessary and appropriate.

Any student who is expelled will be deemed to have not satisfactorily completed the course and will not be awarded a certificate.

The deputy director will immediately report the incident to the executive director of the Department of Fire Programs and to the student's supervisor. The deputy director will make a complete written report of the circumstances associated with the incident and submit it to the executive director of the Department of Fire Programs within 24 hours.

The rules and regulations will be in effect immediately upon the approval by the Department of Fire Programs, the Department of Criminal Justice Services and the Virginia Fire Services Board and will remain in effect until such time as they are amended or rescinded.

Article X.

In-Service Training.

§ 5.10. In order to remain certified and comply with the N.F.P.A. 1031 standards at the Inspector II level an individual must attend a minimum of 16 hours of training every two years which is approved by the Department of Fire Programs. This training must include the following:

Review of Constitutional Law

Update on State Codes

Review of latest Court decisions affecting Code Enforcement

Review of the Fire Prevention Code

Update on Code Reference material and N.F.P.A.

standards

PART VI. CANDIDATES.

Article I. General.

§ 6.1. Candidates shall possess a valid driver's license for the state in which they are employed and shall identify state and local laws governing the operation of emergency vehicles.

Candidates shall demonstrate an ability to clearly express themselves orally.

Candidates shall demonstrate an ability to clearly express themselves in writing.

Candidates shall demonstrate a knowledge of occupationally related personal safety practices and procedures.

Candidates shall demonstrate through tests, or interview, or both, their ability to interact with the public, under conditions of code enforcement, fire investigation, or fire prevention education duties, with tact, discretion, and without loss of authority.

The candidates shall meet the requirements specified for Fire Inspector I unless such requirements are waived by the executive director.

PART VII. FIRE INSPECTOR II STANDARDS.

Article I. Liquids, Gases and Fireworks.

§ 7.1. Flammable and combustible liquids.

A. The Fire Inspector II shall demonstrate a basic knowledge of the effect of pressure on the design, size and contents or storage tanks and containers for flammable and combustible liquids.

B. The Fire Inspector II shall demonstrate a knowledge of the storage, handling and use conditions of flammable and combustible liquids which are most conducive to the initiation, propagation and spread of fire.

C. The Fire Inspector II shall demonstrate a knowledge of the installation and operational requirements of fixed fire extinguishing systems installed concomitant to flammable and combustible liquids storage, handling or use.

D. The Fire Inspector II shall demonstrate a knowledge of how to abate the fire hazards associated with flammable or combustible liquid spills or leaks.

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§ 7.2. Compressed and liquefied gases.

A. The Fire Inspector II shall demonstrate a basic knowledge of the physical and chemical characteristics of compressed and liquefied gases and cryogenics.

B. The Fire Inspector II shall demonstrate a knowledge of the storage, handling and use conditions of compressed and liquefied gases which are most conducive to the initiation, propagation and spread of fire.

C. The Fire Inspector II shall demonstrate a knowledge of which organizations have codes or specifications relative to compressed and liquefied gases containers, cylinders, or tanks.

D. The Fire Inspector II shall demonstrate a knowledge of the requirements for marking, testing, repair, and maintenance of compressed and liquefied gases containers, cylinders or tanks.

E. The Fire Inspector II shall demonstrate a knowledge of the code requirements and regulations relative to quantity limitations, distances, physical damage and protection for aboveground containers for compressed and liquefied gases.

F. The Fire Inspector II shall demonstrate a knowledge of the special handling procedures for gas transfer operations involving compressed and liquefied gases.

G. The Fire Inspector II shall demonstrate a basic knowledge of the operation and use of excess flow check valves in compressed and liquefied gases piping and storage.

H. The Fire Inspector II shall demonstrate a knowledge of how to abate the fire hazards associated with compressed and liquefied gases spills or leaks.

J. The Fire Inspector II shall demonstrate a knowledge of the installation and operations requirements of fixed fire extinguishing systems installed concomitant to the storage, handling and use of compressed and liquefied gases.

§ 7.3. Explosives, including fireworks.

A. The Fire Inspector II shall demonstrate a knowledge of the requirements for security measures for explosives, including fireworks.

B. The Fire Inspector II shall demonstrate a knowledge of which federal or state regulatory agencies govern the transportation of explosives, including fireworks.

C. The Fire Inspector II shall demonstrate a knowledge of the effects of temperature and moisture on explosives, including fireworks.

D. The Fire Inspector II shall demonstrate a knowledge

of sensitivity of stability characteristics of the various types of explosives, including fireworks.

E. The Fire Inspector II shall demonstrate a knowledge of explosives storage facility construction and operation.

Article II. Other Hazardous Materials.

§ 7.4. Natural and synthetic fibers.

A. The Fire Inspector II shall demonstrate a knowledge of the fire hazards associated with the storage, handling and use of natural and synthetic fibers.

§ 7.5. Combustible dusts.

A. The Fire Inspector II shall demonstrate a knowledge of code requirements and regulations governing combustible dusts.

B. The Fire Inspector II shall demonstrate a knowledge of code requirements, regulations and basic installation practices relative to explosion suppression systems for combustible dusts.

§ 7.6. Fire protection equipment.

A. The Fire Inspector II shall demonstrate an ability to evaluate the proper installation and testing of all types of fire protection equipment including, but not limited to, fire doors, fire walls, fixed fire extinguishing systems, water supply systems, fire detection systems, and fire alarm systems.

B. The Fire Inspector II shall demonstrate an ability to evaluate the testing of portable fire extinguishers.

C. The Fire Inspector II shall demonstrate an ability to evaluate the application, capabilities, testing and maintenance of fixed fire extinguishing systems.

§ 7.7. Water supply systems.

A. The Fire Inspector II shall demonstrate a knowledge of water system pressure and piping requirements.

B. The Fire Inspector II shall demonstrate a knowledge of hydrant construction, location, and spacing.

C. The Fire Inspector II shall demonstrate a knowledge of the factors that affect fire flow demands.

§ 7.8. Heating and cooking equipment.

A. The Fire Inspector II shall demonstrate a working knowledge of the fire hazards related to the various types of heating and cooking equipment and systems.

B. The Fire Inspector II shall demonstrate a working knowledge of the fire safety safeguards normally installed

concomitant to heating and cooking equipment.

C. The Fire Inspector II shall demonstrate a working knowledge of the fire hazards and code requirements related to heating and cooking equipment installation and fuel storage.

§ 7.9. Industrial ovens and furnaces.

A. The Fire Inspector II shall demonstrate a working knowledge of the fire hazards inherent to industrial ovens and furnace systems.

B. The Fire Inspector II shall demonstrate a working knowledge of the fire safety safeguards normally installed concomitant to industrial ovens and furnaces.

§ 7.10. Safety to life.

A. The Fire Inspector II shall demonstrate a knowledge of the code requirements and purposes for rated interior finishes.

§ 7.11. Means of egress.

A. The Fire Inspector II shall demonstrate a knowledge of how to calculate egress requirements.

B. The Fire Inspector II shall demonstrate an ability to determine the required location of exits.

C. The Fire Inspector II shall demonstrate a working knowledge of acceptable means of egress devices including, but not limited to, doors, hardware, and lights.

§ 7.12. Interior finishes.

A. The Fire Inspector II shall demonstrate a working knowledge for specifying interior finish requirements in various areas of a building according to its designated occupancy.

B. The Fire Inspector II shall demonstrate an ability to evaluate tests and test reports of interior finish materials.

§ 7.13. Building construction.

A. The Fire Inspector II shall demonstrate a working knowledge of when to specify enclosed stairs, smoke towers or other methods of egress.

B. The Fire Inspector II shall demonstrate an ability to evaluate tests and test reports of building construction assemblies or devices.

C. The Fire Inspector II shall demonstrate a working knowledge of where and what types of fire doors are required for the different areas in various occupancies.

D. The Fire Inspector II shall demonstrate an ability to evaluate the tests and test reports of fire doors.

E. The Fire Inspector II shall demonstrate a working knowledge of where rated building construction may be required for various occupancies.

F. The Fire Inspector II shall demonstrate a working knowledge of the conditions which require that special fire-related building components be installed including, but not limited to, fire stops, draft curtains, fire walls, smoke vents, chimneys, flues, rated ceilings, and fire windows.

§ 7.14. Building equipment.

A. The Fire Inspector II shall demonstrate a working knowledge of the conditions which require that fire related equipment be installed including, but not limited to, extinguishing systems, alarm systems, detection systems, fire dampers, kitchen hood and vent systems, standpipe and hose systems, and portable fire extinguishers.

B. The Fire Inspector II shall demonstrate a working knowledge of the proper installation of the equipment included in § 7.14 A above.

§ 7.15. Decorations, decorative materials and furnishings.

A. The Fire Inspector II shall demonstrate an ability to evaluate the tests and test reports on flame spread and smoke generation of decorations, decorative materials and furnishings.

§ 7.16. Fire loads.

A. The Fire Inspector II shall demonstrate an ability to calculate fire loads.

B. The Fire Inspector II shall demonstrate a working knowledge of acceptable fire loads for various occupancies.

C. The Fire Inspector II shall demonstrate knowledge of how to classify building contents according to hazard.

§ 7.17. Occupant loads.

A. The Fire Inspector II shall demonstrate an ability to calculate allowable occupant loads for various occupancies and building areas.

B. The Fire Inspector II shall have a working knowledge of code requirements, regulations, basic operational features and fire hazards presented by various occupancies.

C. The Fire Inspector II shall demonstrate a working knowledge of the fire safety regulations and code requirements for industrial occupancies utilizing hazardous processes, equipment or materials.

§ 7.18. Code enforcement.

A. The Fire Inspector II shall demonstrate a basic knowledge of fire scene photography.

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B. The Fire Inspector II shall demonstrate a basic knowledge of the legal requirements pertaining to the admissibility of photographs in a civil or criminal court.

§ 7.19. Plans and specifications.

A. The Fire Inspector II shall demonstrate a basic knowledge of acceptable blueprint reading practices and symbols related to construction plans and specifications.

B. The Fire Inspector II shall demonstrate an ability to read and interpret construction plans and specifications.

C. The Fire Inspector II shall demonstrate a basic knowledge of acceptable construction methods and materials related to fire safety.

D. The Fire Inspector II shall demonstrate a knowledge of sources of detailed and technical information relative to plans and specifications details.

E. The Fire Inspector II shall demonstrate a knowledge of the moral and legal responsibilities relative to plans and specifications examination.

§ 7.20. Emergency evacuation plans.

A. The Fire Inspector II shall demonstrate an ability to develop emergency evacuation plans for various occupancies.

B. The Fire Inspector II shall demonstrate a basic knowledge of anticipated human behavior during emergencies.

C. The Fire Inspector II shall demonstrate an ability to implement fire safety programs for crowd control.

D. The Fire Inspector II shall demonstrate a basic knowledge of the role played by each agency and person in implementing an emergency evacuation plan.

E. The Fire Inspector II shall demonstrate an ability to coordinate agencies involved in the development of an emergency evacuation plan.

F. The Fire Inspector II shall demonstrate a knowledge of the sources of technical and detailed information relative to emergency evacuation plans.

§ 7.21. Fire cause determination.

A. The Fire Inspector II shall demonstrate a working knowledge of fire cause determination procedures.

§ 7.22. Miscellaneous.

A. The Fire Inspector II shall demonstrate a knowledge of building code requirements as they may affect fire safety for the jurisdiction in which the inspector is employed.

B. The Fire Inspector II shall demonstrate a knowledge of building height and area limitations as they may affect fire behavior.

Article III. Communication.

§ 7.23. The Fire Inspector II shall demonstrate proficiency in communicating effectively and professionally through written, oral and mechanical media.

A. Understand and have a working knowledge of interpersonal communication.

B. Identify nonlanguage factors which contribute to a negative response from the public.

C. Identify factors which contribute to a negative response from the public.

D. Given practical simulation role-playing exercises depicting stressful situations of interaction with the public, communicate properly and effectively with various types of persons.

§ 7.24. Demonstrate how to properly use the telephone in communications.

A. Identify what shall be accomplished by a Fire Inspector II in a telephonic situation reflecting a law enforcement problem which results in a positive image and effective communications.

§ 7.25. Demonstrate proper standard radio-use techniques.

A. Demonstrate the ability to give clear and complete descriptions of persons, locations, and vehicles.

Article IV. Report Writing.

§ 7.26. Identify the basic techniques of notetaking.

A. Identify uses of the inspector's field notes.

B. Identify the types of information that should be entered into field notes.

C. Given a practical simulation role-playing exercise, take notes during an interview in such a manner as to not discourage the person being interviewed from talking.

D. Given word-pictures or audio-visual presentations, properly utilize the fire inspector's notebook by neatly and accurately recording all necessary information in a specified format.

§ 7.27. Be able to demonstrate a basic understanding of report writing principles.

A. Identify the uses of fire inspection reports.

B. Identify essential characteristics of a good report.

C. Identify the questions that should be answered by a complete report.

D. Demonstrate the ability to write clear and concise reports.

E. Given word-pictures or audio-visual presentations depicting law enforcement problems, organize or write the facts in an appropriate report format.

F. Given word-pictures or audio-visual presentations, complete the primary reports similar to or used by the Fire Inspector's agency.

G. Prepare a memorandum.

PART VIII. STANDARDS RELATING TO ISSUING SUMMONSES AND SERVING WARRANTS.

Article I. Interview and Interrogation Techniques.

§ 8.1. The Fire Inspector II shall be able to:

A. The Fire Inspector II shall be able to apply the communication principles from § 6.1 of these regulations and applicable constitutional law, rules of evidence, and laws of interrogation to conduct legal, fruitful interviews and interrogations and demonstrate improvement in persuasiveness.

B. The Fire Inspector II shall describe the advantages of a cool, impartial (fair), but not impersonal, approach.

C. Define a "good listener."

D. List the disadvantages of an impersonal (aloof) approach, a passive (week-kneed) approach, and an indecisive approach.

E. Identify the advantages of communication effectiveness.

F. Given a role-play simulation, demonstrate the ability to exert emotional control, listen well, remain impartial, assume responsibility, be decisive, and sell the fire inspector's point of view as reasonable.

§ 8.2. Describe the impact of the following cases regarding the Fifth, Sixth, and Fourteenth Amendments to the U.S. Constitution of the admissibility of confessions or evidence obtained through interrogation.

A. Mallory v. Hogan, 378 U.S. 1 (1964)

B. Miranda v. Arizona, 384 U.S. 436 (1966)

C. Escobedo v. Illinois, 378 U.S. 748 (1964)

D. Massiah v. United States, 377 U.S. 201 (1964)

E. Accorately describe the applicability of the "Miranda" rule to audio-visual or word-picture depictions of interviews in various settings.

F. Define the difference between an interview and an interrogation.

G. In a practical simulation exercise, demonstrate the ability to conduct a legal and fruitful interrogation of a suspect in a criminal investigation.

1. Adequately transcribe the inspector's interview notes into reports of the preceding interviews.

§ 8.3. List the principles and techniques of interviewing.

A. In a practical simulation exercise, commence an interview, accurately determine the point at which the interview turns into an interrogation, provide the person with his constitutional rights and warnings; interrogate the person and make proper disposition of them.

B. In practical simulation exercises, approach, introduce himself to, calm, and properly conduct a preliminary interview.

Article II. Arrest Procedures and Techniques.

§ 8.4. The Fire Inspector II shall acquire the knowledge and skills required to make a safe, legal arrest while protecting the arrestee's rights and health and safety, the health and safety of other persons and the inspector's health and safety.

NOTE: In all practical exercises throughout the course, the inspector shall refrain from violating the constitutional rights of any person.

§ 8.5. Identify the pertinent provisions of the amendments of the U.S. Constitution and the impact each has upon an inspector's duties in making arrests.

A. Identify the elements of "probable cause" to detain or investigate.

B. Given word-pictures or audio-visual presentation(s) depicting instances where "probable cause" for police action may or may not exist, identify its presence or absence and reasons behind this decision.

§ 8.6. List the elements that constitute an arrest.

A. Describe the elements that distinguish between an arrest and brief investigatory detention.

B. Describe the distinction between an arrest and a traffic stop.

Proposed Regulations

§ 8.7. Define distinctions between, and the effects on, an inspector's powers of arrest for felony and misdemeanor for the purpose of arrest; warrant and warrantless arrests; citizen's and inspector's powers of arrests; and probable cause and pretext or sham.

A. Discuss some civil liabilities that can arise from performing an arrest.

B. Identify the inspector's right to search a person who has been arrested.

C. Given word-pictures or audio-visual presentations depicting differing arrest situations, identify the amount of force that may be used when effecting an arrest.

D. Describe an inspector's authority to arrest.

E. Given word-pictures or audio-visual presentations depicting "private person" arrests, determine if the arrest is legal.

F. Given word-pictures or audio-visual presentations depicting arrest situations, explain what information the person arrested shall be provided and at what time it must be provided.

G. Given word-pictures or audio-visual presentations depicting an inspector(s) entering the premises to make an arrest, identify those situations where the legal requirements of such entry were fulfilled by the inspector(s).

§ 8.8. Describe how to use restraint devices with single and multiple suspects.

A. Identify the inspector's agency's policy regarding the use of restraint devices on various types of prisoners.

B. Identify the purposes and limitations of restraint devices used on prisoners.

C. In a simulated situation, safely and effectively hand-cuff single and multiple suspects.

§ 8.9. Describe the proper method of transporting prisoners.

A. Identify elements of the safe transportation of prisoners.

B. Identify good general procedures to follow when transporting adult male or female prisoners, injured or sick prisoners, and juveniles to include proper positioning within the vehicle.

C. Safely and securely position simulated prisoners for transportation. This will minimally include single and multiple prisoners while working alone and with a partner.

§ 8.10. The inspector shall demonstrate the ability to

complete legally required records pertaining to an arrested subject (i.e. fingerprints and arrest records).

Article III.

Laws Regarding Search and Seizure.

§ 8.11. The Fire Inspector II shall have a working knowledge of the basic laws regarding rules of evidence and legal searches.

A. The inspector shall identify effects of the "exclusionary rule" upon police actions and procedures.

B. Give the definition of the Hearsay Rule.

C. Identify exceptions to the Hearsay Rule.

D. Describe the conditions under which legally authorized searches may be made.

E. Identify the items for which an inspector may legally search.

F. Identify the limits of searches when conducted within such environments as indoors, outdoors, vehicles, abandoned property and at a crime scene.

G. Identify the types and definitions of relative searches.

H. Outline the procedure required to obtain a legal search warrant in Virginia.

I. List the major points to check on a search warrant to determine its validity.

J. Identify the liability of the Fire Inspector II when making searches without warrants.

K. List the procedure that must be followed after a search warrant has been executed.

Article IV.

Chain of Events.

§ 8.12. The Fire Inspector II shall gain a working knowledge of the role of physical evidence in successful prosecution of crime and basic methods for protecting the chain of evidence.

A. Define what is meant by the "chain of evidence" and why it must be maintained.

B. Describe the "burden of proof" for law enforcement with respect to the chain of evidence.

C. Given exercises simulating crime scenes wherein items of evidence which would be reasonably associated with the alleged crime are present, identify these items as evidence.

D. Given an exercise simulating crime scene containing

several types of evidence, identify methods for marking and/or packaging or tagging.

E. Given an exercise simulating an outside crime scene with the prospect of foul weather, identify the methods for preserving the evidence.

F. Describe procedures regarding the transmission of evidence to laboratory examination facilities.

G. Identify the differences between "latent fingerprints" and "plastic fingerprints" through the means by which they are located and/or developed.

H. Given an exercise wherein a variety of latent and plastic prints have been placed on a number of items which vary in texture and color, the inspector will locate the prints.

Article V.

Issuing Summons and Warnings.

§ 8.13. The Fire Inspector II shall understand the process for issuance of uniform traffic summons and warnings.

A. Describe the court procedures and violator's alternatives in dealing with an issued summons.

B. Give a blank uniform traffic summons, a word-picture, or audio-visual presentation depicting a fire code violation, and legibly complete the form within the allotted time.

C. Identify that the required signature on a citation is not an admission of guilt but a promise to appear.

Article VI.

Court System.

§ 8.14. The inspector shall understand and have a working knowledge of the organization and operation of the Virginia court system.

§ 8.15. Identify the organizational structure, constitutional basis and primary responsibility for the Virginia Supreme Court, Circuit Court, General District Court, and magistrates.

§ 8.16. Define jurisdiction and venue of the Circuit Court, General District Court, and the Juvenile and Domestic Court in the locality employing the fire inspector.

§ 8.17. Identify the organizational structure of the U.S. Federal Courts.

§ 8.18. Identify the purposes of bail, arraignment, preliminary hearing, indictment, and trial in criminal cases.

§ 8.19. Define the difference between a judge and a magistrate.

§ 8.20. Define the role and functions of the judge, bailiff, Commonwealth's attorney, and defense attorney in the courts.

§ 8.21. Given descriptions of several different crimes or violations, identify in which court each would first be tried.

REVISED
Revised 9/82

5.1

SCHOOL NUMBER _____
(For State Use Only)

REQUEST FOR A FIRE TRAINING SCHOOL

Funded

Non-Funded

NOTE: Please submit two (2) copies of this request to the appropriate Area Supervisor for each class to be conducted. REQUEST MUST BE APPROVED PRIOR TO START OF SCHOOL. When approved, the original will be signed and returned to you.

Date of Request _____

The _____ of _____

Virginia, wishes to establish a class in _____

and requests that instructors and students be given credit for this course on records maintained by the Department of Fire Programs.

1. Location _____

2. Groups attending _____

3. Proposed starting date _____ and will end _____

for a total of _____ for _____
Number of Hours Number of Students

Signature _____ Street _____

City and State _____ Phone Number _____

The Department of Fire Programs hereby approves your request to conduct the course outlined. On receipt of the Course Completion Report, Instructors and students will be properly credited.

Approved by _____
Area Supervisor

Date _____

School Number _____ Please refer to this number
in all correspondence.

List subjects to be taught, number of hours and dates.

Subject	Date	No. Hours	For State Use Only Instructor
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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_____	_____	_____	_____
_____	_____	_____	_____

Proposed Regulations

APPLICATION FOR FIRE SERVICES TRAINING

SUBJECT	INSTRUCTOR NAME	POSITION	LEVEL	TYPE OF CLASS SKILL/ LECTURE	ZONE	HOURS	HOURLY RATE	TOTAL FOR SUBJECT	TOTAL

Other Expenses Associated with the School: _____

- | | | |
|---|--|--|
| SI - Senior Instructor
I - Instructor
IA - Instructor Aide
SP - Specialist (Contracted for Course) | FI - Fire Instructor I
F2 - Fire Instructor II
F3 - Fire Instructor III
F4 - Fire Instructor IV
PE - Public Education
Other _____ | Total _____
Total Attachments _____
Total for School _____ |
|---|--|--|

APPLICATION FOR APPROVAL FOR A FIRE TRAINING SCHOOL ATTACHMENT 2

SCHOOL NO. _____

1. Funded Non-funded. Date request was received _____

2. Name of Department requesting School _____

3. Location of School _____ County/City _____

4. How was the request received _____ Phone _____ Letter _____ Other _____

5. Type of Course requested _____ General _____ Advanced _____ Other _____

6. Date Course will begin _____ Ending Date _____ Total Hours _____

7. Number of students expected _____ What geographical area will be involved: _____

8. Are there other State or Regional Schools scheduled on these dates? _____

9. If so, will there be a conflict in scheduling? _____

10. Have the Instructors been contacted by you to confirm their participation? _____

11. When _____ How _____ Are all Instructors State Certified _____

12. If not, explain _____

13. Is there a registration fee for the course? _____ Amount _____

14. What will be provided in the registration fee? _____

15. Who established the registration fee? _____

16. Do you feel the registration fee is justified? _____ Do the departments or organizations understand that a financial statement will be required at the conclusion of the school? _____

17. What plans have been made for excesses or shortages in the registration fee? _____

I certify that the information supplied on this form is accurate and true to the best of my knowledge and I request your approval of this course.
 _____ Date _____ Area Supervisor _____

As Director of Fire Services Training, I hereby approve this application as submitted.
 _____ Date _____ Director _____

ATTACHMENT 3



COMMONWEALTH of VIRGINIA

DEPARTMENT OF FIRE PROGRAMS
VIRGINIA FIRE BOARD

James Monroe Building
17th Floor
101 N. 14th Street
Richmond, Virginia 23219
(804) 225-2681

Executive Director
Carl N. Cimino

Board Members

- Frank A. Kearney
Harrison
Chairman
- John L. Griffin
Newport News
Vice-Chairman
- Victoria J. Adams
Petersburg
- William A. Anderson
Lynchburg
- Carle W. Beamer
Wytheville
- James W. Epperly
Christiansburg
- James W. Garner
Charlottesville
- Harry T. Gladding, Jr.
Tappahannock
- James M. Henderson, Jr.
Galton
- Ann Kavanagh
Staunton
- William H. Lloyd, Sr.
Virginia Beach
- Lynn A. Miller
Winchester
- Jimmy L. Reamy
Richmond
- Howard H. Summey,
Richmond

Date _____

From: _____ Area Supervisor
To: _____ Adjunct Instructor
Subject: Instructor for School/Test No. _____

You have been selected as an instructor to teach _____ at the above
(Course)
referenced Fire Service School/Test located at _____
_____ on _____
(Dates)

Your rate of pay for instructing will be \$13.75 per hour plus expenses. In addition to instructing at the school, you will be paid for the necessary administration of the course not to exceed 1 hour.

Please acknowledge acceptance on the below endorsement and return this letter to the area supervisor, no later than _____
Date

Area Supervisor

From: _____
Date

To: _____

I accept employment with the Department of Fire Programs as an Adjunct Instructor for School No. _____

Signature

DEPARTMENT OF FIRE PROGRAMS
FIRE SERVICES TRAINING
RICHMOND, VIRGINIA

ATTACHMENT 4

WEEK ENDING _____

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:05 A.M.					
8:55 A.M.					
9:00 A.M.					
9:50 A.M.					
BREAK					
10:10 A.M.					
11:00 A.M.					
11:05 A.M.					
11:55 A.M.					
12:30 P.M.	Lunch	Lunch	Lunch	Lunch	Lunch
1:05 P.M.					
1:55 P.M.					
2:00 P.M.					
2:50 P.M.					
BREAK					
3:10 P.M.					
4:00 P.M.					
4:05 P.M.					
4:55 P.M.					

REMARKS

LOCATION: _____ DATE: _____

INSTRUCTOR: _____

1) POPULATION SERVED BY YOUR ORGANIZATION: Urban Institutional Suburban Government Career Volunteer Other

2) ATTENDING COURSE AS: Less than 1 6 to 10 16 to 20 1 to 5 11 to 15 Over 20 Less than 9 9 to 12 Over 16

3) YEARS OF EXPERIENCE IN SUBJECT AREA RELATED TO COURSE: Chief Investigator Assistant/Duty Chief Driver Operator Battalion/Division Chief Firefighter Company Officer Paramedic/EMT Training Officer/Instructor Dispatcher Inspector Allied Professional Maintenance Officer

4) AREA OF RESPONSIBILITY: (SHADE IN ONE RESPONSE ONLY) Command Public Fire Education Fire Suppression Training Emergency/Medical Services Admin. Services Fire Investigation Vehicle/Equip. Maint. Inspections/Enforcement Other Communications

5) ARE YOU A FIRE SERVICE INSTRUCTOR IN YOUR JURISDICTION: Yes No

6) PRINTED MATERIALS WERE: a. well organized b. complete c. readable (printed well) d. related to the course e. in appropriate number f. good quality g. easy to see h. related material to class needs i. knew subject thoroughly j. encouraged participation k. made course expectations, requirements and objectives clear l. answered questions completely m. used course text and materials effectively n. tolerated differences of opinion o. was comfortable p. included a manageable number of students q. contained a minimum number of distractions r. contained enough activities s. included useful activities t. was a reasonable length u. covered the right amount of material v. was worth recommending to others w. contributed to my knowledge and skills x. related to my needs

7) VISUAL MATERIALS WERE: a. well organized b. complete c. readable (printed well) d. related to the course e. in appropriate number f. good quality g. easy to see h. related material to class needs i. knew subject thoroughly j. encouraged participation k. made course expectations, requirements and objectives clear l. answered questions completely m. used course text and materials effectively n. tolerated differences of opinion o. was comfortable p. included a manageable number of students q. contained a minimum number of distractions r. contained enough activities s. included useful activities t. was a reasonable length u. covered the right amount of material v. was worth recommending to others w. contributed to my knowledge and skills x. related to my needs

8) INSTRUCTOR: a. related material to class needs b. knew subject thoroughly c. encouraged participation d. made course expectations, requirements and objectives clear e. answered questions completely f. used course text and materials effectively g. tolerated differences of opinion h. was comfortable i. included a manageable number of students j. contained a minimum number of distractions k. contained enough activities l. included useful activities m. was a reasonable length n. covered the right amount of material o. was worth recommending to others p. contributed to my knowledge and skills q. related to my needs

9) CLASSROOM: a. was comfortable b. included a manageable number of students c. contained a minimum number of distractions d. contained enough activities e. included useful activities f. was a reasonable length g. covered the right amount of material h. was worth recommending to others i. contributed to my knowledge and skills j. related to my needs

10) COURSE: a. contained enough activities b. included useful activities c. was a reasonable length d. covered the right amount of material e. was worth recommending to others f. contributed to my knowledge and skills g. related to my needs

USE NO. 2 PENCIL ONLY

ERASE COMPLETELY TO CHANGE

MAKE HEAVY DARK MARKS

COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF FIRE PROGRAMS
 2720 LITTLEFIELD PARKWAY, SUITE 106
 RICHMOND, VIRGINIA 23294

ATTACHMENT 5 DEPARTMENT OF FIRE PROGRAMS
 Division of Fire Services Training
 Class Attendance Record

Page ___ of ___

Class Title: _____ Location: _____

Dates	Attendance Dates	PIV	RIE
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			
25.			
26.			
27.			
28.			
29.			
30.			
Daily Total Attendance			
Daily Hours Taught			

I certify this record to be true and correct to be the best of my knowledge and belief.
 (Signed) _____ Date _____

PLEASE TURN OVER TO COMPLETE

Proposed Regulations

SUGGESTIONS

14. How could the printed and/or audiovisual materials be improved to increase learning?

15. How could the course content or structure be improved?

16. How could the instructor improve the class delivery?

17. How could the classroom be improved?

PLEASE FEEL FREE TO USE ADDITIONAL BLANK PAPER, IF ADDITIONAL COMMENTS ARE NEEDED.

CHECK FRONT PAGE TO MAKE SURE YOU HAVE COMPLETED ALL QUESTIONS.

THANK YOU FOR YOUR COOPERATION.

01-26-83

DEPARTMENT OF HEALTH (STATE BOARD OF)

Title of Regulation: VR 355-12-01. Virginia Hearing Impairment Identification and Monitoring System.

Statutory Authority: § 32.1-64.1 of the Code of Virginia.

Public Hearing Date: December 2, 1986 - 10 a.m.

(See Calendar of Events section for additional information)

Summary:

Pursuant to §§ 32.1-64.1 and 32.1-64.2 these regulations establish and maintain a statewide system for the early identification and follow-up of infants with hearing impairment. The infants are assured of timely and appropriate medical and educational intervention and habilitation. These regulations provide consistent guidelines for a two-phase system to be implemented in all hospitals with neonatal special care services and in all hospitals with newborn nurseries.

PART I. DEFINITIONS.

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

"At risk" means considered to be in a risk status for having or developing hearing impairment as a result of the presence of one or more factors identified or manifested at birth.

"Commissioner" means the State Health Commissioner, Virginia Department of Health.

"Following up" means the process of:

1. Communicating with the primary medical care provider by mail (if stated), two to four months after receipt of the reporting form on those who passed the screening, to explain the program and to advise of the child's status.
2. Communicating with the family and primary medical care provider by mail, two to four months after receipt of the reporting form on those who failed the hearing screening (intensive care units-Phases One and Two) or those who had one or more risk factors identified (newborn nurseries-Phase Two), in order to advise of the need for a hearing evaluation as well as how to locate a licensed audiologist.
3. Receiving results of the hearing evaluations, reviewing the reports for recommendations, and adding the information to the computer registry.
4. Mailing a reminder to the family if no information

is received on the child within two months of the initial mailing.

5. Communicating with the family by mail after the results of the hearing evaluation are reported, confirming the results, and, if a hearing loss is diagnosed, providing the family with information about hearing loss and appropriate referral sources.

"Neonatal special care and intensive care" means that unit which is physically separated from the normal newborn nursery, equipped with monitoring and life support systems, staffed with personnel specifically qualified in providing specialized neonatal care, and is able to provide 12-24 nursing hours per infant per day, 24-hour in-house respiratory therapy, and full-time physician management by a board eligible or board certified neonatologist.

"Phase One" means the first two years of implementation during which only those hospitals with neonatal special care and intensive care will participate.

"Phase Two" means that portion of the implementation, beginning two years after Phase One, during which those hospitals with newborn nurseries will participate. Phase One participating hospitals will continue under Phase One guidelines in Phase Two. Phase Two will remain in effect as the Hearing Impairment Identification and Monitoring System until changed.

"Registry" means a list of names and accompanying pertinent data of those children to be followed in the Virginia Hearing Impairment Identification and Monitoring System.

"Risk factors for hearing impairment" means those factors known to place an infant at risk for being born with or developing a hearing impairment, including but not limited to:

1. Family history of hearing loss or impairment in a blood relative, that began in childhood;
2. Congenital perinatal infection (e.g., cytomegalovirus, rubella, herpes, toxoplasmosis, syphilis);
3. Anatomic malformations involving the head, face, or neck (e.g., dysmorphic-appearance including syndromal and nonsyndromal abnormalities, overt or submucous cleft palate, obvious morphologic abnormalities of the pinna, preauricular skin tags;
4. Birthweight of less than 1500 grams;
5. Hyperbilirubinemia at level exceeding indications for exchange transfusion;
6. Bacterial meningitis, especially *Hemophilus influenzae*;

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7. Severe asphyxia which may include infants with Apgar scores of 0-three who fail to institute spontaneous respiration by 10 minutes and those with hypotonia persisting to two hours of age; and

8. Ototoxic drugs administered to infant for longer than three days.

PART II. GENERAL INFORMATION.

§ 2.1. Authority for regulations.

Sections 32.1-64.1 and 32.1-64.2 of the Code of Virginia direct the commissioner to establish and maintain a system for the purpose of identifying and monitoring infants who are at risk for hearing impairment and directs the Board of Health to promulgate the rules and regulations necessary for implementation.

§ 2.2. Purpose of rules and regulations.

These rules and regulations are designed to provide consistent guidelines for implementation of this system in order to assure that infants with hearing impairment receive appropriate, early intervention.

§ 2.3. Administration of rules and regulations.

These rules and regulations are administered by:

1. State Board of Health. The Board of Health has the authority to promulgate regulations as it deems necessary to implement this system; and

2. State Health Commissioner. The State Health Commissioner is the executive officer for the State Board of Health with the authority of the board when it is not session, subject to the rules and regulations of the board.

§ 2.4. Application of rules and regulations.

These regulations have general application throughout the Commonwealth.

§ 2.5. Effective date of rules and regulations.

These rules and regulations shall become effective April 3, 1987.

§ 2.6. Severability.

If any provision of these regulations or the application of them to any person or circumstances is held to be invalid, such invalidity shall not affect other provisions or application of any other part of these regulations which can be given effect without the invalid provisions of the applications, and to this end, the provisions of these regulations and the various applications of them are declared to be severable.

PART III. PHASE ONE.

§ 3.1. Participating hospitals' responsibilities.

Those hospitals with neonatal special care and intensive care services shall be responsible for:

1. Completing a Virginia Department of Health reporting form on each infant transferred or discharged from special care or intensive care services, identifying the presence or absence of risk factors for hearing impairment by both medical record and family history;

2. Giving an information packet containing a program description as well as information about hearing and speech/language development to the parent/guardian of each infant transferred or discharged from special care or intensive care services;

3. Screening the hearing of those infants identified at risk prior to transfer or discharge, with one of the following:

a. Early latency auditory evoked response using the following protocols:

(1) Test both ears;

(2) Use an air conduction audiometric transducer earphone or insert receiver;

(3) Use bone conduction in addition to air conduction, not in place of;

(4) Use a click stimulus;

(5) Use stimulus intensity of between 30 and 60db nHL (re: perceptual click threshold for normal hearing adults, obtained with specific equipment used for the test);

(6) Maintain a hard copy to attach to reporting form; and

(7) Inability to complete the screening due to early transfer, equipment failure, time restraints, or patient condition is considered a failure.

b. An automated motion sensitive unit using the following protocols:

(1) Follow procedural guidelines as recommended by the manufacturer;

(2) Inability to complete the screening due to early transfer, equipment failure, time restraints, or patient condition is considered a failure;

4. Sending the reporting form, with attachments if

indicated, to the Virginia Department of Health within one week of transfer or discharge from the unit;

5. Reporting to the Virginia Department of Health, on a monthly basis, statistics regarding the number of admissions and live transfers or discharges, total number of infants at risk as well as the total number of at risk infants who passed and total number who failed the hearing screening; and

6. Reporting to the Virginia Department of Health, on a yearly basis, the individual(s) responsible for the hearing screening, equipment used, date of last calibration/maintenance, stimuli used, pass/fail criteria, and referral procedures.

§ 3.2. Virginia Department of Health responsibilities. The Virginia Department of Health shall be responsible for:

1. Collecting data from reporting forms received and entering on a computer registry;
2. Following up on all infants reported with risk factors and those who failed the hearing screening until either a hearing impairment is diagnosed or normal hearing is documented;
3. Maintaining a registry of those children diagnosed with hearing impairment as well as a list of those on whom no response is received;
4. Reporting the registry and list to the Department for the Deaf and Hard of Hearing and the State Department of Education;
5. Providing the reporting forms and information packets to the participating hospitals; and
6. Providing training and technical assistance on this program to the participating hospitals.

PART IV.
PHASE TWO.

§ 4.1. Phase One participating hospitals' responsibilities.

Those hospitals with neonatal special care and intensive care services shall continue to follow regulations as outlined in § 3.1 of these regulations.

§ 4.2. Other participating hospitals' responsibilities.

Those hospitals with newborn nurseries shall be responsible for:

1. Completing a reporting form on each infant transferred or discharged from the newborn nursery, identifying the presence or absence of risk factors for hearing impairment by both medical record and family history;

2. Giving an information packet containing a program description as well as information about hearing and speech/language development to the parent/guardian of each infant transferred or discharged from the newborn nursery;

3. Sending the reporting form to the Virginia Department of Health within a week of transfer or discharge from the unit; and

4. Reporting to the Virginia Department of Health, on a monthly basis, statistics regarding the number of admissions and live transfers or discharges, and the total number of infants at risk.

§ 4.3. Virginia Department of Health responsibilities. The Virginia Department of Health shall be responsible for:

1. Collecting data from reporting forms and entering on a computer registry;
2. Following up on all infants reported at risk who fail the hearing screening (Phase One) and on all infants reported at risk (Phase Two) until either a hearing impairment is diagnosed or normal hearing is documented;
3. Maintaining a registry of those children diagnosed with hearing impairment as well as a list of those on whom no response is received;
4. Reporting the registry and list to the Department for the Deaf and Hard of Hearing and the State Department of Education;
5. Providing the reporting forms and information packets to the participating hospitals; and
6. Providing training and technical assistance on this program to the participating hospitals.

Proposed Regulations

<u>INFANT NAME</u> Last Middle First				<u>DATE OF BIRTH</u> Mo Day Year				<u>SEX</u>	<u>INFANT'S PHYSICIAN</u>
<u>HOSPITAL NAME</u>			<u>CITY, TOWN</u>			<u>COUNTY</u>			
<u>MOTHER NAME</u> Last Middle First Maiden				<u>FATHER NAME</u> Last Middle First					
<u>PARENT ADDRESS</u> (Box, RFD, Street)				<u>CITY/TOWN</u>	<u>STATE</u>	<u>ZIP</u>	<u>TELEPHONE</u>		
IF PERSON TO BE CONTACTED FOR TRACKING PURPOSES IS OTHER THAN PARENT, GIVE NAME, ADDRESS, & PHONE NUMBER									
PLEASE GIVE NAME, ADDRESS, AND PHONE NUMBER OF CLOSEST RELATIVE TO BE CONTACTED FOR TRACKING PURPOSES									
<u>THE IDENTIFICATION OF RISK FACTORS FOR HEARING IMPAIRMENT - CIRCLE "No" OR "Yes" FOR EACH</u>									
No	Yes	Severe asphyxia-Apgar scores of 0-3 or failure to institute spontaneous respiration by 10 minutes, and with hypotonia persisting to 2 hrs of age				No	Yes	Otoxic drugs administered to infant greater than 3 days	
No	Yes	Birthweight less than 1500 grams				No	Yes	Family history of hearing loss or impairment, in a blood relative, that began in childhood	
No	Yes	Hyperbilirubinemia at level exceeding indication for exchange transfusion				Congenital Perinatal Infections			
No	Yes	Bacterial meningitis				No	Yes	rubella	
No	Yes	Defects of the head/neck, such as ear deformities, cleft palate, dysmorphic appearance				No	Yes	herpes	
						No	Yes	toxoplasmosis	
						No	Yes	syphilis	
						No	Yes	cytoegalovirus	
<u>RESULTS OF HEARING SCREENING</u>									
___ Early Latency Auditory Evoked Response					RE: ___ Pass ___ Fail	LE: ___ Pass ___ Fail			
___ Automated Motion-Sensitive Unit					___ Pass ___ Fail				
<u>DISCHARGE STATUS</u>									
No	Yes	Infant Discharged Prior To Hearing Screening				No	Yes	Infant Expired	
No	Yes	Infant Discharged							
No	Yes	Infant Transferred To _____							
<u>NAME AND TITLE OF PERSON ADMINISTERING HEARING SCREENING</u>							<u>DATE</u>		
<u>NAME AND TITLE OF PERSON COMPLETING FORM</u>					<u>DATE</u>	<u>TELEPHONE</u>			

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Title of Regulation: VR 355-12-02. State Plan for the Provision of Crippled Children's Services.

Statutory Authority: §§ 32.1-12 and 32.1-77 of the Code of Virginia.

Public Hearing Date: December 2, 1986 - 11 a.m.

NOTICE

Due to its length the proposed State Plan for the Provision of Crippled Children's Services, filed by the Department of Health, Division of Handicapped Children, is not being published. However, in accordance with § 9-6.14:22 of the Code of Virginia, a summary and proposed amendments are being published in lieu of the full text. The full text of the regulation is available for public inspection at the office of the Registrar of Regulations and the Department of Health, Division of Handicapped Children.

Summary:

The proposed State Plan for the Provision of Crippled Children's Services revises the previous state plan of November 1, 1984. The changes in the proposed plan include the following:

1. Revision of eligibility criteria to permit specialty services for children with severe facial deformities and spina bifida in higher income families and to allow patients in certain surgery programs who, at the time of annual financial recertification, are found to have increased incomes to stay in the program to complete their plans of treatment.

Patients in higher income families who are allowed to stay in the program shall attend program sponsored clinics on payment of the annual patient fee. Such patients shall be responsible for the cost of medical services directly with the provider. After presenting evidence of medical expenses incurred but not covered by insurance, in an amount equal to 5.0% of the family's gross annual income, the patient will then become eligible for all indicated treatment services until the next annual financial recertification.

2. Limited expansion of covered conditions and services in the existing program specialty clinics, as follows:

A. **Cardiology** add Kawasaki Disease, infective endocarditis, and diseases of the pericardium and myocardium as covered conditions, and add cardiac blood pool imaging, Doppler Study and magnetic resonance imaging as covered services.

B. **Cerebral Palsy** add orthoses and magnetic resonance imaging as covered services.

C. **Cystic Fibrosis** add surgical removal of nasal polyps as covered hospitalization if performed in existing programs, and add supplies for intravenous antibiotic therapy in the home ordered through the Bureau of Pharmacy Services as covered services.

D. **Endocrinology** change covered conditions to include diseases or disorders of the pituitary glands, thyroid gland, parathyroid glands, adrenal gland, pancreas, and gonads. Add full evaluation for short stature, tall stature, growth failure, precocious puberty, delayed sexual development and such other syndroms, but unless they have an endocrinological cause, the patient cannot be followed for ongoing treatment services in the endocrinology clinic but may qualify for coverage in another program-sponsored clinic; and add diabetes program as either a part of the endocrine clinic or as a self-standing clinic.

E. **Genetics** add statement regarding the formal agreement with the Bureau of Maternal and Child Health's Genetics Disease Program providing for cross referral between the program and genetics centers. Genetic counseling, testing and diagnostic services shall be provided by the genetics centers to program patients as part of their funding through the Maternal and Child Health Block Grant.

F. **Neurology** add neurocutaneous and neuromuscular diseases; degenerative disorders of cerebral white matter, cerebellum, and basal ganglia; neoplasms (diagnosis only); toxic encephalopathy; and diseases of the spinal cord as covered conditions. Add magnetic resonance imaging as covered service.

G. **Neurosurgery** add all types of hydrocephalus as covered conditions. Added magnetic resonance imaging, physical therapy and occupational therapy as covered services.

H. **Nutrition Services** add nutrition services. Patients at risk for nutrition disorders will be screened and referred as needed to nutritionists for counselling and follow-up and referral to funding resources for nutrition supplements. Certain nutrition additives, i.e., MCT oil and Polycose, are supplied by the program. Special formula is not provided.

I. **Orthopedics** add coverage for fractures occurring secondary to other covered conditions, but routine fractures and accidents not related to covered condition shall not be covered. Add orthoses and magnetic resonance imaging as covered services.

J. **Pediatric Evaluations** add comprehensive pediatric evaluation as a covered service for every new patient admitted to any program who is not under the general well-child supervision of a local general practitioner or pediatrician.

K. **Plastic Surgery** add malformation of the ear,

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bronchiogenic sinus and cyst, thyroglossal cyst, pigmented nevi; keloids, hypoplastic breast, perianal lesions and pressure ulcers in insensate skin as covered conditions.

L. Rheumatology add multiple rheumatologic diseases as covered conditions; eliminate the reference to clinic and hospitalization only at Children's Hospital in Richmond allowing for a statewide program. Add nutrition as covered service. Add coverage in appropriate program clinic for children with complications such as seizures and cardiac involvement.

M. Scoliosis add myelogram and magnetic resonance imaging as covered services.

N. Spina Bifida (Myelodysplasia) add meningocele, myelomeningocele, lipomeningocele, diastematomyelia, and other intraspinal lesions as covered conditions and magnetic resonance imaging as covered service.

O. Surgery add omphalocele, congenital or acquired deformities of the lung and thoracic wall, congenital cysts of the lungs, congenital bronchial structures, bronchial cysts, bronchiectasis, hepatic disorders and pancreatic lesions as covered conditions.

P. Urology add ureteral reflux, extrophy of the bladder, cryptorchidism, surgical exploration and treatment of pseudohermaphroditism and hermaphroditism as covered conditions.

3. Revise the age criteria for admission of newborns permitting hospital pickup of newborns with congenital anomalies which will be corrected or ameliorated by surgery from seven days of life to 30 days of life.

4. Eliminate the restrictions on the admission of aliens to allow all aliens to be admitted if they otherwise meet eligibility requirements.

5. Add admissions of patients to the program between clinic sessions if the following criteria are met:

A. Patient was seen privately by the program physician for the specialty clinic.

B. Program physician orders medical care to be done on an outpatient basis. Orders for hospitalization will not be approved.

C. Program financial criteria have been met including the payment of the appropriate program annual fee.

D. Patient would be put in jeopardy to return to a second clinic to see the same doctor in a program setting due to distance of his home from the medical center (clinic location), or patient requires treatment before the next available local program clinic.

E. Approval has been received from the program director prior to program admission.

The date of the program admission will be the date the patient saw the program physician in a private or outpatient setting. The program will pay for outpatient medical care ordered by the program physician at the time. All return visits to the physician must be during a regularly scheduled program clinic.

6. Incorporation of recent Medicaid procedures to pay hospitals at a rate determined to be reasonable and adequate to meet the costs incurred by efficiently and economically operated facilities, determined in conformity with standards approved by the Secretary of Health and Human Services. This rate shall be calculated annually as an aggregate cost to charges ratio based on Title XIX reimbursable costs.

Payment for services such as speech therapy, occupational therapy, physical therapy, hearing therapy, drugs, medical supplies, radiographic examinations, and laboratory studies shall be changed from a rate not to exceed the usual and customary charge of each provider to be in accordance with policies and procedures of the department and shall be paid at the rate established by the Department of Medical Assistance Services (MEDICAID) for such services using the Physician's Current Procedural Terminology (CPT) code for each service.

7. Incorporation of a statement of the organizational relationship with primary care physicians. The program encourages each family to have a primary care physician for the provision of general health care for the child. The program sends clinic reports and hospital discharge summaries to the child's primary care physician to enhance medical management and promote continuity of care between bureau clinic visits.

8. Addition to the eligibility procedures regarding patients registered in a health maintenance organization (HMO). They are not eligible to enter the program unless they are referred by the HMO primary physician and the HMO pays for care within its coverages.

9. Incorporation of the payment of the annual patient fee into the application procedures. If an annual patient fee is required, a check or money order made out to "Virginia Department of Health" with child's name noted must be sent to the program coordinator. Once the fee is received, the first appointment will be sent to the family.

10. Incorporation of statements regarding the treatment and follow-up of patients by private specialist. Medicaid patients referred to the program must be treated and managed in the program clinics. Medicaid patients cannot be referred to the program

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for braces, prostheses, or hearing aids only, as ordered by the private specialist. They must be admitted for full specialty care. This does not preclude patients from having a primary care physician.

Quality of care dictates that a child cannot be followed in two or more separate clinics of the same specialty or by a private specialist and the same program specialty clinic.

11. Additions to the statement of responsibilities of the families of program participants as follows:

A. The family must agree to assign all hospitalization insurance benefits to the hospital and clinical physician.

B. The family is responsible for the cost of hospitalization if the patient leaves against medical advice and no treatment is accomplished.

C. The family is responsible for medical care not covered in the program specialty clinic and for hospitalization for the specialty in facilities other than those under contract with the program. (Exception is sickle cell disease crisis.)

D. The family is responsible for medical services for the covered condition, either hospitalization or outpatient, that occurred before the patient was admitted to the program.

E. The family is responsible for emergency room visits that the parents initiate unless the child is admitted to the hospital directly from the emergency room.

F. A parent is to accompany the child to clinic or provide a knowledgeable guardian to accompany the child.

G. Parents have definite responsibilities to cooperate with the program clinic, the clinic director, the program office, and the local health department. Quality and continuity of care are not possible without the direct participation of all the above components.

VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL

Title of Regulation: VR 370-01-001. The Rules and Regulations of the Virginia Health Services Cost Review Council.

Statutory Authority: § 9-164 of the Code of Virginia.

Public Hearing Date: December 17, 1986 - 11:30 a.m.

See Calendar of Events section for additional information)

Summary:

The Virginia Health Services Cost Review Council proposes to amend the rules and regulations governing the assessment and collection of fees from the Virginia health care institutions. The amendments will represent a change in format, organization, and style.

The changes in Part IV, "Filing Requirements and Fee Structure," are necessary for the council to operate the agency in a sound fiscal manner. The changes were designed primarily to alleviate a chronic cash flow problem.

VR 370-01-001. The Rules and Regulations of the Virginia Health Services Cost Review Council.

PART I. DEFINITIONS.

§ 1.1. The following words and terms, when used in these regulations, shall have the following meaning:

"Adjusted patient days" means inpatient days divided by the percentage of inpatient revenues to total patient revenues.

~~2-01-01.~~ "Aggregate cost" means the total financial requirements of an institution which shall be equal to the sum of:

a. 1. The institution's reasonable current operating costs, including reasonable expenses for operating and maintenance of approved services and facilities, reasonable direct and indirect expenses for patient care services, working capital needs and taxes, if any;

b. 2. Financial requirements for allowable capital purposes, including price level depreciation for depreciable assets and reasonable accumulation of funds for approved capital projects;

e. 3. For investor-owned institutions, after tax return on equity at the percentage equal to two times the average of the rates of interest on special issues of public debt obligations issued to the Federal Hospital Insurance Trust Fund for the months in a provider's reporting period, but not less, after taxes, than the rate or weighted average of rates of interest borne by the individual institution's outstanding capital indebtedness. The base to which the rate of return determined shall be applied is the total net assets, adjusted by paragraph ~~5-b~~ of this section 2. of this section, without deduction of outstanding capital indebtedness of the individual institution for assets required in providing institutional health care services.

~~2-01-02~~ "Commission" "Council" means the Virginia Health Services Cost Review ~~Commission~~ Council.

~~2-01-03~~ "Consumer" means any person (i) whose

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occupation is other than the administration of health activities or the provision of health services (ii) who has no fiduciary obligation to a health care institution or other health agency or to any organization, public or private, whose principal activity is an adjunct to the provision of health services, or (iii) who has no material financial interest in the rendering of health services.

2-01-04 "Health care institution" means a general hospital, ordinary hospital, or out-patient surgical hospital licensed pursuant to Chapter 15 of Title 32 § 32-297 et seq. of the Code of Virginia (1950); as amended; and mental or psychiatric hospital licensed pursuant to Chapter 8 of Title 37-1 § 37.1-179 et seq. of the Code of Virginia (1950); as amended; but in no event shall such term be construed to include any physician's office, nursing home, intermediate care facility, extended nursing care facility or a religious body which depends upon prayer alone for healing, independent laboratory or out-patient clinic.

"Late charge" means a fee that is assessed a health care institution that files its budget, annual report, or charge schedule with the council past the due date.

2-01-05 "Voluntary cost review organization" means a nonprofit association or other nonprofit entity with a federally exempt tax status which has as its function the review of health care institutions' costs and charges but which does not provide reimbursement to any health care institution or participate in the administration of any review process under Chapter 12-1 of Title 32, Chapter 4 of Title 32.1 of the Code of Virginia, P.L. 93-641, or P.L. 92-603 including the Statewide Health Coordinating Council, Department of Health and any health systems agency.

2-01-06 "Patient day" means a unit of measure denoting lodging facilities provided and services rendered to one inpatient, between census-taking-hour on two successive days. The day of admission but not the day of discharge or death is counted a patient day. If both admission and discharge or death occur on the same day, the day is considered a day of admission and counts as one patient day. For purposes of filing fees to the Commission council, newborn patient days would be added. For a medical facility, such as an ambulatory surgery center, which does not provide inpatient services, each patient undergoing surgery during any one ~~twenty-four~~ (24) - hour period will be the equivalent to one patient day.

PART II. SECTION 1-00 GENERAL INFORMATION.

1-01 § 2.1. Authority for regulations.

The Virginia Health Services Cost Review Commission Council, which is created by Chapter 26, Title 9, Section §§ 9-156 through 9-166 of the Code of Virginia, (1950); as amended; is required to collect, analyze and make public certain financial data and findings relating to hospitals which operate within the Commonwealth of Virginia.

Section 9-164 of the Code of Virginia (1950); as amended; directs the Commission council from time to time to make such rules and regulations as may be necessary to carry out its responsibilities as prescribed in the above referenced Chapter, Code of Virginia.

1-02 § 2.2. Purpose of rules and regulations.

The Commission council has promulgated these rules and regulations to set forth an orderly administrative process by which the Commission council may govern its own affairs and require compliance with the provisions of Chapter 26 of Title 9, §§ 9-156 through 9-166 of the Code of Virginia (1950); as amended .

1-03 § 2.3. Administration of rules and regulations.

These rules and regulations are administered by the Virginia Health Services Cost Review Commission Council.

1-04 § 2.4. Application of rules and regulations.

These rules and regulations have general applicability throughout the Commonwealth. The requirements of the Virginia Administrative Process Act, codified as Chapter 1-1 of Title 9, Section . § 9-6.14:1, et seq. of the Code of Virginia (1950); as amended; applied to their promulgation.

1-05 § 2.5. Effective date of rules and regulations.

These rules and regulations or any subsequent amendment, modification, or deletion in connection with these rules and regulations shall become effective thirty (30) days after the Commission council has filed them in accordance with the Virginia Register Act.

1-06 § 2.6. Powers and procedures of regulations not exclusive.

The Commission council reserves the right to authorize any procedure for the enforcement of these regulations that is not inconsistent with the provision set forth herein and the provisions of Chapter 26 of Title 9, Section § 9-156 et seq. of the Code of Virginia (1950); as amended .

PART III SECTION 3-00 COMMISSION COUNCIL PURPOSE AND ORGANIZATION.

3-01 § 3.1. Statement of mission.

The Commission council is charged with the responsibility to promote the economic delivery of high quality and effective institutional health care services to the people of the Commonwealth and to create an assurance that the charges are reasonably related to costs.

The Commission council recognizes that health care institutional costs are of vital concern to the people of the Commonwealth and that it is essential for an effective cost

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monitoring program to be established which will assist health care institutions in controlling their costs while assuring their financial viability. In pursuance of this policy, it is the ~~Commission's~~ *council's* purpose to provide for uniform measures on a statewide basis to assist in monitoring the costs of health care institution's without sacrifice of quality of health care services and to analyze the same to determine if charges and costs are reasonable.

~~3.02~~ § 3.2. ~~Commission~~ Council chairman.

The ~~Commission~~ *council* shall annually elect one of its consumer members to serve as chairman. The chairman shall preside at all meeting of the ~~Commission~~ *council* and shall be responsible for convening the ~~Commission~~ *council*.

~~3.03~~ § 3.3. Vice-chairman.

The ~~Commission~~ *council* shall annually elect from its membership a vice-chairman who shall assume the duties of the chairman in ~~this latter's~~ *his* absence or temporary inability to serve.

~~3.04~~ § 3.4. Expense reimbursement.

Members of the ~~Commission~~ *council* shall be entitled to be reimbursed in accordance with state regulations for necessary and proper expenses incurred in the performance of their duties on behalf of the ~~Commission~~ *council*.

~~3.05~~ § 3.5. Additional powers and duties.

The ~~Commission~~ *council* shall exercise such additional powers and duties as may be specified in Chapter 26, Title 9, the Code of Virginia (1950), as amended .

PART IV SECTION 4.00

VOLUNTARY COST REVIEW ORGANTIZATIONS.

~~4.01~~ § 4.1. Application.

Any organization desiring approval as a voluntary rate review organization may apply for approval by using the following procedure:

~~4.01.01~~ 1. Open application period. A voluntary cost review organization may apply for designation as an approved voluntary cost review organization to be granted such duties as are prescribed in § 9-162 of the Code of Virginia.

~~4.01.02~~ 2. Contents of application. An application for approval shall include:

a. Documentation sufficient to show that the applicant complies with the requirements to be a voluntary cost review organization: including copies of its Commonwealth of Virginia Charter, bylaws,

and evidence of its nonprofit status. Full financial reports for the one year preceding its application must also be forwarded. If no financial reports are available, a statement of the projected cost of the applicant's operation with supporting data must be forwarded;

b. If any of the organization's directors or officers have or would have a potential conflict of interests affecting the development of an effective cost monitoring program for the ~~Commission~~ *council*, statements must be submitted with the application to fully detail the extent of the other (conflicting) interest;

c. A detailed statement of the type of reports and administrative procedures proposed for use by the applicant;

d. A statement of the number of employees of the applicant including details of their classification; and

e. Any additional statements or information which is necessary to ensure that the proposed reporting and review procedures of the applicant are satisfactory to the ~~Commission~~ *council*.

~~4.02~~ § 4.2. Review of application.

~~4.02.01~~ A. Designation. Within 45 calendar days of the receipt of an application for designation as a voluntary cost review organization, the ~~Commission~~ *council* shall issue its decision of approval or disapproval. Approval by the ~~Commission~~ *council* shall take effect immediately.

~~4.01.02~~ B. Disapproval. The ~~Commission~~ *council* may disapprove any application for the reason that the applicant has failed to comply with application requirements, or that the applicant fails to meet the definition of a cost review organization, or fails to meet the specifications cited in paragraph ~~4.01~~ A. above concerning application contents or that the cost and quality of the institutional reporting system proposed by the applicant are unsatisfactory.

~~4.01.03~~ C. Reapplication. An organization whose application has been disapproved by the ~~Commission~~ *council* may submit a new or amended application to the ~~Commission~~ *council* within 15 calendar days after disapproval of the initial application. An organization may only reapply for approval on one occasion during any consecutive 12 - month period.

~~4.03~~ § 4.3. Annual review of applicant.

~~4.03.01~~ A. By March 31 of each year, any approved voluntary cost review organization for the calendar year then in progress which desires to continue its designation shall submit an annual review statement of its reporting and review procedures.

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~~4-03-02~~ B. The annual review statement shall include:

a- 1. Attestation by the applicant that no amendments or modifications of practice contrary to the initially approved application have occurred; or

b- 2. Details of any amendments or modifications to the initially approved application, which shall include justifications for these amendments or modifications.

~~4-03-03~~ C. The ~~Commission~~ council may require additional information from the applicant supporting that the applicant's reports and procedures are satisfactory to the ~~Commission~~ council.

4-04 § 4.4. Revocation of approval.

The ~~Commission~~ council may revoke its approval of any cost review organization's approval when the review procedures of that organization are no longer satisfactory to the ~~Commission~~ council or for the reason that the voluntary cost review organization could be disapproved under ~~4-02-02~~ §4.2.B of these regulations.

4-05 § 4.5. Confidentiality.

A voluntary cost review organization approved as such by the ~~Commission~~ council shall maintain the total confidentiality of all filings made with it required by these regulations or law. The contents of filings or reports summaries and recommendations generated in consequence of the ~~Commission's~~ council's regulations may be disseminated only to members of the ~~Commission~~ council, the ~~Commission's~~ council's staff and the individual health care institution which has made the filings or which is the subject of a particular report.

PART V SECTION 5-00

CONTRACT WITH VOLUNTARY COST REVIEW ORGANIZATION

5-01 § 5.1. Purpose.

It is the intention of the ~~Commission~~ council to exercise the authority and directive of ~~Section~~ § 9-163 of the Code of Virginia (1950), as amended, whereby the ~~Commission~~ council is required to contract with any voluntary cost review organization for services necessary to carry out the ~~Commission's~~ council's activities where this will promote economy and efficiency, avoid duplication of effort, and make best use of available expertise.

5-02 § 5.2. Eligibility.

In order for a voluntary cost review organization to be eligible to contract with the ~~Commission~~, council, it shall have met all other requirements of §§ 4.1 and 4.5 of these regulations relating to voluntary cost review organization and have been approved as such an organization.

~~5-03~~ § 5.3. Contents of contract.

The written agreement between the ~~Commission~~ council and any voluntary cost review organization shall contain such provisions which are not inconsistent with these regulations or law as may be agreed to by the parties. Any such contract shall be for a period not to exceed five years.

PART VI SECTION 6-00

FILING REQUIREMENTS AND FEE STRUCTURE.

6-01 Filing Requirements for Health Care Institutions

6-01-01 § 6.1. Each health care institution shall file an annual report of revenues, expenses, other income, other outlays, assets and liabilities, units of service, and related statistics as prescribed in § 9-158 ; of the Code of Virginia (1950) and as described and illustrated in the attached forms of the ~~Commission~~ on forms provided by the council together with the certified audited financial statements (or equivalents) as prescribed in § 9-159 ; of the Code of Virginia (1950) , which shall be received by the council no later than 120 days after the end of the respective applicable health care institution's fiscal year. Extensions of filing times may be granted for extenuating circumstances upon a health care institution's written application for a 30- to 60- day extension. Such request for extension shall be filed no later than 90 days after the end of a health care institution's fiscal year.

§ 6.2. Each health care institution shall file annually a projection (budget) of annual revenues and expenditures as prescribed in § 9-161 B of the Code of Virginia on forms provided by the council The institution's projection (budget) shall be received by the council no later than 60 days before the beginning of its respective applicable fiscal year.

6-01-02 § 6.3. Each health care institution shall file annually ; no later than 10 days after the beginning of their respective applicable fiscal year, a schedule of charges to be in effect on the first day of such fiscal year, as prescribed in § 9-161 D of the Code of Virginia (1950) . The institution's schedule of charges shall be received by the council no later than 10 days after the beginning of its respective applicable fiscal year. A projection (budget) of annual revenues and expenditures as prescribed in § 9-161 B, Code of Virginia, and as described and illustrated in the attached forms of the ~~Commission~~, shall be filed annually by Health Care Institutions at least, but no later than 60 days before the beginning of their respective applicable fiscal year.

Any subsequent amendment or modification to the annually filed schedule of charges shall be filed at least 60 days in advance of its effective date, together with supporting data justifying the need for the amendment. (Changes in charges which will have a minimal impact on revenues are exempt from this requirements requirement .

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~~6.01-03~~ § 6.4. All filings prescribed in § ~~6.01-01~~ § 6.1 and § ~~6.01-02~~ § 6.2 above of these regulations will be made to the Commission council for its transmittal to any approved voluntary cost review organization described in Section ~~4.00~~ Part IV of these regulations.

~~6.01-04~~ § 6.5. A filing fee based on a per patient day an adjusted patient days rate to shall be set annually by the Commission council, based on the needs to meet annual Commission council expenses ; shall be paid to the Commission at the same time that the Health Care Institution files its annual report under the provisions of ~~6.01-01~~ . The fee shall be established and reviewed at least annually and reviewed for its sufficiency at least annually by the council. All fees should shall be paid directly to the Commission council.

§ 6.6. Fifty percent of the filing fee shall be paid to the council at the same time that the health care institution files its budget under the provisions of § 6.2 of these regulations. The balance of the filing fee shall be paid to the council at the same time the health care institution files its annual report under the provisions of § 6.1 of these regulations. When the council grants the health care institution an extension, the balance of the filing fee shall be paid to the council no later than 120 days after the end of the respective applicable health care institution's fiscal year.

§ 6.7. A late charge of \$10 per working day shall be paid to the council by a health care institution that files its budget or annual report past the due date.

§ 6.8. A late charge of \$50 shall be paid to the council by the health care institution that files the charge schedule past the due date.

PART VII SECTION 7.00 WORK FLOW AND ANALYSIS WORK FLOW AND ANALYSIS.

~~7.01~~ § 7.1. The annual report date filed by health care institutions as prescribed in § ~~6.01-01~~ § 6.1 of these regulations shall be analyzed as directed by the Commission council. Summarized analyses and comments shall be reviewed by the Commission council at a scheduled Commission council meeting within approximately 75 days after receipt of properly filed data, after which these summaries and comments, including Commission council recommendations, may be published and disseminated as determined by the Commission council. The health care institution which is the subject of any summary, report, recommendation or comment shall received a copy of same at least 10 days prior to the meeting at which the same is to be considered by the Commission council.

~~7.02~~ § 7.2. The annual schedule of charges and projections (budget) of revenues and expenditures filed by

health care institutions as prescribed in § ~~6.01-02~~ § 6.2 of these regulations shall be analyzed as directed by the Commission council. Summarized analyses and comments shall be reviewed by the Commission council at a scheduled Commission council meeting within approximately 75 days after receipt of properly filed data, after which these summaries and comments, including Commission council recommendations will be published and disseminated by the Commission council. Amendments or modifications to the annually filed schedule of charges shall be processed in a like manner and reviewed by the Commission council no later than 50 days after receipt of properly filed amendments or modifications. Any health care institution which is the subject of summaries and findings of the Commission council shall be given upon request an opportunity to be heard before the Commission council.

PART VIII SECTION 8.00 PUBLICATION AND DISSEMINATION OF INFORMATION RELATED TO HEALTH CARE INSTITUTIONS.

~~8.01~~ § 8.1. The staff findings and recommendations and related Commission council decisions on individual health care institutions' annual historical data findings will be kept on file at the Commission council office for public inspection. However, the detailed annual historical data filed by the individual health care institutions will be excluded from public inspection in accordance with the provision § 9-159 B, Chapter 16, Title 9, of the Code of Virginia.

~~8.01~~ § 8.2. Periodically, but at least annually, the Commission council will publish the rates charged by each hospital in Virginia for at least each of the 25 most frequently used hospital services in Virginia, including each hospital's average semi-private and private room rates. The data will be summarized by type and size of institution and geographic area in Virginia, and will be kept on file at the Commission council office for public inspection and made available to the news media. In addition, annual charge schedules and subsequent amendments to these schedules filed under the provisions of § ~~6.01-01~~ § 6.3 of these rules and regulations will be kept on file at the Commission council office for public inspection. Staff findings and recommendations and related Commission council decisions on changes to health care institutions' rates and charges will also be kept on file at the Commission council office for public inspection and available to the news media.

~~8.03~~ Periodically, but at least annually, the Commission will publish selected comparative historical summary cost and revenue data by type and size of institution and geographic area in Virginia, as well as in total, without specific individual hospital identification. Said summaries will be distributed to the health care institutions and go on file at the Commission office for public inspection.

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~~§ 8.3.~~ Periodically, but at least annually, the council will publish an annual report which will include, but not be limited to the following: cost per admission comparison, cost per patient day comparison, Virginia's hospital costs compared with other states, percentage increase in cost per patient day, budget and historical reports reviewed, interim rate changes, excess operating expenses, revenue reduction recommendations, operating profits and losses, deductions from revenue (contractuals, bad debts, and charity care) and hospital utilization.

~~8.04~~ § 8.4. The staff findings and recommendations and related ~~Commission~~ council decisions on individual health care institutions' annual budget and related rate filings will be kept on file at the ~~Commission~~ council office for public inspection. However, the detailed annual budget data filed by the individual health care institutions will be excluded from public inspection.

~~8.05~~ § 8.5. The ~~Commission~~ council may release historical financial and statistical data reported by health care institutions to state or federal commissions or agencies based on individual, specific requests, and the merit of such requests. Requests must list the purpose for which the requested data is to be used to permit the ~~Commission~~ council to reach a valid decision on whether or not the data requested will fit the need and should, therefore, be made available. Under no circumstances will data be released which contains "personal information" as defined in § 2.1-379(2) of the Code of Virginia.

~~8.06~~ § 8.6. The ~~Commission~~ council shall not release prospective (budgeted) financial and statistical data reported by health care institutions to anyone, except for the staff findings and recommendations as provided for in ~~paragraph 8.04 § 8.4 above~~ of these regulations.

~~8.07~~ § 8.7. The provisions of ~~paragraph 8.05 § 8.5 above~~ of these regulations will also apply to recognized and designated health systems agencies (HSAs) and professional standards review organizations (PSROs) in the Commonwealth of Virginia, provided that the data requested have a definite bearing on the functions of these organizations.

~~8.08~~ § 8.8. No data, beyond that specified in ~~paragraphs 8.01~~ §§ 8.1 through ~~8.04~~ 8.4 above of these regulations will be released to other nongovernmental organizations and entities, except that data deemed pertinent by the ~~Commission~~ council in negotiations with third-party payors such as Blue Cross/Blue Shield, commercial insurers, etc. Such pertinent data may be released and used on an exception, as needed, basis.

~~8.09~~ § 8.9. Except for data specified in ~~paragraphs 8.01~~ §§ 8.1 through ~~8.04~~ 8.4 of these regulations available to anyone, the ~~Commission~~ council shall have a right to furnish data, { or refuse to furnish data }, based on merit of the request and ability to furnish data based on data and staff time availability. The ~~Commission~~ council may levy a reasonable charge to cover costs incurred in

furnishing any of the data described in this section of the rules and regulations.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

Title of Regulation: VR 460-03-2.6152. Definition of Home Ownership. (Withdrawn)

In accordance with the Code of Virginia § 9-6.14:9.4, I am withdrawing this department's regulations concerned with the definition of home ownership, VR 460-03-2.6152.

We will refile these regulations, after certain modifications are made, at a future time.

/s/ Ray T. Sorrell, Director
Date: September 9, 1986

VIRGINIA STATE BOARD OF MEDICINE

Title of Regulation: VR 465-70-1. Regulations Governing the Certification of Nurse Practitioners. (Withdrawn)

NOTICE: The proposed regulations published in the Register on November 11, 1985, are being withdrawn. Due to our identification of problems with compliance with requirements for promulgation, we are beginning the process anew.

VIRGINIA STATE BOARD OF NURSING

Title of Regulation: VR 495-01-1. Board of Nursing Regulations. (Withdrawn)

Title of Regulation: VR 495-02-1. Regulations Governing the Certification of Nurse Practitioners. (Withdrawn)

NOTICE: The proposed regulations published in the Register on November 11, 1985, are being withdrawn. Due to our identification of problems with compliance with requirements for promulgation, we are beginning the process anew.

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.

VIRGINIA DEPARTMENT OF COMMERCE

Title of Regulation: VR 190-04-1. Private Security Services Businesses.

Statutory Authority: Chapter 17.3 (§ 54-729.27 et seq.) of Title 54 of the Code of Virginia.

Effective Date: November 1, 1986

Summary:

Minor language changes were made to §§ 2.5 and 4.12 of this regulation.

The adopted regulation continues the requirement for all private security services businesses to be licensed, employ a compliance agent who has passed an examination to be responsible for the licensee's compliance and employ only those who have proper registration and training and are free from serious criminal conviction records.

The adopted regulation requires licensees to apply for a license anew if they fail to renew within six months after license expiration; a \$25 fee to sit for the Compliance Agent Examination; and allows the department to issue registrations before background investigations are complete. The method of regulating private security employees is changed from an employing licensee responsibility to an individual responsibility. No longer must employing licensees incur registration costs and fees for each individual they employ. Rather, they must assure that each employee has complied with the individual registration and training requirement. The department will cease issuing registrations valid for the tenure of employment to private security employees through their employing licensees and, instead, will issue registrations, which require renewal at 24-month intervals, directly to individuals at their home address. Additionally, armed employees are required to have handgun or shotgun certifications (appropriate to the weapon(s) they use) which require firearms retraining as well as renewal at 24-month intervals. Existing fees remain the same and fees for registration renewal and training certification have been added. Registration late fees and registration termination reporting requirements have been deleted.

The adopted regulation applies directly to approximately 320 private security services businesses and their approximately 15,000 registered employees, and indirectly to those licensees' clients and to

individuals who may come into contact with licensees or their employees. The department received \$520,595 in actual revenue during fiscal year 1986 under the current regulation's fee structure. The department estimates an annual revenue of approximately \$553,675 per year under the adopted regulation's fee structure. The estimated increased financial impact is \$33,080 per year.

VR 190-04-1. Private Security Services Businesses

SECTION ONE

PART I. GENERAL.

§ 1.1. Definitions.

The following definitions shall apply in these regulations unless the content clearly requires a different meaning.

"Armed private security services business personnel" means a registrant who has complied with the firearms training and firearms retraining requirements of these regulations and the regulations of the Department of Criminal Justice Services.

1-1-1 "Code" means the Code of Virginia.

1-1-2 "Date of application" means the date on which a person first performs functions as an employee of a licensed private security services business in a registration category.

"Handgun certification" means the method of regulation used by the department to acknowledge a registrant's successful completion of all handgun related firearms training and retraining requirements established by the regulations of the Department of Criminal Justice Services.

1-1-3 "Licensee" means a licensed private security services business.

1-1-4 "Registrant" means any individual who has met the requirements for registration as an employee of a licensed private security services business in any of the categories listed under "Registration category" in 1-1-5.

"Registration" means a method of regulation allowing a natural person to perform duties defined in § 54-729.29 of the Code of Virginia after satisfying the training requirements.

1-1-5 "Registration category" means any one of the

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following categories:

Armed guard
Armored car personnel
Courier
Guard dog handler
Private investigator/private detective and
Unarmed guard

"Shotgun certification" means the method of regulation used by the department to acknowledge a registrant's successful completion of all shotgun-related firearms training and retraining requirements established by the Department of Criminal Justice Services.

~~1.1.6~~ "Temporary registration" means registration that permits a licensee to employ a method of regulation allowing an individual natural persons to perform duties defined in § 54-729.29 of the Code of Virginia prior to satisfying the training requirements.

"Training certification" means the method used by training schools approved by the Department of Criminal Justice Services to report a natural person's successful completion of the training requirements to the Department of Commerce.

~~1.1.7~~ "Training requirements" means requirements for minimum training for registrants adopted by the Department of Criminal Justice Services.

"Unarmed private security services personnel" means a registrant who has not complied with the firearms training and firearms retraining requirements of these regulations and the regulations of the Department of Criminal Justice Services.

§ 1.2. Application fee for licensing.

Upon application the fee for a private security services business license shall be \$550.

§ 1.3. Renewal of license.

Licenses issued to private security services businesses shall expire unless renewed on or before October 31 of each year.

§ 1.4. Renewal fee.

The fee for renewal of a private security services business license shall be \$150. Failure to receive notice of renewal shall not relieve the licensee of the responsibility to renew.

§ 1.5. Penalty for late renewal.

Each licensee applying for renewal after October 31 shall pay a late fee of \$150 plus the renewal fee of \$150, as provided in 1.4. If the renewal fee is not received by the department, or its agent, within one month after the

expiration date noted on the license, a penalty fee of \$150 shall be required in addition to the renewal fee. ~~(Note: This regulation shall not become effective until October 31, 1985.)~~

§ 1.6. Failure to renew.

Licensees who fail to renew within six months after the expiration date on their license shall not be eligible to renew. They shall be required to apply for licensure anew.

§ ~~1.6~~ 1.7. Fee nonrefundable.

All fees shall be nonrefundable.

SECTION TWO

PART II.

ENTRY REQUIREMENTS FOR BUSINESSES.

§ 2.1. License application.

Any person wishing to obtain the required license as a private security services business shall file application on forms provided by the department.

§ 2.2. Surety bond or insurance required.

Each person wishing to apply for or maintain a license as a private security services business shall secure a surety bond in the amount of \$25,000, executed by a surety company authorized to do business in Virginia, or a certificate of insurance showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000.

§ 2.3. Irrevocable consent.

Each nonresident applicant for license or nonresident licensee shall file and maintain with the department an irrevocable consent for the department to serve as service agent for all action filed in any court in this Commonwealth.

§ 2.4. Compliance agent required.

Each firm applying for or maintaining a license as a private security services business shall employ a compliance agent who is not designated as the compliance agent or any other licensee.

§ 2.5. Qualifications for compliance agents.

~~2.5.1~~ A. Compliance agents shall pass an examination determining their knowledge of the regulations and laws governing private security service businesses, except those who were qualifying agents under department regulations on October 31, 1984.

~~2.5.2~~ B. Compliance agents shall meet the training requirements and hold a [permanent] registration with

the department in at least one registration category corresponding to a category in which the firm offers private security services.

§ 2.6. Fingerprints required.

Upon application of the firm, all compliance agents, directors, officers, and proprietors of a private security services business shall submit their fingerprints to the department.

§ 2.7. Compliance agent examination fee.

Each request to sit for the Compliance Agent Examination shall be accompanied by a nonrefundable fee of \$25.

SECTION THREE

PART III.

REQUIREMENTS FOR INDIVIDUAL REGISTRATION.

§ 3.1. Registration application.

Any natural person wishing to obtain the required registration to be employed to perform duties defined under § 54-729.27 of the Code of Virginia shall file an application for temporary registration or for registration and shall cause to be filed a training certification with the department on forms provided by the department.

§ ~~3.1~~ 3.2. Registration Fee Fees.

The application fee for temporary registration and registration shall be \$30. The fee for any training certification not submitted with an application for registration shall be \$15.

§ ~~3.2~~ 3.3. Background investigation of registrants.

The department shall conduct a background investigation on each applicant for registration.

§ ~~3.3~~ 3.4. Fingerprint cards required.

Each applicant for registration shall submit fingerprint cards to the department.

§ ~~3.4~~ 3.4. Applications.

Applications for registration shall be valid for one year.

§ 3.5. Temporary registration application expiration.

Any natural person granted temporary registration who fails to meet the training requirements within one year from six months after his original date of application as defined in § 1.1) of this regulation shall be required to file application anew satisfactorily complete training and apply for registration. They He shall not be eligible for a second temporary registration.

§ 3.6. Temporary registration.

Any temporary registration granted shall expire 120 days from the original date of original application as defined in § 1.1.

§ 3.7. Permanent Registration, handgun certification, shotgun certification.

Permanent Registration, handgun certification and shotgun certification shall be issued upon the Department's receipt of evidence of the completion of the training requirements and application for registration in the following manner:

A. Registration shall be issued to those granted temporary registration upon receipt by the department of training certification in at least one registration category (as defined in § 1.1) and the training certification fee (§ 3.2) within six months after the date of application (§ 1.1).

B. Registration shall be issued upon receipt of an application for registration containing training certification in a least one registration category (as defined in § 1.1) and the registration fee (§ 3.2).

C. Registration in additional categories shall be issued to those already granted registration upon receipt by the department of training certification in at least one additional registration category (as defined in § 1.1) and the training certification fee (§ 3.2).

D. Handgun certification shall be issued to those granted temporary registration or registration upon receipt by the department of a training certification of handgun classroom training and handgun range firing and the training certification fee (§ 3.2).

E. Shotgun certification shall be issued to those granted temporary registration or registration upon receipt by the department of a training certification of handgun classroom training, shotgun classroom training, and shotgun range firing and the training certification fee (§ 3.2).

§ 3.8. Minimum age.

Applicants for registration must be at least 18 years old.

§ 3.9. Firearms training.

No individual natural person granted temporary registration or registration may be armed or have immediate access to a firearm until he has completed the required firearms training.

§ 3.10. Registration denial.

The department may refuse to issue and may deny and withdraw a temporary registration or registration to any applicant for registration in a category which requires firearms training if that applicant has been convicted of

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an offense referenced under 18 USC, Section 922(g) and (h) (1960) when it finds that:

1. The applicant has failed to accurately and completely disclose and explain his record of criminal conviction on his application for temporary registration or registration; or
2. The applicant for temporary registration or registration has been convicted of a criminal offense directly related to the occupation; or
3. The applicant has applied for registration as an armed private security services business personnel and is prohibited by the Commonwealth or federal law from possessing a firearm.

§ 3.11. Expiration and renewal of registration.

A. Effective December 31, 1986, all registrations issued prior to November 1, 1986, are void.

B. Natural persons who held a valid registration will be required to pay a renewal fee by December 31, 1986, in a manner to implement a staggered renewal system, whereby approximately an equal number of registrants will be renewed each month over a two-year cycle beginning in July, 1987. Renewal notices will be mailed in the fall of 1986, and will indicate the amount of fee due and the expiration date of the renewal registration.

C. Renewal fees to be paid by registrants by December 31, 1986, will be determined based on the following schedule:

Registration Expiration Date	Amount of Renewal Fee
1. July 31, 1987	\$7
2. August 31, 1987	\$8
3. September 30, 1987	\$9
4. October 31, 1987	\$10
5. November 30, 1987	\$11
6. December 31, 1987	\$13
7. January 31, 1988	\$14
8. February 28, 1988	\$15
9. March 31, 1988	\$16
10. April 30, 1988	\$17
11. May 31, 1988	\$18
12. June 30, 1988	\$19
13. July 31, 1988	\$20
14. August 31, 1988	\$21
15. September 30, 1988	\$22
16. October 31, 1988	\$23
17. November 30, 1988	\$24
18. December 31, 1988	\$25
19. January 31, 1989	\$26
20. February 28, 1989	\$27
21. March 31, 1989	\$28
22. April 30, 1989	\$29
23. May 31, 1989	\$30

24. June 30, 1989 \$31

D. All registrations expiring after July 1, 1987, shall be renewed for a two-year period. The amount of renewal fee shall be \$25.

E. The department will mail a renewal notice to the registrant's last known home address outlining the procedures for renewal, approximately 45 days prior to the expiration date of the registration. However, failure to receive this notice shall not relieve the registrants of the obligation to renew.

F. All original registrations issued on or after November 1, 1986, shall expire two years from the last day of the month in which they were issued, as indicated on the registration.

G. Prior to the expiration date shown on the registration, each registrant desiring to renew his registration shall return to the department, or its agent, the renewal notice and a renewal fee of \$25.

H. If the renewal fee is not received by the department, or its agent, within one month after the expiration date noted on the registration, a penalty fee of \$25 shall be required in addition to the renewal fee.

I. Any registration failing to renew his registration within six months after the expiration date on his registration shall not be eligible to renew his registration or apply for registration under § 3.2 of these regulations. The department may reinstate such registrations upon receipt of a \$50 reinstatement fee and evidence that the training requirements have been completed since the registration expiration date. The department may make an exception for good cause.

§ 3.12. Handgun certification and shotgun certification expiration and retraining.

A. Handgun certification and shotgun certification shall expire two years from the last day of the month in which they were issued, as indicated on the certification.

B. The department will mail a retraining notice to the last known home address of each registrant holding a handgun certification or shotgun certification approximately 90 days prior to the expiration date of the certification. However, failure to receive this notice shall not relieve the registrant of the obligation to receive the required retraining.

C. Prior to the expiration date shown on the handgun certification, each registrant desiring to renew his certification shall cause a training certification of handgun classroom training and handgun range firing and a fee of \$15 to be received by the department.

D. Prior to the expiration date shown on the shotgun certification, each registrant desiring to renew his

certification shall cause a training certification of handgun classroom training, shotgun classroom training, and shotgun range firing and a fee of \$15 to be received by the department.

SECTION FOUR

PART IV. STANDARDS OF PRACTICE.

§ 4.1. Registration of employees required.

Each licensee shall assure that all persons employed to perform duties defined under § 54-729.27 of the Code of Virginia submit an application and valid registration or temporary registration issued by the possess a current and valid registration or temporary registration issued by the department. This shall be done no later than the applicant's date of employment in accordance with Section 54-729.29B of the Code and these regulations.

§ 4.2. Records.

Each private security services business shall maintain evidence of compliance with § 4.1, employment and payroll records and shall have them available to the Department of Commerce within a reasonable time after the request for them is made.

§ 4.3. Responsibilities of compliance agents.

The compliance agent shall assure the licensed firm's compliance with the statute and regulations governing private security services businesses.

§ 4.4. Termination of employment of compliance agent.

A. Upon termination of employment of a compliance agent, the licensed firm shall notify the department by certified mail within five business days. The licensed firm shall have 60 calendar days from the date of termination to employ a replacement compliance agent.

B. Upon the death or disability of a compliance agent who was engaged in a proprietorship or who was the only compliance agent in a corporation or partnership, his estate, an adult member of his family, or an employee of the firm may be granted approval by the department to carry on the business of the deceased or disabled compliance agent for 120 days following the death or disability of the compliance agent solely for the purpose of concluding the business or becoming qualified to be a compliance agent. In the event no such person is available or suitable, the department may appoint any other suitable person to terminate the business within 120 days. In no event shall such firm initiate any new business while operating under the terms of this regulation.

§ 4.5. Change of owner, partners or officers.

The compliance agent shall notify the department by

certified mail within 15 business days of any change of ownership, change of partners or associates in a partnership or association, or change of officers or directors in a corporation. The notification shall contain the fully executed forms required by § 2.1. Change of ownership shall not change the requirements for licensure and shall not relieve the licensee from the responsibility for complying with the Code or these regulations.

§ 4.6. Licenses nontransferable.

Private security services business licenses shall not be transferable.

§ 4.7. Late Charges.

Each licensee shall pay a late charge (in addition to the normal registration fee) of \$50 for each unregistered employee within ten calendar days after receiving written notice from the department. Payment of this late charge shall not relieve the licensee from any additional punitive action taken by the Department.

§ 4.8. Registration Cards, Maintenance.

A copy of each registration card issued by the Department shall be maintained by the employer and made available to the Department upon request.

§ 4.9 4.7. Registration cards, property of department.

All temporary registration and registration cards shall remain the property of the department. Any identification temporary registration or registration card reported lost and later recovered shall be returned to the department.

§ 4.10 4.8. Registration card, carried on duty.

The "employee's copy" of the registration card shall be carried on the person of the registrant at all times while on duty with the licensee named on the card.

§ 4.11 4.9. Temporary registration form card, carried on duty.

The temporary registration contained on the application form card shall be carried on the person of the applicant temporary registrant at all times while on duty until registration is obtained.

§ 4.12 Employment Termination, Return of Card, Form.

Upon termination of the employment of a registrant or temporary registrant, he shall return his copy of the registration card or temporary registration form to the employing licensee.

§ 4.13 Employment Termination, Written Notice.

Within 15 days of the termination of employment of a registrant or temporary registrant, the licensee shall send

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written notice to the Department, enclosing the temporary registration form or the employer copy of the identification card.

§ 4-14 4.10. Registration card, replacement.

Replacement of an employee's copy of a lost, destroyed, or damaged registration or temporary registration card may be made by the department upon receipt of a statement from the registrant, counter signed by the compliance agent, explaining how the card was lost, destroyed, or damaged and a fee of \$10.

§ 4-15 4.11. Display of uniform, badge, or registration card.

No person engaged in the private security services business shall display his uniform, badge, or registration card except within the scope of his ~~her~~ employment or while traveling immediately before and after the period of actual duty between such areas and the residence of the individual.

§ 4-16 4.12. Grounds to refuse issuance, suspend, revoke or modify a license or registration or to deny renewal of a license [or registration].

The department may refuse to issue a license or registration, suspend or revoke a license or registration, or deny renewal of a license [or registration], or modify any registration or license if it finds that:

~~4-16-1~~ 1. The applicant, registrant, compliance agent, director, officer, proprietor, partner or associate of any licensed firm has had his license or registration suspended, revoked, or denied renewal in any jurisdiction of the United States, or has been convicted of a felony or misdemeanor directly related to the occupation or has violated any regulation directly related to the occupation;

~~4-16-2~~ 2. There has been any fraud or material misrepresentation by the applicant, licensee or registrant in obtaining a license, license renewal, [or] registration [or registration renewal];

~~4-16-3~~ 3. The applicant, licensee or registrant has failed to provide information requested by the department within a reasonable period of time;

~~4-16-4~~ 4. The applicant, licensee or registrant has violated, or aided or abetted others in violating §§ 54-729.27 through 54-729.34 of the Code of Virginia, regulations adopted by the Department of Criminal Justice Services, or these regulations;

~~4-16-5~~ 5. The applicant, compliance agent, licensee or registrant has performed an act resulting in loss, injury or death to any person when such loss, injury or death has resulted from negligent or improper conduct; and

4-16-6 6. The licensee has shown a pattern of employing temporary registrants with no intent to provide the mandatory training.

All previous rules of the department regarding private security services businesses are repealed.

(3) COMPLIANCE AGENT(S):

Each licensed firm must have and maintain a Compliance Agent who is responsible for the firm's full compliance with Virginia law and regulations. He must pass an examination administered by the Department of Commerce if he was not a licensed Qualifying Agent on October 31, 1984. He must be ~~permanently~~ registered with the firm in at least one category in which the firm offers private security services. His failure to keep the firm in compliance will result in criminal and/or administrative action against the firm's license. He may act as Compliance Agent for only one license.

Name	Address	Title	Telephone

Each person named above must attach a COMPLIANCE AGENT APPLICATION and two FINGERPRINT CARDS. Also attach an Application for Private Security Registration and fee if he is not already registered with the firm.

(4) AFFIDAVIT:

To be executed by every applicant, including nonresidents. Each Owner, Partner and Officer must place his signature in the left hand column and print his name in the right hand column below.

The undersigned, each being duly sworn, deposes and says that he is the person who executed this application, that the statements herein contained are true, that he has not suppressed any information that might affect this application, that he will conduct the business of the firm at all times in compliance with Virginia law and regulations and that he has read and understands this affidavit.

Subscribed and sworn to before me this _____ day of _____, 19____.

 Signature of Notary Public

 This Commission Expires

ATTENTION NOTARY PUBLIC:
 The affiants signing this form must be under oath.

- Carefully review this form and make sure it is complete and that you have all other forms and attachments called for ready to submit. If any part of any form is incomplete or if any applicant is ineligible, this Application for Private Security Services Business License will be denied. The fee is non-refundable. You must have:
1. A check for \$550 payable to the Treasurer of Virginia.
 2. This form fully filled in and notarized.
 3. TWO FINGERPRINT CARDS FOR EACH PERSON NAMED IN ITEM 2 OF THIS FORM.
 4. AN APPLICATION FOR OWNERS, PARTNERS, OFFICERS AND DIRECTORS, complete and notarized, for each person named in item 2 of this form.
 5. A COMPLIANCE AGENT APPLICATION, complete and notarized, for each person named in item 3 of this form.
 6. AN APPLICATION FOR PERMANENT PRIVATE SECURITY REGISTRATION and check for \$30 payable to the "Treasurer of Virginia" for any person named in item 3 of this form who is not already registered with the firm names in item 1 of this form.
 7. Any documents or letters of explanation required by the above cited application forms.
 8. Complete FINGERPRINT CARDS on each person named in this form. (USE ONLY THE FINGERPRINT FORMS PROVIDED BY THE DEPARTMENT OF COMMERCE)
 9. Bond and Insurance Requirements Form with Bond or Certificate of Insurance attached.
 10. Mail to: Commonwealth of Virginia, Department of Commerce, P.O. Box 11066, Richmond, Virginia 23220-1066.

11. Expect to wait two weeks for a response.



COMMONWEALTH OF VIRGINIA
 Department of Commerce
 Private Security Section
 P.O. Box 11066 • Richmond, Virginia 23220-1066

APPLICATION FOR PRIVATE SECURITY SERVICES BUSINESS LICENSE

FEE \$650

INSTRUCTIONS: This application form is designed to provide all the information you need to apply for a Private Security Services Business License. Carefully read the instructions at the beginning and end of each numbered section and include the exact information and attachments asked for. If you cannot you may not be eligible for a license. If you have not already done so, read the law and regulations governing private security in Virginia. Make sure you understand what is expected of you. Violations can result in criminal prosecution as well as action to suspend or revoke your license. Incomplete applications will be returned or denied. The fee is non-refundable. Make all checks payable to the "Treasurer of Virginia".

(1) NAME:

Enter the firm's name, business address and telephone number. Also enter a mailing address if you have a post office box or wish your mail to be sent to a different address.

Firm Name _____

Business Address _____ Street & Number _____ City or town _____ State _____ Zip _____

Telephone (_____) _____

Mailing Address _____

IF YOUR BUSINESS ADDRESS IS NOT IN VIRGINIA YOU MUST ATTACH AN IRREVOCABLE CONSENT FOR SERVICE FORM

(2) OWNERSHIP: Sole Proprietor Partnership Corporation Association
 (Please check one)

If the firm is exclusively owned or owned by a partnership, list the names and home addresses of the owners. If the firm is a corporation or association, list the names, addresses and telephone numbers of the officers and directors.

OWNERS, PARTNERS, OFFICERS:

Name	Address	Title	Telephone

DIRECTORS:

Name	Address	Title	Telephone

Each person named above must submit an APPLICATION FOR OWNERS, PARTNERS, OFFICERS AND DIRECTORS and two FINGERPRINT CARDS.



COMMONWEALTH OF VIRGINIA
Department of Commerce
Private Security Section
3600 West Broad Street • Richmond, Virginia 23230-4917



COMMONWEALTH OF VIRGINIA
Department of Commerce
Private Security Section
3600 West Broad Street • Richmond, Virginia 23230-4917

PRIVATE SECURITY SERVICES BUSINESS COMPLIANCE AGENT APPLICATION

IRREVOCABLE CONSENT FOR SERVICE

To be executed by each non resident of Virginia applying for licensa.

- (1) Applicant's Name
(2) Residence Address
(3) Telephone: Residence
(4) Firm:
(5) Were you a Licensed Qualifying Agent on October 31, 1984?
(6) Have you passed the Virginia Compliance Agent Examination?

Firm Name
Business Address

WHEREAS, I, or we, the above named applicant for license privileges as a Private Security Services Business trading and/or operating individually or for or under the firm name of...

WHEREAS, under the provisions of said Chapter, it is necessary to file with the Director, Department of Commerce, Richmond, Virginia, an irrevocable consent that actions against the subscriber (or subscribers) may be filed in any appropriate court of any county or municipality of this Commonwealth...

IF YOU ANSWERED "NO" TO BOTH ITEMS FIVE AND SIX YOU MUST PASS THE COMPLIANCE AGENT EXAMINATION BEFORE THIS APPLICATION CAN BE APPROVED.

NOW THEREFORE, I, or we, the above named applicant for license privilege as a Private Security Service Business as aforesaid, hereby execute and file with the Director of the Department of Commerce our (or my) irrevocable Consent that actions against the subscriber (or subscribers) may be filed in any appropriate court of any county or municipality of this Commonwealth...

- (7) Have you ever been convicted of a felony or misdemeanor?
(8) In which categories are you permanently registered?
(9) Are you now or have you ever been licensed in Virginia or any other jurisdiction in private security?
(10) Has your private security license or registration in Virginia or any other jurisdiction ever been suspended or revoked for any reason?
(11) Do you understand you may be a Compliance Agent for only one licensed private security services business?
(12) Do you understand you are responsible for the full compliance with Virginia law and regulation of the licensed firm named in item 4 above?

In witness whereof, I, or we have hereunto signed our name, this day of 19

Signature of all Owners, Partners, and Officers:
Print Names

(13) AFFIDAVIT
County or City of
ATTENTION NOTARY PUBLIC:
Affiant must be under oath.

Affidavit:
State of
County of
ATTENTION NOTARY PUBLIC:
Affiants must be under oath.

BE IT REMEMBERED, that on this day of 19, before me personally appeared the subscriber, who is (or, are) known to me to be the persons in and who signed the foregoing instrument, and who, being duly sworn, acknowledged that they signed the same as his, her, or their, voluntary act and deed for the uses and purposes therein expressed.

(Place Notary Seal Here)
Notary Public

Virginia Register of Regulations
2570



COMMONWEALTH OF VIRGINIA
Department of Commerce
Private Security Section
3600 West Broad Street • Richmond, Virginia 23230-4917

APPLICATION FOR OWNERS, PARTNERS, OFFICERS & DIRECTORS FOR A PRIVATE SECURITY SERVICES BUSINESS

(1) LEGAL NAME OF APPLICANT: Miss/Mr. Last First Middle

(2) LEGAL RESIDENCE: Street and No. City or Town State Zip Phone

(3) BUSINESS/FIRM: Address City or Town State Zip Phone

(4) Have you ever been convicted of a felony or a misdemeanor? If the answer is "yes", attach an explanatory letter.

(5) Are you now or have you ever been licensed or registered by any other jurisdiction? If yes, which jurisdiction?

(6) Has a license or registration issued to you to operate in a Private Security Services Business in Virginia, or any other jurisdiction ever been suspended or revoked for any reason? If yes, attach an explanatory letter.

(7) AFFIDAVIT ss. County or City of

ATTENTION NOTARY PUBLIC: Affiant must be under oath.

The undersigned being duly sworn deposes and says that he is the person who executed this application, that the statements herein contained are true, that he has not suppressed any information that might affect this application, and that he has read and understands this affidavit.

Signature of Applicant:

Signature of Notary Public:

Subscribed and sworn to before me this day of 19

My Commission expires

COMMONWEALTH OF VIRGINIA

DEPARTMENT OF COMMERCE
3600 West Broad Street
Richmond, Virginia 23230

BOND AND INSURANCE REQUIREMENTS FOR PRIVATE SECURITY SERVICES

CHECK APPROPRIATE BOX:

I AM FILING WITH THE DEPARTMENT A SURETY BOND IN THE AMOUNT OF \$25,000 EXECUTED BY A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE COMMONWEALTH OF VIRGINIA.

I POSSESS A GENERAL COMPREHENSIVE LIABILITY INSURANCE POLICY WITH MINIMUM COVERAGE OF \$100,000 and \$300,000 WITH (Name of Insurance Company)

The undersigned certifies to the Department of Commerce that if required by statute, this business is properly recorded in the appropriate Circuit Court in the Commonwealth of Virginia, and if the business is a foreign corporation that it has been properly domesticated and registered in Virginia with the State Corporation Commission. The State Corporation Commission shall issue a certificate granting the authority to transact business within this state. In addition, the business will apply for a State Revenue License with the Commissioner of the Revenue in the city or county in which the firm's business office is located.

STATE OF

CITY/COUNTY OF

I/WE, DULY AUTHORIZED REPRESENTATIVE(S) OF BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE ANSWERS ABOVE SET FORTH ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT APPLICATION IS MADE FOR THE PURPOSE OF IMPROVING THE ISSUANCE OF LICENSE REQUESTED.

Signature of Applicant(s)

Signature lines for applicant(s)

SWORN AND SUBSCRIBED TO BEFORE ME AT THIS DAY OF 19

Notary Public

ATTACH BOND OR CERTIFICATE OF INSURANCE

Final Regulations

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMERCE
PRIVATE SECURITY SERVICES BOND

KNOW ALL MEN BY THESE PRESENTS:

That I/we _____ of _____ State, and _____ of _____ State, are and are jointly and severally bound unto the Secretary of the Commonwealth of Virginia, in the just and full sum of Twenty Five Thousand Dollars (\$25,000) to the payment whereof well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT WHEREAS the above bound _____ has made application for a license to be a Private Security Services business;

NOW, THEREFORE, if the said _____ shall well and faithfully perform its duties as a Private Security Services business and does not act or acts meriting suspension or revocation of its license under the provisions of Chapter 17.3, Title 54, Code of Virginia 1950, as amended, then this obligation is void, otherwise to remain in full force and effect, subject, however, to the following conditions:

1. That this bond shall be continuous in form, and shall remain in full force and effect until canceled as hereinafter provided.

2. This bond may be canceled at any time by the Principal of the Surety upon giving thirty (30) days written notice to the Department of Commerce at Richmond, Virginia, of its intention so to do, at which time the bond shall be void for any violation of the terms of this bond by the Principal occurring during the life of this bond.

3. Any person aggrieved by any act of the above bounden principals in violation of the provisions of Chapter 17.3, Title 54, Code of Virginia 1950, as amended, may proceed against the Principal of Surety on said bond, or both, to recover damages not in excess of the penalty of such bond, in accordance with the provisions of Chapter 17.3, Title 54, Code of Virginia 1950, as amended.

IN WITNESS WHEREOF, The said _____ Principal(s) has/have affixed his/her signature and seal, and the Surety has affixed its seal, to be attested by _____ its duly authorized attorney-in-fact, this _____ day of _____, 19____.

Expiration Date _____ (SEAL)

(SEAL)
Authorized to do business in the
Commonwealth of Virginia
(SEAL)

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMERCE
F. O. BOX 1066, RICHMOND, VA 23200-1066
TOLL FREE (800) 552-3016
(404) 237-8313
Application for Temporary Private
Security Registration

YES \$70.00
NONRESPONDABLE

INSTRUCTIONS:

1. This form shall be used only by individuals who have not applied for Temporary Registration in the past. Its response to this form will be sent to your home address. Please make sure your home address is accurate and complete. Advise immediately in writing of any change in your home address.
2. Mail this form, the \$70 fee and two fully completed fingerprint cards to the address shown above.
3. Allow 10 working days for a response.

WARNING:

1. You must have a Temporary Registration issued by the Department of Commerce in order to be employed in the private security industry.
2. You and your employer are subject to criminal prosecution and administrative action if you do not have a Temporary Registration Card and (if armed) a fire-arm certificate in your possession before you start to work.
3. You must complete the training in at least one registration category and have your fingerprint impressions taken within 120 days after the date of application shown below. Otherwise, this application becomes void and another application must be filed.

1. APPLICANT'S NAME: (Last) _____ (First) _____ (Middle) _____ (Mr, Mrs, etc) _____
HOME ADDRESS: _____

2. APPLICANT IDENTIFIERS: PIN: 2406- _____ (If Assigned) SSN: _____

Date of Birth: _____ (MM/DD/YYYY) (State) _____
Place of Birth: _____ (State) _____

Date of Application: _____ (DAY) _____ (MONTH) _____ (YEAR) _____

The date of Application is the first day you WANT to work as a security job.

3. Have you ever been convicted of a felony or misdemeanor?
If "yes," attach a letter explaining the actions on your part which led to your conviction. Failure to disclose and explain all convictions will result in your application being denied and fees of \$111.00 being forfeited.

THIS APPLICATION IS FOR UNARMED CATEGORIES ONLY!

4. The undersigned being duly sworn, deposes and says that he is the person who prepared this application, that he has read the instructions on this form and the statements herein contained are true, that he has not suppressed any information that might affect this application and that he HAS READ AND UNDERSTANDS this affidavit.

Sworn and subscribed to before me this _____ day of _____, 19____.

Signature of Applicant _____
ATTESTATION NOTARY PUBLIC: _____
Notary Public _____
by commission expires _____

MARINE RESOURCES COMMISSION

NOTE: The Marine Resources Commission is exempted from the Administrative Process Act (§ 9-6.14:4 of the Code of Virginia); however, it is required by § 9-6.24:22 B to publish all final regulations.

Title of Regulation: VR 450-01-8604. Loading and Unloading Points for Relayed Shellfish.

Statutory Authority: § 28.1-179 (8) of the Code of Virginia.

Effective Date: August 26, 1986

Preamble:

The following Order establishes two locations where shellfish taken from condemned areas may be loaded and unloaded.

VR 450-01-8604. Loading and Unloading Points for Relayed Shellfish.

§ 1. Authority and effective date:

A. This Order is promulgated pursuant to authority contained in § 28.1-179 (8) of the Code of Virginia.

B. The effective date of this Order is August 26, 1986.

§ 2. Designated areas:

Shellfish taken from the following areas shall be loaded and unloaded at these points only:

A. Bonums Creek and Tributaries – Bonums Oyster Company, Route 1, Kinsale, Virginia.

B. Yeocomico River and Tributaries – Bevans Oyster Company, Route 1, Kinsale, Virginia.

/s/ William A. Pruitt, Commissioner
August 27, 1986

DEPARTMENT OF SOCIAL SERVICES

Title of Regulation: VR 615-70-6. Credit Bureau Reporting.

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

Effective Date: October 29, 1986

Summary:

Under the provisions of federal regulation 45 CFR 303.105 and pursuant to § 63.1-53 of the Code of Virginia, the Department of Social Services' Division of Child Support Enforcement shall provide support payment arrearage information on a named

responsible person, upon request, to consumer credit bureaus and consumer reporting agencies provided the arrearage is at least \$1,000.00.

Section 63.1-25 of the Code of Virginia provides the State Board of Social Services with the authority to make such rules and regulations as necessary to carry out the intent of the department's programs.

VR 615-70-6. Credit Bureau Reporting.

§ 1. Definitions.

The following words and terms, when used in this regulation, shall have the following meaning, unless the context clearly indicates otherwise.

"Arrearage" means money owed for past due support.

"Consumer credit bureau" or "Consumer reporting agency" means any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports.

"Division of Child Support Enforcement" means the single and separate organizational unit within the Department of Social Services which carries out the responsibility for the IV-D Child Support Programs in Virginia.

"Responsible person" (RP) means any person obligated under Virginia law for the support of a dependent child, or the caretaker or parent of such child.

§ 2. Credit bureau reporting.

Upon request, the Department of Social Services' Division of Child Support Enforcement shall provide support payment arrearage information on a named responsible person (RP) to consumer credit bureaus and consumer reporting agencies, provided, the arrearage is at least \$1,000.00.

Advance notice shall be sent to the RP of the proposed release of arrearage information. This notice shall include information on the procedures available to the RP for contesting the accuracy of the arrearage information.

Registrar's Notice: The amendment to the existing regulation is being adopted in response to a federal regulatory mandate. The Department of Social Services, at the direction of the State Board of Social Services, is requesting exclusion from the requirements of Article 2 (§ 9-6.14:7.1 et seq.) of the Administrative Process Act.

Final Regulations



COMMONWEALTH of VIRGINIA

VIRGINIA CODE COMMISSION
General Assembly Building

POST OFFICE BOX 3 AG
RICHMOND, VIRGINIA 23208
(804) 786-3581

September 4, 1986

William L. Lukhard, Commissioner
Department of Social Services
8807 Discovery Drive
Richmond, Virginia 23229

Re: VR 615-70-6 - Credit Bureau Reporting

Dear Mr. Lukhard:

This will acknowledge receipt of the Regulations from the Department of Social Services.

As required by § 9-6.14:4.1 C.4.(c). of the Code of Virginia, I have determined that these regulations are exempt from the operation of Article 2 of the Administrative Process Act since they do not differ materially from those required by federal law.

Sincerely,

A handwritten signature in cursive script that reads "Joan W. Smith".

Joan W. Smith
Registrar of Regulations

JWS:sll

EMERGENCY REGULATION

DEPARTMENT OF WASTE MANAGEMENT

Title of Regulation: VR 421-30-1. Regulations Governing the Transportation of Hazardous Materials.

Statutory Authority: §§ 10-266 and 10-305 of the Code of Virginia.

Effective Date: September 11, 1986 through December 31, 1986.

Summary:

These regulations govern the manner and method by which hazardous materials may be loaded, unloaded, packed, identified, marked, placarded, stored and transported.

Basis of Emergency:

Transfer of the duties and responsibilities from the Department of Health to the Department of Waste Management included statutory authority to promulgate regulations governing transportation of hazardous materials. Section 10-305 of the Code of Virginia. While regulations governing solid, hazardous and radioactive waste were transferred as regulations of the Virginia Waste Management Board, the hazardous materials transportation regulations were not. Thus, the Commonwealth has no regulations in place governing the safe and proper transportations of hazardous materials. Absent promulgation of these regulations, hazardous materials transportation violations could not be enforced by the Virginia State Police.

Therefore, the Virginia Waste Management Board, pursuant to § 10-266 and 10-305 of the Code of Virginia with the concurrence of the Governor of the Commonwealth, and in accordance with § 9-6.14:4.1.C.5 of the Code of Virginia, adopts these emergency regulations, initially promulgated by the State Board of Health as VR 355-22-3.1. These regulations shall be effective upon filing with the Registrar of Regulations.

These emergency regulations will be enforced under applicable statutes and will remain in full force and effect until December 31, 1986, unless sooner modified or vacated or superseded by final regulation.

The Virginia Waste Management Board will receive, consider, and respond to petitions by any interested persons at any time for the reconsideration or revision of these regulations.

It is so ordered.

By: /s/ Cynthia V. Bailey
Executive Director, By Direction
Date: August 28, 1986

Approved: /s/ Gerald L. Baliles
Governor of the Commonwealth
Date: September 9, 1986

Filed By: /s/ Joan W. Smith
Registrar of Regulations
Date: September 11, 1986 - 11:23 a.m.

VR 421-30-1. Regulations Governing the Transportation of Hazardous Waste Materials.

PART I. DEFINITIONS.

"Hazardous material" means a substance or material in a form or quantity which may pose an unreasonable risk to health, safety or property when transported, and which the Secretary of Transportation of the United States has so determined by regulation or order.

"Transport or Transportation" means any movement of property by any mode, and any packing, loading, unloading, identification, marking, placarding, or storage incidental thereto.

"Explosive" means any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion, i.e., with substantially instantaneous release of gas and heat, unless such compound, mixture, or device is otherwise specifically classified in 49 Code of Federal Regulations Parts 170-177.

PART II. GENERAL INFORMATION AND LEGISLATIVE AUTHORITY.

§ 2. Authority for regulation.

A. These regulations are issued under the authority of the Code of Virginia, Title 10, Chapter 24, Article 6, §§ 10-305 through 10-309, Transportation of Hazardous Materials.

B. The Code of Virginia, § 10-305, assigns the Virginia Waste Management Board the responsibility for promulgating regulations governing the transportation of hazardous materials.

C. The Board is authorized to promulgate rules and regulations designating the manner and method by which hazardous materials shall be loaded, unloaded, packed, identified, marked, placarded, stored and transported, such rules to be no more restrictive than applicable federal regulations.

§ 2.1. Purpose of regulations.

The purpose of these regulations is to regulate the transportation of hazardous materials in Virginia.

§ 2.2. Administration of regulations.

Emergency Regulation

A. The Executive Director of the Department of Waste Management is designated by the Virginia Waste Management Board with the responsibility to carry out these regulations.

B. The Department of Waste Management is responsible for the planning, development and implementation of programs to meet the requirements of Article 6, Chapter 24 of Title 10.

§ 2.3. Application of regulations.

A. Notwithstanding the limitations contained in 49 CFR § 171.1(3), and subject to the exceptions set forth in § 2.4. below, these regulations apply to any person who transports hazardous materials, or offers such materials for shipment.

§ 2.4. Exceptions.

A. Nothing contained in these regulations shall apply to regular military or naval forces of the United States, nor to the duly authorized militia of any state or territory thereof, nor to the police or fire departments of this Commonwealth, providing the same are acting within their official capacity and in the performance of their duties; nor to the transportation of hazardous radioactive materials in accordance with § 44-146.30 of the Code of Virginia.

§ 2.5. Regulations not to preclude exercise of certain regulatory powers.

A. Per § 10-307 of the Code of Virginia, the provisions of these regulations shall not be construed so as to preclude the exercise of the statutory and regulatory powers of any agency, department or political subdivision of the Commonwealth having statutory authority to regulate hazardous materials on specified highways or portions thereof.

§ 2.6. Transportation under United States Regulations.

A. Per § 10-309 of the Code of Virginia, any person transporting or offering for shipment hazardous materials in accordance with regulations promulgated under the laws of the United States, shall be deemed to have complied with the provisions of these regulations, except when such transportation is excluded from regulation under the laws or regulations of the United States.

§ 2.7. Enforcement.

A. Law Enforcement Officers. The Department of State Police, together with all law enforcement and peace officers of the Commonwealth shall enforce the provisions of these regulations. Per § 10-310 of the Code of Virginia, violation of these regulations is a Class 1 Misdemeanor.

B. Civil judicial enforcement of these regulations shall be governed by § 10-310 of the Code of Virginia.

§ 2.8. Application of Administrative Process Act.

A. The provisions of the Virginia Administrative Process Act, codified as § 9-6.14:1 of the Code of Virginia govern the adoption, amendment, modification, and revision of these regulations, and the conduct of all proceedings hereunder.

§ 2.9. Severability.

A. If any provision of these regulations, or the application of any provision of these regulations to any person or circumstances, is held invalid, the application of such provision to other persons or circumstances, and the remainder of these regulations, shall not be affected thereby.

PART III.

COMPLIANCE WITH FEDERAL REGULATIONS.

A. Every person who transports or offers for transportation hazardous materials within or through the Commonwealth of Virginia shall comply with the federal regulations governing the transportation of hazardous materials promulgated by the United States Secretary of Transportation with amendments promulgated through December 31, 1984, pursuant to the Hazardous Materials Transportation Act, and located at Title 49 of the Code of Federal Regulations as set forth below:

1. Exemptions. Hazardous Materials Program Procedures in 49 CFR, part 107, Subpart B.
2. Hazardous Materials Regulations in 49 CFR, parts 171 through 177.
3. Shipping Container Specifications in 49 CFR, Part 178.
4. Specifications for Tank Cars in 49 CFR Part 179.
5. Driving and Parking Rules in 49 CFR Part 397.
6. Motor Carrier Safety Regulations in 49 CFR Parts 390 through 396.

PART IV.

HAULING EXPLOSIVES IN PASSENGER-TYPE VEHICLES.

A. Explosives must not be transported in or on any motor vehicle licensed as a passenger vehicle or a vehicle which is customarily and ordinarily used in the transportation of passengers except upon written permission of the State Police and under their direct supervision and only in the amount and between points authorized. If the movement is intracity, the permission of properly designated authority of said city must be secured. Dangerous articles, including small arms ammunition, but not including other types of explosives, may be transported in passenger type vehicles provided the maximum quantity

transported does not exceed one hundred pounds in weight. Such transportation shall not be subject to these rules.

*PART V.
OUT OF SERVICE.*

A. The Department of State Police shall be the Agents authorized to perform inspections of motor vehicles in operation and to declare and mark vehicles "out of service" as set forth in 49 CFR Part 396.9.

STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 27, 1986

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. INS850209

Ex Parte: In the matter of
adopting Rules Governing Health
Maintenance Organizations

ORDER SCHEDULING FURTHER HEARING

WHEREAS, by order entered herein October 25, 1985, a hearing was conducted by the Commission in its Courtroom at 10:30 a.m. on November 26, 1985, to consider the comments of interested parties with respect to the adoption of a regulation proposed by the Bureau of Insurance and entitled "Rules Governing Health Maintenance Organizations";

WHEREAS, at the conclusion of said hearing, the matter was taken under advisement by the Commission and subsequent thereto the Commission determined to defer action on the proposed regulation in order, inter alia, that the General Assembly might consider certain proposed legislation which would materially affect the proposed regulation and that the Bureau of Insurance and interested parties might meet and discuss further the proposed regulation; and

WHEREAS, the Bureau of Insurance has submitted to the Commission a revised proposed regulation which the Commission believes should be the subject of further comment by interested parties in a hearing before the Commission,

IT IS ORDERED:

(1) That the revised proposed regulation entitled "Rules Governing Health Maintenance Organizations" be appended hereto and made a part hereof, and filed with the papers of the record herein;

(2) That this matter be docketed for further hearing at 10 a.m. on September 30, 1986, in the Commission's Courtroom, Jefferson Building, 13th Floor, Bank and Governor Streets, Richmond, Virginia, for the purpose of considering the revised proposed regulation, at which time and place all interested parties may appear and be heard; and

(3) That an attested copy hereof together with a copy of the revised proposed regulation be sent by the Clerk of the Commission to the Bureau of Insurance in care of Steven J. Kaufmann who shall forthwith give further notice of the revised proposed regulation and hearing by mailing a copy of this order together with a copy of the proposed regulation to every health maintenance organization licensed in the Commonwealth of Virginia; J.

Maurice Miller, Jr., Esquire, Mays & Valentine, P.O. Box 1122, Richmond, Virginia 23208, counsel for Virginia Association of Health Maintenance Organizations; Allen Goolsby, Esquire, Hunton & Williams, 707 E. Main Street, Richmond, Virginia 23219, Counsel for Medical Society of Virginia and Psychiatric Society; and Howard Feller, Esquire, McGuire, Woods & Battle, One James Center, Richmond, Virginia 23219, counsel for Consolidated Healthcare, Inc.;

(4) That the Bureau of Insurance cause to be filed with the Clerk of the Commission an affidavit of compliance with the notice requirements of paragraph (3) above.

* * *

RULES GOVERNING HEALTH MAINTENANCE ORGANIZATIONS

§ 1. Authority.

This regulation is issued pursuant to the authority vested in the Commission under ~~§ 12-1-13 and § 38-1-382~~ § 38.2-223 of the Code of Virginia.

§ 2. Purpose.

The purpose of this regulation is to set forth rules to carry out the provisions of ~~Chapter 26 of Title 38-1~~ Chapter 43 of Title 38.2 of the Code of Virginia so as to provide reasonable standardization of terms and provisions contained in health maintenance organization contracts and evidences of coverage, to assure the availability and accessibility of services provided by health maintenance organizations, and to establish minimum financial standards for the licensing and operation of health maintenance organizations.

§ 3. Effective date.

A. This regulation shall be effective on January 1, ~~1986~~ 1987.

B. No new contract or evidence of coverage shall be issued or put in force on or after ~~July 15, 1986~~ April 1, 1987 unless it complies with this regulation.

C. No contract or evidence of coverage shall be reissued, renewed, or extended in this Commonwealth on or after ~~July 15, 1986~~ April 1, 1987 unless it complies with this regulation. A contract or evidence of coverage written before ~~July 15, 1986~~ April 1, 1987 shall be deemed to be reissued, renewed, or extended on the date the contract or evidence of coverage allows the health maintenance organization to change the terms of the contract or evidence of coverage or adjust the premiums charged.

§ 4. Applicability and scope.

This regulation shall apply to all health maintenance organizations and to all health maintenance organization contracts and evidences of coverage delivered or issued

State Corporation Commission

for delivery by a health maintenance organization established or operating in this Commonwealth on and after the applicable date as set forth in § 3 of this regulation. In the event of conflict between the provisions of this regulation and the provisions of any other regulation issued by the Commission, the provisions of this regulation shall be controlling as to health maintenance organizations.

§ 5. Definitions.

As used in this regulation:

A. "Acceptable securities" means those securities that are legal investments in Virginia for public sinking funds and for other public funds as defined in §§ 2.1-327 through 2.1-329 of the Code of Virginia which are not in default as to principal or interest.

B. "Affiliated provider" means any provider that is employed by or has entered into a contractual agreement either directly or indirectly with a health maintenance organization to provide health care services to members of the health maintenance organization.

C. "Basic health care services" means those health care services described in subsection B of § 10 of this regulation which are required to be provided by a health care plan to its enrollees and which may be subject to a nominal copayment approved by the Commission.

D. "Conversion contract" means a contract that is issued by the health maintenance organization after a conversion option has been exercised.

E. "Copayment" means a nominal payment required of enrollees as a condition of the receipt of specific health care services.

F. "Emergency services" means covered health care services rendered by affiliated or non-affiliated providers, whether in or out of the service area, under unforeseen conditions requiring services which are considered medically necessary for conditions which require immediate medical attention and which could reasonably be expected to worsen if left unattended.

"Emergency services" means:

1. Within the service area. Covered health care services rendered by affiliated or nonaffiliated providers under unforeseen conditions that require immediate medical attention. Emergency services within the service area shall include covered health care services from nonaffiliated providers only when delay in receiving care from the health maintenance organization could reasonably be expected to cause the enrollee's condition to worsen if left unattended.

2. Outside the service area. Medically necessary health care services that are immediately required because

of unforeseen illness or injury while the enrollee is outside the geographical limits of the health maintenance organization's service area.

G. "Enrollee" or "member" means an individual who is enrolled in a health care plan.

H. "Evidence of coverage" includes any certificate, individual or group agreement or contract, or identification care or related documents issued in conjunction with the certificate, agreement or contract, issued to a subscriber setting out the coverage and other rights to which an enrollee is entitled.

I. "Excess insurance," "stop loss insurance," or "reinsurance" means insurance issued by an insurer licensed in this Commonwealth, on a form approved by the Commission, or a risk assumption transaction acceptable to the Commission, providing indemnity or reimbursement against the cost of health care services provided by the health maintenance organization.

J. "Fully subordinated debt" means those debts that meet the requirements of subsection I of § 7 of this regulation.

K. "Group contract" means a contract for health care services issued by a health maintenance organization in this Commonwealth which by its terms limits the eligibility of subscribers and enrollees to a specified group.

L. "Health care plan" means any arrangement in which any health maintenance organization undertakes to provide, arrange for, pay for, or reimburse any part of the cost of any health care services. A significant part of the arrangement shall consist of arranging for or providing health care services, as distinguished from mere indemnification against the cost of the services, on a prepaid basis.

M. "Health care services" means the furnishing of services to any individual for the purpose of preventing, alleviating, curing, or healing human illness, injury or physical disability.

N. "Health maintenance organization" means any person who undertakes to provide or arrange for one or more health care plans.

O. "Insolvent" means (i) the condition of a health maintenance organization that has a negative net worth or (ii) the inability of a health maintenance organization to pay its obligations as they become due in the usual course of business.

P. "Medical necessity" or "medically necessary" means appropriate and necessary health care services which are rendered for any condition which, according to generally accepted principles of good medical practice, requires the diagnosis or direct care and treatment of an illness, injury, or pregnancy-related condition, and are not provided only

State Corporation Commission

as a convenience.

Q. "Net worth" equals total admitted assets less total liabilities excluding fully subordinated debt.

R. "Out-of-area services" means the services that the health maintenance organization covers when its members are outside the geographical limits of the health maintenance organization's service area.

S. "Primary care physician" means a physician who provides initial and primary care to enrollees; who supervises, coordinates, and maintains continuity of patient care; and who initiates referrals for specialist care.

T. "Provider" or "health care provider" means any physician, hospital, or other person that is licensed or otherwise authorized in the jurisdiction in which services are rendered to furnish health care services.

U. "Services area" means a clearly defined geographic area in which the health maintenance organization has arranged for the provision of health care services to be generally available and readily accessible to enrollees.

V. "Specialist" means a licensed health care provider to whom an enrollee may be referred by his primary care physician and who is certified or eligible for certification by the appropriate specialty board, where applicable, to provide health care services in a specialized area of health care.

W. "Subscriber" means a contract holder, an individual enrollee or the enrollee in an enrolled family who is responsible for payment to the health maintenance organization or on whose behalf such payment is made.

X. "Supplemental health care services" means health care services which may be offered by a health maintenance organization in addition to the required basic health care services.

§ 6. Licensing requirements.

A. License required.

No person shall establish or operate a health maintenance organization in Virginia without first obtaining a license from the Commission.

B. Application for initial license.

1. Any person desiring to establish and operate a health maintenance organization in Virginia may apply to the Commission for a license to operate a health maintenance organization.

2. Each application for a health maintenance organization license shall be on a form prescribed by the Commission and shall be verified by an officer or authorized representative of the applicant. Each

application for a health maintenance organization license and all accompanying documents shall be submitted in triplicate.

3. Each application for a health maintenance organization license shall set forth or be accompanied by:

(a) A copy of any basic organizational document of the applicant including, but not limited to, the articles of incorporation, articles of association, partnership agreement, or trust agreement, and all amendments to such documents.

(b) A copy of the bylaws, rules and regulations, or any similar document regulating the conduct of the internal affairs of the applicant.

(c) A list of the names, addresses, and official positions of each officer, each member of the governing body, and each employee holding a senior line or staff position, and a full disclosure in the application of (i) any financial interest between any such person or any provider, organization or corporation owned or controlled by such person and the health maintenance organization and (ii) the extent and nature of the financial arrangements between such person and the health maintenance organization.

(d) A biographical summary for each person listed in paragraph (c).

(e) A copy of any contract made or to be made between any providers, sponsors or organizers of the health maintenance organization, or persons listed in paragraph (c) and the applicant, as required by subsection C of § 12 of this regulation.

(f) A copy of the evidence of coverage form, as defined in subsection H of § 5 of this regulation, proposed to be issued to subscribers.

(g) A copy of any group contract form, as defined in subsection K of § 5 of this regulation, proposed to be issued to employers, unions, trustees, or other organizations.

(h) A copy of any other pertinent forms proposed to be issued to subscribers, enrollees, or members, including but not limited to applications, enrollment forms, handbooks, provider lists, and explanation of service areas.

(i) Proposed rates for coverages to be offered, and written actuarial justification for such rates and their method of calculation.

(j) Financial statements showing the applicant's assets, liabilities, and sources of financial support or, if the applicant's financial affairs are audited by

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independent certified public accountants, a copy of the applicant's most recent regular certified financial statement unless the Commission directs that additional or more recent financial information is required for the proper administration of ~~Chapter 26 of Title 38.1~~ Chapter 43 of Title 38.2 of the Code of Virginia.

(k) A complete description of the health maintenance organization and its method of operation. This shall include: (i) the method of marketing the plan; (ii) a financial plan that includes a projection of the initial operating results extending at least one year beyond the anticipated breakeven point (subject to a minimum of three years), and in which all critical assumptions are documented. Critical assumptions include, but are not limited to, enrollment levels, premium rates, provider reimbursement, utilization rates, risk-sharing arrangements with providers, general and administrative expenses, excess and other insurance expenses and recoveries, coordination of benefits, costs of long-term financing, and inflation; (iii) a statement regarding the sources of working capital as well as any other sources of funding; (iv) a description of any insurance (including, but not limited to, excess or stop loss, insolvency, medical malpractice, errors and omissions, and general liability coverage), reinsurance or alternative coverage arrangements proposed.

Pro-forma financial statements shall include (i) income statements on a quarterly basis, (ii) balance sheets on a quarterly basis, and (iii) cash flow statements on a quarterly basis.

(l) A description of the geographic areas to be served including a map which clearly delineates the boundaries of the services area.

(m) A description of the complaint system required pursuant to ~~§ 38.1-372~~ § 38.2-4308 of the Code of Virginia.

(n) A description of the procedures and programs established by the health maintenance organization to (i) assure both availability and accessibility of adequate personnel and facilities, and (ii) assess the quality of health care services provided.

(o) A description of the mechanism by which enrollees will be given an opportunity to participate in matters of policy and operation as provided in subsection B of ~~§ 38.1-867~~ § 38.2-4304 of the Code of Virginia.

(p) Any and all such other information as the Commission may require to make the determinations required pursuant to ~~§ 38.1-865~~ § 38.2-4302 of the Code of Virginia.

4. Each application for a health maintenance organization license shall be accompanied by the nonrefundable license fee required by ~~§ 38.1-883~~ § 38.2-4302 of the Code of Virginia.

C. Amendments to filed information.

No health maintenance organization shall operate in a manner that is significantly in contravention of the information submitted under ~~§ 38.1-864~~ § 38.2-4301 of the Code of Virginia. Any change in such information which would result in operational changes that are significantly in contravention of the information currently on file with the Commission shall be subject to the Commission's prior approval. If the Commission fails to act on a revised submission within thirty days of its filing the proposed changes shall be deemed approved. The following shall be deemed to result in operational changes that are significantly in contravention of the information on file with the Commission:

1. A change in the control, as defined in ~~§ 38.1-178.1~~ § 38.2-1322 of the Code of Virginia, of the health maintenance organization;

2. A change in the health maintenance organization's geographic service area; and

3. A material change in the health maintenance organization's health care delivery system.

D. Filing of annual report.

Each applicant for a health maintenance organization license shall file with the Commission a financial statement on the form required by ~~§ 38.1-879~~ § 38.2-4307 of the Code of Virginia prior to licensure.

E. Licensure does not imply approval of forms.

Approval of a health maintenance organization's license application shall not constitute approval of the forms submitted under subsection B, paragraphs 3(f), 3(g), and 3(h) of this section. Approval of such forms shall be governed by § 12 of this regulation and ~~§ 38.1-869~~ § 38.2-4306 of the Code of Virginia.

F. Renewal of license.

Each health maintenance organization licensed in Virginia shall renew its license annually pursuant to the requirements of ~~§ 38.1-883~~ § 38.2-4318 of the Code of Virginia.

§ 7. Financial condition requirements.

A. Minimum net worth.

1. Applicants for a health maintenance organization license shall be required to establish a net worth that is at least equal to \$300,000 prior to licensure.

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2. Each health maintenance organization licensed in Virginia shall maintain a net worth that is at least equal to the sum of all uncovered expenses as defined in subsection H of this section for the last three months reported on in paragraph 3 of this subsection. However, in no case shall a health maintenance organization licensed in Virginia maintain a net worth that is less than \$300,000 and in no case shall a health maintenance organization be required to maintain a minimum net worth in excess of \$2,000,000.

3. Each health maintenance organization licensed in Virginia shall report to the Commission on a form prescribed by the Commission all uncovered expenses, as defined in subsection H of this section, for the three month periods ending on December 31, March 31, June 30, and September 30 on or before March 1, May 15, August 15, and November 15 respectively of each year. When these reports are made each health maintenance organization shall also submit to the Commission a balance sheet for the last day of the period reported on. The balance sheet shall include the value of liabilities representing uncovered expenses that have not been paid.

4. Health maintenance organizations that were licensed prior to ~~January 1, 1986~~ *the effective date of this regulation* and that were not in compliance with the minimum net worth requirement *on that date* shall have until January 1, ~~1989~~ 1990 to comply with the minimum net worth requirements of this subsection. Each such health maintenance organization shall increase its net worth by at least one-third of the initial deficit before January 1, ~~1987~~ 1988 and by an additional one-third of the initial deficit before January 1, ~~1988~~ 1989. Such health maintenance organizations shall also implement a plan approved by the Commission to cover any increase in the health maintenance organization's minimum net worth between ~~January 1, 1986 and January 1, 1989~~ *the effective date of this regulation and January 1, 1990*. However, in no case shall this paragraph be construed to require a health maintenance organization to maintain a net worth that is greater than the new worth otherwise required by this subsection.

B. Minimum deposit requirement.

1. Each health maintenance organization licensed in Virginia shall maintain a deposit of \$300,000 with the State Treasurer in cash or acceptable securities. Each new applicant for a health maintenance organization license shall make such deposit with the State Treasurer prior to license.

2. The Commission may increase the minimum deposit requirement whenever it determines that the financial condition of a health maintenance organization is such that it is hazardous to enrollees, creditors, or the public.

3. Health maintenance organizations that were licensed prior to ~~January 1, 1986~~ *the effective date of this regulation* and that were not in compliance with the minimum deposit requirement *on that date* shall have ~~until July 1, 1986~~ *six months from that date* to comply with the provisions of this subsection.

4. When securities are deposited with the State Treasurer, the value of such deposit shall be the market value of the securities. A health maintenance organization shall make good any deficit resulting from a decrease in market value within 10 days.

5. *The deposit required by this subsection or subsection C may be waived where the Commission determines that such a deposit is not necessary for the protection of enrollees. In considering whether the deposit is necessary for the protection of enrollees, the Commission shall give due consideration to the factors governing consideration of petitions for release of deposits as set forth in subsection F of this section.*

C. Additional deposit requirement.

1. Except as provided in subsection D of this section, each applicant for a health maintenance organization license shall deposit with the State Treasurer an amount in addition to that required by subsection B of this section in cash, acceptable securities, or surety equal to the sum of the health maintenance organization's projected uncovered health care expenses for the first three months of operation.

2. Except as provided in paragraph 5 of this subsection and subsection D of this section, each health maintenance organization licensed in Virginia that did not realize an operating profit on its most recent annual statement may at the discretion of the Commission be required to deposit with the State Treasurer an amount in addition to that required by subsection B of this section in cash, acceptable securities, or surety equal to the greater of (i) the sum of all uncovered health care expenses for the last three months reported on in subsection A, paragraph 3, of this section, or (ii) the value of liabilities representing uncovered health care expenses that have not been paid. Any deficiency in the deposit required by this subsection shall be eliminated within 10 days after filing the report required by subsection A, paragraph 3, of this section.

3. When securities are deposited with the State Treasurer, the value of such deposit shall be the market value of the securities. A health maintenance organization shall make good any deficit resulting from a decrease in market value within 10 days.

4. A health maintenance organization that has shown an operating profit on its two most recent annual statements filed with the Commission may petition the Commission for the release of the deposit required by

this subsection. Any such petition shall be made in accordance with subsection F of this section.

5. A health maintenance organization that has made deposits with the State Treasurer that are in excess of the total requirements of this section may petition the Commission for the release of such excess deposit. Any such petition shall be made in accordance with subsection F of this section. The Commission may permit the release of any excess deposit when the Commission is satisfied that the amount in question is in excess of that required by this section.

6. Health maintenance organizations that were licensed prior to ~~January 1, 1986~~ *the effective date of this regulation* and that were not in compliance with the additional deposit requirement *on that date* shall have until January 1, ~~1989~~ *1990* to comply with the requirements of this subsection. Each such health maintenance organization shall increase its additional deposit by at least one-third of the initial deficit before January 1, ~~1987~~ *1988* and by an additional one-third of the initial deficit before January 1, ~~1988~~ *1989*. Such health maintenance organizations shall also implement a plan approved by the Commission to cover any increase in the health maintenance organization's additional deposit requirement between ~~January 1, 1986 and January 1, 1989~~ *the effective date of this regulation and January 1, 1990*. However, in no case shall this paragraph be construed to require an additional deposit that is greater than the deposit otherwise required by this subsection.

D. Deposits with other states.

The Commission may reduce or eliminate the additional deposit requirement if the health maintenance organization shall deposit with the state treasurer, insurance commissioner, or other official body of any state or the District of Columbia for the protection of all subscribers and enrollees of such health maintenance organization, cash, acceptable securities, or surety, and shall deliver to the Commission a certificate to such effect, duly authenticated by the appropriate state official holding the deposit.

E. Purpose of deposits; how deposits applied.

1. Any deposit held by the State Treasurer shall be for the exclusive benefit of the health maintenance organization's enrollees. The enrollees, without preference, shall have a lien on the deposits for the amounts due or which may become due as a result of any failure of the health maintenance organization to meet its obligations. If the deposits are not sufficient to discharge all obligations to enrollees, the obligations to the enrollees shall be satisfied ratably out of the proceeds of such deposits. Whenever any health maintenance organization becomes insolvent or bankrupt, or makes an assignment for the benefit of its creditors, any person given a lien by this section

may file a bill in the Circuit Court of the City of Richmond for the benefit of himself and all others given a lien by this section to subject such deposits to the payment of the liens thereon. The State Treasurer shall be made a party to such suit, and a copy of such bill shall be served upon the Commissioner of Insurance as if he were a party to such suit. The funds shall be distributed by the court.

2. If any health maintenance organization fails to pay any of its obligations to enrollees after such obligations have been ascertained by (i) any agreement of the parties binding on the health maintenance organization, or by (ii) judgment, order or decree of a court of competent jurisdiction against the health maintenance organization, not appealed from, superseded or stayed, the State Treasurer shall, upon the application of the enrollee to whom the debt or money is due, but subject to the approval of the Commission and after giving notice as herein provided, proceed to sell at auction such amount of the securities on deposit as, with any interest in his hands, will pay the sums due and the expenses of the sale, and out of the proceeds of sale he shall pay such sums and expenses.

The State Treasurer shall give the health maintenance organization 10 days' notice, either by mail or personally, of the time and place of the sale, and the sale shall be advertised daily for 10 days in a newspaper of general circulation published in the City of Richmond.

The health maintenance organization shall make good any deficit in its deposit resulting from a sale of securities within 10 days. The State Treasurer shall report to the Commission in writing the amount and kind of securities sold in accordance with the provisions of this section, and the amount and kind of securities deposited to make good the deficit.

In lieu of selling securities, the State Treasurer may use any deposit of cash or surety made by the health maintenance organization to satisfy the health maintenance organization's liabilities to enrollees. The State Treasurer shall give the health maintenance organization 10 days' notice by mail or personally prior to the use of any such cash or surety. The health maintenance organization shall make good any deficit in the required deposit within 10 days.

F. Release of deposit.

A health maintenance organization may, in writing, petition the Commission for the release of any deposit held by the State Treasurer. Any such petition shall state the health maintenance organization's justification for requesting the release of deposit. No deposit held by the State Treasurer shall be released without the Commission's prior approval.

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In considering a petition for release of deposit the Commission shall give due consideration to the health maintenance organization's (i) net worth, (ii) historic and anticipated operating profits, (iii) risk sharing arrangements, (iv) financial guarantees with affiliates, (v) managerial expertise, (vi) level of covered and uncovered health care expenses, and (vii) any other relevant factors it deems appropriate.

G. Insurance coverage required.

Each health maintenance organization licensed in Virginia shall maintain adequate liability insurance coverages to protect the interests of all subscribers and enrollees. Such insurance may include, but is not limited to, excess or stop loss, insolvency, medical malpractice, errors and omissions, and general liability coverage.

H. Covered and uncovered expenses.

1. Any expense of a health maintenance organization that is owed or paid to a health care provider that is under contract with a health maintenance organization shall be considered a covered health care expense by that health maintenance organization (i) if the contract between the health maintenance organization and health care provider contains the hold harmless clause set forth below and (ii) such expenses falls within the scope of the hold harmless clause.

Hold Harmless Clause

(Provider) hereby agrees that in no event, including, but not limited to nonpayment by the health maintenance organization, health maintenance organization insolvency or breach of this agreement, shall (Provider) bill, charge, collect a deposit from, seek compensation, remuneration or reimbursement from, or have any recourse against subscribers or persons other than the health maintenance organization for services provided pursuant to this Agreement. This provision shall not prohibit collection of any applicable copayments or deductibles billed in accordance with the terms of the health maintenance organization's subscriber agreement.

(Provider) further agrees that (1) this provision shall survive the termination of this Agreement regardless of the cause giving rise to such termination and shall be construed to be for the benefit of the health maintenance organization's subscribers and that (2) this provision supersedes any oral or written agreement to the contrary now existing or hereafter entered into between (Provider) and the subscriber or persons acting on the subscriber's behalf.

Any modifications, additions, or deletions to the provisions of this hold harmless clause shall become effective on a date no earlier than 15 days after the State Corporation Commission has received written notice of such proposed changes.

2. If there is an intermediary organization between the health maintenance organization and the health care providers, the hold harmless clause shall be amended to include nonpayment by either the health maintenance organization or the intermediary organization and shall be included in any contract between the intermediary organization and health care providers and in any contract between the health maintenance organization and the intermediary organization before health care expenses owed or paid to the intermediary organization shall be considered covered expenses.

3. Health maintenance organizations that have substantially similar hold harmless agreements in effect prior to ~~January 1, 1986~~ *the effective date of this regulation* shall consider the expenses within the scope of such agreements to be covered health care expenses until December 31, ~~1986~~ *1987*.

4. The interest expenses relating to the repayment of any fully subordinated debt shall be considered covered expenses.

5. A health maintenance organization may, in writing, request permission from the Commission to treat other types of expenses as covered expenses. Any such request shall state the health maintenance organization's justification for such treatment. In no case shall a health maintenance organization treat an expense, other than those set forth in paragraphs 1, 2, 3, and 4 of this subsection, as a covered expense without the prior approval of the Commission.

6. Any expense that is not a covered expense under this section shall be considered an uncovered expense.

I. Subordination of debt.

No debt shall be considered fully subordinated unless the subordination clause set forth below is executed by the health maintenance organization and the lender and the subordination agreement is otherwise acceptable to the Commission.

Subordination Clause

The rights of (lender) to the principal sum and/or accrued interest thereon are and shall remain subject to and subordinate to all other liabilities of (health maintenance organization), and upon the dissolution or liquidation of (health maintenance organization), no payment upon this instrument shall be made until all other liabilities of the plan shall have been paid.

It is further agreed to by and between the parties hereto that written approval from the State Corporation Commission must be obtained prior to any repayment of principal or payment of interest.

J. Financial projections.

The Commission may require any health maintenance organization licensed in Virginia to submit to it periodic updates of the projection of operating results required by subsection B, paragraph 3(k), of § 6 of this regulation. Each update shall also include a complete explanation of any significant variance between actual operating results and the operating results that were forecasted under the projection last submitted to the Commission.

The Commission may revise or request a revision of any financial projection that it deems to be unreasonable relative to the health maintenance organization's historic performance.

K. Impairment.

Any health maintenance organization that is found to have less than the minimum required net worth shall be deemed to be impaired and there shall be a presumption that an impaired health maintenance organization is not financially responsible and may reasonably be expected to be unable to meet its obligations to enrollees and prospective enrollees.

Whenever the Commission finds from a financial statement made by any health maintenance organization, or from a report of examination of any health maintenance organization, that the health maintenance organization is impaired, it shall determine the amount of such impairment and issue an order requiring the health maintenance organization to eliminate the impairment within such period of not more than 90 days as it shall designate. The Commission may by order entered of record and served upon the health maintenance organization prohibit the health maintenance organization from issuing any new subscriber contracts while such impairment exists. If at the expiration of the designated period the health maintenance organization has not satisfied the Commission that the impairment has been eliminated, an order for the rehabilitation or liquidation of the health maintenance organization may be entered as provided in ~~Chapter 3 of Title 38.1~~ Chapter 15 of Title 38.2 of the Code of Virginia.

L. Accounts, books and records.

Each health maintenance organization that is licensed in Virginia shall maintain proper accounting controls and shall keep adequate, correct and complete books and records of accounts. Such books and records shall be kept at one location and shall be made available to the Commission during normal business hours.

M. Nonadmitted assets.

The following assets shall be nonadmitted assets:

- (a) Good will, trade names, and other intangible assets;
- (b) Advances to officers, whether secured or not,

and advances to employees, agents, and other persons on personal security only;

(c) Stock of the health maintenance organization, owned by it, or any equity in it or loans secured by it, or any proportionate interest in the stock through the ownership by the health maintenance organization or an interest in another firm, corporation, or business unit;

(d) The amount, if any, by which the aggregate book value of investments as carried in the ledger assets of the health maintenance organization exceeds the aggregate value thereof as determined by the values approved annually by the Securities Valuation Office of the National Association of Insurance Commissioners.

(e) All assets of doubtful value or character included in any statement by a health maintenance organization to the Commission, or in any report of examination to the Commission.

N. Removal or transfer of property.

1. No health maintenance organization that is domiciled in Virginia shall remove from Virginia its entire property or business, or substantially all of its property or business, without the written approval of the Commission.

2. No health maintenance organization shall transfer or attempt to transfer substantially its entire property, or enter into any transaction the effect of which is to merge substantially its entire property or business in the property or business of any other company without having first obtained the written approval of the Commission.

§ 8. General requirements.

A. Conversion of coverage.

1. Each health care plan shall offer to its enrollees, upon termination of coverage under a group or individual contract, the right to convert coverage, within 31 days after such termination of coverage, to an individual contract. Such converted coverage:

(a) Shall provided benefits which, at a minimum, meet the requirements set forth in subsection B of § 10 of this regulation; and

(b) Shall not be refused on the basis that the enrollee no longer resides or is employed in the health maintenance organization's service area.

2. The conversion contract shall cover the enrollee covered under the group or individual contract as of the date of termination of the enrollee's coverage under such contract. Coverage shall be provided

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without additional evidence of insurability, and no preexisting condition limitations or exclusions may be imposed other than those remaining unexpired under the contract from which conversion is exercised. Any probationary or waiting period set forth in the conversion contract shall be deemed to commence on the effective date of coverage under the original contract.

3. A conversion contract shall not be required to be made available when:

(a) The enrollee is covered by or is eligible for benefits under Title XVIII of the United States Social Security Act;

(b) The enrollee is covered by or is eligible for substantially the same level of hospital, medical, and surgical benefits under state or federal law;

(c) The enrollee is covered by substantially the same level of hospital, medical, and surgical benefits under any policy, contract, or plan for individuals in a group;

(d) The enrollee has not been continuously covered during the three-month period immediately preceding that enrollee's termination of coverage; or

(e) The enrollee was terminated by the health care plan for any of the reasons stated in subsection B, paragraphs 1 (a) (b) (c) and (f) of § 9 of this regulation.

B. Coordination of benefits.

1. A health care plan may include in its group contract or individual contract a provision that the value of any benefit or service provided by the health maintenance organization may be coordinated with any other health insurance or health care benefits or services that are provided by any other policy, contract, or health care plan, including coverage provided under governmental programs, so that no more than 100% of the eligible incurred expenses is paid.

2. A health care plan shall not be relieved of its duty to provide a covered health care service to any enrollee because the enrollee is entitled to coverage under any other policy, contract, or health care plan. In the event that benefits are provided by both a health care plan and another policy, contract, or health care plan, the determination of the order of benefits shall in no way restrict or impede the rendering of services required to be provided by the health care plan. The health maintenance organization shall be required to provide or arrange for the service first and then, at its option, seek coordination of benefits with any other health insurance or health care benefits or services that are provided by any

other policy, contract, or plan.

C. Copayments.

1. A health maintenance organization may require a copayment of enrollees as a condition for the receipt of specific basic health care services described in subsection B of § 10 of this regulation. Such copayments shall be shown in the evidence of coverage as a specified dollar amount for each specific basic health care service for which the health maintenance organization requires a copayment. The maximum amount of copayment the health maintenance organization may require shall be as follows: in any contract or calendar year shall not exceed 100% of the total annual premium per single member or family unit. The maximum copayment amount shall be based upon the actual premium charged, including any employer contributions, for that member or family's coverage. The maximum copayment amount shall be shown in the evidence of coverage as a specified dollar amount.

(a) for inpatient hospital and physician services, \$50.00 per inpatient hospital day up to a maximum of \$100.00 per stay regardless of the length of stay;

(b) for outpatient medical services, \$5.00 for each specific service;

(c) for diagnostic laboratory and diagnostic and therapeutic radiologic services, the maximum copayment which may be required shall be the applicable copayment for the other specific services listed in (a), (b), (d), (e), and (f) of this subsection;

(d) for preventive health services, \$5.00;

(e) for in and out of area emergency services, \$25.00; and

(f) for each enrollee for the calendar year, a total aggregate copayment of \$500.00.

2. A health maintenance organization may impose other copayments for supplemental health care services than those specified in this subsection.

3. Each health maintenance organization shall keep accurate records of each enrollee's copayment expenses and notify the enrollee when his copayment maximum is reached. The health maintenance organization shall not charge additional copayments for the remainder of the contract or calendar year, as is appropriate. The health maintenance organization shall also promptly refund to the enrollee any copayments inadvertently charged after the copayment maximum is reached. The evidence of coverage shall clearly state the health maintenance organization's procedure for meeting the requirements of this subsection.

D. Description of providers.

A list of the names and locations of all affiliated providers shall be required to be provided to subscribers by the health maintenance organization at the time of enrollment or at the time the contract or evidence of coverage is issued and shall be made available upon request or at least annually.

E. Description of service area.

A description of the service area within which the health maintenance organization shall provide health care services shall be required to be provided to subscribers by the health maintenance organization at the time of enrollment or at the time the contract or evidence of coverage is issued and shall be made available upon request or at least annually.

F. Extension of benefits.

1. Every group contract issued by a health maintenance organization shall contain a reasonable extension of benefits upon discontinuance of the group contract with respect to members who become totally disabled while enrolled under the contract and who continue to be totally disabled at the date of discontinuance of the contract.

2. Upon payment of premium, coverage shall remain in full force and effect for a reasonable period of time not less than 180 days, or until such time as the member is no longer totally disabled, or until such time as a succeeding carrier elects to provide replacement coverage to that member without limitation as to the disabling condition.

3. Upon termination of the extension of benefits, the enrollee shall have the right to convert coverage as provided for in subsection A of § 8 of this regulation.

G. Freedom of choice.

1. At the time of enrollment each enrollee shall have the right to select a primary care physician from among the health maintenance organization's affiliated primary care physicians, subject to availability.

2. Any enrollee who is dissatisfied with his primary care physician shall have the right to select another primary care physician from among the health maintenance organization's affiliated primary care physicians, subject to availability. The health maintenance organization may impose a reasonable waiting period for this transfer.

H. Grievance procedure.

1. Each health maintenance organization shall establish and maintain a grievance or complaint system to provide reasonable procedures for the prompt and

effective resolution of written complaints. A record of all written complaints shall be maintained for a period of at least three years.

2. Every health maintenance organization shall provide complaint forms and/or written procedures to be given to enrollees who wish to register written complaints. Such forms or procedures shall include the address and telephone number to which complaints must be directed and shall also specify any required time limits imposed by the health maintenance organization.

3. The grievance system shall provide for complaints to be resolved within a reasonable period of time, not more than 180 days from the date the complaint is registered. This period may be extended (i) in the event of a delay in obtaining the documents or records necessary for the resolution of the complaint, or (ii) by the mutual written agreement of the health maintenance organization and the enrollee registering the complaint.

4. Pending the resolution of a written complaint filed by a subscriber or enrollee, coverage may not be terminated for the subscriber or enrollee for any reason which is the subject of the written complaint, except where the health maintenance organization has, in good faith, made an effort to resolve the complaint and coverage is being terminated as provided for in subsection B of § 9 of this regulation.

5. Where enrollee complaints and grievances may be resolved through a specified arbitration agreement, the enrollee shall be advised in writing of his rights and duties under the agreement at the time the complaint is registered. No contract or evidence of coverage that entitles enrollees to resolve complaints and grievances through an arbitration agreement shall limit or prohibit such arbitration for any claims asserted having a monetary value of \$250 or more. If the enrollee agrees to binding arbitration his written acceptance of the arbitration agreement shall not be executed prior to the time the complaint is registered nor subsequent to the time an initial resolution is made, and the agreement must be accompanied by a statement setting forth in writing the terms and conditions of binding arbitration.

§ 9. Prohibited practices.

A. Exclusions for preexisting conditions.

1. No health maintenance organization shall exclude or limit basic health care services for a preexisting condition when the enrollee transfers coverage from one health care plan to another during open enrollment or when the enrollee converts coverage under his conversion option, except to the extent of a preexisting condition limitation or exclusion remaining unexpired under the original contract. Any required probationary or waiting period is deemed to

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commence on the effective date of coverage under the original contract.

2. Except as provided in paragraph 1 above, nothing shall prohibit a health maintenance organization from including in its contract a provision setting forth reasonable exclusions or limitations of services for preexisting conditions at the time of enrollment.

3. A preexisting condition shall not be more restrictive than the following:

(a) The existence of symptoms which would cause an ordinarily prudent person to seek diagnosis, care or treatment within a two-year period preceding the effective date of coverage under the health care plan; or

(b) A condition for which medical advice or treatment was recommended by a physician or received from a physician within a two-year period preceding the effective date of coverage under the health care plan.

B. Reasons for termination.

1. No health maintenance organization shall terminate an enrollee's coverage for services provided under a health maintenance organization contract except for one or more of the following reasons:

(a) Failure to pay the amounts due under the contract, including failure to pay any premiums or copayments required by the contract as shown in the contract or evidence of coverage;

(b) Fraud or deception in the use of services or facilities;

(c) Violation of the terms of the contract;

(d) Failure to meet the eligibility requirements under a group contract, provided that a conversion option is offered;

(e) Termination of the group contract under which the enrollee was covered; or

(f) Such other good cause as is agreed upon in the contract between the health care plan and the group or the subscriber, but in no case shall coverage be terminated on the basis of the status of the enrollee's health nor on the mere fact that the enrollee has exercised his rights under the plan's grievance system by registering a complaint against the health maintenance organization. Failure of the enrollee and the primary care physician to establish a satisfactory relationship shall not be deemed good cause unless the health maintenance organization has, in good faith, made an effort to provide the opportunity for the enrollee to establish a

satisfactory patient-physician relationship, including assigning the enrollee to other primary care physicians from among the organization's affiliated providers.

2. No health maintenance organization shall terminate coverage for services provided under a contract without giving the subscriber written notice of termination which shall be effective at least 31 days from the date of mailing or, if not mailed, from the date of delivery, except that:

(a) For termination due to nonpayment of premium, the grace period as required in subsection B, paragraph 17, of § 11 of this regulation shall apply; and

(b) For termination due to activities which endanger the safety and welfare of the health maintenance organization or its employees or providers, immediate notice of termination may be given.

C. Unfair discrimination.

1. No health maintenance organization shall unfairly discriminate against any enrollee on the basis of the age, sex, health status, race, color, creed, national origin, ancestry, marital status, or lawful occupation of the enrollee, or because of the frequency of utilization of services by the enrollee. However, nothing shall prohibit a health maintenance organization from setting rates or establishing a schedule of charges in accordance with relevant actuarial data.

2. No health maintenance organization shall unreasonably discriminate against physicians as a class or any class of providers listed in § 38.1-824 § 38.2-4221 of the Code of Virginia when contracting for specialty or referral practitioners, provided the plan covers services which the members of such classes are licensed to render. Nothing contained herein shall prevent a health maintenance organization from selecting, in the judgment of the health maintenance organization, the number of providers necessary to render the services offered by the health maintenance organization. Nothing in this regulation shall be construed to unreasonably discriminate against any class of licensed health care providers listed in 38.1-824 § 38.2-4221 who provide health care services in accordance with the scope of their practice.

§ 10. Services.

A. Access to care.

1. Each health maintenance organization shall establish and maintain adequate arrangements to assure both availability and accessibility of adequate personnel and facilities providing health care services including:

(a) Reasonable hours of operation and after-hours

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emergency health care;

(b) Reasonable proximity to enrollees within the service area so as not to result in unreasonable barriers to accessibility;

(c) Sufficient personnel, including health professionals, administrators, and support staff, to reasonably assure that all services contracted for will be accessible to enrollees on an appropriate basis without delays detrimental to the health of enrollees; and

(d) Adequate arrangements to provide inpatient hospital services for basic health care.

2. Each health maintenance organization shall make available to each enrollee the services of specialists as part of the provision of basic health care services.

B. Basic health care services.

1. Each health maintenance organization shall provide, or arrange for the provision of, as a minimum, basic health care services which shall include the following:

(a) Inpatient hospital and physician services. Medically necessary hospital and physician services affording inpatient treatment to enrollees in a general hospital for a minimum of 90 days per contract or calendar year. *However, services affording inpatient treatment for mental, emotional, or nervous disorders, including alcohol and drug rehabilitation and treatment, shall be provided as set forth in subsection A of § 38.2-3412 of the Code of Virginia.* Hospital services include room and board, general nursing care; special diets when medically necessary; use of operating room and related facilities; use of intensive care unit and services; x-ray, laboratory, and other diagnostic tests; drugs, medications, biologicals, anesthesia, and oxygen services; special duty nursing when medically necessary; short-term physical therapy, radiation therapy, and inhalation therapy; administration of whole blood and blood plasma; and short-term rehabilitation services. Physician services include medically necessary health care services performed, prescribed, or supervised by physicians within a hospital for registered bed patients;

(b) Outpatient medical services. Medically necessary health care services performed, prescribed or supervised by physicians for enrollees which may be provided in a nonhospital based health care facility, at a hospital, in a physician's office, or in the enrollee's home, and shall include consultation and referral services. Outpatient medical services shall also include diagnostic services, treatment services, *short-term physical therapy and rehabilitation services which can be expected to result in the*

significant improvement of a member's condition within a period of 90 days, laboratory services, x-ray services, and outpatient surgery. Outpatient services for the treatment of mental, emotional, and nervous disorders, including alcohol and drug rehabilitation and treatment, shall not be required to be included as basic health care services but shall be made available to all group contracts as an additional service;

(c) Diagnostic laboratory and diagnostic and therapeutic radiologic services;

(d) Preventive health services. Services provided with the goal of protection against and early detection and minimization of the ill effects and causes of disease or disability, including well-child care from birth, eye and ear examinations for children age 17 and under to determine the need for vision and hearing correction, periodic health evaluations, and immunizations; and

(e) In and out of area emergency services, including medically necessary ambulance services, available on an inpatient or an outpatient basis 24-hours per day, 7-days per week.

2. Services not required to be provided as basic health care services, for the purpose of this regulation, include but are not limited to:

~~(a) services for the treatment of alcohol or drug abuse;~~

~~(b) mental health services;~~

~~(c) (a) Except as required as a basic health care service in subsection B, paragraph 1(d), of this section, routine eye examinations or refractions, including examinations for astigmatism, myopia, or hyperopia; and eye glasses or contact lenses resulting from routine eye examinations;~~

~~(d) (b) Dental services other than those which are medically necessary as a result of accidental injury which occurs while an individual is enrolled in the health care plan for which treatment is covered as a basic health care service and for which treatment is requested by the enrollee within 60 days of the accidental injury;~~

~~(e) (c) Prescription drugs; and~~

~~(f) (d) Long-term physical therapy and rehabilitation.~~

C. Out-of-area benefits.

In addition to out-of-area emergency services required to be provided as basic health care services, a health maintenance organization may offer to its enrollees

State Corporation Commission

indemnity benefits covering out-of-area services. A description of the procedure for obtaining any out-of-area services shall be included in the evidence of coverage as well as a statement of any restrictions or limitations on out-of-area services and any requirements that the health maintenance organization be contacted before obtaining such services. Any health care plan that requires the enrollee to contact the health maintenance organization before obtaining out-of-area services shall provide for emergency telephone consultation on a 24-hour per day, 7-day per week basis.

D. Supplemental health care services.

In addition to the basic health care services required to be provided in subsection B of this section, a health maintenance organization may offer to its enrollees any supplemental health care services it chooses to provide.

Such services may be limited as to time and cost. Any copayment requirements provided for under subsection C of § 8 of this regulation shall not apply to supplemental health care services.

§ 11. Disclosure requirements.

A. Each subscriber shall be entitled to an evidence of coverage under a health care plan provided by a health maintenance organization established or operating in this Commonwealth, including any amendments thereto. Such evidence of coverage shall be delivered or issued for delivery within a reasonable period of time after enrollment, but not more than 60 days from the later of the effective date of coverage or the date on which the health maintenance organization is notified of enrollment.

B. No evidence of coverage shall be delivered or issued for delivery unless it contains the following:

1. The name, address, and telephone number of the health maintenance organization;
2. The health care services and any insurance or other benefits to which the enrollee is entitled under the health care plan;
3. Any exclusions or limitations on the services, kind of services, benefits, or kind of benefits to be provided, including any deductible or copayment feature;
4. Where and in what manner information is available as to how services may be obtained;
5. The effective date and the term of coverage;
6. The total amount of payment for health care services and any indemnity or service benefits that the enrollee is obligated to pay with respect to individual contracts, or an indication whether the plan is contributory or noncontributory for group

certificates;

7. A description of the health maintenance organization's method of resolving enrollee complaints, including a description of any arbitration procedure if complaints and grievances may be resolved through a specified arbitration agreement;

8. A list of providers and a description of the service area which shall be provided with the evidence of coverage if such information is not given at the time of enrollment;

9. The right of an enrollee to convert to an individual contract issued by the health maintenance organization, including the terms and conditions under which coverage may be converted;

10. The terms and conditions under which coverage may be terminated;

11. Any coordination of benefits provisions;

12. Any assignment restrictions in the contract;

13. The health maintenance organization's procedure for filing claims, including any requirements for notifying the health maintenance organization of a claim and any requirements for filing proof of loss;

14. The health maintenance organization's eligibility requirements, including the conditions under which dependents may be added and the limiting age for dependents and subscribers covered under an individual or group contract;

15. An incontestability clause which states that, in the absence of fraud, all statements made by a subscriber shall be considered representations and not warranties and that no statement shall be the basis for voiding coverage or denying a claim after the contract has been in force for two years from its effective date, unless the statement was material to the risk and was contained in a written application;

16. A provision that the contract or evidence of coverage and any amendments thereto constitutes the entire contractual agreement between the parties involved and that no portion of the charter, by-laws, or other document of the health maintenance organization shall constitute part of the contract unless it is set forth in full in the contract; and

17. A provision for a 31-day grace period for the payment of any premium falling due after the first premium during which coverage remains in effect, including a statement that if payment is not received within the 31 days, coverage may be cancelled after the 31st day and the terminated members may be held liable for the cost of services received during the grace period.

§ 12. Filing requirements.

A. No contract, evidence of coverage, or any amendment thereto, shall be delivered, issued for delivery, or put into effect as to any person in this Commonwealth until a copy of such form or amendment thereto has been filed with and approved by the Commission pursuant to the filing requirements specified in § ~~38.1-869~~ § 38.2-4306 of the Code of Virginia. If the Commission does not disapprove any form within 30 days of the filing of such form, it shall be deemed approved unless the filer is notified in writing that the waiting period is extended by the Commission for an additional 30 days.

B. No schedule of charges, or amendment thereto, may be put into effect in conjunction with any health care plan until a copy of such schedule or amendment thereto has been filed with the Commission pursuant to the filing requirements specified in § ~~38.1-869~~ § 38.2-4306 of the Code of Virginia.

C. Any contracts, including any amendments thereto, made with health care providers enabling a health maintenance organization to provide health care services shall be filed with the Commission pursuant to § ~~38.1-875~~ § 38.2-4311 of the Code of Virginia and may be used commencing 15 days after their filing. Individual provider contracts shall not be required to be filed with the Commission provided that:

1. Such contracts contain the same precise language as contained in a standard contract used by the health maintenance organization which has been filed with the Commission pursuant to § ~~38.1-875~~ § 38.2-4311 of the Code of Virginia;
2. A list, current within 90 days, of the names and locations of the providers who have signed the standard contract, including any amendments to the list, has been filed with the Commission; and
3. The health maintenance organization maintains a complete file of all contracts made with health care providers which shall be maintained for a period of at least 3 years after their expiration and which shall be subject to examination by the Commission.

§ 13. Conformity with state law.

Any contract or evidence of coverage that contains any provision which conflicts with the requirements of this regulation or the provisions of ~~Chapter 26 of Title 38.1~~ Chapter 43 of Title 38.2 of the Code of Virginia shall not be rendered invalid but shall be construed and applied as if it were in full compliance with the requirements of this regulation and ~~Chapter 26 of Title 38.1~~ Chapter 43 of Title 38.2 of the Code of Virginia.

§ 14. Penalties.

Any violation of this regulation shall be punished as

provided for in § ~~38.1-886~~ § 38.2-218 of the Code of Virginia and any other applicable law of this Commonwealth.

§ 15. Controversies involving contracts.

The Commission shall have no jurisdiction to adjudicate controversies between a health maintenance organization and its enrollees, and a breach of contract shall not be deemed a violation of this regulation.

§ 16. Severability.

If any provision of this regulation or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of the regulation and the application of such provision to other persons or circumstances shall not be affected thereby.

GOVERNOR

EXECUTIVE ORDER NUMBER TWENTY-FOUR (86)

PROMULGATION OF VOLUME II, EMERGENCY OPERATIONS PLAN FOR PEACETIME DISASTERS

By virtue of the authority vested in me by Section 44-146.17 of the Code of Virginia as Governor and as Director of Emergency Services, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby promulgate and issue Volume II of the Commonwealth of Virginia Emergency Operations Plan for Peacetime Disasters, dated July, 1982, as amended, as rules and regulations for operations should a peacetime disaster strike anywhere in the state.

The Plan is consistent with both the Commonwealth of Virginia Emergency Services and Disaster Law of 1973, (Chapter 3.2, Title 44 of the Code) as amended, and the Federal Disaster Relief Act of 1974 (Public Law 93-288) and its implementing federal regulations.

Heads of state agencies, in carrying out the provisions of the Commonwealth of Virginia Emergency Services and Disaster Law of 1973, Code of Virginia § 44-146.13 et seq., are directed to utilize the services, equipment, supplies and facilities of existing departments, offices and agencies of the state to the maximum extent possible. The offices and personnel of all such departments, offices, and agencies are directed to cooperate with and extend such services and facilities to the Governor and the State Department of Emergency Services upon request.

The State Coordinator of Emergency Services, in accordance with § 44-146.18 of the Code, shall be responsible for maintaining and updating this Plan and coordinating its administration with the appropriate federal, state and local agencies.

This Executive Order shall have the full force and effect of law.

This Executive Order shall become effective on the date of its signing and shall remain in full force and effect until amended or rescinded by further executive order.

This Executive Order rescinds the following:

Executive Order Number 54 (77), State Plan for the Emergency Management of Resources, issued by Governor Mills E. Godwin, Jr. on July 14, 1977.

Executive Order Number 59 (77), Interim Plan for the Emergency Management of Energy Resources, issued by Governor Mills E. Godwin, Jr. on November 16, 1977.

Executive Order Number 5, (78), Division of Energy, State Office of Emergency Services, issued by Governor John N. Dalton on March 14, 1978.

Executive Order Number 21 (79), Emergency Operations Plan, Part I of Volume IV, Emergency Management of Resources in Peacetime, issued by Governor John N. Dalton on May 17, 1979.

Executive Order Number 15, (82), (Revised), Promulgation of Volume II, Emergency Operations Plan for Peacetime Disasters, issued by Governor Charles S. Robb on September 19, 1983.

Given under my hand and under the Seal of the Commonwealth of Virginia this second day of September, 1986.

/s/ Gerald L. Baliles
Governor

GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

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

DEPARTMENT OF COMMERCE

Title of Regulation: **VR 190-01-1. Rules and Regulations Governing Employment Agencies.**

Governor's Comment:

No objections to the proposed regulation as presented.

/s/ Gerald L. Baliles
Date: September 8, 1986

* * * * *

Title of Regulation: **VR 190-04-1. Private Security Services Businesses.**

Governor's Comment:

No objections to the proposed regulations as presented. Consider carefully any public comments received prior to final adoption.

/s/ Gerald L. Baliles
Date: September 8, 1986

VIRGINIA STATEWIDE HEALTH COORDINATING
COUNCIL

Title of Regulation: **VR 360-01-04. Standards for
Evaluating Certificate of Public Need Applications to
Establish or Expand Ambulatory Surgical Services.**

Office of the Governor

September 3, 1986

Dr. C. M. G. Buttery, Commissioner
Department of Health
1010 Madison Building
109 Governor Street
Richmond, Virginia 23219

I have reviewed the regulations entitled standards for evaluating certificate of public need applications to establish or expand ambulatory surgical services (VR 360-01-04) under the procedures of Executive Order Number Five (86).

The regulations appear carefully drawn to promote the economical delivery of ambulatory surgical services and to encourage the development of new and existing facilities engaged in the provision of those services. These proposals reflect a clear recognition of the national and statewide trend toward providing an increasing percentage of surgical services on an outpatient basis and are consistent with Virginia's interest in promoting cost containment measures in the provision of health services. Because of the positive impact and policy considerations addressed by these regulations, I have no objections to these proposals as presented.

/s/ Gerald L. Baliles, Governor

GENERAL NOTICES/ERRATA

Symbol Key †

† Indicates entries since last publication of the Virginia Register

NOTICES OF INTENDED REGULATORY ACTION

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 Department of Agriculture and Consumer Services intends to consider promulgating regulations entitled: **Recordkeeping and Biosecurity by Poultry Dealers for the Control of Avian Influenza and Other Contagious and Infectious Diseases of Poultry**. The purpose of the proposed regulations is to require the registration of dealers in poultry and their agents doing business in Virginia as a means of tracing poultry disease to its source, and thus as a means of enhancing disease-eradication capability.

Statutory Authority: §§ 3.1-726, 3.1-727, 3.1-735, and 3.1-736 of the Code of Virginia.

Written comments may be submitted until October 1, 1986, to Poultry Dealers, Bureau of Veterinary Services, Virginia Department of Agriculture and Consumer Services, Washington Building, Suite 600, 1100 Bank Street, Richmond, Virginia 23219

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

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Council of Higher Education for Virginia intends to consider amending regulations entitled: **Regulations for Institutional Approval of In and Out-of-State Institutions**. The purpose of the regulation is to clarify and modify, as appropriate, the current regulations for approving in-state private institutions to offer degrees by level and for out-of-state institutions to offer degree programs and courses in

Virginia.

Statutory Authority: § 23-9.6:1 (m) of the Code of Virginia.

Written comments may be submitted until October 1, 1986, to Dr. John Molnar, State Council of Higher Education, 101 North 14th Street, Richmond, Virginia 23219

Contact: Grace I. Lessner, Information Officer, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2638

STATE HIGHWAY AND TRANSPORTATION BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Highway and Transportation Board intends to consider amending regulations entitled: **VR 385-01-4. Rules and Regulations for the Administration of Waysides and Rest Areas**. The purpose of the proposed amendments is to allow for sale of refreshments in rest areas with the approval of the State Highway and Transportation Board.

Statutory Authority: § 33.1-218 of the Code of Virginia.

Written comments may be submitted until November 17, 1986.

Contact: John M. Wray, Jr., Chief Engineer, Virginia Department of Highways and Transportation, 1401 E. Broad St., Richmond, Va. 23219, telephone (804) 786-2707

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Department of Labor and Industry intends to consider amending and repealing regulations entitled: **Virginia Occupational Safety and Health Standards for General Industry and Construction**. These proposed deletions and amendments are to be made concurrent with the proposed adoption of a uniform confined space standard in order to assure internal consistency of that proposed standard with Virginia Occupational Safety and Health Standards for General Industry and Construction.

The Virginia Department of Labor and Industry intends to delete or amend the following section of the Virginia Occupational Safety and Health Standards for the Construction Industry:

- 1926.21(b)(6) (all of (b)(6))
- 1926.250(B)(2)
- 1926.350(b)(4)
- 1926.353(g)
- 1926.353(b) (all of (b)), (c)(1)-(2)
- 1926.651(v)
- 1926.956(a)(3) (all of (a)(3)), (b) (all of (b))

The Virginia Department of Labor and Industry intends to delete or amend the following sections of the Virginia Occupational Safety and Health Standards for General Industry:

- 1910.94(d)(11)(ii)-(iv), (d)(11)(vi)
- 1910.252(d)(2)(vi)(c), (d)(4)(ii), (e)(4)(i)-(iv), (e)(4)(vi), (f)(2)(1), (f)(4), (f)(5), (f)(6)(i), (f)(7)(i), (f)(7)(iii), (f)(8), (f)(9), (f)(10)
- 1910.261(b)(5), (e)(12)(iii), (f)(6)(i)-(ii), (g)(2)(iii), (g)(4)(all of (g)(4)), (g)(6), (g)(8), (g)(15)(i)-(iv), (j)(5)(ii)-(iii), (j)(6)(i)
- 1910.262(p)(1), (q)(2)
- 1910.263(l)(3)(iii)(b)
- 1910.268(o), (o)(1)(ii), (o)(2)(all of (o)(2)), (o)(3), (o)(5)(all of (o)(5))

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

Written comments may be submitted until October 21, 1986, to Carol A. Amato, Commissioner, Virginia Department of Labor and Industry, 205 North 4th Street, P.O. Box 12064, Richmond, Virginia 23241

Contact: Jay Withrow, Interim Technical Services Director, Virginia Department of Labor and Industry, P.O. Box 12064, Richmond, Va. 23241, telephone (804) 786-8011, or Tom Rother, Director of Health Voluntary Compliance, Virginia Department of Labor and Industry, P. O. Box 12064, Richmond, Va. 23241, telephone 786-0551

VIRGINIA STATE BOARD OF MEDICINE

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Board of Medicine intends to promulgate, amend and repeal regulations entitled: **VR 465-07-1. Regulations Governing**

the Certification of Nurse Practitioners. The purpose of the proposed regulation is to clarify, simplify and otherwise ensure that the regulation of nurse practitioners is accomplished in the least restrictive manner consistent with the protection of the health, safety and welfare of the citizens of the Commonwealth of Virginia. Planned changes will be the result of the extensive review of regulations conducted in 1984-85. All comments previously received during that review will be considered again. Interested persons may submit additional or different written comments on the existing 1980 regulations.

Statutory Authority § 54-274 of the Code of Virginia.

Written comments may be submitted until October 31, 1986.

Contact: Corrine F. Dorsey, R.N., Executive Director, 517 W. Grace St., P.O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0377 (toll-free number 1-800-533-1560)

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Mental Health and Mental Retardation intends to consider promulgating regulations entitled: **Temporary Detention Facilities.** The purpose of the proposed regulations is to set standards for the licensing of Temporary Detention Facilities by the Department of Mental Health and Mental Retardation.

Statutory Authority: § 37.1-67.1 of the Code of Virginia.

Written comments may be submitted until September 30, 1986, to Rubyjean Gould, James Madison Building, Room 1315, 13th Floor, 109 Governor Street, Richmond, Virginia 23219

Contact: Barry Craig, Director of Licensure, P.O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3472

VIRGINIA STATE BOARD OF NURSING

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Board of Nursing intends to consider promulgating, amending and repealing regulations entitled: **VR 495-01-1. Board of Nursing Regulations.** The purpose of the proposed regulation is to clarify, simplify and otherwise ensure that

General Notices/Errata

the regulation of nurses and nursing education programs is accomplished in the least restrictive manner consistent with the protection of the health, safety and welfare of the citizens of the Commonwealth of Virginia. Planned changes will be the result of the extensive review of regulations conducted in 1984-85. All comments previously received during that review will be considered again. Interested persons may submit additional or different written comments on the existing 1982 regulations.

Statutory Authority: § 54-367.11 of the Code of Virginia.

Written comments may be submitted until October 31, 1986.

Contact: Corinne F. Dorsey, R.N., Executive Director, 517 W. Grace St., Richmond, Va. 23261, telephone (804) 786-0377 (toll-free number 1-800-533-1560)

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Board of Nursing intends to promulgate, amend and repeal regulations entitled: **VR 495-02-1. Regulations Governing the Certification of Nurse Practitioners.** The purpose of the proposed regulation is to clarify, simplify and otherwise ensure that the regulation of nurse practitioners is accomplished in the least restrictive manner consistent with the protection of the health, safety and welfare of the citizens of the Commonwealth of Virginia. Planned changes will be the result of the extensive review of regulations conducted in 1984-85. All comments previously received during that review will be considered again. Interested persons may submit additional or different written comments on the existing 1980 regulations.

Statutory Authority: § 54-274 of the Code of Virginia.

Written comments may be submitted until October 31, 1986.

Contact: Corrine F. Dorsey, R.N., Executive Director, 517 W. Grace St., P.O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0377, (toll-free number 1-800-533-1560)

BOARD FOR THE RIGHTS OF THE DISABLED

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board for the Rights of the Disabled intends to consider promulgating regulations entitled: **Public Participation Guidelines.** The purpose of the proposed regulations is to set forth the procedures for public participation in the development of regulations.

Statutory Authority: § 51.01-40 of the Code of Virginia.

Written comments may be submitted until September 30, 1986.

Contact: Bryan K. Lacy, Systems Advocacy Attorney, James Monroe Bldg., 17th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2042 (toll-free number 1-800-552-3962)

THE DEPARTMENT OF TREASURY AND THE TREASURY BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that The Department of Treasury and The Treasury Board intends to consider promulgating and amending regulations entitled: **VR 640-02. Virginia Security Public Deposits Act Regulations.** The purpose of the proposed regulations is to replace emergency regulations promulgated on May 21, 1986, which will expire on May 20, 1987. Those regulations incorporated the provisions of the amendments to the Act passed in 1984 to include federal savings and loan associations, federal savings banks, and savings and loan associations organized under Virginia law, as eligible depositories for public funds with reporting requirements as were already required for banking institutions.

Statutory Authority: § 2.1-364 of the Code of Virginia.

Written comments may be submitted until October 10, 1986.

Contact: Pat Watt, Director, Financial Policy Analysis, Department of Treasury, P.O. Box 6-H, Richmond, Virginia 23215, telephone (804) 225-2142

STATE WATER CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Water Control Board intends to consider amending regulations entitled: **Water Quality Standards.** The proposed amendments will establish water quality standards for the protection of the Chesapeake Bay, its tributaries and other state waters from nutrient enrichment.

Statutory Authority: § 62.1-44.15 (3) of the Code of Virginia.

Written comments may be submitted until November 7,

1986.

Contact: Jean Gregory, Ecology Supervisor, State Water Control Board, P.O. Box 11143, Richmond, Va. 23230, telephone (804) 257-0387

Jay Withrow, Interim VOSH Technical Services Director, (804) 786-8011

GENERAL NOTICES

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Request for Public Comment

The Commissioner of Virginia's Department of Labor and Industry requests comments on issues related to Virginia's proposed Confined Space Standard.

Comments are invited on the following two issues:

1. Should the Confined Space Standard require that employers "lock out and tag" electrical equipment (excluding lighting) capable of causing injury which is present in confined spaces where employees are working; or should the requirement be "lock out or tag?"

Note: The current National Electric Code exemption extended to electrical utility companies against the "lock out" requirement would remain intact as it is applied under existing occupational safety and health regulations.

2. The proposed Confined Space Standard would require a written permit which shall describe the confined work space, the type of work to be done therein and the minimum environmental conditions acceptable for entry by employees. How long should employers be required to retain such permits:
 - a. Discard when work is completed?
 - b. Retain for one day after work is completed?
 - c. Retain for one week after work is completed?
 - d. Retain for thirty days after work is completed?
 - e. Other (specify).

Written comments should be sent to Carol A. Amato, Commissioner, Virginia Department of Labor and Industry, 205 North 4th Street, P.O. Box 12064, Richmond, Virginia 23241

The Commissioner will not be able to consider any comments received after October 21, 1986.

For additional information contact:

Thomas Rother, Occupational Health Voluntary Compliance and Training Director, (804) 786-0551 or

NOTICES 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

CALENDAR OF EVENTS

Symbols Key

- † Indicates entries since last publication of the Virginia Register
- ♿ Location accessible to handicapped
- ☎ Telecommunications Device for Deaf (TDD)/Voice Designation

THE VIRGINIA CODE COMMISSION

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.

EXECUTIVE

GOVERNOR'S ADVISORY BOARD ON AGING

October 7, 1986 - 1 p.m. – Open Meeting
October 8, 1986 - 9 a.m. – Open Meeting
October 9, 1986 - 9 a.m. – Open Meeting
Sheraton Beach Inn, Oceanfront at 39th Street, Virginia Beach, Virginia. ♿

The board will meet with the executive directors of Virginia's 25 area agencies on aging, and with members of these agencies local boards, to discuss matters of interest and concern to the Commonwealth's older citizens.

Contact: William Peterson, Department for the Aging, James Monroe Bldg., 101 N. 14th St., Richmond, Va. 23219-2797, telephone (804) 225-3140

DEPARTMENT FOR THE AGING

Long-Term Care Ombudsman Program Advisory Council

December 4, 1986 - 9:30 a.m. – Open Meeting
James Monroe Building, Conference Room E, 101 North 14th Street, Richmond, Virginia. ♿

The council will discuss the work of Virginia's

Long-Term Care Ombudsman Program and hear interim reports from various subcommittees.

Contact: Catherine P. Saunders, Department for the Aging, James Monroe Bldg., 18th Floor, 101 N. 14th St., Richmond, Va. 23219-2797, telephone (804) 225-2912

VIRGINIA AGRICULTURAL COUNCIL

November 10, 1986 - 10 a.m. – Open Meeting
November 11, 1986 - 9 a.m. – Open Meeting
Holiday Inn - Airport, 5203 Williamsburg Road, Sandston, Virginia

A two-day meeting of the council called by the chairman to hear project proposals which have been received and properly supported by the board of directors of a commodity group.

Contact: Henry H. Budd, Assistant Secretary, Washington Bldg., Room 203, 1100 Bank St., Richmond, Va. 23219, telephone (804) 786-2373

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

November 5, 1986 - 9 a.m. – Open Meeting
Washington Building, Room 204, 1100 Bank Street, Richmond, Virginia. ♿

The Virginia Board of Agriculture and Consumer Services (Board) has been petitioned by the Environmental Defense Fund and the Virginia Seafood Council to ban or restrict the use of Tributyltin (TBT) in anti-fouling paints under the board's authority to regulate the sale and use of pesticides in Virginia. TBT is a pesticidal ingredient in some anti-fouling paint used on boats and ships to reduce the attachment of barnacles.

The board is sponsoring an Evidential Hearing pursuant to § 9-6.14:8 of the Administrative Process Act to be conducted by an appointed hearing officer to seek data from scientific research and opinions of experts on the toxicity and harmful effects of the use of TBT in anti-fouling paints as well as the economic impact of prohibiting or restricting the use of such paints in Virginia. Specifically, the board is seeking data in the following areas:

a. Scientific data on TBT in anti-fouling paint as to:

1. Toxicity to aquatic life
2. Persistence in aquatic systems
3. Current concentration in Virginia waters
4. Concentration in aquatic organisms, if any
5. Observed effects on marine life in any Virginia waters where TBT levels have been determined
6. Rates of release of TBT from "Free Association" as compared to copolymer TBT anti-fouling paints.

b. To solicit facts and figures on the economic impact to boat owners and operators as well as shipyard facilities by banning or prohibiting the use of TBT in anti-fouling paints.

c. To solicit facts and figures on the economic impact to the Virginia Seafood Industry from the use or continued use of TBT in anti-fouling paints.

d. To solicit facts on the kinds and amounts of anti-fouling paint containing TBT used in Virginia.

e. To solicit facts and figures on the use of "Free Association" vs. copolymer TBT in anti-fouling paints in Virginia.

f. Wetted hull areas on commercial, recreational, and federal vessels that are using TBT anti-fouling paints in Virginia.

g. Any scientific facts or other relevant data not addressed in a - f above.

Anyone having scientific data or other relevant facts is invited to appear and make presentations to the board. Written copies of presentations are requested and should be provided at the hearing for incorporation into the official record. Presentation should be limited to one-half hour. However, written text may be of any necessary length to transmit pertinent scientific data and relevant facts. Anyone planning to make a presentation should contact Billy W. Southall, Director, Division of Product and Industry Regulation, 1100 Bank Street, P.O. Box 1163, Room 403, Richmond, Virginia 23209, telephone (804) 786-3534 to obtain an assigned hour for presentation in order to best utilize the time and effort of participants. The hearing may extend beyond November 5 into November 6 and November 7, if necessary, to accommodate the number of people who wish to make presentations. Data submitted will be used by the board to reach a decision on whether or not to promulgate regulations to ban or restrict the use of TBT in anti-fouling paints in Virginia.

Contact: Raymond D. Vaughan, 1100 Bank St., Room 210, Richmond, Va. 23219, telephone (804) 786-3501

STATE ADVISORY BOARD ON AIR POLLUTION

October 7, 1986 - 9 a.m. - Open Meeting
Ramada Oceanside Tower, 57th Street and Oceanfront, Virginia Beach, Virginia

An annual meeting of the Advisory Board on Air Pollution. (Agenda available upon request.)

Contact: Dick Stone, State Air Pollution Control Board, P.O. Box 10089, Richmond, Va. 23229, telephone (804) 786-5478

STATE AIR POLLUTION CONTROL BOARD

October 6, 1986 - 9 a.m. - Open Meeting
Ramada Oceanside Tower, 57th Street and Oceanfront, Virginia Beach, Virginia

A general meeting of the board.

Contact: Dick Stone, State Air Pollution Control Board, P.O. Box 10089, Richmond, Va. 23229, telephone (804) 786-5478

VIRGINIA ALCOHOLIC BEVERAGE CONTROL BOARD

- † **October 7, 1986 - 9:30 a.m. - Open Meeting**
 - † **October 21, 1986 - 9:30 a.m. - Open Meeting**
 - † **November 18, 1986 - 9:30 a.m. - Open Meeting**
 - † **December 2, 1986 - 9:30 a.m. - Open Meeting**
 - † **December 16, 1986 - 9:30 a.m. - Open Meeting**
 - † **December 30, 1986 - 9:30 a.m. - Open Meeting**
- 2901 Hermitage Road, Richmond, Virginia. ☒

A meeting to review and discuss reports on activities from staff members. Other matters not yet determined.

Contact: Robert N. Swinson, Virginia Alcoholic Beverage Control Board, 2901 Hermitage Rd., Richmond, Va. 23220, telephone (804) 257-0617

VIRGINIA APPRENTICESHIP COUNCIL

- † **October 23, 1986 - 10 a.m. - Open Meeting**
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☒

A regular quarterly meeting.

Contact: R. S. Baumgardner, Director of Apprenticeship, Department of Labor and Industry, P.O. Box 12064, Richmond, Va. 23241, telephone (804) 786-2381

Calendar of Events

INTERDEPARTMENTAL LICENSURE AND CERTIFICATION OF CHILDREN'S RESIDENTIAL FACILITIES

Coordinating Committee

† October 10, 1986 - 8 a.m. - Open Meeting
Department of Social Services, Blair Building, 8007
Discovery Drive, Richmond, Virginia. ☒

A meeting to (i) report on proposal to revise Core Standards; (2) discuss Progress Report on Structured Monitoring; and (iii) report on proposed system for monitoring complaints.

Contact: John J. Allen, Jr., Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9025

DEPARTMENT OF CONSERVATION AND HISTORIC RESOURCES

Division of Historic Landmarks State Review Board

† October 14, 1986 - 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:

Broad Street Commercial Historic District, Richmond;
Emmanuel Church, King George County;
Fairfax City Historic District, Fairfax (city);
Lower Basin Historic District, Lynchburg;
Mount Ida, Buckingham County;
Saint John's A.M.E. Church, Norfolk;
Sonner Hall, Randolph Macon Academy, Front Royal,
Warren County.

Virginia Historic Landmarks Board

† October 14, 1986 - 2 p.m. - Open Meeting
221 Governor Street, Richmond, Virginia

A general business meeting.

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

BOARD OF CORRECTIONS

October 15, 1986 - 10 a.m. - Open Meeting
Department of Corrections, 4615 West Broad Street,
Richmond, Virginia. ☒

A regular monthly meeting to consider such matters as may be presented to the board.

Contact: Vivian Toler, Secretary to the Board, 4615 W. Broad St., P.O. Box 26963, Richmond, Va. 23261, telephone (804) 257-6274

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November 12, 1986 - 10 a.m. - Public Hearing
Board of Corrections, Board Room, 4615 West Broad Street, Richmond, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Corrections intends to amend regulations entitled: **VR 230-40-003. Post Dispositional Confinement for Secure Detention and Court Service Units.** This proposed amendment establishes standards for confinement and treatment of juveniles in post dispositional care.

Statutory Authority: § 16.1-284.1 of the Code of Virginia.

Written comments may be submitted until September 30, 1986.

Contact: Glenn D. Radcliffe, Chief of Operations/Support Services, Division of Youth Services, 4615 W. Broad St., P.O. Box 26963, Richmond, Va. 23261, telephone (804) 257-0385

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November 18, 1986 - 7 p.m. - Public Hearing
Ramada Inn East, 351 York Street, Williamsburg, Virginia
November 20, 1986 - 7 p.m. - Public Hearing
Holiday Inn, Fair Oaks Mall, 11787 Lee Jackson Highway,
Fairfax, Virginia
November 25, 1986 - 7 p.m. - Public Hearing
Holiday Inn, Junction of US 11, I-81 and I-77, Wytheville,
Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Corrections intends to adopt regulations entitled: **Minimum Standards for Jails and Lockups.** These regulations establish minimum standards for the administration and operation of jails and lockups.

Statutory Authority: §§ 53.1-5, 53.1-68 and 53.1-131 of the Code of Virginia.

Written comments may be submitted until November 15, 1986.

Calendar of Events

Contact: John T. Britton, Manager, Certification Unit, 5001 W. Broad St., Suite 300, Richmond, Va. 23230, telephone (804) 281-9240

CRIMINAL JUSTICE SERVICES BOARD

October 1, 1986 - 1:30 p.m. – Open Meeting
Department of Motor Vehicles, Agecroft Room, 2300 West Broad Street, Richmond, Virginia. ☒

A meeting to consider matters related to the board's responsibilities for criminal justice training and improvement of the criminal justice system.

Committee on Training

October 1, 1986 - 9:30 a.m. – Open Meeting
Division of Motor Vehicles, Agecroft Room, 2300 West Broad Street, Richmond, Virginia. ☒

A meeting to discuss matters related to training for criminal justice personnel.

Contact: Dr. Jay W. Malcan, Staff Executive, Department of Criminal Justice Services, 805 E. Broad St., Richmond, Va. 23219, telephone (804) 786-4000

VIRGINIA BOARD OF DENTISTRY

October 2, 1986 - 11:30 a.m. – Open Meeting
Northern Virginia Community College, Building CN, Room 211-212, Annandale Campus, Fairfax, Virginia

A formal hearing on Steven Bruno, D.D.S.

† **October 8, 1986 - (See times below) – Open Meeting**
Department of Health Regulatory Boards, 517 West Grace Street, Richmond, Virginia. ☒

Informal conferences for the following:

- 9 a.m. - Everett Aldridge, D.D.S.
- 11 a.m. - Jesse Cole, D.D.S.
- 1 p.m. - William Nelson, D.D.S.
- 3 p.m. - Phillip Myong, D.D.S.
- 4 p.m. - Donald Callar, D.D.S.

Contact: Nancy T. Feldman, Executive Director, 517 W. Grace St., Richmond, Va. 23220, telephone (804) 786-0311

STATE BOARD OF EDUCATION

† **October 28, 1986 - 9 a.m. – Open Meeting**
† **October 29, 1986 - 9 a.m. – Open Meeting**
General Assembly Building, House Room C, 1st Floor, Capitol Square, Richmond, Virginia. ☒

A regularly scheduled meeting. The agenda is available upon request. The public is reminded that the Board of Vocational Education may convene, if required.

Contact: Margaret N. Roberts, James Monroe Building, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2540

October 28, 1986 - 1:30 p.m. – Public Hearing
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Education intends to amend regulations entitled: **Regulations Governing Pupil Transportation Including Minimum Standards for School Buses in Virginia**. The purpose of the proposed amendment is to prescribe the scope of physical examinations for school bus drivers.

Statutory Authority: § 22.1-16 of the Code of Virginia.

Written comments may be submitted until October 29, 1986.

Contact: R. A. Bynum, Associate Director, Department of Education, P.O. Box 6Q, Richmond, Va. 23216, telephone (804) 225-2037

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November 12, 1986 - 1:30 p.m. – Public Hearing
James Monroe Building, Large Conference Room, 18th Floor, 101 North 14th Street, Richmond, Virginia.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Education intends to amend regulations entitled: **VR 270-01-010. Regulations Governing Pupil Accounting Records**. The regulations direct local school division personnel in maintaining school attendance of pupils in the public school system.

Statutory Authority: §§ 22.1-16, 22.1-20 and Chapter 14 of Title 22.1 of the Code of Virginia.

Written comments may be submitted until November 12, 1986.

Contact: Howell L. Gruver, Administrative Director, MIS, Virginia Department of Education, P.O. Box 6Q, Richmond, Va. 23216, telephone (804) 225-2099

Calendar of Events

† **December 11, 1986 - 9 a.m.** - Open Meeting
† **December 12, 1986 - 9 a.m.** - Open Meeting
James Monroe Building, 1st Floor, Conference Rooms C and D, 101 North 14th Street, Richmond, Virginia. ☐

A regularly scheduled meeting. The agenda is available upon request. The public is reminded that the Board of Vocational Education may convene, if required.

Contact: Margaret N. Roberts, James Monroe Building, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2540

GOVERNOR'S COMMISSION ON EFFICIENCY IN GOVERNMENT

October 15, 1986 - 10 a.m. - Open Meeting
November 18, 1986 - 10 a.m. - Open Meeting
December 17, 1986 - 10 a.m. - Public Hearing
General Assembly Building, House Room D, Capitol Square, Richmond, Virginia. ☐

The Governor's Commission on Efficiency in Government has established its 1986 meeting schedule as follows:

10/15/86: Implementation of commission procedures and September meeting decisions.

11/18/86: Review results of work conducted in September and October; prepare recommendations.

12/17/86: Public hearing on recommendations to Governor and 1987 General Assembly; finalize recommendations.

Contact: Alan Albert OR Leonard Hopkins, Office of the Governor, State Capitol, Richmond, Va. 23219, telephone (804) 786-2211

STATE BOARD OF ELECTIONS

† **November 24, 1986 - 10 a.m.** - Open Meeting
General Assembly Building, Senate Room A, Capitol Square, Richmond, Virginia. ☐

Canvass of November 4, 1986, General and Special Elections.

Contact: M. Debra Mitterer, Ninth Street Office Bldg., Room 101, Richmond, Va. 23219, telephone (804) 786-6551

DEPARTMENT OF FIRE PROGRAMS (BOARD OF)

† **December 19, 1986 - 9:30 a.m.** - Public Hearing
James Monroe Building, 101 North 14th Street, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1

of the Code of Virginia that the Virginia Fire Services Board intends to adopt regulations entitled **VR 310-01-2. Regulations Establishing Certification Standards for Fire Inspectors.** These regulations establish standards for qualifying fire inspectors to be permitted to issue summonses and serving arrest warrants as provided § 27-34.2 of the Code of Virginia.

STATEMENT

The Virginia Fire Services Board proposes to promulgate Regulations Establishing Certification Standards for Fire Inspectors to be adopted pursuant to § 27-34.2 of the Code of Virginia.

The Regulations Establishing Certification Standards for Fire Inspectors are being promulgated to comply with § 27-34.2 of the Code of Virginia. The purpose of these regulations is to establish, in writing, the standards which fire inspectors authorized by their localities to issue summonses and serve warrants must meet before they may exercise that authority.

The regulations also contain the administrative procedures which the Department of Fire Programs will follow in administering the regulations.

These regulations set forth the standards which fire inspectors authorized by their localities to issue summonses and serve warrants must meet before they may exercise that authority. The regulations also contain the administrative requirements pertaining to those standards.

These regulations will apply to fire inspectors in all localities in which the fire department does fire prevention inspections and wishes their fire inspectors to have authority to issue summonses and serve warrants.

Legal authority is § 27.34.2 of the Code of Virginia which requires the Department of Fire Programs, in cooperation with the Department of Criminal Justice Services, to develop training standards for Fire Marshals to be granted authority to issue summonses and serve warrants.

The preparation of these standards are mandated by legislation, therefore, there is no alternative to developing them. The technical portion of the standards is based on standards already developed by the National Fire Protection Association. This was the alternative selected rather than developing Virginia standards from point zero. The administrative portion of the standards were developed specifically for meeting Virginia's needs. Basically, they follow administrative standards developed by the Department of Criminal Justice Services with only the revision necessary for application to the fire service.

Statutory Authority: § 9-155 of the Code of Virginia.

Written comments may be submitted until December 31, 1986. Proposed effective date is April 1, 1987.

Contact: Carl N. Cimino, Executive Director, James Monroe Bldg., 17th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2681

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

† **October 10, 1986 - 7:30 p.m.** – Open Meeting
† **October 11, 1986 - 9 a.m.** – Open Meeting
Holiday Inn-Midtown, 3200 West Broad Street, Richmond, Virginia. ☒

An executive committee meeting.

† **October 16, 1986 - 9 a.m.** – Open Meeting
† **October 17, 1986 - 9 a.m.** – Open Meeting
Personnel Development Services, Mezzanine Level, James Monroe Building, 101 North 14th Street, Richmond, Virginia. ☒

A meeting, including general board agenda, discussion and proposal of regulations and promulgation process, disciplinary matters (tentative) and reports from board committees. (Parking adjacent to the Main Street Station - Fee)

† **November 7, 1986 - 7:30 p.m.** – Open Meeting -
† **November 8, 1986 - 9 a.m.** – Open Meeting
Omni Hotel, 235 West Main Street, Charlottesville, Virginia

Executive committee meetings certifying candidates for funeral service licensure November 18 and 19, 1986.

Contact: Mark L. Forberg, Executive Secretary, 517 W. Grace St., P.O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0076

COMMISSION OF GAME AND INLAND FISHERIES

† **October 23, 1986 - 3 p.m.** – Open Meeting
Holiday Inn Marion, 1424 North Main Street, Marion, Virginia

Joint meeting of the Commission's Game, Fish and Land Committees to consider and develop a policy for camping on wildlife management areas and Commission-owned lakes and streams.

Fish Committee to further consider the striped bass poaching problem in Smith Mountain Lake.

† **October 24, 1986 - 9:30 a.m.** – Public Hearing
Holiday Inn Marion, 1424 North Main Street, Marion, Virginia

The commission will act on proposals to amend fishing

regulations VR 325-03-2. §§ 1, 5, 6, 13 and VR 325-03-1. § 8 pertaining to trout fishing. Also, VR 325-03-1. §§ 2, 3, and VR 325-01-1. § 4 pertaining to creel and size limits on warmwater fish; and act on a proposed new regulation which would prohibit wading and boats in certain portion of the Leesville Dam.

General administrative matters and reports of various committees will be considered.

Contact: Norma G. Adams, Administration, 4010 W. Broad St., Richmond, Va. 23230, telephone (804) 257-1000

DEPARTMENT OF GENERAL SERVICES

Art and Architectural Review Board

October 3, 1986 - 10 a.m. – Open Meeting
Virginia Museum of Fine Arts, Main Conference Room, Boulevard and Grove Avenue, Richmond, Virginia. ☒

The board 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, Ninth Street Office Bldg., Room 209, Richmond, Va. 23219, telephone (804) 786-3311,

DEPARTMENT OF HEALTH (BOARD OF)

October 20, 1986 - 2 p.m. – Public Hearing
James Madison Building, Main Floor Conference Room, 109 Governor Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to amend regulations entitled: **VR 355-39-01. Regulations Governing Eligibility Standards and Charges for Medical Care Services.** The purpose of the amendments is to establish medical indigency; prescribe income scales and charges for services to patients who are not declared medically indigent.

Statutory Authority: § 32.1-11 of the Code of Virginia

Written comments may be submitted until 5 p.m., October 20, 1986.

Contact: Barbara W. Jernigan, Administrative Supervisor, 109 Governor St., Room 512, James Madison Bldg., Richmond, Va. 23219, telephone (804) 786-3554

Calendar of Events

Division of Water Programs

October 15, 1986 - 10 a.m. - Public Hearing
James Madison Building, 1st Floor Conference Room, 109
Governor Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health, Division of Water Programs, intends to amend regulations entitled: **Commonwealth of Virginia Sanitary Regulations for Marinas and Boat Moorings**. The regulations require all marinas and boat moorings to provide sanitary facilities.

Statutory Authority: § 32.1-246 of the Code of Virginia.

Written comments may be submitted until October 15, 1985, to Dr. C. M. Sawyer, Virginia Department of Health, Division of Water Programs, Madison Building, Room 903, 109 Governor Street, Richmond, Virginia 23219

Contact: Albert F. Golding, Marina Supervisor, Virginia Department of Health, Division of Water Programs, James Madison Bldg., Room 903A, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-1761

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† **December 2, 1986 - 10 a.m. - Public Hearing**
James Madison Building, Main Floor Conference Room,
109 Governor Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to adopt regulations entitled: **VR 355-12-01. Virginia Hearing Impairment Identification and Monitoring System**. The regulations establish procedures for implementation of a system to identify newborns at risk for hearing impairment and to monitor them until a determination of the status of their hearing is made.

STATEMENT

Subject, Substance, Issues, Basis and Purpose: The regulations establish procedures for implementation of a system to identify newborns at risk for hearing impairment and to monitor them until a determination of the status of their hearing is made.

These regulations are needed to establish and maintain a statewide system for the early identification and follow-up of infants with hearing impairment to assure that these infants receive timely and appropriate medical and educational intervention and habilitation.

Sections 32.1-64.1 and 32.1-64.2 of the Code of Virginia direct the State Health Commissioner to establish and maintain a system for the purpose of identifying and monitoring newborns who are at risk for hearing impairment and directs the Board of Health to promulgate

the rules and regulations necessary for implementation.

The purpose of these proposed regulations is to establish the procedures for implementation of a system to identify newborns at risk for hearing impairment and to monitor them until a determination of the status of their hearing is made. Hospitals with neonatal special care and intensive care services will be subject to regulations in both phases of implementation. Hospitals with newborn nurseries will be subject in Phase Two only, beginning two years after Phase One. The Virginia Department of Health will maintain the system.

Participating hospitals, those with neonatal special care and intensive care units in Phases One and Two and those with newborn nurseries in Phase Two, will be affected by these regulations. Current staff should be able to complete the reporting form with minimal cost increases as the information should be in the hospital record.

Statutory Authority: §§ 32.1-64

Written comments may be submitted until December 1, 1986.

Contact: Pat T. Dewey, Speech and Hearing Services Administrator, Department of Health, James Madison Bldg., 6th Floor, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-6281

Division of Handicapped Children

† **December 2, 1986 - 11 a.m. - Public Hearing**
James Madison Building, Main Floor Auditorium, 109
Governor Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to amend regulations entitled: **State Plan for the Provision of Crippled Children's Services**. These regulations describe the eligibility criteria, application process, financial process, treatment process, variance and appeal process, scope, and content of the crippled children's services.

STATEMENT

Basis: Section 32.1-77 of the Code of Virginia authorizes the State Board of Health to prepare, amend, and submit to the appropriate federal authority a state plan for the crippled children's services pursuant to Title V of the United State Social Security Act, as amended. Section 32.1-12 of the Code of Virginia authorizes the board to promulgate regulations.

Purpose: The purposes of the proposed regulation are the following:

1. To ensure that services for the treatment and rehabilitation of crippled children are made available

Calendar of Events

to eligible citizens of the Commonwealth within available appropriations.

2. To qualify for federal funds to implement the plan.

The Division of Handicapped Children, Virginia Department of Health is responsible for the implementation of the regulation. Persons with crippling conditions and their families, providers of medical care, hospitals and local health departments are subject to its terms.

Issues: The proposed plan revises the previous state plan of November 1, 1984. The changes in the proposed plan include the following:

1. Revision of eligibilty criteria to permit specialty services for children with severe facial deformities and spina bifida in higher income families because of the castastrophic nature of such conditions and to allow patients in certain surgery programs who, at the time of annual financial recertification, are found to have increased incomes to stay in the program to complete their plans of treatment.
2. Limited expansion of covered conditions and services in the existing program specialty clinics.
3. Revision of the criteria for admission of newborn and aliens.
4. Addition of admissions to the programs between clinic sessions.
5. Incorporation of recent Medicaid payment procedures for hospitalization and ancillary services.
6. Additions to the statement of reponsibilities of the families of program participants.

Statutory Authority: §§ 32.1-12 and 32.1-77 of the Code of Virginia.

Written comments may be submitted until December 2, 1986.

Contact: Willard R. Ferguson, M.D., Director, Division of Handicapped Children, Department of Health, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-3691

COUNCIL ON HEALTH REGULATORY BOARDS (DEPARTMENT OF)

October 21, 1986 - 1:30 p.m. – Open Meeting
(Location to be announced) Richmond, Virginia

The annual meeting of the council will be preceded by the following meetings of standing committees:

Public and Professional Information and Education Committee - 9 a.m.

Scope and Standards of Practice Committee - 10:30 a.m.

Executive Committee - 12 Noon

Reports of these committees and of the Administration and Budget Committee, Compliance and Discipline Committee, and Regulatory Evaluation and Research Committee will be considered by the full council on Health Regulatory Boards.

Administration and Budget Committee

October 6, 1986 - 1:30 p.m. – Open Meeting
Department of Health Regulatory Boards, 517 West Grace Street, Richmond, Virginia. ☒

To consider reports to be presented to the council at the annual meeting.

Compliance and Discipline Committee

October 6, 1986 - 3:30 p.m. – Open Meeting
Department of Health Regulatory Boards, 517 West Grace Street, Richmond, Virginia. ☒

To consider reports to be presented to the council at the annual meeting.

Regulatory Evaluation and Research Committee

October 7, 1986 - 10 a.m. – Open Meeting
Department of Health Regulatory Boards, 517 West Grace Street, Richmond, Virginia. ☒

To consider reports to be presented to the council at the annual meeting.

Contact: Richard D. Morrison, Policy Analyst, Department of Health Regulatory Boards, P.O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0822

Task Force for the Study of Definitions of Nursing

October 1, 1986 - 7 p.m. – Public Hearing
Wytheville Community College, 104 Bland Hall, Wytheville, Virginia. ☒ (Interpreter for the deaf provided if requested)

October 9, 1986 - 1 p.m. – Public Hearing
Arlington Hospital, John T. Hazel Conference Center, 1701 North George Mason Drive, Arlington, Virginia. ☒

Pursuant to HJR 12 of the 1986 General Assembly, the Department of Health Regulatory Boards' Task Force for the Study of the Definitions of Nursing will hold a public hearing on the need to revise statutory definitions of professional nursing practice. The public

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is invited to appear at this hearing to present testimony and to submit written comments by October 15, 1986, to Corinne F. Dorsey, Executive Director, State Board of Nursing, P.O. Box 27708, Richmond, Virginia 23261.

Contact: Corinne F. Dorsey, Executive Director, 517 W. Grace St., Richmond, Va. 23220, telephone (804) 786-0377

VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL

† **October 22, 1986 - 9:30 a.m.** – Open Meeting
Virginia Center for Health Affairs, 4200 Innslake Drive,
Glen Allen, Virginia. ☒

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

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† **December 17, 1986 - 11:30 a.m.** – Public Hearing
Virginia Center for Health Affairs, 4200 Innslake Drive,
Glen Allen, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Health Services Cost Review Council intends to amend regulations entitled: **VR 370-01-001. The Rules and Regulations of the Virginia Health Services Cost Review Council.** The changes in the rules and regulations are designed to permit the collection of fees in a more timely and appropriate manner.

STATEMENT

Basis and Authority: The council may from time to time make such rules and regulations as may be necessary to carry out its responsibilities, § 9-164, paragraph 2 of the Code of Virginia. The council shall prescribe a reasonable fee for each affected health care institution to cover the costs and reasonable expenses of the council. The payment of such fees shall be at such time as the council designates. The council may also assess a late charge on any fees paid after their due date. The proposed changes in the rules and regulations reflect the actions of the 1986 Session of the General Assembly and may be found in § 9-161, paragraph E of the Code of Virginia.

Summary and Analysis: This amendment is consistent with the council's authority to prescribe reasonable fees for each affected health institution to cover the costs of the reasonable expenses of the council. The council also has the authority to designate when the fees are to be paid and permits the assessment of a late charge on any fees paid after their due date.

The major changes in the rules and regulations include:

1) Fifty percent of the filing fee will be paid at the time the health care institution files its budget for council review. The balance of the fee will be paid at the time the health care institution files the certified annual report for council review.

2) Fees will be based on "adjusted patient days," defined as: inpatient days divided by the percentage of inpatient revenues to total patient revenues.

3) A late charge of \$10 per working day shall be paid to the council by a health care institution that files its budget or annual report past the due date. A late charge of \$50 shall be paid to the council by the health care institution that files its charge schedule past the due date.

Impact: The proposed changes will alleviate a chronic cash flow problem and permits the collection of fees in a more timely and appropriate manner. Health care institutions will not be adversely affected.

Statutory Authority: § 9-164, paragraph 2 of the Code of Virginia.

Written comments may be submitted until December 17, 1986.

Contact: Dr. Ann Y. McGee, Director, Virginia Health Service Cost Review Council, 9th Floor, 805 E. Broad St., Richmond, Va. 23219, (804) 786-6371

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

October 1, 1986 - 9 a.m. – Open Meeting
College of William and Mary, Williamsburg, Virginia

A monthly council meeting. (Agenda available on request.) NOTE: Please call the council for specific location of meeting.

Contact: Grace I. Lessner, James Madison Bldg., 9th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2638

DEPARTMENT OF HIGHWAYS AND TRANSPORTATION (STATE BOARD OF)

October 16, 1986 - 10 a.m. – Open Meeting
Hotel Roanoke, Roanoke, Virginia. ☒ (Interpreter for deaf provided if requested)

Monthly meetings of the board to vote on proposals presented regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board approval.

Contact: Albert W. Coates, Jr., Virginia Department of Highways and Transportation, 1401 E. Broad St., Richmond, Va. 23219, telephone (804) 786-9950

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November 17, 1986 - 10 a.m. - Public Hearing
State Capitol, House Room 4, Capitol Square, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of the Virginia that the Department of Highways and Transportation intends to amend regulations entitled: **Rules and Regulations for the Administration of Waysides and Rest Areas**. The proposed regulations will allow sale of items, including refreshments, in rest areas with permission of the Highway and Transportation Board.

Statutory Authority: § 33.1-218 of the Code of Virginia.

Written comments may be submitted until November 17, 1986.

Contact: John M. Wray, Jr., Chief Engineer, Department of Highways and Transportation, 1401 E. Broad St., Richmond, Va. 23219, telephone (804) 786-2707

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

October 20, 1986 - 10 a.m. - Public Hearing
State Capitol, House Room 4, Capitol Square, Richmond, Virginia. ☒

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 edition, Article 2**.

The purpose of this amendment is to change the definition of the word "Ambulatory" as it appears in Volume I - New Construction Code of the Uniform Statewide Building Code compatible with the state statute's definition of "Ambulatory" as amended in § 63.1-174.1 of the Code of Virginia by the 1986 Session of the General Assembly.

Statutory Authority: Article 1 (§ 36.97 et seq.) of Chapter 6 of Title 36 of the Code of Virginia.

Written comments may be submitted until October 20, 1986.

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October 20, 1986 - Open Meeting (following the public hearing at 10 a.m. on "Ambulatory")

State Capitol, House Room 4, Capitol Square, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

To afford interested persons and groups an opportunity to submit data, views and arguments regarding the impact the Virginia Public Building Safety Law has on existing public buildings. Anyone wishing to speak or offer written statements relating to the impact of this law will be given an opportunity to do so on the day of the hearing. Written statements may be prefiled with the agency if received by October 20, 1986.

Contact: Jack A. Proctor, CPCA, Deputy Director, Building Regulatory Services, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

October 20, 1986 - 1 p.m. - Open Meeting
State Capitol, House Room 4, Capitol Square, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

The board's regular formal business meeting to (i) review and approve 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 above address of the board meeting one week prior to the date of the meeting.

Contact: Neal J. Barber, 205 N. Fourth St., 7th Floor, Richmond, Va. 23219-1747, telephone (804) 786-1575

STATE BOARD FOR THE CERTIFICATION OF LIBRARIANS

† October 10, 1986 - 10 a.m. - Open Meeting
Department of Commerce, Travelers Building, 3600 West Broad Street, Richmond, Virginia. ☒

An open board meeting to (i) conduct regulatory review; (ii) review applications; (iii) sign certificates; (iv) discuss revenue and expenditures; and (v) draft revision of new application.

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

Calendar of Events

VIRGINIA STATE LIBRARY BOARD

October 20, 1986 - 11 a.m. - Open Meeting
Virginia State Library, 11th Street at Capitol Square,
Richmond, Virginia. ☒

A regular meeting to discuss administrative matters.

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

COMMISSION ON LOCAL GOVERNMENT

October 20, 1986 - 9 a.m. - Open Meeting
October 21, 1986 - 9 a.m. - Open Meeting
October 22, 1986 - 9 a.m. - Open Meeting
Town of Christiansburg (site to be determined)

Oral presentations regarding the Town of
Christiansburg - Montgomery County annexation action.

Contact: Barbara Bingham, Ninth Street Office Bldg., Room
901, Richmond, Va. 23219, telephone (804) 786-6508

LONGWOOD COLLEGE

Board of Visitors

† **October 30, 1986 - 10 a.m. - Open Meeting**
† **October 31, 1986 - 3 p.m. - Open Meeting**
Virginia Room, Longwood College, Farmville, Virginia. ☒

A meeting to conduct business as the governing body
of the institution.

Contact: Dr. Janet D. Greenwood, Longwood College,
Farmville, Va. 23901, telephone (804) 392-9211

BOARD OF MEDICAL ASSISTANCE SERVICES

October 31, 1986 - 9 a.m. - Public Hearing
General Assembly Building, Senate Room B, Capitol
Square, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1
of the Code of Virginia that the Board of Medical
Assistance Services intends to adopt regulations
entitled: **Rehabilitation Services**. These regulations
define the amount, duration and scope of
rehabilitation services covered by the department.

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

Written comments may be submitted until October 27,
1986.

Contact: Martha B. Pulley, Health Programs Consultant,
Department of Medical Assistance Services, 600 E. Broad
St., Suite 1300, Richmond, Va. 23219, telephone (804)
786-7933

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October 31, 1986 - 9 a.m. - Public Hearing
General Assembly Building, Senate Room B, Capitol
Square, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1
of the Code of Virginia that the Board of Medical
Assistance Services intends to adopt regulations
entitled: **VR 460-03-2.6152. Definition of Home
Ownership**. The purpose of the regulation is to
establish the definition of home ownership to be used
in determining eligibility for Medicaid.

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

Written comments may be submitted until October 27,
1986.

Contact: Ann E. Cook, Medical Social Services Director,
Department of Medical Assistance Services, 600 E. Broad
St., Suite 1300, Richmond, Va. 23219, telephone (804)
225-4220

VIRGINIA STATE BOARD OF MEDICINE

† **October 24, 1986 - 8 a.m. - Open Meeting**
† **October 25, 1986 - 8 a.m. - Open Meeting**
Richmond Marriott, 500 East Broad Street, Richmond,
Virginia. ☒

A meeting to conduct personal interviews in open and
closed session for position of executive medical
director for the Board of Medicine.

Executive Committee

October 10, 1986 - 9:30 a.m. - Open Meeting
Department of Health Regulatory Boards, 517 West Grace
Street, Richmond, Virginia. ☒

The Executive Committee to the Virginia State Board
of Medicine will meet to review case files which have
been closed by letter, and other board business that
may require the committee's attention before the full
board meeting in November.

Calendar of Events

Informal Conference Committee

October 3, 1986 - 9:30 a.m. – Open and Closed Meetings
Alexandria Hospital, 4320 Seminary Road, Alexandria, Virginia

The committee will inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine in Virginia.

The committee will meet in open and closed session pursuant to § 2.1-344 (a)(6) of the Code of Virginia.

† **October 16, 1986 - 11 a.m.** – Open and Closed Meetings
General Assembly Building, Conference Room, 4th Floor West, Capitol Square, Richmond, Virginia. ☐

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine in Virginia. The committee will meet in open and closed session pursuant to § 2.1-344 (a)(6) of the Code of Virginia.

† **October 22, 1986 - 12:30 p.m.** – Open and Closed Meetings
Roanoke Memorial Hospital, Rehabilitation Center, Conference/Board Room, Belleview and Jefferson, Roanoke, Virginia. FT3001 5

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine in Virginia. The committee will meet in open and closed session pursuant to § 2.1-344 (a)(6) of the Code of Virginia.

Legislative Committee

† **October 24, 1986 - 1:30 p.m.** – Open and Closed Meetings
Richmond Marriott, 500 East Board Street, Richmond, Virginia. ☐

A meeting to consider the definition of clinical psychology, hypnosis, chiropractic assistants, and other general business relating to possible amendments to the Healing Arts and Rules and Regulations. Open and closed sessions.

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

STATE MENTAL HEALTH AND MENTAL RETARDATION BOARD

† **October 22, 1986 - 10 a.m.** – Open Meeting
Rockbridge Community Services Board, Lexington, Virginia. ☐

A regular monthly meeting. The agenda will be

published on October 15 and may be obtained by calling Jane Helfrich.

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

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

Office of Cross-Cultural Services

October 24, 1986 - 9 a.m. – Open Meeting
Virginia Polytechnic Institute and State University, Northern Virginia Campus, 2990 Telestar Center, Falls Church, Virginia. ☐

A planned group meeting to discuss the refugee mental health grant and information training and other activities.

Contact: Pham Quang Thuy, 217 Governor St., Richmond, Va. 23214, telephone (804) 786-1196

Systemwide Training Workshop

† **September 30, 1986 - 2 p.m.** – Open Meeting
Ramada Inn Oceanside, 5th and Oceanfront, Virginia Beach, Virginia. ☐

A meeting to discuss a planning cycle for FY1988 training grants, FY1988 training needs assessment and FY1988 Annual Training Plan.

Contact: Ken Howard, Department of Mental Health and Mental Retardation, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-6133

VIRGINIA DEPARTMENT OF MOTOR VEHICLES

November 18, 1986 - 10 a.m. – Public Hearing
Division of Motor Vehicles Branch Office, Tanglewood Mall, Conference Room, 4206 Electric Road, Roanoke, Virginia

November 19, 1986 - 10 a.m. – Public Hearing.
Department of Motor Vehicles, Agecroft Room, No. 131, 2300 West Broad Street, Richmond, Virginia.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Motor Vehicles intends to adopt regulations entitled: **Regulations Governing Grants to be Made Pursuant to the Virginia Alcohol Fuel Production Incentive Program Fund.** These regulations provide for

Calendar of Events

interpretations, registration, enforcement, and payment of grants under the Virginia Alcohol Fuel Production Incentive Program.

Statutory Authority: § 58.1-2127.7 of the Code of Virginia.

Written comments may be submitted until November 15, 1986. All persons who intend to comment at the public hearings are requested to give notice of this intent to the contact person by November 12, 1986.

Contact: B. H. Conner, Manager, Fuels Tax Division, Virginia Department of Motor Vehicles, P. O. Box 27422, Richmond, Va. 23261-7422, telephone (804) 257-8116

VIRGINIA MUSEUM OF FINE ARTS

Education in the Arts Committee

September 30, 1986 - 12 Noon – Open Meeting
Virginia Museum of Fine Arts Members' Suite, Payne Room, Boulevard and Grove Avenue, Richmond, Virginia. ☒

Study of museum by-laws relative to functioning of the education in the arts committee.

Executive Committee

October 16, 1986 - 11:30 a.m. – Open Meeting
Virginia Museum of Fine Arts, Auditorium, Boulevard and Grove, Richmond, Virginia. ☒

A meeting to consider committee and staff reports and budget review.

Exhibitions Committee

October 8, 1986 - 10:30 a.m. – Open Meeting
Virginia Museum of Fine Arts, Conference Room, Boulevard and Grove Avenue, Richmond, Virginia. ☒

A meeting to review proposed exhibitions for the museum.

Finance Committee

October 16, 1986 - 10:30 a.m. – Open Meeting
Virginia Museum of Fine Arts, Members' Suite, Payne Room, Boulevard and Grove Avenue, Richmond, Virginia. ☒

Budget review.

Programs Committee

October 8, 1986 - 12 Noon – Open Meeting
Virginia Museum of Fine Arts, Members' Suite, Payne Room, Boulevard and Grove Avenue, Richmond, Virginia. ☒

Study of museum by-laws relative to functioning of the programs committee.

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

STATE BOARD OF NURSING

Informal Conference Committee

October 9, 1986 - 8:30 a.m. – Open Meeting
October 14, 1986 - 8:30 a.m. – Open Meeting
Department of Health Regulatory Boards, Board Room, 517 West Grace Street, Richmond, Virginia. ☒

The committee will inquire into allegations that certain licensees may have violated laws and regulations governing the practice of nursing in Virginia.

Contact: Corinne F. Dorsey, R.N., Executive Director, 517 W. Grace St., Richmond, Va. 23220, telephone (804) 786-0377

OLD DOMINION UNIVERSITY

Board of Visitors

† **October 16, 1986 - (Time to be announced)** – Open Meeting
† **December 11, 1986 - (Time to be announced)** – Open Meeting
Old Dominion University, Webb University Center, Old Dominion University Campus, Norfolk, Virginia. ☒

A regular meeting to handle affairs of the University. (Specific times included in agenda distributed two weeks prior to meeting.)

Contact: Gordon A. McDougall, Office of the Board of Visitors, Old Dominion University, Norfolk, Va. 23508, telephone (804) 440-3072

Calendar of Events

VIRGINIA BOARD OF OPTOMETRY

† **November 24, 1986 - 8:30 a.m.** – Open Meeting
Koger Center, Surry Building, 1601 Rolling Hill Drive,
Richmond, Virginia. ☒

A general business meeting and preparation of state board examination.

Contact: Moria C. Lux, Executive Director, 517 W. Grace St., Richmond, Va. 23261, telephone (804) 786-0131

PERINATAL SERVICES ADVISORY BOARD

† **October 30, 1986 - 12:30 p.m.** – Open Meeting
James Madison Building, 10th Floor Conference Room, 109
Governor Street, Richmond, Virginia. ☒

A regular meeting of the Perinatal Services Advisory Board. (Agenda will be provided upon request two weeks prior to the meeting.)

Contact: Alice S. Linyear, M.D., Director, Bureau of Maternal and Child Health, 6th Floor, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-7367

STATE BOARD OF PHARMACY

October 9, 1986 - 9 a.m. – Open Meeting
October 10, 1986 - 9 a.m. – Open Meeting
Holiday Inn, 3200 West Broad Street, Richmond, Virginia.
☒

A formal hearing for Arliss R. Culler, Pharmacist, Grays Pharmacy, 4710 Hampton Boulevard, Norfolk, Virginia. This case was previously scheduled for August 13 and 14, 1986, but was continued.

Contact: J. B. Carson, Department of Health Regulatory Boards, 517 W. Grace St., P.O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0182

POLYGRAPH EXAMINERS ADVISORY BOARD

October 9, 1986 - 10 a.m. – Open Meeting
Department of Commerce, Travelers Building, 3600 West
Broad Street, Richmond, Virginia ☒

The board will meet for the purpose of administering the Virginia Polygraph Examiner Licensing Examination to eligible licensed examiner interns.

Contact: Iva B. Frizzell, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8515 or (804) 257-8563

VIRGINIA RESOURCES AUTHORITY

† **October 14, 1986 - 9 a.m.** – Open Meeting
The Mutual Building, Authority Board Room, Suite 305, 909
East Main Street, Richmond, Virginia. ☒

The board will meet to (i) approve minutes of the August 12 and September 9, 1986, board meetings; (ii) review the authority's operations for the prior months; and (iii) 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) 644-3100

STATE SEWAGE HANDLING AND DISPOSAL APPEALS REVIEW BOARD

† **October 15, 1986 - 9 a.m.** – Open Meeting
† **November 19, 1986 - 9 a.m.** – Open Meeting
General Assembly Building, Senate Room A, Capitol
Square, Richmond, Virginia. ☒

A meeting 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) 786-1750

BOARD OF SOCIAL SERVICES

† **October 15, 1986 - (Time to be announced)** – Open Meeting
Sheraton Inn Coliseum, 1215 West Mercury Boulevard,
Hampton, Virginia. ☒

A work session and general business meeting.

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

DEPARTMENT OF SOCIAL SERVICES (STATE BOARD OF)

October 31, 1986 - Written comments may be submitted until this date.

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: **VR 615-50-1. Standards and Regulations for Agency Approved Providers.** The proposed amendments will

Calendar of Events

expand standards used by local social service agencies to approve certain types of providers.

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

Written comments may be submitted until October 31, 1986.

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October 31, 1986 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-16.14:7.1 of the Code of Virginia that the Board of Social Services intends to adopt regulations entitled: **VR 615-52-1. Policy Regarding Purchased Services.** This regulation will set forth the broad parameters to permit local social service agencies to purchase applicable services for a client.

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

Written comments may be submitted until October 31, 1986.

Contact: Linda N. Booth, Administrative Planning Supervisor, Virginia Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, (toll-free number 1-800-552-7091)

Division of Child Support Enforcement

November 14, 1986 - Written comments may be submitted until this date.

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 adopt regulations entitled: **VR 616-70-7. Posting of Security, Bond or Guarantee.** The proposed regulations set forth procedures for posting security, bond or guarantee to secure payment of overdue support.

Statutory Authority: § 63.1-250.4 of the Code of Virginia.

Written comments may be submitted until November 14 1986, to Jean M. White, Director of Child Support Enforcement, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia. 23288

Contact: Jane L. Clements, Chief, Bureau of Program Operations, Division of Child Support Enforcement, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23288, telephone (804) 281-9074

DEPARTMENT OF TAXATION

October 6, 1986 - 10 a.m. - Public Hearing
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of the Virginia that the Department of Taxation intends to amend regulations entitled: **VR 630-10-49.2. Innovative High Technology Industries and Research (Retail Sales and Use Tax).** This regulation sets forth the application of the sales and use tax to businesses engaged in high technology production or research.

Statutory Authority: § 58.1-203 of the Code of Virginia.

Written comments may be submitted until October 6, 1986.

Contact: Danny M. Payne, Director, Tax Policy Division, Department of Taxation, P.O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8010

VIRGINIA BOARD OF VETERINARY MEDICINE

October 29, 1986 - 1 p.m. - Open Meeting
October 30, 1986 - 9 a.m. - Open Meeting
House Appropriations Committee Room, General Assembly Building, 9th Floor, Capitol Square, Richmond, Virginia. ☒

A general board meeting.

Contact: Moria C. Lux, Virginia Board of Veterinary Medicine, P.O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0069

VIRGINIA-ISRAEL COMMISSION

Executive Committee

† **October 16, 1986 - 2 p.m.** - Open Meeting
General Assembly Building, House Appropriations Room, 9th Floor, Capitol Square, Richmond, Virginia. ☒

A general planning meeting.

Contact: Richard A. Arenstein, Special Assistant, Office of the Governor, State Capitol, Richmond, Va. 23219, telephone (804) 786-2211

VIRGINIA DEPARTMENT FOR THE VISUALLY HANDICAPPED

October 8, 1986 - 11 a.m. - Open Meeting
Administrative Headquarter, 397 Azalea Avenue, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested) ☎

Calendar of Events

A quarterly board meeting to review policy and procedures of the Virginia Department for the Visually Handicapped. The board reviews and approves the department's budget, executive agreement, and operating - plan.

Contact: Diane E. Allen, Acting Confidential Secretary, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 264-3145

October 15, 1986 - 3 p.m. - Open Meeting

October 15, 1986 - 7 p.m. - Open Meeting -
Medical Foundation of Roanoke, 3000 Keagy Road, Salem, Virginia. ☒ (Interpreter for deaf provided if requested) ☛

Commissioner John A. McCann invites the comments of all interested parties regarding the services, priorities, and mission of the Virginia Department for the Visually Handicapped. Comments are especially sought from blind individuals, their families, and advocacy groups of or for the blind.

Contact: Donald L. Cox, Virginia Department for the Visually Handicapped, Commonwealth of Virginia Bldg., 210 Church Ave., SW, Room B50, Roanoke, Va., 24011, telephone (703) 982-7122

October 16, 1986 - 3 p.m. - Open Meeting

October 16, 1986 - 7 p.m. - Open Meeting
Southwest Region Office, Department of Social Services, 190 Patton Street, Abingdon, Virginia. ☒ (Interpreter for deaf provided if requested) ☛

Commissioner John A. McCann invites the comments of all interested parties regarding the services, priorities, and mission of the Virginia Department for the Visually Handicapped. Comments are especially sought from blind individuals, their families, and advocacy groups of or for the blind.

Contact: Richard Fanis, Virginia Department for the Visually Handicapped, 111 Commonwealth Ave., Bristol, Va. 24201, telephone (804) 669-0114

VIRGINIA VOLUNTARY FORMULARY BOARD

October 7, 1986 - 10:30 a.m. - Open Meeting

Virginia Department of Health, James Madison Building, 5th Floor, Conference Room 516A, 109 Governor Street, Richmond, Virginia. ☒

A meeting to review public hearing comments and drug product data for drug products being considered for inclusion in the Virginia Voluntary Formulary.

Contact: James K. Thomson, Director, Bureau of Pharmacy Services, Department of Health, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-4326

DEPARTMENT OF WASTE MANAGEMENT

† **October 24, 1986 - 10 a.m. - Open Meeting**
James Monroe Building, Conference Room D, 101 North 14th Street, Richmond, Virginia. ☒

A general business meeting.

Contact: Cheryl Cashman, James Monroe Bldg., 11th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2667

STATE WATER CONTROL BOARD

September 30, 1986 - 2 p.m. - Open Meeting

Prince William County Board Room, McCourt Building, 1 County Complex Court, 4850 Davis Ford Road, Prince William, Virginia.

October 2, 1986 - 2 p.m. - Open Meeting

Norfolk City Council Chambers, 11th Floor, City Hall, Norfolk, Virginia

The State Water Control Board will hold a public meeting to receive comments on the proposed development of water quality standards for the protection of state waters from the effects of nutrient enrichment.

Contact: Doneva A. Dalton, State Water Control Board, 2111 N. Hamilton St., P.O. Box 11143, Richmond, Va. 23230, telephone (804) 257-6829

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November 6, 1986 - 2 p.m. - Public Hearing

Virginia War Memorial, Auditorium, 621 South Belvidere Street, Richmond, Virginia.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled: **Water Quality Standards: Water Quality Criteria for Surface Water.** The proposed amendment would revise the water quality criteria values for ammonia, arsenic, cadmium, chromium III, chromium VI, copper, cyanide, and lead.

Statutory Authority: § 62.1-44.15 (3) of the Code of Virginia.

Written comments may be submitted until November 17, 1986, to Ms. Doneva Dalton, Office of Policy Analysis, State Water Control Board, P.O. Box 11143, Richmond, Virginia 23230.

Contact: Stu Wilson, Water Resources Ecologist, State Water Control Board, P.O. Box 11143, Richmond, Va. 23230, telephone (804) 257-0387

Calendar of Events

LEGISLATIVE

HOUSE APPROPRIATIONS COMMITTEE

† **October 24, 1986 - 8:30 a.m.** — Open Meeting
Clinch Valley College, Route 646, Coeburn Road, Wise,
Virginia

A regular monthly meeting with agenda topics including Economic Development, Education and the Coal Industry.

Contact: Donna C. Johnson, House Appropriations Committee, General Assembly Bldg., 9th Floor, Capitol Square, Richmond, Va. 23219, telephone (804) 786-1837

JOINT SUBCOMMITTEE STUDYING THE NEED TO ESTABLISH A RETENTION SCHEDULE FOR COURT RECORDS

October 9, 1986 - 10 a.m. — Public Hearing
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☒

A public hearing to receive testimony from clerks of courts, judiciary and research historians. (HJR 69)

Contact: Oscar Brinson, Staff Attorney, Division of Legislative Services, General Assembly Bldg., 2nd Floor, Capitol Square, Richmond, Va. 23219, telephone (804) 786-3591

HOUSE MINING AND MINERAL RESOURCES COMMITTEE

Virginia Coal and Energy Commission

† **October 9, 1986 - 10 a.m.** — Open Meeting
Southwest Community College, Russell Hall Auditorium, Richlands, Virginia

The agenda for this joint meeting will include an address by Governor Baliles on the coal industry, economic conditions, and the employment situation in Southwest Virginia. Representatives from the Virginia Center for Coal and Energy Research and the Department of General Services are also scheduled to speak.

Time will be allotted at the end of the meeting for a public hearing. Persons wishing to address the joint committees on the coal industry and related economic concerns will be welcome to speak at this time. Representatives of the Southwest Virginia Economic

Development Commission will be present during the hearing.

Contact: Michael D. Ward, Staff Attorney, or Martin G. Farber, Research Associate, Division of Legislative Services, P.O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

JOINT SUBCOMMITTEE MONITORING LONG-TERM CARE

† **October 8, 1986 - 11 a.m.** — Open Meeting
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☒

The subcommittee will receive reports from task forces on reserves for continuing care retirement communities, payment of homes for adults by level of care, post-educational training of the handicapped, and status report on study of long-term care insurance. (HJR 111)

Contact: Susan Ward, Staff Attorney, Division of Legislative Services, General Assembly Bldg., 2nd Floor, Capitol Square, Richmond, Va. 23219, telephone (804) 786-3591

JOINT SUBCOMMITTEE STUDYING THE STATE'S SUPPORT FOR TOURISM

† **October 20, 1986 - 2 p.m.** — Open Meeting
General Assembly Building, 9th Floor Conference Room, Capitol Square, Richmond, Virginia. ☒

A working session to develop findings and recommendations. (HJR 13)

Contact: Donna C. Johnson, House Appropriations Committee, General Assembly Bldg., 9th Floor, Capitol Square, Richmond, Va. 23219, telephone (804) 786-1837

CHRONOLOGICAL LIST

OPEN MEETINGS

September 30

- † Mental Health and Mental Retardation, Department of
- Systemwide Training Workshop
- Museum of Fine Arts, Virginia
- Education in the Arts Committee
- Water Control Board, State

Calendar of Events

October 1

Criminal Justice Services Board
Criminal Justice Services Board
- Committee on Training
Higher Education for Virginia, State Council

October 2

Dentistry, Virginia Board of
Water Control Board, State

October 3

General Services, Department of
- Art and Architectural Review Board
Medicine, Virginia State Board of
- Informal Conference Committee

October 6

Air Pollution Control Board, State
Health Regulatory Boards, Council on
- Administration and Budget Committee
- Compliance and Discipline Committee

October 7

Aging, Governor's Advisory Board on
Air Pollution, State Advisory Board on
† Alcoholic Beverage Control Board, Virginia
Health Regulatory Boards, Council on
- Regulatory Evaluation and Research Committee
Voluntary Formulary Board, Virginia

October 8

Aging, Governor's Advisory Board on
† Dentistry, Virginia Board of
† Long-Term Care, Joint Subcommittee Monitoring
Museum of Fine Arts, Virginia
- Exhibitions Committee
- Programs Committee of the Board of Trustees
Visually Handicapped, Virginia Department for the

October 9

Aging, Governor's Advisory Board on
† House Mining and Minerals Resources Committee
- Virginia Coal and Energy Commission
Nursing, State Board of
- Informal Conference Committee
Pharmacy, State Board of
Polygraph Examiners Advisory Board

October 10

† Funeral Directors and Embalmers, Virginia Board of
† Librarians, State Board for the Certification of
Medicine, Virginia State Board
- Executive Committee
Pharmacy, State Board of
† Children's Residential Facilities, Interdepartmental
Licensure and Certification of
- Coordinating Committee

October 11

† Funeral Directors and Embalmers, Virginia Board of

October 14

† Conservation and Historic Resources, Department of
- Division of Historic Landmarks State Review Board
- Virginia Historic Landmarks Board
Nursing, State Board of
- Informal Conference Committee
† Resources Authority, Virginia

October 15

Corrections, Board of
Efficiency in Government, Governor's Commission on
† Sewage Handling and Disposal Appeals
Review Board, State
† Social Services, State Board of
Visually Handicapped, Virginia Department for the

October 16

† Funeral Directors and Embalmers, Virginia Board of
Highways and Transportation, Department of
(State Board of)
† Medicine, Virginia State Board of
- Informal Conference Committee
Museum of Fine Arts, Virginia
- Executive Committee
- Finance Committee
† Old Dominion University, Board of Visitors
† Virginia-Israel Commission
- Executive Committee
Visually Handicapped, Virginia Department for the

October 17

† Funeral Directors and Embalmers, Virginia Board of

October 20

Housing and Community Development, Board of
Library Board, Virginia State
Local Government, Commission on
† Tourism Marketing, Joint Subcommittee Studying
the State's Support for

October 21

† Alcoholic Beverage Control Board, Virginia
Health Regulatory Board, Council on
Local Government, Commission on

October 22

† Health Services Cost Review Council, Virginia
Local Government, Commission on
† Medicine, Virginia State Board of
- Informal Conference Committee
† Mental Health and Mental Retardation Board, State

October 23

† Apprenticeship Council, Virginia
† Game and Inland Fisheries, Commission of

October 24

† Appropriations Committee, House
† Game and Inland Fisheries, Commission
† Medicine, Virginia State Board of
† Medicine, Virginia State Board of

Calendar of Events

- Legislative Committee
Mental Health and Mental Retardation, Department of
- Office of Cross-Cultural Services
- † Waste Management, Department of
- October 25**
 - † Medicine, Virginia State Board of
- October 28**
 - † Education, State Board of
- October 29**
 - † Education, State Board of
 - Veterinary Medicine, Virginia Board of
- October 30**
 - † Longwood College, Board of Visitors
 - † Perinatal Services Advisory Board
 - Veterinary Medicine, Virginia Board of
- October 31**
 - † Longwood College, Board of Visitors
- November 5**
 - Agriculture and Consumer Services, State Board of
- November 7**
 - † Funeral Directors and Embalmers, Virginia Board of
- November 8**
 - † Funeral Directors and Embalmers, Virginia Board of
- November 10**
 - Agricultural Council, Virginia
- November 11**
 - Agricultural Council, Virginia
- November 18**
 - † Alcoholic Beverage Control Board, Virginia
 - Efficiency in Government, Governor's Commission on
- November 19**
 - † Sewage Handling and Disposal Appeals
 - Review Board, State
- November 24**
 - † Elections, State Board of
 - † Optometry, Virginia Board of
- December 2**
 - † Alcoholic Beverage Control Board, Virginia
- December 4**
 - Aging, Department for the
 - Long-Term Care Ombudsman Program Advisory
 - Council
- December 11**
 - † Education, State Board of
 - † Old Dominion University, Board of Visitors

- December 12**
 - † Education, State Board of
- December 16**
 - † Alcoholic Beverage Control Board
- December 30**
 - † Alcoholic Beverage Control Board, Virginia

PUBLIC HEARINGS

- October 1**
 - Health Regulatory Boards, Department of
 - Task Force for the Study of Definitions of
 - Nursing
- October 6**
 - Taxation, Department of
- October 9**
 - Court Records, Joint Subcommittee Studying
 - the Need to Establish a Retention Schedule for
 - Health Regulatory Boards, Department of
 - Task Force for the Study of Definitions of
 - Nursing
- October 15**
 - Health, Department of
 - Division of Water Programs
- October 20**
 - Health, Board of
 - Housing and Community Development, Board of
- October 24**
 - † Game and Inland Fisheries, Commission of
- October 28**
 - Education, Department of (Board of)
- October 31**
 - Medical Assistance Services, Board of
- November 6**
 - Water Control Board, State
- November 12**
 - Corrections, Board of
 - Education, Department of (Board of)
- November 17**
 - Highways and Transportation, Department of
- November 18**
 - Corrections, Department of (Board of)
 - Motor Vehicles, Virginia Department of
- November 19**
 - Motor Vehicles, Virginia Department of

Calendar of Events

November 20

Corrections, Department of (Board of)

November 25

Corrections, Department of (Board of)

December 2

† Health, Department of Health (Board of)

December 17

Efficiency in Government, Governor's Commission on
† Health Services Cost Review Council, Virginia

December 19

† Fire Programs, Department of (Board of)