
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 new and amended sections of regulations, both as proposed and as finally adopted, are required by law to be published in **THE VIRGINIA REGISTER OF REGULATIONS**. In addition, **THE VIRGINIA REGISTER** is a source of other information about state government, including all emergency regulations and executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of 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 intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

Following publication of the proposal in the *Virginia Register*, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor's comments, if any, will be published in the *Virginia Register*. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation.

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 21 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 agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate standing committees and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact.

A regulation becomes effective at the conclusion of the 30-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 21-day extension

period; (ii) the Governor exercises his authority to require the agency to provide for 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 provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period.

Proposed regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

EMERGENCY REGULATIONS

If an agency demonstrates that (i) there is an immediate threat to the public's health or safety; or (ii) Virginia statutory law, the appropriation act, federal law, or federal regulation requires a regulation to take effect no later than (a) 280 days from the enactment in the case of Virginia or federal law or the appropriation act, or (b) 280 days from the effective date of a federal regulation, it then requests the Governor's approval to adopt 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 to addressing specifically defined situations and may not exceed 12 months in duration. Emergency regulations are published as soon as possible in the *Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation; and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not 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. **12:8 VA.R. 1096-1106 January 8, 1996**, refers to Volume 12, Issue 8, pages 1096 through 1106 of the *Virginia Register* issued on January 8, 1996.

"THE VIRGINIA REGISTER OF REGULATIONS" (USPS-001831) is published bi-weekly, with quarterly cumulative indices published 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. Periodical 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 Title 9 of the Code of Virginia. Individual copies, if available, may be purchased for \$4.00 each from the Registrar of Regulations.

Members of the Virginia Code Commission: **Joseph V. Gartlan, Jr.**, Chairman; **W. Tayloe Murphy, Jr.**, Vice Chairman; **Robert L. Calhoun;** **Bernard S. Cohen;** **Jay W. DeBoer;** **Frank S. Ferguson;** **J. Randy Forbes;** **James E. Kulp;** **E.M. Miller, Jr.;** **James B. Wilkinson.**

Staff of the Virginia Register: **Jane D. Chaffin**, Registrar of Regulations.

PUBLICATION SCHEDULE AND DEADLINES

This schedule is available on the *Register's* Internet home page (<http://legis.state.va.us/codecomm/register/regindex.htm>).

June 1999 through March 2000

<u>Volume:Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
15:20	June 2, 1999	June 21, 1999
INDEX 3 - Volume 15		July 1999
15:21	June 16, 1999	July 5, 1999
15:22	June 30, 1999	July 19, 1999
15:23	July 14, 1999	August 2, 1999
15:24	July 28, 1999	August 16, 1999
15:25	August 11, 1999	August 30, 1999
15:26	August 25, 1999	September 13, 1999
FINAL INDEX - Volume 15		October 1999
16:1	September 8, 1999	September 27, 1999
16:2	September 22, 1999	October 11, 1999
16:3	October 6, 1999	October 25, 1999
16:4	October 20, 1999	November 8, 1999
16:5	November 3, 1999	November 22, 1999
16:6	November 16, 1999 (Tuesday)	December 6, 1999
16:7	December 1, 1999	December 20, 1999
INDEX 1 - Volume 16		January 2000
16:8	December 14, 1999 (Tuesday)	January 3, 2000
16:9	December 28, 1999 (Tuesday)	January 17, 2000
16:10	January 12, 2000	January 31, 2000
16:11	January 26, 2000	February 14, 2000
16:12	February 9, 2000	February 28, 2000
16:13	February 23, 2000	March 13, 2000
16:14	March 8, 2000	March 27, 2000
INDEX 2 - Volume 16		April 2000

*Filing deadlines are Wednesdays unless otherwise specified.

TABLE OF CONTENTS

CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

Cumulative Table2527

NOTICES OF INTENDED REGULATORY ACTION

TITLE 8. EDUCATION

State Board of Education.....2533

TITLE 11. GAMING

Virginia Racing Commission.....2533

TITLE 12. HEALTH

State Board of Health2533

Department of Medical Assistance Services.....2534

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

Board of Audiology and Speech-Language Pathology2534

Board for Branch Pilots.....2535

Board of Psychology.....2535

TITLE 22. SOCIAL SERVICES

State Board of Social Services.....2535

TITLE 24. TRANSPORTATION AND MOTOR VEHICLES

Commission on Virginia Alcohol Safety Action Program
.....2536

PUBLIC COMMENT PERIODS - PROPOSED REGULATIONS

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

Board for Architects, Professional Engineers, Land
Surveyors, Certified Interior Designers and Landscape
Architects2538

Board of Medicine.....2538

PROPOSED REGULATIONS

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

Board for Architects, Professional Engineers, Land
Surveyors, Certified Interior Designers and Landscape
Architects Rules and Regulations (amending 18 VAC 10-20-
10, 18 VAC 10-20-20, 18 VAC 10-20-110, 18 VAC 10-20-
120, 18 VAC 10-20-140, 18 VAC 10-20-150, 18 VAC 10-20-
160, 18 VAC 10-20-170, 18 VAC 10-20-190, 18 VAC 10-20-
200, 18 VAC 10-20-210, 18 VAC 10-20-230, 18 VAC 10-20-
250, 18 VAC 10-20-260, 18 VAC 10-20-270, 18 VAC 10-20-
280, 18 VAC 10-20-300, 18 VAC 10-20-310, 18 VAC 10-20-
320, 18 VAC 10-20-330, 18 VAC 10-20-350, 18 VAC 10-20-
360, 18 VAC 10-20-440, 18 VAC 10-20-450, 18 VAC 10-20-
490, 18 VAC 10-20-530, 18 VAC 10-20-560, 18 VAC 10-20-
570, 18 VAC 10-20-590, 18 VAC 10-20-640, 18 VAC 10-20-
680, 18 VAC 10-20-730, 18 VAC 10-20-740, 18 VAC 10-20-
760, 18 VAC 10-20-780, and 18 VAC 10-20-790; adding
18 VAC 10-20-215 and 18 VAC 10-20-795; repealing
18 VAC 10-20-500)..... 2539

BOARD OF MEDICINE

Regulations Governing the Licensure of Radiologic
Technologists and Radiologic Technologists-Limited
(amending 18 VAC 85-101-10, 18 VAC 85-101-40, 18 VAC
85-101-50, 18 VAC 85-101-60, 18 VAC 85-101-70, 18 VAC
85-101-130, and 18 VAC 85-101-160)..... 2559

FINAL REGULATIONS

TITLE 4. CONSERVATION AND NATURAL RESOURCES

BOARD OF GAME AND INLAND FISHERIES

Game: Deer (amending 4 VAC 15-90-20, 4 VAC 15-90-70,
4 VAC 15-90-80, 4 VAC 15-90-90, 4 VAC 15-90-100, 4 VAC
15-90-110, 4 VAC 15-90-120, 4 VAC 15-90-160, 4 VAC
15-90-170, 4 VAC 15-90-190, 4 VAC 15-90-195, 4 VAC
15-90-200, 4 VAC 15-90-210, and 4 VAC 15-90-220;
repealing 4 VAC 15-90-130 and 4 VAC 15-90-250; adding
4 VAC 15-90-141)..... 2586

MARINE RESOURCES COMMISSION

Pertaining to Restrictions on Oyster Harvest (amending
4 VAC 20-720-40 and 4 VAC 20-720-50)..... 2590

Pertaining to Hard Crab and Peeler Pot License Sales
(amending 4 VAC 20-880-10; repealing 4 VAC 20-880-40
and 4 VAC 20-880-50)..... 2591

Pertaining to Crabbing Licenses and Tags. (4 VAC 20-1040-
10 et seq.)..... 2592

Table of Contents

TITLE 12. HEALTH

Public Hearings2619

STATE BOARD OF HEALTH

Rules Governing Private Review Agents. (12 VAC 5-405-10 et seq.) 2593

Registration of Cremators (REPEALED). (12 VAC 5-470-10 et seq.) 2597

Waterworks Operation Fee (amending 12 VAC 5-600-50 and 12 VAC 5-600-60). 2597

GENERAL NOTICES/ERRATA

STATE CORPORATION COMMISSION

Bureau of Financial Institutions

Administrative Ruling 0401 - Investment of Funds by Credit Unions 2601

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Notice of Intent to Amend the Virginia State Plan for Medical Assistance Nursing Home Payment System - (Pursuant to 42 CFR 447.205) 2601

DEPARTMENT OF REHABILITATIVE SERVICES

Mailing List Update 2602

STATE WATER CONTROL BOARD

Proposed Consent Special Order - Sussex Service Authority 2602

VIRGINIA CODE COMMISSION

Notice to State Agencies 2602

Forms for Filing Material for Publication in *The Virginia Register of Regulations* 2602

CALENDAR OF EVENTS

EXECUTIVE

Open Meetings and Public Hearings..... 2603

INDEPENDENT

Open Meetings and Public Hearings..... 2616

LEGISLATIVE

Open Meetings and Public Hearings..... 2616

CHRONOLOGICAL LIST

Open Meetings..... 2617

CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Spring 1999 VAC Supplement includes final regulations published through *Virginia Register* Volume 15, Issue 10, dated February 1, 1999). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 2. Agriculture			
2 VAC 20-50-10 et seq.	Repealed	15:11 VA.R. 1692	3/17/99
2 VAC 20-51-10 through 2 VAC 20-51-210	Added	15:11 VA.R. 1693-1700	3/17/99
Title 4. Conservation and Natural Resources			
4 VAC 15-40-240	Amended	15:19 VA.R. 2454	7/7/99
4 VAC 15-40-280	Amended	15:19 VA.R. 2454	7/7/99
4 VAC 15-40-281	Added	15:19 VA.R. 2454	7/7/99
4 VAC 15-50-120	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-110-30	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-110-60	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-10	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-20	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-31	Added	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-40	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-50	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-70	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-270-60	Amended	15:19 VA.R. 2466	7/7/99
4 VAC 20-20-35	Amended	15:14 VA.R. 2044	3/1/99
4 VAC 20-150-70	Amended	15:19 VA.R. 2456	5/4/99
4 VAC 20-252-60	Amended	15:18 VA.R. 2392	5/1/99
4 VAC 20-252-80	Amended	15:18 VA.R. 2392	5/1/99
4 VAC 20-252-120	Amended	15:18 VA.R. 2393	5/1/99
4 VAC 20-252-130	Amended	15:18 VA.R. 2393	5/1/99
4 VAC 20-252-140	Amended	15:18 VA.R. 2393	5/1/99
4 VAC 20-252-150	Amended	15:18 VA.R. 2394	5/1/99
4 VAC 20-252-160	Amended	15:18 VA.R. 2394	5/1/99
4 VAC 20-430-15	Added	15:19 VA.R. 2456	5/5/99
4 VAC 20-430-60	Amended	15:19 VA.R. 2456	5/5/99
4 VAC 20-620-50	Amended	15:14 VA.R. 2044	3/1/99
4 VAC 20-620-70	Amended	15:14 VA.R. 2045	3/1/99
4 VAC 20-720-45 emer	Added	15:19 VA.R. 2474	5/5/99-5/31/99
4 VAC 20-720-80	Amended	15:12 VA.R. 1790	2/1/99
4 VAC 20-720-90	Amended	15:19 VA.R. 2457	5/10/99
4 VAC 20-720-106 emer	Added	15:12 VA.R. 1845	2/1/99-2/12/99
4 VAC 20-751-20	Amended	15:18 VA.R. 2395	5/1/99
4 VAC 20-900-10	Amended	15:14 VA.R. 2045	3/1/99
4 VAC 20-900-10	Amended	15:19 VA.R. 2457	5/4/99
4 VAC 20-900-20	Amended	15:19 VA.R. 2457	5/4/99
4 VAC 20-900-25	Added	15:14 VA.R. 2045	3/1/99
4 VAC 20-900-25	Amended	15:19 VA.R. 2457	5/4/99
4 VAC 20-900-35	Added	15:14 VA.R. 2045	3/1/99
4 VAC 20-995-20	Amended	15:18 VA.R. 2395	5/1/99
4 VAC 20-995-30	Amended	15:18 VA.R. 2395	5/1/99
4 VAC 20-1020-10 through 4 VAC 20-1020-40	Added	15:12 VA.R. 1790	2/2/99

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-1030-10 through 4 VAC 20-1030-40	Added	15:15 VA.R. 2126-2135	3/15/99
4 VAC 25-35 (Forms)	Amended	15:14 VA.R. 2075-2077	--
4 VAC 25-130 (Forms)	Amended	15:11 VA.R. 1736	--
4 VAC 25-150 (Forms)	Amended	15:14 VA.R. 2077-2078	--
Title 8. Education			
8 VAC 35-30-30	Amended	15:11 VA.R. 1706	1/18/99
8 VAC 35-30-50	Amended	15:11 VA.R. 1707	1/18/99
8 VAC 35-30-160	Amended	15:11 VA.R. 1707	1/18/99
8 VAC 35-30-200	Amended	15:11 VA.R. 1707	1/18/99
8 VAC 35-30-210	Amended	15:11 VA.R. 1707	1/18/99
8 VAC 35-30-220	Amended	15:11 VA.R. 1708	1/18/99
8 VAC 35-30-230	Amended	15:11 VA.R. 1708	1/18/99
8 VAC 35-30-240	Amended	15:11 VA.R. 1709	1/18/99
Title 9. Environment			
9 VAC 5-20-21	Amended	15:12 VA.R. 1799	4/1/99
9 VAC 5-30-20	Repealed	15:12 VA.R. 1791	4/1/99
9 VAC 5-40-880	Amended	15:12 VA.R. 1794	4/1/99
9 VAC 5-40-890	Amended	15:12 VA.R. 1794	4/1/99
9 VAC 5-40-900	Amended	15:12 VA.R. 1795	4/1/99
9 VAC 5-40-940	Amended	15:12 VA.R. 1795	4/1/99
9 VAC 5-40-1040	Amended	15:12 VA.R. 1796	4/1/99
9 VAC 5-40-1660	Amended	15:12 VA.R. 1796	4/1/99
9 VAC 5-40-1670	Amended	15:12 VA.R. 1796	4/1/99
9 VAC 5-40-1690	Amended	15:12 VA.R. 1797	4/1/99
9 VAC 5-40-1750	Amended	15:12 VA.R. 1798	4/1/99
9 VAC 5-40-1770	Amended	15:12 VA.R. 1798	4/1/99
9 VAC 5-40-1780	Amended	15:12 VA.R. 1798	4/1/99
9 VAC 5-40-1810	Amended	15:12 VA.R. 1799	4/1/99
9 VAC 5-40-5350 through 9 VAC 5-40-5480	Repealed	15:12 VA.R. 1793-1794	4/1/99
9 VAC 5-40-5800	Amended	15:12 VA.R. 1801	4/1/99
9 VAC 5-40-5810	Amended	15:12 VA.R. 1802	4/1/99
9 VAC 5-40-5820	Amended	15:12 VA.R. 1804	4/1/99
9 VAC 5-40-5822	Added	15:12 VA.R. 1806	4/1/99
9 VAC 5-40-5824	Added	15:12 VA.R. 1807	4/1/99
9 VAC 5-40-5850	Amended	15:12 VA.R. 1808	4/1/99
9 VAC 5-40-5855	Added	15:12 VA.R. 1811	4/1/99
9 VAC 5-40-5860	Amended	15:12 VA.R. 1812	4/1/99
9 VAC 5-40-5870	Amended	15:12 VA.R. 1815	4/1/99
9 VAC 5-40-5880	Amended	15:12 VA.R. 1816	4/1/99
9 VAC 5-40-5890	Amended	15:12 VA.R. 1820	4/1/99
9 VAC 5-40-5920	Amended	15:12 VA.R. 1822	4/1/99
9 VAC 5-40-5930	Repealed	15:12 VA.R. 1822	4/1/99
9 VAC 5-50-400	Amended	15:12 VA.R. 1822	4/1/99
9 VAC 5-50-400	Amended	15:13 VA.R. 1918	4/14/99
9 VAC 5-50-410	Amended	15:12 VA.R. 1823	4/1/99
9 VAC 5-50-410	Amended	15:13 VA.R. 1918	4/14/99
9 VAC 5-50-420	Amended	15:12 VA.R. 1828	4/1/99
9 VAC 5-50-420	Amended	15:13 VA.R. 1924	4/14/99
9 VAC 5-60-60	Amended	15:13 VA.R. 1924	4/14/99
9 VAC 5-60-70	Amended	15:13 VA.R. 1925	4/14/99
9 VAC 5-60-80	Amended	15:13 VA.R. 1926	4/14/99
9 VAC 5-60-90	Amended	15:13 VA.R. 1927	4/14/99
9 VAC 5-60-100	Amended	15:13 VA.R. 1927	4/14/99
9 VAC 5-70-40	Amended	15:12 VA.R. 1791	4/1/99
9 VAC 5-80-30	Repealed	15:11 VA.R. 1717	4/1/99

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-80-2000 through 9 VAC 5-80-2190	Added	15:11 VA.R. 1717-1728	4/1/99
9 VAC 5-80-2010	Erratum	15:13 VA.R. 1955	--
9 VAC 5-200-10	Added	15:13 VA.R. 1931	4/14/99
9 VAC 5-200-20	Added	15:13 VA.R. 1931	4/14/99
9 VAC 5-200-30	Added	15:13 VA.R. 1931	4/14/99
9 VAC 25-190-10	Amended	15:16 VA.R. 2187	6/30/99
9 VAC 25-190-20	Amended	15:16 VA.R. 2188	6/30/99
9 VAC 25-190-30	Repealed	15:16 VA.R. 2189	6/30/99
9 VAC 25-190-40	Repealed	15:16 VA.R. 2189	6/30/99
9 VAC 25-190-50	Amended	15:16 VA.R. 2189	6/30/99
9 VAC 25-190-60	Amended	15:16 VA.R. 2189	6/30/99
9 VAC 25-190-70	Amended	15:16 VA.R. 2191	6/30/99
9 VAC 25-192 (Forms)	Amended	15:12 VA.R. 1854	--
Title 12. Health			
12 VAC 5-100-10 et seq.	Repealed	15:18 VA.R. 2396	6/23/99
12 VAC 30-10-140 emer	Amended	15:13 VA.R. 1942	7/1/99-6/30/00
12 VAC 30-10-150 emer	Amended	15:13 VA.R. 1943	7/1/99-6/30/00
12 VAC 30-40-290	Amended	15:18 VA.R. 2396	7/1/99
12 VAC 30-50-30 emer	Amended	15:13 VA.R. 1943	7/1/99-6/30/00
12 VAC 30-50-70 emer	Amended	15:13 VA.R. 1944	7/1/99-6/30/00
12 VAC 30-50-229.1	Amended	15:17 VA.R. 2326	6/9/99
12 VAC 30-50-229.1	Erratum	15:18 VA.R. 2411	--
12 VAC 30-50-320 emer	Added	15:13 VA.R. 1944	7/1/99-6/30/00
12 VAC 30-50-570	Amended	15:18 VA.R. 2398	7/1/99
12 VAC 30-80-170	Amended	15:18 VA.R. 2399	7/1/99
12 VAC 30-120-61 through 12 VAC 30-120-69 emer	Added	15:13 VA.R. 1944-1947	7/1/99-6/30/00
12 VAC 30-120-360	Amended	15:18 VA.R. 2400	7/1/99
12 VAC 30-120-370	Amended	15:18 VA.R. 2401	7/1/99
12 VAC 30-120-370	Erratum	15:19 VA.R. 2502	--
Title 13. Housing			
13 VAC 5-51-20 emer	Amended	15:14 VA.R. 2069	3/10/99-3/9/00
13 VAC 5-51-130 emer	Amended	15:14 VA.R. 2070	3/10/99-3/9/00
13 VAC 5-51-135 emer	Added	15:14 VA.R. 2070	3/10/99-3/9/00
13 VAC 5-51-136 emer	Added	15:14 VA.R. 2070	3/10/99-3/9/00
13 VAC 5-61-200 emer	Amended	15:14 VA.R. 2071	3/10/99-3/9/00
13 VAC 5-61-440 emer	Amended	15:14 VA.R. 2072	3/10/99-3/9/00
13 VAC 10-40-20	Amended	15:12 VA.R. 1829	1/28/99
13 VAC 10-40-130	Amended	15:12 VA.R. 1832	1/28/99
13 VAC 10-40-160	Amended	15:12 VA.R. 1834	1/28/99
13 VAC 10-40-210	Amended	15:12 VA.R. 1835	1/28/99
13 VAC 10-40-220	Amended	15:12 VA.R. 1835	1/28/99
13 VAC 10-40-230	Amended	15:12 VA.R. 1835	1/28/99
13 VAC 10-60-10 et seq.	Repealed	15:18 VA.R. 2403	5/1/99
13 VAC 10-100-10 et seq.	Repealed	15:18 VA.R. 2403	5/1/99
13 VAC 10-110-10 et seq.	Repealed	15:18 VA.R. 2403	5/1/99
13 VAC 10-170-10 et seq.	Repealed	15:18 VA.R. 2404	5/1/99
13 VAC 10-180-10	Amended	15:14 VA.R. 2050	3/10/99
13 VAC 10-180-50	Amended	15:14 VA.R. 2051	3/10/99
13 VAC 10-180-60	Amended	15:14 VA.R. 2053	3/10/99
13 VAC 10-180-70	Amended	15:14 VA.R. 2061	3/10/99
13 VAC 10-180-90	Amended	15:14 VA.R. 2063	3/10/99
Title 14. Insurance			
14 VAC 5-170-20	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-30	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-40	Amended	15:15 VA.R. 2136	4/26/99

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
14 VAC 5-170-50	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-60	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-70	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-80	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-90	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-100	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-105	Added	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-110	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-120	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-130	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-140	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-150	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-160	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-170	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-180	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170 Appendix A	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170 Appendix B	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170 Appendix C	Amended	15:15 VA.R. 2136	4/26/99
Title 16. Labor and Employment			
16 VAC 15-20-10 et seq.	Repealed	15:17 VA.R. 2330	6/15/99
16 VAC 15-21-10 through 16 VAC 15-21-30	Added	15:17 VA.R. 2330	6/15/99
Title 18. Professional and Occupational Licensing			
18 VAC 50-22-100	Amended	15:12 VA.R. 1837	5/1/99
18 VAC 50-22-140	Amended	15:12 VA.R. 1837	5/1/99
18 VAC 50-30-10	Amended	15:19 VA.R. 2458	7/9/99
18 VAC 50-30-20	Amended	15:19 VA.R. 2460	7/9/99
18 VAC 50-30-30	Amended	15:19 VA.R. 2460	7/9/99
18 VAC 50-30-40	Amended	15:19 VA.R. 2461	7/9/99
18 VAC 50-30-50	Amended	15:19 VA.R. 2461	7/9/99
18 VAC 50-30-60	Amended	15:19 VA.R. 2462	7/9/99
18 VAC 50-30-70	Amended	15:19 VA.R. 2463	7/9/99
18 VAC 50-30-80	Amended	15:19 VA.R. 2463	7/9/99
18 VAC 50-30-90	Amended	15:12 VA.R. 1838	5/1/99
18 VAC 50-30-90	Amended	15:19 VA.R. 2463	7/9/99
18 VAC 50-30-100	Amended	15:19 VA.R. 2464	7/9/99
18 VAC 50-30-120	Amended	15:19 VA.R. 2464	7/9/99
18 VAC 50-30-130	Amended	15:19 VA.R. 2464	7/9/99
18 VAC 50-30-140	Amended	15:19 VA.R. 2465	7/9/99
18 VAC 50-30-150	Amended	15:19 VA.R. 2465	7/9/99
18 VAC 50-30-170	Amended	15:19 VA.R. 2465	7/9/99
18 VAC 50-30-190	Amended	15:19 VA.R. 2465	7/9/99
18 VAC 50-30-200	Amended	15:19 VA.R. 2466	7/9/99
18 VAC 60-20-20 emer	Amended	15:11 VA.R. 1729	1/21/99-1/20/00
18 VAC 60-20-30 emer	Amended	15:11 VA.R. 1729	1/21/99-1/20/00
18 VAC 65-20-70 emer	Amended	15:12 VA.R. 1846	2/2/99-2/1/00
18 VAC 65-20-120 emer	Amended	15:12 VA.R. 1846	2/2/99-2/1/00
18 VAC 65-20-130 emer	Amended	15:12 VA.R. 1846	2/2/99-2/1/00
18 VAC 65-20-435 emer	Added	15:12 VA.R. 1846	2/2/99-2/1/00
18 VAC 70-20-30	Amended	15:18 VA.R. 2404	7/1/99
18 VAC 75-20-10	Amended	15:18 VA.R. 2405	6/23/99
18 VAC 75-20-30	Repealed	15:18 VA.R. 2405	6/23/99
18 VAC 75-20-40	Repealed	15:18 VA.R. 2405	6/23/99
18 VAC 75-20-50	Repealed	15:18 VA.R. 2405	6/23/99
18 VAC 75-20-60	Amended	15:18 VA.R. 2405	6/23/99
18 VAC 75-20-70	Amended	15:18 VA.R. 2406	6/23/99

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 75-20-90	Amended	15:18 VA.R. 2406	6/23/99
18 VAC 76-10-30	Amended	15:17 VA.R. 2331	4/15/99
18 VAC 85-40-10 emer	Amended	15:11 VA.R. 1730	1/21/99-1/20/00
18 VAC 85-40-25 emer	Added	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-40 emer	Amended	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-45 emer	Added	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-50 emer	Amended	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-60 emer	Amended	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-65 emer	Added	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-70 emer	Amended	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-80 emer	Amended	15:11 VA.R. 1732	1/21/99-1/20/00
18 VAC 85-80-10 emer	Amended	15:12 VA.R. 1847	1/29/99-1/28/00
18 VAC 85-80-11 emer	Added	15:12 VA.R. 1848	1/29/99-1/28/00
18 VAC 85-80-12 emer	Added	15:12 VA.R. 1848	1/29/99-1/28/00
18 VAC 85-80-35 emer	Added	15:12 VA.R. 1848	1/29/99-1/28/00
18 VAC 85-80-40 through 18 VAC 85-80-90 emer	Amended	15:12 VA.R. 1848-1849	1/29/99-1/28/00
18 VAC 90-20-300 emer	Amended	15:11 VA.R. 1733	1/26/99-1/25/00
18 VAC 90-20-330	Amended	15:19 VA.R. 2467	7/7/99
18 VAC 90-20-420 through 18 VAC 90-20-460 emer	Added	15:11 VA.R. 1733-1735	1/26/99-1/25/00
18 VAC 105-30-10	Amended	15:12 VA.R. 1839	3/31/99
18 VAC 105-30-20	Amended	15:12 VA.R. 1839	3/31/99
18 VAC 105-30-30	Amended	15:12 VA.R. 1839	3/31/99
18 VAC 105-30-35	Added	15:12 VA.R. 1839	3/31/99
18 VAC 105-30-40	Amended	15:12 VA.R. 1840	3/31/99
18 VAC 105-30-50	Repealed	15:12 VA.R. 1840	3/31/99
18 VAC 105-30-60	Amended	15:12 VA.R. 1840	3/31/99
18 VAC 105-30-70	Amended	15:12 VA.R. 1840	3/31/99
18 VAC 105-30-90	Amended	15:12 VA.R. 1841	3/31/99
18 VAC 105-30-100	Amended	15:12 VA.R. 1841	3/31/99
18 VAC 105-30-110	Repealed	15:12 VA.R. 1841	3/31/99
18 VAC 105-30-120	Amended	15:12 VA.R. 1841	3/31/99
18 VAC 110-20-130	Erratum	15:12 VA.R. 1865	--
18 VAC 130-20-130	Amended	15:14 VA.R. 2066	5/1/99
18 VAC 135-20-80	Amended	15:18 VA.R. 2408	7/1/99
18 VAC 135-20-120	Amended	15:18 VA.R. 2408	7/1/99
18 VAC 135-20-140	Amended	15:18 VA.R. 2408	7/1/99
18 VAC 135-20-370	Amended	15:18 VA.R. 2408	7/1/99
18 VAC 155-20-40	Amended	15:13 VA.R. 1938	5/1/99
Title 19. Public Safety			
19 VAC 30-20 (Forms)	Added	15:14 VA.R. 2078-2079	--
Title 20. Public Utilities and Telecommunications			
20 VAC 5-400-151	Added	15:14 VA.R. 2068	7/1/99
20 VAC 5-400-151	Added	15:19 VA.R. 2473	10/1/99
Title 21. Securities and Retail Franchising			
21 VAC 5-120 (Forms)	Amended	15:17 VA.R. 2333-2334	--
Title 22. Social Services			
22 VAC 40-35-10 emer	Amended	15:19 VA.R. 2474	5/19/99-5/18/00
22 VAC 40-35-126 emer	Added	15:19 VA.R. 2477	5/19/99-5/18/00
22 VAC 40-35-127 emer	Added	15:19 VA.R. 2477	5/19/99-5/18/00
22 VAC 40-35-128 emer	Added	15:19 VA.R. 2477	5/19/99-5/18/00
22 VAC 40-190-10 emer	Amended	15:19 VA.R. 2480	5/19/99-5/18/00
22 VAC 40-190-20 emer	Amended	15:19 VA.R. 2482	5/19/99-5/18/00
22 VAC 40-190-25 emer	Added	15:19 VA.R. 2482	5/19/99-5/18/00
22 VAC 40-190-30 emer	Amended	15:19 VA.R. 2483	5/19/99-5/18/00
22 VAC 40-190-40 emer	Amended	15:19 VA.R. 2483	5/19/99-5/18/00

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-190-50 emer	Amended	15:19 VA.R. 2484	5/19/99-5/18/00
22 VAC 40-190-60 emer	Amended	15:19 VA.R. 2485	5/19/99-5/18/00
22 VAC 40-190-70 emer	Amended	15:19 VA.R. 2485	5/19/99-5/18/00
22 VAC 40-190-80 emer	Added	15:19 VA.R. 2486	5/19/99-5/18/00
22 VAC 40-190-90 emer	Added	15:19 VA.R. 2487	5/19/99-5/18/00
22 VAC 40-190-100 emer	Added	15:19 VA.R. 2487	5/19/99-5/18/00
22 VAC 40-190-110 emer	Added	15:19 VA.R. 2487	5/19/99-5/18/00
22 VAC 40-190-120 emer	Added	15:19 VA.R. 2488	5/19/99-5/18/00
22 VAC 40-190-130 emer	Added	15:19 VA.R. 2488	5/19/99-5/18/00
22 VAC 40-190-140 emer	Added	15:19 VA.R. 2489	5/19/99-5/18/00
22 VAC 40-190-150 emer	Added	15:19 VA.R. 2489	5/19/99-5/18/00
22 VAC 40-325-10 and 22 VAC 40-325-20 emer	Added	15:12 VA.R. 1849-1850	4/1/99-3/31/00
22 VAC 40-680-65	Repealed	15:17 VA.R. 2331	6/9/99
22 VAC 40-680-66	Repealed	15:17 VA.R. 2332	6/9/99
Title 23. Taxation			
23 VAC 10-110-225 through 23 VAC 10-110-229 emer	Added	15:12 VA.R. 1851-1853	2/4/99-2/3/00
23 VAC 10-110-228	Erratum	15:14 VA.R. 2081	--
Title 24. Transportation and Motor Vehicles			
24 VAC 30-350-10	Amended	15:13 VA.R. 1939	2/22/99

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

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

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

† 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 Education intends to consider amending regulations entitled: **8 VAC 20-160-10 et seq. Secondary School Transcript.** The purpose of the proposed action is to review the Secondary School Transcript regulations. Revisions to the Board of Education's Regulations Establishing Standards for Accrediting Public Schools in Virginia, October 1997, established new graduation requirements for students earning high school diplomas in Virginia. Beginning with the ninth-grade class of 2000-2001 (graduating class of 2003-2004), students will be required to earn a prescribed number of verified units. This requirement for verified units affects students who are currently taking high school credit bearing courses in grade seven or earlier. To keep with the changes in the SOA, a review of the board's Secondary School Transcript regulations is necessary. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 22.1-16 of the Code of Virginia.

Public comments may be submitted until July 22, 1999.

Contact: Vernon L. Wildy, Associate Director for Secondary Instructional Services, Department of Education, P.O. Box 2120, Richmond, VA 23218, telephone (804) 225-2877 or FAX (804) 692-3163.

VA.R. Doc. No. R99-185; Filed June 2, 1999, 10:12 a.m.



TITLE 11. GAMING

VIRGINIA RACING COMMISSION

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Virginia Racing Commission has WITHDRAWN the Notice of Intended Regulatory Action for **11 VAC 10-50-10 et seq. Regulations Pertaining to Horse Racing with Pari-Mutual Wagering: Racing Officials**, which was published in 13:15 VA.R. 1636 April 14, 1997.

Contact: William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Road, New Kent, Virginia 23124, telephone (804) 966-7400, FAX (804) 966-7418.

VA.R. Doc. No. R97-347; Filed May 26, 1999, 2:32 p.m.

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Virginia Racing Commission has WITHDRAWN the Notice of Intended Regulatory Action for **11 VAC 10-100-10 et seq. Regulations Pertaining to Horse Racing with Pari-Mutual Wagering: Horses**, which was published in 14:9 VA.R. 1289 January 19, 1998.

Contact: William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Road, New Kent, Virginia 23124, telephone (804) 966-7400, FAX (804) 966-7418.

VA.R. Doc. No. R98-158; Filed May 26, 1999, 2:32 p.m.

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Virginia Racing Commission has WITHDRAWN the Notice of Intended Regulatory Action for **11 VAC 10-110-10 et seq. Regulations Pertaining to Horse Racing with Pari-Mutual Wagering: Entries**, which was published in 14:9 VA.R. 1289 January 19, 1998.

Contact: William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Road, New Kent, Virginia 23124, telephone (804) 966-7400, FAX (804) 966-7418.

VA.R. Doc. No. R98-157; Filed May 26, 1999, 2:32 p.m.



TITLE 12. HEALTH

STATE BOARD OF HEALTH

† 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 Health intends to consider promulgating regulations entitled: **12 VAC 5-185-10 et seq. Procedures and Policies for Administering the Commonwealth Neurotrauma Initiative Trust Fund.** The purpose of the proposed regulation is to carry out the law by developing procedures and policies for soliciting and receiving applications for grants from the CNI Trust Fund,

Notices of Intended Regulatory Action

and criteria for reviewing and ranking such applications. The fund exists to prevent and treat traumatic spinal cord and brain injuries. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 32.1-12 and 32.1-73.4 of the Code of Virginia.

Public comments may be submitted until July 23, 1999.

Contact: Douglas R. Harris, Advisor to the Commissioner, Department of Health, 1500 E. Main St., Suite 2214, Richmond, VA 23219, telephone (804) 786-3561, FAX (804) 786-4616 or toll-free 1-800-828-1120/TTY ☎

VA.R. Doc. No. R99-182; Filed June 2, 1999, 8:42 a.m.

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the State Board of Health has WITHDRAWN the Notice of Intended Regulatory Action for **12 VAC 5-212-10 et seq. Procedures and Policies for Administering the Commonwealth Neurotrauma Initiative Trust Fund** in accordance with the requirements and executive interpretation of Executive Order Number 25 (98). The Notice of Intended Regulatory Action was published in 14:22 VA.R 3046 July 20, 1998.

Contact: Douglas R. Harris, Advisor to the Commissioner, Department of Health, 1500 E. Main St., Suite 2214, Richmond, VA 23219, telephone (804) 786-3561, FAX (804) 786-4616 or toll-free 1-800-828-1120/TTY ☎

VA.R. Doc. No. R98-263; Filed June 25, 1998, 12:11 p.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: **Program for All-Inclusive Care for the Elderly (PACE): 12 VAC 30-10-10 et seq. State Plan under Title XIX of the Social Security Act Medical Assistance Program; General Provisions, 12 VAC 30-50-10 et seq. Amount, Duration and Scope of Medical and Remedial Care Services, and 12 VAC 30-120-10 et seq. Waivered Services.** The purpose of the proposed action is to promulgate permanent regulations, essentially like the existing emergency regulations, that provide for the administration of the Program of All-Inclusive Care for the Elderly (PACE). 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 July 7, 1999, to Diana Thorpe, Appeals Division, Department of Medical

Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850.

VA.R. Doc. No. R99-167; Filed May 6, 1999, 4:04 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 Department of Medical Assistance Services intends to consider amending regulations entitled: **Early and Periodic Screening, Diagnosis and Treatment: 12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care Services; and 12 VAC 30-130-10 et seq. Amount, Duration and Scope of Selected Services.** The purpose of the proposed action is to establish parameters for Medicaid's coverage of residential treatment services under the Early and Periodic Screening, Diagnosis and Treatment program to include, but not necessarily be limited to, the eligibility requirements for children referred for residential care, provider qualifications, and the rate setting methodology. 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 July 7, 1999, to Anita Cordill, Policy Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850.

VA.R. Doc. No. R99-168; Filed May 14, 1999, 10:55 a.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Audiology and Speech-Language Pathology intends to consider amending regulations entitled: **18 VAC 30-20-10 et seq. Regulations of the Board of Audiology and Speech-Language Pathology.** The purpose of the proposed action is to amend regulations for the establishment of an application process and fee and a renewal fee for the licensure of school speech-

Notices of Intended Regulatory Action

language pathologists as mandated by Chapters 967 and 1005 of the 1999 Acts of Assembly. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-2400 and 54.1-2603 of the Code of Virginia.

Public comments may be submitted until July 21, 1999.

Contact: Elizabeth Young Tisdale, Executive Director, Board of Audiology and Speech-Language Pathology, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111 or FAX (804) 662-9943.

VA.R. Doc. No. R99-187; Filed June 2, 1999; 11:36 a.m.

BOARD FOR BRANCH PILOTS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board for Branch Pilots intends to consider amending regulations entitled: **18 VAC 45-20-10 et seq. Board for Branch Pilots Regulations**. The purpose of the proposed action is to clarify and amend the board's rules and regulations relating to chemical and physical impairments and testing for such impairments, and to propose other amendments which may be necessary pursuant to the board's periodic review of regulations. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-902 of the Code of Virginia.

Public comments may be submitted until July 7, 1999.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

VA.R. Doc. No. R99-175; Filed May 18, 1999, 12:47 p.m.

BOARD OF PSYCHOLOGY

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Psychology intends to consider amending regulations entitled: **18 VAC 125-20-10 et seq. Regulations Governing the Practice of Psychology**. The purpose of the proposed action is to amend regulations for the establishment of an application process and fee and a renewal fee for the licensure of school psychologists-limited as mandated by Chapters 967 and 1005 of the 1999 Acts of Assembly. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-2400 and 54.1-3606 of the Code of Virginia.

Public comments may be submitted until July 21, 1999.

Contact: Evelyn B. Brown, Executive Director, Board of Psychology, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9913 or FAX (804) 662-9943.

VA.R. Doc. No. R99-186; Filed June 2, 1999; 11:36 a.m.

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL 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 State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-35-5 et seq. Virginia Independence Program**. The purpose of the proposed action is to implement the provisions of Chapter 486, the Virginia Employer Tax Credit, enacted by the 1998 Session of the General Assembly. The legislation mandates the State Board of Social Services to establish procedures for claiming tax credits and to establish guidelines. 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 July 7, 1999.

Contact: Thomas J. Steinhauser, Assistant Director, Department of Social Services, Division of Temporary Assistance Programs, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1703 or FAX (804) 692-1704.

VA.R. Doc. No. R99-177; Filed May 19, 1999, 11:32 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 amending regulations entitled: **22 VAC 40-190-10 et seq. Regulation for Criminal Record Checks for Child Welfare Agencies**. The purpose of the proposed action is to make technical and clarifying amendments and to incorporate changes in the Code of Virginia resulting from the 1998 Session of the General Assembly. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 63.1-25 and 63.1-202 of the Code of Virginia.

Public comments may be submitted until July 7, 1999.

Contact: Judith McGreal, Program Development Supervisor, Department of Social Services, Division of Temporary Assistance Programs, 730 E. Broad St.,

Notices of Intended Regulatory Action

Richmond, VA 23219, telephone (804) 692-1792 or FAX (804) 692-2370.

VA.R. Doc. No. R99-176; Filed May 19, 1999, 11:32 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 amending 22 VAC 40-680-10 and 22 VAC 40-680-20 of regulations entitled: **22 VAC 40-680-10 et seq. Virginia Energy Assistance Program.** The goal of the federal Low Income Home Energy Assistance Act is to assist low-income households, particularly those with the lowest incomes, that pay a high proportion of household income for home energy, primarily in meeting their immediate home energy needs. Federal law does not impose a resource limit. The Virginia Energy Assistance Program is a short-term seasonal program with limited administrative funds. The current regulation denies benefits to applicants with resources exceeding levels set by the current Virginia program. The proposed amendments to the definitions and resources sections will eliminate the resource limit and thus reduce the need for time-consuming verification of resources and ease applicant access to benefits. The agency intends 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 July 21, 1999.

Contact: Patricia Snead, Human Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1752 or FAX (804) 692-1709.

VA.R. Doc. No. R99-180; Filed May 27, 1999, 11:50 a.m.

TITLE 24. TRANSPORTATION AND MOTOR VEHICLES

COMMISSION ON VIRGINIA ALCOHOL SAFETY ACTION PROGRAM

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Commission on Virginia Alcohol Safety Action Program intends to consider amending regulations entitled: **24 VAC 35-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed action is to revise and bring the commission's manual for minimum standards and criteria for program operations into conformance with the current statutes. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 9-6.14:7.1 and 18.2-271.2 of the Code of Virginia.

Public comments may be submitted until July 9, 1999.

Contact: Joan W. Smith, Regulatory Consultant, Commission on VASAP, 700 E. Franklin St., Suite 1110, Richmond, VA 23219, telephone (804) 786-5895, FAX (804) 786-6286 or e-mail jsmith1714@aol.com.

VA.R. Doc. No. R99-170; Filed May 17, 1999, 12:44 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 Commission on Virginia Alcohol Safety Action Program intends to consider amending regulations entitled: **24 VAC 35-20-10 et seq. Policy and Procedure Manual.** The purpose of the proposed action is to revise and bring the commission's manual for minimum standards and criteria for program operations into conformance with the current statutes. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Public comments may be submitted until July 9, 1999.

Contact: Joan W. Smith, Regulatory Consultant, Commission on VASAP, 700 E. Franklin St., Suite 1110, Richmond, VA 23219, telephone (804) 786-5895, FAX (804) 786-6286 or e-mail jsmith1714@aol.com.

VA.R. Doc. No. R99-171; Filed May 17, 1999, 12:44 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 Commission on Virginia Alcohol Safety Action Program intends to consider amending regulations entitled: **24 VAC 35-30-10 et seq. VASAP Case Management Policy and Procedure Manual.** The purpose of the proposed action is to revise and bring the commission's manual for minimum standards and criteria for program operations into conformance with the current statutes. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Public comments may be submitted until July 9, 1999.

Contact: Joan W. Smith, Regulatory Consultant, Commission on VASAP, 700 E. Franklin St., Suite 1110, Richmond, VA 23219, telephone (804) 786-5895, FAX (804) 786-6286 or e-mail jsmith1714@aol.com.

VA.R. Doc. No. R99-172; Filed May 17, 1999, 12:44 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 Commission on Virginia Alcohol Safety Action Program intends to consider amending regulations entitled: **24 VAC 35-40-10 et seq. Certification Requirements Manual**. The purpose of the proposed action is to revise and bring the commission's manual for minimum standards and criteria for program operations into conformance with the current statutes. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Public comments may be submitted until July 9, 1999.

Contact: Joan W. Smith, Regulatory Consultant, Commission on VASAP, 700 E. Franklin St., Suite 1110, Richmond, VA 23219, telephone (804) 786-5895, FAX (804) 786-6286 or e-mail jsmith1714@aol.com.

VA.R. Doc. No. R99-173; Filed May 17, 1999, 12:45 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 Commission on Virginia Alcohol Safety Action Program intends to consider promulgating regulations entitled: **24 VAC 35-50-10 et seq. Training and Credentialing Manual**. The purpose of the proposed action is to develop a training and credentialing manual. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Public comments may be submitted until July 9, 1999.

Contact: Joan W. Smith, Regulatory Consultant, Commission on VASAP, 700 E. Franklin St., Suite 1110, Richmond, VA 23219, telephone (804) 786-5895, FAX (804) 786-6286 or e-mail jsmith1714@aol.com.

VA.R. Doc. No. R99-174; Filed May 17, 1999, 12:45 p.m.



PUBLIC COMMENT PERIODS - PROPOSED REGULATIONS



PUBLIC COMMENT PERIODS REGARDING STATE AGENCY REGULATIONS

This section gives notice of public comment periods and public hearings to be held on proposed regulations. The notice will be published once at the same time the proposed regulation is published in the Proposed Regulations section of the *Virginia Register*. The notice will continue to be carried in the Calendar of Events section of the *Virginia Register* until the public comment period and public hearing date have passed.

Notice is given in compliance with § 9-6.14:7.1 of the Code of Virginia that the following public hearings and public comment periods regarding proposed state agency regulations are set to afford the public an opportunity to express their views.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

July 22, 1999 - 10 a.m. – Public Hearing
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4th Floor, Richmond, Virginia.

August 23, 1999 - 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 for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects intends to amend regulations entitled: **18 VAC 10-20-10 et seq. Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Rules and Regulations.** The proposed changes are intended to make the regulations clearer and easier to understand and utilize by the regulants of the board. Almost all of the proposed changes are clarifying and less restrictive in nature.

Statutory Authority: §§ 54.1-404 and 54.1-411 C of the Code of Virginia.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

BOARD OF MEDICINE

July 16, 1999 - 1 p.m. – Public Hearing
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 2, Richmond, Virginia.

August 20, 1999 - 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 Medicine intends to amend regulations entitled: **18 VAC 85-101-10 et seq. Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited.** Amendments are proposed to set minimal qualifications for instructors in an educational program and to require passage of an examination for licensure as a radiologic technologist-limited. Proposed amendments also require a radiologic technologist-limited to notify the board of the anatomical area in which he practices, clarify that a person with a limited license is not qualified to perform mammography, and specify that a traineeship for an unlicensed graduate must terminate 14 days after receipt of examination results.

Statutory Authority: §§ 54.1-2400, 54.1-2956.8:1, and 54.1-2956.8:2 of the Code of Virginia.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908.



PROPOSED REGULATIONS

For information concerning Proposed Regulations, see Information Page.

Symbol Key

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

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

Title of Regulation: 18 VAC 10-20-10 et seq. Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Rules and Regulations (amending 18 VAC 10-20-10, 18 VAC 10-20-20, 18 VAC 10-20-110, 18 VAC 10-20-120, 18 VAC 10-20-140, 18 VAC 10-20-150, 18 VAC 10-20-160, 18 VAC 10-20-170, 18 VAC 10-20-190, 18 VAC 10-20-200, 18 VAC 10-20-210, 18 VAC 10-20-230, 18 VAC 10-20-250, 18 VAC 10-20-260, 18 VAC 10-20-270, 18 VAC 10-20-280, 18 VAC 10-20-300, 18 VAC 10-20-310, 18 VAC 10-20-320, 18 VAC 10-20-330, 18 VAC 10-20-350, 18 VAC 10-20-360, 18 VAC 10-20-440, 18 VAC 10-20-450, 18 VAC 10-20-490, 18 VAC 10-20-530, 18 VAC 10-20-560, 18 VAC 10-20-570, 18 VAC 10-20-590, 18 VAC 10-20-640, 18 VAC 10-20-680, 18 VAC 10-20-730, 18 VAC 10-20-740, 18 VAC 10-20-760, 18 VAC 10-20-780, and 18 VAC 10-20-790; adding 18 VAC 10-20-215 and 18 VAC 10-20-795; repealing 18 VAC 10-20-500).

Statutory Authority: §§ 54.1-404 and 54.1-411 C of the Code of Virginia.

Public Hearing Date: July 22, 1999 - 10 a.m.

Public comments may be submitted until August 23, 1999.

(See Calendar of Events section for additional information)

Basis: Sections 54.1-404 and 54.1-411 C of the Code of Virginia require the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects to develop and administer a regulatory system to regulate individuals and businesses in Virginia who practice architecture, professional engineering, land surveying, landscape architecture and interior design.

Purpose: The board is revising its existing regulations so they are easier to understand and use in order to facilitate compliance and better protect the public's health, safety and welfare.

Substance: A summary of each of the changes follows:

18 VAC 10-20-20 G. Delete the national council information for each of the regulants covered by this chapter.

18 VAC 10-20-110. Adjust the regulations as needed because the date that the professional degree becomes mandatory (January 1, 1998) will have passed when these regulations become effective. Clarify the requirements regarding foreign degrees.

18 VAC 10-20-120 & TABLE I. Clarify the requirement for all exam candidates to have completed NCARB's Intern Development Program.

18 VAC 10-20-140. Clarify for the implementation of the computerized examination.

18 VAC 10-20-150 B. Clarify status of Canadian provinces.

18 VAC 10-20-160. Clarify the definition of "approved engineering technology curriculum."

18 VAC 10-20-170 & 280 (Fee schedules in Parts IV and V). Clarify the fee schedules to clearly indicate the fees due for comity applicants. This is not a new fee. Currently, the "Principles of Engineering Application" fee applies to applicants who are applying by examination or comity. However, this has not been clear to the comity applicants so the regulation is clarified to make the regulations easier to understand and use.

18 VAC 10-20-190, 210 and 215. Reconfigure the Fundamentals of Engineering (FE) and Principles of Engineering (PE) examination sections to make them easier to understand, utilize and apply.

18 VAC 10-20-160 and 200. Clarify meaning of engineer-in-training.

Subdivision 1 of 18 VAC 10-20-190. Requirements for the Fundamentals of Engineering (FE) exam. Change to allow applicants to be approved for the FE examination if they are within 12 months of completion of undergraduate degree requirements from an ABET accredited curriculum; or within six months of completion of graduate degree requirements which are ABET accredited or ABET accredited at the undergraduate level from the same institution at which the graduate degree is being sought.

Subdivision 3 of 18 VAC 10-20-190. Requirements for engineer-in-training (EIT). Clarify to match the Professional Engineer Section's application of this regulation in allowing a candidate holding a foreign or nonapproved four-year undergraduate engineering or engineering technology degree and a Master's degree that is ABET accredited or ABET accredited at the undergraduate level at the same institution to sit for the FE examination without any experience.

Proposed Regulations

18 VAC 10-20-230. Clarify the board's basis for rejecting foreign education evaluations.

18 VAC 10-20-250. Clarification of PE Section with regard to graduates of U.S. colleges and universities.

18 VAC 10-20-260. Minor wording changes regarding PE examinations to subsections A, B, C, H and I.

18 VAC 10-20-270. Clarify that the standards to be met by comity applicants are those standards that were in place in Virginia at the time the comity applicant became originally licensed.

Subdivisions 1-6 of 18 VAC 10-20-300. Clarify regulations for land surveyor-in-training (LSIT).

18 VAC 10-20-300 through 310 - Part V - Land Surveyor Qualifications. Reduce experience requirements as recommended by the Land Surveyor Section when it reviewed its regulations under Executive Order 15 (94).

Subdivision 1 of 18 VAC 10-20-300. Modify requirements for land surveyors-in-training to allow undergraduates in an approved surveying or surveying technology program who are within 12 months of graduating to sit for the LSIT examination during their senior year.

18 VAC 10-20-300, 310, 320 and 350. Requirements for a licensed land surveyor (A and B). Remove the minimum passing scores and number of hours to allow the Land Surveyor Section the flexibility to change the examinations as needed.

18 VAC 10-20-330. Clarify the board's basis for rejecting foreign education evaluations.

18 VAC 10-20-360. Clarify language to make it easier for comity applicants to understand the requirements with which they must comply.

18 VAC 10-20-440 F. Delete the word "disciplinary" to more accurately reflect the board's authority in dealing with applicants.

B-2.1 of TABLE II. Clarify the amount of experience needed for an applicant who has no education credits.

Subdivision 1 of 18 VAC 10-20-490. Delete the option for "other professional programs" to satisfy the education requirements to become a Certified Interior Designer.

Subdivision 2 of 18 VAC 10-20-490. Delete the use of "diversified experience" in this section because it is included in the definitions section of Part VII of the chapter. In addition, delete the option for self-employment experience to count as acceptable experience because the grandfathered period has expired.

18 VAC 10-20-500. Delete this section on references because a reference is being obtained when work experience is verified.

18 VAC 10-20-530 F, 590 E, and 640 F. Clarify that assumed, fictitious, trading as, or doing business as names are required to be disclosed on the application for registration.

18 VAC 10-20-560 B. Clarify wording as to what happens when the responsible licensee is no longer at an entity. Clarify that a professional corporation (PC) may continue to offer/practice a professional service if the director or shareholder qualified to offer/practice such service leaves, provided the PC has an appropriately licensed or certified employee who is competent.

18 VAC 10-20-570. Modify definition of "member" to reflect changes to the Code of Virginia.

18 VAC 10-20-590 C 2. Revise regulation to follow current statutes relating to PLLCs.

18 VAC 10-20-590 F. Clearly state that a branch registration is required for any additional locations of a PLLC - this was implied in the regulations but is now clearly stated.

18 VAC 10-20-640 B. Eliminate the requirement that 2/3 of the general partners in a partnership offering professional services be licensed because there is no other ownership restrictions in this section for other business types.

18 VAC 10-20-680 E. Reinstatement - add wording clearly stating that reinstatement reaches back.

18 VAC 10-20-730 A. Clarify the ability of licensed regulants of the board to practice the certified professions without holding the certificate provided they do not hold themselves out as certified.

18 VAC 10-20-740 B and 790 A 6. Add other appropriate references to the Code of Virginia.

18 VAC 10-20-760 B. Use of seal - add the board's clarification of the term "final documents" and clarify that the seals published in this chapter may not be to scale.

18 VAC 10-20-780. Licensee required at each place of business. Change to permit a licensee to supervise more than one place of business provided that professional services are only offered and/or practiced when the licensee is present and exercising supervision and control of work in each profession being practiced.

18 VAC 10-20-795. Part XII - Standards of Practice and Conduct - add a section requiring individuals to notify the board of any change of address within 30 days.

Issues: The board considered the specific needs of the regulated individuals/entities in this state along with the protection of the public who utilize these services. The advantage of these changes is that the regulations will be clearer and easier to understand and use thereby protecting the public by allowing the regulants to comply with the board's regulations. The few disadvantages that these changes will have (the changes to 18 VAC 10-20-120/TABLE I and 18 VAC 10-20-490) are necessary.

As to the change to 18 VAC 10-20-120/TABLE I, the board's proposal clarifies that the National Council of Architectural Registration Boards (NCARB) Intern Development Program (IDP) is required for all architecture examination candidates. When the board revised its regulations in 1991/92, it was the board's intent that this program be required of all candidates (as evidenced by the wording of § 3.4 B at that time - "The Intern-architect Development Program (IDP) shall be required of all applicants on or after January 1, 1993."); however, when the regulations were revised in 1994, the revisions were not correctly implemented and the result was ambiguous wording in the regulations. Even though this change was not correctly implemented in 1994, § 3.4 B of the 1994 regulations and 18 VAC 10-20-120 B of the current regulations still states, "The Intern-architect Development Program (IDP) shall be required of all applicants." In addition, approximately 37 other states require this program for licensure which will impede Virginia candidates from obtaining licenses in other states unless the Virginia candidates are required to complete the same program. It is much easier to start this program while an individual is still in school, and complete the program shortly after graduation, than to have to go back and complete the program at a later date when previous employers have moved, retired or are otherwise unavailable. Further, it is less expensive for an applicant to start this program while they are still in school than to start after they have entered the workforce.

As to the change to subdivision 1 of 18 VAC 10-20-490, the board has the discretion to accept other educational programs for entrance into the Interior Designer certification program. This discretion was needed during the grandfathered portion of this regulatory program. However, as the number of approved schools has increased and most of the individuals who were eligible under this provision were, or had the opportunity to become, certified during the grandfathered period, this provision is no longer needed. As to the change to subdivision 2 of 18 VAC 10-20-490, the board was able to accept self study during the grandfathered period which has now passed. As that period is now over, and certified interior designers now exist in Virginia for potential applicants to work with and gain the necessary experience, this requirement is no longer needed.

Economic Impact: The board's regulations apply to 25,606 licensed/certified individuals and 1,836 registered entities and branch offices. There are no other localities, businesses, or other entities particularly affected by the proposed revisions. The proposed revisions are not expected to affect employment in any of the regulated professions, nor are they expected to impact the use and value or private property nor are they expected to add any

additional costs to the regulated individuals and entities to implement or comply with the revisions. The only costs associated with revising the existing regulations is the cost of printing and mailing the revised regulations to all existing regulants; estimated to be approximately \$28,975 (printing costs = 30,000 X \$0.70 = \$21,000; mailing costs = 27,500 X \$0.29 = \$7,975).

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic effects.

Summary of the proposed regulation. The proposed regulation revises current regulations regarding the licensure of Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. Many of the proposed revisions are simply clarifications of existing requirements. Those proposed revisions likely to have economic consequences are as follows:

1. Requirements for the Fundamentals of Engineering exam would be changed to permit applicants who are within 12 months of completion of an Accreditation Board for Engineering and Technology (ABET) approved undergraduate curriculum, or within six months of completion of an ABET approved graduate curriculum, to take the exam;
2. Requirements for land surveyor-in-training status would be revised to allow individuals who are within 12 months of completion of a board-approved surveying curriculum to take the Fundamentals of Surveying exam and to generally reduce the amount of approved land surveying experience required as a prerequisite for taking the exam;
3. Provisions for certification of interior designers would be amended to eliminate graduation from professional programs as an option for satisfying the education requirement, eliminate periods of self employment as an option for satisfying the experience requirement, and delete the requirement that applicants supply three references;
4. Provisions for registration as a business entity would be revised to eliminate the requirement that "not less than 2/3 of the general partners shall be licensed professionals";

Proposed Regulations

5. Language would be added stipulating that reinstated licenses "shall be regarded as having been continuously licensed without interruption";
6. Provisions for standards of conduct would be revised to require regulants to notify the board within 30 days of any change of address.

Estimated economic impact. The primary economic consequence of the proposed regulation would be that it would have minor effects on the compliance costs faced by the regulatory community. In the main, these effects will tend to reduce regulatory compliance costs. The proposed changes in the prerequisites for the Fundamentals of Engineering exam and land surveyor-in-training status, as well as elimination of the business entity registration requirement that two thirds of the business' general partners be licensed professionals, will all serve to increase the compliance options available to the regulated community. This increase in available compliance options can in no way increase, and may decrease, the compliance costs faced by regulated entities.

Three of the proposed revisions will have the effect of slightly increasing regulatory compliance costs, however. The proposal to require notification of the board within 30 days of any change of address represents a new requirement and would generate a straightforward increase in regulatory compliance costs. In addition, the proposed elimination of graduation from other professional programs as an option for satisfying the education prerequisites for interior designers and the proposed elimination of self employment as an option for satisfying the experience prerequisites for interior designers will both serve to decrease available compliance options, thereby potentially increasing regulatory compliance costs.

On net, the proposed revisions to the regulation are likely to reduce overall compliance costs by a small amount. It is unlikely, however, that this reduction will be of sufficient magnitude to affect the underlying economic characteristics of these professional markets--that is to say, they are unlikely to affect either employment or the price of services.

Businesses and entities particularly affected. The proposed regulation particularly affects the approximately 24,550 licensed and certified professionals and 1,948 registered entities and branch offices regulated by the board, as well as the general public.

Localities particularly affected. No localities are particularly affected by this proposed regulation.

Projected impact on employment. The proposed regulation is not anticipated to have a significant effect on employment.

Effects on the use and value of private property. The proposed regulation is not anticipated to have a significant effect on the use and value of private property.

Summary of analysis. The proposed regulation revises current regulations regarding the licensure of Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. Many of the proposed

revisions are simply clarifications of existing requirements. The net effect of those proposed revisions that can be reasonable expected to have economic consequences is likely to be a small reduction in the overall compliance costs faced by the regulated community. It is unlikely, however, that this reduction will be of sufficient magnitude to affect the underlying economic characteristics of these professional markets --- employment and the price of services.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The agency concurs with the Department of Planning and Budget's Economic Impact Analysis.

Summary:

The proposed amendments are intended to make the board's regulations clearer and easier to understand and utilize by the regulants of the board. Some of the more significant changes are as follows:

1. 18 VAC 10-20-120 & TABLE I - *The requirement for all architectural examination candidates to have completed NCARB's Intern Development Program is clarified.*
2. 18 VAC 10-20-190 through 215 - *The Fundamentals of Engineering (FE) and Principles of Engineering (PE) examination sections are reconfigured to make them easier to understand, utilize and apply.*
3. 18 VAC 10-20-300 through 310 - *Part V - Land Surveyor Qualifications - Experience requirements for the land surveyor examinations are reduced as recommended by the Land Surveyor Section when it reviewed its regulations under Executive Order 15 (94).*
4. 18 VAC 10-20-300.1 - *Requirements for land surveyor-in-training are revised to allow undergraduates in an approved surveying or surveying technology program who are within 12 months of graduating to sit for the LSIT examination during their senior year.*
5. 18 VAC 10-20-795 - *Part XII - Standards of Practice and Conduct - A section is added requiring individuals to notify the board of any change of address within 30 days.*

CHAPTER 20.
BOARD FOR ARCHITECTS, PROFESSIONAL
ENGINEERS, LAND SURVEYORS, *CERTIFIED INTERIOR
DESIGNERS* AND LANDSCAPE ARCHITECTS RULES AND
REGULATIONS.

18 VAC 10-20-10. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Board" means the Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects.

"Department" means the Department of Professional and Occupational Regulation.

"Direct control and personal supervision" shall be that degree of supervision by a person overseeing the work of another whereby the supervisor has both control over and detailed professional knowledge of the work prepared under his supervision.

"Full time" means 60% or more of a Virginia licensed or certified individual's gainfully employed time.

"Good moral character" shall include, but shall not be limited to, compliance with the standards of practice and conduct as set forth in this chapter.

"Place of business" means any location which offers to practice or practices through licensed or certified professionals the services of architecture, professional engineering, land surveying, landscape architecture and interior design. A temporary field office set up for project-specific services is not a place of business.

"Professional" means licensed architect, licensed professional engineer, licensed land surveyor, certified landscape architect or certified interior designer.

"Regulant" means licensee, certificate holder or registrant.

"Responsible charge" means the direct control and personal supervision of the practice of architecture, professional engineering, land surveying and certified landscape architecture.

18 VAC 10-20-20. Application requirements.

A. Fully documented applications with the noted exception shall be submitted by applicants seeking consideration for licensure, certification or registration with the appropriate fee(s) (check or money order only made payable to the Treasurer of Virginia) to be received in the board's office no later than 120 days prior to the scheduled examination. Applicants for the Fundamentals of Engineering examination enrolled in an ABET accredited curriculum who are within 12 months of completion of degree requirements may submit applications to be received in the board's office no later than 60 days prior to the scheduled examination. The date the completely documented application and fee are received in the board's office shall determine if an application has been received by the deadline set by the board. All applications should be completed according to the instructions contained herein. Applications are not considered complete until all required documents, including but not limited to references, employment verifications and verification of registration are received by the board. All applications, accompanying materials and references are the property of the board.

B. Applicants shall meet applicable entry requirements at the time application is made.

C. Applicants who have been found ineligible for any reason may request further consideration by submitting in writing evidence of additional qualifications, training or experience. No additional fee will be required provided the requirements for licensure, certification or registration are met within a period of three years from the date the original application is received by the board. After such period, a new application shall be required.

D. The board may make further inquiries and investigations with respect to the qualifications of the applicant and all references, etc., to confirm or amplify information supplied. The board may also require a personal interview with the applicant.

E. Failure of an applicant to comply with a written request from the board for additional evidence or information within 60 days of receiving such notice, except in such instances where the board has determined ineligibility for a clearly specified period of time, may be sufficient and just cause for disapproving the application.

F. Applicants shall be held to the same standards of practice and conduct as set forth in these regulations ~~this chapter.~~

~~G. National council information.~~

~~1. Applicants for architectural examination/license may obtain information concerning NCARB certification and the NCARB Intern Development Program (IDP) from:~~

~~National Council of Architectural Registration Boards (NCARB)
1735 New York Avenue, N.W., Suite 700
Washington, DC 20006
(202) 783-6500~~

~~2. Applicants for architectural license may obtain information concerning NAAB accreditation from:~~

~~National Architectural Accrediting Board, Inc. (NAAB)
1735 New York Avenue, NW
Washington, DC 20006
(202) 783-2007~~

~~3. Applicants for professional engineering and land surveying examination/license may obtain information concerning NCEES certificates from:~~

~~National Council of Examiners for Engineering and Surveying (NCEES)
P.O. Box 1686
Clemson, South Carolina 29633-1686
(803) 654-6824~~

~~4. Applicants for professional engineer licensing may obtain information concerning ABET accreditation from:~~

~~Accreditation Board for Engineering and Technology, Inc. (ABET)
345 East 47th Street
New York, New York 10017-2397
(212) 705-7685~~

~~5. Applicants for landscape architectural examination/certification may obtain information concerning CLARB registration from:~~

~~Council of Landscape Architectural Registration Boards (CLARB)
Suite 110, 12700 Fair Lakes Circle
Fairfax, Virginia 22033
(703) 818-1300~~

Proposed Regulations

~~6. Applicants for interior design examination/certification may obtain information concerning NCIDQ examination and certification from:~~

~~National Council for Interior Design Qualification
(NCIDQ)
50 Main Street
White Plains, New York 10606-1920
(914) 948-9100~~

18 VAC 10-20-110. Education.

~~A. All applicants shall obtain five years of professional education or equivalent education credits. Education credits shall be calculated in accordance with Table I.~~

~~B. On or after January 1, 1998,~~ A. All applicants shall hold a professional degree in architecture where the degree program has been accredited by the National Architectural Accrediting Board (NAAB) not later than two years after graduation.

~~B. Foreign degrees must be evaluated for equivalency to a NAAB accredited degree. The board reserves the right to reject, for good cause, any evaluation submitted. Any cost of translation and evaluation will be borne by the applicant.~~

18 VAC 10-20-120. Experience.

~~A. All applicants shall have three years of diversified training in the essential areas of architectural practice as described in this subsection. Evidence shall be in the form of official records of a structured internship or incorporated in the candidate's application and verified by employers. Experience shall include:~~

- ~~1. A minimum of 18 months in the area of design and construction documents directly related to the practice of architecture;~~
- ~~2. A minimum of five months in the area of construction administration directly related to the practice of architecture; and~~
- ~~3. A minimum of three months in the area of office management directly related to the practice of architecture.~~

~~Training credits shall be calculated in accordance with Table I.~~

~~B. A. The NCARB Intern-Architect Development Program (NCARB-IDP) shall be required of all applicants for examination. An applicant shall be enrolled in NCARB-IDP for a period of one year or more prior to submitting an application for examination in Virginia. IDP training requirements shall be in accordance with the National Council of Architectural Registration Boards' Handbook for Interns and Architects, 1996-1997 1998-1999 Edition, except that all applicants must have a minimum of 36 months training prior to submitting an application for examination.~~

~~B. All applicants must have a minimum of 36 months experience/training prior to submitting an application for examination. Any experience/training of less than 10~~

~~consecutive weeks will not be considered in satisfying this requirement.~~

~~C. All applicants must have a minimum of 12 months experience/training in architecture as an employee in the office of a registered architect prior to submitting an application for examination. An organization will be considered to be an office of a registered architect if:~~

- ~~1. The architectural practice of the organization in which the applicant works is under the charge of a person practicing as a principal, where a principal is a registered architect in charge of an organization's architectural practice either alone or with other registered architects, and the applicant works under the direct supervision of a registered architect; and~~
- ~~2. The practice of the organization encompasses the comprehensive practice of architecture, including the categories set forth in the IDP requirements.~~

~~D. Exceptions.~~

~~1. In the case of any individual certifying to the board that he had accrued sufficient experience/training credits under the requirements existing prior to (the effective date of this regulatory action) so that 12 or fewer months of experience/training remained to be acquired, then the prior experience/training requirements in subsection E of this section shall continue in effect for such individual;~~

~~2. Any applicant who has accrued experience/training prior to (the effective date of this regulatory action) may verify such experience/training to the best of his ability as if such experience/training had been acquired hereunder, and such verified experience/training shall, when accepted by the board, be considered for purposes of meeting the experience/training requirements of this chapter. Subsection E of this section is only applicable to those individuals specified in this subsection. Table I is only applicable to assist in verifying subdivisions 1 and 2 of this subsection.~~

~~E. Applicants to whom the exceptions in subsection D of this section apply shall have three years of diversified training in the essential areas of architectural practice as described in this subsection. Evidence shall be in the form of official records of a structured internship or incorporated in the candidate's application and verified by employers. Experience shall include:~~

- ~~1. A minimum of 18 months in the area of design and construction documents directly related to the practice of architecture;~~
- ~~2. A minimum of five months in the area of construction administration directly related to the practice of architecture; and~~
- ~~3. A minimum of three months in the area of office management directly related to the practice of architecture.~~

Training credits shall be calculated in accordance with Table I.

18 VAC 10-20-140. Examination.

A. All applicants for original licensure in Virginia are required to pass an ~~Architect Registration Examination (NCARB-ARE)~~ *NCARB prepared examination* after meeting the education and ~~training experience/training~~ requirements as provided in ~~these regulations~~ *this chapter*.

B. The Virginia board is a member *board* of the National Council of Architectural Registration Boards (NCARB) and as such is authorized to ~~administer~~ *make available* the ~~NCARB-ARE~~ *prepared examination*.

C. Grading of the examination shall be in accordance with the national grading procedure administered by NCARB. The board shall ~~adopt~~ *utilize* the scoring procedures recommended by NCARB.

D. The ~~Architect Registration Examination (NCARB-ARE)~~ *NCARB prepared examination* will be offered at least once a year at a time designated by the board.

E. The board may approve transfer credits for parts of the ~~ARE~~ *NCARB prepared examination* taken in accordance with national standards.

F. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee ~~to be received in the board office at a time designated by the board~~. Applicants not properly registered shall not be allowed into the examination site.

G. Examinees will be given specific instructions as to the conduct of each division of the exam at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course

of the examination. Evidence of misconduct may result in voided examination scores or other appropriate disciplinary action.

H. Examinees will be advised only of passing or failing the examination. Only the board and its staff shall have access to ~~examination papers, scores and answer sheets~~ *documentation*.

~~I. The board, at its discretion, may schedule individual or group reviews of Division C—Building Design of NCARB-ARE to assist examinees in understanding the grading criteria for Division C.~~

~~J. 1. Should an applicant not pass the ARE~~ *NCARB prepared examination* within three years after being approved, the applicant must reapply ~~and meet all entry requirements current at the time of reapplication~~.

18 VAC 10-20-150. License by comity.

A. Any person licensed in another state, jurisdiction or territory of the United States or province of Canada may be granted a license provided that:

1. The applicant meets all the requirements for licensing in Virginia that were in effect at the time of the original licensure or possesses an NCARB certificate; and
2. The applicant holds a currently active valid license in good standing in another state, jurisdiction or territory of the United States or province of Canada.

Applicants must submit a verified record of experience in accordance with 18 VAC 10-20-120.

B. Applicants licensed in foreign countries other than a ~~province~~ of Canada may be granted a license in Virginia based on an NCARB certificate.

TABLE I.
REQUIREMENTS FOR ARCHITECTURAL LICENSURE
(APPLICABLE ONLY TO INDIVIDUALS SPECIFIED IN 18 VAC 10-20-120 D).

EDUCATION AND TRAINING REQUIREMENTS	Education Credits			Training Credits	
	First 2 Years	Succeeding Years	Max. Credit Allowed	Credit Allowed	Max. Credit Allowed
A-1 First professional degree in architecture, or credits toward the first professional degree , where the degree program has been approved by the board not later than two years after graduation.	75%	400%	5 years	See B-1.2	See B-1.2
		5 years		No credit used as an education credit may be used as a training credit.	

Proposed Regulations

A-2	First professional degree in architecture, or credits toward that degree, where the degree program has not been approved by the board.	75%	75%	4 years	See B-1.2	See B-1.2
A-3	Bachelor of Arts or Science degree in architecture or in building technology; or in civil, structural, mechanical, or electrical engineering, or credits toward that degree, each of the above being approved by the board.	50%	75%	3 years	See B-1.2	See B-1.2
A-4	Any other bachelor degree.	0%	0%	2 years	See B-1.2	See B-1.2
A-5 1	Diversified experience in architecture as an employee in the offices of licensed architects.	50%	50%	5 years	100%	no limit
			0			
A-6 2	Diversified experience in architecture as a principal practicing in the office of a licensed architect with a verified record of substantial practice.	50%	50%	5 years	100%	no limit
			0			
A-7 3	Diversified experience in architecture as an employee of an organization (other than offices of licensed architects) when the experience is under the direct supervision of a licensed architect.	50%	50%	4 years	100%	2 years
			0			
A-8 4	Experience directly related to architecture, when under the direct supervision of a licensed architect but not qualifying as diversified experience or when under the direct supervision of a professional engineer.	0	0	0	50%	1 year
A-9 5	Experience, other than A-5 1, A-6 2, A-7 3 or A-8 4 experience, directly related to on-site building construction operations or experience involving physical analyses of existing buildings.	0	0	0	50%	6 months
A-10 6	Other education or training experience (see B-3.2 2.2).					

EXPLANATION OF REQUIREMENTS

~~B-1 Education Credits.~~ Education credits shall be subject to the following conditions:

~~B-1 .1 No education credits may be earned prior to graduation from high school.~~

~~.2 Applicants with the degree specified in A-1 through A-4 will be allowed the credit shown in the Maximum Credit Allowed column, regardless of the length of the degree program. Applicants without the degree specified in A-1 or A-2 may not accumulate more than three years of education credits in the aggregate from all degree programs.~~

~~.3 32 semester credit hours or 48 quarter hours are considered to be one year. Fractions of a year of one-half or greater will be considered one-half year, and smaller fractions will not be counted.~~

~~.4 Foreign education credits will be granted only under classifications A-2 and A-4, unless certified as equivalent to a NAAB accredited degree by an organization accepted by the board, in which case credit under classification A-1 will be considered. Any cost of translation and evaluation will be borne by the applicant.~~

B-2 1 Training Credits. Training credits shall be subject to the following conditions:

- B-2 1 .1 Every applicant must earn at least one year of training credit under A-5 1 or A-6 2 and must earn it after earning five years of education credits.
- .2 No credit used as an education credit may be used as a training credit.
- .3 Organizations will be considered to be 'offices of licensed architects': (a) the architectural practice of the organization in which the applicant works is in the charge of a person practicing as a principal and the applicant works under the direct supervision of a licensed architect and (b) the organization is not engaged in construction and (c) the organization has no affiliate engaged in construction which has a substantial economic impact upon the person or persons in the organization practicing as a principal.
- .4 An organization (or an affiliate) is engaged in construction if it customarily engages in either of the following activities:
 - (a) Providing labor and/or material for all or any significant portion of a construction project, whether on lump sum, cost plus or other basis of compensation.
 - (b) Agrees to guarantee to an owner the maximum construction cost for all or any significant portion of a construction project.
- .5 A person practices as a 'principal' by being a licensed architect and the person in charge of the organization's architectural practice, either alone or with other licensed architects.
- .6 In evaluating training credits the board may, prior to licensure, require the applicant to substantiate training experience by comparing this experience to the training requirements as indicated for the Intern-Architect Development Program (IDP).

B-3 2 General Evaluation Criteria.

- B-3 2 .1 To earn full ~~education or~~ training credits under A-5 1, A-6 2, A-7 3, A-8 4 and A-9 5 an applicant must work at least 35 hours per week for a minimum period of 10 consecutive weeks under A-5 1 or six consecutive months under A-6 2, A-7 3, A-8 4 or A-9 5. An applicant may earn one-half of the credit specified under A-5 1 for work of at least 20 hours per week in periods of six or more consecutive months; no credit will be given for part-time work in any category other than A-5 1.
- .2 Other ~~education and~~ training may be substituted for the requirements outlined above, only insofar as the board considers them to be equivalent to the required qualifications.
- .3 In evaluating credits, the board may, prior to licensure, require substantiation of the quality and character of the applicant's experience, notwithstanding the fact that the applicant has complied with the ~~technical education and~~ training requirements set forth above.

18 VAC 10-20-160. Definitions.

The following definitions shall apply in the regulations relating to the licensing of professional engineers:-

"ABET" means the Accreditation Board for Engineering and Technology.

"Approved engineering curriculum" means an engineering curriculum of four years or more approved by the board. ABET approved engineering curricula are approved by the board.

"Approved engineering experience" means a specific record of acceptable professional experience which the board, in its discretion, judges to be pertinent in acquiring engineering skills, on engineering projects of a grade and character indicating that the applicant may be competent to practice engineering.

"Approved engineering technology curriculum" means an ABET approved engineering technology curriculum of four years or more.

"Engineering examination" means an eight-hour written examination in the Fundamentals of Engineering and an eight-hour written examination in the Principles and Practice of Engineering where required.

"Engineer-in-training (EIT) ~~designation~~" means ~~the designation of~~ an applicant who ~~completes~~ has completed any one of several combinations of education, or education and experience, and ~~passes~~ passed the Fundamentals of Engineering examination.

18 VAC 10-20-170. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Fundamentals of Engineering Application	\$20
Principles of Engineering Application	\$50
Renewal	\$35
Comity	\$50
PE Exam rescore	\$25
FE/PE Out of State Proctor	\$30
Dishonored check	\$25

Proposed Regulations

The examination fee shall consist of the administration expenses of the department resulting from the board's examination procedures and contract charges. Exam service contracts shall be established through competitive negotiation in compliance with the Virginia Public Procurement Act (§ 11-35 et seq. of the Code of Virginia). The current examination shall not exceed a cost of \$70 for the Fundamentals of Engineering and \$160 for the Principles of Engineering to the candidate.

18 VAC 10-20-190. Requirements for *the* Fundamentals of Engineering (FE) exam.

~~Applicants who are enrolled in an ABET accredited curriculum and are within 12 months of completion of degree requirements are eligible for the FE exam. Applications must be accompanied by a certificate of good standing from the dean of the engineering school.~~

~~All other applicants must meet the eligibility requirements in 18 VAC 10-20-200 below.~~

In order to be approved to sit for the FE examination, an applicant must satisfy one of the following:

	EDUCATIONAL REQUIREMENTS	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE
1.	<i>Enrolled in an ABET accredited undergraduate curriculum and within 12 months of completion of degree requirements. Enrolled in an ABET accredited graduate curriculum, or enrolled in a graduate curriculum that is ABET accredited at the undergraduate level at the institution at which the graduate degree is being sought, and within six months of completion of graduate degree requirements. Applications must be accompanied by a certificate of good standing from the dean of the engineering school.</i>	0
2.	<i>Graduated from an approved engineering or an approved engineering technology curriculum of four years or more.</i>	0
3.	<i>Obtained an undergraduate engineering degree from an institution in a curriculum without ABET accreditation and a graduate level engineering degree from an institution in a curriculum that is ABET accredited at the undergraduate level.</i>	0
4.	<i>Graduated from a nonapproved engineering curriculum or a related science curriculum of four years or more.</i>	2
5.	<i>Graduated from a nonapproved engineering technology curriculum or not graduated from an engineering or related science curriculum of four years or more but who, in the judgment of the board, has obtained the equivalent of such graduation as described by self study when compared to the ABET Course Requirements for Engineering Technology Programs.</i>	6

18 VAC 10-20-200. Requirements for engineer-in-training (EIT) designation.

~~In order to be approved to sit for the Fundamentals of Engineering examination which, when passed, allows the applicant to utilize the Engineer In-Training (EIT) designation, an applicant must meet one of the following requirements:~~

	EDUCATIONAL REQUIREMENTS	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, APPROVED PROFESSIONAL EXPERIENCE
1.	Graduated from an approved engineering or approved engineering technology curriculum of four years or more.	0
2.	Undergraduate engineering degree was obtained at an institution not located in the United States, but a graduate level engineering degree was obtained from an institution located in the United States that is ABET accredited at the undergraduate level.	0
3.	Graduated from a nonapproved engineering curriculum or a related science curriculum of four years or more.	2

~~4. Graduated from a nonapproved engineering technology curriculum, or not graduated from an engineering or related science curriculum of four years or more but who, in the judgment of the board, has obtained the equivalent of such graduation as described by self-study.~~ 6

~~The engineer-in-training (EIT) designation shall remain valid indefinitely.~~

~~An applicant who is qualified to sit for the FE examination under subdivision 1 of 18 VAC 10-20-190 must provide verification of his degree prior to becoming an EIT. All other applicants who qualify to sit for the FE examination under subdivisions 2 through 5 of 18 VAC 10-20-190 will become an EIT upon achieving a passing examination score.~~

18 VAC 10-20-210. Requirements for ~~professional~~ the Principles of Engineering license (PE) examination.

~~In order to be approved to sit for the Principles and Practice of Engineering examination which, when passed, allows the applicant to become licensed as a Professional Engineer, an applicant must meet one of the following requirements:~~

	EIT DESIGNATION REQUIRED?	EDUCATIONAL REQUIREMENTS	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, APPROVED PROFESSIONAL EXPERIENCE
1.	YES	Graduated from an approved engineering curriculum of four years or more.	4
2.	NO	Been awarded both an ABET accredited undergraduate engineering degree and a doctorate degree in engineering from an engineering curriculum which is ABET accredited at the undergraduate level.	4
3.	YES	Graduated from a nonapproved engineering curriculum, a related science curriculum of four years or more, or an approved engineering technology curriculum.	6
4.	YES	Graduated from a nonapproved engineering technology curriculum; or with-out graduation from an engineering or related science curriculum of four years or more.*	10
5.	NO	Graduated from a nonapproved engineering, engineering technology or related science curriculum of four years or more.	20

~~* Any experience accepted by the board for educational equivalency shall not be used in satisfying the professional experience requirement.~~

In order to be approved to sit for the PE examination, an applicant must satisfy one the following:

	EDUCATIONAL REQUIREMENTS	EIT REQUIRED?	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE
1.	Graduated from an approved engineering curriculum of four years or more.	YES	4
2.	Been awarded both an ABET accredited undergraduate engineering degree and a doctorate degree in engineering from an engineering curriculum which is ABET accredited at the undergraduate level.	NO	4
3.	Graduated from a nonapproved engineering curriculum, a related science curriculum, or an approved engineering technology curriculum, all of which are four years or more.	YES	6
4.	Graduated from a nonapproved engineering technology curriculum of four years or more; or without graduation from an engineering or related science curriculum of four years or more.	YES	10

Proposed Regulations

5.	Graduated from an engineering, engineering technology or related science curriculum of four years or more.	NO	20
----	--	----	----

18 VAC 10-20-215. Requirements for the PE license.

In order to obtain the Professional Engineer license, an applicant must satisfy the requirements of at least one subsection of 18 VAC 10-20-210 and pass the PE examination. An applicant will receive his license to practice upon achieving a passing examination score.

18 VAC 10-20-230. Education.

Any applicant who has earned a degree from an institution outside the United States shall have the degree evaluated by an educational credential evaluation service or by ABET if credit for such education is sought, unless the applicant earned an equivalent or higher level engineering degree from a United States institution accredited by ABET. The board reserves the right to reject, for good cause, any evaluation submitted by the applicant.

18 VAC 10-20-250. Language and comprehension.

Every applicant applying for licensure as a professional engineer shall be able to speak and write English. ~~Such~~ An applicant from a non-English speaking country or a country wherein the primary language is other than English shall submit to the board a TOEFL (Test of English as a Foreign Language) score report with a minimum score of 560, and a TSE (Test of Spoken English) score report with a minimum score of 255. Score reports shall not be over two years old at the time of application. ~~The requirement of submitting a TOEFL and a TSE report shall not apply if the applicant is a graduate of a U.S. college or university.~~

18 VAC 10-20-260. Examinations.

A. The Virginia board is a member *board* of the National Council of Examiners for Engineering and Surveying (NCEES) and as such is authorized to administer the NCEES examinations.

B. The Fundamentals of Engineering examination consists of ~~an eight-hour test period~~ a NCEES exam on the fundamentals of engineering, and is given ~~semiannually~~ at times designated by the board.

C. The Principles and Practice of Engineering examination consists of ~~an eight-hour test period~~ a NCEES exam on applied engineering and is given ~~semiannually~~ at times designated by the board.

D. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee to be received in the board office at a time designated by the board. Applicants not properly registered shall not be allowed into the examination site.

E. A candidate eligible for admission to both parts of the examination must first successfully complete the fundamentals of engineering examination before being

admitted to the principles and practice of engineering examination.

F. Examinees will be given specific instructions as to the conduct of each examination at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course of the examination. Evidence of misconduct may result in voided examination scores or other appropriate disciplinary action.

G. Grading of the examinations shall be in accordance with national grading procedures established by NCEES.

Each part of the written examination will have a value of 100. A passing score shall be 70 and above. Candidates will be notified of passing or failing and their actual scores.

H. Should an applicant not pass an examination within three years after being approved *to sit for an examination*, the applicant must reapply and meet all current entry requirements.

I. The Fundamentals of Engineering examination may not be reviewed by the candidates. Examination scores are final and are not subject to change.

Upon written request to the board within ~~30~~ 20 days of ~~receiving the mailing of~~ exam results, candidates for the Principles and Practice of Engineering examination will be permitted to review only their own failed examination. Score appeals ~~may will only be accepted in accordance with board policy if the candidate received a score of 65 or above.~~

18 VAC 10-20-270. License by comity.

A person holding a license to engage in the practice of engineering, issued to the applicant by another state, territory or possession of the United States, Canada or the District of Columbia, based on requirements that do not conflict with and are at least as vigorous as these regulations and supporting statutes of this board *that were in effect at the time of original licensure*, may be licensed without further examination. No person shall be so licensed, however, who has not passed ~~a written~~ an examination in another jurisdiction which is substantially equivalent to that ~~administered~~ approved by the board.

18 VAC 10-20-280. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application for Fundamentals of Surveying	\$ 80
Application for Principles of Surveying	\$105
Renewal	\$115
Application for Land Surveyor B	\$115
<i>Comity</i>	\$105
Out of state proctor	\$ 50
Dishonored check	\$ 25

The examination fee shall consist of the administration expenses of the department resulting from the board's

examination procedures and contract charges. Exam service contracts shall be established through competitive negotiation in compliance with the Virginia Public Procurement Act (§ 11-35 et seq. of the Code of Virginia). The current examination shall not exceed a cost of \$150 for the Fundamentals of Land Surveying, \$150 for the Principles of Land Surveying, \$90 for the Virginia State Examination and \$55 for the Land Surveyor B examination to the candidate.

18 VAC 10-20-300. Requirements for land surveyor-in-training (LSIT).

The education or experience, or both, and examination requirements for land surveyor-in-training ~~status~~ (LSIT) are as follows:

1. An applicant who has graduated from a ~~or is enrolled in a board-approved~~ surveying or surveying technology curriculum of four years or more approved by the board ~~as being of satisfactory standing shall be admitted to an eight-hour written examination in the~~ and is within 12 months of completion of degree requirements is eligible for the Fundamentals of Land Surveying examination. Upon passing such examination, ~~and providing evidence of graduation,~~ the applicant shall be ~~enrolled as a~~ land surveyor-in-training, if the applicant is otherwise qualified. *Applications must be accompanied by a certificate of good standing from the dean of the school.*

2. An applicant who has graduated from a curriculum of ~~four years or more~~ related to surveying ~~of four years or more~~ as approved by the board and with a specific record of ~~two years of progressive, one year of~~ approved land surveying experience shall be admitted to an ~~eight-hour examination in the~~ Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be ~~enrolled as a~~ land surveyor-in-training, if the applicant is otherwise qualified.

3. An applicant who has earned at least a four-year bachelor's degree in a field unrelated to surveying ~~may be approved by the board~~ and with a specific record of ~~four~~ two years of approved *progressive* land surveying experience ~~of which three of these years shall be progressive. The applicant shall be admitted to an eight-hour examination in the~~ Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be ~~enrolled as a~~ land surveyor-in-training, if the applicant is otherwise qualified.

4. An applicant who has graduated from a surveying curriculum of two years or more approved by the board with a specific record of ~~six~~ four years of approved *progressive* land surveying experience ~~of which four of these years shall be progressive, shall be admitted to an eight-hour written examination in the~~ Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be ~~enrolled as a~~ land

surveyor-in-training, if the applicant is otherwise qualified.

5. An applicant who has successfully completed a survey apprenticeship program approved by the board with at least 480 hours of surveying related classroom instruction with a specific record of ~~eight~~ six years of approved *progressive* land surveying experience ~~of which six of these years shall be progressive, shall be admitted to an eight-hour written examination in the~~ Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be ~~enrolled as a~~ land surveyor-in-training, if the applicant is otherwise qualified.

6. An applicant who has graduated from high school with evidence of successful completion of courses in algebra, geometry and trigonometry with a specific record of ~~ten~~ eight years of approved *progressive* land surveying experience ~~of which eight of these years shall be progressive, shall be admitted to an eight-hour written examination in the~~ Fundamentals of Land Surveying examination. Applicants who have accumulated college credits may apply credit hours approved by the board to help meet the experience requirement. One year of experience credit will be given for 40 semester hours of approved college credit. Upon passing such examination, the applicant shall be ~~enrolled as a~~ land surveyor-in-training, if the applicant is otherwise qualified.

18 VAC 10-20-310. Requirements for a licensed land surveyor.

A land surveyor-in-training with a specific record of four years of approved land surveying experience, ~~of which a minimum of three years of progressive experience has been on land surveying projects~~ under the supervision of a licensed land surveyor, shall be admitted to a ~~six-hour written~~ an examination in the Principles and Practice of Land Surveying and a ~~two-hour~~ Virginia state examination. Upon passing such examination, the applicant shall be granted a license to practice land surveying, provided the applicant is otherwise qualified.

18 VAC 10-20-320. Requirements for a licensed land surveyor B.

A. An applicant shall hold a valid license as a land surveyor and present satisfactory evidence of two years of *progressive* land surveying experience in land surveyor B professional land surveying, as defined in § 54.1-408 of the Code of Virginia, under the supervision and direction of a licensed land surveyor B or professional engineer.

B. An applicant shall also present satisfactory evidence of having passed ~~college-level~~ *board-approved* courses in hydraulics, ~~acceptable to the board~~ and hydrology.

C. An applicant shall pass an ~~eight-hour written~~ examination as developed by the board. Upon passing such examination, the applicant shall be granted a license as a Land Surveyor B, if he is otherwise qualified.

Proposed Regulations

18 VAC 10-20-330. Education.

Any applicant who has attended an institution not located in the United States shall have his degree evaluated by an education evaluation service if credit for such education is sought. The board reserves the right to reject, *for good cause*, any evaluation submitted by the applicant.

18 VAC 10-20-350. Examinations; grading; reexamination.

A. The examination for land surveying under § 54.1-400 of the Code of Virginia shall consist of two parts, ~~each part being of eight hours duration~~. Part I shall consist of ~~an eight-hour examination in~~ the Fundamentals of Land Surveying. Part II shall consist of ~~a six-hour~~ *an* examination in the Principles and Practice of Land Surveying and a ~~two-hour~~ Virginia state examination. These examinations shall be given semiannually at times designated by the board.

B. The examination for land surveying under § 54.1-408 of the Code of Virginia (Land Surveyor B) shall be ~~of eight hours duration and shall be given annually at a time~~ *times* designated by the board.

C. Unless otherwise stated, applicants approved to sit for an examination must register and submit the required examination fee to be received in the board office at a time designated by the board. Applicants not properly registered shall not be allowed into the examination site.

D. Candidates shall be notified of passing or failing but shall not be notified of actual scores. Only the board and its staff shall have access to examination papers, scores and answer sheets. Examinations may not be reviewed.

~~1. Part I of the written examination shall have a value of 100. The passing grade shall be 70 or above.~~

~~2. Each portion of the Part II of the written examination shall have a value of 100. The passing grade shall be 70 or above.~~

~~3. For the Land Surveyor B examination, each applicant must obtain a minimum passing grade of 75 out of 100 for the entire eight-hour examination.~~

E. Upon payment of a reexamination fee, an applicant may retake parts of the written examination which *the applicant* may have been failed. Should the applicant not pass an examination within three years after being approved, the applicant must reapply and meet all current entry requirements.

18 VAC 10-20-360. Licensure by comity.

~~A person holding a license to engage in the practice of land surveying issued on comparable qualifications from a state, territory or possession of the United States and experience satisfactory to the board, will be given comity consideration. Full credit will be given to an applicant who has passed the NCEES examinations for surveyors in other jurisdictions as required in Virginia. All applicants for comity, after meeting the requirements of 18 VAC 10-20-40, must~~

also comply with the provisions of 18 VAC 10-20-300 and 18 VAC 10-20-310. However, the applicant may be required to take such examinations as the board deems necessary to determine his qualifications, but in any event, the applicant shall be required to pass a written Virginia state examination of not less than two hours in duration. The examination shall include questions on law, procedures and practices pertaining to land surveying in Virginia.

18 VAC 10-20-440. Examination.

A. All applicants for original certification in Virginia are required to pass the Landscape Architect Registration Examination (LARE) or equivalent after meeting the education and experience requirements as provided in these regulations.

B. The Virginia board is a member of the Council of Landscape Architectural Registration Boards (CLARB) and as such is authorized to administer the CLARB examinations.

C. The Landscape Architect Registration Examination (LARE) will be offered at least once per year at a time designated by the board.

D. Grading of the examination shall be in accordance with the national grading procedures established by CLARB. The board shall adopt the scoring procedures recommended by CLARB.

E. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee to be received in the board office no later than 75 days before the next administration of the examination. Applicants not properly registered shall not be allowed into the examination site.

F. Examinees will be given specific instructions as to the conduct of each section of the exam at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course of the examination. Evidence of misconduct may result in voided examination scores or other appropriate disciplinary action.

G. Examinees will be advised only of their passing or failing score and the CLARB minimum passing or failing score. Only the board and its staff shall have access to examination papers, scores and answer sheets.

H. Upon written request to the board within 30 days of receiving examination results, examinees will be permitted to view individually their own performance problems for failed sections only. Examination appeals are permitted in accordance with the CLARB score verification process.

I. Should an applicant not pass an examination within three years after being approved, the applicant must reapply and meet all current entry requirements.

18 VAC 10-20-450. Certification by comity.

Any applicant who has passed an examination in another jurisdiction of the United States or province of Canada

comparable to the examination required by these regulations ~~this chapter~~ or who is CLARB certified and who is currently licensed or certified in another jurisdiction of the United

States or province of Canada may have the required Virginia examinations waived, provided that all other qualifications are met.

TABLE II.
TABLE OF EQUIVALENTS FOR EDUCATION AND EXPERIENCE FOR CERTIFIED LANDSCAPE ARCHITECTS.

DESCRIPTION DESCRIPTIONS	Education Credits			Experience Credits	
	First 2 Years	Succeeding Years	Max. Credit Allowed	Credit Allowed	Max. Credit Allowed
A-1. Credits toward a a degree in landscape architecture from an accredited school of landscape architecture.	100%	100%	4 years		
A-2. Degree in landscape architecture or credits toward that degree from a nonaccredited school of landscape architecture.	100%	100%	4 years		
A-3. Degree or credits toward that degree in an allied professional discipline, i.e., architecture, civil engineering, environmental science, approved by the board.	75%	100%	3 years		
A-4. Any other bachelor degree, or credits toward that degree.	50%	75%	2 years		
A-5. Diversified experience in landscape architecture under the direct supervision of a certified landscape architect.				100%	no limit
A-6. Diversified experience directly related to landscape architecture when under the direct supervision of an architect, civil engineer, or "credentialed" planner.				50%	4 years

EXPLANATION OF REQUIREMENTS

B-1. Education Credits. Education credits shall be subject to the following conditions:

B-1.1. Applicants with a degree specified in A-1 through A-4 will be allowed the credit shown in the Maximum Credit Allowed column, regardless of the length of the degree program.

2. With a passing grade, 32 semester credit hours or 48 quarter hours is considered to be one year. Fractions greater than one-half year will be counted one-half year and smaller fractions will not be counted.

B-2. Experience Credits. Experience credits shall be subject to the following conditions:

B-2.1. Every applicant must earn at least two years of experience credit under category A-5. *An applicant who has no education credits must earn at least four years of experience under category A-5.*

18 VAC 10-20-490. Requirements for certification.

The education, experience and examination requirements for certification as an interior designer are as follows:

1. The applicant shall hold a four-year degree from an institution accredited by the Foundation for Interior Design Education Research (FIDER), or an equivalent accrediting organization or a professional program approved by the board; have two years of monitored experience; and have passed the examination for certification as an interior designer.

2. ~~Diversified experience shall be gained in accordance with this chapter.~~ Monitored experience gained under the supervision of a professional engineer shall be discounted at 50% with a maximum credit of six months. ~~Periods of self-employment shall be verified with a list of~~

~~projects, dates, scope of work and letters of verification by at least three clients.~~

18 VAC 10-20-500. References. (Repealed.)

~~Applicants shall submit three references from persons who know of the applicant's work and have known the applicant for at least one year. Persons supplying references shall be certified or licensed interior designers, architects or professional engineers.~~

18 VAC 10-20-530. Application requirements.

A. All applicants shall have been incorporated in the Commonwealth of Virginia; or, if a foreign professional corporation, shall have obtained a certificate of authority to do business in Virginia from the State Corporation Commission; in accordance with § 13.1-544.2 of the Code of Virginia.

Proposed Regulations

B. Each application shall include certified true copies of the articles of incorporation, bylaws and charter, and, if a foreign professional corporation, the certificate of authority issued by the State Corporation Commission.

C. Articles of incorporation and bylaws. The following statements are required:

1. The articles of incorporation or bylaws shall specifically state that cumulative voting is prohibited.
2. The bylaws shall state that at least 2/3 of the capital stock must be held by persons duly licensed to render the services of an architect, professional engineer or land surveyor, or duly certified to render the services of a landscape architect. The remainder of the stock may be issued only to and held by individuals who are employees of the corporation.
3. The bylaws shall state that nonlicensed or noncertified individuals will not have a voice or standing in any matter affecting the practice of the corporation requiring professional expertise or considered professional practice, or both.

D. Board of directors. A corporation may elect to its board of directors not more than 1/3 of its members who are employees of the corporation and are not authorized to render professional services.

At least 2/3 of the board of directors shall be licensed to render the services of architecture, professional engineering or land surveying, or be certified to render the services of landscape architecture, or any combination thereof.

At least one director currently licensed or certified in each profession offered or practiced shall devote substantially full time to the business of the corporation to provide effective supervision and control of the final professional product.

E. Joint ownership of stock. Any type of joint ownership of the stock of the corporation is prohibited. Ownership of stock by nonlicensed or noncertified employees shall not entitle those employees to vote in any matter affecting the practice of the professions herein regulated.

F. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.

~~F.~~ G. Branch offices. If professional services are offered or rendered in a branch ~~office(s)~~ office, a separate branch office designation form shall be completed for each branch office located in Virginia. Persons in responsible charge shall be designated in accordance with this chapter.

18 VAC 10-20-560. Amendments and changes.

A. Amendments to charter, articles of incorporation or bylaws. A corporation holding a certificate of authority to practice in one or in any combination of the professions covered in these regulations shall file with the board, within 30 days of its adoption, a certified true copy of any amendment to the articles of incorporation, bylaws or charter.

B. Change in directors or shareholders. In the event there is a change in corporate directors or shareholders, whether the change is temporary or permanent and whether it may be caused by death, resignation or otherwise, the certificate of authority shall be ~~automatically modified to be~~ limited to that professional practice permitted by those pertinent licenses or certificates held by the remaining directors and shareholders of the corporation *unless an employee of the firm holds the appropriate license or certificate and is competent to render such professional services.* ~~Unless otherwise provided,~~ In the event that such change results in noncompliance with ~~these regulations~~ *this chapter* and applicable statutes, the certificate of authority shall be ~~automatically~~ suspended until such time as the corporation comes into compliance with ~~these regulations~~ *this chapter*. The corporation shall notify the board within 30 days of any such change.

C. Change of name, address and place of business. Any change of name (including assumed names), address, place of business in Virginia, or person(s) in responsible charge of the profession(s) practiced or offered at each place of business shall be reported to the board within 30 days of such an occurrence.

18 VAC 10-20-570. Definitions.

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

"Manager" is a person or persons designated by the members of a limited liability company to manage the limited liability company as provided in the articles of organization or an operating agreement, and who is duly licensed or otherwise legally authorized to render one or more of the professional services of architecture, professional engineering, land surveying or landscape architecture in the Commonwealth of Virginia.

~~"Member" means an individual or professional business entity that owns an interest in a limited liability company, and who is duly licensed or otherwise legally authorized to render the professional services of architecture, professional engineering, land surveying and landscape architecture in the Commonwealth of Virginia.~~

"Professional limited liability company" means a limited liability company organized in accordance with Chapter 13 (§ 13.1-1100 et seq.) of Title 13.1 of the Code of Virginia for the sole and specific purpose of rendering one or more of the professional services of architecture, professional engineering, land surveying or landscape architecture.

18 VAC 10-20-590. Application requirements.

A. All applicants shall have obtained a certificate of organization in the Commonwealth of Virginia or, if a foreign professional limited liability company, shall have obtained a certificate of registration to do business in Virginia from the State Corporation Commission, in accordance with § 13.1-1105 of the Code of Virginia.

B. Each application shall include a certified true copy of the certificate of organization or, if a foreign professional

limited liability company, a certificate of registration issued by the State Corporation Commission.

C. Each application shall be accompanied by a written affirmative affidavit that attests to the following inclusions to the articles of organization or operating agreement.

1. The articles of organization or operating agreement shall state the specific purpose of the professional limited liability company.

2. The articles of organization or operating agreement shall attest that membership is composed of ~~two~~ *one* or more individuals or professional business entities, and at least *2/3 of the membership interests are held by individuals or professional business entities* which are duly licensed or registered to render professional services within the Commonwealth of Virginia. The remaining membership interest may be held only by employees of the company whether or not they are licensed or otherwise legally authorized to render professional services.

3. The articles of organization or operating agreement shall attest that all members, managers, employees and agents who render professional services of architecture, professional engineering, land surveying or landscape architecture are duly licensed to provide those services.

4. The person executing the document shall sign it and state beneath his signature his name and the capacity in which he signs.

D. Unless the articles of organization or an operating agreement provides for management of a professional limited liability company by a manager or managers, management of a limited liability company shall be vested in its members, all of which must be duly licensed or otherwise legally authorized to render the professional services within the Commonwealth for which the company was formed.

The manager must be an individual or professional business entity duly licensed or otherwise legally authorized to render the same professional services within the Commonwealth for which the company was formed.

E. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.

F. If professional services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office located in Virginia. Persons in responsible charge shall be designated in accordance with this chapter.

18 VAC 10-20-640. Application requirements.

A. In accordance with § 54.1-411 of the Code of Virginia, applicants shall register with the board on a form approved by the board.

B. If a partnership, a copy of the partnership agreement shall be included with the application. ~~Not less than 2/3 of the general partners shall be licensed professionals.~~

C. If a corporation, the application shall include certified true copies of the articles of incorporation, bylaws and charter, and if a foreign corporation, a certificate of authority issued by the State Corporation Commission.

D. If a limited liability company, the application shall include a certified true copy of the certificate of organization issued by the State Corporation Commission, and, if a foreign limited liability company, a certified true copy of the certificate of authority issued by the State Corporation Commission.

E. If professional services are offered or rendered in a branch ~~office(s)~~ *office*, a separate branch office designation form shall be completed for each branch office located in Virginia. Persons in responsible charge shall be designated in accordance with ~~these regulations~~ *this chapter*.

F. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.

18 VAC 10-20-680. Reinstatement.

A. If the license, certificate or registration has expired for six months or more, but less than five years, the regulant shall be required to submit a new application, which shall be evaluated by the board to determine if the applicant meets the renewal requirements. In addition, a reinstatement fee equal to the regular renewal fee plus \$100 shall be required.

B. If the license, certificate or registration has expired for five years or more, the regulant will be required to submit a new application, meet current entry requirements, and submit a reinstatement fee equal to the regular renewal fee plus \$250. In addition, the board may require the applicant to submit to an examination.

C. Board discretion to deny reinstatement. The board may deny reinstatement of a license, certificate or registration for the same reasons as it may refuse initial licensure, certification or registration or discipline a regulant.

D. The date the renewal application and fee are received in the office of the board shall determine whether a license, certificate or registration shall be renewed without late renewal or reinstatement, or shall be subject to reinstatement application procedures.

E. A license, certificate or registration that is reinstated shall be regarded as having been continuously licensed without interruption. Therefore, the license, certificate or registration holder who is not already subject to the provisions of § 54.1-405 of the Code of Virginia shall remain under the disciplinary authority of the board during the entire period and shall be accountable for his activities during the period. A license, certificate or registration that is not reinstated and is not subject to the provisions of § 54.1-405 of the Code of Virginia shall be regarded as unlicensed from the expiration date forward. Nothing in this chapter shall divest the board of its authority to discipline a license, certificate or registration holder for a violation of the law or regulation during the period of time for which the regulant was licensed.

Proposed Regulations

18 VAC 10-20-730. Competency for assignments.

A. The professional shall undertake to perform professional assignments only when qualified by education or experience and licensed or certified in the profession involved. *Licensed professionals may perform professional assignments related to landscape architecture or interior design provided they do not hold themselves out as certified in either of these professions unless they are so certified by this board.* The professional may accept an assignment requiring education or experience outside of the field of the professional's competence, but only to the extent that services are restricted to those phases of the project in which the professional is qualified. All other phases of such project shall be the responsibility of licensed or certified associates, consultants or employees.

B. A professional shall not misrepresent to a prospective or existing client or employer his qualifications and the scope of his responsibility in connection with work for which he is claiming credit.

C. The professional shall adhere to all minimum standards and requirements pertaining to the practice of his own profession as well as other professions if incidental work is performed.

18 VAC 10-20-740. Professional responsibility.

A. The professional shall not knowingly associate in a business venture with, or permit the use of the professional's name or firm name by any person or firm where there is reason to believe that person or firm is engaging in activity of a fraudulent or dishonest nature or is violating statutes or any of these regulations.

B. A professional who has direct knowledge that another individual or firm may be violating any of these provisions, or the provisions of Chapters 1 through 3 4 of Title 54.1; or ~~Chapter~~ *Chapters 7 and 13* of Title 13.1 of the Code of Virginia, shall immediately inform the secretary of the board in writing and shall cooperate in furnishing any further information or assistance that may be required.

C. The professional shall, upon request or demand, produce to the board, or any of its agents, any plan, document, book, record or copy thereof in his possession concerning a transaction covered by this chapter, and shall cooperate in the investigation of a complaint filed with the board against a licensee or certificate holder.

D. A professional shall not utilize the design, drawings or work of another professional without the knowledge and written consent of the professional or organization of ownership that originated the design, drawings or work. In the event that the professional who generated the original document is no longer employed by the design firm retaining ownership of the original documents or is deceased, another professional who is a partner or officer in the design firm retaining ownership of the original documents may authorize utilization of the original documents by another professional or firm.

E. A professional who has received permission to modify or otherwise utilize the design, drawings or work of another professional pursuant to subsection D of this section may seal that work only after a thorough review of the design, drawings or work to the extent that full responsibility shall be assumed for all design, drawings or work.

F. The information contained in recorded plats or surveys may be utilized by another professional without permission. If modifications are made to the plats or surveys, the professional must conduct a thorough review and verification of the work to the extent that full responsibility may be assumed for any changes or modifications to the plats or surveys.

18 VAC 10-20-760. Use of seal.

A. The application of a professional seal shall indicate that the professional has exercised complete direction and control over the work to which it is affixed. Therefore, no regulant shall affix a name, seal or certification to a plat, design, specification or other work constituting the practice of the professions regulated which has been prepared by an unlicensed or uncertified person or firm unless such work was performed under the direction and supervision of the regulant while under the regulant's contract or while employed by the same firm as the regulant. If a regulant is unable to seal completed professional work, such work may be sealed by another regulant only after thorough review and verification of the work has been accomplished to the same extent that would have been exercised if the work had been done under the complete direction and control of the regulant affixing the professional seal.

B. A principal or authorized licensed or certified employee shall apply a stamp or preprinted seal to final and complete original cover sheets of plans, drawings, plats, technical reports and specifications and to each original sheet of plans, drawings or plats, prepared by the regulant or someone under his direct control and personal supervision.

1. All seal imprints on final documents shall bear an original signature and date. *"Final Documents" are completed documents or copies submitted on a client's behalf for approval by authorities or recordation. In such cases, the cover sheet of the documents or copies shall contain a list of drawings included in the set on which a seal, original signature and date will be affixed for all regulated disciplines. Every page of the submission, other than the cover, may be reproduced from originals which contain the seal, original signature and date by each discipline responsible for the work. A seal, original signature and date is only required on the cover sheet.*

2. Incomplete plans, documents and sketches, whether advance or preliminary copies, shall be so identified and need not be sealed or signed.

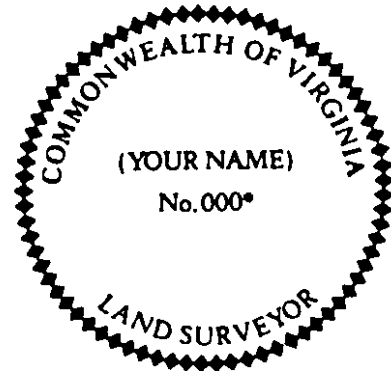
3. All plans, drawings or plats prepared by the regulant shall bear the regulant's name or firm name, address and project name.

4. The seal of each regulant responsible for each profession shall be used and shall be on the originals,

including the document cover sheet, for which that professional is responsible, including exempted work, for which licensure or certification is not required, prepared under the regulant's direction.

5. Application of the seal and signature indicates acceptance of responsibility for work shown thereon.

6. The seal shall conform in detail and size to the design illustrated below and shall be two inches in diameter. The designs below may not be shown to scale:



* The number referred to is the six digit number as shown on the license or certificate. The number is permanent.

18 VAC 10-20-780. Licensee Professional required at each place of business.

A. Corporations, partnerships, firms or other legal entities maintaining a place of business in the Commonwealth of Virginia for the purpose of offering to provide architectural, ~~professional~~ engineering, land surveying ~~or~~, certified landscape architectural *or certified interior design* services practiced at more than one location shall have an authorized ~~full-time~~ Virginia licensed architect, professional engineer, land surveyor ~~or~~, certified landscape architect *or certified interior designer in responsible charge* in each place of business.

B. Corporations, partnerships, firms or other legal entities maintaining any place of business in the Commonwealth of Virginia for the purpose of practicing architecture, ~~professional~~ engineering, land surveying ~~or~~, certified landscape architecture *or certified interior design* at that location, shall have in responsible charge at each place of business a ~~full-time resident~~ Virginia licensed architect, professional engineer, land surveyor ~~or~~, certified landscape architect *or certified interior designer in residence* exercising supervision and control of work in each profession being practiced.

18 VAC 10-20-790. Sanctions.

A. No license, certificate, or registration shall be suspended or revoked, nor shall any regulant be fined unless a majority of the members of the entire board and a majority

Proposed Regulations

of the board members of the profession involved, who are eligible to vote, vote for the action. The board may suspend or revoke any license, certificate, certificate of authority or registration, or fine any regulant, if the board finds that:

1. The license, certification or registration was obtained or renewed through fraud or misrepresentation;
2. The regulant has been found guilty by the board, or by a court of competent jurisdiction, of any material misrepresentation in the course of professional practice, or has been convicted, pleaded guilty or found guilty, regardless of adjudication or deferred adjudication, of any felony or misdemeanor which, in the judgment of the board, adversely affects the regulant's ability to perform satisfactorily within the regulated discipline;
3. The regulant is guilty of professional incompetence or negligence;
4. The regulant has abused drugs or alcohol to the extent that professional competence is adversely affected;
5. The regulant violates any standard of practice and conduct, as defined in this chapter; or
6. The regulant violates or induces others to violate any provision of Chapters 1 through 3 4 of Title 54.1, or ~~Chapter~~ *Chapters 7 and 13* of Title 13.1 of the Code of Virginia, or any other statute applicable to the practice of the professions herein regulated, or any provision of this chapter.

B. If evidence is furnished to the board which creates doubt as to the competency of a regulant to perform professional assignments, the board may require the regulant to prove competence by interview, presentation or examination. Failure to appear before the board, pass an examination, or otherwise demonstrate competency to the board shall be grounds for revocation or suspension of the license, certification or registration.

18 VAC 10-20-795. Change of address.

All regulants shall notify the board of any change of address, in writing, within 30 days of making the change. When submitting a change of address, any regulant holding more than one license, certificate or registration shall inform the board of all licenses, certificates or registrations affected by the change.

DOCUMENT INCORPORATED BY REFERENCE

Handbook for Interns and Architects, ~~1996-1997~~ 1998-1999 Edition, National Council of Architectural Registration Boards.

NOTICE: The forms used in administering 18 VAC 10-20-10 et seq., Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Rules and Regulations, 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 Professional and Occupational

Regulation, 3600 West Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

FORMS

Architect License Application, DPOR Form A-1 (rev. ~~6/26/97~~ 10/1/97).

Architect Verification of Registration, DPOR Form A-2 (rev. ~~4/4/95~~ 10/1/97).

Architect Experience Verification Form, DPOR Form A-3 (rev. ~~4/4/95~~ 10/1/97).

Client Verification Form, DPOR Form A-4 (rev. 10/1/97).

Verification of Degree Form, DPOR Form A-5 (rev. 10/1/97).

Architect Reference Form, DPOR Form ~~A-4~~ A-6 (rev. ~~4/4/95~~ 10/1/97).

~~Application for Licensure as a Professional Engineer Application~~, DPOR Form E-1 (rev. ~~9/15/95~~ 10/1/97).

~~Professional Engineer Applicant Checklist (rev. 9/15/95).~~

Professional Engineer Reference Form, DPOR Form E-2 (rev. ~~9/15/95~~ 10/1/97).

Verification of Degree ~~Granted Form~~, DPOR Form E-3 (rev. ~~9/15/95~~ 10/1/97).

Engineer or Related Employment Verification of Experience Form, DPOR Form E-4 (rev. ~~9/15/95~~ 10/1/97).

DPOR Form E-4 Supplement (rev. ~~9/15/95~~ 10/1/97).

Verification of Registration *Form*, DPOR Form E-5 (rev. ~~9/15/95~~ 10/1/97).

~~Application for Engineer-in-Training Designation Application~~, DPOR Form ~~EIT-1~~ 0420EIT (rev. ~~6/15/96~~ 9/98).

Reference Form, ~~DPOR Form EIT-2~~ 04 REF (rev. ~~9/15/95~~ 9/98).

~~Verification of Degree Granted Verification Form~~, DPOR Form ~~EIT-3~~ 04DEG (rev. ~~9/15/95~~ 9/98).

~~Verification of Experience Verification Form~~, DPOR Form ~~EIT-4~~ 04EXP (rev. ~~9/15/95~~ 9/98).

Supplemental Experience Verification Form, 04SUPEXP (9/98).

Engineer Examination Scheduling Form, ~~DPOR Form EIT-5~~ 9708VA EngApp.PM5.

Application for Land Surveyor A, DPOR LSA Form 1 (eff. 2/21/95).

Application for Licensing as a Land Surveyor B, DPOR Form LSB-2 (eff. 12/15/93).

Verification of Out-of-State Licensure Registration and/or Examination, DPOR LSA Form 2 (eff. 2/21/95).

Report of Professional Experience (RPE), DPOR LSA Form 3 (eff. 2/21/95).

Report of Professional Experience Continuation Sheet, DPOR LSA Form 3C (eff. 2/21/95).

Application for Land Surveyor-In-Training, DPOR LS In-Training Form 1 (eff. 2/21/95).

~~Virginia Application for Certification as a Landscape Architect License Application~~, DPOR Form LA-1 (rev. ~~4/3/95~~ 10/1/97).

~~Landscape Architecture Review Summary Sheet~~ (rev. 4/3/95).

Verification of Registration *Form*, DPOR Form LA-2 (rev. 10/1/97).

Landscape Architect Experience Verification Form, DPOR Form LA-3 (rev. ~~4/3/95~~ 10/1/97).

Landscape Architect Reference Form, DPOR Form LA-4 (rev. ~~4/3/95~~ 10/1/97).

~~Verification of Degree Form~~, DPOR Form LA-5 (rev. 10/1/97).

~~Application for a Certificate of Authority to Practice Architecture, Professional Engineering, Land Surveying and Landscape Architecture as a Professional Corporation Registration Application~~ (eff. ~~5/19/94~~ rev. 10/1/97).

~~Application for Registration to Provide Professional Services as a Business Entity Registration Application~~ (rev. ~~5/23/97~~ 10/1/97).

~~Application for Certification as an Interior Designer Certification Application~~, DPOR Form ID-1 (rev. ~~3/1/96~~ 2/23/99).

~~Interior Designer Applicant Checklist~~ (rev. 3/1/96).

Interior Designer Verification of Registration, DPOR Form ID-2 (rev. ~~3/1/96~~ 2/23/99).

~~Interior Designer Application Verification of NCIDQ Examination Degree Form~~, DPOR Form ID-3 (rev. ~~3/1/96~~ 2/23/99).

~~Reference Form—Interior Design Reference Form Applicants~~, DPOR Form ID-4 (rev. ~~3/1/96~~ 2/23/99).

Interior Designer Verification of Experience *Verification Form*, DPOR Form ID-5 (rev. ~~3/1/96~~ 2/23/99).

~~Application to Register as a Branch Office Application~~ (rev. ~~6/20/97~~ 8/3/98).

~~Application to Practice as a Professional Limited Liability Company Application Form~~, PLLC-4 (rev. ~~5/23/97~~ 7/7/98).

VA.R. Doc. No. R97-537; Filed June 1, 1999, 3:08 p.m.

BOARD OF MEDICINE

Title of Regulation: 18 VAC 85-101-10 et seq. Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited (amending 18 VAC 85-101-10, 18 VAC 85-101-40, 18 VAC 85-101-50,

18 VAC 85-101-60, 18 VAC 85-101-70, 18 VAC 85-101-130, and 18 VAC 85-101-160).

Statutory Authority: §§ 54.1-2400, 54.1-2956.8:1, and 54.1-2956.8:2 of the Code of Virginia.

Public Hearing Date: July 16, 1999 - 1 p.m.

Public comments may be submitted until August 20, 1999.

(See Calendar of Events section for additional information)

Basis: Chapter 24 (§ 54.1-2400 et seq.) of Title 54.1 and §§ 54.1-2956.8:1 and 54.1-2956.8:2 of the Code of Virginia provide the basis for this regulation.

Chapter 24 establishes the general powers and duties of the health regulatory boards including the power to establish qualifications for licensure and the responsibility to promulgate regulations.

Sections 54.1-2956.8:1 and 54.1-2956.8:2 of the Code of Virginia establish licensure for radiologic technologists and radiologic technologists-limited and require the board to establish the requisite training and examination for such licensure.

Purpose: The purpose for the proposed amendments is to address concerns regarding the lack of educational standards and the fact that there is no measure of minimal competency for licensure as a radiologic technologist-limited. The proposed regulations are adopted by the board to carry out its responsibility to protect the health, safety, and welfare of the people who are consumers of radiological services in the Commonwealth.

Substance:

Part I.

18 VAC 85-101-10. Definitions. Amendments are proposed to eliminate a term not used in regulation.

Part II.

18 VAC 85-101-40. Examination requirements. The amendments are for clarification only.

18 VAC 85-101-50. Traineeship for unlicensed graduate. An amendment will allow the applicant to continue working as a trainee for 14 days after receipt of the results of the licensure examination. Current regulations require immediate termination.

Part III.

18 VAC 85-101-60. Examination requirements. The proposed amendments establish a requirement for passage of a national examination for a Limited Scope of Practice in Radiography for those applicants who will practice in a limited capacity under the direction of a doctor of medicine or osteopathy. All such applicants would be required to pass the core section of the examination in addition to the section of the examination on specific radiographic procedures, depending on the anatomical area in which the applicant intends to practice. Until the appropriate examinations are available, persons intending to be licensed in bone densitometry or procedures of the abdomen and pelvis may

Proposed Regulations

be licensed by submission of a notarized statement attesting to the applicant's training and competency and by performing under direct supervision and observation the required number of radiologic examinations. To be licensed to perform bone densitometry, the applicant shall have successfully completed at least 10 such examinations; to perform radiography on the pelvis or abdomen, the applicant must have successfully completed at least 25 such examinations, and the statement from the supervising technologist or physician must attest to certain competencies.

An applicant for limited licensure to practice with a doctor of chiropractic is required to pass the examination offered by the ACRRT; and an applicant for limited licensure to practice with a doctor of podiatry is required to pass an examination acceptable to the board.

18 VAC 85-101-70. Educational requirements for radiologic technologists-limited. Amendments are proposed to require that an educational program for the limited license to practice under the direction of a doctor of medicine and osteopathy must be directed by a radiologic technologist with ARRT certification with instructors who are licensed radiologic technologists. The 10 hours required in radiographic procedures will be required to be taught by a radiologic technologist with ARRT certification or a licensed doctor of medicine, osteopathy, podiatry or chiropractic. An amendment would further allow the board to accept other programs which train persons to practice in a limited capacity in a particular type of practice, such as podiatry.

Part VI.

18 VAC 85-101-130. General requirements. Amendments are proposed in this section to require the radiologic technologist-limited to inform the board of the anatomical area in which he is qualified by training and examination to practice and to prohibit the performance of mammography by persons holding that license.

18 VAC 85-101-160. Fees required by the board. Current regulations state that, unless otherwise provided, all fees are nonrefundable. The current provision for retention of \$25 of the application fee if an applicant withdraws his application is being repealed; the policy of the board is to make all submitted fees nonrefundable.

Issues:

Issue 1: The need to amend educational requirements to ensure a minimal level of competency.

Since the implementation of the statutory mandate to license radiologic technologists-limited on January 1, 1997, there has been a lack of clarity about their educational requirements and no measure of their minimal competency. Questions have been raised by applicants, physician-employers, and educators about the "educational program" requirements which set forth the number of hours required but do not offer guidance on the necessary skills and knowledge and do not set any standard for quality. There is a great deal of concern and uneasiness about the educational background and minimal threshold of

competency. Those responsible for training persons for a limited scope license do not believe that the current requirements assure patient safety and quality radiography.

There is also concern that, without some educational standards for the radiologic technologist-limited programs, there is an opportunity for unqualified persons to charge students for enrollment in a substandard course which does not provide the training necessary to practice with skill and safety. Those who are planning to provide a quality educational program for the radiologic technologists-limited are seeking some standard and a testing program for entry into the profession.

Physicians who employ the radiologic technologist-limited have expressed concern that there is no assurance that that person, who is licensed by the state, has a minimal level of competency to practice safely and effectively. Amendments are necessary to assure the consuming public that persons with licensure have sufficient training in radiographic procedures to minimize the risk from over-exposure to X-ray, poor image production or unnecessary repetition of radiography.

The Advisory Board on Radiologic Technology has strongly encouraged and supported additional educational requirements in regulation. After consideration of various alternatives and consultation with educational programs in the Commonwealth, the board recommended that the program should be directed by a radiologic technologist with a Master's degree and current ARRT certification and that courses should be taught by a licensed radiologic technologist or by a licensed doctor. Since there is no accreditation for the programs, the board has determined that the education should, at a minimum, be provided by a person licensed under this board.

Issue 2: The need to amend regulation to add a requirement for an examination to assure a minimal level of competency.

Since there is no accreditation requirement for educational programs that train radiologic technologists-limited, there needs to be some measurable standard for minimal competency. Proposed regulations will assure that the programs have qualified instructors, but the board has determined that an examination of knowledge and skills is essential to assure minimal competency. The board has proposed the national examination for Limited Scope of Practice in Radiography offered by the American Registry of Radiologic Technologists. It provides a readily available, legally defensible, relatively inexpensive (cost of \$35) test of minimal competency in core knowledge of radiography and additional testing of specific radiographic procedures depending on the anatomical areas in which the applicant intends to practice.

If there was a mechanism for approving the education and training received for the limited license, it could provide some assurance that minimal competencies have been achieved. The board chose not to impose accreditation standards or a process of board approval, but instead to rely on a proven examination to provide that measure of minimal competency.

Persons who plan to apply for the limited license to practice with a doctor of chiropractic may take the examination which is specifically designed for the requirements of that practice and which is offered by the ACRRT. Persons who plan to apply for the limited license to practice with a doctor of podiatry may take the examination specifically designed for the requirements of that practice.

Issue 3: The qualification of persons who perform radiography of the abdomen and pelvis, bone densitometry and mammography.

The ARRT examination for Limited Scope of Practice in Radiography does not include content areas on procedures for the abdomen and pelvis because the ARRT does not believe those should be performed by a person with a limited license. Likewise, the ARRT has not yet accepted bone densitometry for the limited licensee. The board discussed whether to provide in amended regulations that only fully licensed persons could X-ray the abdomen and pelvis, but it concluded that such X-rays are now being performed by persons with the limited license and that an amendment would be burdensome. Until the appropriate examinations are available, persons intending to be licensed in bone densitometry or procedures of the abdomen and pelvis may be licensed by submission of a notarized statement attesting to the applicant's training and competency and by performing under direct supervision and observation the required number of radiologic examinations. To be licensed to perform bone densitometry, the applicant shall have successfully completed at least 10 such examinations; to perform radiography on the pelvis or abdomen, the applicant must have successfully completed at least 25 such examinations, and the statement from the supervising technologist or physician must attest to certain competencies.

Upon a recommendation from the Department of Health and the Advisory Board, the Board of Medicine proposes to clarify that mammography may only be performed by a fully licensed radiologic technologist.

Advantages or disadvantages to the public:

The adoption of certain standards for educational programs and a test of minimal competency for applicants seeking licensure to perform radiography on limited anatomical areas will provide the consuming public with greater protection and will help to minimize the risks of radiography. There should be no reduction in the availability of radiographic services and no diminution of applicants for licensure as a result of the proposed regulations since the costs of training and examination are not excessive.

Advantages or disadvantages to the licensees:

Some of the concern about inadequate training and skill in the delivery of radiographic services is focused on the potential for harm to the practitioner. Unlike other health care services, radiography carries a risk to the practitioner as well as to the patient. An educational program with higher standards and professional instructors provides more assurance that those risks of unnecessary exposure will be

minimized. There will be additional costs for becoming licensed, since it may be necessary for a person to attend a formal course at a local community college and there will be an examination requirement.

Advantages or disadvantages to the agency:

There are no specific advantages or disadvantages of these proposed regulations to the agency. There may be more clarity about the educational requirements for radiologic technologists-limited, but there will also be additional responsibility for checking educational and examination qualifications of applicants for limited licensure. There will be no impact on the employment level of the agency.

Estimated Impact:

Projected number of persons affected and their cost of compliance:

There are approximately 125 to 150 new applicants each year for licensure as radiologic technologists-limited who would be affected by amendments to regulation. For each of those applicants who would be required to take the ARRT Limited Scope of Practice examination, the cost would be \$35. There is no proposed increase in fees to the board.

For persons seeking training in the limited scope of radiography, the educational costs would be approximately \$212 to \$371, depending on the number of anatomical areas in which the student wants to be trained. The core course is 3 credit hours and costs \$159. The course in radiographic procedures for specific anatomical areas is \$53 per hour or a total of \$212 for 4 hours if the student wants to receive training in all areas for which they are allowed to practice. (Costs figures provided by Tidewater Community College.)

An applicant who has received the maximum hours of training and has passed the licensure examination would have to spend approximately \$406 qualifying for licensure.

Currently, the limited license examination is given by the ARRT only three times a year, which could result in a delay in becoming licensed for someone who completed his education earlier. By the year 2000, the ARRT intends to computerize its radiologic technologist examination and make it available to applicants on a daily basis at a local testing center. While there are no assurances from the ARRT, it would be expected that the examination for the limited scope of practice would likewise become computerized within the next two years.

Cost to the agency for implementation:

The board will incur approximately \$1,500 in costs for printing and mailing final amended regulations to licensees and other interested parties. There will be no additional costs for conducting a public hearing, which will be held in conjunction with a scheduled committee or board meeting. The board does not anticipate any additional costs for investigations or administrative proceedings against radiologic technologists or radiologic technologists-limited for violations of these regulations.

Cost to local governments:

Proposed Regulations

There will be no impact of these regulations on local government.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. The Board of Medicine proposes to update its Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited to include the following substantive changes:

1. A requirement that all educational programs that train radiologic technologists-limited be directed by a radiologic technologist with a master's degree and current American Registry of Radiologic Technologists (ARRT) certification and that all courses be taught by a licensed radiologic technologist or by a licensed doctor. There are currently no accreditation requirements for these educational programs.
2. The addition of an examination requirement for a radiologic technologist-limited license and procedures for reapplying after unsuccessful attempts to pass the examination.
3. The clarification that mammography may only be performed by a fully licensed radiologic technologist.
4. The elimination of a provision that allows for application fees, minus a \$25 processing fee, to be refunded if the application is withdrawn. It is the policy of the Department of Health Professions (DHP) that all submitted fees are nonrefundable.
5. A provision that unlicensed radiologic technologist graduates be allowed to continue their traineeship for 14 days following receipt of unsuccessful licensure examination results. Current regulations require immediate termination.

Estimated economic impact.

Examination and Educational Program Requirements for Limited Licenses.

In response to growing concerns about the minimal requirements for obtaining a radiologic technologist-limited license, the proposed regulations establish standards for educational programs to ensure that the specified hours are taught by qualified instructors and require that all applicants pass the national examination for the Limited Scope of

Practice in Radiography offered by the ARRT. The cost of the examination is \$35 and it is currently offered only three times a year (although the ARRT expects to have the exam computerized and available daily by the year 2000) which may delay licensure for some individuals who complete their coursework earlier. The Virginia community college system offers programs that meet the proposed standards for \$212 to \$371, depending on the number of anatomical areas in which the student chooses to be trained.¹

The proposed changes in licensure requirements appear to be consistent with current national standards. In at least one area, however, Virginia requirements do not conform to the standards recommended by the American Society of Radiologic Technologists, which do not provide for limited practitioners to be licensed to perform radiographic procedures of the abdomen and pelvis, or for bone densitometry. For this reason, there are no ARRT examinations for these specialty areas.

The board believes requiring full licensure for these radiographic practice areas would impose an undue and unnecessary burden on certain medical offices and create a shortage of qualified personnel in areas of the state where full licensure programs are not easily accessible. In an attempt to ensure competency, the proposed regulation states that applicants for bone densitometry and for practice in the abdomen and pelvis areas must submit a notarized statement from a licensed radiologic technologist or doctor of medicine or osteopathy attesting to the applicant's training and competency in those areas. The applicant is also required to have successfully performed a specific number of procedures under the direct supervision and observation of the attestor.

These standards are not expected to reduce the current availability of training programs as the board is not aware of any programs operating at this time that do not meet the proposed requirements. On the other hand, the new requirements will provide employers, consumers (patients), and the state licensing board with a readily available, legally defensible measure of minimum competency for individuals seeking to provide limited radiographic procedures. The board expects that the proposed standards will increase the quality of care provided, reduce the risk from exposure to radiation for both the patient and the practitioner, and help to ensure that quality information is presented for diagnosis. However, there is no evidence available to estimate the effectiveness of the new education and examination requirements; therefore, the magnitude of any potential benefits is unknown at this time. Nevertheless, the additional costs to applicants are not very high, so it may be reasonable to expect these changes to result in a net economic benefit for Virginia.

Other Changes.

The proposed regulation clarifies that only a fully licensed radiologic technologist may perform mammography. This

¹ Data provided by the Virginia Department of Health Professions. Cost figures are from Tidewater Community College.

clarification should not alter current practice, as it is consistent with the federal Mammography Quality Standards Act passed in 1992.

Elimination of the application withdrawal fee refund will increase the costs for applicants who change their mind. However, the applicant does cause DHP to incur costs associated with the licensure process and it is appropriate that the applicant should pay those costs. The repeal of this provision will transfer costs from other licensees to the applicant. There are not expected to be any economic efficiency consequences associated with this change.

The addition of a 14-day window for unlicensed radiologic technologists to reapply to sit for a second examination is designed to improve the administration of the regulation and is not likely to have any significant economic impacts.

Businesses and entities affected. The proposed changes to this regulation will affect all applicants for a radiologic technologist-limited license, approximately 125 to 150 individuals per year, as well as all programs that provide training for radiologic technologists-limited.

Localities particularly affected. The proposed educational program standards are not expected to reduce the current availability of training programs and, hence, should not affect the supply of radiographic technologists-limited in any areas of the state.

Projected impact on employment. The proposed regulation is not expected to have any significant impact on employment in Virginia.

Effects on the use and value of private property. The proposed regulation is not expected to have any significant effect on the use and value of private property in Virginia.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The agency concurs with the analysis of the Department of Planning and Budget.

Summary:

The proposed amendments address concerns about the lack of educational standards and measurement of minimal competency for licensure as a radiologic technologist-limited by establishing a requirement for passage of the examination offered for Limited Scope of Practice in Radiography by the American Registry of Radiology Technologists. The amendments also specify the qualifications of instructors in an educational program for radiologic technologists-limited and require that a traineeship for an unlicensed graduate in radiologic technology be terminated within 14 days after receipt of the licensure examination results.

18 VAC 85-101-10. Definitions.

In addition to definitions in § 54.1-2900 of the Code of Virginia, the following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"ACRRT" means the American Chiropractic Registry of Radiologic Technologists.

"ARRT" means the American Registry of Radiologic Technologists.

~~"ASRT" means the American Society of Radiologic Technologists.~~

"Direct supervision" means that a licensed radiologic technologist, doctor of medicine, osteopathy, chiropractic or podiatry is present and is fully responsible for the activities performed by radiologic personnel.

"Direction" means the delegation of radiologic functions to be performed upon a patient from a licensed doctor of medicine, osteopathy, chiropractic, or podiatry, to a licensed radiologic technologist or a radiologic technologist-limited for a specific purpose and confined to a specific anatomical area, that will be performed under the direction of and in continuing communication with the delegating practitioner.

"Traineeship" means a period of activity during which an unlicensed radiologic technologist, who is seeking licensure, works under the direct supervision of a practitioner approved by the board *while waiting for the results of the licensure examination.*

18 VAC 85-101-40. Examination requirements.

- A. An applicant for board licensure by examination shall:
 - 1. Meet the educational requirements specified in 18 VAC 85-101-30.
 - 2. Submit the required application, fee, and credentials to the board.
- B. ~~The To qualify for licensure examination for the radiologic technologist shall be,~~ *the applicant shall take and pass the ARRT certification examination with a minimum passing score as determined by the ARRT.*
- C. An applicant who fails the examination shall follow the policies and procedures of the ARRT for successive attempts.

18 VAC 85-101-50. Traineeship for unlicensed graduate.

- A. An applicant who is an unlicensed graduate of an AART approved program may be employed as a trainee under the direct supervision of a licensed radiologic technologist, or doctor of medicine, osteopathy, chiropractic, or podiatry.
- B. The graduate shall submit an application for a traineeship to the board for review and approval by the Chairman of the Radiologic Technology Advisory Committee or his designee.

C. The traineeship shall terminate ~~upon~~ *14 working days after* receipt by the candidate of the licensure examination results. The unlicensed graduate may reapply for a new traineeship while awaiting to take the next examination.

D. An unlicensed graduate may serve in a traineeship for a period not to exceed two years or through three

Proposed Regulations

unsuccessful attempts of the licensure examination, whichever comes first. After such time, the graduate shall apply to the Radiologic Technology Advisory Committee for approval to continue in practice as a trainee.

18 VAC 85-101-60. ~~Application for licensure Examination requirements.~~

A. An applicant for licensure by examination as a radiologic technologist-limited shall submit:

1. The required application and fee as prescribed by the board; and
2. Evidence of completion of training as required in 18 VAC 85-101-70.

B. To qualify for limited licensure to practice under the direction of a doctor of medicine or osteopathy, the applicant shall:

1. Provide evidence that he has received a passing score as determined by the ARRT on the core section of the ARRT examination for Limited Scope of Practice in Radiography; and
2. Meet one of the following requirements:
 - a. Provide evidence that he has received a passing score as determined by the ARRT on the section of the ARRT examination on specific radiographic procedures, depending on the anatomical areas in which the applicant intends to practice.

b. Until the ARRT offers an examination in the radiographic procedures of the abdomen and pelvis or for bone densitometry, the applicant may qualify for a limited license in one of these areas by submission of a notarized statement from a licensed radiologic technologist or doctor of medicine or osteopathy attesting to the applicant's training and competency to practice in that anatomical area as follows:

(1) To perform radiographic procedures for bone densitometry, the applicant shall have successfully performed at least 10 examinations for bone density under the direct supervision and observation of a licensed radiologic technologist or a doctor of medicine or osteopathy.

(2) To perform radiographic procedures on the abdomen or pelvis, the applicant shall have successfully performed during the traineeship at least 25 radiologic examinations of the abdomen or pelvis under the direct supervision and observation of a licensed radiologic technologist or a doctor of medicine or osteopathy. The notarized statement shall further attest to the applicant's competency in the areas of radiation safety, positioning, patient instruction, anatomy, pathology and technical factors.

c. When a section is added to the limited license examination by the ARRT which includes the abdomen

and pelvis or bone densitometry, the applicant shall provide evidence that he has received a passing score as determined by the ARRT.

C. To qualify for a limited license to practice under the direction of a doctor of chiropractic, the applicant shall provide evidence that he has taken and passed the appropriate examination by the ACRRT.

D. To qualify for a limited license to practice under the direction of a doctor of podiatry, the applicant shall provide evidence that he has taken and passed an examination acceptable to the board.

E. An applicant who fails the examination shall be allowed two more attempts to pass the examination after which he shall reapply and take additional educational hours which meet the criteria of 18 VAC 85-101-70.

18 VAC 85-101-70. Educational requirements for radiologic technologists-limited.

An applicant for licensure as a radiologic technologist-limited shall be trained by one of the following:

1. Successful completion of a program with which is directed by a radiologic technologist with a master's degree and current ARRT certification, has instructors who are licensed radiologic technologists, and has a minimum of the following coursework:
 - a. Image Production/Equipment Operation - 25 clock hours
 - b. Radiation Protection - 15 clock hours
 - c. Radiographic procedures in the anatomical area of the radiologic technologist-limited's practice - 10 clock hours taught by a radiologic technologist with current ARRT certification or a licensed doctor of medicine, osteopathy, podiatry or chiropractic;
2. An ACRRT approved program; or
3. Any other program acceptable to the board.

18 VAC 85-101-130. General requirements.

A. A radiologic technologist-limited is permitted to perform radiologic functions within his capabilities and the anatomical limits of his training and examination. A radiologic technologist-limited is responsible for informing the board of the anatomical area or areas in which he is qualified by training and examination to practice.

B. A radiologic technologist-limited shall not instill contrast media during radiologic examinations or perform mammography. The radiologic technologist-limited is responsible to a licensed radiologic technologist, or doctor of medicine, osteopathy, chiropractic, or podiatry.

18 VAC 85-101-160. Fees required by the board.

A. Unless otherwise provided, fees listed in this section shall not be refundable.

B. ~~Application or examination~~ Initial licensure fees.

1. The application fee for radiologic technologist licensure shall be \$100.
2. The application fee for the radiologic technologist-limited licensure shall be \$50.
3. ~~The fees for taking all required examinations shall be paid directly to the examination services.~~ *All examination fees shall be determined by and made payable as designated by the board.*
4. ~~Upon written request from an applicant to withdraw his application for licensure by examination, a fee of \$25 shall be retained by the Board of Medicine as a processing fee.~~

C. Licensure renewal and reinstatement.

1. The fee for license renewal for a radiologic technologist shall be \$75 and for a radiologic technologist-limited shall be \$25.
2. An additional fee of \$25 to cover administrative costs for processing a late renewal application shall be imposed by the board.
3. The fee for reinstatement of a lapsed license which has expired for a period of two years or more shall be \$50 and the respective licensure fee and shall be submitted with an application for licensure reinstatement.
4. The fee for reinstatement of a revoked license shall be \$500.

D. Other fees.

1. The application fee for a traineeship shall be \$25.
2. The fee for a letter of good standing or verification to another state for licensure shall be \$10.

NOTICE: The forms used in administering 18 VAC 85-101-10 et seq., Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORMS

Instructions for Completing an Application for Licensure as a Radiologic Technologist ~~Practitioner~~ By Examination/*Endorsement* (11/96 rev. 5/99).

Application for a License as a Radiologic Technologist (DHP-030-081, rev. 11/96 11/98).

~~Traineeship Application – Statement of Authorization (11/96).~~

~~Instructions for Completing an Application for Licensure as a Radiologic Technologist Practitioner By Endorsement (11/96).~~

Form #A, Claims History Sheet (rev. 7/97).

Form #B, Activity Questionnaire (rev. 7/97).

Form #C, Clearance from Other States (rev. 7/97).

Form #E, Letter of Good Standing (rev. 7/97).

Form #F, Traineeship Application (rev. 7/97).

Instructions for Completing an Application for Licensure as a Radiologic Technologist-Limited (11/96 rev. 5/99).

Application for a License as a Radiologic Technologist-Limited (rev. 11/96 2/99).

Form #2, Radiologic Technologist-Limited Training Application (rev. 5/99).

Renewal Notice and Application, C-47533 (7/97).

Proposed Regulations

Rev. 5/99

INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR LICENSURE AS A RADIOLOGIC TECHNOLOGIST - BY EXAMINATION/ENDORSEMENT

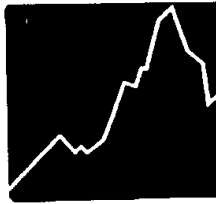
(This form has been designed for use as a check list for submitting required documentation.)

- 1. THE LICENSE APPLICATION** is not considered complete until all sections have been completed. DO NOT COPY THE 4 PAGE CONTINUOUS APPLICATION OR ANY PORTION OF THE 4 PAGE APPLICATION. APPLICATIONS ALTERED IN ANY WAY WILL NOT BE ACCEPTED. Passport-type photograph must be full face and current (no older than six months).
- 2. PROOF OF PROFESSIONAL EDUCATION:** Form L must be completed by your professional school as directed: **If your school is no longer in existence, you may submit a written explanation with a notarized copy of your diploma, or if you received other training accepted by the American Registry of Radiologic Technologists to become certified, written evidence (e.g. notarized copy of original certificate) must be submitted to the board.**
- 3. FEES:** The fee for licensure is \$100.00. Make check or money order payable to the “**Treasurer of Virginia**”. Attach fee to the 4 page application. Applications received without a fee and/or fees received without an application will be returned to the address listed on the application or the address listed on the check or money order. **NO EXCEPTIONS.** The fee for a traineeship application is **\$25.00.** (See item #8)
- 4. FORM A:** If you answered yes to question #8 on page three of the application, either have your attorney submit a letter regarding the malpractice suits or complete one of these forms for each case.
- 5. FORM B:** Forward form #B (**Verification of Rad Tech Practice**) to all places of employment listed on the chronological page of your application for the last 5 years or since graduation if less than 5 years, from your Rad Tech program.
- 6. FORM C:** Forward form #C (**State Clearance**) to those states in which you have ever been licensed, certified or registered, current or not current.
- 7. FORM E:** Certification must be requested from the American Registry of Radiologic Technologist, 1255 Northland Drive, Mendota Heights, Minnesota 55210, phone number (612) 687-0048, on the enclosed form. This form should be mailed directly from ARRT to the board office.
- 8. FORM F (Traineeship application):** An unlicensed graduate of an approved program may be employed as a trainee under the direct supervision of a licensed radiologic technologist, doctor of medicine, osteopathy, chiropractic, or podiatry. Submit written documentation directly from the ARRT that you are scheduled to take the next ARRT certification examination, complete traineeship application (Form F) as directed, and return to the board office with the required traineeship fee of \$25.00 (check or money order made payable to the “**Treasurer of Virginia**”).

Also, please note the following:

- All Application fees are non-refundable.
- Faxed information is not acceptable.
- All documents must be original or hard copies.
- Applications not completed within six months with no contact from the applicant will be considered inactive.
- Address changes must be furnished to the board in writing.
- Forms #B and #C may be photocopied for your convenience.

Rev. 11/98



**COMMONWEALTH OF VIRGINIA
Board of Medicine**

Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

(804) 662-7664

**Application for
A License as a
Radiologic Technologist**

**SECURELY PASTE A
PASSPORT-TYPE
PHOTOGRAPH IN THIS SPACE**

To the Board of Medicine of Virginia:

I hereby make application for a license to practice as a Radiologic Technologist in the Commonwealth of Virginia and submit the following statements:

1. Name in Full (Please Print or Type)

Last		First	Middle	
Street		City	State	ZIP Code
Date of Birth Mo. Day Yr.	Place of Birth		Social Security No. or VA Control No.*	
Graduation Date Mo. Day Yr.	Prof. School Degree	School, City, State		MAIDEN NAME

Please submit address changes in writing immediately.
Please attach check or money order. Application will not be processed without the fee. It will be returned.
Do not submit fee without an application. **IT WILL BE RETURNED.**

APPLICANTS DO NOT USE SPACES BELOW THIS LINE -- FOR OFFICE USE ONLY

APPROVED BY _____

CLASS	LICENSE NUMBER	SUFFIX	SCHOOL CODE	FEE	HOW REG.	BASE STATE
-------	----------------	--------	-------------	-----	----------	------------

*In accordance with §54.1-116 Code of Virginia, you are required to submit your Social Security Number or your control number** issued by the Virginia Department of Motor Vehicles. If you fail to do so, the processing of your application will be suspended and fees will not be refunded. This number will be used by the Department of Health Professions for identification and will not be disclosed for other purposes except as provided by law. Federal and state law requires that this number be shared with other state agencies for child support enforcement activities. **NO LICENSE WILL BE ISSUED TO ANY INDIVIDUAL WHO HAS FAILED TO DISCLOSE ONE OF THESE NUMBER.**

**In order to obtain a Virginia driver's license control number, it is necessary to appear in person at an office of the Department of Motor Vehicles in Virginia. A fee and disclosure to DMV of your Social Security Number will be required to obtain this number.

ALL QUESTIONS MUST BE ANSWERED. If any of the following (1, 3-12) is answered **Yes**, explain and substantiate with documentation.

List all jurisdictions in which you have been issued a license or certificate to practice as a Radiologic Technologist: active, inactive or expired: _____

	Yes	No
1. Have you ever been denied the privilege of taking an examination for licensure or certification in another state as a Radiologic Technologist? Explain _____	_____	_____
2. Have you successfully completed the ARRT Certification examination? If so, provide date _____ and certificate number _____	_____	_____
3. Have you ever been denied, for any reason, a license or certificate to practice as a Radiologic Technologist in another state? Explain _____	_____	_____
4. Have you ever been convicted of a violation of/or pled Nolo Contendere to any federal, state or local statute, regulation or ordinance, or entered into any plea bargaining relating to a felony or misdemeanor? (Excluding traffic violations, except convictions for driving under the influence.)	_____	_____
5. Have you ever been censured, warned, or requested to withdraw from or otherwise disciplined by any professional school, traineeship program, hospital, nursing home, or other health care facility?	_____	_____
6. Have you ever had any of the following disciplinary actions taken against your license to practice as a radiologic technologist, or are any such actions pending? (a) suspension or revocation (b) probation (c) reprimand or cease and desist (d) had your practice monitored	_____	_____
7. Have you ever had any membership in a state or local professional society revoked, suspended, or involuntarily withdrawn?	_____	_____
8. Have you had any malpractice suits brought against you in the last two years? If so, how many? _____	_____	_____
9. Have you been treated by, consulted with, or been under care of a professional for substance abuse within the last two years? If so, provide a letter from the treating professional which includes diagnosis, treatment, and prognosis.	_____	_____
10. Have you ever received treatment for/or been hospitalized for a nervous, emotional or mental disorder within the last two years? If so, provide a letter from your treating professional which includes diagnosis, treatment and prognosis.	_____	_____
11. Have you ever had a physical disease or diagnosis that may affect your performance of professional duties? If so, provide a letter from your treating professional summarizing diagnosis, treatment and prognosis.	_____	_____
12. Have you ever been adjudged mentally incompetent or been voluntarily or involuntarily committed to a mental institution within the last five years? Provide details.	_____	_____

NOTE: RESPONSES TO ITEMS #13 AND #14 ARE OPTIONAL FOR STATISTICAL PURPOSES.

13. Do you intend to engage in the active practice as a Radiologic Technologist in the Commonwealth of Virginia? If Yes, give location _____
14. Specify type of practice Hospital Home Education Office Other, specify: _____

AFFIDAVIT OF APPLICANT

(THIS SECTION MUST BE NOTARIZED)

I, _____, being first duly sworn, depose and say that I am the person referred to in the foregoing application and supporting documents.

I hereby authorize all hospitals, institutions, or organizations, my references, personal physicians, employers (past and present), business and professional associates (past and present), and all governmental agencies and instrumentalities (local, state, federal, or foreign) to release to the Virginia Board of Medicine any information, files or records requested by the Board in connection with the processing of individuals and groups listed above, any information which is material to me and my application.

I have carefully read the questions in the foregoing application and have answered them completely, without reservations of any kind, and I declare under penalty of perjury that my answers and all statements made by me herein are true and correct. Should I furnish any false information in this application, I hereby agree that such act shall constitute cause for the denial, suspension,, or revocation of my license to practice as a Radiologic Technologist in the Commonwealth of Virginia.

RIGHT THUMB PRINT

(May be self-applied)

Signature of Applicant

If right thumb is missing, use left and so indicate

City/County of _____ State of _____

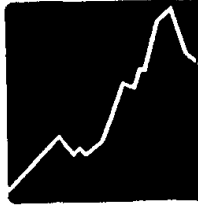
Subscribed and sworn to before me this _____ day of _____ 19____.

My Commission expires _____.

NOTARY SEAL

Signature of Notary Public

#A - Radiologic Technologist
Rev. 7/97



**COMMONWEALTH OF VIRGINIA
Board of Medicine**

Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

(804) 662-7664

CLAIMS HISTORY SHEET

If you answered "yes" to Question #8 on page three of the application, please either have your attorney submit a letter regarding malpractice suits or complete one of these sheets for each case you have been involved in.

(Make additional copies of this form as needed)

Claimant: _____

Date of Incident: _____ Date Claim Made: _____

Name of all Defendants, Persons or Entities against whom claim was made: _____

City, County and State of Suit: _____

Name and Address of Defense Attorney: _____

Settlement Amount (if any): _____ Verdict Amount: _____ Date Case Closed: _____

Current Status of Claim (indicate insurance company reserve if case is not closed): _____

Name of Involved Insurance Company: _____

Policy Number: _____ Detailed Description of Claim (use reverse side if necessary): _____

AUTHORIZATION FOR RELEASE OF INFORMATION

I hereby authorize any person, company, insurer, hospital or other organization to release any and all information, privileged, or in their dominion, custody, or control, regarding insurance applications by me, professional liability issued to me, any employment or personnel records involving me and any health, medical psychological or psychiatric records involving me, as well as information obtained by any attorneys who are now representing, or have in the past represented me.

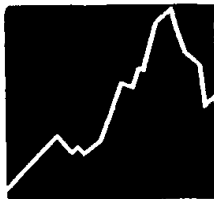
Date

Signature

Proposed Regulations

Rev. 7/97
Rad Tech

Form #B



COMMONWEALTH OF VIRGINIA Board of Medicine

Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

(804) 662-7664

Please print or type name, address, city and state, of employment setting.

Please print or type name of applicant

The Virginia Board of Medicine, in its consideration of a candidate for licensure, depends on information from persons and institutions regarding the candidate's employment, training, affiliations, and staff privileges. Please complete this form to the best of your ability and return it to the board so the information you provide can be given consideration in the processing of this candidate's application in a timely manner. I hereby authorize all hospitals, institutions or organizations, my references, personal physicians, employers (past and present), business and professional associates (past and present) and governmental agencies and instrumentalities (local, state, federal or foreign) to release to the Virginia Board of Medicine any information, files or records requested by the board in connection with the processing of my application.

Signature of Applicant _____

1. Date and type of service: This individual served with us as a **Radiologic Technologist** and performed a comprehensive scope of diagnostic radiologic procedures from _____ to _____
(Month/Year) (Month/Year)

2. Please evaluate:

(Please indicate with check mark)

	Poor	Fair	Good	Superior
Professional knowledge				
Clinical judgment				
Relationship with patients				
Ethical/professional conduct				
Interest in work				
Ability to communicate				

3. Recommendation: (please indicated with check mark)

1. Recommend highly and without reservation _____
2. Recommend as qualified and competent _____
3. Recommend with some reservation (explain) _____
4. Do not recommend (explain) _____

4. Of particular value to us in evaluating any candidate regarding any notable strengths and weaknesses (including personal demeanor). We would appreciate such comments from you.

5. The above report is based on: (please indicate with check mark)

1. Close personal observation _____
2. General impression _____
3. A composite of evaluations _____
4. Other _____

Date: _____ Signed _____

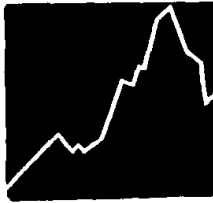
Please print or type name

Title

(This report will become a part of the applicant's file and may be reviewed by the applicant upon request.)

Rev. 7/97
Rad Tech

Form #C



COMMONWEALTH OF VIRGINIA
Board of Medicine

Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

(804) 662-7664

Dear Sirs:

The person listed below is applying for licensure as a radiologic technologist-limited in the state of Virginia. The Board of Medicine requests that the form be completed by each jurisdiction in which he/she holds or has held a license/certificate. Please complete the form and return it to the address below. Thank you.

Commonwealth of Virginia
Department of Health Professions
Board of Medicine
6606 West Broad Street, 4th Floor
Richmond, VA 23230-1717

Name of Applicant (please print or type)

License/Certificate #

State of _____ Name of Licensee _____

License/certification number _____ Issued effective _____

Licensed/certified through (check one)

National Examination

State Board Examination

Reciprocity from (name of state) _____

License/certificate is: Current Lapsed

Has the applicant's license/certification ever been suspended or revoked? Yes No

If yes, for what reason? _____

Derogatory information, if any _____

Comments, if any _____

Signed _____

BOARD SEAL

Title _____

State Board _____

NOTE TO APPLICANT: PLEASE PROVIDE LICENSE NUMBER AND FORWARD TO STATE INDICATED

Proposed Regulations

Rev. 7/97
Radiologic Technologist

FORM #E



COMMONWEALTH OF VIRGINIA Board of Medicine

Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

(804) 662-7664

Please complete this form and forward to:

The American Registry of Radiologic Technologists
1255 Northland Drive
Mendota Heights, Minnesota 55120
(612) 687-0048

I am applying for licensure to practice radiologic technology in the Commonwealth of Virginia and am requesting that a letter of good standing be forwarded to the address below.
Thank You.

Department of Health Professions
Board of Medicine
6606 West Broad Street, 4th Floor
Richmond, VA 23230-1717

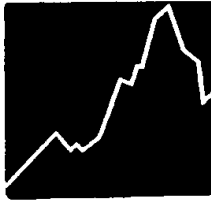
Name _____		
First	Middle	Last
Address _____		

Date of Birth _____	Social Security Number _____	
Daytime telephone number (____) _____		
ARRT registry number _____		
Name certified by, if different from above _____		
Month/Year of examination _____		

Applicant's Signature		

REV. 7/97
Rad Tech

FORM #F



COMMONWEALTH OF VIRGINIA
Board of Medicine

Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

(804) 662-7664

TRAINEESHIP APPLICATION
STATEMENT OF AUTHORIZATION

GRADUATES WHO ARE SCHEDULED FOR THE NEXT EXAMINATION, UPON APPROVAL, MAY BE EMPLOYED UNDER DIRECT SUPERVISION OF A VIRGINIA LICENSED RADIOLOGIC TECHNOLOGIST, MD., DO, OR DPM WHILE AWAITING THE RESULTS OF THE NEXT LICENSURE EXAMINATION.

Authorization to work as a trainee is valid only for the period indicated on the "Statement of Authorization" issued by the Board of Medicine. Unforeseen circumstances that require interruption or prevent successful completion of the traineeship should be brought to the attention of the board. This traineeship may only be served under a Virginia licensed Radiologic Technologist, MD, DO, DC, or DPM. Traineeship can begin on the date of approval of this authorization and will end upon receipt of examination results.

(Please Print or Type)

Name of Trainee: _____

Name and Title of Supervisor: _____

Supervisor's Virginia License Number: _____ Phone Number (____) _____

Name and Address of Institution: _____

We, the undersigned, have read and understand Regulation 18 VAC 85-35-101-50 and agree to abide by the conditions contained herein. The traineeship shall terminate upon receipt by the candidate of the licensure examination results.

Signature of Trainee

Signature of Supervisor

FOR OFFICE USE ONLY

APPROVED BY _____
Deputy Executive Director/Licensure Date Approved

Proposed Regulations

Rev. 5-99

INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR LICENSURE AS A RADIOLOGIC TECHNOLOGIST - LIMITED

(This form was designed for use as a checklist for required documentation.)

Examinations required for anatomical areas. To make application to sit for any of the ARRT (American Registry of Radiologic Technologists) Limited Scope of Practice examinations you must complete items 1,2 and 3 of these instructions and 4,5 and 6 if applicable. Indicate on your application for licensure the specific anatomical area/s you wish to practice. The 6 areas listed below require examinations. If you took the ARRT Limited Scope examination/s previously, you may request those scores directly from the approving jurisdiction. Re-examination may not be required.

1. Chest/thorax – the ARRT Limited Scope core and chest specific radiographic procedures examinations

2. Extremities – the ARRT Limited Scope core and extremities specific radiographic procedures examinations

3. Skull/sinuses – the ARRT Limited Scope core and skull/sinuses radiographic procedures examinations

4. Spine – the ARRT Limited Scope core and spine specific radiographic procedures examinations or passing the ACRRT examination

5. Podiatry – the ARRT Limited Scope core and podiatric radiography specific radiographic procedures examinations or passing any other examination acceptable to the board

6. Chiropractic – the ARRT Limited Scope core and spine specific radiographic procedures examinations or the ACRRT (American Chiropractic Registry of Radiologic Technologists) examination.

Examinations are given in March, July and October. If you need to take any of the above examinations, please submit all application materials and fees directly to the Virginia Board of Medicine. Upon completion of your application for examination, approval will be forwarded to the ARRT office. You will be notified in writing by the ARRT verifying the examination date, examination center and examination category approximately three weeks prior to the administration of your examination. Your scores will be reported directly to the Virginia Board of Medicine. You will be sent written notification of the results of your examination from the Virginia Board of Medicine. Results will not be released over the telephone.

Training required for anatomical areas. To make application for training, you must complete items 1,2 and 3 and 4,5 and 6 if applicable, complete the enclosed training application form and submit evidence of completion as described below.

Abdomen/pelvis - notarized statement from licensed radiologic technologist or doctor of

medicine or osteopathy attesting to the successful performance of at least 25 radiologic examinations of the abdomen and /or pelvis under his direct supervision and observation and to further attest to your competency in the areas of radiation safety, positioning, patient instruction, anatomy, pathology and technical factors.

Bone densitometry – notarized statement from a licensed radiologic technologist or doctor of medicine or osteopathy attesting to the successful performance of at least 10 examinations for bone density under his direct supervision and observation.

Chiropractic – evidence of passing the ACRRT examination or the ARRT Limited Scope core and spine examination.

1. The licensure application: Follow the instructions provided on the application. The application may not be copied. Any portion submitted in other than its original form will be considered void and will hold up the application processing time.

2. Licensure/examination fee/s: A check or money order for **\$50.00**, made payable to the Treasurer of Virginia should be attached to the application. Applications received without a fee and fees submitted without an application attached will be returned to the sender. **NO EXCEPTIONS.** The fee to take the ARRT Limited Scope core examination with any specific radiographic anatomical area examination is **\$25.00**. Check also made payable to the Treasurer of Virginia. \$25.00 is required for **each** specific radiographic anatomical area examination.

3. Educational requirements: (A) Submit evidence of successful completion of a program with a minimum of the following coursework: a. Image Production/Equipment Operation 25 clock hours; b. Radiation Protection - 15 clock hours; and c. Radiographic procedures in the anatomical area of the radiologic technologist-limited's practice - 10 clock hours. **OR** (A-2) submit evidence of an ACRRT approved program.

4. Form A: If you answered yes to question #9 on page three of the application, either have your attorney submit a letter regarding the malpractice suits or complete one of these forms for each case.

5. Form B: Forward form #B (Employment Questionnaire) to all places of employment in the field of radiography listed on the chronological page of your application. If greater than 5 years, you only need to verify the last 5 years. This form may be copied as necessary.

6. Form C: Forward form #C (State Clearance) to those states in which you have been licensed, certified or registered. This form may be copied as necessary. Please contact the applicable states to inquire about processing fees.

7. Training application: This form must be signed by the licensed radiologic technologist or doctor of medicine or osteopathy, notarized and returned directly to the board office upon completion of the required training for the anatomical areas of abdomen/pelvis and bone densitometry.

Proposed Regulations

Also, please note the following:

- **Faxed information is not acceptable.**
- **All documents must be original or hard copies.**
- **Applications not completed within a six month time period will be purged.
Training will not be valid for more than six months.**
- **Application/examination fees are non-refundable.**
- **Address changes must be furnished to the board in writing.**

Rev. 2/99



COMMONWEALTH OF VIRGINIA
Board of Medicine

Department of Health Professions
606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

(804) 662-7664

**Application for
A License as a
Radiologic Technologist - Limited**

**SECURELY PASTE A
PASSPORT-TYPE
PHOTOGRAPH IN THIS SPACE**

To the Board of Medicine of Virginia:

I hereby make application for a license to practice
as a Radiologic Technologist-Limited in the Commonwealth
of Virginia and submit the following statements:

1. Name in Full (Please Print or Type)

Last		First	Middle	
Street		City	State	ZIP Code
Date of Birth Mo. Day Yr.		Place of Birth	Social Security No. or VA Control No.*	
				MAIDEN NAME

Please submit address changes in writing immediately.
Please attach check or money order. Application will not be processed without the fee. It will be returned.
Do not submit fee without an application. **IT WILL BE RETURNED.**

APPROVED BY _____

CLASS	LICENSE NUMBER	SUFFIX	SCHOOL CODE	FEE	HOW REG.	BASE STATE
-------	----------------	--------	-------------	-----	----------	------------

*In accordance with §54.1-116 Code of Virginia, you are required to submit your Social Security Number or your control number** issued by the Virginia Department of Motor Vehicles. If you fail to do so, the processing of your application will be suspended and fees will not be refunded. This number will be used by the Department of Health Professions for identification and will not be disclosed for other purposes except as provided by law. Federal and state law requires that this number be shared with other state agencies for child support enforcement activities. **NO LICENSE WILL BE ISSUED TO ANY INDIVIDUAL WHO HAS FAILED TO DISCLOSE ONE OF THESE NUMBER.**

**In order to obtain a Virginia driver's license control number, it is necessary to appear in person at an office of the Department of Motor Vehicles in Virginia. A fee and disclosure to DMV of your Social Security Number will be required to obtain this number.

ALL QUESTIONS MUST BE ANSWERED. If any of the following questions, (3-13) is answered **Yes**, explain and substantiate with documentation.

1. Indicate the anatomical area of your radiologic technologist-limited practice: chest/thorax extremities
 skull/sinuses spine podiatry abdomen/pelvis bone densitometry.
 2. List all jurisdictions in which you have been issued a license or certificate to practice as a Radiologic Technologist-Limited: active, inactive or expired: _____
- | | Yes | No |
|---|-------|-------|
| 3. Have you ever been denied the privilege of taking an examination for licensure or certification in another state as a Radiologic Technologist-Limited? Explain _____ | _____ | _____ |
| 4. Have you ever been denied, for any reason, a license or certificate to practice as a Radiologic Technologist-Limited in another state? Explain _____ | _____ | _____ |
| 5. Have you ever been convicted of a violation of/or pled Nolo Contendere to any federal, state or local statute, regulation or ordinance, or entered into any plea bargaining relating to a felony or misdemeanor? (Excluding traffic violations, except convictions for driving under the influence.) | _____ | _____ |
| 6. Have you ever been censured, warned, or requested to withdraw from or otherwise disciplined by any professional school, traineeship program, hospital, nursing home, or other health care facility? | _____ | _____ |
| 7. Have you ever had any of the following disciplinary actions taken against your license to practice as a Radiologic Technologist-Limited, or are any such actions pending?
(a) suspension or revocation (b) probation (c) reprimand or cease and desist (d) had your practice monitored | _____ | _____ |
| 8. Have you ever had any membership in a state or local professional society revoked, suspended, or involuntarily withdrawn? | _____ | _____ |
| 9. Have you had any malpractice suits brought against you in the last two years? If so, how many? _____ | _____ | _____ |
| 10. Have you been treated by, consulted with, or been under care of a professional for substance abuse within the last two years? If so, provide a letter from the treating professional which includes diagnosis, treatment, and prognosis. | _____ | _____ |
| 11. Have you received treatment for/or been hospitalized for a nervous, emotional or mental disorder within the last two years? If so, provide a letter from your treating professional which includes diagnosis, treatment and prognosis. | _____ | _____ |
| 12. Do you have a physical disease or diagnosis that may affect your performance of professional duties? If so, provide a letter from your treating professional summarizing diagnosis, treatment and prognosis. | _____ | _____ |
| 13. Have you been adjudged mentally incompetent or been voluntarily or involuntarily committed to a mental institution within the last five years? Provide details. | _____ | _____ |

NOTE: RESPONSES TO ITEMS #14 AND #15 ARE OPTIONAL FOR STATISTICAL PURPOSES.

14. Do you intend to engage in the active practice as a Radiologic Technologist-Limited in the Commonwealth of Virginia? If Yes, give location _____
15. Specify type of practice Hospital Home Education Office Other, specify: _____

AFFIDAVIT OF APPLICANT

(THIS SECTION MUST BE NOTARIZED)

I, _____, being first duly sworn, depose and say that I am the person referred to in the foregoing application and supporting documents.

I hereby authorize all hospitals, institutions, or organizations, my references, personal physicians, employers (past and present), business and professional associates (past and present), and all governmental agencies and instrumentalities (local, state, federal, or foreign) to release to the Virginia Board of Medicine any information, files or records requested by the Board in connection with the processing of individuals and groups listed above, any information which is material to me and my application.

I have carefully read the questions in the foregoing application and have answered them completely, without reservations of any kind, and I declare under penalty of perjury that my answers and all statements made by me herein are true and correct. Should I furnish any false information in this application, I hereby agree that such act shall constitute cause for the denial, suspension, or revocation of my license to practice as a Radiologic Technologist-Limited in the Commonwealth of Virginia.

RIGHT THUMB PRINT

(May be self-applied)

Signature of Applicant

If right thumb is missing, use left and so indicate

City/County of _____ State of _____

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

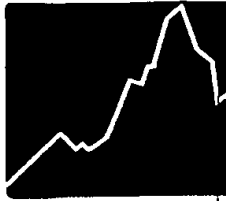
My Commission expires _____.

NOTARY SEAL

Signature of Notary Public

Rev. 5/99
RadTech-L

FORM #2



COMMONWEALTH OF VIRGINIA
Board of Medicine

Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

(804) 662-7664

Radiologic Technologist-Limited Training Application

Pursuant to Virginia Regulations 18 VAC 85-101-60 B (3), "Until the ARRT offers an examination in the radiographic procedures of the abdomen and pelvis or for bone densitometry, the applicant may qualify for a limited license by submission of a notarized statement from a licensed radiologic technologist or doctor of medicine or osteopathy attesting to the applicant's training and competency to practice in that anatomical area."

Part #1 of this form must be signed by the applicant and the applicant's supervisor and returned to the Board of Medicine. The approved application will be forwarded to the supervisor and copied to the applicant. Upon receipt, the applicant may begin training. ****Please note that this application is only good for six months from the date of approval.**

Part #1

Name of applicant: _____
Print or Type

Signature of applicant: _____

Name of supervisor: _____
Print or Type

Signature of supervisor: _____

Supervisor's License Number _____ State Licensed _____

Approved by the Board of Medicine _____
Deputy Executive Director/Licensure Date

Proposed Regulations

Applicant's name _____
Type or Print

Part #2 of this form must be signed by the applicant's supervisor upon completion of the required training, notarized and forwarded to the Board of Medicine. Upon receipt and review the applicant's application will be considered for licensure. This process takes approximately 3 to 5 working days. The applicant will be notified in writing.

Part #2 (Please attest only to the applicable anatomical area/s – abdomen/pelvis and/or bone density)

ABDOMEN/PELVIS

The signature below indicates that the radiologic technologist or doctor of medicine or osteopathy attests that has successfully performed at least 25 radiologic examinations of the abdomen and/or pelvis under his direct supervision and observation, and further attests to the applicant's competency in the areas of radiation safety, positioning, patient instruction, anatomy, pathology and technical factors.

Radiologic Technologist/Doctor of Medicine/Osteopathy Date

BONE DENSITY

The signature below indicates that the radiologic technologist or doctor of medicine or osteopathy attests that the above named applicant has successfully performed at least 10 examinations for bone density under his direct supervision and observation.

Radiologic technologist/Doctor of Medicine/Osteopathy Date

Notary Seal

City/County of _____ State of _____

Subscribed and sworn to before me this _____ day of _____ 19 _____

My Commission expires _____.

Signature of Notary Public

COMMONWEALTH OF VIRGINIA

RENEWAL NOTICE AND APPLICATION



Telephone:

License, certificate or registration number:

TYPE OF RENEWAL	CURRENT EXPIRATION DATE	CURRENT AMOUNT DUE \$	FROM	RENEWAL PERIOD TO	AMOUNT DUE IF RECEIVED AFTER \$
-----------------	-------------------------	--------------------------	------	-------------------	------------------------------------

C-47533

**MAKE CHECKS PAYABLE TO THE "TREASURER OF VIRGINIA"
RETURN PAYMENT AND THE COMPLETED BOTTOM PORTION ONLY IN THE ENCLOSED ENVELOPE
KEEP TOP PORTION FOR YOUR RECORDS**

<p>DISCLOSURE OF SOCIAL SECURITY OR VIRGINIA DMV CONTROL NUMBER In accordance with § 54.1-116 of the Code of Virginia, you are required to submit your Social Security Number or your control number* issued by the Virginia Department of Motor Vehicles. If you fail to do so, the processing of your application will be suspended and fees will not be refunded. This number will be used by the Department of Health Professions for identification and will not be disclosed for other purposes except as provided for by law. Federal and state law requires that this number be shared with other agencies for child support enforcement activities. If the boxes below are empty, write in your Social Security or Virginia DMV Control Number. If the boxes do contain numbers, please verify that they are correct and make any necessary changes.</p> <p>NO LICENSE, CERTIFICATION OR REGISTRATION WILL BE ISSUED TO ANY INDIVIDUAL WHO HAS FAILED TO DISCLOSE ONE OF THESE NUMBERS.</p> <p>□□□□-□□□□-□□□□□□</p> <p><small>*In order to obtain a Virginia driver's license control number, it is necessary to appear in person at an office of the Department of Motor Vehicles in Virginia. A fee and disclosure of your Social Security Number will be required.</small></p>	<p>INSTRUCTIONS</p> <ol style="list-style-type: none"> 1. Verify Social Security or Virginia DMV Control Number at left. 2. Complete item "A" below if you do not wish to renew. 3. Make any <u>address</u> changes on this application when renewing. 4. Make any <u>name</u> changes on this application and enclose a copy of your marriage license or court order. 5. Note name and license, certificate or registration number on all enclosures. 6. Return the bottom portion of this application in the enclosed envelope. <p>A. <input type="checkbox"/> Check here if you <u>do not</u> wish to renew, and sign below.</p> <p>_____ Signature</p>
--	---

THIS BOTTOM PORTION MUST BE RETURNED IN ORDER TO RENEW

Department of Health Professions

Type of renewal:

License, certificate or registration number:

VA.R. Doc. No. R97-725; Filed June 2, 1999, 11:36 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 change from the proposed text of the regulation.

TITLE 4. CONSERVATION AND NATURAL RESOURCES

BOARD OF GAME AND INLAND FISHERIES

REGISTRAR'S NOTICE: The Board of Game and Inland Fisheries is exempt from the Administrative Process Act pursuant to subdivision A of § 9-6.15:4.1 of the Code of Virginia when promulgating regulations regarding the management of wildlife.

Title of Regulation: 4 VAC 15-90-10 et seq. **Game: Deer** (amending 4 VAC 15-90-20, 4 VAC 15-90-70, 4 VAC 15-90-80, 4 VAC 15-90-90, 4 VAC 15-90-100, 4 VAC 15-90-110, 4 VAC 15-90-120, 4 VAC 15-90-160, 4 VAC 15-90-170, 4 VAC 15-90-190, 4 VAC 15-90-195, 4 VAC 15-90-200, 4 VAC 15-90-210, [and] 4 VAC 15-90-220 [, and 4 VAC 15-90-250]; repealing 4 VAC 15-90-130 [and 4 VAC 15-90-250]; adding 4 VAC 15-90-141).

Statutory Authority: §§ 29.1-501 and 29.1-502 of the Code of Virginia.

Effective Date: July 7, 1999.

Summary:

The amendments (i) change the general firearms deer season and special archery seasons in certain counties; (ii) allow deer of either sex to be taken during the entire late special muzzleloading season on private lands in certain counties and portions of counties; (iii) reduce the number of either-sex deer hunting days during late muzzleloading season in one county; (iv) rescind the late special muzzleloading season in certain counties; (v) allow the use of both lead and nonlead bullets (including jacketed bullets) during the special muzzleloading seasons; (vi) change the bonus deer permits provisions in certain areas; (vii) change the bag limits for deer in certain areas; (viii) allow deer hunters 15 years of age and under to take one antlerless deer per license year during the deer special muzzleloading seasons and the general firearms season in counties that have at least one either-sex deer hunting day during the general firearms season; (ix) change the number of either-sex deer hunting days in certain counties, portions of counties, cities and national forest lands; (x) establish a bucks only general firearms season in Buchanan County; (xi) close deer hunting in Wise County; and (xii) repeal the prohibition of a general firearms deer season in Arlington County in state regulation.

Agency Contact: Copies of the regulation may be obtained from Phil Smith, Policy Analyst, Department of Game and

Inland Fisheries, 4010 West Broad Street, Richmond, VA 23230, telephone (804) 367-8341.

4 VAC 15-90-20. Open season; cities and counties west of Blue Ridge Mountains and certain cities and counties or parts thereof east of Blue Ridge Mountains.

It shall be lawful to hunt deer on the third Monday in November and for 11 consecutive hunting days following in the cities and counties west of the Blue Ridge Mountains (except *Clarke County and on non-national forest lands in Frederick [and Warren counties County]*, and on the Radford Army Ammunition Plant in Pulaski County), and in the counties (including cities within) of Amherst (west of U.S. Route 29), Bedford, Campbell (west of Norfolk Southern Railroad except in the City of Lynchburg), Franklin, Henry, Nelson (west of Route 151), Patrick and Pittsylvania (west of Norfolk Southern Railroad), and on the Chester F. Phelps Wildlife Management Area.

4 VAC 15-90-70. Bow and arrow hunting.

A. Early special archery. It shall be lawful to hunt deer with bow and arrow from the first Saturday in October through the Saturday prior to the third Monday in November, both dates inclusive, except where there is a closed general hunting season on deer.

B. Late special archery season west of Blue Ridge Mountains and certain cities and counties east of Blue Ridge Mountains. In addition to the season provided in subsection A of this section, it shall be lawful to hunt deer with bow and arrow from the Monday following the close of the general firearms season on deer west of the Blue Ridge Mountains through the first Saturday in January, both dates inclusive, in all cities and counties west of the Blue Ridge Mountains (except *Clarke County and on non-national forest lands in Frederick [and Warren counties County]* and in the counties of (including cities within) Amherst (west of U.S. Route 29), Bedford, Campbell (west of Norfolk Southern Railroad), Franklin, Henry, Nelson (west of Route 151), Patrick and Pittsylvania (west of Norfolk Southern Railroad) and on national forest lands in Frederick [and Warren County] and from December 1 through the first Saturday in January, both dates inclusive, in the cities of Chesapeake, Suffolk (east of the Dismal Swamp line) and Virginia Beach.

C. Either-sex deer hunting days. Deer of either sex may be taken full season during the special archery seasons as provided in subsections A and B of this section (except in *Buchanan County and on private lands in [the counties of] Dickenson [County and Wise] where it shall be unlawful to take antlerless deer during the special archery seasons provided for in subsections A and B of this section*).

D. Carrying firearms prohibited. It shall be unlawful to carry firearms while hunting with bow and arrow during the special archery [~~season~~ seasons].

E. Requirements for bow and arrow. Arrows used for hunting big game must have a minimum width head of 7/8 of an inch and the bow used for such hunting must be capable of casting a broadhead arrow a minimum of 125 yards.

F. Use of dogs prohibited during bow season. It shall be unlawful to use dogs when hunting with bow and arrow from the first Saturday in October through the Saturday prior to the third Monday in November, both dates inclusive.

G. It shall be lawful for persons with permanent physical disabilities, who are in full compliance with the requirements of 4 VAC 15-40-20 B, to hunt deer subject to the provisions of subsections A through G of this section. For the purpose of the application of subsections A through G to this subsection [,] the phrase "bow and arrow" includes crossbow.

4 VAC 15-90-80. Muzzleloading gun hunting.

A. Early special muzzleloading season. It shall be lawful to hunt deer with muzzleloading guns from the first Monday in November through the Saturday prior to the third Monday in November, both dates inclusive, in all cities and counties where hunting with a rifle or muzzleloading gun is permitted east of the Blue Ridge Mountains, except on national forest lands in Amherst, Bedford and Nelson counties and in the cities of Chesapeake, Suffolk (east of the Dismal Swamp Line) and Virginia Beach.

It shall be lawful to hunt deer with muzzleloading guns from the second Monday in November through the Saturday prior to the third Monday in November, both dates inclusive, in all cities and counties where hunting with a rifle or muzzleloading gun is permitted west of the Blue Ridge Mountains and on national forest lands in Amherst, Bedford, and Nelson counties.

B. Late special muzzleloading season west of Blue Ridge Mountains and in certain cities and counties east of Blue Ridge Mountains. It shall be lawful to hunt deer with muzzleloading guns from the third Monday in December through the first Saturday in January, both dates inclusive, in all cities and counties west of the Blue Ridge Mountains (*except Clarke County and on non-national forest lands in Frederick [~~and Warren counties~~ County*], and east of the Blue Ridge Mountains in the counties of (including the cities within) Amherst (west of U.S. Route 29), Bedford, Campbell (west of Norfolk Southern Railroad), Franklin, Henry, Nelson (west of Route 151), Patrick and Pittsylvania (west of Norfolk Southern Railroad) *and on national forest lands in Frederick [~~and Warren County~~]*.

C. Either-sex deer hunting days east and west of the Blue Ridge Mountains *during the early muzzleloading season*. Deer of either sex may be taken during the entire early special muzzleloading season in all cities and counties east of the Blue Ridge Mountains (except on national forest lands, state forest lands, state park lands, department-owned lands and Philpott Reservoir) and on the first Saturday only east of

the Blue Ridge Mountains on state forest lands, state park lands, department-owned lands and on Philpott Reservoir.

Deer of either sex may be taken during the early special muzzleloading season in all cities and counties west of the Blue Ridge Mountains (except Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington, Wise and on national forest lands in Frederick, Page, Rockingham, Shenandoah, and Warren) and on national forest lands in Amherst, Bedford, and Nelson counties on the second Monday in November only. ~~It shall be lawful to hunt deer of either sex during the last six days of the late special muzzleloading season in all cities and counties west of the Blue Ridge Mountains (except Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington, and Wise and in the counties (including cities within) or portions of counties east of the Blue Ridge Mountains listed in subsection B of this section. Provided further it shall be lawful to hunt deer of either sex during the last day only of the last special muzzleloading season in the cities and counties within Lee, Russell, Scott, Smyth, Tazewell, and Washington.~~

D. Either-sex deer hunting days east and west of the Blue Ridge Mountains during the late special muzzleloading season. Deer of either sex may be taken during the entire late special muzzleloading season in the counties (including the cities within) of Amherst (west of U.S. Route 29 except on national forest lands), Bedford (except on national forest lands), Campbell (west of Norfolk Southern Railroad except in the City of Lynchburg), Franklin, Henry, Nelson (west of Route 151 except on national forest lands), Patrick, [~~and~~] Pittsylvania (west of Norfolk Southern Railroad) [~~and~~] Warren]. It shall be lawful to hunt deer of either sex during the last six days of the late special muzzleloading season in all cities and counties west of the Blue Ridge Mountains (except Buchanan, Dickenson, Grayson, Lee, Russell, Scott, Smyth, Tazewell, [~~and~~] Washington [~~and~~] Wise) and on national forest lands in Amherst, Bedford, Frederick, [~~and~~] Nelson [~~and~~] Warren] counties. Provided further it shall be lawful to hunt deer of either sex during the last day only of the late special muzzleloading season in the counties (including the cities within) of Grayson, Lee, Russell, Scott, Smyth, Tazewell, and Washington.

~~D. E.~~ Use of dogs prohibited. It shall be unlawful to hunt deer with dogs during any special season for hunting with muzzleloading guns.

~~E. F.~~ Muzzleloading gun defined. A muzzleloading gun, for the purpose of this section, means a single shot flintlock or percussion weapon, excluding muzzleloading pistols, .45 caliber or larger, firing a single ~~lead~~ projectile or sabot (with a .38 caliber or larger ~~nonjacketed lead~~ projectile) of the same caliber loaded from the muzzle of the weapon and propelled by at least 50 grains of black powder (or black powder equivalent).

~~F. G.~~ Unlawful to have other firearms in possession. It shall be unlawful to have in immediate possession any firearm other than a muzzleloading gun while hunting with a muzzleloading gun in a special muzzleloading season.

Final Regulations

4 VAC 15-90-90. Bag limit; generally; bonus deer permits and tag usage.

A. The bag limit for deer east of the Blue Ridge Mountains (except on national forest lands in Amherst, Bedford, and Nelson counties) [~~and west of the Blue Ridge Mountains in Clarke, Frederick (except on national forest lands), and Warren (except on national forest lands) counties~~] shall be two a day, ~~three~~ four a license year, one of which must be antlerless. Antlerless deer may be taken only during designated either-sex deer hunting days during the special archery [~~season~~ seasons], special muzzleloading seasons, and the general firearms season (except that deer hunters 15 years of age and under may take one antlerless deer per license year on days other than designated either-sex deer hunting days during the special muzzleloading seasons or the general firearms season in all counties that have at least one either-sex deer hunting day during the general firearms deer season using the antlerless only deer tag on their state resident junior bear, deer, turkey license or state resident youth combination license. Those deer hunters under [~~45~~ 12] years of age [~~and under and~~] exempt from purchasing a license may also take one antlerless deer per license year on any deer hunting day during the special muzzleloading seasons or the general firearms season in all counties that have at least one either-sex deer hunting day during the general firearms deer season).

B. The bag limit for deer west of the Blue Ridge Mountains [~~(except Clarke County and non-national forest lands in Frederick and Warren counties)~~] and on national forest lands in Amherst, Bedford, [~~Frederick,~~ and] Nelson [~~and Warren~~] counties shall be one a day, three a license year, one of which must be antlerless. Only one antlered buck may be taken during the special early muzzleloading season per hunter. Antlerless deer may be taken only during designated either-sex deer hunting days during the special archery seasons, the special muzzleloading seasons, and the general firearms season (except that deer hunters 15 years of age and under may take one antlerless deer per license year on days other than designated either-sex deer hunting days during the special muzzleloading seasons or the general firearms season in all counties that have at least one either-sex deer hunting day during the general firearms deer season using the antlerless only deer tag on their state resident junior bear, deer, turkey license or state resident youth combination license. Those deer hunters under [~~45~~ 12] years of age [~~and under and~~] exempt from purchasing a license may also take one antlerless deer per license year on any deer hunting day during the special muzzleloading seasons or the general firearms season in all counties that have at least one either-sex deer hunting day during the general firearms deer season).

C. Bonus deer permits shall be valid on private land in counties and cities where deer hunting is permitted (except Buchanan [~~and~~ ,] Dickenson [, and Wise] counties) during the special archery seasons, special muzzleloading seasons, and the general firearms season. Bonus deer permits shall be valid on public lands, including state parks, state forests, national wildlife refuges, military areas, etc., as authorized by

the managing agency. Unless otherwise posted or authorized in writing for wildlife management areas by the department, or for national forest lands by the U.S. Forest Service, the use of bonus permits is prohibited on department-owned and national forest lands. Bonus deer permits ~~will~~ shall be limited to one set per person per license year valid for antlerless deer only. Deer taken on bonus permits shall count against the daily bag limit but are in addition to the seasonal bag limit.

4 VAC 15-90-100. General firearms season either-sex deer hunting days; Saturday following third Monday in November and last two hunting days.

During the general firearms season, deer of either sex may be taken on the Saturday immediately following the third Monday in November and the last two hunting days only, in the counties of (including cities within) Alleghany (except on national forest lands), Augusta (except on national forest and department-owned lands), Bath (except on national forest lands), Bland (except on national forest lands), [Carroll (except on national forest and department-owned lands),] Craig (except on national forest lands), Giles (except on national forest lands), Highland (except on national forest and department-owned lands), Montgomery (except on national forest lands), Page (except on national forest lands), Pulaski (except on national forest lands and the Radford Army Ammunition Plant), Rockbridge (except on national forest and department-owned lands), Rockingham (except on national forest lands), Shenandoah (except on national forest lands), and Wythe (except on national forest lands) and on Fairystone Farms Wildlife Management Area, Fairystone State Park, Philpott Reservoir, and Turkeycock Mountain Wildlife Management Area.

4 VAC 15-90-110. General firearms season either-sex deer hunting days; Saturday following third Monday in November and last hunting day.

During the general firearms season, deer of either sex may be taken on the Saturday immediately following the third Monday in November and the last hunting day on the G. [~~R.~~ Richard] Thompson Wildlife Management Area and on national forest and department-owned lands in Alleghany, Augusta, Bath, Bland, Botetourt, Carroll, ~~Craig,~~ Giles, Highland, Montgomery, Pulaski, Roanoke, Rockbridge, and Wythe.

4 VAC 15-90-120. General firearms season either-sex deer hunting days; last 42 six hunting days.

During the general firearms season, deer of either sex may be taken on the last ~~42~~ six hunting days in the cities of Chesapeake (except on Dismal Swamp National Wildlife Refuge and Fentress Naval Auxiliary Landing Field on the Northwest Naval Security Group), Suffolk east of the Dismal Swamp line (except on the Dismal Swamp National Wildlife Refuge) and Virginia Beach (except on Back Bay National Wildlife Refuge, Dam Neck Amphibious Training Base, Naval Air Station Oceana, False Cape State Park, and Fentress Naval Auxiliary Landing Field).

4 VAC 15-90-130. General firearms season either-sex deer hunting days; last 24 hunting days. (Repealed.)

~~During the general firearms season, deer of either sex may be taken on the last 24 hunting days in the City of Suffolk east of the Dismal Swamp line (except on Dismal Swamp National Wildlife Refuge).~~

4 VAC 15-90-141. General firearms season either-sex deer hunting days; first two Saturdays following third Monday in November and last two hunting days.

During the general firearms season, deer of either sex may be taken on the first two Saturdays immediately following the third Monday in November and on the last two hunting days, in the counties (including cities within) of Appomattox (except on Appomattox-Buckingham State Forest), Brunswick, Buckingham (except on Appomattox-Buckingham State Forest), Charlotte, Chesterfield (except on Pocahontas State Park and Presquile NWR), Cumberland (except on Cumberland State Forest), Dinwiddie, Fluvanna, Goochland, Lunenburg, Mecklenburg, Nottoway, Prince Edward (except on Prince Edward State Forest), and Prince George (except on Fort Lee).

4 VAC 15-90-160. General firearms season either-sex deer hunting days; full season.

During the general firearms season, deer of either sex may be taken full season, in the counties of (including cities within) Accomack, Amherst (west of U.S. Route 29, except on national forest lands), Arlington, Bedford (except on national forest lands), Botetourt (except on national forest lands), Campbell (west of Norfolk Southern Railroad and in the City of Lynchburg only on private lands for which a special permit has been issued by the chief of police), [~~Carroll (except on national forest and department-owned lands), Clarke,] Fairfax (restricted to certain parcels of land by special permit), Floyd, Franklin (except Philpott Reservoir and Turkeycock Mountain Wildlife Management Area), [~~Frederick (except on national forest lands),] Greenville, Grayson (except on national forest lands and portions of Grayson Highland State Park open to hunting), Henry (except on Fairystone Farms Wildlife Management Area, Fairystone State Park, Philpott Reservoir, and Turkeycock Mountain Wildlife Management Area), Isle of Wight, Loudoun, Nelson (west of Route 151, except on national forest lands), Patrick (except on Fairystone Farms Wildlife Management Area, Fairystone State Park and Philpott Reservoir), Pittsylvania (west of Norfolk Southern Railroad), Prince William, Roanoke (except on national forest and department-owned lands), Southampton, Surry (except on the Carlisle Tract of the Hog Island Wildlife Management Area), Sussex, Warren (except on national forest lands) and in the cities of Hampton and Newport News, the Town of Chincoteague, and on Back Bay National Wildlife Refuge, Fort A.P. Hill, Caledon Natural Area, Camp Peary, Cheatham Annex, Chincoteague National Wildlife Refuge, Chippokes Chippokes State Park, Dahlgren Surface Warfare Center Base, Dam Neck Amphibious Training Base, Dismal Swamp National Wildlife Refuge, Eastern Shore of Virginia National Wildlife Refuge, False Cape State Park, Fentress~~~~

Naval Auxiliary Landing Field, Fisherman's Island National Wildlife Refuge, Fort Belvoir, Fort Eustis, Fort Lee, ~~Fort Pickett~~, Harry Diamond Laboratory, Langley Air Force Base, NASA Langley Research Center, Naval Air Station Oceana, Northwest Naval Security Group, Pocahontas State Park, Presquile National Wildlife Refuge, Quantico Marine Corps Reservation, Radford Army Ammunition Plant, Sky Meadows State Park, York River State Park, Yorktown Naval Weapons Station.

4 VAC 15-90-170. General firearms season either-sex deer hunting days; Saturday following third Monday in November.

During the general firearms season, deer of either sex may be taken the Saturday immediately following the third Monday in November in the counties (including cities within) of Lee (except on national forest lands), Russell, Scott (except on national forest lands), Smyth, Tazewell, Washington, and on the Buckingham-Appomattox State Forest, Cumberland State Forest and Prince Edward State Forest and on national forest lands in Craig, Frederick, Grayson, Page, Shenandoah, Rockingham and Warren counties and on portions of Grayson Highlands State Park open to hunting.

4 VAC 15-90-190. General firearms season either-sex deer hunting days; first Saturday immediately following third Monday in November and last six days.

During the general firearms season, deer of either sex may be taken on the first Saturday immediately following the third Monday in November and the last six hunting days, in the counties of (including cities within) Middlesex, Mathews, and on the ~~Horsepen Lake Wildlife Management Area~~, James River Wildlife Management Area, ~~Oceoneechee State Park~~, ~~Amelia Wildlife Management Area~~, ~~Briery Creek Wildlife Management Area~~, ~~Dick Cross Wildlife Management Area~~, White Oak Mountain Wildlife Management Area and on national forest lands in Amherst, ~~Botetourt~~ Bedford, and Nelson counties.

4 VAC 15-90-195. General firearms season either-sex deer hunting days; first two Saturdays immediately following third Monday in November and last six hunting days.

During the general firearms season, deer of either sex may be taken on the first two Saturdays immediately following the third Monday in November and on the last six hunting days, in the counties of (including the cities within) Amelia (except ~~Amelia Wildlife Management Area~~), Appomattox (except ~~Buckingham-Appomattox State Forest~~), Brunswick (except ~~Fort Pickett~~), ~~Buckingham (except on Buckingham-Appomattox State Forest and Horsepen Lake Wildlife Management Area)~~, Charlotte, Chesterfield (except ~~Pocahontas State Park and Presquile National Wildlife Refuge~~), Cumberland (except on ~~Cumberland State Forest~~), Dinwiddie (except on ~~Fort Pickett~~), Fluvanna, Goochland, Lunenburg, Mecklenburg (except ~~Dick Cross Wildlife Management Area~~, ~~Oceoneechee State Park~~), Nottoway (except on ~~Fort Pickett~~), ~~Charles City (except on~~

Final Regulations

Chickahominy Wildlife Management Area), Essex, King and Queen, King William, Louisa, New Kent, Powhatan, ~~Prince Edward (except on Prince Edward State Forest and Briery Creek Wildlife Management Area), Prince George (except on Fort Lee) Richmond, and Westmoreland.~~

4 VAC 15-90-200. General firearms season either-sex deer hunting days; first three Saturdays following third Monday in November and last 24 hunting days.

During the general firearms season, deer of either sex may be taken on the first three Saturdays immediately following the third Monday in November and on the last 24 hunting days, in the counties of (including cities within) ~~Accomack (except Chincoteague National Wildlife Refuge, and the Town of Chincoteague), Northampton (except on Eastern Shore of Virginia National Wildlife Refuge and Fisherman's Island National Wildlife Refuge), and in the City of Suffolk (except on the Dismal Swamp National Wildlife Refuge) Surry (except on the Carlisle Tract of the Hog Island Wildlife Management Area), and Sussex.~~

4 VAC 15-90-210. General firearms season either-sex deer hunting days; first two Saturdays immediately following third Monday in November and last 12 hunting days.

During the general firearms season, deer of either sex may be taken on the first two Saturdays immediately following the third Monday in November and on the last 12 hunting days, in the counties of (including the cities within) Albemarle, Amherst (east of U.S. Route 29), Campbell (east of Norfolk Southern Railroad except City of Lynchburg), Caroline (except Fort A.P. Hill), ~~Charles City (except on Chickahominy Wildlife Management Area), [Clarke,] Culpeper (except on Chester F. Phelps Wildlife Management Area), Essex, Fauquier (except on the G. Richard Thompson and Chester F. Phelps Wildlife Management Areas, Sky Meadows State Park and Quantico Marine Reservation), [Frederick (except on national forest lands),] Gloucester, Greene, Halifax, Hanover, Henrico (except Presquile National Wildlife Refuge), James City (except York River State Park), ~~King and Queen, King George (except Caledon Natural Area and Dahlgren Surface Warfare Center), King William, Lancaster, Louisa, Madison, Nelson (east of Route 151 except James River Wildlife Management Area), New Kent, Northumberland, Orange, Pittsylvania (east of Norfolk Southern Railroad except White Oak Mountain Wildlife Management Area), Rappahannock, Richmond, Spotsylvania, Stafford (except on Quantico Marine Reservation), Westmoreland, [City of Suffolk (west of the Dismal Swamp line),] and York (except on Camp Peary, Cheatham Annex and Yorktown Naval Weapons Station) [, and in the City of Suffolk (west of the Dismal Swamp line)].~~~~

4 VAC 15-90-220. General firearms season; bucks only.

During the general firearms season, only deer with antlers visible above the hairline may be taken in the counties of (including the cities within) ~~Buchanan [and ,] Dickenson [, and Wise] and on national forest lands in Lee and Scott and on the Chester F. Phelps Wildlife Management Area,~~

Chickahominy Wildlife Management Area and on the Carlisle Tract of Hog Island Wildlife Management Area.

4 VAC 15-90-250. [~~Hunting prohibited in certain counties. (Repealed.)~~]

[~~It shall be unlawful to hunt deer at any time in] the counties of Arlington and Buchanan [~~Wise County.~~]~~

VA.R. Doc. No. R99-118; Filed May 19, 1999, 11:08 a.m.

MARINE RESOURCES COMMISSION

REGISTRAR'S NOTICE: The following regulations filed by the Marine Resources Commission are exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 F of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: 4 VAC 20-720-10 et seq. **Pertaining to Restrictions on Oyster Harvest (amending 4 VAC 20-720-40 and 4 VAC 20-720-50).**

Statutory Authority: §§ 28.2-201 and 28.2-507 of the Code of Virginia.

Effective Date: June 1, 1999.

Summary:

This regulation was amended to extend the public oyster harvest season for clean cull size oysters in the James River Seed Area and the James River Jail Island and Point of Shoals Clean Cull Areas until June 30, 1999.

Agency Contact: Copies of the regulation may be obtained from Katherine V. Leonard, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2120.

4 VAC 20-720-40. Open season and areas.

The lawful seasons and areas for the harvest of oysters from the public oyster grounds and unassigned grounds are as follows:

1. James River Seed Area: October 1, 1998, through ~~April~~ June 30, 1999. *This area will only be opened to the harvest of clean cull oysters as defined in 4 VAC 20-260-10 et seq.*
2. James River Jail Island and Point of Shoals Clean Cull Areas: October 1, 1998, through ~~April~~ June 30, 1999.
3. Seaside of Eastern Shore: for clean cull oysters only, November 1, 1998, through January 31, 1999.
4. The area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River: November 1, 1998, through January 31, 1999.
5. That area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini-PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C): November 1, 1998, through January 31, 1999.

6. That area of the Coan River to the Virginia-Maryland state line (PRV1A to PRV1B) except for that area above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur): November 1, 1998, through January 31, 1999.

7. That area of the Yeocomico River inside Public Grounds 107, 112 and 113: November 1, 1998, through January 31, 1999.

4 VAC 20-720-50. Closed harvest season and areas.

It shall be unlawful for any person to harvest oysters from the following areas during the specified periods:

1. All public oyster grounds and unassigned grounds in the Chesapeake Bay and its tributaries, including the tributaries of the Potomac River, except that area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River, and that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C), that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public Grounds 107, 112 and 113, the James River Seed Area and the James River Jail Island and Point of Shoals Clean Cull Areas: October 1, 1998, through September 30, 1999.

2. James River Seed Area and James River Jail Island and Point of Shoals Clean Cull Areas: May July 1, 1999, through September 30, 1999.

3. All public oyster grounds and unassigned grounds on the Seaside of Eastern Shore: for clean cull oysters, October 1 through October 31, 1998, and February 1, 1999, through September 30, 1999; and for seed oysters, all year. Oyster harvest from leased oyster ground and fee simple oyster ground shall require a permit from the Marine Resources Commission as set forth in 4 VAC 20-720-90.

4. That area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River, and that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C), that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public Grounds 107, 112 and 113: October 1 through October 31, 1998, and February 1, 1999, through September 30, 1999.

VA.R. Doc. No. R99-181; Filed May 28, 1999, 2:17 p.m.

Title of Regulation: 4 VAC 20-880-10 et seq. Pertaining to Hard Crab and Peeler Pot License Sales (amending

4 VAC 20-880-10; repealing 4 VAC 20-880-40 and 4 VAC 20-880-50).

Statutory Authority: §§ 28.2-201 and 28.2-204.1 of the Code of Virginia.

Effective Date: May 26, 1999.

Summary:

The amendments eliminate criteria establishing eligibility for certain crabbing licenses.

Agency Contact: Copies of the regulation may be obtained from Deborah Cawthon, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

4 VAC 20-880-10. Purpose.

The purpose of this chapter is to protect and conserve the blue crab resource by ~~limiting the number of commercial hard crab pot and peeler pot licenses and to further control~~ *controlling* fishing effort by establishing limits on the number of ~~commercial hard~~ crab pots that can be set or fished.

4 VAC 20-880-40. Limit on sale of licenses. (Repealed.)

~~A. Sale of hard crab pot or peeler pot licenses for the calendar year 1998 and each year thereafter shall be limited to the following individuals:~~

~~1. Any registered commercial fisherman who held a Virginia hard crab pot license in any calendar year since 1995 shall be eligible for a hard crab pot license during the current calendar year. Any registered commercial fisherman who held a Virginia peeler pot license in any calendar year since 1995 shall be eligible for a peeler pot license during the current calendar year. Registered commercial fishermen who held both a Virginia hard crab pot license and a Virginia peeler pot license in any calendar year since 1995 shall be eligible for both types of licenses during the current calendar year.~~

~~2. Any registered commercial fisherman who transferred a Virginia hard crab pot or peeler pot license in any year since 1995 shall not be eligible for that license in the current year.~~

~~3. The commission may grant licenses to any registered commercial fisherman based upon conditions of significant hardship, as evidenced by participation in the fishing of a significant amount of crab gear in two of the last five years, for the crab pot or peeler pot fishery. Applicants for an exception shall apply during the month of January on forms provided by the commission and shall attend the February meeting of the commission to present testimony in support of their request.~~

~~B. Individuals shall be limited to the previous calendar year's hard crab pot license category in which they held a license, except as provided in subdivision 4 of this subsection.~~

~~1. Hard crab pot licensees who held a hard crab pot license in Virginia in the previous calendar year for up to~~

Final Regulations

100 pots shall be limited to a maximum of 100 hard crab pots in the current calendar year. It shall be unlawful for any person so licensed to place, set or fish more than 100 hard crab pots during the current calendar year.

2. Hard crab pot licensees who held a hard crab pot license in Virginia in the previous calendar year for up to 300 pots shall be limited to a maximum of 300 hard crab pots in the current calendar year. It shall be unlawful for any person so licensed to place, set or fish more than 300 hard crab pots during the current calendar year.

3. Hard crab pot licensees who held a hard crab pot license in Virginia in the previous calendar year for up to 500 pots shall be limited to a maximum of 500 hard crab pots in the current calendar year. It shall be unlawful for any person so licensed to place, set or fish more than 500 hard crab pots during the current calendar year.

4. Hard crab pot licensees who held a 1995 hard crab pot license in Virginia for up to 100, 300 or 500 pots, but who did not hold a hard crab license in Virginia in subsequent years, shall be limited to the same maximum amount of crab pots in the current calendar year as established for those who held a hard crab pot license in the previous calendar year as described by subdivisions 1, 2 and 3 of this subsection. In addition, hard crab pot licensees who held a 1995 hard crab pot license in Virginia for over 500 pots shall be limited to a maximum of 500 hard crab pots in the current calendar year. It shall be unlawful for any person so licensed to place, set or fish more than 500 hard crab pots during the current calendar year.

C. Any person eligible under the provisions of this chapter for a hard crab pot license for up to 100 pots may receive a license for up to 300 hard crab pots provided that person held a hard crab pot license for crab pots with one or more assistants or a 300 hard crab pot license, for at least six years, from 1987 through 1994.

D. Any person eligible under the provisions of this chapter for a hard crab pot license for up to 100 pots may receive a license for up to 200 pots provided that person held a hard crab pot license for crab pots with one or more assistants or a 300 crab pot license for four or five years from 1987 through 1994, and, as of April 1998, harvested seafood during at least six months of the previous 16 months as documented by the commission's mandatory harvest reporting system.

E. Any person eligible under the provisions of this chapter for a hard crab pot license for up to 100 pots may receive a license for up to 150 pots provided that person held a hard crab pot license for crab pots with one or more assistants or a 300 crab pot license for one to three years from 1987 through 1994, and, as of April 1998, harvested seafood during at least six months of the previous 16 months, as documented by the commission's mandatory harvest reporting system.

4 VAC 20-880-50. Transfers of hard crab pot and peeler pot licenses. (Repealed.)

Any person holding a current crab pot or peeler pot license may transfer that license to any registered commercial fisherman provided such transfer is documented on the form provided by the commission and is approved by the commissioner or his designee. The transferee shall purchase the appropriate crab license in his name.

VA.R. Doc. No. R99-188; Filed May 26, 1999, 2:58 p.m.

* * * * *

Title of Regulation: 4 VAC 20-1040-10 et seq. Pertaining to Crabbing Licenses and Tags.

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

Effective Date: May 26, 1999.

Summary:

This chapter freezes the sale of certain crabbing licenses for one year and requires the marking of crab pots and peeler pots with tags issued by the commission.

Agency Contact: Copies of the regulation may be obtained from Deborah Cawthon, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

CHAPTER 1040.

PERTAINING TO CRABBING LICENSES AND TAGS.

4 VAC 20-1040-10. Purpose.

The purposes of this chapter are to cap and control effort in the crab fisheries, and to improve enforcement of pot limits.

4 VAC 20-1040-20. License sales moratorium.

A. Except as provided in subsection B of this section, commercial licenses for crab pots, peeler pots, crab scrapes, crab traps, ordinary trot lines, patent trot lines, and crab dip nets for the 1999 crabbing season shall not be sold after May 25, 1999. Crabbing licenses sold for the 2000 crabbing season shall be issued only to those registered commercial fishermen who held the identical valid crabbing license in 1999.

B. Commercial licenses for crab pots, peeler pots, crab scrapes, crab traps, ordinary trot lines, patent trot lines, and crab dip nets may be transferred to an immediate family member of the licensee only in the case of death or incapacitation of the licensee. Crabbing licenses also may be transferred to another registered commercial fisherman only if the licensee's boat or vessel and gear used for crabbing are also transferred or sold to the registered commercial fisherman. All such transfers shall be documented on forms provided by the commission and shall be subject to the approval of the commissioner.

C. The moratorium on the sale of commercial licenses for crab pots, peeler pots, crab scrapes, crab traps, ordinary trot lines, patent trot lines, and crab dip nets shall end on May 26, 2000.

4 VAC 20-1040-30. Pot tagging requirement.

A. It shall be unlawful for any person to place, set, fish or attempt to place, set, or fish any crab pot or peeler pot which is not marked with a tamper-evident, serially numbered tag issued by the commission.

B. Any pot found overboard which is not marked in accordance with this section shall be confiscated by the officer.

4 VAC 20-1040-40. Penalty.

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

VA.R. Doc. No. R99-189; Filed May 26, 1999, 4:01 p.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

REGISTRAR'S NOTICE: The agency is claiming an exclusion from the Administrative Process Act in accordance with § 9-6.14:4.1 C 4 (a) of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The State Board 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: ~~14 VAC 5-220-10 et seq.~~ **12 VAC 5-405-10 et seq. Rules Governing Private Review Agents.**

Statutory Authority: §§ 32.1-138.7 and 32.1-138.15 of the Code of Virginia.

Effective Date: July 21, 1999.

Summary:

The State Board of Health has adopted the Rules Governing Private Review Agents which were transferred from the Virginia State Corporation Commission's Bureau of Insurance in response to Chapter 129 of the 1998 Acts of Assembly. Private peer review agents affect the health care delivery system in Virginia by reviewing the necessity, appropriateness, and efficiency of hospital, medical or other health care resources for health insurance carriers, commonly referred to as utilization review. The utilization review becomes the basis by which health insurers determine if

a particular service should be covered by the health insurance plan. Section 32.1-138.7 of the Code of Virginia requires agents to meet the minimum standards required by law and applicable regulations in order to obtain and maintain a certificate of registration.

Agency Contact: Copies of the regulation may be obtained from Carrie Eddy, Center for Quality Health Care Services, Department of Health, 3600 West Broad Street, Suite 216, Richmond, VA 23230, telephone (804) 367-2157.

**CHAPTER ~~220~~ 405.
RULES GOVERNING PRIVATE REVIEW AGENTS.**

~~14 VAC 5-220-10~~ 12 VAC 5-405-10. Purpose.

The purpose of this chapter is to implement ~~§§ 38.2-5300 through 38.2-5309~~ Article 2.1 (§ 32.1-138.6 et seq.) of the Code of Virginia with respect to private review agents.

This chapter is designed to:

1. Provide minimum qualifications for private review agents operating in this Commonwealth;
2. Provide guidelines for the protection of consumers regarding the confidentiality of medical records; and
3. Promote the delivery of quality health care in a cost effective manner.

~~14 VAC 5-220-20.~~ Effective date. 12 VAC 5-405-20. (Reserved.)

~~This chapter shall be effective on July 1, 1991.~~

~~14 VAC 5-220-30~~ 12 VAC 5-405-30. Scope.

This chapter applies to all private review agents performing utilization review in this Commonwealth. This chapter does not apply to insurers, health services plans, hospital service corporations, preferred provider organizations, or health maintenance organizations conducting utilization reviews solely for their own insureds, subscribers, members, or enrollees. This chapter does not apply to a private review agent in its conduct of utilization review for self-insured groups or a private review agent in its fulfillment of a contract with the federal government for utilization review of patients eligible for hospital services under Title XVIII of the Social Security Act (Public Law 89-97, 79 Stat 286 (July 30, 1965)) or in its fulfillment of a contract with a plan otherwise exempt from operation of ~~Chapter 53 (§ 38.2-5300 et seq.) of Title 38.2~~ Article 2.1 (§ 32.1-138.6 et seq.) of Chapter 5 of Title 32.1 of the Code of Virginia pursuant to the Employee Retirement Income Security Act of 1974 (29 USC § 1001 et seq.). This chapter does not apply to utilization review conducted in ~~Worker's~~ workers' compensation claims or bodily injury liability claims, including uninsured motorist claims. This chapter does not apply to utilization reviews conducted by a provider peer review organization solely for the use of such organization or its members.

~~14 VAC 5-220-40~~ 12 VAC 5-405-40. Definitions.

For the purposes of this chapter:

Final Regulations

"*Adverse decision*" means a utilization review determination by the private review agent that a health service ~~given or proposed to be given~~ rendered or proposed to be rendered was or is not medically necessary, appropriate, or efficient when such determination may result in noncoverage of the health service or health services. If the provider and private review agent reach agreement prior to the issuance of an adverse decision, then no adverse decision has occurred. ~~Adverse decision means "final denial."~~

"*Attending physician*" means the physician with primary responsibility for the care subject to review.

"*Business days*" means all days other than weekends and legal holidays.

"*Certificate*" means a certificate of registration granted by the ~~Commission~~ Virginia Department of Health to a private review agent.

"*Department*" means the Virginia Department of Health.

"*Initial adverse recommendation*" means a reviewer's recommendation, made prior to providing the attending physician a reasonable opportunity to consult with a physician advisor, that an adverse decision be issued.

"*Insurer*" means an insurance company, health services plan, health maintenance organization, preferred provider organization or multiple employer welfare arrangement.

"*Operating in this Commonwealth*" means providing utilization review services affecting insureds, subscribers, members or enrollees with respect to an insurance or subscription contract issued for delivery or delivered in Virginia.

"*Peer*" means a person who has an equivalent degree of education, skill, and licensure as another.

"*Physician advisor*" means a physician licensed to practice medicine who provides medical advice or information to a private review agent or a utilization review entity in connection with its utilization review activities.

"*Private review agent*" means a person or entity performing utilization review reviews, except that the term shall not include ~~an insurer, health services plan, hospital service corporation, preferred provider organization, or health maintenance organization conducting the following entities or employees of any such entity so long as they conduct~~ utilization reviews solely for its own insureds, subscribers, policyholders, members, or enrollees:

1. A health maintenance organization authorized to transact business in Virginia; or
2. A health insurer, hospital service corporation, health services plan or preferred provider organization authorized to offer health benefits in this Commonwealth.

"*Provider*" means an individual or organization that provides personal health services.

"*Staff*" means persons employed or under contract to perform utilization review on behalf of a private review agent.

"*Utilization review*" means a system for reviewing the necessity, appropriateness and efficiency of hospital, medical or other health care resources ~~provided or to be provided~~ rendered or proposed to be rendered to a patient or group of patients for the purpose of determining whether such services should be covered or provided by an insurer, health services plan, health maintenance organization or other entity or person. For the purposes of this chapter, "utilization review" shall include, but not be limited to, preadmission, concurrent and retrospective medical necessity determination, and review related to the appropriateness of the site at which services were or are to be delivered. "Utilization review" shall not include (i) any review of issues concerning insurance contract coverage or contractual restrictions on facilities to be used for the provision of services or, (ii) any review of patient information by an employee of or consultant to any licensed hospital for patients of such hospital, or (iii) any determination by an insurer as to the reasonableness and necessity of services for the treatment and care of an injury suffered by an insured for which reimbursement is claimed under a contract of insurance covering any classes of insurance defined in §§ 38.2-117 through 38.2-119, 38.2-124 through 38.2-126, 38.2-130 through 38.2-132 and 38.2-134.

"*Utilization review program*" means a program for conducting utilization review reviews by a private review agent.

~~14 VAC 5-220-50~~ 12 VAC 5-405-50. Certificates to perform utilization review.

A. Beginning July 1, ~~1994~~ 1998, a private review agent not operating in this Commonwealth shall obtain a certificate from the ~~Commission~~ department prior to operating in this Commonwealth.

B. Private review agents operating in this Commonwealth prior to July 1, ~~1994~~ 1998, shall submit an application for a certificate on or before July 1, ~~1994~~ 1998.

C. An applicant for a certificate shall pay an application fee and shall submit an application to the ~~Commission~~ department on the forms or in the manner prescribed by the ~~Commission~~ department. The applicant shall also submit the following information required by § ~~38.2-5302~~ 32.1-138.9 of the Code of Virginia:

1. A description of the procedures to be used in evaluating proposed or delivered hospital, medical or other health care services;
2. The procedures by which patients or providers may seek reconsideration of determinations by private review agents;
3. The type and qualifications of the staff either employed or under contract to perform the utilization review;

4. Procedures and policies which ensure that patient-specific medical records and information shall be kept strictly confidential except as authorized by the patient or by ~~14 VAC 5-220-100 of this chapter~~ 12 VAC 5-405-100; and

5. Assurances that reviewers will be readily accessible by telephone to patients and providers at least 40 hours per week during normal business hours.

~~14 VAC 5-220-60~~ 12 VAC 5-405-60. Fee for certificate.

A. Every private review agent shall pay an application fee of ~~five hundred dollars \$500~~ and a biennial renewal fee of ~~five hundred dollars \$500~~ to the ~~Commission~~ department. Each certificate shall expire on June 30 of the appropriate year. Prior to April 1 of the renewal year, each private review agent shall remit a renewal application form and fee to the ~~Commission~~ department.

B. The ~~Commission~~ department may refuse to issue an agent's certificate to any person and, ~~in addition to or in lieu of a penalty imposed under § 38.2-218 of the Code of Virginia,~~ or may suspend or revoke the certificate of any certificate holder whenever it finds that the applicant or certificate holder:

1. Has failed to meet or maintain the requirements of ~~§ 38.2-5302~~ 32.1-138.9 of the Code of Virginia;
2. Has violated any sections of this chapter;
3. Has failed to adhere to its procedures as submitted to the ~~Commission~~ department;
4. Has violated any provisions of any law of this Commonwealth applicable to private review agents; or
5. Has been guilty of fraudulent or dishonest practices.

C. A certificate issued to a private review agent shall authorize him to act as a private review agent until his certificate expires or is otherwise terminated, suspended or revoked. The ~~Commission~~ department shall not revoke or suspend an existing certificate until the certificate holder is given an opportunity to be heard before the ~~Commission~~ department. If the ~~Commission~~ department refuses to issue a new certificate or proposes to revoke or suspend an existing certificate it shall give the applicant or certificate holder at least 10 days' notice in writing of the time and place of the hearing if a hearing is requested. The notice shall contain a statement of the objections to the issuance of the certificate or the reason for its proposed revocation or suspension, as the case may be. The notice may be given to the applicant or certificate holder by registered or certified mail sent to the last known address of record. The ~~Commission~~ department may summon witnesses to testify with respect to the applicant or certificate holder, and the applicant or certificate holder may introduce evidence in its behalf. No applicant to whom a certificate is refused after a hearing, nor any certificate holder whose certificate is revoked, shall again apply for a certificate until after the time, not exceeding two years, the ~~Commission~~ department prescribes in its order.

~~14 VAC 5-220-70~~ 12 VAC 5-405-70. Minimum qualifications of staff.

A. The staff of a private review agent responsible for making utilization review decisions (including nonadverse decisions), as a minimum, shall have qualifications equivalent to or exceeding those of Accredited Record Technicians (ARTs) as awarded by the American Medical Record Association. The staff of a private review agent who are responsible for making utilization review decisions and who are required to be licensed to practice their health care profession shall be licensed by a jurisdiction of the United States.

B. The private review agent shall have available the services of a sufficient number of medical records technicians, licensed practical nurses, registered nurses, or other similarly qualified professionals, supported and supervised by appropriate licensed physicians, to carry out its utilization review activities. The staff shall include nonphysician providers, as appropriate, and physicians in appropriate specialty areas. The physician staff shall include physicians who are board certified or board eligible.

~~14 VAC 5-220-80~~ 12 VAC 5-405-80. Adverse decisions.

A. With the exception of adverse decisions made on the basis of retrospective review, prior to the issuance of an adverse decision, and if requested by the provider, the case in question must be reviewed either by a physician advisor or by a peer of the provider proposing the care. In addition, to the extent appropriate, the case in question must be reviewed in consultation with a physician advisor with experience in the same field of practice as the attending physician. The physician advisor or peer must be on the staff of the private review agent.

B. With the exception of retrospective reviews, the private review agent must make a reasonable attempt to communicate an initial adverse recommendation to the attending physician prior to the issuance of an adverse decision. With the exception of retrospective reviews, the private review agent must provide the attending physician a reasonable opportunity to consult with a physician advisor prior to the issuance of an adverse decision. Attending physicians and private review agents shall attempt to share the maximum information by telephone, facsimile machine, or otherwise prior to the issuance of an adverse decision.

C. Written notification of an adverse decision shall be given to the individual provider and provider organization and shall include the type of review performed, the reason for the adverse decision, the alternate length of treatment or the alternate treatment setting(s), if any, that the private review agent would approve or would have approved, and a description of the appeal process. Written notification of an adverse decision shall be given to the patient and shall include a description of the appeal process. The description of the appeal process shall include relevant information including, but not limited to, time limits, addresses, and telephone and facsimile numbers. The insurer who contracts with the private review agent for utilization review may fulfill the notification requirements for the private review agent.

Final Regulations

~~14 VAC 5-220-90~~ 12 VAC 5-405-90. Appeals of adverse decisions.

A. Private review agents shall include in their procedures, an appeal process that can be utilized when an adverse decision is made. In addition to any notice provided to the patient by a private review agent, providers also may notify the patient of any adverse decision and providers may file an appeal on behalf of the patient. A private review agent and/or insurer may set a reasonable period of time after notification of an adverse decision within which an appeal must be filed.

B. Any case under appeal shall be reviewed by a physician advisor or peer of the provider who proposes the care under review or who was primarily responsible for the care under review. Chiropractic appeals shall be reviewed by a chiropractor. With the exception of expedited appeals, physician advisors who review cases under appeal must be board certified or board eligible and must be specialized in a discipline pertinent to the issue under review. Those who review cases under appeal must not have participated in the adverse decision being appealed.

C. When an adverse decision is made during ongoing treatment and the attending physician believes that the determination warrants immediate appeal, the attending physician shall have an opportunity to appeal that determination by telephone on an expedited basis. Private review agents shall provide for reasonable access by providers to their physician advisor(s) for such appeals. Both providers and private review agents shall attempt to share the maximum information by telephone, facsimile machine, or otherwise to satisfactorily resolve the expedited appeal. Expedited appeals which cannot resolve a difference of opinion may be reconsidered in the standard appeals process unless the physician advisor reviewing the case under expedited appeal meets the requirements set out in subsection ~~4~~ B of this section for standard appeals, and all material information and documentation was reasonably available to the provider and to the private review agent at the time of the expedited appeal. The private review agent shall make decisions on expedited appeals within four business days of receiving all pertinent information.

D. The private review agent shall provide an opportunity during the appeal process for the provider to provide additional information and documentation. For appeals not subject to subsection C of this section, appeals will be made in writing or telephonically by the process established by the private review agent. Private review agents shall transmit their determination on the appeal as soon as practicable, but in no case more than 60 days after receiving the required documentation on an appeal. The required documentation may include, among other things, copies of part or all of the medical record and/or a written statement from the provider. The private review agent shall provide that such documentation be reviewed by a physician advisor or peer of the provider individual who proposes the care under review or who was primarily responsible for the care under review. In the case of chiropractic appeals, such documentation shall be reviewed by a chiropractor. A provider who has been unsuccessful in overturning an adverse decision has the right

to request of the private review agent the medical basis for that determination. The private review agent shall furnish the support for that determination within ~~thirty~~ 30 business days.

~~14 VAC 5-220-100~~ 12 VAC 5-405-100. Access to and confidentiality of medical records and information.

A. Private review agents who have been granted a certificate by the ~~Commission~~ department shall have reasonable access to patient-specific medical records and information.

B. The private review agent's procedures shall specify that specific information exchanged for the purpose of conducting review will be considered confidential, be used by the private review agent solely for the purposes of utilization review, and shared by the private review agent with only those parties who have authority to receive such information, such as the claim administrator. The private review agent's process shall specify that procedures are in place to assure confidentiality and that the private review agent agrees to abide by any federal and state laws governing the issue of confidentiality. Summary data which does not provide sufficient information to allow identification of individual patients or providers need not be considered confidential.

C. When consistent with ~~the above~~ subsection B of this section and federal and state statutes and regulations, patient-specific data gathered by the private review agent which raises questions of deficiencies in quality may be shared with the hospital's or other facility's Quality Assurance Committee. Prior to the sharing of such information, a private review agent may require the hospital or other facility to assure compliance with confidentiality requirements, to assure the appropriate review and follow-up within that hospital's or other facility's Quality Assurance Committee, and to indemnify the private review agent from inappropriate use of such information.

D. Chapter 6 (§ 38.2-600 et seq.) of Title 38.2 and § 32.1-127.1:03 of the Code of Virginia shall apply to private review agents. Prior to the release of patient-specific information to a private review agent, a patient shall provide written consent for the release of such information. If the patient will not authorize the release of information, or has refused to sign the release of information forms, the private review agent may then follow its own policy or that of the insurer regarding that refusal.

E. Medical records and patient-specific information shall be maintained by the private review agent in a secure area with access limited to essential personnel only.

F. Information generated and obtained by private review agents in the course of utilization review shall be retained for at least five years if the information relates to a case for which an adverse decision was made at any point or if the information relates to a case which may be reopened.

~~14 VAC 5-220-110~~ 12 VAC 5-405-110. Accessibility.

A. A private review agent shall provide free telephone access to patients and providers at least 40 hours per week during normal business hours. Private review agents must

have a mechanism for informing patients and providers of the eastern time zone hours during which those agents are accessible; such eastern time zone hours shall be no less than 40 hours per week during normal business hours.

B. It is the responsibility of the private review agent to install and maintain an adequate telephone system that accepts and records messages or accepts and provides recorded business hour information for incoming calls outside of normal business hours.

C. The ~~Commission~~ department may determine, upon written request, that other telephone systems are adequate in special circumstances.

~~14 VAC 5-220-120~~ **12 VAC 5-405-120. Examination of private review agents.**

A. The ~~Commission~~ department may conduct reviews of the operations of private review agents operating in this Commonwealth to determine if the private review agent is operating in compliance with this chapter and ~~Chapter 53 (§ 38.2-5300 et seq.) of Title 38.2~~ Article 2.1 (§ 32.1-138.6 et seq.) of Chapter 5 of Title 32.1 of the Code of Virginia. The reviews may include telephone audits to determine if the private review agents are accessible as required by this chapter.

B. The ~~Commission~~ department may investigate any complaint from a health care provider or patient regarding the compliance of a private review agent with the requirements of this chapter or ~~Chapter 53 of Title 38.2 §§ 38.2-5300 et seq.~~ Article 2.1 of Chapter 5 of Title 32.1 of the Code of Virginia.

C. The investigation of private review agents shall not include individual determinations of medical necessity or appropriate charges for covered services. If there is evidence which indicates an alleged pattern of misconduct with respect to utilization review performed by a private review agent, the ~~Commission~~ department may take such action it deems appropriate to correct such pattern of misconduct.

~~14 VAC 5-220-130. Severability.~~

~~If any provision of this chapter or the application thereof to any person or circumstances is for any reason held to be invalid, the remainder of this chapter and the application of such provision to other persons or circumstances shall not be affected thereby.~~

NOTICE: The forms used in administering 12 VAC 5-405-10 et seq., Rules Governing Private Review Agents, are not being published due to their length; however, the name of each form is listed below. The forms are available for public inspection at the Department of Health, Center for Quality Health Care Services, 3600 West Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

FORMS

Application for Certification as a Private Review Agent (eff. 7/99).

Renewal Application for Recertification as a Private Review Agent (eff. 7/99).

VA.R. Doc. No. R99-184; Filed June 2, 1999, 8:44 a.m.

* * * * *

Title of Regulation: **12 VAC 5-470-10 et seq. Registration of Cremators (REPEALED).**

Statutory Authority: Article 4 (§ 32.1-305 et seq.) of Chapter 8 of Title 32.1 of the Code of Virginia (Repealed).

Effective Date: July 21, 1999.

Summary:

Chapter 867 of the 1998 Acts of Assembly repealed Article 4 (§ 32.1-305 et seq.) of Chapter 8 of Title 32.1 of the Code of Virginia and transferred the registration of all crematories to the Board of Funeral Directors and Embalmers; therefore, the board is repealing this regulation.

Agency Contact: Douglas R. Harris, Advisor to the Commissioner, Department of Health, 1500 East Main Street, Richmond, VA 23219, telephone (804) 786-1124.

VA.R. Doc. No. R99-183; Filed June 2, 1999, 8:42 a.m.

* * * * *

Title of Regulation: **12 VAC 5-600-10 et seq. Waterworks Operation Fee (amending 12 VAC 5-600-50 and 12 VAC 5-600-60).**

Statutory Authority: §§ 32.1-12, 32.1-170 and 32.1-171.1 of the Code of Virginia.

Effective Date: July 21, 1999.

Summary:

These amendments change the existing annual waterworks operation fee schedule from set fees to capped fees so owners of waterworks can be charged amounts lower than presently allowed in the regulation. The present regulation requires a community waterworks owner to pay exactly \$2.05 per customer account per year and a nontransient noncommunity waterworks owner to pay exactly \$90 yearly. Pursuant to this amendment, owners will pay no more than these stated fees; thus, a waterworks operator may charge less than the stated fees. The fee schedule remains based on the number of persons served, number of connections or the classification of the waterworks.

The revenue generated by these amendments will supplement funding to implement the 1986 amendments to the federal Safe Drinking Water Act (SWDA) and will

Final Regulations

be deposited into the Waterworks Technical Assistance Fund established in the state treasury by § 32.1-171 1 B of the Code of Virginia.

Summary of Public Comments and Agency's Response: No comments were received by the promulgating agency.

Agency Contact: Copies of the regulation may be obtained from Thomas B. Gray, P.E., Department of Health, 1500 East Main Street, Room 109, Richmond, VA 23219, telephone (804) 786-1087.

12 VAC 5-600-50. Community waterworks.

A. An annual waterworks operation fee, not to exceed \$160,000, shall be charged as of July 1 of each fiscal year to the owner of each community waterworks in an amount as follows:

For each fiscal year (~~starting July 1, 1993~~): the number of customer accounts multiplied by *no more than* \$2.05.

B. The fee shall be paid to the department and be due as follows:

1. If the fee established in subsection A of this section is \$400 or less, the fee shall be due in a lump sum on August 1;
2. If the fee established in subsection A of this section is more than \$400, the fee shall be due in a lump sum or equal quarterly installments each year as follows:
 - a. August 1 - The lump sum or first quarterly installment.
 - b. November 1 - The second quarterly installment.
 - c. February 1 - The third quarterly installment.
 - d. May 1 - The fourth quarterly installment.

C. Data verification. The number of customer accounts will be based on the best available data for a maximum period of six months prior to the close of business on June 30 each year as provided by the waterworks' owner or chief administrative officer to the department. This verification shall be provided to the department by the owner of each community waterworks at the address specified in 12 VAC 5-600-100 and is due by August 1 of each year with the appropriate payment.

12 VAC 5-600-60. Nontransient noncommunity (NTNC) waterworks.

A. An annual waterworks operation fee shall be charged as of July 1 of each fiscal year to the owner of each NTNC waterworks as follows:

For each fiscal year (~~starting July 1, 1993~~): an amount of *no more than* \$90 per NTNC waterworks.

B. The fee shall be due to the department every November 1.

<p>NOTICE: The forms used in administering 12 VAC 5-600-10 et seq., Waterworks Operation Fee, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.</p>

FORMS

Bill/Invoice for Payment of the Waterworks Operation Fee (*if more than \$400*), [~~1997~~ (rev. 1998)].

Bill/Invoice for Payment of the Waterworks Operation Fee (*if \$400 or less*), [~~1997~~ (rev. 1998)].

1998 INVOICE



Date:

1500 East Main Street, Room 109, Richmond, VA 23219
 Phone: (804) 786-5566 Fax: (804) 786-5567

WATERWORKS OPERATION FEE

Bill To:

Remit To: Water Supply Engineering
 Virginia Department Of Health
 1500 E. Main Street, Room 109
 Richmond, Virginia 23219-3635

Federal Identification Number: 546001775

Check Payable to: VDH - Waterworks Technical assistance Fund

Return this invoice/data verification notice with your payment in the enclosed envelope. For any questions call Thomas Gray or Theresa Hewlett at 804 - 786 - 1087. State Agencies paying by IAT MUST return both the IAT and this invoice. For IATs -Waterworks Technical Assistance Fund - funding code is 136- 601- 02 48- 02702- 103 A. Please put Invoice Number/IAT on your check. The annual charge below contains a credit to REDUCE the (1) \$90 flat fee to \$70 for Non-Transient (PWS type P) which is due NOVEMBER 1 and (2) \$2.05 per connection to \$1.60 for Community waterworks (PWS type C) which is due AUGUST 1.

Bill ID	Owner ID	Due Date	Billing Period
		8/1/98	July 1, 1998-June 30, 1999

Make corrections in the shaded areas provided and pay the corrected amount.

PWS ID	PWS Name	PWS Type	Connections	Extended Price

Subtotal: _____

Other: _____

Total: _____

The information on this invoice is true, accurate, and correct to the best of my knowledge, and I will clarify or supplement information pertaining to this invoice upon request. Any corrections are made in the shaded areas provided.

Chief Administrative Officer, Owner, or Responsible Owner Representative: _____ Phone: _____

Title: _____ Signature: _____

Date: _____ Name: _____

Owner's Federal Identification Number/ VA Drivers License Number/ Social Security Number: _____

1998 INVOICE



Date:

1500 East Main Street, Room 109, Richmond, VA 23219
 Phone: (804) 786-5566 Fax: (804) 786-5567

WATERWORKS OPERATION FEE

Bill To:

Remit To: Water Supply Engineering
 Virginia Department Of Health
 1500 E. Main Street, Room 109
 Richmond, Virginia 23219-3635

Federal Identification Number: 546001775

Check Payable to: VDH - Waterworks Technical assistance Fund

Return this invoice/data verification notice with your payment in the enclosed envelope. For any questions call Thomas Gray or Theresa Hewlett at 804 - 786 - 1087. State Agencies paying by IAT MUST return both the IAT and this invoice. For IATs -Waterworks Technical Assistance Fund - funding code is 136- 601- 02 48- 02702- 103 A. Please put Invoice Number/IAT on your check. The annual charge below contains a credit to REDUCE the (1) \$90 flat fee to \$70 for Non-Transient (PWS type P) which is due NOVEMBER 1 and (2) \$2.05 per connection to \$1.60 for Community waterworks (PWS type C) which is due AUGUST 1.

If your invoice is more than \$400.00, you have the option to pay in a lump sum or four equal quarterly payments as shown below. Please retain a copy of this invoice and return a copy with each payment to ensure that your account is properly credited.

- 08-01 Lump Sum or First Installment
- 02-01 Third Installment
- 11-01 Second Installment
- 05-01 Fourth Installment

Bill ID	Owner ID	Due Date	Billing Period
		8/1/98	July 1, 1998-June 30, 1999

Make corrections in the shaded areas provided and pay the corrected amount.

PWS ID	PWS Name	PWS Type	Connections	Extended Price

Subtotal: _____

Other: No fees are to exceed \$160,000

Total: _____

The information on this invoice is true, accurate, and correct to the best of my knowledge, and I will clarify or supplement information pertaining to this invoice upon request. Any corrections are made in the shaded areas provided.

Chief Administrative Officer, Owner, or Responsible Owner Representative: Phone: _____

Title: _____ Signature: _____

Date: _____ Name: _____

Owner's Federal Identification Number/ VA Drivers License Number/ Social Security Number: _____

GENERAL NOTICES/ERRATA

STATE CORPORATION COMMISSION

Bureau of Financial Institutions

Administrative Ruling 0401 - Investment of Funds by Credit Unions

Section 6.1-225.57 of the Code of Virginia lists the investments that are authorized by law for credit unions chartered under the Virginia Credit Union Act, Chapter 4.01, Title 6.1 of the Code of Virginia.¹

1. INVESTMENT IN GOVERNMENT-ISSUED SECURITIES

Subsections 6 and 7 of § 6.1-225.57 authorize investment in certain government-issued securities, i.e., (1) obligations of, and securities fully guaranteed by, the United States, and (2) obligations of Virginia and its political subdivisions.

The Bureau will treat this authority as equivalent to that given to Virginia State banks and savings institutions. (For a description see § 6.1-61 A (5), § 6.1-194.69, Subsection 5, and § 6.1-194.136, Subsection 3, which apply to state banks, savings and loan associations and savings banks, respectively.)

2. OTHER INVESTMENTS - REGISTERED INVESTMENT COMPANIES, COLLECTIVE INVESTMENT FUNDS and COMMON TRUST FUNDS

In addition to the investments authorized by Subsections 1 through 7 and 9 through 12 of § 6.1-225.57 of the Code, credit unions may invest in a registered investment company, collective investment company, or common trust fund (as defined below), provided the registered investment company, collective investment fund or common trust fund itself is restricted to investments and investment transactions that are permissible for state credit unions.²

A registered investment company is an investment company that is registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a). Examples of registered investment companies are mutual funds and unit investment trusts.

A collective investment fund is a fund maintained by a national bank under 12 CFR Part 9.18. A common trust fund

¹ This investment authority is apart from, and in addition to, the authority to make loans (as given in Article 10, §§ 6.1-225.51 through 6.1-225.56, of the Act).

² Subsection 8 of § 6.1-225.57 authorizes investment in "such stock, securities, obligations, or other investments as may be approved from time to time by the [State Corporation] Commission;" The Commission has delegated to the Commissioner of Financial Institutions the authority to approve other investments for credit unions. See 10 VAC 5-10-10, Paragraph No. 20.

is a fund maintained by a state bank under § 6.1-30.1, et seq., of the Code of Virginia.

3. GENERAL STATEMENT - INVESTMENT POLICIES AND PROCEDURES

A credit union will be required to carry out the investing of credit union funds in accordance with policies and procedures approved by the board of directors of the credit union. Such policies and procedures - as well as the investments and transactions themselves - are subject to review on examination by the Bureau. Inadequate policies and procedures, transaction errors and improper investments may result in examiner criticism, an investment's being classified substandard, doubtful or loss, and in other supervisory action.

Reissued by the Commissioner of Financial Institutions May 17, 1999. Replaces prior rulings dated December 15, 1990, and January 4, 1988 (Circular 1-88).

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Notice of Intent to Amend the Virginia State Plan for Medical Assistance Nursing Home Payment System (Pursuant to 42 CFR 447.205)

The Virginia Department of Medical Assistance Services (DMAS) hereby affords the public advance notice of its intention to amend the Virginia State Plan for Medical Assistance Nursing Home Payment System to provide a rate increase for nursing facilities to be used to increase nursing salaries, especially those of certified nurse aides.

The department is seeking the Governor's approval of an emergency regulation pursuant to § 9-7.14:4.1 C 5 of the Code of Virginia.

DMAS proposes to provide to nursing facilities a rate increase to be used to increase nursing salaries, especially certified nurse aides. This rate increase is to be based upon nursing facilities' nursing salary costs as reported in a special survey. The 1999 Session of the General Assembly appropriated slightly more than \$21 million to be paid to the approximately 270 nursing facilities for such salary increases. The General Assembly directed DMAS to pay out these additional funds in response to nursing home industry requests.

These proposed changes are available from and written comments may be directed to Stan Fields, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

General Notices/Errata

DEPARTMENT OF REHABILITATIVE SERVICES

Mailing List Update

Any individuals, groups, and organizations who are interested in (i) advising the department in developing or amending existing regulations or (ii) receiving notice of the department's public meetings to solicit comments regarding the department's state regulations or State Plans for Vocational Rehabilitation and Supported Employment Services should contact the department to be added to the mailing list. Please include your name (and organization's name and your title, if applicable), and mailing address. The deadline is August 1, 1999. Respond to Gloria O'Neal, Department of Rehabilitative Services, P.O. Box K300, Richmond, VA 23288-0300, telephone (804) 662-7611 or 1-800-552-5019 (Voice or TTY), FAX (804) 662-7696, or e-mail OnealGB@DRS.state.va.us.

STATE WATER CONTROL BOARD

Proposed Consent Special Order Sussex Service Authority

The State Water Control Board proposes to issue a Consent Special Order to the Sussex Service Authority regarding the Wakefield Sewage Treatment Plant (STP) and Waverly Waste Water Treatment Plant (WWTP). The proposed order incorporates the approved plan and schedule submitted by Sussex Service Authority. The plan and schedule include installation of a new pump station in Wakefield, installation of a force main connecting Wakefield to Waverly WWTP, closing Wakefield STP and upgrading the Waverly WWTP.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive written comments relating to the proposed Consent Special Order until July 21, 1999. Comments should be addressed to Christine Ryan, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia 23060. A copy of the order may be obtained in person or by mail from the above office.

VIRGINIA CODE COMMISSION

Notice to State Agencies

Mailing Address: 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 for Publication in *The Virginia Register of Regulations*

All agencies are required to use the appropriate forms when furnishing material for publication in *The Virginia Register of Regulations*. The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

Internet: Forms and other *Virginia Register* resources may be printed or downloaded from the *Virginia Register* web page:

<http://legis.state.va.us/codecomm/register/regindex.htm>

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

☎ Teletype (TTY)/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) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY☎, or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."

VIRGINIA CODE COMMISSION

EXECUTIVE

BOARD OF ACCOUNTANCY

June 28, 1999 - 10 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia.♿

A meeting for regulation review to implement Senate Bill 926.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8505, FAX (804) 367-2475 or (804) 367-9753/TTY☎

July 19, 1999 - 10 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia.♿

The board will conduct routine business. A public comment period will be held at the beginning of the meeting.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8505, FAX (804) 367-2475 or (804) 367-9753/TTY☎

BOARD OF AGRICULTURE AND CONSUMER SERVICES

† **July 27, 1999 - 9 a.m.** -- Open Meeting

Four Points Hotels Sheraton, 1400 East Market Street, Madison/Jefferson Room, Harrisonburg, Virginia.♿

A regular meeting to discuss Virginia agriculture and consumer protection. 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 accommodation in order to participate at the meeting should contact Roy E. 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, Washington Bldg., 1100 Bank St., Room 211, P.O. Box 1163, Richmond, VA 23218, telephone (804) 786-3535 or FAX (804) 371-2945.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Virginia Charity Food Assistance Advisory Board

June 24, 1999 - 10 a.m. -- Open Meeting


Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia.♿

A meeting to consider potential content of a recommendation to be made to the Commissioner of Agriculture and Consumer Services concerning a charity food tax deduction program and a charity food purchase program. 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 accommodation in order to participate in the meeting should contact Steven W. Thomas at least five days before the meeting date so that suitable arrangements can be made.

Contact: Steven W. Thomas, Executive Director, Virginia Charity Food Assistance Advisory Board, Department of Agriculture and Consumer Services, 1100 Bank St., Room 809, Richmond, VA 23219, telephone (804) 786-3936 or FAX (804) 371-7788.

Calendar of Events


Pesticide Control Board

† **July 15, 1999 - 9 a.m.** -- Open Meeting
Department of Agriculture and Consumer Services,
Washington Building, 1100 Bank Street, Board Room, 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 matter not on the board's 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 seven 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 23218, telephone (804) 371-6558 or toll-free 1-800-552-9963.


Virginia Pork Industry Board

July 9, 1999 - 3:30 p.m. -- Open Meeting
Airport Marriott Hotel, 2801 Hershberger Road, Roanoke,
Virginia. 

A meeting to review past minutes, conduct general business, elect new officers, approve projects, and formulate the annual budget. 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 John H. Parker at least five days before the meeting date so that suitable arrangements can be made.

Contact: John H. Parker, Executive Director, Virginia Pork Industry Board, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Suite 1012, Richmond, VA 23219, telephone (804) 786-7092 or FAX (804) 371-7786.

Virginia Small Grains Board


July 29, 1999 - 8 a.m. -- Open Meeting
Richmond Airport Hilton, 5501 Eubank Road, Sandston,
Virginia. 

A meeting to review FY 1998-99 projects reports and receive 1999-2000 project proposals. Minutes from the last board meeting and a current financial statement will be heard and approved. Additionally, action will be taken on any other new business that comes before the board. 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 accommodation in order to participate at the meeting should contact Philip T. Hickman at least five days

before the meeting date so that suitable arrangements can be made.

Contact: Philip T. Hickman, Program Director, Virginia Small Grains Board, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Room 1005, Richmond, VA 23219, telephone (804) 371-6157 or FAX (804) 371-7786.

Virginia Winegrowers Advisory Board

July 21, 1999 - 10 a.m. -- Open Meeting
State Capitol, Capitol Square, House Room 1, Richmond,
Virginia. 

A meeting to conduct regular business, including hearing and potential approval of minutes from the prior meeting, committee reports, treasurer's report, and a report from the ABC Board. 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 Mary E. Davis-Barton at least five days before the meeting date so that suitable arrangements can be made.

Contact: Mary E. Davis-Barton, Secretary, Virginia Winegrowers Advisory Board, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Room 1010, Richmond, VA 23219, telephone (804) 371-7685 or FAX (804) 786-3122.

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

† **July 22, 1999 - 10 a.m.** -- Public Hearing
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4th Floor, Richmond, Virginia.

August 23, 1999 - 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 for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects intends to amend regulations entitled: **18 VAC 10-20-10 et seq. Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Rules and Regulations.** The proposed changes are intended to make the regulations clearer and easier to understand and utilize by the regulants of the board. Almost all of the proposed changes are clarifying and less restrictive in nature.

Statutory Authority: §§ 54.1-404 and 54.1-411 C of the Code of Virginia.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad

St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

ART AND ARCHITECTURAL REVIEW BOARD

† **July 9, 1999 - 10 a.m.** -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review projects submitted by state agencies.

Contact: Richard L. Ford, AIA, Chairman, Art and Architectural Review Board, 1011 E. Main St., Richmond, VA 23219, telephone (804) 643-1977, FAX (804) 643-1981 or (804) 786-6152/TTY ☎

VIRGINIA BOARD FOR ASBESTOS AND LEAD

August 17, 1999 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia. ♿

A meeting to conduct routine business. Public comment will be received at the beginning of the meeting.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2176, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

ASSISTIVE TECHNOLOGY LOAN FUND AUTHORITY

June 24, 1999 - 10 a.m. -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular business meeting and public comment session of the Board of Directors. The board will meet in executive session to review loan applications.

Contact: Gail Stubbs, Program Technician, Assistive Technology Loan Fund Authority, 8004 Franklin Farms Dr., Richmond, VA 23288, telephone (804) 662-7331, FAX (804) 662-9533 or (804) 662-7331/TTY ☎

BOARD FOR BARBERS

June 21, 1999 - 7:30 p.m. -- Open Meeting
Old Dominion University, 49th and Elkhorn Avenue, Chandler Recital Hall, Diehn Building, Norfolk, Virginia. ♿ (Interpreter for the deaf provided upon request)

June 28, 1999 - 2 p.m. -- Open Meeting
Department of Environmental Quality, 3019 Peters Creek Road, Room 600, Roanoke, Virginia. ♿ (Interpreter for the deaf provided upon request)

An informational proceeding to receive comments from the public on the current regulation of barbering as defined in § 54.1-700 of the Code of Virginia. Specifically, the board is studying whether an individual who cuts hair and does not perform other barbering tasks should be subregulated under barbering. The board will accept written comments until 5 p.m. on Friday, July 2, 1999. The board will review all public comments at their meeting on Monday, July 26, 1999.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., 4th Floor, Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY ☎

† **July 26, 1999 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review, comments from informational proceedings, and other matters requiring board action, including disciplinary cases. All meetings are subject to cancellation and the meeting time is subject to change. Contact the board at least three days prior to the meeting for possible changes. 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 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: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., 4th Floor, Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY ☎

CEMETERY BOARD

June 23, 1999 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Legislative Committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Karen O'Neal at least two weeks prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Calendar of Events

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8552, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

July 14, 1999 - 8:30 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 of the Delivery Committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Karen O'Neal at least two weeks prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8552, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

July 14, 1999 - 9:30 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 of the board. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Karen O'Neal at least two weeks prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8552, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

June 21, 1999 - 10 a.m. -- Open Meeting
Theater Row Building, 730 East Broad Street, Conference Room 3, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A general business meeting to review local Chesapeake Bay Preservation Area programs, review board-sponsored activities and hear any new business.

Contact: Carolyn J. Elliott, Executive Secretary, Chesapeake Bay Local Assistance Department, 805 E. Broad St., Suite 701, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447 or toll-free (800) 243-7229/TTY ☎

† **July 27, 1999 - 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 of the Southern Area Review Committee to review Chesapeake Bay Preservation Area programs for the southern area. Persons interested in observing should call the department to verify meeting time, location and schedule. No public comments will be heard at the meeting; however, written comments are welcome.

Contact: Carolyn J. Elliott, Executive Secretary, Chesapeake Bay Local Assistance Department, 805 E. Broad St., Suite 701, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447 or toll-free (800) 243-7229/TTY ☎

STATE BOARD FOR COMMUNITY COLLEGES

† **July 21, 1999 - 2:30 p.m.** -- Open Meeting
Virginia Community College System, James Monroe Building, 101 North 14th Street, 15th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Meetings of the Academic and Student Affairs Committee, the Budget and Finance Committee, and the Audit Committee.

Contact: Dr. Joy S. Graham, Assistant Chancellor for Public Affairs, Virginia Community College System, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, or (804) 371-8504/TTY ☎

† **July 21, 1999 - 3:30 p.m.** -- Open Meeting
Virginia Community College System, James Monroe Building, 101 North 14th Street, 15th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Meetings of the Facilities Committee and the Personnel Committee.


Contact: Dr. Joy S. Graham, Assistant Chancellor for Public Affairs, Virginia Community College System, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, or (804) 371-8504/TTY ☎

† **July 22, 1999 - 9 a.m.** -- Open Meeting
Virginia Community College System, James Monroe Building, 101 North 14th Street, Godwin-Hamel Board Room, 15th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)


A regular meeting of the board.

Contact: Dr. Joy S. Graham, Assistant Chancellor for Public Affairs, Virginia Community College System, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, or (804) 371-8504/TTY ☎


COMPENSATION BOARD

June 24, 1999 - 11 a.m. -- Open Meeting
Ninth Street Office Building, 202 North 9th Street, 10th Floor,
Richmond, Virginia.  (Interpreter for the deaf provided upon
request)

Monthly board meeting.

Contact: Cindy Waddell, Administrative Assistant,
Compensation Board, P.O. Box 710, Richmond, VA 23218,
telephone (804) 786-0786, FAX (804) 371-0235 or (804)
786-0786/TTY 

COMMONWEALTH COMPETITION COUNCIL

June 23, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate
Room A, Richmond, Virginia.  (Interpreter for the deaf
provided upon request)

A meeting to elect a chairman and vice chairman.

Contact: Peggy R. Robertson, Executive Assistant,
Commonwealth Competition Council, James Madison Bldg.,
109 Governor St., P.O. Box 1475, Richmond, VA 23218-
1475, telephone (804) 786-0240 or FAX (804) 786-1594.

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND THEIR FAMILIES


State Executive Council

June 25, 1999 - 9 a.m. -- Open Meeting
† **July 30, 1999 - 9 a.m.** -- Open Meeting
† **August 27, 1999 - 9 a.m.** -- Open Meeting
Theater Row Building, 730 East Broad Street, Lower Level,
Training Room, Richmond, Virginia.


A regular meeting. The council provides for interagency
programmatic and fiscal policies, oversees the
administration of funds appropriated under the
Comprehensive Services Act, and advises the Governor.

Contact: Alan G. Saunders, Director, State Executive
Council, 1604 Santa Rosa Road, Suite 137, Richmond, VA
23229, telephone (804) 662-9815 or FAX (804) 662-9831.


DEPARTMENT OF CONSERVATION AND RECREATION

† **July 20, 1999 - 8:30 a.m.** -- Open Meeting
State Capitol, Capitol Square, House Room 1, Richmond,
Virginia.  (Interpreter for the deaf provided upon request)

A general business meeting of the Virginia Land
Conservation Foundation. Public comment will be
received at the conclusion of regular board business.

Contact: Leon E. App, Acting Deputy Director, Department
of Conservation and Recreation, 203 Governor St., Suite
302, Richmond, VA 23219, telephone (804) 786-6124, FAX
(804) 786-6141 or (804) 786-2121/TTY 


Chippokes Plantation Farm Foundation

June 28, 1999 - 9:30 a.m. -- Open Meeting
Chippokes Plantation State Park, Mansion, 695 Chippokes
Park Road, Conference Room, Surry, Virginia. 


A general business meeting.

Contact: Katherine R. Wright, Executive Secretary,
Department of Conservation and Recreation, 203 Governor
St., Suite 326, Richmond, VA 23219, telephone (804) 786-
7950 or FAX (804) 371-8500.


Falls of the James Scenic River Advisory Board

July 1, 1999 - Noon -- Open Meeting
City Hall, 900 East Broad Street, Planning Commission
Conference Room, 5th Floor, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A meeting to discuss river issues. A public comment
period will follow the business meeting.

Contact: Richard G. Gibbons, Environmental Program
Manager, Department of Conservation and Recreation,
Division of Planning and Recreation Resources, 203
Governor St., Suite 326, Richmond, VA 23219, telephone
(804) 786-4132, FAX (804) 371-7899 or (804) 786-2121/TTY


BOARD FOR COSMETOLOGY


† **July 26, 1999 - 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, comments from
informational proceedings, and other matters requiring
board action, including disciplinary cases. All meetings
are subject to cancellation and the time of the meeting is
subject to change. Please call the board for possible
changes. 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 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: Nancy Taylor Feldman, Assistant Director,
Department of Professional and Occupational Regulation,
3600 W. Broad St., Richmond, VA 23230-4917, telephone
(804) 367-8590.

Calendar of Events


VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP

June 22, 1999 - 2 p.m. -- Open Meeting
Virginia Economic Development Partnership, Riverfront Plaza, 901 East Byrd Street, West Tower, 19th Floor, Board Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss issues pertaining to the Virginia Economic Development Partnership.

Contact: Kimberly M. Ellett, Administrative Assistant, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218-0798, telephone (804) 371-8108 or FAX (804) 371-8112.


BOARD OF EDUCATION

† July 22, 1999 - 9 a.m. -- Open Meeting
University of Richmond, Jepson School of Leadership, 28 Westhampton Way, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Board of Education and the Board of Vocational Education will hold its regularly scheduled meeting. Business will be conducted according to items on the agenda. The agenda is available upon request.

Contact: Dr. Margaret Roberts, Executive Assistant for Board Relations, Department of Education, Monroe Bldg., 101 N. 14th St., P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-2524 or toll-free 1-800-292-3820.

LOCAL EMERGENCY PLANNING COMMITTEE - PRINCE WILLIAM COUNTY, MANASSAS CITY AND MANASSAS PARK

† June 21, 1999 - 1:30 p.m. -- Open Meeting
1 County Complex Court, Occoquan Conference Room, Prince William, Virginia. 

A multi-jurisdictional meeting to discuss issues related to hazardous substances in the jurisdictions and to discuss SARA Title III provisions and responsibilities for hazardous material emergency response planning.

Contact: John E. Medici, Hazardous Materials Officer, 9250 Lee Ave., Manassas, VA 20110, telephone (703) 792-7405 or FAX (703) 792-6492.

DEPARTMENT OF ENVIRONMENTAL QUALITY

June 22, 1999 - 7 p.m. -- Public Hearing
Wythe County Office Building, 275 South 4th Street, Room 107, Wytheville, Virginia.

A public hearing to receive comments on a permit amendment to establish ground water protection

standards for the Wythe County Landfill, Permit No. 105.

Contact: Larry Syverson, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4271.

† June 29, 1999 - 6:30 p.m. -- Public Hearing
Smyth Bland Regional Library, Marion, Virginia.

A public hearing to receive comments on an air permit application from Marion Composites.

Contact: Cliff Musick, Department of Environmental Quality, Southwest Regional Office, 355 Deadmore St., Abingdon, VA 24212, telephone (540) 676-4833.

† June 29, 1999 - 7 p.m. -- Public Hearing
Accomack County Administrative Building, 23296 Courthouse Avenue, Supervisor Chambers, Accomac, Virginia.


A public hearing to receive comments on an application from Dynachem Technologies, Inc., to construct and operate a distillation system for solvent purification and reclamation in New Church, Virginia.

Contact: Jane Workman, Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Blvd., Virginia Beach, VA 23462, telephone (757) 518-2000.

June 30, 1999 - 9:30 a.m. -- Open Meeting
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia.

A meeting of the Citizens Wetlands Advisory Committee to develop a wetlands strategy for the Commonwealth which addresses the administration's commitment to a net gain in wetland acreage. A public comment period is scheduled prior to adjournment.


Contact: William K. Norris, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4022.

July 20, 1999 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. 

A meeting of the Virginia Ground Water Protection Steering Committee to discuss ground water protections issues. Meeting minutes and agenda are available from Mary Ann Massie by request.

Contact: Mary Ann Massie, Environmental Program Planner, Department of Environmental Quality, P. O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4042 or FAX (804) 698-4032.


BOARD OF FORESTRY

† June 24, 1999 - 10 a.m. -- Open Meeting
Department of Forestry, Fontaine Research Park, 900 Natural Resources Drive, Board Room, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A general business meeting.


Contact: Donna S. Hoy, Administrative Staff Specialist, Department of Forestry, P.O. Box 3758, Charlottesville, VA 22903, telephone (804) 977-6555 or FAX (804) 296-2369.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

June 22, 1999 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Room 2, Richmond, Virginia. 


A public hearing on future legislation.

Contact: Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or FAX (804) 662-9523.

June 23, 1999 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Rooms 2 and 3, Richmond, Virginia. 

A meeting to conduct formal hearings. Public comment will not be received.

Contact: Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or FAX (804) 662-9523.

June 30, 1999 - 1 p.m. -- Open Meeting
Pavilion Conference Center, 1000 19th Street, Virginia Beach, Virginia. 

A general business meeting. There will be a 15-minute public comment period at the beginning of the meeting.

Contact: Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or FAX (804) 662-9523.

DEPARTMENT OF GENERAL SERVICES


Design-Build/Construction Management Review Board

† **June 28, 1999 - 11 a.m.** -- Open Meeting
Department of General Services, 8th Street Office Building, 805 East Broad Street, Room 116, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)


A meeting to review requests submitted by localities for the use of the design-build or construction management type of contract and to continue development of the report to the Governor, due by December 1, 1999. Please contact Sandra H. Williams at the Division of Engineering and Buildings to confirm meeting location.

Contact: Sandra H. Williams, Administrative Assistant, Department of General Services, Division of Engineering and Buildings, 805 E. Broad St., Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934 or (804) 786-6152/TTY 


BOARD FOR HEARING AID SPECIALISTS

June 21, 1999 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 4W, Richmond, Virginia. 

A meeting to administer the hearing aid specialist practical examination and train examiners to assist in the administration of the next scheduled exam.

Contact: Sharon W. Sweet, Examination Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8572 or (804) 367-9753/TTY 


STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

June 21, 1999 - Noon -- Open Meeting
June 22, 1999 - 8:30 a.m. -- Open Meeting
Natural Bridge, Virginia. 

A system-wide retreat and council meeting.

Contact: Pamela H. Landrum, Administrative Staff Assistant, State Council of Higher Education, James Monroe Bldg., 101 N. 14th St., 9th Floor, Richmond, VA 23219, telephone (804) 225-2602, FAX (804) 371-7911 or (804) 371-8017.

HOPEWELL INDUSTRIAL SAFETY COUNCIL


July 6, 1999 - 9 a.m. -- Open Meeting
August 3, 1999 - 9 a.m. -- Open Meeting
September 7, 1999 - 9 a.m. -- Open Meeting
Hopewell Community Center, 100 West 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.

Calendar of Events


STATEWIDE INDEPENDENT LIVING COUNCIL

July 1, 1999 - 10 a.m. -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting.

Contact: Jim Rothrock, Statewide Independent Living Council Staff, 1802 Marriott Rd., Richmond, VA 23229, telephone (804) 673-0119 or FAX (804) 282-7118.

STATE LAND EVALUATION ADVISORY COUNCIL

August 17, 1999 - 10 a.m. -- Open Meeting
Department of Taxation, 2220 West Broad Street, Richmond, Virginia. 

A meeting to adopt suggested ranges of values for agricultural, horticultural, forest and open-space land use and the use-value assessment program.


Contact: H. Keith Mawyer, Property Tax Manager, Department of Taxation, Office of Customer Services, Property Tax Unit, 2220 W. Broad St., Richmond, VA 23220, telephone (804) 367-8020.

COMMISSION ON LOCAL GOVERNMENT

July 6, 1999 - 10:30 a.m. -- Canceled


July 7, 1999 - 9 a.m. -- Canceled
South Hill area.


The oral presentations regarding the Town of South Hill - Mecklenburg County annexation action have been canceled.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, Pocahontas Bldg., 900 East Main Street, Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999 or toll-free 1-800-828-1120/TTY 


July 6, 1999 - 7 p.m. -- Canceled
South Hill area.

The public hearing regarding the Town of South Hill - Mecklenburg County annexation action has been canceled.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, Pocahontas Bldg., 900 East Main Street, Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999 or toll-free 1-800-828-1120/TTY 


† July 7, 1999 - 10:30 a.m. -- Open Meeting
Town of Rocky Mount Council Chambers, 345 Donald Avenue, Rocky Mount, Virginia.  (Interpreter for the deaf provided upon request)

Oral presentations by representatives of the Town of Rocky Mount and Franklin County regarding the Voluntary Settlement Agreement. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the commission.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, Eighth Street Office Bldg., 805 E. Broad St., Room 702, Richmond, VA 23219-1924, telephone (804) 786-6508, FAX (804) 371-7999 or toll-free 1-800-828-1120/TTY 

† July 7, 1999 - 7 p.m. -- Public Hearing
Town of Rocky Mount Council Chambers, 345 Donald Avenue, Rocky Mount, Virginia.  (Interpreter for the deaf provided upon request)


A public hearing regarding the Town of Rocky Mount - Franklin County Voluntary Settlement Agreement. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the commission.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, Eighth Street Office Bldg., 805 E. Broad St., Room 702, Richmond, VA 23219-1924, telephone (804) 786-6508, FAX (804) 371-7999 or toll-free 1-800-828-1120/TTY 

† July 21, 1999 - 10:30 a.m. -- Open Meeting


† July 22, 1999 - 9 a.m. -- Open Meeting
Prices Fork area; site to be determined.

Oral presentations regarding the proposed incorporation of the Prices Fork community as a town in Montgomery County. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the commission.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, Eighth Street Office Bldg., 805 E. Broad St., Room 702, Richmond, VA 23219-1924, telephone (804) 786-6508, FAX (804) 371-7999 or toll-free 1-800-828-1120/TTY 

† July 21, 1999 - 7 p.m. -- Public Hearing
Prices Fork area; site to be determined.

A public hearing regarding the proposed incorporation of the Prices Fork community as a town in Montgomery County. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the commission.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, Eighth Street Office Bldg., 805 E. Broad St., Room 702, Richmond, VA 23219-1924, telephone (804) 786-6508, FAX (804) 371-7999 or toll-free 1-800-828-1120/TTY 

LONGWOOD COLLEGE

† **June 28, 1999 - Noon** -- Open Meeting
Commonwealth Club, 401 West Franklin Street, Virginia
Room, Richmond, Virginia. ♿

A meeting of the Executive Committee of the Board of
Visitors to conduct routine business.

Contact: Patricia P. Cormier, President, Longwood College,
201 High St., Farmville, VA 23909, telephone (804) 395-
2004 or FAX (804) 395-2821.

VIRGINIA MANUFACTURED HOUSING BOARD

June 24, 1999 - 10 a.m. -- Open Meeting
Department of Housing and Community Development, 501
North 2nd Street, The Jackson Center, 2nd Floor, Richmond,
Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular monthly meeting.

Contact: Curtis L. McIver, Associate Director, Department
of Housing and Community Development, Manufactured
Housing Office, The Jackson Center, 501 N. 2nd St.,
Richmond, VA 23219, telephone (804) 371-7160 or (804)
371-7089/TTY ☎

MARINE RESOURCES COMMISSION

June 22, 1999 - 9:30 a.m. -- Open Meeting
† **July 27, 1999 - 9:30 a.m.** -- Open Meeting
† **August 24, 1999 - 9:30 a.m.** -- Open Meeting
† **September 28, 1999 - 9:30 a.m.** -- Open Meeting
Marine Resources Commission, 2600 Washington Avenue,
Room 403, Newport News, Virginia. ♿ (Interpreter for the
deaf provided upon request)

The commission will hear and decide the following
marine environmental matters beginning 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; and policy and
regulatory issues. The commission will hear and decide
the following fishery management items beginning at
approximately noon: regulatory proposals; fishery
management plans; fishery conservation issues;
licensing; and 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.

Contact: LaVerne Lewis, Secretary to the Commission,
Marine Resources Commission, P.O. Box 756, Newport
News, VA 23607-0756, telephone (757) 247-2261, toll-free 1-
800-541-4646 or (757) 247-2292/TTY ☎

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

† **June 24, 1999 - 10 a.m.** -- Open Meeting
Department of Medical Assistance Services, 600 East Broad
Street, 13th Floor, Board Room, Richmond, Virginia. ♿

A meeting of the Technical Advisory Panel of the
Indigent Health Care Trust Fund to review (i) annual
trust fund results, (ii) revisions to the trust fund guide,
(iii) status of the Health Insurance Demonstration
Project and (iv) the study of the indigent pharmacy
program.

Contact: William Lessard, Indigent Health Care Manager,
Division of Program Operations, Department of Medical
Assistance Services, 600 E. Broad St., Suite 1300,
Richmond, VA 23219, telephone (804) 371-8852 or FAX
(804) 786-6229.

NOTE: CORRECTION IN DATE FOR PUBLIC COMMENTS
July 9, 1999 -- 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 Medical
Assistance Services intends to adopt regulations
entitled: **12 VAC 30-140-10 et seq. Virginia**
Children's Medical Security Insurance Plan. These
regulations implement the Virginia Children's Medical
Security Insurance Plan and establish the eligibility
standards, criteria, service limitations, reimbursement
criteria, and quality assurance requirements.

Statutory Authority: § 32.1-325 of the Code of Virginia and
Chapter 464, 1998 Acts of Assembly (Item 335 U 2).

Public comments may be submitted until July 9, 1999, to
Kathryn Kotula, Director, Division of Policy, Department of
Medical Assistance Services, 600 East Broad Street, Suite
1300, Richmond, VA 23219.

Contact: Victoria Simmons, Regulatory Coordinator,
Department of Medical Assistance Services, 600 E. Broad
St., Suite 1300, Richmond, VA 23219, telephone (804) 371-
8854 or FAX (804) 371-4981.

BOARD OF MEDICINE

July 16, 1999 - 2 p.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room, Richmond, Virginia.

August 6, 1999 -- 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 Medicine
intends to amend regulations entitled: **18 VAC 85-20-10**
et seq. Regulations Governing the Practice of

Calendar of Events

Medicine, Osteopathy, Podiatry, Chiropractic and Physician Acupuncture. The purpose of the proposed amendments is to require evidence of continuing competency in order to renew a license to practice medicine, osteopathy, podiatry, chiropractic and physician acupuncture. Amendments are also proposed to establish an inactive license, a fee to renew an inactive license, and requirements for reactivation.

Statutory Authority: §§ 54.1-2400 and 54.1-2912.1 of the Code of Virginia.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

* * * * *

† **July 16, 1999 - 1 p.m.** – Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

August 20, 1999 - 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 Medicine intends to amend regulations entitled: **18 VAC 85-101-10 et seq. Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited.** Amendments are proposed to set minimal qualifications for instructors in an educational program and to require passage of an examination for licensure as a radiologic technologist-limited. Proposed amendments also require a radiologic technologist-limited to notify the board of the anatomical area in which he practices, clarify that a person with a limited license is not qualified to perform mammography, and specify that a traineeship for an unlicensed graduate must terminate 14 days after receipt of examination results.

Statutory Authority: §§ 54.1-2400, 54.1-2956.8:1, and 54.1-2956.8:2 of the Code of Virginia.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908.

August 6, 1999 - 8 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

The Executive Committee will meet in open and closed session to (i) review disciplinary files requiring administrative action, (ii) adopt amendments, (iii) approve for promulgation regulations as presented, (iv) interview applicants, and (v) act on other issues that come before the board. The chairman will entertain public comments on agenda items for 15 minutes following adoption of the agenda.

Contact: Warren W. Koontz, M.D., Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9943 or (804) 662-7197/TTY

Informal Conference Committee

June 23, 1999 - 8:30 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.

June 25, 1999 - 9:30 a.m. -- Open Meeting
† **July 23, 1999 - 8:30 a.m.** -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.

July 15, 1999 - 9 a.m. -- Open Meeting
Roanoke Airport Marriott, 2801 Hershberger Road, Roanoke, Virginia.

A meeting to 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, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 786-7693, FAX (804) 662-9517 or (804) 662-7197/TTY

GOVERNOR'S MINED LAND RECLAMATION ADVISORY COMMITTEE

† **July 15, 1999 - 10 a.m.** -- Open Meeting
Department of Mines, Minerals and Energy, Buchanan-Smith Building, Route 23, Big Stone Gap, Virginia. (Interpreter for the deaf provided upon request)

A meeting to review and discuss recent Interstate Mining Compact Commission (IMCC) issues with the coal industry. Public comments will not be received.

Contact: Danny R. Brown, Director, Division of Mined Land Reclamation, Department of Mines, Minerals and Energy, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (540) 523-8152, FAX (540) 523-8163 or toll-free 1-800-828-1120 (VA Relay Center).

DEPARTMENT OF MINES, MINERALS AND ENERGY

† **June 24, 1999 - 9:30 a.m.** -- Open Meeting
Oxbow Center, St. Paul, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the Virginia Remining Ad Hoc Advisory Group and the Office of Surface Mining and other


agencies to discuss remaining issues. Public comment will not be received.

Contact: Bradley C. Lambert, Special Projects Inspector, Division of Mined Land Reclamation, Department of Mines, Minerals and Energy, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (540) 523-8286, FAX (540) 523-8163 or toll-free 1-800-828-1120 (VA Relay Center).


BOARD OF NURSING

† **June 24, 1999 - 8:30 a.m.** -- Open Meeting

† **June 30, 1999 - 8:30 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A Special Conference Committee will conduct informal conferences with licensees and certificate holders. Public comments will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9512 or (804) 662-7197/TTY 

BOARD OF PHARMACY

June 22, 1999 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.

The Special Conference Committee will hear informal conferences. Public comments will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911 or FAX (804) 662-9313.

July 23, 1999 -- 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 Pharmacy intends to amend regulations entitled: **18 VAC 110-20-10 et seq. Regulations Governing the Practice of Pharmacy.** The proposed amendments are in response to Chapters 470 and 490 of the 1998 Acts of Assembly which required the board to promulgate regulations for continuation of pharmacy services and appropriate transfer of records in a pharmacy closing or acquisition. In a change of hours lasting more than one week, the Code of Virginia requires notification to consumers and to the board. The amendments establish an exemption from the notice requirement if the change is the result of an emergency situation or results in an expansion of hours. The amendments also provide for the issuance


of controlled substance registration to entities, such as emergency medical services agencies, which may need to stock quantities of scheduled drugs.

Statutory Authority: §§ 54.1-2400, 54.1-3307, 54.1-3423, 54.1-3434 and 54.1-3434.01 of the Code of Virginia.


Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911 or FAX (804) 662-9943.

BOARD OF PSYCHOLOGY

July 9, 1999 - 9 a.m. -- Open Meeting


Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

The Regulatory Committee will discuss issues pertaining to temporary licensure and limited licensure of individuals licensed as school psychologists by the Department of Education.


Contact: Janet Delorme, Deputy Executive Director, Board of Psychology, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9575, FAX (804) 662-9943 or (804) 662-7197/TTY 

REAL ESTATE BOARD


June 22, 1999 - 6:30 p.m. -- Public Hearing

Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia.  (Interpreter for the deaf provided upon request)

Public hearing in conjunction with House Joint Resolution 645, Property Owners' Association Act. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Eric L. Olson, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8510, FAX (804) 367-2475 or (804) 367-9753/TTY 

June 24, 1999 - 8 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Committee meetings followed by a meeting of the full board as follows:

Continuing Education Committee - 8 a.m.

Fair Housing Committee - 8 a.m.

Full board - 9 a.m.

Persons desiring to participate in the meetings and requiring special accommodations or interpreter services

Calendar of Events

should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, or (804) 367-9753/TTY ☎

June 24, 1999 - 2 p.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

General business meetings of the following committees:

Common Interest Community Management Information Fund Advisory Committee - 2 p.m.
Time-Share Advisory Committee - 3 p.m.

Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8526, FAX (804) 367-2475, or (804) 367-9753/TTY ☎

† **June 29, 1999 - 9 a.m.** -- Open Meeting

† **June 30, 1999 - 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 meeting to conduct informal fact finding conferences pursuant to the Administrative Process Act (§ 9-6.14:11). Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. 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, FAX (804) 367-2179 or (804) 367-9753/TTY ☎

BOARD OF REHABILITATIVE SERVICES

NOTE: CHANGE IN MEETING DATE AND LOCATION

June 24, 1999 -10 a.m. -- Open Meeting
Richmond Area Vocational Evaluation Center, 2930 West Broad Street, Suite 15, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

A quarterly business meeting.

Contact: Barbara G. Tyson, Administrative Staff Assistant, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300, Richmond, VA 23288-0300, telephone

(804) 662-7010, toll-free 1-800-552-5019 or (804) 662-7000/TTY ☎

VIRGINIA RESOURCES AUTHORITY

July 13, 1999 - 9:30 a.m. -- Open Meeting
Virginia Resources Authority, Mutual Building, 909 East Main Street, Suite 700, Richmond, Virginia.

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

Contact: Robert W. Lauterberg, Executive Director, Virginia Resources Authority, P.O. Box 1300, Richmond, VA 23218, telephone (804) 644-3100 or FAX (804) 644-3109.

SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

† **July 14, 1999 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia.♿

A meeting to hear appeals of health department denials of septic tank permits.

Contact: Gary L. Hagy, Acting Secretary, Sewage Handling and Disposal Appeal Review Board, P.O. Box 2448, Room 115, Richmond, VA 23218, telephone (804) 225-4022 or FAX (804) 225-4003.

VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

† **June 22, 1999 - 10 a.m.** -- Open Meeting
Department of Business Assistance, 707 East Main Street, 3rd Floor, Main Board Room, Richmond, Virginia.♿

A meeting of the Loan Committee to review applications for loans submitted to the authority for approval. Contact the authority for confirmation of meeting time.

Contact: Cathleen M. Surface, Executive Director, Virginia Small Business Financing Authority, 707 E. Main St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-8254 or FAX (804) 225-3384.

STATE BOARD OF SOCIAL SERVICES

June 23, 1999 - 9 a.m. -- Open Meeting
June 24, 1999 - 9 a.m. -- Open Meeting
Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, Roanoke, Virginia.♿

A work session and business meeting.

Contact: Pat Rengnerth, Administrative Staff Specialist, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1826, FAX (804) 692-1965, toll-free 1-800-552-3431, or toll-free 1-800-552-7096/TTY ☎

VIRGINIA SOIL AND WATER CONSERVATION BOARD

June 22, 1999 - 10 a.m. -- Open Meeting
Virginia Power, 5000 Dominion Boulevard, Glen Allen, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review Water Quality Improvement Act proposed guidelines.

Contact: Leon E. App, Acting Deputy Director, Department of Conservation and Recreation, 203 Governor St., Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141 or (804) 786-2121/TTY ☎

June 22, 1999 - 1 p.m. -- Open Meeting
Virginia Power Offices, 5000 Dominion Boulevard, Glen Allen, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular business meeting of the Dam Safety Technical Advisory Committee for further development of policy recommendations.

Contact: Joe S. Haugh, Director, Division of Dam Safety, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-1369, FAX (804) 371-2630 or (804) 786-2121/TTY ☎

COUNCIL ON TECHNOLOGY SERVICES

† **June 30, 1999 - 9 a.m.** -- Open Meeting
Department of Transportation, 1221 East Broad Street, Main Auditorium, Richmond, Virginia. ♿

A business meeting of the council.

Contact: Jamie Breeden, Administrative Staff Specialist, Department of Information Technology, 110 S. 7th St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-5500 or FAX (804) 371-5273.

TREASURY BOARD

July 21, 1999 - 9 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 3rd Floor, Treasury Board Room, Richmond, Virginia. ♿

A regular business meeting.

Contact: Gloria J. Hatchel, Administrative Assistant, Department of the Treasury, James Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 371-6011.

BOARD FOR THE VISUALLY HANDICAPPED

July 20, 1999 - 1 p.m. -- Open Meeting
Department for the Visually Handicapped Headquarters, 397 Azalea Avenue, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to 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, Executive Secretary Senior, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3140, toll-free 1-800-622-2155, FAX (804) 371-3157 or (804) 371-3140/TTY ☎

VIRGINIA VOLUNTARY FORMULARY BOARD

July 30, 1999 - 10 a.m. -- Public Hearing
Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia.

A public hearing to consider the proposed adoption and issuance of revisions to the Virginia Voluntary Formulary. The proposed revision to the formulary adds drugs and drug products to the formulary revision that became effective on July 27, 1998, and its most recent supplement. Copies of the proposed additions to the formulary are available for inspection at the Department of Health, Bureau of Pharmacy Services, 101 North 14th Street, Room S-45. Written comments received prior to 5 p.m. on July 30, 1999, will be made a part of the hearing record and considered by the formulary board.

Contact: James K. Thomson, Director, Bureau of Pharmacy, Virginia Voluntary Formulary Board, Monroe Bldg., 101 N. 14th St., Room S-45, Richmond, VA 23219, telephone (804) 786-4326 or FAX (804) 371-0236.

STATE WATER CONTROL BOARD


† **June 29, 1999 - 2 p.m.** -- Open Meeting
City of Richmond Public Utilities Operations Center, 400 Jefferson Davis Highway, Richmond, Virginia.

A meeting of the Technical Advisory Committee for the James River Surface Water Management Area proposal.

Contact: Curt Linderman, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Rd., Glen Allen, VA 23060, telephone (804) 527-5038.

Calendar of Events

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS


June 24, 1999 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Conference Room 5W, Richmond,
Virginia. 

A routine business meeting. A public comment period will be held at the beginning of the meeting.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA, telephone (804) 367-8505, FAX (804) 367-2475 or (804) 367-9753/TTY 

INDEPENDENT

STATE LOTTERY BOARD


June 23, 1999 - 9:30 a.m. -- Open Meeting
Hotel Roanoke, 110 Shenandoah Avenue, N.E., Roanoke,
Virginia. 

A regular meeting of the board. Public comment will be received at the beginning of the meeting.


Contact: Barbara L. Robertson, Board, Legislative and Regulatory Coordinator, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7105 or FAX (804) 692-7775.

LEGISLATIVE


COMMISSION ON THE CONDITION AND FUTURE OF VIRGINIA'S CITIES (HJR 432, 1998)

† **July 15, 1999 - 10 a.m.** -- Open Meeting
† **September 9, 1999 - Time be announced** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 


A regular meeting. Questions regarding the meeting should be addressed to Jeff Sharp or Nikki Rovner, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the Committee Operations Office at least 10 working days prior to the meeting.

Contact: Barbara Regen, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 


COMMISSION ON REFORM OF THE CLASSIFIED COMPENSATION PLAN

† **June 24, 1999 - 2 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. 

A regular meeting. Questions regarding the meeting should be directed to Bill Echelberger, Senate Committee Finance Staff, (804) 698-7480. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations.

Contact: John McE. Garrett, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 


VIRGINIA CODE COMMISSION

June 21, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Speaker's Conference Room, 6th Floor, Richmond, Virginia. 


A meeting to (i) receive 1999 legislative update, (ii) receive a working draft of the title revision (Titles 2.1 and 9 of the Code of Virginia), (iii) receive a report from the Administrative Law Advisory Committee, (iv) consider possible replacement volumes to the Virginia Administrative Code, and (v) conduct any other business that may come before the commission. A brief public comment period is scheduled at the end of the meeting.

Contact: Jane D. Chaffin, Registrar of Regulations, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625 or e-mail jchaffin@leg.state.va.us.


JOINT SUBCOMMITTEE STUDYING ELECTION LAWS INNOVATIONS, IMPROVED METHODS TO INFORM VOTERS ABOUT BALLOT ISSUES AND CANDIDATES (SJR 423, 1999)

June 30, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. 


A regular meeting. Questions regarding the meeting should be directed to Mary Spain, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations.

Contact: Patty J. Lung, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 


JOINT SUBCOMMITTEE TO EXAMINE THE CURRENT MEANS AND ADEQUACY OF COMPENSATION TO VIRGINIA CITIZENS WHOSE PROPERTIES ARE TAKEN THROUGH THE EXERCISE OF EMINENT DOMAIN

† **June 24, 1999 - 1:30 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Questions regarding the meeting should be directed Frank Munyan, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Lois Johnson at least 10 working days prior to the meeting. You can also access information on the Internet at <http://legis.state.va.us/jchc/jchchome.htm>.

Contact: Lois Johnson, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 


COMMISSION STUDYING THE FUTURE OF VIRGINIA'S ENVIRONMENT

† **September 17, 1999 - 10 a.m.** -- Open Meeting
Kiptopeke State Park, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Questions regarding the meeting should be directed Shannon Varner, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Lois Johnson at least 10 working days prior to the meeting. You can also access information on the Internet at <http://legis.state.va.us/jchc/jchchome.htm>.

Contact: Lois Johnson, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

JOINT COMMISSION ON HEALTH CARE


June 29, 1999 - 10 a.m. -- Open Meeting
July 27, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other special assistance should contact Kimberly Rockhold at least 10 working days prior to the meeting. You can also access information on the Internet at <http://legis.state.va.us/jchc/jchchome.htm>.


Contact: Kimberly Rockhold, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

JOINT SUBCOMMITTEE STUDYING THE FUTURE DELIVERY OF PUBLICLY FUNDED MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES (HJR 225)

Medicaid Carve-Out Work Group

July 8, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, 5th Floor, East Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Gayle Vergara or Nancy Roberts, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least 10 working days prior to the meeting.

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

CHRONOLOGICAL LIST

OPEN MEETINGS

June 21

Barbers, Board for
Chesapeake Bay Local Assistance Board
Code Commission, Virginia
† Emergency Planning Committee - Local; Prince William County, Manassas City, and Manassas Park
Hearing Aid Specialists, Board for
Higher Education for Virginia, State Council of

June 22

Economic Development Partnership, Virginia
- Board of Directors
Higher Education for Virginia, State Council of
Marine Resources Commission
Pharmacy, Board of
- Special Conference Committee
† Small Business Financing Authority, Virginia
- Loan Committee
Soil and Water Conservation Board, Virginia
- Dam Safety Technical Advisory Committee

June 23

Cemetery Board
- Legislative Committee
Competition Council, Commonwealth
Funeral Directors and Embalmers, Board of
Lottery Board, State
Medicine, Board of
- Informal Conference Committee
Social Services, State Board of

Calendar of Events

June 24

Agriculture and Consumer Services, Department of
- Virginia Charity Food Assistance Advisory Board
Assistive Technology Loan Fund Authority
- Board of Directors
† Classified Compensation Plan, Commission on
Reform of the
Compensation Board
† Eminent Domain, Joint Subcommittee To Examine the
Current Means and Adequacy of Compensation to
Virginia Citizens Whose Properties Are Taken through
the Exercise of
† Forestry, Board of
Manufactured Housing Board, Virginia
† Medical Assistance Services, Department of
- Technical Advisory Panel of the Indigent Health Care
Trust Fund
† Mines, Minerals and Energy, Department of
- Virginia Remining Ad Hoc Advisory Group
† Nursing, Board of
- Special Conference Committee
Real Estate Board
- Common Interest Community Management
Information Fund Advisory Committee
- Continuing Education Committee
- Fair Housing Committee
- Time-Share Advisory Committee
Rehabilitative Services, Board of
Social Services, State Board of
Waterworks and Wastewater Works Operators, Board
for

June 25

Comprehensive Services for At-Risk Youth and Their
Families
- State Executive Council
Medicine, Board of
- Informal Conference Committee

June 28

† Accountancy, Board of
Barbers, Board for
Conservation and Recreation, Department of
- Chippokes Plantation Farm Foundation
† General Services, Department of
- Design-Build/Construction Management Review
Board
† Longwood College
- Executive Committee of the Board of Visitors

June 29

Health Care, Joint Commission on
† Real Estate Board
† Water Control Board, State
- Technical Advisory Committee for the James River
Surface Water Management Area

June 30

Election Laws Innovations, Improved Methods to Inform
Voters About Ballot Issues and Candidates, Joint
Subcommittee Studying
Environmental Quality, Department of

- Citizens Wetlands Advisory Committee
Funeral Directors and Embalmers, Board of
† Nursing, Board of
- Special Conference Committee
† Real Estate Board
† Technology Services, Council on

July 1

Conservation and Recreation, Department of
- Falls of the James Scenic River Advisory Board
Independent Living Council, Statewide

July 6

Hopewell Industrial Safety Council

July 7

† Local Government, Commission on
- Town of Rocky Mount - Franklin County

July 8

Mental Health, Mental Retardation and Substance Abuse
Services, Joint Subcommittee Studying the Future
Delivery of Publicly Funded
- Medicaid Carve-Out Work Group

July 9

Agriculture and Consumer Services, Department of
- Virginia Pork Industry Board
† Art and Architectural Review Board
Psychology, Board of
- Regulatory Committee

July 13

Resources Authority, Virginia
- Board of Directors

July 14

Cemetery Board
- Delivery Committee
† Sewage Handling and Disposal Appeal Review Board

July 15

† Agriculture and Consumer Services, Department of
- Pesticide Control Board
† Cities, Commission on the Condition and Future of
Virginia's
Medicine, Board of
- Informal Conference Committee
† Mined Land Reclamation Advisory Committee,
Governor's

July 19

Accountancy, Board of

July 20

† Conservation and Recreation, Department of
- Virginia Land Conservation Foundation
Environmental Quality, Department of
- Ground Water Protection Steering Committee
Visually Handicapped, Board for the

July 21

Agriculture and Consumer Services, Department of
- Virginia Winegrowers Advisory Board
† Community Colleges, State Board for

- Academic and Students Affairs Committee
- Audit Committee
- Budget and Finance Committee
- Facilities Committee
- Personnel Committee

† Local Government, Commission on
- Prices Fork-Montgomery County
Treasury Board

July 22

- † Community Colleges, State Board for
- † Education, Board of
- † Local Government, Commission on
- Prices Fork-Montgomery County

July 23

- † Medicine, Board of
- Informal Conference Committee

July 26

- † Barbers, Board for
- † Cosmetology, Board for

July 27

- † Agriculture and Consumer Services, Board of
- † Chesapeake Bay Local Assistance Board
- Southern Area Review Committee
- Health Care, Joint Commission on
- † Marine Resources Commission

July 29

- Agriculture and Consumer Services, Department of
- Virginia Small Grains Board

July 30

- † Comprehensive Services for At-Risk Youth and Their
Families
- State Executive Council

August 3

- Hopewell Industrial Safety Council

August 6

- Medicine, Board of
- Executive Committee

August 17

- Asbestos and Lead, Virginia Board for
Land Evaluation Advisory Council, State

August 24

- † Marine Resources Commission

August 27

- † Comprehensive Services for At-Risk Youth and Their
Families
- State Executive Council

September 7

- Hopewell Industrial Safety Council

September 9

- † Cities, Commission on the Condition and Future of
Virginia's

September 17

- † Environment, Commission Studying the Future of
Virginia's

September 28

- † Marine Resources Commission

PUBLIC HEARINGS

June 22

- Environmental Quality, Department of
Funeral Director and Embalmers, Board of
Real Estate Board

June 29

- † Environmental Quality, Department of

July 7

- † Local Government, Commission on
- Town of Rocky Mount-Franklin County

July 16

- † Medicine, Board of

July 21

- † Local Government, Commission on
- Prices Fork-Montgomery County

July 22

- † Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers, and Landscape Architects,
Board for

July 30

- Voluntary Formulary Board, Virginia
