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# TABLE OF CONTENTS

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## **CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED**

Cumulative Table.....3709

## **NOTICES OF INTENDED REGULATORY ACTION**

### TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

Board of Corrections.....3721

State Board of Juvenile Justice.....3721

### TITLE 8. EDUCATION

State Board of Education .....3722

### TITLE 9. ENVIRONMENT

State Water Control Board .....3722

### TITLE 12. HEALTH

Department of Medical Assistance Services.....3723

### TITLE 17. LIBRARIES AND CULTURAL RESOURCES

Department of Historic Resources .....3724

### TITLE 22. SOCIAL SERVICES

State Board of Social Services .....3724

## **PROPOSED REGULATIONS**

### TITLE 8. EDUCATION

#### **STATE BOARD OF EDUCATION**

Licensure Regulations for School Personnel (amending 8 VAC 20-21-10, 8 VAC 20-21-50, and 8 VAC 20-21-80).3725

### TITLE 12. HEALTH

#### **STATE BOARD OF HEALTH**

Certificate of Quality Assurance of Managed Care Health Insurance Plan Licensees (amending 12 VAC 5-408-10 through 12 VAC 5-408-360). .....3733

## **FINAL REGULATIONS**

### TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

#### **BOARD FOR CONTRACTORS**

Tradesman Rules and Regulations (amending 18 VAC 50-30-

10, 18 VAC 50-30-20, 18 VAC 50-30-40, 18 VAC 50-30-50, 18 VAC 50-30-90, and 18 VAC 50-30-200)..... 3756

#### **BOARD OF HEALTH PROFESSIONS**

Public Participation Guidelines (amending 18 VAC 75-10-10, 18 VAC 75-10-20, 18 VAC 75-10-30, 18 VAC 75-10-40, 18 VAC 75-10-60, 18 VAC 75-10-70, 18 VAC 75-10-80, 18 VAC 75-10-100). ..... 3756

## **EMERGENCY REGULATIONS**

### TITLE 12. HEALTH

#### **DEPARTMENT OF MEDICAL ASSISTANCE SERVICES**

Family Access to Medical Insurance Security Plan (amending 12 VAC 30-141-100)..... 3757

## **FORMS**

### TITLE 9. ENVIRONMENT

#### **VIRGINIA WASTE MANAGEMENT BOARD**

Regulations for the Development of Solid Waste Management Plans. (9 VAC 20-130-10 et seq.)..... 3758

## **GOVERNOR**

### EXECUTIVE ORDER

Declaration of a State of Emergency for Certain Localities in the Commonwealth of Virginia Due to Significant Rains and Flooding. (77-01)..... 3760

## **GUIDANCE DOCUMENTS**

Virginia Small Business Financing Authority ..... 3763

## **GENERAL NOTICES/ERRATA**

### **STATE CORPORATION COMMISSION**

#### **Bureau of Insurance**

### ADMINISTRATIVE LETTER

Voluntary Expedited Filing Procedures for Insurance Applications Developed to Allow Depository Institutions to Meet their Disclosure Obligations under Section 305 of the Gramm-Leach-Bliley Act. (2001-7) ..... 3764

#### **DEPARTMENT OF HEALTH**

Drinking Water State Revolving Fund Program Intended Use Plan for FY 2002 ..... 3768

---

# Table of Contents

---

## STATE LOTTERY DEPARTMENT

### DIRECTOR'S ORDERS

Virginia's Instant Game Lottery 203; "Blackjack" (effective 3/6/01). (17-01) .....	3768
Virginia's Instant Game Lottery 480; "Lucky 7's Blackjack" (effective 3/6/01). (18-01) .....	3768
Virginia's Instant Game Lottery 479; "Monster Truck Bucks" (effective 4/2/01). (19-01) .....	3768
Virginia's Instant Game Lottery 210; "Congratulations" (effective 4/2/01). (20-01) .....	3768
"Gimme Five!" Virginia Lottery Retailer Incentive Program Rules (effective 4/11/01). (21-01).....	3768
Virginia's Instant Game Lottery 212; "Cha-Ching!" (effective 4/13/01). (22-01) .....	3768
Virginia's Instant Game Lottery 211; "Fast \$50's" (effective 4/13/01). (23-01) .....	3768
Virginia's Instant Game Lottery 213; "Sunny Money" (effective 4/23/01). (24-01) .....	3768
Virginia's Instant Game Lottery 481; "Lucky Jackpot" (effective 5/14/01). (26-01) .....	3768
Virginia's Instant Game Lottery 482; "Firecracker Cash" (effective 5/14/01). (27-01) .....	3768
Virginia's Instant Game Lottery 483; "Diamond Doubler" (effective 5/14/01). (28-01) .....	3768
Virginia's Sixth On-Line Lottery; "The Big Game," Fifth Revision (effective 5/24/01). (29-01) .....	3768
Virginia's Seventh On-Line Lottery; "Lotto Virginia," Revised (effective 5/24/01). (30-01) .....	3768
Director's Order Number Thirty-One (01).....	3768
Virginia's Instant Game Lottery 485; "Super Lucky 7's" (effective 5/22/01). (31-01) .....	3768
Virginia's Instant Game Lottery 216; "Money Money Money" (effective 5/25/01). (32-01) .....	3768
Virginia's Instant Game Lottery 487; "Roll Them Bones" (effective 5/31/01). (33-01) .....	3768
Virginia's Instant Game Lottery 488; "Pole Position" (effective 5/31/01). (34-01) .....	3768
Virginia's Instant Game Lottery 489; "Slots Of Cash" (effective 5/31/01). (35-01) .....	3768
Virginia's Instant Game Lottery 486; "Lifetime Cash Reward" (effective 6/4/01). (36-01) .....	3768
Virginia's Instant Game Lottery 215; "Hot Cards" (effective 6/27/01). (37-01) .....	3768
Virginia's Instant Game Lottery 217; "Barrels Of Bugs" (effective 6/27/01). (38-01) .....	3768
Virginia's Instant Game Lottery 475; "Outback Survival," Revised (effective 7/11/01). (39-01) .....	3769

Virginia's Instant Game Lottery 489; "Slots Of Cash," Revised (effective 7/27/01). (41-01) .....	3769
Virginia's Instant Game Lottery 194; "High Card Doubler," Revised (effective 7/27/01). (42-01).....	3769
Virginia's Instant Game Lottery 207; "2,000 Clams," Revised (effective 7/27/01). (43-01) .....	3769
Virginia's Instant Game Lottery 212; "Cha-Ching!," Revised (effective 7/27/01). (44-01) .....	3769
Virginia's Instant Game Lottery 215; "Hot Cards," Revised (effective 7/27/01). (45-01) .....	3769
Virginia's Instant Game Lottery 461; "Cash Carnival," Revised (effective 7/27/01). (46-01) .....	3769
Certain Virginia Instant Game Lotteries; End Of Games. (25-01) .....	3769
Certain Virginia Instant Game Lotteries; End Of Games. (40-01) .....	3769

## DEPARTMENT OF MINES, MINERALS AND ENERGY

Periodic Review of Regulations .....	3770
--------------------------------------	------

## DEPARTMENT OF TRANSPORTATION

Periodic Review of Regulations .....	3770
--------------------------------------	------

## STATE WATER CONTROL BOARD

Proposed Special Order - Flav-O-Rich, Inc. ....	3770
---	------

## VIRGINIA CODE COMMISSION

Notice to State Agencies .....	3771
Forms for Filing Material for Publication in <i>The Virginia Register of Regulations</i> .....	3771

## CALENDAR OF EVENTS

### EXECUTIVE

Open Meetings and Public Hearings.....	3772
--	------

### INDEPENDENT

Open Meetings and Public Hearings.....	3793
--	------

### LEGISLATIVE

Open Meetings and Public Hearings.....	3794
--	------

### CHRONOLOGICAL LIST

Open Meetings .....	3795
Public Hearings .....	3798

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

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Spring 2001 VAC Supplement includes final regulations published through *Virginia Register* Volume 17, Issue 11, dated February 12, 2001). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 1. Administration</b>			
1 VAC 17-20-10	Amended	17:24 VA.R. 3556	9/12/01
1 VAC 17-20-40	Amended	17:24 VA.R. 3557	9/12/01
1 VAC 17-20-70	Amended	17:24 VA.R. 3557	9/12/01
1 VAC 17-20-110	Amended	17:24 VA.R. 3557	9/12/01
1 VAC 17-20-180	Amended	17:24 VA.R. 3557	9/12/01
1 VAC 17-20-210	Amended	17:24 VA.R. 3557	9/12/01
1 VAC 17-20-250	Amended	17:24 VA.R. 3558	9/12/01
1 VAC 17-20-270	Amended	17:24 VA.R. 3558	9/12/01
1 VAC 17-20-280	Amended	17:24 VA.R. 3558	9/12/01
1 VAC 17-20-310	Amended	17:24 VA.R. 3558	9/12/01
1 VAC 30-60-10 et seq.	Repealed	17:19 VA.R. 2731	7/4/01
1 VAC 30-70-10 et seq.	Repealed	17:19 VA.R. 2731	7/4/01
<b>Title 2. Agriculture</b>			
2 VAC 15-20-81	Amended	17:14 VA.R. 2179	3/1/01
<b>Title 4. Conservation and Natural Resources</b>			
4 VAC 15-20-80	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-20-160	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-40-20	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-40-150	Repealed	17:19 VA.R. 2729	7/4/01
4 VAC 15-40-280	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-50-90	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-90-20	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-90-21	Added	17:19 VA.R. 2729	7/4/01
4 VAC 15-90-70	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-90-80	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-85	Added	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-100	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-110	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-141	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-160	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-170	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-190	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-195	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-200	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-210	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-220	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-240	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-110-75	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-190-60	Added	17:19 VA.R. 2729	7/4/01
4 VAC 15-240-20	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-240-31	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-240-90	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-270-20	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-290-140	Amended	17:19 VA.R. 2729	7/4/01

## Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 15-320-100	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 20-40-20	Amended	17:18 VA.R. 2576	5/1/01
4 VAC 20-252-70	Amended	17:12 VA.R. 2024	1/26/01
4 VAC 20-252-90	Amended	17:12 VA.R. 2024	1/26/01
4 VAC 20-252-100	Amended	17:12 VA.R. 2024	1/26/01
4 VAC 20-252-110	Amended	17:12 VA.R. 2025	1/26/01
4 VAC 20-252-140	Amended	17:12 VA.R. 2025	1/26/01
4 VAC 20-270-40	Amended	17:14 VA.R. 2179	3/1/01
4 VAC 20-270-40	Amended	17:18 VA.R. 2576	5/1/01
4 VAC 20-380-20	Amended	17:23 VA.R. 3455	7/1/01
4 VAC 20-380-50	Amended	17:23 VA.R. 3455	7/1/01
4 VAC 20-450-30	Amended	17:18 VA.R. 2576	5/1/01
4 VAC 20-561-10 through 4 VAC 20-561-50	Added	17:16 VA.R. 2332	8/16/01
4 VAC 20-610-30	Amended	17:23 VA.R. 3456	7/1/01
4 VAC 20-620-30	Amended	17:14 VA.R. 2180	3/1/01
4 VAC 20-620-50	Amended	17:14 VA.R. 2180	3/1/01
4 VAC 20-620-70	Amended	17:14 VA.R. 2180	3/1/01
4 VAC 20-620-70	Amended	17:20 VA.R. 2880	6/1/01
4 VAC 20-670-25	Added	17:18 VA.R. 2577	5/1/01
4 VAC 20-751-10	Amended	17:16 VA.R. 2333	4/1/01
4 VAC 20-751-20	Amended	17:16 VA.R. 2333	4/1/01
4 VAC 20-890-10 emer	Amended	17:20 VA.R. 2932	5/25/01-6/24/01
4 VAC 20-890-20 emer	Amended	17:20 VA.R. 2932	5/25/01-6/24/01
4 VAC 20-890-25 emer	Amended	17:20 VA.R. 2932	5/25/01-6/24/01
4 VAC 20-890-25	Amended	17:23 VA.R. 3457	7/1/01
4 VAC 20-890-30	Amended	17:16 VA.R. 2333	4/1/01
4 VAC 20-890-40 emer	Amended	17:20 VA.R. 2933	5/25/01-6/24/01
4 VAC 20-910-30	Amended	17:14 VA.R. 2181	3/1/01
4 VAC 20-910-45	Amended	17:18 VA.R. 2577	5/1/01
4 VAC 20-950-30	Amended	17:14 VA.R. 2181	3/1/01
4 VAC 20-950-45	Amended	17:14 VA.R. 2181	3/1/01
4 VAC 20-950-45	Amended	17:16 VA.R. 2334	4/1/01
4 VAC 20-950-45 emer	Amended	17:18 VA.R. 2673	4/24/01-5/23/01
4 VAC 20-950-45	Amended	17:20 VA.R. 2880	5/25/01
4 VAC 20-995-20	Amended	17:12 VA.R. 2025	1/26/01
4 VAC 20-995-20	Amended	17:14 VA.R. 2182	3/1/01
4 VAC 20-1040-20	Amended	17:20 VA.R. 2881	5/26/01
4 VAC 25-90-10 through 4 VAC 25-90-100	Amended	17:20 VA.R. 2882-2885	7/18/01
4 VAC 25-90-120	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-90-270	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-90-300	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-90-340	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-90-360	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-90 (Forms)	Added	17:21 VA.R. 3119	--
4 VAC 25-100-10 et seq.	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-101-10 through 4 VAC 25-101-220	Added	17:20 VA.R. 2886	7/18/01
4 VAC 25-101 (Forms)	Added	17:21 VA.R. 3119	--
4 VAC 25-130 (Forms)	Amended	17:23 VA.R. 3473	--
<b>Title 5. Corporations</b>			
5 VAC 5-10-10 et seq.	Repealed	17:18 VA.R. 2577	6/1/01
5 VAC 5-20-10 through 5 VAC 5-20-280	Amended	17:18 VA.R. 2581-2587	6/1/01
5 VAC 5-30-10 through 5 VAC 5-30-70	Added	17:22 VA.R. 3312-3315	7/1/01
<b>Title 6. Criminal Justice and Corrections</b>			
6 VAC 20-200-10 through 6 VAC 20-200-180	Amended	17:19 VA.R. 2731-2735	7/4/01
<b>Title 8. Education</b>			
8 VAC 20-110-10	Amended	17:12 VA.R. 2026	3/28/01

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
8 VAC 20-110-20	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-40	Amended	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-50	Amended	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-60	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-70	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-140	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-540-10 et seq.	Repealed	17:16 VA.R. 2334	5/23/01
8 VAC 20-541-10 through 8 VAC 20-541-60	Added	17:16 VA.R. 2335-2342	5/23/01
8 VAC 20-650-10 through 8 VAC 20-650-20 emer	Added	17:14 VA.R. 2202	3/7/01-3/6/02
<b>Title 9. Environment</b>			
9 VAC 5-50-400	Amended	17:15 VA.R. 2248	6/1/01
9 VAC 5-60-60	Amended	17:15 VA.R. 2248	6/1/01
9 VAC 5-60-90	Amended	17:15 VA.R. 2248	6/1/01
9 VAC 5-60-100	Amended	17:15 VA.R. 2249	6/1/01
9 VAC 5-80-310 through 9 VAC 5-80-350	Amended	17:20 VA.R. 2887-2890	7/18/01
9 VAC 5-80-355	Repealed	17:20 VA.R. 2891	7/18/01
9 VAC 5-210-10 through 9 VAC 5-210-160	Added	17:16 VA.R. 2342-2344	7/1/01
9 VAC 15-30-20	Amended	17:21 VA.R. 3029	8/1/01
9 VAC 15-30-40 through 9 VAC 15-30-110	Amended	17:21 VA.R. 3030-3031	8/1/01
9 VAC 15-30-130	Amended	17:21 VA.R. 3031	8/1/01
9 VAC 15-30-150	Repealed	17:21 VA.R. 3031	8/1/01
9 VAC 15-30-160	Amended	17:21 VA.R. 3031	8/1/01
9 VAC 15-30-170	Amended	17:21 VA.R. 3031	8/1/01
9 VAC 20-15-10 through 9 VAC 20-15-160	Added	17:16 VA.R. 2344-2346	7/1/01
9 VAC 20-80-10	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-40	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-60	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-80	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-100	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-110	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-113	Added	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-115	Added	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-120	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-140 through 9 VAC 20-80-290	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-310 through 9 VAC 20-80-340	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-360 through 9 VAC 20-80-380	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-400	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-450	Added	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-460	Added	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-470	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-480	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-485	Added	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-500 through 9 VAC 20-80-560	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-620 through 9 VAC 20-80-650	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-670	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-700	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-730	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-750 through 9 VAC 20-80-790	Amended	17:16 VA.R. 2349	5/23/01
Appendices 2.1 and 2.2	Added	17:16 VA.R. 2349	5/23/01
Appendix 4.1	Repealed	17:16 VA.R. 2349	5/23/01
Appendix 5.1	Amended	17:16 VA.R. 2349	5/23/01
Appendices 5.2 and 5.3	Repealed	17:16 VA.R. 2349	5/23/01
Appendix 5.5	Amended	17:16 VA.R. 2349	5/23/01
Appendix 5.6	Added	17:16 VA.R. 2349	5/23/01
Appendices 7.4 and 9.1	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-130-10 through 9 VAC 20-130-70	Amended	17:21 VA.R. 3033-3037	8/1/01

## Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 20-130-80	Repealed	17:21 VA.R. 3037	8/1/01
9 VAC 20-130-90	Amended	17:21 VA.R. 3037	8/1/01
9 VAC 20-130-110 through 9 VAC 20-130-150	Amended	17:21 VA.R. 3037-3040	8/1/01
9 VAC 20-130-160	Repealed	17:21 VA.R. 3040	8/1/01
9 VAC 20-130-165	Added	17:21 VA.R. 3040	8/1/01
9 VAC 20-130-170	Repealed	17:21 VA.R. 3040	8/1/01
9 VAC 20-130-175	Added	17:21 VA.R. 3040	8/1/01
9 VAC 20-130-180	Amended	17:21 VA.R. 3041	8/1/01
9 VAC 20-130-190	Amended	17:21 VA.R. 3041	8/1/01
9 VAC 20-130-220	Amended	17:21 VA.R. 3041	8/1/01
9 VAC 20-130-230	Amended	17:21 VA.R. 3041	8/1/01
9 VAC 20-130-240	Repealed	17:21 VA.R. 3041	8/1/01
9 VAC 25-15-10 through 9 VAC 25-15-160	Added	17:16 VA.R. 2347-2349	7/1/01
9 VAC 25-31-10	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-30	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-50	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-100	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-110	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-120	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-170	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-220	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-280	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-370	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-390	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-410	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-110-10	Amended	17:16 VA.R. 2350	8/1/01
9 VAC 25-110-20	Amended	17:16 VA.R. 2351	8/1/01
9 VAC 25-110-40	Repealed	17:16 VA.R. 2351	8/1/01
9 VAC 25-110-50	Repealed	17:16 VA.R. 2351	8/1/01
9 VAC 25-110-60	Amended	17:16 VA.R. 2351	8/1/01
9 VAC 25-110-70	Amended	17:16 VA.R. 2351	8/1/01
9 VAC 25-110-70	Amended	17:21 VA.R. 3044	8/1/01
9 VAC 25-110-80	Amended	17:16 VA.R. 2353	8/1/01
9 VAC 25-115-10 through 9 VAC 25-115-50	Amended	17:16 VA.R. 2367-2380	7/24/01
9 VAC 25-192-50	Amended	17:21 VA.R. 3044	8/1/01
9 VAC 25-192-60	Amended	17:21 VA.R. 3045	8/1/01
9 VAC 25-210-10	Amended	17:21 VA.R. 3049	8/1/01
9 VAC 25-210-20	Repealed	17:21 VA.R. 3052	8/1/01
9 VAC 25-210-30	Repealed	17:21 VA.R. 3052	8/1/01
9 VAC 25-210-40	Repealed	17:21 VA.R. 3052	8/1/01
9 VAC 25-210-45	Added	17:21 VA.R. 3052	8/1/01
9 VAC 25-210-50 through 9 VAC 25-210-110	Amended	17:21 VA.R. 3052-3063	8/1/01
9 VAC 25-210-80	Erratum	17:24 VA.R. 3604	--
9 VAC 25-210-115	Added	17:21 VA.R. 3063	8/1/01
9 VAC 25-210-120 through 9 VAC 25-210-180	Amended	17:21 VA.R. 3064-3067	8/1/01
9 VAC 25-210-185	Added	17:21 VA.R. 3067	8/1/01
9 VAC 25-210-190 through 9 VAC 25-210-260	Amended	17:21 VA.R. 3067-3069	8/1/01
9 VAC 25-260-50	Amended	17:16 VA.R. 2381	*
9 VAC 25-260-55	Added	17:16 VA.R. 2381	*
9 VAC 25-430-20	Amended	17:25 VA.R. 3657	9/26/01
9 VAC 25-430-30	Amended	17:25 VA.R. 3657	9/26/01
9 VAC 25-430-60	Amended	17:25 VA.R. 3657	9/26/01
9 VAC 25-660-10 through 9 VAC 25-660-100	Added	17:22 VA.R. 3316-3327	10/1/01

\* 30 days after notice in *Virginia Register* of EPA approval

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-670-10 through 9 VAC 25-670-100	Added	17:22 VA.R. 3328-3344	10/1/01
9 VAC 25-680-10 through 9 VAC 25-680-100	Added	17:21 VA.R. 3070-3087	8/1/01
9 VAC 25-680-30	Erratum	17:24 VA.R. 3604	--
9 VAC 25-680-50	Erratum	17:24 VA.R. 3604	--
9 VAC 25-680-100	Erratum	17:24 VA.R. 3604	--
9 VAC 25-690-10 through 9 VAC 25-690-100	Added	17:21 VA.R. 3088-3107	8/1/01
9 VAC 25-690-30	Erratum	17:24 VA.R. 3604	--
9 VAC 25-690-40	Erratum	17:24 VA.R. 3604	--
<b>Title 10. Finance and Financial Institutions</b>			
10 VAC 5-10-10	Amended	17:22 VA.R. 3345	7/1/01
10 VAC 5-20-30	Amended	17:22 VA.R. 3346	6/27/01
<b>Title 11. Gaming</b>			
11 VAC 10-60 (Forms)	Amended	17:15 VA.R. 2259	--
11 VAC 10-130-10	Amended	17:19 VA.R. 2736	5/7/01
11 VAC 10-130-60	Amended	17:19 VA.R. 2736	5/7/01
11 VAC 10-130-70	Amended	17:19 VA.R. 2737	5/7/01
<b>Title 12. Health</b>			
12 VAC 30-10-20	Amended	17:19 VA.R. 2737	8/1/01
12 VAC 30-10-160	Amended	17:13 VA.R. 2077	4/11/01
12 VAC 30-10-1000	Added	17:19 VA.R. 2741	7/4/01
12 VAC 30-20-80	Amended	17:13 VA.R. 2077	4/11/01
12 VAC 30-20-290 through 12 VAC 30-20-490	Added	17:19 VA.R. 2741	7/4/01
12 VAC 30-20-500 through 12 VAC 30-20-560	Added	17:19 VA.R. 2741	7/4/01
12 VAC 30-30-10	Amended	17:13 VA.R. 2077	4/11/01
12 VAC 30-30-10	Amended	17:19 VA.R. 2737	8/1/01
12 VAC 30-30-20	Amended	17:13 VA.R. 2081	4/11/01
12 VAC 30-30-20	Amended	17:18 VA.R. 2588	7/1/01
12 VAC 30-30-20	Amended	17:18 VA.R. 2589	7/1/01
12 VAC 30-30-40	Amended	17:13 VA.R. 2082	4/11/01
12 VAC 30-30-50	Amended	17:13 VA.R. 2082	4/11/01
12 VAC 30-40-80	Amended	17:13 VA.R. 2087	4/11/01
12 VAC 30-40-100	Amended	17:13 VA.R. 2083	4/11/01
12 VAC 30-40-220	Amended	17:18 VA.R. 2590	7/1/01
12 VAC 30-40-220	Amended	17:18 VA.R. 2593	7/1/01
12 VAC 30-40-220	Erratum	17:21 VA.R. 3124	--
12 VAC 30-40-240	Amended	17:13 VA.R. 2083	4/11/01
12 VAC 30-40-250	Amended	17:13 VA.R. 2085	4/11/01
12 VAC 30-40-280	Amended	17:13 VA.R. 2085	4/11/01
12 VAC 30-40-290	Amended	17:13 VA.R. 2085	4/11/01
12 VAC 30-40-350	Amended	17:13 VA.R. 2087	4/11/01
12 VAC 30-50-300	Amended	17:12 VA.R. 2026	6/1/01**
12 VAC 30-50-490	Added	17:18 VA.R. 2595	7/1/01
12 VAC 30-50-530	Amended	17:12 VA.R. 2026	6/1/01**
12 VAC 30-70-140	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-70-141	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-70-142	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-70-143	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-70-144	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-70-145	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-80-110	Amended	17:18 VA.R. 2597	7/1/01
12 VAC 30-90-19	Added	17:18 VA.R. 2623	7/1/01
12 VAC 30-90-20	Amended	17:18 VA.R. 2624	7/1/01
12 VAC 30-90-29	Added	17:18 VA.R. 2624	7/1/01

\*\* Effective date changed in 17:17 VA.R. 2443.

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## Cumulative Table of VAC Sections Adopted, Amended, or Repealed

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-90-30	Amended	17:18 VA.R. 2625	7/1/01
12 VAC 30-90-31	Amended	17:18 VA.R. 2626	7/1/01
12 VAC 30-90-33	Amended	17:18 VA.R. 2626	7/1/01
12 VAC 30-90-34	Amended	17:18 VA.R. 2628	7/1/01
12 VAC 30-90-35	Amended	17:18 VA.R. 2630	7/1/01
12 VAC 30-90-36	Amended	17:18 VA.R. 2630	7/1/01
12 VAC 30-90-37	Amended	17:18 VA.R. 2632	7/1/01
12 VAC 30-90-38	Amended	17:18 VA.R. 2632	7/1/01
12 VAC 30-90-39	Amended	17:18 VA.R. 2633	7/1/01
12 VAC 30-90-40	Amended	17:18 VA.R. 2633	7/1/01
12 VAC 30-90-41	Amended	17:18 VA.R. 2633	7/1/01
12 VAC 30-90-42	Repealed	17:18 VA.R. 2635	7/1/01
12 VAC 30-90-43	Repealed	17:18 VA.R. 2636	7/1/01
12 VAC 30-90-50	Amended	17:18 VA.R. 2636	7/1/01
12 VAC 30-90-51	Amended	17:18 VA.R. 2636	7/1/01
12 VAC 30-90-55	Amended	17:18 VA.R. 2637	7/1/01
12 VAC 30-90-60	Amended	17:18 VA.R. 2638	7/1/01
12 VAC 30-90-65	Amended	17:18 VA.R. 2638	7/1/01
12 VAC 30-90-70	Amended	17:18 VA.R. 2638	7/1/01
12 VAC 30-90-80	Amended	17:18 VA.R. 2639	7/1/01
12 VAC 30-90-110	Amended	17:18 VA.R. 2639	7/1/01
12 VAC 30-90-120	Amended	17:18 VA.R. 2639	7/1/01
12 VAC 30-90-123	Amended	17:18 VA.R. 2640	7/1/01
12 VAC 30-90-130	Repealed	17:18 VA.R. 2640	7/1/01
12 VAC 30-90-130	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-90-131	Repealed	17:18 VA.R. 2640	7/1/01
12 VAC 30-90-131	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-90-132	Repealed	17:18 VA.R. 2640	7/1/01
12 VAC 30-90-132	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-90-133	Repealed	17:18 VA.R. 2641	7/1/01
12 VAC 30-90-133	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-90-135	Repealed	17:18 VA.R. 2641	7/1/01
12 VAC 30-90-135	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-90-136	Added	17:18 VA.R. 2641	7/1/01
12 VAC 30-90-160	Amended	17:18 VA.R. 2641	7/1/01
12 VAC 30-90-165	Added	17:18 VA.R. 2641	7/1/01
12 VAC 30-90-170	Amended	17:18 VA.R. 2642	7/1/01
12 VAC 30-90-221	Amended	17:18 VA.R. 2642	7/1/01
12 VAC 30-90-240	Amended	17:18 VA.R. 2642	7/1/01
12 VAC 30-90-250	Amended	17:18 VA.R. 2643	7/1/01
12 VAC 30-90-253	Amended	17:18 VA.R. 2643	7/1/01
12 VAC 30-90-260	Repealed	17:18 VA.R. 2643	7/1/01
12 VAC 30-90-264	Amended	17:18 VA.R. 2643	7/1/01
12 VAC 30-90-266	Amended	17:18 VA.R. 2646	7/1/01
12 VAC 30-90-270	Amended	17:18 VA.R. 2646	7/1/01
12 VAC 30-90-272	Amended	17:18 VA.R. 2646	7/1/01
12 VAC 30-90-280	Amended	17:18 VA.R. 2648	7/1/01
12 VAC 30-110-630	Amended	17:13 VA.R. 2096	4/11/01
12 VAC 30-110-650	Amended	17:13 VA.R. 2096	4/11/01
12 VAC 30-110-660	Amended	17:13 VA.R. 2096	4/11/01
12 VAC 30-110-670	Amended	17:13 VA.R. 2096	4/11/01
12 VAC 30-110-700	Amended	17:13 VA.R. 2097	4/11/01
12 VAC 30-110-710	Amended	17:13 VA.R. 2097	4/11/01
12 VAC 30-110-720	Amended	17:13 VA.R. 2088	4/11/01
12 VAC 30-110-730	Amended	17:13 VA.R. 2090	4/11/01
12 VAC 30-110-740	Repealed	17:13 VA.R. 2091	4/11/01



# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-110-741	Added	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-744	Added	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-747	Added	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-751	Added	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-760	Amended	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-780	Amended	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-790	Amended	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-800	Amended	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-810	Amended	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-813	Added	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-815	Added	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-820	Repealed	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-830	Amended	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-840	Amended	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-850	Amended	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-853	Added	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-856	Added	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-860	Amended	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-870	Amended	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-880	Amended	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-890	Repealed	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-900	Amended	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-910	Amended	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-920	Amended	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-921	Added	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-930	Amended	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-940	Amended	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-950	Amended	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-960	Amended	17:13 VA.R. 2095	4/11/01
12 VAC 30-110-970	Amended	17:13 VA.R. 2095	4/11/01
12 VAC 30-110-980	Amended	17:13 VA.R. 2095	4/11/01
12 VAC 30-110-990	Amended	17:13 VA.R. 2095	4/11/01
12 VAC 30-110-1010	Amended	17:13 VA.R. 2095	4/11/01
12 VAC 30-110-1011	Added	17:13 VA.R. 2095	4/11/01
12 VAC 30-120-700 through 12 VAC 30-120-790	Added	17:18 VA.R. 2597-2622	7/1/01
12 VAC 30-120-770	Erratum	17:21 VA.R. 3124	--
12 VAC 35-110-10 et seq.	Repealed	17:20 VA.R. 2891	***
12 VAC 35-115-10 through 12 VAC 35-115-250	Added	17:20 VA.R. 2892-2920	***
12 VAC 35-115-50	Erratum	17:22 VA.R. 3371	--
12 VAC 35-115-70	Erratum	17:22 VA.R. 3371	--
12 VAC 35-120-10 et seq.	Repealed	17:20 VA.R. 2920	***
12 VAC 35-130-10 et seq.	Repealed	17:20 VA.R. 2920	***
12 VAC 30-141-10 et seq. emer	Added	17:25 VA.R. 3660-3670	8/1/01-7/31/02
<b>Title 13. Housing</b>			
13 VAC 10-40-30	Amended	17:22 VA.R. 3347	6/20/01
13 VAC 10-40-110	Amended	17:22 VA.R. 3347	6/20/01
13 VAC 10-40-130	Amended	17:22 VA.R. 3347	6/20/01
13 VAC 10-40-190	Amended	17:22 VA.R. 3347	6/20/01
13 VAC 10-40-230	Amended	17:22 VA.R. 3347	6/20/01
13 VAC 10-180-10	Amended	17:17 VA.R. 2444	4/9/01
13 VAC 10-180-40	Amended	17:17 VA.R. 2444	4/9/01
13 VAC 10-180-60	Amended	17:17 VA.R. 2444	4/9/01
13 VAC 10-180-70	Amended	17:17 VA.R. 2452	4/9/01

\*\*\* Effective date suspended in 17:23 VA.R. 3457.

## Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
13 VAC 10-180-90	Amended	17:17 VA.R. 2452	4/9/01
13 VAC 10-180-100	Amended	17:17 VA.R. 2452	4/9/01
<b>Title 14. Insurance</b>			
14 VAC 5-170-20	Amended	17:24 VA.R. 3559	9/1/01
14 VAC 5-170-30	Amended	17:24 VA.R. 3559	9/1/01
14 VAC 5-170-70	Amended	17:24 VA.R. 3559	9/1/01
14 VAC 5-170-90	Amended	17:24 VA.R. 3559	9/1/01
14 VAC 5-170-105	Amended	17:24 VA.R. 3562	9/1/01
14 VAC 5-170-120	Amended	17:24 VA.R. 3563	9/1/01
14 VAC 5-170-130	Amended	17:24 VA.R. 3565	9/1/01
14 VAC 5-170-150	Amended	17:24 VA.R. 3566	9/1/01
14 VAC 5-170-180	Amended	17:24 VA.R. 3566	9/1/01
Appendix D	Added	17:24 VA.R. 3566	9/1/01
14 VAC 5-215 (Forms)	Amended	17:19 VA.R. 2753-2758	7/4/01
14 VAC 5-300-90	Amended	17:22 VA.R. 3347	8/1/01
14 VAC 5-300-130	Amended	17:16 VA.R. 2382	5/1/01
<b>Title 16. Labor and Employment</b>			
16 VAC 25-90-1910.1043	Amended	17:23 VA.R. 3458	9/15/01
16 VAC 25-90-1910.1030	Amended	17:23 VA.R. 3459	9/15/01
<b>Title 17. Libraries and Cultural Resources</b>			
17 VAC 15-20-20 through 17 VAC 15-20-50	Amended	17:14 VA.R. 2183	5/1/01
17 VAC 15-20-70 through 17 VAC 15-20-120	Amended	17:14 VA.R. 2183	5/1/01
17 VAC 15-20-150 through 17 VAC 15-20-170	Amended	17:14 VA.R. 2183	5/1/01
17 VAC 15-30-10 et seq.	Repealed	17:14 VA.R. 2183	5/1/01
17 VAC 15-40-10 et seq.	Repealed	17:14 VA.R. 2183	5/1/01
17 VAC 15-50-20 through 17 VAC 15-50-50	Amended	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-70	Amended	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-90 through 17 VAC 15-50-110	Amended	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-130	Amended	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-140	Repealed	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-150	Amended	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-160	Amended	17:14 VA.R. 2184	5/1/01
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 5-20-10 et seq.	Repealed	17:14 VA.R. 2184	4/25/01
18 VAC 5-21-10 through 18 VAC 5-21-170	Amended	17:14 VA.R. 2184-2198	4/25/01
18 VAC 30-10-10	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-20	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-30	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-40	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-60	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-70	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-80	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-100	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-20-10	Amended	17:16 VA.R. 2383	5/23/01
18 VAC 30-20-80	Amended	17:16 VA.R. 2383	5/23/01
18 VAC 30-20-160	Amended	17:16 VA.R. 2383	5/23/01
18 VAC 30-20-300	Added	17:16 VA.R. 2384	5/23/01
18 VAC 30-20-310	Added	17:16 VA.R. 2384	5/23/01
18 VAC 30-20-320	Added	17:16 VA.R. 2384	5/23/01
18 VAC 50-22-10 through 18 VAC 50-22-60	Amended	17:21 VA.R. 3108-3113	9/1/01
18 VAC 50-22-80	Amended	17:21 VA.R. 3113	9/1/01
18 VAC 50-22-100 through 18 VAC 50-22-270	Amended	17:21 VA.R. 3113-3115	9/1/01
18 VAC 60-10-10 through 18 VAC 60-10-40	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 60-10-60	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 60-10-70	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 60-10-80	Amended	17:24 VA.R. 3566	9/12/01

## Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 60-10-100	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 65-10-10	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-20	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-30	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-40	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-60	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-70	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-80	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-100	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-10	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-20	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-30	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-40	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-60	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-70	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-80	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-100	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-40-61	Added	17:13 VA.R. 2097	4/11/01
18 VAC 85-50-10	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-50-58	Added	17:13 VA.R. 2098	4/11/01
18 VAC 85-50-101	Amended	17:21 VA.R. 3117	8/1/01
18 VAC 85-50-130	Amended	17:21 VA.R. 3117	8/1/01
18 VAC 85-50-140	Amended	17:21 VA.R. 3117	8/1/01
18 VAC 85-50-150	Amended	17:21 VA.R. 3117	8/1/01
18 VAC 85-80-10	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-80-70	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-80-71	Added	17:17 VA.R. 2452	6/6/01
18 VAC 85-80-72	Added	17:17 VA.R. 2452	6/6/01
18 VAC 85-80-80	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-101-150	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-101-151	Added	17:17 VA.R. 2452	6/6/01
18 VAC 85-101-152	Added	17:17 VA.R. 2452	6/6/01
18 VAC 85-110-150	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-110-155	Added	17:17 VA.R. 2452	6/6/01
18 VAC 85-110-160	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-120-10 et seq.	Added	17:17 VA.R. 2453	6/6/01
18 VAC 90-10-10	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-20	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-30	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-40	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-60	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-70	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-80	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-100	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-20-210	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-30-50	Amended	17:13 VA.R. 2098	4/11/01
18 VAC 90-30-110	Amended	17:13 VA.R. 2098	4/11/01
18 VAC 90-40-60	Amended	17:13 VA.R. 2098	4/11/01
18 VAC 90-40-70	Amended	17:13 VA.R. 2098	4/11/01
18 VAC 95-10-10 through 18 VAC 95-10-40	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 95-10-60	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 95-10-70	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 95-10-80	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 95-10-100	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 105-10-10 through 18 VAC 105-10-40	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 105-10-60	Amended	17:24 VA.R. 3566	9/12/01

## Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 105-10-70	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 105-10-80	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 105-10-100	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 105-20-60	Amended	17:17 VA.R. 2453	6/6/01
18 VAC 110-10-10	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-20	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-30	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-40	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-60	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-70	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-80	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-100	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 112-20-10	Amended	17:25 VA.R. 3657	9/12/01
18 VAC 112-20-90	Amended	17:25 VA.R. 3658	9/12/01
18 VAC 115-60-20	Amended	17:18 VA.R. 2651	6/20/01
18 VAC 115-60-40	Amended	17:18 VA.R. 2651	6/20/01
18 VAC 115-60-50	Amended	17:18 VA.R. 2651	6/20/01
18 VAC 115-60-120	Amended	17:18 VA.R. 2651	6/20/01
18 VAC 115-60-150	Amended	17:18 VA.R. 2651	6/20/01
18 VAC 125-20-10	Amended	17:12 VA.R. 2026	3/28/01
18 VAC 125-20-30	Amended	17:12 VA.R. 2027	3/28/01
18 VAC 125-20-30	Amended	17:18 VA.R. 2652	6/20/01
18 VAC 125-20-43	Added	17:12 VA.R. 2027	3/28/01
18 VAC 125-20-120	Amended	17:18 VA.R. 2652	6/20/01
18 VAC 125-20-121	Added	17:18 VA.R. 2653	6/20/01
18 VAC 125-20-122	Added	17:18 VA.R. 2653	6/20/01
18 VAC 125-20-123	Added	17:18 VA.R. 2653	6/20/01
18 VAC 125-20-130	Amended	17:18 VA.R. 2654	6/20/01
18 VAC 125-20-160	Amended	17:18 VA.R. 2654	6/20/01
18 VAC 140-10-10	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-20	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-30	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-40	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-60	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-70	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-80	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-100	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-20-100	Amended	17:14 VA.R. 2198	4/25/01
18 VAC 140-20-105	Added	17:14 VA.R. 2198	4/25/01
18 VAC 140-20-106	Added	17:14 VA.R. 2199	4/25/01
18 VAC 140-20-110	Amended	17:14 VA.R. 2199	4/25/01
18 VAC 140-20-160	Amended	17:14 VA.R. 2199	4/25/01
18 VAC 150-10-10 through 18 VAC 150-10-40	Amended	17:24 VA.R. 3567	9/12/01
18 VAC 150-10-60	Amended	17:24 VA.R. 3567	9/12/01
18 VAC 150-10-70	Amended	17:24 VA.R. 3567	9/12/01
18 VAC 150-10-80	Amended	17:24 VA.R. 3567	9/12/01
18 VAC 150-10-100	Amended	17:24 VA.R. 3567	9/12/01
<b>Title 19. Public Safety</b>			
19 VAC 30-40-30	Amended	17:15 VA.R. 2252	5/9/01
19 VAC 30-70-160	Amended	17:15 VA.R. 2252	5/9/01
19 VAC 30-70-530	Amended	17:15 VA.R. 2255	5/9/01
19 VAC 30-150-5	Added	17:15 VA.R. 2257	5/9/01
19 VAC 30-150-10	Amended	17:15 VA.R. 2257	5/9/01
19 VAC 30-150-20	Repealed	17:15 VA.R. 2257	5/9/01
19 VAC 30-150-30	Amended	17:15 VA.R. 2257	5/9/01
19 VAC 30-150-50	Amended	17:15 VA.R. 2257	5/9/01

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
19 VAC 30-160-5	Added	17:15 VA.R. 2257	5/9/01
19 VAC 30-160-20	Repealed	17:15 VA.R. 2257	5/9/01
19 VAC 30-160-30	Amended	17:15 VA.R. 2257	5/9/01
19 VAC 30-160-40	Amended	17:15 VA.R. 2257	5/9/01
19 VAC 30-160-45	Added	17:15 VA.R. 2257	5/9/01
19 VAC 30-165-10 et seq.	Amended	17:15 VA.R. 2258	5/9/01
<b>Title 20. Public Utilities and Telecommunications</b>			
20 VAC 5-309-10	Amended	17:18 VA.R. 2657	7/1/01
20 VAC 5-309-15	Added	17:18 VA.R. 2657	7/1/01
20 VAC 5-309-20	Amended	17:18 VA.R. 2657	7/1/01
20 VAC 5-309-30	Amended	17:18 VA.R. 2657	7/1/01
20 VAC 5-309-40	Amended	17:18 VA.R. 2657	7/1/01
20 VAC 5-309-50	Amended	17:18 VA.R. 2658	7/1/01
20 VAC 5-309-70	Amended	17:18 VA.R. 2658	7/1/01
20 VAC 5-309-90 through 20 VAC 5-309-180	Added	17:18 VA.R. 2658-2660	7/1/01
20 VAC 5-312-10 through 20 VAC 5-312-110	Added	17:22 VA.R. 3351-3364	8/1/01
20 VAC 5-325-10 through 20 VAC 5-325-110	Added	17:23 VA.R. 3464-3466	7/1/01
<b>Title 21. Securities and Retail Franchising</b>			
21 VAC 5-10 (Forms)	Amended	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-10	Amended	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-30	Amended	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-40	Amended	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-60 through 21 VAC 5-20-80	Amended	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-85	Added	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-90	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-120	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-130	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-155	Added	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-220	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-240	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-280	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-290	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-30-30	Repealed	17:20 VA.R. 2931	7/1/01
21 VAC 5-30-60	Repealed	17:20 VA.R. 2931	7/1/01
21 VAC 5-30-80	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-30-90	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-10	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-30 through 21 VAC 5-80-70	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-90 through 21 VAC 5-80-110	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-160	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-200	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-210	Amended	17:20 VA.R. 2931	7/1/01
<b>Title 22. Social Services</b>			
22 VAC 20-30-10 through 22 VAC 20-30-60	Amended	17:23 VA.R. 3466-3468	10/1/01
22 VAC 20-30-70	Repealed	17:23 VA.R. 3468	10/1/01
22 VAC 20-30-80 through 22 VAC 20-30-140	Amended	17:23 VA.R. 3468-3469	10/1/01
22 VAC 20-30-150	Added	17:23 VA.R. 3469	10/1/01
22 VAC 40-71-10 emer	Amended	17:24 VA.R. 3568	10/9/01-10/8/02
22 VAC 40-71-20 emer	Amended	17:24 VA.R. 3571	10/9/01-10/8/02
22 VAC 40-71-30 emer	Amended	17:24 VA.R. 3572	10/9/01-10/8/02
22 VAC 40-71-50 emer	Amended	17:24 VA.R. 3572	10/9/01-10/8/02
22 VAC 40-71-60 emer	Amended	17:24 VA.R. 3572	10/9/01-10/8/02
22 VAC 40-71-80 emer	Amended	17:24 VA.R. 3573	10/9/01-10/8/02
22 VAC 40-71-90 emer	Amended	17:24 VA.R. 3573	10/9/01-10/8/02
22 VAC 40-71-110 emer	Amended	17:24 VA.R. 3573	10/9/01-10/8/02
22 VAC 40-71-130 emer	Amended	17:24 VA.R. 3574	10/9/01-10/8/02

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-71-150 through 22 VAC 40-71-180 emer	Amended	17:24 VA.R. 3574-3579	10/9/01-10/8/02
22 VAC 40-71-210 emer	Amended	17:24 VA.R. 3579	10/9/01-10/8/02
22 VAC 40-71-270 emer	Amended	17:24 VA.R. 3579	10/9/01-10/8/02
22 VAC 40-71-275 emer	Added	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-280 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-290 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-310 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-330 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-360 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-410 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-440 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-450 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-460 emer	Amended	17:24 VA.R. 3581	10/9/01-10/8/02
22 VAC 40-71-480 emer	Amended	17:24 VA.R. 3581	10/9/01-10/8/02
22 VAC 40-71-490 emer	Amended	17:24 VA.R. 3581	10/9/01-10/8/02
22 VAC 40-71-530 through 22 VAC 40-71-600 emer	Amended	17:24 VA.R. 3582-3584	10/9/01-10/8/02
22 VAC 40-71-630 through 22 VAC 40-71-700 emer	Amended	17:24 VA.R. 3584-3589	10/9/01-10/8/02
22 VAC 40-130-10 et seq.	Withdrawn	17:17 VA.R. 2456	--
22 VAC 40-230-10 et seq.	Repealed	17:18 VA.R. 2660	6/20/01
22 VAC 40-480-10 et seq.	Repealed	17:18 VA.R. 2661	6/20/01
22 VAC 40-690-10	Amended	17:18 VA.R. 2661	9/1/01
22 VAC 40-690-15	Added	17:18 VA.R. 2662	9/1/01
22 VAC 40-690-20	Amended	17:18 VA.R. 2662	9/1/01
22 VAC 40-690-30	Amended	17:18 VA.R. 2662	9/1/01
22 VAC 40-690-35	Added	17:18 VA.R. 2663	9/1/01
22 VAC 40-690-40	Amended	17:18 VA.R. 2663	9/1/01
22 VAC 40-690-50	Repealed	17:18 VA.R. 2664	9/1/01
22 VAC 40-690-55	Added	17:18 VA.R. 2664	9/1/01
22 VAC 40-690-55	Erratum	17:21 VA.R. 3124	--
22 VAC 40-690-60	Amended	17:18 VA.R. 2664	9/1/01
22 VAC 40-690-65	Added	17:18 VA.R. 2664	9/1/01
22 VAC 40-690-70	Repealed	17:18 VA.R. 2664	9/1/01
22 VAC 40-730-10 emer	Amended	17:13 VA.R. 2103	4/1/01-3/31/02
22 VAC 40-730-10	Erratum	17:25 VA.R. 3679	--
22 VAC 40-730-40 through 22 VAC 40-730-100 emer	Amended	17:13 VA.R. 2103-2104	4/1/01-3/31/02
22 VAC 40-900-10 et seq.	Repealed	17:18 VA.R. 2671	6/20/01
22 VAC 40-901-10 through 22 VAC 40-901-30	Added	17:18 VA.R. 2671	6/20/01
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 30-61-20	Amended	17:17 VA.R. 2456	6/6/01
24 VAC 30-61-40	Amended	17:17 VA.R. 2456	6/6/01
24 VAC 30-240-10	Amended	17:18 VA.R. 2671	5/1/01
24 VAC 30-260-10 et seq.	Repealed	17:25 VA.R. 3658	7/26/01
24 VAC 30-280-10	Amended	17:13 VA.R. 2099	2/15/01
24 VAC 30-280-20 through 24 VAC 30-280-70	Added	17:13 VA.R. 2099-2102	2/15/01
24 VAC 30-370-10 et seq.	Repealed	17:24 VA.R. 3567	9/12/01
24 VAC 30-440-10 et seq.	Repealed	17:14 VA.R. 2200	3/6/01
24 VAC 30-450-10 et seq.	Amended	17:14 VA.R. 2200	3/6/01
24 VAC 30-460-10	Repealed	17:14 VA.R. 2201	3/6/01
24 VAC 30-520-10	Amended	17:25 VA.R. 3658	7/26/01
24 VAC 30-520-20	Amended	17:25 VA.R. 3658	7/26/01
24 VAC 30-540-10	Added	17:23 VA.R. 3472	6/29/01
24 VAC 30-540-20	Added	17:23 VA.R. 3472	6/29/01
24 VAC 30-540-30	Added	17:23 VA.R. 3472	6/29/01
24 VAC 30-540-40	Added	17:23 VA.R. 3472	6/29/01
24 VAC 30-561-10	Amended	17:18 VA.R. 2672	5/2/01

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# NOTICES OF INTENDED REGULATORY ACTION

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## Symbol Key

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

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## TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

### BOARD OF CORRECTIONS

#### 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 Corrections intends to consider amending regulations entitled: **6 VAC 15-10-10 et seq. Public Participation Guidelines.** The purposes of the proposed action are to clarify responsibility for developing and maintaining a current list of interested parties; require that notices include instructions on how to obtain a copy of the regulations and any supporting documents, either from the board contact or from the Virginia Regulatory Town Hall; expand the means of notification and comment to include those sent and received electronically, and amend to recognize that Executive Orders may direct a schedule of regulatory review that is different from a review each biennium. The board will consider any and all additional suggested amendments that may be provided by the public during the public comment period. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 9-6.14:7.1 and 53.1-5 of the Code of Virginia.

Public comments may be submitted until September 28, 2001.

**Contact:** Janice Dow, Agency Regulatory Coordinator, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3119 or FAX (804) 674-3509.

VA.R. Doc. No. R01-268; Filed August 8, 2001, 10:51 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 Board of Corrections intends to consider amending regulations entitled: **6 VAC 15-26-10 et seq. Regulations for Human Subject Research.** The purpose of the proposed action is to include committee review for research being conducted by another state agency in conjunction with the Department of Corrections. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 53.1-5.1 of the Code of Virginia.

Public comments may be submitted until September 28, 2001.

**Contact:** John Britton, Director, Research and Management Services, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3268 or FAX (804) 674-3590.

VA.R. Doc. No. R01-267; Filed August 8, 2001, 10:51 a.m.

## STATE BOARD OF JUVENILE JUSTICE

### † 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 Juvenile Justice intends to consider amending regulations entitled: **6 VAC 35-60-10 et seq. Minimum Standards for Virginia Delinquency Prevention and Youth Development Act Grant Programs.** The purpose of the proposed action is to emphasize the coordinating role of Offices on Youth in youth development and delinquency prevention programs. Following changes to the Delinquency Prevention and Youth Development Act (§ 66-26 et seq. of the Code of Virginia), the amendment emphasizes the Office on Youth's responsibility in planning for and evaluation of community youth development and delinquency prevention programs. Although delivery of direct services by offices on youth is de-emphasized, the amendments place additional quality control requirements on those programs that are directly delivered by offices on youth. Those requirements closely follow minimum standards already in effect for other nonresidential programs regulated by the Board of Juvenile Justice. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 66-10, 66-27 and 66-28 of the Code of Virginia.

Public comments may be submitted until October 10, 2001.

**Contact:** Donald Carignan, Regulatory Coordinator, Department of Juvenile Justice, 700 Centre, 700 E. Franklin St., 4th Floor, Richmond, VA 23219, telephone (804) 371-0743 or FAX (804) 371-0773.

VA.R. Doc. No. R01-270; Filed August 20, 2001, 11:56 a.m.

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Juvenile Justice intends to consider amending regulations entitled: **6 VAC 35-150-10 et seq. Standards for Nonresidential Services Available to Juvenile and Domestic Relations District Courts.** As a result of the periodic review of this regulation mandated by Executive Order 25 (98), the department has determined that the regulation should be amended to ensure that court services are as uniform as practicable throughout the Commonwealth. The purpose of the proposed action is to tighten a wide range of procedural practices by court services units, with the goal of ensuring uniform statewide services that meet minimum established services levels. The department has introduced a statewide manual of standard operating procedures for court services units, and the amendments formalize many of the procedural instructions included in that manual. In addition, certain existing standards will be made more flexible to allow court services units to take into account the circumstances of a particular case based, for example, on a juvenile's risk of re-offending, and taking into

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# Notices of Intended Regulatory Action

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account the length of time a committed juvenile will serve in a juvenile correctional setting before returning to the community on parole. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 16.1-233, 16.1-309.9 and 66-10 of the Code of Virginia.

Public comments may be submitted until October 10, 2001.

**Contact:** Donald Carignan, Regulatory Coordinator, Department of Juvenile Justice, 700 Centre, 700 E. Franklin St., 4th Floor, Richmond, VA 23219, telephone (804) 371-0743 or FAX (804) 371-0773.

VA.R. Doc. No. R01-271; Filed August 20, 2001, 11:56 a.m.

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## 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 20-340-10 et seq. Regulations Governing Driver Education.** The purpose of the proposed action is to amend the regulation to require a minimum number of miles driven during the behind-the-wheel phase of driver education instruction pursuant to § 22.1-205 of the Code of Virginia. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 22.1-16 and 22.1-205 of the Code of Virginia.

Public comments may be submitted until September 12, 2001.

**Contact:** Vanessa Wigand, Specialist in Driver Education, Department of Education, P.O. Box 2120, Richmond, VA 23218, telephone (804) 225-3300 or FAX (804) 225-2524.

VA.R. Doc. No. R01-259; Filed July 25, 2001, 11:43 a.m.

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## TITLE 9. ENVIRONMENT

### STATE WATER CONTROL BOARD

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled: **9 VAC 25-120-10 et seq. General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges from Petroleum Contaminated Sites.** The purpose of the proposed action is to establish permitting requirements for discharges of wastewater from the clean up of sites contaminated by petroleum products. The existing general permit expires on

February 24, 2003. The general permit regulation is being reissued in order to continue making it available after that date. (More detailed information on this regulatory action may be found in 17:25 VA.R. 3650-3651 August 27, 2001.)

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Public comment may be submitted until September 28, 2001.

**Contact:** Richard W. Ayers, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4075 or FAX (804) 698-4032.

VA.R. Doc. No. R01-265; Filed August 1, 2001, 12:01 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 Water Control Board intends to consider amending regulations entitled: **9 VAC 25-195-10 et seq. General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Concentrated Aquatic Animal Production Facilities.** The purpose of the proposed action is to reissue the existing general permit which expires on March 5, 2003. The general permit will establish limitations and monitoring requirements for point source discharges from fish farms or other aquatic animal production facilities.

Need: This proposed regulatory action is needed in order to establish permitting requirements for discharges from fish farms or other aquatic animal production facilities. The existing general permit expires on March 5, 2003. The general permit regulation is being reissued in order to continue making it available after that date.

Substance: The general permit will establish limitations and monitoring requirements for point source discharges from fish farms and other aquatic animal production facilities. As with an individual VPDES permit, the effluent limits in the general permit will be set to protect the quality of the waters receiving the discharges. No specific changes to the existing general permit have been identified at this time. Amendments may be identified following the submittal of public comments on this notice.

Alternatives: These discharges are considered to be point sources of pollutants and thus are subject to regulation under the VPDES permit program. There are two alternatives for compliance with federal and state requirements to permit discharges. One is to issue individual VPDES permits to each treatment works. The other is to reissue the general VPDES permit to cover this category of discharger.

Public Participation: The board is seeking comments on the intended regulatory action, including (i) ideas to assist in the development of a proposal, (ii) the costs and benefits of the amendments proposed in this notice or other alternatives and (iii) the impacts of the regulation on farm or forest lands. Comments must be received by 4 p.m. on Friday October 12, 2001.

Anyone wishing to submit written comments for the public comment file may do so by mail, FAX, or e-mail to Michael Gregory, Office of Water Permit Programs; Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4065, FAX (804) 698-4032, e-mail mbgregory@deq.state.va.us. Written comments must



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# Notices of Intended Regulatory Action

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include the commenter's name and address. In order to be considered, comments must be received by the close of the comment period.

Following publication of the draft general permit regulation in the Virginia Register, the board will hold at least one public hearing to provide opportunity for public comment.

**Participatory Approach:** The board will form a Technical Advisory Committee of relevant stakeholders to assist in the development of the regulation. Any person who desires to be on the committee should notify the agency contact in writing by the close of the public comment period and provide their name, address, telephone number and the name of the organization they represent.

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Public comment may be submitted until October 12, 2001.

**Contact:** Michael Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4065 or FAX (804) 698-4032.

VA.R. Doc. No. R01-272; Filed August 21, 2001, 4:39 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 Water Control Board intends to consider amending regulations entitled: **9 VAC 25-196-10 et seq. General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Cooling Water Discharges.** The purpose of the proposed action is to reissue the existing general permit which expires on March 1, 2003. The general permit will establish limitations and monitoring requirements for point source discharges of noncontact cooling water.

**Need:** This proposed regulatory action is needed in order to establish permitting requirements for discharges of noncontact cooling water. The existing general permit expires on March 1, 2003. The general permit regulation is being reissued in order to continue making it available after that date.

**Substance:** The general permit will establish limitations and monitoring requirements for point source discharges of noncontact cooling water. As with an individual VPDES permit, the effluent limits in the general permit will be set to protect the quality of the waters receiving the discharges. No specific changes to the existing general permit have been identified at this time. Amendments may be identified following the submittal of public comments on this notice.

**Alternatives:** These discharges are considered to be point sources of pollutants and thus are subject to regulation under the VPDES permit program. There are two alternatives for compliance with federal and state requirements to permit discharges. One is to issue individual VPDES permits to each treatment works. The other is to reissue the general VPDES permit to cover this category of discharger.

**Public Participation:** The board is seeking comments on the intended regulatory action, including (i) ideas to assist in the development of a proposal, (ii) the costs and benefits of the amendments proposed in this notice or other alternatives and (iii) the impacts of the regulation on farm or forest lands.

Comments must be received by 4 p.m. on Friday October 12, 2001.

Anyone wishing to submit written comments for the public comment file may do so by mail, FAX, or e-mail to Michael Gregory, Office of Water Permit Programs; Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4065, FAX (804) 698-4032, e-mail [mbgregory@deq.state.va.us](mailto:mbgregory@deq.state.va.us). Written comments must include the commenter's name and address. In order to be considered, comments must be received by the close of the comment period.

Following publication of the draft general permit regulation in the Virginia Register, the board will hold at least one public hearing to provide opportunity for public comment.

**Participatory Approach:** The board will form a Technical Advisory Committee of relevant stakeholders to assist in the development of the regulation. Any person who desires to be on the committee should notify the agency contact in writing by the close of the public comment period and provide their name, address, telephone number and the name of the organization they represent.

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Public comment may be submitted until October 12, 2001.

**Contact:** Richard W. Ayers, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4075 or FAX (804) 698-4032.

VA.R. Doc. No. R01-273; Filed August 21, 2001, 4:39 p.m.

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## 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 repealing regulations entitled: **12 VAC 30-140-10 et seq. Virginia Children's Medical Security Insurance Programs** and promulgating regulations entitled: **12 VAC 30-141-10 et seq. Family Access to Medical Insurance Security Plan.** The purpose of the proposed action is to repeal 12 VAC 30-140-10 et seq. due to legislative actions taken by the 2000 General Assembly to replace the Virginia Children's Medical Security Insurance Program (VCMSIP) with the Families Access to Medical Insurance Security Plan (FAMIS). 12 VAC 30-141-10 et seq. establishes the FAMIS program, including client eligibility criteria, covered services and the limitations on them, provider reimbursement methods, and utilization review requirements and criteria. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-351 of the Code of Virginia.

Public comments may be submitted until September 26, 2001, to Michael Spake, Division of Policy and Research,

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# Notices of Intended Regulatory Action

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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) 786-7959.

VA.R. Doc. No. R01-263; Filed August 1, 2001, 9:37 a.m.



## TITLE 17. LIBRARIES AND CULTURAL RESOURCES

### DEPARTMENT OF HISTORIC RESOURCES

#### 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 Historic Resources intends to consider promulgating regulations entitled: **17 VAC 10-30-10 et seq. Historic Rehabilitation Tax Credits.** The purpose of the proposed action is to implement the Historic Rehabilitation Tax Credit program. The regulations will provide clear guidance to Virginia taxpayers about eligibility for the program, application requirements and procedures, review standards, appeal procedures, and coordination with the federal Certified Historic Rehabilitation program. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 10.1-2202 of the Code of Virginia.

Public comments may be submitted until September 14, 2001.

**Contact:** Virginia E. McConnell, Resource Services Coordinator, Department of Historic Resources, 2801 Kensington Ave., Richmond, VA 23221, telephone (804) 367-2323 or FAX (804) 367-2391.

VA.R. Doc. No. R01-230; Filed June 25, 2001, 9:12 a.m.



## TITLE 22. SOCIAL SERVICES

### STATE BOARD OF SOCIAL SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-71-10 et seq. Standards and Regulations for Licensed Adult Care Residences.** The purpose of the proposed action is to replace an emergency regulation for adult care residences that will expire October 8, 2002. The replacement regulation will cover the same subject matter as the emergency regulation. The amendments are prompted by House Bills 1051 and 1251 passed by the 2000 Session of the General Assembly. The subject matter will include (i) requirements regarding an administrator who is shared between an assisted living facility and a nursing home; (ii) standards for safe, secure environments for residents with

serious cognitive impairments; (iii) change in name from "adult care residence" to "assisted living facility"; (iv) possible amendments based on consideration of cost constraints of smaller operations; and (v) other revisions based on additional legislative mandates in the two bills. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 63.1-25, 63.1-174 and 63.1-174.001 of the Code of Virginia.

Public comments may be submitted until September 12, 2001.

**Contact:** Judith Z. McGreal, Program Development Consultant, Department of Social Services, Division of Licensing Programs, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-1792 or FAX (804) 692-2370.

VA.R. Doc. No. R01-258; Filed July 23, 2001, 1 p.m.



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# PROPOSED REGULATIONS

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For information concerning Proposed Regulations, see Information Page.

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## Symbol Key

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

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## TITLE 8. EDUCATION

### STATE BOARD OF EDUCATION

**Title of Regulation:** 8 VAC 20-21-10 et seq. **Licensure Regulations for School Personnel (amending 8 VAC 20-21-10, 8 VAC 20-21-50, and 8 VAC 20-21-80).**

**Statutory Authority:** § 22.1-298 of the Code of Virginia.

**Public Hearing Date:** September 26, 2001 - 2:15 p.m.

Public comments may be submitted until November 9, 2001.

(See Calendar of Events section for additional information)

**Agency Contact:** Dr. Thomas Elliott, Assistant Superintendent of Teacher Education, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 371-2522 or FAX (804) 225-2524.

**Basis:** Section 22.1-298 of the Code of Virginia states: "The Board of Education shall, by regulation, prescribe the requirements for the licensure of teachers. Such regulations shall include a requirement that every teacher seeking initial licensure take a professional teacher's assessment prescribed by the Board. Notwithstanding any provision of law to the contrary, the Board may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any person who does not meet this requirement or any other requirement for licensure by law."

**Purpose:** These regulations were revised to include licensure regulations for career switcher alternative route to licensure programs for military personnel. This regulation became effective January 31, 2001. This proposed change in regulations will expand the career switcher alternative route to licensure to other professions who have not completed a teacher preparation curriculum, but have valuable life experiences, career achievements, and academic backgrounds that are relevant for teaching in pre-K through grade 12. To increase opportunities for school divisions to employ career switchers with rich experiences, an alternative route for career switchers for other professionals is proposed. This route to licensure will allow career switchers with military and other professional experience to apply directly to the Department of Education for a license.

**Substance:** The proposed regulations expand the approved changes for Licensure Regulations for Personnel, effective January 31, 2001, to other professions. The proposed regulations provide clarification for meeting the professional studies requirements for Levels I and II. Level III would take place only if the employing agency recommends extending the "eligibility license" for a second year of employment. Clarification is provided for meeting the professional studies requirements for Levels I and II. A requirement of five years of

full-time work experience or its equivalent is recommended for participation in the program. A minimum of 180 clock hours of instruction (160 of the 180 hours must be included in the summer intensive preparation phase; 20 hours of the 180 will involve field experience) is proposed for the summer intensive preparation phase (Level I) for specific courses relating to the Standards of Learning, differentiation of instruction, classroom management, human growth and development and the field experience.

The scope of responsibilities of the mentoring program requirements during Level II preparation is provided and a recommendation for a five-year renewable license by the employing educational agency. Program certification requirements were included to provide program providers regulatory language for submitting a proposal to conduct a career switcher program.

**Issues:** According to the federal government, schools will need 200,000 new teachers a year for the next decade--up from 150,000 in recent years--as student enrollment increases and current teachers retire. The proposed regulations would expand the program to individuals in other professions including military personnel who have an interest in teaching but have not completed a teacher preparation program. As a result, a number of individuals from other professions, including military, would become eligible for the program. Participants who complete the program would be eligible for employment by school systems in Virginia.

The proposed regulations do not present any disadvantages to the public or the Commonwealth.

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

Summary of the proposed regulation. The current Licensure Regulations for School Personnel include a provisional license that provide potential teachers an alternative route (versus the traditional route) to licensure. The Board of Education (board) proposes to add an additional route for teacher licensure. Through this proposed route, individuals would be able to obtain an eligibility license as an entry into the teaching profession. A form of the eligibility license exists

# Proposed Regulations

under the current regulations, but is limited to military personnel.

Estimated economic impact.

Differences between Routes to Teacher Licensure. In the traditional route to teacher certification in Virginia, the candidate completes a state-approved teacher preparation program, which includes professional studies and student teaching. The professional studies must encompass at least 15 credits if teaching at the secondary level, or 18 credits if teaching at the elementary level. The candidate also takes courses necessary for endorsement in specific content areas (for example, math courses for an endorsement to teach mathematics). Additionally, the candidate is required to pass<sup>1</sup> the PRAXIS I (basic skills: reading, writing, and mathematics) and PRAXIS II (subject area) exams, the national standardized qualifying exams for teachers. The Department of Education (department) will grant a collegiate professional license to candidates who meet these requirements and earn a bachelor's degree.

Table 1: Differences between Routes to Teacher Licensure

	Standard Route	Current Alternative	Proposed Alternative
<b>First License</b>	Collegiate Professional	Provisional	Eligibility
<b>When Obtained</b>	Before employment	After employment	Before employment
<b>Duration</b>	5 years	3 years	1 year
<b>Student Teaching</b>	Required	One year of successful, full-time experience in lieu of student teaching	Field experience and one year of successful, full-time experience in lieu of student teaching
<b>Professional Studies</b>	15 credits (for secondary) or 18 (for elementary) prior to licensure	15 credits (for secondary) or 18 (for elementary) during 3 year license period	12 credit-equivalent before employment
<b>PRAXIS I and II</b>	Pass before employment	Pass after employment	Pass before employment
<b>Requirements for Endorsement in a Content Area</b>	Course work	Course work	Course work, but can use work experience to meet elements of the course content requirements

Currently, individuals may enter the teaching profession via an alternative route (see Table 1 for a summary of the differences between routes to licensure). A person can obtain a provisional license to teach if he or she possesses a bachelor's degree, has completed the subject-specific coursework necessary for endorsement in a content area, and gains employment with a Virginia school division. The

provisional license lasts for three years and is not renewable. In order to be granted a collegiate professional license, the individual must accomplish the following by the end of the three-year provisional license period: pass PRAXIS I and II; complete 15 credits of professional studies if teaching at the secondary level, or 18 credits if teaching at the elementary level; and be judged to have demonstrated at least one year of successful, full-time teaching experience by the school division. The school division is required to provide a fully licensed experienced teacher in the school building to assist the provisionally licensed teacher.

The board proposes to permit individuals to enter the teaching profession through another alternative, somewhat accelerated licensing process. Applicants may obtain an *eligibility* license to teach if the following requirements are satisfied: completion of a bachelor's degree, completion of teaching area requirements in an endorsement area, at least five years of full-time work experience, passing scores on PRAXIS I and II, and completion of a professional studies program which includes field experience. Unlike the provisional license, individuals can earn the eligibility license prior to employment with a school division. The eligibility license lasts one year. The individual would then seek to obtain a collegiate professional license (the traditional renewable license). In order for an eligibility license holder to obtain the collegiate professional license, the individual must be judged by a school division to have demonstrated at least one year of successful, full-time teaching. A certified program provider that offers the professional studies courses would also provide a trained mentor for each teacher with an eligibility license. During the year that the individual holds the eligibility license, he attends at least five seminars conducted by the certified program provider; the seminars must include a minimum of 20 cumulative instruction hours.

Teacher's Perspective. The proposed new licensing process has several advantages for prospective teachers. First, the professional studies requirement appears to be less burdensome than under either the current alternative route or the traditional route. The candidate would complete the equivalent of 12 credits of professional studies either via a 180-hour (clock hours) intensive summer course or by other means, such as at night or on the weekends, within one year before obtaining the eligibility license. In addition, the candidate attends at least five seminars including a minimum of 20 cumulative instruction hours, which is equivalent to about 1.3 credits. In total, an individual following the proposed new licensing process would complete the equivalent of about 13.3 credits. This compares with 15 to 18 credits (about 5 or 6 classes) under the current alternative and the traditional route. Second, candidates can use work experience to meet elements of the course content requirements for endorsement in a content area. Third, the prospective teacher can obtain a license without first obtaining a position with a school division. According to the department, school divisions often do not consider job candidates who are not already licensed. This can create a barrier for individuals seeking to enter the profession via the current alternative route. Thus, the new process may make it easier for nontraditional teaching candidates to obtain teaching positions. Fourth, the student teaching requirement for individuals following the new route is limited to some summer field experience, considerably less

<sup>1</sup> The board specifies which scores must be met or exceeded in order to qualify for a state teaching license.

time than in the traditional route. Instead, the licensee is assigned a trained mentor to work with during her time teaching under the eligibility license. This will allow the candidate to become employed as a teacher significantly sooner than she would be able to under the traditional route.

Finally, under the eligibility license program the certified program provider is responsible for providing the trained mentor. Under the provisional license program, school divisions are responsible for providing an experienced teacher to be available for assistance. Thus, mentoring would be less costly for school divisions under the eligibility license program than under the provisional license program. This too may make it easier for nontraditional teaching candidates to obtain teaching positions.

For prospective teachers, the new licensing process also has some distinct disadvantages. Unlike the current alternative route, candidates must have at least five years of full-time work experience, pass PRAXIS I and II, and complete 180 hours of professional studies requirements prior to licensure and employment. Also, the eligibility license lasts only one year, versus three years for the provisional license. If the school division believes the individual has the potential to be a good teacher, but has yet to demonstrate the necessary skills to advance on to the collegiate professional license, then the eligibility license may be extended for one year. If the school division does not believe the individual has the potential to be a good teacher based on the year of observation, then the eligibility license expires at the end of the year. Thus, the candidate has only one or two years in which to demonstrate one year of successful, full-time teaching versus three years under the current alternative.

Overall, the proposed addition of the eligibility license and the accelerated route to licensure may be an attractive alternative for individuals considering entry into teaching. The advantages of the new route will likely outweigh the disadvantages for some; and the current alternative route remains open for those individuals who find that route preferable.

Commonwealth's Perspective. For the citizens of Virginia, the proposed new route to licensure has several advantages. If the proposed route encourages individuals to enter the teaching profession who would not have otherwise entered, then it increases the pool of prospective teachers from which local school districts may hire. The department has indicated that there are widespread and persistent teacher shortages in Virginia, and that the shortages are projected to increase over the next decade. An increased pool of qualified teachers would help reduce the current and projected shortage and thus may help reduce class size, or at least keep class size from increasing. The impact of reduced class size is not well understood; the research literature on the value of reduced class size is mixed. Some studies find statistically significant positive effects on achievement due to smaller class size; for examples see Finn and Achilles (1999) and Krueger (1999). While other studies find that class size does not have a statistically significant effect on student achievement; for examples see Hoxby (2000) and cited studies in Hanushek (1999).

Another advantage of the proposed new route to licensure is that the candidate needs to show sufficient teaching competence within one (or possibly two) years, rather than the three in the current alternative. If the candidate lacks the ability to be a successful teacher, then she may stop teaching sooner under the new route versus the current alternative route. Additionally, the candidate demonstrates knowledge in relevant subject areas prior to teaching via passing PRAXIS I and II prior to teaching. Teachers with provisional licenses can teach up to three years without passing these exams. If some individuals who would have otherwise followed the current alternative route choose the proposed new route, then these individuals will need to acquire sufficient knowledge to pass the PRAXIS exams prior to teaching. Therefore, students with teachers entering by the new route may be more likely to have a new teacher with greater knowledge in the subject than they would otherwise.

The proposed new licensing process also has some disadvantages. Under the pilot program this route does involve a higher cost to taxpayers than the other alternative licensing route. The department estimates that the cost of the pilot program will be about \$4,072 per candidate; with 100 participants in the program, that is \$407,200 in total. It has not been determined who will pay the costs once the pilot program is over and the department begins to approve professional studies training programs for eligibility licenses run by colleges, training schools, etc (certified program providers). The costs could be borne by the Commonwealth, localities, teaching candidates themselves, or some combination of those entities.

Also, individuals following the new licensing process will have fewer hours of professional studies education and will not be required to have student teaching experience. The 1996 National Commission on Teaching and America's Future report, "What Matters Most: Teaching for America's Future," emphasizes the importance of pedagogy training and that all teachers should graduate from an accredited school of education. However, research exists that indicates that students with teachers who have not had the additional hours of professional studies and student teaching experience perform no worse than students who have traditionally certified teachers. Barnes, Salmon, and Wale (1989), Goebel, Romacher, and Sanchez (1989), and Miller, McKenna, and McKenna (1996) all find that students of alternative route teachers do at least as well as pupils of traditionally licensed teachers. In a careful study that uses the *National Educational Longitudinal Study of 1988* (NELS) data set, Goldhaber and Brewer (2000) find that math and science students who have teachers with emergency credentials do no worse than students whose teachers have standard teaching credentials. Goldhaber and Brewer also find that science students who have a teacher with a BA in education perform no better than students whose teacher does not have an education degree; and having a teacher with a BA in education actually has a statistically significant negative effect on students' math scores.

Conclusion. Increasing the pool of qualified teachers from which school divisions may hire is beneficial in that it will help fill vacancies and may allow school divisions to be more selective in their hiring. Although there is not a complete

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# Proposed Regulations

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consensus concerning the quality of teaching by alternatively certified teachers versus traditionally certified teachers, existing research implies that students with alternatively certified teachers perform at least as well as students with traditionally certified teachers, particularly in subjects with the most severe teaching shortages (math and science). It is unclear, though, by how much the addition of the new process will add to the pool of qualified teachers. Some individuals who will choose the new process would likely have followed the current alternative route if the former route were not available, and thus will not be truly adding to the pool of qualified teachers.

As stated earlier, the department estimates that the cost of running the pilot program will be about \$4,072 per candidate. The department believes that the cost of the new licensing process per candidate will decrease as the program is more established and economies of scale are utilized. The board has not determined who will pay the costs once the pilot program is over and the department begins to approve professional studies training programs for eligibility licenses run by colleges, training schools, etc. If all the costs are borne by the candidate, then the proposed eligibility license route would appear to produce a net economic benefit. By choosing to follow the eligibility license route, the candidate demonstrates that he believes the benefits outweigh the costs for him, and thus the benefits outweigh the costs in aggregate (he bears all the costs). The participation of individuals in the new program will likely be less without any public subsidy, than with some public subsidy. Thus, the total benefit is limited when the candidate bears all the cost.

Subsidizing some or all of the costs will likely increase the participation rate in the new licensing process. Determining whether increasing the subsidy adds to net economic benefit depends on how much the subsidy improves student performance. Increasing the subsidy could potentially improve student performance by adding to participation in the new program (more qualified candidates to hire could fill more positions and reduce class size), and improving the quality of teachers that are hired (larger pool for school divisions to choose from, and higher subsidy may entice better potential teachers to enter the profession). Even if an accurate estimate of how much student performance would improve given a specific subsidy increase existed, determining whether that level of improved student performance was worth the given subsidy cost to the public would depend upon how much the public valued improved student performance. Reliable estimates of how much a subsidy would increase the pool of qualified teaching candidates and by how much that would improve student performance do not exist. Thus, it cannot be determined what the ideal subsidy, if any, would be for participants in the new program.

According to the results of a department survey of Virginia school divisions, shortages of science and mathematics teachers are much more severe than in other non-special education areas. If public funds are to be used to subsidize the participation in the new program, perhaps state funds would be most effectively used to alleviate teacher shortages by focusing proportionally more of the subsidies into the specific teaching fields where the shortages are greatest. The potential effectiveness of these subsidies on recruiting new

teachers across different fields should also be taken into consideration. Since potential participants qualified to teach science or math may on average earn more in their current career than potential participants qualified to teach in other areas, the same dollar amount of subsidy may be less effective in inducing these individuals into the teaching profession than those individuals with less lucrative careers.

Businesses and entities affected. The proposed changes to the regulation will affect the 132 school divisions, as well as potential teachers and potential providers of the proposed intensive professional studies programs.

Localities particularly affected. The proposed changes to the regulation affect localities throughout the Commonwealth.

Projected impact on employment. The proposed changes to this regulation may increase the number of teacher positions that are filled in the Commonwealth. Since many of the individuals that may enter teaching via the proposed eligibility license would be leaving other jobs, the net positive impact on total employment for the Commonwealth due to fewer teaching vacancies is likely to be small. The proposed eligibility license may also increase employment with potential providers of the proposed intensive professional studies programs.

Effects on the use and value of private property. The proposed eligibility license may produce additional demand for professional studies training from private colleges and contractors. The potential additional demand could increase the value of these private entities.

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- Goebel, Stephen D., Karl Romacher, and Kathryn S. Sanchez (1989), *An Evaluation of HISD's Alternative Certification Program of the Academic Year: 1988-1989*. Houston: Houston Independent School District Department of Research and Evaluation. ERIC Document No. 322103.
- Goldhaber, Dan D. and Dominic J. Brewer (2000), "Does Teacher Certification Matter? High School Teacher Certification Status and Student Achievement," *Educational Evaluation and Policy Analysis*, 22(2): 129-145.
- Grissmer, David (1999), "Class Size Effects: Assessing the Evidence, its Policy Implications, and Future Research Agenda," *Educational Evaluation and Policy Analysis*, 21(2): 231-248.
- Hanushek, Eric A. (1999), "Some Findings from an Independent Investigation of the Tennessee STAR Experiment and from Other Investigations of Class Size Effects," *Educational Evaluation and Policy Analysis*, 21(2): 143-164.

Hoxby, Caroline M. (2000), "The Effects of Class Size on Student Achievement: New Evidence from Population Variation," *Quarterly Journal of Economics*, November 2000: 1239-1285.

Krueger, A.B. (1999), "Experimental Estimates of Education Production Functions," *Quarterly Journal of Economics*, CXIV, 497-532.

Miller, John W., Michael C. McKenna, and Beverly A. McKenna (1996), "A Comparison of Alternatively and Traditionally Prepared Teachers," *Journal of Teacher Education*, 49(3): 165-176.

National Commission on Teaching and America's Future (1996), *What Matters Most: Teaching for America's Future*. New York: Author.

### Agency's Response to the Department of Planning and Budget's Economic Impact Analysis:

The agency concurs with the economic impact analysis completed by the Department of Planning and Budget.

#### Summary:

*The proposed amendments expand the career switcher alternative route to teacher licensure program, which is currently limited to military personnel, to other professions. The proposed amendments (i) add a definition for "certified provider" and "mentor"; (ii) change wording from "military personnel" to "career professions"; (iii) recommend a minimum of 180 clock hours of instruction (160 of the 180 hours must be included in the summer intensive preparation phase; 20 hours of the 180 hours will involve field experience) during the Level I preparation phase; (iv) provide clarification for meeting the professional studies requirements for Levels I and II; (v) require five years of full-time work experience or its equivalent for participation in the program; (vi) set forth the scope of responsibilities of the mentoring program requirements during Level II preparation; (vii) provide for a five-year renewable license by the employing educational agency; and (viii) include program certification requirements to provide program providers regulatory language for submitting a proposal to conduct a career switcher program.*

#### **8 VAC 20-21-10. Definitions.**

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

"*Accredited institution*" means an institution of higher education accredited by a regional accrediting agency recognized by the United States Department of Education.

"*Alternative route to licensure*" means one route to licensure available to individuals employed by a Virginia educational agency who meet the guidelines specified in 8 VAC 20-21-80.

"*Approved program*" means a professional education program recognized as meeting state standards for the content and operation of such programs so graduates of the program will be eligible for state licensure. The Board of Education has the authority to approve programs in Virginia.

"*Cancellation*" means the annulment, voiding, or invalidation of a teaching license following voluntary surrender of the license by the license holder.

"*Certified provider*" means a provider certified by the Department of Education to provide preparation and training for applicants seeking the eligibility license specified in 8 VAC 20-21-80.

"*Collegiate Professional License*" means a five-year, renewable license available to an individual who has satisfied all requirements for licensure, including the professional teacher's assessment prescribed by the Board of Education.

"*Competency*" means a capability or skill that a person possesses and can demonstrate, given the appropriate resources and conditions. As used in this chapter, a competency refers to a behavior that a licensure candidate should be able to demonstrate prior to being issued a teaching license. In most cases, entry level proficiency relative to the competency is specified rather than desired mastery level proficiency.

"*Content area course work*" means courses at the undergraduate level (i.e., two-year or four-year institution) or at the graduate level that will not duplicate previous courses taken in the humanities, history and social science, the sciences, mathematics, health and physical education, and the fine arts. These courses are usually available through the college or department of arts or sciences.

"*Denial*" means the refusal to grant a teaching license to a new applicant or to an applicant who is reapplying after the expiration of a license.

"*Division Superintendent License*" means a five-year, renewable license available to an individual who has completed an earned master's degree from an accredited institution of higher education and meets the requirements specified in 8 VAC 20-21-590. The individual's name must be listed on the Board of Education's list of eligible division superintendents.

"*Eligibility License*" means a one-year license dated July 1 - June 30. The Eligibility License is issued upon successful completion of Level I of the career switcher program. This license requires a bachelor's degree from a regionally accredited institution; the completion of teaching area requirements for an endorsement in a content area as set forth in *the Board of Education's licensure requirements as provided in this chapter*, or the equivalent through verifiable experience or academic study; and Virginia qualifying scores on Praxis I (Reading, Writing, and Mathematics) and Praxis II (subject area assessments). If the Eligibility License expires prior to the individual receiving employment in Virginia, the license holder must reapply for the second Eligibility License. The intensive program (Level I) must be repeated if the individual has not gained employment prior to the expiration of the second Eligibility License.

"*Mentor*" means a classroom teacher hired by the local school division who has achieved continuing contract status or other instructional personnel including retired teacher who meets local mentor selection criteria. The mentor should work in the same building as the teachers he is assisting or be

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# Proposed Regulations

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*instructional personnel who is assigned solely as a mentor. A mentor should be assigned a limited number of teachers at any time. Instructional personnel who are not assigned solely as mentors should not be assigned to more than four teachers at any time. Mentors guide teachers in the program through demonstrations, observations, and consultations.*

"*Postgraduate Professional License*" means a five-year, renewable license available to an individual who has qualified for the Collegiate Professional License and who holds an appropriate earned graduate degree from an accredited institution.

"*Provisional License*" means a nonrenewable license issued for a period of three years to individuals who have been employed by a Virginia educational agency and meet the requirements specified in 8 VAC 20-21-50 A 4.

"*Pupil Personnel Services License*" means a five-year, renewable license available to an individual who has earned an appropriate graduate degree from an accredited institution with an endorsement for guidance counselor, school psychologist, school social worker, or visiting teacher. This license does not require teaching experience.

"*Reciprocity*" means an agreement between two or more states that will recognize and accept one another's regulations and laws for privileges for mutual benefit. See 8 VAC 20-21-90 for conditions for teacher licensure by reciprocity.

"*Revocation*" means the annulment by recalling, repealing, or rescinding a teaching license.

"*Special Education Conditional License*" means a three-year, nonrenewable teaching license issued to an individual employed as a special education teacher in a public school or a nonpublic special education school in Virginia who does not hold the appropriate special education endorsement but meets the criteria specified in 8 VAC 20-21-50 A 5. This conditional license is not applicable to individuals employed as speech pathologists.

"*Suspension*" means the temporary withdrawal of a teaching license.

"*Technical Professional License*" means a five-year, renewable license available to a person who has graduated from an accredited high school (or possesses a General Education Development Certificate); has exhibited academic proficiency, technical competency, and occupational experience; and meets the requirements specified in 8 VAC 20-21-50 A 3.

## **8 VAC 20-21-50. Types of licenses; dating of licenses.**

A. The following types of licenses are available:

1. Collegiate Professional License. The Collegiate Professional License is a five-year, renewable license available to an individual who has satisfied all requirements for licensure, including the professional teacher's assessment prescribed by the Board of Education.

2. Postgraduate Professional License. The Postgraduate Professional License is a five-year, renewable license available to an individual who has qualified for the

Collegiate Professional License and who holds an appropriate earned graduate degree from an accredited institution.

3. Technical Professional License. The Technical Professional License is a five-year, renewable license available to a person who has graduated from an accredited high school (or possesses a General Education Development Certificate); has exhibited academic proficiency, technical competency, and occupational experience; and has completed nine semester hours of specialized professional studies credit from an accredited college or university. The nine semester hours of professional studies course work must include human growth and development (three semester hours), curriculum and instructional procedures (three semester hours), and applications of instructional technology or foundations of education (three semester hours). The Technical Professional License is issued at the recommendation of an employing educational agency in the areas of vocational education, educational technology, and military science. In addition to demonstrating competency in the endorsement area sought, the individual must:

- a. Hold a license issued by the appropriate Virginia board for those program areas requiring a license and a minimum of two years of satisfactory experience at the journeyman level or an equivalent;
- b. Have completed a registered apprenticeship program and two years of satisfactory experience at the journeyman level or an equivalent level in the trade; or
- c. Have four years of work experience at the management or supervisory level or equivalent or have a combination of four years of training and work experience at the management or supervisory level or equivalent.

Individuals holding the Technical Professional License who seek the Collegiate Professional or Postgraduate Professional License must meet the professional teacher's assessment requirement.

4. Provisional License. The Provisional License is a three-year, nonrenewable license available to individuals who are employed by a Virginia educational agency and are:

- a. Entering the teaching field through the alternative route to licensure upon recommendation of the employing educational agency;
- b. Failing to meet an allowable portion of general, professional, or specific endorsement requirements;
- c. Seeking the Technical Professional License; or
- d. Eligible for licensure but need to complete successfully the professional teacher's assessment prescribed by the Board of Education.

5. Special Education Conditional License. A Special Education Conditional License is a three-year, nonrenewable teaching license issued to an individual employed as a special education teacher in a public school or a nonpublic special education school in Virginia who



does not hold the appropriate special education endorsement. The conditional license is not applicable to individuals employed as speech pathologists. To be issued the Special Education Conditional License an individual must:

- a. Be employed by a Virginia public or nonpublic school and have the recommendation of the employing educational agency;
- b. Hold a baccalaureate degree from an accredited college or university;
- c. Have an assigned mentor endorsed in special education; and
- d. Have a planned program of study in the assigned endorsement area and have completed a minimum of six semester hours in the core competencies of characteristics of students with disabilities and legal aspects associated with students with disabilities.

During the three years the Special Education Conditional License is valid, the individual must complete all requirements for the special education endorsement area, complete professional studies requirements, and meet Virginia's professional teacher's assessment requirement prescribed by the Board of Education.

6. Pupil Personnel Services License. The Pupil Personnel Services License is a five-year, renewable license available to an individual who has earned an appropriate graduate degree from an accredited institution with an endorsement for guidance counselor, school psychologist, school social worker, or visiting teacher. This license does not require teaching experience.

7. Division Superintendent License. The Division Superintendent License is a five-year, renewable license available to an individual who has completed an earned master's degree from an accredited institution of higher education and meets the requirements specified in 8 VAC 20-21-590. The individual's name must be listed on the Board of Education's list of eligible division superintendents.

8. "Eligibility License" means a one-year license dated July 1 - June 30. The Eligibility License is issued upon successful completion of Level I of the career switcher program. This license requires a bachelor's degree from a regionally accredited institution; the completion of teaching area requirements for an endorsement in a content area as set forth in *the Board of Education's licensure requirements as provided in this chapter*, or the equivalent through verifiable experience or academic study; and Virginia qualifying scores on Praxis I (Reading, Writing, and Mathematics) and Praxis II (subject area assessments). If the Eligibility License expires prior to the individual receiving employment in Virginia, the license holder must reapply for the second Eligibility License. The intensive program (Level I) must be repeated if the individual has not gained employment prior to the expiration of the second Eligibility License.

B. All licenses will be effective from July 1 in the school year in which the application is made.

## 8 VAC 20-21-80. Alternative routes to licensure.

A. *Career switcher alternative route to licensure for career professions.* An alternative route is available to ~~military personnel~~ career switchers who seek teaching endorsements pre-K through grade 12 with the exception of special education.

1. An individual seeking an Eligibility License must meet the following requirements: an application process; a bachelor's degree from a regionally accredited institution; the completion of teaching area requirements for an endorsement in a content area as set forth in *the Board of Education's licensure requirements as provided in this chapter*, or the equivalent through verifiable experience or academic study; and Virginia qualifying scores on Praxis I (Reading, Writing, and Mathematics) and Praxis II (subject area assessments). The Eligibility License is awarded at the end of Level I preparation. All components of the career switcher alternative route for ~~military personnel career professions~~ must be completed by the candidates.

2. *At least five years of full-time work experience or its equivalent is required for participation in the program.*

~~2-3. The professional studies level one requirements must be completed during the course of a single year through the following three levels of preparation that~~ and may be offered through a variety of delivery systems, *including distance learning programs. If an employing agency recommends extending the Eligibility License for a second year, the candidate will enter Level III of the program.* ~~Preparation Career switcher programs must be approved certified by the Virginia Department of Education.~~

a. *Level I Preparation.* Intensive Level I preparation ~~phase~~ includes a minimum of 180 clock hours of instruction, including field experience. This phase includes, but is not limited to, ~~the following:~~ curriculum and instruction, including technology, reading, and other specific course content relating to the Standards of Learning, differentiation of instruction, classroom/behavior management, and human growth and development.

- ~~(1) Introduction to Classroom Management;~~
- ~~(2) Introduction to the Standards of Learning;~~
- ~~(3) Introduction to Teaching Strategies; and~~
- ~~(4) Field experience with summer school students.~~

b. Level II preparation during first year of employment.

(1) Candidate seeks employment in Virginia with the one-year Eligibility License;

(2) Continued Level II preparation during the first year of employment; ~~and with a minimum of five seminars that expand the intensive preparation requirements instructional categories and topics.~~ *The five seminars will include a minimum of 20 cumulative instructional hours. A variety of instructional delivery techniques will be utilized to implement the seminars.*

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# Proposed Regulations

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(3) One year of successful, full-time teaching experience in an accredited public or nonpublic school under the newly created one-year Eligibility License. A trained mentor must be assigned to assist the candidate ~~through the alternative route during the first year of employment.~~ Responsibilities of the mentor include, but are not limited to, the following:

(a) Collaborate with the beginning teacher in the development and implementation of an individualized professional development plan;

(b) Observe, assess, coach, and provide opportunities for constructive feedback, including strategies for self-reflection;

(c) Share resources and materials;

(d) Share best instructional, assessment, and organizational practices; classroom management strategies; and techniques for promoting effective communication; and

(e) Provide general support and direction regarding school policies and procedures.

(4) Upon completion of Levels I and II of the career switcher alternative route to licensure program and submission of a recommendation from the Virginia educational employing agency, the candidate will be eligible to apply for a five-year, renewable license. Renewal requirements for the regular license will be subject to current regulations of the Board of Education.

c. Level III preparation ~~continued~~, if required.

(1) Post preparation ~~(if needed)~~, if required, will be conducted by the Virginia employing educational agency to address the area or areas where improvement is needed as identified in the candidate's professional improvement plan; and

(2) Upon completion of Levels I, II, and III of the career switcher alternative route to licensure program and submission of a recommendation from employer ~~for a~~ the Virginia educational employing agency, the candidate will be eligible to receive a five-year renewable license; ~~and~~.

~~(3) Issuance of the five-year renewal license.~~

~~3.~~ 4. Verification of program completion will be documented by the certified program provider and the division superintendent or designee.

~~4. Delivery systems of the career switcher for the alternative route to licensure must adhere to requirements specified by the Board of Education when proposals are requested. The programs must include the prescribed scope and sequence of preparation as well as evaluation of the candidate and overall program evaluation. These programs must be approved by the Department of Education.~~

5. Certified providers implementing a career switcher program may charge a fee for participation in the program.

6. Certification of programs.

a. The Department of Education will certify career switcher alternative route to licensure programs. Certified providers will receive a five-year certification after the first year, then subsequent reviews will be conducted on a five-year cycle, or as deemed necessary.

b. Program providers must document that individuals accepted in the career switcher program meet the following prerequisites:

(1) An application process;

(2) A bachelor's degree from a regionally accredited institution;

(3) At least five years of full-time work experience or its equivalent;

(4) The completion of teaching area requirements for an endorsement in a content area as set forth in this chapter or the equivalent through verifiable experience or academic study; and

(5) Virginia qualifying scores on Praxis I (Reading Writing, and Mathematics) and Praxis II (subject area assessments).

c. The proposals submitted for certification must include the following:

(1) Purpose, description, and program design.

(a) A statement outlining the purpose of the career switcher alternative route to licensure;

(b) A description of Level I preparation, including how the intensive preparation program will integrate curriculum, instruction, and the field experience;

(c) A description of the Level II preparation during the first year of employment;

(d) Criteria for the selection, preparation, support, assignment, and compensation of instructors and seminar presenters; and

(e) Tasks, methods, and expected outcomes.

(2) Collaboration.

(a) A description of collaborative and cooperative arrangements with educational agencies;

(b) A description of procedures for assigning mentor teachers;

(c) Letters of cooperation, agreement, and commitment describing partnerships; and

(d) A description of strategies for support and placement of participants seeking employment.

(3) Training.

(a) Identification of the credentials and qualifications of the program and seminar instructors; and

(b) A description of the intensive professional preparation and induction year seminar sites and materials.

(4) Project administration and management. A description of how the program will be administered and managed, including the identification of the program manager and fiscal agent.

(5) Maintenance of data and annual reporting to the department of education.

(a) A description of how records will be maintained and a timeline for reporting progress of participants during the program;

(b) The submission of an evaluation summary of the intensive professional preparation program no later than September 30 following Level I preparation;

(c) The submission of an interim report describing the program, including the progress of the participants and an assessment of mentor teacher support no later than March 1 of the induction year;

(d) The submission of a final report by July 15 following the end of Levels I and II preparation. The data must include the following:

(i) The number of participants entering the program;

(ii) The number of participants receiving the five-year, renewable license;

(iii) Attrition rates of candidates;

(iv) Percentage of students requiring an additional year of study;

(v) Candidates' evaluation of the program; and

(vi) School divisions' evaluation of the program.

(6) Evaluation of participants. A description of formative and summative evaluation procedures.

B. An alternative route is available to individuals employed by an educational agency who seek teaching endorsements pre-K through grade 12.

1. An individual seeking a Provisional License through the alternative route must meet the requirements specified in 8 VAC 20-21-50 A 4.

2. The professional studies requirements for the appropriate level of endorsement sought must be completed. A Virginia educational agency may submit to the Superintendent of Public Instruction for approval an alternative program to meet the professional studies requirements. The alternative program must include training (seminar, internship, course work, etc.) in human growth and development, curriculum and instructional procedures (including technology), foundations of education, and reading.

3. One year of successful, full-time teaching experience in the appropriate teaching area in an accredited public or nonpublic school must be completed. A fully licensed

experienced teacher must be available in the school building to assist the beginning teacher employed through the alternative route.

C. Alternative programs developed by institutions of higher education (i) recognize the unique strengths of prospective teachers from nontraditional backgrounds and (ii) prepare these individuals to meet the same standards that are established for others who are granted a Provisional License.

VA.R. Doc. No. R01-36; Filed August 22, 2001, 8:41 a.m.



TITLE 12. HEALTH

STATE BOARD OF HEALTH

Title of Regulation: 12 VAC 5-408-10 et seq. Certificate of Quality Assurance of Managed Care Health Insurance Plan Licensees (amending 12 VAC 5-408-10 through 12 VAC 5-408-360).

Statutory Authority: § 32.1-137.1 of the Code of Virginia.

Public Hearing Date: October 11, 2001 - 1 p.m.

Public comments may be submitted until November 9, 2001.

(See Calendar of Events section for additional information)

Agency Contact: Rene Cabral-Daniels, Department of Health, 3600 W. Broad Street, Suite 216, Richmond, VA 23230, telephone (804) 367-2100 or FAX (804) 367-2149.

Basis: The source of legal authority to promulgate the regulation is found at § 32.1-137.3 of the Code of Virginia. The Department of Health understands that the authority to amend the regulation is derived from its authority to promulgate the regulation. The statute states, in relevant part: "Consistent with its duties to protect the health, safety, and welfare of the public, the Board [of Health] shall promulgate regulations, . . . governing the quality of care provided to covered persons by a managed care health insurance plan licensee through its managed care health insurance plans . . . ." Thus, the promulgation of the regulation was mandated by statute.

Purpose: The current regulation assures MCHIP licensees have in place and comply with the quality systems and procedures outlined in § 32.1-137.2 of the Code of Virginia. Because there is an expanding number of persons enrolled in managed care health insurance plans, the aforementioned statute and regulation are essential to protect the health, safety, and welfare of Virginia citizens.

A number of MCHIP licensees expressed concern with the regulation because it: (i) did not provide notice of the department's expectations and reasonable people had to guess at its meaning; (ii) was internally inconsistent; (iii) assumed organizational structures and capabilities for some MCHIP licensees that did not exist; and (iv) was unreasonably prescriptive.

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# Proposed Regulations

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The proposed amendments seek to maximize compliance by providing a regulation that is clearly written. The extant regulation contains language that permits the applicant to determine whether compliance with a particular section is appropriate given its organizational structure or capability. It does not offer guidance regarding the department's expectations. The proposed regulation identifies specific sections with which certain MCHIP licensees need not comply. It offers examples of acceptable activities for compliance. Finally, it permits the department greater flexibility in allowing for variances provided patient care, safety, or the ability of an MCHIP licensee to provide or arrange for care will not be adversely affected.

**Substance:** The department proposes to amend the regulation where necessary, including, but not limited to: (i) providing criteria to permit the granting of variances by the department; (ii) clarifying the exemptions regarding PPOs to better address the unique aspects of this type of managed care health insurance plan; (iii) providing a clearer distinction between the MCHIP and the MCHIP licensees; and (iv) eliminating internal inconsistencies regarding PPO responsibilities.

**Issues:** There are no perceived disadvantages to the public or to the Commonwealth associated with the proposed regulatory action. The advantages of amending the MCHIP regulation are many.

The greatest advantage is that Virginia citizens enrolled in MCHIPs will be the beneficiaries of a regulation that assures these plans have appropriate standards for ensuring quality. The extant regulation, while detailed, does not contemplate the great variation in MCHIP organizational structure or abilities. Thus, while the regulation may have appropriate criteria for HMOs, PPOs may find compliance difficult. The cost of compliance by PPOs may be passed along to enrollees or to businesses in the form of higher premiums. Because the criteria are not appropriate for PPOs, their compliance efforts do not necessarily result in enhanced quality. The proposed regulations allow for meaningful quality activities.

There is also a great advantage to the department in amending the regulation. Its ability to maintain effective regulatory programs during a period characterized by increasingly complex and dynamic health care change will be strengthened. The department has worked hard in getting input from many stakeholders in the amendment process. It has convened an advisory committee comprised of members of the regulated industry, consumers, advocates and purchasers. The amendments represent a consensus by these groups and the good faith effort by the department to incorporate the language evidencing consensus when possible. Thus, it is not only the substance of the proposed amended regulation that represents an improvement, but the process of involving stakeholders in the regulatory process in a meaningful manner is likewise an improvement.

Finally, the regulation provides further evidence of the Governor's commitment to creating a "level playing field" between HMOs and PPOs. The current regulation interprets that commitment to mean HMOs and PPOs must be treated the same. Thus, it subjects PPOs to a regulation appropriate

to HMOs, yet burdensome for PPOs given their organizational structure. The result is that PPOs are placed at a distinct disadvantage, thereby precluding the possibility of a true "level playing field." The proposed regulation recognizes the inherent differences within MCHIPs and encourages meaningful compliance by detailing a range of compliance possibilities and exempting PPOs when appropriate.

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

Summary of the proposed regulation. The Virginia Department of Health (VDH) proposes to amend its Rules and Regulations for Certification of Quality Assurance for Managed Care Health Insurance Plan Licensees in order to:

1. More clearly differentiate between health maintenance organizations (HMOs) and preferred provider organizations (PPOs) and eliminate internal inconsistencies regarding PPOs;
2. Expand the number of requirements that may be satisfied by national accreditation;
3. Eliminate overly prescriptive requirements that are not likely to be good measures of quality; and
4. Provide increased guidance regarding the department's expectations concerning which sections certain licensees need not comply with and acceptable compliance activities for those that must.

Estimated economic impact.

Background. Managed care health insurance plans or "MCHIPs" are health care insurance plans in which a health carrier arranges for insured individuals to obtain their care mostly or entirely from health care providers (physicians, hospitals, etc.) under contract with or employed by the insurance organization. The Bureau of Insurance (BOI) at the State Corporation Commission administers the state licensure program for MCHIPs in Virginia. A Certificate of Quality Assurance from the Virginia Department of Health is required in order to obtain a state license from BOI.

These regulations set out the procedures and requirements for obtaining a certificate of quality assurance from VDH. The purpose of the certification program is to assure that MCHIP licensees have appropriate standards in place for ensuring quality of care. These include: grievance procedures, customer satisfaction assessment, accessibility assurance, preventive services, provider credentialing, procedures to inform enrollees and providers of policies, systems to assess,

measure, and improve health status of enrollees, confidentiality assurance, and utilization review standards.

The current regulations became effective in January 2000. Since then, VDH has recognized that inherent differences exist within different types of MCHIP licensees and that several of the requirements may have been overly prescriptive or burdensome to ensure a minimal level of quality. At that time, the agency modified its interpretation of several provisions to reflect the enhanced understanding of this industry. These modifications included limiting compliance in sections requiring clinical data to those MCHIP licensees that have access to clinical data and allowing licensees that do not have clinical data to demonstrate quality assurance in other ways. The agency also began allowing separate applications for separate plans provided a fee was submitted with each application.

The proposed changes to the regulation are intended to bring the regulatory text in line with the agency's current practice. As such, the majority of the proposed changes will have no effect on the agency or any of the 95 current MCHIP licensees. The proposed changes that have not yet been adopted by the agency and may have an affect on MCHIP licensees or associated health care providers are discussed below.

**Provider Credentialing Verification.** Under the new regulation, MCHIP licensees may grant practitioners provisional credentialing for up to 60 days while additional documentation (often from abroad) is obtained. Also the time frame for re-credentialing providers will be extended from two years to three years, which is in line with national standards. These changes will allow MCHIP licensees to contract with some providers sooner than they otherwise would have been allowed and reduce costs associated with re-credentialing providers. No reduction in the quality of care provided is expected as a result of these changes.

**National Accreditation.** Currently, full accreditation is required by the regulations for exemption from certain provisions. Once VDH learned that provisional status could be conferred for reasons other than deficiencies in quality, it began to recognize this status in addition to full accreditation. However, at that time, the department had already reviewed most licensees. The proposed regulation reflects this new policy and may decrease compliance costs for new applicants and licensees in future reviews.

**On-site Examinations.** For those licensees not exempt due to national accreditation, a comprehensive on-site examination is required every three years. The proposed regulation increases advance notice of that examination from 60 days to 90 days and provides more detailed description of the parameters of the examination. This time frame, which is consistent with the advance notice provided by national accrediting bodies, allows more time for licensees to appropriately prepare for the on-site review.

**Conclusion.** The proposed changes reflect the agency's experience with this regulation and its increased understanding of the issues and organizations involved. The new regulation is less prescriptive and more results oriented. The required criteria for assessing quality standards

accommodates the differences in organizational structure and capabilities of certain MCHIP licensees, thereby eliminating compliance efforts that did not necessarily result in enhanced quality and allows for the least burdensome means of assuring a minimal level of quality. The majority of the changes have already been incorporated into current practice and therefore, aside from providing more accurate and up-to-date guidance on the requirements for obtaining a certificate of quality assurance, are not expected to have any economic effects. Those changes that have not already been adopted by the agency (i.e., allowing provisional credentialing, recognizing conditional or provisional national accreditation) are likely to reduce compliance costs for licensees in the future, but the exact magnitude is not known at this time.

**Businesses and entities affected.** There are currently 95 MCHIP licensees who could be affected by the proposed changes to this regulation.

**Localities particularly affected.** The proposed changes to this regulation will not uniquely affect any particular localities.

**Projected impact on employment.** The proposed changes to this regulation may allow some health care providers to contract with MCHIPs earlier than would have been able to otherwise, but no significant impact on employment in Virginia is expected.

**Effects on the use and value of private property.** The proposed changes to this regulation are not expected to have any significant effects on the use and value of private property.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The department concurs substantially with the economic impact assessment prepared by the Department of Planning and Budget regarding amendments to 12 VAC 5-408-10 et seq., dated July 19, 2001.

### Summary:

*The proposed amendments (i) make appropriate distinctions between preferred provider organizations (PPOs) and health maintenance organizations (HMOs); (ii) limit compliance in sections requiring clinical data to those MCHIP licensees that have access to clinical data; (iii) allow PPOs that do not have clinical data to demonstrate quality assurance in administering care rather than delivering care; and (iv) provide greater opportunities for voluntary compliance by eliminating unnecessarily prescriptive language.*

### **12 VAC 5-408-10. Definitions.**

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

*"Adverse decision" means a decision made by a health insurer or its designated utilization review organization that a request for an admission, continued stay or other health care service has been reviewed and based upon the information provided (i) does not meet the insurer's requirements for medical necessity, (ii) is not a covered service, or (iii) exceeds the benefit limits of a covered service. As a result of the*

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# Proposed Regulations

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~~adverse decision, the request service is denied coverage or is approved, but at a lesser level than was requested utilization review determination by the utilization review entity that a health service rendered or proposed to be rendered was not or is not medically necessary, when such determination may result in noncoverage of the health service or health services. When the policy, contract, plan, certificate, or evidence of coverage includes coverage for prescription drugs and the health service rendered or proposed to be rendered is a prescription for the alleviation of cancer pain, any adverse decision shall be made within 24 hours of the request for coverage.~~

~~"Appeal" means a formal request by an enrollee a covered person or a provider on behalf of an enrollee a covered person for reconsideration of a decision, such as a utilization review recommendation final adverse decision, a benefit payment, an administrative action, or a quality of care or service issue a denial of coverage, or a reimbursement for service.~~

~~"Basic health care services" means those health care services, as applicable to the type of managed care health insurance plan, described in § 38.2-5800 of the Code of Virginia which are required to be provided, arranged, paid for, or reimbursed by the managed care health insurance plan licensee for its covered persons.~~

~~"Board" means the Board of Health.~~

~~"Bureau of Insurance" means the State Corporation Commission acting pursuant to Title 38.2 of the Code of Virginia.~~

~~"Center" means the Center for Quality Health Care Services and Consumer Protection of the Virginia Department of Health.~~

~~"Certificate" means a certificate of quality assurance.~~

~~"Complaint" means a written communication from a covered person primarily expressing a grievance. A complaint may pertain to the availability, delivery, or quality of health care services including adverse decisions, claims payments, the handling or reimbursement for such services, or any other matter pertaining to the covered person's contractual relationship with the MCHIP. A complaint pertaining to a covered person's request that the health plan reconsider a denial of coverage for, or reimbursement of, a service is considered an appeal.~~

~~"Covered person" means an individual residing in the Commonwealth, whether a subscriber, policyholder, enrollee, or member, of a managed care health insurance plan (MCHIP), who is entitled to health services or benefits provided, arranged for, paid for, or reimbursed pursuant to an MCHIP.~~

~~"Delegated service entity" means the entity with which an MCHIP licensee contracts to provide one or more of the services listed in 12 VAC 5-408-320 A for one or more of its MCHIPs, pursuant to and in accordance with the provisions of Part VI (12 VAC 5-408-320 et seq.) of this chapter, inclusive.~~

~~"Department" means the Virginia Department of Health.~~

~~"Disease management program" means an integrated population based system approach to deliver health care services. Disease management programs use information based processes to improve the entire continuum of care, from prevention and patient education, to diagnosis and treatment, to follow-up and ongoing maintenance, with the intention of producing the best clinical outcomes. A disease management program performs the following functions: (i) classifying patients by disease state; (ii) identifying patients with specific chronic diseases in a covered population, (iii) encouraging intervention at the most beneficial medical junctures, (iv) offering long-range strategies to prevent and control each disease, (v) providing feedback on outcome to physicians, and (vi) emphasizing preventive care and patient education.~~

~~"Emergency services" means those health care services that are rendered by affiliated or nonaffiliated providers after the sudden onset of a medical condition that manifests itself by symptoms of sufficient severity, including severe pain, that the absence of immediate medical attention could reasonably be expected by a prudent layperson who possesses an average knowledge of health and medicine to result in (i) serious jeopardy to the mental or physical health of the individual, (ii) danger of serious impairment of the individual's bodily functions, (iii) serious dysfunction of any of the individual's bodily organs, or (iv) in the case of a pregnant woman, serious jeopardy to the health of the fetus. Emergency services provided within an MCHIP's service area shall include covered health services from nonaffiliated providers only when delay in receiving care from a provider affiliated with the MCHIP could reasonably be expected to cause the enrollee's covered person's condition to worsen if left unattended.~~

~~"Enrollee" means a subscriber, policyholder, member, covered person, or dependent, as the case may be, under a policy or contract issued or issued for delivery in Virginia by a managed care health insurance plan licensee, insurer, health services plan, or preferred provider organization.~~

~~"Evidence of coverage" means any certificate, individual or group agreement or contract, or identification card or related document issued in conjunction with the certificate, agreement or contract, issued to an enrollee a covered person setting out the coverage and other rights to which an enrollee a covered person is entitled.~~

~~"Final adverse decision" means a utilization review determination made by a physician advisor or peer of the treating health care provider in a reconsideration of an adverse decision, and upon which a provider or patient may base an appeal.~~

~~"Full accreditation" means the highest or most comprehensive level of accreditation granted as defined by the nationally recognized accrediting body.~~

~~"Health care data reporting system" means the state contracted integrated system for the collection and analysis of data used by consumers, employers, providers, and purchasers of health care to continuously assess and improve the quality of health care in the Commonwealth.~~

"Managed care health insurance plan" or "MCHIP" means an arrangement for the delivery of health care in which a health carrier, as defined in § 38.2-5800 of the Code of Virginia, undertakes to provide, arrange for, pay for, or reimburse any of the costs of health care services for a covered person on a prepaid or insured basis which (i) contains one or more incentive arrangements, including any credentialing requirements intended to influence the cost or level of health care services between the health carrier and one or more providers with respect to the delivery of health care services and (ii) requires or creates benefit payment differential incentives for covered persons to use providers that are directly or indirectly managed, owned, under contract with or employed by the health carrier. Any health maintenance organization as defined in § 38.2-4300 of the Code of Virginia or health carrier that offers preferred provider contracts or policies as defined in § 38.2-3407 of the Code of Virginia or preferred provider subscription contracts as defined in § 38.2-4209 of the Code of Virginia shall be deemed to be offering one or more managed care health insurance plans. For the purposes of this definition, the prohibition of balance billing by a provider shall not be deemed a benefit payment differential incentive for covered persons to use providers who are directly or indirectly managed, owned, under contract with or employed by the health carrier. A single managed care health insurance plan may encompass multiple products and multiple types of benefit payment differentials; however, a single managed care health insurance plan shall encompass only one provider network or set of provider networks.

"Managed care health insurance plan licensee" or "MCHIP licensee" means a health carrier subject to licensure by the Bureau of Insurance and to quality assurance certification by the department under Title 38.2 of the Code of Virginia who is responsible for a managed care health insurance plan in accordance with Chapter 58 (§ 38.2-5800 et seq.) of Title 38.2 of the Code of Virginia.

"Material" means that which has an effective influence or bearing on, or is pertinent to, the issue in question.

"Medical necessity" or "medically necessary" means appropriate and necessary health care services which are rendered for any condition which, according to generally accepted principles of good medical practice, requires the diagnosis or direct care and treatment of an illness, injury, or pregnancy-related condition, and are not provided only as a convenience.

"Nationally recognized accrediting body" means an organization that sets national standards specifically governing healthcare quality assurance processes, utilization review, provider credentialing, as well as other areas covered by this chapter and provides accreditation to managed care health insurance plans pursuant to national standards. The following entities shall be considered nationally recognized accrediting bodies:

1. The American Accreditation HealthCare Commission/URAC;
2. The National Committee for Quality Assurance (NCQA);
3. The Joint Commission on Accreditation of Healthcare Organizations, (JCAHO); and

4. Other nationally recognized accrediting bodies with national standards as described above that are accepted by the department.

"Person" means any individual, aggregate of individuals, association, business, company, corporation, joint-stock company, Lloyds type of organization, other organization, partnership, receiver, reciprocal or inter-insurance exchange, trustee or society.

"Plan of correction" means a an MCHIP'S written plan that outlines the action the MCHIP will take to address compliance issues identified during an administrative review or on-site examination conducted by the department.

~~"Preferred provider organization" or "PPO" means a managed care health insurance plan that does not require covered medical services to be coordinated or managed through a primary care physician. A managed care health insurance plan licensee that is responsible for a managed care health insurance plan, commonly recognized as a "preferred provider organization," may delegate by contract to provide all or some of the preferred provider organization components, which include the provider network, utilization review, credentialing, and claims administration, while retaining direct contact with the enrollee regarding the coordination of benefits an arrangement in which a health carrier, as defined in § 38.2-5800 of the Code of Virginia, undertakes to provide, arrange for, pay for, or reimburse any of the costs of health care services, on an insured basis, which creates incentives, including financial incentives, for a covered person to use health care providers directly or indirectly managed, owned, under contract with, or employed by the health carrier, but shall not include a health maintenance organization as defined in § 38.2-4300 of the Code of Virginia.~~

"Quality assurance program" means the systems, standards and processes including, but not limited to, reasonable and adequate systems to assess, measure, and improve the health status of covered persons, necessary to obtain a certificate of quality assurance from the department in accordance with this chapter and in accordance with § 32.1-137.2 C of the Code of Virginia.

"Service area" means a geographic area as defined in § 38.2-5800 of the Code of Virginia.

"Timely" means the provision of services so as not to impair or jeopardize the integrity of the enrollees' covered persons' diagnosis or outcomes of illness.

"Treating health care provider" or "provider" means a licensed health care provider who renders or proposes to render health care services to an enrollee a covered person.

"Utilization review" means a system for reviewing the necessity, appropriateness, and efficiency of hospital, medical or other health care services rendered or proposed to be rendered to a patient or group of patients for the purpose of determining whether such services should be covered or provided by an insurer, health services plan, managed care health insurance plan licensee, or other entity or person. For purposes of this chapter, "utilization review" shall include, but not be limited to, preadmission, concurrent and retrospective medical necessity determination, and review related to the

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# Proposed Regulations

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appropriateness of the site at which services were or are to be delivered. "Utilization review" shall not include (i) review of issues concerning insurance contract coverage or contractual restrictions on facilities to be used for the provision of services, (ii) any review of patient information by an employee of or consultant to any licensed hospital for patients of such hospital, or (iii) any determination by an insurer as to the reasonableness and necessity of services for the treatment and care of an injury suffered by an insured for which reimbursement is claimed under a contract of insurance covering any classes of insurance defined in §§ 38.2-117 through 38.2-119, 38.2-124 through 38.2-126, 38.2-130 through 38.2-132 and 38.2-134 of the Code of Virginia.

"Utilization review entity" or "~~entity~~" means a person or entity performing utilization review.

"Utilization review plan" or "~~plan~~" means a written procedure for performing a utilization review.

## 12 VAC 5-408-20. Responsibility of the department.

A. The Code of Virginia allows the Board of Health to adopt regulations for the certification of quality assurance for managed care health insurance plans licensees. The Department of Health is charged with the responsibility for examining the quality of health care services provided by, *arranged for, paid for, or reimbursed by* managed care health insurance plan licensees according to regulations adopted by the board and any additional requirements that may be specified by the Code of Virginia. The Center for Quality Health Care Services and Consumer Protection acts as agent for the department for certifying managed care health insurance plans, which includes investigating complaints made against a MCHIP licensee.

B. In developing or revising these regulations, the department adheres to the requirements of the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia) and the public participation process. The department solicits input from MCHIPs, associations of MCHIPs, providers, experts in related fields, advocacy organizations, consumers and the general public in the development or revision of this chapter through informal and formal comment periods and public hearings.

C. The department shall coordinate its activities with the Bureau of Insurance to ensure an appropriate level of regulatory oversight and to avoid undue duplication of effort or regulation.

~~D. The department will be guided by its own interpretive guidelines when determining compliance with this regulation.~~

## 12 VAC 5-408-30. Certificate of quality assurance.

A. A certificate for quality assurance shall be issued to managed care health insurance plan licensees. ~~The department~~ *the department commissioner* shall issue or renew a certificate of quality assurance if the MCHIP licensee is in compliance with the applicable law and this chapter. *On behalf of the commissioner, and under a written delegation of authority, the department shall examine the applicants and issue the certificates for quality assurance.*

B. No certificate of quality assurance may be transferred or assigned without approval of the department.

C. Every certified MCHIP licensee shall file for its certificate of quality assurance with the department biennially, subject to payment of a fee and receipt of all material required by law and this chapter.

D. Upon request, the center will provide an application form for a certificate of quality assurance. The center shall consider the application complete when all the information requested and the application fee are submitted. If the center finds the application incomplete, the applicant will be notified in writing of receipt of the incomplete application.

E. The department shall send an application for renewal of a certificate to the licensee at least ~~60~~ 90 days prior to the expiration date of the current certificate.

F. The department shall examine or review each applicant for an initial certificate of quality assurance and periodically for renewal thereof.

*G. Upon receipt of a written request from the governing body of an MCHIP licensee, the commissioner, in her sole discretion, may consider a modification and issue a temporary or permanent variance in the application of one or more of these regulations provided patient safety, care, or the ability of an MCHIP licensee to provide, arrange for, or reimburse the cost of services will not be adversely affected. The written request shall identify the reason the MCHIP licensee cannot immediately comply with the specified regulation and how any proposed modification is equal to or will meet the intent of the regulation for which a variance is requested. Upon review of the request, the commissioner may grant a temporary variance for less than a full period of certification, or a permanent variance for a full period of certification, or deny the request. Any temporary or permanent variance granted by the commissioner shall be subject to review and renewal before a certificate renewal, extension or re-issuance is granted.*

~~G.~~ *H. Upon the issuance or renewal of a certificate, the department, on behalf of the commissioner and under a written delegation of authority, shall provide a certificate of quality assurance to the MCHIP licensee and a copy to the Bureau of Insurance.*

~~H.~~ *I. Upon determining to deny or refuse to renew a certificate, the department, on behalf of the commissioner and under a written delegation of authority, shall notify the applicant in writing stating the reasons for the denial of the certificate. A copy of the notification of denial shall be provided to the Bureau of Insurance.*

~~I.~~ *J. Appeals from a notification of denial shall be brought by a certificate applicant pursuant to the process set forth in 12 VAC 5-408-140.*

## 12 VAC 5-408-40. Fees.

A. The center shall collect a fee for each initial application and each renewal application. *MCHIP licensees with multiple plans wishing to submit a separate application for each plan must include the appropriate fee for each application. Fees shall accompany the application and are not refundable.*



B. Fees shall be sufficient to cover reasonable costs for the administration of the quality assurance program.

C. Fees shall be based upon a percentage, not to exceed 1/10 of 1.0%, of the proportion of direct gross premium income on business done in this Commonwealth attributable to the operation of managed care health insurance plans in the preceding biennium not to exceed \$10,000 per plan submitted by the licensee for separate certification.

After July 2000, new applicants proposing to offer MCHIP plans in the Commonwealth shall be assessed a flat fee of \$5,000 for the initial application for a certificate of quality assurance.

**12 VAC 5-408-50. Preferred provider organizations Compliance provisions appropriate for type of plan.**

A. Managed care health insurance plan licensees that operate a preferred provider organization offer one or more PPO plans as defined in this chapter must require their PPO plans to only comply with the following sections:

1. Parts I (12 VAC 5-408-10 et seq.) and II (12 VAC 5-408-160 et seq.) of this chapter;
2. Part III (12 VAC 5-408-220 et seq.) of this chapter except for subdivision A1 of 12 VAC 5-408-220 and subdivisions A 2 and A 10 of 12 VAC 5-408-240;
3. 12 VAC 5-408-260 through 12 VAC 5-408-280 of this chapter except subsection E of 12 VAC 5-408-260, subsections E and F of 12 VAC 5-408-270 and subsection G of 12 VAC 5-408-280; and
4. Parts VI (12 VAC 5-408-320 et seq.) and VII (12 VAC 5-408-360 et seq.) of this chapter.

B. In lieu of compliance with subdivisions A 2 through 4 of this section, the licensee shall demonstrate that the preferred provider organization operates in conformity with the standards of one of the following:

1. The Health Network Standards, Version 3.0, or the Health Plan Standards, Version 3.0, whichever is applicable to the type of PPO, of the American Accreditation HealthCare Commission/URAC;
2. The Joint Commission on Accreditation of Healthcare Organizations' Accreditation Standards for Preferred Provider Organizations (1997); or
3. Accreditation standards specifically governing health quality improvement processes for PPOs issued by other nationally recognized organizations accepted by the department.

C. Accreditation is not required to meet the requirements of subsection B unless the MCHIP licensee operates a PPO and desires its PPO to be exempt from the comprehensive onsite examination described in 12 VAC 5-408-90. The licensee must follow the provisions of 12 VAC 5-408-100 to be eligible for exemption from examination.

The MCHIP licensee may comply with 12 VAC 5-408-170, 12 VAC 5-408-200, as well as subdivisions A 2 through A 4 of this section, by demonstrating it operates a PPO plan in conformity with the standards of a nationally recognized

accrediting body applicable to preferred provider organizations and acceptable to the department. While such demonstration shall be considered reasonable and adequate compliance for purposes of initial and renewal MCHIP certification, the department may employ a checklist to identify and determine compliance with specific statutory or regulatory requirements that are more stringent than the nationally recognized accrediting body standards.

B. Managed care health insurance plan licensees other than PPO plans, including health maintenance organizations, must comply with this entire chapter. The MCHIP licensee may comply with 12 VAC 5-408-170, 12 VAC 5-408-200, 12 VAC 5-408-210, as well as Parts III through VI (12 VAC 5-408-220 through 12 VAC 5-408-360) of this chapter by demonstrating that the MCHIP licensee operates in conformity with the standards of a nationally recognized accrediting body that are appropriate for the type of MCHIP corresponding to the licensee and acceptable to the department. Such demonstration shall be considered reasonable and adequate compliance for purposes of initial and renewal MCHIP certification. Nothing in the preceding sentences shall preclude the department from imposing further requirements if the regulatory requirements are more stringent than the nationally recognized accrediting body's standards.

C. Accreditation by a nationally recognized accrediting body shall satisfy the department in demonstrating that the MCHIP licensee operates in conformity with the standards of a nationally recognized accrediting body as permitted under subsection A or B of this section, provided the MCHIP licensee follows the provisions of 12 VAC 5-408-100 to be eligible for exemption from examination. Otherwise, an MCHIP that is not accredited shall be subject to the triennial comprehensive onsite examination requirements of 12 VAC 5-408-90. Nothing in the preceding sentences shall preclude the department from imposing further requirements if the regulatory requirements are more stringent than the nationally recognized accrediting body's standards.

**12 VAC 5-408-60. General examination process.**

A. The commissioner shall cause MCHIP licensees shall to be examined or reviewed by the department according to Article 1.1 (§ 32.1-137.1 et seq.) of Chapter 5 of Title 32.1 of the Code of Virginia to:

1. Verify that a an MCHIP qualifies for an initial or renewal certificate of quality assurance;
2. Investigate a complaint filed against a an MCHIP licensee;
3. Determine compliance with this chapter and applicable law; and
4. Determine if the MCHIP licensee has successfully implemented corrective action following an examination, or as a result of disciplinary action or sanction.

B. Examinations shall may be conducted onsite at a an MCHIP licensee's office and at the site of any contractors delegated service provider. At its discretion, the department may choose to conduct an administrative review to evaluate the MCHIP for compliance with applicable law and this chapter. The MCHIP's examination may also include

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# Proposed Regulations

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contractors with whom the licensee has agreements, contracts, or other arrangements to provide health care services for the MCHIP.

C. Any examiner authorized by the department shall, so far as necessary for the purposes of the examination or review, have access during regular business hours to the premises and to any books, records, files, or property of the licensee as far as they directly relate to ~~the quality of care provided by the MCHIP licensee~~ *this regulation and Articles 1.1 (§ 32.1-137.1 et seq.) and 1.2 (§ 32.1-137.7 et seq.) of Chapter 5 of Title 32.1 of the Code of Virginia.*

All material copied, recorded, or received by the department from the MCHIP licensee shall be privileged and confidential and shall not be subject to subpoena.

D. The MCHIP licensee shall be responsible for ensuring that all examination materials are submitted to the department at the time specified for submission and that they are complete. Failure to submit all of the examination materials as required may delay processing or result in the denial of the issuance or renewal of the quality assurance certificate.

E. A summary report of ~~a~~ *an* MCHIP licensee's examination shall become part of the department's public file on the MCHIP. A copy of the summary report shall be provided to the Bureau of Insurance.

F. The department shall consider ~~a~~ *an* MCHIP licensee's initial examination for a certificate of quality assurance as a ~~baseline~~ *an* evaluation of the MCHIP's quality improvement assurance program in order to determine if it has the structure, organization, and policies and procedures in place to provide and support quality improvement activities. ~~If the MCHIP licensee has been operating outside the geographic boundaries of Virginia, it shall demonstrate that it has a record of successfully implementing its quality improvement program to the benefit of the enrollees that it serves.~~

G. Information provided during any examination conducted regarding compliance with this chapter shall be accurate and truthful. The MCHIP licensee shall not provide the department with falsified information during any aspect of the examination process. The department shall construe any effort to provide falsified information as violation of the statute, and the MCHIP licensee shall be subject to disciplinary action. Falsification is defined for the purpose of this chapter as fabrication, in whole or in part, of any information provided by the MCHIP or the MCHIP licensee.

H. The refusal of any *MCHIP* licensee, by its officers, directors, employees or agents, to submit to examination or review or to comply with any reasonable written request of the examiners shall be grounds for suspension, revocation, denial, or nonrenewal of a certificate of quality assurance held by the licensee.

## **12 VAC 5-408-70. Administrative review.**

A. The initial examination shall be an administrative review of the application for certificate of quality assurance and supporting documentation that includes:

1. The items listed in subsections F, G, H, and I of 12 VAC 5-408-160, *except that if the MCHIP is accredited by a*

*nationally recognized accrediting body appropriate for the type of MCHIP and approved by the department, it shall not be required to include in its application the items listed in subdivisions F 5, G 2, G 3, G 7 and subsection I;*

2. A copy of the most recent accreditation report *executive summary*, as applicable issued to the MCHIP or to the MCHIP's licensee from a nationally recognized accreditation organization ~~accrediting body~~ that evaluates the quality of health care services provided by health care plans, assurance programs, with the written corrective action response, if any, ~~shall also be submitted;~~

3. *For MCHIP licensees that have been cited by another state or the District of Columbia concerning their quality assurance program*, a copy of the most recent report of an examination of the quality of health care provided by the MCHIP under similar laws and regulations of another state, ~~and~~ *with* a copy of the written corrective action response, if any; ~~and~~

4. The most recent report of any examination of the quality of health care assurance program provided by the MCHIP issued by a federal regulatory agency with similar laws and regulations. *Submission of this report shall not be necessary if the MCHIP provides a copy of the report required by subdivision 2 of this subsection with the written corrective action plan, if any, shall also be submitted.; and*

~~The department shall also consider any information that the Bureau of Insurance, in its review of the MCHIP licensee's application for insurance licensure, determines is pertinent to the department's examination for issuance of a certificate of quality assurance.~~ 5. The department may coordinate with the Bureau of Insurance to obtain information that may assist its review.

B. The administrative review examination shall be conducted within 45 business days of the receipt of all the documentation required by the department. The MCHIP licensee shall be notified in writing if additional information is needed to clarify the information submitted and the specific time period in which to submit the materials. *Accreditation by a nationally recognized accrediting body appropriate to the type of MCHIP and acceptable to the department shall be sufficient to demonstrate compliance with state requirements pursuant to 12 VAC 5-408-50. Nothing in the preceding sentences shall preclude the department from imposing further requirements if the regulatory requirements are more stringent than the nationally recognized accrediting body's standards.*

C. The MCHIP licensee shall be notified of the results of the administrative review examination within 60 business days from the receipt by the department of all of the required documents and related information.

The department, at its discretion, may extend, for up to an additional 30 days, the period of time within which to approve or disapprove the information submitted. Licensees shall be notified in writing of any such extension.

D. The department, at its discretion, may conduct an onsite examination of the MCHIP licensee's quality improvement assurance program ~~or aspects integral to the quality~~

improvement program if, for example, during its conduct of the administrative review examination, the department determines that an onsite examination is warranted in order to determine the MCHIP licensee's compliance with applicable laws or this chapter.

E. Licensees with MCHIPs that successfully complete the examination shall be issued a certificate of quality assurance. Licensees with MCHIPs that do not successfully complete the examination shall be denied a certificate of quality assurance. *Licensees with more than one MCHIP requesting separate certificates for each MCHIP shall file a separate certificate of quality assurance application for any of their MCHIPs with an accompanying fee. Each of the licensee's MCHIPs that were filed with separate applications that successfully complete the examination shall be issued a certificate of quality assurance. Each of the licensee's MCHIPs that were filed with separate applications that do not successfully complete the examination shall be denied a certificate of quality assurance.*

**12 VAC 5-408-80. Renewal application.**

A. Every MCHIP licensee shall request renewal of its certificate of quality assurance biennially with the department. The purpose of the renewal examination shall be to determine if the MCHIP has maintained compliance with applicable laws and regulations since the last certificate of quality assurance was issued or renewed, and whether the MCHIP is ~~making substantive progress in meeting using its best efforts to meet its quality improvement assurance goals as set forth in its quality improvement assurance plan.~~

~~Failure of the MCHIP licensee to adequately document that the MCHIP's quality improvement program has measurably improved the quality of care received by its enrollees over time, as assessed through generally accepted statistical indicators of clinical quality will be a factor in the renewal of the certificate of quality assurance.~~

B. The renewal examination shall include an administrative review of the renewal application and supporting documentation that includes:

1. The items listed in subsections F, G, H, and I of 12 VAC 5-408-160, *except that if the MCHIP is accredited by a nationally recognized accrediting body appropriate for the type of MCHIP and acceptable to the department, it shall not be required to include in its application the items listed in subdivisions F 5, G 2, G 3, G 7 and subsection I;*
2. The annual complaint reports;
3. The MCHIP's formal written evaluations of its quality ~~improvement~~ assurance program expectations for the time period since the MCHIP's last application for a certificate of quality assurance;
4. A copy of the most recent accreditation report *executive summary*, as applicable, issued to the MCHIP or to the licensee from a nationally recognized ~~accreditation organization~~ *accrediting body* that evaluates the quality of health care services provided by health care plans *assurance programs* if the report was issued after the issuance of the current certificate from the department, *provided that resubmission of the most recent accreditation report previously submitted in the prior initial or renewal*

*application shall not be required, unless there has been a completed accreditation survey since that time that has led to renewal, suspension, or denial of accreditation and the written corrective action plan in response to the report, if applicable, shall also be submitted;*

5. *For MCHIP licensees that have been cited by another state or the District of Columbia concerning the quality of health care provided or administered, a copy of the most recent report of an examination of the quality of health care of provided by the MCHIP under similar laws or regulations of another state or state regulatory agency in which the MCHIP is domiciled that was issued since the certificate of quality assurance was last issued or renewed the District of Columbia, and a copy of the written corrective action response; and*

6. A copy of the report of any examination of the MCHIP by a federal regulatory body with similar laws and regulations issued since the certificate of quality assurance was last issued or renewed, *provided that submission of this report shall not be necessary if the MCHIP licensee submits a copy of the report required by subdivision 4 of this subsection.*

C. In addition, the department shall consider the following in its renewal examination:

1. The report of any comprehensive onsite examination of the MCHIP *or licensee* if one was conducted during the renewal period; *and*
2. Any disciplinary actions or sanctions issued by the department pursuant to § 32.1-137.5 of the Code of Virginia or this chapter, or by the Bureau of Insurance in keeping with § 32.1-137.2 E of the Code of Virginia; *and.*

~~3. D. The department may consider a summary report of the analysis of any data provided required to be reported by state law or regulation to the Health Care Data Reporting System in its renewal examination.~~

**12 VAC 5-408-90. Comprehensive onsite examination.**

A. The comprehensive onsite examination represents a periodic quality ~~improvement~~ assurance evaluation process designed to ~~validate ensure that not only does the MCHIP have appropriate systems in place to ensure quality of health care, but that the systems are successfully implemented and result in the improvement of enrollees' health outcomes and the delivery of their care the MCHIP licensee has in place the appropriate systems and processes to meet the requirements set forth in this chapter.~~

B. A comprehensive onsite examination shall be conducted triennially except for MCHIPs that meet the criteria specified in 12 VAC 5-408-100 pertaining to nationally recognized accreditation.

C. The comprehensive onsite examination shall take place:

1. At a time established by the department with ~~60~~ 90 days advance notification to the MCHIP licensee;
2. In conjunction with a Bureau of Insurance market conduct examination of the licensee; or

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## Proposed Regulations

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3. At the request of the MCHIP licensee in agreement with the department following the completion of an initial administrative review examination for certification in order to document any corrective action taken in response to the initial examination.

At the department's discretion and in response to complaints against the MCHIP licensee or the MCHIP, the department may expand a complaint investigation to a comprehensive examination to determine compliance with the MCHIP laws and regulations if it appears that ~~enrollees'~~ *covered person's* health and safety may be jeopardized.

D. The MCHIP licensee shall be notified in writing at least ~~60~~ *90* days in advance of the comprehensive onsite examination and shall be provided with information regarding the parameters of the examination.

The final determination of when a comprehensive onsite examination shall be conducted rests with the department. However, the department will take into consideration mitigating circumstances presented by the MCHIP licensee.

E. The MCHIP licensee or the department may request a preexamination conference for the purpose of discussing preparations for the examination. The conference shall not be used for determining whether a plan needs to be examined or the frequency of an onsite comprehensive examination.

~~F. In the period before~~ *Prior to* the comprehensive onsite examination, the MCHIP licensee shall make available to the department ~~shall conduct or arrange for member satisfaction input regarding the plan by conducting or reviewing the results of a member satisfaction survey or by making examiners available to receive comments from enrollees following notice to enrollees and providers of a scheduled examination through other initiative conducted to obtain member input regarding the MCHIP licensee. If the MCHIP licensee did not conduct a member satisfaction survey or initiative, then the MCHIP licensee will publish public notice to the plan's enrollees of upcoming examinations. The plan shall provide the department with the member mailing list for Virginia enrollees, upon request, to be used to select samples of the plan's membership for the surveys or for public notice of the examination soliciting comments from the MCHIP's covered persons regarding satisfaction with the MCHIP.~~

G. The MCHIP shall be notified of the results of the comprehensive onsite examination within 60 business days of the final day of the examination. The department may choose to notify the ~~plan~~ *MCHIP* earlier than 60 days and require immediate corrective action or initiate administrative disciplinary hearings for findings of serious or substantial noncompliance with the law or the regulations that could jeopardize ~~enrollees'~~ *covered persons'* health or safety.

H. Depending on the examination findings, the department shall:

1. Require a corrective action plan as specified in 12 VAC 5-408-110 with a time frame in which corrective action shall be completed and verified by the department;
2. Proceed with disciplinary action or sanctions as specified in 12 VAC 5-408-140; or

3. Notify the MCHIP licensee that it is fully and completely in compliance with all applicable regulations.

I. If the MCHIP licensee applicant has achieved ~~full~~ accreditation from a nationally recognized accreditation entity ~~recognized by acceptable to~~ the department, ~~the applicable MCHIP~~ it will be exempt from the comprehensive *on-site* examination following receipt of all accreditation findings.

### **12 VAC 5-408-100. Examination by a nationally recognized accreditation organization.**

A. The department shall accept the ~~examination accreditation~~ of a *an* MCHIP licensee or MCHIP by a nationally recognized ~~health quality improvement accreditation organization accrediting body appropriate to the type of MCHIP and approved by the department in lieu of the triennial comprehensive onsite examination described in 12 VAC 5-408-90 under the following conditions:~~

~~1. The MCHIP is fully accredited by a nationally recognized accreditation organization that evaluates the quality of health care provided by managed care plans and the accreditation organization is accepted by the department. One-year conditional or provisional accreditation shall not be considered acceptable for meeting the requirements of this chapter; MCHIP licensees or MCHIPs that are denied accreditation shall be subject to examination by the department unless full accreditation is achieved. MCHIP licensees whose plans are fully accredited are considered exempt only from the triennial examination by virtue of their accreditation but are not exempt from compliance with this chapter.~~

*1. Conditional or provisional accreditation may be considered acceptable for meeting the requirements of this chapter provided that a second examination by a nationally recognized accrediting body is scheduled and completed within 15 to 18 months of the date a decision for conditional or provisional accreditation is made by the accrediting body, and that the second examination leads to an accreditation status that is not conditional or provisional.*

2. The MCHIP licensee shall release to the department any and all reports, letters and memoranda issued by the accrediting organization to the licensee regarding the MCHIP concerning the organization's *a copy of a report or document from a nationally recognized accrediting body containing that body's final report, or evaluation of the MCHIP's compliance with accreditation standards. The department may, at its discretion and on a case-by-case basis, request from the licensee any and all reports, letters and memoranda issued by the nationally recognized accrediting body to the licensee regarding the licensee's accreditation application or its evaluation for accreditation. In the event a licensee is granted only conditional or provisional accreditation, any written materials generated by the licensee or its plan regarding corrective or remedial action to be taken by the licensee or the plan to be in for achieving compliance with the accreditation standards shall also be released to the department at the same time the nationally recognized accrediting body is notified. The MCHIP licensee shall forward copies of the executive summary of its written accreditation reports report to the*

department within 10 days of receipt by the MCHIP licensee ~~and of its response regarding corrective, remedial or improvement actions at the same time the accreditation organization is notified, unless otherwise directed by the department.~~

3. The MCHIP licensee ~~or its plan~~ notifies the department of the date of its accreditation examination ~~at least 90 days prior to the examination.~~

4. The MCHIP licensee ~~permits the department to observe all or part, at the department's discretion, of the accreditation organization's examination and communicates such agreement to the accrediting organization.~~

The department reserves the right to conduct a comprehensive examination of a ~~fully an~~ accredited MCHIP when it appears that the health and safety of the ~~enrollees covered persons~~ may be jeopardized.

B. Accreditation by a nationally recognized ~~accreditation organization for health quality improvement accrediting body~~ will not be accepted in lieu of the comprehensive onsite examination unless: ~~1. The accreditation standards are equivalent to or more stringent than the department's certification of quality assurance regulations; and 2. the accreditation standards are appropriate for the type of plan seeking exemption from the department's comprehensive onsite examination.~~

## 12 VAC 5-408-110. Corrective action procedures.

A. Within 30 business days of the conclusion of the examination, the department shall provide the MCHIP licensee with a written summary of violations of the regulations or laws and any factual findings used as a basis to determine that a violation has occurred.

B. The department shall require the MCHIP licensee to submit a written plan of correction specifying how each violation will be corrected along with the time frames for completion of each corrective action. A single plan of correction shall address all events associated with a given violation. The plan of correction, when required, shall be submitted by the MCHIP licensee within 20 business days of receipt of the notice of violation, or sooner, if the department determines that the violations jeopardize the safety of ~~enrollees covered persons~~.

C. The plan of correction shall be approved when the MCHIP licensee demonstrates to the satisfaction of the department that compliance will be achieved. If the plan of correction is not approved, the department may request that an amended plan of correction be submitted within 10 business days, or sooner, if the department determines that the violations jeopardize the safety of ~~enrollees covered persons~~.

D. The summary of violations and the plan of correction shall not be released as public information until the department has approved the plan of correction or, in the event no plan of correction is required, after 20 business days of receipt of the summary of violations by the MCHIP licensee, whichever is sooner.

E. Unless otherwise documented, the department will presume receipt of the summary of violations by the MCHIP

licensee by the seventh business day when mailed return receipt requested.

F. Failure of the MCHIP licensee to successfully implement the written plan of correction within a specified time period may result in an administrative sanction.

## 12 VAC 5-408-120. Changes to geographic service areas.

A. ~~No MCHIP shall operate in a manner that varies in a material manner with the geographic service area information submitted pursuant to this chapter. Any changes to a MCHIP's geographic service areas shall be submitted in writing to the department at least 45 days prior to the proposed effective date of the changes in such information which would result in operational changes that vary in a material manner with the information currently on file with the department shall be subject to the department's prior approval.~~

B. The request for a *material* change in a geographic service area shall include at least:

1. A description of the current geographic service area including a map of the current service area, a list of current primary care and specialty physicians and other providers, and the number of ~~enrollees covered persons~~ by service area.

2. An explanation as to whether the MCHIP is requesting an expansion or a reduction in its service area.

3. Notification that the MCHIP licensee has inquired of the Bureau of Insurance as to whether or not the service area request constitutes a material change and the bureau's determination, if available.

4. If a service area expansion is proposed, then the following is required:

a. A description of the ~~proposed~~ service area that includes a map of the ~~proposed~~ geographic service area expansion, projections of new enrollment, a listing of new primary care and specialty providers and other providers and their locations, and physician capacity to accept the anticipated enrollment;

b. Information necessary to determine if the MCHIP licensee will be capable of conforming to the access, availability, and travel requirements of 12 VAC 5-408-260 and 12 VAC 5-408-270; and

c. The methodology used to determine that the current health care system in the proposed service area can support the expansion.

5. If ~~a an~~ MCHIP is reducing or eliminating a service area, the following information is required:

a. A description of the service area being reduced or eliminated;

b. The reason for the reduction or elimination of the service area and the effective date on which health care services will no longer be available through the MCHIP; and

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# Proposed Regulations

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c. Any information required by the department to determine that MCHIP ~~enrollees covered persons~~ are ensured continuity of care during the transition.

C. If the department fails to act on a ~~request~~ *notice of material change* within 30 ~~business~~ days of receipt of *filing* all ~~requested~~ *necessary* information, the proposed changes shall be deemed approved. The department, at its discretion, may extend the period of time within which to approve or disapprove the proposed changes for up to an additional 30 days. Licensees shall be notified in writing of any such extensions.

## 12 VAC 5-408-130. Complaint system, complaint examination and investigation.

A. Each MCHIP licensee shall establish and maintain for each of its MCHIPs a complaint system approved by the department and the Bureau of Insurance to provide reasonable procedures for the resolution of complaints.

B. The department, *on behalf of the commissioner and in cooperation with the Bureau of Insurance*, shall examine the complaint system for compliance of the system with applicable statutes and regulations and shall require corrections or modifications as necessary. The effectiveness of the complaint system in allowing ~~enrollees covered persons~~, or their duly authorized representatives, to have issues regarding quality assurance appropriately resolved shall be assessed by the department.

C. The department has the responsibility to investigate complaints regarding ~~alleged~~ quality of care violations filed by or on behalf of ~~enrollees covered persons~~.

D. Every person from whom information is sought in an investigation of a complaint against a *an* MCHIP licensee shall cooperate in producing, or allowing reasonable access during regular business hours to, the books, records, files, accounts, papers, documents, and any or all computer or other recordings of the licensee being examined or those of any person *or delegated services entity* delivering health care services under contract, affiliation, delegation or other arrangement ~~directly relevant to the investigation~~. Information shall be limited to that which is relevant to the investigation in question.

E. Deficiencies found during a complaint investigation shall be corrected as required in 12 VAC 5-408-110.

F. When the investigation is complete, the MCHIP *licensee* and the complainant will be notified of the findings of the investigation.

## 12 VAC 5-408-140. Administrative sanctions.

A. Nothing in this part shall prohibit the department from exercising its responsibility and authority to enforce applicable law and this chapter including proceeding directly to imposition of administrative sanctions.

B. The department, in consultation with the Bureau of Insurance, may impose such administrative sanctions or take such actions as are appropriate for violation of any of the regulations or laws. Such sanctions include:

1. Imposing civil monetary penalties, which shall not exceed \$1,000 per incident of noncompliance, to a maximum of \$10,000 for a series of related incidents of noncompliance;

2. Placing a certificate holder on probation;

3. Temporarily suspending a certificate of quality assurance;

4. Temporarily restricting or prohibiting, *with the concurrence of the Bureau of Insurance*, new enrollments into a *an* MCHIP ~~with the concurrence of the Bureau of Insurance~~;

5. Revoking or not renewing a certificate of quality assurance and certifying to the Bureau of Insurance that a *an* MCHIP licensee or its managed care health insurance plan is unable to fulfill its obligations to furnish quality health care services; or

6. Other remedies as provided by state or federal law.

C. The MCHIP licensee shall receive a written notice describing the reasons for the imposition of sanctions and a report specifying the findings of noncompliance. Upon receipt of the notice to impose a sanction, the MCHIP *licensee* shall have the right and the opportunity to appeal the sanction according to § 32.1-137.5 of the Code of Virginia. A copy of the department's notice shall be provided to the Bureau of Insurance.

## 12 VAC 5-408-150. Surrender of certificate.

A. Upon revocation or suspension of a certificate or loss of license, the MCHIP licensee must surrender its certificate to a representative of the center.

B. In the event a *an* MCHIP licensee voluntarily ceases operation, it shall provide at least 90 business days advance written notice to all ~~enrollees covered persons~~, employers, providers, the department, and the Bureau of Insurance. The notice shall identify the storage location of business and medical records, where applicable, and procedures for obtaining copies of such records.

## 12 VAC 5-408-160. Management and administration.

A. No person shall establish or operate a managed care health insurance plan in Virginia without first obtaining a license from the Bureau of Insurance and a certificate of quality assurance from the department.

B. The *MCHIP* licensee must comply with:

1. This chapter;

2. Other applicable federal, state or local laws and regulations; and

3. The *MCHIP* licensee's own policies and procedures.

C. The *MCHIP* licensee shall submit or make available reports and information as described in § 32.1-137.4 of the Code of Virginia necessary to establish compliance with these standards and applicable laws.

D. The *MCHIP* licensee shall permit representatives from the center to conduct examinations or reviews to:

1. Verify application information;
2. Determine compliance with these standards;
3. Review necessary records, including contracts for delegated services and capitated rate information; and
4. Investigate complaints and review appeals procedures.

E. The licensee shall notify the center and providers in writing *within 30 days prior to* of implementing any *material* changes affecting the *MCHIP* plan, including:

1. Mailing address;
2. Ownership;
3. Health care services provided, including any delegated services;
4. Medical director;
5. MCHIP or licensee name;
6. Significant provider network changes; and
7. Any ~~systematic~~ *material* changes in the quality assurance plan program, complaint process, or utilization review process.

If more advanced notice of a specific change is required by law for notices to providers or *enrollees covered persons*, notice given to the department under this section shall be no less than notice given to *enrollees covered persons* under the law.

F. All applications, including those for renewal, shall require:

1. A description of the geographic area to be served with a map clearly delineating the boundaries of the service area or areas;
2. A description of the complaint system required under § 32.1-137.6 of the Code of Virginia and 12 VAC 5-408-130;
3. A description of the procedures and programs established by the licensee to assure both availability and accessibility of adequate personnel and facilities and to assess the quality of health care services provided; ~~and~~
4. A list of the *MCHIP* licensee's managed care health insurance plans; *and*
5. *A description of the MCHIP's quality assurance program.*

G. In addition, applications shall include the following, ~~as applicable to the type of MCHIP:~~

- ~~1. A description of the MCHIP's disease management program;~~
- ~~2.~~ 1. A detailed description of the *plan's MCHIP's* prescription drug benefit program, *if one is offered*;
- ~~3. A description of the quality improvement plan;~~
4. 2. *If the MCHIP requires or performs utilization management*, the utilization review plan including a description of the criteria, clinical and therapeutic guidelines, and their derivation or source;

~~5.~~ 3. A description of the *plan's MCHIP licensee's* credentialing process;

~~6.~~ 4. The current provider directory ~~identifying providers by specialty and by service area, including those providers who are not currently accepting new patients~~, so that the department can determine whether it complies with subsection G of § 38.2-3407.10 of the Code of Virginia;

~~7.~~ 5. A copy of the *MCHIP's* evidence of coverage or insurance plan coverage limitations and exclusions and other information provided to ~~enrollees covered persons~~;

~~8.~~ 6. A description of all types of payment arrangements that the *MCHIP* licensee uses to compensate providers for health care services rendered to ~~enrollees covered persons~~, including, but not limited to, withholds, bonus payments, capitation, processing fees, and fee-for-service discounts; and

~~9.~~ 7. *For those MCHIP licensees that conduct clinical studies*, a list of clinical studies with abstracts of study design, objectives and, if available, results as applicable to the type of *MCHIP licensee*.

H. *A list demonstrating the basic* health care services, as required by law, that the licensee provides, arranges, pays for, or reimburses shall be appropriately integrated throughout the *MCHIP's* service area. Services shall be based upon prevailing nationally recognized standards of medical practice.

I. The licensee shall have a written policy stating the ~~MCHIP's commitment to treating enrollees~~ *MCHIP licensee treats covered persons* in a manner that respects their rights as well as its expectations of provider and ~~enrollee covered person~~ responsibilities. The services shall be accessible to all ~~enrollees covered persons~~, including those with diverse cultural and ethnic backgrounds, and those with physical and mental disabilities.

## **12 VAC 5-408-170. Provider credentialing and recredentialing.**

A. The *MCHIP* licensee shall establish and maintain a comprehensive credentialing verification program to ensure its providers meet the minimum standards of professional licensure or certification. Written supporting documentation *for providers who have completed their residency or fellowship requirements for their specialty area more than 12 months prior to the credentialing decision* shall include, ~~but is not limited to:~~

1. Current valid license and history of licensure or certification;
2. Status of hospital privileges, if applicable;
3. Valid DEA certificate, ~~as if applicable~~;
4. Information from the National Practitioner Data Bank, as available;
5. Education and training, including post graduate training, if applicable;
6. Specialty board certification status, if applicable;

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# Proposed Regulations

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7. Practice or work history covering at least the past five years; and

8. Current, adequate malpractice insurance and malpractice history of at least the past five years.

*B. The MCHIP licensee may grant provisional credentialing for providers who have completed their residency or fellowship requirements for their specialty area within 12 months prior to the credentialing decision. Written supporting documentation necessary to provisionally credential a practitioner shall include:*

*1. Primary source verification of a current, valid license to practice prior to granting the provisional status;*

*2. Written confirmation of the past five years of malpractice claims or settlements, or both, from the malpractice carrier or the results of the National Practitioner Data Bank query prior to granting provisional status; and*

*3. A completed application and signed attestation.*

*C. Providers provisionally credentialed may remain so for 60 calendar days.*

~~B. D. Policies for credentialing and recredentialing shall include, but are not limited to the:~~

1. Criteria used to credential and recredential;

2. Process used to make credentialing and recredentialing decisions;

3. Type of providers, including network providers, covered under the credentialing and recredentialing policies;

4. Process for notifying providers of information obtained that varies substantially from the information provided by the provider; and

5. Process for receiving input from participating providers to make recommendations regarding the credentialing and recredentialing process.

The policies shall be made available to participating providers and applicants upon written request.

~~G. E. The appropriate~~ credentialing process shall be completed before the provider:

1. Begins seeing ~~enrollees covered persons~~;

2. Enters into the employment or contractual relationship with the MCHIP licensee; and

3. Is included in the listing of health care providers as a participating provider in any marketing and ~~enrollee covered person~~ materials.

~~D. F. The providers shall be recredentialed at least every two~~ three years. Recredentialing documentation shall include:

1. Current valid license or certification;

2. Status of hospital privileges, if applicable;

3. Current valid DEA registration, if applicable;

4. Specialty board eligibility or certification status, if applicable;

5. Data from ~~enrollee covered person~~ complaints and the results of quality reviews, utilization management reviews and ~~enrollee covered persons~~ satisfaction surveys, as applicable; and

6. Current, adequate malpractice insurance and history of malpractice claims and professional liability claims resulting in settlements or judgments.

~~F. G. All information obtained in the credentialing process shall be subject to review and correction of any erroneous information by the health care provider whose credentials are being reviewed. Nothing in the previous sentence shall require an MCHIP or MCHIP licensee to disclose to a provider, or any other person or party, information or documents: (i) that the MCHIP or the MCHIP licensee, itself, develops or causes to be developed as part of the MCHIP's credentialing process or (ii) that are privileged under applicable law. The department may require the MCHIP licensee to provide a copy of its credentialing policies.~~

~~F. H. Providers shall be required by the MCHIP licensee to notify the MCHIP of any changes in the status of any credentialing criteria.~~

~~G. I. The MCHIP licensee shall not refuse to initially credential or refuse to reverify the credentials of a health care provider solely because the provider treats a substantial number of patients who require expensive or uncompensated care.~~

~~H. J. The MCHIP licensee shall have policies and procedures for altering the conditions of the provider's participation with the MCHIP licensee. The policies shall include actions to be taken to improve performance prior to termination and an appeals process for instances when the MCHIP licensee chooses to alter the condition of provider participation based on issues of quality of care or service, except in circumstances where an ~~enrollee's covered person's~~ health has been jeopardized. Providers shall have complete and timely access to all data and information used by the licensee to identify or determine the need for altering the conditions of participation.~~

~~I. K. The MCHIP licensee shall retain the right to approve new providers and sites based on quality issues, and to terminate or suspend individual providers. Termination or suspension of individual providers for quality of care considerations shall be supported by documented records of noncompliance with specific ~~plan~~ MCHIP expectations and requirements for providers. The provider shall have a prescribed system of appeal of this decision available to them as prescribed in the ~~contract between the MCHIP contract with or its delegated service provider and the provider.~~~~

~~J. L. Providers shall be informed of the appeals process. Profession specific providers actively participating in the MCHIP plan shall be included in reviewing appeals and making recommendations for action.~~

~~K. M. The MCHIP licensee shall notify appropriate authorities when a provider's application or contract is suspended or terminated because of quality deficiencies by the health care provider whose credentials are being reviewed.~~

~~L. N. There shall be an organized system to manage and protect the confidentiality of personnel files and records.~~



Records and documents relating to a provider's credentialing application shall be retained for at least seven years.

## **12 VAC 5-408-180. Complaint system.**

A. Every MCHIP *licensee* shall establish and maintain a system for the resolution of complaints brought by ~~enrollees covered persons~~, or by providers acting on behalf of an ~~enrollee covered person~~ and with the ~~enrollee's covered person's~~ consent, ~~regarding any aspect of an MCHIP's health care services including, but not limited to, complaints regarding quality of care, choice and accessibility of providers, and network adequacy availability, delivery, or quality of health care services, or any other matter pertaining to the covered person's contractual relationship or status as a third party beneficiary with the MCHIP.~~

The system shall include, ~~but is not limited to:~~

1. Written notification to all ~~enrollees covered persons~~ of the procedures, including telephone numbers and addresses, for contacting the MCHIP with a complaint and telephone numbers and addresses of the complaint unit of the center and the Office of the Managed Care Ombudsman to help with complaints or appeals;
2. A description of the process used to investigate and resolve complaints, including specific time lines for each step in the complaint process; and
3. A description of the process used to document and track the status of all complaints and compile the complaint information required to be reported to the department under § 32.1-137.6 C of the Code of Virginia.

B. Time lines for responding to complaints shall accommodate clinical urgency and shall not exceed 30 days from receipt of the complaint. Resolution of complaints shall not exceed 60 days from date of receipt of the complaint.

C. The MCHIP *licensee* shall keep records of complaints filed including, ~~but not limited to:~~

1. Complaint identifier, using a unique identification code assigned consistently to the ~~enrollee covered person~~;
2. Date complaint received;
3. A general description of the reason for the complaint;
4. Date of each review and hearing, if any;
5. The number of days to gather the information necessary to resolve the complaint;
6. Date closed;
7. Resolution of the complaint;
8. Record of internal actions necessary as a result of the complaint resolution, as applicable; and
9. Notification to the ~~enrollee covered person~~ of the resolution.

D. No ~~enrollee covered person~~ who exercises the right to file a complaint or an appeal shall be subject to disenrollment or otherwise penalized due to the filing of a complaint or appeal.

E. Complaint records shall be maintained from the date of the MCHIP licensee's last examination and for no less than five years.

F. A description of the systems for filing complaints and appeals shall be provided to ~~enrollees covered persons~~ at the time of enrollment and upon request thereafter.

## **12 VAC 5-408-190. Enrollee Covered person education and communication.**

A. The MCHIP *licensee* shall make available to each ~~enrollee covered person~~ at the time of enrollment or at the time the contract or evidence of coverage is issued, as required by law and upon request thereafter, policies and procedures applicable to the ~~enrollee covered person~~ including, but not limited to:

1. A statement of ~~enrollee's covered person's~~ rights and responsibilities;
2. Procedures for obtaining care including:
  - a. Referral and authorization requirements;
  - b. Primary care services;
  - c. Specialty care and hospital services;
  - d. Behavioral services, when the complexity of the ~~enrollee's covered person's~~ condition requires the knowledge base and expertise beyond those of the primary care provider;
  - e. Emergency services and after-hours coverage, including access to emergency care, and any requirements for prior authorization and payment for out-of-service areas;
  - f. Care and coverage when out of the service area;
  - g. Out-of-network services; and
  - h. Pharmacy services;
3. Procedures *concerning the complaint process and the process* for appealing adverse decisions ~~adversely~~ affecting ~~enrollee covered person~~ coverage benefits;
4. *To the extent there are coverage restrictions for changing primary care providers*, procedures for changing primary care and specialty care providers including any restrictions on changing providers;
5. All necessary mailing addresses and telephone numbers for seeking information or authorization;
6. The toll-free number for the complaint unit of the center; and
7. Notice of the right to obtain information on types of provider payment arrangements used to compensate providers for health care services rendered to ~~enrollees covered persons~~, including, but not limited to, withholds, bonus payments, capitation, processing fees, and fee-for-service discounts.

B. Lists of all network providers ~~by specialty and by location and indicating which providers are accepting new patients~~ shall be *made* available to all ~~enrollees on request~~ covered

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# Proposed Regulations

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persons as required in subsection G of § 38.2-3407.10 of the Code of Virginia.

C. There shall be a mechanism for providing enrollee covered person information in plain language that is clearly understood and in the languages of the major population groups served.

D. ~~Enrollees Covered persons shall be provided an opportunity for input into matters of policy and operation through the establishment of advisory panels, the use of advisory referenda on major policy decisions, or by other mechanisms regarding the service provided by the MCHIP and any mechanism for input shall be disclosed to them.~~

E. There shall be a mechanism for assisting enrollees covered persons affected by changes in the MCHIP's MCHIP licensee's service areas or network providers. Such mechanisms may include access to information through an internet website, a toll-free telephone number, an electronic copy of the MCHIP's current provider directory, newsletters or any combination thereof.

## 12 VAC 5-408-200. Data management.

A. ~~The information data management system shall collect data on enrollees and provider characteristics and on services furnished to enrollees, as needed, to guide the selection of the quality assurance activities and to meet the data collection requirements of quality assurance projects be reasonable and adequate to assess, measure and evaluate the functions of the quality assurance program.~~

B. ~~If the MCHIP licensee has healthcare data and information, the data management system, which includes medical records, shall be safeguarded against loss, destruction, tampering, and unauthorized access or use comply with federal and state law and regulations, including the Virginia Health Records Privacy Act (§ 32.1-127.1:03 of the Code of Virginia).~~

## 12 VAC 5-408-210. Medical records.

A. ~~The MCHIP licensee shall maintain, or require to be maintained, that an organized medical record system assuring be maintained by providers that assures the availability of information required for effective and continuous enrollee covered person care and for quality review. Written policies and procedures based on accepted standards of practice shall specify retention, reproduction, access, storage, content, and completion of each record received.~~

B. Medical records shall be confidential. Only authorized personnel shall have access as specified in § 32.1-127.1:03 of the Code of Virginia. Written procedures shall govern the use and removal of medical records and the conditions for release of information. The enrollee's covered person's written consent shall be required for release of information as required by law.

## 12 VAC 5-408-220. Purpose.

A. The MCHIP licensee shall have a comprehensive, systematic, and organized quality improvement program for the purpose of:

1. Improving enrollee's covered person's health outcomes;

~~2. Enhancing Assuring the quality of the clinical care and service services provided to enrollees covered persons;~~

~~3. Increasing enrollee covered person satisfaction;~~

~~4. Maximizing opportunities for MCHIP improvements and minimizing opportunities for errors;~~

~~5. Monitoring, measuring and evaluating quality of care issues activities; and~~

~~6. Satisfying all federal and state reporting incidences to the appropriate entities requirements.~~

~~B. The plan's quality improvement program shall ensure that the services the MCHIP provides, arranges, pays for, or reimburses shall, at a minimum:~~

~~1. Be (i) consistent with prevailing nationally recognized medical standards of care, (ii) adequately available, (iii) accessible, (iv) appropriate for enrollees' clinical conditions, and (v) guided by a combination of utilization review guidelines, treatment protocols, accepted practice guidelines, and clinical case data that ensures balanced clinical decision making;~~

~~2. Identify and treat acute and chronic illnesses;~~

~~3. Allow for preventive services;~~

~~4. Provide for the treatment of enrollees with similar medical conditions while recognizing individual case differences;~~

~~5. Allow for a variety of treatment options that are commensurate with the MCHIP's benefit coverage;~~

~~6. Offer enrollee guidance for treatment out of network if treatment is not available through the MCHIP;~~

~~7. Recognize identified public health goals;~~

~~8. Allow for the evaluation and use of new technology or the new application of existing technology; and~~

~~9. Provide for a multidisciplinary treatment approach that addresses the physical and psychological function and functional status of the MCHIP's enrollees.~~

## 12 VAC 5-408-230. Program requirements.

A. The MCHIP licensee shall be structured operationally to administer the quality improvement assurance program. The quality improvement assurance operations shall include, but not be limited to:

1. Establishing performance goals designed to improve the quality of health care services provided by the MCHIP licensee and governed by the certificate;

2. Developing a quality improvement plan to implement the goals;

3. Measuring and assessing the MCHIP's MCHIP licensee's performance in meeting the goals;

4. Implementing activities based upon the assessments to improve and maintain performance;

5. Integrating the quality improvement activities of all other appropriate organizational units, providers, delegated

health service providers, and the governing body into the quality improvement program and providing feedback to those entities;

6. Enlisting ~~enrollee covered person~~ input through sources such as satisfaction surveys, reviews of complaints, appeals, and requests to change providers, ~~and utilizing enrollee and provider participation in the program;~~

~~7. Identifying the resources necessary for the MCHIP to successfully pursue improvement priorities;~~

~~8. 7. Maintaining and documenting the plan's licensee's compliance with state and federal laws, as well as private accreditation requirements, if applicable, that govern the MCHIP's MCHIP licensee's quality improvement assurance program; and~~

~~9. 8. Ensuring that the MCHIP's MCHIP licensee's quality improvement assurance goals are communicated to all appropriate organizational units of the plan, enrollees, providers MCHIP licensee and delegated health service entities and made available to covered persons and providers upon request.~~

B. The quality ~~improvement~~ assurance program shall be managed by professional personnel qualified by training and experience to implement the ~~MCHIP's MCHIP licensee's~~ program goals. The organizational relationship and responsibilities for quality ~~improvement~~ assurance shall be clearly defined.

C. The quality ~~improvement~~ assurance program shall be structured to include, ~~but is not limited to:~~

~~1. A quality improvement Operations accountable for the quality improvement program;~~

~~2. A quality improvement assurance program advisory committee whose members include enrollees covered persons and representatives from the operations responsible for quality improvement, utilization management, provider affairs, credentialing, complaints and appeals, customer service, medical records, and data management; and~~

~~3. A medical director, designated physician or clinical professional appropriate to the type of the MCHIP; licensee.~~

~~4. Committees established accountable to the quality improvement program operations that meet to address specific ongoing aspects of the quality improvement program; and~~

~~5. Committees established to provide the quality improvement program with periodic input regarding the quality improvement program from Virginia providers active in the plan and enrollees.~~

D. The MCHIP licensee shall designate a board-certified physician or clinical professional appropriate to the type of MCHIP to serve as ~~medical director the designated physician or clinical professional.~~

E. The ~~medical director shall provide supervision and oversight of the quality improvement program including, but~~

~~not limited to designated physician, or clinical professional as appropriate to the type of MCHIP licensee, must have substantial involvement in the quality assurance program. Substantial involvement may be evidenced by:~~

~~1. Defining the responsibilities and interrelationships for professional services;~~

~~2. Coordinating, supervising and overseeing the functioning of professional services;~~

~~3. Providing input into the medical performance of providers;~~

~~4. Overseeing the continuing in-service education of the MCHIP's professional staff;~~

~~5. Providing clinical direction and leadership to the continuous quality improvement program;~~

~~6. Establishing policies and procedures covering all health care services provided to enrollees covered persons; and~~

~~7. Ensuring review of provider credentials including, but not limited to:~~

~~a. Delineating qualifications for participating in the MCHIP;~~

~~b. Establishing a system for verification of providers' credentials, recredentialing, performance reviews; and~~

~~c. Obtaining information about any disciplinary action against the a provider.~~

F. The quality ~~improvement~~ assurance program advisory committee shall:

~~1. Recommend policies for quality improvement assurance;~~

~~2. Review and approve the quality improvement assurance program;~~

~~3. Evaluate the results of the quality improvement assurance program;~~

~~4. Initiate quality improvement assurance activities; and~~

~~5. Ensure implementation of the quality improvement assurance program.~~

G. All determinations and actions made by the committee shall be recorded in minutes that are dated, approved and current.

H. The quality ~~improvement~~ assurance program operations shall maintain written descriptions of the responsibilities of each of the operational units of the licensee and the governing body in the planning, development, implementation and evaluation of the ~~plan's MCHIP licensee's~~ quality improvement assurance program. The descriptions shall clearly delineate the responsibilities of each unit, to whom the responsibilities are delegated, and the organizational relationship that each operational unit has with another to provide quality health care include an organizational chart.

I. ~~The director of the quality improvement program shall report directly to the executive management of the MCHIP.~~

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# Proposed Regulations

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~~J. I.~~ A written report shall be issued annually by quality improvement assurance operations to the MCHIP's MCHIP licensee's executive management and to the governing body. The purpose of the report shall be to evaluate the MCHIP's MCHIP licensee's quality improvement assurance program activities including, at a minimum:

1. The MCHIP licensee's achievements in meeting its quality improvement assurance expectations;
2. Those areas where expectations were not met or where improvements are still needed;
3. The impact of the MCHIP's MCHIP licensee's quality improvement assurance program, including specific programmatic initiatives, on the quality of care received by enrollees covered persons as assessed using generally accepted clinical reasonable indicators; and
4. New areas identified through the quality improvement assurance assessment process that will be incorporated in the next annual quality improvement assurance program plan; and
5. Resources identified as necessary to assist in meeting the MCHIP's quality improvement expectations.

~~K. J.~~ The quality assurance program is accountable to the governing body shall retain the ultimate authority for the MCHIP licensee's quality improvement program. Documentation shall be maintained by the MCHIP licensee that the governing body has reviewed the annual quality improvement assurance program report and has provided direction to the program and, as necessary, other operational units in response to the report.

~~L. K.~~ A summary of the program shall be provided to appropriate managers, providers and staff members of the MCHIP licensee, and shall be available to enrollees covered persons of the MCHIP upon request. The program shall be made available to all other managers, providers, and staff upon request.

~~M. L.~~ There shall be a mechanism in place to inform enrollees covered persons, providers, and employers of the MCHIP licensee's annual performance results each year, upon request.

## 12 VAC 5-408-240. Program plan.

A. Each MCHIP licensee shall have a written quality improvement assurance plan. The plan shall include:

1. The quality improvement assurance performance expectations for the MCHIP licensee for the year and an explanation as to the rationale for targeting these expectations;
2. Delineation of the expected outcomes for the performance expectations;
3. The performance activities to implement the plan and the specific lines of authority and accountability for implementation;
4. The data collection and analysis methodologies to be used to evaluate the quality of health care services;

5. For MCHIP licensees that have access to clinical data, clinical studies, applicable to the type of MCHIP, that target clinical diagnosis and treatments with the requirement that those diagnoses focused upon are pertinent to a substantial number of its enrollees covered persons, or have been identified as major public health risks. The plan shall also include studies that are pertinent to the enrollees covered persons of the product lines that the MCHIP manages or that address major public health risks;

6. Strategies to evaluate provider performance and systems, direct request corrective action when patterns are identified, and act when corrective action has not been taken;

7. Methods to assess enrollee and provider covered person satisfaction and respond to enrollee and provider satisfaction results regarding the provision of the quality of the health care services so as to identify opportunities for improvement and set improvement goals;

8. For MCHIP licensees that have access to clinical data, evaluations of the actual outcomes of care provided to selected groups of enrollees covered persons with an analysis of variations in care;

9. For MCHIP licensees that have access to clinical data, amendment of treatment protocols and clinical practice guidelines, as necessary, to make them current and the development of new protocols and clinical practice guidelines, as necessary, to address clinical conditions;

~~10. Examination of the overutilization and underutilization of services and interventions when either are identified;~~

~~11. 10.~~ Strategies to evaluate the coordination and continuity of care that enrollees covered persons receive; and

~~12. 11.~~ Analysis of the accessibility of enrollee covered person services including emergency services and after-hour care; and within the licensee's geographic service area. Compliance can be demonstrated by evidence of contract language with providers stipulating after-hour care, customer satisfaction surveys, and complaint reviews.

~~13. Strategies to evaluate experimental treatment procedures.~~

## 12 VAC 5-408-250. Continuity of care.

A. The MCHIP licensee shall provide, arrange, pay for, or reimburse the basic health care services it provides in such a way that:

1. Enrollees' Covered persons' individual needs are assessed on an ongoing basis through their physician or staff and matched with the appropriate level of medical, psychological, or medical social services care. The MCHIP licensee shall monitor the continuity and coordination of care an enrollee a covered person receives with other facets of care;

2. Enrollees' transitions Covered persons' transition through the health care delivery system of care are facilitated by the MCHIP licensee and its components;

3. The MCHIP ~~provides for enrollees'~~ *licensee does not impede covered persons'* involvement in determining care and treatment;

4. Information necessary to support the provision of care from one plan component to another is provided in a timely manner to ~~enrollees covered persons~~ and providers to support the continuity of the ~~enrollee's covered person's~~ care; and

5. The MCHIP ~~addresses enrollees' need to know~~ *licensee advises its physicians of their responsibility to share specific information about with covered persons concerning their illness, condition or treatment, in order for the enrollee covered person to follow their his plan of care and receive follow-up care when needed;* and.

6. ~~Enrollees affected by a change or termination of benefits, services or providers are assisted in understanding how such developments impact them and the options available for dealing with them.~~

B. The MCHIP *licensee* shall assist with denial of care issues by providing adequate information for ~~enrollee covered person~~ and provider decisions regarding ongoing care, or if appropriate, discharge.

**12 VAC 5-408-260. Network adequacy.**

A. The MCHIP *licensee* shall provide a sufficient number and mix of services, specialists, and practice sites to meet ~~enrollees' covered persons'~~ health care needs, including providers serving high risk populations or those specializing in the treatment of costly conditions, and its contractual obligations with reasonable promptness.

B. The MCHIP *licensee* shall ensure *covered persons* telephone access 24 hours a day, 7 days a week, to responsible and knowledgeable health care practitioners capable of assessing the ~~enrollees' covered persons'~~ conditions and, as necessary, ~~arranging providing~~ for appropriate services.

C. The MCHIP *licensee* shall incorporate strategies into ~~their its~~ access procedures to facilitate utilization of the MCHIP's *licensee's* health care services by ~~enrollees covered persons~~ with physical, mental, language or cultural barriers.

D. ~~When a~~ *If the* MCHIP *licensee* does not have a health care provider with the appropriate training and experience within its network capable of meeting the particular health *providing* care needs of an enrollee, the MCHIP shall ensure that the enrollee is referred, consistent with the evidence of coverage, ~~to a health care provider outside of the MCHIP's network to covered persons, the licensee shall cover such care out of network.~~ The ~~enrollee covered person~~ shall not be responsible for any additional costs incurred by the MCHIP as a result of this referral, consistent with the evidence of coverage, other than any applicable copayment, coinsurance or deductible.

E. The MCHIP *licensee* shall make provisions for affected ~~enrollees covered persons~~ to be notified about the termination of a provider as soon as it becomes aware of the termination. The MCHIP shall inform the affected ~~enrollees covered persons~~ of other participating providers available to assume

their care and facilitate the ~~enrollees' covered persons'~~ transition from a terminating provider to another provider so that the ~~enrollee's covered person's~~ continuity of care is not interrupted. ~~Enrollees Covered persons~~ undergoing an active course of treatment shall have continued access to care during the transition period.

**12 VAC 5-408-270. Travel and appointment waiting times.**

A. ~~The travel time for the enrollee to the nearest primary care delivery site or to the nearest institutional service site shall not exceed 30 minutes normal driving time from the enrollee's residence or place of business for at least 90% of the enrolled population within each approved service area. Pharmacy services shall also be available within this time frame. The department may waive this requirement for rural or urban areas if the MCHIP can successfully demonstrate that the 30-minute driving time is not feasible. An MCHIP shall set reasonable and adequate standards for the number and geographic distribution of primary care, specialty care, and institutional service sites. Such standards shall address acceptable average travel times or distances to the nearest primary care delivery site, nearest specialty care site, or nearest institutional service site for covered persons in the service area. The standards must be realistic for the community served, the delivery system utilized by the MCHIP, and clinical safety.~~

Institutional service sites include acute care hospitals, surgical facilities including *tertiary care or other specialty hospitals*, licensed acute care hospitals and outpatient surgical hospitals, psychiatric inpatient facilities, ~~licensed long-term care facilities with certified skilled nursing beds, certified renal dialysis providers, home health agencies, hospice programs, outpatient therapy providers for mental health and substance abuse conditions,~~ and other sites as determined appropriate by the department.

~~B. The travel time for the enrollee to the nearest specialty care shall not exceed 60 minutes normal driving time from the enrollee's residence or place of business for at least 90% of the enrolled population within each approved service area. The department may waive this requirement for rural or urban areas if the plan can successfully demonstrate that the 60-minute driving time is not feasible.~~

C. ~~The travel time for the enrollee to each of the nearest health care delivery sites listed in this subsection shall not exceed 60 minutes normal driving time from the enrollee's residence or place of business for at least 90% of the enrolled population within each approved service area:~~

- ~~1. A hospital providing specialty level or above neonatal services;~~
- ~~2. A hospital providing tertiary pediatric services;~~
- ~~3. A residential substance abuse treatment center;~~
- ~~4. Hospital-based diagnostic cardiac catheterization services;~~
- ~~5. Hospital inpatient medical rehabilitation services; and~~
- ~~6. Laboratory, x ray, Magnetic Resonance Imaging (MRI) services.~~

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# Proposed Regulations

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~~The department may waive this requirement for rural or urban areas if the plan can successfully demonstrate that the 60-minute driving time is not feasible.~~

~~D. The travel time for the enrollee to each of the nearest health care delivery sites listed in this subsection shall not exceed 90 minutes normal driving time from the enrollee's residence or place of business for at least 90% of the enrolled population within each approved service area:~~

- ~~1. A hospital providing kidney and other organ transplantation services;~~
- ~~2. A hospital providing major trauma treatment and open-heart surgery services; and~~
- ~~3. Other specialty hospital services including major burn care and oncology services.~~

~~The department may waive this requirement for rural or urban areas if the plan can successfully demonstrate that the 90-minute driving time is not feasible.~~

~~Nothing in this section shall prohibit or restrict a plan from offering such services at designated "centers of excellence" inside or outside of the geographic boundaries of Virginia.~~

~~B. An MCHIP licensee must set reasonable and adequate standards for access to medical care, including quantifiable and measurable standards for preventive care appointments, routine primary care appointments, urgent care, emergency care, and after-hours care. The standards must be realistic for the community served, the delivery system utilized by the MCHIP, and clinical safety.~~

~~C. An MCHIP shall, at least annually, collect and analyze data to measure its performance against the standards developed under subsections A and B of this section. The analysis shall be used by the MCHIP to identify opportunities for improvement and undertake interventions to improve performance. An MCHIP shall subsequently measure the effectiveness of such interventions in improving performance against standards.~~

~~E. D. Routine appointments for nonemergency or nonurgent care shall be available within two weeks of the enrollee's covered person's request. The department may waive this requirement if the MCHIP licensee can successfully demonstrate that the two-week availability requirement is not feasible.~~

~~F. E. Preventive care appointments, including routine physical examinations, shall be available with 60 days of the enrollee's covered person's request. The department may waive this requirement if the MCHIP licensee can successfully demonstrate that the 60-day availability requirement is not feasible.~~

~~G. F. Consultations for specialty services shall be at least as required in § 38.2-3407.11:1 of the Code of Virginia.~~

## **12 VAC 5-408-280. Urgent care and emergency services.**

~~A. The MCHIP licensee shall have a system in place to provide to its enrollees require that participating providers allow its covered persons, on a 24-hour basis, (i) access to medical care or (ii) access by telephone to a physician or~~

licensed health care professional with appropriate medical training who can refer or direct an enrollee a covered person for prompt medical care in cases where there is a need for urgent care or emergency services.

~~B. The MCHIP shall comply with the requirements of the Federal Emergency Medical Treatment and Active Labor Act (42 USC § 1395 dd).~~

~~C. B. The MCHIP licensee shall provide clear and understandable explanation to enrollees covered persons and providers of:~~

- ~~1. What constitutes emergency and urgent care;~~
- ~~2. The process for accessing emergency and urgent care;~~
- ~~3. The responsibility of the enrollee covered person for payment for nonemergency services rendered in a hospital emergency facility; and~~
- ~~4. Coverage for out-of-network emergency medical care when a enrollee covered person cannot reasonably access network services.~~

~~D. C. The MCHIP licensee shall require its providers to clearly notify enrollees covered persons of provisions for urgent care or emergency services when the physician is not available after hours.~~

~~E. D. The MCHIP licensee shall recognize primary care practitioners' authority to facilitate and authorize emergency services for enrollees covered persons.~~

~~F. E. Coverage of costs for emergency services shall be consistent with the evidence of coverage and shall not interfere with enrollee covered person access to care.~~

~~G. Enrollees F. Covered persons shall be allowed immediate access to emergency services and access within no more than 24 hours for urgent care. Urgent care access may be provided sooner with appropriate authorization.~~

~~H. G. The MCHIP licensee shall monitor usage of urgent care and emergency service to determine if the services are understood and appropriately used by enrollees covered persons and providers.~~

## **12 VAC 5-408-290. Health promotion.**

~~A. Annually, the MCHIP licensee shall develop and implement at least two one health guidelines guideline for the prevention and early detection of illness and disease. Each written guideline shall:~~

- ~~1. Be available to enrollees covered persons upon request;~~
- ~~2. Describe the prevention or early detection intervention and the recommended frequency and condition under which the intervention is required; and~~
- ~~3. Document the scientific basis or authority upon which the guideline is based.~~

~~Guidelines may be specific to a defined population segment.~~

~~B. The MCHIP licensee shall distribute any preventive health guideline it develops and any updates to its providers as soon as practicable after development of the guideline.~~

C. The MCHIP shall regularly communicate with its ~~enrollees~~ *covered persons* to encourage the use of preventive health services.

D. At least annually, the MCHIP *licensee* shall measure ~~enrollee~~ *covered person* and provider compliance with the current preventive care guidelines. The MCHIP *licensee* may measure compliance by population segment if the guideline is specific to a population segment.

E. Providers who have appropriate knowledge shall be consulted in the adoption of the preventive health guidelines.

## **12 VAC 5-408-300. Clinical performance evaluation systems.**

A. The MCHIP *licensee* shall have a system for the evaluation of the outcomes and processes of clinical care services delivered to the MCHIP's ~~enrollees~~ *covered persons*.

B. The MCHIP *licensee* shall adopt a nationally recognized clinical performance evaluation system, such as *the Health Plan Employer Data and Information Set (HEDIS)*, that analyzes data based upon selected performance factors or shall establish a clinical performance evaluation system that uses data collection, quantitative measures, and analysis to monitor quality improvement activities.

C. The MCHIP *licensee* shall notify the department regarding its adoption of a nationally recognized clinical performance evaluation system, such as HEDIS, or that it has chosen to establish its own performance measurement system.

~~MCHIPs~~ MCHIP *licensees* that choose not to adopt a nationally recognized system shall provide justification to the department of their choice of performance measurement selections for the department's approval.

D. The MCHIP *licensee* shall annually evaluate its performance in at least three of the areas of clinical care shown below:

1. Primary care services;
2. High volume specialty services;
3. Behavioral health services; and
4. Institutional health services including inpatient hospital care, home health services, skilled nursing facility services and ambulatory surgery.

If HEDIS ~~is~~ *measures are* used to assess clinical performance, the ~~plan~~ MCHIP *licensee* shall substitute the HEDIS "Effectiveness of Care" measures for those areas listed in subdivisions 1 through 4 of this subsection.

E. The performance measurement indicators chosen by the ~~plan~~ MCHIP *licensee* shall:

1. Be objective and quantifiable;
2. Be based upon current and reliable scientific information;
3. Have an established goal or benchmark;
4. Effectively measure performance indicators; and

5. Have priority areas for measuring outcomes of clinical care and be reflective of industry-wide performance measurement goals.

F. The ~~plan~~ MCHIP *licensee* shall implement ways to improve its performance based on an analysis of its clinical performance measurements.

## **12 VAC 5-408-310. Data collection and submission.**

A. Data collected and analyzed for clinical service evaluation shall be:

1. From the ~~enrollee~~ *covered person* population areas appropriate for the MCHIP to assess including: (i) high risk and high volume areas, (ii) areas where clinical problems are expected or have occurred in the past, (iii) areas that have the potential for adverse health outcomes, and (iv) areas where preventive health measures may have an impact;
2. Collected using processes that are methodologically sound;
3. Valid, reliable, complete and timely;
4. Analyzed quantitatively by personnel qualified to evaluate the data for clinical quality improvement; and
5. Protected for confidentiality, easily retrievable, and transmitted for appropriate release to external parties.

~~In addition, the data shall allow for intra and intersystem comparisons for the purpose of improving patient health outcomes and improving clinical health delivery systems.~~

B. The MCHIP *licensee* may permit ~~any organization~~ *appropriate organizations* with which it contracts to collect and analyze ~~clinical data for~~ *relevant performance evaluation data* and to release that data to the department or to its designee.

## **12 VAC 5-408-320. Delegated services.**

A. If the MCHIP *licensee* contracts for any of the following services, it shall retain accountability for the oversight of those services:

1. Quality assurance activities;
2. Credentialing and recredentialing;
3. ~~Enrollee~~ *Covered person* education, communication and satisfaction;
4. Utilization management;
5. Health promotion;
6. Records management;
7. Data management, ~~to include the collection of clinical trial and the audit of all clinical trial data;~~
8. Providers and provider networks;
9. Claims administration; or
10. Pharmacy benefits.

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# Proposed Regulations

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B. The MCHIP *licensee* shall establish and implement written procedures to evaluate the effectiveness of any delegated service.

~~C. The MCHIP licensee shall require the delegated service *complies provider to maintain documentation of its compliance* with this chapter, its agreement with the MCHIP *licensee* to provide services, and any applicable state and federal laws *required of the MCHIP to provide the service shall be maintained by the MCHIP licensee.*~~

D. Data and information exchanged between the delegated service and the plan shall be accomplished in a manner that is timely, efficient, and effective.

~~E. The MCHIP shall ensure that data held by the delegated service that is required to be shared with the state's Health Care Data Reporting System is transmitted according to collection requirements.~~

~~F. E.~~ The MCHIP *licensee* shall require the delegated service to provide for timely and efficient access by state examiners to data, records, and personnel necessary to determine compliance with this chapter.

## 12 VAC 5-408-330. Written agreement.

A. There shall be a written agreement signed by the MCHIP *licensee* and the delegated service *entity* that describes the:

1. Delegated service or services;
2. Responsibilities of the MCHIP and the delegated service *entity* and the remedies available to the MCHIP if the delegated service *entity* does not fulfill its obligations; and
3. Frequency of reporting to the MCHIP *licensee* and the process by which the MCHIP will evaluate the delegated *service's service entity's* performance.

B. The MCHIP *licensee* shall ensure that the *enrollees' covered persons'* continuity of care is not disrupted because of changes made in the written agreement between the MCHIP *licensee* and the delegated service *entity* or because the relationship, as provided for in the agreement, is terminated.

## 12 VAC 5-408-340. Exchange of information.

~~A. The MCHIP shall inform its enrollees and providers which services they may need are delegated and how those services are accessed.~~

~~B.~~ A. If the delegated services are health care services, then the contractor or the MCHIP *licensee* shall ~~also inform the plan's enrollees of at least~~ make the following *information available if requested by the MCHIP's covered persons:*

1. The procedures for filing complaints and appeals;
2. The utilization management decision process;
3. The process for appealing claims denials;
4. How to access emergency and urgent care;
5. How to obtain services not covered in the delegated health services' benefit package;

6. The process for changing from one practitioner to another;

7. Orientation process for new ~~enrollees covered persons;~~

8. ~~Enrollee Covered person~~ participation opportunities; and

9. Participating practitioners and providers.

~~G. B.~~ If the delegated ~~health services are health care services, then the delegated service entity~~ or the MCHIP *licensee* shall also inform the MCHIP's providers of at least the following:

1. Opportunities for provider involvement;
2. ~~Quality improvement program~~ *Plan* expectations of *providers in achieving quality assurance program goals;*
3. Provider credentialing process;
4. Procedures for complaints and appeals;
5. Process for utilization management decisions; and
6. ~~How~~ *Procedures to approve covered person access to emergency and urgent care.*

## 12 VAC 5-408-350. Quality improvement—integration assurance program.

A. As it pertains to the ~~enrollees covered persons,~~ the MCHIP *licensee* shall integrate monitoring of the delegated ~~health services service entity with respect to the following activities~~ within its quality ~~improvement~~ program:

1. Quality ~~improvement~~ *assurance* program activities;
2. Quality ~~improvement outcomes~~ *assurance outcome measures;* and
3. Complaint and appeals processes.

~~B. At least annually, the MCHIP shall evaluate the delegated health service's quality improvement program, and complaint and appeals processes, and provide the delegated health service with a report of its evaluation.~~

~~G. B.~~ When the MCHIP's *licensee's* expectations have not been met, the MCHIP *licensee* shall require the delegated ~~health service entity~~ to provide:

1. A corrective action plan that addresses areas where performance expectations have not been met; and
2. Evidence that corrective action was taken in keeping with corrective action plans.

## 12 VAC 5-408-360. Utilization review and management.

A. The MCHIP *licensee* shall have a utilization review and management process that complies with the requirements of §§ 32.1-137.7 through 32.1-137.16 of the Code of Virginia and this chapter. The process shall be managed by a licensed physician.

B. In developing its utilization review program, the MCHIP *licensee* shall utilize ~~one of the following:~~ (i) the *Health applicable utilization review and management standards (Version 3.0)* of the American Accreditation HealthCare Commission/URAC or (ii) the *"Standards for Utilization*



~~Management" and the "Standards for the Delegation of Utilization Management" of the National Committee for Quality Assurance's "Standards for the Accreditation of Managed Care Organizations," effective July 1, 1999, which are incorporated by reference Assurance or other nationally recognized accrediting body appropriate to the type of MCHIP and acceptable to the department, as the criteria for determining compliance with the utilization management and review requirements of this section except in those instances in which state requirements in law or regulation are more stringent. Applicable utilization review and management standards are those included in an accreditation or certification program for a specific type of MCHIP, such as health maintenance organizations or preferred provider organizations, or for utilization review entities such as private review agents licensed in Virginia, to which MCHIPs may delegate utilization review and management services.~~

*C. The MCHIP licensee, or its contracted private review agent or other delegated service entity for utilization review and management services, may demonstrate compliance with the utilization management and review requirements of this section by attaining accreditation or certification with the American Accreditation HealthCare Commission/URAC, the National Committee for Quality Assurance for utilization review or management, or other nationally recognized accrediting body accepted by the department. The department may require the MCHIP to demonstrate compliance with particular requirements of §§ 32.1-137.7 through 32.1-137.16 of the Code of Virginia, as well as any other pertinent sections, and this chapter that are more stringent than the applicable accreditation requirements. The department may provide a checklist or other standardized method by which licensees may demonstrate compliance with the more stringent requirements.*

*D. An MCHIP that is not accredited by a nationally recognized accrediting body appropriate to the type of MCHIP and accepted by the department shall be subject to the triennial comprehensive onsite examination requirements of 12 VAC 5-408-90 for purposes of demonstrating compliance with the utilization review and management requirements of this section.*

~~G.~~ E. The purpose of the utilization review process shall be to monitor access to and utilization of health care services with the process ensuring that the conduct of utilization review is:

1. Impartial, timely, consistent and based upon supportive medical evidence;
2. Performed by appropriately qualified health personnel;
3. Comprehensive in assuring that good faith efforts to obtain all information necessary to make utilization review decisions are made;
4. Evaluated routinely so that program changes that determine the necessity, appropriateness, efficiency and efficacy of health care services provided by the ~~plan~~ MCHIP licensee can be made as a result of the evaluation; and
5. Reported annually to the ~~MCHIP's~~ MCHIP licensee's governing body.

~~D.~~ F. In addition, the utilization review process shall:

1. Allow for flexibility, taking into account individual cases when appropriate;
2. Provide avenues for provider input into the establishment of clinical guidelines and protocols;
3. Afford opportunity for reconsideration and appeal of adverse determinations in a manner that is easily understood and accessed by ~~enrollees~~ covered persons and providers; and
4. Be coordinated with other components of the MCHIP that use or could benefit from utilization review data.

~~E.~~ G. The utilization review process shall be based upon a written plan that is reviewed annually and that shall contain, at a minimum:

1. A description of the scope of the utilization review process, both internal and external;
2. A description of the organizational responsibilities for utilization review including the qualifications of utilization review personnel;
3. The clinical review guidelines, standards, and protocols which are applied in utilization review determinations;
4. Mechanisms to evaluate uniform application of guidelines and to determine the necessity for case-by-case decision making;
5. Procedures for soliciting and implementing provider input in the development of guidelines as well as evaluating provider usage of the guidelines;
6. A description of the process for monitoring over utilization and under utilization;
7. Provisions for notice to ~~enrollees~~ covered persons and providers regarding any need for precertification, concurrent certification, or retrospective review as a prerequisite for approval of payment or access to service;
8. Procedures for reconsideration of adverse decisions and appeals including expedited appeals;
9. Guidelines for the delegation of utilization review to external entities and the expectations for that delegation;
10. Guidelines for the notification in clear and understandable terms of the reasons for denial of services or payments to providers and subscribers;
11. Mechanisms for review and implementation of experimental treatments and new technology;
12. Mechanisms for soliciting and evaluating provider and ~~enrollee~~ covered person satisfaction with utilization review determinations and the MCHIP's MCHIP licensee's appeal process and implementing mechanisms to address areas of dissatisfaction; and
13. Procedures for the maintenance of records required under § 32.1-137.16 of the Code of Virginia.

VA.R. Doc. No. R01-77; Filed August 22, 2001, 11:57 a.m.



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# FINAL REGULATIONS

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For information concerning Final Regulations, see Information Page.

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## 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.

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD FOR CONTRACTORS

Title of Regulation: **18 VAC 50-30-10 et seq. Tradesman Rules and Regulations (amending 18 VAC 50-30-10, 18 VAC 50-30-20, 18 VAC 50-30-40, 18 VAC 50-30-50, 18 VAC 50-30-90, and 18 VAC 50-30-200).**

Statutory Authority: §§ 54.1-201 and 54.1-1102 of the Code of Virginia.

Effective Date: November 1, 2001.

Summary:

*The amendments add two licensed trades, liquefied petroleum gas fitting and natural gas fitting, to these regulations.*

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: Susan Luebehusen, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8511.

**REGISTRAR'S NOTICE:** The proposed regulation was adopted as published in 17:18 VA.R. 2569-2575 May 21, 2001, without change; however, the forms have been amended as shown below. Therefore, pursuant to § 9-6.14:22 A of the Code of Virginia, the text of the final regulation is not set out.

### FORMS

Tradesman License Application, 2710LIC (~~6/98~~ rev. 5/01).

Backflow Prevention Device Worker Certification Application, 2710BPD (~~6/98~~ rev. [ ~~4/99~~ 7/00 ] ).

~~Backflow Prevention Device Worker Certification Experience Reference Form, 2710BEXP (6/98).~~

Complaint Form (rev. ~~7/98~~ 8/00).

VA.R. Doc. No. R01-11; Filed August 22, 2001, 11:19 a.m.

### BOARD OF HEALTH PROFESSIONS

Title of Regulation: **18 VAC 75-10-10 et seq. Public Participation Guidelines (amending 18 VAC 75-10-10, 18 VAC 75-10-20, 18 VAC 75-10-30, 18 VAC 75-10-40, 18 VAC 75-10-60, 18 VAC 75-10-70, 18 VAC 75-10-80, 18 VAC 75-10-100).**

Statutory Authority: § 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.

Effective Date: October 10, 2001.

Summary:

*The regulations provide guidelines for public participation in the regulatory process of the board. The amendments further enable electronic communication, notification and comment in the development of the regulations.*

Agency Contact: Copies of the regulation may be obtained from Hugh C. Cannon, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9964.

**REGISTRAR'S NOTE:** The proposed regulation was adopted as published in 17:12 VA.R. 2020-2023 February 26, 2001, without changes. Therefore, pursuant to § 9-6.14:22 A of the Code of Virginia, the text of the final regulation is not set out.

VA.R. Doc. No. R00-259; Filed August 17, 2001, 2:11 p.m.



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# EMERGENCY REGULATIONS

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## TITLE 12. HEALTH

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Title of Regulation: **12 VAC 30-141-10 et seq. Family Access to Medical Insurance Security Plan (amending 12 VAC 30-141-100).**

Statutory Authority: § 32.1-351 of the Code of Virginia.

Effective Dates: August 22, 2001, through July 31, 2002.

Preamble:

*Section 9-6.14:4.1(C)(5) of the Code of Virginia provides for regulations that an agency finds are necessitated by an emergency situation. To enable the Director of the Department of Medical Assistance Services (DMAS), in lieu of the Board of Medical Assistance Services, to comply with Chapters 824 and 848 of the 2000 Acts of Assembly he must take this adoption action. This issue qualifies as an emergency regulation as provided for in § 9-6.14:4.1(C)(5)(ii) of the Code of Virginia, because Virginia statutory law requires this promulgation action as an emergency. As such, this regulation may be adopted without public comment with the prior approval of the Governor.*

*Section 9-6.14:4.1(C)(5) of the Code of Virginia permits that "during the twelve-month period, an agency may issue additional emergency regulations as needed addressing the subject matter of the initial emergency regulation, but any such additional emergency regulations shall not be effective beyond the twelve-month period from the effective date of the initial emergency regulation." Therefore, because the emergency regulation creating 12 VAC 30-141-10 et seq. has been filed with the Virginia Register and is effective as of August 1, 2001, DMAS is submitting a modification to the emergency regulation, 12 VAC 30-141-100 A.*

*This addition provides for a more seamless transition, by preventing gaps in eligibility, for children from the Children's Medical Security Insurance Plan to Family Access to Medical Insurance Security Plan in accordance with § 32.1-351 of the Code of Virginia.*

*This emergency regulation modification to the current FAMIS emergency regulations provides for the initiation of children's eligibility from the first of the month of application rather than the first of the month following application.*

*By changing this provision (12 VAC 30-141-100 A) in the current emergency regulations, gaps in coverage will be prevented by permitting FAMIS eligibility to be effective the first day of the month in which an application is received by the FAMIS central processing unit. This change allows coverage from the first day of the application month unlike the earlier emergency regulation that delayed FAMIS eligibility until the first day of the month following the month in which a child was determined eligible.*

Agency Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-7959.

#### **12 VAC 30-141-100. Duration of eligibility.**

A. The effective date of FAMIS eligibility shall be ~~no earlier than the first day of the month following the month the child was determined to meet~~ *in which an application was received by the FAMIS central processing unit if the applicant met all eligibility factors for the program in that month.* In no case shall a child's eligibility be effective earlier than the date of the ~~start of the program~~ *child's birth and no earlier than August 1, 2001.*

B. Eligibility for FAMIS will continue for 12-months so long as the child meets all eligibility requirements. The parent, legal guardian, or authorized representative of the child must report all changes affecting eligibility when such changes occur. A change in eligibility will be effective the first of the month following expiration of a ten-day advance notice. Eligibility will be re-determined no less often than annually.

C. 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.

/s/ James S. Gilmore III  
Governor

Date: August 21, 2001

VA.R. Doc. No. R01-264; Filed August 22, 2001, 12:05 p.m.



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# FORMS

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## TITLE 9. ENVIRONMENT

### VIRGINIA WASTE MANAGEMENT BOARD

**EDITOR'S NOTICE:** The following form has been added by the Virginia Waste Management Board. The form is available for public inspection at the State Water Control Board, Department of Environmental Quality, 629 East Main Street, Richmond, VA 23219. Copies of the form may be obtained from Cindy Berndt, Department of Environmental Quality, 629 East Main Street, Richmond, VA 23219, telephone (804) 698-4378.

Title of Regulation: **9 VAC 20-130-10 et seq. Regulations for the Development of Solid Waste Management Plans.**

#### FORMS

*Locality Recycling Rate Report, DEQ Form 50-30 (eff. 8/21/01).*

**LOCALITY RECYCLING RATE REPORT**

DEQ Form 50-30

Reporting Entity: \_\_\_\_\_  
 Person Completing This form: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Address: \_\_\_\_\_ Street / P.O. Box \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone Number: (\_\_\_\_) \_\_\_\_\_  
 Fax Number: (\_\_\_\_) \_\_\_\_\_  
 Email Address: \_\_\_\_\_  
 Member Governments: the local governments identified in your regional solid waste management plan \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**WASTE TYPE**

Principal Recyclable Material (PRM)	Management Action Recycled (Amount in tons)
Paper	_____
Metal	_____
Plastic	_____
Glass	_____
Yard waste (composted or mulched)	_____
Wood	_____
Textiles	_____
Total PRM	+ _____ (A)

P.1

Supplemental Recyclable Material (SRM)	Management Action Recycled (Amount in tons)	Reused** (Amount in tons)
Tires	_____	_____
[Used Oil/Antifreeze]	_____	_____
Auto Bodies	_____	_____
Oil filters	_____	_____
Construction Waste	_____	_____
Demolition Waste	_____	_____
Debris Waste	_____	_____
Batteries	_____	_____
Ash	_____	_____
Sludge	_____	_____
Subtotals	_____	_____
Grand Total SRM	+ _____ ++ _____ (B)	

\*material must be reused in its present form or be size-reduced

III. Total MSW Generated = (Recycled + Reused + Disposed)

Household	_____
Commercial	_____
Institutional	_____
Other**	_____
Total	+ _____ (C)

\*\*May add total amounts of SRM generated, if known.

IV. Recycling Rate =  $\frac{A+B}{C} \times 100 = \text{_____} \%$

I certify that I have personally examined and am familiar with the information submitted in this form and any attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. These records will be made available for auditing purposes, if requested.

Authorized Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

[04/2001]

P.2

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# GOVERNOR

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## EXECUTIVE ORDER NUMBER SEVENTY-SEVEN (01)

### **DECLARATION OF A STATE OF EMERGENCY FOR CERTAIN LOCALITIES IN THE COMMONWEALTH OF VIRGINIA DUE TO SIGNIFICANT RAINS AND FLOODING**

On July 9, 2001, I verbally declared a state of emergency to exist within the Commonwealth of Virginia due to damaging flash flooding beginning on July 8, 2001, resulting from heavy rainfall in the western portion of the state. Areas affected are within and nearby the County of Tazewell.

The health and general welfare of the citizens of the localities that are affected required that state action be taken to help alleviate the conditions resulting from this situation. I feel that the effects of this significant flooding constitutes a natural disaster wherein human life and public and private property were imperiled, as described in § 44-75.1 A 4 of the Code of Virginia.

Therefore, by virtue of the authority vested in me by § 44-146.17 of the Code of Virginia, as Governor and as Director of Emergency Management, and by virtue of the authority vested in me by Article V, Section 7 of the Constitution of Virginia and by § 44-75.1 of the Code of Virginia, as Governor and Commander-in-Chief of the armed forces of the Commonwealth, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I hereby confirm, ratify, and memorialize in writing my verbal orders issued July 9, 2001, wherein I proclaimed that a state of emergency exists and directed that appropriate assistance be rendered by agencies of both state and local governments to alleviate any conditions resulting from significant flooding, and to implement recovery and mitigation operations and activities so as to return impacted areas to pre-event conditions insofar as possible. Pursuant to § 44-75.1.A.3 and A.4 of the Code of Virginia, I also directed that the Virginia National Guard and the Virginia Defense Force be called forth to state duty to assist in providing such aid. This shall include Virginia National Guard assistance to the Virginia State Police to direct traffic, prevent looting, and perform such other law enforcement functions as the Superintendent of State Police, in consultation with the State Coordinator of Emergency Management and the Adjutant General, and with the approval of the Secretary of Public Safety, may find necessary.

In order to marshal all public resources and appropriate preparedness, response and recovery measures to meet this potential threat and recovery from its effects, and in accordance with my authority contained in § 44-146.17 of the Emergency Services and Disaster Laws, I hereby order the following protective and restoration measures:

A. The full implementation by agencies of the state and local governments of Volumes 1 (Basic Plan) and Volume 2 (Disaster Recovery Plan) of the Virginia Emergency Operations Plan, as amended, along with other appropriate state agency plans.

B. Full activation of the Virginia Emergency Operations Center (VEOC) and State Emergency Response Team (SERT). Furthermore, I am directing that the VEOC and SERT coordinate state operations in support of affected

localities and the Commonwealth, to include issuing mission assignments to agencies designated in the COVEOP and others that may be identified by the State Coordinator of Emergency Management, in consultation with the Secretary of Public Safety, which are needed to provide for the preservation of life, protection of property and implementation of recovery activities.

C. The authorization to assume control over the Commonwealth's state-operated telecommunications systems, as required by the State Coordinator of Emergency Management, in coordination with the Department of Information Technology, and with the prior consent of the Secretary of Public Safety, making all systems assets available for use in providing adequate communications, intelligence and warning capabilities for the event, pursuant to § 44-146.18 of the Code of Virginia.

D. I hereby direct evacuation of areas threatened or stricken by this flooding. Following a declaration of a local emergency pursuant to § 44-146.21 of the Code of Virginia, if a local governing body determines that evacuation is deemed necessary for the preservation of life or other emergency mitigation, response or recovery, pursuant to § 44-146.17 (1) of the Code of Virginia, I direct the evacuation of all or part of the populace therein from such areas and upon such timetable as the local governing body, in coordination with the Virginia Emergency Operations Center (VEOC), acting on behalf of the State Coordinator of Emergency Management, shall determine. Notwithstanding the foregoing, I reserve the right to direct and compel evacuation from the same and different areas and determine a different timetable both where local governing bodies have made such a determination and where local governing bodies have not made such a determination. Violations of any order to citizens to evacuate shall constitute a violation of this Executive Order and are punishable as a Class 1 misdemeanor.

E. The activation, implementation and coordination of appropriate mutual aid agreements and compacts, including the Emergency Management Assistance Compact, and the authorization of the State Coordinator of Emergency Management to enter into any other supplemental agreements, pursuant to § 44-146.17(5) and § 44-146.28:1 of the Code of Virginia, to provide for the evacuation and reception of injured and other persons and the exchange of medical, fire, police, National Guard personnel and equipment, public utility, reconnaissance, welfare, transportation and communications personnel, and equipment and supplies. The State Coordinator of Emergency Management is hereby designated as Virginia's authorized representative within the meaning of the Emergency Management Assistance Compact, § 44-146.28:1 of the Code of Virginia.

F. The authorization of the Departments of State Police, Transportation, and Motor Vehicles to grant temporary overweight/overwidth/registration/license exemptions to carriers transporting essential emergency relief supplies into and through the Commonwealth in order to support the disaster response and recovery.

The axle and gross weights shown below are the maximum allowed, unless otherwise posted.

Any One Axle	24,000 Pounds
Tandem Axles (more than 40 inches but not more than 96 inches spacing between axle centers)	44,000 Pounds
Single Unit (2 Axles)	44,000 Pounds
Single Unit (3 Axles)	54,500 Pounds
Tractor-Semitrailer (4 Axles)	64,500 Pounds
Tractor-Semitrailer (5 or more Axles)	90,000 Pounds
Tractor-Twin Trailers (5 or more Axles)	90,000 Pounds
Other Combinations (5 or more Axles)	90,000 Pounds
Per Inch of Tire Width in Contact with Road Surface	850 Pounds

Loads are restricted to a maximum of 16 feet wide provided they follow the hauling permit and safety guidelines as published by the Virginia Department of Transportation.

In addition to described overweight/overwidth transportation privileges, carriers are also exempt from registration with Department of Motor Vehicles. This includes the vehicles en route and returning to their home base. The above-cited agencies shall communicate this information to all staff responsible for permit issuance and truck legalization enforcement.

This authorization shall apply to hours worked by any carrier when transporting passengers, property, equipment, food, fuel, construction materials, and other critical supplies to or from any portion of the Commonwealth for purpose of providing relief or assistance as a result of this disaster, pursuant to § 52-8.4 of the Code of Virginia.

The foregoing overweight transportation privileges and the regulatory exemption provided by § 52.8.4.A of the Code of Virginia, and implemented in 19 VAC 30-20-40 B of the "Motor Carrier Safety Regulations," shall remain in effect for 30 days from the onset of the disaster, or until emergency relief is no longer necessary, as determined by the Secretary of Public Safety in consultation with the Secretary of Transportation, whichever is earlier.

G. The discontinuance of provisions authorized in paragraph F above may be implemented and disseminated by publication of administrative notice to all affected and interested parties by the authority I hereby delegate to the Secretary of Public Safety, after consultation with other affected Cabinet-level Secretaries.

H. The authorization of appropriate oversight boards, commissions and agencies to ease building code restrictions, and to permit emergency demolition, hazardous waste disposal, debris removal, emergency landfill siting and operations and other activities necessary to address immediate health and safety needs without regard to time-consuming procedures or formalities and without regard to application or permit fees or royalties. This state of emergency constitutes a major medical emergency under the

Rules and Regulations of the Board of Health Governing Emergency Medical Services, pursuant to Article 3.01 (§ 32.1-111.1 et seq.) of Chapter 4 of Title 32.1, of the Code of Virginia, Statewide Emergency Medical Services System and Services, and exemptions specified in the Rules and Regulations regarding patient transport and provider certification in disasters apply.

I. Upon my approval, the costs incurred by state agencies and other agents in performing mission assignments through the VEOC of the Commonwealth as defined herein and in § 44-146.28 of the Code of Virginia, other than costs defined in paragraph N below, in performing these missions shall be paid out of the sum sufficient appropriation for Disaster Planning and Operations contained in Item 45 of Chapter 1073, 2000 Virginia Acts of Assembly.

J. The implementation by public agencies under my supervision and control of their emergency assignments as directed in the COVEOP without regard to normal procedures pertaining to performance of public work, entering into contracts, incurring of obligations, or other logistical and support measures of the Emergency Services and Disaster Laws, as provided in § 44-146.28 (b) of the Code of Virginia. Section 44-146.24 of the Code of Virginia also applies to the disaster activities of state agencies.

K. Members and personnel of volunteer, auxiliary and reserve groups including search and rescue (SAR), Virginia Associations of Volunteer Rescue Squads (VAVRS), Civil Air Patrol (CAP), member organizations of the Voluntary Organizations Active in Disaster (VOAD), Radio Amateur Civil Emergency Services (RACES), volunteer fire fighters and other identified and tasked by the State Coordinator of Emergency Management for specific disaster-related mission assignments are, in the performance of those assignments, designated as representatives of the Commonwealth engaged in emergency services activities within the meaning of the immunity provisions of § 44-146.23 (a) of the Code of Virginia.

L. The following conditions apply to the deployment of the Virginia National Guard and the Virginia Defense Force:

1. The Adjutant General of Virginia, after consultation with the State Coordinator of Emergency Management, shall make available on state active duty such units and members of the Virginia National Guard and Virginia Defense Force and such equipment as may be necessary or desirable to assist in pre-storm preparations and in alleviating the human suffering and damage to property.

2. Pursuant to § 52-6 of the Code of Virginia, I authorize and direct the Superintendent of State Police to appoint any and all such Virginia Army and Air National Guard personnel called to state active duty as additional police officers. These police officers shall have the same powers and perform the same duties as the regular State Police officers appointed by the Superintendent. However, they shall nevertheless remain members of the Virginia National Guard, subject to military command as members of the State Militia. Any bonds and/or insurance required by § 52-7 of the Code of Virginia shall be provided for them at the expense of the Commonwealth.

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# Governor

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3. In all instances, members of the Virginia National Guard and Virginia Defense Force shall remain subject to military command as prescribed by § 44-78.1 of the Code of Virginia and not subject to the civilian authorities of county or municipal governments. This shall not be deemed to prohibit working in close cooperation with members of the Virginia Departments of State Police or Emergency Management or local law enforcement or emergency management authorities or receiving guidance from them in the performance of their duties.

4. Should service under this Executive Order result in the injury or death of any member of the Virginia National Guard, the following will be provided to the member and the member's dependents or survivors:

(a) Workers' Compensation benefits provided to members of the National Guard by the Virginia Workers' Compensation Act, subject to the requirements and limitations thereof; and, in addition,

(b) The same benefits, or their equivalent, for injury, disability and/or death, as would be provided by the federal government if the member were serving on federal active duty at the time of the injury or death. Any such federal-type benefits due to a member and his or her dependents or survivors during any calendar month shall be reduced by any payments due under the Virginia Workers' Compensation Act during the same month. If and when the time period for payment of Workers' Compensation benefits has elapsed, the member and his or her dependents or survivors shall thereafter receive full federal-type benefits for as long as they would have received such benefits if the member had been serving on federal active duty at the time of injury or death. Any federal-type benefits due shall be computed on the basis of military pay grade E-5 or the member's military grade at the time of injury or death, whichever produces the greater benefit amount. Pursuant to § 44-14 of the Code of Virginia, and subject to the concurrence of the Board of Military Affairs, and subject to the availability of future appropriations which may be lawfully applied to this purpose, I now approve of future expenditures out of appropriations to the Department of Military Affairs for such federal-type benefits as being manifestly for the benefit of the military service.

M. The following conditions apply to service by the Virginia Defense Force:

1. Compensation shall be at a daily rate that is equivalent of base pay only for a National Guard Unit Training Assembly, commensurate with the grade and years of service of the member, not to exceed 20 years of service;

2. Lodging and meals shall be provided by the Adjutant General or reimbursed at standard state per diem rates;

3. All privately owned equipment, including, but not limited to, vehicles, boats, and aircraft, will be reimbursed for expense of fuel. Damage or loss of said equipment will be reimbursed, minus reimbursement from personal insurance, if said equipment was authorized for use by the Adjutant General in accordance with § 44-54.12 of the Code of Virginia; and

4. In the event of death or injury, benefits shall be provided in accordance with the Virginia Workers' Compensation Act, subject to the requirements and limitations thereof.

N. The costs incurred by the Department of Military Affairs and Virginia Defense Force in performing these missions shall be paid out of the sum sufficient appropriation for Disaster Planning and Operations contained in Item 488 of Chapter 1073, 2000 Virginia Acts of Assembly.

This Executive Order shall be effective retroactive to July 9, 2001, and shall remain in full force and effect until June 30, 2002 unless sooner amended or rescinded by further executive order. Termination of the Executive Order is not intended to terminate any Federal-type benefits granted or to be granted due to injury or death as a result of service under this Executive Order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 30<sup>th</sup> day of July, 2001.

/s/ James S. Gilmore, III  
Governor

VA.R. Doc. No. R01-269; Filed August 9, 2001, 12:02 p.m.



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## GUIDANCE DOCUMENTS

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Chapter 11 of the 1997 Acts of Assembly requires annual publication in the *Virginia Register* of guidance document lists from state agencies covered by the Administrative Process Act (§ 9-6.14:1 et seq.) and the Virginia Register Act (§ 9-6.15 et seq.). A guidance document is defined as "...any document developed by a state agency or staff that provides information or guidance of general applicability to the staff or public to interpret or implement statutes or the agency's rules or regulations..." Agencies are required to maintain a complete, current list of all guidance documents and make the full text of such documents available to the public.

Generally, the format for the guidance document list is: document number (if any), title of document, date issued or last revised, and citation of Virginia Administrative Code regulatory authority or Code of Virginia statutory authority. Questions concerning documents or requests for copies of documents should be directed to the contact person listed by the agency.

### **VIRGINIA SMALL BUSINESS FINANCING AUTHORITY**

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the office of the Financial Services Division, 707 E. Main Street, 3rd Floor, Richmond, VA 23219. Copies may be obtained free of charge by contacting Barbara Carter at the same address, telephone (804) 371-8254, FAX (804) 225-3384 or e-mail [bcarter@dba.state.va.us](mailto:bcarter@dba.state.va.us).

Questions regarding interpretation or implementation of these documents may be directed to Patricia S. Thorne, Financial Services Division, 707 E. Main Street, 3rd Floor, Richmond, VA 23219, telephone (804) 371-8208, FAX (804) 225-3384 or e-mail [pthorne@dba.state.va.us](mailto:pthorne@dba.state.va.us).

#### **Guidance Documents:**

Virginia Private Activity Bond Allocation Guidelines, revised January 2001, Chapter 50 (§§ 15.2-5000 through 15.2-5005) of Title 15.2 of the Code of Virginia.

IDB/IDBguidance, revised January 2000, Virginia Small Business Financing Authority: Industrial Development Bonds, Tax-exempt Bonds and Taxable Bonds, Chapter 28 (§§ 9-197 through 9-235 and 9.249.1) of the Code of Virginia. Application revised March 2001.

IDB/UMBguidance, revised January 2000, Virginia Small Business Financing Authority: Industrial Development Bonds, Umbrella Bond Program, Chapter 28 (§§ 9-197 through 9-235 and 9.249.1) of the Code of Virginia.

RLF/RLFguidance, revised March 2001, Virginia Small Business Financing Authority: Virginia Economic Development Revolving Loan Fund and Virginia Defense Conversion Revolving Loan Fund, Chapter 28 (§§ 9-197 through 9-235 and 9-249.1) of the Code of Virginia. Application revised May 2001.

LGP/LGPguidance, revised January 2000, Virginia Small Business Financing Authority: Loan Guaranty Program, Chapter 28 (§§ 9-197 through 9-235 and 9.249.1) of the Code of Virginia. Application revised March 2001.

CDC/CDCguidance, revised March 2001, Virginia Small Business Financing Authority: Child Day Care Financing Program: Child Day Center Loans and Family Home Provider Loans, Title 63.1, Chapter 10 (§ 63.1-195) and Chapter 28 (§§ 9-197 through 9-235 and 9.249.1) of the Code of Virginia. Application revised May 2001.

VCAP/VCAPPROGRAMMANUAL, revised May 2001, Virginia Small Business Financing Authority: Virginia Capital Access Program - Program Manual, Chapter 28 (§§ 9-197 through 9-235 and 9.249.1) of the Code of Virginia.

EAP/EAPguidance, revised January 2000, Virginia Small Business Financing Authority: Virginia Export Loan Guarantee Fund, Chapter 28 (§§ 9-197 through 9-235 and 9.249.1) of the Code of Virginia. Application revised May 2001.

ECAF/ECAFguidance, revised May 2001, Virginia Small Business Financing Authority: Environment Compliance Assistance Fund. Chapter 11.1, Title 10.1, Article 4, § 10.1-1197.1 et seq. of the Code of Virginia. Application revised March 2001.

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# GENERAL NOTICES/ERRATA

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## STATE CORPORATION COMMISSION

### Bureau of Insurance

#### Administrative Letter 2001-7

August 17, 2001

**TO: ALL INSURERS LICENSED TO WRITE LIFE INSURANCE, ACCIDENT AND SICKNESS INSURANCE, VARIABLE LIFE INSURANCE, ANNUITIES AND/OR VARIABLE ANNUITIES IN VIRGINIA; ALL HEALTH MAINTENANCE ORGANIZATIONS, HEALTH SERVICES PLANS, DENTAL SERVICES PLANS AND OPTOMETRIC SERVICES PLANS LICENSED IN VIRGINIA**

**RE: VOLUNTARY EXPEDITED FILING PROCEDURES FOR INSURANCE APPLICATIONS DEVELOPED TO ALLOW DEPOSITORY INSTITUTIONS TO MEET THEIR DISCLOSURE OBLIGATIONS UNDER SECTION 305 OF THE GRAMM-LEACH-BLILEY ACT**

#### Background

The four principal banking regulatory agencies published final consumer protection rules regarding bank insurance sales on Dec. 4, 2000. The published rules may be obtained from the *Federal Register*, Volume 65, Number 233. The federal regulators recently agreed to postpone the effective date for implementation of the consumer protection rules from April 1, 2001 to Oct. 1, 2001. This was done to accommodate requests from depository institutions for more time to prepare to implement the regulations.

The federal banking agencies promulgated consumer protection regulations pursuant to Section 305 of the Gramm-Leach-Bliley Act (GLBA), governing the sale of insurance products by depository institutions. Among other things, the regulations require depository institutions that sell insurance products to make certain disclosures and receive consumer acknowledgements, which are intended to reduce consumer confusion in the sale of insurance products by depository institutions. To best ensure that these requirements are met, depository institutions may prefer to have these disclosures included on insurance application forms. In order to comply with the federal regulations in this fashion, depository institutions that sell insurance products will need to ask the insurers to make the necessary filings with this state. Pursuant to § 38.2-316 C of the Code of Virginia, insurance application forms from the carriers identified above are subject to review and approval. Application forms, and any subsequent revisions made to previously approved application forms, must be submitted to the Bureau of Insurance (BOI) in Virginia for approval.

It is in the best interest of this Commonwealth and the producers, insurers and depository institutions that operate within its boundaries to adopt an expedited process for reviewing these application forms. This administrative letter is promulgated consistent with the spirit of functional regulation to make it more efficient for depository institutions to comply with their obligations to their functional regulators. The

purpose of this administrative letter is to provide regulated entities with the appropriate forms and instructions to receive expedited approval for insurance application forms that are revised only to add notices to allow depository institutions to meet their disclosure obligations under Section 305 of the GLBA if this method of compliance is chosen. This process is voluntary. It is up to you to choose whether or not to use this process to expedite the filings of such amended insurance applications.

In pertinent part, Section 305 of the GLBA requires:

The Federal banking agencies shall prescribe and publish in final form . . . customer protection regulations (which the agencies jointly determine to be appropriate) that –

(A) apply to retail sales practices, solicitations, advertising, or offers of any insurance product by any depository institution or any person that is engaged in such activities at an office of the institution or on behalf of the institution; and

(B) are consistent with the requirements of this Act and provide such additional protections for customers to whom such sales, solicitations, advertising, or offers are directed.

#### Explanation and Instructions for Expedited Review

Attached to this administrative letter are two model notices for use by depository institutions and other “covered persons” in complying with the written disclosure requirements related to insurance sales that are imposed by Section 305 of the GLBA and the corresponding regulations promulgated by the federal banking agencies. (In addition to depository institutions, a “covered person” is any other person who sells, solicits, advertises, or offers an insurance product or annuity to a consumer at an office of the depository institution or on behalf of a depository institution.)<sup>1</sup> Disclosure Notice 1 provides the written disclosures that must be given to a consumer in connection with an initial purchase of an insurance or annuity product that is unrelated to an extension of credit. Disclosure Notice 2 provides the written disclosures that must be given to a consumer in connection with the solicitation, offer or sale of an insurance or annuity product that is related to an extension of credit.

The federal banking agencies have reviewed the content of both notices and determined that it meets the requirements of 12 C.F.R. 14.40 (a) and (b) in the case of national banks; 12

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<sup>1</sup> Activities on behalf of a depository institution include activities where a person, whether at an office of the depository institution or at another location sells, solicits, advertises, or offers an insurance product or annuity and at least one of the following applies:

(i) The person represents to a consumer that the sale, solicitation, advertisement, or offer of any insurance product or annuity is by or on behalf of the depository institution;

(ii) The depository institution refers a consumer to a seller of insurance products or annuities and the depository institution has a contractual arrangement to receive commissions or fees derived from a sale of an insurance product or annuity resulting from that referral; or

(iii) Documents evidencing the sale, solicitation, advertising, or offer of an insurance product or annuity identify or refer to the depository institution.

C.F.R. 208.84 (a) and (b) in the case of state member banks; 12 C.F.R. 343.40 (a) and (b) in the case of state non-member banks; and 12 C.F.R. 536.40 (a) and (b) in the case of savings associations.

In addition to the content of the notices, the disclosures required by these regulations must be “readily understandable” and in a “meaningful” form. Examples of the types of methods that an institution could use to call attention to the nature and significance of the information provided include: (i) a plain-language heading to call attention to the disclosures; (ii) a typeface and type size that are easy to read; (iii) wide margins and ample line spacing; (iv) boldface or italics for key words; and (v) distinctive type style, and graphic devices, such as shading or sidebars, when the disclosures are combined with other information. See 12 C.F.R. 14.40(c)(6) in the case of national banks; 12 C.F.R. 208.84(c)(6) in the case of state member banks; 12 C.F.R. 343.40(c)(6) in the case of state non-member banks; and 12 C.F.R. 536.40(c)(6) in the case of savings associations.

References to “the bank” should be changed to “the savings association” in the case of a savings association, or the actual name of the bank or savings association may be used.

### Forms with Instructions

Insurers seeking expedited approvals of these application forms will be required to submit complete submission packages to the BOI, including complete cover (transmittal) letters and the actual forms, (refer to § 38.2-316 and 14 VAC 5-110-10 et seq.). *New form numbers must be assigned to the revised application forms to distinguish them from the previously approved versions on file with the BOI. The new form number may be limited simply to a change in the edition date, provided that is part of the form number.* In addition, the EXPEDITED FILING—SECTION 305 APPLICATION Form Filing Transmittal Header, a copy of which is attached to this administrative letter, must be completed and attached to the submission package. This form will serve to notify the BOI that the filing is to be handled expeditiously, in accordance with the directives in this administrative letter.

Insurer(s) submitting the filing must also certify by signing the appropriate blank on the transmittal form, that the **only** change made from the previous application form is the addition of the disclosure notices required by Section 305 of the Gramm-Leach-Bliley Act for depository institutions.

**NOTE:** The BOI has recently identified some insurers that are using previously approved application forms that have not been revised and re-filed to address new or re-stated requirements, particularly those addressed in the BOI's Administrative Letter 1997-9. Therefore, it should be noted that, while the BOI will expedite the approval of application forms revised solely to address the disclosure notices described above, it reserves the right to review these forms at a later date to ensure that they comply with all other requirements currently in place. Should the BOI identify areas of non-compliance in these application forms, it will take appropriate action, including, but not limited to, the imposition of penalties if warranted. However, due consideration will be given to the time needed to revise and

resubmit these forms, as well as the particular circumstances involved.

To be complete, a form filing must include the following:

1. A completed, certified Form Filing Transmittal Header for each insurer.
2. One cover or transmittal letter and one copy of each application form to be reviewed for the reviewer's records for each insurer, (submit two copies if insurer would like one returned).
3. A postage-paid, self-addressed envelope **large enough to accommodate the return.**

If this filing is for multiple companies, separate submissions should be completed for each company. Companies are encouraged, however, to submit all submissions together to expedite the approval process.

To ensure meeting the October 1, 2001 compliance date set forth in the federal regulations, such forms should be received by the BOI no later than September 15, 2001.

### Effective Date

The expedited approval process described in this administrative letter shall take immediate effect and shall expire on January 1, 2002.

Questions or comments regarding this letter may be directed to: Althelia P. Battle, Supervisor, Forms and Rates Section, Life and Health Division, Bureau of Insurance, P.O. Box 1157, Richmond, Virginia 23218, 804-371-9110.

/s/ Alfred W. Gross  
Commissioner of Insurance

**EXPEDITED FILING—SECTION 305 APPLICATION  
Form Filing Transmittal Document**

Ed. 4/13/01

**This page applies to the following state(s)** \_\_\_\_\_

Department Use only

Company Name(s)	Domicile	NAIC #	FEIN #

**Contact Info for Filer**

Name and address of Filer(s)	Telephone #	FAX #	e-mail

**Filing information**

Line of Insurance	
Company Program Title (Marketing title) <i>(if applicable)</i>	
Filing Type	
This application is used with:	
Effective Date Requested	
Filing date	
Company Tracking Number	
Date filing approved in domiciliary state	

	<u>Component/Form Name /Description/Synopsis</u>	Form # Include edition date	Replacement Or withdrawn?	If replacement, give form # it replaces	Previous State Filing Number, if required by state
01			<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither		
02			<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither		

To be complete, a form filing must include the following:

- A completed Form Filing Transmittal Header for each insurer.
- One copy of a cover letter and each application form to be reviewed for the reviewer's records for each insurer, (send duplicate copies if company would like a copy returned for its records).
- A postage-paid, self-addressed envelope **large enough to accommodate the return.**

The insurer(s) submitting this filing certifies that the only change made from any previously filed and, if applicable, approved application form is the addition of the disclosure notices required by Section 305 of the Gramm-Leach-Bliley Act

Signature:	Print Name:	Title:
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**DISCLOSURE NOTICE 2: Model Written Disclosure for Insurance Products that Are Solicited, Offered, or Sold in Connection with an Extension of Credit**

In connection with your credit application, [name of bank or savings association] advises you of the following:

- [Name of bank or savings association] may not condition the extension of credit you are applying for on whether you purchase an insurance product or annuity from the bank or the bank's affiliate.
- [Name of bank or savings association] may not condition the extension of credit you are applying for on your agreement not to obtain, or a prohibition on your obtaining, an insurance product or annuity from an entity not affiliated with the bank.

Insurance products and annuities:

- Are not a deposit or other obligation of, or guaranteed by, the bank or any affiliate of the bank;
- Are not insured by the Federal Deposit Insurance Corporation (FDIC) or any other agency of the United States, the bank, or any affiliate of the bank;
- [Involve investment risk, including the possible loss of value.]  
*Note: This disclosure may not be required for all products.*

Please sign to acknowledge receipt of these disclosures:

Name of Customer: \_\_\_\_\_

Customer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**DISCLOSURE NOTICE 1: Model Written Disclosure for the Initial Purchase of Insurance or Annuity Products that are Not Sold in Connection with an Extension of Credit**

Insurance products and annuities:

- Are not a deposit or other obligation of, or guaranteed by, the bank or any affiliate of the bank;
- Are not insured by the Federal Deposit Insurance Corporation (FDIC) or any other agency of the United States, the bank, or any affiliate of the bank;
- [Involve investment risk, including the possible loss of value.]  
*Note: This disclosure may not be required for all products.*

Please sign to acknowledge receipt of these disclosures:

Name of Customer: \_\_\_\_\_

Customer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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# General Notices/Errata

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## DEPARTMENT OF HEALTH

### Drinking Water State Revolving Fund Program Intended Use Plan for FY 2002

Dear Waterworks Owner and Other Interested Parties:

The Virginia Department of Health (VDH) received numerous loan requests and set-aside suggestions following our announcement in March 2001 of funds available from the Drinking Water State Revolving Fund Program. Through the Safe Drinking Water Act, Congress authorizes capitalization grants to the states but authorization has not been finalized.

The VDH's Division of Water Supply Engineering (DWSE) has prepared a draft Intended Use Plan (IUP) using information submitted via the loan requests and set-aside suggestions. This IUP is for your review and comment. The document dated February 20, 2001, and entitled "Virginia Drinking Water State Revolving Fund Program" is a part of the Intended Use Plan. This document was mailed in our March announcement.

As previously announced in March, the VDH will hold a public meeting. The meeting will be on Wednesday, October 10, 2001, from 2 to 3:30 p.m. at the Virginia War Memorial in Richmond, Virginia. In addition, comments from the public are to be postmarked by Friday, October 12, 2001.

Please direct your requests for information and forward written comments to: Thomas B. Gray, P.E., Virginia Department of Health, Main Street Station, Suite 109, 1500 East Main Street, Richmond, Virginia 23219, telephone (804) 786-1087 or FAX (804) 225-4539.

## STATE LOTTERY DEPARTMENT

The following Director's Orders of the State Lottery Department were filed with the Virginia Registrar of Regulations on August 16, 2001. The orders may be viewed at the State Lottery Department, 900 E. Main Street, Richmond, Virginia or at the office of the Registrar of Regulations, 910 Capitol Street, 2nd Floor, Richmond, Virginia.

### Final Rules for Game Operation:

#### Director's Order Number Seventeen (01)

Virginia's Instant Game Lottery 203; "Blackjack" (effective 3/6/01)

#### Director's Order Number Eighteen (01)

Virginia's Instant Game Lottery 480; "Lucky 7's Blackjack" (effective 3/6/01)

#### Director's Order Number Nineteen (01)

Virginia's Instant Game Lottery 479; "Monster Truck Bucks" (effective 4/2/01)

#### Director's Order Number Twenty (01)

Virginia's Instant Game Lottery 210; "Congratulations" (effective 4/2/01)

#### Director's Order Number Twenty-One (01)

"Gimme Five!" Virginia Lottery Retailer Incentive Program Rules (effective 4/11/01)

#### Director's Order Number Twenty-Two (01)

Virginia's Instant Game Lottery 212; "Cha-Ching!" (effective 4/13/01)

#### Director's Order Number Twenty-Three (01)

Virginia's Instant Game Lottery 211; "Fast \$50's" (effective 4/13/01)

#### Director's Order Number Twenty-Four (01)

Virginia's Instant Game Lottery 213; "Sunny Money" (effective 4/23/01)

#### Director's Order Number Twenty-Six (01)

Virginia's Instant Game Lottery 481; "Lucky Jackpot" (effective 5/14/01)

#### Director's Order Number Twenty-Seven (01)

Virginia's Instant Game Lottery 482; "Firecracker Cash" (effective 5/14/01)

#### Director's Order Number Twenty-Eight (01)

Virginia's Instant Game Lottery 483; "Diamond Doubler" (effective 5/14/01)

#### Director's Order Number Twenty-Nine (01)

Virginia's Sixth On-Line Lottery; "The Big Game," Fifth Revision (effective 5/24/01)

#### Director's Order Number Thirty (01)

Virginia's Seventh On-Line Lottery; "Lotto Virginia," Revised (effective 5/24/01)

#### Director's Order Number Thirty-One (01)

Virginia's Instant Game Lottery 485; "Super Lucky 7's" (effective 5/22/01)

#### Director's Order Number Thirty-Two (01)

Virginia's Instant Game Lottery 216; "Money Money Money" (effective 5/25/01)

#### Director's Order Number Thirty-Three (01)

Virginia's Instant Game Lottery 487; "Roll Them Bones" (effective 5/31/01)

#### Director's Order Number Thirty-Four (01)

Virginia's Instant Game Lottery 488; "Pole Position" (effective 5/31/01)

#### Director's Order Number Thirty-Five (01)

Virginia's Instant Game Lottery 489; "Slots Of Cash" (effective 5/31/01)

#### Director's Order Number Thirty-Six (01)

Virginia's Instant Game Lottery 486; "Lifetime Cash Reward" (effective 6/4/01)

#### Director's Order Number Thirty-Seven (01)

Virginia's Instant Game Lottery 215; "Hot Cards" (effective 6/27/01)

#### Director's Order Number Thirty-Eight (01)

Virginia's Instant Game Lottery 217; "Barrels Of Bugs" (effective 6/27/01)

#### Director's Order Number Thirty-Nine (01)

Virginia's Instant Game Lottery 475; "Outback Survival," Revised (effective 7/11/01)

Director's Order Number Forty-One (01)

Virginia's Instant Game Lottery 489; "Slots Of Cash," Revised (effective 7/27/01)

Director's Order Number Forty-Two (01)

Virginia's Instant Game Lottery 194; "High Card Doubler," Revised (effective 7/27/01)

Director's Order Number Forty-Three (01)

Virginia's Instant Game Lottery 207; "2,000 Clams," Revised (effective 7/27/01)

Director's Order Number Forty-Four (01)

Virginia's Instant Game Lottery 212; "Cha-Ching!," Revised (effective 7/27/01)

Director's Order Number Forty-Five (01)

Virginia's Instant Game Lottery 215; "Hot Cards," Revised (effective 7/27/01)

Director's Order Number Forty-Six (01)

Virginia's Instant Game Lottery 461; "Cash Carnival," Revised (effective 7/27/01)

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Director's Order Number Twenty-Five (01)

Certain Virginia Instant Game Lotteries; End Of Games.

In accordance with the authority granted by §§ 58.1-4006 A and 9-6.14:4.1 B (15) of the Code of Virginia, I hereby give notice that the following Virginia Lottery instant games will officially end at midnight on Friday, June 15, 2001:

- Game 130 - Ace in the Hole
- Game 132 - Black Jack
- Game 137 - Snake Eyes
- Game 145 - Cool Cash
- Game 148 - Lucky Cash
- Game 190 - Goin' Nuts
- Game 450 - Caribbean Stud Poker
- Game 452 - Zodiac
- Game 456 - Lady Luck
- Game 457 - Wild Jack
- Game 464 - Fortune Hunt
- Game 470 - Happy Valentines

The last day for lottery retailers to return for credit unsold tickets from any of these games will be Friday, August 24, 2001. The last day to redeem winning tickets for any of these games will be Wednesday, December 12, 2001, 180 days from the declared official end of the game. Claims for winning tickets from any of these games will not be accepted after that date. Claims that are mailed and received in an envelope bearing a United States Postal Service postmark of December 12, 2001, will be deemed to have been received on time. This notice amplifies and conforms to the duly adopted State Lottery Board regulations for the conduct of instant game lotteries.

This order is available for inspection and copying during normal business hours at the State Lottery Department

headquarters, 900 East Main Street, Richmond, Virginia; and at any State Lottery Department regional office. A copy may be requested by mail by writing to: Public Affairs Office, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

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

/s/ David L. Norton  
Manager, Legal Affairs  
Date: May 1, 2001

Director's Order Number Forty (01)

Certain Virginia Instant Game Lotteries; End Of Games.

In accordance with the authority granted by §§ 58.1-4006 A and 9-6.14:4.1 B (15) of the Code of Virginia, I hereby give notice that the following Virginia Lottery instant games will officially end at midnight on Friday, August 17, 2001:

- Game 182 - Stinkin Rich
- Game 189 - Cash Cow
- Game 192 - Lucky Roll Doubler
- Game 195 - Rake It In
- Game 197 - Let the Good Times Roll
- Game 198 - Monte Carlo
- Game 313 - Star Spangled Bingo
- Game 315 - Bingo Blizzard
- Game 444 - Gold Fever
- Game 448 - Aces High
- Game 461 - Cash Carnival
- Game 468 - Pinball Wizard
- Game 475 - Outback Survival

The last day for lottery retailers to return for credit unsold tickets from any of these games will be Friday, September 28, 2001. The last day to redeem winning tickets for any of these games will be Wednesday, February 13, 2002, 180 days from the declared official end of the game. Claims for winning tickets from any of these games will not be accepted after that date. Claims that are mailed and received in an envelope bearing a United States Postal Service postmark of February 13, 2002, will be deemed to have been received on time. This notice amplifies and conforms to the duly adopted State Lottery Board regulations for the conduct of instant game lotteries.

This order is available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia; and at any State Lottery Department regional office. A copy may be requested by mail by writing to: Public Affairs Office, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

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

/s/ Richard G. Wilkinson  
Director, Lottery Operations  
Date: July 27, 2001

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# General Notices/Errata

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## DEPARTMENT OF MINES, MINERALS AND ENERGY

### Periodic Review of Regulations

Pursuant to Executive Order Number 25 (98), the Department of Mines, Minerals, and Energy is currently reviewing the following regulations to determine if they should be terminated, amended, or retained in their current form.

Goals: To ensure a level of citizen and industry involvement in the regulatory actions taken by DMME and its boards.

The department seeks public comment regarding the essential need of the regulation to protect the health, safety, or welfare of citizens or for the efficient and economical importance of an important government function. The department seeks to consider less burdensome and intrusive alternatives to the regulation, specific and measurable goals that the regulation intends to achieve, and whether the regulation is clearly written and easily understandable.

Title of Regulation: Public Participation Guidelines, 4 VAC 25-10-10 et seq.

The Public Participation Guidelines govern the regulatory actions of the Department of Mines, Minerals and Energy, the Virginia Gas and Oil Board, the Board of Coal Mining Examiners and the Board of Mineral Mining Examiners.

The department will convene a regulatory work group to review the regulation after receipt of comments in response to this notice.

Comments may be submitted until October 1, 2001.

Contact: Stephen A. Walz, Regulatory Coordinator, Department of Mines, Minerals and Energy, Ninth Street Office Building, 8th Floor, 202 N. Ninth Street, Richmond, VA 23219-3402, telephone (804) 692-3211 or FAX (804) 692-3237.

Title of Regulation: Board of Coal Mining Examiners Certification Requirements, 4 VAC 25-20-10 et seq.

The department will convene the Virginia Coal Mine Safety Board as the regulatory work group to review the regulation after receipt of comments in response to this notice.

Comments may be submitted until October 1, 2001.

Contact: Frank Linkous, Mine Chief, Department of Mines, Minerals and Energy, Division of Mines, U.S. Route 23 South, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (540) 523-8224 or FAX (540) 523-8239.

Title of Regulation: Certification Requirements for Mineral Miners, 4 VAC 25-35-10 et seq.

The department will convene a regulatory work group to review the regulation after receipt of comments in response to this notice.

Comments may be submitted until October 1, 2001.

Contact: Conrad Spangler, Director, Department of Mines, Minerals and Energy, Division of Mineral Mining, Fontaine

Research Park, 900 Natural Resources Drive, P.O. Box 3727, Charlottesville, VA 22903-00667, telephone (434) 951-6310 or FAX (434) 951-6325.

## DEPARTMENT OF TRANSPORTATION

### Periodic Review of Regulations

Pursuant to Executive Order Number 25 (98), the Virginia Department of Transportation has scheduled the regulation listed below for review. VDOT will conduct this review to determine whether the regulation should be terminated, amended, or retained as written. If any changes are deemed necessary, VDOT will file the appropriate documentation as required by statute or procedures established by the Registrar of Regulations.

VDOT seeks public comment to determine whether the regulation meets the following goals:

1. Permit suspension of tolls in cases of natural disaster or other emergency to preserve the safety of motorists or to relieve traffic congestion.
2. Protect the public's health, safety, and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.

Title of Regulation: 24 VAC 30-620-10 et seq. Rules, Regulations, and Rates Concerning Toll and Bridge Facilities.

Subject: This regulation establishes rates for vehicles using the following toll facilities: Dulles Toll Road, Powhite Parkway Extension, and the George P. Coleman Bridge. It also delegates responsibility for suspending tolls in case of natural disaster or threat to public safety at these facilities to the respective District Administrator at each location. The Office of the Attorney General has found that it is exempt from the APA under 9-6.14:4.1 C 1 and C 2.

Contact: Brenda M. Madison, Financial Planning and Debt Management Division, Virginia Department of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-9809, FAX (804) 786-2564 or e-mail Madison\_bm@vdot.state.va.us.

Comments may be submitted from September 30, 2001, through October 21, 2000, to the contact referenced above.

## STATE WATER CONTROL BOARD

### Proposed Special Order Flav-O-Rich, Inc.

The State Water Control Board proposes to take an enforcement action against the above listed facility. Under the terms of the proposed Special Order, the owner of this facility has agreed to be bound by the terms and conditions of a schedule of compliance contained in the appendix of the Order. The requirements contained in the Order bring the facility into compliance with state law and protects water quality.



On behalf of the State Water Control Board, the Department of Environmental Quality will receive comments relating to the Special Order until October 10, 2001. Comments should be addressed to Dallas Sizemore, Department of Environmental Quality, Southwest Regional Office, P.O. Box 1688, Abingdon, Virginia 24212 and should refer to the Consent Special Order. Comments can also be sent by e-mail to: [drsizemore@deq.state.va.us](mailto:drsizemore@deq.state.va.us). Anyone wishing to comment must include their name, address and phone number and all comments must be received before the end of the comment period.

The proposed Order may be examined at the Department of Environmental Quality, 355 Deadmore Street, Abingdon, Virginia.

A copy of the Order may be obtained in person or by mail from the above office.

### **VIRGINIA CODE COMMISSION**

#### **Notice to State Agencies**

**Mailing Address:** Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, FAX (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

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# CALENDAR OF EVENTS


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## Symbol Key

-  Location accessible to persons with disabilities  
 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. If you are unable to find a meeting notice for an organization in which you are interested, please check the Commonwealth Calendar at [www.vipnet.org](http://www.vipnet.org) or contact the organization directly.

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

### COMMONWEALTH COUNCIL ON AGING

† **September 20, 2001 - 10 a.m.** -- Open Meeting  
Virginia Department for the Aging, 1600 Forest Avenue, Suite 102, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting of the Public Relations Committee.


**Contact:** Robin Brannon, Commonwealth Council on Aging, 1600 Forest Ave., Suite 102, Richmond, VA 23229, telephone (804) 662-9323.

A routine meeting to discuss issues related to hunger, malnutrition, and food insecurity in the Commonwealth and potential opportunities to alleviate the problem. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Steven W. Thomas at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Steven W. Thomas, Executive Director, Department of Agriculture and Consumer Services, 1100 Bank St., Room 809, Richmond, VA 23219, telephone (804) 786-3936, FAX (804) 371-7788.

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES


#### Board of Agriculture and Consumer Services

† **October 2, 2001 - 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 services. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Roy Seward at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Roy E. Seward, Board Secretary, Department of Agriculture and Consumer Services, Washington Building, 1100 Bank St., Suite 211, Richmond, VA 23219, telephone (804) 786-3538, FAX (804) 371-2945, e-mail [rseward@vdacs.state.va.us](mailto:rseward@vdacs.state.va.us).

#### Virginia Charity Food Assistance Advisory Board

**September 27, 2001 - 10:30 a.m.** -- Open Meeting  
Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia. 

#### Virginia Horse Industry Board

**September 26, 2001 - 9:30 a.m.** -- Open Meeting  
Virginia Department of Forestry, 900 Natural Resources Drive, 2nd Floor, Conference Room, Charlottesville, Virginia. 

A meeting to (i) review the minutes of the previous meeting; (ii) review fiscal year marketing projects and budget; and (iii) consider revision of the grant guidelines and strategic plans. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact 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, 1100 Bank St., Suite 1004, Richmond, VA 23219, telephone (804) 786-5842 or FAX (804) 371-7786.

#### STATE AIR POLLUTION CONTROL BOARD

**September 14, 2001** - Public comments may be submitted until 4:30 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control

Board intends to amend regulations entitled: **NO<sub>x</sub> Emissions Budget Trading Program (Rev. D98): 9 VAC 5-140-10 et seq. Regulations for Emissions Trading.** The purpose of the proposed regulation is to establish a NO<sub>x</sub> Budget Trading Program as a means of mitigating the interstate transport of ozone and nitrogen oxides including the following provisions: permitting allowance methodology, monitoring, banking, compliance supplement pool, compliance determination and opt-in provisions for sources not covered by the regulation.

Beginning May 31, 2004, electric generating units with a nameplate capacity greater than 25 MWe and nonelectric generating units above 250 mmBtu will be subject to the provisions of the regulation. NO<sub>x</sub> emissions from subject units shall be capped to a specific limit (measured in tons) during the summer months of May 1 through September 31, otherwise known as the control period. The NO<sub>x</sub> cap shall be determined through a methodology based upon emission rates multiplied by heat input. If a unit does not use all of its allowances for a specific control period, those extra tons may be banked for future use or sold. If a unit exceeds the capped limit, additional allowances may be purchased or the source may use banked allowances to offset the amount of NO<sub>x</sub> generated above the capped limit.

Sources found to be out of compliance will be forced to surrender allowances for the next year on a ratio of 3:1, i.e., for every ton over the cap, three tons will be forfeited from the next year's allocation.

Emissions will need to be monitored according to 40 CFR Part 75 for all sources subject to the regulation and for any sources wishing to opt-in to the program.

A compliance supplement pool is provided for sources that generate early reduction credits or demonstrate "undue risk." The allowances from the pool are good for only two years and cannot be banked after that two-year period.

Statutory Authority: §§ 10.1-1308 and 10.1-1322.3 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m. on September 14, 2001, to Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

**Contact:** Mary E. Major, Environmental Program Manager, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510, toll free 1-800-592-5482, (804) 698-4021 TTY ☎, e-mail memajor@deq.state.va.us.

**September 20, 2001 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Richmond, Virginia.📍

A regular meeting.

**Contact:** Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail cberndt@deq.state.va.us.

\*\*\*\*\*

**September 26, 2001 - 10 a.m.** -- Public Hearing  
Main Street Centre, 600 East Main Street, Lower Level Conference Room, Richmond, Virginia.📍 (Interpreter for the deaf provided upon request)

† **October 11, 2001** - Public comments may be submitted until this date.

A public hearing to receive comments on the proposed revision to the Regulations for the Control and Abatement of Air Pollution, concerning minor new and modified source review (9 VAC 5 Chapter 80, Revision YY) and the State Implementation Plan. On February 15, 1999, the board published a proposal (hereafter called the original proposal) to amend its regulations concerning new and modified new source review. In response to that request, comments were submitted that resulted in several changes being made to the original proposal. Because of the nature of the changes, the board is now seeking comment on the additional changes.

**Contact:** Mary Major, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510, (804) 698-4021/TTY ☎, e-mail mlmajor@deq.state.va.us.

**November 7, 2001 - 9:30 a.m.** -- Open Meeting  
Wyndham Garden, 4600 South Laburnum Avenue, Richmond, Virginia.📍

A regular meeting of the board and joint meeting with the State Advisory Board on Air Pollution.

**Contact:** Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail cberndt@deq.state.va.us.

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

**September 12, 2001 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia.📍

A meeting to conduct board 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, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail apelsla@dpor.state.va.us.

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# Calendar of Events

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## ART AND ARCHITECTURAL REVIEW BOARD


**October 5, 2001 - 10 a.m.** -- Open Meeting

**November 2, 2001 - 10 a.m.** -- Open Meeting

**† December 7, 2001 - 10 a.m.** -- Open Meeting


Science Museum of Virginia, 2500 West Broad Street, Forum Room, 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., Room 221, Richmond, VA 23219, telephone (804) 643-1977, FAX (804) 643-1981, (804) 786-6152/TTY 

## VIRGINIA BOARD FOR ASBESTOS, LEAD AND HOME INSPECTORS

**† October 30, 2001 - 10 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:** Christine Martine, Acting Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2648, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail [asbestos@dpor.state.va.us](mailto:asbestos@dpor.state.va.us).


## ASSISTIVE TECHNOLOGY LOAN FUND AUTHORITY

**September 20, 2001 - 10 a.m.** -- Open Meeting

**October 18, 2001 - 10 a.m.** -- Open Meeting

Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting of the Board of Directors. The board invites persons with disabilities, advocates or other interested parties to participate during the public comment session. Following the business meeting the board will meet in closed session to review loan applications.

**Contact:** Shilpa Joshi, Assistive Technology Loan Fund Authority, 8004 Franklin Farms Dr., Richmond, VA 23228, telephone (804) 662-9000, FAX (804) 662-9533, toll-free (800) 552-5019, (804) 662-9000/TTY , e-mail [loanfund@erols.com](mailto:loanfund@erols.com).


## COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND FAMILIES

### State Executive Council

**September 26, 2001 - 9 a.m.** -- Open Meeting

**October 31, 2001 - 9 a.m.** -- Open Meeting

**† November 28, 2001 - 9 a.m.** -- Open Meeting


Department of Social Services, 730 East Broad Street, Lower Level, Training Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. An agenda will be posted on the web (<http://www.csa.state.va.us>) a week prior to the meeting.


**Contact:** Alan G. Saunders, Director, Comprehensive Services for At-Risk Youth and Families, 1604 Santa Rosa Rd., Suite 137, Richmond, VA 23229, telephone (804) 662-9815, FAX (804) 662-9831, e-mail [AGS992@central.dss.state.va.us](mailto:AGS992@central.dss.state.va.us).

## BOARD FOR BARBERS AND COSMETOLOGY

**September 10, 2001 - 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. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation and the time of the meeting is subject to change. Any person desiring to attend and requiring special accommodations or interpretative services should contact the department at (804) 367-8590 or (804) 367-9753/TTY 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:** Zelda W. Dugger, Board Administrator, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY , e-mail [barbercosmo@dpor.state.va.us](mailto:barbercosmo@dpor.state.va.us).

## DEPARTMENT FOR THE BLIND AND VISION IMPAIRED

**October 16, 2001 - 1 p.m.** -- Open Meeting

Department for the Blind and Vision Impaired, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to review and comment on policies, budget and request for appropriations for the department, review information regarding department activities and operations, review expenditures from the board's endowment fund, and discuss other issues raised for the board members.

**Contact:** Katherine C. Proffitt, Administrative Staff Assistant, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3145, FAX (804) 371-3157, toll-free (800) 622-2155, (804) 371-3140/TTY , e-mail [proffikc@dbvi.state.va.us](mailto:proffikc@dbvi.state.va.us).

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**October 26, 2001** - 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 for the Blind and Vision Impaired intends to repeal regulations entitled: **22 VAC 45-60-10 et seq. Regulations Governing Provision of Services for the Infants, Children, and Youth Program.** The purpose of the proposed action is to repeal the regulations because the Office of the Attorney General has advised the Department for the Blind and Vision Impaired that it lacks the authority to promulgate this regulation.

Statutory Authority: § 22.1-217 of the Code of Virginia.

**Contact:** Glen R. Slonneger, Program Director, Education Services, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3113, FAX (804) 371-3351, toll-free 1-800-622-2155 or (804) 371-3140/TTY ☎

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**September 28, 2001** - 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 for the Blind and Vision Impaired intends to amend regulations entitled: **22 VAC 45-70-10 et seq. Provision of Services in Rehabilitation Teaching.** The regulation provides both eligibility requirements and services that are provided under the department's rehabilitation teaching program. The department is making content changes to eliminate unnecessary detail and bring the regulation up to date in the areas of visual eligibility.

**Contact:** Jane B. Ward-Solomon, Program Director, Rehabilitation Teaching/Independent Living, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3112, FAX (804) 371-3351, toll-free 1-800-622-2155 or (804) 371-3140/TTY ☎

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**September 28, 2001** - 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 for the Blind and Vision Impaired intends to repeal regulations entitled: **22 VAC 45-90-10 et seq. Supervision of Administrative Regulations Governing Intake and Social Services.** The existing regulation outlines the department's internal procedures for processing individuals referred to the department for services and specifies circumstances in which individuals may not be referred to other service that the department provides.

**Contact:** Joseph A. Bowman, Deputy Commissioner, Services Delivery, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3144, FAX (804) 371-3157, toll-free 1-800-622-2155 or (804) 371-3140/TTY ☎

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**September 28, 2001** - 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 for the Blind and Vision Impaired intends to amend regulations entitled: **22 VAC 45-110-10 et seq. Regulations Governing Low Vision.** The amendments delete the obsolete section that deals with using the department's endowment funds as sponsorship for low vision services and require consumer financial participation in the cost of low vision aids. The section dealing with driving with bioptics is repealed and changes are made to update and simplify terminology.

Statutory Authority: § 63.1-85 of the Code of Virginia.

**Contact:** Marge A. Owens, Human Services Program Coordinator, Department for the Blind and Vision Impaired, 401 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3344, FAX (804) 371-3092, toll-free 1-800-622-2155 or (804) 371-3151/TTY ☎

## Statewide Rehabilitation Council for the Blind

**September 15, 2001 - 10 a.m.** -- Open Meeting

Department for the Blind and Vision Impaired, 397 Azalea Avenue, Richmond, Virginia. (Interpreter for the deaf provided upon request)

Council meets quarterly to advise the Department for the Blind and Vision Impaired on matters related to vocational rehabilitation services for the blind and visually impaired citizens of the Commonwealth.

**Contact:** James G. Taylor, VR Program Director, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3111, FAX (804) 371-3390, toll-free (800) 622-2155, (804) 371-3140/TTY ☎, e-mail [taylorjg@dbvi.state.va.us](mailto:taylorjg@dbvi.state.va.us).

## CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

† **September 17, 2001 - 10 a.m.** -- Open Meeting

Chesapeake Bay Local Assistance Department, James Monroe Building, 101 North 14th Street, Main Level, Conference Room C, Richmond, Virginia. (Interpreter for the deaf provided upon request)

The Board will conduct general business, including a review of local Chesapeake Bay Preservation Area programs. The board will take action on the draft FY03 Competitive Grants Program Request for Proposals, and will also hear an update on the regulation amendment process. Public comment will be taken in the meeting. A tentative agenda is available.


**Contact:** Carolyn J. Elliott, Administrative Assistant, Chesapeake Bay Local Assistance Board, James Monroe Bldg., 17th Floor, 101 N. 14th St., Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447, toll-free (800) 243-7229, (804) 243-7229/TTY ☎, e-mail [celliot@cblad.state.va.us](mailto:celliot@cblad.state.va.us).

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# Calendar of Events

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## CHILD DAY-CARE COUNCIL

**September 13, 2001 - 9 a.m.** -- Open Meeting  
Theater Row Building, 730 East Broad Street, Conference Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to discuss issues and concerns that impact child day centers, camps, school age programs and preschools/nursery schools. Public comment period will be at noon. Please call ahead for possible changes in meeting time.


**Contact:** Arlene Kasper, Program Development Consultant, Child Day-Care Council, 730 E. Broad St., Richmond, VA 23219-1849, telephone (804) 692-1791, FAX (804) 692-2370.

## STATE BOARD FOR COMMUNITY COLLEGES


**September 19, 2001 - 2:30 p.m.** -- Open Meeting  
Virginia Community College System, James Monroe Building, 101 North 14th Street, 15th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Meetings of the Academic and Student Affairs Committee, Audit Committee, and Budget and Finance Committee, beginning at 2:30. The Facilities and Personnel Committee will meet at 3:30 p.m.


**Contact:** D. Susan Hayden, Public Relations Manager, State Board for Community Colleges, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY 

**September 20, 2001 - 9 a.m.** -- Open Meeting  
Virginia Community College System, James Monroe Building, 101 North 14th Street, Godwin-Hamel Board Room, 15th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Public comment will be received at the beginning of the meeting.

**Contact:** D. Susan Hayden, Public Relations Manager, State Board for Community Colleges, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY 

## COMPENSATION BOARD


† **September 25, 2001 - 11 a.m.** -- Open Meeting  
Compensation Board, 202 North Ninth Street, 10th Floor, Richmond, Virginia. 

A monthly board meeting.

**Contact:** Cindy P. Waddell, Administrative Staff Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail cwaddell@scb.state.va.us.

## DEPARTMENT OF CONSERVATION AND RECREATION


### Falls of the James Scenic River Advisory Board

**September 13, 2001 - Noon** -- Open Meeting  
Richmond City Hall, 900 East Broad Street, 5th Floor Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss river issues. Requests for an interpreter for the deaf must be made two weeks prior to the meeting.

**Contact:** Richard G. Gibbons, Environmental Program Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899, e-mail rgibbons@dcr.state.va.us.


### Virginia Soil and Water Conservation Board

**September 20, 2001 - 9 a.m.** -- Open Meeting  
Virginia State University, Petersburg, Virginia.  (Interpreter for the deaf provided upon request)


A regular business meeting. Requests for interpreter for the deaf should be filed at least two weeks prior to 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, e-mail leonapp@dcr.state.va.us.

## BOARD FOR CONTRACTORS

**September 19, 2001 - 9 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 regularly scheduled meeting of the board, which will address policy and procedural issues, review and render case decisions on matured complaints against licensees and other matters which may require board action. The meeting is open to the public; however, a portion of the board's business may be discussed in closed meeting. The department fully complies with the Americans for Disabilities Act. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact David E. Dick.

**Contact:** David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail contractors@dpor.state.va.us.

## BOARD OF CORRECTIONAL EDUCATION

**September 21, 2001 - 10 a.m.** -- Open Meeting  
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, Board of Correctional  
Education, James Monroe Bldg., 101 N. 14th St., 7th Floor,  
Richmond, VA 23219, telephone (804) 225-3314, FAX (804)  
786-7642, (804) 371-8647/TTY , e-mail  
paennis@dce.state.va.us.

## CRIMINAL JUSTICE SERVICES BOARD

**September 13, 2001 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House  
Room D, Richmond, Virginia.

A regular meeting of the Committee on Training. Call for  
an agenda.

**Contact:** George Gotschalk, DCJS Standards and Training  
Section Chief, Criminal Justice Services Board, 805 E. Broad  
St., Richmond, VA 23219, telephone (804) 786-8001, FAX  
(804) 786-8981, e-mail ggotschalk@dcjs.state.va.us.

**September 13, 2001 - 11 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House  
Room D, Richmond, Virginia.

A regular meeting to include the director's report,  
Committee on Training report, voting on proposed bylaw  
changes to CJIS Committee, state police witness protection  
program, and consideration of grants.

**Contact:** Christine Wiedemer, Administrative Staff Assistant  
to the Director, Criminal Justice Services Board, 805 E. Broad  
St., Richmond, VA 23219, telephone (804) 786-8718, FAX  
(804) 786-8981, e-mail cwiedemer@dcjs.state.va.us.

## BOARD OF DENTISTRY

† **September 13, 2001 - 1 p.m.** -- Open Meeting  
Crystal City Courtyard by Marriott, 2899 Jefferson Davis  
Highway, Arlington, Virginia.

A general business meeting to consider regulatory review  
and others matters related to the licensing and discipline of  
dentists and dental hygienists. Public comment will be  
received at the beginning of the meeting.

**Contact:** Sandra Reen, Executive Director, Board of  
Dentistry, Southern States Bldg., 6606 W. Broad St., 4th  
Floor, Richmond, VA 23230-1717, telephone (804) 662-9906,  
FAX (804) 662-9943, (804) 662-7197/TTY , e-mail  
sandra\_reen@dhp.state.va.us.

† **September 14, 2001 - 9 a.m.** -- Open Meeting  
Crystal City Courtyard by Marriott, 2899 Jefferson Davis  
Highway, Blue Room, Arlington, Virginia. (Interpreter for the  
deaf provided upon request)

A formal and informal conference will convene to hear  
possible violations of the regulations governing the practice  
of dentistry.

**Contact:** Sandra Reen, Executive Director, Board of  
Dentistry, Southern States Bldg., 6606 West Broad St., 4th  
Floor, Richmond, VA 23230-1717, telephone (804) 662-9906,  
FAX (804) 662-7246, (804) 662-7197/TTY , e-mail  
sandra.reen@dhp.state.va.us.

† **September 28, 2001 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad St., 5th  
Floor, Richmond, Virginia. (Interpreter for the deaf provided  
upon request)

An informal conference committee will convene to hear  
possible violations of the regulations governing the practice  
of dentistry.

**Contact:** Sandra Reen, Executive Director, Board of  
Dentistry, Southern States Bldg., 6606 West Broad St., 4th  
Floor, Richmond, VA 23230 1717, telephone (804) 662-9906,  
FAX (804) 662-7246, (804) 662-7197/TTY , e-mail  
sandra.reen@dhp.state.va.us.

## VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP

† **September 21, 2001 - 10 a.m.** -- Open Meeting  
2401 West Avenue, Newport News, Virginia.

An organizational meeting of the Board of Directors of the  
Virginia Advanced Shipbuilding and Carrier Integration  
Center Corporation.

**Contact:** Mara Hilliar, Office Manager, Virginia Economic  
Development Partnership, P.O. Box 798, Richmond, VA  
23218, telephone (804) 371-8106, FAX (804) 371-8112.

## BOARD OF EDUCATION

**September 20, 2001 - 9:30 a.m.** -- Open Meeting  
Henrico County School Board Office, 3820 Nine Mile Road,  
Richmond, Virginia. (Interpreter for the deaf provided upon  
request)

A working session of the Accountability Advisory  
Committee. Public comment will not be received. Persons  
requesting the services of an interpreter for the deaf should  
do so in advance.

**Contact:** Cam Harris, Board of Education, P.O. Box 2120,  
James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond,  
VA 23219, telephone (804) 225-2102, FAX (804) 225-2524.

NOTE: CHANGE IN MEETING DATE

**September 26, 2001 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate  
Room B, Richmond, Virginia. (Interpreter for the deaf  
provided upon request)

**October 22, 2001 - 9 a.m.** -- Open Meeting  
Virginia School For the Deaf and Blind, East Beverley Street,  
Staunton, Virginia. (Interpreter for the deaf provided upon  
request)

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## Calendar of Events

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A regular business meeting. Public comment will be received. Persons requesting the services of an interpreter for the deaf should do so in advance.

**Contact:** Dr. Margaret N. Roberts, Office of Policy, Board of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

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† **September 26, 2001 - 2:15 p.m.** -- Public Hearing  
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia.

† **November 9, 2001** - 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 Education intends to amend regulations entitled: **8 VAC 20-21-10 et seq. Licensure Regulations for School Personnel.** The purpose of the amendments is to expand the teacher licensure provisions to persons from other professions, including military personnel, who wish to be licensed as a teacher in Virginia.

Statutory Authority: §§ 22-1-298 of the Code of Virginia.

**Contact:** Dr. Thomas Elliott, Assistant Superintendent of Teacher Education, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 371-2522 or FAX (804) 225-2524.

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**September 26, 2001 - 2:30 p.m.** -- Public Hearing  
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia.

**October 12, 2001** - 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 Education intends to amend regulations entitled: **9 VAC 20-120-10 et seq. Regulations Governing Vocational Education (Career and Technical Education).** The purpose of the proposed action is to align the regulations with state and federal law and regulations.

Statutory Authority: §§ 22.1-16 and 22.1-227 of the Code of Virginia.

**Contact:** Dr. Neils Brooks, Director, Career and Technical Education, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2847 or FAX (804) 371-2456.

† **November 28, 2001 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia.

Public comment will be received. Persons requesting an interpreter for the deaf should do so in advance.

**Contact:** Dr. Margaret N. Roberts, Office of Policy, Board of Education, Post Office Box 2120, 101 N. 14th St., 25th Floor Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

† **December 4, 2001 - 9:30 a.m.** -- Open Meeting  
Henrico County School Board Office, 3820 Nine Mile Road, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A working session; public comment will not be received. Persons requesting the services of an interpreter for the deaf should do so in advance.

**Contact:** Ms. Cam Harris, Department of Education, Board of Education, P.O. Box 2120, 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2102, FAX (804) 225-2524.

### STATE BOARD OF ELECTIONS

**November 26, 2001 - 1 p.m.** -- Open Meeting  
State Capitol, House Room 1, Richmond, Virginia. (Interpreter for the deaf provided upon request)

Certification of November 6, 2001, election results.

**Contact:** Vanessa E. Archie, Executive Secretary Senior, State Board of Elections, 200 N. 9th St., Room 101, Richmond, VA 23219, telephone (804) 786-6551, FAX (804) 371-0194, toll-free (800) 552-9745, (804) 260-3466/TTY, e-mail varchie@sbe.state.va.us.

### LOCAL EMERGENCY PLANNING COMMITTEE - PRINCE WILLIAM COUNTY, MANASSAS CITY AND MANASSAS PARK

† **September 17, 2001 - 1:30 p.m.** -- Open Meeting  
1 County Complex, Occoquan Conference Room, Prince William, Virginia. (Interpreter for the deaf provided upon request)

A multi-jurisdictional meeting to discuss issues related to hazardous substances in the jurisdictions.

**Contact:** John E. Medici, Hazardous Materials Officer, Local Emergency Planning Committee, 9250 Lee Ave., Manassas, VA 20110, telephone (703) 792-7405, FAX (703) 792-6492.

### DEPARTMENT OF ENVIRONMENTAL QUALITY

**September 10, 2001 - 7 p.m.** -- Public Hearing  
City of Radford Courthouse, 619 Second Street, Circuit Courtroom, Radford, Virginia. (Interpreter for the deaf provided upon request)

A public hearing to receive comments on the proposed issuance of a permit for post-closure care of hazardous waste management unit 5.

**Contact:** Garwin W. Eng, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4131, e-mail gweng@deq.state.va.us.


† **September 25, 2001 - 7 p.m.** -- Public Hearing  
Fairfax County Public Library, Great Falls Branch, Great Falls, Virginia. (Interpreter for the deaf provided upon request)




A public hearing to receive comments on a draft permit amendment for the Crippen Stump Dump Landfill for modules I, X and XI. The landfill is located in Fairfax County north of State Route 193 on the west side of Utterback Store Road, across from Crossview Drive.


**Contact:** Geoff Christie, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4283, e-mail [gxchriste@deq.state.va.us](mailto:gxchriste@deq.state.va.us).

## BOARD OF FUNERAL DIRECTORS AND EMBALMERS


**September 11, 2001 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 


The board will consider its periodic review of regulations report and conduct a general business meeting. Public comment will be received at the beginning of the meeting.

**Contact:** Elizabeth Young Tisdale, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail [etisdale@dhp.state.va.us](mailto:etisdale@dhp.state.va.us).

**September 19, 2001 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

A meeting of the Regulatory/Bylaws Committee to consider issues related to the regulations and bylaws of the board. Public comment will be received at the beginning of the meeting.


**Contact:** Elizabeth Young Tisdale, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail [etisdale@dhp.state.va.us](mailto:etisdale@dhp.state.va.us).

**† September 25, 2001 - 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 hold informal hearings. There will not be a public comment period.

**Contact:** Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA, telephone (804) 662-9907, FAX (804) 662-9523, e-mail [CEmma-Leigh@dhp.state.va.us](mailto:CEmma-Leigh@dhp.state.va.us).

## GEORGE MASON UNIVERSITY


**† September 26, 2001 - 1 p.m.** -- Open Meeting  
**† October 24, 2001 - 9:30 a.m.** -- Open Meeting  
**† November 28, 2001 - 3 p.m.** -- Open Meeting  
George Mason University, Mason Hall, Room D23, Fairfax, Virginia. 

A meeting of the Board of Visitors to hear reports of the standing committees and to act on recommendations

presented by the committees. An agenda will be available seven days prior to the meeting.

**Contact:** Mary Roper, Administrative Staff Assistant, Office of the President, 4400 University Dr., Fairfax, VA 22030, telephone (703) 993-8703 or FAX (703) 993-8707.

## GUNSTON HALL PLANTATION

**† October 7, 2001 - 9:30 a.m.** -- Open Meeting  
Gunston Hall Plantation, 10709 Gunston Road, Mason Neck, Virginia.  (Interpreter for the deaf provided upon request)

A biannual meeting of the Board of Regents to review progress over the last six months and the budget for the coming year.

**Contact:** Karen Olsen, Administrative Staff, Gunston Hall Plantation, 10709 Gunston Rd., Mason Neck, VA 22079, telephone (703) 550-9220, FAX (703) 550-9480 or toll-free 1-800-811-6966.

## STATE HAZARDOUS MATERIALS EMERGENCY RESPONSE ADVISORY COUNCIL

**† September 26, 2001 - 1 p.m.** -- Open Meeting  
Doubletree Hotel, 1900 Pavilion Drive, Virginia Beach, Virginia.

A quarterly meeting to discuss the training program and curriculum for first responders.

**Contact:** Ron Hargrave, Training Manager, Department of Emergency Management, 10501 Trade Court, Richmond, VA 23236, telephone (804) 897-6500 or FAX (804) 897-6576.


## STATE BOARD OF HEALTH

**September 10, 2001** - 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 5-581-10 et seq. Sewage Collection and Treatment (SCAT) Regulations.** The purpose of the proposed action is to provide uniform statewide standards governing the design, construction, and operation of the sewage collection systems and sewage treatment works.

Statutory Authority: §§ 32.1-164 and 62.1-44.19 of the Code of Virginia.

**Contact:** Calmet M. Sawyer, Ph.D., P.E., Division Director, Division of Wastewater Engineering, Department of Health, 1500 E. Main St., Room 109, Richmond, VA 23219, telephone (804) 786-1755, FAX (804) 786-5567.

**† September 12, 2001 - 10:15 a.m.** -- Open Meeting  
Virginia Center for Health Affairs, Innsbrook, 4200 Innslake Drive, Room D, Richmond, Virginia. 

A meeting to discuss changes and additions to the ADAP formulary. Meetings are open to the public; however,

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# Calendar of Events

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nonmembers may not participate or speak unless prior arrangements have been made.

**Contact:** T.C. Hill, ADAP Coordinator, Department of Health, P.O. Box 2448, Richmond, VA 23219, telephone (804) 225-3351, FAX (804) 786-3223, toll-free (800) 533-4148.

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**September 24, 2001** - 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 repeal regulations entitled: **12 VAC 5-430-10 et seq. Transient Lodging and Hotel Sanitation in Virginia** and adopt regulations entitled: **12 VAC 5-431-10 et seq. Sanitary Regulations Governing Hotels.** The proposed amendments update the regulations to more modern industry and public health standards. The regulations require annual inspections of a percentage of the total number of hotels. They also require automatic ice dispenser in lieu of ice machines with common ice bins.

Statutory Authority: §§ 35.1-11 and 35.1-13 of the Code of Virginia.

**Contact:** Gary L. Hagy, Director, Division of Food and Environmental Services, Department of Health, P.O. Box 2448, Room 115, Richmond, VA 23218, telephone (804) 225-4022 or FAX (804) 225-4003.

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**October 12, 2001** - 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 amend regulations entitled: **12 VAC 5-371-10 et seq. Regulations for Licensure of Hospitals** and **12 VAC 5-410-10 et seq. Regulations for the Licensure of Nursing Facilities.** Section 32.1-102.2 of the Code of Virginia requires the State Health Commissioner, through regulation, to condition a nursing facility or hospital license on whether the applicant has complied with any agreement as a result of the granting of a Certificate of Public Need (COPN) or upon the up-to-date payment of any civil penalties owned as a result of the willful failure to honor the condition of a COPN. This action is to finalize the emergency regulatory action that became effective on December 31, 1999.

Statutory Authority: §§ 32.1-12 and 32.1-102.2 of the Code of Virginia.

**Contact:** Carrie Eddy, Policy Analyst, Center for Quality Health Care Services, Department of Health, 3600 W. Broad St., Suite 216, Richmond, VA 23230, telephone (804) 367-2102 or FAX (804) 367-2149.

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† **October 11, 2001 - 1 p.m.** -- Public Hearing

Department of Health, 3600 West Broad Street, Suite 216, Richmond, Virginia.

† **November 9, 2001** - 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 amend regulations entitled: **12 VAC 5-408-10 et seq. Certificate of Quality Assurance of Managed Care Health Insurance Plan Licensees.** The purpose of the proposed amendments are an effort to (i) continue meeting the agency's responsibility to protect public health by ensuring the quality of MCHIPs, and (ii) promote fairness by recognizing distinctions among MCHIPs and avoiding regulating MCHIPs in a homogenous manner.

Statutory Authority: § 32.1-137.3 of the Code of Virginia.

**Contact:** Rene Cabral-Daniels, Department of Health, 3600 W. Broad St., Suite 216, Richmond, VA 23230, telephone (804) 367-2100 or FAX (804) 367-2149.

## DEPARTMENT OF HEALTH PROFESSIONS


### Health Practitioners' Intervention Program

† **October 26, 2001 - 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 Health Practitioners' Intervention Program to review reports, policies, and procedures. The committee will meet in open session for general discussion of the program, and may meet in executive session to consider specific requests from applicants or participants in the program.

**Contact:** John W. Hasty, Director, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9424, FAX (804) 662-9114, (804) 662-9197/TTY .

## BOARD FOR HEARING AID SPECIALISTS

**September 17, 2001 - 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)

An open 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 time of the meeting is subject to change. Any person who desires to attend the meeting and requires special accommodations or interpretative services should contact the department at (804) 367-2785 or (804) 367-9753/TTY 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:** Susan Luebehusen, Board Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., 4th Floor, Richmond, VA 23230-4917,

telephone (804) 367-2785, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail hearingaidspec@dpor.state.va.us.

## STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

**September 11, 2001 - 11 a.m.** -- Open Meeting  
Virginia Commonwealth University, Siegel Center, Founders Room, Richmond, Virginia.

Agenda materials are available on the Web site at [www.schev.edu](http://www.schev.edu).

**Contact:** Lee Ann Rung, State Council of Higher Education for Virginia, James Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 225-2602, e-mail [lrung@schev.edu](mailto:lrung@schev.edu).

## DEPARTMENT OF HISTORIC RESOURCES

### State Review Board and Historic Resources Board

**September 12, 2001 - 10 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, Boulevard and Grove Avenue, Auditorium, Richmond, Virginia. ♿

A quarterly meeting to consider proposed nominations to the Virginia Landmarks Register and to the National Register of Historic Places. Register preliminary applications, state highway markers, and historic preservation easements will also be considered.

**Contact:** Marc C. Wagner, Register Manager, Department of Historic Resources, 2801 Kensington Ave., Richmond, VA 23221, telephone (804) 367-2323, FAX (804) 367-2391, (804) 367-2386/TTY ☎, e-mail [mwagner@dhr.state.va.us](mailto:mwagner@dhr.state.va.us).

## BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

**September 12, 2001 - 11:30 a.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Room 18, Williamsburg, Virginia. ♿

A joint luncheon meeting of the Housing and Community Development and the Virginia Housing Development Authority Boards of Commissioners.

**Contact:** Steve Calhoun, Department of Housing and Community Development, 501 N. 2nd St, Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090.

**September 12, 2001 - 1 p.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Room 16, Williamsburg, Virginia. ♿

A regular business meeting. This meeting is held at the location of the 2001 Virginia Housing Conference.

**Contact:** Stephen W. Calhoun, Department of Housing and Community Development, 501 N. Second St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090, e-mail [scalhoun@dhcd.state.va.us](mailto:scalhoun@dhcd.state.va.us).

## Codes and Standards Committee

**September 12, 2001 - 8 a.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Room 16, Williamsburg, Virginia. ♿

Consideration of issues related to building and fire safety regulation and development of proposals for the full board.

**Contact:** Stephen W. Calhoun, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090, e-mail [scalhoun@dhcd.state.va.us](mailto:scalhoun@dhcd.state.va.us).

## VIRGINIA HOUSING DEVELOPMENT AUTHORITY

† **September 12, 2001 - 9 a.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia. ♿

A meeting of the Board of Commissioners to review and, if appropriate, approve the minutes from the prior monthly meeting; to consider for approval and ratification mortgage loan commitments under its various programs; to review the authority's operations for the prior month; and to consider such other matters and take such other actions as they may deem appropriate. Various committees of the Board of Commissioners may also meet during the day preceding the regular meeting and before and after the regular meeting and may 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 South Belvidere Street, Richmond, VA 23220, telephone (804) 343-5540, FAX (804) 783-6701, toll-free (800) 968-7837, (804) 783-6705/TTY ☎

## STATEWIDE INDEPENDENT LIVING COUNCIL

**October 11, 2001 - 1 p.m.** -- Open Meeting  
Blue Ridge Center for Independent Living, 1502 D Williamson Road, Roanoke, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular quarterly meeting.

**Contact:** Jim Rothrock, SILC Staff, Department of Rehabilitative Services, 1802 Marroit Rd. Richmond, VA 23229, telephone (804) 673-0119, FAX (804) 282-7118.

## VIRGINIA INTERAGENCY COORDINATING COUNCIL

**September 12, 2001 - 9:30 a.m.** -- Open Meeting  
Department of Information Technology, Richmond Plaza Building, 110 South 7th Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting to advise and assist the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services as lead agency for Part C (of IDEA), early intervention for infants and toddlers with disabilities and their families. Discussion will focus on

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# Calendar of Events

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issues related to Virginia's implementation of the Part C program.

**Contact:** LaKeishia L. White, Part C Office Services Specialist, Department of Mental Health, Mental Retardation and Substance Abuse Services, Early Intervention, 9th Floor, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3710 or FAX (804) 371-7959.

## JAMESTOWN-YORKTOWN FOUNDATION

**November 8, 2001 - 10 a.m.** -- Open Meeting

**November 9, 2001 - 8 a.m.** -- Open Meeting

Williamsburg Hospitality House, 415 Richmond Road, Williamsburg, Virginia. (Interpreter for the deaf provided upon request)

A semi-annual meeting of the Board of Trustees. Specific schedules to be confirmed. Public comment will not be heard.

**Contact:** Laura W. Bailey, Executive Assistant to the Board, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4840, FAX (757) 253-5299, (757) 253-7236/TTY, e-mail lwbailey@jyf.state.va.us.

## DEPARTMENT OF LABOR AND INDUSTRY

### Virginia Apprenticeship Council

**September 20, 2001 - 9 a.m.** -- Open Meeting

Virginia Employment Commission, 703 East Main Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the special subcommittee at 9 a.m. and a quarterly meeting of the council beginning at 10 a.m.

**Contact:** Beverley Donati, Assistant Program Manager, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY, e-mail bgd@doli.state.va.us.

### Virginia Apprenticeship Council Exemption from Examination Subcommittee

NOTE: CORRECTION IN MEETING TIME

**September 20, 2001 - 9:30 a.m.** -- Open Meeting

Virginia Employment Commission, 703 East Main Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A general meeting.

**Contact:** Beverley Donati, Assistant Program Manager, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY, e-mail bgd@doli.state.va.us.

## Virginia Migrant and Seasonal Farmworkers Board

**October 24, 2001 - 10 a.m.** -- Open Meeting

State Capitol, House Room 1, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular quarterly meeting.

**Contact:** Betty B. Jenkins, Board Administrator, Department of Labor and Industry, 13 S. 13th Street, Richmond, VA 23219, telephone (804) 782-2391, FAX (804) 371-6524, (804) 786-2376/TTY, e-mail bbj@doli.state.va.us.

## STATE LAND EVALUATION ADVISORY COUNCIL

**September 20, 2001 - 10 a.m.** -- Open Meeting

Department of Taxation, Richmond District Office, 1708 Commonwealth Avenue, 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, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8020.

## THE LIBRARY OF VIRGINIA

**September 17, 2001 - 8:15 a.m.** -- Open Meeting

**November 19, 2001 - 8:15 a.m.** -- Open Meeting

The Library of Virginia, 800 East Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the board to discuss matters pertaining to the Library of Virginia and the board. Committees of the board will meet as follows:

7:30 a.m. - Executive Committee, Conference Room B.

8:15 a.m. - Public Library Development Committee, Orientation Room;  
Publications and Educational Services Committee, Conference Room B;  
Records Management Committee, Conference Room C.

9:30 a.m. - Archival and Information Services Committee, Orientation Room;  
Collection Management Services Committee, Conference Room B;

Legislative and Finance Committee, Conference Room C.

10:30 a.m. - Library Board, Conference Room 2M.

**Contact:** Jean H. Taylor, Executive Secretary to the Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-2000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY, e-mail jtaylor@lva.lib.va.us.

## VIRGINIA MANUFACTURED HOUSING BOARD

**September 20, 2001 - 10 a.m.** -- Open Meeting

Department of Housing and Community Development, 501 North Second Street, 1st Floor, Board Room, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular monthly meeting of the board to handle complaints and claims involving manufactured housing, and administer the manufactured housing licensing regulations and the Transaction Recovery Fund.

**Contact:** Curtis L. McIver, State Building Code Administrator, Virginia Manufactured Housing Board, State Building Code Administrative Office, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7160, FAX (804) 371-7092, (804) 371-7089/TTY ☎, e-mail cmciver@dhcd.state.va.us.

## MARINE RESOURCES COMMISSION

**September 25, 2001 - 9:30 a.m.** -- Open Meeting

**October 23, 2001 - 9:30 a.m.** -- Open Meeting  
Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia. ♿

A monthly meeting.

**Contact:** Ginny Chappell, Commission Secretary, Marine Resources Commission, 2600 Washington Ave., Newport News, VA 23607, telephone (757) 247-2206, FAX (757) 247-2020, toll-free (800) 541-4646, (757) 247-2292/TTY ☎, e-mail gchappell@mrc.state.va.us.

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

### Pharmacy Liaison Committee

**September 10, 2001 - 1 p.m.** -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, Board Room, Suite 1300, Richmond, Virginia. ♿

A general meeting.

**Contact:** Marianne Rollings, R.Ph., Committee Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4268, FAX (804) 225-4393, (800) 343-0634/TTY ☎, e-mail mrollings@dmas.state.va.us.

## BOARD OF MEDICINE

**September 12, 2001 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

A meeting of the Advisory Committee on Acupuncture to consider periodic review of regulations and other issues as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

**September 13, 2001 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

A meeting of the Advisory Board on Athletic Training to consider matters related to regulations and other issues as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

**September 13, 2001 - 1 p.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

A meeting of the Advisory Board on Respiratory Care to consider periodic review of regulations and other issues as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

**September 14, 2001 - 1 p.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

A meeting of the Advisory Board on Physician Assistants to discuss regulations and legislation and other issues as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

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**September 14, 2001** - 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, and Chiropractic.** The proposed amendments replace emergency regulations establishing that of the 200 hours of acupuncture training required for doctors of medicine, osteopathy, podiatry and chiropractic to practice acupuncture, 50 hours must be in clinical practice.

Statutory Authority: §§ 54.1-2400 and 54.1-2956.9 of the Code of Virginia.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

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# Calendar of Events

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**September 26, 2001 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Conference Room 4, Richmond, Virginia. ♿

A meeting of the Advisory Board on Occupational Therapy to consider proposed regulations pursuant to its periodic review, related to supervision of unlicensed persons and other issues as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

**September 26, 2001 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Conference Room 4, Richmond, Virginia. ♿

A meeting of the Advisory Committee on Radiologic Technology to consider periodic review of regulations and other issues as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

**September 28, 2001 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Conference Room 2, Richmond, Virginia. ♿

A meeting of the Legislative Committee to discuss matters related to legislative and regulatory issues, receive reports from advisory committees, and consider other business as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

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**September 28, 2001** - 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 85-110-10 et seq. Regulations Governing the Practice of Licensed Acupuncturists.** The purpose of the proposed amendments is to establish the requirements for licensed acupuncturists to provide a form to patients recommending a diagnostic examination by a physician.

Statutory Authority: §§ 54.1-2400 and 54.1-2956.9 of the Code of Virginia.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA

23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

**October 24, 2001 - 8:30 a.m.** -- Open Meeting  
Wyndham Hotel, 2801 Hershberger Road, Roanoke, Virginia.

A panel of the board will convene a formal hearing to inquire into allegations that a practitioner may have violated laws and regulations governing the practice medicine and other healing arts in Virginia. The panel will meet in open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

**Contact:** Peggy Sadler or Renee Dixon, Staff, Board of Medicine, 6606 W. Broad St., Richmond VA, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail psadler@dhp.state.va.us.

## Informal Conference Committee

**September 27, 2001 - 9 a.m.** -- Open Meeting  
Williamsburg Marriott Hotel, 50 Kingsmill Road, Williamsburg, Virginia.

**October 4, 2001 - 9 a.m.** -- Open Meeting  
Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia.

**September 12, 2001 - 9 a.m.** -- Open Meeting  
**November 14, 2001 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia.

**September 20, 2001 - 9:45 a.m.** -- Open Meeting  
Wyndham Hotel, 2801 Hershberger Road, Roanoke, Virginia.

An informal conference committee composed of three members of the board will inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

**Contact:** Peggy Sadler/Renee Dixon, Staff, Board of Medicine, 6606 W. Broad St., Richmond, VA, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail PSadler@dhp.state.va.us.

## STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

† **September 19, 2001 - 10 a.m.** -- Open Meeting  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Lee Building, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to focus on the primary, on-going forum for articulating and building a consensus among consumers, families and other advocates, state agencies, and mental health providers and planners to ensure a system of treatment, services and supports of high quality for children and adults with serious emotional disturbances and mental illnesses.

**Contact:** Sterling G. Deal, Ph.D., Resource Analyst, State Mental Health, Mental Retardation and Substance Abuse

Services Board, P.O. Box 1797, Richmond, VA 23218, telephone (804) 371-2148, FAX (804) 786-1836, (804) 371-8977/TTY ☎

† **September 25, 2001 - 2 p.m.** -- Public Hearing  
Jefferson Building, 1220 Bank Street, Room 818, Richmond, Virginia. ♿

A public hearing to receive comments on the Virginia Substance Abuse Prevention and Treatment Block Grant Application for Federal FY 2002. Comments may be submitted at the hearing or in writing no later than September 25, 2001, to the Office of the Commissioner, DMHMRSAS, P.O. Box 1797, Richmond, VA 23218. Anyone wishing to speak should contact Mellie Randall.

**Contact:** Mellie Randall, Substance Abuse Resource Manager, State Mental Health, Mental Retardation and Substance Abuse Services Board, P.O. Box 1797, Richmond, VA 23218, telephone (804) 371-2135, FAX (804) 786-4320, e-mail mrandall@dmhmrsas.state.va.us.

## DEPARTMENT OF MINES, MINERALS AND ENERGY

† **September 26, 2001 - 9 a.m.** -- Open Meeting  
Oxbow Center, St. Paul, Virginia. ♿ (Interpreter for the deaf provided upon request)

The Permit Streamline and Standardization Workgroup will address forestry logging permits and their relation to mining, electronic permitting, impoundment flooding analysis and gas wells, and will brief on PEIS and WV mountaintop study.

**Contact:** Leslie S. Vincent, Chief Engineer, Department of Mines, Minerals and Energy, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (540) 523-8156, FAX (540) 523-8163, (800) 828-1120/TTY ☎, e-mail lsv@mme.state.va.us.

## MOTOR VEHICLE DEALER BOARD

**September 10, 2001 - 8:30 a.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Committees will meet as follows:

Dealer Practices Committee - 8:30 a.m.  
Franchise Law Committee - Five minutes after Dealer Practices Committee  
Licensing Committee - 10 a.m.  
Advertising Committee - Five minutes after Licensing Committee  
Personnel Committee - Five minutes after Advertising Committee  
Transaction Recovery Fund Committee - 1 p.m.  
Finance Committee - Five minutes after Transaction Recovery Fund Committee

The full board will meet at 1:45 p.m. Meetings may begin later, but not earlier than scheduled. Meeting end times are approximate. 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, toll-free (877) 270-0203, e-mail dboard@mvb.state.va.us.

## VIRGINIA MUSEUM OF FINE ARTS

**September 20, 2001 - 12:30 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, Auditorium, Richmond, Virginia. ♿

A quarterly meeting of the full board. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

## Architect Search Committee

**September 19, 2001 - 10 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO Building, 2nd Floor Conference Room, Richmond, Virginia. ♿

A quarterly meeting.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

## Buildings and Grounds Committee

**September 20, 2001 - 8:30 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO Building, 2nd Floor Conference Room, Richmond, Virginia. ♿

A quarterly meeting. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

## Collections Committee

**September 20, 2001 - 9:30 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, Auditorium, Richmond, Virginia. ♿

A quarterly meeting. Public comment will not be received.


**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

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# Calendar of Events

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## Communications and Marketing Committee

**September 19, 2001 - 3:15 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO Building, 2nd Floor Conference Room, Richmond, Virginia. 


A quarterly meeting. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.


## Education and Programs Committee

**September 19, 2001 - 2 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO Building, 2nd Floor Conference Room, Richmond, Virginia. 


A quarterly meeting. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.


## Exhibitions Committee

**September 19, 2001 - 4:30 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO Building, 2nd Floor Conference Room, Richmond, Virginia. 


A quarterly meeting. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.


## Finance Committee

**September 20, 2001 - 11 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, Main Lobby Conference Room, 2800 Grove Avenue, Richmond, Virginia. 


A quarterly meeting. Public Comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.


## Legislative Committee

**September 19, 2001 - 11:30 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, Main Lobby Conference Room, 2800 Grove Avenue, Richmond, Virginia. 


A quarterly meeting. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.


## Planning Committee

**September 19, 2001 - 12:30 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, Auditorium, 2800 Grove Avenue, Richmond, Virginia. 


A quarterly meeting. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.


## Program Review Committee

**September 19, 2001 - 9 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, Main Lobby Conference Room, 2800 Grove Avenue, Richmond, Virginia. 


A quarterly meeting. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.

## BOARD OF NURSING

**September 24, 2001 - 8:30 a.m.** -- Open Meeting  
**September 26, 2001 - 8:30 a.m.** -- Open Meeting  
**September 27, 2001 - 8:30 a.m.** -- Open Meeting  
**November 26, 2001 - 8:30 a.m.** -- Open Meeting  
**† November 28, 2001 - 8:30 a.m.** -- Open Meeting  
**† November 29, 2001 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. 

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, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.state.va.us.

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**September 25, 2001 - 3 p.m.** -- Public Hearing  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

**September 28, 2001** - 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 Nursing intends to amend regulations entitled: **18 VAC 90-20-10 et seq. Regulations Governing the Practice of Nursing.** The amendments are proposed to provide rules for the collection of data about the nursing workforce. Proposed amendments replace and are identical to emergency rules currently in effect.

Statutory Authority: §§ 54.1-2400 and 54.1-3012.1 of the Code of Virginia.



**Contact:** Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.state.va.us.

## Special Conference Committee

**October 2, 2001 - 8:30 a.m.** -- Open Meeting  
**October 9, 2001 - 8:30 a.m.** -- Open Meeting  
**October 15, 2001 - 8:30 a.m.** -- Open Meeting  
**October 16, 2001 - 8:30 a.m.** -- Open Meeting  
**October 18, 2001 - 8:30 a.m.** -- Open Meeting  
**October 22, 2001 - 8:30 a.m.** -- Open Meeting  
**October 23, 2001 - 8:30 a.m.** -- Open Meeting  
† **December 4, 2001 - 8:30 a.m.** -- Open Meeting  
† **December 5, 2001 - 8:30 a.m.** -- Open Meeting  
† **December 6, 2001 - 8:30 a.m.** -- Open Meeting  
† **December 10, 2001 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Rooms 3 and 4, Richmond, Virginia. ♿

A Special Conference Committee, comprised of two or three members of the Virginia Board of Nursing, will conduct informal conferences with licensees or 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, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.state.va.us.

## BOARD OF OPTOMETRY

† **September 21, 2001 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, 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, Board of Optometry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9910, FAX (804) 662-7098, (804) 662-7197/TTY ☎, e-mail cstamey@dhp.state.va.us.

## VIRGINIA OUTDOORS FOUNDATION

† **September 11, 2001 - 10 a.m.** -- Open Meeting  
Middle Peninsula Planning District Commission Office, Saluda, Virginia. ♿

The Advisory Board will meet to discuss the business of the board, review applications received for approval for funding under the Open Space Lands Preservation Trust Fund, and make recommendations for funding. Public comment will be received after the conclusion of the regular business meeting.

**Contact:** Estie Thomas, Conservation Easement Specialist, Virginia Outdoors Foundation, 203 Governor St., Richmond, VA 23219, telephone (804) 786-0801

† **September 18, 2001 - 10 a.m.** -- Open Meeting  
† **December 4, 2001 - 10 a.m.** -- Open Meeting  
† **December 5, 2001 - 10 a.m.** -- Open Meeting

State Capitol, House Room 2, Richmond, Virginia. ♿

A regularly scheduled meeting of the Board of Trustees to discuss the business of the Foundation and accept conservation easements. Public input will be accepted after the regular business meeting.

**Contact:** Tamara A. Vance, Executive Director, Virginia Outdoors Foundation, 203 Governor Street, telephone (804) 225-2147, homepage <http://virginiaoutdoorsfoundation.org>.

## BOARD OF PHARMACY

### Regulatory Committee

† **September 15, 2001 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 W. Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

Special Conference Committee to hear informal conferences. Public comments will not be received.

**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9911, FAX (804) 662-9313.

† **September 30, 2001 - 11 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

The committee will continue the review of pharmacy regulations and will receive comment at the beginning of the meeting.

**Contact:** Elizabeth Scott Russell, R.Ph., Executive Director, Board of Pharmacy, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY ☎, e-mail erussell@dhp.state.va.us.

## BOARD OF PHYSICAL THERAPY

**September 28, 2001** - 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 Physical Therapy intends to adopt regulations entitled: **18 VAC 112-10-10 et seq. Public Participation Guidelines**. The proposed regulations establish guidelines for public participation in the promulgation of regulations and replace emergency regulations currently in effect.

Statutory Authority: §§ 54.1-2400 and 54.1-3475 of the Code of Virginia.

**Contact:** Elizabeth Young Tisdale, Executive Director, Board of Physical Therapy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9924.

## POLYGRAPH EXAMINERS ADVISORY BOARD

**September 19, 2001 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

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# Calendar of Events

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A general meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretative 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, (804) 367-9753/TTY ☎, e-mail polygraph@dpor.state.va.us.

## BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

**September 17, 2001 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor, Conference Room, Richmond, Virginia. ♿

A regular meeting.

**Contact:** Judy Spiller, Executive Secretary, Board for Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8519, FAX (804) 367-9537, (804) 367-9753/TTY ☎, e-mail spiller@dpor.state.va.us.

## BOARD OF PSYCHOLOGY

† **September 11, 2001 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia ♿

A meeting of the Regulatory Committee to consider issues related to the regulation of psychologists and sex offender treatment providers. Public comment will be received at the beginning of the meeting.

**Contact:** Evelyn B. Brown, Executive Director, Board of Psychology, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail ebrown@dhp.state.va.us.

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**September 28, 2001** - 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 Psychology intends to amend regulations entitled: **18 VAC 125-10-10 et seq. Public Participation Guidelines.** The proposed amendments update the guidelines for public participation in the regulatory process of the board, specifically, to further enable electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 and of the Code of Virginia.

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

## VIRGINIA PUBLIC SCHOOL AUTHORITY

**September 14, 2001 - 9:30 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 3rd Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to consider applications and authorization for the Series 2001 B pool bond issue, which will have both subsidy and nonsubsidy components, and other related business.

**Contact:** Richard Davis, Manager, VPSA, Department of the Treasury, James Monroe Bldg., 101 N. 14th Street, 3rd Floor, Richmond, VA 23219, telephone (804) 225-4928, FAX (804) 225-3187, e-mail richard.davis@trs.state.va.us.

## VIRGINIA RACING COMMISSION

† **September 19, 2001 - 9:30 a.m.** -- Open Meeting  
† **October 17, 2001 - 9:30 a.m.** -- Open Meeting  
† **November 14, 2001 - 9:30 a.m.** -- Open Meeting  
Tyler Building, 1300 East Main Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A monthly meeting with a segment for public participation. The commission will hear reports on the unlimited harness racing meet by Colonial Downs. On September 19 the commission will hear reports on the preparations for the limited license harness racing meet by Oak Ridge Racing Associates.

**Contact:** William H. Anderson, Policy Analyst Senior, Virginia Racing Commission, 10700 Horsemen's Rd., New Kent, VA 23214, telephone (804) 966-7404, FAX (804) 966-7418, e-mail Anderson@vrc.state.va.us

## REAL ESTATE APPRAISER BOARD

**October 23, 2001 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A general business meeting.

**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, e-mail reboard@dpor.state.va.us.

## REAL ESTATE BOARD

† **September 12, 2001 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A general meeting of the Regulatory Review Committee.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad

St., Richmond, VA, telephone (804) 367-8552, FAX (804) 367-2475, e-mail reboard@dpor.state.va.us.

**September 12, 2001 - 4 p.m.** -- Open Meeting

**September 24, 2001 - 4 p.m.** -- Canceled

**October 24, 2001 - 4 p.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A general business meeting of the Real Estate Education Committee.

**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, e-mail reboard@dpor.state.va.us.

**September 13, 2001 - 8 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A general business meeting of the Fair Housing Committee.

**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, e-mail reboard@dpor.state.va.us.

**September 13, 2001 - 9 a.m.** -- Open Meeting

**October 25, 2001 - 9 a.m.** -- Open Meeting


Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A general business meeting.


**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, e-mail reboard@dpor.state.va.us.

## VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

**September 11, 2001 - 10 a.m.** -- Open Meeting

Department of Environmental Quality, 629 East Main Street, 1st Floor Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Subcommittee meetings may be held prior to or after the general council meeting. Call or e-mail Michael Murphy.


**Contact:** Michael P. Murphy, Director, Environmental Enhancement, Virginia Recycling Markets Development Council, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4003, FAX (804) 698-4319, toll-free 1-800-592-5482, (804) 698-4021/TTY , e-mail mpmurphy@deq.state.va.us.

## DEPARTMENT OF REHABILITATIVE SERVICES


† **September 13, 2001 - 1 p.m.** -- Open Meeting

† **October 19, 2001 - 1 p.m.** -- Open Meeting


† **October 22, 2001 - 4 p.m.** -- Open Meeting

Department of Rehabilitative Services, 8004 Franklin Farms Drive, Lee Building, 1st Floor, Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


† **November 19, 2001 - 4 p.m.** -- Open Meeting

Woodrow Wilson Rehabilitation Center, The William Caschette Chapel Fishersville, Virginia.  (Interpreter for the deaf provided upon request)

**November 27, 2001 - 4 p.m.** -- Open Meeting

Higher Education Center Grand Hall Left 1 Partnership Circle Abingdon, Virginia.  (Interpreter for the deaf provided upon request)

A public forum for Virginians to discuss vocational rehabilitation and supported employment planning

**Contact:** Katherine Lawson, Planner, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300 Richmond, VA 23288-0300, telephone (804) 662-7255, FAX (804) 662-7696, toll-free (800) 552-5019, (804) 662-9040/TTY , e-mail lawsonkw@drs.state.va.us.

## VIRGINIA RESOURCES AUTHORITY

**September 11, 2001 - 9 a.m.** -- Open Meeting


† **October 9, 2001 - 8 a.m.** -- Open Meeting

† **November 13, 2001 - 8 a.m.** -- Open Meeting

† **December 11, 2001 - 8 a.m.** -- Open Meeting

Virginia Resources Authority, 707 East Main Street, 2nd Floor Conference Room, Richmond, Virginia.

† **September 21, 2001 - 9 a.m.** -- Open Meeting

Woodstone Meadows Building, Massanutten Resort, Massanutten, Virginia. 

A regular meeting of the Board of Directors to (i) review and, if appropriate, approve the minutes from the most recent monthly meeting; (ii) review the authority's operations for the prior month; (iii) review applications for loans submitted to the authority for approval; (iv) consider loan commitments for approval and ratification under its various programs; (v) approve the issuance of any bonds; (vi) review the results of any bond sales; and (vii) consider such other matters and take such other actions as it may deem appropriate. Various committees of the Board of Directors may also meet immediately before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting and any committee meetings will be available at the offices of the authority one week prior to the date of the meeting. Any person who needs any accommodation in order to participate in the meeting should contact the authority at least 10 days before the meeting so that suitable arrangements can be made.


**Contact:** Benjamin Hoyle, Executive Assistant, Virginia Resources Authority, 707 E. Main St., Suite 1350, Richmond, VA 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-mail bhoyle@vra.state.va.us.

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# Calendar of Events

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## SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

**September 19, 2001 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. 

A meeting to hear appeals of health department denials of septic tank permits.

**Contact:** Susan Sherertz, Secretary to the Board, Sewage Handling and Disposal Appeal Review Board, 1500 E. Main St., Room 117, Richmond, VA 23219, telephone (804) 371-4236, FAX (804) 225-4003, e-mail ssherertz@vdh.state.va.us.


## VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

† **September 25, 2001 - 10 a.m.** -- Open Meeting  
Department of Business Assistance, 707 East Main Street, 3rd Floor, Board Room, Richmond, Virginia. 

A meeting to review applications for loans submitted to the authority for approval and general business of the board. Time is subject to change depending upon the agenda of the board.


**Contact:** Scott E. Parsons, Executive Director, Department of Business Assistance, P.O. Box 446, Richmond, VA 23218-0446, telephone (804) 371-8254, FAX (804) 225-3384, e-mail sparsons@dba.state.va.us.

## STATE BOARD OF SOCIAL SERVICES

**September 28, 2001 - 10 a.m.** -- Open Meeting  
Virginia Department of Social Services, 730 East Broad Street, 8th Floor, Richmond, Virginia. 

A regular meeting of the Family and Children's Trust Fund.

**Contact:** Nan McKenney, Executive Director, State Board of Social Services, 730 E. Broad St., 8th Floor, Richmond, VA 23219-1849, telephone (804) 692-1823, FAX (804) 692-1869.

**October 15, 2001 - 1:30 p.m.** -- Public Hearing  
**October 19, 2001 - 10 a.m.** -- Public Hearing  
Department of Social Services, 730 East Broad Street, Richmond, Virginia. 

A public hearing on the Commonwealth's Temporary Assistance for Needy Families program state plan.

**Contact:** Carolyn Snook, TANF Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1836, FAX (804) 692-1709.

## BOARD FOR PROFESSIONAL SOIL SCIENTISTS

**October 12, 2001** - 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 Professional Soil Scientists intends to amend regulations entitled: **18 VAC**

**145-20-10 et seq. Board for Soil Scientists Rules and Regulations.** The proposed amendments make several changes necessary to reflect the intent of the board and to ensure that any unnecessary requirements are removed. The proposed amendments also reorganize and revise the regulations for clarity and ease of use.

Statutory Authority: §§ 54.1-201 and 54.1-2200 et seq. of the Code of Virginia.

**Contact:** Karen W. O'Neal, Assistant Director, Board for Professional Soil Scientists, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537.

## DEPARTMENT OF TAXATION

**September 24, 2001 - 10 a.m.** -- Public Hearing  
Department of Motor Vehicles, 2300 West Broad Street, Williamsburg Room, Richmond, Virginia.

**October 12, 2001** - 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 Taxation intends to adopt regulations entitled: **23 VAC 10-110-10 et seq. Individual Income Tax.** The purpose of the proposed action is to replace expired emergency regulations with permanent regulations for claiming the qualified equity and subordinated debt investments tax credit and for allocating tax credits if total credit requests exceed \$5 million in a calendar year.

Public comments may be submitted until October 12, 2001, to David T. Mason, Department of Taxation, P.O. Box 1880, Richmond, VA 23220-1880, e-mail dmason@tax.state.va.us.

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


**Contact:** Michael M. Melson, Executive Assistant, Department of Taxation, P.O. Box 1880, Richmond, VA 23220-1880, telephone (804) 367-8010 or FAX (804) 367-0045.

## COUNCIL ON TECHNOLOGY SERVICES

**September 24, 2001 - 9 a.m.** -- Open Meeting  
Virginia Military Institute, Lexington, Virginia.

A general meeting.

**Contact:** Jenny Wootton, Council on Technology Services, Washington Bldg., 1100 Bank St., Suite 901, Richmond, VA 23219, telephone (804) 786-0744, FAX (804) 371-7952, e-mail jwootton@egov.state.va.us.


**November 8, 2001 - 9 a.m.** -- Open Meeting  
VDOT Auditorium, 1221 East Broad Street, Richmond, Virginia. 

A full group meeting.

**Contact:** Jenny Wootton, Secretary of Technology, 1100 Bank St., Suite 901, Richmond, VA 23219, telephone (804)

786-0744, FAX (804) 371-7952, e-mail  
jwootton@egov.state.va.us.

## DEPARTMENT OF TECHNOLOGY PLANNING

† **September 12, 2001 - 10 a.m.** -- Open Meeting  
Crowne Plaza Hotel, 555 East Canal Street, Richmond,  
Virginia. 

A regular monthly meeting of the Wireless E-911 Services Board.

**Contact:** Steve Marzolf, Public Safety Communications Coordinator, Department of Technology Planning, 110 S. 7th St., Suite 135, Richmond, VA, telephone (804) 371-0015, FAX (804) 371-2795, e-mail smarzolf@ntp.state.va.us.


## VIRGINIA TOBACCO SETTLEMENT FOUNDATION

**September 11, 2001 - 1:30 p.m.** -- Open Meeting  
Virginia Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia.

A meeting of the Board of Trustees. The purpose of the foundation is to utilize 10% of the funds the Commonwealth of Virginia will receive through the Master Settlement Agreement. The focus of the foundation is youth tobacco use prevention.

**Contact:** Karen B. Harris, Administrative Staff Specialist, Virginia Tobacco Settlement Foundation, 701 E. Franklin St., 5th Floor, Richmond, VA 23219, telephone (804) 786-2523, FAX (804) 225-2272, e-mail kharris@tsf.state.va.us.

## COMMONWEALTH TRANSPORTATION BOARD

**September 19, 2001 - 2 p.m.** -- Open Meeting  
Department of Transportation, 1221 East Broad Street, Auditorium, Richmond, Virginia. 

A work session of the Commonwealth Transportation Board and the Department of Transportation staff.

**Contact:** Cathy M. Ghidotti, Assistant Secretary to the Board, Commonwealth Transportation Board, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675, FAX (804) 786-6683, e-mail ghidotti\_cm@vdot.state.va.us.

**September 20, 2001 - 10 a.m.** -- Open Meeting  
Department of Transportation, 1221 East Broad Street, Auditorium, Richmond, Virginia. 

A monthly meeting 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 opportunity for public comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact VDOT Public Affairs at (804) 786-2715 for schedule.

**Contact:** Cathy M. Ghidotti, Assistant Secretary to the Board, Commonwealth Transportation Board, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675, FAX (804) 786-6683, e-mail ghidotti\_cm@vdot.state.va.us.

## VIRGINIA EMPLOYMENT COMMISSION

**September 17, 2001 - 1 p.m.** -- Public Hearing  
Virginia Employment Commission, 703 East Main Street, 1st Floor, Conference Room, Richmond, Virginia.

**September 28, 2001** - 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 Virginia Employment Commission intends to amend regulations entitled: **16 VAC 5-10-10 et seq. Definitions and General Provisions; 16 VAC 5-60-10 et seq. Benefits; 16 VAC 5-70-10 et seq. Interstate and Multistate Claimants; 16 VAC 5-80-10 et seq. Adjudication.** The purpose of the proposed action is to amend the regulations to establish unemployment application by telephone and the Internet and establish adjudication by telephone and incorporate other policy and statutory changes.

Statutory Authority: § 60.2-111 A of the Code of Virginia.

**Contact:** Lynnette H. Coughlin, Regulatory Coordinator, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-1070 or FAX (804) 225-3923.

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**September 17, 2001 - 1 p.m.** -- Public Hearing  
Virginia Employment Commission Central Office, 703 East Main Street, 1st Floor, Conference Room 125, Richmond, Virginia.

**September 28, 2001** - 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 Virginia Employment Commission intends to amend regulations entitled: **16 VAC 5-20-10 et seq. Unemployment Taxes.** The purpose of the proposed action is to eliminate requirements for reimbursable nonprofit employers to post a surety bond.

Statutory Authority: § 60.2-111 A of the Code of Virginia.

**Contact:** Lynnette H. Coughlin, Regulatory Coordinator, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-1070 or FAX (804) 225-3923.

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**September 17, 2001 - 1 p.m.** -- Public Hearing  
Virginia Employment Commission Central Office, 703 East Main Street, 1st Floor, Conference Room, Richmond, Virginia.

**September 28, 2001** - Public comments may be submitted until this date.

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# Calendar of Events


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Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Employment Commission intends to amend regulations entitled: **16 VAC 5-32-10 et seq. Required Records and Reports.** The purpose of the proposed amendments is to codify current state and federal policies regarding the records employers may be required to produce to verify income reporting and to allow employers to submit reports electronically.

Statutory Authority: § 60.2-111 of the Code of Virginia.


**Contact:** Lynnette H. Coughlin, Regulatory Coordinator, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-1070 or FAX (804) 225-3923.

## VIRGINIA VOLUNTARY FORMULARY BOARD

**September 17, 2001 - 10 a.m.** -- Public Hearing  
Washington Building, 1100 Bank Street, 2nd Floor Conference Room, Richmond, Virginia. 

A public hearing to consider the adoption and issuance of revisions to the Virginia Voluntary Formulary. The proposed revisions to the formulary add and delete drugs to and from the Virginia Voluntary Formulary. Copies of the proposed revisions to the Virginia Voluntary Formulary are available for inspection at the Bureau of Pharmacy Services, Virginia Department of Health, Monroe Building, 101 North 14th Street, Room S-45, P.O. Box 2448, Richmond, Virginia 23218. Written comments sent to the above address and received prior to 5 p.m. on September 17, 2001, will be made a part of the hearing record and considered by the Formulary Board.


**Contact:** James K. Thomson, Director, Bureau of Pharmacy Services, Department of Health, 101 N. 14th St., Room S-45, Richmond, VA 23219, telephone (804) 786-4326.

† **October 16, 2001 - 10:30 a.m.** -- Open Meeting  
Washington Building, 1100 Bank Street, 2nd Floor, Conference Room, Richmond Virginia. 

A meeting to review public hearing comments and new product data for products being considered for inclusion in the Virginia Voluntary Formulary.

**Contact:** James K. Thomson, Director, Bureau of Pharmacy Services, Department of Health, 101 N. 14th St., Room S-45, Richmond, VA 23219, telephone (804) 786-4326.

## STATE WATER CONTROL BOARD

**September 11, 2001 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

A meeting of the advisory committee assisting in the development of regulations for the reuse of reclaimed wastewater.

**Contact:** Lily Choi, State Water Control Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA

23240, telephone (804) 698-4054, FAX (804) 698-4032, e-mail ychoi@deq.state.va.us.


\* \* \* \* \*

**September 14, 2001** -- 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 Water Control Board intends to amend regulations entitled: **9 VAC 25-650-10 et seq. Closure Plan and Demonstration of Financial Capability.** The purpose of the proposed regulation is to establish requirements for privately owned sewerage treatment systems and sewerage treatment works that discharge more than 1,000 and less than 40,000 gallons per day to have a closure plan and demonstrate financial capability to implement the plan.


Statutory Authority: § 62.1-44.15(10) of the Code of Virginia.

**Contact:** Jon van Soestbergen, State Water Control Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4117, FAX (804) 698-4032, e-mail jvansoest@deq.state.va.us.


† **September 14, 2001 - 1 p.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, 10th Floor Conference Room, Richmond, Virginia. 


A meeting of the advisory committee assisting the department in the development of a proposed general permit for small municipal separate storm sewer systems.

**Contact:** Burt Tuxford, State Water Control Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4086, FAX (804) 698-4032, e-mail brtuxford@deq.state.va.us.

† **September 19, 2001 - 10 a.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. 


A meeting of the advisory committee assisting the department in the development of proposed amendments to the Water Quality Standards.

**Contact:** Eleanore Daub, State Water Control Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, (804) 698-4021/TTY , e-mail emdaub@deq.state.va.us.

† **October 2, 2001 - 10 a.m.** -- Open Meeting  
† **November 13, 2001 - 10 a.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, 10th Floor Conference Room, Richmond, Virginia. 

A meeting of the advisory committee assisting the department in the development of amendments to the storm water general VPDES permit for construction activities.


**Contact:** Burton Tuxford, State Water Control Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4086, FAX (804) 698-4032, e-mail brtuxford@deq.state.va.us.

**October 4, 2001 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets,  
Richmond, Virginia. 


A regular board meeting.

**Contact:** Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail [cmberndt@deq.state.va.us](mailto:cmberndt@deq.state.va.us).


## VIRGINIA BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

† **September 20, 2001 - 8:30 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. A public comment period will be held at the beginning of the meeting.


**Contact:** Christine Martine, Acting Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, Virginia 23230, telephone (804) 367-2648, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail [waterwasteoper@dpor.state.va.us](mailto:waterwasteoper@dpor.state.va.us).

## VIRGINIA WORKFORCE COUNCIL


**September 12, 2001 - 2 p.m.** -- Open Meeting  
703 East Main Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

**October 3, 2001 - 2:30 p.m.** -- Open Meeting  
Sheraton West, Midlothian Turnpike, Richmond, Virginia.


Public comment is scheduled for 11 a.m. on October 3, 2001. Comments are limited to five minutes per speaker and a written copy of the remarks is requested.

**Contact:** Gail Robinson, Liaison, Virginia Workforce Council, 703 E. Main Street, Richmond, VA 23219, telephone (804) 225-3070, FAX (804) 225-2190, (800) 828-1120/TTY , e-mail [grobenson@vec.state.va.us](mailto:grobenson@vec.state.va.us), homepage <http://vec.com>.


### High Technology Workforce Training Needs Committee

† **September 12, 2001 - 2 p.m.** -- Open Meeting  
703 East Main Street, Richmond, Room 304, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


Overview of the May 15 workforce Development Symposium held at the Virginia Science Museum.

**Contact:** Gail Robinson, Liaison, Virginia Workforce Council, 703 E. Main Street, Richmond, VA 23219, telephone (804) 225-3070, FAX (804) 225-2190, (800) 828-1120/TTY , e-mail [grobenson@vec.state.va.us](mailto:grobenson@vec.state.va.us).


### Job Ready and Emerging Workforce Committee

† **September 12, 2001 - 2 p.m.** -- Open Meeting  
703 East Main Street, Room 304, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


Agenda to be announced. Public comment scheduled for 3 p.m. Written copies of remarks are desirable.

**Contact:** Gail Robinson, Liaison, Virginia Workforce Council, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 225-2190, (800) 786-1485/TTY , e-mail [grobenson@vec.state.va.us](mailto:grobenson@vec.state.va.us).

### Joint meeting of Job Ready and Emerging Workforce and the High Tech Committees


† **September 12, 2001 - 2 p.m.** -- Open Meeting  
703 East Main Street, Room 304, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Agenda: (i) committee recommendations to the Council (ii) Workforce Training Access Program and Fund (iii) Recommendations from the Workforce Development Roundtable Symposium held at the Science Museum on May 15, 2001. Meetings are open to the public. Public comment scheduled for 3 p.m. Written copies of remarks are desirable.

**Contact:** Gail Robinson, Liaison, Virginia Workforce Council, 703 E. Main St., Richmond, VA 23219, telephone (804) 225-3070, FAX (804) 225-2190, (800) 828-1120/TTY , e-mail [grobenson@vec.state.va.us](mailto:grobenson@vec.state.va.us).

## INDEPENDENT

### STATE LOTTERY BOARD

**September 12, 2001 - 9:30 a.m.** -- Open Meeting  
Pocahontas Building, 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, Virginia State Lottery, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7105, FAX (804) 692-7775, e-mail [brobertson@valottery.state.va.us](mailto:brobertson@valottery.state.va.us).

### VIRGINIA RETIREMENT SYSTEM

† **October 17, 2001 - 3 p.m.** -- Open Meeting  
Virginia Retirement System Headquarters, 1200 East Main Street, Richmond, Virginia. 

A special meeting of Benefits and Actuarial Committee and the VRS actuary, Watson Wyatt.

**Contact:** Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail [dglazier@vrs.state.va.us](mailto:dglazier@vrs.state.va.us).

**November 14, 2001 - Noon** -- Open Meeting  
VRS Headquarters, 1200 East Main Street, Richmond, Virginia. 

A regular meeting of the Audit and Compliance Committee.

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# Calendar of Events

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**Contact:** Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail dkestner@vrs.state.va.us.

† **November 14, 2001 - 1 p.m.** -- Open Meeting  
VRS Headquarters, 1200 East Main Street, Richmond, Virginia.📍

The regular meeting of the Benefits and Actuarial Committee.

**Contact:** Darla K. Glazier, Office Manager, Virginia Retirement System, VRS, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail dglazier@vrs.state.va.us.

**September 19, 2001 - 3 p.m.** -- Open Meeting  
**November 14, 2001 - 3 p.m.** -- Open Meeting  
VRS Headquarters, 1200 East Main Street, Richmond, Virginia.📍

A regular meeting of the Investment Advisory Committee.

**Contact:** Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail dglazier@vrs.state.va.us.

† **October 18, 2001 - 9 a.m.** -- Open Meeting  
**November 15, 2001 - 9 a.m.** -- Open Meeting  
VRS Headquarters, 1200 East Main Street, Richmond, Virginia.📍

A regular meeting of the Board of Trustees.

**Contact:** Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail dkestner@vrs.state.va.us.

NOTE: CHANGE IN MEETING DATE  
† **November 14, 2001 - 2:30 p.m.** -- Open Meeting  
VRS Headquarters, 1200 East Main Street, Richmond, Virginia.📍

The regular meeting of the Administration and Personnel Committee.

**Contact:** Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail dkestner@vrs.state.va.us.

## LEGISLATIVE

### ADMINISTRATIVE LAW ADVISORY COMMITTEE

† **September 24, 2001 - 10 a.m.** -- Open Meeting  
General Assembly Building, 910 Capitol Street, House Redistricting Room, Richmond, Virginia.📍

A subcommittee of the Administrative Law Advisory Committee (ALAC) appointed to study the administrative hearing officer system as it relates to appeals of special education decisions will hold a work session.

**Contact:** Bess Hodges, Program Director, Administrative Law Advisory Committee, General Assembly Building, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625, e-mail bhodges@leg.state.va.us.

### VIRGINIA CODE COMMISSION

**October 3, 2001 - 10 a.m.** -- Open Meeting  
**October 4, 2001 - 10 a.m.** -- Open Meeting  
**November 15, 2001 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, 6th Floor, Speaker's Conference Room, Richmond, Virginia.📍

A meeting to continue with the recodification of Title 63.1 of the Code of Virginia and to conduct any other business that may come before the commission. Public comment will be received at the end of the meeting.

**Contact:** Jane Chaffin, Registrar of Regulations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591 FAX (804) 692-0625, e-mail jchaffin@leg.state.va.us.

### HOUSE COMMITTEE ON CORPORATIONS, INSURANCE AND BANKING

**September 14, 2001 - 9:30 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.📍

A regular meeting. Questions about the agenda should be addressed to Frank Munyan, Division of Legislative Services, (804) 786-3591.

**Contact:** Dawn B. Smith, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

### DR. MARTIN LUTHER KING, JR. MEMORIAL COMMISSION

† **September 13, 2001 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.📍

A regular meeting. Questions about the agenda should be addressed to Brenda Edwards, Division of Legislative Services, (804) 786-3591.

**Contact:** Dawn B. Smith, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎



## JOINT SUBCOMMITTEE TO STUDY CREATION OF A NORTHERN VIRGINIA REGIONAL TRANSPORTATION AUTHORITY

**September 12, 2001 - 9:30 a.m.** -- Open Meeting  
Fairfax County Government Center, 12000 Government  
Center Parkway, Room 232, Fairfax, Virginia.

A regular meeting. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least seven working days prior to the meeting.

**Contact:** Thomas C. Gilman, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

## JOINT COMMISSION ON PRESCRIPTION DRUG ASSISTANCE (HJR 810)

**September 12, 2001 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House  
Room C, Richmond, Virginia. ♿

**October 10, 2001 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House  
Room D, Richmond, Virginia. ♿

A meeting of the joint commission to develop ways and means to provide prescription drug assistance to needy senior citizens and to coordinate state and federal programs providing such assistance. Questions about the agenda should be addressed to Gayle Vergara, Division of Legislative Services, (804) 786-3591.

**Contact:** Lois V. Johnson, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## JOINT SUBCOMMITTEE STUDYING THE RESPONSIBILITIES, POLICIES, AND ACTIVITIES OF THE STATE CORPORATION COMMISSION

**September 19, 2001 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House  
Room C, Richmond, Virginia. ♿

A regular meeting. Individuals with questions about the agenda or who require interpreter services or other special accommodations should contact 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 ☎

## COMMISSION ON THE FUTURE OF VIRGINIA'S ENVIRONMENT

**September 26, 2001 - 1 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate  
Room B, Richmond, Virginia. ♿

A regular meeting. Individuals with questions about the agenda or who require interpreter services or other special accommodations should contact 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 ☎

## CHRONOLOGICAL LIST

### OPEN MEETINGS

#### September 10

Barbers and Cosmetology, Board for  
Medical Assistance Services, Department of  
- Pharmacy Liaison Committee  
Motor Vehicle Dealer Board  
- Advertising Committee  
- Dealer Practices Committee  
- Finance Committee  
- Franchise Law Committee  
- Licensing Committee  
- Personnel Committee  
- Transaction Recovery Fund Committee

#### September 11

Funeral Directors and Embalmers, Board of  
Higher Education for Virginia, State Council of  
† Outdoors Foundation, Virginia  
† Psychology, Board of  
- Regulatory Committee  
Recycling Markets Development Council, Virginia  
Resources Authority, Virginia  
- Board of Directors  
Tobacco Settlement Foundation, Virginia  
- Board of Trustees  
Water Control Board, State

#### September 12

Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
† Health, Department of  
Historic Resources, Department of  
- State Review and Historic Resources Board  
Housing and Community Development, Board of  
- Codes and Standards Committee  
† Housing Development Authority, Virginia  
- Board of Commissioners  
Interagency Coordinating Council, Virginia  
Lottery Board, State  
Medicine, Board of  
- Advisory Committee on Acupuncture  
- Informal Conference Committee  
Northern Virginia Regional Transportation Authority, Joint  
Subcommittee to Study Creation of  
Prescription Drug Assistance, Joint Commission on  
† Real Estate Board  
- Real Estate Education Committee  
- Regulatory Review Commission  
† Technology Planning, Department of  
- Wireless E-911 Services Board  
Workforce Council, Virginia

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# Calendar of Events

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- Job Ready and Emerging Workforce and High Technology Workforce Training Needs Committees

## September 13

- Child Day-Care Council
- Conservation and Recreation, Department of
  - Falls of the James Scenic River Advisory Board
- Criminal Justice Services Board
  - Committee on Training
- † Dentistry, Board of
- † Dr. Martin Luther King, Jr. Memorial Commission
- Medicine, Board of
  - Advisory Board on Athletic Training
  - Advisory Board on Respiratory Care
- Real Estate Board
  - Fair Housing Committee
- † Rehabilitative Services, Department of

## September 14

- Corporations, Insurance and Banking, Committee on
- † Dentistry, Board of
- Medicine, Board of
  - Advisory Board on Physician Assistants
- Public School Authority, Virginia
- † Water Control Board, State

## September 15

- Blind and Vision Impaired, Department for the
  - Statewide Rehabilitation Council for the Blind
- † Pharmacy, Board of
  - Regulatory Committee

## September 17

- † Chesapeake Bay Local Assistance Board
- † Emergency Planning Committee, Local
  - Prince William County, Manassas City and Manassas Park
- Hearing Aid Specialists, Board for
- The Library of Virginia
  - Archival and Information Services Committee
  - Collection Management Services Committee
  - Executive Committee
  - Legislative and Finance Committee
  - Publications and Educational Services Committee
  - Public Library Development Committee
  - Records Management Committee
- Professional and Occupational Regulation, Board for

## September 18

- † Outdoors Foundation, Virginia

## September 19

- Community College, State Board of
  - Academic and Students Affairs Committee
  - Audit Committee
  - Budget and Finance Committee
  - Facilities and Personnel Committee
- Contractors, Board for
- Funeral Directors and Embalmers, Board of
  - Regulatory/Bylaws Committee
- † Mental Health, Mental Retardation and Substance Abuse Services, State Board of
- Museum of Fine Arts, Virginia
  - Architect Search Committee
  - Communications and Marketing Committee
  - Education and Programs Committee
  - Exhibitions Committee
  - Legislative Committee

- Planning Committee
- Program Review Committee
- Polygraph Examiners Advisory Board
- † Racing Commission, Virginia
- Retirement System, Virginia
  - Investment Advisory Committee
- Responsibilities, Policies, and Activities of the State Corporation Commission, Joint Subcommittee Studying the
- Sewage Handling and Disposal Appeal Review Board
- Transportation Board, Commonwealth
- † Water Control Board, State

## September 20

- † Aging, Commonwealth Council on
- Air Pollution Control Board, State
- Assistive Technology Loan Fund Authority
  - Board of Directors
- Community Colleges, State Board of
- Conservation and Recreation, Department of
  - Virginia Soil and Water Conservation Board
- Education, Board of
  - Accountability Advisory Committee
- Labor and Industry, Department of
  - Virginia Apprenticeship Council
  - Virginia Apprenticeship Council Exemption from Examination Subcommittee
- Land Evaluation Advisory Council, State
- † Manufactured Housing Board, Virginia
- Medicine, Board of
  - Informal Conference Committee
- Museum of Fine Arts, Virginia
  - Buildings and Grounds Committee
  - Collection Committee
  - Finance Committee
- Transportation Board, Commonwealth
- † Waterworks and Wastewater Works Operators, Board for

## September 21

- Correctional Education, Board of
- † Economic Development Partnership, Virginia
- † Optometry, Board of
- † Resources Authority, Virginia
  - Board of Directors

## September 24

- † Administrative Law Advisory Committee
- Nursing, Board of
- Technology Services, Council on

## September 25

- † Compensation Board
- † Funeral Directors and Embalmers, Board of
  - Special Conference Committee
- Marine Resources Commission
- † Small Business Financing Authority, Virginia
  - Board of Directors

## September 26

- Agriculture and Consumer Services, Department of
  - Virginia Horse Industry Board
- At-Risk Youth and Families, Comprehensive Services for
  - State Executive Council
- Education, Board of
- † George Mason University
  - Board of Visitors

† Hazardous Materials Emergency Response Advisory  
Counsel, State  
Medicine, Board of  
- Advisory Board on Occupational Therapy  
- Advisory Committee on Radiologic Technology  
† Mines, Minerals and Energy, Department of  
Nursing, Board of  
Virginia's Environment, Commission on the Future of

## September 27

Agriculture and Consumer Services, Department of  
- Virginia Charity Food Assistance Board  
Medicine, Board of  
- Informal Conference Committee  
Nursing, Board of

## September 28

† Dentistry, Board of  
Medicine, Board of  
- Legislative Committee  
Social Services, State Board of

## September 30

† Pharmacy, Board of  
- Regulatory Committee

## October 2

† Agriculture and Consumer Services, Department of  
- Board of Agriculture and Consumer Services  
Nursing, Board of  
- Special Conference Committee  
† Water Control Board, State

## October 3

Code Commission, Virginia  
Workforce Council, Virginia

## October 4

Code Commission, Virginia  
Medicine, Board of  
- Informal Conference Committee  
Water Control Board, State

## October 5

Art and Architectural Review Board

## October 7

† Gunston Hall Plantation  
- Board of Regents

## October 9

Nursing, Board of  
- Special Conference Committee  
† Resources Authority, Virginia  
- Board of Directors

## October 10

Prescription Drug Assistance, Joint Commission on

## October 11

Statewide Independent Living Council

## October 15

Nursing, Board of  
- Special Conference Committee

## October 16

Blind and Vision Impaired, Department for the  
Nursing, Board of  
- Special Conference Committee  
† Voluntary Formulary Board, Virginia

## October 17

† Racing Commission, Virginia  
† Retirement System, Virginia  
- Benefits and Actuarial Committee

## October 18

Assistive Technology Loan Fund Authority  
- Board of Directors  
Nursing, Board of  
- Special Conference Committee  
Retirement System, Virginia  
- Board of Trustees

## October 19

† Rehabilitative Services, Department of

## October 22

Education, Board of  
Nursing, Board of  
- Special Conference Committee  
† Rehabilitative Services, Department of

## October 23

Marine Resources Commission  
Nursing, Board of  
- Special Conference Committee  
Real Estate Appraiser Board

## October 24

† George Mason University  
- Board of Visitors  
Labor and Industry, Department of  
- Migrant and Seasonal Farmworkers Board  
Medicine, Board of  
Real Estate Board  
- Real Estate Education Committee

## October 25

Real Estate Board

## October 26

† Health Professions, Department of  
- Health Practitioners' Intervention Program

## October 30

† Asbestos and Lead, Virginia Board for

## October 31

At-Risk Youth and Families, Comprehensive Services for  
- State Executive Council

## November 2

Art and Architectural Review Board

## November 7

Air Pollution Control Board, State

## November 8

Jamestown-Yorktown Foundation  
- Board of Trustees  
Technology Services, Council on

## November 9

Jamestown-Yorktown Foundation  
- Board of Trustees

## November 13

† Resources Authority, Virginia  
- Board of Directors  
† Water Control Board, State

## November 14

Medicine, Board of  
- Informal Conference Committee  
† Racing Commission, Virginia  
Retirement System, Virginia  
- Administration and Personnel Committee  
- Audit and Compliance Committee  
- Benefits and Actuarial Committee  
- Investment Advisory Committee

## November 15

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# Calendar of Events

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- Code Commission, Virginia  
Retirement System, Virginia  
- Board of Trustees
- November 19**  
The Library of Virginia  
- Archival and Information Services Committee  
- Collection Management Services Committee  
- Executive Committee  
- Legislative and Finance Committee  
- Publications and Educational Services Committee  
- Public Library Development Committee  
- Records Management Committee  
† Rehabilitative Services, Department of
- November 26**  
Elections, State Board of  
Nursing, Board of
- November 27**  
† Rehabilitative Services, Department of
- November 28**  
† At-Risk Youth and Families, Comprehensive Services for  
- State Executive Council  
† Education, Board of  
† George Mason University  
- Board of Visitors  
† Nursing, Board of
- November 29**  
† Nursing, Board of
- December 4**  
† Education, Board of  
† Nursing, Board of  
- Special Conference Committee  
† Outdoors Foundation, Virginia
- December 5**  
† Nursing, Board of  
- Special Conference Committee  
† Outdoors Foundation, Virginia
- December 6**  
† Nursing, Board of  
- Special Conference Committee
- December 7**  
† Art and Architectural Review Board
- December 10**  
† Nursing, Board of  
- Special Conference Committee
- December 11**  
† Resources Authority, Virginia

## PUBLIC HEARINGS

- September 10**  
Environmental Quality, Department of
- September 17**  
Virginia Employment Commission  
Voluntary Formulary Board, Virginia
- September 24**  
Taxation, Department of
- September 25**  
† Environmental Quality, Department of  
† Mental Health, Mental Retardation and Substance Abuse  
Services, State Board of  
Nursing, Board of
- September 26**  
† Air Pollution Control Board, State