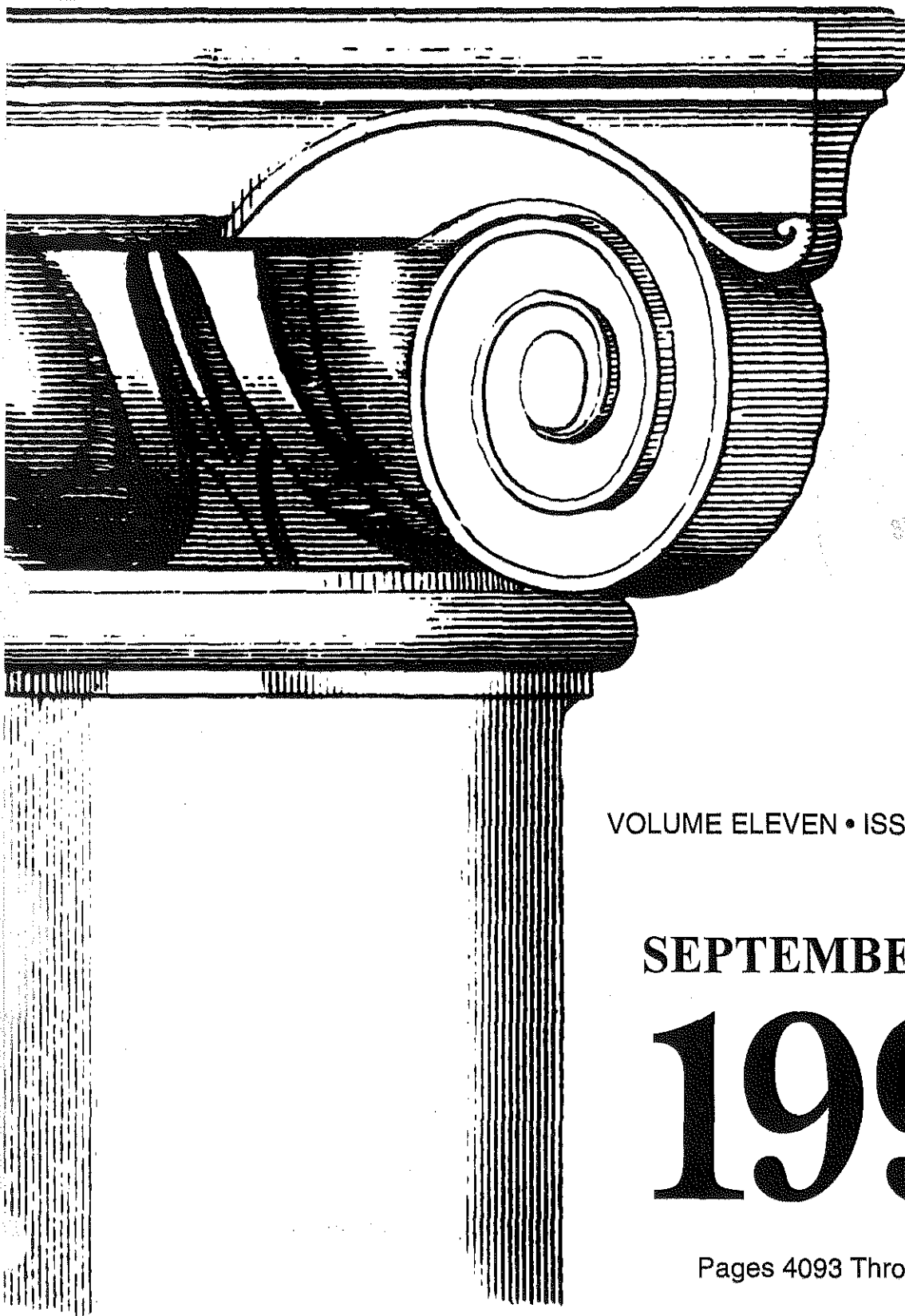


001 5/R 26/11-25 c-2

THE VIRGINIA REGISTER

OF REGULATIONS

VA
DOC



VOLUME ELEVEN • ISSUE TWENTY-FIVE

SEPTEMBER 4, 1995

1995

Pages 4093 Through 4178

THE VIRGINIA REGISTER INFORMATION PAGE

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, is 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 periodically 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 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 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 the regulation becomes final.

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-month 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 (§ 9-6.14:7.1 et seq.) of Chapter 1.1:1 of the Code of Virginia be examined carefully.

CITATION TO THE VIRGINIA REGISTER

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

"The Virginia Register of Regulations" (USPS-001831) is published bi-weekly, except four times in January, April, July and October, for \$100 per year by the Virginia Code Commission, General Assembly Building, Capitol Square, Richmond, Virginia 23219. Telephone (804) 786-3591. Second-Class Postage Rates Paid at Richmond, Virginia. **POSTMASTER:** Send address changes to *The Virginia Register of Regulations*, 910 Capitol Street, 2nd Floor, Richmond, Virginia 23219.

The Virginia Register of Regulations is published pursuant to Article 7 (§ 9-6.14:22 et seq.) of Chapter 1.1:1 of the Code of Virginia. Individual copies are available for \$4 each from the Registrar of Regulations.

Members of the Virginia Code Commission: Joseph V. Gartlan, Jr., Chairman; W. Tayloe Murphy, Jr., Vice Chairman; Russell M. Carneal; Bernard S. Cohen; Frank S. Ferguson; E. M. Miller, Jr.; Theodore V. Morrison, Jr.; William F. Parkerson, Jr.; Jackson E. Reazor, Jr.; James B. Wilkinson.

Staff of the Virginia Register: Joan W. Smith, Registrar of Regulations; Jane D. Chaffin, Assistant Registrar of Regulations.

PUBLICATION DEADLINES AND SCHEDULES

September 1995 through September 1996

Material Submitted By Noon Wednesday

Will Be Published On

Volume 11

August 16, 1995

September 4, 1995

August 30, 1995

September 18, 1995

FINAL INDEX - Volume 11

October 1995

Volume 12

September 13, 1995

October 2, 1995

September 27, 1995

October 16, 1995

October 11, 1995

October 30, 1995

October 25, 1995

November 13, 1995

November 8, 1995

November 27, 1995

November 21, 1995 (**Tuesday**)

December 11, 1995

December 6, 1995

December 25, 1995

INDEX 1 - Volume 12

January 1996

December 19, 1995 (**Tuesday**)

January 8, 1996

January 3, 1996

January 22, 1996

January 17, 1996

February 5, 1996

January 31, 1996

February 19, 1996

February 14, 1996

March 4, 1996

February 28, 1996

March 18, 1996

INDEX 2 - Volume 12

April 1996

March 13, 1996

April 1, 1996

March 27, 1996

April 15, 1996

April 10, 1996

April 29, 1996

April 24, 1996

May 13, 1996

May 8, 1996

May 27, 1996

May 22, 1996

June 10, 1996

June 5, 1996

June 24, 1996

INDEX 3 - Volume 12

July 1996

June 19, 1996

July 8, 1996

July 3, 1996

July 22, 1996

July 17, 1996

August 5, 1996

July 31, 1996

August 19, 1996

August 14, 1996

September 2, 1996

August 28, 1996

September 16, 1996

FINAL INDEX - Volume 12

October 1996

TABLE OF CONTENTS

NOTICES OF INTENDED REGULATORY ACTION

State Lottery Department (State Lottery Board).....	4095
Department of Medical Assistance Services.....	4095
Department of Social Services (State Board of)	4096
State Water Control Board.....	4098

FINAL REGULATIONS

DEPARTMENT OF HEALTH (STATE BOARD OF)

Charges and Payment Requirements by Income Levels. (VR 355-39-200)	4100
---	------

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

College Scholarship Assistance Program Regulations. (VR 380-03-01:1)	4111
Virginia Scholars Program Regulations (REPEALED). (VR 380-03-03:1)	4114
Tuition Assistance Grant Program Regulations. (VR 380-03-04:1)	4114
Policies and Procedures for the Virginia Graduate and Undergraduate Program (REPEALED). (VR 380-03-05)	4118
Virginia Graduate and Undergraduate Assistance Program Regulations. (VR 380-03-05:1)	4118
Virginia Guaranteed Assistance Program Regulations (REPEALED). (VR 380-03-07)	4119

BOARD OF MEDICINE

Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic, Clinical Psychology and Acupuncture. (VR 466-92-4 18 VAC 85-20-10 et seq.).....	4120
---	------

DEPARTMENT OF TRANSPORTATION (COMMONWEALTH TRANSPORTATION BOARD)

Rules and Regulations Governing Vehicle Use. (VR 385-01-19)	4130
Roadway and Structure Lighting. (VR 385-01-49)	4130
Rules, Regulations, and Rates Concerning Toll and Bridge Facilities. (VR 385-01-68)	4131

STATE CORPORATION COMMISSION

FINAL REGULATIONS

Rules Governing Open-End Credit Business in Licensed Consumer Finance Offices. (VR 225-01-0604 10 VAC 5-60-40).....	4133
---	------

Rules Governing Real Estate Mortgage Business in Licensed Consumer Finance Offices. (VR 225-01-0605 10 VAC 5-60-50)	4134
---	------

STATE LOTTERY DEPARTMENT

DIRECTOR'S ORDERS

Virginia's Instant Game Lottery, "Full House," Final Rules for Game Operation. (17-95).....	4136
"Second Chance for Cash Drawing"; Promotional Game and Drawing Rules. (18-95).....	4136

MARINE RESOURCES COMMISSION

FINAL REGULATIONS

Pertaining to Fishing in Broad and Linkhorn Bays. (VR 450-01-0001).....	4137
Pertaining to the Licensing of Crab Traps and Pounds. (VR 450-01-0005).....	4137
Pertaining to the Display of Licenses to Catch Finfish or Crabs. (VR 450-01-0009)	4138
Pertaining to the Setting of Fishing Devices Proximate to the Chesapeake Bay Bridge-Tunnel. (VR 450-01-0011)	4138
Pertaining to the Taking of Clams on Seaside of the Eastern Shore. (VR 450-01-0013)	4139
Pertaining to Lobsters. (VR 450-01-0014).....	4139
Pertaining to Prohibited Areas for Use of Patent Tongs. (VR 450-01-0016).....	4140
Pertaining to the Identification and Location of Fish Pots. (VR 450-01-0018).....	4141
Pertaining to the Dredging of Conchs (Also Known as Whelks). (VR 450-01-0020).....	4141
Pertaining to the Leasing of Oyster Planting Ground (REPEALED). (VR 450-01-0022).....	4143
Pertaining to the Removal of Nets from Fixed Fishing Devices. (VR 450-01-0023)	4143
Pertaining to Measuring Mesh Size of Menhaden Nets. (VR 450-01-0025).....	4144
Pertaining to the Requirements for Reporting Oyster Transactions and Payment of Taxes. (VR 450-01-0026).....	4145
Pertaining to Speckled Trout and Red Drum. (VR 450-01-0037).....	4148
Pertaining to Marking of Leased Oyster Planting Ground. (VR 450-01-0038).....	4148

Table of Contents

GOVERNOR

GOVERNOR'S COMMENTS

DEPARTMENT OF CORRECTIONS (STATE BOARD OF)

Regulations for Private Management and Operation of Prison
Facilities. (VR 230-01-006) 4150

DEPARTMENT OF TRANSPORTATION (COMMONWEALTH TRANSPORTATION BOARD)

Subdivision Street Requirements. (VR 385-01-8)..... 4150

SCHEDULES FOR COMPREHENSIVE REVIEW OF REGULATIONS

Board for Accountancy 4151
Board for Opticians 4151
Department of State Police 4151
Department of Taxation 4152

GENERAL NOTICES/ERRATA

DEPARTMENT OF CONSERVATION AND RECREATION

Coastal Nonpoint Source Pollution Control Program..... 4153

DEPARTMENT OF ENVIRONMENTAL QUALITY

Public Notice Regarding Research on the Water Quality
Standards Regulation 4153

Redesignation of the Regional Boundary for Solid Waste
Management Planning - City of Newport News 4153

VIRGINIA CODE COMMISSION

Notice to State Agencies 4154

Forms for Filing Material on Dates for Publication in *The
Virginia Register of Regulations* 4154

CALENDAR OF EVENTS

EXECUTIVE

Open Meetings and Public Hearings 4155

LEGISLATIVE

Open Meetings and Public Hearings 4176

CHRONOLOGICAL LIST

Open Meetings..... 4176

Public Hearings..... 4178

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

† Indicates entries since last publication of the *Virginia Register*

STATE LOTTERY DEPARTMENT (STATE LOTTERY BOARD)

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Lottery Board intends to consider amending regulations entitled: **VR 447-01-2 [11 VAC 5-20-10 et seq.] Administration Regulations**. The purpose of the proposed action is to clarify procurement exemptions and restrictions; conform to Code provisions; remove sections that are duplicative of Code provisions when practical; incorporate housekeeping changes; and conform to new numbering designations for the Virginia Administrative Code. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 58.1-4007 A of the Code of Virginia.

Public comments may be submitted until October 15, 1995.

Contact: Barbara L. Robertson, Legislative, Regulatory and Board Administrator, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7774 or FAX (804) 692-7775.

VA.R. Doc. No. R95-683; Filed August 15, 1995, 3:45 p.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Lottery Board intends to consider amending regulations entitled: **VR 447-02-1 [11 VAC 5-30-10 et seq.] Instant Game Regulations**. The purpose of the proposed action is to clarify the revocation or suspension of a lottery retailer's license; cashing at lottery headquarters; elimination of claim form requirements; conform to Code provisions or delete sections when practical that are unnecessary or duplicative; conform to new numbering designations for the Virginia Administrative Code; and make housekeeping changes. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 58.1-4007 A of the Code of Virginia.

Public comments may be submitted until October 15, 1995.

Contact: Barbara L. Robertson, Legislative, Regulatory and Board Administrator, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7774 or FAX (804) 692-7775.

VA.R. Doc. No. R95-684; Filed August 15, 1995, 3:45 p.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Lottery Board intends to consider amending regulations entitled: **VR 447-02-2 [11 VAC 5-40-10 et seq.] On-Line Game Regulations**. The purpose of the proposed action is to clarify the revocation or suspension of a lottery retailer's license; cashing at lottery headquarters; elimination of claim form requirements; revise subscription plan; conform to new numbering designations for the Virginia Administrative Code; and make housekeeping changes. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 58.1-4007 A of the Code of Virginia.

Public comments may be submitted until October 15, 1995.

Contact: Barbara L. Robertson, Legislative, Regulatory and Board Administrator, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7774 or FAX (804) 692-7775.

VA.R. Doc. No. R95-682; Filed August 16, 1995, 10:29 a.m.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled: **VR 460-03-3.1100. Narrative for the Amount, Duration and Scope of Services and VR 460-02-3.1300. Standards Established and Methods Used to Assure High Quality of Care**. The purpose of the proposed action is to promulgate permanent regulations to supersede the existing emergency regulation providing for durable medical equipment. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until September 20, 1995, to Denise Turner, Division of Program Operations, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons or Roberta J. Jonas, Regulatory Coordinators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

VA.R. Doc. No. R95-655; Filed August 2, 1995, 10:20 a.m.

Notices of Intended Regulatory Action

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled: **VR 460-03-4.1940:1. Nursing Home Payment System (Legal Fees for NF Appeals)**. The purpose of the proposed action is to amend the nursing home payment system to provide that nursing facilities which appeal their cost reimbursement settlement must substantially prevail in their appeal in order to have their legal fees reimbursed by the department. The regulation intends to provide for definition of "substantially prevail on the merits." The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until September 20, 1995, to Scott Crawford, Division of Financial Services, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons or Roberta J. Jonas, Regulatory Coordinators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

VA.R. Doc. No. R95-657; Filed August 2, 1995, 10:19 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider promulgating regulations entitled: **VR 460-04-2.2100. Medical Assistance Eligibility Resulting from Welfare Reform**. The purpose of the proposed action is to reflect the medical assistance transitional benefits mandated in Chapter 450 of the 1995 Acts of Assembly relating to individuals who lose Aid to Families with Dependent Children cash assistance. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until September 20, 1995, to Ann Cook or Pat Sykes, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons or Roberta J. Jonas, Regulatory Coordinators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

VA.R. Doc. No. R95-654; Filed August 2, 1995, 10:20 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled: **VR 460-04-8.14. MEDALLION**. The purpose of the proposed action is to expand mandatory enrollment in the

MEDALLION Program to aged, blind, and disabled recipients based on requirements in the 1995 Appropriations Act. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until September 20, 1995, to Kathy Thompson, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons or Roberta J. Jonas, Regulatory Coordinators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

VA.R. Doc. No. R95-656; Filed August 2, 1995, 10:19 a.m.

DEPARTMENT OF SOCIAL SERVICES (STATE BOARD OF)

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider promulgating regulations entitled: **VR 615-01-57. The Virginia Independence Program**. The purpose of the proposed action is to promulgate regulations required by Chapter 450 of the 1995 Acts of Assembly, relating to the Virginia Independence Program. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until September 20, 1995.

Contact: David E. Olds, Employment Services Program Manager, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1229 or FAX (804) 692-2209.

VA.R. Doc. No. R95-641; Filed July 25, 1995, 10:12 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled: **VR 615-70-1. State Income Tax Intercept for Child Support**. The purpose of the proposed action is to repeal the State Income Tax Intercept for Child Support Regulation (VR 615-70-1), which has been incorporated into, and superseded by § 5.12 of VR 615-70-17, Child Support Enforcement Program Regulations.

The subject matter of the regulation that is sought to be repealed is represented in a comprehensive regulation that was reviewed in accordance with the Administrative Process Act that went into effect on July 15, 1992. Thus, the above-captioned regulation became obsolete and should be

Notices of Intended Regulatory Action

removed as regulation of the Virginia Department of Social Services, Division of Child Support Enforcement.

Having multiple regulations that cover the same subject matter remain in effect will undoubtedly lead to confusion and waste for the public that the Commonwealth of Virginia is ordered to serve. Repealing the obsolete regulation that has been covered in a more recent promulgation will reduce much of this waste and confusion. The agency does not intend to hold a public hearing on the proposed repeal of the regulation after publication.

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

Public comments may be submitted until September 6, 1995.

Contact: Penelope B. Pellow, Division of Child Support Enforcement, Policy Unit Manager, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-2400 or FAX (804) 692-2410.

VA.R. Doc. No. R95-637; Filed July 19, 1995, 8:38 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled: **VR 615-70-2. Application Fee Schedule.** The purpose of the proposed action is to repeal the Application Fee Schedule (VR 615-70-2), which has been incorporated into, and superseded by § 2.6 of VR 615-70-17, Child Support Enforcement Program Regulations.

The subject matter of the regulation that is sought to be repealed is represented in a comprehensive regulation that was reviewed in accordance with the Administrative Process Act that went into effect on July 15, 1992. Thus, the above-captioned regulation became obsolete and should be removed as regulation of the Virginia Department of Social Services, Division of Child Support Enforcement.

Having multiple regulations that cover the same subject matter remain in effect will undoubtedly lead to confusion and waste for the public that the Commonwealth of Virginia is ordered to serve. Repealing the obsolete regulation that has been covered in a more recent promulgation will reduce much of this waste and confusion. The agency does not intend to hold a public hearing on the proposed repeal of the regulation after publication.

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

Public comments may be submitted until September 6, 1995.

Contact: Penelope B. Pellow, Division of Child Support Enforcement, Policy Unit Manager, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-2400 or FAX (804) 692-2410.

VA.R. Doc. No. R95-635; Filed July 19, 1995, 8:38 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services

intends to consider repealing regulations entitled: **VR 615-70-3. Separate Fee Charged for Child Support Enforcement Services.** The purpose of the proposed action is to repeal the Separate Fee Charged for Child Support Enforcement Services Regulation (VR 615-70-3), which has been incorporated into, and superseded by § 2.6 of VR 615-70-17, Child Support Enforcement Program Regulations.

The subject matter of the regulation that is sought to be repealed is represented in a comprehensive regulation that was reviewed in accordance with the Administrative Process Act that went into effect on July 15, 1992. Thus, the above-captioned regulation became obsolete and should be removed as regulation of the Virginia Department of Social Services, Division of Child Support Enforcement.

Having multiple regulations that cover the same subject matter remain in effect will undoubtedly lead to confusion and waste for the public that the Commonwealth of Virginia is ordered to serve. Repealing the obsolete regulation that has been covered in a more recent promulgation will reduce much of this waste and confusion. The agency does not intend to hold a public hearing on the proposed repeal of the regulation after publication.

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

Public comments may be submitted until September 6, 1995.

Contact: Penelope B. Pellow, Division of Child Support Enforcement, Policy Unit Manager, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-2400 or FAX (804) 692-2410.

VA.R. Doc. No. R95-636; Filed July 19, 1995, 8:38 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled: **VR 615-70-4. Policy of the Department of Social Services, Division of Child Support Enforcement.** The purpose of the proposed action is to repeal the Policy of the Department of Social Services, Division of Child Support Enforcement Services Regulation (VR 615-70-4), which has been incorporated into, and superseded by § 4.9 of VR 615-70-17, Child Support Enforcement Program Regulations.

The subject matter of the regulation that is sought to be repealed is represented in a comprehensive regulation that was reviewed in accordance with the Administrative Process Act that went into effect on July 15, 1992. Thus, the above-captioned regulation became obsolete and should be removed as regulation of the Virginia Department of Social Services, Division of Child Support Enforcement.

Having multiple regulations that cover the same subject matter remain in effect will undoubtedly lead to confusion and waste for the public that the Commonwealth of Virginia is ordered to serve. Repealing the obsolete regulation that has been covered in a more recent promulgation will reduce much of this waste and confusion. The agency does not intend to hold a public hearing on the proposed repeal of the regulation after publication.

Notices of Intended Regulatory Action

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

Public comments may be submitted until September 6, 1995.

Contact: Penelope B. Pellow, Division of Child Support Enforcement, Policy Unit Manager, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-2400 or FAX (804) 692-2410.

VA.R. Doc. No. R95-634; Filed July 19, 1995, 8:38 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled: **VR 615-70-6. Credit Bureau Reporting.** The purpose of the proposed action is to repeal the Credit Bureau Reporting Regulation (VR 615-70-6), which has been incorporated into, and superseded by § 8.3 of VR 615-70-17, Child Support Enforcement Program Regulations.

The subject matter of the regulation that is sought to be repealed is represented in a comprehensive regulation that was reviewed in accordance with the Administrative Process Act that went into effect on July 15, 1992. Thus, the above-captioned regulation became obsolete and should be removed as regulation of the Virginia Department of Social Services, Division of Child Support Enforcement.

Having multiple regulations that cover the same subject matter remain in effect will undoubtedly lead to confusion and waste for the public that the Commonwealth of Virginia is ordered to serve. Repealing the obsolete regulation that has been covered in a more recent promulgation will reduce much of this waste and confusion. The agency does not intend to hold a public hearing on the proposed repeal of the regulation after publication.

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

Public comments may be submitted until September 6, 1995.

Contact: Penelope B. Pellow, Division of Child Support Enforcement, Policy Unit Manager, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-2400 or FAX (804) 692-2410.

VA.R. Doc. No. R95-633; Filed July 19, 1995, 8:38 a.m.

STATE WATER CONTROL BOARD

† Notice of Intended Regulatory Action

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 consider amending regulations entitled: **VR 680-01-01. Fees for Permits and Certifications.** The purpose of the proposed action is to determine if the schedule of fees meets statutory requirements and to consider development of a schedule of reduced fees for facilities that comply with permit terms and conditions.

Basis and Statutory Authority: The basis for this regulation is § 62.1-44.15:6 of Article 2.1 of the State Water Control Law

which requires that the State Water Control Board promulgate regulations establishing a fee assessment and collection system to recover a portion of the direct and indirect costs associated with processing applications to issue, reissue or modify a permit or certificate which the board has the authority to issue. This same section also exempts agricultural operations engaged in production for market from payment of permit fees and authorizes the board to establish a schedule of reduced fees for facilities which comply with the terms and conditions of their permits.

Need: Fees for permits and certificates are authorized to recover, up to maximums specified in statute, the direct and indirect costs associated with application review and permit issuance. The fees currently assessed certain applicants for permits for VPDES industrial minor facilities are believed to be in excess of the costs of review and issuance. These fees, as well as those for other permits, need to be reviewed and, if necessary, reduced so that they reflect the time and complexity involved in permit review and issuance. Statutory changes which took effect after the adoption of VR 680-01-01 also need to be incorporated into the regulation. One of these changes exempts agricultural operations engaged in production for market from payment of fees. Another authorizes the board to establish a schedule of reduced fees for facilities which comply with the terms and conditions of their permits.

Subject and Intent: The purpose of the proposed changes to the schedule of fees contained in the permit fee regulation is to ensure that statutory requirements related to fee amounts are met. Specifically, fees must be reduced if they are in excess of the direct and indirect costs associated with reviewing permit applications and issuing permits are recovered. In addition, the development of a schedule of reduced fees for permit reissuances for facilities which comply with permit terms and conditions will also be considered.

Estimated Impact: Annually, an average of 850 applications for new and reissued permits and general permit registrations that are subject to fees are processed. During FY 94 \$2.2 million in fee payments were received. Payments through November, 1994, totalled \$474,330; if collections continue at this rate, FY 95 fee revenue would be about \$1.1 million. Analyses prepared during the initial development of the fee regulation indicated that revenue would average \$1.6 million annually. VPDES permits have the most effect on the amount of fees collected since a significant portion of the fees paid are associated with renewal of VPDES permits. Permits are generally issued for five-year terms. Thus, fees will need to be collected for five years in order to verify the accuracy of the initial annual estimate of fee revenue. Expenditures supported by fee revenues are budgeted at \$1.56 million annually for the 1994-96 biennium. Revenues in excess of appropriated amounts are carried forward to the next fiscal year. Amendments proposed in response to this notice would reduce individual fees and would probably reduce the amount of revenue generated. The impact cannot be determined more precisely, however, until a revised fee schedule is developed.

Alternative: Proposed changes could be limited to ones affecting fee amounts since the development of a schedule of

Notices of Intended Regulatory Action

reduced fees for compliant facilities is authorized but not required. However, the amendments will ensure that no applicant is charged a fee in excess of the costs associated with application review and permit issuance.

Comments: The board seeks oral and written comments from interested persons on the intended regulatory action and on the costs and benefits of the alternative. Also, the board seeks comment on whether the agency should form an ad hoc advisory group, utilize a standing advisory committee, or consult with groups or individuals to assist in the drafting and formulation of a proposal.

Public Meeting: The board will hold a public meeting on Thursday, October 12, 1995, at 2 p.m. in the Board Room of the Department of Environmental Quality's offices at Innsbrook Corporate Center, 4900 Cox Road, Glen Allen, Virginia, to receive views and comments and to answer questions from the public.

Accessibility to Persons with Disabilities: The meeting is being held at a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facility should contact Mr. Ayers at the address above or by telephone at (804) 762-4075. Persons needing interpreter services for the deaf must notify Mr. Ayers no later than Thursday, September 21, 1995.

Public comment may be submitted until 4 p.m. on October 13, 1995.

Contact: Richard Ayers, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 762-4075.

VA.R. Doc. No. R95-685; Filed August 16, 1995, 10:29 a.m.

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 regulation.



DEPARTMENT OF HEALTH (STATE BOARD OF)

REGISTRAR'S NOTICE: The following regulation filed by the Department of Health is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 C 1 of the Code of Virginia, which excludes agency orders or regulations fixing rates or prices. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: VR 355-39-200. Charges and Payment Requirements by Income Levels.

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

Effective Date: October 5, 1995.

Summary:

As outlined in Regulations Governing Eligibility Standards and Charges for Health Care Services to Individuals (VR 355-39-100), the Department of Health's (VDH) schedule of charges will be based on the Department of Medical Assistance Services' (DMAS) payment levels. On July 1, 1995, DMAS modified its payment levels for many clinical based services. Accordingly, the charges included in these regulations are being modified to reflect the recently revised DMAS payment levels.

Agency Contact: Copies of the regulation may be obtained from Dave Burkett, Department of Health, P. O. Box 2448, Richmond, VA 23218, telephone (804) 371-4089.

VR 355-39-200. Charges and Payment Requirements by Income Levels.

CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

**STATE HEALTH DEPARTMENT
CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS
OCTOBER 5, 1995
EFFECTIVE MARCH 1, 1993**

EXCEPT FOR NORTHERN VIRGINIA/CHART 1

By the provisions of the "Regulations Governing Eligibility Standards and Charges for Medical Care Services: promulgated by the authority of the Board of Health in accordance with Section 32.1-11 and 32.1-12 of the Code of Virginia, listed below are the charges for medical care services, stating the minimum required payments to be made by patients toward their charges, according to income levels.

CPT CODE	MEDICAL CARE SERVICES	MAXIMUM	INCOME LEVEL A (0%)	INCOME LEVEL B (10%)	INCOME LEVEL C (25%)	INCOME LEVEL D (50%)	INCOME LEVEL E (75%)	INCOME LEVEL F (100%)
		CHARGE PER VISIT/ SERVICE						
Z9900	MATERNITY	\$33.30	\$0.00	\$3.30	\$8.33	\$16.65	\$24.98	\$33.30
59420	MATERNITY CARE BILLED ON A GLOBAL BASIS	\$300.00 \$50.00	\$0.00 \$0.00	\$30.00 \$5.00	\$75.00 \$12.50	\$150.00 \$25.00	\$225.00 \$37.50	\$300.00 \$50.00
59430	POST-PARTUM VISIT	\$36.00	\$0.00	\$3.60	\$9.00	\$18.00	\$27.00	\$36.00
MATERNITY CARE COORDINATION								
Z9001, Z9001	RISK SCREENING	\$10.00	\$0.00	\$1.00	\$2.50	\$5.00	\$7.50	\$10.00
Z9002, Z9003, Z9004								
Z9104	MATERNITY ASSESSMENT	\$25.00	\$0.00	\$2.50	\$6.25	\$12.50	\$18.75	\$25.00
Z9105, Z9107	MATERNITY FOLLOW-UP X 11 MONTHS	\$1.35/DAY	\$0.00	\$0.14	\$0.34	\$0.68	\$1.02	\$1.35
NUTRITIONAL SERVICES								
Z9310	ORIGINAL ASSESSMENT	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15.00	\$20.00
Z9311	FOLLOW-UP	\$10/ENCNTE	\$0.00	\$0.00	\$0.00	\$0.00	\$7.50	\$10.00
Z9300, Z9301 OR Z9302	GROUP EDUCATION SESSION OR \$36.00 MAXIMUM	\$6.00/CLASS	\$0.00	\$0.60	\$1.50	\$3.00	\$4.50	\$6.00
Z9312	HOMEMAKER SERVICES	\$33.00 OR \$8.25/HOUR	\$0.00	\$3.30 \$0.83	\$8.25 \$2.07	\$16.50 \$4.13	\$24.75 \$6.19	\$33.00 \$8.25
NOT TO EXCEED 4 HOURS								
CLINICAL VISITS INCLUDES BOTH PEDIATRIC AND ADULT SERVICES								
NEW PATIENTS: TO QUALIFY AS A NEW PATIENT, PATIENT MUST NOT HAVE BEEN SEEN BY ANY PROVIDER IN THAT HEALTH DEPARTMENT FOR AT LEAST THREE (3) YEARS								
99201	VISIT INCLUDED ALL THREE COMPONENTS: *PROBLEM FOCUSED HISTORY *PROBLEM FOCUSED EXAMINATION *STRAIGHTFORWARD MEDICAL DECISION MAKING		\$0.00	\$2.40	\$6.00	\$12.00	\$18.00	\$24.00
				\$3.10	\$7.75	\$15.50	\$23.25	\$31.00
99202	VISIT INCLUDED ALL THREE COMPONENTS: *EXPANDED PROBLEM FOCUSED HISTORY *EXPANDED PROBLEM FOCUSED EXAMINATION *STRAIGHTFORWARD MEDICAL DECISION MAKING		\$0.00	\$2.80	\$7.00	\$14.00	\$21.00	\$28.00

Final Regulations

CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

CPT CODE	MEDICAL CARE SERVICES	MAXIMUM CHARGE PER VISIT/SERVICE	INCOME	INCOME	INCOME	INCOME	INCOME	INCOME
			LEVEL A (0%)	LEVEL B (10%)	LEVEL C (25%)	LEVEL D (50%)	LEVEL E (75%)	LEVEL F (100%)
99203	VISIT INCLUDED ALL THREE COMPONENTS: *DETAILED HISTORY *DETAILED EXAMINATION *MEDICAL DECISION MAKING OF LOW INTENSITY	\$0.00	\$3.90 \$3.30	\$9.75 \$8.25	\$19.50 \$16.50	\$29.25 \$24.75	\$39.00 \$33.00	
99204	VISIT INCLUDED ALL THREE COMPONENTS: *COMPREHENSIVE HISTORY *COMPREHENSIVE EXAMINATION *MEDICAL DECISION MAKING OF MODERATE COMPLEXITY	\$0.00	\$5.60 \$4.68	\$14.00 \$11.75	\$28.00 \$23.50	\$42.00 \$35.00	\$56.00 \$46.75	
99205	VISIT INCLUDED ALL THREE COMPONENTS: *COMPREHENSIVE HISTORY *COMPREHENSIVE EXAMINATION *MEDICAL DECISION MAKING OF HIGH COMPLEXITY	\$0.00	\$6.50 \$5.00	\$16.25 \$12.50	\$32.50 \$25.00	\$48.75 \$37.50	\$65.00 \$50.00	
ESTABLISHED PATIENT VISITS: ANY PATIENT THAT HAS BEEN SEEN BY A PROVIDER IN THAT HEALTH DEPARTMENT WITHIN THE LAST THREE (3) YEARS.								
99211	VISIT MAY OR MAY NOT REQUIRE PHYSICIAN PRESENTING PROBLEMS ARE MINIMAL	\$0.00	\$1.10 \$1.00	\$2.75 \$2.50	\$5.50 \$5.00	\$8.25 \$7.50	\$11.00 \$10.00	
99212	VISIT INCLUDED TWO OF THREE COMPONENTS: *PROBLEM FOCUSED HISTORY *PROBLEM FOCUSED EXAMINATION *STRAIGHTFORWARD MEDICAL DECISION MAKING	\$0.00	\$2.00 \$1.00	\$5.00 \$4.75	\$10.00 \$9.50	\$15.00 \$14.25	\$20.00 \$19.00	
99213	VISIT INCLUDED TWO OF THREE COMPONENTS: *EXPANDED PROBLEM FOCUSED HISTORY *EXPANDED PROBLEM FOCUSED EXAMINATION *MEDICAL DECISION MAKING OF LOW COMPLEXITY	\$0.00	\$2.70 \$2.65	\$6.75 \$6.50	\$13.50 \$13.25	\$20.25 \$19.75	\$27.00 \$26.50	
99214	VISIT INCLUDED TWO OF THREE COMPONENTS: *DETAILED HISTORY *DETAILED EXAMINATION *MEDICAL DECISION MAKING OF MODERATE COMPLEXITY	\$0.00	\$3.80 \$3.50	\$9.50 \$8.75	\$19.00 \$17.50	\$28.50 \$26.25	\$38.00 \$35.00	
99215	VISIT INCLUDED TWO OF THREE COMPONENTS: *COMPREHENSIVE HISTORY *COMPREHENSIVE EXAMINATION *MEDICAL DECISION MAKING OF HIGH COMPLEXITY	\$0.00	\$5.30 \$4.50	\$13.25 \$11.25	\$26.50 \$22.50	\$39.75 \$33.75	\$53.00 \$45.00	
PREVENTIVE MEDICINE SERVICES THESE CODES ARE TO BE USED PRIMARILY FOR WELL BABY VISITS. THESE ARE THE CODES TO BE USED FOR EPSDT BILLING.								
99381	NEW PATIENT AGE UNDER ONE YEAR	\$0.00	\$4.80 \$3.50	\$12.00 \$8.75	\$24.00 \$17.50	\$36.00 \$26.25	\$48.00 \$35.00	
99382	AGE ONE THROUGH FOUR YEARS	\$0.00	\$5.40 \$3.90	\$13.50 \$9.75	\$27.00 \$19.50	\$40.50 \$29.25	\$54.00 \$39.00	

CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

CPT CODE	MEDICAL CARE SERVICES	MAXIMUM CHARGE PER VISIT/ SERVICE	INCOME	INCOME	INCOME	INCOME	INCOME	INCOME
			LEVEL A (0%)	LEVEL B (10%)	LEVEL C (25%)	LEVEL D (50%)	LEVEL E (75%)	LEVEL F (100%)
99383	AGE FIVE THROUGH ELEVEN YEARS	\$0.00		\$5.40 \$3.90	\$13.50 \$9.75	\$27.00 \$19.50	\$40.50 \$29.25	\$54.00 \$39.00
99384	AGE TWELVE THROUGH SEVENTEEN YEARS	\$0.00		\$5.50 \$3.50	\$13.75 \$8.75	\$27.50 \$17.50	\$41.25 \$26.25	\$55.00 \$35.00
99385	AGE EIGHTEEN THROUGH TWENTY-ONE YEARS	\$0.00		\$5.50 \$3.80	\$13.75 \$9.50	\$27.50 \$19.00	\$41.25 \$28.50	\$55.00 \$38.00
99391	ESTABLISHED PATIENT AGE UNDER ONE YEAR	\$0.00		\$4.40 \$3.50	\$11.00 \$8.75	\$22.00 \$17.50	\$33.00 \$26.25	\$44.00 \$35.00
99392	AGE ONE THROUGH FOUR YEARS	\$0.00		\$4.80 \$2.60	\$12.00 \$9.00	\$24.00 \$18.00	\$36.00 \$27.00	\$48.00 \$36.00
99393	AGE FIVE THROUGH ELEVEN YEARS	\$0.00		\$4.80 \$3.80	\$12.00 \$9.00	\$24.00 \$18.00	\$36.00 \$27.00	\$48.00 \$36.00
99394	AGE TWELVE THROUGH SEVENTEEN YEARS	\$0.00		\$4.90 \$2.10	\$12.25 \$7.75	\$24.50 \$15.50	\$36.75 \$23.25	\$49.00 \$31.00
99395	AGE EIGHTEEN THROUGH TWENTY-ONE YEARS	\$0.00		\$5.20 \$3.80	\$13.00 \$9.50	\$26.00 \$19.00	\$39.00 \$28.50	\$52.00 \$39.00
Z9010	INFANT CARE COORDINATION RISK SCREENING	\$10.00	\$0.00	\$1.00	\$2.50	\$5.00	\$7.50	\$10.00
Z9104	INFANT ASSESSMENT	\$25.00	\$0.00	\$2.50	\$6.25	\$12.50	\$18.75	\$25.00
Z9106	FOLLOW-UP	\$1.35/DAY	\$0.00	\$0.14	\$0.34	\$0.68	\$1.02	\$1.35
FOR UP TO 24 MONTHS								
CASE MANAGEMENT-SEE CPT BOOK FOR DEFINITIONS								
99361	MEDICAL CONFERENCE, 30 MIN	\$20.20	\$0.00	\$2.02	\$5.05	\$10.10	\$15.15	\$20.20
99362	MEDICAL CONFERENCE, 60 MIN	\$40.45	\$0.00	\$4.05	\$10.11	\$20.23	\$30.34	\$40.45
99371	PHONE CALL, BRIEF	\$10.00	\$0.00	\$1.00	\$2.50	\$5.00	\$7.50	\$10.00
99372	PHONE CALL, INTERMEDIATE	\$45.50	\$0.00	\$4.55	\$11.38	\$22.75	\$34.13	\$45.50
99373	PHONE CALL, COMPLEX	\$70.80	\$0.00	\$7.08	\$17.70	\$35.40	\$53.10	\$70.80
09007	FAMILY PLANNING INITIAL/YEARLY	\$50.00	\$0.00	\$5.00	\$12.50	\$25.00	\$37.50	\$50.00
09009	FOLLOW-UP/PROBLEM	\$20.00	\$0.00	\$2.00	\$5.00	\$10.00	\$15.00	\$20.00
COLPOSCOPY SERVICES								
57452	COLPOSCOPY	\$92.00 \$90.00	\$0.00 \$0.00	\$9.20 \$9.00	\$23.00 \$22.50	\$46.00 \$45.00	\$69.00 \$67.50	\$92.00 \$90.00
57454	COLPOSCOPY WITH BIOPSY	\$146.00 \$130.00	\$0.00 \$0.00	\$14.60 \$13.00	\$36.50 \$32.50	\$73.00 \$65.00	\$109.50 \$97.50	\$146.00 \$130.00
57511	CRYOSURGERY, INITIAL OR REPEAT	\$114.00 \$105.00	\$0.00 \$0.00	\$11.40 \$10.50	\$28.50 \$26.25	\$57.00 \$52.50	\$85.50 \$78.75	\$114.00 \$105.00
DENTAL SERVICES ADULT DENTAL								
BASED ON MEDIAN PRIVATE PRACTICE PROFESSIONAL FEES \$10.00 FLAT FEE PLUS SLIDING FEE AMOUNT								

Final Regulations

CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

CPT CODE	MEDICAL CARE SERVICES	MAXIMUM CHARGE PER VISIT/ SERVICE	INCOME	INCOME	INCOME	INCOME	INCOME	INCOME	
			LEVEL A (0%)	LEVEL B (10%)	LEVEL C (25%)	LEVEL D (50%)	LEVEL E (75%)	LEVEL F (100%)	
90782	THERAPEUTIC INJECTION	\$6.00	\$0.00	\$0.60	\$1.50	\$3.00	\$4.50	\$6.00	
		\$8.00	\$0.00	\$0.80	\$2.00	\$4.00	\$6.00	\$8.00	
90788	INTRA MUSCULAR INJECTION OF ANTIBIOTIC	\$7.50	\$0.00	\$0.75	\$1.88	\$3.75	\$5.63	\$7.50	
36415	VENIPUNCTURE	\$7.00 FLAT RATE WHEN PROVIDED TO WALK-INS & NON-ROUTINE PATIENTS							
	BLOOD PRESSURE CHECK	NO CHARGE -----SERVICES PROVIDED FREE STATEWID -----							
		\$6.00							
86580	PPD/TUBERCULIN TESTING	\$5.00	FLAT RATE ONLY WHEN PROVIDED ALONE AS A SCREENING -----						
		\$21.00							
71010	RADIOLOGICAL EXAM: CHEST	\$20.00	FLAT RATE CHARGE-----						
		\$9.50							
	ACTIVITIES OF DAILY LIVING	\$8.00	FLAT RATE CHARGE-----						
	CHOLESTEROL SCREENING AND COUNSELING	\$7.00	FLAT RATE ONLY WHEN PROVIDED AS A SCREENING TEST-----						
	MEDICAL RECORD COPYING	\$0.50/PAGE	FLAT RATE CHARGE-----						
	ELIGIBILITY IS REQUIRED ON THE FOLLOWING:								
		\$4.25	\$0.00	\$0.43	\$1.06	\$2.12	\$3.18	\$4.25	
	PHARMACY PROFESSIONAL FEE	\$4.40	\$0.00	\$0.44	\$1.10	\$2.20	\$3.30	\$4.40	
	(ONLY FOR DISTRICTS WITH PHARMACIES)								
	DRUGS AND MEDICATIONS	BASED ON COST: DISTRICT CHOICE ON USING SLIDING FEE -----							
	OTHER X-RAY SERVICES	-----BASED ON DMAS MAXIMUM PAYMENT LEVELS-----							
	OTHER LABORATORY SERVICES	-----BASED ON DMAS MAXIMUM PAYMENT LEVELS-----							
	OTHER SERVICES								
	CHILD SPECIALITY SERVICES ANNUAL FEE	\$120.00	\$0.00	\$12.00	\$30.00	\$60.00	\$90.00	\$120.00	
	HOME HEALTH SERVICES	\$100.00	\$0.00	\$10.00	\$25.00	\$50.00	\$75.00	\$100.00	
	SKILLED NURSING	\$100.00	\$0.00	\$10.00	\$25.00	\$50.00	\$75.00	\$100.00	
		\$170.00	\$0.00	\$17.00	\$42.50	\$85.00	\$132.50	\$170.00	
	COMPREHENSIVE	\$180.00	\$0.00	\$18.00	\$45.00	\$90.00	\$135.00	\$180.00	
	PHYSICAL THERAPY	\$100.00	\$0.00	\$10.00	\$25.00	\$50.00	\$75.00	\$100.00	
	OCCUPATIONAL THERAPY	\$100.00	\$0.00	\$10.00	\$25.00	\$50.00	\$75.00	\$100.00	
	SPEECH THERAPY	\$110.00	\$0.00	\$11.00	\$27.50	\$55.00	\$82.50	\$110.00	
	HOME HEALTH AIDE	\$50.00	\$0.00	\$5.00	\$12.50	\$25.00	\$37.50	\$50.00	
		\$130.00	\$0.00	\$13.00	\$32.50	\$65.00	\$97.50	\$130.00	
	MEDICAL SOCIAL WORKER	\$130.00	\$0.00	\$13.00	\$32.50	\$65.00	\$97.50	\$130.00	

CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

CPT CODE	MEDICAL CARE SERVICES	MAXIMUM CHARGE PER VISIT/SERVICE	INCOME LEVEL A (0%)	INCOME LEVEL B (10%)	INCOME LEVEL C (25%)	INCOME LEVEL D (50%)	INCOME LEVEL E (75%)	INCOME LEVEL F (100%)
CHILD DEVELOPMENT SERVICES PROGRAM								
	MEDICAL SERVICES	\$43.00	\$0.00	\$4.30	\$10.75	\$21.50	\$32.25	\$43.00
	PROBLEM FOCUSED CONSULTATION	\$47.00	\$0.00	\$4.70	\$11.75	\$23.50	\$35.25	\$47.00
		\$58.00	\$0.00	\$5.80	\$14.50	\$29.00	\$43.50	\$58.00
	EXPANDED CONSULTATION	\$66.00	\$0.00	\$6.60	\$15.00	\$30.00	\$45.00	\$66.00
		\$74.00	\$0.00	\$7.40	\$18.50	\$37.00	\$55.50	\$74.00
	DETAILED CONSULTATION	\$75.00	\$0.00	\$7.50	\$18.75	\$37.50	\$56.25	\$75.00
	COMPREHENSIVE CONSULTATION	\$100.00	\$0.00	\$10.00	\$25.00	\$50.00	\$75.00	\$100.00
	PHARMOCOLOGICAL MANAGEMENT	\$30.00	\$0.00	\$3.00	\$7.50	\$15.00	\$22.50	\$30.00
	TRAINING IN ACTIVITIES OF DAILY LIV	\$25.00	\$0.00	\$2.50	\$6.25	\$12.50	\$18.75	\$25.00
	MENTAL HEALTH SERVICES	\$88.00/HR	\$0.00	\$8.80	\$22.00	\$44.00	\$66.00	\$88.00
	PSYCHOLOGICAL EVALUATION	\$105.00/HR	\$0.00	\$10.50	\$26.25	\$52.50	\$78.75	\$105.00
		\$88.00	\$0.00	\$8.80	\$22.00	\$44.00	\$66.00	\$88.00
	INTERACTIVE PSYCH EXAM	\$95.00	\$0.00	\$9.50	\$23.75	\$47.50	\$71.25	\$95.00
	INDIVIDUAL PSYCHOTHERAPY	\$41.00	\$0.00	\$4.10	\$10.25	\$20.50	\$30.75	\$41.00
	20-30 MINUTE SESSION	\$48.00	\$0.00	\$4.80	\$10.00	\$20.00	\$30.00	\$40.00
		\$69.00	\$0.00	\$6.90	\$17.25	\$34.50	\$51.75	\$69.00
	45-60 MINUTE SESSION	\$70.00	\$0.00	\$7.00	\$17.50	\$35.00	\$52.50	\$70.00
		\$70.00	\$0.00	\$7.00	\$17.50	\$35.00	\$52.50	\$70.00
	FAMILY PSYCHOTHERAPY	\$65.00	\$0.00	\$6.50	\$16.25	\$32.50	\$48.75	\$65.00
		\$29.00	\$0.00	\$2.90	\$7.25	\$14.50	\$21.75	\$29.00
	GROUP PSYCHOTHERAPY	\$32.50	\$0.00	\$3.25	\$8.13	\$16.25	\$24.38	\$32.50
		\$17.00	\$0.00	\$1.70	\$4.25	\$8.50	\$12.75	\$17.00
	MULTIFAMILY PSYCHOTHERAPY	\$13.25	\$0.00	\$1.33	\$3.31	\$6.63	\$9.94	\$13.25
	EDUCATIONAL SERVICES							
	EDUCATIONAL DIAGNOSTIC EVALUAT	NO COST	-----	-----	SERVICE PROVIDED FREE STATEWIDE	-----	-----	-----
	SCHOOL VISIT/CONSULTATION	NO COST	-----	-----	SERVICE PROVIDED FREE STATEWIDE	-----	-----	-----
	CLASSROOM OBSERVATION	NO COST	-----	-----	SERVICE PROVIDED FREE STATEWIDE	-----	-----	-----
	CASE MANAGEMENT SERVICES							
	INTERDISCIPLINARY MEDICAL CONFERENCE	\$40.45	\$0.00	\$4.05	\$10.11	\$20.23	\$30.34	\$40.45
	OTHER CASE MANAGEMENT ACTIVIT	NO COST	-----	-----	SERVICE PROVIDED FREE STATEWIDE	-----	-----	-----
	PROGRESS REVIEW	NO COST	-----	-----	SERVICE PROVIDED FREE STATEWIDE	-----	-----	-----

Final Regulations

VIRGINIA DEPARTMENT OF HEALTH

Page 6 of 10

CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

STATE HEALTH DEPARTMENT CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

OCTOBER 5, 1995

EFFECTIVE MARCH 1, 1993

NORTHERN VIRGINIA

By the provisions of the "Regulations Governing Eligibility Standards and Charges for Medical Care Services: promulgated by the authority of the Board of Health in accordance with Section 32.1-11 and 32.1-12 of the Code of Virginia, listed below are the charges for medical care services, stating the minimum required payments to be made by patients toward their charges, according to income levels.

CPT CODE	MEDICAL CARE SERVICES	MAXIMUM	INCOME LEVEL A (0%)	INCOME LEVEL B (10%)	INCOME LEVEL C (25%)	INCOME LEVEL D (50%)	INCOME LEVEL E (75%)	INCOME LEVEL F (100%)
		CHARGE PER VISIT/SERVICE						
Z9900	MATERNITY	\$37.00	\$0.00	\$3.70	\$9.25	\$18.50	\$27.75	\$37.00
59420	MATERNITY CARE BILLED ON A GLOBAL BASIS	\$330.00	\$0.00	\$33.00	\$82.50	\$165.00	\$247.50	\$330.00
59430	POST-PARTUM VISIT	\$40.00	\$0.00	\$4.00	\$10.00	\$20.00	\$30.00	\$40.00
	MATERNITY CARE COORDINATION							
Z9001	RISK SCREENING	\$11.50	\$0.00	\$1.15	\$3.00	\$5.75	\$8.75	\$11.50
Z9000, Z9002, Z9003, Z9004								
Z9104	MATERNITY ASSESSMENT	\$28.50	\$0.00	\$2.85	\$7.25	\$14.25	\$21.25	\$28.50
Z9105, Z9107	MATERNITY FOLLOW-UP	\$1.52/DAY	\$0.00	\$0.15	\$0.38	\$0.76	\$1.14	\$1.52
Z9109								
	NUTRITIONAL SERVICES							
Z9310	ORIGINAL ASSESSMENT	\$22.75	\$0.00	\$0.00	\$0.00	\$11.50	\$17.50	\$22.75
Z9311	FOLLOW-UP	\$11.50/ENCN	\$0.00	\$0.00	\$0.00	\$5.75	\$8.75	\$11.50
Z9300, Z9301	GROUP EDUCATION	\$7.00/CLASS	\$0.00	\$0.70	\$1.75	\$3.50	\$5.25	\$7.00
OR Z9302		SESSION OR \$41.00						
		MAXIMUM						
Z9312	HOMEMAKER SERVICES	\$37.50	\$0.00	\$3.75	\$9.40	\$18.75	\$28.00	\$37.50
		OR \$9.00/HO	\$0.00	\$0.90	\$2.25	\$4.50	\$6.75	\$9.00
		NOT TO EXCEED 4 HOURS						
	CLINICAL VISITS							
	INCLUDES BOTH PEDIATRIC AND ADULT SERVICES							
	NEW PATIENTS: TO QUALIFY AS A NEW PATIENT, PATIENT MUST NOT HAVE BEEN SEEN BY ANY PROVIDER IN THAT HEALTH DEPARTMENT FOR AT LEAST THREE (3) YEARS							
99201	VISIT INCLUDED ALL THREE COMPONENTS: *PROBLEM FOCUSED HISTORY *PROBLEM FOCUSED EXAMINATION *STRAIGHTFORWARD MEDICAL DECISION MAKING	\$0.00		\$2.80	\$7.00	\$14.00	\$21.00	\$28.00
				\$2.70	\$6.75	\$13.50	\$20.25	\$27.00
99202	VISIT INCLUDED ALL THREE COMPONENTS: *EXPANDED PROBLEM FOCUSED HISTORY *EXPANDED PROBLEM FOCUSED EXAMINATION *STRAIGHTFORWARD MEDICAL DECISION MAKING	\$0.00		\$3.50	\$8.75	\$17.50	\$26.25	\$35.00
				\$3.10	\$7.75	\$15.50	\$23.25	\$31.00

CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

CPT CODE	MEDICAL CARE SERVICES	MAXIMUM CHARGE PER VISIT/ SERVICE	INCOME LEVEL A (0%)	INCOME LEVEL B (10%)	INCOME LEVEL C (25%)	INCOME LEVEL D (50%)	INCOME LEVEL E (75%)	INCOME LEVEL F (100%)
99203	VISIT INCLUDED ALL THREE COMPONENTS: *DETAILED HISTORY *DETAILED EXAMINATION *MEDICAL DECISION MAKING OF LOW INTENSITY	\$0.00		\$4.40	\$11.00	\$22.00	\$33.00	\$44.00
99204	VISIT INCLUDED ALL THREE COMPONENTS: *COMPREHENSIVE HISTORY *COMPREHENSIVE EXAMINATION *MEDICAL DECISION MAKING OF MODERATE COMPLEXITY	\$0.00		\$6.40	\$16.00	\$32.00	\$48.00	\$64.00
99205	VISIT INCLUDED ALL THREE COMPONENTS: *COMPREHENSIVE HISTORY *COMPREHENSIVE EXAMINATION *MEDICAL DECISION MAKING OF HIGH COMPLEXITY	\$0.00		\$7.40	\$18.50	\$37.00	\$55.50	\$74.00
ESTABLISHED PATIENT VISITS: ANY PATIENT THAT HAS BEEN SEEN BY A PROVIDER IN THAT HEALTH DEPARTMENT WITHIN THE LAST THREE (3) YEARS.								
99211	VISIT MAY OR MAY NOT REQUIRE PHYSICIAN PRESENTING PROBLEMS ARE MINIMAL	\$0.00		\$1.30	\$3.25	\$6.50	\$9.75	\$13.00
99212	VISIT INCLUDED TWO OF THREE COMPONENTS: *PROBLEM FOCUSED HISTORY *PROBLEM FOCUSED EXAMINATION *STRAIGHTFORWARD MEDICAL DECISION MAKING	\$0.00		\$2.20	\$5.50	\$11.00	\$16.50	\$22.00
99213	VISIT INCLUDED TWO OF THREE COMPONENTS: *EXPANDED PROBLEM FOCUSED HISTORY *EXPANDED PROBLEM FOCUSED EXAMINATION *MEDICAL DECISION MAKING OF LOW COMPLEXITY	\$0.00		\$3.10	\$7.75	\$15.50	\$23.25	\$31.00
99214	VISIT INCLUDED TWO OF THREE COMPONENTS: *DETAILED HISTORY *DETAILED EXAMINATION *MEDICAL DECISION MAKING OF MODERATE COMPLEXITY	\$0.00		\$4.30	\$10.75	\$21.50	\$32.25	\$43.00
99215	VISIT INCLUDED TWO OF THREE COMPONENTS: *COMPREHENSIVE HISTORY *COMPREHENSIVE EXAMINATION *MEDICAL DECISION MAKING OF HIGH COMPLEXITY	\$0.00		\$6.10	\$15.25	\$30.50	\$45.75	\$61.00
PREVENTIVE MEDICINE SERVICES THESE CODES ARE TO BE USED PRIMARILY FOR WELL BABY VISITS. THERE ARE THE CODES TO BE USED FOR EPSDT BILLING.								
99381	NEW PATIENT AGE UNDER ONE YEAR	\$0.00		\$5.30	\$13.25	\$26.50	\$39.75	\$53.00
99382	AGE ONE THROUGH FOUR YEARS	\$0.00		\$6.00	\$15.00	\$30.00	\$45.00	\$60.00

Final Regulations

CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

CPT CODE	MEDICAL CARE SERVICES	MAXIMUM CHARGE PER VISIT/SERVICE	INCOME LEVEL	INCOME LEVEL	INCOME LEVEL	INCOME LEVEL	INCOME LEVEL	INCOME LEVEL	
			A (0%)	B (10%)	C (25%)	D (50%)	E (75%)	F (100%)	
99383	AGE FIVE THROUGH ELEVEN YEARS		\$0.00	\$4.30	\$10.75	\$21.50	\$32.25	\$43.00	
				\$6.00	\$15.00	\$30.00	\$45.00	\$60.00	
99384	AGE TWELVE THROUGH SEVENTEEN YEARS		\$0.00	\$3.90	\$9.75	\$19.50	\$29.25	\$39.00	
				\$3.10	\$15.25	\$30.50	\$45.75	\$61.00	
99385	AGE EIGHTEEN THROUGH TWENTY-ONE YEARS		\$0.00	\$4.20	\$10.50	\$21.00	\$31.50	\$42.00	
				\$3.10	\$15.25	\$30.50	\$45.75	\$61.00	
99391	ESTABLISHED PATIENT AGE UNDER ONE YEAR		\$0.00	\$3.90	\$9.75	\$19.50	\$29.25	\$39.00	
				\$4.90	\$12.25	\$24.50	\$36.75	\$49.00	
99392	AGE ONE THROUGH FOUR YEARS		\$0.00	\$4.00	\$10.00	\$20.00	\$30.00	\$40.00	
				\$5.30	\$13.25	\$26.50	\$39.75	\$53.00	
99393	AGE FIVE THROUGH ELEVEN YEARS		\$0.00	\$4.00	\$10.00	\$20.00	\$30.00	\$40.00	
				\$5.30	\$13.25	\$27.50	\$39.75	\$53.00	
99394	AGE TWELVE THROUGH SEVENTEEN YEARS		\$0.00	\$3.50	\$8.75	\$17.50	\$26.25	\$35.00	
				\$5.50	\$13.75	\$27.50	\$41.25	\$55.00	
99395	AGE EIGHTEEN THROUGH TWENTY-ONE YEARS		\$0.00	\$4.20	\$10.50	\$21.00	\$31.50	\$42.00	
				\$5.80	\$14.50	\$29.00	\$43.50	\$58.00	
Z9010	INFANT CARE COORDINATION RISK SCREENING	\$11.50	\$0.00	\$1.15	\$2.88	\$5.75	\$8.63	\$11.50	
Z9104	INFANT ASSESSMENT	\$28.50	\$0.00	\$2.85	\$7.25	\$14.25	\$21.50	\$28.50	
Z9106	FOLLOW UP	\$1.52/DAY	\$0.00	\$0.15	\$0.38	\$0.76	\$1.14	\$1.52	
				FOR UP TO 24 MONTHS					
	CASE MANAGEMENT-SEE CPT BOOK FOR DEFINITIONS								
99361	MEDICAL CONFERENCE, 30 MIN	\$22.50	\$0.00	\$2.25	\$5.63	\$11.25	\$16.88	\$22.50	
99362	MEDICAL CONFERENCE, 60 MIN	\$45.00	\$0.00	\$4.50	\$11.25	\$22.50	\$33.75	\$45.00	
99371	PHONE CALL, BRIEF	\$11.00	\$0.00	\$1.10	\$2.75	\$5.50	\$8.25	\$11.00	
99372	PHONE CALL, INTERMEDIATE	\$50.00	\$0.00	\$5.00	\$12.50	\$25.00	\$37.50	\$50.00	
99373	PHONE CALL, COMPLEX	\$77.00	\$0.00	\$7.70	\$19.25	\$38.50	\$57.75	\$77.00	
09007	FAMILY PLANNING INITIAL/YEARLY	\$56.00	\$0.00	\$5.60	\$14.00	\$28.00	\$42.00	\$56.00	
09009	FOLLOW-UP/PROBLEM	\$22.75	\$0.00	\$2.28	\$5.75	\$11.25	\$17.00	\$22.75	
	COLPOSCOPY SERVICES								
57452	COLPOSCOPY	\$100.00	\$0.00	\$10.00	\$25.00	\$50.00	\$75.00	\$100.00	
		\$162.00	\$0.00	\$16.20	\$40.50	\$81.00	\$121.50	\$162.00	
57454	COLPOSCOPY WITH BIOPSY	\$145.00	\$0.00	\$14.50	\$36.25	\$72.50	\$108.75	\$145.00	
		\$127.00	\$0.00	\$12.70	\$31.75	\$63.50	\$95.25	\$127.00	
57511	CRYOSURGERY, INITIAL OR REPEAT	\$115.00	\$0.00	\$11.50	\$28.75	\$57.50	\$86.25	\$115.00	
	DENTAL SERVICES								
	ADULT DENTAL		BASED ON MEDIAN PRIVATE PRACTICE PROFESSIONAL FEES						
			\$10.00 FLAT FEE PLUS SLIDING FEE AMOUNT						

CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

CPT CODE	MEDICAL CARE SERVICES	MAXIMUM	INCOME LEVELS					
		CHARGE PER VISIT/SERVICE	INCOME LEVEL A (0%)	INCOME LEVEL B (10%)	INCOME LEVEL C (25%)	INCOME LEVEL D (50%)	INCOME LEVEL E (75%)	INCOME LEVEL F (100%)
90782	THERAPEUTIC INJECTION	\$7.00	\$0.00	\$0.70	\$1.75	\$3.50	\$5.25	\$7.00
		\$9.00	\$0.00	\$0.90	\$2.25	\$4.50	\$6.75	\$9.00
90788	INTRA MUSCULAR INJECTION OF ANTIBIOTIC	\$8.50	\$0.00	\$0.85	\$2.12	\$4.25	\$6.38	\$8.50
36415	VENIPUNCTURE	\$8.00 FLAT RATE ONLY WHEN PROVIDED TO WALK-INS & NON-ROUTINE PATIENTS						
	BLOOD PRESSURE CHECK	NO CHARGE -----SERVICE PROVIDED FREE STATEWIDE-----						
		\$6.00						
86580	PPD/TUBERCULIN TESTING	\$6.00	----- FLAT RATE ONLY WHEN PROVIDED ALONE AS A SCREENING -----					
		\$25.00						
71010	RADIOLOGICAL EXAM: CHEST	\$22.00	----- FLAT RATE CHARGE-----					
		\$12.00/HOUR						
	ACTIVITIES OF DAILY LIVING	\$11.00/HOUR	----- FLAT RATE CHARGE-----					
	CHOLESTEROL SCREENING AND COUNSELING	\$7.00	----- FLAT RATE ONLY WHEN PROVIDED AS A SCREENING TEST-----					
	MEDICAL RECORD COPYING	\$0.50/PAGE	----- FLAT RATE CHARGE-----					
	ELIGIBILITY IS REQUIRED ON THE FOLLOWING:	\$4.25	\$0.00	\$0.43	\$1.06	\$2.12	\$3.18	\$4.25
	PHARMACY PROFESSIONAL FEE (ONLY FOR DISTRICTS WITH PHARMACIES)	\$4.40	\$0.00	\$0.44	\$1.10	\$2.20	\$3.30	\$4.40
	DRUGS AND MEDICATIONS	BASED ON COST; DISTRICT CHOICE ON USING SLIDING FEE -----						
	OTHER X-RAY SERVICES	BASED ON THE DMAS MAXIMUM PAYMENT LEVELS						
	OTHER LABORATORY SERVICES	BASED ON THE DMAS MAXIMUM PAYMENT LEVELS						
	OTHER SERVICES							
	CHILD SPECIALITY SERVICES ANNUAL FEE	\$136.00	\$0.00	\$13.50	\$34.00	\$68.00	\$102.00	\$136.00
	HOME HEALTH SERVICES	\$100.00	\$0.00	\$10.00	\$25.00	\$50.00	\$75.00	\$100.00
	SKILLED NURSING	\$140.00	\$0.00	\$14.00	\$27.50	\$55.00	\$82.50	\$110.00
	COMPREHENSIVE	\$170.00	\$0.00	\$17.00	\$42.50	\$85.00	\$132.50	\$170.00
	PHYSICAL THERAPY	\$180.00	\$0.00	\$18.00	\$45.00	\$90.00	\$135.00	\$180.00
	PHYSICAL THERAPY	\$100.00	\$0.00	\$10.00	\$25.00	\$50.00	\$75.00	\$100.00
	OCCUPATIONAL THERAPY	\$100.00	\$0.00	\$10.00	\$25.00	\$50.00	\$75.00	\$100.00
	SPEECH THERAPY	\$110.00	\$0.00	\$11.00	\$27.50	\$55.00	\$82.50	\$110.00
	HOME HEALTH AIDE	\$50.00	\$0.00	\$5.00	\$12.50	\$25.00	\$37.50	\$50.00
		\$130.00	\$0.00	\$13.00	\$32.50	\$65.00	\$97.50	\$130.00
	MEDICAL SOCIAL WORKER	\$140.00	\$0.00	\$14.00	\$35.00	\$70.00	\$105.00	\$140.00

Final Regulations

CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

CPT CODE	MEDICAL CARE SERVICES	MAXIMUM CHARGE PER VISIT/ SERVICE	INCOME LEVEL A (0%)	INCOME LEVEL B (10%)	INCOME LEVEL C (25%)	INCOME LEVEL D (50%)	INCOME LEVEL E (75%)	INCOME LEVEL F (100%)
CHILD DEVELOPMENT SERVICES PROGRAM								
	MEDICAL SERVICES	\$49.00	\$0.00	\$4.90	\$12.25	\$24.50	\$36.75	\$49.00
	PROBLEM FOCUSED CONSULTATION	\$53.72	\$0.00	\$5.37	\$13.43	\$26.86	\$40.29	\$53.72
		\$64.00	\$0.00	\$6.40	\$16.00	\$32.00	\$48.00	\$64.00
	EXPANDED CONSULTATION	\$68.58	\$0.00	\$6.86	\$17.15	\$34.29	\$51.44	\$68.58
		\$82.00	\$0.00	\$8.20	\$20.50	\$41.00	\$61.50	\$82.00
	DETAILED CONSULTATION	\$85.73	\$0.00	\$8.57	\$21.43	\$42.87	\$64.30	\$85.73
	COMPREHENSIVE CONSULTATION	\$114.30	\$0.00	\$11.43	\$28.58	\$57.15	\$85.73	\$114.30
		\$37.00	\$0.00	\$3.70	\$9.25	\$18.50	\$27.75	\$37.00
	PHARMACOLOGICAL MANAGEMENT	\$34.29	\$0.00	\$3.43	\$8.57	\$17.15	\$25.72	\$34.29
	TRAINING IN ACTIVITIES OF DAILY LIV	\$28.58	\$0.00	\$2.86	\$7.15	\$14.29	\$21.44	\$28.58
	MENTAL HEALTH SERVICES	\$100.00	\$0.00	\$10.00	\$25.00	\$50.00	\$75.00	\$100.00
	PSYCHOLOGICAL EVALUATION	\$120.02/HR	\$0.00	\$12.00	\$30.01	\$60.01	\$90.02	\$120.02
		\$100.00	\$0.00	\$10.00	\$25.00	\$50.00	\$75.00	\$100.00
	INTERACTIVE PSYCH EXAM	\$108.59	\$0.00	\$10.86	\$27.16	\$54.30	\$81.44	\$108.59
	INDIVIDUAL PSYCHOTHERAPY	\$46.00	\$0.00	\$4.60	\$11.50	\$23.00	\$34.50	\$46.00
	20-30 MINUTE SESSION	\$45.72	\$0.00	\$4.57	\$11.43	\$22.86	\$34.29	\$45.72
		\$79.00	\$0.00	\$7.90	\$19.75	\$39.50	\$59.25	\$79.00
	45-60 MINUTE SESSION	\$80.01	\$0.00	\$8.00	\$20.00	\$40.01	\$60.01	\$80.01
		\$78.00	\$0.00	\$7.80	\$19.50	\$39.00	\$58.50	\$78.00
	FAMILY PSYCHOTHERAPY	\$74.30	\$0.00	\$7.43	\$18.58	\$37.15	\$55.73	\$74.30
		\$34.00	\$0.00	\$3.40	\$8.50	\$17.00	\$25.50	\$34.00
	GROUP PSYCHOTHERAPY	\$37.15	\$0.00	\$3.72	\$9.29	\$18.58	\$27.86	\$37.15
		\$20.00	\$0.00	\$2.00	\$5.00	\$10.00	\$15.00	\$20.00
	MULTIFAMILY PSYCHOTHERAPY	\$15.14	\$0.00	\$1.51	\$3.79	\$7.57	\$11.36	\$15.14
	EDUCATIONAL SERVICES							
	EDUCATIONAL DIAGNOSTIC EVALUAT	NO COST	-----	-----	SERVICE PROVIDED FREE STATEWIDE	-----	-----	-----
	SCHOOL VISIT/CONSULTATION	NO COST	-----	-----	SERVICE PROVIDED FREE STATEWIDE	-----	-----	-----
	CLASSROOM OBSERVATION	NO COST	-----	-----	SERVICE PROVIDED FREE STATEWIDE	-----	-----	-----
	CASE MANAGEMENT SERVICES							
	INTERDISCIPLINARY MEDICAL CONFERENCE	\$46.23	\$0.00	\$4.62	\$11.56	\$23.12	\$34.67	\$46.23
	OTHER CASE MANAGEMENT ACTIVIT	NO COST	-----	-----	SERVICE PROVIDED FREE STATEWIDE	-----	-----	-----
	PROGRESS REVIEW	NO COST	-----	-----	SERVICE PROVIDED FREE STATEWIDE	-----	-----	-----

**STATE COUNCIL OF HIGHER EDUCATION FOR
VIRGINIA**

REGISTRAR'S NOTICE: The following regulations filed by the State Council of Higher Education for Virginia are exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 B 4 of the Code of Virginia, which exempts regulations relating to grants of state or federal funds or property. These regulations are being published for informational purposes only.

Title of Regulation: VR 380-03-01:1. College Scholarship Assistance Program Regulations.

Statutory Authority: § 23-38.47 of the Code of Virginia.

Effective Date: September 4, 1995.

Summary:

These regulations set forth the general policies and procedures that participating institutions of higher education should use when determining who is eligible for an award under the program and when administering the program. The key provisions of the regulations include institutional application procedures, eligibility criteria, award selection and amount, and administration responsibilities.

Agency Contact: Copies of the regulation may be obtained from Melissa A. Collum, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, Richmond, Virginia 23219, telephone (804) 371-0554.

VR 380-03-01:1. College Scholarship Assistance Program Regulations.

**PART I.
DEFINITIONS.**

§ 1.1. Definitions.

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

"Academic year" means the enrollment period which normally extends from late August to May or June.

"Accredited" means an institution approved to confer degrees pursuant to the provisions of § 23-9.5 or §§ 23-265 through 23-276 of the Code of Virginia.

"Applicant" means any student who is a domiciliary resident of Virginia and who has completed an approved application for need-based aid and filed the application by the closing date established by the participating institution at which the student will enroll.

"Cost of attendance" means the sum of tuition, fees, room, board, books and supplies, and other education related expenses, as determined by an institution for purposes of calculating a student's financial need and awarding federal campus-based student aid funds.

"Council" means the State Council of Higher Education for Virginia.

"Domiciliary resident" means a student who is determined by the council or by a participating institution to meet the definition of a domiciliary resident of Virginia eligible for in-state tuition rates as specified under § 23-7.4 of the Code of Virginia.

"Eligible course of study" means a curriculum of courses at or below the baccalaureate degree level which requires at least one academic year (30 semester hours or its equivalent) to complete. Programs that provide religious training or theological education are not eligible courses of study under the College Scholarship Assistance Program. Programs in the 39.xxxx series, as classified in the National Education Center for Educational Statistics' Classification of Instructional Programs (CIP), are not eligible programs.

"Eligible institution" means a public or private, accredited, nonprofit degree-granting institution of higher education in Virginia whose primary purpose is to provide collegiate education and not to provide religious training or theological education.

"Exceptional financial need" means a student's Expected Family Contribution (EFC) is less than one-half of the student's total Cost of Attendance, as determined by an eligible institution.

"Expected Family Contribution" (EFC) means the amount the student and the student's family is expected to contribute toward the cost of college attendance. A student's EFC will be determined by the institution using a method of need analysis approved by the council federal need analysis method used for Title IV programs. The institution may exercise professional judgment to adjust the student's EFC, as permitted under federal law, based on factors which affect the family's ability to pay.

"Financial need" means any positive difference between a student's Cost of Attendance and the student's Expected Family Contribution (EFC), as determined by a participating institution using a method of need analysis approved by the council, and other financial aid that an institution includes in the student's total financial aid package.

"Fiscal year" means the period extending from July 1 to June 30.

"Full-time study" means enrollment for at least 12 credit hours per semester or its equivalent. The total hours counted will not include courses taken for audit, but may include required developmental or remedial courses and other elective credit courses which normally are not counted toward a certificate, diploma, or degree at the institution.

"Gift assistance" means financial aid in the form of scholarships, grants, and other sources that do not require work, repayment, or use of endowment funds.

"Part-time study" means enrollment for six to 11 credit hours per semester or its equivalent. The total hours counted will not include courses taken for audit but may include required development or remedial courses and other elective credit courses which normally are not counted toward a certificate, diploma or degree at the institution.

Final Regulations

"Participating institution" means any eligible postsecondary institution which has been approved by the council to participate in the College Scholarship Assistance Program.

"Program" means the College Scholarship Assistance Program (CSAP).

"Remaining need" means any positive difference between a student's financial need and the sum of all gift assistance.

"Undergraduate student" means a student in a program leading to an associate's or bachelor's degree who has not earned a bachelor's or higher degree, and who is not classified by the institution as a "professional" or "graduate" student.

PART II. INSTITUTIONAL PARTICIPATION.

§ 2.1. Application procedures.

To participate in the program, eligible institutions not previously approved by the council to participate must file formal application with the council no later than January 31 of the calendar year preceding the calendar year in which fall term grants would first be available to students.

Applications shall be addressed to the council's Financial Aid Coordinator and shall include:

1. Estimates of the number of students who would be eligible to receive grants under the program in the first and second years of participation;
2. A copy of the Fiscal Operations Report and Application to Participate in Federal Student Financial Aid Programs (FISAP);
3. A copy of the most recent independent audit of financial aid programs, as required under the federal Single Audit Act; and
4. Certifications from the institution's chief executive officer that the institution:
 - a. Meets eligibility requirements for participation, namely, that it is an accredited, nonprofit, Virginia degree-granting institution of higher education whose primary purpose is not to provide religious training or theological education;
 - b. Will furnish whatever data the council may request in order to verify its institutional eligibility claims to the satisfaction of the council;
 - c. Will promptly notify the council within 30 days following any change in governance or mission that may affect the institution's status as an eligible institution; and
 - d. By its governing body has authorized its adherence to the requirements of these regulations, as the same are now constituted or hereafter amended, until such time as the institution may withdraw from participation in the program.

All documents must be on file before any funds are disbursed.

PART III. DISTRIBUTION OF FUNDS.

§ 3.1. Institutional allocations.

Participating institutions will receive from the council on or before an annually established date a notice of the amount of CSAP funds projected to be available for the next fiscal year. Final notice of available funds is dependent on provisions of federal funds.

Institutional allocations will be based on the aggregate remaining need for grant funds as demonstrated by CSAP eligible applicants enrolled at each participating institution. The council will calculate the aggregate remaining need using data reported by the institution in the fall preceding the fiscal year for which the allocation will be made.

The aggregate remaining need for grant funds is the sum of the positive financial remaining need of all CSAP eligible applicants enrolled for at least part-time study at a participating institution. For purposes of this calculation, an individual student's financial remaining need is calculated as follows:

$$\text{Need} = \text{Cost of Attendance} - \text{Expected Family Contribution} - \text{Total Grant Aid}$$

$$\text{Remaining Need} = \text{Cost of attendance (as defined by the council)} - \text{Expected family contribution (as reported by the institution)} - \text{Total gift assistance (as reported by the institution)}$$

~~Cost of Attendance includes a nine-month standardized living allowance, an allowance for books and supplies set each year by the council, and the calculated tuition and fees. The latter amount is based on a student's credit hour enrollment, as reported for the individual student by the institution, and the in-state tuition and fee schedules for part-time and full-time in-state undergraduates that annually are reported to the council. The allowance for books is prorated based on the student's credit hour enrollment. Cost of Attendance for the summer session uses the same variables but is based on a three-month standardized living allowance.~~

~~The Expected Family Contribution (EFC) amount used for purposes of determining allocations is that reported for the individual student by the institution using a council-approved need analysis method for federal need-based aid.~~

~~Total Grant Aid is the sum of all gift aid except the reported portion of grants that was derived from endowment funds and grants awarded under the CSAP. Loans and work-study awards are not included in gift aid.~~

The aggregate remaining need of an individual institution, expressed as a percentage of the statewide aggregate remaining need of all participating institutions, determines the institution's share of the program funds.

Eligible students at institutions approved to participate in the program beginning in a specific year will be assured equal access to the total available program funds based on their aggregate remaining financial need. Equal access may

result in the reduction of funds at other participating institutions if new funds are not provided for the additional students.

§ 3.2. Reallocations of unused funds.

~~On or before March 15 of each year~~ Upon request by the council, participating institutions shall report to the council the amount of any funds which will not be used by the end of the academic fiscal year or the amount of additional funds above the level of the allocation which could be used if additional funds were available. *The council's estimate of unused funds will be substituted for the institution's where the institution fails to file a fund usage report.*

~~The council's estimate of unused funds will be substituted for the institution's where the institution fails to file a fund usage report.~~ On or before an annually established date, the council will notify institutions that request additional funds of the amount of any supplemental allocations. Supplemental allocations will be based on the financial need of the students at institutions requesting additional funds, the amount of the funds requested, and the amount of funds available for reallocation.

§ 3.3. Use of funds.

An institution shall establish and maintain financial records that accurately reflect all program transactions as they occur. The institution shall establish and maintain general ledger control accounts and related subsidiary accounts that identify each program transaction and separate those transactions from all other institutional financial activity. Program funds shall be deposited in a noninterest bearing account established and maintained exclusively for that purpose. Funds may only be disbursed to student accounts receivable or to the council. All unused funds must be returned to the council no later than the end of the fiscal year.

Funds received by the institutions under the program may be used only to pay awards to students. The funds are held in trust on behalf of the Commonwealth of Virginia by the institutions for the intended student beneficiaries and may not be used for any other purpose.

PART IV. STUDENT ELIGIBILITY.

§ 4.1. Student eligibility.

In order to be eligible to receive an award under the program, the applicant must:

1. Be a domiciliary resident of Virginia eligible for in-state tuition rates as defined in § 23-7.4 of the Code of Virginia;
- ~~2. Not receive more than a cumulative total of five years of assistance under the program;~~
3. 2. Be maintaining satisfactory academic progress as defined by the participating institution for purposes of determining eligibility for federal Title IV student aid funds;
4. 3. Not be in default on a federal student loan, owe a refund on a federal grant, or be ineligible on any other legal grounds to receive federal student aid funds which

comprise a portion of the individual awards made under the program;

5. 4. Meet the criterion of exceptional need and demonstrate a positive financial need for grant aid, as determined by the participating institution; and

6. 5. Be enrolled for at least part-time study in an eligible course of study at a participating institution.

~~The duration of CSAP eligibility is related to the length of time normally required to complete the student's certificate or degree at a particular institution. A financial aid transcript must be reviewed to determine if a transfer student has already used the maximum eligibility for CSAP. If a student is in a dual degree program at a four year college or university that results in the simultaneous awarding of both an undergraduate and a graduate or professional degree, the student shall be considered eligible for CSAP only for the undergraduate portion of the program.~~

PART V. AWARD-SELECTION AWARDS.

§ 5.1. Criteria for determining financial need.

An institution shall determine a student's financial need using ~~a nationally-accepted~~ *the federal* method of need analysis ~~approved by the council.~~ An award under the program will be set by the institution so that the student's total financial aid, including the program award, will not exceed the student's financial need.

§ 5.2. Priorities in making awards.

Because the number of eligible applicants will normally exceed the number that can be assisted with the CSAP funds allocated to an institution, the institutional aid officer's professional recommendation will determine which candidates receive CSAP awards as well as the specific amount of each individual's award.

In determining each student's need for additional grant aid, the institutional aid officer may consider the individual student's educational need, family financial circumstances, the amount of other types of aid (e.g., loans, work-study) available to the student, and any unique circumstances affecting the student's ability to enroll and complete a course of study.

§ 5.3. Individual awards.

Individual awards are to be made for the academic year, a portion thereof, or the summer term. The maximum individual award for the academic year shall not exceed any award limit set forth in the Appropriations Act.

§ 5.4. Preventing overawards.

Should additional aid or reports of income changes be received after the initial CSAP award has been included in a student's financial aid package, the student's package should be reviewed to ensure that total aid does not exceed need. Procedures followed will be identical to those required for adjusting awards under the federal campus-based financial aid programs.

Final Regulations

PART VI:
ADMINISTRATION.

§ 6.1. The council.

The council will provide assistance, interpretation of policy and regulations, and guidance to the institutions in their handling of administrative matters.

§ 6.2. Participating institutions.

Institutions shall:

1. Act as an agent for the council to evaluate student eligibility, select award recipients and determine individual award amounts, in accordance with the criteria set forth in these regulations;
2. Provide information which the council may require to ensure that CSAP recipients do not receive grant funds in excess of their actual financial need;
3. Certify that the recipients are enrolled for at least part-time study, are making satisfactory progress in eligible courses of study, and, to the extent that federal funds comprise a part of the awards, meet all applicable criteria prescribed by federal laws and regulations for recipients of federal funds;
4. Secure and provide to the council such information regarding student award recipients as the council deems necessary for the proper administration of the program;
5. Act, with the student's authorization, as the student's agent to receive and hold funds for use as student assistance under the program; and
6. Furnish periodic reports and other pertinent information as may be required by the council. The reports shall include but not be limited to copies of institutional financial aid audit reports and audited financial statements.

The institution's chief executive officer shall designate one individual at the institution to act as the primary representative of the institution in all matters pertaining to the administration of the program. The chief executive officer shall, in addition, indicate whether the primary institutional representative may designate a single subordinate who may act as an alternate representative for routine administrative operational matters at the campus. At multi-campus institutions, an alternate representative may be designated for each branch campus if the chief executive officer authorizes the appointment of alternate representatives. If there is a change in the primary representative, the chief executive officer shall designate another individual and notify the council within 30 days, in writing, of the change. It is the responsibility of the primary representative to advise the council in a similar fashion of changes in alternate representative(s), if any.

§ 6.3. Responsibility of recipients.

A recipient of an award under the program shall notify the institution, in writing, of any name or permanent address changes.

VA.R. Doc. No. R95-690; Filed August 18, 1995, 9:24 a.m.

Title of Regulation: VR 380-03-03:1. Virginia Scholars Program Regulations (REPEALED).

Statutory Authority: § 23-38.53:1 of the Code of Virginia.

Effective Date: September 4, 1995.

Summary:

The Virginia Scholars Program was terminated in 1995. Students receiving awards prior to 1995 may continue to receive awards until their eligibility expires. Continuing student awards and the administration of the program during phase-out will be controlled by the provisions of the Code of Virginia and the Appropriations Act.

Agency Contact: Melissa A. Collum, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, Richmond, Virginia 23219, telephone (804) 371-0554.

VA.R. Doc. No. R95-691; Filed August 18, 1995, 9:26 a.m.

Title of Regulation: VR 380-03-04:1. Tuition Assistance Grant Program Regulations.

Statutory Authority: §§ 23-38.11 through 23-38.18 of the Code of Virginia.

Effective Date: September 4, 1995.

Summary:

These regulations set forth the general policies and procedures that participating institutions of higher education should use when determining who is eligible for an award under the program and when administering the program. The key provisions of the regulations include institutional participation, disbursement of funds, student eligibility criteria, award amount, and administration responsibilities.

Agency Contact: Copies of the regulation may be obtained from Melissa A. Collum, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, Richmond, Virginia 23219, telephone (804) 371-0554.

VR 380-03-04:1. Tuition Assistance Grant Program Regulations.

§ 1. Definitions.

The following words and terms, when used in these regulations, will have the following meanings, unless the context clearly indicates otherwise:

"*Academic year*" means the enrollment period which normally extends from late August to May or June.

"*Accredited*" means an institution approved to confer degrees pursuant to the provisions of §§ 23-265 through 23-276 of the Code of Virginia.

"*Census date*" means the time during an academic year when a count of enrolled students is made for reporting

purposes. For semester terms, the census date shall be no sooner than the end of the fourteenth calendar day from the beginning of the term and no later than the established reporting date. For quarter terms, the census date shall be no sooner than the end of the tenth calendar day from the beginning of the term and no later than the established reporting date. For nonstandard terms, the census date shall be no sooner than the end of the class session that represents the completion of 15% of the class days and no later than the established reporting date.

"*Cost of attendance*" means the sum of tuition, fees, room, board, books, supplies, and other education related expenses, as determined by an eligible institution for purposes of calculating a student's financial need and awarding federal campus-based student aid funds.

"*Council*" means the State Council of Higher Education for Virginia.

"*Domiciliary resident*" means a student who is determined by the council to meet the definition of a domiciliary resident of Virginia ~~eligible for in-state tuition rates~~, as specified under § 23-7.4 of the Code of Virginia.

"*Eligible program*" means a curriculum of courses at the undergraduate, graduate, or first professional level. Undergraduate programs are those programs that lead to an associate's or bachelor's degree and which require at least two academic years (60 semester hours or its equivalent) to complete. Graduate programs are those programs leading to a degree higher in level than the baccalaureate degree and which require at least one academic year (30 semester hours or its equivalent) to complete. Programs that provide religious training or theological education are not eligible courses of study under the Tuition Assistance Grant Program. Programs in the 39.xxx series, as classified in the National Education Center for Educational Statistics' Classification of Instructional Programs (CIP), are not eligible programs.

"*Eligible institution*" means a private, accredited, nonprofit, degree-granting institution of higher education in Virginia whose primary purpose is to provide collegiate or graduate education and not to provide religious training or theological education.

"*Fiscal year*" means the period extending from July 1 to June 30.

"*Full-time student*" means a student who is enrolled for at least 12 credit hours per semester or its equivalent at the undergraduate level or nine credit hours per semester or its equivalent at the graduate or first professional level. The total hours counted will not include courses taken for audit, but may include required developmental or remedial courses and other elective courses which normally are not counted toward a degree at the institution. A graduating student may be certified full-time and eligible to receive an award if: (i) the student was enrolled full-time in the immediately preceding term, (ii) the course credits needed to complete degree requirements total less than a full-time course load, and (iii) the maximum number of years of eligibility has not been exceeded.

"*Nonprofit institution*" means an institution operated by one or more nonprofit corporations or associations no part of the net earnings of which may inure to the benefit of any individual.

"*Post-baccalaureate student*" means a matriculated student who is in a program leading to a degree higher in level than the baccalaureate degree and is classified by the institution as a "professional" or "graduate" student.

"*Program*" means the Tuition Assistance Grant Program (TAGP).

"*Undergraduate student*" means a student in a program leading to an associate's or bachelor's degree or an undergraduate teaching certificate who has not earned a bachelor's or higher degree, and who is not classified by the institution as a "professional" or "graduate" student.

§ 2. Institutional participation in the program: application procedures.

In order to participate in the program, eligible institutions not previously approved by the council to participate must file formal application with the council no later than January 31 of the calendar year preceding the calendar year in which fall term grants would first be available to students.

Applications shall be addressed to the ~~council's financial aid coordinator~~ *council* and shall include:

1. Estimates of the number of students who would be eligible to receive grants under the program in the first and second years of participation;
2. A copy of the Fiscal Operations Report and Application to Participate in Federal Student Financial Aid Programs (FISAP); and
3. Certifications from the institution's chief executive officer that the institution:
 - a. Meets eligibility requirements for participation, namely, that it is an accredited, nonprofit, Virginia degree-granting institution of higher education whose primary purpose is not to provide religious training or theological education;
 - b. Will furnish whatever data the council may request in order to verify its institutional eligibility claims to the satisfaction of the council; and
 - c. Will promptly notify the council within 30 days following any change in governance or mission that may affect the institution's status as an eligible institution.
 - d. By its governing body has authorized its adherence to the requirements of these regulations, as the same are now constituted or hereafter amended, until such time as the institution may withdraw from participation in the program.

All documents must be on file before any funds are disbursed.

Final Regulations

§ 3. Disbursement of funds.

A. Advancement of funds. ~~No more than 90%~~ A percentage of an institution's estimated allocation of funds for a term will be forwarded to the institution at the beginning of the term. ~~The percentage will be based on each institution's prior year's performance and will be established by the council no later than August 1.~~ After the census date for each term, the institution will certify that recipients are enrolled as full time students and are meeting other eligibility requirements established for the program. After enrollment is verified, remaining funds, if any, will be disbursed to the institution. Funds for recipients reported not enrolled full time or not meeting other eligibility requirements shall not be disbursed to students, and funds for these students, if already received by the institution in its capacity as the student's fiscal agent, shall be reported to the council as unused funds.

B. Fund usage. Awards may be used only for payment of tuition at the institution in the academic year for which the award has been made. A student who has received a full tuition waiver cannot receive an award under the program. A student who has received a partial tuition waiver may receive an award so long as the sum of the waiver and the award does not exceed tuition charges.

The institution shall complete and return to the council, as requested, a report of funds not used. An institution shall not declare as unused funds the funds it has previously credited to a student's account without first notifying the student of its intention to do so, in writing, at least 20 working days prior to taking such action.

For a student who receives an award and withdraws from an institution during a term and is entitled to a refund from that institution, the institution shall report to the council as unused funds a prorated portion of the student's award on the basis of the tuition refund policy in effect at the institution.

All unused funds shall be returned to the council within 20 working days after receiving written request from the council.

C. Notification to students. Institutions shall make students aware that the award is state-funded. The institutions shall also direct specific notice to estimates of awards which appear as credits on statements of student tuition charges. Institutions, in addition, shall ensure that each award recipient is notified of the disposition of award funds subsequent to the date that such funds are received by the institution. Evidence of such notification may include but shall not be limited to (i) the dates on receipts signed by award recipients, (ii) formal procedures for providing to recipients written notification of the crediting of student accounts or the availability of checks after such funds are received by the institution, or (iii) institutional records which verify the dates that checks were disbursed to students.

D. Restriction on use of funds. An institution shall establish and maintain financial records that accurately reflect all program transactions as they occur. The institution shall establish and maintain general ledger control accounts and related subsidiary accounts that identify each program transaction and separate those transactions from all other institutional financial activity. Program funds shall be

deposited in a noninterest-bearing account established and maintained exclusively for that purpose. Funds may only be disbursed to student accounts receivable or to the council. The institution shall hold program funds in the account for a maximum of 20 working days before transferring funds to student accounts. All unused funds must be returned to the council no later than the end of the fiscal year or 20 working days after receiving written request from the council, whichever is sooner.

Funds received by the institutions under the program may be used only to pay awards to students. The funds are held in trust on behalf of the Commonwealth of Virginia by the institutions for the intended student beneficiaries and may not be used for any other purpose.

§ 4. Student eligibility.

A. Eligibility criteria. In order to be eligible to receive an award, the student must:

1. Be a domiciliary resident of Virginia;
2. Enroll in the academic year for which the award is to be received as a full-time student in eligible program at an eligible institution;
3. Not have been convicted for failure to comply with federal selective service registration requirements; and
4. Complete and submit by the published deadline an application for an award.

B. Limitations on awards.

1. If a student receives a partial payment for a semester or quarter, the student's total term of eligibility is reduced by one semester or quarter.

2. Preference for awards will be given to eligible students who will enroll for the fall semester or quarter of any given academic year. Awards to students enrolling subsequent to the fall semester or quarter will be limited to funds available through attrition and other nonuse of authorized funds.

3. *Awards for students pursuing associate's degrees shall initially be made for one academic year but may be renewed for no more than one additional academic year, subject always to the availability of funds. Students pursuing associate's degrees shall be limited to a cumulative total of two academic years of eligibility for tuition assistance for each associate degree, and a cumulative total of four years of undergraduate assistance.*

3- 4. Awards for undergraduate *baccalaureate* students shall initially be made for one academic year; but may be renewed for no more than three additional academic years of undergraduate study, subject always to the availability of funds.

4. 5. Students pursuing degrees beyond the *baccalaureate* level shall be limited to a cumulative total of four academic years of eligibility for tuition assistance. Students enrolled in master's programs may receive assistance for two academic years; doctoral programs,

two academic years; law programs, three academic years; and medical programs, four academic years.

5- 6. Degree-holders enrolled in teacher certification programs may receive awards if the student has not exceeded undergraduate eligibility *and if the student was enrolled full time in the immediately preceding term.*

6- 7. Students receiving awards must maintain eligibility throughout the period for which the award is made.

7- 8. Students enrolled in a program leading to a second associate's, bachelor's, master's, or professional degree are not eligible to receive an award.

C. Appeals process. Students may appeal institutions' eligibility decisions by filing a written statement with the council by an annually established deadline.

§ 5. Award amount.

No award shall exceed the annual average appropriation per full-time equivalent student for the previous year from the general fund for operating costs at two- and four-year public institutions of collegiate education in Virginia. The amount of the award will be determined by the number of eligible applicants and funds available. In no event shall any award exceed any award limit set forth in the Appropriations Act.

An award received by a student under the program shall not be reduced by the student's receipt of other financial aid from any source unless the award, when added to other financial aid, would enable the student to receive total assistance in excess of the estimated cost of attendance at the institution the student attends.

A student who receives a tuition waiver may not receive a full award if the sum of the tuition waiver and the award exceeds total tuition charges. However, the student may receive an award in the amount of the difference between tuition charges and the tuition waiver.

A student who falls under the full-time requirement exception shall receive a partial award that is prorated based on the student's actual tuition charges and tuition charged a full-time student.

§ 6. Administration.

A. The council. The council will periodically review institutional administrative practices to determine compliance with these regulations. If the council determines that an institution has failed to rectify substantial compliance errors after an opportunity to do so is provided by the council, the council may, after a 20-day written notice of pending action to the institution, suspend or terminate its future participation in the program. In all instances, the council will require the institution to recover and refund to the council any state funds that were expended improperly.

The council will periodically send confirmation letters to award recipients. The letters shall include but not be limited to requests for information about status, permanent address, domicile, and funds received to date.

The council will provide assistance, interpretation of policy and regulations, and guidance to the institutions in their handling of administrative matters. The assistance will be in

the form of, but not limited to, information about the program and preparation of the student application. If an institution wishes to do so, it may prepare its own application, so long as it is approved by the council.

B. Participating institutions. Institutions shall:

1. Certify student eligibility in all respects ~~except domicile for the purpose of § 23-7.4 of the Code of Virginia;~~

2. Provide the council with information pertinent to determining domicile and key application data onto a domiciliary diskette provided by the council or process information in a format approved by the council;

3. Notify, in writing, students whose applications are rejected that they are not eligible for awards ~~and for what reason, the reason they are not eligible, and the deadline date for submitting appeals to the council;~~

4. Secure and provide to the council such information regarding student applicants and award recipients as the council deems necessary for the proper administration of the program;

5. Act, with the student's authorization, as the student's agent to receive and hold program funds for the student's use as tuition assistance;

6. Furnish periodic reports and other pertinent information as may be required by the council. The reports shall include but not be limited to copies of institutional financial aid audit reports and audited financial statements;

7. Ensure that each application bears a stamp indicating the date the application was received by the institution. Applications received in the mail after the annually established closing dates for on-time or late applications may be treated as on-time or late applications, respectively, if proof of mailing on or before the closing date accompanies the application. The only proof of mailing accepted shall be either a completed Certificate of Mailing obtained from the U.S. Post Office by the applicant or the postmarked envelope showing that the application was mailed on or before the closing date at the institution. An application bearing a stamped date of receipt later than the closing date for late applications shall normally not be considered; and

8. Withdraw from the program only upon a 60-day written notice to both its student body and the council. Withdrawal shall be effective at the conclusion of the academic year designated by the withdrawing participant.

The institution's chief executive officer shall designate one individual at the institution to act as the primary representative of the institution in all matters pertaining to the administration of the program. The chief executive officer shall, in addition, indicate whether the primary institutional representative may designate a single subordinate who may act as an alternate representative for routine administrative operational matters at the campus. At multi-campus institutions, an alternate representative may be designated for each branch campus if the chief executive officer

Final Regulations

authorizes the appointment of alternate representatives. If there is a change in the primary representative, the chief executive officer shall designate another individual and notify the council within 30 days, in writing, of the change. It is the responsibility of the primary representative to advise the council in a similar fashion of changes in alternate representative(s), if any.

C. Responsibility of recipients. A recipient of an award under the program shall notify the institution, in writing, of any name or permanent address changes.

VA.R. Doc. No. R95-689; Filed August 18, 1995, 9:25 a.m.

Title of Regulation: VR 380-03-05. Policies and Procedures for the Virginia Graduate and Undergraduate Program (REPEALED).

VA.R. Doc. No. R95-688; Filed August 18, 1995, 9:25 a.m.

Title of Regulation: VR 380-03-05:1. Virginia Graduate and Undergraduate Assistance Program Regulations.

Statutory Authority: § 23-38.19:1 of the Code of Virginia.

Effective Date: September 4, 1995.

Summary:

These regulations set forth the general policies and procedures that participating institutions of higher education should use when determining who is eligible for an award under the program and when administering the program. The key provisions of the regulations include sections on endowment funds and reporting requirements.

Agency Contact: Copies of the regulation may be obtained from Melissa A. Collum, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, Richmond, Virginia 23219, telephone (804) 371-0554.

VR 380-03-05:1. Virginia Graduate and Undergraduate Assistance Program Regulations.

§ 1. Definitions.

The following words and terms, when used in these regulations, will have the following meanings, unless the context clearly indicates otherwise:

"Council" means the State Council of Higher Education for Virginia.

"Domiciliary resident of Virginia" means a student meets the definition of a domiciliary resident of Virginia, as specified under § 23-7.4 of the Code of Virginia.

"Full-time student" means a student who is enrolled for at least 12 credit hours per semester or its equivalent at the undergraduate level or nine credit hours per semester or its equivalent at the graduate or first professional level. The total hours counted will not include courses taken for audit, but may include required developmental or remedial courses and other elective courses which normally are not counted toward a degree at the institution.

"Graduate student" means a program-placed student enrolled in an approved master's, certificate of advanced graduate study, specialist, doctoral, or first professional degree program.

"Program" means the Virginia Graduate and Undergraduate Assistance Program.

"Undergraduate student" means a program-placed student in an approved program leading to a certificate, diploma, associate's degree, or bachelor's degree.

§ 2. Purpose.

In 1990, the General Assembly created the Virginia Graduate and Undergraduate Assistance Program. The program is designed to provide student financial assistance funded from a combination of endowment income and state general fund appropriations. Full-time students who attend a Virginia public four-year or two-year college or university are eligible for the assistance. The general fund appropriation for this program will be made to the State Council of Higher Education for Virginia which will allocate the funds directly to the institutions of higher education. The council administers the program.

§ 3. Eligible endowment funds.

The following restrictions govern the receipt of endowment funds under the program:

- 1. The effective date of this program is July 1, 1991. Income earned by endowment funds created prior to July 1, 1991, is ineligible.*
- 2. To qualify for the program, gifts to institutions or their tax-exempt foundations must be restricted by donors to establish a true endowment for the sole and specific purpose of generating income for student financial assistance under the program.*
- 3. True endowment funds are funds received from a donor or donors with the restriction that the principal is not expendable on a current basis. Qualifying income related to each endowment will be a function of the spending policies adopted by the institutions. Growth in the endowment corpus may occur through increase in market value, receipt of additional restricted and qualified gifts to a specific, qualified endowment fund, or through the return of qualifying endowment income to corpus under a board-approved spending plan that maintains the purchasing power of the original gift.*
- 4. Documentation of a gift establishing a qualifying endowment will be maintained by the institution or its tax-exempt foundation. The documentation must show the donor's intent to establish a true endowment and state clearly that the income from the true endowment is to be used for the sole and specific purpose of providing student financial assistance under this program. Documentation held by a tax-exempt foundation must be available to the institution for audits.*
- 5. Institutions may seek an exception for gifts that do not meet all of these restrictions but appear to meet the intent of the program by submitting supporting material to*

the council staff for its review and certification of eligibility.

§ 4. Use of funds.

The following restrictions govern the use of funds under the program:

1. The first matching awards under the program will be made after July 1, 1992, subject to appropriations from the General Assembly.
2. Requests for matching funds must be based upon actual income on endowment funds already received by the institution or its tax-exempt foundation. No estimates based on anticipated endowment gifts may be included.
3. Full-time graduate, first professional, and undergraduate students in Virginia state-supported colleges and universities are eligible to receive awards under this program.
4. At least 50% of the recipients designated by an institution under this program shall be awarded to persons eligible to be classified as Virginia domiciliary resident students.
5. Awards must be made on a competitive basis to outstanding graduate, first professional, and undergraduate students. Each institution shall determine the criteria by which outstanding academic achievement is determined.
6. Awards shall be used only to pay tuition, fees, room, board, or other educational expenses, unless restricted further by the donor.

§ 5. Allocation of funds.

A. The appropriation of state funds under the program will be made to the council. The funds subsequently will be distributed to institutions, based on the council's allocation plan. In order to receive state matching funds under this program, institutions will file with council a statement that contains the following information:

1. An estimate of the corpus of eligible endowment funds at the end of the fiscal year preceding the year for which the request is being made.
2. Statement of actual income on the endowment for the preceding fiscal year. The statement should include the amount expended under the program, the amount returned to the fund to preserve spending power under an approved spending plan, and expendable balance.
3. Estimated income for future years, containing the same information described in subdivision 2 of this section. Estimated income should be calculated using an assumed rate of return equal to or less than the actual rate during the previous fiscal year on this class of funds. Supporting detail on each separate fund, if applicable, must be made available upon request.
4. The total request for state matching funds.
5. A certification statement, signed by the president or vice president of financial affairs, that the request

conforms to the eligibility requirements contained in these regulations, the Code of Virginia, and the governing board of the institution.

B. Program funds will be distributed annually. All distributions of state matching funds are subject to the availability of funds and will be subject to the following guidelines:

1. Subject to the availability of funds, in each year of the biennium each institution participating in the program will be allocated an amount equal to the lesser of its actual expenditures under the program for the preceding fiscal year or its request for state funds for the upcoming fiscal year.
2. Remaining funds will be allocated to institutions pro rata based on the institutions' unmet requests after the application of the first step, subject to the reasonableness of the request.
3. To receive matching funds, institutions must submit to the council a copy of DPB Form 27, a copy of the deposit certificate showing that matching endowment income has been deposited with the state treasurer, and any other material requested by the council or its officers.

§ 6. Reporting requirements.

Each institution participating in the program will submit annually to the council a report on program activities during that year. The report will contain the following information:

1. The total number of recipients under the program, by level and domiciliary status.
2. The total dollar value of awards expended under the program, by level and domiciliary status.
3. The criteria used for awarding the scholarships and fellowships.
4. Other information that may contribute to an understanding of the effectiveness of the program.

Reports, certifications, documentation, and other material necessary to administer the program will be maintained by the institutions in accordance with their standard retention programs. These documents will be subject to routine review by the council and to audit by the Auditor of Public Accounts.

V.A.R. Doc. No. R95-693; Filed August 18, 1995, 9:25 a.m.

Title of Regulation: VR 380-03-07. Virginia Guaranteed Assistance Program Regulations (REPEALED).

Statutory Authority: § 23-38.53:4 of the Code of Virginia.

Effective Date: September 4, 1995.

Summary:

Prior to 1995, the Virginia Guaranteed Assistance Program was a joint program operated by the Board of Education and the Council of Higher Education. Action by the 1995 General Assembly separated the public

Final Regulations

school and collegiate components into separate programs. Funding for the council's portion of the Virginia Guaranteed Assistance Program was shifted to the Virginia Student Financial Assistance Program. Regulations for this program will be promulgated next year.

Agency Contact: Melissa A. Collum, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, Richmond, Virginia 23219, telephone (804) 371-0554.

VA.R. Doc. No. R95-692; Filed August 18, 1995, 9:26 a.m.

BOARD OF MEDICINE

Title of Regulation: [VR-465-02-4, 18 VAC 85-20-10 et seq.] Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic, Clinical Psychology and Acupuncture.

Statutory Authority: §§ 54.1-2400 and 54.1-2900 et seq. of the Code of Virginia.

Effective Date: October 4, 1995.

Summary:

The amendments provide additional specification for a statutory prohibition on sexual contact with patients. Section 54.1-2914 A 16 of the Code of Virginia establishes that unprofessional conduct includes sexual contact between a practitioner and patient by virtue of the practitioner/patient relationship. In an effort to clarify the intent of the statute, the board has adopted § 1.10 as a new section. The board has determined that a state examination for chiropractic licensure is unnecessary and burdensome and has amended regulations to require passage of the national examination as the criteria for licensure. The board added a requirement for Part IV of the examination in response to concerns expressed during the public comment period. The board also adopted amendments to eliminate unnecessary regulations pertaining to physician acupuncturists to increase public access to qualified practitioners.

Summary of Public Comment and Agency Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

Agency Contact: Copies of the regulation may be obtained from Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, Fourth Floor, Richmond, Virginia 23230, telephone (804) 662-9908.

18 VAC 85-20-10 et seq. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic, Clinical Psychology and Acupuncture.

PART I. GENERAL PROVISIONS.

§ 1.1. Definitions.

A. The following words and terms, when used in these regulations, shall have the meaning ascribed to them in § 54.1-2900 of the Code of Virginia:

Acupuncture

Board

Clinical psychologist

Practice of clinical psychology

Practice of medicine or osteopathy

Practice of chiropractic

Practice of podiatry

The healing arts.

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

"*American institution*" means any accredited licensed medical school, college of osteopathic medicine, school of podiatry, chiropractic college, or institution of higher education offering a doctoral program in clinical psychology, located in the United States, its territories, or Canada.

"*Principal site*" means the location in a foreign country where teaching and clinical facilities are located.

§ 1.2. Public Participation Guidelines.

A separate board regulation, VR 465-01-01, entitled Public Participation Guidelines, which provides for involvement of the public in the development of all regulations of the Virginia State Board of Medicine, is incorporated by reference in these regulations.

§ 1.3. Advertising ethics.

A. Any statement specifying a fee for professional services which does not include the cost of all related procedures, services and products which, to a substantial likelihood will be necessary for the completion of the advertised service as it would be understood by an ordinarily prudent person, shall be deemed to be deceptive or misleading, or both. Where reasonable disclosure of all relevant variables and considerations is made, a statement of a range of prices for specifically described services shall not be deemed to be deceptive or misleading.

B. Advertising discounted or free service, examination, or treatment and charging for any additional service, examination, or treatment which is performed as a result of and within 72 hours of the initial office visit in response to such advertisement is unprofessional conduct unless such professional services rendered are as a result of a bona fide emergency.

C. Advertisements of discounts shall disclose the full fee and documented evidence to substantiate the discounted fees.

§ 1.4. Vitamins, minerals and food supplements.

A. The use or recommendations of vitamins, minerals or food supplements and the rationale for that use or recommendation shall be documented by the practitioner. The rationale for said use must be therapeutically proven and not experimental.

B. Vitamins, minerals, or food supplements, or a combination of the three, shall not be sold, dispensed, recommended, prescribed, or suggested in toxic doses.

C. The practitioner shall conform to the standards of his particular branch of the healing arts in the therapeutic application of vitamins, minerals or food supplement therapy.

§ 1.5. Anabolic steroids.

It shall be considered unprofessional conduct for a licensee of the board to sell, prescribe, or administer anabolic steroids to any patient for other than accepted therapeutic purposes.

§ 1.6. Misleading or deceptive advertising.

A. A licensee or certificate holder's authorization of or use in any advertising for his practice of the term "board certified" or any similar words or phrase calculated to convey the same meaning shall constitute misleading or deceptive advertising under § 54.1-2914 of the Code of Virginia, unless the licensee or certificate holder discloses the complete name of the specialty board which conferred the aforementioned certification.

B. It shall be considered unprofessional conduct for a licensee of the board to publish an advertisement which is false, misleading, or deceptive.

§ 1.7. Current business addresses.

Each licensee shall furnish the board his current business address. All notices required by law or by these regulations to be mailed by the board to any such licensee shall be validly given when mailed to the latest address given by the licensee. Any change of address shall be furnished to the board within 30 days of such change.

§ 1.8. Solicitation or remuneration in exchange for referral.

It shall be unprofessional conduct for a licensee of the board to knowingly and willfully solicit or receive any remuneration, directly or indirectly, in return for referring an individual to a facility or institution as defined in § 37.1-179 of the Code of Virginia, or hospital as defined in § 32.1-123 of the Code of Virginia.

Remuneration shall be defined as compensation, received in cash or in kind, but shall not include any payments, business arrangements, or payment practices allowed by Title 42, § 1320a-7b(b) of the United States Code, as amended, or any regulations promulgated thereto.

§ 1.9. Pharmacotherapy for weight loss.

A. It shall be unprofessional conduct for a physician to prescribe amphetamine, Schedule II, for the purpose of weight reduction or control.

B. It shall also be unprofessional conduct for a physician to prescribe amphetamine-like drugs, Schedules III and IV, for the purpose of weight reduction or control in the treatment of obesity, except as a short-term adjunct to a therapeutic regimen of weight reduction.

C. It shall be unprofessional conduct for a physician to prescribe amphetamine-like substances for use as an anorectic agent in children under 12 years of age.

§ 1.10. Sexual contact with patients.

A. For purposes of § 54.1-2914 A 16 of the Code of Virginia, sexual contact between a practitioner and a patient includes, but is not limited to, sexual behavior or involvement with a patient including verbal or physical behavior which:

1. May reasonably be interpreted as intended for the sexual arousal or gratification of the practitioner, the patient, or both; or
2. May reasonably be interpreted as romantic involvement with a patient regardless of whether such involvement occurs in the professional setting or outside of it.

B. The determination of when a person is a patient for purposes of § 54.1-2914 A 16 of the Code of Virginia is made on a case-by-case basis with consideration given to the nature, extent, and context of the professional relationship between the practitioner and the person. The fact that a person is not actively receiving treatment or professional services from a practitioner is not determinative of this issue. A person is presumed to remain a patient until the patient-practitioner relationship is terminated. Sexual contact between a practitioner and a former patient after termination of the practitioner-patient relationship may still constitute unprofessional conduct if the sexual contact is a result of the exploitation of trust, knowledge, or influence of emotions derived from the professional relationship.

C. A patient's consent to, initiation of, or participation in sexual behavior or involvement with a practitioner does not change the nature of the conduct nor lift the statutory prohibition.

PART II.

LICENSURE: GENERAL REQUIREMENTS AND LICENSURE BY EXAMINATION.

§ 2.1. Licensure, general.

A. No person shall practice medicine, osteopathy, chiropractic, podiatry, acupuncture, or clinical psychology in the Commonwealth of Virginia without a license from this board, except as provided in § 4.3, ~~Exemption for temporary consultant~~, of these regulations.

B. For all applicants for licensure by this board except those in clinical psychology, licensure shall be by examination by this board or by endorsement, whichever is appropriate.

C. Applicants for licensure in clinical psychology shall take the examination of the Virginia State Board of Psychology, which will recommend those qualifying to the Board of Medicine for licensure.

§ 2.2. Licensure by examination.

A. Prerequisites to examination.

1. Every applicant for examination by the Board of Medicine for initial licensure shall:

- a. Meet the educational requirements specified in subdivision 2 or 3 of this subsection;

Final Regulations

b. File the complete application and credentials required in subdivision 4 of this subsection with the executive director of the board not less than 75 days prior to the date of examination; and

c. Pay the appropriate fee, specified in § 7.1, of these regulations, at the time of filing the application.

2. Education requirements: Graduates of American institutions. Such an applicant shall be a graduate of an American institution that meets the criteria of subdivision a, b, c, or d of § 2.2 A 2, whichever is appropriate to the profession in which he seeks to be licensed:

a. For licensure in medicine. The institution shall be a medical school that is approved or accredited by the Liaison Committee on Medical Education or other official accrediting body recognized by the American Medical Association, or by the Committee for the Accreditation of Canadian Medical Schools or its appropriate subsidiary agencies or any other organization approved by the board.

An applicant shall provide evidence of having completed one year of satisfactory postgraduate training as an intern or resident in a hospital or health care facility offering approved internship and residency training programs when such a program is approved by an accrediting agency recognized by the board for internship and residency training.

b. For licensure in osteopathy. The institution shall be a college of osteopathic medicine that is approved or accredited by the Committee on Colleges and Bureau of Professional Education of the American Osteopathic Association or any other organization approved by the board.

An applicant shall provide evidence of having completed one year of satisfactory postgraduate training as an intern or resident in a hospital or health care facility offering approved internship and residency training programs when such a program is approved by an accrediting agency recognized by the board for internship and residency training.

c. For licensure in podiatry. The institution shall be a school of podiatry approved and recommended by the Council on Podiatry Education of the American Podiatry Medical Association or any other organization approved by the board.

An applicant shall provide evidence of having completed one year of satisfactory postgraduate training as an intern or resident in a hospital or health care facility offering approved internship and residency training programs when such a program is approved by an accrediting agency recognized by the board for internship and residency training.

d. For licensure in chiropractic.

(1) If the applicant matriculated in a chiropractic college on or after July 1, 1975, he shall be a graduate of a chiropractic college accredited by the Commission on Accreditation of the Council of

Chiropractic Education or any other organization approved by the board.

(2) If the applicant matriculated in a chiropractic college prior to July 1, 1975, he shall be a graduate of a chiropractic college accredited by the American Chiropractic Association or the International Chiropractic Association or any other organization approved by the board.

3. Educational requirements: Graduates and former students of schools not approved by an accrediting agency recognized by the board shall:

a. Present documentary evidence that he:

(1) Was enrolled and physically in attendance at the institution's principal site for a minimum of two consecutive years and fulfilled at least half of the degree requirements while enrolled two consecutive academic years at the institution's principal site.

(2) Received a degree from the institution; and

(3) Has fulfilled the applicable requirements of § 54.1-2930 of the Code of Virginia.

(4) Has completed three years of satisfactory postgraduate training as an intern or resident in a hospital or health care facility offering an approved internship or residency training program when such a program is approved by an accrediting agency recognized by the board for internship and residency. The board may substitute other postgraduate training or study for up to two years of the three-year requirement when such training or study has occurred in the United States or Canada and is:

(a) An approved fellowship program; or

(b) A position teaching medical students, interns, or residents in a medical school program approved by an accrediting agency recognized by the board for internship and residency training.

(5) The board may substitute continuous full-time practice of five years or more with a limited professorial license in Virginia, and one year of postgraduate training in a foreign country, in lieu of three years of postgraduate training.

(6) The Virginia Board of Medicine recognizes as accrediting agencies the Liaison Committee on Graduate Medical Education (LCGME) and the Liaison Committee on Medical Education (LCME) of the American Medical Association, the American Osteopathic Association and the American Podiatric Medical Association and the License Medical Council of Canada (LMCC) or other official accrediting bodies recognized by the American Medical Association.

b. A graduate of a school not approved by an accrediting agency recognized by the board applying for examination for licensure in medicine or osteopathy shall also possess a standard Educational Council of Foreign Medical Graduates certificate (ECFMG), or its

equivalent. Proof of licensure by the board of another state or territory of the United States or a Province of Canada may be accepted in lieu of ECFMG certification.

c. An applicant for examination for licensure in medicine who completed all degree requirements except social services and postgraduate internship at a school not approved by an accrediting agency recognized by the board shall be admitted to examination provided that he:

(1) Was enrolled at the institution's principal site for a minimum of two consecutive years and fulfilled at least half of the degree requirements while enrolled at the institution's principal site;

(2) Has qualified for and completed an appropriate supervised clinical training program as established by the American Medical Association;

(3) Has completed the postgraduate hospital training required of all applicants for licensure as defined in § 54.1-2930 of the Code of Virginia; and

(4) Has completed three years of satisfactory postgraduate training as an intern or resident in a hospital or health care facility offering an approved internship or residency training program when such a program is approved by an accrediting agency recognized by the board for internship and residency. The board may substitute other postgraduate training or study for up to two years of the three-year requirement when such training or study has occurred in the United States or Canada and is:

(a) An approved fellowship program; or

(b) A position teaching medical students, interns, or residents in a medical school program approved by an accrediting agency recognized by the board for internship and residency training.

(5) The Virginia Board of Medicine recognizes as accrediting agencies the Liaison Committee on Graduate Medical Education (LCGME) and the Liaison Committee on Medical Education (LCME) of the American Medical Association, the American Osteopathic Association and the American Podiatric Medical Association and the License Medical Council of Canada (LMCC) or other official accrediting bodies recognized by the American Medical Association.

(6) Presents a document issued by the school not approved by an accrediting agency recognized by the board certifying that he has met all the formal requirements of the institution for a degree except social services and postgraduate internship.

4. Credentials to be filed prior to examination. Applicants shall file with the executive director of the board, along with their applications for board examination (and at least 75 days prior to the date of examination) the credentials specified in subdivisions

subdivision a, b, or c of § 2.2 A 4, whichever are appropriate:

a. Every applicant who is a graduate of an American institution shall file:

(1) Documentary evidence that he received a degree from the institution; and

(2) A complete chronological record of all professional activities since graduation, giving location, dates, and types of services performed.

b. Every applicant who attended a school not approved by an accrediting agency recognized by the board shall file:

(1) The documentary evidence of education required by subdivision 3 a, b, or c of this subsection, whichever is or are appropriate;

(2) All such documents not in the English language, a translation made and endorsed by a consul or by a professional translating service; and

(3) A complete chronological record of all professional activities since the applicant attended the school not approved by an accrediting agency recognized by the board, giving location, dates, and types of services performed.

c. Every applicant discharged from the United States military service within the last 10 years shall in addition file with his application a notarized photostatic copy of his discharge papers.

B. Applicants for licensure by board examination shall take the appropriate examination prescribed by the board as provided in § 3.1 Examinations, of these regulations.

§ 2.3. Supervision of unlicensed persons practicing as psychologists in exempt settings; reporting requirements.

A. Pursuant to subdivision 4 of § 54.1-3601 of the Code of Virginia, supervision by a licensed psychologist shall mean that the supervisor shall:

1. Provide supervision of unlicensed personnel who are providing psychological services as defined in § 54.1-3600 and who are functioning in practice and title as a professional psychologist, including the review of assessment protocols, intervention plans and psychological reports, with review denoted by countersignature on all client records and reports as specified in the required protocols within 30 days of origination;

2. Determine and carry out instructional and evaluative consultation with supervisees appropriate to their levels of training and skill, and adjust their service delivery according to current standards of professional practice; and

3. Supervise only those psychological services that fall within the supervisor's area of competence as demonstrated by his own professional practice and experience.

Final Regulations

B. A clinical psychologist who is providing supervision, as provided for in subdivision 4 of § 54.1-3601, shall:

1. Submit to the board, within 120 days of the effective date of this regulation, a copy of the supervisory protocol established for each unlicensed supervisee and signed by the supervisor, supervisee, and authorized representative of the institution or agency.
2. Notify the board of any changes in supervisory relationships, including terminations or additions, prior to or within 10 days of such change, with copies of supervisory protocol for all new supervisory relationships to follow within 30 days of such notice.

PART III. EXAMINATIONS.

§ 3.1. Examinations, general.

A. Applicants for licensure in medicine and osteopathy may take Components I and II of the Federation Licensing Examination (FLEX) separately or as a unit. However, in no case shall an applicant who has not passed Component I be eligible to sit for Component II as a separate examination. The examination results shall be reported to the candidate as pass/fail.

1. Applicants for licensure in medicine and osteopathy may be eligible to sit for Step 3 of the United States Medical Licensing Examination (USMLE) upon evidence of having passed Steps 1 and 2 of the United States Medical Licensing Examination (USMLE).
2. Applicants who have successfully passed Component I of the FLEX may be eligible to sit for Step 3 of the United States Medical Licensing Examination (USMLE) for licensure in Virginia.

B. Applicants who have taken both Components I and II of the Federation Licensing Examination (FLEX), in one sitting, and have failed to pass both components, or have taken and passed only one component in another state or territory of the United States, the District of Columbia, or Province of Canada, and have met all other requirements for licensure in Virginia may be eligible to take the failed or missing component upon payment of the fee prescribed in § 7.1.

C. Applicants for licensure in podiatry shall provide evidence of having passed the National Board of Podiatric Medical Examiners Examination, Parts I and II, to be eligible to sit for the Podiatric Medical Licensing Examination (PMLEXIS) in Virginia. The examination results shall be reported to the candidate as pass/fail.

~~D. Applicants for licensure in chiropractic shall provide evidence of having passed the National Board of Chiropractic Examiners Examination, Parts I, II and III, to be eligible to sit for the Virginia licensure examination administered by the board. Applicants who graduated prior to January 31, 1994, shall not be required to show evidence of having passed the National Board of Chiropractic Examiners Examination Part III to be eligible to sit for the licensure examination required by the board. A minimum score of 75 is required to pass the examination.~~

§ 3.2. Reexamination.

A. An applicant for licensure by examination who fails three consecutive attempts to pass the examination(s) administered by the board shall be eligible to sit for another series of three consecutive attempts upon presenting proof to the Credentials Committee of the board that he has fulfilled the requirements of subsection B, or C, or D of this section, whichever is appropriate.

B. An applicant for licensure in medicine or osteopathy who fails three consecutive attempts to pass Component I and Component II, or Parts I, II, and III of the FLEX examination or the United States Medical Licensing Examination in Virginia or any other state or territory of the United States, the District of Columbia, or Province of Canada, or a combination of either of these examinations, shall engage in one year of additional postgraduate training to be obtained in a hospital in the United States or Canada approved by the American Medical Association or the American Osteopathic Association.

C. An applicant for licensure in podiatry who fails three consecutive attempts to pass the Virginia examination administered by the board shall appear before the Credentials Committee of the board and shall engage in such additional postgraduate training as may be deemed appropriate by the Credentials Committee.

~~D. An unsuccessful candidate for chiropractic licensure after each series of three unsuccessful attempts for licensure by examination, shall engage in one year of additional professional training approved by the board before he will be eligible to retake another series of examinations.~~

§ 3.3. Administration of examination.

A. The board may employ monitors for the examination.

B. For examinations given by the board other than those for which answer sheets are furnished, plain paper shall be used, preferably white, and no reference shall be made indicating either school or date of graduation. One side of paper only may be written upon and as soon as each sheet is finished, it shall be reversed to prevent its being read by others.

C. Questions will be given out and papers collected punctually at the appointed time and all papers shall be handed in at once when expiration time is announced by the chief proctor.

D. Sections of the examination shall be in such sequence as may be determined by the Federation Licensure Examination (FLEX) Committee or appropriate testing agency.

E. The order of examination shall be posted or announced at the discretion of the board. If the board has no objections, the examiners may exchange hours or days of monitoring the examination.

F. For the guidance of examiners and examinees, the following rules shall govern the examination.

1. Only members of the board, office staff, proctors, and applicants shall be permitted in the examination room, except by consent of the chief proctor.

2. Applicants shall be seated as far apart as possible at desks or desk chairs and each shall have in plain view an admission card bearing his number and photograph.
3. No examinee shall have any compendium, notes or textbooks in the examination room.
4. Any conversation between applicants will be considered prima facie evidence of an attempt to give or receive assistance.
5. Applicants are not permitted to leave the room except by permission of and when accompanied by an examiner or monitor.
6. The use of unfair methods will be grounds to disqualify an applicant from further examination at that meeting.
7. No examiner shall tell an applicant his grade until the executive director has notified the applicant that he has passed or failed.
8. No examination will be given in absentia or at any time other than the regularly scheduled examination.
9. The chief proctor shall follow the rules and regulations recommended by the FLEX Test Committee or other testing agencies.

§ 3.4. Scoring of examination.

Scores forwarded to the executive director shall be provided to the candidate within 30 days or receipt of the scores provided by the testing service.

PART IV. LICENSURE BY ENDORSEMENT.

§ 4.1. Licensure by endorsement.

A. An applicant for licensure by endorsement will be considered on his merits and in no case shall be licensed unless the Credentials Committee is satisfied that he has passed an examination equivalent to the Virginia Board of Medicine examination at the time he was examined and meets all requirements of Part II of these regulations.

B. A Doctor of Medicine who meets the requirements of Part II of these regulations and has passed the examination of the National Board of Medical Examiners, FLEX, United States Medical Licensing Examination, or the examination of the Licensing Medical Council of Canada may be accepted for licensure by endorsement without further examination.

No applicant for licensure to practice medicine and surgery by endorsement will be considered for licensure unless the applicant has met all the following requirements for pre or postgraduate training as follows:

1. Graduates of schools of medicine approved by an accrediting agency recognized by the board shall have completed one year of satisfactory postgraduate training as an intern or resident in a hospital approved by the Accreditation Council for Graduate Medical Education, Licensing Medical Council of Canada or other official accrediting body recognized by the American Medical Association for intern or residency training.

2. Graduates of schools of medicine not approved by an accrediting agency recognized by the board who serve supervised clinical training in the United States as part of the curriculum of a school not approved by an accrediting agency recognized by the board, shall serve the clerkships in an approved hospital, institution or school of medicine offering an approved residency program in the specialty area for the clinical training received.

3. Graduates of schools of medicine not approved by an accrediting agency recognized by the board shall have completed three years of satisfactory postgraduate training as an intern or resident in a hospital approved by the Accreditation Council for Graduate Medical Education, Licensing Medical Council of Canada or other official accrediting body recognized by the American Medical Association for intern or residency training. The board may substitute other postgraduate training or study for up to two years of the three-year requirement when such training or study has occurred in the United States or Canada and is:

- a. An approved fellowship program; or
- b. A position teaching medical students, interns, or residents in a medical school program approved by an accrediting agency recognized by the board for internship and residency training.

4. The board may substitute continuous full-time practice of five years or more with a limited professorial license in Virginia, and one year of postgraduate training in a foreign country, in lieu of the three years of postgraduate training.

5. An applicant for licensure by the FLEX examination or the United States Medical Licensing Examination who has experienced three unsuccessful attempts, shall submit proof of one additional year of approved postgraduate studies in the United States following each series of three attempts to pass the FLEX or the United States Medical Licensing Examination to be eligible for licensure to practice medicine and surgery in Virginia.

6. Applicants who have sat for the United States Medical Licensing Examination shall provide evidence of passing Steps 1, 2, and 3 within a seven-year period.

C. A Doctor of Osteopathy who meets the requirements of Part II of these regulations and has passed the examination of the National Board of Osteopathic Examiners may be accepted for licensure by endorsement without further examination.

No applicant for licensure to practice osteopathy by endorsement will be considered for licensure unless the applicant has met all the following requirements for pre or postgraduate training as follows:

1. Graduates of schools of osteopathy approved by an accrediting agency recognized by the board shall have completed one year of satisfactory postgraduate training as an intern or resident in a hospital approved by the American Osteopathic Association, the American Medical Association, Licensing Medical Council of

Final Regulations

Canada or other official accrediting body recognized by the American Osteopathic Association, or the American Medical Association for intern or residency training.

2. Graduates of schools of osteopathy not approved by an accrediting agency recognized by the board who serve supervised clinical training in the United States as part of curriculum of a foreign osteopathic school, shall serve the clerkships in an approved hospital, institution or school of osteopathy or medicine offering an approved residency program in the specialty area for the clinical training received.

3. Graduates of schools of osteopathy not approved by an accrediting agency recognized by the board shall have completed three years of satisfactory postgraduate training as an intern or resident in a hospital approved by the American Osteopathic Association, the Accreditation Council for Graduate Medical Education, Licensing Medical Council of Canada or other official accrediting body recognized by the American Osteopathic Association, or the American Medical Association for intern or residency training. The board may substitute other postgraduate training or study for up to two years of the three-year requirement when such training or study has occurred in the United States or Canada and is:

- a. An approved fellowship program; or
- b. A position teaching osteopathic or medical students, interns, or residents in an osteopathic or medical school program approved by an accrediting agency recognized by the board for internship and residency training.

4. An applicant for licensure by the FLEX examination or the United States Medical Licensing Examination who has experienced three unsuccessful attempts, shall submit proof of one additional year of approved postgraduate studies in the United States following each series of three attempts to pass the FLEX or the United States Medical Licensing Examination to be eligible for licensure to practice osteopathy and surgery in Virginia.

5. Applicants who have sat for the United States Medical Licensing Examination shall provide evidence of passing Steps 1, 2, and 3 within a seven-year period.

D. A Doctor of Podiatry who meets the requirements of Part II of these regulations, and has passed the National Board of Podiatry Examiners examination and has passed a clinical competence examination equivalent to the Virginia Board of Medicine examination may be accepted for licensure by endorsement without further examination.

E. A Doctor of Chiropractic who meets the requirements of Part II of these regulations, who has passed the National Board of Chiropractic Examiners examination, and has passed an examination equivalent to the Virginia Board of Medicine Part III examination, and one of the following, may be accepted for licensure without further examination.

- [1. An applicant who graduated after January 31, 1996, shall document successful completion of Parts I, II, III,

and IV of the National Board of Chiropractic Examiners examination (NBCE).]

[2.] An applicant who graduated [after from] January 31, 1991, [to January 31, 1996,] shall document successful completion of Parts I, II, and III of the National Board of Chiropractic Examiners examination (NBCE).

[3.] An applicant who graduated from July 1, 1965, to January 31, 1991, shall document successful completion of Parts I, II, and III of the NBCE, or Parts I and II of the NBCE and the Special Purpose Examination for Chiropractic (SPEC), and document evidence of licensure in another state for at least two years immediately preceding their application.

[3. 4.] An applicant who graduated prior to July 1, 1965, shall document successful completion of the SPEC, and document evidence of licensure in another state for at least two years immediately preceding their application.

§ 4.2. Licensure to practice acupuncture as a physician acupuncturist.

~~Acupuncture is an experimental therapeutic procedure, used primarily for the relief of pain, which involves the insertion of needles at various points in the human body. There are many acupuncture points, and these points are located on most portions of the human body. Insufficient information is available regarding the general usefulness of acupuncture and the risks attendant. Among the risks that attend upon it are the possibilities of prolonged and inappropriate therapy. It is clear that the administration of acupuncture is accompanied by the possibility of serious side effects and injuries, and there are reported cases of such injuries. Possible complications and injuries include peritonitis, damage from broken needles, infections, serum hepatitis, acquired immunity deficiency syndrome, pneumothorax, cerebral vascular accident (stroke), damage to the eye or the external or middle ear, and the inducement of cardiac arrhythmia.~~

~~In the judgment of the board, acupuncture shall be performed only by those practitioners of the healing arts who are trained and experienced in medicine, as only such a practitioner has (i) skill and equipment to determine the underlying cause of the pain; (ii) the capability of administering acupuncture in the context of a complete patient medical program in which other methods of therapeutics and relief of pain, including the use of drugs and other medicines, are considered and coordinated with the acupuncture treatment; and (iii) skill and training which will minimize the risks attendant with its use.~~

~~Based on the foregoing considerations, The board will license as physician acupuncturists only doctors of medicine, osteopathy, and podiatry, as only these practitioners have demonstrated a competence in medicine by passing the medicine/osteopathy licensure examination or podiatry licensure examination.~~

No person shall practice acupuncture as a physician acupuncturist in the Commonwealth of Virginia without being licensed by the board to do so.

The board shall license as *physician* acupuncturists only licensed doctors of medicine, osteopathy, and podiatry. Such licensure shall be subject to the following condition: The applicant shall first have obtained at least 200 hours of instruction in general and basic aspects, specific uses and techniques of acupuncture and indications and contraindications for acupuncture administration.

A podiatrist may use acupuncture only for treatment of pain syndromes originating in the human foot.

The licensee shall maintain records of the diagnosis, treatment and patient response to acupuncture and shall submit records to the board upon request.

Failure to maintain patient records of those patients treated with acupuncture or failure to respond to the board's request for patient records within 30 days shall be grounds for suspension or revocation of a license to practice acupuncture.

§ 4.3. Exemption for temporary consultant.

A. A practitioner may be exempted from licensure in Virginia if:

1. He is authorized by another state or foreign country to practice the healing arts;
2. Authorization for such exemption is granted by the executive director of the board; and
3. The practitioner is called in for consultation by a licensee of the Virginia Board of Medicine.

B. Such practitioner shall not open an office or designate a place to meet patients or receive calls from his patient within this Commonwealth, nor shall he be exempted from licensure for more than two weeks unless such continued exemption is expressly approved by the board upon a showing of good cause.

§ 4.4. Limited licenses to foreign medical graduates.

A. A physician who graduated from a school not approved by an accrediting agency recognized by the board applying for a limited professional license to practice medicine in an approved medical school or college in Virginia shall:

1. Submit evidence of authorization to practice medicine in a foreign country.
2. Submit evidence of a standard Educational Commission for Foreign Medical Graduates (ECFMG) certificate or its equivalent.
3. Submit a recommendation from the dean of an accredited medical school in Virginia that the applicant is a person of professional rank whose knowledge and special training will benefit the medical school.

B. The limited professional license applies only to the practice of medicine in hospitals and outpatient clinics where medical students, interns or residents rotate and patient care is provided by the medical school or college recommending the applicant. The license will be valid for one year and may be renewed annually upon recommendation of the dean of the medical school and upon continued full-time employment as a faculty member.

C. An individual who has practiced with a limited professional license for five continuous years may have a waiver when applying for a full license to practice medicine in the Commonwealth of Virginia. The limited professional licensee applying for a full license shall meet the requirements of §§ 2.2 and 4.1.

D. A physician who graduated from a school not approved by an accrediting agency recognized by the board applying for a limited fellow license to practice medicine in an approved medical school or college in Virginia shall:

1. Submit evidence of authorization to practice medicine in a foreign country.
2. Submit evidence of a standard Educational Commission for Foreign Medical Graduates (ECFMG) certificate or its equivalent.
3. Submit a recommendation from the dean of an accredited medical school in Virginia that the applicant is a person of fellow rank whose knowledge and special training will benefit the medical school.

E. The limited fellow license applies only to the practice of medicine in hospitals and outpatient clinics where medical students, interns or residents rotate and patient care is provided by the medical school or college recommending the applicant. The license will be valid for one year and may be renewed not more than twice upon the recommendation of the dean of the medical school and upon continued full-time employment as a fellow.

§ 4.5. Temporary licenses to interns and residents.

A. An intern or resident applying for a temporary license to practice in Virginia shall:

1. Successfully complete the preliminary academic education required for admission to examinations given by the board in his particular field of practice, and submit a letter of confirmation from the registrar of the school or college conferring the professional degree, or official transcripts confirming the professional degree and date the degree was received.
2. Submit a recommendation from the applicant's chief or director of graduate medical education of the approved internship or residency program specifying acceptance. The beginning and ending dates of the internship or residency shall be specified.
3. Submit evidence of a standard Educational Commission for Foreign Medical Graduates (ECFMG) certificate or its equivalent if the candidate graduated from a school not approved by an accrediting agency recognized by the board.

B. The intern or resident license applies only to the practice in the hospital or outpatient clinics where the internship or residency is served. Outpatient clinics in a hospital or other facility must be a recognized part of an internship or residency program.

C. The intern or resident license shall be renewed annually upon the recommendation of the chief or director of graduate medical education of the internship or residency program no more than five times.

Final Regulations

A residency program transfer request shall be submitted to the board in lieu of a full application.

D. The extent and scope of the duties and professional services rendered by the intern or resident shall be confined to persons who are bona fide patients within the hospital or who receive treatment and advice in an outpatient department of the hospital or outpatient clinic where the internship or residency is served.

E. The intern and resident shall be responsible and accountable at all times to a fully licensed member of the staff where the internship or residency is served. The intern and resident is prohibited from employment outside of the graduate medical educational program where a full license is required.

F. The intern or resident shall abide by the respective accrediting requirements of the internship or residency as approved by the Liaison Council on Graduate Education of the American Medical Association, American Osteopathic Association, American Podiatric Medical Association, or Council on Chiropractic Education.

PART V.

RENEWAL OF LICENSE; REINSTATEMENT.

§ 5.1. Renewal of license.

Every licensee who intends to continue his practice shall renew his license biennially during his birth month and pay to the board the renewal fee prescribed in § 7.1 of these regulations.

A practitioner who has not renewed his license by the first day of the month following the month in which renewal is required shall be dropped from the registration roll.

An additional fee to cover administrative costs for processing a late application shall be imposed by the board. The additional fee for late renewal of licensure shall be \$25 for each renewal cycle.

§ 5.2. Reinstatement of lapsed license.

A practitioner who has not renewed his certificate in accordance with § 54.1-2904 of the Code of Virginia for two successive years or more and who requests reinstatement of licensure shall:

1. Submit to the board a chronological account of his professional activities since the last renewal of his license; and
2. Pay the reinstatement fee prescribed in § 7.1 of these regulations.

PART VI.

ADVISORY COMMITTEES AND PROFESSIONAL BOARDS.

§ 6.1. Advisory Committee on [*Physician*] Acupuncture.

The board may appoint an Advisory Committee on *Physician Acupuncture* from licensed practitioners in this Commonwealth to advise and assist the board on all matters relating to *physician acupuncture*. The committee shall consist of three members from the state-at-large and two members from the board. Nothing herein is to be construed to make any recommendation by the Advisory Committee on

Physician Acupuncture binding upon the board. The term of office of each member of the committee shall be for one year or until his successor is appointed.

§ 6.2. Psychiatric Advisory Committee.

A. The board may appoint a Psychiatric Advisory Committee from licensed practitioners in this Commonwealth to examine persons licensed under these regulations and advise the board concerning the mental or emotional condition of such person when his mental or emotional condition is an issue before the board. Nothing herein is to be construed to make any recommendations by the Psychiatric Advisory Committee binding upon the Board of Medicine.

B. The term of office for each member of the Psychiatric Advisory Committee shall be one year or until his successor is appointed.

PART VII.

FEES REQUIRED BY THE BOARD.

§ 7.1. Fees required by the board are:

A. Examination fee for medicine or osteopathy: The fee for the Federation Licensing Examination (FLEX) for Component I shall be \$275 and Component II shall be \$325. Upon successfully passing both components of the Federation Licensing Examination (FLEX) in Virginia, the applicant shall be eligible for licensure upon payment of a licensure fee of \$125 to the board. The fee for the United States Medical Licensing Examination (USMLE) shall be \$550.

B. Examination fee for podiatry: The fee for the Podiatry Licensure Examination shall be \$350.

~~C. Examination fee for chiropractic: The fee for the Virginia Chiropractic Examination shall be \$250. The fee for initial licensure for new graduates of doctors of chiropractic who [are within three months of graduation and who] do not hold a license in [Virginia or] another state [license] shall be \$250.~~

D. The fees for taking the FLEX USMLE Part III, podiatry, and chiropractic examination are nonrefundable. An applicant may, upon request 21 days prior to the scheduled exam, and payment of a \$100 fee, reschedule for the next time such examination is given.

~~E. The fee for rescoreing the Virginia Chiropractic Examination or the Virginia Podiatry Examination shall be \$75.~~

~~F. E. Certification of licensure: The fee for certification of licensure/grades to another state or the District of Columbia by the board shall be \$25. The fee shall be due and payable upon submitting the form to the board.~~

~~G. F. The fee for a limited license issued pursuant to § 54.1-2936 of the Code of Virginia shall be \$125. The annual renewal is \$25.~~

~~H. G. The fee for a duplicate certificate shall be \$25.~~

~~I. H. Biennial renewal of license: The fee for renewal shall be \$125, due in the licensee's birth month. An additional fee to cover administrative costs for processing a late application~~

may be imposed by the board. The additional fee for late renewal of licensure shall be \$25 for each renewal cycle.

~~J. I.~~ The fee for requesting reinstatement of licensure pursuant to § 54.1-2921 of the Code of Virginia shall be \$750.

~~K. J.~~ The fee for a temporary permit to practice medicine pursuant to § 54.1-2927 B of the Code of Virginia shall be \$25.

~~L. K.~~ The fee for licensure by endorsement for medicine, osteopathy, chiropractic, and podiatry shall be \$300. A fee of \$150 shall be retained by the board for a processing fee upon written request from the applicant to withdraw his application for licensure.

~~M. L.~~ The fee for licensure to practice acupuncture shall be \$100.

The biennial renewal fee shall be \$80, due and payable by June 30 of each even-numbered year.

~~N. M.~~ Lapsed license: The fee for reinstatement of a license issued by the Board of Medicine pursuant to § 54.1-2904, which has expired for a period of two years or more, shall be \$250 and shall be submitted with an application for licensure reinstatement.

~~O. N.~~ The fee for a limited license issued pursuant to § 54.1-2937 shall be \$10 a year. An additional fee for late renewal of licensure shall be \$10.

~~P. O.~~ The fee for a letter of good standing/verification to another state for a license shall be \$10.

~~Q. P.~~ The fee for taking the Special Purpose Examination (SPEX) shall be \$350. The fee shall be nonrefundable.

~~R. Q.~~ Any applicant having passed one component of the FLEX examination in another state shall pay \$325 to take the other component in the Commonwealth of Virginia.

NOTICE: The forms used in administering the Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic, Clinical Psychology and Acupuncture are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Department of Health Professions, Board of Medicine, 6606 West Broad Street, Richmond, Virginia 23230, or at the Office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Room 262, Richmond, Virginia 23219.

Application for a License to Practice Medicine/Osteopathy (Rev. 3/94)

Claims History Sheet (Rev. 7/93) #A

Employment Verification/Reference (Rev. 7/93) #B

Clearance From Other State Boards (Rev. 7/93) #C

Virginia Request for Physician Profile (Rev. 7/93) #D

Disciplinary Inquiries (Rev. 7/93) #E

Certificate of Secretary of State Board Issuing Original License (Rev. 7/93) #F

Instructions for Completing National Boards Endorsement Application, HRB-30-005 (10/94)

Instructions for Completing National Board of Osteopathic Examiners Endorsement Application, HRB-30-006 (10/94)

Instructions for Completing FLEX Endorsement Application, American Graduate, HRB-30-007 (10/94)

Instructions for Completing FLEX Endorsement Application, Non-American Graduate, HRB-30-008 (10/94)

Instructions for Completing LMCC Endorsement Application, Canadian/American Graduate, HRB-30-009 (10/94)

Instructions for Completing Other Boards Endorsement Application, American Graduate, HRB-30-001 (10/94)

Instructions for Completing Other Boards Endorsement Application, Non-American Graduate, HRB-30-002 (10/94)

Instructions for Completing Other Boards/American Boards Endorsement Application, American Graduate, HRB-30-003 (10/94)

Instructions for Completing Other Boards/American Boards Endorsement Application, Non-American Graduate, HRB-30-004 (10/94)

Information and Instructions for Completing an Application for the United States Medical Licensing Examination (USMLE) (Rev. 11/94)

Information and Instructions for Completing an Application for the United States Medical Licensing Examination (USMLE) For Foreign Graduates (Rev. 11/94)

Application for a License to Practice Podiatry (Rev. 3/94)

Employment Verification/Reference (Rev. 5/94) #B

Virginia Request for Podiatry Disciplinary Action (Rev. 7/93) #J

Clearance from Other State Boards (Rev. 5/94) Form # C (P)

Instructions Regarding the Podiatry Examination - (PMLEXIS) (Rev. 9/94)

Instructions for Completing Podiatry Endorsement Application, HRB-30-015 (10/94)

Application for a License to Practice Chiropractic, DHP-03-058 (Rev. 3/94)

Chiropractic Employment/Professional Activity Questionnaire (Rev. 7/93) #B

Chiropractic Clearance from Other State Board (Rev. 7/93) #C

Certificate of Secretary of State Board Issuing Original License, #F

Instructions for Completing Chiropractic Endorsement Application, HRB-30-016 (10/94)

Application for a License to Practice Acupuncture (Rev. 7/93)

Acupuncture Programs Approved by the Virginia Board of Medicine

Instructions for Completing an Application for Licensure to Practice Acupuncture

Final Regulations

Application for a Temporary License for Intern/Resident Training Program, DHP-030-061 (Rev. 3/94)

Certificate of Enrollment, Intern/Resident (Rev. 7/93) Form A

Certificate of Professional Education, Intern/Resident (Rev. 7/93) Form B

Requirements and Instructions for an Intern/Resident License, HRB-30-061 (Rev. 2/7/92)

VA.R. Doc. No. R95-687; Filed August 18, 1995, 8:33 a.m.

DEPARTMENT OF TRANSPORTATION (COMMONWEALTH TRANSPORTATION BOARD)

REGISTRAR'S NOTICE: The following regulations were filed by description with the Registrar of Regulations in accordance with § 2.3 of the Virginia Code Commission Regulations Implementing the Virginia Register Act. Section 2.3 of the Virginia Code Commission Regulations allows the Registrar to authorize the filing of a regulatory document by description in lieu of filing the entire text pursuant to criteria identified in that section.

Title of Regulation: VR 385-01-19. Rules and Regulations Governing Vehicle Use.

Statutory Authority: § 33.1-407 of the Code of Virginia.

Effective Date: October 4, 1995.

Exemptions Claimed:

This regulation is exempt from the Administrative Process Act pursuant to § 9-6.14:4.1 C 2 of the Code of Virginia, which excludes from Article 2 of the Administrative Process Act regulations that establish or prescribe agency organization, internal practice or procedures, including delegations of authority. Subdivision 2 a of § 2.3 of the Virginia Code Commission Regulations allows regulations concerning public officers and employees to be filed by description subject to the authorization of the Registrar of Regulations. The Department of Transportation will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Description:

The Division of Fleet Management's Rules and Regulations Governing the Use, Operation and Maintenance of State-Owned Fleet Vehicles establishes the policies and procedures concerning assignment, recordkeeping, and use of fleet vehicles. In 1994, VR 385-01-19 was revised. The revision included reordering some of the sections to make it easier to read; the definition of "law-enforcement officer" was changed to reflect the definition contained in § 9-169 of the Code of Virginia; the phone numbers for the Virginia State Police Division headquarters were updated; and the function of the Uniform Accident Prevention Committee was incorporated into the regulation.

VA.R. Doc. No. R95-621; Filed June 26, 1995, 9:14 a.m.

* * * * *

Title of Regulation: VR 385-01-49. Roadway and Structure Lighting.

Statutory Authority: § 33.1-407 of the Code of Virginia.

Effective Date: October 4, 1995.

Exemptions Claimed:

This regulation is exempt from the Administrative Process Act pursuant to § 9-6.14:4.1 B 4 of the Code of Virginia, which excludes from Article 2 of the Administrative Process Act regulations relating to grants of state or federal funds or property. Subdivision 2 e of § 2.3 of the Virginia Code Commission Regulations allows regulations concerning state property or funds to be filed by description subject to the authorization of the Registrar of Regulations. The Department of Transportation will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Description:

The Department Policy Memorandum (DPM) 9-4, "Roadway & Structure Lighting," discusses the policy and procedures concerning the responsibility of the Virginia Department of Transportation (VDOT) and localities in paying for roadway lighting.

VDOT may construct, maintain, and operate roadway lighting on highway systems which are maintained by it, where such lighting is deemed necessary for traffic safety by the engineers of the department. The cost of the installation of the lighting shall be funded from annual construction allocations to the system. The cost of maintenance and operation of lighting will be borne by the appropriate system maintenance funds.

VDOT may construct roadway lighting on urban system highways where such lighting is deemed necessary for traffic safety by the engineers of the department, or for replacement of existing roadway lighting. The cost of the installation of the lighting shall be funded from the annual urban system construction allocations to the requesting locality. The cost of maintenance and operation of the lighting shall be borne by the locality.

Where roadway lighting on highway systems is requested by others for their benefit and convenience, and is not deemed necessary for traffic safety by the engineers of VDOT, the installation, maintenance, and operation of the lighting shall be provided by and at the sole expense of others, provided all necessary permits and agreements have been secured. Where approved lighting plans exist, the department may provide conduit and other roadway lighting amenities, at project cost, to avoid future disruptions to traffic.

This policy will apply to all construction projects advertised in July, 1996, and thereafter.

VA.R. Doc. No. R95-694; Filed August 10, 1995, 3:45 p.m.

REGISTRAR'S NOTICE: The following regulation filed by the Department of Transportation is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 C 1 of the Code of Virginia, which excludes orders or regulations fixing rates or prices. The Department of Transportation will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: VR 385-01-68. Rules, Regulations, and Rates Concerning Toll and Bridge Facilities.

Statutory Authority: §§ 2.1-20.01:2, 33.1-8, 33.1-12, 33.1-252, 33.1-269(3), 33.1-285 and 33.1-292 of the Code of Virginia.

Effective Date: October 4, 1995.

Summary:

This regulation establishes the rate schedules and delegation of authority under which the Virginia Department of Transportation may temporarily suspend toll collection operations at two facilities currently conducting toll operations (Dulles Toll Road and the Powhite Parkway), and one facility proposed to reopen as a toll facility (George P. Coleman Bridge).

Agency Contact: Copies of the regulation may be obtained from David L. Roberts, Management Services Division, Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-3620.

VR 385-01-68. Rules, Regulations, and Rates Concerning Toll and Bridge Facilities.

§ 1. Applicability and effective dates.

This regulation applies to the following facilities: the Dulles Toll Road, administered by the Northern Virginia District; the Powhite Parkway Extension Toll Road, administered by the Richmond District; and the George P. Coleman Bridge, administered by the Suffolk District. Provisions of this regulation will become effective as provided for by § 9-6.14:9.3 of the Administrative Process Act, or as otherwise stated in § 3.

§ 2. General conditions and criteria concerning suspension of toll collection.

A. Tolls may be temporarily suspended on any toll facility subject to this regulation, under the following conditions:

1. The Commonwealth Transportation Commissioner or his designee has investigated or assessed a threat to public safety on or in the vicinity of the toll facility; and
2. As a result of the investigation or assessment, the Commonwealth Transportation Commissioner or his designee believes that a temporary suspension of toll collection will alleviate an actual or potential threat or risk to the public's safety, or facilitate the flow of traffic on or within the vicinity of the toll facility.

B. Incidents which may justify the temporary suspension of toll collection operations include, but are not limited to, the

following: natural disasters, such as hurricanes, tomadoes, fires, and floods; accidental releases of hazardous materials, such as chemical spills; major traffic accidents, such as multi-vehicle collisions; and any other incidents deemed to present a risk to public safety.

C. *Judicial proceedings arising from any incident resulting in the suspension of toll collection will be conducted as provided for by § 33.1-252 of the Code of Virginia.*

§ 3. Rates and delegation of authority to suspend toll collection.

A. *The Commonwealth Transportation Commissioner delegates the authority to suspend toll collection operations on the Dulles Toll Road to the Northern Virginia District Administrator, subject to the conditions and criteria outlined in § 2 A and B. At his discretion, the Northern Virginia District Administrator may delegate this authority to others within the district organization. This delegation of authority includes establishing policies and procedures specific to the toll facility governing the investigation and decision-making processes associated with the possible suspension of toll collections. These policies and procedures shall become part of the toll facility's operating plan.*

B. *The following are the toll rate schedules for the Dulles Toll Road.*

DULLES TOLL ROAD RATE STRUCTURE			
VEHICLE CLASS	MAIN PLAZA	SULLY ROAD	OTHER RAMPS
Passenger Cars	\$0.50	\$0.35	\$0.25
Passenger Cars w/trailers	\$1.00	\$0.70	\$0.50
Motorcycles	\$0.50	\$0.35	\$0.25
Trucks, two axles, four tires	\$0.50	\$0.35	\$0.25
Trucks, two axles, six tires	\$1.00	\$0.70	\$0.50
Trucks, two axles, w/trailer	\$1.00	\$0.70	\$0.50
Trucks, three or more axles	\$1.00	\$0.70	\$0.50
Trucks, three or more axles, w/trailer	\$1.00	\$0.70	\$0.50
Buses, two axles	\$1.00	\$0.70	\$0.50
Buses, Three axles	\$1.00	\$0.70	\$0.50

C. *The Commonwealth Transportation Commissioner delegates the authority to suspend toll collection operations on the Powhite Parkway Extension Toll Road to the Richmond District Administrator, subject to the conditions and criteria outlined in § 2 A and B. At his discretion, the Richmond District*

Final Regulations

Administrator may delegate this authority to others within the district organization. This delegation of authority includes establishing policies and procedures specific to the toll facility governing the investigation and decision-making processes associated with the possible suspension of toll collections. These policies and procedures shall become part of the toll facility's operating plan.

D. The following are the toll rate schedules for the Powhite Parkway Extension Toll Road.

POWHITE PARKWAY EXTENSION TOLL ROAD MAXIMUM RATE STRUCTURE				
VEHICLE CLASS	MAIN LINE PLAZA	MAIN LINE PLAZA - EAST AND WEST RAMP	RAMP - ROUTE 60	RAMP - COURT-HOUSE ROAD
Two axle vehicles	\$0.75	\$0.25	\$0.25	\$0.50
Three axle vehicles	\$1.00	\$0.35	\$0.35	\$0.60
Four axle vehicles	\$1.25	\$0.45	\$0.45	\$0.70
Five axle vehicles	\$1.50	\$0.55	\$0.55	\$0.80
Six axle vehicles	\$1.50	\$0.55	\$0.55	\$0.80

E. No tolls shall be collected on the George P. Coleman Bridge until the Virginia Department of Transportation determines that the bridge's reconstruction project is completed and it is opened to traffic. In anticipation of that date, the Commonwealth Transportation Commissioner delegates the authority to suspend pending toll collection operations on the George P. Coleman Bridge to the Suffolk District Administrator, subject to the conditions and criteria outlined in § 2 A and B. At his discretion, the Suffolk District Administrator may delegate this authority to others within the district organization. This delegation of authority includes establishing policies and procedures specific to the toll facility governing the investigation and decision-making processes associated with the possible suspension of toll collections. These policies and procedures shall become part of the toll facility's operating plan.

VAR. Doc. No. R95-678; Filed August 14, 1995, 3:19 p.m.

STATE CORPORATION COMMISSION

FINAL REGULATIONS

Bureau of Financial Institutions

Title of Regulations: [~~VR 225-01-0604, 10 VAC 5-60-40.~~]
Rules Governing Open-End Credit Business in Licensed
Consumer Finance Offices.

[~~VR 225-01-0605, 10 VAC 5-60-50.~~] Rules Governing
Real Estate Mortgage Business in Licensed Consumer
Finance Offices.

Statutory Authority: § 6.1-244 and 12.1-13 of the Code of
Virginia.

Effective Date: August 15, 1995.

Agency Contact: Copies of the regulation may be obtained
from E. J. Face, Bureau of Financial Institutions, State
Corporation Commission, P.O. Box 1197, Richmond, VA
23209, telephone (804) 371-9657. Copying charges are
\$1.00 for the first two pages, and 50¢ for each page
thereafter.

AT RICHMOND, AUGUST 7, 1995

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

Ex Parte: In the matter of CASE NO. BFI950177
amending the rules governing
open-end credit and mortgage
lending in offices licensed
under the Consumer Finance Act

ORDER ADOPTING REGULATIONS

By order herein dated June 21, 1995, the Commission directed that notice be given of certain amendments to VR 225-01-0604, "Rules Governing Open-End Credit Business in Licensed Consumer Finance Offices," and VR 225-01-0605, "Rules Governing Real Estate Mortgage Business in Licensed Consumer Finance Offices," which amendments had been proposed by the Bureau of Financial Institutions (the "Bureau"). Notice was duly published July 10, 1995, in the Virginia Register and was also given by the Bureau to all licensees under the Consumer Finance Act (the "Act"), the Virginia Financial Services Association, the Virginia Citizens Consumer Counsel, the Virginia Poverty Law Center, and the Office of the Attorney General. Interested parties were invited to file written comments and requests for a hearing on the proposed amendments on or before July 31, 1995.

Two amendments (i) eliminate the minimum amount of open-end credit agreement or mortgage loan, and (ii) eliminate the prohibition against making a consumer finance loan and an open-end or mortgage loan to the same borrower for the purpose of obtaining a higher interest rate. (The prohibition against such duplicate loans as part of the same transaction is retained.) Credit involuntary unemployment insurance is added to the list of kinds of insurance that may be sold in connection with open-end credit and mortgage loans, and the rules are rearranged and revised to conform to the Virginia Registrar of Regulations' Style Manual.

One licensee filed a written comment which advocated eliminating the prohibition, in each set of Rules, against converting an open-end credit agreement or mortgage loan into a loan made under the Act. No request for a hearing was filed.

The Commission, having considered the proposed regulations and the submission in this case, concludes that the regulations should be adopted as proposed, there being no evidence to support the notion that rates ordinarily charged on loans made under the Act are at a level below those which are available generally in connection with open-end credit or mortgage loans.

THEREFORE, IT IS ORDERED THAT:

(1) The regulations entitled "Rules Governing Open-End Credit Business in Licensed Consumer Finance Offices" and "Rules Governing Real Estate Mortgage Business in Licensed Consumer Finance Offices," attached hereto, are adopted.

(2) The regulations, as adopted, shall be transmitted for publication in the Virginia Register.

(3) There being nothing further to be done in the matter, this case is dismissed. The papers herein shall be placed among the ended cases.

AN ATTESTED COPY hereof shall be sent to the Commissioner of Financial Institutions, who shall mail a copy of this order and the regulations (without editing marks) to all licensees under the Act and to such other recipients as he may find appropriate.

10 VAC 5-60-40. Rules Governing Open-End Credit Business in Licensed Consumer Finance Offices.

~~1. [§ 1. Separate entity required; compliance with applicable laws. A.]~~ The business of extending open-end credit shall be conducted by a separate legal entity, and not by the consumer finance licensee. *The separate, open-end credit entity ("separate entity") shall comply with all applicable state and federal laws.*

~~2. All governing State and Federal laws shall be observed.~~

~~3. [§ 2. Separate books to be maintained; Bureau of Financial Institutions' access to records. B.]~~ Separate books and records shall be maintained by the licensee and the separate entity, and the books and records of the licensee shall not be commingled with those of the separate entity, but shall be kept in a different location within the office. *The Bureau of Financial Institutions shall be given access to the books and records of the separate entity, and shall be furnished such information as it may require in order to assure compliance with these rules.*

~~[§ 3. Accounting for expenses to be separate. C.]~~ *The expenses of the two entities will be accounted for separately and so reported to the Bureau of Financial Institutions as of the end of each calendar year.*

~~4. The minimum amount of credit which may be extended to any consumer or borrower under an open-end credit agreement shall be at least two hundred~~

State Corporation Commission

dollars (\$200.00) greater than the consumer finance loan ceiling in effect at the time such agreement is made.

~~5. [§ 4. Misleading advertising, misrepresentation about licensing or supervision prohibited. D.] Advertising or other information published by the licensee or the separate entity shall not contain any false, misleading or deceptive statement or representation concerning the rates, terms or conditions for loans or credit made or extended by either of them. The separate entity shall not make or cause to be made any misrepresentation as to its being a licensed lender, or as to the extent to which it is subject to supervision or regulation.~~

~~6. [§ 5. Duplicate loans prohibited. E.] The licensee and the separate entity shall not make both a consumer finance loan and an extension of open-end credit to the same borrower or borrowers as part of the same transaction or for the purpose of obtaining a higher interest rate.~~

~~7. [§ 6. Sale of certain insurance prohibited; exceptions. F.] Except as authorized by the Commissioner of Financial Institutions, or by order of the State Corporation Commission, insurance, other than credit life or insurance, credit accident and health, sickness insurance and credit involuntary unemployment insurance, shall not be sold in licensed consumer finance offices in connection with any extension of open-end credit by the separate entity.~~

~~8. [§ 7. Finance charge to end on date balance paid. G.] When the balance owed under an open-end credit agreement is paid, finance charges will be assessed only to the date of payment.~~

~~9. The expenses of the two entities will be accounted for separately and so reported to the Bureau as of the end of each calendar year.~~

~~10. [§ 8. Conversion to consumer finance loan forbidden. H.] The balance owed under an open-end credit agreement shall not, in whole or in part, be converted to or included in the amount of a consumer finance loan.~~

~~11. The Bureau shall be given access to the books and records of the separate entity, and shall be furnished such information as it may require in order to assure compliance with these Rules.~~

~~12. The provisions of these Rules supersede all prior Rules Governing Open-End Lending In Consumer Finance Offices.~~

10 VAC 5-60-50. Rules Governing Real Estate Mortgage Business in Licensed Consumer Finance Offices.

~~4. [§ 1. Separate entity required; compliance with applicable laws. A.] The business of making or purchasing loans secured by liens on real estate shall be conducted by a separate legal entity, and not by the consumer finance licensee. This separate, mortgage entity ("separate entity") shall comply with all applicable state and federal laws.~~

~~2. All governing State and Federal laws shall be observed.~~

~~3. [§ 2. Separate books to be maintained; Bureau of Financial Institutions' access to records. B.] Separate books and records shall be maintained by the consumer finance licensee and the separate entity, and the books and records of the consumer finance licensee shall not be commingled with those of the separate entity, but shall be kept in a different location within the office. The Bureau of Financial Institutions shall be given access to the books and records of the separate entity, and shall be furnished such information as it may require in order to assure compliance with these rules.~~

~~[§ 3. Accounting for expenses to be separate. C.] The expenses of the two entities shall be accounted for separately and so reported to the Bureau of Financial Institutions as of the end of each calendar year.~~

~~4. The minimum real estate mortgage loan that may be made or purchased shall be at least two hundred dollars (\$200.00) greater than the consumer finance loan ceiling in effect at the time the real estate mortgage loan is made or purchased.~~

~~5. [§ 4. Misleading advertising, misrepresentation about licensing or supervision prohibited. D.] Advertising or other information published by the licensee or the separate entity shall not contain any false, misleading, or deceptive statement or representation concerning the rates, terms or conditions for loans made by either of them. The separate entity shall not make or cause to be made any misrepresentation as to its being a licensed lender, or as to the extent to which it is subject to supervision or regulation.~~

~~6. [§ 5. Duplicate loans prohibited. E.] The consumer finance licensee and the separate entity shall not make both a consumer finance loan and a real estate mortgage loan to the same borrower or borrowers as part of the same transaction or for the purpose of obtaining a higher interest rate.~~

~~7. [§ 6. Conversion to consumer finance loan forbidden. F.] The balance owed under a real estate mortgage loan shall not, in whole or in part, be converted to or included in the amount of a consumer finance loan.~~

~~8. [§ 7. Compensation for referral not to be charged to borrower. G.] Any compensation paid by the separate entity to any other party for the referral of loans, pursuant to an agreement or understanding between the separate entity and such other party, shall be an expense borne entirely by the separate entity. Such expense shall not be charged directly or indirectly to the borrower.~~

~~9. [§ 8. Sale of certain insurance prohibited; exceptions. H.] Except as authorized by the Commissioner of Financial Institutions, or by order of the State Corporation Commission, insurance, other than credit life insurance, or credit accident and health, sickness insurance and credit involuntary unemployment insurance, shall not be sold in licensed consumer finance offices in connection with any mortgage loan made or purchased by the separate entity.~~

~~10. [§ 9. Collateral other than real estate prohibited. I.] No interest in collateral other than real estate shall be taken in connection with any real estate mortgage loan made or purchased by the separate entity.~~

~~11. The expenses of the two entities shall be accounted for separately and so reported to the Bureau as of the end of each calendar year.~~

~~12. The Bureau shall be given access to the books and records of the separate entity, and shall be furnished such information as it may require in order to assure compliance with these Rules.~~

~~13. The provisions of these Rules supersede all prior Rules Governing Real Estate Mortgage Business In Licensed Consumer Finance Offices.~~

VA.R. Doc. No. R95-679; Filed August 15, 1995, 9:54 a.m.

STATE LOTTERY DEPARTMENT

DIRECTOR'S ORDER NUMBER SEVENTEEN (95)

VIRGINIA'S INSTANT GAME LOTTERY; "FULL HOUSE,"
FINAL RULES FOR GAME OPERATION.

In accordance with the authority granted by Section 58.1-4006A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's instant game lottery (Number 402), "Full House." These rules amplify and conform to the duly adopted State Lottery Board regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to: Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ Penelope W. Kyle

Director

Date: August 2, 1995

VA.R. Doc. No. R95-681; Filed August 15, 1995, 3:45 p.m.

DIRECTOR'S ORDER NUMBER EIGHTEEN (95)

"SECOND CHANCE FOR CASH DRAWING";
PROMOTIONAL GAME AND DRAWING RULES.

In accordance with the authority granted by Section 58.1-4006A of the Code of Virginia, I hereby promulgate the "Second Chance for Cash Drawing" promotional game and drawing rules. The promotion will be conducted from Monday, July 31 through Monday, September 11, 1995. These rules amplify and conform to the duly adopted State Lottery Board regulations.

These rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to: Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ Penelope W. Kyle

Director

Date: August 7, 1995

VA.R. Doc. No. R95-680; Filed August 15, 1995, 3:45 p.m.

MARINE RESOURCES COMMISSION

FINAL REGULATIONS

NOTICE: The Marine Resources Commission is exempted from the Administrative Process Act (§ 9-6.14:4.1 of the Code of Virginia); however, it is required by § 9-6.14:22 B to publish all final regulations.

Title of Regulation: VR 450-01-0001. Pertaining to Taking of Fish Fishing in Broad and Linkhorn Bays.

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation establishes seasons and gear limitations on the taking of fish in Broad Bay and Linkhorn Bay. This regulation is promulgated pursuant to authority contained in § 28.2-201 of the Code of Virginia. This regulation amends and readopts VR 450-01-0001, which was adopted May 25, 1954, and made effective June 1, 1954. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0001. Pertaining to Fishing in Broad and Linkhorn Bays.

§ 1. Purpose.

The purpose of this regulation is to provide for the conservation of fisheries resources in a manner consistent with balanced uses of the marine resources of Virginia.

§ 2. Devices and seasons; Broad and Linkhorn Bays.

~~That the taking of fish with~~ *It shall be unlawful to use a haul seine, gill net, or stationary nets net of any kind, in the waters of Broad and Linkhorn Bays during the months of December, January, February, March and April of each year is prohibited, and it shall be unlawful to use such nets or seines within the waters herein named during the months of December, January, February, March and April of each year.*

§ 3. Penalty.

As set forth in § 28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

/s/ Robert A. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-661; Filed August 3, 1995, 3:12 p.m.

Title of Regulation: VR 450-01-0005. Pertaining to the Licensing of Crab Traps and Pounds.

Statutory Authority: § 28.2-701 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation establishes the rules and procedures for licensing and locating crab traps or pounds, and it also establishes the priority rights of a licensee to relicense any crab trap or pound. This regulation is promulgated pursuant to the authority contained in § 28.2-701 of the Code of Virginia. This regulation amends and readopts VR 450-01-0005, which was adopted November 24, 1964, and made effective November 24, 1964. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0005. Pertaining to the Licensing of Crab Traps and Pounds.

§ 1. Purpose.

The purpose of this regulation is to comply with § 28.2-701 of the Code of Virginia and to establish rules and procedures for licensing and locating crab traps and pounds. This regulation also protects a current licensee's right to relicense an existing location by setting forth those duties required of a current licensee to exercise any priority rights to relicense an existing location.

§ 2. Application and location.

A. Application for crab trap or crab pound licenses, to be issued pursuant to § 28.2-701 of the Code of Virginia shall state thereon the exact location of each trap or crab pound. If application is made for a license for more than one crab trap or crab pound, the application may embrace more than one, provided the traps or pounds are to be located in the same area, and further provided they are contiguous and are located next to each other, but the location of each must be definitely described. *No application for any location for a crab trap or pound shall be made prior to December 1 of the year preceding the current license year.*

B. Only one license shall be issued for the same location, or within 100 yards thereof, during the same calendar year and any subsequent license issued through error, or otherwise, for the same location, or within 100 yards thereof, shall be void as to that location, and upon request by such licensee, made within 60 days after issuance, a refund of such license tax fee shall be made.

C. The crabber licensee shall be responsible for the location of the trap or pound.

D. The license, when issued, shall be subject to oyster leases and riparian rights, and shall not apply inshore of the main mean low water mark.

Marine Resources Commission

§ 2. 3. Priority rights.

~~If application is made for license for a crab pound on or before April 1 of any year, a licensee of the location, actually fished or crabbed by him during the preceding year, shall have the prior right over all others to license and use the same location for the following year in which application is made. The licensee of any location for a crab trap or pound that was actually fished or crabbed by the licensee during the preceding year shall have a priority right over all other applicants to license the same location for the current license year, provided such licensee remains otherwise qualified and makes application for such location on or before April 1 of the current license year. All other applicants for such location will have their applications considered in chronological order of receipt after April 1 of the license year.~~

§ 4. Penalty.

~~As set forth in § 28.2-701 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor.~~

/s/ Robert D. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-662; Filed August 3, 1995, 3:12 p.m.

Title of Regulation: VR 450-01-0009. Pertaining to the Display of Licenses to Catch Finfish or Crabs.

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation establishes requirements for the location and display of licenses for harvesting finfish and crabs. This regulation is promulgated pursuant to the authority contained in § 28.2-201 of the Code of Virginia. This regulation amends and readopts VR 450-01-0009, which was adopted January 22, 1980, and made effective January 22, 1980. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0009. Pertaining to the Display of Licenses to Catch Finfish or Crabs.

~~§ 1. Authority, prior regulations, effective date.~~

~~This regulation is promulgated pursuant to the authority contained in § 28.2-23 of the Code of Virginia.~~

~~This regulation amends the previous Regulation IX, which was promulgated by the Marine Resources Commission and made effective July 1, 1968.~~

§ 1. Purpose.

The purpose of this regulation is to provide for effective enforcement of the licensing requirements of the Code of Virginia and any regulations requiring licenses.

§ 2. Display.

A. ~~Any person, firm or corporation required to have a license or any person, firm or corporation who is required to license a boat or a device for the purpose of taking or catching finfish or crabs shall have such license available for inspection during fishing and shall exhibit it whenever requested by an inspector any marine patrol officer.~~

B. ~~If the license be for any type of fixed device, the holder of the license shall fasten the license plate securely in an upright position to one of the offshore stakes of the device.~~

C. ~~If the license be for trawling in the three-mile limit, the holder of the license shall fasten the license plate securely in an upright position on the starboard side of the wheelhouse in such a position as to be reasonably seen by any person.~~

§ 3. Violation and penalty.

A. ~~Failure to exhibit the license upon demand of any inspector marine patrol officer, or failure to display the license plate as required, shall be a misdemeanor and prima facie evidence that such person is fishing without a license.~~

B. ~~As set forth in § 28.2-225 of the Code of Virginia, any person fishing without the required license shall be guilty of a Class 1 misdemeanor.~~

/s/ Robert D. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-663; Filed August 3, 1995, 3:13 p.m.

Title of Regulation: VR 450-01-0011. Pertaining to the Setting of Fishing Devices Proximate to the Chesapeake Bay Bridge-Tunnel.

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation establishes areas proximate to the Chesapeake Bay Bridge-Tunnel where certain fishing devices are prohibited. This regulation is promulgated pursuant to the authority contained in § 28.2-201 of the Code of Virginia. This regulation amends and readopts VR 450-01-0011, which was adopted on September 25, 1979, and made effective October 26, 1979. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0011. Pertaining to the Setting of Fishing Devices Proximate to the Chesapeake Bay Bridge-Tunnel.

§ 1. Purpose.

The purpose of this regulation is to promote the general welfare of the seafood industry by avoiding gear conflicts proximate to the Chesapeake Bay Bridge-Tunnel.

§ 1.2. Gill Nets.

It shall be unlawful for any person, firm, or corporation to set, place, or fish a gill net of any type in an area extending 300 yards in either direction, from the Chesapeake Bay Bridge-Tunnel. For purposes of this section, the distance shall be measured perpendicular from to the center line of the road bed, and extending from the low water mark on Fisherman Fishermans Island to the one-mile marker on the south end of the bridge-tunnel.

§ 2.3. Fixed fishing devices.

It shall be unlawful for any person, firm, or corporation to set, place, or fish a fixed fishing device of any type within 300 yards in either direction from the Chesapeake Bay Bridge-Tunnel. For purposes of this section, the distance shall be measured perpendicular to the center line of the road bed, and shall apply anywhere along the bridge-tunnel and its causeways.

§ 4. Penalty.

As set forth in § 28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

/s/ Robert D. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-664; Filed August 3, 1995, 3:13 p.m.

Title of Regulation: VR 450-01-0013. Pertaining to the Taking of Clams on Seaside of the Eastern Shore.

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation establishes a prohibition on the taking of hard clams by hydraulic method, including the action of a propeller, on the seaside of Accomack and Northampton Counties. This regulation is promulgated pursuant to the authority contained in § 28.2-201 of the Code of Virginia. This regulation amends and readopts VR 450-01-0013, which was adopted June 27, 1972, and made effective June 27, 1972. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine

Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0013. Pertaining to the Taking of Clams on Seaside of the Eastern Shore.

§ 1. Purpose.

The purpose of this regulation is to promote the welfare of the seafood industry by conserving the hard clam resource and the habitat necessary for continued health and productivity of the hard clam and other marine resources.

§ 1.2. Hydraulic method prohibited.

It shall be unlawful for any person to dig, take, catch or harvest quahog hard clams from the subaqueous soil under the tidal waters owned by the Commonwealth of Virginia on the ocean-side seaside of Accomack and Northampton Counties by hydraulic methods, or by the operation of a motor boat in such a manner that the quahog hard clams are dug, or washed, from the bottom by the action of the propeller of such motor boat; but this regulation shall not apply to privately-owned oyster leases. Proof of the washing out of quahog clams by the action of the propeller of a motor boat shall be prima-facie proof of violation of this regulation.

§ 2.3. Penalty.

Any person violating any of the provisions of this regulation shall be guilty of a misdemeanor and punished as provided by law. If any person is convicted of violating any provision of this regulation, the commission may revoke any license, or licenses, which may have been issued to such person, as provided by § 28.2-232 of the Code of Virginia. As set forth in § 28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

/s/ Robert D. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-665; Filed August 3, 1995, 3:13 p.m.

Title of Regulation: VR 450-01-0014. Pertaining to Lobsters.

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation sets forth requirements for the harvesting, landing, or possession of lobsters of the species Homarus americanus within the Commonwealth of Virginia. This regulation is promulgated pursuant to authority contained in § 28.2-201 of the Code of Virginia, and amends and readopts VR 450-01-0014, which was adopted December 19, 1972, and made effective

Marine Resources Commission

January 1, 1973. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0014. Pertaining to Lobsters.

§ 1. Purpose.

The purpose of this regulation is to conserve and protect the lobster *Homarus americanus* from overfishing and to provide consistency among federal and interstate laws and regulations.

§ 2. Size.

It shall be unlawful ~~and constitute a misdemeanor~~ for any person, ~~firm, or corporation~~ to possess for a period longer than is necessary for immediate measurement a lobster of the species *Homarus americanus* of less than ~~three and three sixteenths~~ $3\frac{1}{4}$ inches in length, measured from the rear of eye socket along a line parallel to the center line of the body shell to the rear end of the body shell, except for scientific purposes and with the express written consent of the Commissioner of Marine Resources.

§ 3. Egg-bearing females.

A. It shall be unlawful ~~and constitute a misdemeanor~~ for any person, ~~firm, or corporation~~ to possess for a period longer than is necessary for immediate determination of the presence of eggs, any female egg-bearing lobster of the species *Homarus americanus*, except for scientific purposes and with the express written consent of the Commissioner of Marine Resources.

B. It shall be unlawful ~~and constitute a misdemeanor~~ for any person, ~~firm, or corporation~~ to possess for a period longer than is necessary for immediate determination of unnatural removal of eggs, a lobster of the species *Homarus americanus* that has been scrubbed or has in any manner other than natural hatching had the eggs removed therefrom.

§ 4. Marking of lobsters.

It shall be unlawful ~~and constitute a misdemeanor~~ for any person, ~~firm, or corporation~~ to notch, cut, scrape, pierce, or in any like manner provide for the marking of lobster of the species *Homarus americanus*, except for scientific purposes and with the express written consent of the Commissioner of Marine Resources.

§ 5. Picked or cooked lobster.

It shall be unlawful ~~and constitute a misdemeanor~~ for any person, ~~firm, or corporation~~ to land picked or cooked meat of the lobster of the species *Homarus americanus*.

§ 6. License required.

In accordance with the provisions of § 28.2-201 of the Code of Virginia, ~~as amended~~, the Marine Resources Commission does hereby establish a Lobster Boat License to be valid for one calendar year and does hereby require that each such vessel engaged in the fishing for or landing of lobster of the species *Homarus americanus* within or upon

the waters within the jurisdiction of the Commonwealth procure and display such license provided that such vessel be not otherwise licensed for fishing by the Marine Resources Commission or engaged in the use of fishing gear that is not otherwise licensed by the Marine Resources Commission. The fee for such Lobster Boat License shall be \$100, except that any boat using less than 200 pots shall pay \$25.

§ 7. Penalty.

As set forth in § 28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

/s/ Robert D. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-666; Filed August 3, 1995, 3:13 p.m.

Title of Regulation: VR 450-01-0016. Pertaining to Prohibited Areas for Use of Patent Tongs.

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation prohibits the use of patent tongs on public and unassigned grounds in the Poquoson River area. This regulation is promulgated pursuant to the authority contained in § 28.2-201 of the Code of Virginia. This regulation amends and readopts VR 450-01-0016, which was adopted on March 25, 1975, and made effective on March 25, 1975. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0016. Pertaining to Prohibited Areas for the Use of Patent Tongs.

§ 1. Purpose.

The purpose of this regulation is to provide for appropriate conservation of the shellfish resources of the Commonwealth of Virginia.

§ 2. Definitions.

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise.

"Public ground" means all those grounds defined in § 28.2-551 of the Code of Virginia, all grounds set aside as public ground by court order, and all grounds set aside as public oyster ground or public clam ground by order of the Marine Resources Commission.

"Unassigned ground" means all grounds other than public ground as defined by this regulation and which have not been set aside or assigned by lease, permit, or easement by the Marine Resources Commission.

§ 4. 3. Poquoson River area.

The use of patent tongs is prohibited on all public grounds and unassigned ground in the Poquoson River above and any of its tributaries, in Chisman Creek and any of its tributaries upstream of a line beginning at mean low water mark at York Point, thence 175° to buoy No. 14, and thence 215° to Hunt's Point Hunts Point Survey Station Taylor and running northwesterly to Survey Station Spit, thence northeasterly to Survey Station Cabin North, thence easterly to Survey Station Cabin South; such line being the same as the western boundary of the Poquoson River Shellfish Management Area as set forth in VR 450-01-0073.

§ 4. Penalty.

As set forth in § 28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

/s/ Robert D. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-667; Filed August 3, 1995, 3:13 p.m.

Title of Regulation: VR 450-01-0018. Pertaining to the Identification and Location of Fish Pots.

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation establishes a requirement to maintain identification numbers on fish pots. This regulation is promulgated pursuant to authority contained in § 28.2-201 of the Code of Virginia. This regulation amends and readopts VR 450-01-0018, which was adopted on June 22, 1976, and made effective on June 22, 1976. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0018. Pertaining to the Identification and Location of Fish Pots.

§ 1. Purpose.

The purpose of this regulation is to lessen gear conflicts and to aid in enforcement of the requirement to keep gear out of marked navigable channels by requiring all fish pots to be appropriately identified.

§ 4. 2. Identification and location of fish pots.

A. Any person, firm, association or corporation owning or using a fish pot or pots, for which a license is prescribed by law, shall display and maintain his or its current identification number, assigned by the Marine Resources Commission, on each fish pot or on each floating buoy or stake attached to each such fish pot or pots, in a legible and visible manner.

B. It shall be unlawful to place or maintain any fish pot in a navigable channel which has navigation aids installed or approved by any agency of the United States Government.

§ 3. Penalty.

As set forth in § 28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

/s/ Robert D. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-668; Filed August 3, 1995, 3:13 p.m.

Title of Regulation: VR 450-01-0020. Pertaining to the Dredging of Conchs (Also Known as Whelks).

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation establishes areas, seasons, times, manner, records, and license for dredging for conchs within the waters of the Commonwealth of Virginia. This regulation is promulgated pursuant to authority contained in § 28.2-201 of the Code of Virginia. This regulation amends and readopts VR 450-01-0020, which was adopted May 26, 1981, and made effective June 29, 1981. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0020. Pertaining to the Dredging of Conchs (Also Known as Whelks).

§ 1. Authority, prior regulations, effective date.

A. This regulation is promulgated pursuant to the authority contained in § 28.2-201 of the Code of Virginia.

B. This regulation amends the previous Regulation XX, Pertaining to the Dredging of Conchs (Also known as Whelks), which was promulgated by the Marine Resources Commission and made effective October 3, 1980.

C. The effective date of this regulation is June 29, 1981.

Marine Resources Commission

§ 1. Purpose.

The purpose of this regulation is to provide for the conservation of conchs and to minimize gear conflicts.

§ 2. General.

It shall be unlawful to take conchs (also known as whelks) by dredge from any of the waters under the jurisdiction of the Commonwealth except during the seasons, from the areas, and in the manner hereinafter-described by this regulation.

§ 3. Areas and seasons.

A. Area Number 1 shall be that area wherein dredging for crabs is permitted by law and Marine Resources Commission regulation VR 450-01-0012, and the season for this area shall be the same as that season established by law § 28.2-707 of the Code of Virginia, as may be adjusted by the Marine Resources Commission, ~~for the dredging for crabs, (Section 28.2-707 of the Code of Virginia, and VMRC Regulation VR 450-01-0012).~~

B. Area Number 2 shall be that area east of the Chesapeake Bay Bridge-Tunnel and will include that area known as the mouth or entrance to the Chesapeake Bay. It is more particularly described as follows: beginning at the one-mile marker on the Chesapeake Bay Bridge-Tunnel; thence northerly along said the bridge tunnel to the low water mark at Fishermans Island; thence northerly and easterly along the low water mark of said island to the eastern side of along the southeast shoreline of Fishermans Island to the lower portion of Smith Island at to a point that is due east of Cape Charles Lighthouse; thence due east three nautical miles to the outer limits of the Territorial Sea Three Nautical Mile Line; thence along said outer three-mile limit Three Nautical Mile Line; southerly to 36° 55' N Latitude; thence due west along said latitude to buoy C"1"; thence northerly to buoy R"2" R"2C"; thence southwesterly to buoy N"C1"; thence westerly to buoys N"C3," N"C5," and N"C7" G"1TS"; thence southwesterly to buoy G"1"; thence northwesterly to the point of beginning. This description shall specifically exclude all inlets of Fishermans and Smith Islands, and all waters west of said islands. The season for this area shall be from April 1 through September 30, inclusive, of each year.

C. Area Number 3 shall be that area bounded on the north by 36° 45' N Latitude, bounded on the west by mean low water, bounded on the south by the Virginia-North Carolina border, and bounded on the east by the three-mile limit Three Nautical Mile Line; and the season for this area shall be year around round.

D. Area Number 4 shall be that area bounded on the north by a line from buoy BW-N"C10" RN"36A" at the town of Cape Charles and running NNW to Wolf Trap Light, bounded on the west by a line drawn from Wolf Trap Light and running SSW southerly through buoys BW-N"C51," N"C49," N"C47," N"C45," N"C43," N"C41," N"C39," N"C37," N"C35," N"C33," N"C31," N"C29," N"C27," N"C25," N"C23," and R"20" FLG at the Thimble Shoal Channel inclusive, bounded on the south by Thimble Shoal Channel, and RN"2", C"1NP", RN"2", C"1MB", RN"8", at the York River Entrance Channel; thence southeasterly bounded by the northern side of said channel to buoy R"2"; thence southerly to buoy RW"HC"; thence southwesterly to buoy G"11" at Thimble Shoal Channel;

thence bounded on the south by the south side of said channel until its intersection with the Chesapeake Bay Bridge-Tunnel; thence bounded on the east by the Chesapeake Bay Bridge-Tunnel and a line drawn from the terminus of the Chesapeake Bay Bridge-Tunnel on Fishermans Island back to buoy BW-N"C10" RN"36A" but remaining offshore of any and all fixed fishing devices; and. The season for this area shall be May 1 through September 30, inclusive, of each year.

E. Area Number 5 shall consist of two parts. The south part shall be that area in Virginia's portion of the Territorial Sea between 36° 55' N Latitude and 36° 45' N Latitude excluding the inshore one mile. It is more particularly described as follows: beginning at buoy C"1" on the 36° 55' N Latitude; thence along said latitude east to the three-mile limit Three Nautical Mile Line; thence southerly along said three-mile limit Three Nautical Mile Line to 36° 45' N Latitude; thence along said latitude west to the one-mile limit; thence northerly along said one-mile limit to the 36° 55' N Latitude; thence east along said latitude to buoy C"1" and the point of beginning.

The north part shall be that area between the Virginia-Maryland line and Cape Charles Lighthouse and comprising Virginia's portion of the Territorial Sea off of Accomack and Northampton Counties. It is more particularly described as follows: beginning at a point on the mean low water, which point is due east of the Cape Charles Lighthouse; thence northerly along the low water mark of the eastern side of the Eastern Shore Barrier Islands to the Virginia-Maryland border line; thence along said border easterly three nautical miles to the outer limits of the Territorial Sea Three Nautical Mile Line; thence southerly along said outer limit Three Nautical Mile Line to a line that runs due east from Cape Charles Lighthouse; thence along said line three nautical miles to the point of beginning. Said boundary to run from headland to headland across all inlets between said Barrier Islands. This description shall specifically exclude all inlets and all waters west of said islands.

The season for Area Number 5 shall be from January 1 through August 31, inclusive, and from November 1 through December 31, inclusive, of each year.

§ 4. Days and hours.

A. Dredging on Sunday is prohibited.

B. For Area Number 1, dredges may be used only during the hours of one hour before sunrise to one hour after sunset, Monday through Saturday.

C. There shall be no hourly restriction for Area Number 2, Area Number 3, Area Number 4, and Area Number 5, except that if, in the judgment of the Marine Resources Commission the practice of dredging whelks at night in Area 2 and Area 4 is causing a hazard to the public safety or conflict conflicting with other fishing or shell-fishing, then such hours may be limited by the Marine Resources Commission regulation.

§ 5. Type and operation of dredge.

A. For Area Number 1, Area Number 2, and Area Number 4, dredges shall be of a conventional type used for dredging

of crabs. The use of hydraulic dredge in these areas is prohibited.

B. For Area Number 3 and Area Number 5 there shall be no gear restriction.

§ 6. License.

A. ~~For Area Number 1 the regular crab dredging license prescribed by law shall be required. (Section 28.2-702 of the Code of Virginia.)~~

B. ~~For Area Number 2, Area Number 3, Area Number 4 and Area Number 5, a conch dredging license shall be obtained for each boat by a payment of a \$35 fee to a district inspector.~~

A. *It shall be unlawful to dredge for conchs without first having obtained a license therefor, except that when dredging for conchs in Area Number 1, persons holding the regular crab dredging license prescribed by § 28.2-702 of the Code of Virginia, need not have the conch dredging license prescribed in this section. The fee for this license to dredge for conchs shall be \$35, and may be obtained from the marine patrol officer in charge of the district.*

C. B. Any license shall at all times be on board the boat and available for inspection by any law-enforcement officer of the Marine Resources Commission.

D. C. There shall be no refund of any license fee or any part thereof in the event a license is surrendered, suspended, or revoked.

§ 7. Limitation of catch.

In Area Number 2 and Area Number 4, conchs only may be taken. All other shellfish, crustaceans, finfish, and other marine life caught during dredging shall be returned immediately to the water. Possession of such, for a time longer than is necessary to return to the water, will be in violation of this regulation.

~~§ 8. Record of fishing activity.~~

~~Each boat or vessel licensed to operate in Area Number 2, Area Number 3, Area Number 4, and Area Number 5, shall maintain a logbook, to be provided by the commission and to be kept in a form and manner therein described. A copy of the log detailing a week's activity shall be sent to the commission so as to arrive no later than the Friday of the week following that wherein the activity took place.~~

~~§ 9. Penalty.~~

~~As provided for in § 28.2-903 of the Code of Virginia, any person, firm, or corporation violating any provisions of this regulation shall be guilty of a Class 3 misdemeanor.~~

§ 8. Penalty.

As set forth in § 28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

/s/ Robert D. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-669; Filed August 3, 1995, 3:14 p.m.

Title of Regulation: VR 450-01-0022. Pertaining to the Leasing of Oyster Planting Ground (REPEALED).

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Summary:

This regulation provided that no district inspector could accept an application for oyster planting ground if any part of such ground was then under lease. Applications are now made directly to the chief engineer at the Office of the Marine Resources Commission, and the Code of Virginia provides that any portion of an application that is then under lease is invalid. Since the method of application has changed and the chief engineer has all the authority and information necessary to make the required determinations, this portion of VR 450-01-0022 is no longer needed.

This regulation also defined the James River for purposes of complying with § 28.2-637 of the Code of Virginia, which prohibited leasing within the James River. Section 28.2-637 has been repealed, and thus this portion of VR 450-01-0022 is no longer needed.

Agency Contact: Deborah R. McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VA.R. Doc. No. R95-675; Filed August 3, 1995, 3:15 p.m.

Title of Regulation: VR 450-01-0023. Pertaining to the Removal of Nets from Fixed Fishing Devices When not Being Fished.

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation establishes the requirement that any holder of a fixed fishing device actively fish the device if nets are hung. This regulation is promulgated pursuant to authority contained in § 28.2-201 of the Code of Virginia. This regulation amends and readopts VR 450-01-0023, which was adopted September 25, 1979, and made effective October 26, 1979. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

Marine Resources Commission

VR 450-01-0023. Pertaining to the Removal of Nets from Fixed Fishing Devices.

§ 1. Purpose.

The purpose of this regulation is to prevent waste and provide for the conservation of fisheries resources by preventing ghost fishing by unattended nets.

§ 4. 2. General violation.

A. It shall be unlawful for any person, firm, or corporation to set nets on a fixed fishing device and let said device or nets remain unfished.

B. § 3. Violation.

A. If, upon visual observation, any ~~inspector~~ *marine patrol officer* determines that a device or net, *other than a staked gill net*, has not been fished for at least a five day period, he shall notify the licensee, and if the licensee fails to fish said device or remove the net within seven days after notification the licensee shall be guilty of a violation of this regulation.

B. If, upon visual observation, any *marine patrol officer* determines that any *staked gill net* has not been fished for at least a 24-hour period, he shall notify the licensee, and if the licensee fails to fish the *staked gill net* or remove the net within 24 hours after notification the licensee shall be guilty of a violation of this regulation.

§ 4. Penalty.

As set forth in § 28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

/s/ Robert D. Craft
Chief

Administration and Finance Division

VA.R. Doc. No. R95-670; Filed August 3, 1995, 3:14 p.m.

Title of Regulation: VR 450-01-0025. Pertaining to the ~~Technique for Determining Compliance with the Stretched Mesh Requirements for Measuring Mesh Size of Menhaden Fishing Nets.~~

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation establishes the procedure for measuring the stretched mesh of menhaden nets. This regulation is promulgated pursuant to authority contained in § 28.2-201 of the Code of Virginia. This regulation amends and readopts VR 450-01-0025, which was adopted December 15, 1980, and made effective February 2, 1981. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0025. Pertaining to Measuring Mesh Size of Menhaden Nets.

§ 1. Authority, prior regulations, effective date.

A. ~~This regulation is promulgated pursuant to the authority contained in § 28.2-201 of the Code of Virginia.~~

B. ~~No prior regulations pertain to measurement techniques for nets used in menhaden fishing.~~

C. ~~The effective date of this regulation is February 2, 1981.~~

§ 2. General 1. Purpose.

The purpose of this regulation is to set forth the procedure that will be used for determining compliance with § 28.2-410 of the Code of Virginia. This section ~~specified in part to wit:~~ ~~"...that on and after the third Monday in May, 1979, it is also unlawful for any person to use any purse net or other net having a stretched mesh of less than one and three-quarter inches."~~ ~~sets forth in part:~~ *"It is also unlawful for any person to use any purse net or other net having a stretched mesh of less than 1¼ inches."* Since the law does not specify how the ~~stretch stretched~~ mesh (mesh size) will be determined, this regulation shall serve to clarify the term stretched mesh and establish a technique for determining the ~~same size of the stretched mesh.~~

§ 3. 2. Definitions.

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:

A. ~~"Stretched mesh (mesh size)" means the inside distance between two knots (or joints) on opposite sides of the mesh.~~

B. ~~"Bunt" means the section of the net where the fish are concentrated during pumping operations.~~

C. ~~"Selvedge" means a reinforced edge of the net required for mounting of the net on the ring line and cork line.~~

D. ~~"Ring line" means a line passed through the rings attached to the bottom of the net as it hangs in the water.~~

E. ~~"Cork line" means a line containing floats or corks attached to the top of the net as it hangs in the water.~~

"Bunt" means the section of the net where the fish are concentrated during pumping operations.

"Cork line" means the line containing floats or corks attached to the top of the net as it hangs in the water.

"Ring line" means the line passed through the rings attached to the bottom of the net as it hangs in the water.

"Selvedge" means the reinforced edge of the net required for mounting of the net on the ring line and cork line.

"Stretched mesh" or "mesh size" means the inside distance between two knots or joints on opposite sides of the mesh.

§ 4. 3. Procedure.

- A. The nets shall be wet when measured.
B. A measurement shall consist of the inside stretch stretched distance of one mesh.
C. Fifty individual measurements shall be taken from the net in a location other than the bunt, at least 10 meshes below the selvedge, and from meshes that are not part of a seam.
D. The measurement measuring device shall be inserted into the mesh in a vertical direction as the net is oriented between the ring line and cork line.

E. A force of 8.8 pounds (4 kilograms) shall be applied in taking the measurements.

§ 5. 4. Compliance.

The stretch stretched mesh will be determined by computing the average of the 50 measurements which will yield the average stretch stretched mesh measurement and this average shall be equal to or greater than 1 3/4 inches (44.45 millimeters).

§ 6. 5. Penalty.

Any person, firm, or corporation violating any provisions of § 28.2-410 of the Code of Virginia shall be guilty of a Class 1 misdemeanor. As set forth in § 28.2-410 of the Code of Virginia, any person using any purse seine or other net having a stretched mesh of less than 1 3/4 inches to catch menhaden shall be guilty of a Class 1 misdemeanor.

/s/ Robert D. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-671; Filed August 3, 1995, 3:14 p.m.

Title of Regulation: VR 450-01-0026. Pertaining to the Requirements for Reporting Oyster Transactions and Payment of Taxes.

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation sets forth the reporting requirements for persons engaged in the harvesting, buying, planting, packing, shipping, or importing of oysters. This regulation is promulgated pursuant to the authority contained in § 28.2-201 of the Code of Virginia. This regulation amends and readopts VR 450-01-0026, which was adopted May 26, 1981, and made effective June 29, 1981. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine

Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0026. Pertaining to the Requirements for Reporting Oyster Transactions and Payment of Taxes.

§ 1. Authority, prior regulations, effective date.

A. This regulation is promulgated pursuant to the authority contained in § 28.2-201 of the Code of Virginia.

B. This regulation supplants without change Order Number 77-10 which was promulgated by VMRC and made effective August 24, 1977, and Order Number 78-3 which was made effective on July 1, 1978.

C. The effective date of this regulation is June 29, 1981.

§ 2. General.

The purpose of this regulation is to set forth the reporting requirements necessary for compliance with § 28.2-538, which states in part that "...All licensed oyster buyers, planters, packers, importers of shucking stock or shippers shall keep accurate and itemized records, on forms issued by the Commission, which contain (i) the number of bushels of oysters, before shucking, that come from public grounds, private grounds, or are imported; (ii) the name of the person from whom the oysters were purchased or obtained; (iii) the number of bushels and price paid per bushel for each seller; and (iv) if from public grounds, the grounds general area."

Section 28.2-541 sets forth the replenishment tax to be collected on "...all oysters taken from the seed area of the James River, or from any other area designated as a seed area by the Commission..." An additional purpose of this regulation is to define other seed areas for purposes of collecting taxes pursuant to § 28.2-541.

§ 1. Purpose.

The purpose of this regulation is to set forth the reporting requirements and procedures that comply with § 28.2-538 of the Code of Virginia, and which also permits the collection of taxes on oysters as set forth in §§ 28.2-539, 28.2-540, and 28.2-541 of the Code of Virginia. Interested persons should note that the inspection tax set forth in § 28.2-539 is not imposed during the period July 1, 1994, until July 1, 1996, and the forms used to report those transactions upon which the inspection tax would ordinarily be imposed will not be used for the purpose of collecting the inspection tax during that period. However, the forms used to report those transactions upon which the inspection tax would ordinarily be imposed are still required by § 28.2-538 of the Code of Virginia. The information on these forms is valuable for statistical purposes.

§ 2. Definitions.

The following words and terms, when used in this regulation, shall have the following meaning unless the context indicates otherwise.

"Public ground" means all ground defined in § 28.2-551 of the Code of Virginia, all ground set aside as public oyster ground by court order, and all ground set aside as public oyster ground by order of the Marine Resources Commission.

Marine Resources Commission

"Unassigned ground" means all ground other than public oyster ground as defined by this regulation and which has not been set aside or assigned by lease, permit, or easement by the Marine Resources Commission.

"Private ground" means all ground leased by the Marine Resources Commission pursuant to Chapter 6 of Title 28.2 of the Code of Virginia.

/s/ Robert D. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-672; Filed August 3, 1995, 3:14 p.m.

§ 3. Reports required.

A. Any person, ~~firm or corporation~~ purchasing or otherwise receiving oysters from a harvester, whether taken from public, *unassigned*, or private ground, shall complete a MRC Form 53 for each such transaction.

B. Any person, ~~firm or corporation~~ reselling shell stock oysters, when the repurchaser shall be liable for any tax on said oysters, shall complete a MRC Form 55 for each such transaction. The original purchaser shall retain two copies of each Form 55 and shall submit one of those copies to the Marine Resources Commission with the Oyster Tax Report; the repurchaser of oysters shall receive two copies of the MRC Form 55, one copy of which shall be submitted to the Marine Resources Commission with an Oyster Tax Report and all applicable taxes.

C. Any person, ~~firm or corporation~~ who shall be a harvester of oysters, whether taken from public, *unassigned*, or private ground, who shall shuck, pack, ship, or otherwise direct market said oysters shall complete a MRC Form 53 for each day's harvest.

D. Any person, ~~firm or corporation~~ importing unshucked oysters from ~~another state~~ *outside Virginia* shall complete a MRC Form 55 for each such load imported.

E. Any person, ~~firm or corporation~~ receiving a supply of MRC Form 53 or MRC Form 55 shall be held accountable for such forms. One copy shall be given to the seller, a copy retained by the buyer, and a copy sent to the Marine Resources Commission accompanying any taxes and tax reports due the Commission. All persons, ~~firms, or corporations~~ dealing in the buying and selling of oysters are reminded of the provisions of law concerning such transactions (~~Code of Virginia 1950, §§ 28.2-538, 28.2-539, 28.2-540, 28.2-541, 28.2-543, 28.2-544, 28.2-546, 28.2-547, 28.2-548 and 28.2-549 set forth in Article 3 of Chapter 5 of Title 28.2 of the Code of Virginia, concerning such transactions.~~

§ 4. Additional seed areas.

The seaside of Accomack and Northampton Counties is hereby designated as being a seed area for purposes of collecting taxes, pursuant to § 28.2-541 of the Code of Virginia.

§ 5. Penalty.

As ~~provided for set forth~~ in § 28.2-538 of the Code of Virginia, any person, ~~firm, or corporation~~ ~~violating any provisions of this regulation~~ *falling to keep records required by this regulation* shall be guilty of a Class 1 misdemeanor.

Marine Resources Commission

PRESS FIRMLY - YOU ARE MAKING 3 COPIES 14-1

Date				BUYER - COMPLETE SLIP FOR SALES BETWEEN A VIRGINIA HARVESTER AND A PURCHASER, PLANTER, PACKER OR SHIPPER. HARVESTER - COMPLETE SLIP WHEN MARKETING, PLANTING, PACKING OR SHIPPING OWN CATCH. SLIP MUST BE COMPLETED FOR EACH LOAD HARVESTED.	
SOLD TO		SOLD BY		Date Caught	
				Check How Caught 1. <input type="checkbox"/> Shaft Tong 2. <input type="checkbox"/> Dredge 3. <input type="checkbox"/> Patent Tong 4. <input type="checkbox"/> Other	
				Check How Oysters To Be Used 1. <input type="checkbox"/> Seed 2. <input type="checkbox"/> Shucking 3. <input type="checkbox"/> Soup 4. <input type="checkbox"/> Export	
				Area Taken-See Map	
TYPE	NO. OF BUSHELS	PRICE PER BU.	AMOUNT	PG # / Rock Name / Lease #	
Public Grounds					
Private Grounds				Seller's Signature*	
TOTAL				Name or Number of Seller's Boat	

M142769

COMMONWEALTH OF VIRGINIA MRC-53
MARINE RESOURCES COMMISSION

*Seller Must Sign If Paid In Cash
 All Tax Reports, Taxes And Tickets Must Be Filed With The Comm. Every 2 Weeks.

BUYER'S COPY

Date				SLIP MUST BE COMPLETED BY THE BUYER ON ALL PURCHASES OF UNSHUCKED STOCK FROM OTHER PURCHASERS, PACKERS OR SHIPPERS OR WHEN UNSHUCKED STOCK IS IMPORTED INTO VIRGINIA. COMPLETE ONE SLIP FOR EACH TRANSACTION.	
Sold To		Sold By			
TYPE	NO. OF BUSHELS	PRICE PER BU.	AMOUNT	IMPORTS ONLY: HARVESTED IN 1. Potomac River 2. Other: _____ Name of State	
Public Grounds					
Private Grounds					
Imports				Seller's Signature	
TOTAL					

M 161090

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

MRC-55

BUYER'S COPY

Marine Resources Commission

Title of Regulation: VR 450-01-0037. Pertaining to Speckled Trout and Red Drum.

Statutory Authority: §§ 28.2-201 and 28.2-304 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation establishes minimum size limits for the taking or possession of speckled trout and red drum (channel bass) by commercial and recreational fishermen. The minimum size limits will protect the spawning stocks and increase yield in the fishery. This regulation is designed to assure that Virginia is consistent with all federal and interstate management measures for speckled trout and red drum. In addition, this regulation establishes a commercial landings quota for speckled trout. The goal of these management measures is to perpetuate the speckled trout and red drum resources in fishable abundance throughout their range and generate the greatest utilization over time.

This regulation is promulgated pursuant to authority contained in §§ 28.2-201 and 28.2-304 of the Code of Virginia. This regulation amends VR 450-01-0037, which was adopted March 28, 1995, and made effective April 14, 1995. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0037. Pertaining to Speckled Trout and Red Drum.

§ 1. Purpose.

The purpose of this regulation is to protect and rebuild the spawning stocks of speckled trout and red drum, minimizing the possibility of recruitment failure, and to increase yield in their fisheries.

§ 2. Definitions.

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise.

"Red drum" means red drum or channel bass and is any fish of the species *Sciaenops ocellatus*.

"Speckled trout" means speckled trout or spotted seatrout and is any fish of the species *Cynoscion nebulosus*.

§ 3. Size limits.

A. It shall be unlawful for any person to take, catch, or possess any speckled trout less than 14 inches in length provided, however, the catch of speckled trout by pound net or haul seine may consist of up to 5.0%, by weight, of speckled trout less than 14 inches in length.

B. It shall be unlawful for any person to take, catch or possess any red drum less than 18 inches in length or more than one red drum greater than 27 inches in length.

C. Length is measured in a straight line from tip of nose to tip of tail.

§ 4. Possession limits.

A. It shall be unlawful for any person fishing with hook-and-line, rod-and-reel, or hand-line to possess more than 10 speckled trout.

B. It shall be unlawful for any person to possess more than five red drum, only one of which may exceed 27 inches in length.

C. It shall be unlawful for any person to possess more than one red drum in excess of 27 inches in length at any time.

§ 5. Commercial landings quota.

A. For each 12-month period of September 1 through August 31, the commercial landings of speckled trout shall be limited to 51,104 pounds.

B. When it is projected that the commercial landings quota will be met by a certain date within the above period, the Marine Resources Commission will provide notice of the closing date for commercial harvest and landing of speckled trout during that period; and it shall be unlawful for any person to harvest or land speckled trout for commercial purposes after such closing date for the remainder of that period.

§ 6. Penalty.

A. Pursuant to § 28.2-304 of the Code of Virginia, any person violating any provision of § 4 C of this regulation shall be guilty of a Class 1 misdemeanor.

B. Pursuant to § 28.2-903 of the Code of Virginia, any person violating any provision of this regulation other than § 4 C shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation, other than § 4 C, committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

/s/ Robert D. Craft
Chief
Administration and Finance Division

VA.R. Doc. No. R95-673; Filed August 3, 1995, 3:14 p.m.

Title of Regulation: VR 450-01-0038. Pertaining to Marking of Leased Oyster Planting Ground.

Statutory Authority: §§ 28.2-201 and 28.2-607 of the Code of Virginia.

Effective Date: August 3, 1995.

Preamble:

This regulation establishes the required manner and method for marking leased oyster planting ground.

Section 28.2-607 of the Code of Virginia requires that a lessee of oyster planting ground mark such ground in accordance with regulations established by the Marine Resources Commission. While all leased oyster planting grounds are not required to be marked at all times, it is the intent of this regulation to ensure that when the ground is marked, the boundary lines are properly and accurately delineated and safe navigation is maintained. This regulation is promulgated pursuant to authority contained in §§ 28.2-201 and 28.2-607 of the Code of Virginia. This regulation amends and readopts VR 450-01-0038, which was adopted June 24, 1986, and made effective July 1, 1986. The effective date of this regulation is August 3, 1995.

Agency Contact: Copies of the regulation may be obtained from Deborah R. McCalester, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (804) 247-2248.

VR 450-01-0038. Pertaining to Marking of Leased Oyster Planting Ground.

~~§ 1. Authority, repeal of prior regulations, effective date.~~

~~A. This regulation is promulgated pursuant to the authority contained in §§ 28.2-201, 28.2-607 and 28.2-517 of the Code of Virginia.~~

~~B. VMRC Regulation XXVII, § 3, also pertains to marking of oyster planting ground and is hereby repealed.~~

~~C. The effective date of this regulation is July 1, 1986.~~

~~§ 2. 1. Purpose.~~

The purpose of this regulation is to describe the proper manner and method of marking leased oyster planting ground during such times when the ground is required to be marked or for such other instances when a lessee may desire to mark his the ground.

~~§ 3. Leased oyster planting ground 2. General.~~

Leased oyster planting ground shall be marked by the lessee if the oyster planting ground is being worked. No harvesting or planting of leased oyster planting ground shall occur unless the lessee first has properly designated and marked his the lease in accordance with the provisions of this regulation.

~~§ 4. 3. Method and manner of marking.~~

A. Marking requirements. When leased oyster planting ground is marked, it shall be marked with stakes or buoys so as to delineate accurately the boundary lines of the lease and to prevent any unnecessary restriction to navigation.

1. Corner markers. The corner of leased oyster planting ground shall be marked *and multiple markers may be used in these corners.*

2. Boundary line markers. *Under normal circumstances* markers shall be placed at intervals no smaller than 150 feet.

B. Description of markers.

1. ~~Stakes.~~ Stakes shall be no longer than two inches in diameter at the mean low water line and shall extend at least four feet above the mean high water line. The stake shall be of such materials not so rigid as to harm a boat if accidentally struck. Bamboo, white oak, cedar, or gum saplings are commonly used, but not required. If polyvinyl chloride (PVC) pipe is used, and driven into the bottom, the diameter of the PVC pipe shall be two inches or less. Metal pipe markers are prohibited.

2. Buoys. Buoys shall be constructed of wood, PVC, or other suitable material, shall be no larger than six inches in diameter, and shall be anchored with sufficient weight to prevent their moving during adverse weather conditions. Buoys shall be constructed and anchored so as to extend at least four feet above the water line at all times.

~~§ 5. 4. Maintenance.~~

When oyster planting ground is marked, suitable stakes or markers shall be kept by the lessee in their proper places at all times so as to conform accurately to the survey. Should such stakes or makers be removed, knocked down, or be carried away, the lessee shall replace them in their proper location.

~~§ 6. 5. Exception.~~

The Marine Resources Commission may require its chief engineer to describe a plan for the proper marking of any designated oyster planting ground when it finds exceptional circumstances exist. In such cases a case the chief engineer shall direct the leaseholder where to place the appropriate markers.

~~§ 6. Penalty.~~

As set forth in § 28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

/s/ Robert D. Craft
Chief

Administration and Finance Division

VA.R. Doc. No. R95-674; Filed August 3, 1995, 3:15 p.m.

GOVERNOR

GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

(Required by § 9-6.12:9.1 of the Code of Virginia)

DEPARTMENT OF CORRECTIONS (STATE BOARD OF)

Title of Regulation: VR 230-01-006. Regulations for
Private Management and Operation of Prison Facilities.

Governor's Comment:

I have reviewed this proposed regulation on a preliminary basis. While I reserve the right to take action authorized by the Administrative Process Act during the final adoption period, I have no objection to the proposed regulation based on the information and public comment currently available.

/s/ George Allen

Governor

Date: July 21, 1995

VA.R. Doc. No. R95-677; Filed August 4, 1995, 1:19 p.m.

DEPARTMENT OF TRANSPORTATION (COMMONWEALTH TRANSPORTATION BOARD)

Title of Regulation: VR 385-01-8. Subdivision Street
Requirements.

Governor's Comment:

I have reviewed this proposed regulation on a preliminary basis. While I reserve the right to take action authorized by the Administrative Process Act during the final adoption period, I have no objection to the proposed regulation based on the information and public comment currently available.

/s/ George Allen

Governor

Date: July 26, 1995

VA.R. Doc. No. R95-676; Filed August 4, 1995, 1:19 p.m.

SCHEDULES FOR COMPREHENSIVE REVIEW OF REGULATIONS

Governor George Allen issued and made effective Executive Order Number Fifteen (94) on June 21, 1994. This Executive Order was published in *The Virginia Register of Regulations* on July 11, 1994 (10:21 VA.R. 5457-5461 July 11, 1994). The Executive Order directs state agencies to conduct a comprehensive review of all existing regulations to be completed by January 1, 1997, and requires a schedule for the review of regulations to be developed by the agency and published in *The Virginia Register of Regulations*. This section of the *Virginia Register* has been reserved for the publication of agencies' review schedules. Agencies will receive public comment on the following regulations listed for review.

BOARD FOR ACCOUNTANCY

The Department of Professional and Occupational Regulation, pursuant to Executive Order Number Fifteen (94), is proposing to undertake a comprehensive review of the regulations of the Board for Accountancy. As a part of this process public input and comments are being solicited; comments may be provided until October 31, 1995, to the administrator of the program, Nancy Taylor Feldman, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia 23230. The department's goal in accordance with the Executive Order is to ensure that the regulations achieve the least possible interference in private enterprise while still protecting the public health, safety and welfare and are written clearly so they may be used and implemented by all those who interact with the regulatory process.

Regulations:

VR 105-01-2. Board for Accountancy Regulations.

VR 105-01-1:1. Public Participation Guidelines.

A public hearing on the regulations will be held on October 23, 1995, 10 a.m., at 3600 West Broad Street, Richmond, Virginia 23230.

Public comments may be submitted until October 31, 1995, to Nancy Taylor Feldman, Assistant Director, Virginia Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia 23230.

For additional information contact Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia 23230, telephone (804) 367-8590.

BOARD FOR OPTICIANS

The Department of Professional and Occupational Regulation, pursuant to Executive Order Number Fifteen (94), is proposing to undertake a comprehensive review of the regulations of the Board for Opticians. As a part of this process public input and comments are being solicited; comments may be provided until October 31, 1995, to the administrator of the program, Nancy Taylor Feldman, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia 23230. The department's goal in accordance with the Executive Order is to ensure that the regulations achieve the least possible interference in private enterprise while still protecting the public health, safety and welfare and are written clearly so

they may be used and implemented by all those who interact with the regulatory process.

Regulations:

VR 505-01-1:1. Board for Opticians Regulations.

VR 505-01-0:1. Public Participation Guidelines.

A public hearing on the regulations will be held on October 13, 1995, 10 a.m., at 3600 West Broad Street, Richmond, Virginia 23230.

Public comments may be submitted until October 31, 1995, to Nancy Taylor Feldman, Assistant Director, Virginia Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia 23230.

For additional information contact Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia 23230, telephone (804) 367-8590.

DEPARTMENT OF STATE POLICE

The following regulations are scheduled for comprehensive review pursuant to the Governor's Executive Order Number Fifteen (94), Comprehensive Review of All Existing Agency Regulations.

VR 545-01-07. Virginia Official Inspection Manual.

VR 545-01-13. Regulations Relating to the Standards and Specifications for Regrooved or Regroovable Tires.

VR 545-01-14. Regulations Relating to Standards and Specifications for Warning Stickers or Decals for All-Terrain Vehicles.

VR 545-01-15. Regulations Relating to Standards and Specifications for Back-up Audible Alarm Signals.

VR 545-01-16. Regulations Relating to Standards and Specifications for Overdimensional Warning Lights.

VR 545-01-17. Regulations Relating to Standards and Specifications for the Safety Lights for Farm Tractors in Excess of 108 Inches in Width.

Public comments may be submitted through November 15, 1995.

For additional information contact David Skaret, Department of State Police, P.O. Box 27472, Richmond, Virginia 23261-7472, telephone (804) 674-2269.

Schedules for Comprehensive Review of Regulations

DEPARTMENT OF TAXATION

Pursuant to Executive Order Number Fifteen (94), review of the following regulations shall be completed by July 1, 1996:

- VR 630-2-300 -- 630-2-499. Individual Income Tax.
- VR 630-2-490.1 -- 630-2-498. Estimated Income Tax by Individuals.
- VR 630-4-390 -- 630-4-394. Taxation of Partnerships.
- VR 630-5-302 -- 630-5-383. Fiduciary Income Tax.
- VR 630-6-460 -- 630-6-4006. Income Tax Withholding.
- VR 630-7-900 -- 630-7-908. Estate Tax.
- VR 630-8-1711 -- 630-8-1718. Tax on Wills and Administration.
- VR 630-9-3809. Writ Taxes.
- VR 630-11-1500 -- 630-11-1510. Aircraft Sales and Use Tax.
- VR 630-14-800 -- 630-14-3801. Recordation Tax.
- VR 630-15-1200 -- 630-15-1217. Bank Franchise Tax.
- VR 630-16-1100 -- 630-16-1118. Intangible Personal Property Tax.
- VR 630-17-1031 -- 630-17-1049. Corn Excise Tax.
- VR 630-19-1600 -- 630-19-1622. Forest Products Tax.
- VR 630-22-647 -- 630-22-665. Peanut Excise Tax.
- VR 630-23-763.6 -- 630-23-763.12. Slaughter Hog and Feeder Pig Excise Tax.
- VR 630-24-684.1 -- 630-24-684.19. Soybean Excise Tax.
- VR 630-25-1000 -- 630-25-1022. Cigarette Tax.
- VR 12.3-58-26.1 -- 12.3-58-685.5. Watercraft Sales and Use Tax.

Public comments on the above regulations may be submitted through November 20, 1995, to William J. White, Policy Analyst, Office of Tax Policy, Department of Taxation, P.O. Box 1880, Richmond, Virginia 23282, (804) 367-1067. Comments may be faxed to (804) 367-0045.

This will complete the department's initial review of regulations as required by the Executive Order.

For additional information contact William J. White, Policy Analyst, Office of Tax Policy, Department of Taxation, P.O. Box 1880, Richmond, Virginia 23282, telephone (804) 367-1067.

GENERAL NOTICES/ERRATA

Symbol Key

† Indicates entries since last publication of the *Virginia Register*

DEPARTMENT OF CONSERVATION AND RECREATION

Coastal Nonpoint Source Pollution Control Program

In response to the Coastal Zone Act Reauthorization Amendments of 1990, the Commonwealth of Virginia has completed development of a Coastal Nonpoint Source Pollution Control Program submittal document. This document describes existing state enforceable programs that address the requirements specified in the federal guidance. The program submittal document also describes additional actions the Commonwealth plans to take to implement a Coastal Nonpoint Source Pollution Control Program.

The Department of Conservation and Recreation (DCR) is the state lead nonpoint source pollution control agency and DCR is coordinating development of the Coastal Nonpoint Source Pollution Control Program in Virginia. Copies of the program submittal document can be obtained from DCR. In addition, a copy of the executive summary for this document has been uploaded to the Virginia Library Information Network (VLIN). Through VLIN, the executive summary is available for review at many public libraries in the Commonwealth of Virginia. In addition, it can be accessed on the Internet through the VLIN Gopher at gemini.vsla.edu.

We invite you to review this document and submit any comments in writing to the Department of Conservation and Recreation by September 14, 1995. To obtain printed copies of the program submittal document, please contact Heather Mastro at (804) 786-2064. Any questions regarding the Coastal Nonpoint Source Pollution Control Program should be directed to Rick Hill at (804) 786-7119. Please mail any correspondence to: Department of Conservation and Recreation; Division of Soil and Water Conservation; 203 Governor Street; Suite 206; Richmond, VA 23219-2094.

DEPARTMENT OF ENVIRONMENTAL QUALITY

† Public Notice

Notice is hereby given that the Department of Environmental Quality (DEQ) is requesting information to use in developing study plans to research four technical issues that have been raised with the agency. These issues appertain to the Water Quality Standards Regulation, VR 680-21-01, § 14 B (Table of Standards). Conclusions reached from these studies might warrant appropriate amendments to the regulation. The issues are:

1. Mercury - The DEQ is looking for data/information for possible development of an appropriate action level for methyl mercury in fish tissue which could be used to determine compliance with a Virginia Pollutant Discharge

Elimination System (VPDES) permit limit for total mercury. The DEQ is looking for any other information to develop an appropriate mechanism which would determine compliance with the mercury water quality standard via the VPDES permitting system.

2. Ammonia - The DEQ is examining whether it is appropriate to express the ammonia standard as a 30-day average in effluents with low variability rather than the current four-day average. The DEQ is also looking for information to determine acceptable limits of ammonia concentration variability in effluents to allow the longer averaging period. The DEQ is also seeking additional information outside of the EPA Water Quality Criteria for Ammonia, 1984 data base which would potentially support this change.

3. Lead - The DEQ is looking for new acute and chronic toxicity data for lead or suggestions on how to improve and update the data base for the lead standards.

4. Copper - The DEQ is looking for data to be used in determining the relationship of total organic carbon to the toxicity of dissolved copper and possibly developing an equation to use in establishing a hardness and total/dissolved organic carbon based copper standard. Also, DEQ is seeking information to be used in developing an estuarine copper standard similar to the State of Maryland's acute copper standard of 6.1 ug/L.

Any questions or comments should be directed to the address listed below and must be received no later than 4 p.m. on Wednesday, October 4, 1995. Please address any correspondence to: Dr. Alan J. Anthony, Director, Division of Scientific Research, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 762-4114.

† Redesignation of the Regional Boundary for Solid Waste Management Planning City of Newport News

Planning for the management of solid waste in the City of Newport News has been conducted in accordance with the approved Virginia Peninsulas Public Services Authority Solid Waste Management Plan dated March, 1990. The City of Newport News has geographic limits as to the appropriate boundary for solid waste management planning and to disassociate it from the public services authority plan. The city has submitted a new plan, "City of Newport News Comprehensive Solid Waste Management Plan 1995," in support of its petition to realign the planning boundaries.

The Director of the Department of Environmental Quality is considering the approval of the new planning boundary under VR 672-50-01, § 5.5, Regulations for the Development of Solid Waste Management Plan, May 15, 1990 (adopted pursuant to Title 10.1, Chapter 14, § 10.1-1400 et seq. of the

General Notices/Errata

Code of Virginia). Before approving the new solid waste planning boundary, the director seeks all comments the public has on the action. Please submit written comments by 5 p.m., September 29, 1995, to: Department of Environmental Quality, Attention: Robert G. Wickline, P.E., P.O. Box 10009, Richmond, Virginia 23240.

VIRGINIA CODE COMMISSION

Notice to State Agencies

Mailing Address: Our mailing address is: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219. You may FAX in your notice; however, we ask that you FAX two copies and do not follow up with a mailed copy. Our FAX number is: (804) 692-0625.

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: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

FORMS:

NOTICE of INTENDED REGULATORY ACTION - RR01
NOTICE of COMMENT PERIOD - RR02
PROPOSED (Transmittal Sheet) - RR03
FINAL (Transmittal Sheet) - RR04
EMERGENCY (Transmittal Sheet) - RR05
NOTICE of MEETING - RR06
AGENCY RESPONSE TO LEGISLATIVE OBJECTIONS -
RR08

CALENDAR OF EVENTS

Symbol Key

† Indicates entries since last publication of the *Virginia Register*

♿ Location accessible to handicapped

☎ Telecommunications Device for Deaf (TDD)/Voice Designation

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.

VIRGINIA CODE COMMISSION

EXECUTIVE

may also be submitted in writing by September 11, 1995, to the Advisory Committee at the address below.

BOARD FOR ACCOUNTANCY

† October 23, 1995 - 10 a.m. -- Public Hearing

† October 24, 1995 - 8 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

An open meeting to discuss regulatory review and other matters requiring board action will be held immediately after a public hearing on Executive Order 15(94). A public comment period will be held at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the board at least 10 days prior to the meeting date so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Assistant Director, Board for Accountancy, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TDD ☎

ADVISORY COMMITTEE ON AGING, DISABILITY AND LONG-TERM CARE SERVICES

† September 8, 1995 - 1 p.m. -- Open Meeting

New River Community College, Route 100 North, Richardson Auditorium, Rooker Hall, Dublin, Virginia.♿ (Interpreter for the deaf provided upon request)

† September 11, 1995 - 1 p.m. -- Open Meeting

Henrico County Government Center, Parham and Hungary Springs Road, Board of Supervisor's Room, Administration Building, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

A meeting to receive comments on the Advisory Committee's draft report on preliminary recommendations for a plan for the enhancement of long-term care services at the local level. Comments

Contact: Cathy Saunders, Director, Long-Term Care Policy and Development, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-2912, FAX (804) 225-4512 or toll-free 1-800-343-0634/TDD ☎

September 12, 1995 - 10 a.m. -- Open Meeting

Department of Social Services, 730 East Broad Street, Lower Level, Conference Rooms 1 and 2, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

A meeting to continue the work of the Advisory Committee on the development of a plan to enhance service delivery at the local level.

Contact: Cathy Saunders, Director, Long-Term Care Policy and Development, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-2912, FAX (804) 225-4512 or toll-free 1-800-343-0634/TDD ☎

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Board of Agriculture and Consumer Services

† September 27, 1995 - 9 a.m. -- Open Meeting

Washington Building, 1100 Bank Street, 2nd Floor Board Room, Richmond, Virginia.♿

A meeting to discuss regulations and receive reports from the staff of the Department of Agriculture and Consumer Services. The board may consider other matters relating to its responsibilities. At the conclusion of other business, the board will review public comments for a period not to exceed 30 minutes. Any person who needs any accommodations in order to participate at the meeting should contact Roy Seward at least five days before the meeting date so that suitable arrangements can be made.

Contact: Roy E. Seward, Secretary to the Board, Department of Agriculture and Consumer Services,

Calendar of Events

Washington Bldg., 1100 Bank St., Room 211, Richmond, VA 23219, telephone (804) 786-3535 or (804) 371-6344/TDD ☎

Virginia Horse Industry Board

October 4, 1995 - 10 a.m. -- Open Meeting
Virginia Cooperative Extension, Charlottesville-Albemarle Unit, 168 Spotnap Road, Lower Level Meeting Room, Charlottesville, Virginia. ☎

The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodations in order to participate at the meeting should contact Andrea S. Heid at least five days before the meeting date so that suitable arrangements can be made.

Contact: Andrea S. Heid, Equine Marketing Specialist, Department of Agriculture and Consumer Services, 1100 Bank St., #906, Richmond, VA 23219, telephone (804) 786-5842 or (804) 371-6344/TDD ☎

Virginia Marine Products Board

September 26, 1995 - 5:30 p.m. -- Open Meeting
Kiln Creek Golf and Country Club, 1003 Brick Kiln Boulevard, Newport News, Virginia. ☎

A meeting to receive reports from the Executive Director of the Virginia Marine Products Board on finance, marketing, past and future program planning, publicity/public relations, and old and new business. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodations in order to participate at the meeting should contact the board at least five days before the meeting date so that suitable arrangements can be made.

Contact: Shirley Estes, Executive Director, Virginia Marine Products Board, 554 Denbigh Blvd., Suite B, Newport News, VA 23608, telephone (804) 874-3474.

Pesticide Control Board

† **October 13, 1995 - 9 a.m. -- Open Meeting**
Washington Building, 1100 Bank Street, Board Room 204, Richmond, Virginia. ☎

A general business meeting. Portions of the meeting may be held in closed session pursuant to § 2.1-344 of the Code of Virginia. The public will have an opportunity to comment on any other matter not on the agenda beginning at 9 a.m. Any person who needs any accommodations in order to participate at the meeting should contact Dr. Marvin A. Lawson at least 10 days before the meeting date so that suitable arrangements can be made.

Contact: Dr. Marvin A. Lawson, Program Manager, Office of Pesticide Services, Department of Agriculture and Consumer

Services, Washington Bldg., 1100 Bank St., Room 401, P.O. Box 1163 Richmond, VA 23209, telephone (804) 371-6558.

STATE AIR POLLUTION CONTROL BOARD

† **September 21, 1995 - 9 a.m. -- Open Meeting**
Department of Environmental Quality, Innsbrook Corporate Center, 4900 Cox Road, Board Room, Richmond, Virginia. ☎
(Interpreter for the deaf provided upon request)

A quarterly meeting.

Contact: Cindy Berndt, Policy and Planning Supervisor, Department of Environmental Quality, 629 E. Main St., Richmond, VA 23219, telephone (804) 762-4378, FAX (804) 762-4346 or (804) 762-4021/TDD ☎

State Advisory Board on Air Pollution

† **September 13, 1995 - 9 a.m. -- Open Meeting**
Department of Environmental Quality, Innsbrook Corporate Center, 4900 Cox Road, Board Room, Richmond, Virginia. ☎
(Interpreter for the deaf provided upon request)

A regular meeting.

Contact: Kathy Frahm, Policy Analyst, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 762-4376, FAX (804) 762-4346 or (804) 762-4021/TDD ☎

VIRGINIA ALCOHOLIC BEVERAGE CONTROL BOARD

September 6, 1995 - 9:30 a.m. -- Open Meeting
September 18, 1995 - 9:30 a.m. -- Open Meeting
October 2, 1995 - 9:30 a.m. -- Open Meeting
October 16, 1995 - 9:30 a.m. -- Open Meeting
October 30, 1995 - 9:30 a.m. -- Open Meeting
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. ☎

A meeting to receive and discuss reports and activities from staff members. Other matters not yet determined.

Contact: W. Curtis Coleburn, Secretary to the Board, 2901 Hermitage Road, P.O. Box 27491, Richmond, VA 23261, telephone (804) 367-0712 or FAX (804) 367-1802.

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND LANDSCAPE ARCHITECTS

Board for Interior Designers

† **September 21, 1995 - 9 a.m. -- Open Meeting**
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ☎

A meeting to conduct general board business. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514 or (804) 367-9753/TDD☎

Board for Landscape Architects

† **September 14, 1995 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ☎

A meeting to conduct general board business. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514 or (804) 367-9753/TDD☎

Board for Land Surveyors

† **September 12, 1995 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ☎

A meeting to conduct general board business. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514 or (804) 367-9753/TDD☎

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

† **September 21, 1995 - 10 a.m.** -- Open Meeting
Department of Social Services Building, 730 East Broad Street, Conference Room 3, Richmond, Virginia. ☎
(Interpreter for the deaf provided upon request)

A meeting to conduct general board business, including review of local Chesapeake Bay Preservation Area programs. Public comment will be taken early in the meeting. A tentative agenda will be available by September 5, 1995, from the Chesapeake Bay Local Assistance Department.

Contact: Florence E. Jackson, Program Support Technician, Chesapeake Bay Local Assistance Department, 805 E. Broad St., Suite 701, Richmond, VA 23219, telephone (804) 225-3440, FAX (804) 225-3447 or toll-free 1-800-243-7229/TDD ☎

Central Area Review Committee

September 7, 1995 - 2 p.m. -- Open Meeting
Chesapeake Bay Local Assistance Department, 805 East Broad Street, Suite 701, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting to review Chesapeake Bay Preservation Area programs for the central area. Persons interested in observing should call the Chesapeake Bay Local Assistance Department to verify meeting time, location and schedule. No comments from the public will be entertained at the meeting; however, written comments are welcome.

Contact: Florence E. Jackson, Program Support Technician, Chesapeake Bay Local Assistance Department, 805 E. Broad St., Suite 701, Richmond, VA 23219, telephone (804) 225-3440, FAX (804) 225-3447 or toll-free 1-800-243-7229/TDD ☎

Northern Area Review Committee

September 6, 1995 - 10 a.m. -- Open Meeting
Chesapeake Bay Local Assistance Department, 805 East Broad Street, Suite 701, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting to review Chesapeake Bay Preservation Area programs for the northern area. Persons interested in observing should call the Chesapeake Bay Local Assistance Department to verify meeting time, location and schedule. No comments from the public will be entertained at the meeting; however, written comments are welcome.

Contact: Florence E. Jackson, Program Support Technician, Chesapeake Bay Local Assistance Department, 805 E. Broad St., Suite 701, Richmond, VA 23219, telephone (804) 225-3440, FAX (804) 225-3447 or toll-free 1-800-243-7229/TDD ☎

Southern Area Review Committee

September 7, 1995 - 10 a.m. -- Open Meeting
Chesapeake Bay Local Assistance Department, 805 East Broad Street, Suite 701, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting to review Chesapeake Bay Preservation Area programs for the southern area. Persons interested in observing should call the Chesapeake Bay Local Assistance Department to verify meeting time, location and schedule. No comments from the public will be entertained at the meeting; however, written comments are welcome.

Calendar of Events

Contact: Florence E. Jackson, Program Support Technician, Chesapeake Bay Local Assistance Department, 805 E. Broad St., Suite 701, Richmond, VA 23219, telephone (804) 225-3440, FAX (804) 225-3447 or toll-free 1-800-243-7229/TDD ☎

STATE BOARD FOR COMMUNITY COLLEGES

† **September 27, 1995 - 1 p.m.** -- Open Meeting
James Monroe Building, 101 North 14th Street, 15th Floor, Richmond, Virginia.

Committee meetings.

Contact: Dr. Joy S. Graham, Assistant Chancellor, Public Affairs, State Board for Community Colleges, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126 or (804) 371-8504/TDD ☎

† **September 28, 1995 - 8:30 a.m.** -- Open Meeting
James Monroe Building, 101 North 14th Street, 15th Floor, Richmond, Virginia.

A regularly scheduled board meeting.

Contact: Dr. Joy S. Graham, Assistant Chancellor, Public Affairs, State Board for Community Colleges, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126 or (804) 371-8504/TDD ☎

COMMONWEALTH COMPETITION COUNCIL

† **September 15, 1995 - 2 p.m.** -- Open Meeting
General Assembly Building, 910 Capitol Square, Senate Room A, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting to begin developing a work plan and form committees.

Contact: Peggy Robertson, Staff Member, Commonwealth Competition Council, James Monroe Bldg., 101 N. 14th St., 18th Floor, Richmond, VA 23219, telephone (804) 786-0240, FAX (804) 371-0038 or (804) 786-7765/TDD ☎

DEPARTMENT OF CONSERVATION AND RECREATION

† **September 18, 1995 - 7 p.m.** -- Open Meeting
Suffolk Municipal Center, 441 Market Street, City Council Chambers, 2nd Floor, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

† **September 19, 1995 - 7 p.m.** -- Open Meeting
Roanoke County Administration Center, 5204 Bernard Drive, Board of Supervisors Room, Roanoke, Virginia. ☎ (Interpreter for the deaf provided upon request)

† **September 21, 1995 - 7 p.m.** -- Open Meeting
Henrico Government Center, 4301 East Parham Road, Board Room, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting to provide the public an opportunity within the mandatory 60-day public comment period ending October 23, 1995, for verbal and written comments, as well as questions regarding the proposed VR 217-03-00, Nutrient Management Training and Certification Regulations.

Contact: E.J. Fanning, Assistant Manager, Nutrient Management Program, Department of Conservation and Recreation, 203 Governor St., Suite 206, Richmond, VA 23219, telephone (804) 371-8095.

September 18, 1995 - 7 p.m. -- Public Hearing
Municipal Center, 441 Market Street, Suffolk, Virginia.

September 19, 1995 - 7 p.m. -- Public Hearing
County of Roanoke Administration Center, 5204 Bernard Drive, Roanoke, Virginia.

September 21, 1995 - 7 p.m. -- Public Hearing
Henrico County Government Center, 4301 East Parham Road, Richmond, Virginia.

October 23, 1995 -- Public 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 Conservation and Recreation intends to adopt regulations entitled: **VR 217-03-00. Nutrient Management Training and Certification Regulations.** This regulation is being promulgated to govern a voluntary program for training and certifying persons preparing nutrient management plans. The plans are prepared to manage land application of fertilizers, sewage sludge, manure, and other nutrient sources for agronomic benefits and in ways which protect water quality. The regulation provides for certification standards, revocation or suspension of certificates, criteria for the development of nutrient management plans, and program fees. The Department of Conservation and Recreation will administer this program as part of the nutrient management program.

The development of a voluntary nutrient management training and certification program was authorized by the 1994 Session of the General Assembly. The program should expand the number of persons in the private and public sector capable of developing nutrient management plans beyond that of the limited number of agency personnel currently involved. Nutrient management is a key strategy to assist in efforts to reduce nitrogen and phosphorus levels in the Chesapeake Bay necessary to protect ecological and economic interests dependent on the Chesapeake Bay. The program should assist the Commonwealth in achieving a 40% reduction in controllable nutrient loads entering the Chesapeake Bay tributaries consistent with the Chesapeake Bay Agreement of 1983, as amended in 1987 and 1992. The program should also protect groundwater and surface waters in the Commonwealth while retaining the agronomic benefits of efficient nutrient use on farms crops and other lands.

Statutory Authority: § 10.1-104.2 of the Code of Virginia.

Contact: E.J. Fanning, Assistant Manager, Nutrient Management Program, Department of Conservation and Recreation, 203 Governor St., Suite 206, Richmond, VA 23219, telephone (804) 371-8095.

Falls of the James Scenic River Advisory Board

† **September 21, 1995 - Noon** -- Open Meeting
† **October 19, 1995 - Noon** -- Open Meeting
† **November 16, 1995 - Noon** -- Open Meeting
City Hall, Planning Commission Conference Room, 5th Floor, Richmond, Virginia.

A meeting to discuss river issues and programs.

Contact: Richard G. Gibbons, Environmental Program Manager, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899, or (804) 786-2121/TDD ☎

Shenandoah Scenic River Advisory Board

September 8, 1995 - 10 a.m. -- Open Meeting
Shenandoah River and Route 50 Bridge, Clarke County, Virginia.

A meeting to discuss river issues and river inspection.

Contact: Richard G. Gibbons, Environmental Program Manager, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899, or (804) 786-2121/TDD ☎

BOARD FOR CONTRACTORS

† **September 20, 1995 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ☎

A meeting to review board member reports and summaries from informal fact-finding conferences held pursuant to the Administrative Process Act, Code of Virginia, and to review consent order offers in lieu of further disciplinary proceedings. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least two weeks in advance of the meeting at (804) 367-8500. The department fully complies with the Americans with Disabilities Act.

Contact: Debbie A. Amaker, Legal Assistant, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8582 or (804) 367-9753/TDD ☎

Applications Review Committee

† **September 19, 1995 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ☎

A regularly scheduled meeting of the committee to review applications with convictions or complaints for Class A, B, and C contractor applications. The meeting is open to the public.

Contact: Elizabeth Y. Kirksey, Assistant Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2785 or FAX (804) 367-2474.

Recovery Fund Committee

September 27, 1995 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ☎

A meeting to consider claims filed against the Virginia Contractor Transaction Recovery Fund. This meeting will be open to the public; however, a portion of the discussion may be conducted in Executive Session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact Holly Erickson. The department fully complies with the Americans with Disabilities Act. Please notify the department of your request at least two weeks in advance.

Contact: Holly Erickson, Assistant Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8561.

Regulatory Review Committee

† **September 26, 1995 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ☎

A meeting to review comments received from the public during the comment period. The meeting is open to the public.

Contact: Gerald W. Morgan, Regulatory Boards Administrator Senior, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2785 or FAX (804) 267-2474.

DEPARTMENT OF CORRECTIONS (STATE BOARD OF)

September 8, 1995 -- Public 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 State Board of Corrections intends to adopt regulations entitled: **VR 230-01-006. Regulations for Private Management and Operation of Prison Facilities.** Section 53.1-266 of the Code of Virginia directs the Board of Corrections to promulgate regulations governing certain aspects of private management and operation of prison facilities. In

Calendar of Events

compliance with the statute this regulation establishes minimum standards governing administration and operational issues within private prisons.

Contact: Amy Miller, Regulatory Coordinator, P.O. Box 26963, Richmond, Virginia 23261, telephone (804) 674-3119.

VIRGINIA CRIMINAL SENTENCING COMMISSION

† **September 11, 1995 - 10 a.m.** -- Open Meeting
100 North 9th Street, 3rd Floor, Judicial Conference Room, Richmond, Virginia. ☎

A regular quarterly meeting. Members will review sentencing guidelines compliance rates and review work of commission subcommittees.

Contact: Dr. Richard Kern, Director, Sentencing Commission, 100 N. 9th St., 5th Floor, Richmond, VA 23219, telephone (804) 225-4565 or (804) 225-4398, or FAX (804) 786-3934.

BOARD OF DENTISTRY

September 8, 1995 - 9 a.m. -- Open Meeting
September 22, 1995 - 9 a.m. -- Open Meeting
September 29, 1995 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A formal hearing and informal conferences. This is a public meeting; however, no public comment will be taken.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or (804) 662-7197/TDD ☎

September 14, 1995 - 1:30 p.m. -- Public Hearing
Hyatt-Regency Reston, 1800 President's Street, Reston, Virginia. ☎ (Interpreter for the deaf provided upon request)

A public hearing to receive comment on the Board of Dentistry Regulations pursuant to Executive Order 15(94) which requires the comprehensive review of all regulations. This is a public meeting and public comment will be taken.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or (804) 662-7197/TDD ☎

September 15, 1995 - 1:30 p.m. -- Open Meeting
Hyatt-Regency Reston, 1800 President's Street, Reston, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting to review board orders, and to review reports from the following committees: legislative/regulatory, continuing education, examination, and advertising and budget. This is a public meeting. A 20-minute public

comment period will be held at 9:10 a.m.; however, no other public comment will be taken.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or (804) 662-7197/TDD ☎

September 30, 1995 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A Regulatory/Legislative Committee meeting to continue reviewing the regulations as required by Executive Order 15(94). This is a public meeting; however, no public comment will be taken.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or (804) 662-7197/TDD ☎

BOARD OF EDUCATION

September 28, 1995 - 8:30 a.m. -- Open Meeting
General Assembly Building, Ninth and Broad Streets, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

The Board of Education and the Board of Vocational Education will hold a regularly scheduled meeting. Business will be conducted according to items listed on the agenda. The agenda is available upon request.

Contact: James E. Laws, Jr., Administrative Assistant for Board Relations, Department of Education, P.O. Box 2120, Richmond, VA 23216-2120, telephone (804) 225-2924 or toll-free 1-800-292-3820.

September 15, 1995 -- Public 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 Education intends to adopt regulations entitled: **VR 270-01-0064. Regulations Governing Guidance and Counseling Programs in the Public Schools of Virginia.** The regulations address requirements for parental notification about the programs and the conditions under which parental consent must be obtained for students to participate. The purpose of these hearings is to receive comments from the public on these proposed regulations. Registration will begin at 6:30 p.m.

Public comments may be submitted until September 15, 1995, to H. Douglas Cox, Virginia Department of Education, P.O. Box 2120, Richmond, Virginia 23216-2120.

Contact: James E. Laws, Jr., Administrative Assistant for Board Relations, P.O. Box 2120, Richmond, Virginia 23216-2120, telephone (804) 225-2540 or toll-free 1-800-292-3820.

LOCAL EMERGENCY PLANNING COMMITTEE - CITY OF ALEXANDRIA

† September 13, 1995 - 6 p.m. -- Open Meeting
Mid-Atlantic Coca-Cola Bottling Company, 5401 Seminary
Road, Alexandria, Virginia. ☎ (Interpreter for the deaf
provided upon request)

An open meeting with committee members and facility
emergency coordinators to conduct business in
accordance with SARA Title III, Emergency Planning and
Community Right-to-Know Act of 1986.

Contact: Charles McRorie, Emergency Preparedness
Coordinator, P.O. Box 178, Alexandria, VA 22313, telephone
(703) 838-3825 or (703) 838-5056.

LOCAL EMERGENCY PLANNING COMMITTEE - CHESTERFIELD COUNTY

October 5, 1995 - 5:30 p.m. -- Open Meeting
November 2, 1995 - 5:30 p.m. -- Open Meeting
6610 Public Safety Way, Chesterfield, Virginia.

A regular meeting.

Contact: Lynda G. Furr, Assistant Emergency Services
Coordinator, Chesterfield Fire Department, P.O. Box 40,
Chesterfield, VA 23832, telephone (804) 748-1236.

LOCAL EMERGENCY PLANNING COMMITTEE - FAIRFAX

† October 12, 1995 - 10 a.m. -- Public Hearing
Call (703) 246-3934 for location and directions.

A meeting to conduct a public hearing for the 1995
Hazardous Materials Emergency Response Plan
(HMERP) followed by a membership meeting to
formulate the future goals and objectives of the
committee.

Contact: Nell Rose Jarvis, Fairfax County Staff to the LEPC,
4100 Chain Bridge Rd., 4th Floor, Fairfax, VA 22030,
telephone (703) 246-3971 or FAX (703) 385-7591.

LOCAL EMERGENCY PLANNING COMMITTEE - ROANOKE VALLEY

† October 11, 1995 - 9 a.m. -- Open Meeting
American Red Cross Chapter 352, Church Avenue, Roanoke,
Virginia. ☎

A meeting to (i) receive public comment; (ii) receive
report from community coordinators; and (iii) receive
report from standing committees.

Contact: Danny W. Hall, Fire Chief, Emergency Services
Coordinator, 105 S. Market St., Salem, VA 24153, telephone
(540) 375-3080.

DEPARTMENT OF ENVIRONMENTAL QUALITY

† September 21, 1995 - 7:30 p.m. -- Open Meeting
City of Radford Municipal Building, 619 Second Street,
Council Chambers, Radford, Virginia. ☎ (Interpreter for the
deaf provided upon request)

A meeting to consider an application from Internet
Corporation for a state operating permit for the combined
Lynchburg Foundry Company - New River Castings
plant, located at 1605/1701 First Street in Radford,
Virginia.

Contact: Larry Leonard, Air Permit Manager, Department of
Environmental Quality, 7701-03 Timberlake Rd., Lynchburg,
VA 24502, telephone (804) 582-5120 or (804) 762-4021/TDD
☎

Litter Control and Recycling Fund Advisory Committee

† September 18, 1995 - 10:30 a.m. -- Open Meeting
† October 24, 1995 - 1:30 p.m. -- Open Meeting
General Assembly Building, 910 Capitol Square, 4th Floor,
West Conference Room, Richmond, Virginia. ☎

A meeting to (i) review and make recommendations on
applications for grants from the fund; (ii) promote the
control, prevention and elimination of litter from the
Commonwealth and encourage recycling; and (iii)
advise the Director of the Department of Environmental
Quality on other litter control and recycling matters.

Contact: Paddy Katzen, Special Assistant to the Secretary
of Natural Resources, Department of Environmental Quality,
629 E. Main St., Richmond, VA 23219, telephone (804) 762-
4488.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

† September 12, 1995 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
Richmond, Virginia. ☎

A general board meeting to discuss business. Public
comment will be accepted during the first 15 minutes of
the meeting.

Contact: Lisa Russell Hahn, Executive Director, Board of
Funeral Directors and Embalmers, 6606 W. Broad St., 4th
Floor, Richmond, VA 23230-1717, telephone (804) 662-9907
or (804) 662-7197/TDD ☎

† September 21, 1995 - 10 a.m. -- Open Meeting
† September 22, 1995 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
Richmond, Virginia. ☎

A meeting to hold informal conferences. No public
comment will be received.

Contact: Lisa Russell Hahn, Executive Director, Board of
Funeral Directors and Embalmers, 6606 W. Broad St., 4th

Calendar of Events

Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or (804) 662-7197/TDD ☎

Examination Committee

† **September 11, 1995 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia. ☎

A regular meeting. Public comment will be accepted during the first 15 minutes of the meeting.

Contact: Lisa Russell Hahn, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or (804) 662-7197/TDD ☎

Legislative Committee

† **September 11, 1995 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia. ☎

A regular meeting. Public comment will be accepted during the first 15 minutes of the meeting.

Contact: Lisa Russell Hahn, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or (804) 662-7197/TDD ☎

BOARD OF GAME AND INLAND FISHERIES

† **October 11, 1995 - 6 p.m.** -- Open Meeting
Best Western Red Lion Inn, 900 Plantation Road, Blacksburg, Virginia. ☎ (Interpreter for the deaf provided upon request.)

The board will visit an electrofishing site to observe agency staff perform this activity, or they will tour department-owned lands and facilities in the area. The observation or visitation is open to the public.

Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4010 W. Broad St., Richmond, VA 23230, telephone (804) 367-8341 or FAX (804) 367-2427.

† **October 12, 1995 - 8 a.m.** -- Open Meeting
Best Western Red Lion Inn, 900 Plantation Road, Blacksburg, Virginia. ☎ (Interpreter for the deaf provided upon request.)

A meeting to adopt non-native animal regulations. The board will hear and discuss general and administrative matters, as necessary, and take action as appropriate. The board may hold an executive session. The board plans to adjourn its meeting by 10:30 a.m. After adjournment, Dr. Mike Vaughan will make a presentation on black bear research to board members and others present. At the conclusion of Dr. Vaughan's presentation, board members will meet with national forest personnel at a site yet to be selected, where the board members will receive tours and presentations

concerning national forest lands and programs. All events are open to the public.

Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4010 W. Broad St., Richmond, VA 23230, telephone (804) 367-8341 or FAX (804) 367-2427.

GEORGE MASON UNIVERSITY

Board of Visitors

September 20, 1995 - 3:30 p.m. -- Open Meeting
George Mason University, Mason Hall, Room D23, Fairfax, Virginia. ☎

A regular meeting whereby the board will hear reports from standing committees and act on those recommendations presented by the standing committees. An agenda will be available seven days prior to the board meeting for those individuals and organizations who request it. EEO and Affirmative Action Committees will meet on September 19, 1995, at 6:30 p.m. Standing committees will meet during the day on September 20, 1995, beginning at 9:30 a.m.

Contact: Ann Wingblade, Administrative Assistant, or Rita Lewis, Administrative Staff Assistant, Office of the President, George Mason University, Fairfax, VA 22030-4444, telephone (703) 993-8701 or FAX (703) 993-8707.

DEPARTMENT OF HEALTH (STATE BOARD OF)

September 14, 1995 - 10 a.m. -- Open Meeting
Best Western Inn at Hunt Ridge, Route 7, Box 99-A, Lexington, Virginia. ☎ (Interpreter for the deaf provided upon request)

A work session of the board beginning at 10 a.m. There will be a reception at 6:30 p.m., followed by an informal dinner at 7 p.m.

Contact: Paul W. Matthias, Staff to the Board, Department of Health, 1500 E. Main St., Suite 214, Richmond, VA 23219, telephone (804) 786-3564 or FAX (804) 786-4616.

September 15, 1995 - 9 a.m. -- Open Meeting
Best Western Inn at Hunt Ridge, Route 7, Box 99-A, Lexington, Virginia. ☎ (Interpreter for the deaf provided upon request)

A regular business meeting.

Contact: Paul W. Matthias, Staff to the Board, Department of Health, 1500 E. Main St., Suite 214, Richmond, VA 23219, telephone (804) 786-3564, or FAX (804) 786-4616.

Commissioner's Waterworks Advisory Committee

September 21, 1995 - 10 a.m. -- Open Meeting
Office of Water Programs, Culpeper Field Office, 400 South Main Street, 2nd Floor, Culpeper, Virginia.

A general business meeting of the committee. The committee meets the third Thursday of odd months at various locations around the state. The next meeting is November 16, 1995. Locations will be announced at a later date.

Contact: Thomas B. Gray, P.E., Special Projects Manager, Division of Water Supply Engineering, Department of Health, 1500 East Main Street, Room 109, Richmond, VA 23219, telephone (804) 786-5566.

BOARD OF HEALTH PROFESSIONS

† **September 11, 1995 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A Regulatory Research Committee meeting. Public comment will be received at the beginning of the meeting.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910 or (804) 662-7197/TDD

† **September 11, 1995 - 10:30 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A full board meeting. Public comment will be received at the beginning of the meeting.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910 or (804) 662-7197/TDD

VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL

† **September 26, 1995 - 9:30 a.m.** -- Open Meeting
Trigon Blue Cross/Blue Shield, 2015 Staples Mill Road, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A monthly meeting of the council.

Contact: Richard L. Walker, Director of Administration, Virginia Health Services Cost Review Council, 805 E. Broad St., 6th Floor, Richmond, VA 23219, telephone (804) 786-6371.

BOARD FOR HEARING AID SPECIALISTS

† **September 11, 1995 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A general business meeting. Persons desiring to participate in the meeting and requiring special

accommodations or interpretive services should contact Karen W. O'Neal. The department fully complies with the Americans with Disabilities Act. Please notify the department of your request at least two weeks in advance.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-0500, FAX (804) 367-2475 or (804) 367-9753/TDD

COMMISSION ON THE FUTURE OF HIGHER EDUCATION

September 6, 1995 - 10 a.m. -- Open Meeting
General Assembly Building, 910 Capitol Square, 6th Floor, Speaker's Conference Room, Richmond, Virginia. (Interpreter for the deaf provided upon request)

The commission was created by SJR 139 (1994) and was charged with considering issues of importance to higher education in Virginia. For information about the meeting agenda, contact the Council of Higher Education.

Contact: Anne H. Moore, Associate Director, State Council of Higher Education for Virginia, 101 N. 14th St., 9th Floor, Richmond, VA 23219, telephone (804) 225-2632.

September 20, 1995 - 8:30 a.m. -- Open Meeting
The Markel Building, 4551 Cox Road, Glen Allen, Virginia.

A general business meeting. For information about the meeting agenda, contact the Council of Higher Education.

Contact: Anne H. Moore, Associate Director, State Council of Higher Education for Virginia, 101 N. 14th St., 9th Floor, Richmond, VA 23219, telephone (804) 225-2632.

BOARD OF HISTORIC RESOURCES

State Review Board

† **September 20, 1995 - 10 a.m.** -- Open Meeting
General Assembly Building, 910 Capitol Square, Senate Room B, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A joint meeting of the department's boards to discuss and receive comments on the department's 1996 work plan.

Contact: Margaret Peters, Preservation Program Manager, Department of Historic Resources, 221 Governor St., Richmond, VA 23219, telephone (804) 786-3143, FAX (804) 225-4261 or (804) 786-1934/TDD

Calendar of Events

DEPARTMENT OF HISTORIC RESOURCES

September 12, 1995 - 3 p.m. -- Open Meeting
Virginia War Memorial, 621 South Belvidere Street,
Richmond, Virginia. ☞ (Interpreter for the deaf provided upon
request)

A public meeting to (i) receive comment on activities the
Department of Historic Resources should undertake
using federal funds during the period October 1, 1995, to
September 30, 1996; and (ii) receive comment on the
department's proposed work plan objectives and
activities for Federal Fiscal Year 1996.

Contact: Margaret Peters, Preservation Program Manager,
Department of Historic Resources, 221 Governor St.,
Richmond, VA 23219, telephone (804) 786-3143, FAX (804)
225-4261 or (804) 786-1934/TDD ☞

VIRGINIA HIV PREVENTION COMMUNITY PLANNING COMMITTEE

† September 22, 1995 - 8:30 a.m. -- Open Meeting
The Airport Sheraton, 4700 South Laburnum Avenue,
Richmond, Virginia. ☞

A meeting to continue developing the 1996 Prevention
Plan.

Contact: Elaine G. Martin, Coordinator, STD/AIDS
Education, Information and Training, Bureau of STD/AIDS,
P.O. Box 2448, Room 112, Richmond, VA 23218, telephone
(804) 786-0877 or toll-free 1-800-533-4148.

HOPEWELL INDUSTRIAL SAFETY COUNCIL

September 5, 1995 - 9 a.m. -- Open Meeting
† October 3, 1995 - 9 a.m. -- Open Meeting
† November 7, 1995 - 9 a.m. -- Open Meeting
Hopewell Community Center, Second and City Point Road,
Hopewell, Virginia. ☞ (Interpreter for the deaf provided upon
request)

Local Emergency Preparedness Committee Meeting on
emergency preparedness as required by SARA Title III.

Contact: Robert Brown, Emergency Services Coordinator,
300 N. Main St., Hopewell, VA 23860, telephone (804) 541-
2298.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

State Building Code Technical Review Board

† September 15th, 1995 - 10 a.m. -- Open Meeting
The Jackson Center, 501 North Second Street, 1st Floor
Conference Room, Richmond, Virginia. ☞ (Interpreter for the
deaf provided upon request)

The board will hear administrative appeals concerning
building and fire codes and other regulations of the
department. The board will also issue interpretations
and formalize recommendations to the Board of Housing
and Community Development concerning future changes
to the regulations.

Contact: Vernon W. Hodge, Building Code Supervisor, State
Building Code Office, Department of Housing and Community
Development, 501 N. 2nd Street, Richmond, VA 23219-1321,
telephone (804) 371-7170 or (804) 371-7089/TDD ☞

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

† September 19, 1995 - 11 a.m. -- Open Meeting
Virginia Housing Development Authority, 601 South Belvidere
Street, Richmond, Virginia. ☞

A regular meeting of the Board of Commissioners to
review and, if appropriate, (i) approve the minutes from
the prior monthly meeting; (ii) consider for approval and
ratification mortgage loan commitments under its various
programs; (iii) review the authority's operations for the
prior month; and (iv) consider such other matters and
take such other actions as it may deem appropriate.
Various committees of the Board of Commissioners may
also meet before or after the regular meeting and
consider matters within their purview. 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: J. Judson McKellar, Jr., General Counsel, Virginia
Housing Development Authority, 601 S. Belvidere Street,
Richmond, VA 23220, telephone (804) 782-1986.

VIRGINIA INTERAGENCY COORDINATING COUNCIL

September 13, 1995 - 9:30 a.m. -- Open Meeting
Henrico Area Mental Health/Mental Retardation Services,
10299 Woodman Road, Glen Allen, Virginia. ☞ (Interpreter for
the deaf provided upon request)

A quarterly meeting to discuss Virginia implementation of
Part H program services for infants and toddlers with
disabilities and their families.

Contact: Richard Corbett, Program Support, Department of
Mental Health, Mental Retardation and Substance Abuse
Services, P.O. Box 1797, Richmond, VA 23214, telephone
(804) 786-3710.

VIRGINIA INTERCOMMUNITY TRANSITION COUNCIL

† September 7, 1995 - 9:30 a.m. -- Open Meeting
Ramada Inn, 955 Pepperferry Road, Wytheville, Virginia. ☞
(Interpreter for the deaf provided upon request)

State and local representatives from 13 state agencies,
the Social Security Administration and representatives of

the business and consumer community form the Virginia Intercommunity Transition Council (VITC). The VITC meets quarterly to focus on strategic targets to move Virginia forward in the development of statewide and systematic transition services for all youth with disabilities. Eleven-thirty a.m. to 12:30 p.m. of every meeting is designated for public comment to enable persons or groups who are not standing members of the VITC to express opinions and recommendations to the VITC regarding transition issues.

Contact: Kathy Trossi, Education Services Manager, Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, VA 23288-0300, telephone (804) 662-7606 or toll-free 1-800-552-5019; or Sharon deFur, Associate Specialist/Transition, Department of Education, P.O. Box 2120, Monroe Building, 20th Floor, Richmond, VA 23216, telephone (804) 225-2702, toll-free 1-800-464-9950 or (804) 662-9040/TDD

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

September 11, 1995 - 1 p.m. -- Open Meeting
General Assembly Building, 910 Capitol Square, 6th Floor, Speaker's Conference Room, Richmond, Virginia.

October 9, 1995 - 1 p.m. -- Open Meeting
Virginia Beach, Virginia (meeting place to be announced).

A regular meeting to discuss such matters as may be presented.

Contact: Adele MacLean, Secretary, Advisory Commission on Intergovernmental Relations, 8th Street Office Building, Room 702, Richmond, VA 23219-1924, telephone (804) 786-6508 or FAX (804) 371-7999.

DEPARTMENT OF LABOR AND INDUSTRY

Migrant and Seasonal Farmworkers Board

September 27, 1995 - 10 a.m. -- Open Meeting
State Capitol, Capitol Square, House Room 1, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting of the board.

Contact: Patti C. Bell, Staff Coordinator, Department of Labor and Industry, Powers-Taylor Building, 13 S. 13th St., Richmond, VA 23219, telephone (804) 225-3083, FAX (804) 371-6524 or (804) 786-2376/TDD

STATE LAND EVALUATION ADVISORY COUNCIL

September 14, 1995 - 10 a.m. -- Open Meeting
Department of Taxation, 2220 West Broad Street, 3rd Floor Conference Room, Richmond, Virginia.

A meeting to introduce and receive comments on the preliminary suggested ranges of value for agricultural,

horticultural, forest and open-space land use and the use-value assessment program for 1996, and conduct other business that may be introduced before the council.

Contact: Farley Beaton, Executive Assistant, Department of Taxation, 2220 W. Broad St., Richmond, VA 23220, telephone (804) 367-8028.

LIBRARY BOARD

† September 11, 1995 - 11 a.m. -- Open Meeting
The Library of Virginia, Supreme Court Room, Third Floor, 11th Street at Capitol Square, Richmond, Virginia.

A meeting to discuss administrative matters of The Library of Virginia.

Contact: Jean H. Taylor, Secretary to State Librarian, The Library of Virginia, 11th Street at Capitol Square, Richmond, VA 23219, telephone (804) 786-2332.

Automation and Networking Committee

† September 11, 1995 - Noon -- Open Meeting
The Library of Virginia, Supreme Court Room, Third Floor, 11th Street at Capitol Square, Richmond, Virginia.

A meeting to discuss automation and networking matters related to The Library of Virginia.

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 11th Street at Capitol Square, Richmond, VA 23219, telephone (804) 786-2332.

Legislative and Finance Committee

† September 11, 1995 - 12:20 p.m. -- Open Meeting
The Library of Virginia, Supreme Court Room, Third Floor, 11th Street at Capitol Square, Richmond, Virginia.

A meeting to discuss legislative and financial matters related to The Library of Virginia.

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 11th Street at Capitol Square, Richmond, VA 23219, telephone (804) 786-2332.

Public Library Development Committee

† September 11, 1995 - 12:20 p.m. -- Open Meeting
The Library of Virginia, Supreme Court Room, Third Floor, 11th Street at Capitol Square, Richmond, Virginia.

A meeting to discuss matters pertaining to public library development and The Library of Virginia.

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 11th Street at Capitol Square, Richmond, VA 23219, telephone (804) 786-2332.

Calendar of Events

Publications and Cultural Affairs Committee

† **September 11, 1995 - 12:40 p.m.** -- Open Meeting
The Library of Virginia, Supreme Court Room, Third Floor,
11th Street at Capitol Square, Richmond, Virginia. ☎

A meeting to discuss matters related to publications and cultural affairs and The Library of Virginia.

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 11th Street at Capitol Square, Richmond, VA 23219, telephone (804) 786-2332.

Records Management Committee

† **September 11, 1995 - Noon** -- Open Meeting
The Library of Virginia, Supreme Court Room, Third Floor,
11th Street at Capitol Square, Richmond, Virginia. ☎

A meeting to discuss matters pertaining to records management and The Library of Virginia.

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 11th Street at Capitol Square, Richmond, VA 23219, telephone (804) 786-2332.

Research and Information Services Committee

† **September 11, 1995 - 12:40 p.m.** -- Open Meeting
The Library of Virginia, Supreme Court Room, Third Floor,
11th Street at Capitol Square, Richmond, Virginia. ☎

A meeting to discuss matters pertaining to research and information services and The Library of Virginia.

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 11th Street at Capitol Square, Richmond, VA 23219, telephone (804) 786-2332.

STATE COUNCIL ON LOCAL DEBT

September 20, 1995 - 11 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, Treasury Board Conference Room, Richmond, Virginia. ☎

A regular meeting subject to cancellation unless there are action items requiring the council's consideration. Persons interested in attending should call one week prior to the meeting to ascertain whether or not the meeting is to be held as scheduled.

Contact: Gary Ometer, Debt Manager, Department of the Treasury, P.O. Box 1879, Richmond, VA 23215, telephone (804) 225-4928.

COMMISSION ON LOCAL GOVERNMENT

September 11, 1995 - 10:30 a.m. -- Open Meeting
Winchester area; site to be determined.

Oral presentations regarding the City of Winchester-County of Frederick Voluntary Settlement Agreement. Persons desiring to participate in the commission's

proceedings and requiring special accommodations or interpreter services should contact the commission's offices.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, 702 Eighth Street Office Building, Richmond, VA 23219-1924, telephone (804) 786-6508 or (804) 786-1860/TDD ☎

September 11, 1995 - 7 p.m. -- Public Hearing
Winchester area; site to be determined.

Public hearing regarding the City of Winchester-County of Frederick Voluntary Settlement Agreement. Persons desiring to participate in the commission's proceedings and requiring special accommodations or interpreter services should contact the commission's offices.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, 702 Eighth Street Office Building, Richmond, VA 23219-1924, telephone (804) 786-6508 or (804) 786-1860/TDD ☎

September 12, 1995 - 9 a.m. -- Open Meeting
Winchester area; site to be determined.

A regular meeting of the commission to consider such matters as they may be presented. Persons desiring to participate in the commission's proceedings and requiring special accommodations or interpreter services should contact the commission's offices.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, 702 Eighth Street Office Building, Richmond, VA 23219-1924, telephone (804) 786-6508 or (804) 786-1860/TDD ☎

MARINE RESOURCES COMMISSION

† **September 26, 1995 - 9:30 am.** -- Open Meeting
Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Room 403, Newport News, Virginia. ☎ (Interpreter for the deaf provided upon request)

The commission will hear and decide marine environmental matters at 9:30 a.m.; permit applications for projects in wetlands, bottom lands, coastal primary sand dunes and beaches; appeals of local wetland board decisions; policy and regulatory issues. The commission will hear and decide fishery management items at approximately noon. Items to be heard are as follows: regulatory proposals, fishery management plans; fishery conservation issues; licensing; shellfish leasing. Meetings are open to the public. Testimony will be taken under oath from parties addressing agenda items on permits and licensing. Public comments will be taken on resource matters, regulatory issues and items scheduled for public hearing. The commission is empowered to promulgate regulations in the areas of marine environmental management and marine fishery management.

Contact: Sandra S. Schmidt, Secretary to the Commission, Marine Resources Commission, P.O. Box 756, Newport

News, VA 23607-0756, telephone (804) 247-8088, toll-free 1-800-541-4646 or (804) 247-2292/TDD ☎

BOARD OF MEDICINE

September 22, 1995 - 9 a.m. -- Open Meeting
The Marriott, 50 Kingsmill Road, Williamsburg, Virginia. ☎

The Informal Conference Committee, composed of three members of the board, will inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 A 7 and A 15 of the Code of Virginia. Public comment will not be received.

Contact: Karen W. Perrine, Deputy Executive Director, Discipline, Board of Medicine, 6606 W. Broad St., Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943 or (804) 662-7197/TDD ☎

VIRGINIA MILITARY INSTITUTE

Board of Visitors

† **October 28, 1995 - 8:30 a.m.** -- Open Meeting
Smith Hall Board Room, Virginia Military Institute, Lexington, Virginia. ☎

A regular meeting of the Board of Visitors to receive committee reports. Public comment will not be received at this meeting. Public comment is received at the August meeting of the board.

Contact: Colonel Edwin L. Dooley, Jr., Secretary to the Board, Superintendent's Office, Virginia Military Institute, Lexington, VA 24450, telephone (540) 464-7206.

DEPARTMENT OF MINES, MINERALS AND ENERGY

Abandoned Mine Land Advisory Committee

† **September 6, 1995 - 2 p.m.** -- Open Meeting
Powell River Project Site, Norton, Virginia. ☎ (Interpreter for the deaf provided upon request)

A quarterly meeting.

Contact: Danny R. Brown, Division Director, Department of Mines, Minerals and Energy, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (540) 523-8152.

Division of Mined Land Reclamation

† **September 6, 1995 - 1 p.m.** -- Open Meeting
Department of Mines, Minerals and Energy, Buchanan-Smith Building, Rt. 23, Big Stone Gap, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting of the coal combustion by-products/biosolids work group to advise the agency on development of guidelines for the placement of coal combustion by-products and biosolids on division of mined land reclamation sites. This work group meeting is open to the public. There will be a public comment period at the conclusion of the meeting.

Contact: Les Vincent, Chief Engineer, Department of Mines, Minerals and Energy, Division of Mined Land Reclamation, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (540) 523-8178, toll-free 1-800-828-1120 (VA Relay Center) or FAX (540) 523-8163.

† **September 11, 1995 - 9:30 a.m.** -- Open Meeting
Department of Mines, Minerals and Energy, Buchanan-Smith Building, Rt. 23, Big Stone Gap, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting of the Permit Streamlining/Standardization Work Group to advise the agency on development of standardized, streamlined permit applications. This work group meeting is open to the public. There will be a public comment period at the conclusion of the meeting.

Contact: Les Vincent, Chief Engineer, Department of Mines, Minerals and Energy, Division of Mined Land Reclamation, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (540) 523-8178 or toll-free 1-800-828-1120 (VA Relay Center).

DEPARTMENT OF MOTOR VEHICLES

T & M Vehicle Dealer's Advisory Board

† **September 8, 1995 - 9 a.m.** -- Open Meeting
Department of Motor Vehicles Headquarters Building, Room 702, 2300 West Broad Street, Richmond, Virginia. ☎

First meeting of the T & M Vehicle Dealer's Advisory Board. This board was recently appointed by the Governor pursuant to legislation adopted by the 1995 Session of the General Assembly (§ 46.2-1900 et seq. of the Code of Virginia). It is expected that this first meeting will focus primarily on organizational issues.

Contact: Bruce Gould, Legislative Analyst, Department of Motor Vehicles, 2300 W. Broad St., Richmond, VA 23269, telephone (804) 367-0582, or toll-free 1-800-272-9278/TDD ☎

MOTOR VEHICLE DEALER BOARD

September 27, 1995 - 9 a.m. -- Open Meeting
Department of Motor Vehicles Headquarters, 2300 West Broad Street, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting to conduct general board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at (804) 367-6606 at least 10 days prior to the meeting so that suitable arrangements

Calendar of Events

can be made. DMV and the board fully comply with the Americans with Disabilities Act. A tentative agenda will be provided upon request by contacting the Department of Motor Vehicles. The board's guidelines for receiving public comment are as follows:

1. Issue addressed by individual making public comment must be on the agenda for that meeting.
2. Opportunity for public comment on the issue being addressed has not been afforded the public in another forum such as a public hearing.
3. Individual offering public comment should limit remarks to not more than five minutes.
4. If a group of citizens wishes to comment on an item, they are asked to select one individual to speak for the group.
5. Exceptions to item 2 can be made upon the motion of a board member with a majority of the board concurring.

Contact: W. Gail Morykon, Chief, Investigative Services, Department of Motor Vehicles, P.O. Box 27412, Room 625A, Richmond, VA 23269-0001, telephone (804) 367-6002, FAX (804) 367-2936 or (804) 272-9278/TDD ☎

VIRGINIA MUSEUM OF FINE ARTS

Board of Trustees

September 5, 1995 - 8 a.m. -- Open Meeting
Virginia Museum of Fine Arts, Director's Office, 2800 Grove Avenue, Richmond, Virginia. ♿

A monthly update meeting of board officers and the director. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553.

September 13, 1995 - 10 a.m. -- Open Meeting
Virginia Museum of Fine Arts, Library Reading Room, 2800 Grove Avenue, Richmond, Virginia. ♿

One of four workshops to develop a long-range strategic plan for the Virginia Museum. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553.

September 14, 1995 - 9:30 a.m. -- Open Meeting
Virginia Museum of Fine Arts, Library Reading Room, 2800 Grove Avenue, Richmond, Virginia. ♿

A briefing meeting of the Planning Committee following the Strategic Plan Steering Committee Workshop held on the previous day. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553.

September 18, 1995 - 1 p.m. -- Open Meeting
September 19, 1995 - 9 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Richmond, Virginia. ♿

A two-day retreat for the Board of Trustees. Planning issues and future direction of the Museum will be discussed. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553.

BOARD FOR OPTICIANS

† **October 13, 1995 - 10 a.m. -- Public Hearing/Open Meeting**
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

An open meeting to discuss regulatory review and other matters requiring board action will be held immediately after a public hearing on Executive Order Number Fifteen (94). A public comment period will be held at the beginning of the meeting. Persons desiring to participate in the public hearing and/or meeting and requiring special accommodations or interpretive services should contact the board at least 10 days prior to the public hearing/meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TDD ☎

BOARD OF OPTOMETRY

† **September 20, 1995 - 9 a.m. -- Open Meeting**
Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Informal conferences. Public comment will be received at the beginning of the meeting.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, Southern States Building, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9910 or (804) 662-7197/TDD ☎

BOARD OF PHARMACY

September 12, 1995 - 9 a.m. -- Open Meeting
September 13, 1995 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 1, Richmond, Virginia. ☎

Informal conferences. Public comments will not be received.

Contact: Scotti W. Milley, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9911.

September 14, 1995 - 9:30 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 4, Richmond, Virginia. ☎

A working meeting of the Regulation Committee and Ad Hoc Advisory Committee for the comprehensive review of VR 530-01-1 in accordance with Executive Order 15(94). No public comments will be received.

Contact: Scotti W. Milley, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9911.

VIRGINIA POLYGRAPH EXAMINERS ADVISORY BOARD

September 26, 1995 - 10 a.m. -- CANCELED
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4th Floor, Richmond, Virginia. ☎
(Interpreter for the deaf provided upon request)

A meeting to review new enforcement procedures, to administer the Polygraph Examiners Licensing Examination to eligible polygraph examiner interns, and to consider other matters which may require board action. A public comment period will be scheduled at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TDD ☎

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

September 18, 1995 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. ☎

A general business meeting of the board. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the

meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Debra S. Vought, Agency Analyst, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8519 or (804) 367-9753/TDD ☎

REAL ESTATE APPRAISER BOARD

† September 19, 1995 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. ☎

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department. The department fully complies with the Americans with Disabilities Act. Please notify the department at least two weeks in advance for consideration of your request.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-0500, FAX (804) 367-2475 or (804) 367-9753/TDD ☎

REAL ESTATE BOARD

Continuing Education Committee

† September 7, 1995 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. ☎

The committee will meet to establish procedures for registration of continuing education courses.

Contact: Emily O. Wingfield, Acting Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, or (804) 367-9753/TDD ☎

VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

† September 14, 1995 - 10 a.m. -- Open Meeting
Department of Environmental Quality, Innsbrook Board Room, 4900 Cox Road, Richmond, Virginia.

Council will continue work on developing and monitoring a plan to strengthen Virginia's recycling infrastructure and markets; setting forth strategies primarily designed to improve the supply, quantity, and quality of recyclables; and providing strategies for increasing the demand for recycled products and expanding the capacity of collectors, processors and manufacturers to handle and use specified recyclable materials.

Calendar of Events

Subcommittee meetings, if appropriate, will be held prior to or after the general council meeting.

Contact: Paddy Katzen, Assistant to Secretary of Natural Resources, Department of Environmental Quality, 629 E. Main St., Richmond, VA 23219, telephone (804) 762-4488 or FAX (804) 762-4453.

REFORESTATION OF TIMBERLANDS BOARD

† **September 13, 1995 - 10 a.m.** -- Open Meeting
Department of Forestry field office north of Boydton, Virginia on Rt. 660. ☒

A meeting to discuss the annual accomplishment and financial report, and hold the election of officers.

Contact: Phil T. Grimm, Assistant Chief, Forest Management, Department of Forestry, P.O. Box 3758, Charlottesville, VA 22903, telephone (804) 977-6555.

BOARD OF REHABILITATIVE SERVICES

September 28, 1995 - 10 a.m. -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia. ☒ (Interpreter for the deaf provided upon request)

A quarterly business meeting.

Contact: Dr. Ronald C. Gordon, Commissioner, Department of Rehabilitative Services, 8004 Franklin Farms Dr., Richmond, VA 23230, telephone (804) 662-7010, toll-free 1-800-552-5019/TDD and Voice or (804) 662-9040/TDD ☒

VIRGINIA RESOURCES AUTHORITY

† **September 12, 1995 - 9:30 a.m.** -- Open Meeting
The Mutual Building, 909 East Main Street, Suite 607, Board Room, Richmond, Virginia.

The board will meet to approve minutes of the meeting of August 8, 1995; to review the Authority's operations for the prior months; and to consider other matters and take other actions as it 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. Public comments will be received at the beginning of the meeting.

Contact: Shockley D. Gardner, Jr., Virginia Resources Authority, 909 E. Main St., Suite 607, Mutual Building, Richmond, VA 23219, telephone (804) 644-3100 or FAX (804) 644-3109.

† **October 10, 1995 - 9:30 a.m.** -- Open Meeting
The Mutual Building, 909 East Main Street, Suite 607, Board Room, Richmond, Virginia.

The board will meet to approve minutes of the meeting of September 12, 1995; to review the Authority's operations for the prior months; and to consider other matters and take other actions as it 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. Public comments will be received at the beginning of the meeting.

Contact: Shockley D. Gardner, Jr., Virginia Resources Authority, 909 E. Main St., Suite 607, Mutual Building, Richmond, VA 23219, telephone (804) 644-3100 or FAX (804) 644-3109.

† **November 14, 1995 - 9:30 a.m.** -- Open Meeting
The Mutual Building, 909 East Main Street, Suite 607, Board Room, Richmond, Virginia.

The board will meet to approve minutes of the meeting of October 10, 1995; to review the Authority's operations for the prior months; and to consider other matters and take other actions as it 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. Public comments will be received at the beginning of the meeting.

Contact: Shockley D. Gardner, Jr., Virginia Resources Authority, 909 E. Main St., Suite 607, Mutual Building, Richmond, VA 23219, telephone (804) 644-3100 or FAX (804) 644-3109.

RICHMOND HOSPITAL AUTHORITY

Board of Commissioners

September 28, 1995 - 4 p.m. -- Open Meeting
Richmond Nursing Home, 1900 Cool Lane, 2nd Floor, Classroom, Richmond, Virginia. ☒

A monthly board meeting to discuss nursing home operations and related matters.

Contact: Marilyn H. West, Chairman, Richmond Hospital Authority, P.O. Box 548, Richmond, VA 23204-0548, telephone (804) 782-1938.

SEWAGE HANDLING AND DISPOSAL APPEALS REVIEW BOARD

September 20, 1995 - 10 a.m. -- Open Meeting
September 21, 1995 - 10 a.m. -- Open Meeting
County of Henrico, Administrative Building, 4301 East Parham Road, Board of Supervisors Board Room, Richmond, Virginia. ☒

† **November 1, 1995 - 10 a.m.** -- Open Meeting
† **November 2, 1995 - 10 a.m.** -- Open Meeting
General Assembly Building, Senate Room A, Capitol Square, Ninth and Broad Streets, Richmond, Virginia. ☒

The board will hear all administrative appeals of denials of onsite sewage disposal systems permits pursuant to §§ 32.1-166.1 et seq. and 9-6.14:12 of the Code of Virginia and VR 355-34-02.

Contact: Beth B. Dubis, Secretary to the Board, Sewage Handling and Disposal Appeals Review Board, 1500 E. Main St., Suite 117, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-1750.

Contact: Karen Cullen, Program Consultant, Division of Benefit Programs, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1720.

BOARD OF SOCIAL WORK

† September 21, 1995 - Noon -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Room 2, Richmond, Virginia. ☎

A meeting of the Ad Hoc Regulatory Review Committee.

Contact: Evelyn Brown, Executive Director, Board of Social Work, 6606 W. Broad St., Richmond, VA 23230-1717, telephone (804) 662-9914, FAX (804) 662-9943 or (804) 662-7197/TDD ☎

† September 21, 1995 - 1 p.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ☎

An informal conference conducted in accordance to § 9-6.14:11 of the Code of Virginia.

Contact: Evelyn B. Brown, Executive Director, Board of Social Work, 6606 W. Broad St., Richmond, VA 23230, telephone (804) 662-7328.

September 22, 1995 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Room 3, Richmond, Virginia. ☎

A regular meeting of the board to consider committee reports, training curriculum, adoption of final regulations for social workers, and any other matters under the jurisdiction of the board.

Contact: Evelyn Brown, Executive Director, Board of Social Work, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9914, FAX (804) 662-9943 or (804) 662-7197/TDD

DEPARTMENT OF SOCIAL SERVICES (STATE BOARD OF)

Reproposed

September 20, 1995 -- Public comments may be submitted through this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to adopt regulations entitled: **VR 615-01-51. Auxiliary Grants Program: Levels of Care and Rate Setting.** The regulation includes the process for adult care residences to use in reporting their costs, the process used in calculating the auxiliary grant rates for the residences, and services to be provided to auxiliary grant recipients.

Statutory Authority: §§ 63.1-25 and 63.1-25.1 of the Code of Virginia.

Reproposed

September 20, 1995 -- Public comments may be submitted through this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to adopt regulations entitled: **VR 615-22-02:1 Standards and Regulations for Licensed Adult Care Residences.** The 1993 General Assembly enacted legislation (House Bill 2280) which created two levels of care in licensed homes for adults. This legislation also established the statutory basis for the prohibition of specific medical conditions. In addition, it changed the term "homes for adults" to "adult care residences." This regulation specifies the licensure requirements for adult care residences. Sections addressed within the licensure regulation include personnel and staffing requirements; admission, retention and discharge policies; resident accommodations, care and related services; buildings and grounds; and additional requirements for assisted living facilities (the higher of the two levels of care). The proposed regulation replaces the regulation entitled "Standards and Regulations for Licensed Home for Adults" and has a proposed effective date of February 1, 1996.

Statutory Authority: §§ 63.1-25, 63.1-174 and 63.1-174.001 of the Code of Virginia.

Contact: Judy McGreal, Program Development Supervisor, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1792.

Reproposed

September 20, 1995 -- Public comments may be submitted through this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to adopt regulations entitled: **VR 615-46-02. Assessment and Case Management in Adult Care Residences.** This regulation establishes general standards for assessment and case management for applicants to and residences of adult care residences.

Statutory Authority: §§ 63.1-25 and 63.1-173.3 of the Code of Virginia.

Contact: Terry A. Smith, Manager, Adult Services Program, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1208.

Calendar of Events

DEPARTMENT OF TRANSPORTATION (COMMONWEALTH TRANSPORTATION BOARD)

September 8, 1995 -- Public 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 Commonwealth Transportation Board intends to amend regulations entitled: **VR 385-01-8. Subdivision Street Requirements.** The Subdivision Street Requirements were originally adopted in 1949 to establish the requirements and administrative procedures for the addition of subdivision streets into the secondary system of Virginia's highways. The geometric standards and specifications listed or referenced in the manual are consistent with the department's criteria for the design and construction of roadway facilities which are adequate to serve the traffic projected to travel over the streets involved. The regulation does make allowances to recognize unique situations concerning street development which arise during the process of subdividing land.

The proposed amendments to the Subdivision Street Requirements reflect the findings of the department documented in response to Senate Joint Resolution 61, enacted by the 1994 General Assembly. This resolution directed the department to study the need for establishing more flexible design standards to ensure these standards reflect the special needs of historical districts, and to address the need for conservation and protection of environmentally sensitive areas. As a result of this effort, the department solicited comments from municipalities, developers, and other stakeholders before securing formal permission to revise the Subdivision Street Requirements.

The proposed amendments provide a number of benefits for participants in the subdivision/development processes: updated nomenclature, references, and titles; additional definitions to reflect new conditions or design specifications; the establishment of new or expanded responsibilities of the participants; and clarifying language to resolve procedural issues. These amendments are intended to produce a document which (i) is easier to understand; (ii) provides additional flexibility to the overall addition process; and (iii) addresses economic and environmental concerns fairly.

Public comments may be submitted until September 8, 1995, to James S. Givens, Secondary Roads Engineer, Department of Transportation, 1401 E. Broad Street, Richmond, Virginia 23219.

Contact: H. Charles Rasnick, Assistant Secondary Roads Engineer, Virginia Department of Transportation, 1401 E. Broad Street, Richmond, Virginia 23219, telephone (804) 786-7314.

† **September 20, 1995 - 2 p.m.** -- Open Meeting
Department of Transportation, 1401 East Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A work session of the board and the Department of Transportation staff.

Contact: Robert E. Martinez, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-8032.

† **September 21, 1995 - 10 a.m.** -- Open Meeting
1401 East Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly meeting 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. Public comment will be received at the outset of the meeting on items on the meeting agenda for which the opportunity for public comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the Chairman. Contact VDOT Public Affairs at (804) 786-2715 for schedule.

Contact: Robert E. Martinez, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-8032.

TRANSPORTATION SAFETY BOARD

NOTE: CHANGE IN MEETING DATE

September 19, 1995 - 9 a.m. -- Open Meeting
Department of Motor Vehicles Headquarters, 2300 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

October 4, 1995 - 9 a.m. -- Open Meeting
Virginia Military Institute, Lexington, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss matters regarding highway safety.

Contact: Angelisa C. Jennings, Management Analyst, Department of Motor Vehicles, 2300 W. Broad St., Richmond, VA 23269, telephone (804) 367-2026 or FAX (804) 367-6031.

TREASURY BOARD

September 20, 1995 - 9 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, Treasury Board Conference Room, 3rd Floor, Richmond, Virginia. ♿

A regular meeting.

Contact: Gloria J. Hatchel, Administrative Assistant, Department of the Treasury, Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 371-6011.

BOARD FOR THE VISUALLY HANDICAPPED

October 19, 1995 - 1:30 p.m. -- Open Meeting

Department for the Visually Handicapped, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☎ (Interpreter for the deaf provided if requested no later than 5 p.m. on October 5, 1995)

The Board for the Visually Handicapped is an advisory board responsible for advising the Governor, the Secretary of Health and Human Resources, the Commissioner, and the General Assembly on the delivery of public services to the blind and the protection of their rights. The board also reviews and comments on policies, budgets and requests for appropriations for the department. At this regular quarterly meeting, the board members will receive information regarding department activities and operations, review expenditures from the board's institutional fund, and discuss other issues raised by board members.

Contact: Katherine C. Proffitt, Administrative Assistant, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3140/TDD ☎ or toll-free 1-800-622-2155.

DEPARTMENT FOR THE VISUALLY HANDICAPPED

Advisory Committee on Services

October 14, 1995 - 11 a.m. -- Open Meeting

Department for the Visually Handicapped, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request. Request must be received no later than 9/5/95 at 5 p.m.)

A quarterly meeting to advise the Board for the Visually Handicapped on matters related to services for blind and visually impaired citizens of the Commonwealth.

Contact: Barbara G. Tyson, Executive Secretary Senior, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3140/TDD ☎ or toll-free 1-800-622-2155.

Vocational Rehabilitation Advisory Council

September 16, 1995 - 10 a.m. -- Open Meeting

Department for the Visually Handicapped, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request. Request must be received no later than 9/5/95 at 5 p.m.)

Council meets quarterly to advise the Virginia Department for the Visually Handicapped on matters related to vocational rehabilitation services for blind and visually impaired citizens of the Commonwealth.

Contact: James G. Taylor, Vocational Rehabilitation Program Specialist, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227,

telephone (804) 371-3140, (804) 371-3140/TDD ☎, or toll-free 1-800-622-2155.

VIRGINIA VOLUNTARY FORMULARY BOARD

† **October 18, 1995 - 10 a.m.** -- Public Hearing

James Madison Building, 109 Governor Street, Main Floor, Conference Room, Richmond, Virginia.

The board will hold a public hearing to consider the proposed adoption and issuance of revisions to the Virginia Voluntary Formulary. The proposed revisions to the Formulary add and delete drugs and drug products to the Formulary that became effective on May 1, 1994. Copies of the proposed revisions to the Formulary are available for inspection at the Virginia Department of Health, Bureau of Pharmacy Services, James Madison Building, 109 Governor Street, Richmond, Virginia 23219. Written comments sent to the above address and received prior to 5 p.m. on October 18, 1995, will be made a part of the hearing record.

Contact: James K. Thomson, Director, Bureau of Pharmacy Services, 109 Governor St., Room B1-9, Richmond, VA 23219, telephone (804) 786-4326.

VIRGINIA WASTE MANAGEMENT BOARD

† **October 3, 1995 - 10 a.m.** -- Open Meeting

Department of Environmental Quality, 4900 Cox Road, Board Room, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A regularly scheduled meeting.

Contact: Cindy Berndt, Policy and Planning Supervisor, Department of Environmental Quality, 629 E. Main St., Richmond, VA 23219, telephone (804) 762-4378, FAX (804) 762-4346 or (804) 762-4021/TDD ☎

STATE WATER CONTROL BOARD

September 25, 1995 -- Written comments may be submitted through this date.

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 repeal regulations entitled: **VR 680-14-01. Permit Regulation.** The purpose of the proposed regulatory action is to repeal the permit regulation in order to eliminate confusion and duplication from the concurrent adoption of a VPDES permit regulation and a VPA permit regulation.

Question and Answer Period: A question and answer period will be held one-half hour prior to the beginning of each public hearing at the same location. The Department of Environmental Quality staff will be present to answer questions regarding the proposed action.

Accessibility to Persons with Disabilities: The meetings will be held at public facilities believed to be accessible

Calendar of Events

to persons with disabilities. Any person with questions on the accessibility of the facilities should contact Zelda Hardy, Office of Regulatory Services, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 762-4377 or (804) 762-4261/TDD. Persons needing interpreter services for the deaf must notify Ms. Hardy no later than 4 p.m. on Monday, August 14, 1995.

Other Pertinent Information: The department has conducted analyses on the proposed action related to basis, purpose, substance, issues and estimated impacts. These are available upon request from Richard Ayers at the Department of Environmental Quality.

Statutory Authority: § 62.1-44.15(10) of the Code of Virginia.

Written comments may be submitted until 4 p.m., Monday, September 25, 1995, to Zelda Hardy, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

Contact: Richard Ayers, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 527-5059 or (804) 762-4261/TDD ☎

September 25, 1995 -- Written comments may be submitted through this date.

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 adopt regulations entitled: **VR 680-14-01:1. Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation.** The purpose of the proposed regulation is to adopt a VPDES permit regulation which will administer the VPDES program which controls the point source discharge of pollutants to surface waters of the state.

Question and Answer Period: A question and answer period will be held one-half hour prior to the beginning of each public hearing at the same location. The Department of Environmental Quality staff will be present to answer questions regarding the proposed action.

Accessibility to Persons with Disabilities: The meetings will be held at public facilities believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facilities should contact Zelda Hardy, Office of Regulatory Services, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 762-4377 or (804) 762-4261/TDD. Persons needing interpreter services for the deaf must notify Ms. Hardy no later than 4 p.m. on Monday, August 14, 1995.

Other Pertinent Information: The department has conducted analyses on the proposed action related to basis, purpose, substance, issues and estimated impacts. These are available upon request from Richard Ayers at the Department of Environmental Quality.

Statutory Authority: § 62.1-44.15(10) of the Code of Virginia.

Written comments may be submitted until 4 p.m., Monday, September 25, 1995, to Zelda Hardy, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

Contact: Richard Ayers, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 527-5059 or (804) 762-4261/TDD ☎

September 25, 1995 -- Written comments may be submitted through this date.

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 repeal regulations entitled: **VR 680-14-03. Toxics Management Regulation.** The purpose of the proposed regulatory action is to repeal the Toxics Management Regulation to avoid duplication and confusion with the adoption of a VPDES permit regulation.

Question and Answer Period: A question and answer period will be held one-half hour prior to the beginning of each public hearing at the same location. The Department of Environmental Quality staff will be present to answer questions regarding the proposed action.

Accessibility to Persons with Disabilities: The meetings will be held at public facilities believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facilities should contact Zelda Hardy, Office of Regulatory Services, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 762-4377 or (804) 762-4261/TDD. Persons needing interpreter services for the deaf must notify Ms. Hardy no later than 4 p.m. on Monday, August 14, 1995.

Other Pertinent Information: The department has conducted analyses on the proposed action related to basis, purpose, substance, issues and estimated impacts. These are available upon request from Richard Ayers at the Department of Environmental Quality.

Statutory Authority: § 62.1-44.15(10) of the Code of Virginia.

Written comments may be submitted until 4 p.m., Monday, September 25, 1995, to Zelda Hardy, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

Contact: Richard Ayers, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 527-5059 or (804) 762-4261/TDD ☎

September 25, 1995 -- Written comments may be submitted through this date.

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 adopt regulations entitled: **VR 680-14-21.**

Virginia Pollution Abatement (VPA) Permit Regulation. The purpose of the proposed regulation is to adopt a VPA permit regulation which will administer the VPA permit program which controls activities that do not result in a point source discharge to surface waters of the state.

Question and Answer Period: A question and answer period will be held one-half hour prior to the beginning of each public hearing at the same location. The Department of Environmental Quality staff will be present to answer questions regarding the proposed action.

Accessibility to Persons with Disabilities: The meetings will be held at public facilities believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facilities should contact Zelda Hardy, Office of Regulatory Services, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 762-4377 or (804) 762-4261/TDD. Persons needing interpreter services for the deaf must notify Ms. Hardy no later than 4 p.m. on Monday, August 14, 1995.

Other Pertinent Information: The department has conducted analyses on the proposed action related to basis, purpose, substance, issues and estimated impacts. These are available upon request from Richard Ayers at the Department of Environmental Quality.

Statutory Authority: §§ 62.1-44.15, 62.1-44.16, 62.1-44.17, 62.1-44.18, 62.1-44.19, 62.1-44.20 and 62.1-44.21.

Written comments may be submitted until 4 p.m., Monday, September 25, 1995, to Zelda Hardy, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

Contact: Richard Ayers, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 527-5059 or (804) 762-4261/TDD ☎

† **October 11, 1995 - 9 a.m. -- Open Meeting**
Department of Environmental Quality, 4900 Cox Road, Board Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regularly scheduled meeting.

Contact: Cindy Berndt, Policy and Planning Supervisor, Department of Environmental Quality, 629 E. Main St., Richmond, VA 23219, telephone (804) 762-4378, FAX (804) 762-4346 or (804) 762-4021/TDD ☎

† **October 12, 1995 - 2 p.m. -- Open Meeting**
Department of Environmental Quality, 4900 Cox Road, Board Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A public meeting to receive views and comments and to answer questions from the public on the board's notice of intent to amend VR 680-01-01, Fees for Permits and Certificates.

Contact: Richard Ayers, Water Division, Office of Water Resources Management, Department of Environmental

Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 762-4075.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

† **October 5, 1995 - 8:30 a.m. -- Open Meeting**
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review and other matters requiring board action. A public comment period will be held at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the board at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TDD ☎

GOVERNOR'S ADVISORY COMMISSION ON WELFARE REFORM

† **September 13, 1995 - 1 p.m. -- Open Meeting**
Location to be determined, Lynchburg, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting of the commission. Business will be conducted according to items listed on the agenda which has not yet been determined.

Contact: Gail Nottingham, Commission Secretary, 4615 W. Broad St., 3rd Floor, Richmond, VA 23230, telephone (804) 367-9800, FAX (804) 367-6172 or (804) 367-6283/TDD ☎

† **October 12, 1995 - 1 p.m. -- Open Meeting**
Department of Social Services, 703 East Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting of the commission. Business will be conducted according to items listed on the agenda which has not yet been determined. Subcommittees of the commission are tentatively scheduled to meet at the same location beginning at 9 a.m.

Contact: Gail Nottingham, Commission Secretary, 4615 W. Broad St., 3rd Floor, Richmond, VA 23230, telephone (804) 367-9800, FAX (804) 367-6172 or (804) 367-6283/TDD ☎

THE COLLEGE OF WILLIAM AND MARY

Board of Visitors

September 8, 1995 - 9:30 a.m. -- Open Meeting

Calendar of Events

Ash Lawn-Highland, Route 6, Box 37, Charlottesville, Virginia. ☒

A regularly scheduled meeting of the board to receive reports from several committees of the board, and to act on those resolutions that are presented by the administrations of The College of William and Mary and Richard Bland College. An information release will be available four days prior to the board meeting for those individuals or organizations who request it.

Contact: Peggy J. Shaw, Information Manager, Office of University Relations, College of William and Mary, P.O. Box 8795, Williamsburg, VA 23187-8795, telephone (804) 221-2626.

BOARD OF YOUTH AND FAMILY SERVICES

† **September 12, 1995 - 4 p.m.** -- Open Meeting
Omni Hotel, Norfolk, Virginia. ☒

A meeting to receive comments from the public on the implementation of the process for submitting local plans pursuant to the Virginia Juvenile Community Crime Control Act.

Contact: Donald R. Carignan, Policy Coordinator, Department of Youth and Family Services, P.O. Box 1110, Richmond, VA 23208-1110, telephone (804) 371-0743.

† **September 13, 1995 - 10:30 a.m.** -- Open Meeting
Omni Hotel, Norfolk, Virginia. ☒

A general meeting to review programs recommended for certification or probation, to consider adoption of draft policies, and other matters that may come before the board.

Contact: Donald R. Carignan, Policy Coordinator, Department of Youth and Family Services, P.O. Box 1110, Richmond, VA 23208-1110, telephone (804) 371-0743.

LEGISLATIVE

VIRGINIA CODE COMMISSION

September 20, 1995 - 10 a.m. -- Open Meeting
General Assembly Building, 910 Capitol Square, Speaker's Conference Room, 6th Floor, Richmond, Virginia. ☒

A regular meeting.

Contact: Joan W. Smith, Registrar of Regulations, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION

† **September 11, 1995 - 9:30 a.m.** -- Open Meeting

General Assembly Building, Senate Room A, Richmond, Virginia. ☒

A briefing on Competing in Standards of Quality Funding and ongoing VRS oversight items.

Contact: Philip A. Leone, Director, Joint Legislative Audit and Review Commission, Suite 1100, General Assembly Building, Richmond, VA 23219, telephone (804) 786-1258.

CHRONOLOGICAL LIST

OPEN MEETINGS

September 5

Hopewell Industrial Safety Council
Museum of Fine Arts, Virginia
- Board of Trustees

September 6

Alcoholic Beverage Control Board, Virginia
Chesapeake Bay Local Assistance Board
- Northern Area Review Committee
Higher Education in Virginia, Commission on the Future of
† Mines, Minerals and Energy, Department of
- Abandoned Mine Land Advisory Committee
- Division of Mined Land Reclamation

September 7

Chesapeake Bay Local Assistance Board
- Central Area Review Committee
- Southern Area Review Committee
† Intercommunity Transition Council, Virginia
† Real Estate Board
- Continuing Education Committee

September 8

† Aging, Disability and Long-Term Care Services, Advisory Committee on
Conservation and Recreation, Department of
- Shenandoah Scenic River Advisory Board
Dentistry, Board of
† Motor Vehicles, Department of
- T & M Vehicle Dealer's Advisory Board
William and Mary, The College of
- Board of Visitors

September 11

† Aging, Disability and Long-Term Care Services, Advisory Committee on
† Criminal Sentencing Commission, Virginia
† Funeral Directors and Embalmers, Board of
† Health Professions, Board of
† Hearing Aid Specialists, Board for
Intergovernmental Relations, Advisory Commission on
† Joint Legislative Audit and Review Commission
† Library Board
- Automation and Networking Committee
- Legislative and Finance Committee
- Publications and Cultural Affairs Committee
- Public Library Development Committee

- Records Management Committee
- Research and Information Services Committee
- Local Government, Commission on
- † Mines, Minerals and Energy, Department of
- Division of Mined Land Reclamation

September 12

- Aging, Disability and Long-Term Care Services, Advisory Committee on
- † Architects, Professional Engineers, Land Surveyors and Landscape Architects, Board for
- Board for Land Surveyors
- † Funeral Directors and Embalmers, Board of Historic Resources, Department of
- Local Government, Commission on
- Pharmacy, Board of
- † Resources Authority, Virginia
- † Youth and Family Services, Board of

September 13

- † Air Pollution Control Board, State
- State Advisory Board on Air Pollution
- † Emergency Planning Committee, Local - City of Alexandria
- Interagency Coordinating Council, Virginia
- Museum of Fine Arts, Virginia
- Board of Trustees
- Pharmacy, Board of
- † Reforestation of Timberlands Board
- † Welfare Reform, Governor's Advisory Commission on
- † Youth and Family Services, Board of

September 14

- † Architects, Professional Engineers, Land Surveyors and Landscape Architects, Board for
- Board for Landscape Architects
- Health, State Board of
- Land Evaluation Advisory Council, State
- Museum of Fine Arts, Virginia
- Board of Trustees
- Pharmacy, Board of
- † Recycling Markets Development Council, Virginia

September 15

- † Commonwealth Competition Council
- Dentistry, Board of
- Health, State Board of
- † Housing and Community Development, Department of
- State Building Code Technical Review Board

September 16

- Visually Handicapped, Department for the
- Vocational Rehabilitation Advisory Council

September 18

- Alcoholic Beverage Control Board
- † Conservation and Recreation, Department of
- † Environmental Quality, Department of
- Litter Control and Recycling Fund Advisory Board
- Museum of Fine Arts, Virginia
- Board of Trustees
- Professional and Occupational Regulation, Board for

September 19

- † Conservation and Recreation, Department of

- † Contractors, Board for
- Application Review Committee
- † Housing Development Authority, Virginia
- Museum of Fine Arts, Virginia
- Board of Trustees
- † Real Estate Appraiser Board
- Transportation Safety Board

September 20

- Code Commission, Virginia
- † Contractors, Board for
- George Mason University
- Board of Visitors
- Higher Education for Virginia, State Council of
- † Historic Resources, Board of, and the State Review Board
- Local Debt, State Council on
- † Optometry, Board of
- Sewage Handling and Disposal Appeals Review Board
- † Transportation Board, Commonwealth
- Treasury Board

September 21

- † Air Pollution Control Board, State
- † Architects, Professional Engineers, Land Surveyors and Landscape Architects, Board for
- Board for Interior Designers
- † Chesapeake Bay Local Assistance Board
- † Conservation and Recreation, Department of
- Falls of the James Scenic River Advisory Board
- † Environmental Quality, Department of
- † Funeral Directors and Embalmers, Board of Health, Department of
- Commissioner's Waterworks Advisory Committee
- Sewage Handling and Disposal Appeals Review Board
- † Social Work, Board of
- † Transportation Board, Commonwealth

September 22

- Dentistry, Board of
- † Funeral Directors and Embalmers, Board of
- † HIV Prevention Community Planning Committee, Virginia
- Medicine, Board of
- Social Work, Board of

September 26

- Agriculture and Consumer Services, Department of
- Virginia Marine Products Board
- † Contractors, Board for
- Regulatory Review Committee
- † Health Services Cost Review Council, Virginia
- † Marine Resources Commission

September 27

- † Agriculture and Consumer Services, Board of
- † Community Colleges, State Board for
- Contractors, Board for
- Labor and Industry, Department of
- Migrant and Seasonal Farmworkers Board
- Motor Vehicle Dealer Board

September 28

- † Community Colleges, State Board for
- Education, Board of

Calendar of Events

Rehabilitative Services, Board of
Richmond Hospital Authority
- Board of Commissioners

September 29

Dentistry, Board of

September 30

Dentistry, Board of

October 2

Alcoholic Beverage Control Board

October 3

† Hopewell Industrial Safety Council
† Waste Management Board, Virginia

October 4

Agriculture and Consumer Services, Department of
- Virginia Horse Industry Board
Transportation Safety Board

October 5

Emergency Planning Committee, Local - Chesterfield
County
† Waterworks and Wastewater Works Operators, Board
for

October 9

Intergovernmental Relations, Advisory Commission on

October 10

† Resources Authority, Virginia

October 11

† Emergency Planning Committee, Local - Roanoke
Valley
† Game and Inland Fisheries, Board of
† Water Control Board, State

October 12

† Game and Inland Fisheries, Board of
† Water Control Board, State
† Welfare Reform, Governor's Advisory Commission on

October 13

† Agriculture and Consumer Services, Department of
- Pesticide Control Board
† Opticians, Board for

October 14

Visually Handicapped, Department for the
- Advisory Committee on Services

October 16

Alcoholic Beverage Control Board

October 18

† Voluntary Formulary Board, Virginia

October 19

† Falls of the James Scenic River Advisory Board
Visually Handicapped, Board for the

October 23

† Accountancy, Board for

October 24

† Accountancy, Board for

† Environmental Quality, Department of
- Litter Control and Recycling Fund Advisory Board

October 28

† Virginia Military Institute
- Board of Visitors

October 30

Alcoholic Beverage Control Board

November 1

† Sewage Handling and Disposal Appeals Review Board

November 2

Emergency Planning Committee, Local - Chesterfield
County
† Sewage Handling and Disposal Appeals Review Board

November 7

† Hopewell Industrial Safety Council

November 14

† Resources Authority, Virginia

November 16

† Conservation and Recreation, Department of
- Falls of the James Scenic River Advisory Board

PUBLIC HEARINGS

September 11

Local Government, Commission on

September 14

Dentistry, Board of

September 18

Conservation and Recreation, Department of

September 19

Conservation and Recreation, Department of

September 21

Conservation and Recreation, Department of

October 12

† Emergency Planning Committee, Local - Fairfax

October 13

† Opticians, Board for

October 18

† Voluntary Formulary Board, Virginia

October 23

† Accountancy, Board for