
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.

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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.**

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PUBLICATION SCHEDULE AND DEADLINES

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

September 1999 through June 2000

<u>Volume:Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
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
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*Filing deadlines are Wednesdays unless otherwise specified.

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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 3. Alcoholic Beverages			
3 VAC 5-10-70 emer	Amended	15:23 VA.R. 3040	7/13/99-6/30/00
3 VAC 5-10-240 emer	Amended	15:23 VA.R. 3040	7/13/99-6/30/00
3 VAC 5-70-170 emer	Amended	15:23 VA.R. 3041	7/13/99-6/30/00
3 VAC 5-70-210 emer	Added	15:23 VA.R. 3041	7/13/99-6/30/00
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 15-90-20	Amended	15:20 VA.R. 2586	7/7/99
4 VAC 15-90-70	Amended	15:20 VA.R. 2586	7/7/99
4 VAC 15-90-80	Amended	15:20 VA.R. 2587	7/7/99
4 VAC 15-90-90	Amended	15:20 VA.R. 2588	7/7/99
4 VAC 15-90-100	Amended	15:20 VA.R. 2588	7/7/99
4 VAC 15-90-110	Amended	15:20 VA.R. 2588	7/7/99
4 VAC 15-90-120	Amended	15:20 VA.R. 2588	7/7/99
4 VAC 15-90-130	Repealed	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-141	Added	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-160	Amended	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-170	Amended	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-190	Amended	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-195	Amended	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-200	Amended	15:20 VA.R. 2590	7/7/99
4 VAC 15-90-210	Amended	15:20 VA.R. 2590	7/7/99
4 VAC 15-90-220	Amended	15:20 VA.R. 2590	7/7/99
4 VAC 15-90-250	Repealed	15:20 VA.R. 2590	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 20-80-20	Amended	15:22 VA.R. 2871	7/1/99
4 VAC 20-80-30	Amended	15:22 VA.R. 2871	7/1/99
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

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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 20-333-10 through 4 VAC 20-333-40	Added	15:24 VA.R. 3035-3037	7/6/99
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 20-595-10 emer	Added	15:25 VA.R. 3366	8/15/99-8/31/99
4 VAC 20-595-20 emer	Added	15:25 VA.R. 3366	8/15/99-8/31/99
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 20-720-40	Amended	15:20 VA.R. 2590	6/1/99
4 VAC 20-720-45 emer	Added	15:19 VA.R. 2474	5/5/99-5/31/99
4 VAC 20-720-50	Amended	15:20 VA.R. 2590	6/1/99
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 20-880-10	Amended	15:20 VA.R. 2591	5/26/99
4 VAC 20-880-40	Repealed	15:20 VA.R. 2591	5/26/99
4 VAC 20-880-50	Repealed	15:20 VA.R. 2592	5/26/99
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 20-910-45	Amended	15:22 VA.R. 2931	6/24/99-7/21/99
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
4 VAC 20-1030-10 through 4 VAC 20-1030-40	Added	15:15 VA.R. 2126-2135	3/15/99
4 VAC 20-1040-10 through 4 VAC 20-1040-40	Added	15:20 VA.R. 2592-2593	5/26/99
4 VAC 25-20 (Forms)	Amended	15:21 VA.R. 2728	--
4 VAC 25-35 (Forms)	Amended	15:14 VA.R. 2075-2077	--
4 VAC 25-35 (Forms)	Amended	15:21 VA.R. 2728	--
4 VAC 25-40 (Forms)	Amended	15:21 VA.R. 2728	--
4 VAC 25-60-10	Amended	15:22 VA.R. 2871	8/18/99
4 VAC 25-60-20	Amended	15:22 VA.R. 2872	8/18/99
4 VAC 25-60-40	Amended	15:22 VA.R. 2872	8/18/99
4 VAC 25-60-70	Amended	15:22 VA.R. 2872	8/18/99
4 VAC 25-70-10	Amended	15:22 VA.R. 2873	8/18/99
4 VAC 25-80-10	Repealed	15:22 VA.R. 2874	8/18/99
4 VAC 25-110-10	Amended	15:22 VA.R. 2874	8/18/99
4 VAC 25-110-20	Amended	15:22 VA.R. 2875	8/18/99
4 VAC 25-110-60	Repealed	15:22 VA.R. 2875	8/18/99
4 VAC 25-110-130	Repealed	15:22 VA.R. 2876	8/18/99
4 VAC 25-110-170	Repealed	15:22 VA.R. 2877	8/18/99
4 VAC 25-110-200	Amended	15:22 VA.R. 2877	8/18/99
4 VAC 25-110-210	Amended	15:22 VA.R. 2878	8/18/99
4 VAC 25-110-320 through 4 VAC 25-110-390	Repealed	15:22 VA.R. 2879-2880	8/18/99
4 VAC 25-120-10	Amended	15:22 VA.R. 2880	8/18/99
4 VAC 25-130 (Forms)	Amended	15:11 VA.R. 1736	--
4 VAC 25-130 (Forms)	Amended	15:21 VA.R. 2728	--
4 VAC 25-150 (Forms)	Amended	15:14 VA.R. 2077-2078	--

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 7. Economic Development			
7 VAC 10-20-10	Amended	15:25 VA.R. 3348	9/29/99
7 VAC 10-20-30	Amended	15:25 VA.R. 3350	9/29/99
7 VAC 10-20-50	Amended	15:25 VA.R. 3350	9/29/99
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 5-20-21	Amended	15:21 VA.R. 2667	8/4/99
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 5-40-7950 through 9 VAC 5-40-8190	Added	15:21 VA.R. 2669-2690	8/4/99
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

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-80-30	Repealed	15:11 VA.R. 1717	4/1/99
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 25-151 (Forms)	Amended	15:24 VA.R. 3251	--
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	--
9 VAC 25-260-430	Amended	15:21 VA.R. 2691	8/4/99
9 VAC 25-610 (Forms)	Amended	15:21 VA.R. 2728	--
Title 12. Health			
12 VAC 5-100-10 et seq.	Repealed	15:18 VA.R. 2396	6/23/99
12 VAC 5-405-10 through 12 VAC 5-405-120	Amended	15:20 VA.R. 2593-2597	7/21/99
12 VAC 5-470-10 et seq.	Repealed	15:20 VA.R. 2597	7/21/99
12 VAC 5-600-50	Amended	15:20 VA.R. 2598	7/21/99
12 VAC 5-600-60	Amended	15:20 VA.R. 2598	7/21/99
12 VAC 5-610-10	Repealed	15:24 VA.R. 3188	10/1/99
12 VAC 5-610-20	Amended	15:24 VA.R. 3188	10/1/99
12 VAC 5-610-30	Amended	15:24 VA.R. 3188	10/1/99
12 VAC 5-610-40	Amended	15:24 VA.R. 3188	10/1/99
12 VAC 5-610-50	Amended	15:24 VA.R. 3188	10/1/99
12 VAC 5-610-70	Amended	15:24 VA.R. 3189	10/1/99
12 VAC 5-610-75	Added	15:24 VA.R. 3190	10/1/99
12 VAC 5-610-80	Amended	15:24 VA.R. 3190	10/1/99
12 VAC 5-610-90	Repealed	15:24 VA.R. 3190	10/1/99
12 VAC 5-610-100	Amended	15:24 VA.R. 3190	10/1/99
12 VAC 5-610-110	Repealed	15:24 VA.R. 3190	10/1/99
12 VAC 5-610-120	Amended	15:24 VA.R. 3190	10/1/99
12 VAC 5-610-130	Amended	15:24 VA.R. 3192	10/1/99
12 VAC 5-610-140	Repealed	15:24 VA.R. 3192	10/1/99
12 VAC 5-610-150	Repealed	15:24 VA.R. 3192	10/1/99
12 VAC 5-610-170	Amended	15:24 VA.R. 3192	10/1/99
12 VAC 5-610-180	Repealed	15:24 VA.R. 3193	10/1/99
12 VAC 5-610-190	Amended	15:24 VA.R. 3193	10/1/99
12 VAC 5-610-200	Amended	15:24 VA.R. 3194	10/1/99
12 VAC 5-610-230	Amended	15:24 VA.R. 3195	10/1/99
12 VAC 5-610-250	Amended	15:24 VA.R. 3195	10/1/99
12 VAC 5-610-255	Added	15:24 VA.R. 3198	10/1/99
12 VAC 5-610-260	Amended	15:24 VA.R. 3198	10/1/99
12 VAC 5-610-270	Amended	15:24 VA.R. 3198	10/1/99
12 VAC 5-610-280	Amended	15:24 VA.R. 3198	10/1/99
12 VAC 5-610-290	Amended	15:24 VA.R. 3199	10/1/99
12 VAC 5-610-300	Amended	15:24 VA.R. 3199	10/1/99
12 VAC 5-610-330	Amended	15:24 VA.R. 3199	10/1/99
12 VAC 5-610-340	Amended	15:24 VA.R. 3199	10/1/99
12 VAC 5-610-360	Amended	15:24 VA.R. 3200	10/1/99
12 VAC 5-610-370	Repealed	15:24 VA.R. 3200	10/1/99
12 VAC 5-610-380	Amended	15:24 VA.R. 3201	10/1/99
12 VAC 5-610-430	Amended	15:24 VA.R. 3202	10/1/99

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-610-440	Amended	15:24 VA.R. 3202	10/1/99
12 VAC 5-610-441 through 12 VAC 5-610-449	Added	15:24 VA.R. 3202-3210	10/1/99
12 VAC 5-610-449.1	Added	15:24 VA.R. 3211	10/1/99
12 VAC 5-610-450	Amended	15:24 VA.R. 3212	10/1/99
12 VAC 5-610-470	Amended	15:24 VA.R. 3212	10/1/99
12 VAC 5-610-480	Amended	15:24 VA.R. 3214	10/1/99
12 VAC 5-610-490	Amended	15:24 VA.R. 3214	10/1/99
12 VAC 5-610-500	Amended	15:24 VA.R. 3215	10/1/99
12 VAC 5-610-510 through 12 VAC 5-610-550	Repealed	15:24 VA.R. 3215-3216	10/1/99
12 VAC 5-610-560	Amended	15:24 VA.R. 3216	10/1/99
12 VAC 5-610-570	Repealed	15:24 VA.R. 3216	10/1/99
12 VAC 5-610-580	Amended	15:24 VA.R. 3217	10/1/99
12 VAC 5-610-591 through 12 VAC 5-610-594	Added	15:24 VA.R. 3217-3218	10/1/99
12 VAC 5-610-596 through 12 VAC 5-610-599	Added	15:24 VA.R. 3218-3222	10/1/99
12 VAC 5-610-599.1 through 12 VAC 5-610-599.4	Added	15:24 VA.R. 3222-3223	10/1/99
12 VAC 5-610-620	Amended	15:24 VA.R. 3223	10/1/99
12 VAC 5-610-650	Amended	15:24 VA.R. 3223	10/1/99
12 VAC 5-610-670	Amended	15:24 VA.R. 3223	10/1/99
12 VAC 5-610-690	Amended	15:24 VA.R. 3223	10/1/99
12 VAC 5-610-700	Amended	15:24 VA.R. 3224	10/1/99
12 VAC 5-610-800	Amended	15:24 VA.R. 3226	10/1/99
12 VAC 5-610-810	Amended	15:24 VA.R. 3226	10/1/99
12 VAC 5-610-815	Added	15:24 VA.R. 3226	10/1/99
12 VAC 5-610-817	Added	15:24 VA.R. 3227	10/1/99
12 VAC 5-610-820	Amended	15:24 VA.R. 3227	10/1/99
12 VAC 5-610-830	Repealed	15:24 VA.R. 3227	10/1/99
12 VAC 5-610-840	Repealed	15:24 VA.R. 3227	10/1/99
12 VAC 5-610-880	Amended	15:24 VA.R. 3227	10/1/99
12 VAC 5-610-890	Amended	15:24 VA.R. 3229	10/1/99
12 VAC 5-610-930	Amended	15:24 VA.R. 3229	10/1/99
12 VAC 5-610-940	Amended	15:24 VA.R. 3232	10/1/99
12 VAC 5-610-950	Amended	15:24 VA.R. 3233	10/1/99
12 VAC 5-610-960	Amended	15:24 VA.R. 3235	10/1/99
12 VAC 5-610-965	Added	15:24 VA.R. 3236	10/1/99
12 VAC 5-610-980	Amended	15:24 VA.R. 3237	10/1/99
12 VAC 5-610-1080	Amended	15:24 VA.R. 3238	10/1/99
12 VAC 5-610-1140	Amended	15:24 VA.R. 3240	10/1/99
12 VAC 5-610-1150	Repealed	15:24 VA.R. 3240	10/1/99
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 30-50-100	Amended	15:24 VA.R. 3243	9/15/99
12 VAC 30-50-105	Amended	15:24 VA.R. 3245	9/15/99
12 VAC 30-50-140	Amended	15:24 VA.R. 3247	9/15/99
12 VAC 30-50-210	Amended	15:23 VA.R. 3037	9/1/99
12 VAC 30-50-220	Amended	15:25 VA.R. 3362	10/1/99
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 30-50-520	Amended	15:23 VA.R. 3039	9/1/99
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 30-90-340 emer	Added	15:22 VA.R. 2931	7/1/99-6/30/00
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

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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 5-61-40	Amended	15:22 VA.R. 2881	8/18/99
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
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
16 VAC 25-90-1910.6	Amended	15:21 VA.R. 2702	8/15/99
16 VAC 25-90-1910.16	Amended	15:21 VA.R. 2709	8/15/99
16 VAC 25-90-1910.94	Amended	15:21 VA.R. 2705	8/15/99
16 VAC 25-90-1910.108	Repealed	15:21 VA.R. 2705	8/15/99
16 VAC 25-90-1910.122	Added	15:21 VA.R. 2702	8/15/99

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16 VAC 25-90-1910.123	Added	15:21 VA.R. 2702	8/15/99
16 VAC 25-90-1910.124	Added	15:21 VA.R. 2702	8/15/99
16 VAC 25-90-1910.125	Added	15:21 VA.R. 2702	8/15/99
16 VAC 25-90-1910.126	Added	15:21 VA.R. 2702	8/15/99
16 VAC 25-90-1910.146	Amended	15:21 VA.R. 2707	8/15/99
16 VAC 25-90-1910.178	Amended	15:21 VA.R. 2709	8/15/99
16 VAC 25-100-1915.120	Added	15:21 VA.R. 2709	8/15/99
16 VAC 25-120-1917.1	Amended	15:21 VA.R. 2709	8/15/99
16 VAC 25-130-1918.1	Amended	15:21 VA.R. 2709	8/15/99
16 VAC 25-175-1926.602	Amended	15:21 VA.R. 2709	8/15/99
Title 18. Professional and Occupational Licensing			
18 VAC 10-20-90	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-170	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-280	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-400	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-470	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-520	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-580	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-630	Amended	15:24 VA.R. 3249	10/1/99
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 60-20-20	Amended	15:21 VA.R. 2712	8/5/99
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
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

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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 85-110-100	Amended	15:21 VA.R. 2713	8/5/99
18 VAC 85-110-110	Amended	15:21 VA.R. 2713	8/5/99
18 VAC 85-110-130	Amended	15:21 VA.R. 2713	8/5/99
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 110-20-490	Amended	15:21 VA.R. 2713	8/4/99
18 VAC 120-40-10 through 18 VAC 120-40-430	Added	15:21 VA.R. 2715-2727	8/5/99
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	--
19 VAC 30-70 Appendix A	Amended	15:25 VA.R. 3364	7/29/99
Title 20. Public Utilities and Telecommunications			
20 VAC 5-400-151	Added	15:19 VA.R. 2473	10/1/99
20 VAC 5-400-151	Erratum	15:21 VA.R. 2732	--
Title 21. Securities and Retail Franchising			
21 VAC 5-10-20	Amended	15:22 VA.R. 2883	7/1/99
21 VAC 5-10-40	Amended	15:22 VA.R. 2883	7/1/99
21 VAC 5-20-10	Amended	15:22 VA.R. 2884	7/1/99
21 VAC 5-20-70	Amended	15:22 VA.R. 2884	7/1/99
21 VAC 5-20-90	Amended	15:22 VA.R. 2884	7/1/99
21 VAC 5-20-150	Amended	15:22 VA.R. 2885	7/1/99
21 VAC 5-20-160	Amended	15:22 VA.R. 2885	7/1/99
21 VAC 5-20-220	Amended	15:22 VA.R. 2885	7/1/99
21 VAC 5-20-280	Amended	15:22 VA.R. 2886	7/1/99

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
21 VAC 5-20-300	Amended	15:22 VA.R. 2892	7/1/99
21 VAC 5-20-330	Added	15:22 VA.R. 2893	7/1/99
21 VAC 5-30-40	Amended	15:22 VA.R. 2894	7/1/99
21 VAC 5-30-90	Added	15:22 VA.R. 2894	7/1/99
21 VAC 5-40-50	Amended	15:22 VA.R. 2895	7/1/99
21 VAC 5-40-100	Amended	15:22 VA.R. 2895	7/1/99
21 VAC 5-40-130	Added	15:22 VA.R. 2897	7/1/99
21 VAC 5-40-140	Added	15:22 VA.R. 2897	7/1/99
21 VAC 5-40-150	Added	15:22 VA.R. 2898	7/1/99
21 VAC 5-80-30	Amended	15:22 VA.R. 2898	7/1/99
21 VAC 5-80-60	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-70	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-90	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-100	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-110	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-130	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-160	Amended	15:22 VA.R. 2900	7/1/99
21 VAC 5-80-180	Amended	15:22 VA.R. 2905	7/1/99
21 VAC 5-80-200	Amended	15:22 VA.R. 2905	7/1/99
21 VAC 5-80-210	Amended	15:22 VA.R. 2907	7/1/99
21 VAC 5-80-220	Amended	15:22 VA.R. 2908	7/1/99
21 VAC 5-85-10 (Forms)	Repealed	15:22 VA.R. 2909	7/1/99
21 VAC 5-100-10	Amended	15:22 VA.R. 2910	7/1/99
21 VAC 5-110-20	Amended	15:22 VA.R. 2918	7/1/99
21 VAC 5-110-30	Amended	15:22 VA.R. 2918	7/1/99
21 VAC 5-110-40	Amended	15:22 VA.R. 2918	7/1/99
21 VAC 5-110-50	Amended	15:22 VA.R. 2919	7/1/99
21 VAC 5-110-60	Amended	15:22 VA.R. 2919	7/1/99
21 VAC 5-110-70	Amended	15:22 VA.R. 2919	7/1/99
21 VAC 5-110-85	Added	15:22 VA.R. 2919	7/1/99
21 VAC 5-120 (Forms)	Amended	15:17 VA.R. 2333-2334	--
21 VAC 5-120-30	Amended	15:22 VA.R. 2911	7/1/99
21 VAC 5-120-110	Repealed	15:22 VA.R. 2911	7/1/99
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 40-50-10 et seq.	Repealed	15:24 VA.R. 3250	9/15/99
22 VAC 40-110 (Forms)	Amended	15:23 VA.R. 3043	--
22 VAC 40-180 (Forms)	Amended	15:23 VA.R. 3043	--
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
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

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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
22 VAC 40-830-10 et seq.	Repealed	15:22 VA.R. 2929	8/18/99
22 VAC 40-840-10 et seq.	Repealed	15:22 VA.R. 2929	8/18/99
22 VAC 40-850-10 et seq.	Repealed	15:22 VA.R. 2929	8/18/99
22 VAC 40-860-10 et seq.	Repealed	15:22 VA.R. 2929	8/18/99
22 VAC 40-870-10 et seq.	Repealed	15:22 VA.R. 2930	8/18/99
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 30-250-10	Amended	15:21 VA.R. 2727	6/14/99
24 VAC 30-350-10	Amended	15:13 VA.R. 1939	2/22/99
24 VAC 30-550-10	Amended	15:22 VA.R. 2930	6/22/99

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 20-131-10 et seq. Regulations Establishing Standards for Accrediting the Public Schools in Virginia.** The purpose of the proposed action is to amend the regulations to address the application and consequences of the Standards of Learning tests upon local schools. The Board of Education, in promulgating these amendments, anticipates addressing several issues: (i) the further refinement of student level consequences related to the testing program, and the impact of such changes on the school's overall accreditation rating; (ii) a plan to reward schools that consistently meet or exceed the requirements of the accrediting standards for school accountability; (iii) the consequences and incentives for those schools that fail to meet the accountability requirements (schools that are rated as accredited with warning or accreditation denied); and (iv) the further refinement and clarification of language inconsistencies in the current regulations. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 22.1-16, 22.1-19, and 22.1-253.13:3 of the Code of Virginia.

Public comments may be submitted until September 17, 1999.

Contact: Charles Finley, Director of Accreditation, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 786-9421, FAX (804) 786-9763, or toll-free 1-800-292-3820 or 1-800-422-1098/TTY ☎

VA.R. Doc. No. R99-240; Filed July 28, 1999, 10:03 a.m.

TITLE 12. HEALTH

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: **12 VAC 30-100-10 et seq. State Programs (Health**

Insurance Program for Working Uninsured Individuals). The purpose of the proposed action is to promulgate the eligibility requirements for individuals to be qualified to receive assistance from the Health Insurance Program for Working Uninsured Individuals. The agency does not intend to hold a public hearing on the proposed regulations after publication.

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

Public comments may be submitted until September 15, 1999, to John Kenyon, Analyst, 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 or FAX (804) 371-4981.

VA.R. Doc. No. R99-227; Filed July 20, 1999, 11:24 a.m.

TITLE 17. LIBRARIES AND CULTURAL RESOURCES

LIBRARY BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Library Board intends to consider amending regulations entitled: **17 VAC 15-20-10 et seq. Standards for the Microfilming of Public Records for Archival Retention.** The revisions involve technical amendments incorporating updates in reference standards and adding 17 VAC 15-30-80 of 17 VAC 15-30, Archival Standards for the Recording of Deeds and Other Writings, to this standard. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 42.1-8 and 42.1-82 of the Code of Virginia.

Public comments may be submitted until September 16, 1999.

Contact: Janice M. Hathcock, Public Relations Coordinator, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3592 or FAX (804) 692-3594.

VA.R. Doc. No. R99-255; Filed July 28, 1999, 11:25 a.m.

Notices of Intended Regulatory Action

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Library Board intends to consider repealing regulations entitled: **17 VAC 15-30-10 et seq. Archival Standards for Recording Deeds and Other Writings by a Procedural Microphotographic Process.** Repealing this regulation will eliminate unnecessary duplication since the pertinent portion of this regulation, 17 VAC 15-30-80, will be incorporated into 17 VAC 15-20. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 42.1-8 and 42.1-82 of the Code of Virginia.

Public comments may be submitted until September 16, 1999.

Contact: Janice M. Hathcock, Public Relations Coordinator, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3592 or FAX (804) 692-3594.

VA.R. Doc. No. R99-256; Filed July 28, 1999, 11:25 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 Library Board intends to consider repealing regulations entitled: **17 VAC 15-40-10 et seq. Standards for the Microfilming of Ended Law Chancery and Criminal Cases of the Clerks of the Circuit Courts Prior to Dispositon.** This regulation is unnecessary since 17 VAC 15-20 includes the necessary requirements to satisfy the original reasons for this standard being promulgated. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 42.1-8 and 42.1-82 of the Code of Virginia.

Public comments may be submitted until September 16, 1999.

Contact: Janice M. Hathcock, Public Relations Coordinator, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3592 or FAX (804) 692-3594.

VA.R. Doc. No. R99-257; Filed July 28, 1999, 11:24 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 Library Board intends to consider amending regulations entitled: **17 VAC 15-50-10 et seq. Standards for Computer Output Microfilm (Com) for Archival Retention.** The board proposes making technical changes to the regulation and updating the reference standards pertaining to this regulation. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 42.1-8 and 42.1-82 of the Code of Virginia.

Public comments may be submitted until September 16, 1999.

Contact: Janice M. Hathcock, Public Relations Coordinator, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3592 or FAX (804) 692-3594.

VA.R. Doc. No. R99-258; Filed July 28, 1999, 11:24 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 Governing the Practice of Audiology and Speech-Language Pathology.** The purpose of the proposed action is to amend the regulations to require some specific evidence of continued competency for those seeking renewal of their licenses and to establish an inactive licensure status and set the requirements for reactivation of such a license. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 and Chapter 26 (§ 54.1-2600 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until September 15, 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. R99-219; Filed July 19, 1999, 11:36 a.m.

TITLE 22. SOCIAL SERVICES

CHILD DAY-CARE COUNCIL

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Child Day-Care Council intends to consider amending regulations entitled: **22 VAC 15-10-10 et**

Notices of Intended Regulatory Action

seq. Public Participation Guidelines. The purpose of the proposed action is to describe the way the Child Day-Care Council will obtain input when developing, revising or repealing regulations. The proposed regulation will delete the current requirement to publish the Notice of Comment Period in a newspaper and make other changes for clarity. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 9-6.14:7.1 and 63.1-202 of the Code of Virginia.

Public comments may be submitted until September 15, 1999.

Contact: Arlene Kasper, Program Development Supervisor, Department of Social Services, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-1791 or FAX (804) 692-2370.

VA.R. Doc. No. R99-236; Filed July 26, 1999, 1:21 p.m.

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 eliminate the sanction on the entire family when a caretaker parent has not cooperated in establishing paternity of one of her children. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until September 15, 1999.

Contact: Carolyn Ellis, TANF Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1738 or FAX (804) 692-1709.

VA.R. Doc. No. R99-233; Filed July 26, 1999, 1:21 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled: **22 VAC 40-230-10 et seq. Agency Placement Adoptions-Preplacement Services.** The purpose of the proposed action is to eliminate requirements for submission of an adoptive placement plan and replace it with language requiring submission of an adoption progress report. Since the law no longer requires an adoptive placement plan and since the adoption progress report is mandated by law, a regulation is not necessary. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 63.1-25 and 63.1-56 of the Code of Virginia.

Public comments may be submitted until September 15, 1999.

Contact: Brenda Kerr, Adoption Policy Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1273 or FAX (804) 692-1284.

VA.R. Doc. No. R99-234; Filed July 27, 1999, 2:43 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-250-10 et seq. Agency Placement Adoptions-AREVA.** The purpose of the proposed action is to include changes in the criteria of children to be registered to ensure consistency with criteria for eligibility for adoption assistance and changes to lengthen the timeframe for registration following termination of parental rights. This is to ensure that the agency has sufficient time to receive the court order terminating parental rights before registration with AREVA. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until September 15, 1999.

Contact: Brenda Kerr, Adoption Policy Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1273 or FAX (804) 692-1284.

VA.R. Doc. No. R99-232; Filed July 27, 1999, 2:42 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-260-10 et seq. Agency Placement Adoptions-Subsidy.** This action proposes changes to the existing regulation in the following areas: eligibility for adoption assistance, type of payment to be provided, and termination of the agreement. The existing regulation facilitates adoption for special needs children by requiring agencies to provide an adoption assistance agreement for all children who have special needs and who have been determined eligible for subsidy. Prior to the implementation of adoption assistance, children with special needs were remaining in foster care and not being adopted. The proposed revisions are to ensure compliance with federal laws, to ensure that the children receiving adoption assistance are the children who are the most difficult to place for adoption, and to ensure that families adopting children with special needs are provided with financial support to adopt these children. 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.

Notices of Intended Regulatory Action

Public comments may be submitted until September 15, 1999.

Contact: Brenda Kerr, Adoption Policy Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1273 or FAX (804) 692-1284.

VA.R. Doc. No. R99-235; Filed July 27, 1999, 2:43 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled: **22 VAC 40-480-10 et seq. Relocation Assistance - General Relief Program.** The purpose of the proposed action is to repeal the regulation as no local agency has provided relocation assistance in the last five years, therefore, the regulation is unnecessary. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 63.1-25 and 63.1-106 of the Code of Virginia.

Public comments may be submitted until September 15, 1999.

Contact: Joy Duke, Adult Protective Services Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1260 or FAX (804) 692-2215.

VA.R. Doc. No. R99-237; Filed July 26, 1999, 1:21 p.m.

TITLE 23. TAXATION

DEPARTMENT OF TAXATION

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 Taxation intends to consider amending regulations entitled: **23 VAC 10-210-10 et seq. Retail Sales and Use Tax** as follows:

23 VAC 10-210-40 through 23 VAC 10-210-43. Advertising. The department is proposing amendments to clarify the application of the media exemption to advertising companies.

23 VAC 10-210-610. Florist and Nurserymen. The proposed amendments clarify the application of the tax to nurserymen, landscape contractors, and florist delivery orders.

23 VAC 10-210-680. Gifts Purchased in Virginia. The proposed amendments reflect legislative changes to exempt gift purchases by a nonresident from taxation.

23 VAC 10-210-720. Hospitals and Nursing Homes. The proposed amendments relate to purchases and sales by nonprofit hospitals and nursing homes exempt from taxation.

23 VAC 10-210-730. Hotels, Motels, Tourist Camps, Etc. The proposed amendments add definitions and language to explain the exemption for transient accommodations.

23 VAC 10-210-840. Leases or Rentals. The amendments will clarify the application of the sales and use tax to leases or rentals of tangible personal property.

23 VAC 10-210-910. Maintenance Contracts and Warranty Plans. The proposed amendments clarify the application of the sales tax to maintenance contracts and warranty plans.

23 VAC 10-210-940. Medicine, Drugs, Eyeglasses, and Related Items. The proposed amendments are intended to clarify the application of the retail sales and use tax.

23 VAC 10-210-960. Mining and Mineral Processing. Legislative changes created an exemption for the coal mining, natural gas and oil mining industries that must be reflected in the regulation.

23 VAC 10-210-1060. Newspapers, Magazines, Periodicals, and Other Publications. New language will be added to define a publication, exempt back issues from taxation, and specify those publications subject to taxation.

23 VAC 10-210-1080. Occasional Sale. The proposed amendments will add criteria to determine an occasional sale of a business entity.

23 VAC 10-210-3030. Radio and Television Broadcasting. The proposed amendments will clarify the application of the exemption to equipment directly used in broadcast transmission and distribution.

23 VAC 10-210-4020. Schools and Colleges, Certain Educational Institutions and Other Institutions of Learning. The proposed amendments clarify the types of educational facilities qualified for an exemption and provide guidance for affiliated organizations on purchases and sales.

23 VAC 10-210-6050. Veterinarians. The proposed amendments will clarify the application of the sales tax exemption to services, sales and uses of tangible personal property.

The agency does not intend to hold public hearings on the proposed regulations after publication.

Statutory Authority: § 58.1-203 of the Code of Virginia.

Public comments may be submitted until September 16, 1999.

Contact: Michael S. Melson, Executive Assistant, Department of Taxation, 2220 W. Broad St., Richmond, VA 23220, telephone (804) 367-0033 or FAX (804) 367-0045.

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 14. INSURANCE

STATE CORPORATION COMMISSION

REGISTRAR'S NOTICE: The State Corporation Commission is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency which by the Constitution is expressly granted any of the powers of a court of record.

Title of Regulation: 14 VAC 5-270-10 et seq. Rules Governing Annual Audited Financial Reports (amending 14 VAC 5-270-30, 14 VAC 5-270-40, 14 VAC 5-270-60, 14 VAC 5-270-70, and 14 VAC 5-270-80; repealing 14 VAC 5-270-160).

Statutory Authority: §§ 12.1-13 and 38.2-223 of the Code of Virginia.

Summary:

The amendments require the auditor's report to contain the disclosures required in the National Association of Insurance Commissioners' (NAIC) Accounting Practices and Procedures Manual. The remaining revisions provide technical and grammatical clarity. The repealed section is obsolete.

Agency Contact: Copies of the regulation may be obtained from Raquel Pino-Moreno, Bureau of Insurance, State Corporation Commission, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9499 or e-mail: rpinomoreno@scc.state.va.us.

AT RICHMOND, AUGUST 24, 1999

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. INS990202

Ex Parte: In the matter of
Adopting Revisions to the Rules
Governing Annual Audited
Financial Reports

ORDER TO TAKE NOTICE

WHEREAS, § 12.1-13 of the Code of Virginia provides that the Commission shall have the power to promulgate rules and regulations in the enforcement and administration of all laws within its jurisdiction, and § 38.2-223 of the Code of Virginia provides that the Commission may issue any rules and regulations necessary or appropriate for the administration and enforcement of Title 38.2 of the Code of Virginia;

WHEREAS, the rules and regulations issued by the Commission pursuant to § 38.2-223 of the Code of Virginia are set forth in Title 14 of the Virginia Administrative Code;

WHEREAS, the Bureau of Insurance has submitted to the Commission proposed revisions to Chapter 270 of Title 14 of the Virginia Administrative Code entitled "Rules Governing Annual Audited Financial Reports," which amend the rules at 14 VAC 5-270-30, 14 VAC 5-270-40, 14 VAC 5-270-60 through 14 VAC 5-270-80, and 14 VAC 5-270-160; and

WHEREAS, the Commission is of the opinion that the proposed revisions should be adopted with an effective date of January 1, 2000;

THEREFORE, IT IS ORDERED THAT:

(1) All interested persons TAKE NOTICE that the Commission shall enter an order subsequent to October 22, 1999, adopting the revisions proposed by the Bureau of Insurance unless on or before October 22, 1999, any person objecting to the proposed revisions files a request for a hearing to oppose the adoption of the proposed revisions, with an effective date of January 1, 2000, with the Clerk of the Commission, Document Control Center, P.O. Box 2118, Richmond, Virginia 23218;

(2) All interested persons TAKE NOTICE that on or before October 22, 1999, any person desiring to comment in support of, or in opposition to, the proposed revisions shall file such comments in writing with the Clerk of the Commission at the above address;

(3) The proposed revisions to the "Rules Governing Annual Audited Financial Reports," which amend 14 VAC 5-270-30, 14 VAC 5-270-40, 14 VAC 5-270-60 through 14 VAC 5-270-80, and 14 VAC 5-270-160, be attached hereto and made a part hereof;

(4) All filings made under paragraphs (1) or (2) above shall contain a reference to Case No. INS990202;

(5) An attested copy hereof, together with a copy of the proposed revisions, be sent by the Clerk of the Commission to the Bureau of Insurance in care of Deputy Commissioner Douglas C. Stolte, who forthwith shall give further notice of the proposed adoption of the revisions to the rules by mailing a copy of this order, together with a draft of the proposed revisions, to all insurers, burial societies, fraternal benefit societies, health services plans, health maintenance organizations, legal services plans, and dental or optometric services plans licensed by the Commission; and

(6) The Bureau of Insurance shall file with the Clerk of the Commission an affidavit of compliance with the notice requirements of paragraph (5) above.

Proposed Regulations

14 VAC 5-270-30. Scope.

This chapter (14 VAC 5-270-10 et seq.) shall apply to all organizations listed in 14 VAC 5-270-20, hereinafter referred to as "insurers." Insurers having direct premiums written of less than ~~\$1,000,000~~ \$1 million in any calendar year and having less than 1,000 policyholders or certificate holders of directly written policies at the end of such calendar year are exempt from the requirements of this chapter for such year unless the commission deems that compliance with the reporting requirements of this chapter is necessary to establish the financial condition of an insurer. Insurers having assumed premiums of ~~\$1,000,000~~ \$1 million or more pursuant to contracts and/or treaties of reinsurance will not be so exempt.

Foreign or alien insurers filing Audited Financial Reports in another state, pursuant to that state's requirements for filing of Audited Financial Reports and where such requirements have been found by the commission to be substantially similar to the requirements herein, are exempt from this chapter if:

1. Copies of the Audited Financial Report, the Report on Significant Deficiencies in Internal Controls, and the Accountant's Letter of Qualifications which are filed with such other state are filed with the commission in accordance with the filing dates specified in 14 VAC 5-270-50, 14 VAC 5-270-120, and 14 VAC 5-270-130, respectively, (Canadian insurers may submit accountants' reports as filed with the Canadian ~~Dominion~~ Department of Insurance Office of the Superintendent of Financial Institutions); and
2. A copy of any Notification of Adverse Financial Condition Report filed with such other state is filed with the commission within the time specified in 14 VAC 5-270-110.

This provision shall not prohibit, preclude or in any way limit the commission's rights with respect to workpapers described in 14 VAC 5-270-140 of this chapter or its rights concerning the ordering and/or conducting and/or performing of examinations of insurers under Title 38.2 of the Virginia Code of Virginia.

14 VAC 5-270-40. Definitions.

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

~~"Audited Financial Report" means and includes those items specified in 14 VAC 5-270-60 of this chapter.~~

"Accountant" and "independent Certified Public Accountant" ~~means~~ mean an independent, certified public accountant or accounting firm in good standing with the American Institute of Certified Public Accountants ("AICPA") and in all states in which such accountant or firm is licensed to practice; for Canadian and British companies, ~~it means they mean~~ a Canadian-chartered or British-chartered accountant.

"Audited Financial Report" means and includes those items specified in 14 VAC 5-270-60.

"Commission" means the State Corporation Commission when acting pursuant to or in accordance with Title 38.2 of the Code of Virginia.

"Due date" means (i) June 1 for all domestic insurers, and (ii) June 30 for all foreign or alien companies domiciled or entered through a state in which similar law, regulation or administrative practice provides for a June 30 filing date, or (iii), for all other insurers, the earlier of June 30 or the date established by the insurer's state of domicile or entry for filing similar audited financial reports.

"Workpapers" means the records kept by the accountant of the procedures followed, the tests performed, the information obtained, and the conclusions reached pertinent to the accountant's examination of the financial statements of an insurer. Workpapers, accordingly, may include work programs, analyses, memoranda, letters of confirmation and representation, abstracts of company documents, and schedules or commentaries prepared or obtained by the accountant in the course of the examination of the financial statements of an insurer and which support the accountant's opinion thereof.

14 VAC 5-270-60. Contents of annual Audited Financial Report.

The annual Audited Financial Report shall report the financial position of the insurer as of the end of the most recent calendar year and the results of its operations, cash flows, and changes in capital and surplus for the year then ended in conformity with statutory accounting practices prescribed, or otherwise permitted, by the insurer's state of domicile. The annual Audited Financial Report shall include the following:

1. Report of independent Certified Public Accountant.
2. Balance sheet reporting admitted assets, liabilities, capital, and surplus.
3. Statement of operations.
4. Statement of cash flows.
5. Statement of changes in capital and surplus.
6. Notes to financial statements. These notes shall be those required by the appropriate annual statement ~~and/or generally accepted accounting principles and shall also include:~~ a. and NAIC Accounting Practices and Procedures Manual. The notes shall include a reconciliation of differences, if any, between the audited statutory financial statements contained in the Audited Financial Report and the annual statement filed pursuant to §§ 38.2-1300, 38.2-4126 or 38.2-4307 of the Code of Virginia Insurance Code with a written description of the nature of these differences.
~~b. A summary of ownership and relationships of the insurer and all affiliated companies.~~
7. The financial statements included in the Audited Financial Report shall be prepared in a form and using language and groupings substantially the same as the relevant sections of the annual statement the insurer filed

with the commission and the financial ~~statement~~ *statements* shall be comparative, presenting the amounts as of December 31 of the current year and the amounts as of the immediately preceding December 31. (However, in the first year in which an insurer is required to file an Audited Financial Report, the comparative data may be omitted.)

14 VAC 5-270-70. Designation of Independent Certified Public Accountant.

Each insurer required by this chapter to file an annual Audited Financial Report must within 60 days after becoming subject to such requirement, register with the commission in writing the name and address of the accountant retained to conduct the annual audit set forth in this chapter. ~~Insurers not retaining an Accountant on September 1, 1991 shall register the name and address of a retained Accountant within six months after September 1, 1991.~~

As part of this registration, the insurer shall obtain a letter from the accountant and file a copy with the commission stating that the accountant is aware of the provisions of the insurance code and the rules and regulations of the insurance department of the state of domicile that relate to accounting and financial matters, and affirming that he will express his opinion on the financial statements in the terms of their conformity to the statutory accounting practices prescribed or otherwise permitted by that department, specifying such exceptions as he may believe appropriate.

If the accountant who was the accountant for the immediately preceding filed Audited Financial Report is dismissed or resigns, the insurer shall ~~within five business days~~ *within five business days* notify the commission *within five business days* of this event. The insurer *also* shall ~~also~~ furnish the commission with a separate letter within 10 business days of the above notification stating whether in the 24 months preceding such event there were any disagreements with the former accountant on any matter of accounting principles or practices, financial statement disclosure, or auditing scope or procedure; which disagreements, if not resolved to the satisfaction of the former accountant, would have caused him to make reference to the subject matter of the disagreement in his opinion. The disagreements required to be reported in response to this section include those resolved to the former accountant's satisfaction and those not resolved to the former accountant's satisfaction. Disagreements contemplated by this section are those that occur at the decision-making level, i.e., between personnel of the insurer responsible for presentation of its financial statements and personnel of the accounting firm responsible for rendering its report. The insurer ~~shall~~ also in writing *shall* request such former accountant to furnish a letter addressed to the insurer stating whether the accountant agrees with the statements contained in the insurer's letter and, if not, stating the reasons for disagreement; and the insurer shall furnish such responsive letter from the former accountant to the commission together with its own letter.

14 VAC 5-270-80. Qualifications of accountant.

A. The commission shall not recognize any person or firm as a qualified accountant that is not in good standing with the

AICPA and in all states in which the accountant is licensed to practice, or, for a Canadian or British company, that is not a chartered accountant.

B. Except as otherwise provided herein, an independent Certified Public Accountant shall be recognized as qualified as long as he or she conforms to the standards of his or her profession, as contained in the Code of Professional Conduct of the AICPA and the Rules and Regulations, including the ~~Standard~~ *Standards* of Practice, of the Virginia Board ~~for~~ of Accountancy, or similar code.

C. No partner or other person responsible for rendering a report may act in that capacity for more than seven consecutive years. Following any period of service, such person shall be disqualified from acting in that or a similar capacity for the same company or its insurance subsidiaries or affiliates for a period of two years. An insurer may make application to the commission for relief from the above rotation requirement on the basis of unusual circumstances. The commission may consider the following factors in determining if the relief should be granted:

1. Number of partners, expertise of the partners or the number of insurance clients in the currently registered firm;
2. Premium volume of the insurer; or
3. Number of jurisdictions in which the insurer transacts business.

~~The requirements of this subsection shall become effective two years after the promulgation of this chapter.~~

D. The commission shall not recognize as a qualified accountant, nor accept any annual Audited Financial Report, prepared in whole or in part by, any person who:

1. Has been convicted of fraud, bribery, a violation of the Racketeer Influenced and Corrupt Organizations Act (18 USC §§ 1961-1968) or any dishonest conduct or practices under federal or state law;
2. Has violated the insurance laws of this Commonwealth with respect to any previous reports submitted under this chapter; or
3. Has demonstrated a pattern or practice of failing to detect or disclose material information in previous reports filed under the provisions of this chapter.

E. The commission may (i) make a determination as to whether an accountant is qualified and may, based upon the facts considered, determine that such accountant is not qualified for purposes of expressing an opinion on the financial statements in the annual Audited Financial Report made pursuant to this chapter and (ii) require the insurer to replace such accountant with another whose relationship with the insurer is qualified within the meaning of this chapter.

14 VAC 5-270-160. Effective dates. (Repealed.)

~~All insurers retaining a certified public accountant on September 1, 1991 who qualifies as an Accountant shall comply with all provisions of this chapter for the year ending~~

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~~December 31, 1991, and each year thereafter unless the Commission permits otherwise.~~

~~Insurers not retaining a certified public accountant on September 1, 1991 who qualifies as independent may meet the following schedule for compliance unless the Commission permits otherwise:~~

~~1. For the year ending December 31, 1991, file with the Commission:~~

- ~~a. Report of Independent Certified Public Accountant;~~
- ~~b. Audited balance sheet; and~~
- ~~c. Notes to audited balance sheet.~~

~~2. For the year ending December 31, 1992, and each year thereafter, such insurers shall file with the Commission all reports required by this chapter.~~

VA.R. Doc. No. R99-270; Filed August 25, 1999, 12:01 p.m.

* * * * *

REGISTRAR'S NOTICE: The State Corporation Commission is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency which by the Constitution is expressly granted any of the powers of a court of record.

Title of Regulation: 14 VAC 5-319-10 et seq. **Rules Establishing Minimum Valuation and Reserve Standards for Life Insurance Policies.**

Statutory Authority: §§ 12.1-13 and 38.2-223 of the Code of Virginia.

Summary:

The proposed regulations concern reserves held by life insurance companies. The primary goal is to establish the rules concerning (i) the valuation of plans with nonlevel premiums or benefits and (ii) the valuation of universal life products with secondary guarantees. Also, new tables of select mortality factors and rules for their use are introduced. The proposed regulation is modeled after the National Association of Insurance Commissioners' "Valuation of Life Insurance Policies Model Regulation," as adopted in March 1999.

Agency Contact: Copies of the regulation may be obtained from Raquel Pino-Moreno, Bureau of Insurance, State Corporation Commission, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9499 or e-mail: rpinomoreno@scc.state.va.us.

AT RICHMOND, AUGUST 24, 1999

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

CASE NO. INS990205

Ex Parte: In the matter of Adopting Rules Establishing

Minimum Valuation and Reserve Standards for Life Insurance Policies (14 VAC 5-319-10 et seq.)

ORDER TO TAKE NOTICE

WHEREAS, § 12.1-13 of the Code of Virginia provides that the Commission shall have the power to promulgate rules and regulations in the enforcement and administration of all laws within its jurisdiction, and § 38.2-223 of the Code of Virginia provides that the Commission may issue any rules and regulations necessary or appropriate for the administration and enforcement of Title 38.2 of the Code of Virginia;

WHEREAS, the rules and regulations issued by the Commission pursuant to § 38.2-223 of the Code of Virginia are set forth in Title 14 of the Virginia Administrative Code;

WHEREAS, the Bureau of Insurance has submitted to the Commission a proposed regulation concerning minimum valuation and reserve standards for life insurance policies, which are to be published in Chapter 319 of Title 14 of the Virginia Administrative Code as rules at 14 VAC 5-319-10 through 14 VAC 5-319-80; and

WHEREAS, the Commission is of the opinion that the proposed regulation should be adopted with an effective date of January 1, 2000;

THEREFORE, IT IS ORDERED THAT:

(1) All interested persons TAKE NOTICE that the Commission shall enter an order subsequent to October 22, 1999, adopting the regulation proposed by the Bureau of Insurance unless on or before October 22, 1999, any person objecting to the proposed regulation files a request for a hearing to oppose the adoption of the proposed regulation, with an effective date of January 1, 2000, with the Clerk of the Commission, Document Control Center, P.O. Box 2118, Richmond, Virginia 23218;

(2) All interested persons TAKE NOTICE that on or before October 22, 1999, any person desiring to comment in support of, or in opposition to, the proposed regulation shall file such comments in writing with the Clerk of the Commission at the above address;

(3) The proposed regulation be attached hereto and made a part hereof as rules to be designated 14 VAC 5-319-10 through 14 VAC 5-319-80;

(4) All filings made under paragraphs (1) or (2) above shall contain a reference to Case No. INS990205;

(5) An attested copy hereof, together with a copy of the proposed regulation, be sent by the Clerk of the Commission to the Bureau of Insurance in care of Deputy Commissioner Douglas C. Stolte, who forthwith shall give further notice of the proposed adoption of the regulation by mailing a copy of this order, together with a draft of the proposed regulation, to all insurers licensed by the Commission to write life insurance in the Commonwealth of Virginia and all burial societies and fraternal benefit societies licensed by the Commission under Chapters 40 and 41, respectively, of Title 38.2 of the Code of Virginia; and

(6) The Bureau of Insurance shall file with the Clerk of the Commission an affidavit of compliance with the notice requirements of paragraph (5) above.

CHAPTER 319.

RULES ESTABLISHING MINIMUM VALUATION AND RESERVE STANDARDS FOR LIFE INSURANCE POLICIES.

14 VAC 5-319-10. Definitions.

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

“1980 CSO valuation tables” means the Commissioners’ 1980 Standard Ordinary Mortality Table (1980 CSO Table) without 10-year selection factors, incorporated into the 1980 amendments to the NAIC Standard Valuation Law, and variations of the 1980 CSO Table approved by the NAIC, such as the smoker and nonsmoker versions approved in December 1983.

“Basic reserves” means reserves calculated in accordance with § 38.2-3137 of the Code of Virginia.

“Commission” means the State Corporation Commission when acting pursuant to or in accordance with Title 38.2 of the Code of Virginia.

“Contract segmentation method” means the method of dividing the period from issue to mandatory expiration of a policy into successive segments, with the length of each segment being defined as the period from the end of the prior segment (from policy inception, for the first segment) to the end of the latest policy year as determined below. All calculations are made using the 1980 CSO valuation tables, as defined in this section (or any other valuation mortality table adopted by the NAIC after the effective date of this regulation and promulgated by regulation by the commission for this purpose) and, if elected, the optional minimum mortality standard for deficiency reserves stipulated in 14 VAC 5-319-40 B.

The length of a particular contract segment shall be set equal to the minimum of the value t for which G_t is greater than R_t (if G_t never exceeds R_t , the segment length is deemed to be the number of years from the beginning of the segment to the mandatory expiration date of the policy), where G_t and R_t are defined as follows:

$$G_t = \frac{GP_{x+k+t}}{GP_{x+k+t-1}}$$

where:

x = original issue age;

k = the number of years from the date of issue to the beginning of the segment;

$t = 1, 2, \dots$; t is reset to 1 at the beginning of each segment; and

$GP_{x+k+t-1}$ = Guaranteed gross premium per \$1,000 of face amount for year t of the segment, ignoring policy fees only if level for the premium paying period of the policy.

$$R_t = \frac{q_{x+k+t}}{q_{x+k+t-1}}$$

where:

R_t may be increased or decreased by 1.0 % in any policy year, at the company’s option, but R_t shall not be less than one; and

x , k and t are as defined above; and

$q_{x+k+t-1}$ = valuation mortality rate for deficiency reserves in policy year $k+t$ but using the mortality of 14 VAC 5-319-40 B 2 if 14 VAC 5-319-40 B 3 is elected for deficiency reserves. However, if GP_{x+k+t} is greater than 0 and $GP_{x+k+t-1}$ is equal to 0, G_t shall be deemed to be 1,000. If GP_{x+k+t} and $GP_{x+k+t-1}$ are both equal to 0, G_t shall be deemed to be 0.

“Deficiency reserves” means the excess, if greater than 0, of (i) minimum reserves calculated in accordance with § 38.2-3141 of the Code of Virginia over (ii) basic reserves.

“Guaranteed gross premiums” means the premiums under a policy of life insurance that are guaranteed and determined at issue.

“Maximum valuation interest rates” means the interest rates defined in § 38.2-3130 of the Code of Virginia that are to be used in determining the minimum standard for the valuation of life insurance policies.

“NAIC” means the National Association of Insurance Commissioners.

“Regulation” or “this regulation” means Chapter 319 of Title 14 of the Virginia Administrative Code (14 VAC 5-319-10 et seq.) which also shall be known as the commission’s Rules Establishing Minimum Valuation and Reserve Standards for Life Insurance Policies.

“Scheduled gross premium” means the smallest illustrated gross premium at issue for other than universal life insurance policies. For universal life insurance policies, scheduled gross premium means the smallest specified premium described in 14 VAC 5-319-60 A 3 or, if none is so described, the minimum premium described in 14 VAC 5-319-60 A 4.

“Segmented reserves” means reserves, calculated using segments produced by the contract segmentation method, equal to the present value of all future guaranteed benefits less the present value of all future net premiums to the mandatory expiration of a policy, where the net premiums within each segment are a uniform percentage of the respective guaranteed gross premiums within the segment. The uniform percentage for each segment is such that, at the beginning of the segment, the present value of the net premiums within the segment equals:

1. The present value of the death benefits within the segment, plus

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2. The present value of any unusual guaranteed cash value (see 14 VAC 5-319-50 D) occurring at the end of the segment, less

3. Any unusual guaranteed cash value occurring at the start of the segment, plus

4. For the first segment only, the excess of subdivision 4 a over subdivision 4 b of this definition, as follows:

a. A net level annual premium equal to the present value, at the date of issue, of the benefits provided for in the first segment after the first policy year, divided by the present value, at the date of issue, of an annuity of one per year payable on the first and each subsequent anniversary within the first segment on which a premium falls due. However, the net level annual premium shall not exceed the net level annual premium on the 19-year premium whole life plan of insurance of the same renewal year equivalent level amount at an age one year higher than the age at issue of the policy.

b. A net one-year term premium for the benefits provided for in the first policy year.

The length of each segment is determined by the “contract segmentation method,” as defined in this section.

The interest rates used in the present value calculations for any policy may not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the sum of the lengths of all segments of the policy.

For both basic reserves and deficiency reserves computed by the segmented method, present values shall include future benefits and net premiums in the current segment and in all subsequent segments.

“Tabular cost of insurance” means the net single premium at the beginning of a policy year for one-year term insurance in the amount of the guaranteed death benefit in that policy year.

“Ten-year select mortality factors” means the select factors adopted by the NAIC with the 1980 amendments to the NAIC Standard Valuation Law.

“Twenty-year select mortality factors” means the select factors adopted by the NAIC as part of the Valuation of Life Insurance Policies Model Regulation and shown in the tables in 14 VAC 5-319-70.

“Unitary reserves” means the present value of all future guaranteed benefits less the present value of all future modified net premiums, where:

1. Guaranteed benefits and modified net premiums are considered to the mandatory expiration of the policy; and

2. Modified net premiums are a uniform percentage of the respective guaranteed gross premiums, where the uniform percentage is such that, at issue, the present value of the net premiums equals the present value of all death benefits and pure endowments, plus the excess of subdivision a over subdivision b, as follows:

a. A net level annual premium equal to the present value, at the date of issue, of the benefits provided for after the first policy year, divided by the present value, at the date of issue, of an annuity of one per year payable on the first and each subsequent anniversary of the policy on which a premium falls due. However, the net level annual premium shall not exceed the net level annual premium on the 19-year premium whole life plan of insurance of the same renewal year equivalent level amount at an age one year higher than the age at issue of the policy.

b. A net one-year term premium for the benefits provided for in the first policy year.

The interest rates used in the present value calculations for any policy may not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the length from issue to the mandatory expiration of the policy.

“Universal life insurance policy” means any individual life insurance policy under the provisions of which separately identified interest credits (other than in connection with dividend accumulations, premium deposit funds or other supplementary accounts) and mortality or expense charges are made to the policy.

“YRT” means yearly renewable term.

14 VAC 5-319-20. Purpose.

A. The purpose of this regulation is to provide:

1. Tables of select mortality factors and rules for their use;

2. Rules establishing minimum valuation and reserve standards for plans with nonlevel premiums or benefits; and

3. Rules establishing minimum valuation and reserve standards for plans with secondary guarantees.

B. The method for calculating basic reserves defined in this regulation will constitute the Commissioners’ Reserve Valuation Method for policies to which this regulation is applicable.

14 VAC 5-319-30. Applicability.

A. This regulation shall apply to all life insurance policies, with or without nonforfeiture values, issued on or after January 1, 2000, subject to the exceptions and conditions in subsections B and C of this section.

B. Exceptions to this regulation.

1. This regulation shall not apply to any individual life insurance policy issued on or after January 1, 2000, if the policy is issued in accordance with and as a result of the exercise of a reentry provision contained in the original life insurance policy of the same or greater face amount, issued before January 1, 2000, that guarantees the premium rates of the new policy. This regulation also shall not apply to subsequent policies issued as a result

of the exercise of such a provision, or a derivation of the provision, in the new policy.

2. This regulation shall not apply to any universal life policy that meets all the following requirements:

- a. Secondary guarantee period, if any, is five years or less;
- b. Specified premium for the secondary guarantee period is not less than the net level reserve premium for the secondary guarantee period based on the 1980 CSO valuation tables as defined in 14 VAC 5-319-10 and the applicable valuation interest rate; and
- c. The initial surrender charge is not less than 100% of the first year annualized specified premium for the secondary guarantee period.

3. This regulation shall not apply to any variable life insurance policy that provides for life insurance, the amount or duration of which varies according to the investment experience of any separate account or accounts.

4. This regulation shall not apply to any variable universal life insurance policy that provides for life insurance, the amount or duration of which varies according to the investment experience of any separate account or accounts.

5. This regulation shall not apply to a group life insurance certificate unless the certificate provides for a stated or implied schedule of maximum gross premiums required in order to continue coverage in force for a period in excess of one year.

C. Conditions to be met:

1. Calculation of the minimum valuation standard for policies with guaranteed nonlevel gross premiums or guaranteed nonlevel benefits (other than universal life policies), or both, shall be in accordance with the provisions of 14 VAC 5-319-50.

2. Calculation of the minimum valuation standard for flexible premium and fixed premium universal life insurance policies that contain provisions resulting in the ability of a policyholder to keep a policy in force over a secondary guarantee period shall be in accordance with the provisions of 14 VAC 5-319-60.

14 VAC 5-319-40. General calculation requirements for basic reserves and premium deficiency reserves.

A. At the election of the company for any one or more specified plans of life insurance, the minimum mortality standard for basic reserves may be calculated using the 1980 CSO valuation tables with select mortality factors, or any other valuation mortality table adopted by the NAIC on or after January 1, 2000, and promulgated by regulation by the commission for this purpose. If select mortality factors are elected, they may be:

1. The 10-year select mortality factors incorporated into the 1980 amendments to the NAIC Standard Valuation Law;

2. The 20-year select mortality factors in 14 VAC 5-319-70; or

3. Any other table of select mortality factors adopted by the NAIC on or after January 1, 2000, and promulgated by regulation by the commission for the purpose of calculating basic reserves.

B. Deficiency reserves, if any, are calculated for each policy as the excess, if greater than 0, of the quantity A over the basic reserve. The quantity A is obtained by recalculating the basic reserve for the policy using guaranteed gross premiums instead of net premiums when the guaranteed gross premiums are less than the corresponding net premiums. At the election of the company for any one or more specified plans of insurance, the quantity A and the corresponding net premiums used in the determination of quantity A may be based upon the 1980 CSO valuation tables with select mortality factors, or any other valuation mortality table adopted by the NAIC on or after January 1, 2000 and promulgated by regulation by the commission.

1. If select mortality factors are elected, they may be:

a. The 10-year select mortality factors incorporated into the 1980 amendments to the NAIC Standard Valuation Law;

b. The 20-year select mortality factors in 14 VAC 5-319-70;

c. For durations in the first segment, X percent of the 20-year select mortality factors in 14 VAC 5-319-70, subject to the conditions set forth in subdivisions B 2 and B 3 of this section; or

d. Any other table of select mortality factors adopted by the NAIC after January 1, 2000, and promulgated by regulation by the commission for the purpose of calculating deficiency reserves.

2. When calculating X as provided by this section, the following shall apply:

a. X may vary by policy year, policy form, underwriting classification, issue age or any other policy factor expected to affect mortality experience;

b. X shall not be less than 20%;

c. X shall not decrease in any successive policy years;

d. X is such that, when using the valuation interest rate used for basic reserves, subdivision (1) is greater than or equal to subdivision (2), as follows:

(1) The actuarial present value of future death benefits, calculated using the mortality rates resulting from the application of X;

(2) The actuarial present value of future death benefits calculated using anticipated mortality experience without recognition of mortality improvement beyond the valuation date;

e. X is such that the mortality rates resulting from the application of X are at least as great as the anticipated mortality experience, without recognition of mortality

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improvement beyond the valuation date, in each of the first five years after the valuation date;

f. The appointed actuary shall increase X at any valuation date where it is necessary to continue to meet all the requirements of subdivision B 3 of this section;

g. The appointed actuary may decrease X at any valuation date as long as X does not decrease in any successive policy years and as long as it continues to meet all the requirements of subdivisions B 2 and B 3 of this section; and

h. The appointed actuary specifically shall take into account the adverse effect on expected mortality and lapsation of any anticipated or actual increase in gross premiums.

3. If X is less than 100% at any duration for any policy, the following requirements shall be met:

a. The appointed actuary annually shall prepare an actuarial opinion and memorandum for the company in conformance with the requirements of 14 VAC 5-310-90; and

b. The appointed actuary annually shall opine for all policies subject to this regulation as to whether the mortality rates resulting from the application of X meet the requirements of subdivision B 3 of this section. This opinion shall be supported by an actuarial report, subject to appropriate Actuarial Standards of Practice promulgated by the Actuarial Standards Board of the American Academy of Actuaries. The X factors shall reflect anticipated future mortality, without recognition of mortality improvement beyond the valuation date, taking into account relevant emerging experience.

C. This subsection applies to both basic reserves and deficiency reserves. Any set of select mortality factors may be used only for the first segment. However, if the first segment is less than 10 years, the appropriate 10-year select mortality factors incorporated into the 1980 amendments to the NAIC Standard Valuation Law may be used thereafter through the tenth policy year from the date of issue.

D. In determining basic reserves or deficiency reserves, guaranteed gross premiums without policy fees may be used where the calculation involves the guaranteed gross premium if the policy fee is a level dollar amount after the first policy year. In determining deficiency reserves, policy fees may be included in guaranteed gross premiums, even if not included in the actual calculation of basic reserves.

E. Reserves for policies that have changes to guaranteed gross premiums, guaranteed benefits, guaranteed charges or guaranteed credits that are unilaterally made by the company after issue and that are effective for more than one year after the date of the change shall be the greatest of the following: (i) reserves calculated ignoring the guarantee, (ii) reserves assuming the guarantee was made at issue, and (iii) reserves assuming that the policy was issued on the date of the guarantee.

F. The commission may require that the company document the extent of the adequacy of reserves for specified blocks, including but not limited to policies issued prior to January 1, 2000. This documentation may include a demonstration of the extent to which aggregation with other nonspecified blocks of business is relied upon in the formation of the appointed actuary opinion pursuant to and consistent with the requirements of 14 VAC 5-310-90.

14 VAC 5-319-50. Calculation of minimum valuation standard for policies with guaranteed nonlevel gross premiums or guaranteed nonlevel benefits (other than universal life policies).

A. Basic reserves shall be calculated as the greater of the segmented reserves and the unitary reserves. Both the segmented reserves and the unitary reserves for any policy shall use the same valuation mortality table and selection factors. At the option of the company, in calculating segmented reserves and net premiums, either of the adjustments described in subdivision 1 or 2 of this subsection may be made:

1. Treat the unitary reserve, if greater than 0, applicable at the end of each segment as a pure endowment and subtract the unitary reserve, if greater than 0, applicable at the beginning of each segment from the present value of guaranteed life insurance and endowment benefits for each segment.

2. Treat the guaranteed cash surrender value, if greater than 0, applicable at the end of each segment as a pure endowment; and subtract the guaranteed cash surrender value, if greater than 0, applicable at the beginning of each segment from the present value of guaranteed life insurance and endowment benefits for each segment.

B. Deficiency reserves are subject to the following:

1. The deficiency reserve at any duration shall be calculated:

a. On a unitary basis if the corresponding basic reserve determined by subsection A of this section is unitary;

b. On a segmented basis if the corresponding basic reserve determined by subsection A of this section is segmented; or

c. On the segmented basis if the corresponding basic reserve determined by subsection A of this section is equal to both the segmented reserve and the unitary reserve.

2. This subsection shall apply to any policy for which the guaranteed gross premium at any duration is less than the corresponding modified net premium calculated by the method used in determining the basic reserves, but using the rate of interest and minimum valuation standards of mortality (specified in 14 VAC 5-319-40 B).

3. Deficiency reserves, if any, shall be calculated for each policy as the excess if greater than 0, for the current and all remaining periods, of the quantity A over the basic reserve, where A is obtained as indicated in 14 VAC 5-319-40 B.

4. For deficiency reserves determined on a segmented basis, the quantity *A* is determined using segment lengths equal to those determined for segmented basic reserves.

C. Basic reserves may not be less than the tabular cost of insurance for the balance of the policy year, if mean reserves are used. Basic reserves may not be less than the tabular cost of insurance for the balance of the current modal period or to the paid-to-date, if later, but not beyond the next policy anniversary, if mid-terminal reserves are used. The tabular cost of insurance shall use the same valuation mortality table and interest rates as used for the calculation of the segmented reserves. However, if select mortality factors are used, they shall be the 10-year select factors incorporated into the 1980 amendments of the NAIC Standard Valuation Law. In no case shall total reserves (including basic reserves, deficiency reserves, and any reserves held for supplemental benefits that would expire upon contract termination) be less than the amount that the policyowner would receive (including the cash surrender value of the supplemental benefits, if any, referred to above), exclusive of any deduction for policy loans, upon termination of the policy.

D. Unusual pattern of guaranteed cash surrender values follow:

1. For any policy with an unusual pattern of guaranteed cash surrender values, the reserves actually held prior to the first unusual guaranteed cash surrender value shall not be less than the reserves calculated by treating the first unusual guaranteed cash surrender value as a pure endowment and treating the policy as an *n*-year policy providing term insurance plus a pure endowment equal to the unusual cash surrender value, where *n* is the number of years from the date of issue to the date the unusual cash surrender value is scheduled.

2. The reserves actually held subsequent to any unusual guaranteed cash surrender value shall not be less than the reserves calculated by treating the policy as an *n*-year policy providing term insurance plus a pure endowment equal to the next unusual guaranteed cash surrender value, and treating any unusual guaranteed cash surrender value at the end of the prior segment as a net single premium, where

a. *n* is the number of years from the date of the last unusual guaranteed cash surrender value prior to the valuation date to the earlier of:

(1) The date of the next unusual guaranteed cash surrender value, if any, that is scheduled after the valuation date; or

(2) The mandatory expiration date of the policy;

b. The net premium for a given year during the *n*-year period is equal to the product of the net to gross ratio and the respective gross premium; and

c. The net to gross ratio is equal to subdivision (1) divided by subdivision (2), as follows:

(1) The present value, at the beginning of the *n*-year period, of death benefits payable during the *n*-year period plus the present value, at the beginning of the

n-year period, of the next unusual guaranteed cash surrender value, if any, minus the amount of the last unusual guaranteed cash surrender value, if any, scheduled at the beginning of the *n*-year period.

(2) The present value, at the beginning of the *n*-year period, of the scheduled gross premiums payable during the *n*-year period.

3. For purposes of this subsection, a policy is considered to have an unusual pattern of guaranteed cash surrender values if any future guaranteed cash surrender value exceeds the prior year's guaranteed cash surrender value by more than the sum of:

a. 110% of the scheduled gross premium for that year;

b. 110% of one year's accrued interest on the sum of the prior year's guaranteed cash surrender value and the scheduled gross premium using the nonforfeiture interest rate used for calculating policy guaranteed cash surrender values; and

c. 5.0% of the first policy year surrender charge, if any.

E. There is an optional exemption for yearly renewable term reinsurance. At the option of the company, the following approach for reserves on YRT reinsurance may be used:

1. Calculate the valuation net premium for each future policy year as the tabular cost of insurance for that future year.

2. Basic reserves shall never be less than the tabular cost of insurance for the appropriate period, as defined in subsection C of this section.

3. Deficiency reserves are subject to the following:

a. For each policy year, calculate the excess, if greater than 0, of the valuation net premium over the respective maximum guaranteed gross premium.

b. Deficiency reserves shall never be less than the sum of the present values, at the date of valuation, of the excesses determined in accordance with subdivision 3 a of this subsection.

4. For purposes of this subsection, the calculations use the maximum valuation interest rate and the 1980 CSO mortality tables with or without 10-year select mortality factors, or any other table adopted on or after January 1, 2000, by the NAIC and promulgated by regulation by the commission for this purpose.

5. A reinsurance agreement shall be considered YRT reinsurance for purposes of this subsection if only the mortality risk is reinsured.

6. If the assuming company chooses this optional exemption, the ceding company's reinsurance reserve credit shall be limited to the amount of reserve held by the assuming company for the affected policies.

F. There is an optional exemption for attained-age-based yearly renewable term (YRT) life insurance policies. At the

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option of the company, the following approach for reserves for attained-age-based YRT life insurance policies may be used:

1. Calculate the valuation net premium for each future policy year as the tabular cost of insurance for that future year.
2. Basic reserves shall never be less than the tabular cost of insurance for the appropriate period, as defined in subsection C of this section.
3. Deficiency reserves.
 - a. For each policy year, calculate the excess, if greater than 0, of the valuation net premium over the respective maximum guaranteed gross premium.
 - b. Deficiency reserves shall never be less than the sum of the present values, at the date of valuation, of the excesses determined in accordance with subdivision 3 a of this subsection.
4. For purposes of this subsection, the calculations use the maximum valuation interest rate and the 1980 CSO valuation tables with or without 10-year select mortality factors, or any other table adopted on or after January 1, 2000, by the NAIC and promulgated by regulation by the commission for this purpose.
5. A policy shall be considered an attained-age-based YRT life insurance policy for purposes of this subsection if:
 - a. The premium rates (on both the initial current premium scale and the guaranteed maximum premium scale) are based upon the attained age of the insured, such that the rate for any given policy at a given attained age of the insured is independent of the year the policy was issued; and
 - b. The premium rates (on both the initial current premium scale and the guaranteed maximum premium scale) are the same as the premium rates for policies covering all insureds of the same sex, risk class, plan of insurance, and attained age.
6. For policies that become attained-age-based YRT policies after an initial period of coverage, the approach of this subsection may be used after the initial period if:
 - a. The initial period is constant for all insureds of the same sex, risk class, and plan of insurance; or
 - b. The initial period runs to a common attained age for all insureds of the same sex, risk class, and plan of insurance; and
 - c. After the initial period of coverage, the policy meets the conditions of subdivision F 5 of this section.
7. If this election is made, this approach shall be applied in determining reserves for all attained-age-based YRT life insurance policies issued on or after the effective date of this regulation.
 - G. There is an exemption from unitary reserves for certain n-year renewable term life insurance policies. Unitary basic reserves and unitary deficiency reserves need not be calculated for a policy if the following conditions are met:

1. The policy consists of a series of n-year periods, including the first period and all renewal periods, where n is the same for each period, except that for the final renewal period, n may be truncated or extended to reach the expiry age, provided that this final renewal period is less than 10 years and less than twice the size of the earlier n-year periods, and for each period, the premium rates on both the initial current premium scale and the guaranteed maximum premium scale are level;
 2. The guaranteed gross premiums in all n-year periods are not less than the corresponding net premiums based upon the 1980 CSO Table with or without the 10-year select mortality factors; and
 3. There are no cash surrender values in any policy year.
 - H. There is an exemption from unitary reserves for certain juvenile policies. Unitary basic reserves and unitary deficiency reserves need not be calculated for a policy if the following conditions are met, based upon the initial current premium scale at issue:
 1. At issue, the insured is age 24 or younger;
 2. Until the insured reaches the end of the juvenile period, which shall occur at or before age 25, the gross premiums and death benefits are level, and there are no cash surrender values; and
 3. After the end of the juvenile period, gross premiums are level for the remainder of the premium paying period, and death benefits are level for the remainder of the life of the policy.
- 14 VAC 5-319-60. Calculation of minimum valuation standard for flexible premium and fixed premium universal life insurance policies that contain provisions resulting in the ability of a policyowner to keep a policy in force over a secondary guarantee period.**
- A. General provisions are:
 1. Policies with a secondary guarantee include, but are not limited to, the following:
 - a. A policy with a guarantee that the policy will remain in force at the original schedule of benefits, subject only to the payment of specified premiums;
 - b. A policy in which the minimum premium at any duration is less than the corresponding one-year valuation premium, calculated using the maximum valuation interest rate and the 1980 CSO valuation tables with or without 10-year select mortality factors, or any other table adopted on or after January 1, 2000, by the NAIC and promulgated by regulation by the commission for this purpose; or
 - c. A policy with any combination of subdivisions 1 a and 1 b of this subsection.
 2. A secondary guarantee period is the period for which the policy is guaranteed to remain in force subject only to a secondary guarantee. When a policy contains more than one secondary guarantee, the minimum reserve shall be the greatest of the respective minimum reserves

at that valuation date of each unexpired secondary guarantee, ignoring all other secondary guarantees. Secondary guarantees that are unilaterally changed by the company after issue shall be considered to have been made at issue. Reserves described in subsections B and C of this section shall be recalculated from issue to reflect these changes.

3. Specified premiums mean the premiums specified in the policy, the payment of which guarantees that the policy will remain in force at the original schedule of benefits, but which otherwise would be insufficient to keep the policy in force in the absence of the guarantee if maximum mortality and expense charges and minimum interest credits were made and any applicable surrender charges were assessed.

4. For purposes of this section, the minimum premium for any policy year is the premium that, when paid into a policy with a 0 account value at the beginning of the policy year, produces a 0 account value at the end of the policy year. The minimum premium calculation shall use the policy cost factors (including mortality charges, loads, and expense charges) and the interest crediting rate, which are all guaranteed at issue.

5. The one-year valuation premium means the net one-year premium based upon the original schedule of benefits for a given policy year. The one-year valuation premiums for all policy years are calculated at issue. The select mortality factors defined in 14 VAC 5-319-40 B 1 b, c, and d may not be used to calculate the one-year valuation premiums.

6. The one-year valuation premium should reflect the frequency of fund processing, as well as the distribution of deaths assumption employed in the calculation of the monthly mortality charges to the fund.

B. Basic reserves for the secondary guarantees shall be the segmented reserves for the secondary guarantee period. In calculating the segments and the segmented reserves, the gross premiums shall be set equal to the specified premiums, if any, or otherwise to the minimum premiums, that keep the policy in force and the segments will be determined according to the contract segmentation method as defined in 14 VAC 5-319-10.

C. Deficiency reserves, if any, for the secondary guarantees shall be calculated for the secondary guarantee period in the same manner as described in 14 VAC 5-319-50 B with gross premiums set equal to the specified premiums, if any, or otherwise to the minimum premiums that keep the policy in force.

D. The minimum reserves during the secondary guarantee period are the greater of:

1. The basic reserves for the secondary guarantee plus the deficiency reserve, if any, for the secondary guarantees; or
2. The minimum reserves required by other rules or regulations governing universal life plans.

14 VAC 5-319-70. Twenty-year select mortality factors.

The six tables of select mortality factors in this section include: (i) male aggregate, (ii) male nonsmoker, (iii) male smoker, (iv) female aggregate, (v) female nonsmoker, and (vi) female smoker.

These tables apply to both age last birthday and age nearest birthday mortality tables.

For sex-blended mortality tables, compute select mortality factors in the same proportion as the underlying mortality. For example, for the 1980 CSO-B Table, the calculated select mortality factors are 80% of the appropriate male table in this list, plus 20% of the appropriate female table in this list.

TWENTY-YEAR SELECT MORTALITY FACTORS.

Issue Age	Male, Aggregate Duration																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
18	96	98	98	99	99	100	100	90	92	92	92	92	93	93	96	97	98	98	99	100
19	83	84	84	87	87	87	79	79	79	81	81	82	82	82	85	88	91	94	97	100
20	69	71	71	74	74	69	69	67	69	70	71	71	71	71	74	79	84	90	95	100
21	66	68	69	71	66	66	67	66	67	70	70	70	71	71	77	83	88	94	100	
22	65	66	66	63	63	64	64	64	65	68	68	68	68	69	71	77	83	88	94	100
23	62	63	59	60	62	62	63	63	64	65	65	67	67	69	70	76	82	88	94	100
24	60	56	56	59	59	60	61	61	61	64	64	64	66	67	70	76	82	88	94	100
25	52	53	55	56	58	58	60	60	60	63	62	63	64	67	69	75	81	88	94	100
26	51	52	55	56	58	58	57	61	61	62	63	64	66	69	66	73	80	86	93	100
27	51	52	55	57	58	60	61	61	60	63	63	64	67	66	67	74	80	87	93	100
28	49	51	56	58	60	60	61	62	62	63	64	66	65	66	68	74	81	87	94	100
29	49	51	56	58	60	61	62	62	62	64	64	62	66	67	70	76	82	88	94	100
30	49	50	56	58	60	60	62	63	63	64	62	63	67	68	71	77	83	88	94	100
31	47	50	56	58	60	62	63	64	64	62	63	66	68	70	72	78	83	89	94	100
32	46	49	56	59	60	62	63	66	62	63	66	67	70	72	73	78	84	89	95	100

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33	43	49	56	59	62	63	64	62	65	66	67	70	72	73	75	80	85	90	95	100
34	42	47	56	60	62	63	61	63	66	67	70	71	73	75	76	81	86	90	95	100
35	40	47	56	60	63	61	62	65	67	68	71	73	74	76	76	81	86	90	95	100
36	38	42	56	60	59	61	63	65	67	68	70	72	74	76	77	82	86	91	95	100
37	38	45	56	57	61	62	63	65	67	68	70	72	74	76	76	81	86	90	95	100
38	37	44	53	58	61	62	65	66	67	69	69	73	75	76	77	82	86	91	95	100
39	37	41	53	58	62	63	65	65	66	68	69	72	74	76	76	81	86	90	95	100
40	34	40	53	58	62	63	65	65	66	68	68	71	75	76	77	82	86	91	95	100
41	34	41	53	58	62	63	65	64	64	66	68	70	74	76	77	82	86	91	95	100
42	34	43	53	58	61	62	63	63	63	64	66	69	72	75	77	82	86	91	95	100
43	34	43	54	59	60	61	63	62	62	64	66	67	72	74	77	82	86	91	95	100
44	34	44	54	58	59	60	61	60	61	62	64	67	71	74	77	82	86	91	95	100
45	34	45	53	58	59	60	60	60	59	60	63	66	71	74	77	82	86	91	95	100
46	31	43	52	56	57	58	59	59	59	60	63	67	71	74	75	80	85	90	95	100
47	32	42	50	53	55	56	57	58	59	60	65	68	71	74	75	80	85	90	95	100
48	32	41	47	52	54	56	57	57	57	61	65	68	72	73	74	79	84	90	95	100
49	30	40	46	49	52	54	55	56	57	61	66	69	72	73	74	79	84	90	95	100
50	30	38	44	47	51	53	54	56	57	61	66	71	72	73	75	80	85	90	95	100
51	28	37	42	46	49	53	54	56	57	61	66	71	72	73	75	80	85	90	95	100
52	28	35	41	45	49	51	54	56	57	61	66	71	72	74	75	80	85	90	100	100
53	27	35	39	44	48	51	53	55	57	61	67	71	74	75	76	81	86	100	100	100
54	27	33	38	44	48	50	53	55	57	61	67	72	74	75	76	81	100	100	100	100
55	25	32	37	43	47	50	53	55	57	61	68	72	74	75	78	100	100	100	100	100
56	25	32	37	43	47	49	51	54	56	61	67	70	73	74	100	100	100	100	100	100
57	24	31	38	43	47	49	51	54	56	59	66	69	72	100	100	100	100	100	100	100
58	24	31	38	43	48	48	50	53	56	59	64	67	100	100	100	100	100	100	100	100
59	23	30	39	43	48	48	51	53	55	58	63	100	100	100	100	100	100	100	100	100
60	23	30	39	43	48	47	50	52	53	57	100	100	100	100	100	100	100	100	100	100
61	23	30	39	43	49	49	50	52	53	75	100	100	100	100	100	100	100	100	100	100
62	23	30	39	44	49	49	51	52	75	75	100	100	100	100	100	100	100	100	100	100
63	22	30	39	45	50	50	52	75	75	75	100	100	100	100	100	100	100	100	100	100
64	22	30	39	45	50	51	75	75	75	75	100	100	100	100	100	100	100	100	100	100
65	22	30	39	45	50	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
66	22	30	39	45	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
67	22	30	39	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
68	23	32	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
69	23	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
70	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
71	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
72	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
73	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
74	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
75	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
76	48	52	55	60	60	65	70	70	70	100	100	100	100	100	100	100	100	100	100	100
77	48	52	55	60	60	65	70	70	100	100	100	100	100	100	100	100	100	100	100	100
78	48	52	55	60	60	65	70	100	100	100	100	100	100	100	100	100	100	100	100	100
79	48	52	55	60	60	65	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	48	52	55	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	48	52	55	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	48	52	55	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
83	48	52	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	48	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Male, Nonsmoker
Duration

Issue	Duration																			
Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
18	93	95	96	98	99	100	100	90	92	92	92	92	95	95	96	97	98	98	99	100

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19	80	81	83	86	87	87	79	79	79	81	81	82	83	83	86	89	92	94	97	100
20	65	68	69	72	74	69	69	67	69	70	71	71	72	72	75	80	85	90	95	100
21	63	66	68	71	66	66	67	66	67	70	70	70	71	71	73	78	84	89	95	100
22	62	65	66	62	63	64	64	64	67	68	68	68	70	70	73	78	84	89	95	100
23	60	62	58	60	62	62	63	63	64	67	68	68	67	69	71	77	83	88	94	100
24	59	55	56	58	59	60	61	61	63	65	67	66	66	69	71	77	83	88	94	100
25	52	53	55	56	58	58	60	60	61	64	64	64	64	67	70	76	82	88	94	100
26	51	53	55	56	58	60	61	61	61	63	64	64	66	69	67	74	80	87	93	100
27	51	52	55	58	60	60	61	61	62	63	64	66	67	66	67	74	80	87	93	100
28	49	52	57	58	60	61	63	62	62	64	66	66	63	66	68	74	81	87	94	100
29	49	51	57	60	61	61	62	62	63	64	66	63	65	67	68	74	81	87	94	100
30	49	51	57	60	61	62	63	63	63	64	62	63	66	68	70	76	82	88	94	100
31	47	50	57	60	60	62	63	64	64	62	63	65	67	70	71	77	83	88	94	100
32	46	50	57	60	62	63	64	64	62	63	65	66	68	71	72	78	83	89	94	100
33	45	49	56	60	62	63	64	62	63	65	66	68	71	73	74	79	84	90	95	100
34	43	48	56	62	63	64	62	62	65	66	67	70	72	74	74	79	84	90	95	100
35	41	47	56	62	63	61	62	63	66	67	68	70	72	74	75	80	85	90	95	100
36	40	47	56	62	59	61	62	63	66	67	68	70	72	74	75	80	85	90	95	100
37	38	45	56	58	59	61	62	63	66	67	67	69	71	73	74	79	84	90	95	100
38	38	45	53	58	61	62	63	65	65	67	68	70	72	74	73	78	84	89	95	100
39	37	41	53	58	61	62	63	64	65	67	68	70	71	73	73	78	84	89	95	100
40	34	41	53	58	61	62	63	64	64	66	67	69	71	73	72	78	83	89	94	100
41	34	41	53	58	61	61	62	62	63	65	65	67	69	71	71	77	83	88	94	100
42	34	43	53	58	60	61	62	61	61	63	64	66	67	69	71	77	83	88	94	100
43	32	43	53	58	60	61	60	60	60	60	62	64	66	68	69	75	81	88	94	100
44	32	44	52	57	59	60	60	59	59	58	60	62	65	67	69	75	81	88	94	100
45	32	44	52	57	59	60	59	57	57	57	59	61	63	66	68	74	81	87	94	100
46	32	42	50	54	56	57	57	56	55	56	59	61	63	65	67	74	80	87	93	100
47	30	40	48	52	54	55	55	54	54	55	59	61	62	63	66	73	80	86	93	100
48	30	40	46	49	51	52	53	53	54	55	57	61	62	63	63	70	78	85	93	100
49	29	39	43	48	50	51	50	51	53	54	57	61	61	62	62	70	77	85	92	100
50	29	37	42	45	47	48	49	50	51	54	57	61	61	61	61	69	77	84	92	100
51	27	35	40	43	45	47	48	50	51	53	57	60	61	61	62	70	77	85	92	100
52	27	34	39	42	44	45	48	49	50	53	56	60	60	62	62	70	77	85	100	100
53	25	31	37	41	44	45	47	49	50	51	56	59	61	61	62	70	77	100	100	100
54	25	30	36	39	43	44	47	48	49	51	55	59	59	61	62	70	100	100	100	100
55	24	29	35	38	42	43	45	48	49	50	56	58	59	61	62	100	100	100	100	100
56	23	29	35	38	42	42	44	47	48	50	55	57	58	59	100	100	100	100	100	100
57	23	28	35	38	42	42	43	45	47	49	53	55	56	100	100	100	100	100	100	100
58	22	28	33	37	41	41	43	45	45	47	51	53	100	100	100	100	100	100	100	100
59	22	26	33	37	41	41	42	44	44	46	50	100	100	100	100	100	100	100	100	100
60	20	26	33	37	41	40	41	42	42	45	100	100	100	100	100	100	100	100	100	100
61	20	26	33	37	41	40	41	42	42	75	100	100	100	100	100	100	100	100	100	100
62	19	25	32	38	40	40	41	42	75	75	100	100	100	100	100	100	100	100	100	100
63	19	25	33	36	40	40	41	75	75	75	100	100	100	100	100	100	100	100	100	100
64	18	24	32	36	39	40	75	75	75	75	100	100	100	100	100	100	100	100	100	100
65	18	24	32	36	39	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
66	18	24	32	36	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
67	18	24	32	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
68	18	24	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
69	18	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
70	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
71	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
72	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
73	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
74	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
75	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
76	48	52	55	60	60	65	70	70	70	100	100	100	100	100	100	100	100	100	100	100
77	48	52	55	60	60	65	70	70	100	100	100	100	100	100	100	100	100	100	100	100
78	48	52	55	60	60	65	70	100	100	100	100	100	100	100	100	100	100	100	100	100

Proposed Regulations

79	48	52	55	60	60	65	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	48	52	55	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	48	52	55	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	48	52	55	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
83	48	52	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	48	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Male, Smoker Duration

Issue	Duration																			
Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
18	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
19	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
20	98	100	100	100	100	100	100	99	99	99	100	99	99	99	100	100	100	100	100	100
21	95	98	99	100	95	96	96	95	96	97	97	96	96	96	96	97	98	98	99	100
22	92	95	96	90	90	93	93	92	93	95	95	93	93	92	93	94	96	97	99	100
23	90	92	85	88	88	89	89	89	90	90	90	90	89	90	92	94	95	97	98	100
24	87	81	82	85	84	86	88	86	86	88	88	86	86	88	89	91	93	96	98	100
25	77	78	79	82	81	83	83	82	83	85	84	84	84	85	86	89	92	94	97	100
26	75	77	79	82	82	83	83	82	83	84	84	84	84	85	81	85	89	92	96	100
27	73	75	78	82	82	83	83	82	82	82	82	84	84	80	81	85	89	92	96	100
28	71	73	79	82	81	82	83	81	81	82	82	82	80	80	81	85	89	92	96	100
29	69	72	78	81	81	82	82	81	81	81	81	77	80	80	81	85	89	92	96	100
30	68	71	78	81	81	81	82	81	81	81	76	77	80	80	81	85	89	92	96	100
31	65	70	77	81	79	81	82	81	81	76	77	79	81	81	83	86	90	93	97	100
32	63	67	77	78	79	81	81	81	76	77	77	80	83	83	85	88	91	94	97	100
33	60	65	74	78	79	79	81	76	77	77	79	80	83	85	85	88	91	94	97	100
34	57	62	74	77	79	79	75	76	77	79	79	81	83	85	87	90	92	95	97	100
35	53	60	73	77	79	75	75	76	77	79	80	82	84	86	88	90	93	95	98	100
36	52	59	71	75	74	75	75	76	77	79	79	81	83	85	87	90	92	95	97	100
37	49	58	70	71	74	74	75	76	77	78	79	81	84	86	86	89	92	94	97	100
38	48	55	66	70	72	74	74	75	76	78	79	81	83	85	87	90	92	95	97	100
39	45	50	65	70	72	72	74	74	75	77	79	81	84	86	86	89	92	94	97	100
40	41	49	63	68	71	72	73	74	74	76	78	80	83	85	86	89	92	94	97	100
41	40	49	63	68	71	72	72	72	73	75	76	78	81	84	85	88	91	94	97	100
42	40	49	62	68	70	71	71	71	71	73	75	76	81	83	85	88	91	94	97	100
43	39	50	62	67	69	69	70	70	70	71	73	76	79	83	85	88	91	94	97	100
44	39	50	60	66	68	69	68	69	69	69	71	74	79	81	85	88	91	94	97	100
45	37	50	60	66	68	68	68	67	67	67	69	73	78	81	85	88	91	94	97	100
46	37	48	58	63	65	67	66	66	66	67	71	74	78	81	84	87	90	94	97	100
47	36	47	55	61	63	64	64	64	65	67	71	75	79	81	84	87	90	94	97	100
48	35	46	53	58	60	62	63	63	65	67	72	75	79	81	83	86	90	93	97	100
49	34	45	51	56	58	59	61	62	63	67	72	77	80	81	83	86	90	93	97	100
50	34	43	49	53	55	57	60	61	63	67	73	78	80	81	81	85	89	92	96	100
51	32	42	47	52	55	57	60	61	63	67	73	78	80	83	84	87	90	94	97	100
52	32	40	46	50	54	56	60	61	63	67	73	78	81	84	85	88	91	94	100	100
53	30	37	44	49	54	56	59	61	65	67	74	79	83	85	87	90	92	100	100	100
54	30	36	43	48	53	55	59	61	65	67	74	80	84	85	89	91	100	100	100	100
55	29	35	42	47	53	55	59	61	65	67	75	80	84	86	90	100	100	100	100	100
56	28	35	42	47	53	55	57	60	63	68	74	79	83	85	100	100	100	100	100	100
57	28	35	42	47	53	54	57	60	64	67	74	78	81	100	100	100	100	100	100	100
58	26	33	43	48	54	54	56	59	63	67	73	78	100	100	100	100	100	100	100	100
59	26	33	43	48	54	53	57	59	63	66	73	100	100	100	100	100	100	100	100	100
60	25	33	43	48	54	53	56	58	62	66	100	100	100	100	100	100	100	100	100	100
61	25	33	43	49	55	55	57	59	63	75	100	100	100	100	100	100	100	100	100	100
62	25	33	43	50	56	56	58	61	75	75	100	100	100	100	100	100	100	100	100	100
63	24	33	45	51	56	56	59	75	75	75	100	100	100	100	100	100	100	100	100	100
64	24	34	45	51	57	57	75	75	75	75	100	100	100	100	100	100	100	100	100	100

Proposed Regulations

65	24	34	45	52	57	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
66	24	35	45	53	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
67	25	35	45	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
68	25	36	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
69	27	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
70	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
71	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
72	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
73	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
74	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
75	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
76	48	52	55	60	60	65	70	70	70	100	100	100	100	100	100	100	100	100	100	100
77	48	52	55	60	60	65	70	70	100	100	100	100	100	100	100	100	100	100	100	100
78	48	52	55	60	60	65	70	100	100	100	100	100	100	100	100	100	100	100	100	100
79	48	52	55	60	60	65	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	48	52	55	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	48	52	55	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	48	52	55	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
83	48	52	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	48	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Female, Aggregate

Issue	Duration																				
	Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	99	100	100	100	100	100	100	100	93	95	96	97	97	100	100	100	100	100	100	100	100
18	83	83	84	84	84	84	86	78	78	79	82	84	85	88	88	90	93	95	98	100	100
19	65	66	68	68	68	68	63	63	64	66	69	71	72	74	75	80	85	90	95	100	100
20	48	50	51	51	51	47	48	48	49	51	56	57	58	61	63	70	78	85	93	100	100
21	47	48	50	51	47	47	48	49	51	53	57	60	61	63	64	64	71	78	86	93	100
22	44	47	48	45	47	47	48	49	53	54	60	61	63	64	66	73	80	86	93	100	100
23	42	45	44	45	47	47	49	51	53	54	61	64	64	67	69	75	81	88	94	100	100
24	39	40	42	44	47	47	50	51	54	56	64	64	66	69	70	76	82	88	94	100	100
25	34	38	41	44	47	47	50	53	56	57	64	67	69	71	73	78	84	89	95	100	100
26	34	38	41	45	49	49	51	56	58	59	66	69	70	73	70	76	82	88	94	100	100
27	34	38	41	47	50	51	54	57	59	60	69	70	73	70	71	77	83	88	94	100	100
28	34	37	43	47	53	53	56	59	62	63	70	73	70	72	74	79	84	90	95	100	100
29	34	38	43	49	54	56	58	60	63	64	73	70	72	74	75	80	85	90	95	100	100
30	35	38	43	50	56	56	59	63	66	67	70	71	74	75	76	81	86	90	95	100	100
31	35	38	43	51	56	58	60	64	67	65	71	72	74	75	76	81	86	90	95	100	100
32	35	39	45	51	56	59	63	66	65	66	72	72	75	76	76	81	86	90	95	100	100
33	36	39	44	52	58	62	64	65	66	67	72	74	75	76	76	81	86	90	95	100	100
34	36	40	45	52	58	63	63	66	67	68	74	74	76	76	76	81	86	90	95	100	100
35	36	40	45	53	59	61	65	67	68	70	75	74	75	76	75	80	85	90	95	100	100
36	36	40	45	53	55	62	65	67	68	70	74	74	74	75	75	80	85	90	95	100	100
37	36	41	47	52	57	62	65	67	68	69	72	72	73	75	74	79	84	90	95	100	100
38	34	41	44	52	57	63	66	68	69	70	72	71	72	74	75	80	85	90	95	100	100
39	34	40	45	53	58	63	66	68	69	69	70	70	70	73	74	79	84	90	95	100	100
40	32	40	45	53	58	65	65	67	68	69	70	69	70	73	73	78	84	89	95	100	100
41	32	40	45	53	57	63	64	67	68	68	69	69	69	73	74	79	84	90	95	100	100
42	32	40	45	52	56	61	63	65	66	68	69	68	70	74	75	80	85	90	95	100	100
43	31	39	45	51	55	59	61	65	65	66	68	69	69	74	77	82	86	91	95	100	100
44	31	39	45	50	54	58	61	63	64	66	67	68	71	75	78	82	87	91	96	100	100
45	31	38	44	49	53	56	59	62	63	65	67	68	71	77	79	83	87	92	96	100	100
46	29	37	43	48	51	54	59	62	63	65	67	69	71	77	78	82	87	91	96	100	100
47	28	35	41	46	49	54	57	61	62	66	68	69	71	77	77	82	86	91	95	100	100
48	28	35	41	44	49	52	57	61	63	66	68	71	72	75	77	82	86	91	95	100	100
49	26	34	39	43	47	52	55	61	63	67	69	71	72	75	75	80	85	90	95	100	100
50	25	32	38	41	46	50	55	61	63	67	69	72	72	75	74	79	84	90	95	100	100

Proposed Regulations

51	25	32	38	41	45	50	55	61	63	66	68	69	71	74	74	79	84	90	95	100
52	23	30	36	41	45	51	56	61	62	65	66	68	68	73	73	78	84	89	100	100
53	23	30	36	41	47	51	56	61	62	63	65	66	68	72	72	78	83	100	100	100
54	22	29	35	41	47	53	57	61	61	62	62	66	66	69	70	76	100	100	100	100
55	22	29	35	41	47	53	57	61	61	61	62	63	64	68	69	100	100	100	100	100
56	22	29	35	41	45	51	56	59	60	61	62	63	64	67	100	100	100	100	100	100
57	22	29	35	41	45	50	54	56	58	59	61	62	63	100	100	100	100	100	100	100
58	22	30	36	41	44	49	53	56	57	57	61	62	100	100	100	100	100	100	100	100
59	22	30	36	41	44	48	51	53	55	56	59	100	100	100	100	100	100	100	100	100
60	22	30	36	41	43	47	50	51	53	55	100	100	100	100	100	100	100	100	100	100
61	22	29	35	39	42	46	49	50	52	80	100	100	100	100	100	100	100	100	100	100
62	20	28	33	39	41	45	47	49	80	80	100	100	100	100	100	100	100	100	100	100
63	20	28	33	38	41	44	46	80	80	80	100	100	100	100	100	100	100	100	100	100
64	19	27	32	36	40	42	80	80	80	80	100	100	100	100	100	100	100	100	100	100
65	19	25	30	35	39	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
66	19	25	30	35	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
67	19	25	30	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
68	19	25	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
69	19	64	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
70	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
71	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
72	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
73	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
74	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
75	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
76	60	60	64	68	68	72	75	75	80	100	100	100	100	100	100	100	100	100	100	100
77	60	60	64	68	68	72	75	75	100	100	100	100	100	100	100	100	100	100	100	100
78	60	60	64	68	68	72	75	100	100	100	100	100	100	100	100	100	100	100	100	100
79	60	60	64	68	68	72	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	60	60	64	68	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	60	60	64	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	60	60	64	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
83	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Female, Nonsmoker

Issue	Duration																			
Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	96	98	98	98	98	99	99	99	92	92	93	95	95	97	99	99	99	100	100	100
18	78	80	80	80	80	81	81	74	75	75	78	79	82	83	85	88	91	94	97	100
19	60	62	63	63	63	65	59	59	60	60	64	67	67	70	72	78	83	89	94	100
20	42	44	45	45	45	42	42	42	45	45	50	51	53	56	58	66	75	83	92	100
21	41	42	44	45	41	42	42	44	47	47	51	53	54	57	59	67	75	84	92	100
22	39	41	44	41	41	42	44	45	49	49	54	56	57	58	60	68	76	84	92	100
23	38	41	38	40	41	42	44	46	49	50	56	57	58	60	62	70	77	85	92	100
24	36	36	38	40	41	42	46	47	50	51	58	59	60	62	63	70	78	85	93	100
25	32	34	37	40	41	43	46	49	51	53	59	60	62	63	64	71	78	86	93	100
26	32	34	37	41	43	45	47	50	53	53	60	62	63	64	62	70	77	85	92	100
27	32	34	38	43	46	47	49	51	53	55	62	63	64	62	62	70	77	85	92	100
28	30	34	39	43	47	49	51	53	56	58	63	63	61	62	63	70	78	85	93	100
29	30	35	40	45	50	51	52	55	58	59	64	61	62	63	63	70	78	85	93	100
30	31	35	40	46	51	52	53	56	59	60	62	62	63	65	65	72	79	86	93	100
31	31	35	40	46	51	53	55	58	60	58	62	62	63	65	65	72	79	86	93	100
32	32	35	40	45	51	53	56	59	57	58	62	63	63	65	64	71	78	86	93	100
33	32	36	41	47	52	55	58	55	58	59	63	63	65	65	65	72	79	86	93	100
34	33	36	41	47	52	55	55	57	58	59	63	65	64	65	64	71	78	86	93	100
35	33	36	41	47	52	53	57	58	59	61	63	64	64	64	64	71	78	86	93	100
36	33	36	41	47	49	53	57	58	59	61	63	64	63	64	63	70	78	85	93	100

Proposed Regulations

37	32	36	41	44	49	53	57	58	59	60	62	62	61	62	63	70	78	85	93	100
38	32	37	39	45	50	54	57	58	60	60	61	61	61	62	61	69	77	84	92	100
39	30	35	39	45	50	54	57	58	60	59	60	60	59	60	61	69	77	84	92	100
40	28	35	39	45	50	54	56	57	59	59	60	59	59	59	60	68	76	84	92	100
41	28	35	39	45	49	52	55	55	58	57	58	59	58	59	60	68	76	84	92	100
42	27	35	39	44	49	52	54	55	56	57	57	57	58	60	61	69	77	84	92	100
43	27	34	39	44	47	50	53	53	55	55	56	57	56	60	61	69	77	84	92	100
44	26	34	38	42	47	50	52	53	54	55	55	55	56	61	62	70	77	85	92	100
45	26	33	38	42	45	48	51	51	52	53	54	55	56	61	62	70	77	85	92	100
46	24	32	37	40	43	47	49	51	52	53	54	55	56	60	61	69	77	84	92	100
47	24	30	35	39	42	45	47	49	51	53	54	55	56	59	60	68	76	84	92	100
48	23	30	35	37	40	44	47	49	50	53	54	55	55	59	57	66	74	83	91	100
49	23	29	33	35	39	42	45	48	50	53	54	55	55	57	56	65	74	82	91	100
50	21	27	32	34	37	41	44	48	50	53	54	55	55	56	55	64	73	82	91	100
51	21	26	30	34	37	41	44	48	49	51	53	53	54	55	55	64	73	82	91	100
52	20	25	30	33	37	41	44	47	48	50	50	51	51	55	53	62	72	81	100	100
53	19	24	29	32	37	41	43	47	48	48	49	49	51	52	52	62	71	100	100	100
54	18	24	29	32	37	41	43	45	47	47	47	49	49	51	51	61	100	100	100	100
55	18	23	28	32	37	41	43	45	45	45	46	46	47	50	50	100	100	100	100	100
56	18	23	28	32	36	39	42	44	44	45	46	46	46	49	100	100	100	100	100	100
57	18	23	28	31	35	38	41	42	44	44	45	45	46	100	100	100	100	100	100	100
58	17	23	26	31	35	36	38	41	41	42	45	45	100	100	100	100	100	100	100	100
59	17	23	26	30	33	35	38	39	40	41	44	100	100	100	100	100	100	100	100	100
60	17	23	26	30	32	34	36	38	39	40	100	100	100	100	100	100	100	100	100	100
61	17	22	25	29	32	33	35	36	38	80	100	100	100	100	100	100	100	100	100	100
62	16	22	25	28	30	32	34	35	80	80	100	100	100	100	100	100	100	100	100	100
63	16	20	24	28	30	32	34	80	80	80	100	100	100	100	100	100	100	100	100	100
64	14	21	24	27	29	30	80	80	80	80	100	100	100	100	100	100	100	100	100	100
65	15	19	23	25	28	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
66	15	19	23	25	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
67	15	19	22	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
68	13	18	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
69	13	64	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
70	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
71	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
72	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
73	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
74	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
75	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
76	60	60	64	68	68	72	75	75	80	100	100	100	100	100	100	100	100	100	100	100
77	60	60	64	68	68	72	75	75	100	100	100	100	100	100	100	100	100	100	100	100
78	60	60	64	68	68	72	75	100	100	100	100	100	100	100	100	100	100	100	100	100
79	60	60	64	68	68	72	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	60	60	64	68	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	60	60	64	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	60	60	64	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
83	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Female, Smoker

Issue	Duration																				
	Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
18	99	100	100	100	100	100	100	100	95	96	97	100	100	100	100	100	100	100	100	100	100
19	87	89	92	92	92	92	84	84	86	86	92	93	95	96	99	99	99	100	100	100	100
20	74	77	80	80	80	73	73	73	75	77	83	83	86	88	90	92	94	96	98	100	100
21	71	74	78	78	71	71	73	74	77	79	85	86	88	89	90	92	94	96	98	100	100
22	68	71	75	70	71	71	73	74	78	79	88	90	89	89	92	94	95	97	98	100	100

Proposed Regulations

23	65	69	67	70	70	70	73	77	79	81	89	90	90	92	92	94	95	97	98	100
24	62	60	64	69	70	70	74	77	79	81	92	90	92	93	93	94	96	97	99	100
25	53	58	63	67	69	70	74	78	81	82	92	93	93	95	95	96	97	98	99	100
26	53	58	63	69	71	72	75	79	82	82	93	93	95	96	90	92	94	96	98	100
27	52	56	63	70	74	74	78	81	82	84	93	95	95	90	90	92	94	96	98	100
28	52	56	64	71	75	77	79	82	85	86	95	95	90	92	92	94	95	97	98	100
29	51	56	64	71	78	78	81	84	86	88	95	90	90	92	92	94	95	97	98	100
30	51	56	64	72	79	79	82	85	88	89	90	90	92	93	93	94	96	97	99	100
31	51	56	64	72	78	81	84	84	88	84	90	90	92	93	93	94	96	97	99	100
32	51	56	64	71	78	81	85	86	84	85	90	90	92	94	93	94	96	97	99	100
33	51	57	62	71	78	82	85	83	84	85	90	92	93	93	93	94	96	97	99	100
34	51	56	62	71	78	82	81	83	85	86	90	92	92	94	93	94	96	97	99	100
35	51	56	62	71	78	79	83	84	85	86	90	91	91	93	93	94	96	97	99	100
36	49	56	62	71	74	79	83	84	85	86	90	90	91	93	92	94	95	97	98	100
37	48	55	62	67	74	79	83	84	85	86	89	90	89	92	91	93	95	96	98	100
38	47	55	57	66	72	77	81	84	86	86	87	88	88	90	91	93	95	96	98	100
39	45	50	57	66	72	77	81	83	85	86	86	87	86	89	90	92	94	96	98	100
40	41	50	57	66	72	77	81	83	84	85	86	86	86	89	89	91	93	96	98	100
41	40	50	57	65	71	76	79	81	83	84	85	86	85	89	90	92	94	96	98	100
42	40	49	57	65	69	74	77	80	82	83	84	85	86	90	92	94	95	97	98	100
43	39	49	55	63	69	73	76	78	80	82	83	84	85	92	93	94	96	97	99	100
44	39	48	55	62	67	71	75	78	80	80	82	84	86	93	96	97	98	98	99	100
45	37	47	55	61	65	70	73	76	78	80	81	84	86	94	97	98	98	99	99	100
46	36	46	53	59	63	68	71	75	77	79	83	85	86	93	96	97	98	98	99	100
47	34	44	51	57	62	66	70	75	77	80	83	85	86	93	94	95	96	98	99	100
48	34	44	50	54	60	64	69	74	77	80	84	86	87	92	92	94	95	97	98	100
49	33	42	48	53	58	63	68	74	77	81	84	86	87	92	91	93	95	96	98	100
50	31	41	46	51	57	61	67	74	77	81	85	87	87	91	90	92	94	96	98	100
51	30	39	45	51	56	61	67	74	75	80	83	85	85	90	90	92	94	96	98	100
52	29	38	45	50	56	62	68	74	75	79	81	83	84	90	90	92	94	96	100	100
53	28	37	43	49	57	62	68	73	74	77	79	81	83	89	89	91	93	100	100	100
54	28	36	43	49	57	63	69	73	74	75	78	80	81	87	89	91	100	100	100	100
55	26	35	42	49	57	63	69	73	73	74	76	78	79	86	87	100	100	100	100	100
56	26	35	42	49	56	62	67	71	72	74	76	78	79	85	100	100	100	100	100	100
57	26	35	42	49	55	61	66	69	72	73	76	78	79	100	100	100	100	100	100	100
58	28	36	43	49	55	59	63	68	69	72	76	78	100	100	100	100	100	100	100	100
59	28	36	43	49	54	57	63	67	68	70	76	100	100	100	100	100	100	100	100	100
60	28	36	43	49	53	57	61	64	67	69	100	100	100	100	100	100	100	100	100	100
61	26	35	42	48	52	56	59	63	66	80	100	100	100	100	100	100	100	100	100	100
62	26	33	41	47	51	55	58	62	80	80	100	100	100	100	100	100	100	100	100	100
63	25	33	41	46	51	55	57	80	80	80	100	100	100	100	100	100	100	100	100	100
64	25	33	40	45	50	53	80	80	80	80	100	100	100	100	100	100	100	100	100	100
65	24	32	39	44	49	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
66	24	32	39	44	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
67	24	32	39	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
68	24	32	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
69	24	64	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
70	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
71	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
72	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
73	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
74	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
75	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
76	60	60	64	68	68	72	75	75	80	100	100	100	100	100	100	100	100	100	100	100
77	60	60	64	68	68	72	75	75	100	100	100	100	100	100	100	100	100	100	100	100
78	60	60	64	68	68	72	75	100	100	100	100	100	100	100	100	100	100	100	100	100
79	60	60	64	68	68	72	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	60	60	64	68	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	60	60	64	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	60	60	64	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

83	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

14 VAC 5-319-80. Severability.

If any provisions of this regulation or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of the rules comprising this regulation and the application of such provision to other persons or circumstances shall not be affected thereby.

VA.R. Doc. No. R99-271; Filed August 25, 1999, 11:59 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 2. AGRICULTURE

STATE MILK COMMISSION

REGISTRAR'S NOTICE: The Milk Commission is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 A 7 of the Code of Virginia, which exempts the Milk Commission in promulgating regulations regarding (i) producers' licenses and bases; (ii) classification and allocation of milk, computation of sales and shrinkage; and (iii) class prices for producers' milk, time and method of payment, butterfat testing and differential.

Title of Regulation: 2 VAC 15-20-10 et seq. Regulations for the Control and Supervision of Virginia's Milk Industry (amending 2 VAC 15-20-70; adding 2 VAC 15-20-81; repealing 2 VAC 15-20-80).

Statutory Authority: §§ 3.1-430 and 3.1-437 of the Code of Virginia.

Effective Date: This regulatory action will become effective with the implementation date of the Federal Milk Marketing Order Reform final decision in accordance with § 143 of the federal Agriculture Improvement and Reform Act of 1996 (Farm Bill), 7 USC § 7253.

Summary:

The amendments (i) change the classification of eggnog from a Class II product to a Class I product and (ii) modify Class I pricing components, definitions of adjacent markets, price issuance dates, formula methodology, and producer settlement dates.

Agency Contact: Copies of the regulation may be obtained from Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, 200 North 9th Street, Suite 915, Richmond, VA 23219-3414, telephone (804) 786-2013.

2 VAC 15-20-70. Classification and allocation of milk, computation of sales and shrinkage.

This section shall apply to all established marketing areas and all milk and dairy products handled by distributors and shall be presumed to come within the jurisdiction of the ~~commission~~ *approving authority* unless proven otherwise by records of the distributors.

A. Classification.

1. Class I milk shall include all skim milk and butterfat in fluid form, including aseptically processed and packaged ultra high temperature pasteurized products (UHT) for human consumption in ~~commission~~ *approving authority* defined markets, which is not accounted for as Class II milk, provided that any fluid milk products fortified with added nonfat milk solids shall be Class I in amount equal only to the weight of the equal volume of like unfortified

products of the same butterfat content. *Eggnog is classified as a Class I product.*

2. Class I-A milk shall include all fluid milk products identified in subdivision 1 ~~above of this subsection~~ and sold for fluid human consumption in areas other than ~~commission~~ *approving authority* defined markets.

3. Class II milk shall include all skim milk and butterfat:

a. Used to produce sterilized products, other than those identified in subsection A 1 above, butter, cheese (including cottage cheese), yogurt, ~~eggnog~~, plastic and frozen cream, sour cream, dips, dry milk (skim or whole), condensed milk (skim or whole), ice cream, ice milk, and frozen desserts, or ice cream, ice milk or frozen dessert mixes, including basic mixtures for use in preparation of ice cream, ice milk, frozen desserts, or ice cream or frozen dessert mixes. All cream sales containing more than 10% butterfat, including half and half cream, light cream and heavy cream.

b. Disposed of for animal feed.

c. Contained in inventory of fluid milk products on hand at the end of the month.

d. Disposed of in bulk to any commercial food establishment for use on the premises in the production of soup, candy, bakery products, or any other nondairy food products.

e. In shrinkage of skim milk and butterfat, respectively, as computed pursuant to subsection B of this section, but not to exceed the following:

(1) Two percent of producer milk received at the distributor's plant, plus

(2) Two percent of milk received at the distributor's plant in bulk tanks from other distributors exclusive of the quantity for which Class II utilization was requested, less 2.0% of milk moved in bulk tanks to another distributor.

f. In shrinkage of skim milk and butterfat, respectively, prorated to other source milk in accordance with subsection B of this section.

4. Skim milk or butterfat contained in any fluid milk products dumped shall be Class II provided that the distributor dumping fluid milk products shall give the ~~commission~~ *agency*, during normal office hours, not less than four hours advance notice of his intention to dump such fluid milk products and the quantities to be so disposed.

5. Skim milk and butterfat in fluid form transferred by a distributor to another distributor shall be classified as follows:

a. Skim milk and butterfat in packaged fluid milk products shall be classified as Class I-A or Class I in accordance with the requested and agreed upon classification by the transferring and receiving distributors, provided that:

(1) The skim milk and butterfat so assigned to each class shall be limited to the appropriate class utilization remaining in the plant of the receiving distributor after computations have been made according to subsection D of this section~~;~~ and~~;~~

(2) Other source milk in the transferring plant is not allocated to Class I as a result of such classification of transferred milk.

b. Skim milk and butterfat in bulk fluid form shall be classified as Class II, provided that:

(1) The skim milk and butterfat so assigned to each class shall be limited to the appropriate class utilization remaining in the plant of the receiving distributor after computations have been made according to subsection D of this section~~;~~ and~~;~~

(2) Other source milk in the transferring plant is not allocated to Class I as a result of such classification of transferred milk.

~~(3)~~ c. Skim milk and butterfat in bulk fluid form shall be classified as Class II milk if transferred by a distributor to a plant which is not licensed as a distributor by the ~~commission~~ approving authority.

~~(4)~~ d. Skim milk and butterfat in packaged fluid form shall be classified as Class I-A if transferred to a fluid milk plant which is not licensed as a distributor by the ~~commission~~ approving authority.

6. Shrinkage in excess of that allowed to be classified as Class II in accordance with subdivision A 3 e of this ~~section~~ subsection shall be prorated over a distributor's Class I and Class I-A sales as follows:

a. Compute the total excess shrinkage of skim milk and butterfat, respectively, by subtracting the total amount of skim milk and butterfat classified as Class II under provision of subdivisions A 3 e and f of this subsection, from the total shrinkage as determined in accordance with subdivision B 1 b of this section.

b. Prorate skim milk and butterfat excess shrinkage, respectively, obtained in ~~subsection~~ subdivision 6 a of this ~~section~~ subsection between (i) skim milk and butterfat sold in Class I products, and (ii) skim milk and butterfat sold in Class I-A products.

B. Computation and allocation of shrinkage. ~~4~~. Shrinkage shall be allocated over a distributor's receipts from all sources as follows:

~~a~~. 1. Compute the total shrinkage of skim milk and butterfat, respectively, by subtracting the total amount of skim milk and butterfat accounted for from the total amount of skim milk and butterfat to be accounted for; and~~;~~

~~b~~. 2. Prorate skim milk and butterfat shrinkage, respectively, obtained in ~~subsection~~ subdivision 1 a of this ~~section~~ subsection, between (i) skim milk and butterfat in producer receipts as defined in 2 VAC 15-20-10~~;~~ and (ii) skim milk and butterfat contained in other source milk~~;~~ as defined in 2 VAC 15-20-10.

C. Computation of skim milk and butterfat in each class.

1. For each month the total pounds of skim milk and butterfat utilized in each class shall be reported by each distributor to the ~~commission~~ agency on forms specified by the ~~commission~~ agency.

2. Computation of skim milk and butterfat used in each classification shall be made in accordance with the conversion factors specified by the ~~commission~~ approving authority on the forms used for computation and reporting of utilization provided that in the case of products not listed on these forms, the conversion factor used by a distributor shall be approved by the ~~commission~~ approving authority.

3. If any of the water contained in the milk from which a product is made has been removed before the product is received, utilized or disposed of by a distributor, the pounds of milk to be accounted for shall be the weight of the total milk solids in the product plus all of the water originally associated with the solids.

D. Allocation of skim milk and butterfat utilized.

1. Skim milk shall be allocated as follows:

a. Subtract from the total pounds of skim milk in Class II the pounds of skim milk classified as Class II under ~~subsection~~ subdivision A 3 e of this section.

b. Subtract from the total pounds of skim milk in each class, in series beginning with Class II, the pounds of skim milk in the inventory of fluid milk products on hand at the beginning of the month, and the pounds of skim milk in beginning inventory that was subtracted from Class I the preceding month.

c. Subtract from the remaining pounds of skim milk in each class the pounds of skim milk in Class I-A requested products received in packaged form from other distributors as follows:

(1) From Class I-A, the lesser of the pounds remaining in Class I-A, or such receipts~~;~~ and~~;~~

(2) From Class I, the remainder of such receipts, with reclassification of this quantity in the transferring plant.

d. Subtract from the remaining pounds of skim milk in each class the pounds of skim milk in Class I requested products received in packaged form from other distributors as follows:

(1) From Class I, the lesser of the pounds remaining in Class I, or such receipts~~;~~ and~~;~~

(2) From Class I-A, the remainder of such receipts, with reclassification of this quantity in the transferring plant.

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e. Subtract, in the order specified below, from the pounds remaining in each class, in series beginning with Class II, next Class I-A, and then Class I, the pounds of skim milk in each of the following:

- (1) Other source milk in a form other than that of a fluid milk product.
- (2) Receipts of fluid milk products from a producer-distributor.
- (3) Other source milk in the form of fluid milk products.
- (4) Receipts of fluid milk products in bulk from other distributors; however, if the pounds remaining in each class are less than the quantity of bulk milk remaining to be allocated, then the remaining quantity must be subtracted from the next highest use classification with reclassification of this quantity in the transferring plant.
- (5) Receipts of fluid milk products from other distributors not already allocated.

f. Add to the remaining pounds of skim milk in Class II the pounds subtracted pursuant to subdivision ~~D~~ 1 a of this ~~section~~ subsection.

g. If the pounds of skim milk remaining in all classes exceeds the pounds of skim in producer milk, subtract such excess from the pounds of skim milk remaining in each class in series beginning with Class II. Any amount so subtracted shall be known as "overage."

h. Add to Class I the pounds of skim milk in beginning inventory that was subtracted from Class I the preceding month.

2. Butterfat shall be allocated by the same method specified for skim milk in ~~subsection~~ subdivision 1 of this ~~section~~ subsection.

3. Combine the amounts of skim milk and butterfat determined in accordance with the procedures specified in subdivisions ~~D~~ 1 and ~~D~~ 2 of this ~~section~~ subsection into one total for each class and determine the weighted average butterfat content of producer milk in each class.

E. Allocation of classified sales.

1. Producer milk classified as Class I shall be allocated to base deliveries to the extent that base deliveries are available. Producer milk classified as Class I that exceeds base deliveries shall be allocated to excess deliveries.

2. Producer milk classified as Class I-A and Class II shall be allocated to excess deliveries to the extent that excess deliveries are available. Producer milk classified as Class I-A and Class II that exceeds excess deliveries shall be allocated to base deliveries.

3. Producers or cooperative associations shall be paid a base price for base deliveries and an excess price for excess deliveries computed monthly for each distributor in accordance with the following procedure:

a. To determine the excess price for 3.5% milk, add to the value obtained by multiplying the excess deliveries allocated to Class I-A and Class II by the Class II price for 3.5% milk, the value obtained by multiplying the excess deliveries allocated to Class I by the Class I price for 3.5% milk and divide the sum by the total excess deliveries.

b. To determine the base price for 3.5% milk, add to the value obtained by multiplying the base deliveries allocated to Class I by the Class I price for 3.5% milk, the value obtained by multiplying the base deliveries allocated to Class I-A and Class II by the Class II price for 3.5% milk and divide the sum by the total base deliveries.

4. Delivered base shall be determined in accordance with the following:

a. Delivered base for deliveries made in accordance with 2 VAC 15-20-50 B, shall be the assigned base unless deliveries are less than assigned base. When deliveries are less than assigned base, the delivered base shall be (92%) of deliveries.

b. Delivered base for deliveries made in accordance with 2 VAC 15-20-50 C, shall be the lesser of assigned base or deliveries.

5. Excess deliveries for producers or cooperative associations shall be the difference between total deliveries and delivered base.

6. If a producer or cooperative association fails to make delivery of milk or delivers milk which is not merchantable or does not meet the requirements of the health authorities having jurisdiction in the market, the base of that producer or cooperative association shall be reduced by a percentage. That percentage shall be determined by dividing the number of days which the producer or cooperative association failed to make delivery of acceptable milk by the number of days in the delivery period.

2 VAC 15-20-80. Class prices for producer's milk, time and method of payment, butterfat testing and differential. (Repealed.)

A. Class prices.

Class 4	July through February	March through June
Eastern Virginia Market	\$8.46/cwt.	\$8.26/cwt.
Southwest Virginia Market	\$7.96/cwt.	\$7.76/cwt.
Western Virginia Market	\$8.16/cwt.	\$7.96/cwt.

~~The above established Class I prices shall be adjusted automatically in accordance with the following procedure, provided:~~

~~(1) a. The Eastern Market Class I price shall not exceed the average prevailing Class I price of Federal Order No. 4 and Federal Order No. 5 base zone by more than \$0.80 per hundredweight, nor be less than \$0.30 per hundredweight above the average prevailing Class~~

<p>I price of Federal Order No. 4 and Federal Order No. 5 base zone;</p> <p>b. The Southwest Market Class I price shall not exceed the prevailing Class I price of Federal Order No. 11 by more than \$0.60 per hundredweight nor be less than \$0.30 per hundredweight above the prevailing Class I price of Federal Order No. 11 and;</p> <p>c. The Western Market Class I price shall not exceed the average prevailing Class I price of Federal Order No. 4 and Federal Order No. 5, Northwest Zone by more than \$0.60 per hundredweight nor be less than \$0.30 per hundredweight above the prevailing Class I price of Federal Order No. 4 and Federal Order No. 5, Northwest Zone;</p> <p>(2) Class I prices shall be increased by an amount determined by multiplying the number of two point brackets that the average bi-monthly composite index exceeds 101.0 by \$0.20; and</p> <p>(3) Class I prices shall be decreased by an amount determined by multiplying the number of two point brackets that the average bi-monthly composite index descends below 99.0 by \$0.20.</p> <p>(4) The average bi-monthly composite index brackets shall be in accordance with the following schedule:</p> <table border="0" style="width: 100%; margin-left: 40px;"> <thead> <tr> <th style="text-align: left;">Average Bi-monthly Composite Index Brackets Nos. through Nos.</th> <th style="text-align: left;">Amount of Adjustment Cents</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Continued</td> <td style="text-align: center;">Continued</td> </tr> <tr><td>96.9 – 98.9</td><td>–20</td></tr> <tr><td>99.0 – 101.0</td><td>–0</td></tr> <tr><td>101.1 – 103.1</td><td>+20</td></tr> <tr><td>103.2 – 105.2</td><td>+40</td></tr> <tr><td>105.3 – 107.3</td><td>+60</td></tr> <tr><td>107.4 – 109.4</td><td>+80</td></tr> <tr><td>109.5 – 111.5</td><td>+100</td></tr> <tr><td>111.6 – 113.6</td><td>+120</td></tr> <tr><td>113.7 – 115.7</td><td>+140</td></tr> <tr><td>115.8 – 117.8</td><td>+160</td></tr> <tr><td>117.9 – 119.9</td><td>+180</td></tr> <tr><td>120.0 – 122.0</td><td>+200</td></tr> <tr><td>122.1 – 124.1</td><td>+220</td></tr> <tr><td>124.2 – 126.2</td><td>+240</td></tr> <tr><td>126.3 – 128.3</td><td>+260</td></tr> <tr><td>128.4 – 130.4</td><td>+280</td></tr> <tr><td>130.5 – 132.5</td><td>+300</td></tr> <tr><td>132.6 – 134.6</td><td>+320</td></tr> <tr><td>134.7 – 136.7</td><td>+340</td></tr> <tr><td>136.8 – 138.8</td><td>+360</td></tr> <tr><td>138.9 – 140.9</td><td>+380</td></tr> <tr><td>141.0 – 143.0</td><td>+400</td></tr> <tr><td>143.1 – 145.1</td><td>+420</td></tr> <tr><td>145.2 – 147.2</td><td>+440</td></tr> <tr><td>147.3 – 149.3</td><td>+460</td></tr> <tr><td>149.4 – 151.4</td><td>+480</td></tr> </tbody> </table>	Average Bi-monthly Composite Index Brackets Nos. through Nos.	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The latest available published monthly data for any of the above six factors shall be used in determining the monthly index number.</p> <p>(a) The U.S. Index of prices paid, taxes, and farm wage rates as published in "Agricultural Prices" by the U.S.D.A.</p> <p>(b) The U.S. Index of prices received as published in "Agricultural Prices" by the U.S.D.A.</p> <p>(c) The average price per ton paid by Virginia farmers for 16% dairy feed, as published in "Agricultural Prices" by the U.S.D.A.</p> <p>(d) The average cost of the market basket for Richmond-Norfolk-Virginia-Beach-Portsmouth, as published in "The Market Basket and Retail Food Prices" by the Virginia Department of Labor and Industry.</p>	151.5 – 153.5	+500	153.6 – 155.6	+520	155.7 – 157.7	+540	157.8 – 159.8	+560	159.9 – 161.9	+580	162.0 – 164.0	+600	164.1 – 166.1	+620	166.2 – 168.2	+640	168.3 – 170.3	+660	170.4 – 172.4	+680	172.5 – 174.5	+700	174.6 – 176.6	+720	176.7 – 178.7	+740	178.8 – 180.8	+760	180.9 – 182.9	+780	183.0 – 185.0	+800	185.1 – 187.1	+820	187.2 – 189.2	+840	189.3 – 191.3	+860	191.4 – 193.4	+880	193.5 – 195.5	+900	195.6 – 197.6	+920	197.7 – 199.7	+940	199.8 – 201.8	+960	201.9 – 203.9	+980	204.0 – 206.0	+1000	206.1 – 208.1	+1020	208.2 – 210.2	+1040	210.3 – 212.3	+1060	212.4 – 214.4	+1080	214.5 – 216.5	+1100	216.6 – 218.6	+1120
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~~(e) The average weekly earnings of workers in Virginia manufacturing industries, as published in "Trends in Employment Hours and Earnings Virginia and Statistical Metropolitan Areas" by the Virginia Department of Labor and Industry.~~

~~(f) An average of the prevailing Class I prices in North Carolina, Federal Milk Marketing Order No. 4 and Federal Milk Marketing Order No. 11.~~

~~(6) The six month average, November 1973 through April 1974, shall equal 100 for each of the above factors for the purpose of determining the monthly index number for each factor.~~

~~(7) The current month's Class I price adjustment, if any, shall be determined by a bi-monthly composite index which shall be a simple average of the monthly composite indices of the second and third preceding months.~~

~~(8) On or before the seventh day of each month the commission shall determine the Class I prices for the following month and announce same to all licensed processing general distributors.~~

~~Effective May 1, 1995, the following modifications to the indexes will be utilized in determining the monthly composite index used in calculating the Class I price for Virginia State Milk Commission marketing areas pursuant to subdivisions A 1 (1) through A 1 (7) of this section:~~

~~The U.S. Index of prices paid, taxes, and farm wage rates as published in "Agricultural Prices" by the U.S.D.A. will be determined by using the monthly movement of the reweighted and reconstructed prices paid index (PPITW) as published by the U.S.D.A. The monthly movement of the new prices paid index (PPITW) will be applied each month to the preceding month's revised index of prices paid, taxes, and farm wage rates using December 1994 as the base month.~~

~~The U.S. Index of prices received as published in "Agricultural Prices" by the U.S.D.A. will be determined by using the monthly movement of the reweighted and reconstructed prices received index as published by the U.S.D.A. The monthly movement of the new prices received index will be applied each month to the preceding month's revised index of prices received using December 1994 as the base month.~~

~~The average price per ton paid by all Virginia farmers for 16% dairy feed as published in "Agricultural Prices" by the U.S.D.A. will be determined by using the monthly movement of the index of prices paid, production items, complete feeds as published by the U.S.D.A. The monthly movement of this index will be applied each month to the preceding month's index of 16% dairy feed, Appalachian using April 1995 as the base month.~~

~~The authoritative publisher of the Market Basket for Richmond-Norfolk-Virginia Beach-Portsmouth will be the Virginia Department of Agriculture and Consumer Services. The resultant index numbers derived from the above calculations will be utilized as specified in the cited regulation.~~

~~2. Class I-A. The price used in computing each distributor's obligation for producer milk (of 3.5% butterfat) allocated to Class I-A shall be the Class II price.~~

~~3. Class II. The price per cwt. for all markets shall be the monthly Class II price announced by the market administrator of the Tennessee Valley marketing area (Federal Order No. 11).~~

~~4. The total value of base deliveries made in accordance with 2 VAC 15-20-50 B (2) shall be discounted in accordance with the following procedure to reflect the cost savings of transporting, storing and handling of producer milk on a uniform daily bases:~~

~~(a) Subtract from each cooperative association's total pounds of base deliveries allocated to Class I sales for each delivery period an amount equal to twice the sum of the differences between the pounds of assigned daily base and the pounds of daily base deliveries which are less than the pounds of assigned daily base for each day during the delivery period.~~

~~(b) The net hundredweight (not less than zero) resulting from the above procedure multiplied by \$0.11 will be the amount of discount for base deliveries during the delivery period.~~

~~5. Producers or their agents shall not sell milk or offer milk for sale at prices other than those established.~~

~~B. Butterfat differential. In making payments to producers and/or cooperative associations of producers required pursuant to this section, each general distributor shall add for each one-tenth of one percent of average butterfat content above 3.5%, and shall deduct for each one-tenth of one percent of average butterfat content below 3.5% as a butterfat differential an amount per hundredweight announced each month by the market administrator of the Tennessee Valley marketing area (Federal Order No. 11).~~

~~C. Butterfat testing. Butterfat testing shall be conducted in accordance with the following procedure:~~

~~1. General distributors shall determine the average butterfat content of all assigned producer milk delivered by each producer who is not a member of a cooperative association, as defined in 2 VAC 15-20-10 by four or more tests made at approximately equal intervals during each delivery period.~~

~~2. All assigned producer milk accompanied by a bill of lading that is delivered by a cooperative association to a licensed distributor and is accepted by the distributor shall be paid for by the distributor at a rate that is determined by the butterfat test specified on the bill of lading accompanying the load of milk.~~

~~3. The butterfat content of all assigned cooperative association milk delivered by methods other than specified in subdivision C 2 above, shall be determined in accordance with procedures specified by the commission, if mutual agreement between the cooperative association and the distributor cannot be reached as to the butterfat content of such deliveries.~~

4. All sampling and testing shall be conducted by persons licensed by the Virginia Department of Agriculture and Consumer Services. These tests shall be made by the Babcock Test, or other tests approved by that department and shall, as directed by the commission, be subject to check tests made by a licensed tester.

D. Time of payment.

1. On or before the last day of a delivery period general distributors shall make a partial payment to producers or cooperative associations of producers for base deliveries received during the first 15 days of the delivery period. The partial payment shall be not less than an amount determined by multiplying the previous month's Class II price for 3.5% milk by the hundredweight of base deliveries for the first 15 days of the delivery period; provided full and final payment for the preceding delivery period was made in accordance with subdivision D 2 of this section, otherwise the partial payment shall be not less than an amount determined by multiplying the current Class I price for 3.5% milk by the hundredweight of base deliveries for the first 15 days of the delivery period.

2. On or before the 15th day following the close of a delivery period general distributors shall make full and final payment to producers or cooperative associations of producers for deliveries received during such delivery period pursuant to this chapter.

3. Certified or registered mail may be required for all U.S. Postal Service deliveries of producer payments made by general distributors pursuant to subdivisions D 1 and D 2 of this section when directed in writing by the commission.

4. The commission may, after a hearing, require individual general distributors to make settlement with producers or cooperative associations of producers for deliveries at intervals other than provided in subdivisions D 1 and D 2 of this section.

5. All licensed producers or association of producers supplying base deliveries to processing general distributors located in Norfolk, Portsmouth, Hampton, Newport News or Chesapeake shall be allocated \$0.10 per hundredweight from the total monthly Eastern Market Class I producer payments. This allocation shall be made prorata in accordance with the monthly base deliveries to the processing general distributors located in the aforementioned cities.

6. Before the 15th day of each month the commission shall determine the required monthly equalization payments and give written notice to all affected parties of the amounts payable. The monthly equalization payments shall be made to the Milk Commission Equalization Fund no later than the 25th day of the month subsequent to the end of each delivery period. On or before the last day of each month the commission shall disburse all funds (less a balance necessary to pay all bank charges) paid in during the current month in accordance with subdivision D 5 of this section.

E. Redistribution of producer losses. When the commission is satisfied that when one or more licensed distributor(s) is/are unable, due to bankruptcy or receivership, to fulfill the financial obligation to producers and/or cooperative associations of producers for base deliveries, the commission may authorize the establishment of a temporary producer redistribution fund to reallocate a distributor's deficient financial obligation.

1. When it is determined that an obligation for base milk deliveries cannot be satisfied, the distributor(s), producer(s) or cooperative associations of producers involved shall notify the commission within five working days of a voluntary filing or adjudication of bankruptcy or receivership, or within five working days of the effective date of this regulation for licensed distributors currently in bankruptcy or receivership. This notification shall be in writing accompanied by copies of pertinent court documents.

2. The producer funded redistribution of losses of an unfulfilled obligation of base deliveries shall be limited to an amount not to exceed the unsecured value of base deliveries calculated in accordance with this chapter.

3. A producer funded redistribution rate shall be established which will be the lesser of the actual dollar loss under subdivision E 2 or the dollars generated by a rate not in excess of 0.10/cwt., levied on producer's and/or cooperative associations of producers monthly Class I allocated base deliveries for a period not to exceed 12 months for each bankruptcy.

Each distributor shall remit to the Milk Commission no later than the 15th of each month the amount collected in accordance with this subdivision, applicable to the prior months delivery period at the rate established by the commission.

4. The Milk Commission shall disburse all redistribution funds, net of applicable bank charges, collected each month for the redistribution fund by the last day of the month. Funds will be disbursed prorata in relationship to the loss incurred by producers and/or cooperative associations of producers, less applicable bank charge.

5. Producers or cooperative associations of producers shall assign to the commission that portion of their loss claim which pertains to the value of redistributed funds paid on Virginia base deliveries by the commission in order to participate in the producer redistribution fund.

6. Any overpayment or recovery of loss claims assigned to the commission by producers or cooperative associations of producers to the producer redistribution fund shall be disbursed to producers or cooperative associations of producers on a prorata basis of payments made to the fund.

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2 VAC 15-20-81. Class prices for producer's milk, time and method of payment, and butterfat testing.

A. Class prices.

1. Class I

	July through February	March through June
Eastern Virginia Market	\$8.46/cwt.	\$8.26/cwt.
Southwest Virginia Market	\$7.96/cwt.	\$7.76/cwt.
Western Virginia Market	\$8.16/cwt.	\$7.96/cwt.

The above established Class I prices shall be adjusted automatically in accordance with the following procedure, provided:

(1) a. The Eastern Market Class I price shall not exceed the average prevailing Class I price of Metropolitan Washington, D.C., and Raleigh, North Carolina, [~~base zone~~] by more than \$0.80 per hundredweight nor be less than \$0.30 per hundredweight above the average prevailing Class I price of Metropolitan Washington, D.C., and Raleigh, North Carolina;

b. The Southwest Market Class I price shall not exceed the average prevailing Class I price of Bristol, Virginia, and Charleston, West Virginia, by more than \$0.60 per hundredweight nor be less than \$0.30 per hundredweight above the average prevailing Class I price of Bristol, Virginia, and Charleston, West Virginia; and

c. The Western Market Class I price shall not exceed the average prevailing Class I price of Metropolitan Washington, D.C., and Winston Salem, North Carolina, by more than \$0.60 per hundredweight nor be less than \$0.30 per hundredweight above the average prevailing Class I price of Metropolitan Washington, D.C., and Winston Salem, North Carolina.

(2) Class I prices shall be increased by an amount determined by multiplying the number of two-point brackets that the average bi-monthly composite index exceeds 101.0 by \$0.20; and

(3) Class I prices shall be decreased by an amount determined by multiplying the number of two-point brackets that the average bi-monthly composite index descends below 99.0 by \$0.20.

(4) The average bi-monthly composite index brackets shall be in accordance with the following schedule:

Average Bi-monthly Composite Index Brackets (Nos. through Nos.)	Amount of Adjustment (Cents)
Continued	Continued
96.9 - 98.9	- 20
99.0 - 101.0	- 0
101.1 - 103.1	+ 20
103.2 - 105.2	+ 40
105.3 - 107.3	+ 60
107.4 - 109.4	+ 80

109.5 - 111.5	+100
111.6 - 113.6	+120
113.7 - 115.7	+140
115.8 - 117.8	+160
117.9 - 119.9	+180
120.0 - 122.0	+200
122.1 - 124.1	+220
124.2 - 126.2	+240
126.3 - 128.3	+260
128.4 - 130.4	+280
130.5 - 132.5	+300
132.6 - 134.6	+320
134.7 - 136.7	+340
136.8 - 138.8	+360
138.9 - 140.9	+380
141.0 - 143.0	+400
143.1 - 145.1	+420
145.2 - 147.2	+440
147.3 - 149.3	+460
149.4 - 151.4	+480
151.5 - 153.5	+500
153.6 - 155.6	+520
155.7 - 157.7	+540
157.8 - 159.8	+560
159.9 - 161.9	+580
162.0 - 164.0	+600
164.1 - 166.1	+620
166.2 - 168.2	+640
168.3 - 170.3	+660
170.4 - 172.4	+680
172.5 - 174.5	+700
174.6 - 176.6	+720
176.7 - 178.7	+740
178.8 - 180.8	+760
180.9 - 182.9	+780
183.0 - 185.0	+800
185.1 - 187.1	+820
187.2 - 189.2	+840
189.3 - 191.3	+860
191.4 - 193.4	+880
193.5 - 195.5	+900
195.6 - 197.6	+920
197.7 - 199.7	+940
199.8 - 201.8	+960
201.9 - 203.9	+980
204.0 - 206.0	+1000
206.1 - 208.1	+1020
208.2 - 210.2	+1040
210.3 - 212.3	+1060
212.4 - 214.4	+1080
214.5 - 216.5	+1100
216.6 - 218.6	+1120
Continued	Continued

(5) A monthly composite index shall be determined by dividing the sum of the index numbers of the six factors shown in subsections (a x 1), (b x 1), (c x 1), (d x 1), (e x 1), (f x 2) of this subparagraph by seven. The latest available published monthly data for any of the above six factors shall be used in determining the monthly index number.

a. The U.S. Index of prices paid, taxes, and farm wage rates as published in "Agricultural Prices" by the U.S.D.A.

b. The U.S. Index of prices received as published in "Agricultural Prices" by the U.S.D.A.

c. The average price per ton paid by Virginia farmers for 16% dairy feed, as published in "Agricultural Prices" by the U.S.D.A.

d. The average cost of the market basket for Richmond-Norfolk-Virginia Beach-Portsmouth, as published in "The Market Basket and Retail Food Prices" by the Virginia Department of Labor and Industry.

e. The average weekly earnings of workers in Virginia manufacturing industries, as published in "Trends in Employment Hours and Earnings Virginia and Statistical Metropolitan Areas" by the Virginia Department of Labor and Industry.

f. An average of the prevailing Class I prices in Raleigh, North Carolina; Metropolitan Washington, D.C.; Winston Salem, North Carolina; Bristol, Virginia; and Charleston, West Virginia.

(6) The six-month average, November 1973 through April 1974, shall equal 100 for each of the above factors for the purpose of determining the monthly index number for each factor.

(7) The current month's Class I price adjustment, if any, shall be determined by a bi-monthly composite index which shall be a simple average of the monthly composite indices of the second and third preceding months.

(8) On or before the 23rd day of each month, the agency shall determine the Class I butterfat, skim and net prices for the following month and announce same to all licensed processing general distributors and on the same date the agency will announce the Class II skim, butterfat and net prices.

Effective May 1, 1995, the following modifications to the indexes will be utilized in determining the monthly composite index used in calculating the Class I price for Virginia State Milk Commission marketing areas pursuant to subdivisions A 1 (1) through (7) of this section:

The U.S. Index of prices paid, taxes, and farm wage rates as published in "Agricultural Prices" by the U.S.D.A. will be determined by using the monthly movement of the reweighted and reconstructed prices paid index (PPITW) as published by the U.S.D.A. The monthly movement of the new prices paid index (PPITW) will be applied each month to the preceding month's revised index of prices paid, taxes, and farm wage rates using December 1994 as the base month.

The U.S. Index of prices received as published in "Agricultural Prices" by the U.S.D.A. will be determined by using the monthly movement of the reweighted and reconstructed prices received index as published by

the U.S.D.A. The monthly movement of the new prices received index will be applied each month to the preceding month's revised index of prices received using December 1994 as the base month.

The average price per ton paid by all Virginia farmers for 16% dairy feed as published in "Agricultural Prices" by the U.S.D.A. will be determined by using the monthly movement of the index of prices paid, production items, complete feeds as published by the U.S.D.A. The monthly movement of this index will be applied each month to the preceding month's index of 16% dairy feed, Appalachian using April 1995 as the base month.

The authoritative publisher of the Market Basket for Richmond-Norfolk-Virginia Beach-Portsmouth will be the Virginia Department of Agriculture and Consumer Services. The resultant index numbers derived from the above calculations will be utilized as specified in the cited regulation.

2. Class I-A. The price used in computing each distributor's obligation for producer milk (of 3.5% butterfat) allocated to Class I-A shall be the Class II skim, butterfat, and net prices.

3. Class II. The price per cwt. for all markets shall be the monthly Class II price announced by the market administrator of appropriate marketing area.

4. The total value of base deliveries made in accordance with 2 VAC 15-20-50 B 2 shall be discounted in accordance with the following procedure to reflect the cost savings of transporting, storing and handling of producer milk on a uniform daily basis:

a. Subtract from each cooperative association's total pounds of base deliveries allocated to Class I sales for each delivery period an amount equal to twice the sum of the differences between the pounds of assigned daily base and the pounds of daily base deliveries which are less than the pounds of assigned daily base for each day during the delivery period.

b. The net hundredweight (not less than zero) resulting from the above procedure multiplied by \$0.11 will be the amount of discount for base deliveries during the delivery period.

5. Producers or their agents shall not sell milk or offer milk for sale at prices other than those established.

B. Butterfat testing. Butterfat testing shall be conducted in accordance with the following procedure:

1. General distributors shall determine the average butterfat content of all assigned producer milk delivered by each producer who is not a member of a cooperative association, as defined in 2 VAC 15-20-10, by four or more tests made at approximately equal intervals during each delivery period.

2. All assigned producer milk accompanied by a bill of lading that is delivered by a cooperative association to a licensed distributor and is accepted by the distributor

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shall be paid for by the distributor at a rate that is determined by the butterfat test specified on the bill of lading accompanying the load of milk.

3. The butterfat content of all assigned cooperative association milk delivered by methods other than specified in subdivision 2 of this subsection, shall be determined in accordance with procedures specified by the agency if mutual agreement between the cooperative association and the distributor cannot be reached as to the butterfat content of such deliveries.

4. All sampling and testing shall be conducted by persons licensed by the Virginia Department of Agriculture and Consumer Services. These tests shall be made by the Babcock Test, or other tests approved by that department, and shall, as directed by the approving authority, be subject to check tests made by a licensed tester.

C. Time of payment.

1. On or before the 23rd day of a delivery period, general distributors shall make a partial payment to producers or cooperative associations of producers for base deliveries received during the first 15 days of the delivery period. The partial payment shall be not less than an amount determined by multiplying the previous month's Class II skim, butterfat or net price for 3.5% milk by the hundredweight of base deliveries for the first 15 days of the delivery period; provided full and final payment for the preceding delivery period was made in accordance with subdivision 2 of this subsection, otherwise the partial payment shall be not less than an amount determined by multiplying the current Class I skim, butterfat and net prices for 3.5% milk by the hundredweight of base deliveries for the first 15 days of the delivery period.

2. On or before the 17th day following the close of a delivery period, general distributors shall make full and final payment to producers or cooperative associations of producers for deliveries received during such delivery period pursuant to this chapter.

3. Certified or registered mail may be required for all U.S. Postal Service deliveries of producer payments made by general distributors pursuant to subdivisions 1 and 2 of this subsection when directed in writing by the agency.

4. The approving authority may, after a hearing, require individual general distributors to make settlement with producers or cooperative associations of producers for deliveries at intervals other than provided in subdivisions 1 and 2 of this subsection.

5. All licensed producers or association of producers supplying base deliveries to processing general distributors located in Norfolk, Portsmouth, Hampton, Newport News or Chesapeake shall be allocated \$0.10 per hundredweight from the total monthly Eastern Market Class I producer payments. This allocation shall be made prorata in accordance with the monthly base deliveries to the processing general distributors located in the aforementioned cities.

6. Before the 15th day of each month, the agency shall determine the required monthly equalization payments and give written notice to all affected parties of the amounts payable. The monthly equalization payments shall be made to the Milk Commission Equalization Fund no later than the 25th day of the month subsequent to the end of each delivery period. On or before the last day of each month, the agency shall disburse all funds (less a balance necessary to pay all bank charges) paid in during the current month in accordance with subdivision 5 of this subsection.

D. Redistribution of producer losses. When the approving authority is satisfied that when one or more licensed distributors is unable, due to bankruptcy or receivership, to fulfill the financial obligation to producers and/or cooperative associations of producers for base deliveries, the approving authority may authorize the establishment of a temporary producer redistribution fund to reallocate a distributor's deficient financial obligation.

1. When it is determined that an obligation for base milk deliveries cannot be satisfied, the distributor(s), producer(s) or cooperative associations of producers involved shall notify the approving authority within five working days of a voluntary filing or adjudication of bankruptcy or receivership, or within five working days of August 1, 1991, for licensed distributors currently in bankruptcy or receivership. This notification shall be in writing accompanied by copies of pertinent court documents.

2. The producer funded redistribution of losses of an unfulfilled obligation of base deliveries shall be limited to an amount not to exceed the unsecured value of base deliveries calculated in accordance with this chapter.

3. A producer funded redistribution rate shall be established which will be the lesser of the actual dollar loss under subdivision 2 of this subsection or the dollars generated by a rate not in excess of 0.10/cwt., levied on producer's and/or cooperative associations of producers monthly Class I allocated base deliveries for a period not to exceed 12 months for each bankruptcy. Each distributor shall remit to the agency no later than the 15th of each month the amount collected in accordance with this subdivision, applicable to the prior months delivery period at the rate established by the approving authority.

4. The agency shall disburse all redistribution funds, net of applicable bank charges, collected each month for the redistribution fund by the last day of the month. Funds will be disbursed prorata in relationship to the loss incurred by producers and/or cooperative associations of producers, less applicable bank charges.

5. Producers or cooperative associations of producers shall assign to the agency that portion of their loss claim which pertains to the value of redistributed funds paid on Virginia base deliveries by the agency in order to participate in the producer redistribution fund.

6. Any overpayment or recovery of loss claims assigned to the agency by producers or cooperative associations of producers to the producer redistribution fund shall be

disbursed to producers or cooperative associations of producers on a prorata basis of payments made to the fund.

VA.R. Doc. No. R99-208; Filed August 17, 1999, 1:11 p.m.

* * * * *

Title of Regulation: 2 VAC 15-20-10 et seq. Regulations for the Control and Supervision of Virginia's Milk Industry (amending 2 VAC 15-20-80).

Statutory Authority: §§ 3.1-430 and 3.1-437 of the Code of Virginia.

Effective Date: August 17, 1999.

Summary:

The amendment changes the definition of adjacent markets. This change better aligns Southwestern Virginia's markets with the West Virginia adjacent markets for pricing purposes. The amendment will more accurately utilize West Virginia adjacent market pricing in the Virginia formula to yield producer prices in Virginia. Virginia producer prices will better correspond to West Virginia markets adjacent to the Southwestern Virginia markets. This amendment will be repealed with the implementation of the final decision of the Federal Milk Marketing Order Reform in accordance with § 143 of the federal Agriculture Improvement and Reform Act of 1996 (Farm Bill), 7 USC § 7253.

The date of announcement of Class prices and the dates of the producer partial and final payments were inadvertently amended in the proposed regulation to those reflected in the final decision of the Federal Milk Marketing Order Reform in accordance with § 143 of the Federal Agriculture Improvement and Reform Act of 1996; however, these dates will remain in the current regulation and not be amended until implementation of the final rule.

Agency Contact: Copies of the regulation may be obtained from Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, 200 North 9th Street, Suite 915, Richmond, VA 23219-3414, telephone (804) 786-2013.

2 VAC 15-20-80. Class prices for producer's milk, time and method of payment, butterfat testing and differential.

A. Class prices.

1. Class I	July through February	March through June
Eastern Virginia Market	\$8.46/cwt.	\$8.26/cwt.
Southwest Virginia Market	\$7.96/cwt.	\$7.76/cwt.
Western Virginia Market	\$8.16/cwt.	\$7.96/cwt.

The above established Class I prices shall be adjusted automatically in accordance with the following procedure, provided:

(1) a. The Eastern Market Class I price shall not exceed the average prevailing Class I price of ~~Federal Order~~

~~No. 4 and Federal Order No. 5 Metropolitan Washington, D.C., and Raleigh, North Carolina, [base zone]~~ by more than \$0.80 per hundredweight, nor be less than \$0.30 per hundredweight above the average prevailing Class I price of ~~Federal Order No. 4 and Federal Order No. 5 base zone Metropolitan Washington, D.C., and Raleigh, North Carolina;~~

b. The Southwest Market Class I price shall not exceed the average prevailing Class I price of ~~Federal Order No. 11 Bristol, Virginia, and Charleston, West Virginia,~~ by more than \$0.60 per hundredweight nor be less than \$0.30 per hundredweight above the average prevailing Class I price of ~~Federal Order No. 11 and Bristol, Virginia, and Charleston, West Virginia;~~ and

c. The Western Market Class I price shall not exceed the average prevailing Class I price of ~~Federal Order No. 4 and Federal Order No. 5, Northwest Zone Metropolitan Washington, D.C., and Winston Salem, North Carolina,~~ by more than \$0.60 per hundredweight nor be less than \$0.30 per hundredweight above the average prevailing Class I price of ~~Federal Order No. 4 and Federal Order No. 5, Northwest Zone: Metropolitan Washington, D.C., and Winston Salem, North Carolina.~~

(2) Class I prices shall be increased by an amount determined by multiplying the number of two-point brackets that the average bi-monthly composite index exceeds 101.0 by \$0.20; and

(3) Class I prices shall be decreased by an amount determined by multiplying the number of two-point brackets that the average bi-monthly composite index descends below 99.0 by \$0.20.

(4) The average bi-monthly composite index brackets shall be in accordance with the following schedule:

Average Bi-monthly Composite Index Brackets (Nos. through Nos.)	Amount of Adjustment (Cents)
Continued	Continued
96.9 - 98.9	- 20
99.0 - 101.0	- 0
101.1 - 103.1	+ 20
103.2 - 105.2	+ 40
105.3 - 107.3	+ 60
107.4 - 109.4	+ 80
109.5 - 111.5	+ 100
111.6 - 113.6	+ 120
113.7 - 115.7	+ 140
115.8 - 117.8	+ 160
117.9 - 119.9	+ 180
120.0 - 122.0	+ 200
122.1 - 124.1	+ 220
124.2 - 126.2	+ 240
126.3 - 128.3	+ 260
128.4 - 130.4	+ 280

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130.5 - 132.5	+ 300
132.6 - 134.6	+ 320
134.7 - 136.7	+ 340
136.8 - 138.8	+ 360
138.9 - 140.9	+ 380
141.0 - 143.0	+ 400
143.1 - 145.1	+ 420
145.2 - 147.2	+ 440
147.3 - 149.3	+ 460
149.4 - 151.4	+ 480
151.5 - 153.5	+ 500
153.6 - 155.6	+ 520
155.7 - 157.7	+ 540
157.8 - 159.8	+ 560
159.9 - 161.9	+ 580
162.0 - 164.0	+ 600
164.1 - 166.1	+ 620
166.2 - 168.2	+ 640
168.3 - 170.3	+ 660
170.4 - 172.4	+ 680
172.5 - 174.5	+ 700
174.6 - 176.6	+ 720
176.7 - 178.7	+ 740
178.8 - 180.8	+ 760
180.9 - 182.9	+ 780
183.0 - 185.0	+ 800
185.1 - 187.1	+ 820
187.2 - 189.2	+ 840
189.3 - 191.3	+ 860
191.4 - 193.4	+ 880
193.5 - 195.5	+ 900
195.6 - 197.6	+ 920
197.7 - 199.7	+ 940
199.8 - 201.8	+ 960
201.9 - 203.9	+ 980
204.0 - 206.0	+1000
206.1 - 208.1	+1020
208.2 - 210.2	+1040
210.3 - 212.3	+1060
212.4 - 214.4	+1080
214.5 - 216.5	+1100
216.6 - 218.6	+1120
Continued	Continued

(5) A monthly composite index shall be determined by dividing the sum of the index numbers of the six factors shown in subsections (a X 1), (b X 1), (c X 1), (d X 1), (e X 1), (f X 2) of this subparagraph by seven. The latest available published monthly data for any of the above six factors shall be used in determining the monthly index number.

(a) The U.S. Index of prices paid, taxes, and farm wage rates as published in "Agricultural Prices" by the U.S.D.A.

(b) The U.S. Index of prices received as published in "Agricultural Prices" by the U.S.D.A.

(c) The average price per ton paid by Virginia farmers for 16% dairy feed, as published in "Agricultural Prices" by the U.S.D.A.

(d) The average cost of the market basket for Richmond-Norfolk-Virginia Beach-Portsmouth, as published in "The Market Basket and Retail Food Prices" by the Virginia Department of Labor and Industry.

(e) The average weekly earnings of workers in Virginia manufacturing industries, as published in "Trends in Employment Hours and Earnings Virginia and Statistical Metropolitan Areas" by the Virginia Department of Labor and Industry.

(f) An average of the prevailing Class I prices in ~~Raleigh, North Carolina, Federal Milk Marketing Order No. 4 and Federal Milk Marketing Order No. 11; Metropolitan Washington, D.C.; Winston Salem, North Carolina; Bristol, Virginia; and Charleston, West Virginia.~~

(6) The six-month average, November 1973 through April 1974, shall equal 100 for each of the above factors for the purpose of determining the monthly index number for each factor.

(7) The current month's Class I price adjustment, if any, shall be determined by a bi-monthly composite-index which shall be a simple average of the monthly composite indices of the second and third preceding months.

(8) On or before the [seventh ~~23rd~~] day of each month, the ~~commission~~ agency shall determine the Class I *butterfat, skim and net* prices for the following month and announce same to all licensed processing general distributors. *On the same date the agency will announce the Class II skim, butterfat and net prices.*

Effective May 1, 1995, the following modifications to the indexes will be utilized in determining the monthly composite index used in calculating the Class I price for Virginia State Milk Commission marketing areas pursuant to subdivisions A 1 (1) through A 1 (7) of this section:

The U.S. Index of prices paid, taxes, and farm wage rates as published in "Agricultural Prices" by the U.S.D.A. will be determined by using the monthly movement of the reweighted and reconstructed prices paid index (PPITW) as published by the U.S.D.A. The monthly movement of the new prices paid index (PPITW) will be applied each month to the preceding month's revised index of prices paid, taxes, and farm wage rates using December 1994 as the base month.

The U.S. Index of prices received as published in "Agricultural Prices" by the U.S.D.A. will be determined by using the monthly movement of the reweighted and reconstructed prices received index as published by the U.S.D.A. The monthly movement of the new pieces received index will be applied each month to the

preceding month's revised index of prices received using December 1994 as the base month.

The average price per ton paid by all Virginia farmers for 16% dairy feed as published in "Agricultural Prices" by the U.S.D.A. will be determined by using the monthly movement of the index of prices paid, production items, complete feeds as published by the U.S.D.A. The monthly movement of this index will be applied each month to the preceding month's index of 16% dairy feed, Appalachian using April 1995 as the base month.

The authoritative publisher of the Market Basket for Richmond-Norfolk-Virginia Beach-Portsmouth will be the Virginia Department of Agriculture and Consumer Services. The resultant index numbers derived from the above calculations will be utilized as specified in the cited regulation.

2. Class I-A. The price used in computing each distributor's obligation for producer milk (of 3.5% butterfat) allocated to Class I-A shall be the Class II ~~price~~ *skim, butterfat and net prices*.

3. Class II. The price per cwt. for all markets shall be the monthly Class II price announced by the market administrator of the ~~Tennessee Valley~~ *appropriate* marketing area (~~Federal Order No. 14~~).

4. The total value of base deliveries made in accordance with 2 VAC 15-20-50 B (2) shall be discounted in accordance with the following procedure to reflect the cost savings of transporting, storing and handling of producer milk on a uniform daily ~~bases~~ *basis*:

(a) Subtract from each cooperative association's total pounds of base deliveries allocated to Class I sales for each delivery period an amount equal to twice the sum of the differences between the pounds of assigned daily base and the pounds of daily base deliveries which are less than the pounds of assigned daily base for each day during the delivery period.

(b) The net hundredweight (not less than zero) resulting from the above procedure multiplied by \$0.11 will be the amount of discount for base deliveries during the delivery period.

5. Producers or their agents shall not sell milk or offer milk for sale at prices other than those established.

B. Butterfat differential. In making payments to producers and/or cooperative associations of producers required pursuant to this section, each general distributor shall add for each one-tenth of one percent of average butterfat content above 3.5%, and shall deduct for each one-tenth of one percent of average butterfat content below 3.5% as a butterfat differential an amount per hundredweight announced each month by the market administrator of the ~~Tennessee Valley~~ *appropriate* marketing area (~~Federal Order No. 14~~).

C. Butterfat testing. Butterfat testing shall be conducted in accordance with the following procedure:

1. General distributors shall determine the average butterfat content of all assigned producer milk delivered

association, as defined in 2 VAC 15-20 , by four or each delivery period.

2. All assigned producer milk accompanied by a bill of licensed distributor and is accepted by the distributor shall be paid for by the distributor at a rate that is determined by the butterfat test specified on the bill of lading accompanying the load of milk.

association milk delivered by methods other than specified in subdivision – 2 ~~above of this subsection~~,

specified by the ~~commission~~ *agency*, if mutual agreement cannot be reached as to the butterfat content of such deliveries.

licensed by the Virginia Department of Agriculture and Consumer Services. These tests shall be made by the

department, and shall, as directed by the ~~commission~~ *approving authority*, be subject to check tests made by a licensed tester.

D. Time of payment.

1. On or before the [last ~~23rd~~] day of a delivery period, general distributors shall make a partial payment to producers or cooperative associations of producers for base deliveries received during the first 15 days of the delivery period. The partial payment shall be not less than an amount determined by multiplying the previous month's Class II *skim, butterfat or net* price for 3.5% milk by the hundredweight of base deliveries for the first 15 days of the delivery period; provided full and final payment for the preceding delivery period was made in accordance with subdivision ~~2~~ of this ~~section~~ *subsection*, otherwise the partial payment shall be not less than an amount determined by multiplying the current Class I price for 3.5% milk by the hundredweight of base deliveries for the first 15 days of the delivery period.

2. On or before the [15th ~~17th~~] day following the close of a delivery period, general distributors shall make full and final payment to producers or cooperative associations of producers for deliveries received during such delivery period pursuant to this chapter.

3. Certified or registered mail may be required for all U.S. Postal Service deliveries of producer payments made by general distributors pursuant to subdivisions ~~1~~ and ~~2~~ of this ~~section~~ *subsection* when directed in writing by the ~~commission~~ *agency*.

4. The ~~commission~~ *approving authority* may, after a hearing, require individual general distributors to make settlement with producers or cooperative associations of producers for deliveries at intervals other than provided in subdivisions ~~1~~ and ~~2~~ of this ~~section~~ *subsection*.

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5. All licensed producers or association of producers supplying base deliveries to processing general distributors located in Norfolk, Portsmouth, Hampton, Newport News or Chesapeake shall be allocated \$0.10 per hundredweight from the total monthly Eastern Market Class I producer payments. This allocation shall be made prorata in accordance with the monthly base deliveries to the processing general distributors located in the aforementioned cities.

6. Before the 15th day of each month, the ~~commission~~ agency shall determine the required monthly equalization payments and give written notice to all affected parties of the amounts payable. The monthly equalization payments shall be made to the Milk Commission Equalization Fund no later than the 25th day of the month subsequent to the end of each delivery period. On or before the last day of each month, the ~~commission~~ agency shall disburse all funds (less a balance necessary to pay all bank charges) paid in during the current month in accordance with subdivision ~~D~~ 5 of this ~~section~~ subsection.

E. Redistribution of producer losses. When the ~~commission~~ approving authority is satisfied that when one or more licensed ~~distributor(s)~~ distributors is/are unable, due to bankruptcy or receivership, to fulfill the financial obligation to producers and/or cooperative associations of producers for base deliveries, the ~~commission~~ approving authority may authorize the establishment of a temporary producer redistribution fund to reallocate a distributor's deficient financial obligation.

1. When it is determined that an obligation for base milk deliveries cannot be satisfied, the distributor(s), producer(s) or cooperative associations of producers involved shall notify the ~~commission~~ approving authority within five working days of a voluntary filing or adjudication of bankruptcy or receivership, or within five working days of the effective date of this regulation August 1, 1991, for licensed distributors currently in bankruptcy or receivership. This notification shall be in writing accompanied by copies of pertinent court documents.

2. The producer funded redistribution of losses of an unfulfilled obligation of base deliveries shall be limited to an amount not to exceed the unsecured value of base deliveries calculated in accordance with this chapter.

3. A producer funded redistribution rate shall be established which will be the lesser of the actual dollar loss under subdivision ~~E~~ 2 of this subsection or the dollars generated by a rate not in excess of 0.10/cwt., levied on producer's and/or cooperative associations of producers monthly Class I allocated base deliveries for a period not to exceed 12 months for each bankruptcy.

Each distributor shall remit to the ~~Milk-Commission~~ agency no later than the 15th of each month the amount collected in accordance with this subdivision, applicable to the prior months delivery period at the rate established by the ~~commission~~ approving authority.

4. The ~~Milk-Commission~~ agency shall disburse all redistribution funds, net of applicable bank charges, collected each month for the redistribution fund by the last day of the month. Funds will be disbursed prorata in relationship to the loss incurred by producers and/or cooperative associations of producers, less applicable bank charge.

5. Producers or cooperative associations of producers shall assign to the ~~commission~~ agency that portion of their loss claim which pertains to the value of redistributed funds paid on Virginia base deliveries by the ~~commission~~ agency in order to participate in the producer redistribution fund.

6. Any overpayment or recovery of loss claims assigned to the ~~commission~~ agency by producers or cooperative associations of producers to the producer redistribution fund shall be disbursed to producers or cooperative associations of producers on a prorata basis of payments made to the fund.

VA.R. Doc. No. R99-209; Filed August 17, 1999, 1:12 p.m.



TITLE 11. GAMING

VIRGINIA RACING COMMISSION

REGISTRAR'S NOTICE: The following regulation filed by the Virginia Racing Commission is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 B 21 of the Code of Virginia which exempts regulations of the Virginia Breeders Fund, which was created by § 59.1-372 of the Code of Virginia.

Title of Regulation: 11 VAC 10-130-10 et seq. Virginia Breeders Fund (amending 11 VAC 10-130-10, 11 VAC 10-130-20, 11 VAC 10-130-40, 11 VAC 10-130-51, 11 VAC 10-130-60, 11 VAC 10-130-76, and 11 VAC 10-130-77).

Statutory Authority: § 59.1-369 of the Code of Virginia.

Effective Date: August 25, 1999.

Summary:

This regulation establishes the operating procedures for the Virginia Breeders Fund, specifies the eligibility of horses and their owners for awards from the fund and eligibility of horses for entry into races restricted to Virginia-breds, and specifies the distribution of incentives from the fund. The regulation has been revised to clarify the definition of a Virginia-bred thoroughbred, liberalize the registration requirement for racehorses, place a cap on owner awards, and reflect that the commission has delegated the administration and promotion of the fund to the Virginia Thoroughbred Association and the Virginia Harness Horse Association which develop the registration forms.

Agency Contact: Copies of the regulation may be obtained from William H. Anderson, Regulatory Coordinator, Virginia

Racing Commission, 10700 Horsemen's Road, New Kent, VA 23124, telephone (804) 966-7404.

11 VAC 10-130-10. Definitions.

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

"Breeding season" means a period of time beginning on February 1 and ending on August 1 of each year. For Standardbreds, the breeding season means a period of time beginning February 15 and ending on July 15 of each year.

"Stallion owner" means an owner or lessee of record of a stallion that covered mares in the Commonwealth of Virginia during the breeding season in which it sired a Virginia-bred horse.

"Virginia-bred Arabian horse" means a registered Arabian horse foaled in the Commonwealth of Virginia.

"Virginia Arabian horse breeder" means the owner or lessee of record of the mare at the time of foaling of a Virginia-bred Arabian horse.

"Virginia Arabian sire" means a registered Arabian stallion that covered mares only in the Commonwealth of Virginia during the breeding season in which it sired a Virginia-bred Arabian horse.

"Virginia-bred Quarter Horse" means a registered Quarter Horse foaled or conceived in the Commonwealth of Virginia.

"Virginia Quarter Horse breeder" means the owner or lessee of record of the mare at the time of conception of a Virginia-bred Quarter Horse.

"Virginia Quarter Horse sire" means a registered Quarter Horse stallion or registered Virginia Thoroughbred stallion that covered mares only in the Commonwealth of Virginia during the breeding season in which it sired a Virginia-bred Quarter Horse.

"Virginia-bred Standardbred horse" means a registered Standardbred horse foaled or conceived in the Commonwealth of Virginia, sired by a Virginia Standardbred sire or purchased or owned by a Virginia resident and meeting the following requirements:

1. During the first six calendar years of live pari-mutuel harness racing in the Commonwealth, a foal not meeting the requirements of the previous paragraph may still be registered as Virginia bred providing it is registered by a Virginia resident and owner with the commission by submitting documentation proving that the horse was purchased prior to April 1 of its two-year-old year and prior to making its first start in a nonqualifying race. For purposes of registration under this subdivision, neither the stallion owner of a sire standing outside the Commonwealth nor the breeder of a Standardbred foaled outside the Commonwealth shall be eligible for any award from the Virginia Breeders Fund;
2. For purposes of determining the eligibility for an owner to register a Virginia Standardbred, a Virginia resident and owner shall be defined as a person legally required

to file a resident income tax return with the Commonwealth that year or a partnership, corporation, stable name or other entity which is solely owned by Virginia residents and owners legally required to file resident income tax returns with the Commonwealth that year; and

3. After December 31 of the fourth calendar year of live harness racing in the Commonwealth, foals of that year and each succeeding year must be sired by a Virginia Standardbred sire to qualify as Virginia-bred Standardbreds.

"Virginia Standardbred horse breeder" means the owner or lessee of record of the mare at the time of conception of a Virginia-bred Standardbred horse.

"Virginia Standardbred sire" means a registered Standardbred stallion that stood only in the Commonwealth of Virginia during the breeding season in which it sired a Virginia-bred Standardbred horse. Shipment of semen for the breeding of mares outside the Commonwealth shall be permitted so long as any resulting foals meet the requirements of this chapter in all other respects.

"Virginia-bred Thoroughbred horse" means a registered Thoroughbred horse foaled in Virginia and, if foaled in the Commonwealth after December 31 of the second calendar year following the year in which Thoroughbred racing first commences in the Commonwealth pursuant to an unlimited license issued by the commission, 1999, shall also satisfy one of the following additional requirements:

1. The foal was sired by a Virginia Thoroughbred sire; or
2. If not so sired, the dam, if bred back that same breeding season, is bred to a Virginia Thoroughbred sire; or
3. If not so sired, or the dam is not bred back that same breeding season or is bred to a sire other than a Virginia Thoroughbred sire, the dam remains continuously in the Commonwealth from September 1 to date of foaling, or if barren to February 1 of the following year.

"Virginia Thoroughbred horse breeder" means the owner or lessee of record of the mare at the time of foaling a Virginia-bred Thoroughbred horse.

"Virginia Thoroughbred sire" means a registered Thoroughbred stallion that covers mares, other than test mares, only in the Commonwealth during the breeding season in which it sires a Virginia-bred Thoroughbred horse, or only during that part of the breeding season after entering the Commonwealth.

11 VAC 10-130-20. Generally.

The purpose of this chapter is to establish procedures for the administration of the Virginia Breeders Fund by the Virginia Racing Commission as provided for in § 59.1-372 of the Code of Virginia.

A. Certification. The commission or its designee shall certify that a racehorse is Virginia bred for eligibility for entry into races restricted to Virginia-bred horses, and to qualify its

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owner, the stallion owner, if applicable, and breeder for awards.

B. Determination of eligibility. The final determination of all questions, disputes or protests relating to the registration, eligibility for certification or breeding of a Virginia-bred horse and the final determination of eligibility of any horse to enter a race restricted to Virginia-bred horses shall rest solely with the commission.

C. Documentation. In making its determination, the commission or its designee, in its discretion, may require the submission of any certificate of foal registration, eligibility paper or any other registration document, affidavits or other substantive proof to support or deny any claim concerning registration of a horse as Virginia bred.

D. False statements. Any person who submits false or misleading information to a breed registry, to the commission, its designee, or to any racing official may be fined, have his permit suspended or revoked, be denied participation in the Virginia Breeders Fund for a period of time deemed appropriate by the commission, or any or all of the foregoing.

E. Forfeiture of awards and purse moneys. Any person who is denied participation in the Virginia Breeders Fund under the provisions of this chapter shall forfeit and restore to the commission fund any awards and purse moneys received based upon the submission of false or misleading information. Until the awards and purse moneys are restored, the commission may suspend the person's permit to participate in horse racing at licensed facilities.

F. Recognized registries. The commission shall recognize certificates of registration from the following breed registries:

1. Thoroughbred: The Jockey Club;
2. Standardbred: The United States Trotting Association;
3. Quarter Horse: The American Quarter Horse Association; and
4. Arabian horse: The Arabian Horse Registry of America.

G. Payment of awards. All awards for owners, stallion owners and breeders shall be distributed from the Virginia Breeders Fund in a manner prescribed by the commission. The following provisions shall apply to payment of owner, stallion owner and breeder awards:

1. Determination of individual distributions to a stallion owner shall be in the same ratio as the amount of first-place purse money won by the Virginia-bred horse at the race meeting, which qualifies the stallion owner for an award, to the total amount of first-place purse money won by all Virginia-bred horses which qualify stallion owners for awards at the race meeting;
2. Determination of individual distributions to a breeder shall be in the same ratio as the amount of first-place purse money won by the Virginia-bred horse at the race meeting, which qualifies the breeder for an award, to the total amount of first-place purse money won by all Virginia-bred horses at the race meeting;

3. Determination of individual distributions to an owner shall be in the same ratio as the amount of nonsupplemented first-place purse money won by the Virginia-bred horse at the race meeting which qualifies the owner for an award to the total amount of nonsupplemented first-place purse money won by all Virginia-bred horses at the race meeting;

4. To become eligible for an owner, a stallion owner or a breeder award from the Virginia Breeders Fund, the owner, stallion owner or breeder must be certified by the commission prior to receiving any award, unless his racehorse, stallion or broodmare foal has been previously registered with the commission;

5. A stallion owner or breeder will have 25 days after the closing of the race meeting, at which he becomes eligible for an award, to be certified by the commission unless his stallion or broodmare foal has been previously registered with the commission;

6. A stallion owner or breeder need only be certified once per racehorse; and

7. Any unclaimed awards from the Virginia Breeders Fund shall be remitted to the fund.

H. Distribution by breeds. The funds generated by the breed of horse through pari-mutuel wagering at a race meeting shall be distributed to that breed of horse through owner awards, stallion owner awards, breeder awards, purses and purse supplements.

I. Reimbursement of funds. The source of funding is 1.0% of all pari-mutuel pools which shall be paid to the commission within five days of the date that the funds were generated. Purse moneys shall be paid from the horsemen's account when approval is granted by the stewards. The commission shall reimburse the horsemen's account to the extent that funds are available from the Virginia Breeders Fund.

J. Restrictions. In disbursing the Virginia Breeders Fund, the following restrictions shall apply:

1. Supplements to purses from the Virginia Breeders Fund shall not be considered in determining owner awards;
2. The amount of the purses for races restricted to Virginia-bred horses or any adjustments must be fair, equitable and appropriate to the quality of the horses competing for those purses;
3. Purses from the Virginia Breeders Fund shall be considered for stallion owner and breeder awards.
4. Funds allocated for purses shall be credited to the owner's account by the horsemen's bookkeeper in accordance with procedures established elsewhere in this chapter; and
5. Underpayment of moneys generated by each breed shall be remitted to the Virginia Breeders Fund.

K. Reservation of funds. The commission may set aside funds for distribution in future years if the commission, in its discretion, determines that there is an insufficient supply of

Virginia-bred horses of a certain breed to warrant a distribution. In this event, the funds shall be deposited in an interest-bearing account for future distribution of awards and purse supplements to the breed that generated the funds so set aside.

L. Assignment of awards. Awards distributable to breeders and stallion owners are only assignable pursuant to a court order.

M. Advisory committee. To assist it in establishing this awards and incentive program to foster the industry of breeding racehorses in Virginia, the commission shall appoint an advisory committee composed of two members from each of the registered breed associations representing each breed of horse participating in the fund program, one member representing the owners and operators of racetracks and one member representing all the meets sanctioned by the National Steeplechase Hunt Association.

The commission, in its discretion, may establish and appoint the members of subcommittees of the advisory committee for each breed of horse participating in the fund program. Each subcommittee shall be composed of one commissioner, the executive secretary of the commission, two advisory committee members, a member representing an owner or operator of a horse racing facility, and an at-large member associated with the breed of horse participating in the fund program. All appointments shall be approved by the commission.

11 VAC 10-130-40. Stallion registration.

A. Initial registration. For a stallion owner to be certified to receive stallion owner awards from the Virginia Breeders Fund, the stallion owner shall register his stallion with the commission *or its designee* by satisfying the following requirements:

1. Each year prior to the commencement of the breeding season, but no later than January 31, or within 30 days following the entry into stud in Virginia if entry is after the breeding season commences, the owner or authorized agent shall submit an application on a form ~~prepared~~ *approved* by the commission, ~~which that~~ shall set forth the name of the stallion, year of foaling, registration number, pedigree, including sire, dam and sire of the dam, where the stallion is standing at stud, the date of entry to stud if after the commencement of the breeding season, and the names and addresses of owners and lessees;
2. The application shall be signed and dated by the owner or lessee, or the authorized agent;
3. A notarized copy of the stallion's Certificate of Foal Registration, clearly showing the front and transfer side of the document, shall accompany the application;
4. If the stallion is held under a lease or a syndicate agreement, a copy of the lease or agreement shall accompany the application, and the lease or agreement must include a statement that the lessee or syndicate manager is authorized to sign the service certificate and receive stallion awards; and

5. The owner or authorized agent shall submit to the commission a notarized copy of The Jockey Club's Report of Mares Bred at the conclusion of the breeding season but no later than August 1.

B. Registration fees. A stallion may be registered with the commission *or its designee* for the breeding season after January 31 or 30 days following its entry into stud in Virginia. A registration fee of \$100 shall accompany the application. A late registration fee of \$250 shall be assessed. A late registration of a stallion shall be accepted by the commission *or its designee* until August 1 for that breeding year.

C. Change of ownership. If there is a change in ownership or the stallion is subsequently leased or syndicated or the location of where the stallion is standing is changed, the new owner, lessee or syndicate manager shall submit to the commission *or its designee* a new application for stallion registration.

11 VAC 10-130-51. Foal registration.

A. Requirements. For an owner or lessee of a dam to be certified to receive breeder awards from the Virginia Breeders Fund, the owner or lessee must register his foal with the commission *or its designee* by satisfying the following requirements:

1. The owner, lessee or his authorized agent must submit an application on a form ~~prepared~~ *approved* by the commission, including the name of the stallion; the name of the dam; the sire of the dam; the sex; color; year of birth; the location of foaling; and name, address and telephone number of the owner, lessee or his authorized agent;
2. The application must be signed and dated by the owner, lessee, or his authorized agent;
3. If the dam is held under a lease, a statement to that effect and a copy of the lease which must include a statement that the lessee is authorized to register the foal must accompany the application;
4. If the dam of the foal was not bred to a Virginia Thoroughbred sire or is not bred back to a Virginia Thoroughbred sire, then the owner, lessee or his authorized agent must sign the affidavit stating that the dam has been domiciled in the Commonwealth of Virginia from September 1 of the preceding year to February 1; and
5. *As of September 1, 1999, all Virginia-bred Thoroughbred horses must be registered with the commission or its designee prior to being entered in Virginia-bred races running in any race at race meeting designated by the commission for purse supplements or awards from the Virginia Breeders Fund.*

B. Registration fees. A foal may be registered by December 31 of its year of foaling by submitting a \$25 fee which must accompany the application for foal registration. A yearling may be registered by December 31 of its yearling year by submitting a \$50 fee which must accompany the application for foal registration. A two-year-old or older may

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be registered by submitting a \$200 fee which must accompany the application for foal registration.

11 VAC 10-130-60. Fund distribution; allocation of funds.

The funds generated by pari-mutuel wagering on Thoroughbred horse races for the Virginia Breeders Fund shall be allocated on the following schedule:

1. 35% shall be set aside for payment to the breeders of Virginia-bred Thoroughbred horses that win races at a race meeting designated by the commission;
2. 15% shall be set aside for payment to owners or lessees of registered Virginia stallions which sire Virginia-bred Thoroughbred horses that win races at race meetings designated by the commission; and
3. 50% shall be paid to supplement purses as determined by the commission under the following provisions:
 - a. An award may be paid to the owner or owners of a Virginia-bred Thoroughbred horse each time the horse wins a nonrestricted race at race meetings designated by the commission; ~~and~~
 - b. *The maximum amount payable for owner, breeder or stallion owner awards to a Virginia-bred Thoroughbred horse for any single race shall be \$25,000; and*
 - ~~b.~~ c. Purses shall be paid for races restricted to Virginia-bred Thoroughbred horses.

11 VAC 10-130-76. Stallion registration.

A. Initial registration. For a stallion owner to be certified to receive stallion owner awards from the Virginia Breeders Fund, the stallion owner must register his stallion with the commission *or its designee* by satisfying the following requirements:

1. Each year prior to the commencement of the breeding season, but no later than January 31, or within 30 days following the entry into stud in Virginia if entry is after the breeding season commences, the owner or authorized agent shall submit an application on a form ~~prepared~~ *approved* by the commission, ~~which that~~ shall set forth the name of the stallion; year of foaling; registration number; pedigree, including sire, dam and sire of the dam; where the stallion is standing at stud; the date of entry to stud if after the commencement of the breeding season; and the names and addresses of owners and lessees;
2. The application must be signed and dated by the owner or lessee, or the authorized agent;
3. A notarized copy of the stallion's Certificate of Registration, clearly showing the front and transfer side of the document, must accompany the application;
4. If the stallion is held under a lease or a syndicate agreement, a copy of the lease or agreement must accompany the application, and the lease or agreement must include a statement that the lessee or syndicate manager is authorized to sign the Service Certificate and receive stallion awards; and

5. The owner or authorized agent must submit to the commission a notarized copy of The United States Trotting Association's Report of Mares Bred at the conclusion of the breeding season and no later than December 31 of the breeding year.

B. Registration fees. A stallion may be registered with the commission for the breeding season after January 31 or 30 days following its entry into stud in Virginia. A registration fee of \$100 shall accompany the application. A late registration fee of \$250 shall be assessed. A late registration of a stallion shall be accepted by the commission until August 1 for that breeding year.

C. Change of ownership. If there is a change in ownership, or the stallion is subsequently leased or syndicated, or the location of where the stallion is standing is changed, the new owner, lessee or syndicate manager must submit to the commission *or its designee* a new application for stallion registration.

11 VAC 10-130-77. Foal registration.

A. Requirements. For an owner or lessee of a dam to be certified to receive breeder awards from the Virginia Breeders Fund, the owner or lessee must register its foal with the commission *or its designee* by satisfying the following requirements:

1. The owner, lessee or his authorized agent must submit an application, on a form ~~prepared~~ *approved* by the commission, including the name of the stallion; the name of the dam; the sire of the dam; sex; color; year of foaling; and name, address and telephone number of the owner, lessee or his authorized agent;
2. The application must be signed and dated by the owner, lessee or his authorized agent;
3. If the dam is held under a lease, a statement to that effect and a copy of the lease which must include a statement that the lessee is authorized to register the foal must accompany the application; and
4. All Virginia-bred Standardbred horses must be registered with the commission *or its designee* prior to being entered in races.

B. Registration fees. A foal may be registered by December 31 of its year of foaling by submitting a \$25 fee which must accompany the application for foal registration. A yearling must may be registered by December 31 of its yearling year by submitting a \$125 fee which must accompany the application for foal registration. A two-year-old or older horse may be registered by submitting a \$250 fee which must accompany the application for foal registration. Any purchased horse must be registered within the required purchase period.

<p>NOTICE: The forms used in administering 11 VAC 10-130-10 et seq., Virginia Breeders Fund, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.</p>
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FORMS

Stallion Registration for the Year 19__, eff. 1/98.

Foal Registration for the Year 19__, eff. 1/98.

Application for Registration of Virginia-Bred Thoroughbred,
eff. 8/99.

**APPLICATION FOR REGISTRATION
OF
VIRGINIA-BRED THOROUGHBRED**

Please type or print:

DO NOT WRITE HERE
Date rec'd _____
VA Reg. # _____

Color _____ Sex: colt ridgeling gelding filly Foaling date _____

Name of foal _____ Sire _____

Dam _____ Dam's sire _____

Foal's Jockey Club registration # _____
IF AVAILABLE

Name of farm where foal was conceived _____ Location _____

Name of foaling farm or place _____
WHERE FOAL WAS DROPPED Location _____

Mare bred back to _____ State _____
NAME OF STALLION WHERE STANDING

Where mare domiciled from Sept. 1 _____

If not in foal to a Virginia sire or bred back to a Virginia sire.

— BREEDER INFORMATION —

All award recipients must have a W-9 on file with VTA.
BREEDER OF RECORD with the VTA must be the same as the BREEDER OF RECORD with The Jockey Club.

A W-9 Form must be attached to this form. All checks and awards from the Virginia Breeders Fund will be issued to the individual and address listed on the W-9. A Federal Tax ID# or Social Security# must be shown on the W-9.

Breeder of foal _____ VTA # _____
OWNER OF THE DAM AT THE TIME FOAL WAS DROPPED

STREET OR BOX NUMBER _____ CITY _____ STATE _____ ZIP _____

Phone (____) _____ S.S. # _____ or T.I.N. # _____

Signature _____ Phone (____) _____ Date _____
OWNER OR AUTHORIZED AGENT

— OWNER INFORMATION —

All award recipients must have a W-9 on file with VTA.

Owner of foal _____
IF BREEDER WRITE "SAME"

STREET OR BOX NUMBER _____ CITY _____ STATE _____ ZIP _____

Phone (____) _____ S.S. # _____ or T.I.N. # _____

Signature _____ Phone (____) _____ Date _____
OWNER OR AUTHORIZED AGENT

Make check payable to:
Virginia Breeders Fund
38 Garrett St., Warrenton, VA 20186
(540) 347-4313, Fax (540) 347-7314

SEE REVERSE SIDE

All applications must be accompanied by fee or they will be returned.

Form 15

VA.R. Doc. No. R99-272; Filed August 25, 1999, 3:05 p.m.

Final Regulations

TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

REGISTRAR'S NOTICE: The following regulation is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 C 4 (c) of the Code of Virginia, which excludes regulations that are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The Department of Medical Assistance Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 12 VAC 30-10-10 et seq. **State Plan Under Title XIX of the Social Security Act Medical Assistance Program; General Provisions (amending 12 VAC 30-10-490 and 12 VAC 30-10-680; adding 12 VAC 30-10-441).**

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

Effective Date: October 13, 1999.

Summary:

This final exempt regulatory action incorporates new federally required preprinted pages into the State Plan for Medical Assistance without effecting any policy or procedure changes. These new plan pages were contained in HCFA Program Memorandum 99-3 and are entitled: Medicaid Agency Fraud Detection and Investigation Program (new page), Free Choice of Providers (existing page modifications), and Conflict of Interest Provisions (existing page modifications).

Agency Contact: Copies of the regulation may be obtained from Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 371-8850.

12 VAC 30-10-441. Medicaid agency fraud detection and investigation program.

The Medicaid agency has established a mechanism to receive reports from beneficiaries and others and compile data concerning alleged instances of waste, fraud, and abuse relating to the operation of this chapter.

12 VAC 30-10-490. Free choice of providers.

A. Except as provided in paragraph B, the Medicaid agency assures that an individual eligible under the plan may obtain Medicaid services from any institution, agency, pharmacy, person or organization that is qualified to perform the services, including an organization that provides these services or arranges for their availability on a prepayment basis.

B. Paragraph A does not apply to services furnished to an individual:

1. Under an exception allowed under 42 CFR 431.54, subject to the limitations in paragraph C; or

2. Under a waiver approved under 42 CFR 431.55, subject to the limitations in paragraph C; or

3. By an individual or entity excluded from participation in accordance with § 1902(p) of the Act.

4. *By individuals or entities who have been convicted of a felony under federal or state law and for which the state determines that the offense is inconsistent with the best interests of the individual eligible to obtain Medicaid services.*

C. Enrollment of an individual eligible for medical assistance in a primary care case management system described in § 1915(b)(1), a health maintenance organization, or a similar entity shall not restrict the choice of the qualified person from whom the individual may receive emergency services or services under § 1905(a)(4)(C).

12 VAC 30-10-680. Conflict of interest provisions.

The Medicaid agency meets the requirements of § 1902(a)(4)(C) of the Act concerning the prohibition against acts, with respect to any activity under the plan, that are prohibited by §§ 207 or § 208 of Title 18, United States Code.

The Medicaid agency meets the requirements of § 1902(a)(4)(D) of the act concerning the safeguards against conflicts of interest that are at least as stringent as the safeguards that apply under § 27 of the Office of Federal Procurement Policy Act (41 USC § 423).



COMMONWEALTH of VIRGINIA

VIRGINIA CODE COMMISSION

General Assembly Building

JANE D. CHAFFIN
REGISTRAR OF REGULATIONS

910 CAPITOL STREET
RICHMOND, VIRGINIA 23219
(804) 786-3591
FAX (804) 692-0625

September 2, 1999

Dennis G. Smith, Director
Department of Medical Assistance Services
600 East Broad Street, Suite 1300
Richmond, Virginia 23219

Dear Mr. Smith:

This office has received 12 VAC 30-10-441, 12 VAC 30-10-490 and 12 VAC 30-10-680, Title XIX of the Social Security Act, Elimination of Waste, Fraud and Abuse, filed by the Department of Medical Assistance Services on August 24, 1999.

As required by § 9-6.14.4.1 C 4(c) of the Code of Virginia, I have determined that these amendments conform to federal mandates and, therefore, are exempt from Article 2 of the Administrative Process Act.

Sincerely,

A handwritten signature in cursive script that reads "Jane D. Chaffin" followed by a stylized monogram.

Jane D. Chaffin
Registrar of Regulations

JDC/tmg1

VA.R. Doc. No. R99-269; Filed August 24, 1999, 11: 26 a.m.

Final Regulations

Title of Regulation: 12 VAC 30-140-10 et seq. Virginia Children's Medical Security Insurance Plan.

Statutory Authority: § 32.1-325 of the Code of Virginia and Chapter 464, 1998 Acts of Assembly (Item 335 U 2).

Effective Date: October 13, 1999.

Summary:

The regulation implements the Virginia Children's Medical Security Insurance Plan, which provides for health insurance coverage for uninsured low-income children ages 0 through 18 whose family incomes preclude their qualifying for Medicaid health care coverage under Title XIX. The regulations establish the eligibility standards, criteria, service limitations, reimbursement criteria, and quality assurance requirements for the program.

The differences in the final regulations and the proposed regulations have resulted from public comments received and are as follows: (i) definitions of terms used in the regulations have been either amended or added; (ii) in the administrative review section, reference has been added to DMAS' designee and the information requirements for appeal decisions have been set out; (iii) in the covered benefits section, provider qualifications for outpatient substance abuse treatment services have been amended to reflect correctly the appropriate licensing or certifying organization.

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

Agency Contact: Copies of the regulation may be obtained from Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 371-8850.

CHAPTER 140.

VIRGINIA CHILDREN'S MEDICAL SECURITY INSURANCE PLAN.

PART I. GENERAL PROVISIONS.

12 VAC 30-140-10. Definitions.

"Act" means the Social Security Act.

"Adverse action" means the denial of enrollment and coverage under the Virginia Children's Medical Security Insurance Plan, termination, suspension or reduction of coverage; denial of payment for a particular medical service, in whole or in part; denial of a required preauthorization; or failure of the Department of Medical Assistance Services, as defined in this section, to act with reasonable promptness on an application for enrollment and coverage, a request for a particular medical service or a request for a required preauthorization. There shall be no adverse action under this definition in any of the circumstances described in this section

if funding for the Virginia Children's Medical Security Insurance Plan has been terminated or exhausted.

"Agency" means a local department of social services or other entity designated by DMAS to make eligibility determinations for VCMSIP.

"Agent" means an individual designated in writing to act on behalf of a Virginia Children's Medical Security Insurance Plan applicant or enrollee during the administrative review process.

"Applicant" means an individual seeking to enroll in the Virginia Children's Medical Security Insurance Plan.

"Attorney" means an attorney licensed in Virginia or a paralegal, working under the supervision of an attorney so licensed, who is authorized to represent an applicant or enrollee. A written statement on the attorney's letterhead that the attorney is authorized to represent the applicant or enrollee shall be accepted as a designation of representation.

"Creditable health coverage" means that health coverage as defined in [~~the Employee Retirement Income Security Act (ERISA) of 1974, Title I, Subtitle B, § 701(c) (29 USC § 1811(c)(1))~~ 42 USC 1397jj(c)(2)] .

"Director" means the individual, or his designee, specified in § 32.1-324 of the Code of Virginia with all of the attendant duties and responsibilities to administer the State Plan for Medical Assistance and the State Plan for VCMSIP.

"DMAS" means the Department of Medical Assistance Services or a designee.

"Enrollee" means an individual qualifying for coverage under the Virginia Children's Medical Security Insurance Plan.

"EPSDT" means the Early and Periodic Screening, Diagnosis and Treatment program.

"Federal poverty level" or "FPL" means that income standard as published annually by the U.S. Department of Health and Human Services in the Federal Register.

["Group health plan" or "health insurance coverage" means that health care coverage as defined in § 2791 of the Public Health Service Act.]

"Member of a family," for purposes of determining whether the child is eligible for coverage under a state employee health insurance plan, means (i) parent or parents, including absent parents, or (ii) stepparent or stepparents with whom the child is living if the stepparent claims the child as a dependent on the employee's federal tax return.

"Title XIX" means that program of medical assistance as established by Title XIX of the Social Security Act ([42] USC § 1396a et seq.).

"Title XXI" means the federal State Children's Health Insurance Program as established by Subtitle J of the Balanced Budget Act of 1997.

"VCMSIP" means Virginia Children's Medical Security Insurance Plan.

“Virginia State Employee Health Insurance Plan” means a health insurance plan offered by the Commonwealth of Virginia to its employees and includes the Local Choice Program whereby local governmental entities elect to provide local employee’s enrollment in the State Employee Health Insurance Plan.

12 VAC 30-140-20. Administration and general background.

A. The state shall use funds provided under Title XXI for obtaining coverage that meets the requirements for a State Child Health Insurance Plan (also known as Title XXI).

B. Health care services under VCMSIP shall be provided through managed care and fee-for-service delivery systems. The director, solely in his discretion, may rely on but is not limited to the delivery system procured and established under § 32.1-325 of the Code of Virginia and federal law by the authority of § 1915(b) of the Social Security Act. These delivery systems may consist of prepaid health plans that manage and deliver health care for enrollees for a monthly capitated amount and through the Primary Care Case Management Program (PCCM) that may be reimbursed on a fee-for-service basis. Services may be offered through preferred provider organizations or other providers not currently under contract with DMAS.

12 VAC 30-140-30. Outreach and public participation.

A. Public participation. DMAS will work cooperatively with other state agencies and contractors to ensure that the intent and purpose of the federal law and any applicable federal regulations are met. The DMAS Director will have the authority to form and convene a committee of interested citizens for purposes of advising the agency about VCMSIP.

B. Outstationing of eligibility workers. The DMAS Director will have the authority to contract with either local departments of social services or other entities for the purpose of locating workers, who can determine eligibility for VCMSIP, in agencies or offices not directly affiliated with social services.

PART II.
ADMINISTRATIVE REVIEW.

12 VAC 30-140-40. Administrative review of adverse action.

A. Upon written request, all Virginia Children’s Medical Security Insurance Plan applicants and enrollees shall have the right to an administrative review of any adverse action proposed or taken by the Department of Medical Assistance Services [or its designee] with respect to enrollment in or coverage under the Virginia Children’s Medical Security Insurance Plan.

B. At all times during the administrative review process, Virginia Children’s Medical Security Insurance Plan applicants and enrollees shall have the right to representation by an attorney of their choosing.

C. At all times during the administrative review process, Virginia Children’s Medical Security Insurance Plan applicants and enrollees, who are under the age of 18 years or who are

age 18 but legally incompetent, shall have a designated agent act on their behalf.

D. At no time shall the Department of Medical Assistance Services [or its designee] be required to obtain or compensate attorneys representing or agents acting on behalf of applicants and enrollees.

E. The burden of proof shall be upon the applicant or enrollee to show that an adverse action proposed or taken by the agency is incorrect.

12 VAC 30-140-50. Notice of adverse action.

A. DMAS [or its designee] shall send written notification to applicants and enrollees whenever adverse action is proposed or taken.

B. When an application for enrollment and coverage is denied, DMAS [or its designee] shall mail a notice of adverse action within 10 calendar days of the decision.

C. When DMAS [or its designee] proposes to take an adverse action relating to termination, suspension or reduction of coverage; denial of payment for a particular medical service, in whole or in part; or denial of a required preauthorization, the notice of adverse action shall be mailed at least 10 calendar days before the action is taken.

12 VAC 30-140-60. Request for administrative review.

A. Requests for administrative review of adverse actions proposed or taken by DMAS [or its designee] shall be sent or delivered in writing to DMAS’ Appeals Division at the following address:

Appeals Division
Department of Medical Assistance Services
600 East Broad Street
Suite 1300
Richmond, Virginia 23219

B. Any written communication clearly expressing a desire to have an adverse action reconsidered shall be treated as a request for administrative review.

C. To be effective, requests for administrative review shall be received by DMAS or postmarked no later than 30 calendar days from the date of DMAS’ notice of adverse action. Requests may be delivered by way of facsimile transmission during normal business hours. Facsimile requests received after 5 p.m. shall be treated as having been received the following business day.

D. Requests for administrative review alleging that DMAS [or its designee] has not acted promptly are not subject to the 30-day receipt/postmark requirement.

12 VAC 30-140-70. Administrative review procedures.

A. Administrative reviews shall be conducted pursuant to written procedures developed by DMAS.

B. At no time shall DMAS’ [or its designee’s] failure to meet the time frames set in this chapter or the VCMSIP administrative review procedures constitute a basis for granting the applicant or enrollee the relief sought.

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C. During the course of administrative reviews, applicants and enrollees shall have the following:

1. The right to be represented by an attorney as described in 12 VAC 30-140-40;
2. The right, when applicable, to have an agent act on behalf of the applicant or enrollee for purposes of requesting and obtaining administrative review of an adverse action;
3. The right to have duly designated family members, friends and others serve as the agent. A parent may both execute the required written designation and act as the agent. In the absence of a parent, the agent may be designated by other individuals including legal guardians, individuals duly authorized by way of power of attorney, custodial family members, other parties with whom the applicant or enrollee resides on a permanent basis, or such other individuals deemed appropriate by DMAS. In the absence of a parent, the agent may be one of the individuals described in this subdivision;
4. The right to have personal and medical information and records maintained as confidential. Personal and medical information and records obtained during the course of an administrative review shall be released only to the applicant or enrollee, the applicant's or enrollee's agent or such other individual who is duly authorized in writing to receive the information or records; and
5. The right to a written final decision [which shall include but not be limited to a summary of facts, the reasons for the decision, and identification of supporting evidence, regulations and policies. There shall be no further right of appeal under VCMSIP] .

D. The administrative review procedures and any modifications thereto shall be reviewed and approved in writing by the director.

E. Copies of the procedures shall be promptly mailed by DMAS to applicants and enrollees upon receipt of timely requests for administrative review.

F. The procedures in effect on the date a particular request for administrative review is received by DMAS shall apply throughout the proceeding.

12 VAC 30-140-80 and 12 VAC 30-140-90. Reserved.

PART III.
ELIGIBILITY DETERMINATION AND APPLICATION
REQUIREMENTS.

12 VAC 30-140-100. Eligibility requirements.

- A. This section shall be used to determine eligibility of targeted low-income children for the VCMSIP.
- B. The VCMSIP shall be in effect statewide.
- C. Eligible children must be under age 19.
- D. Income.
 1. Standards. Income standards for the VCMSIP are divided into two components. Children in families with

incomes up to and equal to 150% of the federal poverty income level (FPL) will be in Component One. Children in families with incomes between 150% and up to and equal to 185% FPL will be in Component Two.

2. Methodology. The VCMSIP shall use the same income methodologies applied under the Virginia State Plan for Medical Assistance for children as set forth in Attachment 2.6-A.C.1.e (12 VAC 30-40-90). Income that would be excluded when determining Medicaid eligibility will be excluded when using such methodologies when determining countable income for the VCMSIP.

3. Spenddown. Deduction of incurred medical expenses from countable income (spenddown) does not apply in the VCMSIP. If the family income exceeds the income limits described in this section, the individual shall be ineligible for the VCMSIP regardless of the amount of any incurred medical expenses. DMAS shall offer the applicant the opportunity to be evaluated under the State Plan for Medical Assistance as medically needy.

E. Residency. The requirements for residency rules as set forth in 42 CFR 435.403 will be used when determining whether a child is a resident of Virginia for purposes of eligibility for the VCMSIP.

F. Coverage under other health [insurance] coverage.

1. Any child covered under a group health plan or under health insurance coverage, as defined in § 2791 of the Public Health Service Act (42 USC § 300gg-91(a) and (b)(1)), shall not be eligible for VCMSIP.

2. No substitution for private insurance.

a. Only uninsured children shall be eligible for VCMSIP. Each application for VCMSIP shall include a declaratory statement that the child for whom the application is being filed is not covered under any group health plan. Each application and redetermination of eligibility shall document inquiry about health insurance within the past 12 months. If the child has been covered under a health insurance plan within 12 months of application for or receipt of VCMSIP services, the child will be ineligible, unless the parent, guardian or legal custodian demonstrates good cause for discontinuing the coverage.

b. Benefits paid as medical assistance are not health insurance. Health insurance does not include insurance for which DMAS paid premiums under the Health Insurance Premium Payment (HIPP) Program.

c. Good cause. A child shall not be ineligible for VCMSIP if health insurance was discontinued within the 12-month period prior to the month of application for good cause. The director shall make a determination of good cause based upon DMAS written policy.

3. Health Insurance Premium Payment (HIPP) Program does not apply to VCMSIP. DMAS will not enroll children who are in VCMSIP in the HIPP Program.

12 VAC 30-140-90. Duration of eligibility.

A. The effective date of VCMSIP coverage shall be no earlier than the first day of the month in which application was received by the local department of social services if the applicant met all eligibility factors in that month. In no case shall the child's eligibility be effective earlier than the date of the child's birth and no earlier than July 1, 1998, or the start of the program, whichever is later.

B. Eligibility for the VCMSIP will continue for 12 months so long as the child meets all eligibility requirements. The parent or legal guardian of the recipient must report all changes affecting eligibility when they occur. A change in eligibility will be effective the first of the month following the month the child is determined to be ineligible. Eligibility will be redetermined no less often than annually.

Exception: If the child becomes an inpatient in an institution for mental disease or an inmate of a public institution, ineligibility will be effective the date that the child is admitted to the institution.

12 VAC 30-140-110. Children ineligible for VCMSIP.

A. If a child is:

1. A member of a family eligible for coverage under any Virginia State Employee Health Insurance Plan, including members of any family eligible for coverage under the Virginia State Employee Health Insurance Plan through the Local Choice Program, he is ineligible for VCMSIP. Children of an absent parent shall be ineligible for VCMSIP if the absent parent is eligible for coverage under the State Employee Health Insurance Plan or the Local Choice Program;

2. An inmate of public institutions as defined in 42 CFR 435.1009 is ineligible for VCMSIP; or

3. An inpatient in an institution for mental disease as defined in 42 CFR 435.1009 is ineligible for VCMSIP.

B. Unless a child's parent or guardian meets the requirements on (i) assignment of rights to benefits, (ii) cooperation with the agency in obtaining medical support or payments, and (iii) cooperation with DMAS in identifying and providing information to assist the state in pursuing any liable third party as described in 42 CFR 433.145 and 433.147, he is ineligible for VCMSIP. If the parent, guardian or legal custodian fails to make assignment as required in this subsection, the child for whom he is applying shall be ineligible for the VCMSIP. A parent, guardian or legal custodian shall apply to the Division of Child Support Enforcement in each case involving an absent parent. If the parent, guardian or legal custodian fails to make assignment or fails to apply for Division of Child Support Enforcement services as required in this subsection, the child for whom he is applying shall be ineligible for the VCMSIP.

C. If sufficient evidence exists to prove that the parent, guardian, or legal custodian obtained benefits for a child or children who would otherwise be ineligible by willfully misrepresenting material facts on the application or failing to report changes, the child or children for whom the application is made shall be ineligible for VCMSIP. An administrative

hearing shall be held to present the facts and, upon a finding of intentional misrepresentation, the child or children shall be excluded from participation for 12 months from the date of the finding. The parent, guardian, or legal custodian who signed the application shall be liable for repayment of the cost of all benefits issued as the result of the misrepresentation.

Disposition of cases shall occur through an administrative disqualification hearing or a court of appropriate jurisdiction.

12 VAC 30-140-120. Nondiscriminatory provisions.

VCMSIP shall be conducted in compliance with all civil rights requirements. VCMSIP shall not:

1. Discriminate on the basis of diagnosis;
2. Cover children of higher income without first covering children with a lower family income within a defined group of covered targeted low-income children; and
3. Deny eligibility based on a child having a preexisting medical condition.

12 VAC 30-140-130. No entitlement.

In accordance with § 2102(b)(4) of the Social Security Act and § 32.1-353 of the Code of Virginia, the VCMSIP shall not create any individual entitlement for, right to, or interest in payment of medical services on the part of any medically indigent child or any right or entitlement to participation.

12 VAC 30-140-140. Application requirements.

A. Availability of program information. DMAS or its designee shall furnish the following information in written form and orally as appropriate to all applicants and to other individuals who request it:

1. The eligibility requirements;
2. Summary of covered benefits; and
3. The rights and responsibilities of applicants and recipients.

B. Opportunity to apply. DMAS or its designee must afford an individual wishing to do so the opportunity to apply for VCMSIP.

C. Written application. DMAS or its designee requires a written application from the applicant if 18 years of age, or from a parent, guardian or legal custodian if less than 18 years of age, incompetent or incapacitated. The application must be on the form prescribed by DMAS and must be signed under a penalty of perjury.

D. Assistance with application. DMAS or its designee shall allow an individual, or individuals, of the applicant's choice to accompany, assist, and represent the applicant in the application process or a redetermination of eligibility.

E. Timely determination of eligibility. DMAS or its designee must establish reasonable time standards for determining eligibility and inform the applicant of what the time standards are. These standards shall not exceed 45 days except in unusual circumstances. For example:

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1. When DMAS or its designee cannot reach a decision because the applicant or his representative fails to take a required action, or

2. When there is an administrative or other emergency beyond the agency's control, DMAS or its designee must document, in the applicant's case record, the reasons for delay. DMAS or its designee must not use the time standards as a waiting period before determining eligibility or as a reason for denying eligibility because it has not determined eligibility within the time standards.

F. Notice of DMAS' or its designee's decision concerning eligibility. DMAS or its designee must send each applicant a written notice of the agency's decision on his application, and, if eligibility is denied, the reasons for the action; the specific regulation supporting the action; and an explanation of his right to request a hearing.

G. Case documentation. DMAS or its designee must include in each applicant's record facts to support the decision on his application, must dispose of each application by a finding of eligibility or ineligibility, unless (i) there is an entry in the case record that the applicant voluntarily withdrew the application and that the agency sent a notice confirming his decision; (ii) there is supporting entry in the case record that the applicant has died; or (iii) there is a supporting entry in the case record that the applicant cannot be located.

H. Redetermination of eligibility. DMAS or its designee must redetermine the eligibility of recipients with respect to circumstances that may change at least every 12 months. There must be procedures designed to ensure that recipients make timely and accurate reports of any change in circumstances that may affect their eligibility. DMAS or its designee must promptly redetermine eligibility when it receives information about changes in a recipient's circumstances that may affect eligibility. If the agency has information about anticipated changes in a recipient's circumstances, it must redetermine eligibility at the appropriate time based on those changes.

I. Timely and adequate notice. DMAS or its designee must give recipients timely and adequate notice of proposed action to terminate their eligibility under the VCMSIP. The notice must meet the requirements of subpart E of 42 CFR Part 431.

PART IV. CHILDREN'S COST SHARING.

12 VAC 30-140-150. Cost sharing and payment.

Cost sharing, subsequent to approval by the Health Care Financing Administration, will be instituted by DMAS. There shall be no cost-sharing requirements for children with family incomes at or below 150% of the Federal Poverty Income Guidelines (as published annually by the U.S. Department of Health and Human Services in the Federal Register). Eligible children in families with incomes above 150% of the Federal Poverty Income Guidelines shall be required to contribute to the cost of health care coverage through VCMSIP by means of premiums and copayments. DMAS may also apply coinsurance and enrollment fees. These cost-sharing provisions shall be implemented with the following restrictions:

1. The annual aggregate cost sharing for all eligible children in a family shall not exceed 5.0% of the family gross income. Family contributions shall be reported and monitored by DMAS or stop/loss controls will be implemented in the participating health plans' systems to ensure contributions do not exceed the above stated maximums or that the family is reimbursed for any amounts in excess of this limit.

2. Cost sharing shall not be required for well-baby and well-child care including age appropriate well-child immunizations, specifically:

a. All healthy newborn inpatient physician visits, including routine screening (inpatient or outpatient) shall be excluded from cost sharing;

b. Routine physical examinations, laboratory tests, immunizations, and related office visits shall be excluded from cost sharing;

c. Routine preventive and diagnostic dental services (i.e., oral examinations, prophylaxis and topical fluoride applications, sealants, and x-rays) shall be excluded from cost sharing.

3. DMAS will implement the cost-sharing provisions upon obtaining federal approval.

4. VCMSIP recipients shall be given at least 60 days prior written notice of the imposition of these provisions, which will include a detailed explanation of the cost-sharing features of the plan. Public notice, via guidance documents (Medicaid Memoranda), The Virginia Register of Regulations and newspaper notices, also shall be issued at least 60 days before these provisions become effective.

12 VAC 30-140-160 through 12 VAC 30-140-190. Reserved.

PART V. BENEFITS AND REIMBURSEMENT.

12 VAC 30-140-200. General.

The benefits provided in this part shall be covered to the extent indicated in each section contained in this part for persons eligible for VCMSIP.

12 VAC 30-140-210. Inpatient services (Section 2110(a)(1)).

A. Inpatient services shall be provided pursuant to § 1905(a) of the Social Security Act (the Act) (42 USC § 1396d) and in accordance with 42 CFR 440.2 and 440.10 when medically necessary consistent with 12 VAC 30-50-100 and 12 VAC 30-50-105.

B. DMAS shall not reimburse for services rendered [to inpatients] in an institution for mental diseases (IMD) as defined in 42 CFR 435.1009 that includes freestanding psychiatric hospitals.

C. DMAS shall reimburse for induced abortion services only in instances in which the attending physician certifies to DMAS prior to rendering the service, except in emergencies which must be documented in the medical record, that the

woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused or arising from the pregnancy itself, that would place the woman in danger of death unless an abortion is performed.

12 VAC 30-140-220. Outpatient services (Section 2110(a)(2)).

A. Outpatient services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d).

B. Outpatient hospital services, rural health clinic services and federally qualified health center (FQHC) services shall be provided according to the requirements in 12 VAC 30-50-110 with the following exception. DMAS shall cover induced abortion services only in instances in which the attending physician certifies to DMAS prior to rendering the service, except in emergencies which must be documented in the medical record, that the woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused or arising from the pregnancy itself, that would place the woman in danger of death unless an abortion is performed.

12 VAC 30-140-230. Physician services (Section 2110(a)(3)).

A. Physician services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d) and 42 CFR 440.50. Physicians services shall be provided according to the requirements in 12 VAC 30-50-140 with the exceptions provided in this section.

B. DMAS shall cover induced abortion services only in instances in which the attending physician certifies to DMAS prior to rendering the service, except in emergencies which must be documented in the medical record, that the woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused or arising from the pregnancy itself, that would place the woman in danger of death unless an abortion is performed.

C. Psychiatric physician visits to inpatient hospital patients shall be covered only when the recipient is an inpatient of a psychiatric unit in a general acute care hospital. Physician visits to inpatients in any institution for mental diseases, as defined in 42 CFR 435.1009, shall not be covered.

12 VAC 30-140-240. Surgical services (Section 2110(a)(4)).

Surgical services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d). Surgical services shall be covered according to the requirements in 12 VAC 30-50-140 with the following exception. DMAS shall reimburse induced abortion services only in instances in which the attending physician certifies to DMAS prior to rendering the service, except in emergencies which must be documented in the medical record, that the woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused or arising from the pregnancy itself, that would place the woman in danger of death unless an abortion is performed.

12 VAC 30-140-250. Clinic services (including health center services) and other ambulatory health care services (Section 2110(a)(5)).

Clinic services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d) and 42 CFR 440.90. Clinic services shall be covered in accordance with 12 VAC 30-50-180 with the following exception. DMAS shall reimburse for induced abortions only in instances in which the attending physician certified prior to rendering the service, except in emergencies which must be documented in the medical record, that the woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused or arising from the pregnancy itself, that would place the woman in danger of death unless an abortion is performed.

12 VAC 30-140-260. Prescription drugs (Section 2110(a)(6)).

Prescription drug services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d), 42 CFR 440.120, and 12 VAC 30-50-210.

12 VAC 30-140-270. Over-the-counter medications (Section 2110(a)(7)).

Over-the-counter medications services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d), 42 CFR 440.120, and 12 VAC 30-50-210.

12 VAC 30-140-280. Laboratory and radiological services (Section 2110(a)(8)).

Laboratory and radiological services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d), 42 CFR 440.30, and 12 VAC 30-50-120.

12 VAC 30-140-290. Prenatal care and prepregnancy family services and supplies (Section 2110(a)(9)).

A. Prenatal care and prepregnancy family services and supplies services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d).

B. Family planning services and supplies for individuals of child-bearing age must be ordered or prescribed and directed or performed within the scope of the license of a practitioner of the healing arts. Family planning services shall be covered in accordance with the requirements in 42 CFR 440.40 and 12 VAC 30-50-130. Family planning services shall be defined as those services or supplies, which delay or prevent pregnancy. Such services or supplies shall not include services to treat infertility or services to promote fertility.

C. Pregnancy-related and postpartum services, referred to as enhanced prenatal care services, shall be covered for any medical condition that may complicate pregnancy if otherwise covered under the Title XXI state plan. Enhanced prenatal care services, including nutrition, patient education, homemaker services, blood glucose meters (including test strips), shall be covered in accordance with the requirements in 12 VAC 30-50-510. For pregnant and postpartum women see 12 VAC 30-140-370 and 12 VAC 30-140-380 for substance abuse treatment services.

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12 VAC 30-140-300. Inpatient mental health services, other than services described in 12 VAC 30-140-370 (Section 2110(a)(10)).

Inpatient mental health services, other than services described in 12 VAC 30-140-170, shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d). Inpatient mental health services shall be offered only in general acute care hospitals. Services offered in IMDs shall be prohibited under Title XXI because inpatients in institutions for mental diseases (IMDs) as defined in 42 CFR Part 1009 shall not be eligible for the Virginia Children's Medical Security Insurance Plan. Inpatient mental health services shall be covered in general acute care hospitals in accordance with 12 VAC 30-50-100 and 12 VAC 30-50-105.

12 VAC 30-140-310. Outpatient mental health services, other than services described in 12 VAC 30-140-380 but including services furnished to outpatients of a state-operated mental hospital and including community-based services (Section 2110(a)(11)).

A. Outpatient mental health services, as defined, shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d).

B. Psychiatric services shall be covered in accordance with the requirements in 12 VAC 30-50-150 limited to an initial availability of 26 sessions, with one possible extension of 26 sessions during the first year of treatment. The availability shall be further restricted to no more than 26 sessions each succeeding year when approved by DMAS. Psychiatric services shall further be restricted to no more than three sessions in any given seven-day period. Medically necessary psychiatric services shall be covered when prior authorized by DMAS for children when the need for such services has been identified through an EPSDT screen.

C. Other outpatient mental health services shall be covered in accordance with the requirements in [12 VAC 30-50-110,] 12 VAC 30-50-130, [~~12 VAC 30-50-225,~~] and 12 VAC 30-50-226.

12 VAC 30-140-320. Durable medical equipment and other medically related or remedial devices (such as prosthetic devices, implants, eyeglasses, hearing aids, dental devices, and adaptive devices) (Section 2110(a)(12)).

A. Durable medical equipment and other medically related or remedial device, as defined, services shall be provided pursuant to § 1905(a) the Act (42 USC § 1396d) and 42 CFR 440.120.

B. Prosthetic devices shall be covered in accordance with 12 VAC 30-50-140, 12 VAC 30-50-210, and 12 VAC 30-50-220. Prosthetic devices shall be provided when prescribed by a physician or other licensed practitioner of the healing arts within the scope of their professional license. This service, when provided by an authorized vendor, must be medically necessary and preauthorized for the minimum applicable component necessary for the activities of daily living.

C. Eyeglasses shall be covered in accordance with the requirements of 12 VAC 30-50-210.

D. Hearing aids shall be covered in accordance with the requirements of 12 VAC 30-50-130.

E. Adaptive devices shall be covered in accordance with 12 VAC 30-50-140 and 12 VAC 30-50-220.

12 VAC 30-140-330. Disposable medical supplies (Section 2110(a)(13)).

Disposable medical supplies services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d).

12 VAC 30-140-340. Home- and community-based health care services (Section 2110(a)(14)).

Home- and community-based health care services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d) and 42 CFR 440.70 (home health services).

12 VAC 30-140-350. Abortion (Section 2110(a)(16)).

Abortion services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d). DMAS shall reimburse for induced abortions only in instances in which the attending physician certifies prior to rendering the service, except in emergencies which must be documented in the medical record, that the woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused or arising from the pregnancy itself, that would place the woman in danger of death unless an abortion is performed.

12 VAC 30-140-360. Dental services (Section 2110(a)(17)).

Dental services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d) and 42 CFR 440.100.

12 VAC 30-140-370. Inpatient substance abuse treatment services and residential substance abuse treatment services (Section 2110(a)(18)).

A. Inpatient substance abuse treatment services and residential substance abuse treatment services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d).

B. Only one course of treatment in a lifetime of residential treatment for pregnant women shall be covered. The treatment facility shall not be an institution for mental disease.

C. Inpatient substance abuse treatment for pregnant women shall be covered in accordance with the requirements in 12 VAC 30-50-510, 12 VAC 30-130-590.

12 VAC 30-140-380. Outpatient substance abuse treatment services (Section 2110(a)(19)).

A. Outpatient substance abuse treatment services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d).

B. Group and individual counseling shall be covered with a limitation of up to 26 sessions annually and must be preauthorized before delivery of services. If medically necessary, additional sessions may be preauthorized. Substance abuse services providers shall have expertise with children and adolescents and be required to meet the standards and criteria listed in this subsection.

1. [~~A counselor who has completed master's level training in either psychology, social work, counseling or~~

~~rehabilitation who is also either certified as a substance abuse counselor by the Board of Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals of the Department of Health Professions (DHP) or as a Certified Addictions Counselor by the Substance Abuse Certification Alliance of Virginia. A qualified provider who is licensed and approved by the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to provide outpatient substance abuse services. Substance abuse services providers shall be required to meet the standards and criteria established by DMHMRSAS. Professionals employed by these qualified providers must meet the same professional credentialing requirements established for professionals contained in subdivision 2 a through c of this section; or]~~

~~2. [A professional who must be certified by the Virginia Association of Drug and Alcohol Abuse Counselors as demonstrating competencies described in Addiction Counselor Competencies and who is also licensed by the appropriate board of DHP as either a professional counselor, clinical social worker, registered nurse, clinical psychologist, or physician; Professionals, as set forth in a through c of this subdivision may provide these services if they are also an individual who is licensed by the appropriate board of the Department of Health Professions as either a professional counselor, clinical social worker, registered nurse, clinical psychologist, or physician, who is also either certified as:~~

- ~~a. A substance abuse counselor by the Board of Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals of the Department of Health Professions (DHP);~~
- ~~b. A certified addictions counselor by the Substance Abuse Certification Alliance of Virginia, or a physician credentialed by the American Society of Addictions Medicine; or~~
- ~~c. A clinical psychologist certified in the treatment of alcohol and other psychoactive substance use disorders by the American Psychological Association.]~~

~~[3. A substance abuse professional or a certified clinical supervisor, as certified by the Substance Abuse Certification Alliance of Virginia; or~~

~~4. A qualified provider who is licensed and approved by the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to provide outpatient substance abuse services. Substance abuse services providers shall be required to meet the standards and criteria established by DMHMRSAS. Professionals as set forth in subdivisions 1, 2, or 3 of this subsection shall provide treatment.]~~

C. Day treatment for pregnant women shall be covered in accordance with the requirements of 12 VAC 30-50-510.

12 VAC 30-140-390. Case management services (Section 2110(a)(20)).

A. Targeted case management as defined in § 1915(g) of the Act will be covered in accordance with DMAS policy.

B. For high-risk pregnant women and infants up to age two, case management shall be covered in accordance with the requirements of 12 VAC 30-50-280, 12 VAC 30-50-410 and § 1915(g)(1) of the Act;

C. For individuals with mental retardation, case management shall be covered in accordance with the requirements of 12 VAC 30-50-440;

D. For children with serious emotional disturbance, case management shall be covered in accordance with the requirements of 12 VAC 30-50-420; and

E. For youth at risk for serious emotional disturbance, case management shall be covered in accordance with the requirements of 12 VAC 30-50-430.

12 VAC 30-140-400. Physical therapy, occupational therapy, and services for individuals with speech, hearing, and language disorders (Section 2110(a)(22)).

A. Physical therapy, occupational therapy, and services for individuals with speech, hearing, and language disorders services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d).

B. For individuals meeting home bound criteria under home health services, physical therapy, occupational therapy, or speech pathology and audiology services shall be covered in accordance with the requirements of 12 VAC 30-50-140.

C. Physical therapy, occupational therapy, and speech-language pathology services which are not part of home health services shall be covered in accordance with the requirements in 12 VAC 30-50-200 and 12 VAC 30-50-220.

12 VAC 30-140-410. Hospice care (Section 2110(a)(23)).

Hospice services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d).

12 VAC 30-140-420. Any other medical, diagnostic, screening, preventive, restorative, remedial, therapeutic, or rehabilitative services (Section 2110(a)(24)).

A. Any other medical, diagnostic, screening, preventive, restorative, remedial, therapeutic, or rehabilitative services shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d).

B. Intensive physical rehabilitation shall be provided in accordance with 12 VAC-30-50-225.

C. Community mental health services shall be provided according to the requirements of [12 VAC 30-50-110,] 12 VAC 30-50-130, [12 VAC 30-50-225] and 12 VAC 30-50-226.

D. Diagnostic examination and optometric treatment procedures and services by optometrists and opticians, as allowed by the Code of Virginia and by regulations of the Board of Medicine and the Board of Optometry, shall be

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provided in accordance with the requirements in 12 VAC 30-50-150. Routine refractions shall be limited to once in 24 months except as may be authorized by DMAS.

E. Covered podiatry services shall be provided in accordance with the requirements in 12 VAC 30-50-150.

F. Nursing facility services in a Medicaid certified facility (other than in an institution for mental disease) shall be provided in accordance with the requirements in 12 VAC 30-50-130.

G. Nurse-midwife services, defined as those services allowed under the licensure requirements of the state statute and as specified in the Act, shall be provided consistent with 12 VAC 30-50-260.

H. Psychiatric services are covered when provided by a psychologist licensed by the Board of Medicine, by a licensed clinical social worker, licensed professional counselor, or licensed clinical nurse specialist-psychiatric licensed by the appropriate state board in accordance with the requirements of 12 VAC 30-50-140 and 12 VAC 30-50-150.

12 VAC 30-140-430. Medical transportation (Section 2110(a)(26)).

Medical transportation services shall be provided pursuant to § 1905(a) the Act (42 USC § 1396d). Transportation services are provided to ensure that recipients have necessary access to and from providers of all covered medical services. Transportation to both emergency and nonemergency services shall be covered. Transportation shall be covered in accordance with 12 VAC 30-50-300 and 12 VAC 30-50-530.

12 VAC 30-140-440. Any other health care services or items specified by the secretary and not included under this section (Section 2110(a)(28)).

A. Any other health care services or items specified by the secretary and not included under this section shall be provided pursuant to § 1905(a) of the Act (42 USC § 1396d).

B. Consistent with the Omnibus Budget Reconciliation Act of 1989 § 6403, early and periodic screening, diagnostic, and treatment services means the services and requirements in accordance with 12 VAC 30-50-130 shall be provided, subject to the requirements and limits of Title XXI.

12 VAC 30-140-441 through 12 VAC 30-140-449. Reserved.

12 VAC 30-140-500. Benefits reimbursement.

A. Reimbursement for the services covered under VCMSIP shall be as specified in this section.

B. Reimbursement for physician services, surgical services, clinic services, prescription drugs, over-the-counter medication services, laboratory and radiological services, prenatal care and prepregnancy family services and supplies, outpatient mental health services, durable medical equipment, disposable medical supplies, home- and community-based health care services, abortion services, dental services, case management services, physical therapy/occupational therapy/speech-language therapy services, hospice services,

community mental health services, optometric services, podiatric services, certified nurse midwifery services, medical transportation, Early and Periodic Screening, Diagnosis, and Treatment services shall be based on the Title XIX rates in effect as of July 1 of each year for the subsequent state fiscal year.

C. Exceptions.

1. Reimbursement for inpatient hospital services will be based on the Title XIX rates in effect for each [~~hospitals~~ hospital] as of July 1 each year for the subsequent state fiscal year. Reimbursement shall not include payments for disproportionate share or graduate medical education payments made to hospitals. Payments made shall be final and there shall be no retrospective cost settlements.

2. Reimbursement for outpatient hospital services shall be based on the Title XIX rates in effect for each hospital as of July 1 each year for the subsequent state fiscal year. Payments made will be final and there will be no retrospective cost settlements.

3. Reimbursement for Clinic services including Federally Qualified Health Centers (FQHC) and Rural Health Centers (RHC) will be based on the Title XIX rates in effect as of July 1 each year for the subsequent state fiscal year. Payments made will be final and there will be no retrospective cost settlements for FQHC's and RHC's.

4. Reimbursement for inpatient mental health services will be based on the Title XIX rates in effect for each hospital as of July 1 each year for the subsequent state fiscal year. Reimbursement will not include payments for disproportionate share or graduate medical education payments made to hospitals. Payments made will be final and there will be no retrospective cost settlements.

5. Reimbursement for outpatient rehabilitation services will be based on the Title XIX rates in effect for each Rehabilitation Agency as of July 1 each year for the subsequent state fiscal year. Payments made will be final and there will be no retrospective cost settlements.

6. Reimbursement for outpatient substance abuse services will be based on rates determined for children ages 6 through 18. Payments made will be final and there will be no retrospective cost settlements.

12 VAC 30-140-510 through 12 VAC 30-140-550. Reserved.

PART VI.

QUALITY ASSURANCE AND UTILIZATION CONTROL.

12 VAC 30-140-560. Quality assurance.

Quality of and access to care in managed care and fee-for-service delivery systems shall be assessed using measures developed by the director. The director shall coordinate, in his discretion, with state agencies, providers, and other interested parties on quality care and access issues.

12 VAC 30-140-570. Utilization control.

A. Utilization control systems are administrative mechanisms that are designed to ensure that children use

only that health care that is appropriate, medically necessary, and approved by DMAS. DMAS shall use the utilization controls already established and operational in the State Plan for Medical Assistance. Administrative mechanisms to be employed may include those provided in [the] following subsections of this section:

B. Prepayment reviews.

1. Use of covered service limitations in the State Plan for Medical Assistance such as medical necessity, noncoverage of cosmetic or experimental procedures/drugs/services.

2. Prior authorization for some services, according to DMAS policy.

3. Managed Care Organizations (MCOs) shall be required to have referral systems, prior authorization requirements, clinical practice guidelines, and an internal quality assurance program. Each MCO shall be required to obtain state licensure, as well as obtain a nationally recognized accreditation as part of the contracting process. MCOs shall be required to meet network access requirements including PCP ratios, time and distance standards, appointment times guidelines, toll-free telephone numbers and after hours access as determined by contract with DMAS.

4. Fee-for-service utilization controls shall include:

a. Preauthorization functions performed by a state contractor using criteria specified by DMAS.

b. Internal utilization review committees in hospitals that review admission and length-of-stay issues.

c. Service limits shall be the same, as those in the State Plan for Medical Assistance with prior permission required to extend particular services if determined to be medically necessary.

d. Special service preauthorization shall be the same as in the State Plan for Medical Assistance for items such as organ transplants, out-of-state rehabilitation, and ventilator contracts.

C. Post-payment review. DMAS shall collect and review comprehensive encounter data and fee-for-service claims data to monitor utilization after service receipt. Findings will determine the appropriate disposition of the review, including but not limited to, enrollment in a utilization control program or referral to other investigative agencies.

NOTICE: The form used in administering 12 VAC 30-140-10 et seq., Virginia Children's Medical Security Insurance Plan, is listed below and published following the listing.

FORMS

Application/Redetermination for Medicaid Medically Indigent Families and Children (Title XIX) and Children's Medical Security Insurance Plan (Title XXI) Programs, 032-03-040/3 (9/98).

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COMMONWEALTH OF VIRGINIA DEPARTMENT OF SOCIAL SERVICES APPLICATION/REDETERMINATION FOR MEDICAID MEDICALLY INDIGENT FAMILIES AND CHILDREN (TITLE XIX) AND CHILDREN'S MEDICAL SECURITY INSURANCE PLAN (TITLE XXI) PROGRAMS	AGENCY USE ONLY	
	DATE RECEIVED	
	CASE NAME/NUMBER	
	LOCALITY	WORKER

Please complete all sections of the application. If you need assistance, please contact an eligibility worker at your local DSS.

I. IDENTIFYING INFORMATION

PARENT/CARETAKER'S LAST NAME	FIRST	MI	HOME PHONE #	
ADDRESS	CITY	STATE	ZIP	DAYTIME PHONE #
MAILING ADDRESS (if different)	CITY	STATE	ZIP	

II. HOUSEHOLD INFORMATION: List parent/caretaker as person 1. List everyone living in the home even if assistance is not being requested for that person. If there are more than four people in the household, please complete a second form.

	PERSON 1	PERSON 2	PERSON 3	PERSON 4
Full Name				
Relationship to Person 1				
Is this person applying for assistance? (Y/N)				
Sex/Race/Marital Status				
Date of Birth				
Place of Birth				
Social Security #				
US Citizen? (Y/N)? If no, alien #.				
Child's Parent Absent? (Y/N) If yes, name, employer and reason for absence.				
Last Grade Completed				
Pregnant? (Y/N)				
Health Insurance? (Y/N) If yes, company name and policy number.				
Has health insurance been dropped in past 12 months? (Y/N) If yes, date terminated and why.				

III. Does the employer of anyone listed above offer health insurance for family members? Yes No If yes, please complete the following:

Company: _____ Type of Coverage: _____

IV. List all income received by the household. Include earnings, farm income, social security benefits, support, unemployment benefits, pensions, sick pay, student loans, property or room rental.

	PERSON 1	PERSON 2	PERSON 3	PERSON 4
Name of Employer or Source of Income				
Is employer a state/local agency? (Y/N)				
How often is the income received?				
Amount before deductions?				
If child has a stepparent in the home, does stepparent claim child as a dependent for federal tax purposes? (Y/N)				
Are you paying adult or child care while you work? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, for whom:			How much?	How often?

V. Has anyone for whom you are applying been in the hospital or emergency room, been to a doctor's office or clinic, received a prescription drug or received a medical service in the three months before this month? Yes No If yes, list months: _____

VI. Have there been any changes in your living arrangements, marital status, or income in the last three months? Yes No If yes, describe the changes: _____

032-03-040/3 (9/98)

RIGHTS AND RESPONSIBILITIES

I agree to let the Department of Social Services know the same day or the next working day of any changes that occur in my situation. I understand that to receive benefits from the Medicaid or Title XXI Program I must agree to assign my rights and the rights of anyone for whom I am applying to medical support and other third-party payments to the Department of Medical Assistance Services. I understand that all money I receive for (1) diagnosis or treatment of any injury, disease, or disability or (2) medical care support must be sent to the Department of Medical Assistance Services, third party liability section. I understand that my refusal to assign the rights of other individuals for whom I am applying will not affect their eligibility for Medicaid. I understand that my refusal to assign the rights of a child for whom I am requesting Title XXI will affect the child's eligibility for the Title XXI Program. I refuse to assign the rights of _____

Title XXI requires a period of ineligibility if health insurance was terminated within 12 months of the application date. I understand that the period of ineligibility can be waived for good cause. I want to claim good cause and understand I must provide written documentation of the reason for discontinuance of the insurance. YES NO

I understand that I have the right to file a complaint if I feel I have been discriminated against because of race, color, national origin, sex, age, handicap, or religious belief. I understand that I have the right to appeal and have a fair hearing if I am: (1) not notified in writing of the decision regarding my application within 45 days; (2) denied benefits from the Medicaid or Title XXI Program; or (3) dissatisfied with any other decision that affects my receipt of the Medicaid or Title XXI Program.
EXCEPTION: The Children's Medical Security Insurance Plan (Title XXI) is not an entitlement program. Therefore, denial of assistance for a child or ineligibility for additional benefits of a child who has been found eligible when funding is not sufficient is not appealable.

I understand that refusal to cooperate with a review of my Medicaid or Title XXI Program eligibility by quality control will make me ineligible for the Medicaid or Title XXI Program until I cooperate with the review.

I authorize the Department of Social Services and the Department of Medical Assistance Services to obtain any verifications necessary to establish my eligibility for assistance. I authorize release to the Department of Medical Assistance Services any information in any medical records pertaining to any services received by me or the individuals for whom I am applying for Medicaid or Title XXI.

I received the booklets: Medicaid Handbook and Children's Medical Security Insurance Plan Handbook YES NO
Temporary Assistance Programs YES NO

I filled in this form myself. YES NO If no, it was read back to me when completed. YES NO

I declare that all information I have given on this application is true and correct to the best of my knowledge and belief. I understand that if I give false information, withhold information, or fail to report a change promptly or on purpose, I may be breaking the law and could be prosecuted for perjury, larceny, and/or welfare fraud. I understand that my signature on this application certifies, under penalty of perjury, that the people for whom I am applying (unless applying for emergency services only) are U.S. Citizens or aliens in lawful immigration status.

Signature or Mark: _____ Date: _____

Witness/Authorized Representative: _____ Date: _____

I completed this application/declaration for _____. I understand that if I aided or abetted him or her to obtain assistance for which he or she is not eligible that I may be breaking the law and could be prosecuted.

Signature: _____

Address: _____

Relationship: _____ Date: _____ Telephone #: _____

VOTER REGISTRATION

Check one of the following:

- I am not registered to vote where I currently live now, and I would like to register to vote here today. I certify that a voter registration form was given to me to complete. (If you would like help in filling out the voter registration, we will help you. The decision to help you is yours. You also have the right to complete your form in private.)
- I am registered to vote at my current address. (If already registered at your current address, you are not eligible to register to vote.)
- I do not want to apply to register to vote.
- I do want to apply to register to vote, please send me a voter registration form.

Applying to register or declining to register to vote will not affect the assistance or services that you will be provided by this agency. A decision not to apply to register to vote will remain confidential. A decision to apply to register to vote and the office where your application was submitted will also remain confidential and may only be used for voter registration purposes. If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register to vote, or your right in applying to register to vote, you may file a complaint with: Secretary of Virginia State Board of Elections, Ninth Street Office Building, 200 North Ninth Street, Richmond, VA 23219-3497. The phone number is (804) 786-6551.

VA.R. Doc. No. R99-59; Filed August 25, 1999, 10:03 a.m.

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TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

AUCTIONEERS BOARD

REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 C 9 of the Code of Virginia, which exempts regulations of the regulatory boards served by the Department of Professional and Occupational Regulation pursuant to Title 54.1 which are limited to reducing fees charged to regulants and applicants. The Auctioneers Board will receive, consider and respond to petitions by any interested person with respect to reconsideration or revision.

Title of Regulation: 18 VAC 25-21-10 et seq. Rules and Regulations of the Virginia Auctioneers Board (amending 18 VAC 25-21-70).

Statutory Authority: §§ 54.1-113, 54.1-201 and 54.1-602 of the Code of Virginia.

Effective Date: November 1, 1999.

Summary:

The amendments reduce the fees charged to applicants and regulants of the Auctioneers Board.

Agency Contact: Copies of the regulation may be obtained from Mark N. Courtney, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230-4917, telephone (804) 367-8514.

18 VAC 25-21-70. Fees.

Fees are nonrefundable and shall not be prorated. The following fees shall apply:

- | | |
|--|------------------------|
| 1. Individual auctioneer license | \$70 \$40 |
| 2. Auctioneer firm license | \$400 \$70 |
| 3. Examination | \$60 \$40 |
| 4. Reexamination fee | \$60 \$40 |
| 5. Renewal for individual auctioneer's license | \$90 \$70 |
| 6. Renewal for firm or corporation license | \$115 \$80 |
| 7. Late renewal for an individual auctioneer's license | \$115 \$95 |
| 8. Late renewal for an auction firm or corporate license | \$140 \$105 |
| 9. Reinstatement of the individual auctioneer's license | \$190 \$120 |
| 10. Reinstatement of the firm or corporate license | \$215 \$130 |
| 11. Bad check fee | \$ 25 |

NOTICE: The forms used in administering 18 VAC 25-21-10 et seq., Rules and Regulations of the Virginia Auctioneers Board, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORMS

~~Application for a Virginia Auctioneer License Application, 29LIC (eff. 10/98).~~

~~Auctioneer Surety Bond Form, 29IBOND (eff. 7/98).~~

~~Application for a Virginia Auctioneer Firm License Application, 29FIRM (eff. 10/98).~~

~~Auction Firm Surety Bond Form, 29FBOND (eff. 7/98).~~

~~Application Supplement (States with Approved Reciprocal Agreements and Virginia Approved Auctioneering Schools), 29ST&SCL (eff. 7/99).~~

Commonwealth of Virginia
 Dept. of Professional and Occupational Regulation
 3600 West Broad Street
 Post Office Box 11066
 Richmond, Virginia 23230-1066
 (804) 367-8506



**Auctioneers Board
 LICENSE APPLICATION**

A check or money order payable to the TREASURER OF VIRGINIA, or a completed credit card insert must be mailed with your application package. APPLICATION FEES ARE NOT REFUNDABLE.

Select the one method of licensure you are requesting on this application.

Licensure by...	Fee	
Examination *	\$ 60	<input type="checkbox"/>
Reciprocity	\$ 70	<input type="checkbox"/>
Reinstatement	\$ 190	<input type="checkbox"/>

* After you have passed the examination, you will be required to submit a \$70 LICENSE FEE and evidence of a surety bond in a minimum amount of \$10,000 in order to become licensed.

- Name: First _____ Middle _____ Last _____ Generation (SR, JR, III) _____
- Social Security Number _____
- Date of Birth _____
- Street Address (PO Box not accepted) _____
 City, State, Zip Code _____
☞ If you are using your business address, please include business name, full street address, and any floor or suite numbers
- E-mail Address _____
- Telephone & Facsimile Numbers: Telephone () - () - () Facsimile () - () - ()
 Daytime, Beeper, or Cellular Number _____
- Do you have an expired Auctioneer license issued by the Virginia Auctioneers Board?
 No Yes Virginia License Number 299 Expiration Date _____
- Do you have a current auctioneers license, certification, or registration from another state?
 No Yes If yes, list all the licenses, certificates, and registrations in the following table and attach a Certification of Licensure/Letter of Good Standing, dated within the last 60 days, from each state. Skip to #10.

State/Jurisdiction	License Number	Expiration Date

OFFICE USE ONLY	DATE	FEE	CLASS OF FEE	LICENSE NUMBER	ISSUE DATE
				2907	

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- Have you successfully completed a course of study at a school of auctioneering which has obtained course approval from the Board?
 No Yes If yes, you must attach a certified copy of a transcript of course completion, or other notarized documentation of completion of the required training.

- Have you ever been subject to a disciplinary action imposed by any (including Virginia) local, state, or national regulatory body?
 No Yes If yes, list the jurisdiction in which the disciplinary action took place and the license number. Provide an explanation of events, including a description of the disciplinary proceeding and the type of sanctions that were imposed (i.e., suspension, revocation, voluntary surrender of license, monetary penalty, fine, reprimand, etc.). Attach copies of any correspondence or documentation (including a copy of the final order, decree, or case decision) related to this matter. If necessary, you may attach a separate sheet of paper.

- Within the last five years, have you ever been convicted in any jurisdiction of any felony? Any guilty plea or plea of nolo contendere must be disclosed on this application.
 No Yes If yes, list the information requested in #11.C.
 - Within the last five years, have you ever been convicted in any jurisdiction of any misdemeanor? Any guilty plea or plea of nolo contendere must be disclosed on this application.
 No Yes If yes, list the information requested in #11.C.
 - If you answered "yes" to either question #10.A. or #10.B., list the felony and/or misdemeanor conviction(s). Attach a copy of all applicable criminal conviction, state police, and court records; information on the current status of incarceration, parole, probation, etc.; and any other information you wish to have considered with this application (i.e., reference letters, documentation of rehabilitation, etc.). If necessary, you may attach a separate sheet of paper.

By signing this application, you acknowledge that if you are not a Virginia resident, or move outside of Virginia while you hold a Virginia Auctioneer License, you understand that this application serves as a written power of attorney, whereby you appoint the Director of the Department of Professional and Occupational Regulation, and his/her successors in office, to be your true and lawful agent and attorney-in-fact, in and through whom all legal process against and notice to you may be served and who is hereby authorized to enter an appearance, you hereby agree that any legal process against you which is duly served on said agent and attorney-in-fact shall be of the same legal force and validity as if served upon you.

- I, the undersigned, certify that the foregoing statements and answers are true, and I have not suppressed any information that might affect the Board's decision approve this application. I will notify the Department if I am subject to any disciplinary action or convicted of any felony or misdemeanor charges (in any jurisdiction) prior to receiving the requested licensure. I certify that I understand, and have complied with all the laws of Virginia related to auctioneer licensure under the provisions of Title 54.1, Chapter 6 of the Code of Virginia and the Virginia Auctioneers Board Rules and Regulations. I also certify that I understand this affidavit.

Signature _____ Date _____
 Notarization _____
 in the State of _____, City/County of _____, subscribed and sworn before me, the undersigned Notary Public in and for the City/County aforesaid this _____ day of _____, 19____.
 My commission expires the _____ day of _____, 19____.

Affix official seal here. _____ Signature of Notary Public

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Commonwealth of Virginia
 Dept. of Professional and Occupational Regulation
 3600 West Broad Street
 Post Office Box 11066
 Richmond, Virginia 23230-1066
 (804) 367-8506



Auctioneers Board AUCTIONEER SURETY BOND FORM

If this bond is purchased within five days of the end of a calendar month, please show an Expiration or Effective through Date which is two years and one month from the end of the month in which the bond is purchased. The Auctioneers Board regulations require that bonds run concurrently with the two-year term of the license.

Examination Applicants: Complete and submit this form after you have been notified that you passed the Auctioneer Examination. **DO NOT SUBMIT THIS FORM WITH YOUR LICENSE APPLICATION.**

Reciprocity Applicants: All reciprocal applicants must include this form with their application fee and completed License Application.

Bond Number _____ Expiration Date _____
Date must coincide with two-year license term.

KNOW ALL MEN BY THESE PRESENTS THAT: _____ located at _____
 Name of Auctioneer or Auction Firm
 and _____, a corporation of _____
 Name of Bond Company
 as surety are held and firmly bound unto the

Commonwealth of Virginia in the full sum of at least Ten Thousand and No/100 Dollars (\$10,000.00) _____ Amount of Bond
 for which sum well and truly paid, said Principal(s) and Surety bind themselves, their heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal(s) have requested the licensure from the Virginia Auctioneers Board (the Board) pursuant to Virginia Code § 54.1-603 for the purpose of engaging in the business of conducting auctions, as defined in Virginia Code § 54.1-600 within the Commonwealth of Virginia;

NOW, THEREFORE, if the Principal(s) shall, during the period that this license is in effect, faithfully observe and honestly comply with the provisions of Title 54.1, Chapter 6, Code of Virginia (1950), as amended, regulations auctioneers; and if the Principal(s) shall pay all damages occasioned to any person by reason of any misstatement, misrepresentation, fraud, or deceit of the Principal(s) or their agents or employees, then this obligation shall become void; otherwise it shall remain in force and effect; provided, however, that this Bond is issued subject to the following conditions and privileges:

- (e) The surety shall have the right to cancel this bond at any time by written notice to the Board at the address of the Department of Professional and Occupational Regulation, at 3600 West Broad Street, Richmond, Virginia 23230, and to each Principal at the address given above.

OFFICE USE ONLY	DATE	FEE	CLASS OF FEE	LICENSE NUMBER	ISSUE DATE
				2907	

29IBOND (7/98) Auctioneers Board/INDIVIDUAL BOND FORM 1 of 3

- The written notice shall state the effective date of the cancellation, and shall be personally served or sent by registered mail, return receipt requested.
- The notice shall be served upon or received by the Board and the Principal(s) at least 60 days prior to the effective date of the cancellation.
- Should the notice of cancellation not be received by the Board and the Principal(s) at least 60 days prior to the effective date of cancellation, the cancellation shall become effective 60 days from the date of receipt by the Board and the Principal(s).
- Should the notice be received on different dates by the parties to this bond, the date of receipt by the Department of Professional and Occupational Regulation, as documented by the Postal Service, shall control the state of cancellation.
- This bond shall remain in full force and effect until cancelled as provided above.
- It is expressly agreed and understood that the surety shall remain fully liable and default of breach under the terms of this Bond occurring at any time prior to the expiration of the Bond.
- Any person aggrieved by any act of the Principal(s) in violation of the provisions of Title 54.1, Chapter 6, Code of Virginia (1950), as amended, may proceed against the Principal(s), or Surety, or both, to recover damages not in excess of the penalty of the bond.
- In no event shall the Surety be liable for damages greater than the sum of this Bond.

IN WITNESS THEREOF, the Principal(s) have hereunder affixed their signature(s) and seal, and the Surety has caused this document to be executed by: _____ day of _____, _____ (SEAL)

BY _____ Corporate Principal (SEAL)
 _____ Individual Principal
 _____ Title
 _____ Corporate Surety (SEAL)
 BY _____ Attorney-in-Fact
 _____ Title

29IBOND (7/98) Auctioneers Board/INDIVIDUAL BOND FORM 2 of 3



Commonwealth of Virginia
Dept. of Professional and Occupational Regulation
3600 West Broad Street
Post Office Box 11066
Richmond, Virginia 23230-1066
(804) 367-8506

Auctioneers Board
FIRM LICENSE APPLICATION

A check or money order payable to the TREASURER OF VIRGINIA, or a completed credit card insert must be mailed with your application package. APPLICATION FEES ARE NOT REFUNDABLE.

Table with 2 columns: Applying for..., Fee. Rows: Original Firm License (\$ 100), Reinstatement of a Firm License (\$ 215).

A COMPLETED AUCTION FIRM SURETY BOND FORM MUST ACCOMPANY THIS LICENSE APPLICATION.

- 1. Firm Name
2. Trade (or Fictitious) Name
3. Federal Employer Identification Number
4. Street Address (PO Box not accepted)
5. City, State, Zip Code
6. Telephone & Facsimile Numbers
7. Do you have an expired Auction Firm License issued by the Virginia Auctioneers Board?
8. Do you have a current auctioneers license, certification, or registration from another state?

If yes, list all the licenses, certificates, and registrations in the following table and attach a Certification of License/Letter of Good Standing, dated within the last 60 days, from each state.

Table with 2 columns: State/Jurisdiction, License Number, Expiration Date.

Licensing section use only: SCC Registration No., Issue Date, Active? Y N, DATE, FEE, CLASS OF FEE, LICENSE NUMBER, OFFICE USE ONLY, ISSUE DATE.

AFFIDAVIT AND ACKNOWLEDGEMENT OF SURETY

I, _____ CITY OR COUNTY OF _____ a Notary Public in and for the _____ aforesaid, in the State aforesaid, do certify that _____ personally appeared before me in my _____ aforesaid and made oath that he is _____ that he is duly authorized to execute the foregoing bond by virtue of a certain power of attorney of said company, dated _____ and recorded in the Clerk's office of the _____ of _____ in Deed Book No. _____ Page _____ that said power of attorney has not been revoked; that the said company has complied with all requirements of law regulating the admission of such companies to transact business in the State of Virginia; that said company is solvent and fully able to meet promptly all of its obligations, and the said thereupon, in the name and on behalf of the said company, acknowledged and foregoing writing as its act and deed. Subscribed and sworn before me this _____ day of _____ My commission expires the _____ day of _____ Affix official seal here.

ACKNOWLEDGEMENT OF PRINCIPAL

I, _____ CITY OR COUNTY OF _____ a Notary Public in and for the _____ (City/State) _____, do certify that _____ (Principal's Name) _____, whose name(s) is/are signed to the above bond, dated the _____ day of _____, personally appeared before me at _____ and acknowledged same. Subscribed and sworn before me this _____ day of _____ My commission expires the _____ day of _____ Affix official seal here.

29FBOND (7/98) Auctioneers Board/INDIVIDUAL BOND FORM 3 of 3

Final Regulations

By signing this application, you acknowledge that if you are not a Virginia resident, or move outside of Virginia while you hold a Virginia Auctioneers Firm License, you understand that this application serves as a written power of attorney, whereby you appoint the Director of the Department of Professional and Occupational Regulation, and his/her successors in office, to be your true and lawful agent and attorney-in-fact, in your stead, upon whom all legal process against and notice to you may be served and who is hereby authorized to enter an appearance in your behalf in any case or proceedings arising out of the trade or profession practiced; and that by submitting this application you hereby agree that any lawful process against you which is duly served on said agent and attorney-in-fact shall be of the same legal force and validity as if served upon you.

14. I, the undersigned, certify that the foregoing statements and answers are true, and I have not suppressed any information that might affect the Board's decision to approve this application. I will notify the Department if the firm is subject to any disciplinary action or convicted of any felony or misdemeanor charges (in any jurisdiction) prior to receiving the requested license. I certify that I understand, and have complied with, all the laws of Virginia related to auctioneer licensure under the provisions of Title 54.1, Chapter 6 of the Code of Virginia and the Virginia Auctioneers Board Rules and Regulations. I also certify that I understand this affidavit.

Manager's Signature _____ Date _____
 Signature of individual listed in #11 _____

Notarization

In the State of _____, City/County of _____, subscribed and sworn before me, the undersigned Notary Public in and for the City/County aforesaid this _____ day of _____, 19____.

My commission expires the _____ day of _____, _____.

Affix official seal here.

 Signature of Notary Public

9. Type of business (select only one)
- Sole Proprietorship
 Partnership
 Association
 Limited Liability Company
 Corporation

10. Is the auction firm authorized (in accordance with the laws of the Commonwealth of Virginia) to conduct business in Virginia?

Yes No **If no, this application cannot be processed.**

All corporations and limited liability companies (including out-of-state businesses) who wish to conduct business in Virginia must register with the Virginia State Corporation Commission (SCC) prior to applying for licensure with the Virginia Auctioneers Board. Certified true copies of the articles of incorporation, bylaws and charter issued by the Virginia SCC must be submitted with this application. Out-of-state businesses must also include the certificate of authority issued by the Virginia SCC.

11. Enter the name and title of a principal member of your business management (a registered agent, the sole proprietor of a sole proprietorship, a partner of your partnership, an officer or director of an association, a manager of your limited liability company, or an officer of your corporation).

First	Middle	Last	Gen (SR, JR, etc.)	Title

12. Has your business ever been subject to disciplinary action imposed by any (including Virginia) local, state, or national regulatory body?

No Yes If yes, list the name of the jurisdiction in which the disciplinary action took place and the license number. Provide an explanation of events, including a description of the disciplinary proceeding and the type of sanctions that were imposed (i.e., suspension, revocation, voluntary surrender of license, monetary penalty, fine, reprimand, etc.). Attach copies of any correspondence or documentation (including a copy of the final order, decree, or case decision) related to this matter. If necessary, you may use a separate sheet of paper.

13. A. Has your business ever been convicted in any jurisdiction of any felony? Any guilty plea or plea of nolo contendere must be disclosed on this application.

No Yes If yes, list the information requested in #13.C.

B. Has your business ever been convicted in any jurisdiction of any misdemeanor? Any guilty plea or plea of nolo contendere must be disclosed on this application.

No Yes If yes, list the information requested in #13.C.

C. If you answered "yes" to either question #13.A. or #13.B., list the felony and/or misdemeanor conviction(s). Attach a copy of all applicable criminal conviction, state police, and court records; information on the current status of incarceration, parole, probation, etc.; and any other information you wish to have considered with this application (i.e., reference letters, documentation of rehabilitation, etc.). If necessary, you may attach a separate sheet of paper.

Commonwealth of Virginia
 Dept. of Professional and Occupational Regulation
 3600 West Broad Street
 Post Office Box 11066
 Richmond, Virginia 23230-1066
 (804) 367-8506



**Auctioneers Board
 AUCTION FIRM SURETY BOND FORM**

If this bond is purchased within five days of the end of a calendar month, please show an Expiration or Effective through Date which is two years and one month from the end of the month in which the bond is purchased. The Auctioneers Board regulations require that bonds run concurrently with the two-year term of the license.

Bond Number _____ Expiration Date _____
Date must coincide with two-year license term.

KNOW ALL MEN BY THESE PRESENTS THAT: _____ located at _____
Name of Auctioneer or Auction Firm

and _____ as Principal or Principals jointly and severally,
Name of Bond Company, a corporation of _____

_____ as surety are held and firmly bound unto the Commonwealth of Virginia in the full sum of at least Ten Thousand and No/100 Dollars (\$10,000.00) _____
Amount of Bond

for which sum well and truly paid, said Principal(s) and Surety bind themselves, their heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas, the Principal(s) have requested the licensure from the Virginia Auctioneers Board (the Board) pursuant to Virginia Code § 54.1-603 for the purpose of engaging in the business of conducting auctions, as defined in Virginia Code § 54.1-600 within the Commonwealth of Virginia,

NOW, THEREFORE, if the Principal(s) shall, during the period that this license is in effect, faithfully observe and honestly comply with the provisions of Title 54.1, Chapter 6, Code of Virginia (1950), as amended, regulations auctioneers; and if the Principal(s) shall pay all damages occasioned to any person by reason of any misstatement, misrepresentation, fraud, or deceit of the Principal(s) or their agents or employees, then this obligation shall become void; otherwise it shall remain in force and effect; provided, however, that this Bond is issued subject to the following conditions and privileges:

1. (a) The surety shall have the right to cancel this bond at any time by written notice to the Board at the address of the Department of Professional and Occupational Regulation, at 3600 West Broad Street, Richmond, Virginia 23230, and to each Principal at the address given above.
 (b) The written notice shall state the effective date of the cancellation, and shall be personally served or sent by registered mail, return receipt requested.
 (c) The notice shall be served upon or received by the Board and the Principal(s) at least 60 days prior to the effective date of the cancellation.
2. (a) Should the notice of cancellation not be received by the Board and the Principal(s) at least 60 days prior to the effective date of cancellation, the cancellation shall become effective 60 days from the date of receipt by the Board and the Principal(s).

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Auctioneers Board/FIRM BOND FORM

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Auctioneers Board/FIRM BOND FORM

(b) Should the notice be received on different dates by the parties to this bond, the date of receipt by the Department of Professional and Occupational Regulation, as documented by the Postal Service, shall control the state of cancellation.

3. (a) This bond shall remain in full force and effect until cancelled as provided above.
 (b) It is expressly agreed and understood that the surety shall remain fully liable and default of breach under the terms of this Bond occurring at any time prior to the expiration of the Bond.

4. Any person aggrieved by any act of the Principal(s) in violation of the provisions of Title 54.1, Chapter 6, Code of Virginia (1950), as amended, may proceed against the Principal(s), or Surety, or both, to recover damages not in excess of the penalty of the bond.

5. In no event shall the Surety be liable for damages greater than the sum of this Bond.
 IN WITNESS THEREOF, the Principal(s) have hereunder affixed their signature(s) and seal, and the Surety has caused this document to be executed by: _____ day of _____, _____
 and is duly authorized Attorney-in-Fact, this _____ day of _____, _____ (SEAL)

BY _____
Corporate Principal (SEAL)

BY _____
Individual Principal

BY _____
Corporate Surety (SEAL)

BY _____
Attorney-in-Fact

BY _____
Title



Commonwealth of Virginia
 Department of Professional and Occupational Regulation
 3600 West Broad Street
 Post Office Box 11066
 Richmond, Virginia 23230-1066
 (804) 367-8506

**Virginia Auctioneers Board
 APPLICATION SUPPLEMENT**

STATES WITH APPROVED RECIPROCAL AGREEMENTS

- Alabama**
 Alabama State Board of Auctioneers
 2015-C Cherokee Avenue, SW
 P.O. Box 1207
 Cullen, Alabama 35066-1207
 (205) 739-0548
- North Carolina**
 N.C. Auctioneer Licensing Board
 1001 Navaho Drive, Suite 105
 Raleigh, North Carolina 27609-7461
 (919) 981-5066
- Ohio**
 Ohio Department of Commerce
 77 South High Street, 23rd Floor
 Columbus, Ohio 43266-0544
 (614) 466-3636
- Florida**
 Board for Auctioneers
 1940 North Monroe Street
 Tallahassee, Florida 32309-0750
 (904) 488-5189
- Georgia**
 Georgia Auctioneers Commission
 166 Pryor Street, SW
 Atlanta, Georgia 30303
 (404) 656-3900
- South Carolina**
 South Carolina Auctioneering Comm
 Dept. of Labor, Licensing & Reg.
 3600 Forest Drive, Suite 101
 Columbia, South Carolina 29204
 (803) 734-4233
- Indiana**
 Indiana Professional Licensing Agency
 IGCSS 302 West Washington Street
 Room E034
 Indianapolis, Indiana 46204
 (317) 232-3999
- Tennessee**
 Tennessee Auctioneer Commission
 500 James Robertson Parkway
 Nashville, Tennessee 37243-1152
 (615) 741-3236
- Kentucky**
 Kentucky Board of Auctioneers
 9112 Leesgate Road, Suite 5
 Louisville, Kentucky 40222
 (502) 338-9453
- Louisiana**
 Louisiana Auctioneers Licensing Board
 8017 Jefferson Highway, Suite B-3
 Baton Rouge, Louisiana 70809
 (504) 925-3921
- Texas**
 Texas Dept. of Lic. & Regulation
 P.O. Box 12157
 Austin, Texas 78711
 (512) 463-6599
- West Virginia**
 West Virginia Dept. of Agriculture
 Marketing & Dev. Division
 State Capitol
 Charleston, West Virginia 25305
 (304) 558-2210

29ST&SCL (7/199)

AFFIDAVIT AND ACKNOWLEDGEMENT OF SURETY

STATE OF _____ CITY OR COUNTY OF _____
 I, _____ a Notary Public in and for the _____
 aforesaid, in the State aforesaid, do certify that _____
 personally appeared before me in my _____
 aforesaid and made oath that he is _____
 of the _____ that he is duly authorized to execute the foregoing bond by virtue of a certain
 power of attorney of said company, dated _____, and recorded in the Clerk's office of the
 _____ of _____ in Deed Book No. _____
 Page _____ that said power of attorney has not been revoked; that the said company has complied with all requirements
 of law regulating the admission of such companies to transact business in the State of Virginia; that said company is solvent
 and fully able to meet promptly all of its obligations, and the said _____
 thereupon, in the name and on behalf of the said company, acknowledged and foregoing writing as its act and deed.
 Subscribed and sworn before me this _____, day of _____,
 My commission expires the _____, day of _____,
Affix official seal here.

Signature of Notary Public

ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF _____ CITY OR COUNTY OF _____
 I, _____ a Notary Public in and for the _____, do certify
 that _____ (Notary's Name) _____ (City/State)
 _____, whose name(s) is/are signed to the above bond, dated
 the _____, day of _____, personally appeared before me at _____
 and acknowledged same.
 Subscribed and sworn before me this _____, day of _____,
 My commission expires the _____, day of _____,
Affix official seal here.

Signature of Notary Public

26FBOND (788)

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Auctioneers Board/FIRM BOND FORM

VIRGINIA APPROVED AUCTIONEERING SCHOOLS

BERNIE PLEASANT'S SCHOOL OF AUCTIONEERING

715 Breezy Point Road
Mineral, Virginia 23117
(540) 872-4339
Bernie Pleasant's

MISSOURI AUCTION SCHOOL

Livestock Exchange Building
1600 Genessee, Top Floor
Kansas City, Missouri 64102
(816) 421-7117

EAST COAST SCHOOL OF AUCTIONEERING

P.O. Box 524
Bracey, Virginia 22919
(804) 636-2616
Charles D. Rudd

NASHVILLE AUCTION SCHOOL

P.O. Box 2026
Columbia, Tennessee 38402
(615) 388-4411
Terry and Ann Evans

FLORIDA AUCTIONEER ACADEMY, INC.

P.O. Box 780357
Orlando, Florida 32878-0357
(407) 362-6659
1 800 422 9155

NATIONAL AUCTIONEER TRAINING CENTER, INC.

411 Olive Creek Farm Rd.
Thomasville, Georgia 31757
1-800-842-1964

INTERNATIONAL AUCTION SCHOOL

Route 5
South Deerfield, Mass 01372
(413) 665-2877
Douglas Belondeau

REPERT SCHOOL OF AUCTIONEERING

Box 189
Decatur, Indiana 46733
(219) 724-3804
Phil Neuenschwander

LONG AND FOSTER REAL ESTATE SCHOOL, INC.

7361 McWhorter Place, Suite 311
Annandale, Virginia 22003
(703) 658-1300

SOUTHEASTERN SCHOOL OF AUCTIONEERING

309 Eastview Road
Peizer, South Carolina 29669-9714
(864) 947-2000

MENDENHALL SCHOOL OF AUCTIONEERING

P.O. Box 7344
High Point, North Carolina 27264
(919) 887-1165 or (919) 887-3602
Forrest Mendenhall

WALTON SCHOOL OF AUCTIONEERING

3660 Paradise Road
Medina, Ohio 44266
(216) 725-8958 or 1 800 369-2818

MIDWEST SCHOOL OF AUCTIONEERING

P.O. Box 7
Zanesfield, Ohio 43360
(513) 593-0155

WESTERN COLLEGE OF AUCTIONEERING

P.O. Box 50310
Billings, Montana 59105
(406) 252-7066

WORLD WIDE COLLEGE OF AUCTIONEERING, INC.

P.O. Box 949
Mason City, Iowa 50402
(515) 423-5242 or 6396

EXAMINATION SCHEDULE

Application Deadline
November 24, 1998
February 23, 1999
May 25, 1999
August 24, 1999

Examination Date
January 8, 1999
April 9, 1999
July 9, 1999
October 8, 1999*

* October 1999 exam will be given at several locations throughout Virginia. Detailed information will be sent to candidates who are approved for this examination.

VA.R. Doc. No. R99-268; Filed August 24, 1999, 9:13 a.m.

Final Regulations

BOARD FOR COSMETOLOGY

REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 C 9 of the Code of Virginia, which exempts regulations of the regulatory boards served by the Department of Professional and Occupational Regulation pursuant to Title 54.1 which are limited to reducing fees charged to regulants and applicants. The Board for Cosmetology will receive, consider and respond to petitions by any interested person with respect to reconsideration or revision.

Title of Regulation: 18 VAC 55-22-10 et seq. Board for Cosmetology Regulations (amending 18 VAC 55-22-310).

Statutory Authority: §§ 54.1-113, 54.1-201 and 54.1-1202 of the Code of Virginia.

Effective Date: November 1, 1999.

Summary:

The amendments reduce the fees charged to regulants seeking licensure with the Board for Cosmetology.

Agency Contact: Copies of the regulation may be obtained from Nancy T. Feldman, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230-4917, telephone (804) 367-8590.

18 VAC 55-22-310. Failure to renew; reinstatement required.

A. When a licensed or certified individual or entity fails to renew its license or certificate within 30 days following its expiration date, the licensee or certificate holder shall apply for reinstatement of the license or certificate by submitting to the Department of Professional and Occupational Regulation a reinstatement application and reinstatement fee as follows:

Cosmetology license	\$75 \$70
Cosmetology license with instructor certificate	\$140 \$135
Cosmetology salon license	\$185
Cosmetology school license	\$220
Nail technician license	\$75 \$70
Nail technician license with instructor certificate	\$140 \$135
Nail salon license	\$185
Nail school license	\$220

B. The application for reinstatement for a school shall provide the reasons for failing to renew prior to the expiration date, a notarized statement that all students currently enrolled or seeking to enroll at the school have been notified in writing that the school's license expired on December 31 of the last even numbered year. All of these materials shall be called the application package. Reinstatement will be considered by the board if the school consents to and satisfactorily passes an inspection of the school and its records maintained in accordance with 18 VAC 55-22-250 of this chapter by the

Department of Professional and Occupational Regulation. Pursuant to 18 VAC 55-22-320, upon receipt of the reinstatement fee, application package, and inspection results, the board may reinstate the school's license or require requalification or both. If the reinstatement application package and reinstatement fee are not received by the board within six months following the expiration date of the school's license, the board will notify the testing service that prospective graduates of the unlicensed school are not acceptable candidates for the exam.

C. When a cosmetologist or nail technician fails to renew his license within two years following the expiration date, the licensee may be required to submit the reinstatement fee outlined in subsection A of this section and may be required to pass the appropriate examination(s) in order to be reinstated.

D. When a cosmetology instructor or nail technician instructor fails to renew his certificate within two years following the expiration date, the certificate holder may be required to requalify for licensure as outlined in 18 VAC 55-22-110 and 18 VAC 55-22-120.

E. The date a renewal fee is received by the Department of Professional and Occupational Regulation, or its agent, will be used to determine whether a penalty fee or the requirement for reinstatement of a license or certificate is applicable.

F. When a license or certificate is reinstated, the licensee or certificate holder shall be assigned an expiration date two years from the date of reinstatement.

G. A licensee or certificate holder who reinstates his license or certificate shall be regarded as having been continuously licensed or certified without interruption. Therefore, a licensee or certificate holder shall remain under the disciplinary authority of the board during this entire period and may be held accountable for its activities during this period. A licensee or certificate holder who fails to reinstate his license or certificate shall be regarded as unlicensed or uncertified from the expiration date of the license or certificate forward. Nothing in this chapter shall divest the board of its authority to discipline a licensee or certificate holder for a violation of the law or regulations during the period of time for which the individual was licensed or certified.

H. Five years after the expiration date on the license or certificate, reinstatement is no longer possible. To resume practice, the former licensee or certificate holder shall reapply for licensure or certification as a new applicant, meeting current application requirements.

NOTICE: The forms used in administering 18 VAC 55-22-10 et seq., Board for Cosmetology Regulations, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORMS

School Application.

Salon Application.

Endorsement Application.

Instructor Certificate Application.

Student Teacher Temporary Permit Application.

Application for Reinstatement - Cosmetology/Nails.

~~Application for Reinstatement~~ *Application, 12REI (eff. 11/99).*

Final Regulations

16. List your reasons for failing to renew your license. Attach a separate sheet of paper, if necessary.

17. Have you or the salon/school ever been subject to a disciplinary action imposed by any (including Virginia) local, state or national regulatory body?
 No Yes
 If yes, list the jurisdiction in which the disciplinary action took place, the license number and the name of the individual/business involved in the disciplinary action. Provide an explanation of events, including a description of the disciplinary proceeding and the type of sanctions that were imposed (i.e., suspension, revocation, voluntary surrender of license, monetary penalty, fine, reprimand, etc.). Attach copies of any correspondence or documentation (including a copy of the final order, decree or case decision) related to this matter. If necessary, you may attach a separate sheet of paper.

18. A. Have you or the salon/school ever been convicted in any jurisdiction of any felony? Any guilty plea or plea of nolo contendere must be disclosed on this application. Do not disclose violations that were adjudicated as a minor in the juvenile court system.
 No Yes
 B. Have you or the salon/school ever been convicted in any jurisdiction of any misdemeanor? Any guilty plea or plea of nolo contendere must be disclosed on this application. Do not disclose violations that were adjudicated as a minor in the juvenile court system.
 No Yes
 C. If you answered "yes" to either question #18.A. or #18.B., list the felony and/or misdemeanor conviction(s). Attach a copy of all applicable criminal conviction, state police and court records; information on the current status of incarceration, parole, probation, etc., and any other information you wish to have considered with this application (i.e., reference letters, documentation of rehabilitation, etc.). If necessary, you may attach a separate sheet of paper.

19. I, the undersigned, certify that the foregoing statements and answers are true, and I have not suppressed any information that might affect the Board's decision to approve this application. I will notify the Department if I am subject to any disciplinary action or convicted of any felony or misdemeanor charges (in any jurisdiction) prior to receiving the requested license. I certify that I understand, and have complied with, all the laws of Virginia related to cosmetology/nail technician licensure under the provisions of Title 54.1, Chapter 12 of the Code of Virginia, and the Virginia Board for Cosmetology Rules and Regulations. I also certify that I understand this affidavit.

Signature _____ Date _____
 Notarization
 In the State of _____, City/County of _____, subscribed and sworn before me,
 the undersigned Notary Public in and for the City/County aforesaid this _____ day of _____,
 My commission expires the _____ day of _____.

Affix official seal here. _____
 Signature of Notary Public
 * State law requires every applicant for a license, certificate, registration or other authorization to appear in a business, trade, profession or occupation issued by the Commonwealth to provide a social security number or a control number issued by the Virginia Department of Motor Vehicles.

RE* School applicants must attach a notarized statement that all students currently enrolled or seeking to enroll at the school have been notified in writing that the school's license expired.
 The Board will consider reinstatement if the school consents to, and satisfactorily passes, an inspection of the school and its records maintained in accordance with the Board for Cosmetology regulations.

Board for Cosmetology/REINSTATE APP

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12REG (11/1/99)



Board for Cosmetology REINSTATEMENT APPLICATION

A check or money order payable to the TREASURER OF VIRGINIA, or a completed credit card insert must be mailed with your application package. APPLICATION FEES ARE NOT REFUNDABLE.

Select the one license you are requesting.

Type of License	Fee	X	Type of License	Fee	X
Cosmetology	1201 \$ 70.00	<input type="checkbox"/>	Nail Technician	1206 \$ 70.00	<input type="checkbox"/>
Cosmetology w/ Instructor Certificate	1204 \$ 135.00	<input type="checkbox"/>	Nail Technician w/ Instructor Certificate	1207 \$ 135.00	<input type="checkbox"/>
Cosmetology Salon	1202 \$ 185.00	<input type="checkbox"/>	Nail Salon	1208 \$ 185.00	<input type="checkbox"/>
Cosmetology School	1205 \$ 220.00	<input type="checkbox"/>	Nail School	1209 \$ 220.00	<input type="checkbox"/>

1. Virginia License Number _____ Expiration Date _____
 Note: If your license expired more than 5 years ago, do not complete this Reinstatement Application. Instead, you must re-apply as a new applicant.

2. Name Mr. Ms.
 First _____ Middle _____ Last _____ Generation (SR, JR, III) _____
 3. Social Security Number * _____ - _____ - _____
 4. Date of Birth _____ - _____ - _____
 5. Street Address (PO Box not accepted) _____
 City, State, Zip Code _____

6. E-mail Address _____
 7. Telephone and Facsimile Numbers Telephone () - () - () - () - () - ()
 Facsimile () - () - () - () - () - ()
 8. Are you applying to reinstate a salon or school license?
 Yes No If no, skip to question #16.
 9. Salon/School Name _____
 10. Trade Name of Salon/School _____

11. Federal Employer Identification Number _____ - _____ - _____
 12. Salon/School Street Address (no PO Box) _____
 City, State, Zip Code _____
 13. Salon/School Telephone & Facsimile Nos. Telephone () - () - () - () - () - ()
 Facsimile () - () - () - () - () - ()

14. Owner's Name _____
 15. Owner's Social Security Number * _____ - _____ - _____

OFFICE USE ONLY	DATE	FEE	CLASS OF FEE	LICENSE NUMBER	ISSUE DATE
				12	

Board for Cosmetology/REINSTATE APP

1 of 2

12REG (11/1/99)

BOARD FOR OPTICIANS

REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 C 9 of the Code of Virginia, which exempts regulations of the regulatory boards served by the Department of Professional and Occupational Regulation pursuant to Title 54.1 which are limited to reducing fees charged to regulants and applicants. The Board for Opticians will receive, consider and respond to petitions by any interested person with respect to reconsideration or revision.

Title of Regulation: 18 VAC 100-20-10 et seq. Board for Opticians Regulations (amending 18 VAC 100-20-10, 18 VAC 100-20-40, 18 VAC 100-20-50, 18 VAC 100-20-60, and 18 VAC 100-20-70).

Statutory Authority: §§ 54.1-113 and 54.1-201 of the Code of Virginia.

Effective Date: November 1, 1999.

Summary:

The amendments reduce the fees charged to regulants and applicants seeking licensure with the Board for Opticians.

Agency Contact: Copies of the regulation may be obtained from Nancy T. Feldman, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230-4917, telephone (804) 367-8590.

18 VAC 100-20-10. Qualifications of applicant.

A. Any person desiring to sit for the examination shall submit an application on a form provided by the board with the required examination fee of ~~\$80~~ \$55. All fees are nonrefundable and shall not be prorated.

B. Each applicant shall provide information on his application establishing that he:

1. Is at least 18 years of age;
2. Is a graduate of an accredited high school, or has completed the equivalent of grammar school and a four-year high school course, or is a holder of a certificate of general educational development;
3. Is in good standing as a licensed optician in every jurisdiction where licensed;
4. Has not been convicted in any jurisdiction of a misdemeanor involving moral turpitude, sexual offense, drug distribution or physical injury, or any felony. Any plea of nolo contendere shall be considered a conviction for the purposes of this subdivision. The record of a conviction authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such conviction; and
5. Has completed one of the following education requirements:

a. An approved two-year course in a school of opticianry, including the study of topics essential to qualify for practicing as an optician; or

b. A three-year apprenticeship with a minimum of one school year of related instruction or home study while registered in the apprenticeship program in accordance with the standards established by the State Department of Labor and Industry, Division of Apprenticeship Training and approved by the Board for Opticians.

18 VAC 100-20-40. Passing grade and reexamination.

The passing grade shall be 70% on the written section and 70% on the practical section of the examination.

1. An applicant who fails any section shall be required to be reexamined on that section and shall pay the required reexamination fee of ~~\$75~~ \$70.

2. Any applicant who fails to pass the previously failed section within the next two successively scheduled examinations will be required to take and pass the entire examination and pay the full initial examination fee.

18 VAC 100-20-50. Licensing of out-of-state opticians.

A. An out-of-state licensed optician seeking to be licensed as an optician in Virginia shall submit an application on a form provided by the board with the required fee of ~~\$80~~ \$55. All fees are nonrefundable and shall not be prorated.

B. The board, using the following standards, shall issue a license to any person licensed in another state who:

1. Has met requirements equivalent to those listed in 18 VAC 100-20-10; and
2. Has passed a substantially equivalent examination.

18 VAC 100-20-60. Endorsement to fit contact lenses; examination.

The board shall administer a contact lens examination to Virginia licensed opticians desiring to obtain an endorsement of "Contact Lens Competency" to fit contact lenses. The "Contact Lens Competency" endorsement shall be mandatory for opticians to fit contact lenses.

1. The applicant must achieve a passing score of 70% on the contact lens examination.

2. The fee for the contact lens examination or reexamination shall be ~~\$75~~ \$70. All fees are nonrefundable and shall not be prorated.

18 VAC 100-20-70. License renewal required.

A. Licenses issued under this chapter shall expire on December 31 of each even-numbered year. The Department of Professional and Occupational Regulation shall mail a renewal notice to the licensee outlining the procedures for renewal. Failure to receive this notice shall not relieve the licensee of the obligation to renew.

B. Each licensee applying for renewal shall return the renewal notice with a fee of ~~\$65~~ \$60 to the Department of Professional and Occupational Regulation no later than 5

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p.m. on the expiration date shown on the license. If the licensee fails to receive the renewal notice, a copy of the license may be submitted with the required fee.

C. Applicants for renewal of a license shall continue to meet the standards for entry set forth in subdivisions B 3 and 4 of 18 VAC 100-20-10.

D. The board may deny renewal of a license for the same reasons as it may refuse licensure.

NOTICE: The forms used in administering 18 VAC 100-20-10 et seq., Board for Opticians Regulations, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORMS

Application for Virginia Opticians License Application, OPT 1, ~~eff. 12/97~~ 11LIC (rev. 11/99).

Contact Lens Endorsement Application, 11CLEND (eff. 11/99).

Application for Reinstatement of Virginia Opticians License, OPT 2, (eff. 12/97).



Commonwealth of Virginia
 Department of Professional and Occupational Regulation
 3600 West Broad Street
 Post Office Box 11066
 Richmond, Virginia 23230-1066
 (804) 367-8509

Board for Opticians
 LICENSE APPLICATION
 Fee \$55.00

A check or money order payable to the TREASURER OF VIRGINIA, or a completed credit card insert must be mailed with your application package. APPLICATION FEES ARE NOT REFUNDABLE.

To obtain a Contact Lens Competency Endorsement, you must submit a separate Contact Lens Endorsement Application.

1. Name
 First _____ Middle _____ Last _____ Generation (SR, JR, III) _____

2. Social Security Number *
 [] [] [] - [] [] [] - [] [] []

3. Date of Birth _____

4. Street Address (PO Box not accepted) _____
 City, State, Zip Code _____

5. E-mail Address _____

6. Telephone & Facsimile Numbers
 Telephone () - () - () - () - () - ()
 Facsimile () - () - () - () - () - ()
 Beeper/Cellular () - () - () - () - () - ()

7. Do you hold a current or expired optician license, certification or registration issued by another state?
 No Yes
 If yes, list all the licenses, certificates, and registrations in the following table. Please attach a Certification of Good Standing, dated within the last 60 days, from each state.

State/Jurisdiction	License Number	Expiration Date

8. Have you passed the American Board for Opticianry (ABO) examination?
 No Yes If yes, please attach a copy of your current American Board of Opticianry certification.

9. Have you passed any other written examination administered by a state licensing board?
 No Yes If yes, please attach an official certification or pass notice from the state board to verify that you passed the examination.

OFFICE ONLY	DATE	FEE	CLASS OF FEE	LICENSE NUMBER	ISSUE DATE
				1101	

Commonwealth of Virginia
 Department of Professional and Occupational Regulation
 3600 West Broad Street
 Post Office Box 11066
 Richmond, Virginia 23230-1066
 (804) 367-8509



Board for Opticians
CONTACT LENS ENDORSEMENT APPLICATION
Fee \$70.00

A check or money order payable to the TREASURER OF VIRGINIA, or a completed credit card insert must be mailed with your application package. APPLICATION FEES ARE NOT REFUNDABLE.

1. Name _____
 First _____ Middle _____ Last _____ Generation (SR, JR, II) _____
2. Social Security Number * _____
3. Date of Birth _____
4. Street Address (PO Box not accepted) _____
 City, State, Zip Code _____
5. E-mail Address _____
6. Telephone & Facsimile Numbers _____
 Telephone _____ Facsimile _____ Beep/Cellular _____
7. Have you taken the National Contact Lens Registry Examination?
 No If no, the Virginia Board for Opticians will administer a contact lens examination to Virginia Licensed Opticians applying to obtain a Contact Lens Endorsement.
 Yes If yes, please attach a copy of your current certification.
8. I, the undersigned, certify that the foregoing statements and answers are true, and I have not suppressed any information that might affect the Board's decision to approve this application. I also certify that I understand, and have complied with, all the laws of Virginia related to optician licensure under the provisions of Title 54-1, Chapter 17 of the Code of Virginia and the Virginia Board for Opticians Rules and Regulations.

Signature _____ Date _____

* State law requires every applicant for a license, certificate, registration or other authorization to engage in a business, trade, profession or occupation issued by the Commonwealth to provide a social security number or a control number issued by the Virginia Department of Motor Vehicles.

OFFICE ONLY	DATE	CLASS OF FEE	LICENSE NUMBER	ISSUE DATE
			1101	

11CLEND (11/1/99)

Board for Opticians/CONTACT LENS END APP

10. Which education requirement are you using to qualify for a Virginia Optician License? Select only one.
 - Completion of a board-approved two-year course in a school of opticianry.
 School Name & Location _____ Date Enrolled _____ Date Completed _____
 - Completion of a board-approved three-year apprenticeship program registered with the Virginia Department of Labor and Industry. A copy of your Apprenticeship Completion Form must be included with your application package.
 Shop Name(s) & Location _____ Date Enrolled _____ Date Completed _____

Name of Apprenticeship Representative _____
 Signature of Apprenticeship Representative _____
 Date _____

11. Have you ever been subject to a disciplinary action imposed by any (including Virginia) local, state or national regulatory body?
 No Yes If yes, list the jurisdiction in which the disciplinary action took place and the license number. Provide an explanation of events, including a description of the disciplinary proceeding and the type of sanctions that were imposed (i.e., suspension, revocation, voluntary surrender of license, monetary penalty, fine, reprimand, etc.). Attach copies of any correspondence or documentation (including a copy of the final order, decree or case decision) related to this matter. If necessary, you may attach a separate sheet of paper.

12. A. Have you ever been convicted in any jurisdiction of any felony? Any guilty plea or plea of nolo contendere must be disclosed on this application. Do not disclose violations that were adjudicated as a minor in the juvenile court system.
 No Yes If yes, please provide the information requested in #12.C.
- B. Have you ever been convicted in any jurisdiction of any misdemeanor? Any guilty plea or plea of nolo contendere must be disclosed on this application. Do not disclose violations that were adjudicated as a minor in the juvenile court system.
 No Yes If yes, please provide the information requested in #12.C.
- C. If you answered "yes" to either question #12.A. or #12.B., list the felony and/or misdemeanor conviction(s). Attach a copy of all applicable criminal conviction, state police and court records; information on the current status of incarceration, parole, probation, etc.; and any other information you wish to have considered with this application (i.e., reference letters, documentation of rehabilitation, etc.). If necessary, you may attach a separate sheet of paper.

13. I, the undersigned, certify that the foregoing statements and answers are true, and I have not suppressed any information that might affect the Board's decision to approve this application. I will notify the Department if I am subject to any disciplinary action or convicted of any felony or misdemeanor charges (in any jurisdiction) prior to receiving the requested license. I certify that I understand, and have complied with, all the laws of Virginia related to optician licensure under the provisions of Title 54-1, Chapter 17 of the Code of Virginia and the Virginia Board for Opticians Rules and Regulations.

Signature _____ Date _____
 * State law requires every applicant for a license, certificate, registration or other authorization to engage in a business, trade, profession or occupation issued by the Commonwealth to provide a social security number or a control number issued by the Virginia Department of Motor Vehicles.

You must attach proof of your successful completion of high school or a high school equivalency course.

11LIC (11/1/99)

2 of 2

Board for Opticians/LIC APP

Final Regulations

BOARD OF PHARMACY

Title of Regulation: 18 VAC 110-20-10 et seq. Regulations Governing the Practice of Pharmacy (amending 18 VAC 110-20-10 and 18 VAC 110-20-140; adding 18 VAC 110-20-135, 18 VAC 110-20-690, 18 VAC 110-20-700, 18 VAC 110-20-710, and 18 VAC 110-20-720).

Statutory Authority: §§ 54.1-2400, 54.1-3307, 54.1-3423, 54.1-3434 and 54.1-3434.01 of the Code of Virginia.

Effective Date: October 13, 1999.

Summary:

The 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 or outpatient surgery centers, which may need to stock quantities of scheduled drugs.

Summary of Public Comments and Agency's Response: No public comments were received by the promulgating agency.

Agency Contact: Elizabeth Scott Russell, Board of Pharmacy, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911.

18 VAC 110-20-10. Definitions.

In addition to words and terms defined in §§ 54.1-3300 and 54.1-3401, the following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"ACPE" means the American Council on Pharmaceutical Education.

"Acquisition" of an existing entity permitted, registered or licensed by the board means (i) the purchase or transfer of all or substantially all of the assets of the entity or of any corporation that owns or controls the entity; (ii) the creation of a partnership by a sole proprietor or change in partnership composition; (iii) the acquiring of 50% or more of the outstanding shares of voting stock of a corporation owning the entity or of the parent corporation of a wholly owned subsidiary owning the entity, except that this shall not apply to any corporation the voting stock of which is actively traded on any securities exchange or in any over-the-counter market; or (iv) the merger of a corporation owning the entity, or of the parent corporation of a wholly owned subsidiary owning the entity, with another business or corporation.

"Aseptic processing" means the technique involving procedures designed to preclude contamination of drugs,

packaging, equipment, or supplies by microorganisms during processing.

"Beyond-use date" means the date beyond which the integrity of a compounded, repackaged, or dispensed drug can no longer be assured and as such is deemed to be adulterated or misbranded as defined in §§ 54.1-3461 and 54.1-3462 of the Code of Virginia.

"Board" means the Virginia Board of Pharmacy.

"CE" means continuing education as required for renewal of licensure by the Board of Pharmacy.

"CEU" means a continuing education unit awarded for credit as the equivalent of 10 contact hours.

"Class 100 environment" means an atmospheric environment which contains less than 100 particles, 0.5 microns in diameter, per cubic foot of air.

"Closed system transfer" means the movement of sterile products from one container to another in which the container-closure system and transfer devices remain intact throughout the entire transfer process, compromised only by the penetration of a sterile, pyrogen-free needle or cannula through a designated stopper or port to effect transfer, withdrawal, or delivery, to include the withdrawal of a sterile solution from an ampul in a class 100 environment.

"Compliance packaging" means packaging for dispensed drugs which is comprised of a series of containers for solid oral dosage forms and which is designed to assist the user in administering or self-administering the drugs in accordance with directions for use.

"Contact hour" means the amount of credit awarded for 60 minutes of participation in and successful completion of a continuing education program.

"Cytotoxic drug" means a drug which has the capability of killing living cells.

"Electronic transmission prescription" is any prescription, other than an oral or written prescription or a prescription transmitted by facsimile machine, that is electronically transmitted from a practitioner authorized to prescribe directly to a pharmacy without interception or intervention from a third party, or from one pharmacy to another pharmacy.

"Expiration date" means that date placed on a drug package by the manufacturer or repacker beyond which the product may not be dispensed or used.

"Facsimile (FAX) prescription" means a written prescription or order which is transmitted by an electronic device over telephone lines which sends the exact image to the receiver (pharmacy) in a hard copy form.

"Floor stock" means a supply of drugs which have been distributed for the purpose of general administration by a prescriber or other authorized person pursuant to a valid order of a prescriber.

"Foreign school of pharmacy" means a school outside the United States and its territories offering a course of study in basic sciences, pharmacology, and pharmacy of at least four

years in duration resulting in a degree that qualifies a person to practice pharmacy in that country.

"Generic drug name" means the nonproprietary name listed in the United States Pharmacopeia-National Formulary (USP-NF) or in the USAN and the USP Dictionary of Drug Names.

"Hermetic container" means a container that is impervious to air or any other gas under the ordinary or customary conditions of handling, shipment, storage, and distribution.

"Home infusion pharmacy" means a pharmacy which compounds solutions for direct parenteral administration to a patient in a private residence, long-term care facility or hospice setting.

"Hospital" or *"nursing home"* means those facilities as defined in Title 32.1 of the Code of Virginia or as defined in regulations by the Virginia Department of Health.

"Inactive license" means a license which is registered with the Commonwealth but does not entitle the licensee to practice, the holder of which is not required to submit documentation of CE necessary to hold an active license.

"Light-resistant container" means a container that protects the contents from the effects of light by virtue of the specific properties of the material of which it is composed, including any coating applied to it. Alternatively, a clear and colorless or a translucent container may be made light resistant by means of an opaque covering, in which case the label of the container bears a statement that the opaque covering is needed until the contents have been used. Where a monograph directs protection from light, storage in a light-resistant container is intended.

"Long-term care facility" means a nursing home, retirement care, mental care or other facility or institution which provides extended health care to resident patients.

"Nuclear pharmacy" means a pharmacy providing radiopharmaceutical services.

"Open-system transfer" means the combining of products in a nonsealed reservoir before filling or when a solution passes through the atmosphere during a transfer operation.

"Permitted physician" means a physician who is licensed pursuant to § 54.1-3304 of the Code of Virginia to dispense drugs to persons to whom or for whom pharmacy services are not reasonably available.

"Personal supervision" means the pharmacist must be physically present and render direct, personal control over the entire service being rendered or act being performed. Neither prior nor future instructions shall be sufficient nor, shall supervision rendered by telephone, written instructions, or by any mechanical or electronic methods be sufficient.

"Pharmacy closing" means that the permitted pharmacy ceases pharmacy services or fails to provide for continuity of pharmacy services or lawful access to patient prescription records or other required patient records for the purpose of continued pharmacy services to patients.

"Practice location" means any location in which a prescriber evaluates or treats a patient.

"Prescription department" means any contiguous or noncontiguous areas used for the compounding, dispensing and storage of all Schedule II through VI drugs and devices and any Schedule I investigational drugs.

"PTCB" means the Pharmacy Technician Certification Board, co-founded by the American Pharmaceutical Association and the American Society of Health System Pharmacists, as the national organization for voluntary examination and certification of pharmacy technicians.

"Radiopharmaceutical" means any article that exhibits spontaneous decay or disintegration of any unstable atomic nucleus, usually accompanied by the emission of ionizing radiation and any nonradioactive reagent kit or nuclide generator which is intended to be used in the preparation of any such article.

"Repackaged drug" means any drug removed from the manufacturer's original package and placed in different packaging.

"Safety closure container" means a container which meets the requirements of the federal Poison Prevention Packaging Act of 1970 (15 USC §§ 1471-1476), i.e., in testing such containers, that 85% of a test group of 200 children of ages 41-52 months are unable to open the container in a five-minute period and that 80% fail in another five minutes after a demonstration of how to open it and that 90% of a test group of 100 adults must be able to open and close the container.

"Satellite pharmacy" means a pharmacy which is noncontiguous to the centrally permitted pharmacy of a hospital but at the location designated on the pharmacy permit.

"Special packaging" means packaging that is designed or constructed to be significantly difficult for children under five years of age to open to obtain a toxic or harmful amount of the drug contained therein within a reasonable time and not difficult for normal adults to use properly, but does not mean packaging which all such children cannot open or obtain a toxic or harmful amount within a reasonable time.

"Special use permit" means a permit issued to conduct a pharmacy of a special scope of service that varies in any way from the provisions of any board regulation.

"Sterile pharmaceutical product" means a dosage form free from living microorganisms.

"Storage temperature" means those specific directions stated in some monographs with respect to the temperatures at which pharmaceutical articles shall be stored, where it is considered that storage at a lower or higher temperature may produce undesirable results. The conditions are defined by the following terms:

1. *"Cold"* means any temperature not exceeding 8°C (46°F). A refrigerator is a cold place in which temperature is maintained thermostatically between 2° and 8°C (36° and 46°F). A freezer is a cold place in

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which the temperature is maintained thermostatically between -20° and -10°C (-4° and 14°F).

2. "Room temperature" means the temperature prevailing in a working area.

3. "Controlled room temperature" is a temperature maintained thermostatically that encompasses the usual and customary working environment of 20° to 25°C (68° to 77°F); that results in a mean kinetic temperature calculated to be not more than 25°C; and that allows for excursions between 15° and 30°C (59° and 86°F) that are experienced in pharmacies, hospitals, and warehouses.

4. "Warm" means any temperature between 30° and 40°C (86° and 104°F).

5. "Excessive heat" means any temperature above 40°C (104°F).

6. "Protection from freezing" means where, in addition to the risk of breakage of the container, freezing subjects a product to loss of strength or potency, or to the destructive alteration of its characteristics, the container label bears an appropriate instruction to protect the product from freezing.

7. "Cool" means any temperature between 8° and 15°C (46° and 59°F).

"Terminally ill" means a patient with a terminal condition as defined in § 54.1-2982 of the Code of Virginia.

"Tight container" means a container that protects the contents from contamination by extraneous liquids, solids, or vapors, from loss of the drug, and from efflorescence, deliquescence, or evaporation under the ordinary or customary conditions of handling, shipment, storage, and distribution, and is capable of tight reclosure. Where a tight container is specified, it may be replaced by a hermetic container for a single dose of a drug and physical tests to determine whether standards are met shall be as currently specified in United States Pharmacopeia-National Formulary.

"Unit dose container" means a container that is a single-unit container, as defined in United States Pharmacopeia-National Formulary, for articles intended for administration by other than the parenteral route as a single dose, direct from the container.

"Unit dose package" means a container that contains a particular dose ordered for a patient.

"Unit dose system" means a system in which multiple drugs in unit dose packaging are dispensed in a single container, such as a medication drawer or bin, labeled only with patient name and location. Directions for administration are not provided by the pharmacy on the drug packaging or container but are obtained by the person administering directly from a prescriber's order or medication administration record.

"USP-NF" means the United States Pharmacopeia-National Formulary.

"Well-closed container" means a container that protects the contents from extraneous solids and from loss of the drug

under the ordinary or customary conditions of handling, shipment, storage, and distribution.

18 VAC 110-20-135. Change of hours in an existing pharmacy.

A notice for a change in the hours of operation shall be given to the public and to the board in accordance with § 54.1-3434 of the Code of Virginia unless the change is necessitated by emergency circumstances beyond the control of the pharmacist-in-charge or unless the change will result in an expansion of the current hours of operation. If the pharmacy is not able to post the changes 14 days in advance, as required by § 54.1-3434, the owner shall notify the board as soon as he knows of the change and disclose the emergency circumstances preventing the required notification.

18 VAC 110-20-140. New pharmacies, acquisitions and changes to existing pharmacies.

A. Any person wishing to open a new pharmacy, engage in the acquisition of an existing pharmacy, change the location of an existing pharmacy, or move the location or make structural changes to an existing prescription department shall file an application with the board.

B. In the acquisition of an existing pharmacy, if prescription records are to be accessible to anyone for purposes other than for continuity of pharmacy services at substantially the same level offered by the previous owner or for the necessary transfer of prescription records, the owner of the pharmacy acquiring the records shall disclose such information in writing to each patient 14 days prior to the acquisition. Such release of prescription records shall be allowed only to the extent authorized by § 32.1-127.1:03 of the Code of Virginia.

~~B-~~ C. The proposed location or structural changes shall be inspected by an authorized agent of the board prior to issuance of a permit.

1. Pharmacy permit applications which indicate a requested inspection date, or requests which are received after the application is filed, shall be honored provided a 14-day notice is allowed prior to the requested inspection date.

2. Requested inspection dates which do not allow a 14-day notice to the board may be adjusted by the board to provide 14 days for the scheduling of the inspection.

3. At the time of the inspection, the dispensing area shall comply with 18 VAC 110-20-150, 18 VAC 110-20-160, 18 VAC 110-20-170, 18 VAC 110-20-180, and 18 VAC 110-20-190 of this chapter.

~~C-~~ D. Upon completion of the inspection, the executive director of the board shall review the findings of the inspection. Drugs shall not be stocked within the proposed pharmacy or moved to a new location until approval is granted or the permit is issued by the executive director of the board or his designee.

PART XVI.
CONTROLLED SUBSTANCES REGISTRATION FOR
OTHER PERSONS OR ENTITIES.

18 VAC 110-20-690. Persons or entities authorized or required to obtain a controlled substances registration.

A. A person or entity which maintains or intends to maintain a supply of Schedule II through Schedule VI controlled substances, other than manufacturers' samples, in order to administer such drugs in accordance with provisions of the Drug Control Act (§ 54.1-3400 et seq. of the Code of Virginia) may apply for a controlled substances registration on forms approved by the board.

B. Persons or entities which may be registered by the board shall include, but not be limited to, hospitals without in-house pharmacies, ambulatory surgery centers, outpatient clinics, and emergency medical services agencies provided such persons or entities are otherwise authorized by law and hold required licenses or appropriate credentials to administer the drugs for which the registration is being sought.

C. In determining whether to register an applicant, the board shall consider factors listed in subsections A and D of § 54.1-3423 of the Code of Virginia and compliance with applicable requirements of this chapter.

D. The board may require a person or entity to obtain a controlled substances registration upon a determination that Schedule II through VI controlled substances have been obtained and are being used as common stock by multiple practitioners and that one or more of the following factors exist:

1. A federal, state, or local government agency has reported that the person or entity has made large purchases of controlled substances in comparison with other persons or entities in the same classification or category.
2. The person or entity has experienced a diversion, theft, or other unusual loss of controlled substances which requires reporting pursuant to § 54.1-3404 of the Drug Control Act.
3. The person or entity has failed to comply with recordkeeping requirements for controlled substances.
4. The person or entity or any other person with access to the common stock has violated any provision of federal, state, or local law or regulation relating to controlled substances.

18 VAC 110-20-700. Requirements for supervision for controlled substances registrants.

A. A practitioner licensed in Virginia shall provide supervision for all aspects of practice related to the maintenance and use of controlled substances as follows:

1. In a hospital without an in-house pharmacy, a pharmacist shall supervise.
2. In an emergency medical services agency, the operational medical director shall supervise.

3. For any other person or entity approved by the board, a practitioner of pharmacy, medicine, osteopathy, podiatry, dentistry, or veterinary medicine whose scope of practice is consistent with the practice of the person or entity and who is approved by the board shall provide the required supervision.

B. The supervising practitioner shall approve the list of drugs which may be ordered by the holder of the controlled substances registration; possession of controlled substances by the entity shall be limited to such approved drugs. The list of drugs approved by the supervising practitioner shall be maintained at the address listed on the controlled substances registration.

C. Access to the controlled substances shall be limited to the supervising practitioner or to those persons who are authorized by the supervising practitioner and who are authorized by law to administer drugs in Virginia or to other such persons as designated to have access in an emergency situation.

D. The supervising practitioner shall establish procedures for and provide training as necessary to ensure compliance with all requirements of law and regulation, including, but not limited to, storage, security, and recordkeeping.

18 VAC 110-20-710. Requirements for storage and security for controlled substances registrants.

A. Drugs shall be stored under conditions which meet USP-NF specifications or manufacturers' suggested storage for each drug.

B. Any drug which has exceeded the expiration date shall not be administered; it shall be separated from the stock used for administration and maintained in a separate, locked area until properly disposed.

C. If a controlled substances registrant wishes to dispose of unwanted or expired Schedule II through VI drugs, he shall transfer the drugs to another person or entity authorized to possess and to provide for proper disposal of such drugs.

D. Drugs shall be maintained in a lockable cabinet, cart, device or other area which shall be locked at all times when not in use. The keys or access code shall be restricted to the supervising practitioner and persons designated access in accordance with 18 VAC 110-20-700 C.

E. In a facility not staffed 24 hours a day, the drugs shall be stored in a fixed and secured room, cabinet or area which has a security device for the detection of breaking which meets the following conditions:

1. The device shall be a sound, microwave, photoelectric, ultrasonic, or any other generally accepted and suitable device.
2. The installation shall be hard wired and both the installation and device shall be based on accepted burglar alarm industry standards.
3. The device shall be maintained in operating order and shall have an auxiliary source of power.

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4. *The device shall fully protect all areas where prescription drugs are stored and shall be capable of detecting breaking by any means when activated.*

5. *Access to the alarm system shall be restricted to only designated and necessary persons, and the system shall be activated whenever the drug storage areas are closed for business.*

18 VAC 110-20-720. Requirements for recordkeeping.

The person named as the responsible party on the controlled substances registration shall be responsible for recordkeeping for Schedule II through VI drugs in accordance with provisions of § 54.1-3404 of the Code of Virginia and the following:

1. *Inventories and administration records of Schedule II drugs shall be maintained separately from all other records and shall be kept in chronological order by date of administration.*

2. *All records shall be maintained at the same location as listed on the controlled substances registration or, if maintained in an off-site database, retrieved and made available for inspection or audit within 48 hours of a request by the board or an authorized agent.*

3. *In the event that an inventory is taken as the result of a theft of drugs, the inventory shall be used as the opening inventory within the current biennial period. Such an inventory does not preclude the taking of the required inventory on the required biennial inventory date. All inventories required by § 54.1-3404 of the Code of Virginia shall be signed and dated by the person taking the inventory and shall indicate whether the inventory was taken prior to the opening or after the close of business on that date. An entity which is open 24 hours a day shall clearly document whether the receipt or distribution of drugs on the inventory date occurred before or after the inventory was taken.*

4. *Any computerized system used to maintain records shall also provide retrieval via computer monitor display or printout of the history for drugs administered during the past two years. It shall also have the capacity of producing a printout of any data which the registrant is responsible for maintaining under the Drug Control Act (§ 54.1-3400 et seq. of the Code of Virginia).*

NOTICE: The forms used in administering 18 VAC 110-20-10 et seq., Regulations Governing the Practice of Pharmacy, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Department of Health Professions, Southern States Building, 6606 West Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

FORMS

Application for Registration as a Pharmacy Intern (rev. 12/98).

Affidavit of Practical Experience, Pharmacy Intern (rev. 12/98).

Application for Licensure as a Pharmacist by Examination (rev. 12/98).

Application to Reactivate Pharmacist License (rev. 12/98).

~~Instructions for Filing an Application for Approval of Continuing Pharmacy Education Program (rev. 6/97).~~

Application for Approval of a Continuing Education Program (rev. 6/97 3/99).

Application for Approval of ACPE Pharmacy School Course(s) for Continuing Education Credit (eff. 3/99).

Application for License to Dispense Drugs (*permitted physician*) (rev. 11/98).

Application for a Pharmacy Permit (rev. 40/98 3/99).

Application for a Non-Resident Pharmacy Registration (rev. 12/98).

Application for a Permit as a Medical Equipment Supplier (rev. 44/98 3/99).

Application for a Permit as a Restricted Manufacturer (rev. 42/98 3/99).

Application for a Permit as a Non-Restricted Manufacturer (rev. 42/98 3/99).

Application for a Permit as a Warehouse (rev. 44/98 3/99).

Application for a License as a Wholesale Distributor (rev. 42/98 3/99).

Application for a Non-Resident Wholesale Distributor Registration (rev. 42/98 3/99).

Application for a Controlled Substances Registration Certificate for ~~Non-Practitioners~~ (rev. 6/97 1/99).

~~Application for Reinstatement of Controlled Substances Registration Certificate for Non-Practitioners (rev. 6/97).~~

Application for Controlled Substances Registration Certificate for Optometrists (eff. 12/98).

Renewal Notice and Application; ~~C-45128, C-47005~~ (rev. 7/97).

Renewal Notice and Application; ~~C-46214, C-47533~~ (rev. 7/97).

Renewal Notice and Application; ~~C-46216, C-48130~~ (rev. 7/97).

Application to Reinstate a Pharmacist License (rev. 42/98 3/99).

~~Application for Reinstatement of a Permit (rev. 12/98).~~

Application for a Permit as a Humane Society (rev. 44/98 3/99).

Application for Registration as a Pharmacy Intern for Graduates of a Foreign College of Pharmacy (rev. 12/98).

~~Instructions for Graduates of Foreign Schools of Pharmacy (rev. 6/97).~~

Closing of a Pharmacy (rev. 6/97 3/99).

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 C 9 of the Code of Virginia, which exempts regulations of the regulatory boards served by the Department of Professional and Occupational Regulation pursuant to Title 54.1 which are limited to reducing fees charged to regulants and applicants. The Department of Professional and Occupational Regulation will receive, consider and respond to petitions by any interested person with respect to reconsideration or revision.

		financial institution
Examination	\$75	With application
Reexamination	\$75	With approval letter
Renewal	\$25 \$15	Up to one calendar month after the expiration date on license
Reinstatement	\$100 \$50	One to six calendar months after the expiration date on license
Duplicate Wall Certificate	\$25	With written request

Title of Regulation: 18 VAC 120-30-10 et seq. Regulations Governing Polygraph Examiners (amending 18 VAC 120-30-100).

Statutory Authority: §§ 54.1-113, 54.1-201 and 54.1-1802 of the Code of Virginia.

Effective Date: November 1, 1999.

Summary:

The amendments reduce the fees charged to regulants and applicants seeking licensure as polygraph examiners with the Department of Professional and Occupational Regulation.

Agency Contact: Copies of the regulation may be obtained from Nancy T. Feldman, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230-4917, telephone (804) 367-8590.

18 VAC 120-30-100. Fees.

A. All application fees for licenses and registrations are nonrefundable and shall not be prorated. The date of receipt by the department is the date which will be used to determine whether or not the fee is on time.

B. Application and examination fees must be submitted with the application for licensure. All other fees are discussed in greater detail in later sections of this chapter.

C. In the event that a check, money draft, or similar instrument for payment of a fee required by statute or regulation is not honored by the bank or financial institution named, the applicant or regulant shall be required to remit fees sufficient to cover the original fee, plus the additional processing charge shown below.

D. The following fees listed in the table apply:

Fee Type	Amount	When Due
Application for Examiner's license	\$75 \$45	With application
Application for Intern Registration	\$25 \$20	With application
Dishonored Check	\$25	Upon notification by

NOTICE: The forms used in administering 18 VAC 120-30-10 et seq., Regulations Governing Polygraph Examiners, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORMS

License Exam Application/Internship Completion Form (~~POLYEXAPP~~), ~~12/97~~, 16EXINT (eff. 11/99).

License/Intern Application (~~POLYAPP~~), ~~12/97~~, 16LIC (eff. 11/99).

Polygraph School Curriculum Approval Application (~~POLYSCHL~~), (12/97).

Supervisor Endorsement Form (~~POLYSEND~~), (12/97).

Commonwealth of Virginia
 Department of Professional and Occupational Regulation
 3600 West Broad Street
 Post Office Box 11066
 Richmond, Virginia 23230-1066
 (804) 367-8509



**Polygraph Examiners Advisory Board
 LICENSE EXAM APPLICATION/INTERNSHIP COMPLETION FORM**
 Fee \$45.00

Instructions:

- Section A:** The applicant must complete this section.
Section B: The intern supervisor must complete this section. This supervisor must be the same individual who signed the Supervisor Endorsement Form that was submitted with the applicant's original License/Intern Application.

Section A

1. Name First _____ Middle _____ Last _____ Generation (SR, JR, III) _____

2. Social Security Number * _____ - _____ - _____

3. Date of Birth _____ - _____ - _____

4. Street Address (PO Box not accepted) _____
 City, State, Zip Code _____

5. Examination Date Requested _____

6. Signature _____ Date _____

* See attached examination schedule.

Section B

Supervisor's Name First _____ Middle _____ Last _____ Generation (SR, JR, III) _____

Supervisor's Business Address _____
 City, State, Zip Code _____

Telephone & Facsimile Numbers Telephone _____ Facsimile _____
 Beeper/Cellular _____

Dates of Internship From _____ To _____

I, the undersigned, certify that the above-named applicant has successfully completed a Polygraph Examiner Internship during a period of at least six months. I certify that during this internship, I provided personal and direct on-premise supervision of the intern and reviewed all the intern's charts prior to rendering any opinion or conclusion on any polygraph examination administered by the intern.

Signature

 * State law requires every applicant for a license, certificate, registration or other authorization to engage in a business, trade, profession or occupation issued by the Commonwealth to provide a social security number or a control number issued by the Virginia Department of Motor Vehicles.

ISSUE DATE ONLY	DATE	FEE	CLASS OF FEE	LICENSE NUMBER	ISSUE DATE
				1601	

16EXINT (11/199)

Polygraph Examiners Advisory Board/EXAM APP & INTERN FORM

Commonwealth of Virginia
 Department of Professional and Occupational Regulation
 3600 West Broad Street
 Post Office Box 11066
 Richmond, Virginia 23230-1066
 (804) 367-8509



**Polygraph Examiners Advisory Board
 LICENSE/INTERN APPLICATION**

A check or money order payable to the **TREASURER OF VIRGINIA**, or a completed credit card insert must be mailed with your application package. **APPLICATION FEES ARE NOT REFUNDABLE.**

Select the one license/registration you are requesting.

Type of License	Fee
Polygraph Examiner License	\$ 45.00 <input type="checkbox"/>
Intern Examiner Registration	\$ 20.00 <input type="checkbox"/>

To obtain a polygraph examiner license or intern examiner registration, your application package must include:

- A complete and legible application;
- Two completed fingerprint cards (available from the Department of Professional and Occupational Regulation);
- An official school transcript verifying your high school or college education (if applicable);
- An official school transcript or training certificate from a Department-approved polygraph school (if applicable);
- For reciprocity applicants, Certifications of Good Standing from each state in which you hold a current polygraph examiner license, certification, or registration; and
- For intern applicants, a completed Supervisor Endorsement Form.

1. Name First _____ Middle _____ Last _____ Generation (SR, JR, III) _____

2. Social Security Number * _____ - _____ - _____

3. Date of Birth _____ - _____ - _____

4. Street Address (PO Box not accepted) _____
 City, State, Zip Code _____

5. E-mail Address _____

6. Telephone & Facsimile Numbers Telephone _____ Facsimile _____
 Beeper/Cellular _____

7. Do you have an expired polygraph examiner license issued by the Virginia Polygraph Advisory Board?
 No Yes VA License Number 1 6 0 1 Expiration Date _____

8. Are you applying for a Virginia Intern Examiner Registration?
 No Yes If yes, please include a completed Supervisor Endorsement Form with your application package.

ISSUE DATE ONLY	DATE	FEE	CLASS OF FEE	LICENSE NUMBER	ISSUE DATE
				1601	

16LIC (11/199)

Polygraph Examiners Advisory Board/LIC & INTERN APP

1 of 3

13. Complete the following table to document the required experience. If necessary, attach a separate sheet of paper. Please include a letter from each employer to verify all experience entries.

Starting Date	Ending Date	Employer's Name and Address	Description of Duties	Supervisor's Name and Title

14. Name and location of the polygraph school where you completed the required training in detection of deception.

*** Please attach an official school transcript or training certificate to your application package.**

15. Have you received training from the federal government and/or United States military and administered polygraph examination as a federal employee or member of the military?

- No Yes

By signing this application, you acknowledge that if you are not a Virginia resident, or move outside of Virginia while you hold a Virginia Polygraph Examiner License, you understand that this application serves as a written power of attorney, whereby you appoint the Director of the Department of Professional and Occupational Regulation, and his/her successors in office, to be your true and lawful agent and attorney-in-fact, in your stead, upon whom all legal process against and notice to you may be served and who is hereby authorized to enter an appearance in your behalf in any case or proceedings arising out of the trade or profession practiced; and that by submitting this application you hereby agree that any legal process against you which is duly served on said agent and attorney-in-fact shall be of the same legal force and validity as if served upon you.

16. I, the undersigned, certify that the foregoing statements and answers are true, and I have not suppressed any information that might affect the Board's decision to approve this application. I will notify the Department if I am subject to any disciplinary action or convicted of any felony or misdemeanor charges (in any jurisdiction) prior to receiving the requested license. I certify that I read, understand, and have complied with all the laws of Virginia related to polygraph examiner licensure under the provisions of Title 54.1, Chapter 18 of the Code of Virginia and the Virginia Polygraph Examiners Rules and Regulations.

Signature _____ Date _____
 Notarization _____
 In the State of _____, City/County of _____, subscribed and sworn before me,
 the undersigned Notary Public in and for the City/County aforesaid this _____ day of _____,
 My commission expires the _____ day of _____.
 Affix official seal here. _____
 Signature of Notary Public _____

* State law requires every applicant for a license, certificate, registration or other authorization to engage in a business, trade, profession or occupation issued by the Commonwealth to provide a social security number or a control number issued by the Virginia Department of Motor Vehicles.

9. Have you ever been subject to a disciplinary action imposed by any (including Virginia) local, state or national regulatory body?

- No Yes If yes, list the jurisdiction in which the disciplinary action took place and the license number. Provide an explanation of events, including a description of the disciplinary proceeding and the type of sanctions that were imposed (i.e., suspension, revocation, voluntary surrender of license, monetary penalty, fine, reprimand, etc.). Attach copies of any correspondence or documentation (including a copy of the final order, decree or case decision) related to this matter. If necessary, you may attach a separate sheet of paper.

10. A. Have you ever been convicted in any jurisdiction of any felony? Any guilty plea or plea of nolo contendere must be disclosed on this application. Do not disclose violations that were adjudicated as a minor in the juvenile court system.

- No Yes If yes, please provide the information requested in #10.C.

B. Have you ever been convicted in any jurisdiction of any misdemeanor? Any guilty plea or plea of nolo contendere must be disclosed on this application. Do not disclose violations that were adjudicated as a minor in the juvenile court system.

- No Yes If yes, please provide the information requested in #10.C.

C. If you answered "yes" to either question #10.A. or #10.B., list the felony and/or misdemeanor conviction(s). Attach a copy of all applicable criminal conviction, state police and court records; information on the current status of incarceration, parole, probation, etc.; and any other information you wish to have considered with this application (i.e., reference letters, documentation of rehabilitation, etc.). If necessary, you may attach a separate sheet of paper.

11. Do you have a current polygraph examiner license, certification, or registration issued by another state?

- No Yes If yes, list all the licenses, certificates, and registrations in the following table and attach a Certification of Licensure/Letter of Good Standing, dated within the last 60 days from each state. Skip to question #16.

State/Jurisdiction	License Number	Expiration Date

12. Indicate the highest level of education you have completed. Select only one.

- High School or GED At least 5 years of experience (as an investigator, a detective, or in a field that demonstrates your ability to practice polygraphy) is required.
 Associate Degree At least 3 years of experience (as an investigator, a detective, or in a field that demonstrates your ability to practice polygraphy) is required.
 Bachelors Degree No additional experience is required. Skip to Question #14.

Name & Location of Educational Institution _____
 Attach an official school transcript or degree verification _____

Final Regulations

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 C 9 of the Code of Virginia, which exempts regulations of the regulatory boards served by the Department of Professional and Occupational Regulation pursuant to Title 54.1 which are limited to reducing fees charged to regulants and applicants. The Board for Waterworks and Wastewater Works Operators will receive, consider and respond to petitions by any interested person with respect to reconsideration or revision.

Title of Regulation: 18 VAC 160-20-10 et seq. Board for Waterworks and Wastewater Works Operators Regulations (amending 18 VAC 160-20-40).

Statutory Authority: §§ 54.1-113, 54.1-201 and 54.1-2301 of the Code of Virginia.

Effective Date: November 1, 1999.

Summary:

The amendments reduce fees charged to applicants for licensure, license renewal, and late license renewal as a waterworks or wastewater works operator.

Agency Contact: Copies of the regulation may be obtained from Thomas Perry, Board for Waterworks and Wastewater Works Operators, 3600 West Broad Street, Richmond, VA 23230-4917, telephone (804) 367-8507.

18 VAC 160-20-40. Fees.

Fees are nonrefundable and shall not be prorated.

The following fees shall apply:

1. Application for licensure by examination or by reciprocity ~~\$95~~ \$85.
2. Application for reexamination \$75.
3. Renewal of license ~~\$55~~ \$45.
4. Penalty for failure to renew license within 30 days of expiration ~~\$55~~ \$25.

NOTICE: The forms used in administering 18 VAC 160-20-10 et seq., Board for Waterworks and Wastewater Works Operators Regulations, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORMS

License Application, 19LIC (eff. 11/99).

Re-Examination Application, 19REEX (eff. 4/99).

Application for Training Course Approval, 19CRS (eff. 11/98).

Commonwealth of Virginia
 Department of Professional and Occupational Regulation
 3600 West Broad Street
 Post Office Box 110666
 Richmond, Virginia 23230-1066
 (804) 367-8505



**Board for Waterworks and Wastewater-Works Operators
 LICENSE APPLICATION
 Fee \$85.00**

A check or money order payable to the TREASURER OF VIRGINIA, or a completed credit card last name that be mailed with your application package. APPLICATION FEES ARE NOT REFUNDABLE.

Waterworks Operator	Wastewater Works Operator
Class I 1901 <input checked="" type="checkbox"/>	Class I 1909 <input checked="" type="checkbox"/>
Class II 1902 <input type="checkbox"/>	Class II 1910 <input type="checkbox"/>
Class III 1903 <input type="checkbox"/>	Class III 1911 <input type="checkbox"/>
Class IV 1904 <input type="checkbox"/>	Class IV 1912 <input type="checkbox"/>
Class V 1917 <input type="checkbox"/>	

Select the one license you are requesting.

- Name: First Middle Last Generation (SR, JR, III)
- Social Security Number +
- Date of Birth
- Street Address (PO Box not accepted)
 City, State, Zip Code
- E-mail Address
- Telephone & Facsimile Numbers: Telephone Facsimile Beeper/Cellular
- Do you have a current or expired Virginia Waterworks or Wastewater Works Operator License?
 No Yes

Waterworks	License Number	Wastewater Works	License Number
Class I 1 9 0 1		Class I 1 9 0 9	
Class II 1 9 0 2		Class II 1 9 1 0	
Class III 1 9 0 3		Class III 1 9 1 1	
Class IV 1 9 0 4		Class IV 1 9 1 2	
Class V 1 9 1 7			

OFFICE ONLY	DATE	CLASS #/FEE	LICENSE NUMBER	ISSUE DATE

18/IC (11/189) 1 of 3 Board for Waterworks & Wastewater Works Operators/LC APP

- Have you ever been subject to a disciplinary action imposed by any (including Virginia) local, state or national regulatory body?
 No Yes
 If yes, list the name of the jurisdiction in which the disciplinary action took place and the license number. Provide an explanation of events, including a description of the disciplinary proceeding and the type of sanctions that were imposed (i.e., suspension, revocation, voluntary surrender of license, monetary penalty, fine, reprimand, etc.). Attach copies of any correspondence or documentation (including a copy of the final order, decree or case decision) related to this matter. If necessary, you may attach a separate sheet of paper.

- Have you ever been convicted in any jurisdiction of any felony? Any guilty plea or plea of nolo contendere must be disclosed on this application. Do not disclose violations that were adjudicated as a minor in the juvenile court system.
 No Yes If yes, please provide the information requested in #9.C.

- Have you ever been convicted in any jurisdiction of any misdemeanor? Any guilty plea or plea of nolo contendere must be disclosed on this application. Do not disclose violations that were adjudicated as a minor in the juvenile court system.
 No Yes If yes, please provide the information requested in #9.C.

- If you answered "yes" to either question #9.A. or #9.B., list the felony and/or misdemeanor conviction(s). Attach a copy of all applicable criminal conviction, state police and court records; information on the current status of incarceration, parole, probation, etc.; and any other information you wish to have considered with this application (i.e., reference letters, documentation of rehabilitation, etc.). If necessary, you may attach a separate sheet of paper.

- Do you have a waterworks or wastewater works operator license, certification or registration issued by another state?
 No Yes
 If yes, list all the licenses, certificates and registrations in the following table and attach a Certification of Licensure/Letter of Good Standing, dated within the last 60 days from each state. Skip to Question #15.

State/Jurisdiction	License Number	Expiration Date

- Indicate the highest level of education you have completed. Check only one.
 High School or GED Skip to #13.
 Associate Degree
 Bachelors Degree
 Name & Location of Educational Institution _____

Attach an official school transcript or degree verification.

18/IC (11/189) 2 of 3 Board for Waterworks & Wastewater Works Operators/LC APP

Commonwealth of Virginia
 Dept. of Professional and Occupational Regulation
 3600 West Broad Street
 Post Office Box 11066
 Richmond, Virginia 23230-1066
 (804) 367-6593



**Board for Waterworks and Wastewater Works Operators
 RE-EXAMINATION APPLICATION
 Fee \$75.00**

A check or money order payable to the **TREASURER OF VIRGINIA**, or a completed credit card insert must be mailed with your application package. **APPLICATION FEES ARE NOT REFUNDABLE.**

Waterworks Operator	Wastewater Works Operator
Class I 1901 <input type="checkbox"/>	Class I 1909 <input checked="" type="checkbox"/>
Class II 1902 <input type="checkbox"/>	Class II 1910 <input type="checkbox"/>
Class III 1903 <input type="checkbox"/>	Class III 1911 <input type="checkbox"/>
Class IV 1904 <input type="checkbox"/>	Class IV 1912 <input type="checkbox"/>
Class V 1917 <input type="checkbox"/>	

- Name: First Middle Last Generation (SR, JR, III)
- Social Security Number *
- Date of Birth
- Home Address
- City, State, Zip Code
- Business Address
- City, State, Zip Code
- Which address should be used for mailing information?
 Examination results will be mailed approximately 4 to 6 weeks following the examination.
 Home Address
 Business Address
 E-mail Address
- Telephone & Facsimile Numbers
 Telephone () - () - () - () - ()
 Facsimile () - () - () - () - ()
 Beeper/Cellular
- Date of your last examination
- Requested examination location
 Northern Virginia - Reston
 Central Virginia - Richmond
 Tidewater Virginia - Suffolk
 Western Virginia - Roanoke
 Southwest Virginia - Abingdon
- Signature Date

* State law requires every applicant for a license, certificate, registration or other authorization to engage in a business, trade, profession or occupation issued by the Commonwealth to provide a social security number or a control number issued by the Virginia Department of Motor Vehicles.

OFFICE USE ONLY	DATE	FEE	CLASS OF FEE	LICENSE NUMBER	ISSUE DATE
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19REEX (4/93) Board for Waterworks & Wastewater Works Operators RE-EXAM APP

12. Do you hold a bachelor's degree in engineering, engineering technology, physical science, biological science, or chemical science?
 No Yes If yes, skip to #14.

13. Have you completed any formal education courses at a post-secondary level in physical, biological or chemical science; engineering or engineering technology; waterworks or wastewater works operator; or public health?
 No Yes If yes, attach an official school transcript or course verification.

14. Have you obtained any specialized training credits? Please refer to the list of Virginia Approved Specialized Training Programs/Courses (included in your application package) for a list of accepted training.
 No Yes If yes, attach all Training Certificates that identify the subject matter and number of training credits received.

15. I, the undersigned, certify that the foregoing statements and answers are true, and I have not suppressed any information that might affect the Board's decision to approve this application. I certify that I will notify the Department if I am subject to any disciplinary action; or convicted of any felony or misdemeanor charges (in any jurisdiction) prior to receiving my license. I also certify that I understand, and have complied with, all the laws of Virginia related to Waterworks and Wastewater Works Operators under the provisions of Title 54.1, Chapter 23 of the Code of Virginia and the Virginia Board for Waterworks and Wastewater Works Operators Rules and Regulations.

Signature Date

* State law requires every applicant for a license, certificate, registration or other authorization to engage in a business, trade, profession or occupation issued by the Commonwealth to provide a social security number or a control number issued by the Virginia Department of Motor Vehicles.

Additional Information

You must attach completed and signed Experience Verification Forms to document the required years of experience for the category and classification you are requesting based on your educational (formal and occupational training) background.

19/LC (11/1999)

Board for Waterworks & Wastewater Works Operators/LIC APP

3 of 3

Commonwealth of Virginia
 Dept. of Professional and Occupational Regulation
 3600 West Broad Street
 Post Office Box 11086
 Richmond, Virginia 23220-1086
 (804) 367-8505



**Board for Waterworks and Wastewater Works Operators
 APPLICATION FOR TRAINING COURSE APPROVAL**

A check or money order payable to the TREASURER OF VIRGINIA, or a completed credit card insert must be mailed with your application package. APPLICATION FEES ARE NOT REFUNDABLE.

- To obtain board approval of your waterworks and wastewater works operator specialized training course, your application package must include the following documentation:
- * Audio-visual support materials
 - * Course and instructor evaluation form
 - * Course objectives
 - * Course outline (hour by hour detail including breaks)
 - * Course reference materials
 - * Handouts
 - * Instructor resume(s)
 - * Sample of Certificate of Course Completion

1. Name of Training Provider/Sponsor _____
2. Federal Employer Identification Number _____
3. Street Address (PO Box not accepted) _____
 City, State, Zip Code _____
4. E-mail Address _____
5. Telephone & Facsimile Numbers
 Telephone () - () - () - () - _____
 Facsimile () - () - () - () - _____
 Beeper/Cellular _____
6. Name & Title of Contact Person _____
7. Course Title _____
8. Will this course be offered more than one time?
 No Scheduled course date _____
 Yes Scheduled course dates _____
9. Location(s) where course will be taught. _____
10. Instructor(s) information

Instructor's Name	Title	Employer	Phone Number
			() - () -
			() - () -
			() - () -

11. How will satisfactory completion of this course be determined? Please check all that apply.

- Attendance
- Examination
- Site visits
- Skill demonstrations
- Other

12. Contact Person's Signature _____ Date _____

19CRS (11/99)

Board for Waterworks & Wastewater Works Operators/CRS APP

VA.R. Doc. No. R99-264; Filed August 18, 1999, 3:09 p.m.

THE LEGISLATIVE RECORD

The Legislative Record is available on the Internet at <http://dls.state.va.us/legrec99.htm>

GENERAL NOTICES/ERRATA

DEPARTMENT OF CONSERVATION AND RECREATION

Notice of Public Comment Period York Tributary Strategy Plan

Pursuant to the Tributary Plan Act (§§ 2.1-51.12:1 through 2.1-51.12:3 of the Code of Virginia), agencies of the Secretariat of Natural Resources have prepared a Draft York River and Lower York Coastal Basins Final Tributary Nutrient Reduction Strategy Plan.

On behalf of the Secretary of Natural Resources, the Department of Conservation and Recreation will receive for 30 days, from September 20, 1999, through October 20, 1999, at 5 p.m., written comments relating to the nutrient and sediment reduction goals, caps, and related management measures in the strategy plan document. Comments should be addressed to Darryl M. Glover, Department of Conservation and Recreation, York Watershed Office, P.O. Box 1425, Tappahannock, Virginia 23560. Comments may also be submitted by FAX to (804) 443-4534, or by e-mail to DMG@dcr.state.va.us. A copy of the strategy may be obtained via mail by calling (804) 443-6752 or by writing to the above address.

STATE CORPORATION COMMISSION

Bureau of Insurance

August 24, 1999

Administrative Letter 1999-8

TO: All Companies Licensed under Chapter 11, 12, 25, 26, 42, 43, 44, 45 or 46 of Title 38.2 or Licensed as a Property or Casualty Insurer under Chapter 10 of Title 38.2 of the Code of Virginia.

RE: Actuarial Opinion Submissions in Company Annual Statements

The purpose of this letter is to replace Administrative Letter 1992-19 effective for Annual Statement filings for all years ended December 31, 1999, or thereafter.

Subject to the provisions of this letter, the Annual Statement submissions of all those companies identified above must contain the opinion of a qualified actuary regarding the adequacy of policy and claim reserves, including any loss adjustment expense reserves, and any other actuarial items established for all lines of business written or reinsured by the company. This actuarial opinion filing is being required pursuant to §§ 38.2-1109, 38.2-1203, 38.2-1300, 38.2-1301, 38.2-2506, 38.2-2613, 38.2-4214, 38.2-4307, 38.2-4408, 38.2-4509, and 38.2-4602 of Title 38.2 of the Code of Virginia.

Who Must Comply

All property and casualty insurers licensed to do business in Virginia under Chapter 10 of Title 38.2 of the Code of Virginia and all other companies licensed to do business under the

following chapters of Title 38.2 must file an opinion by a qualified actuary in their Annual Statement submissions to the Commission, subject to the limitations and/or exemptions stated in this letter:

- a) Chapter 11 - Captive Insurers.
- b) Chapter 12 - Reciprocal Insurance.
- c) Chapter 25 - Mutual Assessment Property and Casualty Insurers – provided they have:
 - i) 500 members, and
 - ii) \$500,000 of assessments received during a calendar year.
- d) Chapter 26 - Home Protection Companies.
- e) Chapter 42 - Health Services Plans.
- f) Chapter 43 - Health Maintenance Organizations.
- g) Chapter 44 - Legal Services Plans.
- h) Chapter 45 - Dental or Optometric Services Plans.
- i) Chapter 46 - Title Insurance.

Definitions

The following terms as stated in this letter shall have the following meanings:

- a) Annual Statement means the annual financial statement (including all schedules, exhibits, addenda and attachments) required of HMO's pursuant to § 38.2-4307 and of other licensed companies pursuant to § 38.2-1300 of the Code of Virginia.
- b) Qualified actuary means either:
 - i) an individual who is a member in good standing of the American Academy of Actuaries and is qualified to sign statements of actuarial opinion in accordance with the American Academy of Actuaries Qualification Standards for actuaries signing such statements; or
 - ii) an individual acceptable to the Commission who is either a Fellow or an Associate by examination of the Society of Actuaries or the Casualty Actuarial Society.

The qualified actuary shall be appointed by the Board of Directors, or its equivalent, or by a committee of the Board, by December 31 of the calendar year for which the opinion is rendered. Whenever the appointed actuary is replaced by the Board of Directors, the company promptly shall notify the Commission, in writing, and give reasons for the replacement. The appointed actuary must present a report to the Board of Directors or other appointing group each year on the items within the scope of the opinion.

Opinion Form and Content

The actuarial opinion shall include, but may not be limited to, the following:

- a) an identification paragraph,

- b) a scope paragraph,
- c) a reliance paragraph (if necessary),
- d) an opinion paragraph,
- e) all disclosures, opinions, and comments required by the NAIC annual statement instructions or the NAIC accounting practices & procedures manual describing the actuarial report that should be filed with the company's annual statement,
- f) any additional paragraphs deemed necessary to explain further or qualify the opinion, and
- g) the date of the opinion's issuance and actuary's signature.

If the qualified actuary relied on another individual's opinion to determine the accuracy of the underlying records, the qualified actuary shall state such in the reliance paragraph of his opinion. Additionally, the individual(s) upon whom the qualified actuary relied shall submit a signed and dated statement certifying the accuracy and inclusion of the underlying records. This statement shall be attached to the qualified actuary's opinion.

If there has been any material change in the actuarial assumptions and/or methods from those previously employed, that change shall be described in the opinion.

The language expressed in the opinion shall follow that encompassed in the NAIC Annual Statement instructions; however, language in the American Academy of Actuaries Financial Reporting Recommendations and Interpretations is acceptable if such is identified. All such illustrative language shall be modified as needed to meet the circumstances of a particular case, and the actuary shall use language which clearly expresses his/her professional judgment.

The Commission shall have final authority regarding approval of the form of the actuarial opinion.

Exemptions

The Commission may allow an exemption from filing the actuarial opinion to certain companies which can demonstrate the following:

- a) It is under supervision or conservatorship pursuant to statutory provision, unless ordered by its domiciliary commissioner to file an actuarial opinion.
- b) The nature of business written and/or the nature of asset or liability items on the company's Annual Statement balance sheet would not necessitate the filing of such actuarial opinion.
- c) Filing the opinion would be an undue financial hardship.

If an exemption from filing or any other provision of this letter is sought by the company, a written request for an exemption must be made for a specific calendar year on or before December 1 of the year for which such exemption is sought. The request must set forth the basis and reasons for which the exemption is sought. The Commission may require that the request for an exemption contain the statement of a

qualified actuary, which sets forth the basis for which the exemption is sought. The Commission then may issue a written exemption.

Delay by a company in obtaining any exemption will not relieve the company from any applicable fines, penalties, and/or other appropriate regulatory action.

Due Date

The actuarial opinion or certified copy of the Commission's written exemption: (i) is to be included on or attached to Page 1 of the company's Annual Statement that is to be filed with the Commission, and (ii) is due when the Annual Statement is due. An Annual Statement submitted without the qualified actuary's opinion or Commission's written exemption may subject the company to applicable penalties and/or fines as well as suspension or revocation of its Virginia license as provided for in Title 38.2 of the Code of Virginia. For good cause shown, the Commission may extend a company's deadline for submitting the qualified actuary's opinion or the Commission's written exemption for a limited and specified period of time, but not beyond 60 days after its Annual Statement filing deadline.

Companies domiciled in Virginia should direct questions regarding the implementation of the contents of this letter to:

Edward J. Buyalos, Jr.
Supervisor, Domestic Financial Analysis Section
SCC, Bureau of Insurance
P.O. Box 1157
Richmond, VA 23218
(804) 371-9637

Companies not domiciled in Virginia should direct questions to:

Gregory D. Walker
Supervisor, Non-Domestic Financial Analysis Section
SCC, Bureau of Insurance
P.O. Box 1157
Richmond, VA 23218
(804) 371-9636

/s/ Alfred W. Gross
Commissioner of Insurance

Bureau of Insurance

August 24, 1999

Administrative Letter 1999 -9

TO: All companies seeking to be licensed as insurers in accordance with Chapter 10, 12, 41, or 46 of Title 38.2 of the Code of Virginia.

RE: Requirements for Foreign and Alien Insurance Companies Seeking Admission to Do Business in Virginia

Applications for admission to transact the business of insurance in this Commonwealth will be processed in accordance with provisions in Title 38.2 of the Code of

General Notices/Errata

Virginia. Satisfaction of all applicable statutes will be required. All references to a section, chapter or title shall be to the cited portion of the Code of Virginia.

The provisions of this administrative letter replace the provisions of Administrative Letter 1981-8.

To transact the business of insurance in Virginia, an insurance company which is domiciled outside the Commonwealth of Virginia must obtain both a:

1. License issued through the Bureau of Insurance in compliance with Title 38.2 of the Code of Virginia.
2. Certificate of Authority issued through the Clerk of the State Corporation Commission in compliance with Title 13.1 of the Code of Virginia. However, reciprocal insurers licensed under Chapter 12 of Title 38.2 shall instead file with the Bureau of Insurance a written power of attorney on a form prescribed by the Commission, appointing the Clerk of the Commission as agent of the reciprocal.

The applicant should make application with and be tentatively approved for licensing by the Bureau of Insurance before securing a Certificate of Authority.

QUALIFICATIONS

1. Section 38.2-1024 B 3 of the Code of Virginia requires that the applicant satisfy the Commission's minimum capital and surplus requirements. Prescribed minimums include the minimal dollar amounts specified in the statutes.
 - (a) Stock insurance companies must maintain capital and surplus at the minimum levels prescribed by § 38.2-1028.
 - (b) Non-assessable mutual insurers must maintain a surplus at the minimum levels prescribed by § 38.2-1030, or § 38.2-1029 if the company issues assessable policies.
 - (c) Non-assessable reciprocal insurers must maintain a surplus at the minimum levels prescribed by § 38.2-1213, or § 38.2-1206 if the company issues assessable policies.
 - (d) Alien insurance companies (stock and mutual) incorporated or organized outside the United States must maintain a trustee surplus at the minimum levels prescribed by § 38.2-1031.

Because a licensed insurer will be impaired and subject to license suspension when its surplus falls below the statutory minimum, the applicant must have surplus above these minimums in order to obtain a license. Precise amounts of additional surplus will be determined by the Bureau through a risk-based assessment of the applicant's financial condition, operational performance, business plan, and means of financial support. The determinations shall consider class of insurance and also factors cited in § 38.2-1024 B 5. At minimum, an applicant must have additional surplus of not less than \$500,000.

2. Section 38.2-1024 B 4 of the Code of Virginia requires the applicant to furnish financial statements and any other reports, certificates or other documents the Commission considers necessary to secure a full and accurate knowledge of the applicant's affairs and financial condition. Section 38.2-1300 addresses the scope and preparation of acceptable financial statements.

3. Section 38.2-1024 B 5 of the Code of Virginia requires assurances that the applicant ". . . is solvent and its financial condition, method of operation, and manner of doing business are such as to satisfy the Commission that it can meet its obligations to all policyholders" The following are essential for clear qualification as a qualified applicant.

- (a) Profitable operations as a direct writer for each of the three immediately preceding calendar years. For applicants that do not strictly comply with this standard, the Bureau, at its discretion, may give due consideration to such mitigating factors as the severity, cause(s), and timing of statutory losses, surplus strength of the applicant, financial strength of a parent insurer licensed in Virginia, etc.
- (b) Active engagement in business similar to that for which licensure in Virginia is requested.
- (c) A definitive plan of operations for Virginia, including plans to commence direct writings in Virginia within six months after licensure.
- (d) A proven management team with adequate insurance expertise and experience.

Acceptable submissions must reflect adherence to standards of accurate financial reporting and disclosure in conformity with annual and quarterly statement instructions, and accounting practices and procedures manuals adopted by the NAIC.

Application submissions must include a full report of examination duly authenticated by the insurance supervisory official of the applicant's state of domicile or of entry. Acceptable reports of examination must be relevant for the applicant's current operations. Reports with balance sheet date more than three years prior to the date of the current NAIC annual statement may be viewed as immaterial for the purposes of the Bureau's analysis, and may result in refusal of a license. Similarly, reports of companies which have undergone significant changes in operations or growth since their most recent examination may be viewed as immaterial.

Companies with Insufficient Operating Experience (Not Applicable to Alien Applicants)

It is the Bureau's policy that each applicant represents a legitimate separate entity and should be judged on its individual operating history and current financial condition. A company with insufficient operating experience that is controlled substantially by an insurance company licensed and in good standing in Virginia may be considered for licensure, provided the applicant maintains adequate levels of surplus and posts the appropriate security deposits in

accordance with § 38.2-1045 of the Code of Virginia. The affiliate must provide:

- (a) Proof of licensing in Virginia for at least three years;
- (b) Proof of profitable operations for each of the three immediately preceding calendar years;
- (c) A history of satisfactory treatment of Virginia policyholders; and
- (d) A capital and surplus guaranty on behalf of the applicant. The guaranty must be in writing and approved in accordance with a resolution by the affiliate's Board of Directors. It must include the specific agreement of the affiliate to maintain the applicant's capital and surplus at not less than the minimum levels specified in §§ 38.2-1028 through 38.2-1030 together with such additional surplus as the Bureau requires. The guaranty must provide that it becomes effective upon the issuance of the license and remains in effect until the applicant has recorded at least three years of profitable operations as a direct writer on a statutory basis.

Fraternal Benefit Societies – Companies Subject to Chapter 41 of Title 38.2

Pursuant to § 38.2-4129 6 of the Code of Virginia, the Bureau requires applicants seeking licensure as a foreign or alien fraternal benefit society to comply with the standards and policies addressed in this administrative letter for insurers seeking admission under Chapters 10, 12 or 46 of Title 38.2.

APPLICATION PROCEDURE

A company interested in applying for admission to Virginia should request licensing instructions and materials from, and submit applications for admission to, the following office:

Company Licensing and Regulatory Compliance
Financial Regulation Division, Bureau of Insurance
State Corporation Commission
P. O. Box 1157
Richmond, Virginia 23218

The Bureau may choose not to accept applications with missing or deficient documentation. Once accepted, applications with incomplete subsequent submissions or improperly executed documents are subject to denial. The Bureau will make a determination based on an analysis of the required items as well as any other information requested.

It is the intention of the Bureau to act on all applications within a reasonable time frame. During the review process, failure by an applicant company to respond adequately to written inquiries and solicitations within 30 days will be considered grounds for denial.

If the application is approved, the Bureau will send the company a letter of tentative approval, outlining the remaining requirements for admission. These requirements typically consist of the submission of documents to three areas: (1) the Clerk of the State Corporation Commission; (2) the financial institution designated by the Treasurer of Virginia as custodian for deposits required by Title 38.2 of the Code of Virginia (except for fraternal benefit societies licensed under

Chapter 41 of Title 38.2 of the Code of Virginia); and (3) the Company Licensing and Regulatory Compliance Section of the Bureau. Generally, an applicant is expected to complete these remaining requirements within 60 days following the date of approval. Failure to do so may result in denial of the application.

The Bureau has an annual closing date of October 1 for accepting applications. Applications will again be accepted after January 1 when applicants may submit the appropriate NAIC annual statement for the most recently completed calendar period.

Questions regarding the contents of this letter should be directed to:

Company Licensing and Regulatory Compliance
Financial Regulation Division, Bureau of Insurance
State Corporation Commission
P. O. Box 1157
Richmond, Virginia 23218
(804) 371-9616

/s/ Alfred W. Gross
Commissioner of Insurance

DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice of Public Comment on Mountain Run TMDL

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation (DCR) seek written and oral comments from interested persons on the development of a Total Maximum Daily Load (TMDL) for fecal coliform bacteria on a 7.58 mile segment of Mountain Run. This impaired segment is located in Culpeper County and begins at the confluence of Flat Run and extends to the confluence with the Rappahannock River. Mountain Run is identified in Virginia's 1998 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria.

Section 303(d) of the federal Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

The second public meeting on the development of the Mountain Run fecal coliform TMDL will be held on Monday, September 27, 1999, at 7 p.m. in the cafeteria of the Culpeper Middle School located off of Route 229 at 14300 Achievement Drive in Culpeper.

The public comment period will end on October 12, 1999. A fact sheet on the development of the TMDL for fecal coliform bacteria on Mountain Run is available upon request. Questions or information requests should be addressed to Joan Crowther. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Joan Crowther, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3828, FAX (703) 583-3841, or e-mail jccrowther@deq.state.va.us.

General Notices/Errata

MOTOR VEHICLE DEALER BOARD

Delegation of Authority

At its May and July meetings, the Motor Vehicle Dealer Board discussed and voted on delegating, to the executive director, authority to make certain decisions concerning the assessment of civil penalties and the denial, suspension and revocation of licenses and certificates issued by the board. Specifically, the board adopted the following amended resolution.

WHEREAS, Chapter 15 of Title 46.2 sets forth certain powers and duties of the Motor Vehicle Dealer Board, including the power to assess civil penalties and suspend, deny, and revoke licenses and certificates issued to dealers and sales persons for violations of the provisions contained in Chapter 15; and,

WHEREAS, Article 3 of Chapter 1.1:1 of Title 9 of the Code of Virginia imposes certain requirements upon the Motor Vehicle Dealer Board associated with the Board's ability to take actions to assess a civil penalty or to impose other sanctions against dealers and sales persons; and,

WHEREAS, § 2.1-20.01:2 of the Code of Virginia provides that the Board may delegate any task required by statute to be performed by the Board; and,

WHEREAS, it is the desire of the Board to delegate to the Executive Director of the Board the authority to make initial determinations on all issues which may come before the Board, and to make case decisions after informal fact-finding on those issues for which suspension, denial, or revocation of a license or application may be appropriate, but not to delegate to the Executive Director the authority to make case decisions after informal fact-finding on those issues for which civil penalties may be appropriate.

NOW THEREFORE, be it resolved by the Motor Vehicle Dealer Board, that the Executive Director is hereby delegated the authority to make initial determinations, and to make case decisions after informal fact-finding for violations of any provisions contained in Chapter 15 of Title 46.2 which may result in the suspension, denial, or revocation of a license application.

STATE BOARD OF SOCIAL SERVICES

Notice of Public Comment Period

Pursuant to Title IV-A of the Social Security Act, § 402, Virginia will submit its (TANF) Temporary Assistance to Needy Families Program State Plan to the United States Department of Health and Human Services following a 45-day comment period, beginning September 13, 1999.

A public hearing on the TANF State Plan will be conducted by the Department of Social Services, Temporary Assistance Programs Division, on September 28, 1999. The public hearing will take place at 1:30 p.m. at the Virginia Department of Social Services, Theater Row Building, 730 East Broad

Street, Richmond, VA 23219. The public is invited to attend and to comment.

Written comment may be submitted through October 28, 1999, to Carolyn Ellis, TANF Program Consultant, Department of Social Services, Theater Row Building, 730 East Broad Street, Richmond, VA 23219.

Copies of the TANF State Plan may be obtained from the Department of Social Services by calling Carolyn Ellis at (804) 692-1738 or by writing to Ms. Ellis at the Department of Social Services, Theater Row Building, 730 East Broad Street, Richmond, VA 23219.

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


September 20, 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 regulation review.


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 

October 18, 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 

COMMONWEALTH COUNCIL ON AGING

September 30, 1999 - 10 a.m. -- Open Meeting
Department for the Aging, 1600 Forest Avenue, Suite 102,
Richmond, Virginia. 

A regular business meeting.

Contact: Marsha Mucha, Administrative Staff Assistant, Department for the Aging, 1600 Forest Ave., Ste. 102, Richmond, VA 23229, telephone (804) 662-9312.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES


Board of Agriculture and Consumer Services

September 29, 1999 - 9 a.m. -- Open Meeting
Department of Agriculture and Consumer Services,
Washington Building, 1100 Bank Street, 2nd Floor, Board
Room, Richmond, Virginia. 

A meeting to discuss issues related to 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 in the meeting should contact Roy E. Seward at least five days before the meeting date so that suitable arrangements can be made for any appropriate accommodation.

Contact: Roy E. Seward, Secretary of the Board, Department of Agriculture and Consumer Services, 1100 Bank St., Ste. 211, P.O. Box 1163, Richmond, VA 23218, telephone (804) 786-3538 or FAX (804) 371-7679.

Virginia Cattle Industry Board

September 15, 1999 - 1 p.m. -- Open Meeting
September 16, 1999 - 8:30 a.m. -- Open Meeting
Four Points Hotel Harrisonburg, 1400 East Market Street,
Harrisonburg, Virginia. 

During the annual budget meeting, the board will approve minutes from the May 1999 meeting in addition to reviewing the financial statement for fiscal year 1998-1999. Each of the three committees will recommend funding allocations for project proposals FY 1999-2000 to the board, which will then finalize the project proposals for FY 1999-2000 and funding associated for each. 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 Reginald B. Reynolds at least five days before the meeting date so

Calendar of Events

that suitable arrangements can be made for any appropriate accommodation.

Contact: Reginald B. Reynolds, Executive Director, Virginia Cattle Industry Board, Department of Agriculture and Consumer Services, P.O. Box 9, Daleville, VA 24083, telephone (540) 992-1992 or FAX (540) 992-4632.

Virginia Horse Industry Board

September 14, 1999 - 10 a.m. -- Open Meeting
Morven Park, 17263 Southern Planter Lane, Coach House, Vaughan Room, Leesburg, Virginia. ♿

A meeting to review projects for the past fiscal year and discuss plans and programs for FY 1999-2000. The board will entertain public comments at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any special accommodations in order to participate at the meeting should contact Andrea S. Heid at least five days before the meeting date so that suitable arrangements can be made.

Contact: Andrea S. Heid, Equine Marketing Specialist/Program Manager, Virginia Horse Industry Board, Washington Bldg., 1100 Bank St., Suite 1004, Richmond, VA 23219, telephone (804) 786-5842 or FAX (804) 371-7786.

Virginia Irish Potato Board

September 14, 1999 - 8 p.m. -- Open Meeting
Brewers East Inn, 2484 North Landing Road, Virginia Beach, Virginia. ♿

A meeting to (i) hear and approve minutes of the last meeting; (ii) receive the board's financial statement; (iii) discuss promotion, research and educational programs; and (iv) establish the board's 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 special accommodations in order to participate at the meeting should contact J. William Mapp at least five days before the meeting date so that suitable arrangements can be made.

Contact: J. William Mapp, Program Director, Virginia Irish Potato Board, P.O. Box 26, Onley, VA 23418, telephone (757) 787-5867 or FAX (757) 787-5973.

Virginia Sweet Potato Board

NOTE: CHANGE IN MEETING DATE

† **September 21, 1999 - 7 p.m.** -- Open Meeting
Little Italy Restaurant, 10227 Rogers Drive, Nassawadox, Virginia. ♿

The board will hear and approve minutes of the last meeting and the presentation of the board's financial statement. The board will discuss and consider programs (promotion, research, and education), the annual budget and other business that may be presented. 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 special accommodations in order to participate at the meeting should contact J. William Mapp at least five days before the meeting date so that suitable arrangements can be made for any appropriate accommodation.

Contact: J. William Mapp, Program Director, Virginia Sweet Potato Board, P.O. Box 26, Onley, VA 23418, telephone (757) 787-5867 or FAX (757) 787-5973.

ALCOHOLIC BEVERAGE CONTROL BOARD

September 20, 1999 - 9:30 a.m. -- Open Meeting
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. ♿

A meeting to receive reports from staff members, discuss activities, and discuss other matters not yet determined.

Contact: W. Curtis Coleburn, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., P.O. Box 27491, Richmond, VA 23261, telephone (804) 213-4409 or FAX (804) 213-4442.

ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

† **September 29, 1999 - 10 a.m.** -- Open Meeting
9th Street Office Building, 202 North 9th Street, 6th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review the results of the report submitted on September 1, 1999. There will be a 20-minute public comment period at the beginning of the meeting.

Contact: Ian N. Kremer, J.D., 10201 Lee Highway, Suite 210, Fairfax, VA 22030, telephone (703) 359-4440, FAX (703) 359-4441 or toll-free 1-800-207-8679.

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

† **September 14, 1999 - 9:30 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Examination Conference Room, 5th Floor, Richmond, Virginia. ♿

A meeting of the Land Surveyor Section and invited subject matter experts to conduct an exam workshop. A public comment period will be held at the beginning of the workshop. After the public comment period, the workshop will be conducted in closed executive session under authority of § 2.1-344 A 11 of the Code of Virginia due to the confidential nature of the examination. The public will not be admitted to the closed executive session.

Contact: Sharon M. 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 ☎

September 15, 1999 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the full board to conduct business. 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: 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 ☎

ART AND ARCHITECTURAL REVIEW BOARD

October 8, 1999 - 10 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly 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 or (804) 786-6152/TTY ☎

COMMISSION FOR THE ARTS

September 28, 1999 - 9 a.m. -- Open Meeting
Art Museum of Western Virginia, Bridge Gallery, Center in the Square, Roanoke, Virginia. ♿ (Interpreter for the deaf provided upon request)

Quarterly meeting of advisory board. Topics include discussion of possible changes in guidelines for funding FY 2000-2002; approval of FY 1999-2000 media arts fellowships; and action on appeals of grant decisions. There will be an opportunity for public comment on the guidelines for funding beginning at 10:45 a.m. Anyone wishing to address the commissioner should sign up in advance by contacting the commission office by mail, phone, fax, or e-mail. For a complete agenda, contact the commission office.

Contact: Peggy Baggett, Executive Director, Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327 or (804) 225-3132/TTY ☎

VIRGINIA BOARD FOR ASBESTOS AND LEAD

November 9, 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 ☎

BOARD FOR BARBERS

October 4, 1999 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4th Floor, Richmond, Virginia. ♿
(Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation and the meeting time is subject to change. 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 ☎

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

† **October 26, 1999 - 2 p.m.** -- Open Meeting
Chesapeake Bay Local Assistance Department, 101 North 14th Street, 17th Floor, 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, 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447 or toll-free (800) 243-7229/TTY ☎

STATE CHILD FATALITY REVIEW TEAM


† **September 22, 1999 - 10 a.m.** -- Open Meeting
Office of Chief Medical Examiner, Biotech II, 400 East Jackson Street, Richmond, Virginia. ♿

A meeting to discuss administrative matters and review confidential case reports. The business portion of the meeting from 10 a.m. to 10:45 is open to the public.


Calendar of Events

Contact: Suzanne J. Keller, Coordinator, State Child Fatality Review Team, 400 East Jackson St., Richmond, VA 23219, telephone (804) 786-1047 or FAX (804) 371-8595.


COMPENSATION BOARD

† **September 28, 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

September 21, 1999 - 10 a.m. -- Open Meeting
Department of Planning and Budget, 9th Street Office Building, Conference Room 414 and Room 522, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting of the council. Council members will see a demonstration of the "COMPETE" cost accounting program in Room 522.


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.

September 28, 1999 - 11 a.m. -- Open Meeting
Virginia Western Community College, 3085 Colonial Avenue, S.W., Roanoke, Virginia.  (Interpreter for the deaf provided upon request)


A meeting of the task force studying and analyzing the food delivery system for prisons and mental health hospitals, and examining alternatives to increase efficiency and lower the cost to the Virginia taxpayers while supporting maximum inmate assignments within the Department of Corrections.

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.


DEPARTMENT OF CONSERVATION AND RECREATION

† **September 27, 1999 - 10 a.m.** -- Open Meeting
109 Governor Street, 13th Floor, Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting. Public comment will be heard at the conclusion of regular business.

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 


Chippokes Plantation Farm Foundation

September 22, 1999 - 9:30 a.m. - Open Meeting
Chippokes Plantation State Park, Mansion Conference Room, 695 Chippokes Park Road, Surry, Virginia. 

A general business meeting of the foundation's Board of Trustees.

Contact: Katherine R. Wright, Executive Secretary, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-7950 or FAX (804) 371-8500.


Board on Conservation and Development of Public Beaches

September 14, 1999 - 10 a.m. - Open Meeting
Hampton City Hall, Hampton City Council Chambers, Hampton, Virginia. 


A meeting to discuss proposed projects by localities requesting matching grant funds; to review the Draft Report on the "Status of Engineered Beaches in Virginia"; and to receive public comment about public beaches or the activities of the board.

Contact: Carlton Lee Hill, Staff Advisor, Department of Conservation and Recreation, 203 Governor St., Suite 206, Richmond, VA 23219, telephone (804) 786-3998 or FAX (804) 786-1798.


Goose Creek Scenic River Advisory Board

September 13, 1999 - 1:30 p.m. -- Open Meeting
Lovettsville Room, Loudoun County Administration Building, 1 Harrison Street S.E., Leesburg, 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 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 

Kiptopeke State Park Master Plan Steering Committee

† **September 22, 1999 - 10 a.m.** -- Open Meeting
Eastern Shore of Virginia National Wildlife Refuge, 5003 Hallett Circle, Training Center, Cape Charles, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss development of the Kiptopeke State Park master plan.

Contact: James E. Guyton, Environmental Program Planner, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-2093, FAX (804) 371-7899 or (804) 786-2121/TTY ☎

Raymond R. "Andy" Guest/Shenandoah River State Park Master Planning Steering Committee

† **September 16, 1999 - 5 p.m.** -- Open Meeting
Bentonville Fire Station, Route 340, Bentonville, Virginia. ♿
(Interpreter for the deaf provided upon request)

A meeting to discuss development of the Raymond R. "Andy" Guest/Shenandoah River State Park master plan. Requests for interpreter services must be made by September 7, 1999.

Contact: Robert S. Munson, Environmental Program Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-6140, FAX (804) 371-7899 or (804) 786-2121/TTY ☎

STATE BOARD FOR COMMUNITY COLLEGES

September 22, 1999 - 12:30 p.m. -- Open Meeting
Northern Virginia Community College, Annandale Campus, 4001 Wakefield Chapel Road, Annandale, Virginia. ♿
(Interpreter for the deaf provided upon request)

Committees will meet as follows:

- Facilities Committee - 12:30 p.m.
- Personnel Committee - 2:30 p.m.
- Academic and Student Affairs Committee - 4 p.m.
- Audit Committee - 4 p.m.
- Budget and Finance Committee - 4 p.m.

Contact: Dr. Joy 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 ☎

September 23, 1999 - 9 a.m. -- Open Meeting
Northern Virginia Community College, Annandale Campus, 4001 Wakefield Chapel Road, Annandale, Virginia. ♿
(Interpreter for the deaf provided upon request)

A regular meeting. Public comment will be received at the beginning of the meeting.

Contact: Dr. Joy 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 ☎

BOARD OF CORRECTIONAL EDUCATION

† **September 17, 1999 - 10 a.m.** -- Open Meeting
Department of Correctional Education, James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A general business meeting.

Contact: Patty Ennis, Board Clerk, Department of Correctional Education, James Monroe Bldg., 101 N. 14th St., 7th Floor, Richmond, VA 23219, telephone (804) 225-3314, FAX (804) 786-7642 or (804) 371-8647/TTY ☎

BOARD FOR COSMETOLOGY

September 13, 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. A public comment period will be held at the beginning of the meeting. Please call the board for possible changes. 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, FAX (804) 367-2474 or (804) 367-9753/TTY ☎

CRIMINAL JUSTICE SERVICES BOARD

September 21, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿

A meeting to discuss criminal justice issues throughout the Commonwealth of Virginia.

Contact: Karen Sullivan, Board Secretary, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-7841 or FAX (804) 786-0588.

October 1, 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 Criminal Justice Services Board intends to **repeal** regulations entitled: **6 VAC 20-170-10 et seq. Regulations Relating to Private Security Services** and **adopt** regulations entitled:


Calendar of Events

6 VAC 20-171-10 et seq. Regulations Relating to Private Security Services. The purpose of the proposed action is to promulgate regulations to establish the training standards, application procedures and compliance requirements for the private security services industry, which will replace existing regulations.

Statutory Authority: § 9-182 of the Code of Virginia.

Contact: Leon D. Baker, Jr., Section Chief, Private Security Services Section, Department of Criminal Justice Services, P.O. Box 10110, Richmond, VA 23240-9998, telephone (804) 786-0460 or FAX (804) 786-6344.


Victim/Witness Issues Advisory Committee

September 21, 1999 - Noon -- Open Meeting
General Assembly Building, 9th and Broad Streets, 4th Floor
West Conference Room, Richmond, Virginia. 

A meeting to discuss victim/witness issues throughout the state of Virginia. The meeting will begin immediately after adjournment of full Criminal Justice Services Board (approximately noon).

Contact: Mandie Patterson, Chief, Victim Services Section, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-3923 or FAX (804) 786-7980.

BOARD OF DENTISTRY


September 16, 1999 - 9:30 a.m. -- Public Hearing
Hyatt Regency, 1800 Presidents Street, Reston, Virginia. 
(Interpreter for the deaf provided upon request)

October 15, 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 Dentistry intends to amend regulations entitled: **18 VAC 60-20-10 et seq. Regulations Governing the Practice of Dentistry and Dental Hygiene.** The proposed amendments replace emergency regulations, which were promulgated to comply with statutory provisions authorizing the board to issue volunteer restricted licenses in dentistry and dental hygiene.


Statutory Authority: §§ 54.1-2400, 54.1-2712.1 and 54.1-2726.1 of the Code of Virginia.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9901.


September 16, 1999 - 10 a.m. -- Open Meeting
Hyatt Regency, 1800 Presidents Street, Reston, Virginia. 
(Interpreter for the deaf provided upon request)

A business meeting with committee reports, review of consent orders, minutes and general requests made to the board. Public comment will be received at the beginning of the meeting.


Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or (804) 662-7197/TTY 

September 17, 1999 - 9 a.m. -- Open Meeting
Hyatt Regency, 1800 Presidents Street, Reston, Virginia. 
(Interpreter for the deaf provided upon request)

A quorum of the board will conduct a formal administrative hearing on a disciplinary case. This is a public meeting; however, no public comment will be received.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or (804) 662-7197/TTY 

BOARD OF EDUCATION

September 23, 1999 - 9 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, 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.

BOARDS OF EDUCATION; JUVENILE JUSTICE; MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES; AND SOCIAL SERVICES

October 1, 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 Boards of Education; Juvenile Justice; Mental Health, Mental Retardation and Substance Abuse Services; and Social Services intend to repeal regulations entitled: **8 VAC 20-50-10 et seq., 6 VAC 35-50-10 et seq., 12 VAC 35-30-10 et seq., and 22 VAC 40-150-10 et seq. Standards for Interdepartmental Regulation of Residential Facilities for Children.** These regulations are being repealed as the proposed revisions are so extensive that it is more efficient to repeal the existing regulations and promulgate a new regulation in its place. The proposed regulation, 22 VAC 42-10-10 et seq., Standards for the Interagency Regulation of Children's Residential Facilities, was published in 15:22 VA.R. 2834-2870 July 19, 1999.

Statutory Authority: §§ 16.1-309.9, 22.1-321, 22.1-323, 22.1-323.2, 37.1-182, 37.1-189.1, 63.1-25, 63.1-217, 66-10 and 66-24 of the Code of Virginia.

Contact: Charlene Vincent, Acting Coordinator, Office of Interdepartmental Regulation, Department of Social Services, 730 E. Broad St., Richmond, VA 23219-1849, telephone (804) 692-1962 or FAX (804) 692-1965.

September 17, 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 Boards of Education; Juvenile Justice; Mental Health, Mental Retardation and Substance Abuse Services; and Social Services intend to adopt regulations entitled: **22 VAC 42-10-10 et seq. Standards for Interagency Regulation of Children's Residential Facilities.** The purpose of the proposed regulation is to ensure that a minimally acceptable level of care, treatment and education are provided by children's residential facilities.

Statutory Authority: §§ 16.1-309.9, 22.1-321, 22.1-323, 22.1-323.2, 37.1-182, 37.1-189.1, 63.1-25, 63.1-217, 66-10 and 66.24 of the Code of Virginia.

Contact: Charlene Vincent, Coordinator, Office of Interdepartmental Regulation, Department of Social Services, 730 E. Broad St., Richmond, VA 23219-1849, telephone (804) 692-1961 or FAX (804) 692-1965.

DEPARTMENT OF ENVIRONMENTAL QUALITY

† **September 27, 1999 - 7 p.m.** -- Open Meeting
Culpeper Middle School, 14300 Achievement Drive, Cafeteria, Culpeper, Virginia.

A meeting to receive comments from interested persons on the development of a total maximum daily load (TMDL) for fecal coliform bacteria on a 7.58 mile segment of Mountain Run located in Culpeper County.

Contact: Joan Crowther, Department of Environmental Quality, Northern Regional Office, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3828, FAX (703) 583-3841 or (804) 698-4021/TTY ☎

September 29, 1999 - 10 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. ♿

A meeting of the Citizens Wetlands Advisory Committee to discuss a wetlands strategy for the Commonwealth.

Contact: William K. Norris, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4022, FAX (804) 698-4019 or (804) 698-4021/TTY ☎

September 16, 1999 - 9 a.m. -- Open Meeting
September 28, 1999 - 9 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. ♿

A meeting of the Water Reuse Advisory Group to discuss issues surrounding land application, and reclamation and reuse of wastewater, as required by 1999 legislation, House Joint Resolution 662.

Contact: Lily Choi, Environmental Engineer Senior, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4054, FAX (804) 698-4032 or (804) 698-4021/TTY ☎

Virginia Ground Water Protection Steering Committee

September 21, 1999 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. ♿

A regular meeting.

Contact: Mary Ann Massie, Environmental Program Planner, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4042, FAX (804) 698-4032 or (804) 698-4021/TTY ☎

Solid Waste Management Regulation Advisory Committee

October 4, 1999 - 9 a.m. -- Open Meeting
October 28, 1999 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. ♿

A meeting of the advisory committee for Amendment 2 to the Solid Waste Management Regulations.

Contact: John Ely, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4249.

DEPARTMENT OF ENVIRONMENTAL QUALITY and DEPARTMENT OF CONSERVATION AND RECREATION

September 15, 1999 - 1 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿

A public hearing to receive input on the allocation of funds to the Water Quality Improvement Fund. The Secretary of Natural Resources is seeking public comment on the assignment of approximately 5.23 million dollars in state cost-share funds between the Cooperative Point Source and Nonpoint Source Programs under the WQIF. These funds were appropriated by the 1999 General Assembly.

Contact: John Kennedy, Environmental Program Manager, Department of Environmental Quality, P. O. Box 10009,

Calendar of Events

Richmond, VA 23240-0009, telephone (804) 698-4312 or FAX (804) 698-4319.

VIRGINIA FIRE SERVICES BOARD

October 14, 1999 - 8:30 a.m. -- Open Meeting
Bernard's Landing at Smith Mountain Lake, 775 Ashmeade Road, Moneta, Virginia.

† **December 2, 1999 - 8:30 a.m.** -- Open Meeting
Holiday Inn Hotel and Suites Conference Center, 3005 Linden Drive, Bristol, Virginia.

Committee meetings of the board to discuss fire training and policies will meet as follows:

Fire/EMS Education and Training Committee - 8:30 a.m.

Legislative/Liaison Committee - 10 a.m.

Fire Prevention and Control Committee - 1 p.m.

The meetings are open to the public for input and comments.

Contact: Troy H. Lapetina, Executive Director, Department of Fire Programs, James Monroe Bldg., 101 N. 14th St., 18th Floor, Richmond, VA 23219, telephone (804) 371-0220.

October 15, 1999 - 9 a.m. -- Open Meeting
Bernard's Landing at Smith Mountain Lake, 775 Ashmeade Road, Moneta, Virginia.

† **December 3, 1999 - 9 a.m.** -- Open Meeting
Holiday Inn Hotel and Suites Conference Center, 3005 Linden Drive, Bristol, Virginia.

A business meeting to discuss fire training and policies. The meeting is open to the public for input and comments.

Contact: Troy H. Lapetina, Executive Director, Department of Fire Programs, James Monroe Bldg., 101 N. 14th St., 18th Floor, Richmond, VA 23219, telephone (804) 371-0220.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS


September 15, 1999 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.

October 15, 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 Funeral Directors and Embalmers intends to amend regulations entitled: **18 VAC 65-20-10 et seq. Regulations of the Board of Funeral Directors and Embalmers.** The proposed amendments replace emergency regulations, which were promulgated to comply with statutory provisions authorizing the board to register crematories.


Statutory Authority: §§ 54.1-2400 and Chapter 28 (§ 54.1-2800 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Elizabeth Young Tisdale, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907.

September 15, 1999 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 


A public hearing on crematory regulations.

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.

September 21, 1999 - Noon -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. 

A meeting of the Special Conference Committee to hold informal 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.

September 22, 1999 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. 

A general meeting of the board. There will be a 15-minute public comment period.


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.

September 22, 1999 - 1 p.m. -- Open Meeting

September 23, 1999 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. 


Meetings 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.

October 12, 1999 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

The Legislative Committee will review and discuss future legislative proposals. 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.


October 12, 1999 - 11 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

A meeting of the Regulatory and Bylaws Committee to discuss and review future regulatory proposals. 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

† **September 27, 1999 - 11 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 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. Public comment will be received. 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 

STATE BOARD OF HEALTH

September 16, 1999 - 1 p.m. -- Public Hearing
Lynchburg Public Library, 2315 Memorial Avenue, Lynchburg, Virginia.

September 23, 1999 - 1 p.m. -- Public Hearing
Main Street Library, 110 Main Street, Newport News, Virginia.

October 15, 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 State Board of Health intends to adopt regulations entitled: **12 VAC 5-408-10 et seq. Regulations for the Certification of Managed Care Health Insurance Plan Licenses.** Senate Bill 712 (1998) established a quality assurance certification program for managed care health insurance plan (MCHIP) licensees. All MCHIP licensees will have to obtain certification and remain certified by the State Health Commissioner to confirm the quality of health care services they deliver. The regulation will define the expectations relating to quality upon which certification will be based.

Statutory Authority: § 32.1-137.3 of the Code of Virginia.

Public comments may be submitted until October 15, 1999, to Nancy R. Hofheimer, Director, Department of Health, 3600 West Broad Street, Richmond, VA 23230.

Contact: Carrie Eddy, Policy Analyst, Center for Quality Health Care Services and Consumer Protection, Department of Health, 3600 W. Broad St., Suite 216, Richmond, VA 23230, telephone (804) 367-2157 or FAX (804) 367-2149.


Biosolids Use Regulations Advisory Committee

September 15, 1999 - 10 a.m. -- Open Meeting
The UVA Richmond Center, 7740 Shrader Road, Suite E, Richmond, Virginia. 

A meeting to discuss issues concerning the implementation of the Biosolids Use Regulations involving land application, distribution, or marketing of biosolids.

Contact: C.M. Sawyer, Director, Division of Wastewater Engineering, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-1755 or FAX (804) 371-2891.


Biosolids Use Information Committee

September 15, 1999 - 1 p.m. -- Open Meeting
The UVA Richmond Center, 7740 Shrader Road, Suite E, Richmond, Virginia. 


A meeting immediately following the Biosolids Use Regulations Advisory Committee meeting to discuss specific concerns relating to the agricultural use of biosolids including issues involving the final Biosolids Use Regulations and the land application, marketing, or distribution of biosolids.

Contact: C.M. Sawyer, Director, Division of Wastewater Engineering, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-1755 or FAX (804) 786-5567.

DEPARTMENT OF HEALTH PROFESSIONS

† **September 21, 1999 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting of the Regulatory Research Committee to discuss the report and develop final policy recommendations for a study on the need to regulate speech-language pathology assistants pursuant to SJR 492 (1999) and to receive an update on the progress of the board's studies on clinical laboratory personnel. Public comment will be received at the beginning of the meeting.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY 


Calendar of Events

† **September 21, 1999 - 10:30 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Richmond, Virginia.  (Interpreter for the deaf
provided upon request)


A meeting of the Ad Hoc Committee on Establishing Independent Boards to review information and finalize policy recommendations for a study of the feasibility of establishing an independent board of physical therapy pursuant to HJR 504 (199) and a study on the feasibility of establishing an independent board of chiropractic pursuant to SJR 433 (1999). Public comment will be received at the beginning of the meeting.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY 

BOARD FOR HEARING AID SPECIALISTS

September 28, 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 and other matters requiring board action, including disciplinary cases. All meetings are subject to change or cancellation. 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 

DEPARTMENT OF HISTORIC RESOURCES

Board of Historic Resources and State Review Board

September 15, 1999 - 10 a.m. -- Open Meeting
Wilton House Museum, Dependency Building, 215 South Wilton Road, Richmond, Virginia. 


A quarterly meeting to consider completed and proposed reports for the National Register of Historic Places and the Virginia Landmarks Register, easements and highway markers.

Contact: Marc C. Wagner, National Register Manager, Department of Historic Resources, 2801 Kensington Ave., Richmond, VA 23221, telephone (804) 367-2323/ext. 115, FAX (804) 367-2391 or (804) 367-2386/TTY 


VIRGINIA HOUSING DEVELOPMENT AUTHORITY

† **September 21, 1999 - 11 a.m.** -- Open Meeting
Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia. 

A regular meeting of the Board of Commissioners. The board will (i) review and, if appropriate, approve the minutes from the prior monthly meeting; (ii) consider for approval and ratification mortgage loan commitments under its various programs; (iii) review the authority's operations for the prior month; and (iv) consider such other matters and take such other actions as it may deem appropriate. Various committees of the Board of Commissioners may also meet before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.

Contact: J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 S. Belvidere St., Richmond, VA 23220, telephone (804) 343-5540, FAX (804) 783-6701, toll-free 1-800-968-7837, or (804) 783-6705/TTY 

VIRGINIA INFORMATION PROVIDERS NETWORK AUTHORITY

October 28, 1999 - 1 p.m. -- Open Meeting
Division of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular bimonthly meeting.


Contact: Fred Marcus, Agency Management Analyst, Virginia Information Providers Network Authority, 2300 W. Broad St., Room 321, Richmond, VA 23269, telephone (804) 367-2850 or FAX (804) 367-2536.

VIRGINIA ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

† **September 29, 1999 - 10 a.m.** -- Open Meeting
Location to be determined.

A meeting to discuss legislative agenda recommendations to the Advisory Commission on Intergovernmental Regulations (ACIR).

Contact: Adele MacLean, Secretary, Virginia Advisory Commission on Intergovernmental Relations, Pocahontas Bldg., 900 E. Main St., Suite 103, Richmond, VA 23219, telephone (804) 786-6508, FAX (804) 371-7999 or (804) 828-1120/TTY 

October 17, 1999 - 2 p.m. -- Open Meeting
Williamsburg Lodge and Conference Center, Dominion Room, Second Floor, Williamsburg, Virginia. 

A meeting coinciding with the beginning of the Virginia Municipal League's annual conference to discuss the

ACIR's legislative agenda for the 2000 General Assembly session.

Contact: Adele MacLean, Secretary, Virginia Advisory Commission on Intergovernmental Relations, Pocahontas Bldg., 900 E. Main St., Suite 103, Richmond, VA 23219, telephone (804) 786-6508, FAX (804) 371-7999 or (804) 828-1120/TTY ☎

DEPARTMENT OF LABOR AND INDUSTRY

Apprenticeship Council

† **September 16, 1999 - 10 a.m.** -- Open Meeting
University of Virginia, Emmett Street, Newcomb Hall, 3rd Floor, South Meeting Room, Charlottesville, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to (i) discuss the program on the Workforce Investment Act; (ii) receive a report on the progress of the Orkand Corporation and Town of Wytheville Apprenticeship Programs; and (iii) receive reports of the subcommittee to approve Virginia Apprenticeship Standards, on revised standards for the Board for Cosmetology, and of the Outstanding Virginia Apprenticeship Committee.

Contact: Beverly Donati, Assistant Program Director, Apprenticeship Program, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, or (804) 786-2376/TTY ☎

† **November 18, 1999 - 9:30 a.m.** -- Open Meeting
Department of Labor and Industry, Powers-Taylor Building, 13 South 13th Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Agenda to be announced.

Contact: Beverly Donati, Assistant Program Director, Apprenticeship Program, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, or (804) 786-2376/TTY ☎

Migrant and Seasonal Farmworkers Board

September 22, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular quarterly meeting of the board.

Contact: Patti C. Bell, Public Relations Coordinator, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 225-3083, FAX (804) 786-8418 or (804) 786-2376/TTY ☎

STATE LAND EVALUATION ADVISORY COUNCIL

September 27, 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.

VIRGINIA LAND CONSERVATION FOUNDATION

† **September 21, 1999 - 10 a.m.** -- Open Meeting
Virginia Economic Development Partnership, Information Technology and Presentation Systems, 901 East Byrd Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular business meeting. Public comment will be allowed following the conclusion of regular business.

Contact: Mary Vaughan Gibson, Confidential Policy Analyst, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2871, FAX (804) 786-6141 or (804) 786-2121/TTY ☎

COMMISSION ON LOCAL GOVERNMENT

September 13, 1999 - 10 a.m. -- Open Meeting
Commission on Local Government, Pocahontas Building, 900 East Main Street, Suite 103, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting to consider such matters as may be presented.

Contact: Barbara Bingham, Administrative Assistant, Pocahontas Building, 900 East Main Street, Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999 or (800) 820-1120/TTY ☎

LONGWOOD COLLEGE


† **September 24, 1999 - 9 a.m.** -- Open Meeting
Longwood College, Virginia Room, Farmville, Virginia. ♿

The following committees of the Board of Visitors will conduct routine business meetings:

Student Affairs Committee - 9 a.m.
Finance Committee - 10:30 a.m.
Academic Affairs Committee -- 1:30 p.m.
Facilities and Services Committee - 3 p.m.

Contact: Patricia P. Cormier, President, Longwood College, 201 High St., Farmville, VA 23909, telephone (804) 395-2004 or FAX (804) 395-2821.


Calendar of Events

† **September 25, 1999 - 9 a.m.** -- Open Meeting
Longwood College, Lancaster 215, Farmville, Virginia. 


A meeting 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

September 23, 1999 - 10 a.m. -- Open Meeting
Department of Housing and Community Development, 501 North 2nd Street, The Jackson Center, 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

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 

BOARD OF MEDICAL ASSISTANCE SERVICES

September 14, 1999 - 9 a.m. -- Open Meeting
University of Virginia, Rotunda, West Oval Room, Charlottesville, Virginia.

A meeting to discuss medical assistance services policy and to take action on issues pertinent to the board.

Contact: Leah D. Hamaker, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8099 or FAX (804) 371-4981.

November 9, 1999 - 10 a.m. -- Open Meeting
Department of Medical Assistance Services, 600 E. Broad Street, Richmond, Virginia. 

A regular meeting.

Contact: Leah D. Hamaker, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-4626 or FAX (804) 371-4981.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

NOTE: CHANGE IN PUBLIC COMMENT DEADLINE

September 17, 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 amend regulations entitled: **12 VAC 30-50-10 et seq., Amount, Duration, and Scope of Medical and Remedial Care Services; 12 VAC 30-60-10 et seq., Standards Established and Methods Used to Assure High Quality Care; 12 VAC 30-80-10 et seq., Methods and Standards for Establishing Payment Rates; Other Types of Care; and 12 VAC 30-130-10 et seq., Amount, Duration and Scope of Selected Services.** This regulatory action realigns the Title XIX Medicaid hospice services with those of the Title XVIII Medicare hospice services. The benefits periods will be the same across the two programs, payments for services will be based on location of service delivery and not the agency's home office address, and hospices will be permitted to contract out their physician services.

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

Public comments may be submitted until September 17, 1999, to Vivian Horn, Division of Program Operations, 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) 371-8854.

† **November 1, 1999 - 1 p.m.** -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia.

The Pharmacy Liaison Committee will conduct routine business.

Contact: Marianne Rollings, Pharmacy Services, Division of Program Operators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4268.

BOARD OF MEDICINE

October 1, 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 85-40-10 et seq. Regulations Governing the Practice of Respiratory Care Practitioners.** The purpose of the proposed action is to replace emergency regulations for the licensure of respiratory care practitioners.

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 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.

October 15, 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 for the Licensure of Occupational Therapists.** The amendments are proposed to replace emergency regulations, effective January 29, 1999, which were promulgated to comply with statutory provisions requiring licensure of occupational therapists. Proposed amendments clarify the requirements for licensure and clarify that evidence of active practice is required for renewal or reinstatement of a license and for an applicant applying for licensure from another state. Active practice is defined as 160 hours within a 24-month period.

Statutory Authority: §§ 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 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.

September 24, 1999 - 1 p.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

October 15, 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 Medicine, Osteopathy, Podiatry, Chiropractic and Physician Acupuncture.** The amendments are proposed pursuant to a statutory mandate in § 54.1-2910.1 of the Code of Virginia to establish a physician profile system which

would provide information on the practice and disciplinary history of doctors of medicine and osteopathy.

Statutory Authority: §§ 54.1-2400 and 54.1-2910.1 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.

October 14, 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)

A meeting to conduct general board business, receive committee and board reports, and discuss any other items which may come before the board. The board will also meet on Thursday, Friday, and Saturday, October 14, 15, and 16, to review reports, interview licensees/applicants, conduct administrative proceedings, and make decisions on disciplinary matters. The board will also review any regulations that may come before it. The board will entertain public comments during the first 15 minutes on agenda items.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Informal Conference Committee

September 15, 1999 - 8:30 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia.

September 15, 1999 - 8:30 a.m. -- Open Meeting
Roanoke Airport Marriott, 2801 Hershberger Road, Roanoke, Virginia.

† **September 24, 1999 - 8:30 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.


October 22, 1999 - 9 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, 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) 662-7332, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Calendar of Events


Legislative Committee

September 24, 1999 - 1 p.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss legislative issues related to board activities and regulations, to review any pending regulations pursuant to regulatory review or legislative action, and to consider any other information that may come before the committee. The committee will entertain public comments during the first 15 minutes on agenda items.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY 

MOTOR VEHICLE DEALER BOARD


September 21, 1999 - 9 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, 7th Floor, Room 702, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Committees will meet as follows:

Transaction Recovery Fund Committee - 9 a.m.
Licensing Committee - 10 a.m.
Dealer Practices Committee - 1 p.m.
Advertising Committee - 3 p.m.

Any person who needs any accommodation in order to participate in the meeting should contact the board at least 10 days before the meeting so that suitable arrangements can be made.

Contact: Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100, FAX (804) 367-1053 or toll free 1-877-270-0203.

September 22, 1999 - 9:30 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, 7th Floor, Room 702, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting of the full board. Prior to the meeting the following committees will meet:

Finance Committee - 8:30 a.m. -- Room 702
Franchise Law Committee - 9 a.m. -- Executive Conference Room

Any person who needs any accommodation in order to participate in the meeting should contact the board at least 10 days before the meeting so that suitable arrangements can be made.


Contact: Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100, FAX (804) 367-1053 or toll free 1-877-270-0203.

VIRGINIA MUSEUM OF FINE ARTS

September 16, 1999 - 8:30 a.m. -- Open Meeting
Center for Education and Outreach, 2800 Grove Avenue, 2nd Floor Meeting Room, Richmond, Virginia. 


The initial meeting of the season of the Buildings and Grounds Committee to hear updates on the Site Plan and on ongoing projects in the main building. Public comment will not be received.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

September 16, 1999 - 9:30 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Auditorium, Richmond, Virginia. 


A quarterly meeting of the Collections Committee to consider acquisitions and loans of art works for referral to the Board of Trustees and to hear curatorial collection reports. Closed session. Public comment will not be received.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

September 16, 1999 - 11:30 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Main Lobby Conference Room, Richmond, Virginia. 


Initial meeting of the season of the Finance Committee for budget review and update.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

September 15, 1999 - 12:30 p.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Main Lobby Conference Room, Richmond, Virginia. 


The initial planning meeting of the season of the Planning Committee to review the master Site Plan and schedule. Public comment will not be received.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

September 16, 1999 - 1 p.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Auditorium, Richmond, Virginia. 


A quarterly meeting of the Board of Trustees to hear reports from the president, director, museum foundation, and committees, and to consider approval of acquisition of art works. Portions of the meeting will be held in closed session. Public comment will not be received.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

September 15, 1999 - 2 p.m. -- Open Meeting
Center for Education and Outreach, 2800 Grove Avenue,
Multipurpose Meeting Room, Richmond, Virginia. 


Initial meeting for the season of the Education and Programs Committee to receive updates on existing programming and discuss upcoming efforts. Public comment will not be received.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

September 15, 1999 - 3:15 p.m. -- Open Meeting
Center for Education and Outreach, 2800 Grove Avenue, 2nd Floor Meeting Room, Richmond, Virginia. 

A meeting of the Communications and Marketing Committee to review marketing efforts for Splendors of Ancient Egypt and to discuss new marketing plans and ideas. Public comment will not be received.


Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

September 15, 1999 - 4:30 p.m. -- Open Meeting
Center for Education and Outreach, 2800 Grove Avenue, Multipurpose Meeting Room, First Floor, Richmond, Virginia. 

A meeting of the Exhibitions Committee to review the current exhibition schedule and consider proposed exhibitions. A portion of the meeting will be held in closed session. Public comment will not be received.


Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

BOARD OF NURSING

September 16, 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 comment 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) 662-9943 or (804) 662-7197/TTY 

† **September 27, 1999 - 8:30 a.m.** -- Open Meeting
† **September 29, 1999 - 8:30 a.m.** -- Open Meeting
† **September 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 panel of the board will conduct formal hearings with licensees and certificate holders. Public comment 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) 662-9943 or (804) 662-7197/TTY 

† **September 28, 1999 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to conduct regular business. Public comment 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) 662-9943 or (804) 662-7197/TTY 


BOARD OF NURSING HOME ADMINISTRATORS

October 13, 1999 - 9:30 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. 


A regular meeting to discuss general board business. Public comments will be received for 15 minutes prior to the start of the meeting.

Contact: Senita Booker, Administrative Staff Assistant, Board of Nursing Home Administrators, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9523 or (804) 662-7197/TTY 


BOARD OF OPTOMETRY

September 16, 1999 - 8:30 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

An informal conference hearing. This is a public meeting; however, public comment will not be received.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY 

VIRGINIA OUTDOORS FOUNDATION

† **October 5, 1999 - 10 a.m.** -- Open Meeting
† **October 6, 1999 - 10 a.m.** -- Open Meeting
† **December 8, 1999 - 10 a.m.** -- Open Meeting
† **December 9, 1999 - 10 a.m.** -- Open Meeting
State Capitol, Capitol Square, House Room 2, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regularly scheduled meeting of the Board of Trustees to discuss foundation business and accept conservation easements. Public input will be accepted after the regular business meeting.

Calendar of Events

Contact: Tamara Vance, Executive Director, Virginia Outdoors Foundation, 203 Governor St., Room 317, Richmond, VA 23219, telephone (804) 225-2147 or FAX (804) 371-4810.

BOARD OF PHARMACY

September 28, 1999 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ☎

A meeting of the Special Conference Committee to 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.

VIRGINIA POLLUTION PREVENTION ADVISORY COMMITTEE

September 24, 1999 - 10 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. ☎

A periodic meeting to advise the Department of Environmental Quality on its voluntary pollution prevention program.

Contact: Sharon K. Baxter, Pollution Prevention Manager, Virginia Pollution Prevention Advisory Committee, 629 E. Main St., Richmond, VA 23221, telephone (804) 698-4344 or toll-free (800) 592-5482.

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

September 13, 1999 - 10 a.m. -- Open Meeting
November 16, 1999 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ☎

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Debra L. Vought, Agency Management Analyst, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8519 or (804) 367-9753/TTY ☎

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

October 27, 1999 - 1:30 p.m. -- Public Hearing
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 4, Richmond, Virginia.

November 1, 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 Professional and Occupational Regulation intends to amend regulations entitled: **18 VAC 120-10-10 et seq. Public Participation Guidelines.** The proposed amendments make technical changes to this regulation so that it will apply to all regulatory programs that are under the authority of the Director of the Department of Professional and Occupational Regulation rather than a regulatory board. The result will be that the regulation will apply to the newly created professional boxing and wrestling program as well as to the polygraph examiners regulatory program and to any regulatory program assigned to the Director of the Department of Professional and Occupational Regulation in the future.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-201 of the Code of Virginia.

Contact: David Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-2475 and (804) 367-9753/TTY ☎

BOARD OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS AND SUBSTANCE ABUSE TREATMENT PROFESSIONALS

† **September 20, 1999 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ☎

An informal conference held pursuant to § 9-6.14:11 of the Code of Virginia. Public comment will not be received.

Contact: Evelyn Brown, Executive Director, or Joyce Williams, Administrative Assistant, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9912 or FAX (804) 662-9943.

October 15, 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 Licensed Professional Counselors, Marriage and Family Therapists

and Substance Abuse Treatment Professionals intends to amend regulations entitled: **18 VAC 115-30-10 et seq. Regulations Governing the Certification of Substance Abuse Treatment Counselors.** The purpose of the proposed amendments is to respond to Executive Order 15 (94) by clarifying and reformatting the regulations, extending the endorsement provision to include holders of certain national certifications, reducing the burden of the supervised training requirement, and clarifying the standard of practice pertaining to dual relationships. To reduce the financial burden on individuals who wish to renew a certification which has lapsed for more than four years, the board is proposing a reapplication alternative to the current cumulative renewal and penalty fee.

Statutory Authority: §§ 54.1-2400 and Chapter 35 (§ 54.1-3500 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Janet Delorme, Deputy Executive Director, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9575, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

October 15, 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 Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals intends to amend regulations entitled: **18 VAC 115-50-10 et seq. Regulations Governing the Practice of Marriage and Family Therapy.** The purpose of the proposed amendments is to respond to a petition for rulemaking to make it possible for individuals to be licensed if their educational programs do not offer all course work currently required; to conform the residency requirements to those required for the licensed professional counselors as mandated by statute; to simplify documentation of credentials for endorsement applicants; and to recognize all acceptable accrediting bodies for graduate programs.

Statutory Authority: §§ 54.1-2400 and Chapter 35 (§ 54.1-3500 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Janet Delorme, Deputy Executive Director, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9575, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

October 15, 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 Licensed

Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals intends to amend regulations entitled: **18 VAC 115-60-10 et seq. Regulations Governing the Practice of Substance Abuse Treatment Practitioners.** The purpose of the proposed amendments is to promulgate new regulations establishing qualifications for licensure of substance abuse treatment practitioners, fees, and standards of ethical practice as required by statutory mandate.

Statutory Authority: §§ 54.1-2400 and Chapter 35 (§ 54.1-3500 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Janet Delorme, Deputy Executive Director, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9575, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

BOARD OF PSYCHOLOGY

September 21, 1999 - 10 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿

A regular meeting to hear committee reports and discuss general business. Public comment will be received at the beginning of the meeting.

Contact: Evelyn Brown, Executive Director, Board of Psychology, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9967 or FAX (804) 662-9943.

† **October 22, 1999 - 10:30 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿

The board will meet with representatives of the Virginia Psychological Association and the Virginia Psychology Academies to discuss the establishment of continuing requirements for Virginia's licensed psychologists. Public comment will be received at various times during the meeting.

Contact: Janet Delorme, Deputy Executive Director, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9575, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

REAL ESTATE APPRAISER BOARD

† **October 26, 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 general business meeting. 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

Calendar of Events

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 ☎

REAL ESTATE BOARD

† **September 29, 1999 - 9 a.m.** -- Open Meeting

† **September 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 of the Code of Virginia). 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 ☎

VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

September 14, 1999 - 10 a.m. -- Open Meeting

Central Virginia Waste Management Authority, 2104 West Laburnum Avenue, Board Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting. Meetings are dependent on a quorum of 10. Subcommittee meetings may be held prior to or after the general council meeting.

Contact: Michael P. Murphy, Director, Environmental Enhancement, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4003, FAX (804) 698-4319, (804) 698-4021/TTY ☎, toll free 1-800-592-5482 or e-mail mpmurphy@deq.state.va.us.

VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

† **September 28, 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

September 17, 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 State Board of Social Services intends to amend regulations entitled: **22 VAC 40-60-10 et seq. Standards and Regulations for Licensed Adult Day Care Centers.** The purpose of the proposed amendment is to comply with Code of Virginia mandates and to reflect the current needs of participants in adult day care centers.

Statutory Authority: §§ 63.1-25 and 63.1-194.2 of the Code of Virginia.

Contact: Kathryn Thomas, Program Development Supervisor, Division of Licensing Programs, Department of Social Services, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-1793 or FAX (804) 692-2370.

September 17, 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 State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-710-10 et seq. Child Protective Services Client Appeals.** The Child Protective Services Client Appeals regulation is no longer necessary because its provisions are currently available to appellants through 22 VAC 40-705-10 et seq., Child Protective Services, which combines both programmatic and appeals regulations.

Statutory Authority: §§ 63.1-25 and 63.1-248.6:1 of the Code of Virginia.


Contact: Janice M. Sigler, Appeals and Fair Hearings Program Manager, Department of Social Services, 730 E. Broad St., 8th Floor, Richmond, VA 23219, telephone (804) 692-1832 or FAX (804) 692-1804.

September 17, 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 State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-820-10 et seq. Policy Regarding Purchased Services.** The purpose of the chapter being repealed was to establish uniform policies and procedures for the purchase of services within local departments of social services. The chapter is no longer needed because the local departments currently follow regulations for each program area when purchasing services for their customers.


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

Contact: Marjorie L. Marker, Adult Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1262 or FAX (804) 692-2215.

September 24, 1999 - 9 a.m. -- Open Meeting
Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, Roanoke, Virginia. 

A work session of the Child Protective Service Subcommittee.

Contact: Pat Rengnerth, State Board Liaison, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1826, FAX (804) 692-1962, toll-free 1-800-552-3431, or toll-free 1-800-552-7096/TTY 

September 27, 1999 - 1 p.m. -- Public Hearing
Albemarle County Public Building, Board Room 241, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A public hearing to solicit public comment regarding the amendment to the mandated reporting requirement for suspected child abuse or neglect, wherein attending physicians report to their local department of social services' child protective services program evidence that newborn infants have been exposed to a controlled substance or display symptoms of fetal alcohol syndrome.

Contact: Betty Jo Zarris, Program Consultant, Department of Social Services, 730 E. Broad St., 2nd Floor, Richmond, VA 23219, telephone (8904) 692-1220 or FAX (804) 692-2215.


September 27, 1999 - 1 p.m. -- Public Hearing
Albemarle County Public Building, Board Room 241, Charlottesville, Virginia.

October 15, 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 State Board of Social Services intends to amend regulations entitled: **22 VAC 40-705-10 et seq. Child Protective Services.** The purpose of the proposed amendments is to require attending physicians to respond to their local department of social services office evidence that newborn infants have been exposed to a controlled substance or display symptoms of fetal alcohol syndrome as required by § 63.1-248.3 A1 and 63.1-248.1 E 1 and E 2 of the Code of Virginia.

Statutory Authority: §§ 63.1-25, 63.1-248.3 and 63.1-248.6 of the Code of Virginia.


Contact: Betty Jo Zarris, Program Consultant, Department of Social Services, Child Protective Services Program, 730 E. Broad St., 2nd Floor, Richmond, VA 23219, telephone (804) 692-1220 or FAX (804) 692-2215.

† September 28, 1999 - 1:30 p.m. -- Public Hearing
Department of Social Services, Theater Row Building, 730 East Broad Street, Lower Level, Rooms 1 and 2, Richmond, Virginia. 


A public hearing on the Commonwealth's Temporary Assistance to Needy Families Program State Plan. Interested individuals are invited to comment.

Contact: Carolyn Ellis, TANF Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1738 or FAX (804) 692-1709.

October 13, 1999 - 9 a.m. -- Open Meeting


October 14, 1999 - 9 a.m. -- Open Meeting
Western Regional Office, 190 Patton Street, Abingdon, Virginia. 

A work session and formal business meeting.


Contact: Pat Rengnerth, State Board Liaison, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1826, FAX (804) 692-1962, toll-free 1-800-552-3431, or toll-free 1-800-552-7096/TTY 

VIRGINIA SOIL AND WATER CONSERVATION BOARD

September 16, 1999 - 9 a.m. -- Open Meeting

Natural Resources Conservation Service, 1606 Santa Rosa Road, Suite 209, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly business meeting. Public comment will be received at the end of the meeting.


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 

VIRGINIA TOURISM CORPORATION

September 20, 1999 - 1 p.m. -- Open Meeting


Virginia Economic Development Partnership, 901 East Byrd Street, Riverfront Plaza, West Tower, 20th Floor, Presentation Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Motion Picture Development Committee of the Virginia Tourism Corporation Board to continue discussion regarding the Governor's Motion Picture Opportunity Fund and finalize the fund proposal. The agenda is available upon request. Public comment will be taken at the beginning of the meeting.

Contact: Judy H. Bulls, Assistant to the President and CEO, Virginia Tourism Corporation, 901 East Byrd St., Richmond, VA 23219, telephone (804) 371-8174, FAX (804) 786-1919 or (804) 371-0327/TTY 


Calendar of Events

COMMONWEALTH TRANSPORTATION BOARD

September 15, 1999 - 2 p.m. -- Open Meeting
Ramada Inn, Route 29 and Odd Fellows Road, Lynchburg, Virginia.  (Interpreter for the deaf provided upon request)

A work session of the board and the Department of Transportation staff.


Contact: Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.

September 16, 1999 - 10 a.m. -- Open Meeting
Ramada Inn, Route 29 and Odd Fellows Road, Lynchburg, Virginia.  (Interpreter for the deaf provided upon request)

A monthly meeting of the board to vote on proposals presented regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the meeting agenda for which the opportunity for comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact Department of Transportation Public Affairs at (804) 786-2715 for schedule.


Contact: Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.

TRANSPORTATION SAFETY BOARD

September 13, 1999 - 9 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss FY 2000 federal highway safety grants and other highway safety matters.

Contact: Angelisa Jennings, Management Analyst, Department of Motor Vehicles, 2300 W. Broad St., Room 405, Richmond, VA 23269, telephone (804) 367-2026.


October 19, 1999 - 11 a.m. -- Open Meeting
Insurance Institute for Highway Safety, Ruckersville, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly meeting to discuss matters of interest regarding traffic safety.

Contact: Angelisa Jennings, Management Analyst, Department of Motor Vehicles, 2300 W. Broad St., P.O. Box 27412, Room 405, Richmond, VA 23269, telephone (804) 367-2026.

TREASURY BOARD


NOTE: Change in Meeting Date

September 23, 1999 - 9 a.m. -- Open Meeting
Department of the Treasury, James Monroe Building, 101 North 14th Street, 3rd Floor, Treasury Board Room, Richmond, Virginia. 


A regular business meeting. This is a change in date from the regular third Wednesday of the month.

Contact: Dena W. Roberts, Confidential Assistant, Department of the Treasury, James Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 371-6011.

BOARD FOR THE VISUALLY HANDICAPPED


October 19, 1999 - 1 p.m. -- Open Meeting
Department for the Visually Handicapped, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular quarterly meeting to receive information regarding department activities and operations, review expenditures from the board's endowment 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) 371-3145, toll-free 1-800-622-2155, FAX (804) 371-3157 or (804) 371-3140/TTY 

DEPARTMENT FOR THE VISUALLY HANDICAPPED


Statewide Rehabilitation Council for the Blind


September 18, 1999 - 10 a.m. -- Open Meeting
Department for the Visually Handicapped, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly meeting of the council to advise the Department for the Visually Handicapped on matters related to vocational rehabilitation services for the blind and visually impaired citizens of the Commonwealth.

Contact: James G. Taylor, Vocational Rehabilitation Program Director, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3111, FAX (804) 371-3351, toll-free 1-800-622-2155 or (804) 371-3140/TTY 

Vocational Rehabilitation Services

October 2, 1999 - 10 a.m. -- Public Hearing
Best Western Inn, 6633 Arlington Boulevard, Falls Church, Virginia.  (Interpreter for the deaf provided upon request)

October 23, 1999 - 11:30 a.m. -- Public Hearing
Holiday Inn, 725 Woodlake Drive, Chesapeake, Virginia.  (Interpreter for the deaf provided upon request)

Public hearing to invite comments from the public regarding vocational rehabilitation services for persons with visual disabilities. All comments will be considered in developing the state plan for this program.

Contact: James G. Taylor, Vocational Rehabilitation Program Director, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3111, FAX (804) 371-3351, toll-free 1-800-622-2155 or (804) 371-3140/TTY ☎

VIRGINIA WAR MEMORIAL FOUNDATION

September 17, 1999 - Noon -- Open Meeting
Virginia War Memorial, 621 South Belvidere Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The annual meeting of the Board of Trustees and election of officers. The meeting will be preceded at 10 a.m. by a POW/MIA Recognition Day ceremony with Lt. Governor Hager as the invited speaker (attendance not confirmed).

Contact: Jon C. Hatfield, Executive Director, Virginia War Memorial Foundation, 621 S. Belvidere St., Richmond, VA 23220, telephone (804) 786-2060, FAX (804) 786-6652 or (804) 786-6152/TTY ☎

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

October 27, 1999 - 11 a.m. -- Public Hearing
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 4, Richmond, Virginia.

November 1, 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 Waste Management Facility Operators intends to amend regulations entitled: **18 VAC 155-20-10 et seq. Waste Management Facility Operators Regulations.** The proposed amendments will revise definitions, delete the interim certification provisions, delete the Class V license provisions, empower one license to be issued with all classifications, delete the continuing education requirements, and delete the CPE sponsor approval process.

Statutory Authority: § 54.1-2211 of the Code of Virginia.

Contact: Thomas Perry, Office Manager, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-2475 and (804) 367-9753/TTY ☎

November 4, 1999 - 10 a.m. -- Public Hearing
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia. ♿

A meeting to conduct routine board 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) 367-8595, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

STATE WATER CONTROL BOARD

† **September 20, 1999 - 7 p.m.** -- Public Hearing
Broadway High School, 269 Gobbler Drive, Broadway, Virginia.

A public hearing to receive comments on the proposed issuance of a discharge permit for S.I.L. Cleanwater, L.L.C., for the North Fork Modular Reclamation and Reuse Facility to be located adjacent to US 211 east of Timberville.

Contact: Dwight M. Sours, Department of Environmental Quality, Valley Regional Office, P.O. Box 1129, Harrisonburg, VA 22801, telephone (540) 574-7807.

September 23, 1999 - 9:30 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿

A regular meeting.

Contact: Cindy M. Berndt, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378.

October 28, 1999 - 10 a.m. -- Open Meeting
Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia.

A meeting of the Poultry Advisory Group to continue development of a draft general permit regulation for poultry waste management. Meeting dates and time are subject to change. The public may wish to confirm these with the contact person.

Contact: Richard Ayers, Technical Services Administrator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4075.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

September 16, 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) 367-2176, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

Calendar of Events


VIRGINIA WORKFORCE COUNCIL

Committee on Workforce Strategy

† **September 20, 1999 - 10 a.m.** -- Open Meeting
Virginia Employment Commission, Central Office, 703 East Main Street, Conference Room 303, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A meeting of the committee to set its agenda for the fiscal year and review draft portions of the final report on Virginia's Workforce Strategy, which will be presented to the Governor in December 1999.

Contact: Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 371-8697 or (804) 371-8050.

† **September 22, 1999 - 10 a.m.** -- Open Meeting
Virginia Employment Commission, Central Office, 703 East Main Street, Conference Room 303, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A meeting of the committee to set its agenda for the fiscal year and consider draft proposals for criteria for the appointment of Local Workforce Investment Boards and public participation guidelines for the WIA.

Contact: Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 371-8697 or (804) 371-8050.

VIRGINIA WORKERS' COMPENSATION COMMISSION


October 6, 1999 - 10 a.m. -- Open Meeting
Virginia Workers' Compensation Commission, 1000 DMV Drive, 2nd Floor Courtroom, Richmond, Virginia.

An informational meeting to receive comments and suggestions from the public and interested parties pertaining to the Self-Insurance Program. This meeting is not part of a current regulatory proceeding.

Contact: Judy Brooks, Virginia Workers' Compensation Commission, 1000 DMV Dr., Richmond, VA 23220, telephone (804) 367-2193 or toll-free 1-877-664-2566, or e-mail judy.brooks@VWC.state.va.us.

INDEPENDENT

STATE LOTTERY BOARD


† **October 4, 1999 - 9:30 a.m.** -- Open Meeting
State Lottery Department, 900 East Main Street, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

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


JOINT COMMITTEE STUDYING THE STATUS AND NEEDS OF AFRICAN-AMERICAN MALES IN VIRGINIA (SJR 420, 1999)

† **September 29, 1999 - 2 p.m.** -- Public Hearing
Roanoke City Municipal Building, 215 Church Avenue, S.W., Roanoke, Virginia. 
(Interpreter for the deaf provided upon request)


A work session and public hearing. This meeting replaces the meeting originally scheduled for September 23, 1999. Questions regarding the agenda should be directed to Brenda Edwards, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least seven days prior to the meeting.

Contact: Patricia J. Lung, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 


SPECIAL JOINT SUBCOMMITTEE STUDYING VIRGINIA'S MEDICAL CARE FACILITIES CERTIFICATE OF PUBLIC NEED PROGRAM AND LAW (SJR 496, 1999)

† **November 15, 1999 - 1 p.m.** -- Open Meeting
† **December 8, 1999 - 2 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least seven days prior to the meeting.

Contact: Brian B. Taylor, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 

COMMISSION ON REFORM OF THE CLASSIFIED COMPENSATION PLAN

† **October 5, 1999 - 10 a.m.** -- Open Meeting
† **November 30, 1999 - 2 p.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. 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

September 13, 1999 - 2 p.m. -- Open Meeting

September 14, 1999 - 9:30 a.m. -- Open Meeting

October 18, 1999 - 2 p.m. -- Open Meeting

October 19, 1999 - 9:30 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, 6th Floor, Speaker's Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to continue with the recodification of Titles 2.1 and 9. Public comment will be received at the end of the meeting for a period not to exceed 15 minutes.

Contact: Jane D. Chaffin, Registrar of Regulations, General Assembly Building, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625 or e-mail jchaffin@leg.state.va.us.

COMMISSION ON THE CONDITION AND FUTURE OF VIRGINIA'S CITIES (HJR 432, 1998)

September 17, 1999 - 10 a.m. -- Open Meeting

Kiptopeke State Park, Eastern Shore, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be directed Nikki Rovner, 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 ☎

CORPORATIONS, INSURANCE AND BANKING SUBCOMMITTEE

Subcommittee #4 (HB1882, 1999) - Landlord and Tenant; Access to Telecommunications Services

† **September 22, 1999 - 10 a.m.** -- Open Meeting

General Assembly Building, 9th and Broad Streets, 4th Floor West, Conference Room., Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Frank Munyan, 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: W. Travis Varner, Committee Operations, House of Delegates, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

† **December 7, 1999 - 1:30 p.m.** -- Open Meeting

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to brief members on revised Article 9, Secured Transactions, of the Uniform Commercial Code, as proposed by the Uniform Law Commissioners. A representative of the Uniform Law Commissioners will present the briefing and the Virginia Bar Association, which is currently reviewing the revision, will participate. Questions regarding the meeting should be addressed to Jescey French, 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: Dawn B. Smith, Committee Operations, House of Delegates, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

BY-LETTER SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION STUDYING RESIDENTIAL ACADEMIES (HJR 538)

September 15, 1999 - 10 a.m. -- Open Meeting

State Capitol, Capitol Square, House Room 2, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the special subcommittee. Questions regarding the meeting should be addressed to Kathleen Harris, 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, Committee Operations, House of Delegates, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

COMMISSION ON EDUCATIONAL INFRASTRUCTURE (HJR 670)

September 21, 1999 - 2 p.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the special subcommittee continued from HJR 165, 1998. Questions regarding the meeting should be addressed to Norma Szakal, 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.

Calendar of Events

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 ON ENGLISH AS A SECOND LANGUAGE (HJR 588, 1999)

† **September 24, 1999 - 12:30 p.m.** -- Open Meeting
Alexandria City Hall, 301 King Street, 2nd Floor, Council Workroom, Alexandria, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the special subcommittee. Questions regarding the meeting should be addressed to Norma Szakal or Brenda Edwards, 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 L. Regen, Committee Operations, House of Delegates, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

COMMISSION ON THE FUTURE OF VIRGINIA'S ENVIRONMENT

Solid Waste Subcommittee

† **October 4, 1999 - 10 a.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. Any questions regarding the agenda for the meeting should be directed to Nikki Rovner, Division of Legislative Services, (804) 786-3591. For further assistance, or if you are unable to attend, please call committee operations. Individuals requiring interpreter services or other accommodations should call or write House Committee Operations at least 10 days prior the meeting.

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 ☎

SPECIAL TASK FORCE STUDYING FAITH-BASED COMMUNITY SERVICE GROUPS WHO MAY PROVIDE ASSISTANCE TO MEET SOCIAL NEEDS (HJR 764, 1999)

September 14, 1999 - 1 p.m. -- Open Meeting
November 8, 1999 - 1 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 addressed to Gayle Vergara, Senior Research Associate, Division of Legislative Services, (804) 786-

3591. 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 COMMISSION ON HEALTH CARE

September 15, 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 ☎

Drug Switching Subcommittee (HJR 734)

September 29, 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 of the subcommittee. 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 ☎


Midwifery Subcommittee (HJR 646)

September 15, 1999 - ½ hour after adjournment of the full joint commission meeting -- 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 LEGISLATIVE AUDIT AND REVIEW COMMISSION

September 13, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. 


Staff briefings on the review of student financial aid in Virginia and the impact of digital TV on public broadcasting in Virginia.

Contact: Philip A. Leone, Director, Joint Legislative Audit and Review Commission, General Assembly Bldg., Suite 1100, Richmond, VA 23219, telephone (804) 786-1258.


JOINT SUBCOMMITTEE ON STATE GOVERNMENT PROCUREMENT PROCEDURES (SJR 474, 1999)

† **September 20, 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. Questions regarding the meeting should be directed to Senate Committee Operations, (804) 698-7450. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least seven working days prior to the meeting.

Contact: John McE. Garrett, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 


JOINT SUBCOMMITTEE STUDYING THE FUTURE DELIVERY OF PUBLICLY FUNDED MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES (HJR 225)

November 16, 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 addressed to Gayle Vergara, 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. You can access information on the Internet at <http://dls.state.va.us/hjr225.htm>

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 


Comprehensive Services Act Work Group

October 20, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, 7th Floor West Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Questions regarding the meeting should be addressed to Gayle Vergara, 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. ahoward@leg.state.va.us

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 


Medicaid Carve-Out Work Group

October 14, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, 7th Floor West 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. ahoward@leg.state.va.us

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

COMMISSION ON COORDINATION OF SERVICES TO FACILITATE SELF-SUFFICIENCY AND SUPPORT OF PERSONS WITH PHYSICAL AND SENSORY DISABILITIES

September 14, 1999 - 9 a.m. -- Open Meeting
November 8, 1999 - 9 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Brian Parsons or Barbara Ettner, Virginia Board for People with Disabilities, (804) 786-0016. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least 10 working days prior to the meeting.

Contact: W. Travis Varner, Committee Operations, House of Delegates, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

Calendar of Events

JOINT SUBCOMMITTEE TO EXAMINE THE FINANCIAL ASSURANCE REQUIREMENTS FOR SOLID WASTE MANAGEMENT FACILITIES

† **October 1, 1999 - 10 a.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 agenda
should be directed to Martin Farber, Division of
Legislative Services, (804) 786-3591. Individuals
requiring interpreter services or other special assistance
should contact Kimberly Rockhold at least 10 working
days prior to the meeting.

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

SPECIAL FINANCE SUBCOMMITTEE STUDYING A TAX SYSTEM THAT REFLECTS ABILITY TO PAY (HJR 271, 1999)

† **October 7, 1999 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, 4th Floor
West, Conference Room, Richmond, Virginia. (Interpreter
for the deaf provided upon request)

A regular meeting. Any questions regarding the agenda
for the meeting should be directed to Joan Putney,
Division of Legislative Services, (804) 786-3591. For
further assistance, or if you are unable to attend, please
call committee operations. Individuals requiring
interpreter services or other accommodations should call
or write House Committee Operations at least 10 days
prior the meeting.

Contact: Lois V. 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 TECHNOLOGY AND SCIENCE

September 21, 1998 - 11 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate
Room B, Richmond, Virginia. (Interpreter for the deaf
provided upon request)

A meeting to discuss the Uniform Electronic Transaction
Act (UETA) and the Uniform Computer Information
Transactions Act (UCITA). About one week before the
meeting, the proposed agenda will be posted on the
commission's webpage at [http://legis.state.va.us/
jcots/jcots.htm](http://legis.state.va.us/jcots/jcots.htm).

Contact: Diane E. Horvath, Director, Joint Commission on
Technology and Science, General Assembly Bldg., 910
Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804)
786-3591, FAX (804) 371-0169 or e-mail
DHorvath@leg.state.va.us.

CHRONOLOGICAL LIST

OPEN MEETINGS

September 13

Code Commission, Virginia
Conservation and Recreation, Department of
- Goose Creek Scenic River Advisory Board
Joint Legislative Audit and Review Commission
Local Government, Commission on
Professional and Occupational Regulation, Board for
Transportation Safety Board

September 14

Agriculture and Consumer Services, Department of
- Virginia Horse Industry Board
- Virginia Irish Potato Board
† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers, and Landscape Architects,
Board for
- Land Surveyor Section
Code Commission, Virginia
Conservation and Recreation, Department of
- Board on Conservation and Development of Public
Beaches
Faith-Based Community Service Groups Who May
Provide Assistance to Meet Social Needs, Special Task
Force Studying
Medical Assistance Services, Board of
Physical and Sensory Disabilities, Commission on
Coordination of Services to Facilitate Self-Sufficiency
and Support of Persons with
Recycling Markets Development Council, Virginia

September 15

Agriculture and Consumer Services, Department of
- Virginia Cattle Industry Board
Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers, and Landscape Architects,
Board for
Education Studying Residential Academies, By-Letter
Subcommittee of the Committee on
Environmental Quality, Department of, and Department
of Conservation and Recreation
Health, State Board of
- Biosolids Use Information Committee
- Biosolids Use Regulations Advisory Committee
Health Care, Joint Commission on
- Midwifery Subcommittee
Historic Resources, Department of
- State Review Board
Medicine, Board of
- Informal Conference Committee
Museum of Fine Arts, Virginia
- Communications and Marketing Committee
- Education and Programs Committee
- Exhibitions Committee
- Planning Committee
Transportation Board, Commonwealth

September 16

Agriculture and Consumer Services, Department of
- Virginia Cattle Industry Board

† Conservation and Recreation, Department of
- Raymond R. "Andy" Guest/Shenandoah River State
Park Master Planning Steering Committee
Dentistry, Board of
Environmental Quality, Department of
- Water Reuse Advisory Group
Labor and Industry, Department of
- Virginia Apprenticeship Council
Museum of Fine Arts, Virginia
- Board of Trustees
- Buildings and Grounds Committee
- Collections Committee
- Finance Committee
Nursing, Board of
Optometry, Board of
Soil and Water Conservation Board, Virginia
Transportation Board, Commonwealth
Waterworks and Wastewater Works Operators, Board for

September 17

† Correctional Education, Board of
Dentistry, Board of
Environment, Commission Studying the Future of
Virginia's
War Memorial Foundation, Virginia
- Board of Trustees

September 18

Visually Handicapped, Department for the
- Statewide Rehabilitation Council for the Blind

September 20

Accountancy, Board of
Alcoholic Beverage Control Board, Virginia
† Procurement Procedures, Joint Subcommittee on State
Government
† Professional Counselors, Marriage and Family
Therapists and Substance Abuse Treatment
Professionals, Board of Licensed
Tourism Corporation, Virginia
Motion Picture Development Committee
† Water Control Board, State
† Workforce Council, Virginia
- Committee on Workforce Strategy

September 21

† Agriculture and Consumer Services, Department of
- Virginia Sweet Potato Board
Competition Council, Commonwealth
Criminal Justice Services, Department of
- Criminal Justice Services Board
- Victim/Witness Issues Advisory Committee
Educational Infrastructure, Commission on
Environmental Quality, Department of
- Ground Water Protection Steering Committee
Funeral Directors and Embalmers, Board of
- Special Conference Committee
† Health Professions, Board of
- Ad Hoc Committee on Independent Boards
- Regulatory Research Committee
† Housing Development Authority, Virginia
† Land Conservation Foundation, Virginia
Motor Vehicle Dealer Board

- Advertising Committee
- Dealer Practices Committee
- Licensing Committee
- Transaction Recovery Fund Committee
Psychology, Board of
Technology and Science, Joint Commission on

September 22

Agriculture and Consumer Services, Department of
- Virginia Sweet Potato Board
Community Colleges, State Board for
- Academic and Student Affairs Committee
- Audit Committee
- Budget and Finance Committee
- Facilities Committee
- Personnel Committee
† Child Fatality Review Team, State
† Conservation and Recreation, Department of
- Chippokes Plantation Farm Foundation
- Kiptopeke State Park Master Plan Steering
Committee
† Corporations, Insurance and Banking Committee
- Subcommittee #4 -- Land and Tenant; Access to
Telecommunications Services
Funeral Directors and Embalmers, Board of
Labor and Industry, Department of
- Virginia Migrant and Seasonal Farmworkers Board
Motor Vehicle Dealer Board
- Finance Committee
- Franchise Law Committee
† Workforce Council, Virginia
- WIA and Coordinated Planning Committee

September 23

Community Colleges, State Board for
Education, Board of
Funeral Directors and Embalmers, Board of
Manufactured Housing Board, Virginia
Treasury Board
Water Control Board, State

September 24

† English as a Second Language, Commission on
† Longwood College
- Academic Affairs Committee
- Facilities and Services Committee
- Finance Committee
- Student Affairs Committee
† Medicine, Board of
- Informal Conference Committee
- Legislative Committee
Pollution Prevention Advisory Committee, Virginia

September 25

† Longwood College
- Board of Visitors

September 27

† Conservation and Recreation, Department of
- Virginia Board of Conservation and Recreation
† Environmental Quality, Department of
† General Services, Department of
- Design-Build/Construction Management Review
Team

Calendar of Events

Land Evaluation Advisory Council, State
† Nursing, Board of

September 28

Arts, Commission for the
- Advisory Board
† Compensation Board
Competition Council, Commonwealth
Environmental Quality, Department of
- Water Reuse Advisory Group
Hearing Aid Specialists, Board for
Marine Resources Commission
† Nursing, Board of
Pharmacy, Board of
† Small Business Financing Authority, Virginia
- Loan Committee

September 29

† African-American Males in Virginia, Joint Subcommittee
Studying the Status and Needs of
Agriculture and Consumer Services, Board of
† Alzheimer's Disease and Related Disorders
Commission
Environmental Quality, Department of
- Citizens Wetlands Advisory Committee
Health Care, Joint Commission on
- Drug Switching Subcommittee
† Intergovernmental Relations, Advisory Commission on
- Visual Quality Committee
† Nursing, Board of
† Real Estate Board

September 30

Aging, Commonwealth Council on
† Nursing, Board of
† Real Estate Board

October 1

† Solid Waste Management Facilities, Joint
Subcommittee to Examine the Financial Assurance
Requirements for

October 2

Visually Handicapped, Department for the
- Vocational Rehabilitation Services

October 4

Barbers, Board for
† Environment, Commission Studying the Future of
Virginia's
- Solid Waste Subcommittee
† Lottery Board, State
Solid Waste Management Regulation Advisory
Committee

October 5

† Classified Compensation Plan, Commission on Reform
of the
† Outdoors Foundation, Virginia
- Board of Trustees

October 6

† Outdoors Foundation, Virginia
- Board of Trustees
Workers' Compensation Commission, Virginia

October 7

† Tax Systems that Reflects Ability to Pay, Special
Finance Subcommittee Studying a

October 8

Art and Architectural Review Board

October 12

Funeral Directors and Embalmers, Board of
- Legislative Committee
- Regulatory and Bylaws Committee

October 13

Nursing Home Administrators, Board of
Social Services, State Board of

October 14

Fire Services Board, Virginia
- Fire/EMS Education and Training Committee
- Fire Prevention Committee
- Legislative/Liaison Committee
Independent Living Council, Statewide
Medicine, Board of
Mental Health, Mental Retardation and Substance Abuse
Services, Joint Subcommittee Studying the Future
Delivery of Publicly Funded
- Medicaid Carve-Out Work Group
Social Services, State Board of

October 15

Fire Services Board, Virginia

October 17

Intergovernmental Relations, Advisory Commission on

October 18

Accountancy, Board of
Code Commission, Virginia

October 19

Code Commission, Virginia
Transportation Safety Board
Visually Handicapped, Board for the

October 20

Mental Health, Mental Retardation and Substance Abuse
Services, Joint Subcommittee Studying the Future
Delivery of Publicly Funded
- Comprehensive Services Act Work Group

October 22

Medicine, Board of
† Psychology, Board of

October 23

Visually Handicapped, Department for the
- Vocational Rehabilitation Services

October 26

† Chesapeake Bay Local Assistance Board
- Southern Area Review Committee
† Real Estate Appraiser Board

October 28

Information Providers Network Authority, Virginia
† Environmental Quality, Department of

- Solid Waste Management Regulation Advisory Committee
- Water Control Board, State
- Poultry Advisory Group

November 1

- † Medical Assistance Services, Department of
- Pharmacy Liaison Committee

November 4

- Waste Management Facility Operators, Board for

November 8

- Faith-Based Community Service Groups Who May Provide Assistance to Meet Social Needs, Special Task Force Studying
- Physical and Sensory Disabilities, Commission on Coordination of Services to Facilitate Self-Sufficiency and Support of Persons with

November 9

- Asbestos and Lead, Virginia Board for Medical Assistance Services, Board of

November 15

- † Certificate of Public Need Program and Law, Special Joint Subcommittee Studying Virginia's Medical Care Facilities

November 16

- † Certificate of Public Need Program and Law, Special Joint Subcommittee Studying Virginia's Medical Care Facilities
- Mental Health, Mental Retardation and Substance Abuse Services, Joint Subcommittee Studying the Future Delivery of Publicly Funded
- Professional and Occupational Regulation, Board for

November 18

- † Labor and Industry, Department of
- Virginia Apprenticeship Council

November 30

- † Classified Compensation Plan, Commission on Reform of the

December 2

- † Fire Services Board, Virginia
- Fire/EMS Education and Training Committee
- Fire Prevention and Control Committee
- Legislation Committee

December 3

- † Fire Services Board, Virginia

December 7

- † Corporations, Insurance and Banking Committee

December 8

- † Outdoors Foundation, Virginia
- Board of Trustees

December 9

- † Outdoors Foundation, Virginia
- Board of Trustees

PUBLIC HEARINGS**September 14**

- Funeral Directors and Embalmers, Board of

September 15

- Funeral Directors and Embalmers, Board of

September 16

- Dentistry, Board of
- Health, State Board of

September 23

- Health, State Board of

September 24

- Medicine, Board of

September 27

- Social Services, State Board of

September 28

- † Social Services, State Board of

October 27

- Professional and Occupational Regulation, Department of
- Waste Management Facility Operators, Board for
