
TABLE OF CONTENTS

CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

Cumulative Table..... 1679

NOTICES OF INTENDED REGULATORY ACTION

TITLE 9. ENVIRONMENT

State Water Control Board 1690

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

Board for Contractors 1692

Fair Housing Board..... 1692

PROPOSED REGULATIONS

TITLE 12. HEALTH

STATE BOARD OF HEALTH

Rules and Regulations Governing the Construction and Maintenance of Migrant Labor Camps (repealing 12 VAC 5-500-10 through 12 VAC 5-500-350). 1693

Rules and Regulations Governing the Construction and Maintenance of Migrant Labor Camps (adding 12 VAC 5-501-10 through 12 VAC 5-501-350). 1693

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

Assessment in Assisted Living Facilities (amending 22 VAC 40-745-10 through 22 VAC 40-745-50, 22 VAC 40-745-90, 22 VAC 40-745-100 and 22 VAC 40-745-110). 1700

FINAL REGULATIONS

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

Pertaining to Licensing of Fixed Fishing Devices (amending 4 VAC 20-20-50)..... 1709

Pertaining to Restrictions on Oyster Harvest (amending 4 VAC 20-720-20, 4 VAC 20-720-40, 4 VAC 20-720-50, 4 VAC 20-720-60 and 4 VAC 20-720-80)..... 1709

TITLE 10. FINANCE AND FINANCIAL INSTITUTIONS

STATE CORPORATION COMMISSION

Credit Unions (adding 10 VAC 5-40-40). 1712

EMERGENCY REGULATIONS

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

Pertaining to Restrictions on Oyster Harvest (adding 4 VAC 20-720-48). 1714

GENERAL NOTICES/ERRATA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice of Availability of and Public Comment on the 2004 305(b)/303(d) Water Quality Assessment Integrated Report 1715

Total Maximum Daily Loads (TMDLs) to Address Multiple Impairments in the Middle and South River Watersheds 1715

STATE CORPORATION COMMISSION

Administrative Letter 2004-1 1715

STATE LOTTERY DEPARTMENT

Director's Orders 1716

VIRGINIA CODE COMMISSION

Notice to State Agencies 1716

Forms for Filing Material for Publication in *The Virginia Register of Regulations*..... 1716

ERRATA

DEPARTMENT OF CONSERVATION AND RECREATION

Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services (4 VAC 5-36). 1717

STATE BOARD OF SOCIAL SERVICES

General Procedures and Information for Licensure (22 VAC 40-80). 1717

CALENDAR OF EVENTS

EXECUTIVE

Open Meetings and Public Hearings..... 1718

Table of Contents

INDEPENDENT

Open Meetings and Public Hearings 1743

LEGISLATIVE

Open Meetings and Public Hearings 1744

CHRONOLOGICAL LIST

Open Meetings 1744

Public Hearings 1747

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 Fall 2003 VAC Supplement includes final regulations published through *Virginia Register* Volume 19, Issue 24, dated August 11, 2003). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 1. Administration			
1 VAC 55-10-10	Amended	20:5 VA.R. 454	12/17/03
1 VAC 55-10-20	Amended	20:5 VA.R. 454	12/17/03
1 VAC 55-10-30	Amended	20:5 VA.R. 454	12/17/03
1 VAC 55-20-320 emer	Amended	19:25 VA.R. 3829	10/1/03-9/30/04
Title 2. Agriculture			
2 VAC 5-320-10	Amended	20:10 VA.R. 1010	2/26/04
2 VAC 5-325-10 through 2 VAC 5-325-120	Added	20:9 VA.R. 886	12/15/03
2 VAC 5-360	Erratum	20:11 VA.R. 1387	--
2 VAC 5-360-10 through 2 VAC 5-360-100	Amended	20:9 VA.R. 889	2/12/04 *
2 VAC 5-360-110 through 2 VAC 5-360-140	Repealed	20:9 VA.R. 889	2/12/04 *
2 VAC 5-440-10 through 2 VAC 5-440-60	Amended	20:12 VA.R. 1471-1474	3/25/04
2 VAC 5-440-80	Repealed	20:12 VA.R. 1474	3/25/04
2 VAC 5-440-90	Repealed	20:12 VA.R. 1474	3/25/04
2 VAC 20-30	Erratum	20:1 VA.R. 39	--
Title 4. Conservation and Natural Resources			
4 VAC 5-36-20	Amended	20:13 VA.R. 1604	4/7/04
4 VAC 5-36-50 through 4 VAC 5-36-150	Amended	20:13 VA.R. 1604-1621	4/7/04
4 VAC 5-36-170 through 4 VAC 5-36-210	Amended	20:13 VA.R. 1621-1632	4/7/04
4 VAC 5-36-220	Added	20:13 VA.R. 1632	4/7/04
4 VAC 15-30-40	Amended	19:25 VA.R. 3780	7/30/03
4 VAC 20-252-50	Amended	20:10 VA.R. 1011	1/5/04
4 VAC 20-252-55	Amended	20:10 VA.R. 1011	1/5/04
4 VAC 20-252-60	Amended	20:10 VA.R. 1011	1/5/04
4 VAC 20-252-70	Amended	20:10 VA.R. 1012	1/5/04
4 VAC 20-252-90	Amended	20:10 VA.R. 1012	1/5/04
4 VAC 20-252-100	Amended	20:10 VA.R. 1012	1/5/04
4 VAC 20-252-130	Amended	20:10 VA.R. 1012	1/5/04
4 VAC 20-252-150	Amended	20:10 VA.R. 1013	1/5/04
4 VAC 20-252-160	Amended	20:10 VA.R. 1014	1/5/04
4 VAC 20-490-35	Added	20:6 VA.R. 584	11/1/03
4 VAC 20-490-40	Amended	20:6 VA.R. 584	11/1/03
4 VAC 20-490-45	Added	20:6 VA.R. 584	11/1/03
4 VAC 20-620-30	Amended	20:4 VA.R. 342	10/15/03
4 VAC 20-620-40	Amended	20:4 VA.R. 342	10/15/03
4 VAC 20-650-10 through 4 VAC 20-650-40	Amended	20:6 VA.R. 585	11/1/03
4 VAC 20-720-20	Amended	20:6 VA.R. 585	11/1/03
4 VAC 20-720-40	Amended	20:6 VA.R. 586	11/1/03
4 VAC 20-720-40 through 4 VAC 20-720-80	Amended	20:4 VA.R. 344-346	10/8/03
4 VAC 20-720-50 through 4 VAC 20-720-90	Amended	20:6 VA.R. 587-588	11/1/03
4 VAC 20-720-40	Amended	20:10 VA.R. 1014	1/1/04

* Effective date changed in 20:11

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-720-50	Amended	20:10 VA.R. 1015	1/1/04
4 VAC 20-720-60	Amended	20:10 VA.R. 1015	1/1/04
4 VAC 20-720-80	Amended	20:10 VA.R. 1016	1/1/04
4 VAC 20-752-20	Amended	19:25 VA.R. 3780	7/23/03
4 VAC 20-950-46	Amended	20:6 VA.R. 589	11/1/03
4 VAC 20-950-47	Amended	20:6 VA.R. 589	11/1/03
4 VAC 20-950-48	Amended	20:6 VA.R. 589	11/1/03
4 VAC 20-1070-10 through 4 VAC 20-1070-50	Added	19:25 VA.R. 3781	8/1/03
4 VAC 25-10-10 through 4 VAC 25-10-80	Amended	20:10 VA.R. 1016	2/26/04
4 VAC 25-31 (Forms)	Amended	20:2 VA.R. 135	--
4 VAC 25-31 (Forms)	Amended	20:5 VA.R. 487	--
4 VAC 25-130 (Forms)	Amended	20:1 VA.R. 33	--
4 VAC 25-130-700.5	Amended	20:10 VA.R. 1017	2/25/04
4 VAC 25-130-800.21	Amended	20:10 VA.R. 1017	2/25/04
Title 6. Criminal Justice and Corrections			
6 VAC 20-171-10	Amended	20:3 VA.R. 214	11/19/03
6 VAC 20-171-20	Amended	20:3 VA.R. 217	11/19/03
6 VAC 20-171-30	Amended	20:3 VA.R. 217	11/19/03
6 VAC 20-171-40	Repealed	20:3 VA.R. 217	11/19/03
6 VAC 20-171-50 through 6 VAC 20-171-130	Amended	20:3 VA.R. 217-221	11/19/03
6 VAC 20-171-140	Repealed	20:3 VA.R. 221	11/19/03
6 VAC 20-171-150	Repealed	20:3 VA.R. 222	11/19/03
6 VAC 20-171-170 through 6 VAC 20-171-200	Amended	20:3 VA.R. 222-223	11/19/03
6 VAC 20-171-220	Amended	20:3 VA.R. 224	11/19/03
6 VAC 20-171-230	Amended	20:3 VA.R. 225	11/19/03
6 VAC 20-171-240	Amended	20:3 VA.R. 226	11/19/03
6 VAC 20-171-250 through 6 VAC 20-171-280	Amended	20:3 VA.R. 227-229	11/19/03
6 VAC 20-171-300	Amended	20:3 VA.R. 230	11/19/03
6 VAC 20-171-310	Amended	20:3 VA.R. 231	11/19/03
6 VAC 20-171-320	Amended	20:3 VA.R. 232	11/19/03
6 VAC 20-171-325	Repealed	20:3 VA.R. 233	11/19/03
6 VAC 20-171-330	Repealed	20:3 VA.R. 233	11/19/03
6 VAC 20-171-340	Repealed	20:3 VA.R. 233	11/19/03
6 VAC 20-171-350 through 6 VAC 20-171-400	Amended	20:3 VA.R. 234-241	11/19/03
6 VAC 20-171-420	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-430	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-440	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-460	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-480	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-500	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-510	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-540	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-560	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-190	Erratum	20:8 VA.R. 850	--
6 VAC 20-190-10	Amended	20:4 VA.R. 346	12/3/03
6 VAC 20-190-40	Amended	20:4 VA.R. 347	12/3/03
6 VAC 20-190-60	Amended	20:4 VA.R. 347	12/3/03
6 VAC 20-190-90	Amended	20:4 VA.R. 347	12/3/03
6 VAC 20-190-100	Amended	20:4 VA.R. 347	12/3/03
6 VAC 20-190-120	Amended	20:4 VA.R. 347	12/3/03
6 VAC 20-190-150	Amended	20:4 VA.R. 348	12/3/03
6 VAC 20-190-160	Amended	20:4 VA.R. 348	12/3/03
6 VAC 20-190-170	Amended	20:4 VA.R. 348	12/3/03
6 VAC 20-200	Repealed	20:4 VA.R. 348	12/3/03
6 VAC 20-220-10 through 6 VAC 20-220-80	Added	20:4 VA.R. 348-350	12/3/03
6 VAC 20-230-10 through 6 VAC 20-230-99 emer	Added	20:9 VA.R. 905-915	1/12/04-1/11/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 7. Economic Development			
7 VAC 10-20-10	Amended	20:10 VA.R. 1018	2/15/04
7 VAC 10-20-120	Amended	20:10 VA.R. 1020	2/15/04
7 VAC 10-20-300	Amended	20:10 VA.R. 1020	2/15/04
Title 8. Education			
8 VAC 20-70-10	Amended	20:7 VA.R. 656	1/14/04
8 VAC 20-70-30	Amended	20:7 VA.R. 657	1/14/04
8 VAC 20-70-40	Amended	20:7 VA.R. 657	1/14/04
8 VAC 20-70-70	Amended	20:7 VA.R. 657	1/14/04
8 VAC 20-70-80	Amended	20:7 VA.R. 657	1/14/04
8 VAC 20-70-100 through 8 VAC 20-70-170	Amended	20:7 VA.R. 657-658	1/14/04
8 VAC 20-70-190	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-200	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-210	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-220	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-230	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-235	Added	20:7 VA.R. 658	1/14/04
8 VAC 20-70-240 through 8 VAC 20-70-270	Repealed	20:7 VA.R. 658	1/14/04
8 VAC 20-70-280	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-290	Amended	20:7 VA.R. 659	1/14/04
8 VAC 20-70-300	Amended	20:7 VA.R. 659	1/14/04
8 VAC 20-70-340 through 8 VAC 20-70-380	Amended	20:7 VA.R. 659-660	1/14/04
8 VAC 20-70-390	Repealed	20:7 VA.R. 660	1/14/04
8 VAC 20-70-400 through 8 VAC 20-70-440	Amended	20:7 VA.R. 660	1/14/04
8 VAC 20-70-460	Amended	20:7 VA.R. 660	1/14/04
8 VAC 20-70-470	Amended	20:7 VA.R. 660	1/14/04
8 VAC 20-70-510	Amended	20:7 VA.R. 660	1/14/04
8 VAC 20-70-520	Repealed	20:7 VA.R. 660	1/14/04
8 VAC 20-70-525	Added	20:7 VA.R. 660	1/14/04
8 VAC 20-70-530 through 8 VAC 20-70-1510	Repealed	20:7 VA.R. 660	1/14/04
8 VAC 20-680-10 emer	Added	20:7 VA.R. 675	11/7/03-11/6/04
Title 9. Environment			
9 VAC 5-10-20	Amended	20:6 VA.R. 590	1/1/04
9 VAC 5-20-21	Amended	20:12 VA.R. 1476	3/24/04
9 VAC 5-20-206 (G02)	Amended	20:12 VA.R. 1498	3/24/04
9 VAC 5-20-206 (C03)	Amended	20:12 VA.R. 1498	3/24/04
9 VAC 5-40	Erratum	19:25 VA.R. 3844	--
9 VAC 5-40-240	Amended	20:12 VA.R. 1499	3/24/04
9 VAC 5-40-310	Amended	20:12 VA.R. 1499	3/24/04
9 VAC 5-40-3260	Amended	20:12 VA.R. 1479	3/24/04
9 VAC 5-40-5200	Amended	20:12 VA.R. 1500	3/24/04
9 VAC 5-40-5220	Amended	20:12 VA.R. 1501	3/24/04
9 VAC 5-40-5700 through 9 VAC 5-40-5770	Added	20:12 VA.R. 1480	3/24/04
9 VAC 5-40-5800	Amended	20:8 VA.R. 808	1/29/04
9 VAC 5-40-5810	Amended	20:8 VA.R. 808	1/29/04
9 VAC 5-40-5820	Amended	20:8 VA.R. 810	1/29/04
9 VAC 5-40-5822	Amended	20:8 VA.R. 810	1/29/04
9 VAC 5-40-5824	Amended	20:8 VA.R. 811	1/29/04
9 VAC 5-40-5850	Amended	20:8 VA.R. 811	1/29/04
9 VAC 5-40-5855	Amended	20:8 VA.R. 811	1/29/04
9 VAC 5-40-5860	Amended	20:8 VA.R. 811	1/29/04
9 VAC 5-40-5870	Amended	20:8 VA.R. 811	1/29/04
9 VAC 5-40-5880	Amended	20:8 VA.R. 812	1/29/04
9 VAC 5-40-5890	Amended	20:8 VA.R. 812	1/29/04
9 VAC 5-40-5910	Amended	20:8 VA.R. 813	1/29/04

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-40-5920	Amended	20:8 VA.R. 813	1/29/04
9 VAC 5-40-6820 through 9 VAC 5-40-7230	Added	20:12 VA.R. 1480-1497	3/24/04
9 VAC 5-91-20 emer	Amended	20:12 VA.R. 1507	1/28/04-1/27/05
9 VAC 5-91-160 emer	Amended	20:12 VA.R. 1513	1/28/04-1/27/05
9 VAC 5-91-180 emer	Amended	20:12 VA.R. 1513	1/28/04-1/27/05
9 VAC 5-91-750 emer	Amended	20:12 VA.R. 1515	1/28/04-1/27/05
9 VAC 5-91-760 emer	Amended	20:12 VA.R. 1515	1/28/04-1/27/05
9 VAC 5-140-421 emer	Added	20:11 VA.R. 1222	1/12/04-1/11/05
9 VAC 5-140-550	Amended	20:12 VA.R. 1504	3/24/04
9 VAC 20-60-18	Amended	20:2 VA.R. 128	11/5/03
9 VAC 20-80	Erratum	19:26 VA.R. 3926	--
9 VAC 20-80-10	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-60	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-80	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-90	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-100	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-105	Added	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-110	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-113	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-115	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-120	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-140 through 9 VAC 20-80-190	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-205	Added	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-210	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-240 through 9 VAC 20-80-280	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-300	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-310	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-330	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-340	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-360	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-370	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-400	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-470	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-485	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-500 through 9 VAC 20-80-530	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-550	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-570	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-580	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-600	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-620	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-640	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-650	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-670	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-730	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-740	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-760 through 9 VAC 20-80-790	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80, Appendices 5.1 through 5.6, 7.1 through 7.4, 9.1	Repealed	19:25 VA.R. 3782	9/24/03
9 VAC 20-170-70	Added	20:3 VA.R. 242	11/19/03
9 VAC 20-170-195	Added	20:3 VA.R. 243	11/19/03
9 VAC 25-260	Erratum	19:26 VA.R. 3926	--
9 VAC 25-260	Erratum	20:11 VA.R. 1387	--
9 VAC 25-260-5 through 9 VAC 25-260-30	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-50	Amended	19:25 VA.R. 3785	2/12/04 *

* Notice of effective date published in 20:9 VA.R. 890.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-260-140	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-150	Repealed	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-155	Amended	20:9 VA.R. 890	2/12/04
9 VAC 25-260-170	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-190 through 9 VAC 25-260-240	Repealed	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-300	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-310	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-320	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-340	Repealed	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-380 through 9 VAC 25-260-450	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-415	Added	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-470 through 9 VAC 25-260-540	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-280-10 through 9 VAC 25-280-90	Added	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-580-10	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-50	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-130	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-270	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-290	Repealed	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-320	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-790	Erratum	20:12 VA.R. 1526	--
9 VAC 25-790-10 through 9 VAC 25-790-1000	Added	20:9 VA.R. 891	2/12/04
Title 10. Finance and Financial Institutions			
10 VAC 5-200-90	Added	20:2 VA.R. 128	9/11/03
Title 11. Gaming			
11 VAC 10-20-410 through 11 VAC 10-20-417 emer	Added	19:26 VA.R. 3913-3919	8/13/03-8/12/04
11 VAC 10-130-77	Amended	20:4 VA.R. 350	10/14/03
11 VAC 10-150-130	Amended	20:4 VA.R. 351	11/17/03
Title 12. Health			
12 VAC 5-218-10 through 12 VAC 5-218-60	Added	19:26 VA.R. 3911	10/8/03
12 VAC 5-220-200	Amended	20:2 VA.R. 129	11/5/03
12 VAC 5-400-10 through 12 VAC 5-400-90	Repealed	20:6 VA.R. 597	12/31/03
12 VAC 5-407-10 through 12 VAC 5-407-120	Added	19:26 VA.R. 3911	10/8/03
12 VAC 5-550-5	Added	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-10	Repealed	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-30	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-40	Repealed	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-70	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-90 through 12 VAC 5-550-120	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-125	Added	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-130	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-140	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-150	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-190	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-200	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-210	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-230 through 12 VAC 5-550-260	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-280 through 12 VAC 5-550-320	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-360 through 12 VAC 5-550-390	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-410	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-430 through 12 VAC 5-550-470	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-510	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-520	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-581	Repealed	20:9 VA.R. 891	2/12/04
12 VAC 30-10-650 emer	Amended	20:10 VA.R. 1049	1/4/04-1/3/05
12 VAC 30-40-100	Amended	20:4 VA.R. 351	12/3/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-40-140	Amended	20:4 VA.R. 351	12/3/03
12 VAC 30-40-240	Amended	20:4 VA.R. 351	12/3/03
12 VAC 30-40-280	Amended	20:4 VA.R. 351	12/3/03
12 VAC 30-40-290	Amended	20:4 VA.R. 351	12/3/03
12 VAC 30-50-10	Amended	20:1 VA.R. 25	10/22/03
12 VAC 30-50-20	Amended	20:1 VA.R. 26	10/22/03
12 VAC 30-50-50	Amended	20:1 VA.R. 26	10/22/03
12 VAC 30-50-60	Amended	20:1 VA.R. 27	10/22/03
12 VAC 30-50-120	Amended	20:1 VA.R. 27	10/22/03
12 VAC 30-50-130	Amended	20:7 VA.R. 661	2/1/04
12 VAC 30-50-140	Amended	20:1 VA.R. 27	10/22/03
12 VAC 30-50-140	Amended	20:1 VA.R. 29	10/22/03
12 VAC 30-50-150	Amended	20:1 VA.R. 30	10/22/03
12 VAC 30-50-210 emer	Amended	20:8 VA.R. 836	1/4/04-1/3/05
12 VAC 30-50-210 emer	Amended	20:10 VA.R. 1054	1/4/04-1/3/05
12 VAC 30-50-530	Amended	20:1 VA.R. 28	10/22/03
12 VAC 30-50-226	Amended	20:7 VA.R. 661	2/1/04
12 VAC 30-50-420	Amended	20:7 VA.R. 664	2/1/04
12 VAC 30-50-430	Amended	20:7 VA.R. 664	2/1/04
12 VAC 30-50-510	Amended	20:7 VA.R. 667	2/1/04
12 VAC 30-60-61	Amended	20:7 VA.R. 669	2/1/04
12 VAC 30-60-143	Amended	20:7 VA.R. 669	2/1/04
12 VAC 30-60-147	Amended	20:7 VA.R. 673	2/1/04
12 VAC 30-70-201	Amended	20:5 VA.R. 455	1/4/04
12 VAC 30-70-291 emer	Amended	19:26 VA.R. 3920	8/13/03-8/12/04
12 VAC 30-70-301 emer	Amended	19:26 VA.R. 3921	8/13/03-8/12/04
12 VAC 30-70-331 emer	Amended	19:26 VA.R. 3922	8/13/03-8/12/04
12 VAC 30-70-425	Added	20:8 VA.R. 814	1/28/04
12 VAC 30-70-426	Added	20:8 VA.R. 814	1/28/04
12 VAC 30-80-20	Amended	20:8 VA.R. 815	1/28/04
12 VAC 30-80-30	Amended	20:8 VA.R. 817	1/28/04
12 VAC 30-80-40	Amended	20:2 VA.R. 132	11/6/03
12 VAC 30-80-40 emer	Amended	20:8 VA.R. 839	1/4/04-1/3/05
12 VAC 30-120-140 through 12 VAC 30-120-190	Amended	20:11 VA.R. 1178	3/11/04
12 VAC 30-120-165	Added	20:11 VA.R. 1178	3/11/04
12 VAC 30-120-195	Added	20:11 VA.R. 1178	3/11/04
12 VAC 30-120-200	Repealed	20:11 VA.R. 1178	3/11/04
12 VAC 30-120-201	Added	20:11 VA.R. 1178	3/11/04
12 VAC 30-120-350 emer	Amended	20:8 VA.R. 843	12/4/03-12/3/04
12 VAC 30-120-370 emer	Amended	20:8 VA.R. 845	12/15/03-12/14/04
12 VAC 30-120-380 emer	Amended	20:8 VA.R. 847	12/15/03-12/14/04
12 VAC 30-120-420 emer	Amended	20:8 VA.R. 847	12/15/03-12/14/04
12 VAC 30-120-700	Amended	19:25 VA.R. 3786	10/1/03
12 VAC 30-120-710	Amended	19:25 VA.R. 3789	10/1/03
12 VAC 30-120-720	Amended	19:25 VA.R. 3789	10/1/03
12 VAC 30-130-290 through 12 VAC 30-130-340 emer	Amended	20:10 VA.R. 1050-1054	1/4/04-1/3/05
12 VAC 30-130-335 emer	Added	20:10 VA.R. 1053	1/4/04-1/3/05
12 VAC 30-130-400 emer	Amended	20:10 VA.R. 1054	1/4/04-1/3/05
12 VAC 30-130-550	Repealed	20:7 VA.R. 673	2/1/04
12 VAC 30-130-565	Amended	20:7 VA.R. 673	2/1/04
12 VAC 30-130-570	Repealed	20:7 VA.R. 673	2/1/04
12 VAC 30-130-1000 emer	Added	20:8 VA.R. 840	1/4/04-1/3/05
12 VAC 30-135-10 through 12 VAC 30-135-90	Added	19:25 VA.R. 3789-3791	10/1/03
12 VAC 35-105	Erratum	19:25 VA. R. 3844	--
12 VAC 35-180-10	Amended	20:9 VA.R. 892	2/11/04
12 VAC 35-180-20	Repealed	20:9 VA.R. 894	2/11/04

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 35-180-30 through 12 VAC 35-180-110	Amended	20:9 VA.R. 894-899	2/11/04
12 VAC 35-180-130 through 12 VAC 35-180-150	Amended	20:9 VA.R. 899	2/11/04
Title 13. Housing			
13 VAC 5-21-10	Amended	19:25 VA.R. 3791	10/1/03
13 VAC 5-21-20	Amended	19:25 VA.R. 3792	10/1/03
13 VAC 5-21-31	Amended	19:25 VA.R. 3792	10/1/03
13 VAC 5-21-41	Amended	19:25 VA.R. 3793	10/1/03
13 VAC 5-21-51	Amended	19:25 VA.R. 3795	10/1/03
13 VAC 5-21-61	Amended	19:25 VA.R. 3795	10/1/03
13 VAC 5-21-70	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-10	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-40	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-50	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-60	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-90	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-110	Amended	19:25 VA.R. 3797	10/1/03
13 VAC 5-31-180	Amended	19:25 VA.R. 3797	10/1/03
13 VAC 5-31-190	Added	19:25 VA.R. 3797	10/1/03
13 VAC 5-51	Erratum	20:1 VA.R 39	--
13 VAC 5-51-11	Amended	19:25 VA.R. 3798	10/1/03
13 VAC 5-51-21	Amended	19:25 VA.R. 3798	10/1/03
13 VAC 5-51-31	Amended	19:25 VA.R. 3799	10/1/03
13 VAC 5-51-41	Amended	19:25 VA.R. 3799	10/1/03
13 VAC 5-51-51	Amended	19:25 VA.R. 3800	10/1/03
13 VAC 5-51-61	Amended	19:25 VA.R. 3801	10/1/03
13 VAC 5-51-71	Repealed	19:25 VA.R. 3801	10/1/03
13 VAC 5-51-81	Amended	19:25 VA.R. 3802	10/1/03
13 VAC 5-51-85	Added	19:25 VA.R. 3810	10/1/03
13 VAC 5-51-91	Amended	19:25 VA.R. 3812	10/1/03
13 VAC 5-51-101	Amended	19:25 VA.R. 3813	10/1/03
13 VAC 5-51-111	Amended	19:25 VA.R. 3814	10/1/03
13 VAC 5-51-121	Amended	19:25 VA.R. 3814	10/1/03
13 VAC 5-51-129	Added	19:25 VA.R. 3815	10/1/03
13 VAC 5-51-130	Amended	19:25 VA.R. 3815	10/1/03
13 VAC 5-51-131	Amended	19:25 VA.R. 3815	10/1/03
13 VAC 5-51-132	Added	19:25 VA.R. 3816	10/1/03
13 VAC 5-51-133	Amended	19:25 VA.R. 3816	10/1/03
13 VAC 5-51-135	Amended	19:25 VA.R. 3816	10/1/03
13 VAC 5-51-136	Amended	19:25 VA.R. 3817	10/1/03
13 VAC 5-51-140	Amended	19:25 VA.R. 3817	10/1/03
13 VAC 5-51-150	Amended	19:25 VA.R. 3818	10/1/03
13 VAC 5-51-155	Added	19:25 VA.R. 3822	10/1/03
13 VAC 5-51-160	Repealed	19:25 VA.R. 3822	10/1/03
13 VAC 5-51-170	Repealed	19:25 VA.R. 3822	10/1/03
13 VAC 5-51-180	Repealed	19:25 VA.R. 3823	10/1/03
13 VAC 5-51-181	Repealed	19:25 VA.R. 3823	10/1/03
13 VAC 5-51-182	Repealed	19:25 VA.R. 3824	10/1/03
13 VAC 5-51-190	Repealed	19:25 VA.R. 3824	10/1/03
13 VAC 5-51-200	Repealed	19:25 VA.R. 3824	10/1/03
13 VAC 5-61-11 through 13 VAC 5-61-460	Repealed	19:25 VA.R. 3824	10/1/03
13 VAC 5-62	Erratum	20:2 VA.R. 140	--
13 VAC 5-62-10 through 13 VAC 5-62-480	Added	19:25 VA.R. 3824	10/1/03
13 VAC 5-62-260 L	Suspended	20:2 VA.R. 133	¹

¹ Effective date suspended for further public comment.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
13 VAC 5-62-260 M	Suspended	20:2 VA.R. 133	
13 VAC 5-62-260 N	Suspended	20:2 VA.R. 133	
13 VAC 5-80-10	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-20	Repealed	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-30	Repealed	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-40 through 13 VAC 5-80-140	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-150	Repealed	19:25 VA.R. 3796	10/1/03
13 VAC 5-91-10	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-40	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-50	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-60	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-100	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-110	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-120	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-140	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-160	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-180	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-200	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-210	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-230	Repealed	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-245	Added	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-250	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-260	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-270	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 10-10-10	Amended	19:25 VA.R. 3826	8/1/03
13 VAC 10-10-20	Amended	19:25 VA.R. 3826	8/1/03
13 VAC 10-40-10	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-30 through 13 VAC 10-40-70	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-90	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-100	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-120	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-120	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-40-130	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-130	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-40-140	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-160	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-160	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-40-170	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-190 through 13 VAC 10-40-230	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-190	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-40-210	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-40-230	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-180-10	Amended	20:10 VA.R. 1021	1/12/04
13 VAC 10-180-50	Amended	20:10 VA.R. 1022	1/12/04
13 VAC 10-180-60	Amended	20:10 VA.R. 1023	1/12/04
Title 14. Insurance			
14 VAC 5-71 (Forms)	Added	20:11 VA.R. 1223	--
14 VAC 5-71-10	Amended	20:5 VA.R. 457	11/1/03
14 VAC 5-71-20	Amended	20:5 VA.R. 458	11/1/03
14 VAC 5-71-30	Repealed	20:5 VA.R. 459	11/1/03
14 VAC 5-71-31	Added	20:5 VA.R. 460	11/1/03
14 VAC 5-71-35	Added	20:5 VA.R. 463	11/1/03
14 VAC 5-71-40	Amended	20:5 VA.R. 464	11/1/03
14 VAC 5-71-60	Amended	20:5 VA.R. 464	11/1/03
14 VAC 5-71-70	Amended	20:5 VA.R. 465	11/1/03
14 VAC 5-71-80	Repealed	20:5 VA.R. 466	11/1/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
14 VAC 5-71-90	Amended	20:5 VA.R. 466	11/1/03
14 VAC 5-71-91	Added	20:5 VA.R. 467	11/1/03
14 VAC 5-71-92	Added	20:5 VA.R. 467	11/1/03
14 VAC 5-71-93	Added	20:5 VA.R. 467	11/1/03
14 VAC 5-310	Erratum	20:8 VA.R. 850	--
14 VAC 5-310-10	Amended	20:5 VA.R. 469	12/31/03
14 VAC 5-310-20	Amended	20:5 VA.R. 469	12/31/03
14 VAC 5-310-30	Amended	20:5 VA.R. 469	12/31/03
14 VAC 5-310-40	Amended	20:5 VA.R. 470	12/31/03
14 VAC 5-310-50	Amended	20:5 VA.R. 470	12/31/03
14 VAC 5-310-60	Repealed	20:5 VA.R. 472	12/31/03
14 VAC 5-310-70	Repealed	20:5 VA.R. 473	12/31/03
14 VAC 5-310-80	Amended	20:5 VA.R. 475	12/31/03
14 VAC 5-310-90	Amended	20:5 VA.R. 479	12/31/03
14 VAC 5-310-100	Amended	20:5 VA.R. 481	12/31/03
14 VAC 5-310-105	Added	20:5 VA.R. 482	12/31/03
14 VAC 5-310-110	Repealed	20:5 VA.R. 482	12/31/03
Title 16. Labor and Employment			
16 VAC 25-85-1904.12	Repealed	20:7 VA.R. 673	1/15/04
16 VAC 25-85-1904.29	Amended	20:7 VA.R. 673	1/15/04
16 VAC 25-145-10 through 16 VAC 25-145-50	Added	20:12 VA.R. 1505-1506	4/1/04
Title 18. Professional and Occupational Licensing			
18 VAC 5-21-10 through 18 VAC 5-21-40 emer	Amended	20:9 VA.R. 915-921	12/15/03-12/14/04
18 VAC 5-21-170 emer	Amended	20:9 VA.R. 921	12/15/03-12/14/04
18 VAC 10-10-10	Amended	20:11 VA.R. 1190	4/24/04
18 VAC 10-10-30	Amended	20:11 VA.R. 1190	4/24/04
18 VAC 10-10-40	Amended	20:11 VA.R. 1190	4/24/04
18 VAC 10-10-90	Amended	20:11 VA.R. 1190	4/24/04
18 VAC 15-10-10 through 18 VAC 15-10-90	Amended	20:11 VA.R. 1191-1192	4/24/04
18 VAC 15-30	Erratum	19:26 VA.R. 3926	--
18 VAC 25-10-10 through 18 VAC 25-10-90	Amended	20:11 VA.R. 1193-1195	4/24/04
18 VAC 30-20-10	Amended	20:8 VA.R. 821	1/28/04
18 VAC 30-20-150	Amended	20:8 VA.R. 821	1/28/04
18 VAC 30-20-170	Amended	20:8 VA.R. 821	1/28/04
18 VAC 30-20-240	Amended	20:8 VA.R. 821	1/28/04
18 VAC 30-20-280	Amended	20:8 VA.R. 821	1/28/04
18 VAC 41-10-10 through 18 VAC 41-10-60	Amended	20:11 VA.R. 1195-1196	4/24/04
18 VAC 41-10-80	Amended	20:11 VA.R. 1196	4/24/04
18 VAC 41-10-90	Amended	20:11 VA.R. 1196	4/24/04
18 VAC 47-10-10 through 18 VAC 47-10-90	Amended	20:11 VA.R. 1198	4/24/04
18 VAC 50-10-10 through 18 VAC 50-10-90	Amended	20:11 VA.R. 1200-1201	4/24/04
18 VAC 62-20-10 through 18 VAC 62-20-180	Added	20:12 VA.R. 1515-1518	2/2/04-2/1/05
18 VAC 65-20	Erratum	20:10 VA.R. 1060	--
18 VAC 65-20-10	Amended	20:8 VA.R. 822	1/28/04
18 VAC 65-20-50	Amended	20:8 VA.R. 822	1/28/04
18 VAC 65-20-70	Amended	20:8 VA.R. 822	1/28/04
18 VAC 65-20-170	Amended	20:8 VA.R. 823	1/28/04
18 VAC 65-20-350	Amended	20:8 VA.R. 823	1/28/04
18 VAC 65-20-400	Amended	20:8 VA.R. 823	1/28/04
18 VAC 65-20-440	Amended	20:8 VA.R. 824	1/28/04
18 VAC 65-20-570	Amended	20:8 VA.R. 824	1/28/04
18 VAC 65-20-580	Amended	20:8 VA.R. 824	1/28/04
18 VAC 65-20-590	Amended	20:8 VA.R. 824	1/28/04
18 VAC 65-20-700	Amended	20:8 VA.R. 824	1/28/04
18 VAC 70-10-10 through 18 VAC 70-10-90	Amended	20:11 VA.R. 1203-1204	4/24/04
18 VAC 76-40-10 emer	Added	19:25 VA.R. 3831	8/6/03-8/5/04

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 76-40-20 emer	Added	19:25 VA.R. 3831	8/6/03-8/5/04
18 VAC 76-40-30 emer	Added	19:25 VA.R. 3832	8/6/03-8/5/04
18 VAC 76-40-30 emer (Forms)	Added	19:25 VA.R. 3833	--
18 VAC 80-20-70	Amended	19:25 VA.R. 3827	10/1/03
18 VAC 85-20-10	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-22	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-30	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-120	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-121	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-131	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-140	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-150	Repealed	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-210	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-230	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-235	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-236	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-240	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-110-50	Amended	20:10 VA.R. 1046	4/26/04
18 VAC 85-110-60	Amended	20:10 VA.R. 1047	4/26/04
18 VAC 100-10-10 through 18 VAC 100-10-90	Amended	20:11 VA.R. 1205-1206	4/24/04
18 VAC 120-10-100	Erratum	20:13 VA.R. 1644	--
18 VAC 120-10-100 through 18 VAC 120-10-180	Amended	20:11 VA.R. 1208-1209	4/24/04
18 VAC 130-10-10 through 18 VAC 130-10-90	Amended	20:11 VA.R. 1210-1211	4/24/04
18 VAC 135-10-10 through 18 VAC 135-10-90	Amended	20:11 VA.R. 1213-1214	4/24/04
18 VAC 140-20-105	Amended	20:8 VA.R. 825	1/28/04
18 VAC 140-20-150	Amended	20:8 VA.R. 826	1/28/04
18 VAC 145-10-10 through 18 VAC 145-10-90	Amended	20:11 VA.R. 1215-1217	4/24/04
18 VAC 155-10-5	Added	20:11 VA.R. 1217-1218	4/24/04
18 VAC 155-10-10 through 18 VAC 155-10-80	Amended	20:11 VA.R. 1218-1219	4/24/04
18 VAC 160-10-10 through 18 VAC 160-10-90	Amended	20:11 VA.R. 1220-1221	4/24/04
Title 19. Public Safety			
19 VAC 30-20-80	Amended	20:4 VA.R. 352	1/2/04
19 VAC 30-80-20	Amended	20:2 VA.R. 134	11/5/03
19 VAC 30-80-40	Added	20:2 VA.R. 134	11/5/03
Title 20. Public Utilities and Telecommunications			
20 VAC 5-10-20	Amended	20:10 VA.R. 1044	12/23/04
Title 21. Securities and Retail Franchising			
21 VAC 5-120-50	Amended	20:1 VA.R. 32	9/2/03
Title 22. Social Services			
22 VAC 30-20-90	Amended	20:7 VA.R. 674	1/15/04
22 VAC 30-30-10	Amended	20:9 VA.R. 899	2/11/04
22 VAC 30-30-20	Amended	20:9 VA.R. 899	2/11/04
22 VAC 30-30-30	Repealed	20:9 VA.R. 899	2/11/04
22 VAC 30-30-31	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-40	Repealed	20:9 VA.R. 899	2/11/04
22 VAC 30-30-50 through 22 VAC 30-30-120	Amended	20:9 VA.R. 899	2/11/04
22 VAC 30-30-130	Repealed	20:9 VA.R. 899	2/11/04
22 VAC 30-30-131	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-140	Repealed	20:9 VA.R. 899	2/11/04
22 VAC 30-30-141	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-160	Amended	20:9 VA.R. 899	2/11/04
22 VAC 30-30-170 through 22 VAC 30-30-210	Repealed	20:9 VA.R. 899	2/11/04
22 VAC 30-30-171	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-181	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-191	Added	20:9 VA.R. 899	2/11/04

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 30-30-201	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-211	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-220	Amended	20:9 VA.R. 899	2/11/04
22 VAC 30-30-230	Repealed	20:9 VA.R. 901	2/11/04
22 VAC 30-30-240	Repealed	20:9 VA.R. 901	2/11/04
22 VAC 30-30-241	Added	20:9 VA.R. 901	2/11/04
22 VAC 30-30-250	Amended	20:9 VA.R. 901	2/11/04
22 VAC 30-30-260	Added	20:9 VA.R. 901	2/11/04
22 VAC 30-30-270	Added	20:9 VA.R. 901	2/11/04
22 VAC 30-30-280	Added	20:9 VA.R. 901	2/11/04
22 VAC 40-190	Erratum	20:12 VA.R. 1526	--
22 VAC 40-190-10 through 22 VAC 40-190-70	Repealed	20:11 VA.R. 1178	4/1/04 *
22 VAC 40-191	Erratum	20:12 VA.R. 1526	--
22 VAC 40-191-10 through 22 VAC 40-191-150	Added	20:11 VA.R. 1179-1188	4/1/04 *
22 VAC 40-250-10	Amended	20:8 VA.R. 827	2/1/04
22 VAC 40-250-20	Amended	20:8 VA.R. 827	2/1/04
22 VAC 40-260-10	Amended	20:8 VA.R. 827	2/1/04
22 VAC 40-260-20	Amended	20:8 VA.R. 828	2/1/04
22 VAC 40-270	Repealed	20:8 VA.R. 831	2/1/04
22 VAC 40-675-10 through 22 VAC 40-675-220	Added	20:8 VA.R. 832-835	2/1/04
22 VAC 40-705-60	Amended	20:5 VA.R. 483	1/1/04
22 VAC 40-705-130	Amended	20:5 VA.R. 483	1/1/04
22 VAC 40-730-115	Added	20:5 VA.R. 484	1/1/04
Title 24. Transportation and Motor Vehicles			
24 VAC 30-71	Erratum	20:7 VA.R. 678	--
24 VAC 30-71-10	Amended	20:4 VA.R. 353	12/3/03
24 VAC 30-71-20	Amended	20:4 VA.R. 353	12/3/03
24 VAC 30-71-30	Amended	20:4 VA.R. 354	12/3/03
24 VAC 30-71-50	Amended	20:4 VA.R. 354	12/3/03
24 VAC 30-71-70	Amended	20:4 VA.R. 354	12/3/03
24 VAC 30-71-80	Amended	20:4 VA.R. 354	12/3/03
24 VAC 30-71-90	Amended	20:4 VA.R. 355	12/3/03
24 VAC 30-71-100	Amended	20:4 VA.R. 355	12/3/03
24 VAC 30-71-110	Amended	20:4 VA.R. 355	12/3/03
24 VAC 30-71-120	Amended	20:4 VA.R. 355	12/3/03
24 VAC 30-71-130	Amended	20:4 VA.R. 355	12/3/03
24 VAC 30-71-150	Amended	20:4 VA.R. 357	12/3/03
24 VAC 30-71-160	Amended	20:4 VA.R. 357	12/3/03
24 VAC 30-71-170	Amended	20:4 VA.R. 362	12/3/03
24 VAC 30-380-10	Amended	20:13 VA.R. 1633	2/12/04
24 VAC 30-580-10 through 24 VAC 30-580-40	Amended	20:5 VA.R. 485-486	10/28/03

* Effective date corrected in 20:12

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

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

TITLE 9. ENVIRONMENT

STATE WATER CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-110, Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day**. The purpose of the proposed action is to reissue the existing general permit that expires on August 1, 2006. The general permit will establish limitations and monitoring requirements for domestic sewage discharges of less than or equal to 1,000 gallons per day.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia, § 402 of the federal Clean Water Act, and 40 CFR Parts 122, 123 and 124.

Public comments may be submitted until 5 p.m. on April 8, 2004.

Contact: Lily Choi, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4054, FAX (804) 698-4032 or e-mail ychoi@deq.state.va.us.

VA.R. Doc. No. R04-117; Filed February 18, 2004, 8:48 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-115, General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Seafood Processing Facilities**. The purpose of the proposed action is to reissue the existing general permit that expires on July 24, 2006. The goal of the regulatory action is to continue the existence of the general permit that establishes limitations and monitoring requirements for point source discharges from seafood processing facilities.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia, § 402 of the federal Clean Water Act, and 40 CFR Parts 122, 123 and 124.

Public comments may be submitted until 5 p.m. on April 8, 2004.

Contact: Michael Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4065, FAX (804) 698-4032 or e-mail mbgregory@deq.state.va.us.

VA.R. Doc. No. R04-118; Filed February 18, 2004, 8:48 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-260, Water Quality Standards**. The purpose of the proposed action is to amend the state's Antidegradation Policy (9 VAC 25-260-30), part of the Water Quality Standards, by designating portions of the following 11 waters located on federal land within Shenandoah National Park: Big Run, Brokenback Run, Doyles River, East Branch Naked Creek, East Hawksbill Creek, Hughes River, Jeremys Run, North Fork Thornton River, Piney River, Rose River, and White Oak Canyon Run as Exceptional State Waters (9 VAC 25-260-30 A 3 c). The Exceptional State Waters category of the Antidegradation Policy allows the board to designate waters that display exceptional environmental settings and either exceptional aquatic communities or exceptional recreational opportunities for added protection. Once designated, the Antidegradation Policy provides that no water quality degradation would be allowed in the Exceptional State Waters. The only exception would be temporary, limited impact activities. By ensuring that no water quality degradation is allowed to occur in waters with exceptional environmental settings and either exceptional recreational opportunities or exceptional aquatic communities, the board is protecting these special waters at their present quality for use and enjoyment by future generations of Virginians.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; Clean Water Act (33 USC § 1251 et seq.); 40 CFR Part 131.

Public comments may be submitted until 5 p.m. on April 9, 2004.

Contact: Jean W. Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113 or e-mail jwgregory@deq.state.va.us.

VA.R. Doc. No. R04-110; Filed February 4, 2004, 10:57 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the Potomac-Shenandoah Basin (9 VAC 25-720-50) to update the stream segment

Notices of Intended Regulatory Action

classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; 33 USC 1313(e) of the Clean Water Act.

Public comments may be submitted until 5 p.m. on May 14, 2004.

Contact: Bryant Thomas, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3843, FAX (703) 583-3841 or e-mail bhthomas@deq.state.va.us.

VA.R. Doc. No. R04-121; Filed March 3, 2004, 10:21 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the Rappahannock River Basin (9 VAC 25-720-70) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; 33 USC 1313(e) of the Clean Water Act.

Public comments may be submitted until 5 p.m. on May 14, 2004.

Contact: Bryant Thomas, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3843, FAX (703) 583-3841 or e-mail bhthomas@deq.state.va.us.

VA.R. Doc. No. R04-122; Filed March 3, 2004, 10:22 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the Roanoke River Basin (9 VAC 25-720-80) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; 33 USC 1313(e) of the Clean Water Act.

Public comments may be submitted until 5 p.m. on May 14, 2004.

Contact: Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6729 or e-mail jrhill@deq.state.va.us.

VA.R. Doc. No. R04-123; Filed March 3, 2004, 10:22 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the Tennessee-Big Sandy River Basin (9 VAC 25-720-90) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; 33 USC 1313(e) of the Clean Water Act.

Public comments may be submitted until 5 p.m. on May 14, 2004.

Contact: Nancy Norton, Department of Environmental Quality, 355 Deadmore St., Abingdon, VA 24212, telephone (276) 676-4807, FAX (276) 676-4899 or e-mail ntnorton@deq.state.va.us.

VA.R. Doc. No. R04-124; Filed March 3, 2004, 10:22 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the New River Basin (9 VAC 25-720-130) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; 33 USC 1313(e) of the Clean Water Act.

Public comments may be submitted until 5 p.m. on May 14, 2004.

Contact: Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6729 or e-mail jrhill@deq.state.va.us.

VA.R. Doc. No. R04-125; Filed March 3, 2004, 10:22 a.m.

Notices of Intended Regulatory Action

◆ ————— ◆

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD FOR CONTRACTORS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Contractors intends to consider amending regulations entitled **18 VAC 50-30, Tradesman Rules and Regulations**. The purpose of the proposed action is to amend the current regulations to clarify eligibility requirements for licensure, implement continuing education requirements permitted by statute, reflect statutory changes, respond to changes in the industry, and revise language for clarity and ease of use.

The agency intends to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: §§ 54.1-204 and 54.1-1102 of the Code of Virginia.

Public comments may be submitted until March 24, 2004.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474 or e-mail eric.olson@dpor.virginia.gov.

VA.R. Doc. No. R04-107; Filed February 2, 2004, 1:47 p.m.

FAIR HOUSING BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Fair Housing Board intends to consider promulgating regulations entitled **18 VAC 62-20, Fair Housing Certification Regulations**. The purpose of the proposed action is to promulgate regulations for establishing an education-based certification program for persons subject to the fair housing law who are involved in the business or activity of selling or renting dwellings.

The agency intends to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: § 54.1-2344 of the Code of Virginia.

Public comments may be submitted until March 24, 2004.

Contact: Christine Martine, Executive Director, Fair Housing Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946 or e-mail fhcertification@dpor.virginia.gov.

VA.R. Doc. No. R04-108; Filed February 2, 2004, 1:47 p.m.

◆ ————— ◆

PROPOSED REGULATIONS

For information concerning Proposed Regulations, see Information Page.

Symbol Key

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

TITLE 12. HEALTH

STATE BOARD OF HEALTH

Titles of Regulations: **12 VAC 5-500. Rules and Regulations Governing the Construction and Maintenance of Migrant Labor Camps (repealing 12 VAC 5-500-10 through 12 VAC 5-500-350).**

12 VAC 5-501. Rules and Regulations Governing the Construction and Maintenance of Migrant Labor Camps (adding 12 VAC 5-501-10 through 12 VAC 5-501-350).

Statutory Authority: § 32.1-211 of the Code of Virginia.

Public Hearing Dates:

May 11, 2004 - 7 p.m. (Melfa)

May 18, 2004 - 7 p.m. (Boydton)

May 19, 2004 - 7 p.m. (Winchester)

Public comments may be submitted until May 21, 2004.

(See Calendar of Events section
for additional information)

Agency Contact: Gary L. Hagy, Director, Division of Food and Environmental Services, Department of Health, 109 Governor Street, Richmond, VA 23219, telephone (804) 864-7455, FAX (804) 864-7475, or e-mail gary.hagy@vdh.virginia.gov.

Basis: The Board of Health is authorized by § 32.1-211 of the Code of Virginia to adopt regulations governing migrant labor camps.

Purpose: The purpose of the regulations is to ensure that safe and healthy living conditions are provided for migrant workers and their families while they are employed and living in the Commonwealth.

Substance: The proposed regulations will update the current regulations. Due to the nature and extent of the changes, particularly a reorganization of the regulations, the existing regulations will be repealed and a new set of regulations adopted.

The key proposals from the existing regulations include requiring only those migrant labor camps that provide water via their own well and that meet the definition of a waterworks as found in the Virginia Waterworks Regulations and in § 32.1-167 of the Code of Virginia to construct the well in accordance with the Virginia Waterworks Regulations. Those migrant labor camps that have their own wells, but do not meet the definition of a waterworks, must meet the construction standards of the Private Well Regulations. However, the quality of the water will have to meet the quality standards of the Waterworks Regulations.

Another significant proposal is elimination of provisional permits. Provisional permits were once issued to camps that did not fully comply with the regulations but the deficiencies

were such that public health was not at risk. The permits were usually issued contingent upon the camp being brought into total compliance. The federal Department of Labor and Industry does not recognize provisional permits and has levied fines for camps that had only provisional permits. This change will both protect the camp operator from fines and also better protect the camp residents as the camp must fully meet the regulations before they are allowed to occupy the camp. This change is supported by both camp operators and some migrant advocacy groups.

Finally, the requirement for biweekly inspections is being removed. Biweekly inspections, regardless of the compliance record of a migrant labor camp, impose a burden on both the operator and the department. Camps will still have to comply with the regulations but the department will have the flexibility to inspect them as frequently as necessary to ensure compliance. This will allow us to focus inspection efforts on those camps with less than adequate compliance histories. All other changes are for clarity and uniformity with other department regulations.

Issues: The primary advantage of the regulations to the public is that they will update the current regulations to more modern requirements and reflect changes in other laws or regulations that impact migrant labor camps.

The regulations will also eliminate provisional permits that, if issued, subjects the camp owner to fines from the U.S. Department of Labor and Industry as they do not recognize the validity of provisional permits. By removing provisional permits, owners will no longer be subject to these fines, and public health of the migrants living in the camps will be better protected as camps will have to fully comply with the regulations to receive a permit. This change was requested by members of the Migrant and Seasonal Farmworkers Board who are migrant labor camp owners or represent growers.

The regulations will also eliminate the current requirement for biweekly inspections of all camps. Biweekly inspections of camps, regardless of the compliance record of the camp, imposes a burden on both the operator and the department. Camps will still have to comply with the regulations, but the department will have the flexibility to inspect them as frequently as necessary to ensure compliance and the protection of the workers. This will allow the department to focus inspection efforts on those camps with less than adequate compliance histories. All camps will be inspected during the season of occupancy by workers.

There are no known disadvantages posed by these proposed regulations 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 § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H

Proposed Regulations

requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. The Board of Health proposes to repeal the existing regulation and adopting a new regulation in its place due to major organizational changes. The substantive proposed changes include 1) requiring that camp wells not meeting the definition of waterworks comply with private well construction regulations rather than waterworks construction regulations, 2) eliminating provisional permits, and 3) removing the requirement that inspections be conducted biweekly.

Estimated economic impact. These regulations apply to more than 600 migrant labor camps in Virginia. These camps are estimated to house approximately 16,673 laborers next year. About half of the camps are concentrated in the counties of Accomac, Northampton, Pittsylvania, Mecklenburg, Halifax, and Brunswick. The agricultural products grown heavily in these localities include tomatoes, potatoes, tobacco, Christmas trees, and apples. A large percentage of the laborers come from South and Central America to these camps on a temporary basis. The purpose of these regulations is to protect these migrant laborers against health risks that may originate in camp sites, water supplies, sewage, solid waste, campgrounds, buildings, and other structures.

One of the proposed changes will require the camps with water supplies that do not meet the definition of waterworks to comply with construction standards for private wells rather than construction standards for waterworks. Water supplies are defined as waterworks if they serve 25 or more people, 60 or more days out of the year. Currently, all migrant labor camp water supplies are required to comply with construction and bacteriological standards for waterworks. With this change, all will remain subject to waterworks bacteriological standards, but the camp wells that do not meet the waterworks definition could be built according to private well design specifications.

This change will affect the construction of future water supplies at the camps. The number of such wells is not known at this time. The cost difference between the construction of private wells and of waterworks is highly variable and depends on the site, type of drilling, type of well casing used, etc. The difference may range from less than \$1,000 to several thousand dollars. Thus, this change will reduce the compliance costs for camp owners or operators who will be allowed to construct their wells according to private well design specifications under the proposed changes. Since affected wells will continue to comply with waterworks bacteriological standards, the department does not expect any significant changes in health risks that may be present.

Another change will eliminate the provisional permits the department has issued in the past. The department estimates

that between 5 and 20 provisional permits may have been issued in the last 5 years. A provisional permit was issued when a camp did not fully comply with the regulations but the deficiencies did not introduce a significant health risk. For example, a provisional permit would be issued to a camp with a window needing some maintenance or a camp where there are no laundry tubs. However, the federal Department of Labor and Industry does not recognize provisional permits and issued fines about two years ago to the provisional permit holders as if they did not have any permit. Since then, the department no longer issues any provisional permits in practice. Since the provisional permits have not been issued for the last two years, no significant economic impact is expected upon promulgation of these regulations.

Finally, another proposed change will no longer require the department to conduct inspections on a bi-weekly basis. Currently, the department is required to inspect every camp biweekly. In practice, however, this requirement is not fully enforced due to a significant shortage of inspection staff. In some localities, only annual inspections are conducted while in a small number of other localities monthly, or bi-weekly inspections are feasible.

With this proposed change, the department will have more discretion in allocating its inspection staff compared to complying with the current uniform inspection frequency. For example, the department will be allowed to shift its resources to inspection of camps with less than adequate compliance histories. This flexibility in allocating currently available inspection resources among camps with varying compliance histories is expected to improve the enforcement of these regulations and therefore the protection of health afforded to migrant laborers at these camps.

Businesses and entities affected. There are currently more than 600 migrant labor camps in the Commonwealth. These camps are estimated to house approximately 16,673 laborers next year.

Localities particularly affected. The proposed regulations apply throughout Virginia. However, the migrant labor camps are concentrated in the counties of Accomac, Northampton, Pittsylvania, Mecklenburg, Halifax, and Brunswick.

Projected impact on employment. The proposed regulations are not expected to create any significant effect on employment.

Effects on the use and value of private property. The proposed regulations are unlikely to significantly affect the use and value of private property.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: VDH agrees substantially with the conclusions drawn in that document.

Summary:

The proposed action repeals the existing regulation and replaces it with a new regulation due to a major reorganization of the regulation. The proposed regulations establish minimum criteria for the construction of migrant labor camps in Virginia. These regulations (i) reference federal regulations that the Department of Health is responsible for enforcing; (ii) include the procedure for

obtaining a permit to construct and a permit to operate a migrant labor camp; and (iii) establish minimum construction standards for water supplies serving migrant labor camps, requirements for the collection and disposal of trash and garbage, and storage of hazardous materials.

The substantive proposed changes include (i) requiring that camp wells not meeting the definition of waterworks comply with private well construction regulations rather than waterworks construction regulations, (ii) eliminating provisional permits, and (iii) removing the requirement that inspections be conducted biweekly.

CHAPTER 501.
RULES AND REGULATIONS GOVERNING THE
CONSTRUCTION AND MAINTENANCE OF MIGRANT
LABOR CAMPS.

PART I.
DEFINITIONS AND GENERAL PROVISIONS.

12 VAC 5-501-10. Definitions.

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

"Approved water supply" means a waterworks that has a valid waterworks operation permit from the commissioner or a water supply that is evaluated, tested and, if found in compliance with the applicable standards, accepted and approved by the director or the director's designee.

"Board" means the State Board of Health.

"Camp operator" means a person who has charge, care, or control of a migrant labor camp.

"Camp owner" means a person who owns, leases or proposes to own or lease a migrant labor camp.

"Commissioner" means the State Health Commissioner or his designee who has been delegated powers in accordance with subdivision 2 of 12 VAC 5-501-30.

"Department" means the Virginia Health Department.

"Local health director" means the director of a city, county or district health department or his designated representative who is assigned responsibility for implementation of these regulations at the local level.

"Migrant labor camp" or "camp" means one or more structures, buildings, tents, barracks, trailers, vehicles, converted buildings, and unconventional enclosures of living space, reasonably contiguous, together with the land appertaining thereto, established, operated or used as living quarters for one or more persons, one or more of whom is a migrant worker engaged in agricultural or fishing activities, including related food processing. "Migrant labor camp" does not include (i) a summer camp, campground or hotel as defined in § 35.1-1 of the Code of Virginia, (ii) housing that, in the ordinary course of business, is regularly offered to the general public on a commercial basis and is provided to any migrant worker on the same or comparable terms and conditions as provided to the general public, or (iii) small businesses that are exempt under federal law as provided in

the Fair Labor Standards Act (29 USC § 201 et seq.) and the Migrant and Seasonal Worker Protection Act (29 USC § 1801 et seq.).

"Migrant worker" means any individual from within or outside the Commonwealth who passes seasonally from one place to another for the purpose of employment (agricultural or fishing activities, including related food processing), who is not a year-round employee, and who occupies living quarters other than his permanent home during the period of such work.

"Person" means an association, a corporation, individual, partnership, other legal entity, government, or governmental subdivision or agency.

"Variance" means a conditional waiver of a specific regulation granted by the commissioner or his designee pursuant to 12 VAC 5-501-120 to a specific camp operator relating to a specific situation or facility and may be for a specific period of time.

12 VAC 5-501-20. Purpose of regulations.

This chapter has been promulgated by the State Board of Health to ensure that safe and healthy living conditions are provided for migrant workers and their families while they are employed and living in the Commonwealth of Virginia. This chapter establishes standards and procedures that the State Health Commissioner will follow in determining whether a permit to operate a migrant labor camp should be issued, denied, revoked, or suspended. In a similar way the chapter also delineates the procedures and requirements with which a camp must comply in order for the camp operator to obtain and retain a permit.

12 VAC 5-501-30. Administration of regulations.

These regulations are administered by the following:

1. The State Board of Health, hereinafter referred to as the board, has responsibility to promulgate, amend and repeal regulations necessary to protect the public health.
2. The State Health Commissioner, hereinafter referred to as the commissioner, is the chief executive officer of the State Department of Health. The commissioner has the authority to act for the board when it is not in session (see § 32.1-20 of the Code of Virginia). The commissioner may delegate his powers under these regulations in writing to any subordinate.
3. The State Department of Health hereinafter referred to as "department" is designated as the primary agent of the commissioner for the purpose of administering these regulations.
4. The district or local health department is responsible for implementing and enforcing the regulatory activities required by these regulations.

12 VAC 5-501-40. Right of entry to inspect, etc.; warrants.

Upon presentation of appropriate credentials and upon consent of the owner, camp operator or custodian, the commissioner or his designee shall have the right to enter at any reasonable time onto any property to inspect, investigate, evaluate, conduct tests or take samples for testing as he

Proposed Regulations

reasonably deems necessary in order to determine compliance with the provisions of this chapter, any order of the board or commissioner, or any conditions in a permit, license or certificate issued by the board or commissioner. If the commissioner or his designee is denied entry, he may apply to an appropriate circuit court for an inspection warrant authorizing such investigation, evaluation, inspection, testing, or taking of samples for testing as provided in Chapter 24 (§ 19.2-393 et seq.) of Title 19.2 of the Code of Virginia.

PART II. PROCEDURAL REGULATIONS.

12 VAC 5-501-50. Continuing validity of existing permits.

Operational permits in effect prior to [the effective date of this chapter], unless otherwise revoked, shall remain valid until the expiration date of the permit.

12 VAC 5-501-60. Application of the Administrative Process Act.

The provisions of Article 3 (§ 2.2-4018 et seq.) of the Virginia Administrative Process Act shall govern the procedures for rendering all case decisions.

12 VAC 5-501-70. Emergency orders.

The commissioner may, pursuant to §§ 32.1-13 and 32.1-20 of the Code of Virginia, issue emergency orders as is necessary to preserve the public health, safety, welfare and environment. Emergency orders arising out of matters governed by these regulations shall state the reasons and factual basis upon which the emergency order is issued. The emergency order shall state the time period for which it is effective.

12 VAC 5-501-80. Enforcement of regulations.

A. Notice. Whenever the commissioner or any district or local health department official has reason to believe that a violation of Title 32.1 or Title 35.1 of the Code of Virginia or of any provision of this chapter has occurred or is occurring, he shall so notify the alleged violator. Such notice shall be (i) in writing, with a request to the owner or camp operator to respond by providing any pertinent information on this issue they may wish; (ii) cite the statute, regulation or regulations that are allegedly being violated; and (iii) state the facts that form the basis for believing that the violation has occurred or is occurring. Such notification may be accompanied by a request that certain corrective action be taken.

B. Orders. Pursuant to the authority granted in §§ 32.1-26 and 35.1-6 of the Code of Virginia, the commissioner may issue orders to require any owner or camp operator, or other person, to comply with the provisions of these regulations. The order may require the following:

1. The immediate cessation and correction of the violation;
2. Appropriate remedial action to ensure that the violation does not continue or recur;
3. The submission of a plan to prevent future violations;
4. The submission of an application for a variance; and

5. Any other corrective action deemed necessary to comply with the regulations.

C. Hearing before the issuance of an order. Before the issuance of an order, pursuant to subsection B of this section, the commissioner must comply with the requirements of § 32.1-26 of the Code of Virginia.

D. Order - when effective. All orders issued pursuant to subsection B of this section shall become effective not less than 15 days after mailing a copy thereof by certified mail to the last known address of the owner, camp operator or person violating these regulations. Violation of an order is a Class 1 misdemeanor. See § 32.1-27 of the Code of Virginia.

E. Compliance. The commissioner may act as the agent of the board to enforce all effective orders and these regulations. Should any owner or camp operator fail to comply with any effective order or these regulations, the commissioner may:

1. Institute a proceeding to revoke the camp operator's permit in accordance with 12 VAC 5-501-230;
2. Request the attorney for the Commonwealth to bring a criminal action;
3. Request the Attorney General to bring an action for civil penalty, injunction, or other appropriate remedy; or
4. Do any combination of the above.

F. Not exclusive means of enforcement. Nothing contained in 12 VAC 5-501-70 or this section shall be interpreted to require the commissioner to issue an order prior to seeking enforcement of any regulation or statute through an injunction, mandamus or criminal prosecution.

12 VAC 5-501-90. Penalties, injunctions, civil penalties, and charges for violations.

A. Any person willfully violating or refusing, failing, or neglecting to comply with any regulation or order of the board or commissioner or any provision of this chapter shall be guilty of a Class 1 misdemeanor unless a different penalty is specified.

B. Any person willfully violating or failing, neglecting or refusing to obey any lawful regulation or order of the board or commissioner or any provision of this chapter may be compelled in a proceeding instituted in an appropriate court by the board or commissioner to obey such regulations, order, or provision of this chapter and to comply therewith by injunction, mandamus, or other appropriate remedy.

C. Without limiting the remedies that may be obtained in subsection B of this section, any person violating or failing, neglecting or refusing to obey any injunction, mandamus or other remedy obtained pursuant to subsection B of this section shall be subject, in the discretion of the court, to a civil penalty not to exceed \$10,000 for each violation. Each day of violation shall constitute a separate offense.

D. With the consent of any person who has violated or failed, neglected, or refused to obey any regulation or order of the board or commissioner or any provision of this chapter, the board may provide, in an order issued by the board against such person, for the payment of civil charges for past

violations in specific sums not to exceed the limit specified in subsection C of this section. Such civil charges shall be instead of any appropriate civil penalty that could be imposed under subsection C of this section.

12 VAC 5-501-100. OSHA enforcement.

Nothing contained herein shall be construed to bar the enforcement of occupational safety and health standards adopted by the Safety and Health Codes Board in the manner prescribed in Chapter 3 (§ 40.1-22 et seq.) of Title 40.1 of the Code of Virginia and regulations promulgated thereunder.

12 VAC 5-501-110. Suspension of regulations during disasters.

If, in the case of a man-made or natural disaster, the commissioner finds that certain regulations cannot be complied with and that the public health is better served by not fully complying with these regulations, he may authorize the suspension of the application of the regulations for specifically affected localities and institute a provisional regulatory plan until the disaster is abated.

12 VAC 5-501-120. Variances.

A. In accordance with § 40.1-6 (9) of the Code of Virginia, a variance to those occupational safety and health regulations set forth at 29 CFR Part 1910 may be granted by the Commissioner of Labor and Industry. Applications for such variances shall be directed to him.

B. The State Health Commissioner or his designee may grant a variance to these regulations by following the appropriate procedures set forth in this subsection.

1. Requirements for a variance to these regulations. The commissioner may grant a variance if he finds that the hardship imposed, which may be economic, outweighs the benefits that may be received by the public and that granting such a variance does not subject the public to unreasonable health risks or environmental pollution.

2. Application for a variance to these regulations. Any camp operator who seeks a variance shall apply in writing within the time period specified in this subsection. The request should be sent to the local health department. Any request for a variance must be made in writing and received by the department prior to the denial of the migrant labor camp permit, or within 30 days after such denial. In the event a person applies for a variance within the 30-day period after the permit has been denied, the date for appealing the denial of the permit, pursuant to 12 VAC 5-501-160, shall commence from the date on which the department acts on the request for a variance. The application for a variance shall include:

- a. A citation to the regulation from which a variance is requested;
- b. The nature and duration of the variance requested;
- c. Any relevant analytical results including results of relevant tests conducted pursuant to the requirements of these regulations;

d. Statements or evidence that establish that the public health, welfare and environment would not be adversely affected if the variance were granted;

e. Suggested conditions that might be imposed on the granting of a variance that would limit the detrimental impact on the public health and welfare;

f. Other information believed pertinent by the applicant; and

g. Such other information as the district or local health department or commissioner may require.

C. Evaluation of an application for a variance to these regulations.

1. The commissioner shall act on any request for a variance to these regulations submitted pursuant to this subsection within 60 days of receipt of the request.

2. In evaluating a variance application, the commissioner shall consider such factors as the following:

a. The effect that such a variance would have on the operation of the migrant labor camp;

b. The cost and other economic considerations imposed by this requirement;

c. The effect that such a variance would have on protection of the public health, safety, welfare and the environment; and

d. Such other factors as the commissioner may deem appropriate.

D. Disposition of a request for a variance to these regulations.

1. If the commissioner proposes to deny the variance, he shall provide the camp operator an opportunity to an informal hearing as provided in § 2.2-4019 of the Code of Virginia. Following this opportunity for an informal hearing, the commissioner may reject any application for a variance by sending a rejection notice to the applicant. The rejection notice shall be in writing and shall state the reasons for the rejection. A rejection notice constitutes a case decision.

2. If the commissioner proposes to grant a variance request submitted pursuant to this chapter, the applicant shall be notified in writing of this decision. Such notice shall identify the variance and the migrant labor camp involved, and shall specify the period of time for which the variance will be effective. Such notice shall provide that the variance will be terminated when the migrant labor camp comes into compliance with the applicable regulation and may be terminated upon a finding by the commissioner that the migrant labor camp has failed to comply with any requirements or schedules issued in conjunction with the variance. The effective date of the variance shall be as noted in the variance letter.

3. All variances to these regulations granted to any migrant labor camp are not transferable unless otherwise stated. Each variance shall be attached to the permit to which it is granted. Each variance is revoked when the permit to which it is attached is revoked.

Proposed Regulations

4. No camp operator may challenge the terms or conditions of a variance after 30 calendar days have elapsed from the receipt of the variance.

12 VAC 5-501-130. Case decisions.

The commissioner or his designee may make case decisions based on informal hearings. An informal hearing is conducted by a district or local health department with the district or local health director presiding and held in conformance with § 2.2-4019 of the Code of Virginia. The district or local health department may record the hearing or create a written summary or record of the proceedings.

12 VAC 5-501-140. Request for hearing.

A request for a hearing shall be made by sending the request in writing to the district or local health department in the locality where the migrant labor camp is located. Requests for hearings shall cite the reasons for the hearing request and shall cite the sections of these regulations involved and must be received within 30 calendar days of the decision by the department that led to the hearing request.

12 VAC 5-501-150. Hearing.

Any owner, camp operator or named party whose rights, duties, or privileges have been, or may be affected by any case decision of the board or its subordinates in the administration of these regulations shall have a right to a hearing.

12 VAC 5-501-160. Appeals.

A. Any appeal from a denial of a permit to operate a migrant labor camp must be made in writing and received by the local or state health department within 30 days of the date the denial letter was received.

B. Any request for hearing on the denial of an application for a variance pursuant to 12 VAC 5-501-120 D 1 must be made in writing and received within 30 days of receipt of the denial notice.

C. Pursuant to the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), an aggrieved owner or camp operator may appeal a final decision of the commissioner to the appropriate circuit court.

12 VAC 5-501-170. Notice of intention to construct or remodel camp and submission of plans.

Any person planning to construct, substantially remodel, or enlarge for occupancy or use a migrant labor camp or any portion of the facility thereof, or to convert a property for use or occupancy as a camp shall give notice in writing to the local health director of his intent to do so at least 30 days before the date of beginning such construction, remodeling, enlargement, or conversion. The notice shall include the name of the city or county in which the property is located; the location of the property within that area; plans of the proposed construction, remodeling, enlargement or conversion; and the name, mailing address and telephone number of the person giving the notice. Upon receipt of such notice, the local health director shall forward to such person a copy of Article 6 (§ 32.1-203 et seq.) of Chapter 6 of Title 32.1 of the Code of

Virginia relating to migrant labor camps and a copy of this chapter.

12 VAC 5-501-180. Permits.

A. No person shall own, establish, conduct, maintain, manage, or operate any migrant labor camp in this Commonwealth unless the migrant labor camp is permitted as provided in this section. All permits shall be in the name of the camp operator. Permits shall not be issued to newly constructed or extensively remodeled migrant labor camps until a certificate of occupancy has been issued by the building official. Only a person who complies with the requirements of these regulations shall be entitled to receive or retain such a permit.

B. Nontransference of migrant labor camp permits. Permits issued shall not be transferable from one person to another or from one location to another. A new camp operator shall be required to make a written application for a permit. The application forms are available from local health departments.

C. Requirements for posting permits. The permit shall be posted in a location in the camp readily visible and accessible to the migrant workers.

12 VAC 5-501-190. Application for permit.

A. Application for a permit to operate a migrant labor camp shall be made on a form prescribed by the board to the local health director of the county or city in which the migrant labor camp is located at least 30 days before such camp is to be opened. A separate application shall be submitted for each camp every year.

B. The local health director shall issue a permit after an inspection if the camp is found to be in compliance with this chapter.

C. If the camp is not found to be in compliance, the local health director may deny, revoke or suspend the permit or recommend denial of a variance.

D. Any expansion or modification of a permitted migrant labor camp shall require the obtaining of a new permit.

12 VAC 501-200. Issuance of permit.

Prior to the issuance of a permit, the director or his designee shall inspect the migrant labor camp to determine compliance with the requirements of these regulations. The department shall issue a permit to the applicant if its inspection reveals that the proposed migrant labor camp complies with all requirements of these regulations. The permit shall expire annually on December 31. Also, changes in the camp operator void the permit and the new camp operator must apply for a new permit.

12 VAC 5-501-210. Denial of a permit.

Whenever the department denies a permit to operate a migrant labor camp, it shall, within 10 days of the inspection, send the applicant a written explanation of the reasons why the permit was denied.

12 VAC 5-501-220. Suspension of a permit.

The director may suspend a permit to operate a migrant labor camp without an informal hearing if the director finds the

continued operation constitutes a substantial and imminent threat to the public health. Upon receipt of such notice that a permit is suspended, the permit holder shall cease operation immediately and begin corrective action.

Whenever a permit is suspended, the holder of the permit or the camp operator shall be notified in writing by certified mail or by hand delivery. Upon service of notice that the permit is immediately suspended, the former permit holder shall be given an opportunity to request an informal hearing. If a permit holder wants to request an informal hearing, he must submit a request in writing to the director within 10 working days after he receives notice of the suspension. The written request shall be filed with the local health director by the former holder of the permit. If written request for an informal hearing is not filed within 10 working days, the suspension is sustained. Each holder of a suspended permit shall be afforded an opportunity for an informal hearing within three working days of receipt of a request for an informal hearing. The director may end the suspension at any time if the reasons for suspension no longer exist.

12 VAC 5-501-230. Revocation.

Prior to revocation, the director shall notify in writing the holder of the permit, or the camp operator, of the specific reason or reasons for which the permit is to be revoked. The permit shall be revoked at the end of the 30 days following service of such notice unless a written request for an informal conference is filed with the director within 10 days after the permit holder received the notice of revocation. If no request for an informal conference is filed within the 10-day period, the revocation of the permit shall be final.

12 VAC 5-501-240. Application after revocation.

Any person whose permit has been revoked may apply for a new permit, after complying with these regulations, by following the procedures of these regulations.

12 VAC 5-501-250. Compliance with regulations.

The camp operator shall be responsible for ensuring that the migrant labor camp is in compliance with these and any applicable occupational safety and health regulations throughout the period for which the permit is valid.

12 VAC 5-501-260. Inspections to be conducted.

The local health director or his designated representative shall make inspections of camps occupied by migrants to determine compliance with this chapter. If a camp is found not to be in compliance, the local health department may move to suspend or revoke the permit. Migrant labor camps shall be inspected as often as necessary during their occupancy to ensure compliance with the regulations.

12 VAC 5-501-270. Inspection report.

The inspector shall provide the camp operator with a copy of the completed inspection report after an inspection has been conducted. The report shall indicate that the camp is in compliance or shall specify which specific standards have been violated. The inspection report shall further specify needed corrective action or abatement procedures and a date

by which this action is required to be completed or the problem abated.

12 VAC 5-501-280. Correction.

The completed inspection report may specify a reasonable period of time for the correction of the violations found. Where a period of time for the correction is specified, the correction shall be accomplished within the period specified and in accordance with the following provisions:

1. Should a substantial and imminent health hazard be declared by the director, including, but not limited to, substantial fire damage, sewage backing into the living or food preparation and service areas, lack of refrigeration or lack of water, the operator shall immediately cease operations. Operations shall not be resumed until authorized by the director. Authorization shall not be granted until such violations are corrected.

2. All violations identified by the department to be corrected within a reasonable period of time for correction shall be corrected as soon as possible, but in any event, within the period of time specified. A follow-up inspection shall be conducted by the director or his designee to confirm the corrections.

PART III. STANDARDS.

12 VAC 5-501-290. Primary source of standards.

The occupational safety and health (OSHA) standards governing temporary labor camps (29 CFR 1910.142) promulgated by the Virginia Safety and Health Codes Board shall apply to migrant labor camps, subject to the exceptions and regulations in 12 VAC 5-501-300.

12 VAC 5-501-300. Exception to occupational safety and health standards.

A. Migrant housing facilities constructed or under construction prior to April 3, 1980, or where a contract for construction was signed prior to March 4, 1980, shall be governed by either: (i) 20 CFR 654.401 et seq.; (ii) 12 VAC 5-501-250; or (iii) variances granted thereto. The choice of governing standards shall be left to the discretion of the individual camp operator. The camp operator shall specify in his application the standard by which he elects to be governed.

B. Migrant housing facilities constructed or under construction on or after April 3, 1980, or where a contract for construction was signed on or after March 4, 1980, shall be governed by the requirements of 12 VAC 5-501-290 or variances granted thereto.

12 VAC 5-501-310. Trash and garbage collections.

The camp operator shall provide either a bulk container into which family trash containers may be emptied by the migrant families or provide for a regular trash and garbage collection service. Refuse from the individual garbage cans and the bulk containers shall be disposed of by the camp operator in a manner authorized by the Solid Waste Management Regulations (9 VAC 20-80) of the Virginia Waste Management Board.

Proposed Regulations

12 VAC 5-501-320. Requirements for water supplies.

All migrant labor camps shall have an approved water supply.

12 VAC 5-501-330. Requirements of sewage disposal.

All migrant labor camps shall comply with the board's regulations governing the disposal of sewage (12 VAC 5-600), promulgated pursuant to §§ 32.1-163 through 32.1-166 of the Code of Virginia. A copy of these regulations may be obtained from the local health department.

12 VAC 5-501-340. Storage of hazardous materials.

Agricultural pesticides or toxic chemicals shall be stored in secure, partitioned areas that are separate from food and living quarters. Pesticide storage areas shall be at least 100 feet from existing wells or surface water unless barriers or environmental safeguards are present that will prevent contamination of groundwater or surface water from a discharge. The entry to the pesticide storage area shall be clearly marked indicating that pesticides or hazardous materials are stored within. When not in use, the pesticide storage area shall be locked to minimize the unauthorized entry into the storage area. Water and personal protective equipment, as required on the labels of the stored pesticides, shall be available for employee protection in the event of a discharge or other emergency.

12 VAC 5-501-350. Conformity with Uniform Statewide Building Code.

All newly constructed migrant labor camps shall comply with the Virginia Uniform Statewide Building Code (13 VAC 5-62).

V.A.R. Doc. No. R03-37; Filed March 3, 2004, 11:50 a.m.

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

Title of Regulation: 22 VAC 40-745. **Assessment in Assisted Living Facilities (amending 22 VAC 40-745-10 through 22 VAC 40-745-50, 22 VAC 40-745-90, 22 VAC 40-745-100 and 22 VAC 40-745-110).**

Statutory Authority: §§ 63.2-217 and 63.2-1732 of the Code of Virginia.

Public Hearing Date: N/A -- Public comments may be submitted until May 21, 2004.

(See Calendar of Events section for additional information)

Agency Contact: Marjorie Marker, Family Services Specialist, Department of Social Services, 7 North Eighth Street, Richmond, VA 23219, telephone (804) 726-7536, FAX (804) 726-7895, or e-mail majorie.marker@dss.virginia.gov.

Basis: Section 63.2-217 of the Code of Virginia provides general authority for the State Board of Social Services to adopt regulations as may be necessary or desirable to carry out the purpose of Title 63.2 of the Code of Virginia.

Section 63.2-1732 of the Code of Virginia provides the board with the authority to adopt and enforce regulations to carry out the provisions of Chapter 17 (§ 63.2-1700 et seq.) of Title 63.2, which deal with licensure procedures for assisted living facilities. This section also requires the board to adopt regulations that protect the health, safety, welfare and individual rights of residents in assisted living facilities.

Purpose: The amended regulation is essential to the health, safety, and welfare of individuals applying to or residing in an assisted living facility. The purpose of the proposed action is to bring the regulation into compliance with changes in the Department of Social Services' regulation on licensure of assisted living facilities and with the Department of Medical Assistance Services' administrative policy for reimbursement of assisted living services. In addition, the term "adult care residence" will be replaced with "assisted living facility" throughout, including in the regulation's title.

Substance: The major changes are technical in nature and not substantive, including language changes to bring the regulation into compliance with current statutory language, clarifying definitions of terms, and deleting outdated terminology.

Issues: The advantage to making these changes is to bring the regulation into compliance with previously promulgated changes. This helps to ensure that assessments of applicants to and residents of assisted living facilities are complete in a consistent manner across the state. This regulatory action poses no 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 § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H 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. Section 63.2-1732 of the Code of Virginia provides the State Board of Social Services with the authority to adopt and enforce regulations required to carry out provisions of Chapter 17 (Licensure and Registration Procedures) of Title 63.2 of the Code of Virginia and to protect the health, safety, welfare, and individual rights of residents of assisted living facilities and promote their highest level of functioning.

The proposed regulation (1) requires all assessors to have completed a state-approved training course on the state-designed uniform assessment instrument (UAI), (2) requires that each community services board be responsible for the assessment and reassessment of its clients for placement in an assisted living facility (ALF), (3) restricts when public pay

individuals¹ can be placed in an ALF under emergency placement to cases when the emergency is documented and approved by a Virginia adult protective services worker, (4) requires ALFs to notify the local department of social services of the discharge or death of a resident within 10 days, (5) allows the local department of social services staff to initiate a change in the level of care for any ALF resident during an inspection or review when it is determined that the UAI is not reflective of the resident's current status, and (6) specifies who are considered qualified assessors for the purposes of the initial evaluation and who are considered qualified assessors for all subsequent evaluations for both public pay and private pay individuals.

The regulation also proposes a number of changes in order to make the regulation consistent with the Code of Virginia (such as replacing the phrase "adult care residence" with the phrase "assisted living facility") and with the Department of Medical Assistance Services' policy (such as modifying the definition of assisted living to include only regular assisted living and not intensive assisted living as in the existing regulation).

The proposed regulation also includes clarifying language and definitions, removes redundant language, and reorganizes parts of the existing regulation for clarity.

Estimated economic impact. (1) The proposed regulation requires all assessors to have completed a state-approved training course on the UAI. Assessors from the various public human services agencies who have been routinely completing UAIs for applicants to and residents of ALFs prior to January 1, 2004 will not be required to meet the training requirement. The existing regulation does not include any training requirements for assessors. DSS believes that it is in the best interest of the assessors and residents to require this training.

The Department of Social Services (DSS) does not believe that the proposed change will have a significant impact. All DSS assessors have been required to take the UAI training course since 1996, when the regulation was promulgated (DSS assessors account for 85% of all assessments). Moreover, DSS believes that most non-DSS assessors voluntarily choose to take the course even though they are not required to do so under the existing regulation.

The proposed change is likely to affect assessors at the various ALFs who have not voluntarily chosen to take the training course and all non-DSS assessors (at human services agencies and ALFs) who begin operating after January 1, 2004 and who would not otherwise have chosen to attend the training.

The UAI training is provided at no cost to the assessors. DSS currently contracts with Virginia Commonwealth University (VCU) to run UAI training programs across the state. According to DSS, VCU will continue to provide the required training to any additional assessors at no extra cost. While the training itself will be provided at no additional cost to the individuals or the state, the training requirement is likely to impose some economic costs. According to DSS, it takes two to three days for individuals to be trained in the UAI for public

pay individuals and half a day to be trained in the UAI for private pay individuals. This includes time that would have otherwise been used for regular work-related activities. By diverting time away from regular work responsibilities, the proposed change is likely to result in a loss of productivity and impose some economic costs. The proposed change is also likely to impose additional travel-related costs. Even though VCU currently operates five training centers across the state, costs related to traveling to and from the training centers and to any overnight stays will add to the economic cost associated with the proposed change. It is not possible to precisely estimate the magnitude of these costs. In order to arrive at a precise estimate, it would be necessary to know the number of additional assessors expected to attend the training, the fraction of these assessors attending the UAI training for private pay individuals versus the number attending the UAI training for public pay individuals, and the geographic proximity of each individual to a training center.

The proposed regulation may also produce some economic benefits. By requiring assessors to have state-approved training in the UAI, the proposed change may better ensure that appropriate level of care is assigned to applicants to and residents of ALFs. Apart from any potential public health benefits accruing from individuals being assigned the right level of care, the proposed change may also result in a more efficient allocation of resources. For example, to the extent that the proposed change reduces the number of public pay individuals being assigned an inappropriate level of care, the proposed change will lead to a more efficient and well-targeted allocation of state resources. However, there are no studies or data currently available indicating the impact of the state-approved training on the performance of assessors.

The net economic impact of the proposed change will depend on whether the additional costs imposed by the regulation in terms of lost productivity and travel-related costs are greater than or less than any potential benefits of having assessors take state-approved UAI training. Due to a lack of data, it is not possible to estimate the precise economic impact of the proposed change at this time.

(2) The proposed regulation requires that each community services board (CSB) be responsible for the assessment and reassessment of its clients for placement in an ALF. CSBs are responsible for monitoring individuals with mental health and mental retardation issues and fall under the Department of Mental Health, Mental Retardation, and Substance Abuse (DMHMRSAs). The existing regulation does not require CSBs to assess their clients for ALF placement. Currently, only some CSBs carry out ALF assessment on their clients. Due to cost and staffing issues, others choose not to conduct these assessments. Under these circumstances, DSS (the assessor of last resort) is required to step in and conduct the ALF assessment. DSS believes that it is in the best interest of individuals with mental health and mental retardation issues to be assessed by CSB assessors rather than DSS assessors.

The proposed change is likely to shift the cost of conducting an assessment or reassessment for individuals with mental health and mental retardation issues from DSS to the local CSBs. Local CSBs are supported by the state (through DMHMRSAs) and by the local government. According to DSS,

¹ Residents of an assisted living facility eligible for benefits under the Auxiliary Grants Program

Proposed Regulations

approximately 5% (and no more than 10%) of DSS cases will be shifted to CSBs because of the proposed change. In fiscal year 2001, there were approximately 1,300 full ALF assessments performed in Virginia. Of these, 85% or 1,100 were conducted by DSS. Based on these numbers, approximately 55 (and no more than 110) cases are likely to be shifted from DSS to the local CSBs. The Department of Medical Assistance Services (DMAS) reimburses \$100 towards the cost of each assessment. Any costs incurred over and above \$100 per assessment will have to be met by the CSB, and hence by DMHM RSA and the relevant local authorities.

The proposed change could produce some economic benefits. According to DSS, CSB assessors are more qualified and in a better position to evaluate individuals with mental health and/or mental retardation issues for ALF placement than are DSS assessors. By better ensuring that individuals with mental health and mental retardation issues are assigned the appropriate level of care, the proposed change could produce some public health benefits and lead to a more efficient allocation of resources. However, there is no data available at this time to indicate that CSB assessors perform better than DSS assessors in the placement of individuals with mental health and mental retardation issues.

The proposed change could have a small net positive economic impact. The transfer of costs from DSS to the local CSBs will not have a net economic impact on Virginia. To the extent that the proposed change will better ensure that individuals with mental health and mental retardation issues are assigned the appropriate level of care, the proposed regulation could produce some economic benefits. However, the effectiveness of CSB assessors compared to DSS assessors in placing mentally challenged individuals is not known.

(3) The proposed regulation restricts when public pay individuals can be placed in an ALF under emergency placement to cases when the emergency is documented and approved by a Virginia adult protective services worker. Under existing policy, the emergency could be documented and approved by an adult protective services worker or a case manager. According to DSS, language providing for case managers to approve emergency placements is being removed due to the difficulty in identifying and training case managers (case managers work at various human services agencies, at both the state and local level). Moreover, according to DSS, there have been very few instances of case managers approving emergency placements in the past few years.

The proposed change is not likely to have a significant economic impact. Based on information provided by DSS, there have been very few instances of a case manager approving emergency placement. Moreover, as long as the emergency is documented and approved by an adult protective services worker, individuals will still be able to avail of emergency placement at little or no additional cost.

(4) The proposed regulation requires ALFs to notify the local department of social services of the discharge or death of a resident within 10 days (notification can be in writing or by phone). Under the existing regulation, ALFs were only

required to inform the local department of social services of the date of discharge (defined as the process that ends an individual's stay in an ALF) of a resident, but not within any specific time period. According to DSS, the proposed change is intended to ensure that ALFs report all deaths and discharges in a timely manner in order to prevent facilities from continuing to receive state checks even after the resident has been discharged or has died. DSS is aware of at least a couple of instances when an ALF has continued to receive state funds even after the resident has died or been discharged.

The proposed change is not likely to have a significant economic impact. The notification requirement is not likely to impose any significant additional costs on ALFs. Moreover, to the extent that the proposed change reduces the number of instances of facilities continuing to receive state funds after the resident has died or been discharged, it is likely to provide for better enforcement of the existing regulation and produce some economic benefits.

(5) The proposed regulation allows staff from the local department of social services to initiate a change in the level of care for any ALF resident during an inspection or review when it is determined that the UAI is not reflective of the resident's current status. Under current policy, DMAS staff are allowed conduct routine utilization reviews to determine whether residents are at the appropriate level of care, and DSS licensing staff are allowed to review a sample of residents during the course of their inspections. The proposed change will allow DSS staff to initiate a change in level of care during any inspection or review.

The proposed change is not likely to have a significant economic impact. To the extent that it better ensures that individuals are placed at the appropriate level of care, it is likely to produce some public health benefits and lead to a more efficient allocation of resources.

(6) The proposed regulation specifies who are considered qualified assessors for the purposes of the initial evaluation and who are considered qualified assessors for all subsequent evaluations, for both public pay and private pay individuals. For the initial evaluation, the list is expanded to include the Department of Corrections (DOC) community release units. The change is intended to make ALF placements easier for inmates being released from prison. According to DSS, some localities have been unwilling to go into correctional facilities to assess inmates. Thus, corrections staff have been trained in the use of UAI. For any subsequent evaluations, the list of qualified assessors excludes DMHM RSA, DOC, and acute care hospitals as individuals have usually left the care of these agencies and facilities by the time follow-up assessments are done.

The proposed change is not likely to have a significant economic impact. There are not likely to be any significant additional costs associated with training DOC personnel. According to DSS, corrections staff have been trained in the use of the UAI. Any additional costs are likely to be counter-balanced by the cost savings of having assessors within these facility conduct the assessment.

The remaining changes being proposed, such as changes that make the regulation consistent with the Code of Virginia and DMAS policy, the deletion of redundant language and the addition of clarifying language, and the reorganization of various sections are not likely to have a significant economic impact. To the extent that these changes improve the understanding and implementation of the regulation, they are likely to produce some economic benefits.

Businesses and entities affected. The proposed regulation is likely to affect assessors, assisted living facilities, and applicants to and residents of assisted living facilities. Assessors at the various ALFs who have not voluntarily chosen to take the training course and all non-DSS assessors (at human services agencies and ALFs) who begin operating after January 1, 2004 will now be required to attend state-approved training in the UAI. CSB assessors, rather than DSS assessors, will be responsible for the assessment and reassessment of its clients for placement in an ALF. Staff from the local department of social services will be authorized to initiate a change in the level of care for any ALF resident during an inspection or review. DOC community release units will now be allowed to conduct the assessment and placement of inmates being released from prison. Assisted living facilities will be required to notify the local department of social services of the discharge or death of a resident within 10 days. Public pay individuals seeking emergency placement will be required to have the emergency documented and approved by a Virginia adult protective services worker.

According to DSS, there are approximately 675 assisted living facilities, close to 10,270 auxiliary grant residents in assisted living facilities, and 120 local departments of social services. In FY 2001, approximately 1,100 assisted living full assessments (or 85% of all full assessments) and 10,000 assisted living short assessments were conducted by the local social services departments.

Localities particularly affected. The proposed regulation is likely to affect all localities in the Commonwealth.

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

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

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Department of Social Services concurs with the Economic Impact Analysis prepared by the Department of Planning and Budget.

Summary:

The proposed amendments (i) require assessors to have completed a state-approved training course on the state-designed uniform assessment instrument (UAI); (ii) require that each community services board be responsible for the assessment and reassessment of its clients for placement in an assisted living facility; (iii) restrict when public pay individuals (i.e., residents of an assisted living facility eligible for benefits under the Auxiliary Grants Program) can be placed in an assisted living facility under emergency placement to cases when the emergency is documented

and approved by a Virginia adult protective services worker; (iv) require assisted living facilities to notify the local department of social services of the discharge or death of a resident within 10 days; (v) allow the local department of social services' staff to initiate a change in the level of care for an assisted living facility resident during an inspection or review when it is determined that the UAI is not reflective of the resident's current status; and (vi) specify who are considered qualified assessors for the purposes of the initial evaluation and who are considered qualified assessors for all subsequent evaluations for both public pay and private pay individuals. The regulation also proposes changes to make the regulation consistent with the Code of Virginia (such as replacing the phrase "adult care residence" with the phrase "assisted living facility") and with the Department of Medical Assistance Services' policy (such as modifying the definition of assisted living to include only regular assisted living and not intensive assisted living as in the existing regulation). The proposed regulation also includes clarifying language and definitions, removes redundant language, and reorganizes parts of the existing regulation for clarity.

CHAPTER 745.
ASSESSMENT IN ~~ADULT CARE RESIDENCES~~ ASSISTED
LIVING FACILITIES.

22 VAC 40-745-10. Definitions.

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

"Activities of daily living (ADLs)" means bathing, dressing, toileting, transferring, bowel control, bladder control, and eating/feeding. A person's degree of independence in performing these activities is a part of determining appropriate level of care and services.

~~"Adult care residence (ACR)" means any place, establishment, or institution, public or private, operated or maintained for the maintenance or care of four or more adults who are aged, infirm, or disabled and who are cared for in a primarily residential setting, except (i) a facility or portion of a facility licensed by the State Board of Health or the Department of Mental Health, Mental Retardation and Substance Abuse Services, but including any portion of such facility not so licensed, and (ii) the home or residence of an individual who cares for or maintains only persons related to him by blood or marriage, and (iii) a facility or any portion of a facility serving infirm or disabled persons between the ages of 18 and 21, or 22 if enrolled in an educational program for the handicapped pursuant to § 22.1-214 of the Code of Virginia, when such facility is licensed by the Virginia Department of Social Services (DSS) as a child caring institution under Chapter 10 (§ 63.1-195 et seq.) of Title 63.1 of the Code of Virginia, but including any portion of the facility not so licensed. Included in this definition are any two or more places, establishments, or institutions owned or operated by a single entity and providing maintenance or care to a combined total of four or more aged, infirm or disabled adults.~~

"Applicant" means an adult ~~currently residing or planning to reside in an adult care residence~~ assisted living facility.

Proposed Regulations

"Assessment" means a standardized approach using common definitions to gather sufficient information about applicants to and residents of ~~adult care residences~~ *assisted living facilities* to determine the need for appropriate level of care and services.

~~"Assessor" means the entity specified in this regulation as qualified to perform assessments and authorize service in an adult care residence.~~

"Assisted living" means a level of service provided by an ~~adult care residence~~ *assisted living facility* for adults who may have physical or mental impairments and require at least moderate assistance with the activities of daily living. Moderate assistance means dependency in two or more of the activities of daily living. Included in this level of service are individuals who are dependent in behavior pattern (i.e., abusive, aggressive, disruptive). ~~Within assisted living, there are two payment levels for recipients of an auxiliary grant: regular assisted living and intensive assisted living as defined in regulations promulgated by the Department of Medical Assistance Services.~~

"Assisted living facility (ALF)" means any congregate residential setting that provides or coordinates personal and health care services, 24-hour supervision, and assistance (scheduled and unscheduled) for the maintenance or care of four or more adults who are aged, infirm or disabled and who are cared for in a primarily residential setting, except (i) a facility or portion of a facility licensed by the State Board of Health or the Department of Mental Health, Mental Retardation and Substance Abuse Services, but including any portion of such facility not so licensed; (ii) the home or residence of an individual who cares for or maintains only persons related to him by blood or marriage; (iii) a facility or portion of a facility serving infirm or disabled persons between the ages of 18 and 21, or 22 if enrolled in an educational program for the handicapped pursuant to § 22.1-214 of the Code of Virginia, when such facility is licensed by the department as a children's residential facility under Chapter 17 (§ 63.2-1700 et seq.) of Title 63.2 of the Code of Virginia, but including any portion of the facility not so licensed; and (iv) any housing project for persons 62 years of age or older or the disabled that provides no more than basic coordination of care services and is funded by the U.S. Department of Housing and Urban Development, by the U.S. Department of Agriculture, or by the Virginia Housing Development Authority. Included in this definition are any two or more places, establishments or institutions owned or operated by a single entity and providing maintenance or care to a combined total of four or more aged, infirm or disabled adults. Maintenance or care means the protection, general supervision and oversight of the physical and mental well-being of an aged, infirm or disabled individual.

"Auxiliary Grants Program" means a state and locally funded assistance program to supplement income of a Supplemental Security Income (SSI) recipient or adult who would be eligible for SSI except for excess income, who resides in an ~~adult care residence~~ *assisted living facility* with an approved rate.

"Case management" means multiple functions designed to link individuals to appropriate services. Case management may include a variety of common components such as initial

screening of need, comprehensive assessment of needs, development and implementation of a plan of care, service monitoring, and follow-up.

"Case management agency" means a public human service agency which employs or contracts for case management.

"Case manager" means an employee of a public human service agency who is qualified and designated to develop and coordinate plans of care.

"Community-based waiver services" means a service program administered by the Department of Medical Assistance Services under a waiver approved by the United States Secretary of Health and Human Services.

"Consultation" means the process of seeking and receiving information and guidance from appropriate human service agencies and other professionals when assessment data indicate certain social, physical and mental health conditions.

"Department" or "DSS" means the Virginia Department of Social Services.

"Dependent" means, for activities of daily living (ADLs) and instrumental activities of daily living (IADLs), the individual needs the assistance of another person or needs the assistance of another person and equipment or device to safely complete the activity. For medication administration, dependent means the individual needs to have medications administered or monitored by another person or professional staff. For behavior pattern, dependent means the person's behavior is aggressive, abusive, or disruptive.

"Discharge" means the movement of a resident out of the ~~adult care residence~~ *assisted living facility*.

~~"Emergency placement" means the temporary status of an individual in an adult care residence assisted living facility when the person's health and safety would be jeopardized by not permitting entry into the facility until requirements for admission have been met. An emergency placement shall occur only when the emergency is documented and approved by a Virginia adult protective services worker or case manager for public pay individuals or by an independent physician or a Virginia adult protective services worker for private pay individuals.~~

"Facility" means an assisted living facility.

"Independent physician" means a physician who is chosen by the resident of the ~~adult care residence~~ *assisted living facility* and who has no financial interest in the ~~adult care residence~~ *assisted living facility*, directly or indirectly, as an owner, officer, or employee or as an independent contractor with the ~~residence facility~~.

"Instrumental activities of daily living (IADLs)" means meal preparation, housekeeping, laundry, and money management. A person's degree of independence in performing these activities is a part of determining appropriate level of care and services.

~~"Maximum physical assistance" means that an individual has a rating of total dependence in four or more of the seven activities of daily living as documented on the uniform assessment instrument. An individual who can participate in~~

any way with the performance of the activity is not considered to be totally dependent.

"Medication administration" means the degree of assistance required to take medications and is a part of determining the need for appropriate level of care and services.

"Private pay" means *that* a resident of an ~~adult care assisted living facility~~ is not eligible for benefits under the Auxiliary Grants Program.

"Public human service agency" means an agency established or authorized by the General Assembly under Chapters 2 and 3 (§§ ~~63.1-34~~ 63.2-203 et seq. and ~~63.1-38~~ 63.2-300 et seq.) of Title ~~63.4~~ 63.2, Chapter ~~24~~ 7 (§ ~~2.1-374~~ 2.2-700 et seq.) of Title ~~2.4~~ 2.2, Chapters 1 and 10 (§§ 37.1-1 et seq. and 37.1-194 et seq.) of Title 37.1, ~~or~~ Article 5 (§ 32.1-30 et seq.) of Chapter 1 of Title 32.1, *Chapter 1* (§ 51.5-1 et seq.) of Title 51.5, ~~or §§ 53.1-21 and 53.1-60~~ of the Code of Virginia, or hospitals operated by the state under Chapters 6.1 and 9 (§§ 23-50.4 et seq. and 23-62 et seq.) of Title 23 of the Code of Virginia and supported wholly or principally by public funds, including but not limited to funds provided expressly for the purposes of case management.

"Public pay" means *that* a resident of an ~~adult care facility assisted living facility~~ is eligible for benefits under the Auxiliary Grants Program.

"Qualified assessor" means an ~~entity contracting with the Department of Medical Assistance Services (DMAS) to perform nursing facility preadmission screening or to complete the uniform assessment instrument for a home and community-based waiver program, including an independent physician contracting with DMAS to complete the uniform assessment instrument for residents of adult care residences, or any hospital which has contracted with DMAS to perform nursing facility preadmission screenings~~ individual who is authorized to perform an assessment, reassessment, or change in level of care for an applicant to or resident of an assisted living facility. For public pay individuals, a qualified assessor is an employee of a public human services agency trained in the completion of the uniform assessment instrument. For private pay individuals, a qualified assessor is staff of the assisted living facility or an independent private physician trained in the completion of the uniform assessment instrument.

"Residence" means an adult care residence.

"Resident" means an individual who resides in an assisted living facility.

"Residential living" means a level of service provided by an ~~adult care residence assisted living facility~~ for adults who may have physical or mental impairments and require only minimal assistance with the activities of daily living. Minimal assistance means dependency in only one activity of daily living or dependency in one or more of the selected instrumental activities of daily living. Included in this level of service are individuals who are dependent in medication administration as documented on the uniform assessment instrument. This definition includes independent living facilities that voluntarily become licensed.

"Significant change" means a change in a resident's condition that is expected to last longer than 30 days. It does not include short-term changes that resolve with or without intervention, a short-term acute illness or episodic event, or a well-established, predictive, cyclic pattern of clinical signs and symptoms associated with a previously diagnosed condition where an appropriate course of treatment is in progress.

"Targeted case management" means the provision of ongoing case management services by an employee of a public human services agency contracting with the Department of Medical Assistance Services to an auxiliary grant resident of an ~~adult care residence assisted living facility~~ who meets the criteria set forth in *Part IV* (12 VAC 30-50-410 et seq.) of 12 VAC 30-50.

"Total dependence" means the individual is entirely unable to participate in the performance of an activity of daily living.

"Uniform assessment instrument" means the department-designated assessment form. There is an alternate version of the uniform assessment instrument which may be used for private pay residents; social and financial information which is not relevant because of the resident's payment status is not included on this version.

"User's Manual: Virginia Uniform Assessment Instrument" means the department-designated handbook containing common definitions and procedures for completing the department-designated assessment form.

"Virginia Department of Medical Assistance Services (DMAS)" means the single state agency designated to administer the Medical Assistance Program in Virginia.

22 VAC 40-745-20. Persons to be assessed.

A. ~~Effective February 1, 1996,~~ All residents of and applicants of ~~ACRs to assisted living facilities~~ must be assessed using the uniform assessment instrument prior to admission, at least annually, and whenever there is a significant change in the resident's condition that appears to be permanent.

B. ~~Unless a private pay resident requests the uniform assessment instrument be completed by a case manager or other qualified assessor~~ For private pay individuals, qualified staff of the ~~ACR assisted living facility~~ or an independent private physician may complete the uniform assessment instrument for private pay individuals. Qualified staff of the ~~ACR assisted living facility~~ is an employee of the facility with documented training in ~~the completion of~~ by completion of a state-approved course on the uniform assessment instrument for either public or private pay assessments. The administrator or the administrator's designated representative must approve and sign the completed uniform assessment instrument for private pay individuals. A private pay individual may request the assessment be completed by a qualified public human services agency assessor. When a ~~case manager~~ public human services agency assessor completes the ~~UAI~~ uniform assessment instrument for a private pay individual, the ~~case management~~ agency may determine and charge a fee for private pay applicants and residents; the fee may not exceed the fee paid by DMAS for public pay applicants and residents.

C. For public pay individuals, a uniform assessment instrument shall be completed by a case manager or other

Proposed Regulations

qualified assessor to determine the need for residential or assisted living services. *The assessor is qualified to complete the assessment if he has completed a state-approved training course on the state-designated uniform assessment instrument. Public human services agency assessors who routinely complete, as part of their job descriptions, uniform assessment instruments for applicants to or residents of assisted living facilities prior to January 1, 2004, may be deemed to be qualified assessors without the completion of the training course. Qualified assessors that may authorize assisted living facility services for public pay individuals are employees of (i) local departments of social services; (ii) area agencies on aging; (iii) centers for independent living; (iv) community services boards; (v) local departments of health; (vi) state facilities operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services, (vii) acute-care hospitals, and (viii) Department of Corrections Community Release Units; and an independent physician contracting with DMAS.*

D. The AGR assisted living facility must coordinate with the assessor to ensure that the uniform assessment instrument is completed as required.

22 VAC 40-745-30. Determination of services to be provided.

A. The assessment shall be conducted with the department-designated uniform assessment instrument which sets forth a resident's care needs. The uniform assessment instrument is designed to be a comprehensive, accurate, standardized, and reproducible assessment of individuals seeking or receiving long-term care services. The uniform assessment instrument is comprised of a short assessment and a full assessment. The short assessment is designed to briefly assess the individual's need for appropriate level of care and services and to determine if a full assessment is needed. The uniform assessment instrument shall contain the following items: Full name of the individual; social security number; current address; date of birth; sex; marital status; racial/ethnic background; education; method for communication of needs; primary caregiver or emergency contact or both; usual living arrangements; problems with physical environmental; use of current formal services; annual income; sources of income; legal representatives; benefits or entitlements received; types of health insurance; performance on functional status which includes ADLs, continence, ambulation and IADLs; physician information; admissions to hospitals, nursing facilities or adult care residences for medical or rehabilitation reasons; advance directives; diagnoses and medication profile; sensory functioning; joint motion; presence of fractures/dislocations; missing limbs or paralysis/paresis; nutrition; smoking history; use of rehabilitation therapies; presence of pressure ulcers; need for special medical procedures; need for ongoing medical/nursing needs; orientation; memory and judgment; behavior pattern; life stressors; emotional status; social history which includes activities, religious involvement; contact with family and friends; hospitalization for emotional problems; use of alcohol or drugs; assessment of caregivers; and an assessment summary.

B. Sections of the uniform assessment instrument which must be completed are as follows:

1. The assessment for private pay individuals shall include the following portions of the uniform assessment instrument: name of the individual; social security number; current address; birthdate; sex; marital status; performance on functional status, which includes ADLs, continence, ambulation, IADLs, medication administration, and behavior pattern. In lieu of completing selected parts of the department-designated uniform assessment instrument, the alternate uniform assessment instrument developed for private pay applicants and residents may be used.

2. For public pay individuals, the short form of the uniform assessment instrument shall be completed. *The short form consists of sections related to identification and background, functional status, medication administration, and behavior pattern.* If, upon assessment, it is determined that the individual is dependent in *at least two* activities of daily living or is dependent in behavior, then the full assessment must be completed.

C. 1 The uniform assessment instrument shall be completed within 90 days prior to the date of admission to the AGR assisted living facility. If there has been a change in the individual's condition since the completion of the uniform assessment instrument which would affect the admission to an AGR assisted living facility, a new uniform assessment instrument shall be completed as specified in 22 VAC 40-745-20.

2. When a resident moves to an AGR assisted living facility from another AGR assisted living facility a new uniform assessment instrument is not required except that a new uniform assessment instrument shall be completed whenever there is a *significant* change in the resident's condition ~~that appears to warrant a change in the resident's approved level of care~~ or the assessment was completed more than 12 months ago.

3. In emergency placements, the uniform assessment instrument must be completed within seven working days from the date of placement. An emergency placement shall occur only when the emergency is documented and approved by a Virginia adult protective services worker ~~or case manager~~ for public pay individuals or by a Virginia adult protective services worker or independent physician for private pay individuals.

D. The uniform assessment instrument shall be completed ~~at least once every 12 months annually~~ on all residents of AGRs assisted living facilities. Uniform assessment instruments shall be completed as needed whenever there is a *significant* change in the resident's condition ~~that appears to warrant a change in the resident's approved level of care~~. All uniform assessment instruments shall be completed as required ~~in subsection A of this section~~ by 22 VAC 40-745-20.

E. At the request of the AGR assisted living facility, the resident's representative, the resident's physician, DSS, or the local department of social services, an independent assessment using the uniform assessment instrument shall be completed to determine whether the resident's care needs are being met in the current placement. An independent

assessment is an assessment that is completed by an entity other than the original assessor. The *ACR assisted living facility* shall assist the resident in obtaining the independent assessment as requested. If the request is for a private pay resident, and the independent assessment confirms that the resident's placement is appropriate, then the entity requesting the independent assessment shall be responsible for payment of the assessment, if applicable.

F. The assessor shall consult with other appropriate human service professionals as needed to complete the assessment.

G. DMAS shall reimburse for completion of assessments and authorization of *ACR assisted living facility* placement for public pay applicants and residents pursuant to this section.

22 VAC 40-745-40. Discharge.

Discharge is the process that ends the stay in an *ACR assisted living facility*. Staff of the *ACR assisted living facility* must plan for post-discharge services when the resident is returned to a home-based placement or, a nursing facility, or other placement. *ACR Assisted living facility* staff shall notify the local department of social services financial eligibility worker in the jurisdiction responsible for authorizing the auxiliary grant and the *public human agency assessor* of the date and place of discharge and case management, if applicable as well as when a resident dies. The assisted living facility must make these notifications within 10 days of the change in the resident's status.

22 VAC 40-745-50. Authorization of services to be provided.

A. The assessor is responsible for authorizing the individual for the appropriate level of care for admission to and continued stay in an *ACR assisted living facility*.

B. The *ACR assisted living facility* must be knowledgeable of the criteria for level of care in an *ACR assisted living facility* and is responsible for discharge of the resident whenever a resident does not meet the criteria for level of care in an *ACR assisted living facility* upon admission or at any later time.

C. The appropriate level of care must be documented on the uniform assessment instrument, completed in a manner consistent with the definitions of activities of daily living and directions provided in the User's Manual: Virginia Uniform Assessment Instrument.

D. During an inspection or review, staff from either the department, DMAS, or the local department of social services may initiate a change in level of care for any assisted living facility resident for whom it is determined that the resident's uniform assessment instrument is not reflective of the resident's current status.

22 VAC 40-745-90. Actions to be taken upon completion of the uniform assessment instrument.

A. Public pay individuals.

1. Upon completion of the uniform assessment instrument for admission, ~~changes in the individual's approved level of care, a significant change in the resident's condition, or for the 12-month assessment annual reassessment,~~ the case manager or a qualified assessor shall forward to the local

department of social services financial eligibility worker in the appropriate agency of jurisdiction, in the format specified by the department, the effective date of admission or change in level of care. *Qualified assessors who may perform the annual reassessment or a change in level of care for public pay individuals are employees of (i) local departments of social services; (ii) area agencies on aging; (iii) centers for independent living; (iv) community services boards; and (v) local departments of health, or an independent physician contracting with DMAS to complete the uniform assessment instrument.*

2. ~~A copy of~~ The *completed* uniform assessment instrument, ~~a copy of~~ the referral to the financial eligibility worker, and other relevant data shall be maintained in the *ACR assisted living facility* resident's record.

3. The ~~12-month assessment~~ *annual reassessment* shall be completed by the *qualified* assessor conducting the initial assessment. If the original assessor is neither willing nor able to complete the assessment and another assessor is not available, the local department of social services where the resident resides following placement in an *ACR assisted living facility* shall be the assessor.

4. *Clients of a community services board shall be assessed and reassessed by staff of the community services board.*

B. For private pay residents, the *ACR assisted living facility* shall ensure that assessments for all residents at admission and at subsequent intervals are completed as required in this chapter. The *ACR assisted living facility* shall maintain in the resident's record ~~a copy of~~ the resident's uniform assessment instrument and other relevant data.

22 VAC 40-745-100. Targeted case management for auxiliary grant recipients.

A. Targeted case management shall be limited to those residents who have multiple needs across multiple providers and this coordination is beyond the scope of the *ACR assisted living facility*. It shall be the responsibility of the assessor who identifies the individual's need for residential or assisted living in an *ACR assisted living facility* to assess the need for targeted case management services as defined in *Part IV* (12 VAC 30-50-410 et seq.) of 12 VAC 30-50.

B. A case management agency must have signed an agreement with DMAS to be reimbursed for the provision of targeted case management services to auxiliary grant recipients.

C. The local department of social services where the adult resides, following placement in an *ACR assisted living facility*, shall be the case management agency when there is no other qualified case management provider willing or able to provide case management services.

D. A qualified case manager must possess a combination of relevant work experience in human services or health care and relevant education which indicates that the individual possesses the knowledge, skills, and abilities at entry level as defined in *Part IV* (12 VAC 30-50-410 et seq.) of 12 VAC 30-50. This must be documented on the case manager's job application form or supporting documentation or observable in the job or promotion interview. When the provider agency is a

Proposed Regulations

local department of social services, case managers shall meet the qualifications for social work/social work supervisor classification as specified in 22 VAC 40-670-10 ~~et seq.~~

22 VAC 40-745-110. Resident appeals.

Assessors shall advise orally and in writing all applicants to and residents of ~~ACRs~~ *assisted living facilities* for which assessment or targeted case management services or both are provided of the right to appeal the outcome of the assessment, the ~~12-month assessment~~ *annual reassessment*, or determination of level of care. Applicants for auxiliary grants who are denied ~~an auxiliary grants~~ *grant* because the assessor determines that they do not require the minimum level of services offered in the residential care level have the right to file an appeal with the department of ~~Social Services~~ under § ~~63.1-146~~ 63.2-517 of the Code of Virginia. A determination that the individual does not meet the criteria to receive assisted living ~~services and intensive assisted living services~~ is an action which is appealable to DMAS.

DOCUMENTS INCORPORATED BY REFERENCE

User's Manual: Virginia Uniform Assessment Instrument (UAI), ~~Long Term Care Council, March 1994~~ *Commonwealth of Virginia, Revised April 1998*.

VA.R. Doc. No. R03-211; Filed March 3, 2004, 8:25 a.m.



FINAL REGULATIONS

For information concerning Final Regulations, see Information Page.

Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates new text. Language which has been stricken indicates text to be deleted. [Bracketed language] indicates a change from the proposed text of the regulation.

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

REGISTRAR'S NOTICE: The following regulations filed by the Marine Resources Commission are exempt from the Administrative Process Act in accordance with § 2.2-4006 A 12 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: 4 VAC 20-20. Pertaining to Licensing of Fixed Fishing Devices (amending 4 VAC 20-20-50).

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

Effective Date: March 1, 2004.

Summary:

The amendments (i) establish relief for pound net fishermen who were affected by Hurricane Isabel by exempting them from the provisions that require that a fixed fishing device must be fished in 2004 in order for the licensee to maintain his priority right to the net's location in future years and (ii) exempt the 2004 current pound net licensees from the requirement to fish their pound nets or system of nets or poles in order to maintain their priority rights to existing established locations. This amendment applies to the license year 2004 only.

Agency Contact: Deborah Cawthon, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002 or e-mail dcawthon@mrc.state.va.us.

4 VAC 20-20-50. Priority rights; renewal by current licensee.

A. Applications for renewal of license for existing fixed fishing devices may be accepted by the officer beginning at 9 a.m. on December 1 of the current license year through noon on January 10 of the next license year providing the applicant has met all requirements of law and this chapter. Any location not relicensed during the above period of time shall be considered vacant and available to any qualified applicant after noon on January 10.

B. Except as provided in subsection C of this section, a currently licensed fixed fishing device must have been fished during the current license year, *except as provided in subsection D of this section*, in order for the licensee to maintain his priority right to such location. It shall be mandatory for the licensee to notify the officer, on forms provided by the commission, when the fixed fishing device is ready to be fished in the location applied for, by a complete system of nets and poles, *except as provided in subsection D of this section*, for the purpose of visual inspection by the

officer. Either the failure of the licensee to notify the officer when the fixed fishing device is ready to be fished or the failure by the licensee actually to fish the licensed device, by use of a complete system of nets and poles, *except as provided in subsection D of this section*, shall terminate his right or privilege to renew the license during the period set forth in subsection A of this section of this chapter, and he shall not become a qualified applicant for such location until 9 a.m. on February 1. Any application received from an unqualified applicant under this subsection shall be considered as received at 9 a.m. on February 1; however, in the event of the death of a current license holder, the priority right to renew the currently held locations of the deceased licensee shall not expire by reason of failure to fish said locations during the year for which they were licensed, but one additional year shall be and is hereby granted to the personal representative or lawful beneficiary of the deceased licensee to license the location in the name of the estate of the deceased licensee for purposes of fishing said location or making valid assignment thereof.

C. During the effective period of 4 VAC 20-530-10 ~~et seq.~~, which establishes a moratorium on the taking and possession of American shad in the Chesapeake Bay and its tributaries, any person licensed during 1993 to set a staked gill net who chooses not to set that net during the period of the moratorium may maintain his priority right to the stake net's 1993 location by completing an application for a fixed fishing device and submitting it to the officer. No license fee shall be charged for the application.

D. During 2004, current pound net licensees shall not be required to fish their pound nets or establish a complete system of nets and poles in order to renew their licenses or maintain their priority rights to such locations for 2005.

VA.R. Doc. No. R04-126; Filed March 1, 2004, 12:58 p.m.

Title of Regulation: 4 VAC 20-720. Pertaining to Restrictions on Oyster Harvest (amending 4 VAC 20-720-20, 4 VAC 20-720-40, 4 VAC 20-720-50, 4 VAC 20-720-60 and 4 VAC 20-720-80).

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

Effective Date: March 1, 2004.

Summary:

The amendments extend the public oyster harvest season in the Pocomoke-Tangier Management Area through the month of March, ending March 31, 2004, and add an additional public oyster harvest area known as the Pocomoke Sound Handscape Area that will be open to public oyster harvest for the month of March (March 1, 2004, through March 31, 2004).

Final Regulations

Agency Contact: Katherine V. Leonard, Administrative and Program Specialist, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2120.

4 VAC 20-720-20. Definitions.

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

"Deep Rock Dredge Area" means the area described as follows: starting at Cherry Point, Gwynns Island, thence northeast to G'1P" along the south side of channel to Piankatank River; thence east-southeast to G'1R"; thence southwest to Sandy Point, Gwynns Island, north of Hole in Wall (see map).

"Deep Water Shoal State Replenishment Seed Area (DWS)" in the James River (574.66 Acres) means the areas beginning at a point approximately 530 feet west of Deep Water Shoal Light, said point being Corner 1 as located by Virginia State Plane Coordinates, South Zone, NAD 1927, north 302,280.00, east 2,542,360.00; thence north azimuth 30°49'59", 4,506.99 feet to Corner 2, north 306,150.00, east 2,544,670.00; thence north azimuth 135°08'57", 5,430.60 feet to Corner 3, north 302,300.00, east 2,548,500.00; thence north azimuth 212°13'54", 3,487.42 feet to Corner 4, north 299,350.00, east 2,546,640.00; thence north azimuth 269°10'16", 2,765.29 feet to Corner 5, north 299,310.00, east 2,543,875.00; thence north azimuth 332°58'26", 3,334.09 feet to Corner 1, being the point of beginning.

"Great Wicomico River Hand Scrape Area" means that area of a line drawn from Sandy Point to Cockrell Point.

"Hand scrape" means any device or instrument with a catching bar having an inside measurement of no more than 22 inches, which is used or usable for the purpose of extracting or removing shellfish from a water bottom or the bed of a body of water.

"James River Hand Scrape Area" means that area of the James River west of the Monitor and Merrimac Bridge Tunnel to the James River Bridge (Route 17).

"Pocomoke and Tangier Sounds Management Area (PTSMA)" means the area as defined in § 28.2-524 of the Code of Virginia.

"Pocomoke Sound" means that area northeast from a line from Beach Island Light to the house on the Great Fox Island.

"Pocomoke Sound Hand Scrape Area" means that area northeast of the Pocomoke and Tangier Management Area near Saxis.

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

"Rappahannock River Drumming Ground Hand Scrape Area" means that portion of the Rappahannock and Corrotoman River, west of the Route 3 bridge (Norris Bridge), and north of a line from the center of the Route 3 bridge (Norris Bridge)

following westward along the channel to Towles Point at Buoy "R6," excluding the Corrotoman River north of a line from Balls Point to Corrotoman Point. (See map.)

"Rappahannock River Hand Scrape Area" means that area including all public grounds between a line extending from the eastern-most point of Long Point thence in an easterly direction to flashing red buoy "8"; thence due east to Rogue Point, upriver to a line extending from Tarpley Point; thence in a southwesterly direction to flashing green buoy "13"; thence south-southwesterly to Jones Point. (See map.)

"Rappahannock River Temples Bay Hand Scrape Area" means that area in the Rappahannock River, west of the Route 3 bridge (Norris Bridge) and south of a line drawn from the center of the Route 3 bridge (Norris Bridge) upriver to Towles Point continuing the line upriver to red buoy 8; thence across to the southside of the river to Long Point, thence back to the Route 3 bridge (Norris Bridge) along the southern shoreline. (See map.)

"Tangier Sound" means that area from Tangier Light North to the Maryland-Virginia line (red buoy #6).

"Tangier Sound Hand Tong Area" means that area in the PTSMA south and west of a line from Fishbone Island thence southeast to bell buoy "5", thence south southwest to buoy "3" (such area to include all of Public Ground 3 and Flat Rock) and shall be a hand tong area only (see map) and Cod Harbor (approximately 1,124 acres) beginning at a point of East Point Marsh, said point having the Virginia state coordinates, south section, coordinates of north 555,414.89, east 2,730,388.85; thence south 79°59', east 2,260 feet to a line designating the western extent of the PTSMA as described in § 28.2-524 of the Code of Virginia; thence south 10°16', west 2,800 feet; thence south 28°46', west 8,500 feet to a point on Sand Spit, position north 545,131.78, east, 2,728,014.94; thence along the mean low water line of Cod Harbor in a west, north and northeast direction crossing Canton Creek and Mailboat Harbor from headland to headland to the point of beginning. (See map.)

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

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

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

1. James River Seed Area, including the Deep Water Shoal State Replenishment Seed Area and James River Jail Island and Point of Shoals Clean Cull Areas: October 1, 2003, through April 30, 2004. By hand tong only.
2. Seaside of Eastern Shore: for clean cull oysters only, November 1, 2003, through January 31, 2004. By hand only.
3. The Rappahannock River Hand Scrape Area; the Rappahannock River Drumming Ground Hand Scrape Area; the Rappahannock River Temples Bay Hand Scrape Area: October 15, 2003, through January 15, 2004.

4. That area of the Rappahannock River, west of the line drawn from Tarpley Point to green buoy #13 to Jones Point and the area of the Corrotoman River, north of the line drawn from Balls Point to Corrotoman Point; that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (PRV6A to PRV6B; and PRV5A to PRV5C, respectively); that area of the Coan River to the Virginia-Maryland state line (PRV1A to PRV1B), except for that area above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur); that area of the Yeocomico River inside Public Grounds 102, 104, 107, 112 and 113; that area of the Piankatank River, west of the Route 3 bridge; and Little Wicomico River: October 15, 2003, through January 15, 2004. By hand tong only.

5. The following areas of the PTSMA in Tangier Sound, from Tangier Light north to the Maryland-Virginia Line (red buoy #6) and in the Pocomoke Sound, northeast from a line from Beach Island Light to the house on the Great Fox Island, excluding the Tangier Sound Hand Tong Areas: December 1, 2003, through ~~February 29, 2004~~ *March 31, 2004*. By dredge only.

6. Deep Rock Dredge Area: March 1, 2004, through March 31, 2004.

7. Great Wicomico River Hand Scrape Area: February 1, 2004, through March 31, 2004. By hand scrape only.

8. James River Hand Scrape Area: January 1, 2004, through February 29, 2004. By hand scrape only.

9. *Pocomoke Sound Handscape Area: March 1, 2004, through March 31, 2004. By hand scrape only.*

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

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

1. All public oyster grounds and unassigned grounds in the Chesapeake Bay and its tributaries, including the tributaries of the Potomac River, except the following areas: that area of the Rappahannock River west of the line drawn from Tarpley Point to green buoy #13 to Jones Point; the area of the Corrotoman River north of the line drawn from Balls Point to Corrotoman Point; the Rappahannock River Hand Scrape Area; the Drumming Ground Hand Scrape Area; the Temples Bay Hand Scrape Area; that area of the Piankatank River west of the Route 3 bridge; that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line; that area of the Coan River to the Virginia-Maryland state line, except for above a line from Walnut Point to Stephens Point; that area of the Yeocomico River inside Public Grounds 102, 104, 107, 112 and 113; the Little Wicomico River; the PTSMA in Tangier Sound, from Tangier Light north to the Maryland-Virginia Line; the Pocomoke Sound, northeast from a line from Beach Island Light to the house on the Great Fox Island; the James River Seed Area; the James River Jail Island and Point of Shoals Clean Cull Areas; the Seaside of Eastern Shore; the Great Wicomico River Hand Scrape Area; the James River Hand Scrape Area; and the Deep Rock Dredge Area: October 1, 2003, through September 30, 2004.

2. James River Seed Area, including the Deep Water Shoal State Replenishment Seed Area, and James River Jail Island and Point of Shoals Clean Cull Areas: May 1, 2004, through September 30, 2004.

3. All public oyster grounds and unassigned grounds on the Seaside of Eastern Shore: for clean cull oysters, October 1 through October 31, 2003, and February 1, 2004, through September 30, 2004; and for seed oysters, all year. Oyster harvest from leased oyster ground and fee simple oyster ground shall require a permit from the Marine Resources Commission as set forth in 4 VAC 20-720-90.

4. That area of the Rappahannock River west of the line drawn from Tarpley Point to green buoy #13 to Jones Point; the area of the Corrotoman River, north of the line drawn from Balls Point to Corrotoman Point; the Rappahannock River Hand Scrape; the Rappahannock River Drumming Ground Handscape Area; the Rappahannock River Temples Bay Hand Scrape Area; that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line; that area of the Coan River to the Virginia-Maryland state line, except for above a line from Walnut Point to Stephens Point; that area of the Piankatank River west of the Route 3 bridge; and that area of the Yeocomico River inside Public Grounds 102, 104, 107, 112 and 113; and Little Wicomico River: October 1, 2003, through October 14, 2003, and January 16, 2004, through September 30, 2004.

5. The following areas of the PTSMA: in Tangier, from Tangier Light north to the Maryland-Virginia line, and in the area of the PTSMA in the Pocomoke Sound, northeast from a line from Beach Island Light to the house on the Great Fox Island: October 1, 2003, through November 30, 2003, and ~~March 1, 2004~~ *April 1, 2004*, through September 30, 2004.

6. Deep Rock Dredge Area: October 1, 2003, through February 29, 2004, and April 1, 2004, through September 30, 2004.

7. Great Wicomico River Hand Scrape Area; October 1, 2003, through January 31, 2004, and April 1, 2004, through September 30, 2004.

8. James River Hand Scrape Area: October 1, 2003, through December 31, 2003, and March 1, 2004, through September 30, 2004.

9. *Pocomoke Sound Hand Scrape: October 1, 2003, through February 29, 2004, and April 1, 2004, through September 30, 2004.*

4 VAC 20-720-60. Day and time limit.

A. It shall be unlawful to take, catch or possess oysters on Saturday and Sunday from the public oyster grounds or unassigned grounds in the waters of the Commonwealth of Virginia, except that this provision shall not apply to any person harvesting no more than one bushel per day by hand for household use only during the season when the public oyster grounds or unassigned grounds are legally open for harvest. The presence of any gear normally associated with the harvesting of oysters on board the boat or other vehicle used during any harvesting under this exception shall be prima facie evidence of violation of this chapter.

Interested persons were afforded an opportunity to request a hearing and file comments in writing or electronically on or before January 9, 2004. Comments in favor of the proposed regulation were received from various credit unions and the Virginia Credit Union League and comments against the proposal were received from Keith Leggett and the Virginia Bankers Association. No request for a hearing was received.

The Commission, having considered the record, the proposed regulation, and all comments filed, concludes that the proposed regulation is a proper exercise of our authority under §§ 6.1-225.3:1 and 6.1-225.22 of the Code of Virginia, will promote the parity with federal credit unions contemplated by the cited statutes, and should be adopted as proposed.

THEREFORE, IT IS ORDERED THAT:

- (1) Proposed 10 VAC 5-40-40 attached hereto is adopted effective March 1, 2004.
- (2) The regulation shall be published on the Commission website at <http://www.state.va.us/scc/caseinfo.htm>.
- (3) An attested copy hereof, together with a copy of the regulation, shall be sent to the Register of Regulations for publication in the Virginia Register.
- (4) This case is dismissed from the Commission's docket of active cases.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to the Commissioner of Financial Institutions who shall forthwith mail a copy of this Order and the regulation to all state credit unions and such other interested persons as he shall designate.

10 VAC 5-40-40. Serving underserved areas.

Any multiple-group state credit union shall have the power to amend its articles of incorporation or bylaws, pursuant to § 6.1-225.16 of the Code of Virginia, to expand its field of membership to include individuals and organizations in one or more underserved areas to the same extent, and subject to the same conditions, as is authorized for federal credit unions under 12 USC § 1759. The numerical limitations contained in § 6.1-225.23 B 2 and the provisions of § 6.1-225.23:1 of the Code of Virginia shall not apply to the exercise of this power.

VA.R. Doc. No. R04-50; Filed February 25, 2004, 2:22 p.m.



EMERGENCY REGULATIONS

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

Title of Regulation: **4 VAC 20-720. Pertaining to Restrictions on Oyster Harvest (adding 4 VAC 20-720-48).**

Statutory Authority: §§ 28.2-201, 28.2-210 and 28.2-507 of the Code of Virginia.

Effective Dates: March 1, 2004, through March 31, 2004.

Summary:

This emergency chapter is promulgated pursuant to §§ 28.2-210 and 28.2-507 of the Code of Virginia and extends the public oyster harvest season for the James River Hand Scrape Area as described in 4 VAC 20-720-20, Definitions. This emergency action was taken by the commission in an effort to allow the watermen to continue harvesting clean cull size oysters to meet the demands of the market and allow for loss of workdays due to bad weather. The effective date of this emergency chapter is March 1, 2004. This emergency chapter shall terminate on March 31, 2004.

Agency Contact: Katherine V. Leonard, Administrative and Program Specialist, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2120.

4 VAC 20-720-48. Extension of the public oyster harvest season for the James River Hand Scrape Area.

A. The season for the harvesting of oysters from this area is extended through the month of March, ending March 31, 2004.

B. All other applicable laws and regulations for harvesting oysters from public oyster grounds shall apply during this extended time period.

VA.R. Doc. No. R04-119; Filed March 1, 2004, 10:05 a.m.



GENERAL NOTICES/ERRATA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice of Availability of and Public Comment on the 2004 305(b)/303(d) Water Quality Assessment Integrated Report

The Virginia Department of Environmental Quality (DEQ) will release the Draft 2004 305(b)/303(d) Water Quality Assessment Integrated Report (Integrated Report) on March 22, 2004 for public comment.

The Integrated Report combines both the 305(b) Water Quality Assessment and the 303(d) Report on Impaired Waters. It will be available for download on our website at <http://www.deq.state.va.us/wqa/> throughout the public comment period, which ends on Friday, April 23, 2004, at 5 p.m. A hard copy of the draft report is available upon request by phoning Patricia Carpin at (804) 698-4575.

The final report and maps will be available later this year after review and approval by the United States Environmental Protection Agency. Copies of the final report and associated maps on CDs can be pre-ordered now at the website above at no charge. Hard copies of the final maps will also be available for a fee. They can be pre-ordered by printing the order form on our website, filling it out and mailing it to DEQ at the address indicated on the form with a check payable to "Treasurer of Virginia". Please memo your check with "2004 IR maps".

Four public information meetings are scheduled regarding the draft Integrated Report. They will be held on:

- March 25th, 10 a.m. – 11:30 p.m. – DEQ South West Regional Office, 355 Deadmore Street in Abingdon. For directions please contact Allen Newman, (276) 676-4804, ajnewman@deq.state.va.us.
- March 26th, 10 a.m. – 11:30 a.m. – DEQ Northern Va. Regional Office, 13901 Crown Court in Woodbridge. For directions please contact Bryant Thomas, (703) 583-3843, bhthomas@deq.state.va.us.
- March 30th, 10:30 a.m. – 12 p.m. – DEQ Piedmont Regional Office, 4949-A Cox Road in Glen Allen. For directions please contact Jennifer Palmore, (804) 527-5058, jvpalmore@deq.state.va.us.
- March 31st, 10:30 a.m. – 12 p.m. – DEQ West Central Regional Office, 3019 Peters Creek Road in Roanoke. For directions please contact Mike McLeod, (540) 562-6721, dmmcleod@deq.state.va.us.

Written comments on the draft Integrated Report can be sent to: Darryl M. Glover, DEQ Water Quality Monitoring and Assessment Manager, via e-mail attachment to, dmglover@deq.state.va.us, or (US) mail to P.O. Box 10009, Richmond, VA 23240. Please include your name, (US mail) address, telephone number, and e-mail address.

Total Maximum Daily Loads (TMDLs) to Address Multiple Impairments in the Middle and South River Watersheds

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation (DCR) seek written and oral comments from interested persons on the development of Total Maximum Daily Loads (TMDLs) to address multiple impairments in the Middle and South River watersheds. The subject stream segments are identified in Virginia's 1998 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standards for bacteria, the General Standard (benthics), or both. The bacteria impairments include 15.7 miles on Upper Middle River, 12.1 miles on Lewis Creek, 7.3 miles on Polecat Draft, 18.1 miles on Lower Middle River, 12.6 miles on South River, and 8.73 miles on Moffett Creek. The benthic impairments include 15.7 miles on Upper Middle River, 12.1 miles on Lewis Creek, 8.73 miles on Moffett Creek, and 31.45 miles on Christians Creek.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

The final public meeting on the development of TMDLs to address the impairments in the subject stream segments will be held on Thursday, March 25, 2004, at 7 p.m. in the Board Room at the Augusta County Government Center, 18 Government Center Lane, Verona, Virginia. Directions and a map to the location are available at http://www.mme.state.va.us/Dmm/Training_Schedule/veronadir.pdf.

A copy of the draft TMDL report addressing all of the impairments listed above, except for the Lewis Creek benthic impairment, will be available for review on or before March 25, 2004, on the DEQ website at <http://www.deq.state.va.us/tmdl/tmdlrpts.html>. The TMDL for the Lewis Creek benthic impairment will be completed at a later date and will be the subject of subsequent public involvement and public comment opportunities. The public comment period for the March 25th meeting and the draft report addressing the remaining impairments will end on April 24, 2004. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Robert Brent, Department of Environmental Quality, 4411 Early Road, P.O. Box 3000, Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878, or e-mail rbrent@deq.state.va.us.

STATE CORPORATION COMMISSION

February 23, 2004

Administrative Letter 2004-1

TO: ALL INSURERS LICENSED TO WRITE ACCIDENT AND SICKNESS INSURANCE IN VIRGINIA, AND ALL HEALTH SERVICES PLANS AND HEALTH MAINTENANCE ORGANIZATIONS LICENSED IN VIRGINIA

General Notices/Errata

RE: 14 VAC 5-190-10 et seq.: Rules Governing the Reporting of Cost and Utilization Data Relating to Mandated Benefits and Mandated Providers - 2003 Reporting Period

The purpose of this Administrative Letter is to assist carriers in the preparation of the Annual Report of Cost and Utilization Data relating to Mandated Benefits and Providers required pursuant to 14 VAC 5-190-10 et seq. and § 38.2-3419.1 of the Code of Virginia, and to remind all affected carriers of the reporting requirements applicable to mandated benefits and providers for the 2003 reporting year. The report must be in the format contained in Form MB-1. Each licensed carrier must submit a separate Form MB-1, unless the carrier is exempt from the reporting requirements. It is not acceptable to submit more than one Form MB-1 for a single carrier or to consolidate information from different carriers on one form. The completed Form MB-1 (cover sheet and sections) is due on or before May 1, 2004.

- On or before March 21, 2004, carriers may access, complete and submit Form MB-1 electronically, and review related instructions and representative CPT and ICD-9-CM codes, through the Bureau of Insurance's website at:

<http://www.state.va.us/scc/division/boi/webpages/mandatedforms.htm>

Carriers should refer to 14 VAC 5-190-40 for an explanation of the circumstances under which a full and complete or an abbreviated report must be filed, or under which a company may be exempt from filing a report. The **Virginia total annual written premium for all accident and sickness policies or contracts** referred to in this section is the amount reported to the Commission on the company's Annual Statement for the year ending December 31, 2003. This is the amount used to determine if a report is required.

The instructions explain the type of information necessary to complete Form MB-1, and serve to highlight frequent errors and omissions. All sources of information, including 14 VAC 5-190-10 et seq., §§ 38.2-3408 through 38.2-3418.13, as applicable, § 38.2-4221, and CPT and ICD-9-CM codes should be consulted in the preparation of this report. Please note that the CPT and ICD-9-CM codes are not intended to exhaust all medical codes that may be used in collecting data for Form MB-1, but are representative of some of the more common codes associated with the mandated benefits.

Correspondence regarding reporting requirements should be directed to Mary Ann Mason, Senior Insurance Market Examiner, Forms and Rates Section, Bureau of Insurance - Life and Health Division, P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9348, FAX (804) 371-9944.

System related questions or problems should be directed to Brenda Golden, Assistant Deputy Commissioner, Bureau of Insurance - Life and Health Division, P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9074, FAX (804) 371-9944.

Carriers are reminded that failure to submit a substantially complete and accurate report pursuant to the provisions of 14 VAC 5-190-10 et seq. by May 1, 2004, may be considered a violation subject to a penalty as set forth in § 38.2-218 of the

Code of Virginia. Lack of notice, lack of information, lack of means of producing the required data, or other such reasons will not be accepted for not submitting a complete and accurate report in a timely manner.

/s/ Alfred W. Gross
Commissioner of Insurance

STATE LOTTERY DEPARTMENT

Director's Orders

The following Director's Orders of the State Lottery Department were filed with the Virginia Registrar of Regulations on February 18, 2004, and March 3, 2004. 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.

Director's Order Number Seven (04)

Virginia's Instant Game Lottery 325; "Checkerboard Bingo," (effective 2/10/04)

Director's Order Number Nine (04)

Virginia's Instant Game Lottery 591; "Cash Zone," (effective 2/23/04)

Director's Order Number Ten (04)

Virginia's Instant Game Lottery 250; "Double Money," (effective 2/26/04)

Director's Order Number Eleven (04)

Virginia's Instant Game Lottery 599; "Tough Trucks, Big Bucks," (effective 2/23/04)

Director's Order Number Twelve (04)

Virginia's Instant Game Lottery 588; "100 Grand Hand," (effective 2/26/04)

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://register.state.va.us>.

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
RESPONSE TO PETITION FOR RULEMAKING-RR13
FAST-TRACK RULEMAKING ACTION-RR14

ERRATA

DEPARTMENT OF CONSERVATION AND RECREATION

Title of Regulation: **4 VAC 5-36. Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services.**

Publication: 20:13 VA.R. 1604-1633 March 8, 2004.

Correction to Final Regulation:

Page 1604, change Title of Regulation to read as follows:

Title of Regulation: **4 VAC 5-36. Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services (amending 4 VAC 5-36-20, 4 VAC 5-36-50 through 4 VAC 5-36-150, 4 VAC 5-36-170 through 4 VAC 5-36-220).**

STATE BOARD OF SOCIAL SERVICES

Title of Regulation: **22 VAC 40-80. General Procedures and Information for Licensure.**

Publication: 20:10 VA.R. 972-989 January 26, 2004

Correction to Proposed Regulation:

Page 975, 22 VAC 40-80-10, column 2, definition of "Denial," line 2, strike "original" and insert "*initial*"

Page 976, 22 VAC 40-80-30, column 2, line 6, change "*supress*" to "*suppress*"

Page 977, 22 VAC 40-80-100, paragraph 2, line 2, after "routinely" strike "and"

VA.R. Doc. No. R03-41; Filed March 2, 2004, 2:25 p.m.

CALENDAR OF EVENTS

Symbol Key

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

BOARD OF ACCOUNTANCY

May 6, 2004 - 10 a.m. -- Open Meeting
Holiday Inn-Richmond, 6531 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss general business matters including complaint cases. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation. The time of the meeting is subject to change. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board at (804) 367-8505 or TDD (804) 367-9753 at least 10 days prior to the meeting so suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Executive Director, Board of Accountancy, 3600 W. Broad St., Suite 696, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY ☎, e-mail boa@boa.state.va.us.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Virginia Agricultural Council

March 22, 2004 - 8:30 a.m. -- Open Meeting
March 23, 2004 - 8 a.m. -- Open Meeting
Holiday Inn, 1200 Fifth Street, Charlottesville, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to hear and act upon agricultural project proposals for financial assistance through the Virginia Agricultural Council. The council 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 Thomas Yates at least five days before the meeting date so that suitable arrangements can be made.

Contact: Thomas R. Yates, Executive Director, Virginia Agricultural Council, 1100 Bank St., Room 509, Richmond, VA 23219, telephone (804) 786-6060, FAX (804) 371-8372, (800) 828-1120/TTY ☎, e-mail tyates@vdacs.state.va.us.

Virginia Dark-Fired Tobacco Board

March 24, 2004 - 10 a.m. -- Open Meeting
Sheldon's Restaurant, Business Route 15 and 360, Keysville, Virginia. ♿

A meeting to review and consider approval of minutes of the last meeting. In addition, the board's financial statement will be reviewed and the budget for FY04-05 approved. During the meeting, the board will consider funding proposals for research, promotion, and education projects pertaining to the Virginia dark-fired tobacco industry. Other business that may come before the board will be considered as well. 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 D. Stanley Duffer at least five days before the meeting date so that suitable arrangements can be made.

Contact: D. Stanley Duffer, Secretary, Virginia Dark-Fired Tobacco Board, P.O. Box 129, Halifax, VA 24558, telephone (434) 572-4568, FAX (434) 572-8234.

Virginia Horse Industry Board

April 1, 2004 - 10 a.m. -- Open Meeting
Virginia Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia. ♿

A meeting to review the minutes of the last meeting, its current financial statement, and promotional plans for the coming year. The board will also review grant proposals submitted for FY 2004-2005. 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, Department of Agriculture and Consumer Services, 1100 Bank St., 9th Floor, Richmond, VA 23219, telephone (804) 786-5842, FAX (804) 786-3122.


Virginia Marine Products Board

March 30, 2004 - 6 p.m. -- Open Meeting
Dolphin Cove Restaurant, Route 17, Gloucester, Virginia. 

A meeting to consider minutes of the previous board meeting, review the board's financial statement, and hear reports on trade shows, festivals, industry tours, calendar sales, and cooperative programs with the Virginia Department of Agriculture and Consumer Services and croaker exports. 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 Shirley Estes at least five days before the meeting date so that suitable arrangements can be made.

Contact: Shirley Estes, Executive Director, Virginia Marine Products Board, 554 Denbigh Blvd., Suite B, Newport News, VA 23608, telephone (757) 874-3474, FAX (757) 886-0671.


STATE AIR POLLUTION CONTROL BOARD

† April 5, 2004 - 11 a.m. -- Public Hearing
Department of Environmental Quality Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia. 

A public hearing to receive comments on a proposed revision to the State Implementation Plan (SIP) consisting of legislation (SB 454 or similar legislation) that would enable the Commonwealth to meet its obligation under § 185 of the Clean Air Act. The legislation would authorize the department to collect federal penalty fees from stationary sources of air emissions if severe nonattainment areas in which these facilities are located do not attain air quality standards by deadlines established by the Clean Air Act. Comment is being sought on the issue of whether the legislation should be submitted as a SIP revision and not the content of the legislation.

Contact: Robert A. Mann, Department of Environmental Quality, P.O. Box 10009 Richmond, VA 23240, telephone (804) 698-4419, FAX (804) 698-4510, e-mail ramann@deq.state.va.us.


State Advisory Board on Air Pollution

† March 23, 2004 - 10 a.m. -- Open Meeting
Department of Environmental Quality Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 


The first meeting of the State Advisory Board on Air Pollution for 2004.

Contact: Janet Wynne, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4140, e-mail jtwynne@deq.state.va.us.


ALCOHOLIC BEVERAGE CONTROL BOARD


March 22, 2004 - 9 a.m. -- Open Meeting
† April 5, 2004 - 9 a.m. -- Open Meeting
† April 19, 2004 - 9 a.m. -- Open Meeting
† May 3, 2004 - 9 a.m. -- Open Meeting
† May 17, 2004 - 9 a.m. -- Open Meeting
† June 7, 2004 - 9 a.m. -- Open Meeting
† June 21, 2004 - 9 a.m. -- Open Meeting
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. 

A meeting of the executive staff to receive and discuss reports and activities from staff members. Other matters are not yet determined.

Contact: W. Curtis Coleburn, III, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., Richmond, VA 23220, telephone (804) 213-4409, FAX (804) 213-4411, (804) 213-4687/TTY , e-mail wccolen@abc.state.va.us.

ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION


March 23, 2004 - 10 a.m. -- Canceled
June 8, 2004 - 10 a.m. -- Open Meeting
Ratcliffe Building, 1602 Rolling Hills Drive, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

April 26, 2004 - 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 business meeting.

Contact: Janet L. Honeycutt, Director of Grant Operations, Department for the Aging, 1600 Forest Ave., Suite 102, Richmond, VA 23229, telephone (804) 662-9333, FAX (804) 662-9354, toll-free (800) 554-3402, (804) 662-9333/TTY , e-mail jlhoneycutt@vdh.state.va.us.

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

† March 26, 2004 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

An informal fact-finding conference.

Contact: Mark N. Courtney, Executive 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 APELSCIDLA@dpor.state.va.us.

Calendar of Events

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designs and Landscape Architects intends to amend regulations entitled **18 VAC 10-20, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designs and Landscape Architects Rules and Regulations**. The purpose of the proposed action is to adjust fees as necessary in accordance with § 54.1-113 of the Code of Virginia (Callahan Act). Any other changes that may be necessary may also be considered.

Statutory Authority: §§ 54.1-113, 54.1-201, 54.1-404 and 54.1-411 C of the Code of Virginia.

Contact: Mark N. Courtney, Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designs and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475 or e-mail APELSCIDLA@dpor.virginia.gov.

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designs and Landscape Architects intends to amend regulations entitled **18 VAC 10-10, Public Participation Guidelines**. The purpose of the proposed action is to clarify existing public participation guidelines.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.


Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

ART AND ARCHITECTURAL REVIEW BOARD

April 2, 2004 - 10 a.m. -- Open Meeting

May 7, 2004 - 10 a.m. -- Open Meeting


June 4, 2004 - 10 a.m. -- Open Meeting

Science Museum of Virginia, 2500 West Broad Street, Richmond, Virginia. 


A monthly meeting to review projects submitted by state agencies.


Contact: Richard L. Ford, AIA Chairman, 101 Shockoe Slip, 3rd Floor, Richmond, VA 23219, telephone (804) 648-5040, FAX (804) 225-0329, toll free (804) 786-6152, or e-mail rford@comarchs.com.

VIRGINIA COMMISSION FOR THE ARTS


† March 31, 2004 - 9 a.m. -- Open Meeting
Lecture Hall, Center for Education, Wolf Trap Foundation for the Performing Arts, 1645 Trap Road, Vienna, Virginia. 


A quarterly meeting.

Contact: Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY , e-mail peggy.baggett@arts.virginia.gov.

† April 13, 2004 - 10 a.m. -- Open Meeting
Chamber of Commerce Building, Galax, Virginia. 

† April 14, 2004 - 10 a.m. -- Open Meeting
Washington and Lee University, Lexington, Virginia. 


† April 20, 2004 - 10 a.m. -- Open Meeting
Ferrum College, Franklin Hall, Ferrum, Virginia. 

† April 22, 2004 - 10 a.m. -- Open Meeting
Wayside Theater, Middletown, Virginia. 


† April 27, 2004 - 10 a.m. -- Open Meeting
Northern Virginia Community College, Alexandria, Virginia.


† May 4, 2004 - 10 a.m. -- Open Meeting
Chrysler Museum of Art, Norfolk, Virginia.

† May 6, 2004 - 10 a.m. -- Open Meeting


† May 11, 2004 - 10 a.m. -- Open Meeting
Cultural Arts Center at Glen Allen, Glen Allen, Virginia. 


A meeting to review grant applications and recommend funding to arts organizations for the 2004-2005 fiscal year.

Contact: Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY , e-mail peggy.baggett@arts.virginia.gov.


† May 13, 2004 - 10 a.m. -- Open Meeting
The Marquee, 3015 Cutshaw Avenue, Richmond, Virginia. 

A meeting to review grant applications from Virginia elementary and secondary schools in the categories of Arts Curriculum Development Grants and Artist Residency Grants.

Contact: Sharon Wilson, Grants Officer, Arts Education, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY , e-mail sharon.wilson@arts.virginia.gov.

† May 18, 2004 - 10 a.m. -- Open Meeting
The Marquee, 3015 Cutshaw Avenue, Richmond, Virginia. 

A meeting to review applications from Virginia performing artists for inclusion in the 2005-2006 Tour Directory.

Contact: Sharon Wilson, Grants Officer, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY , e-mail sharon.wilson@arts.virginia.gov.


VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS

April 9, 2004 - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Virginia Board for Asbestos, Lead, and Home Inspectors intends to amend regulations entitled **18 VAC 15-10, Public Participation Guidelines**. The purpose of the proposed action is to clarify existing public participation guidelines.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

May 19, 2004 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business.

Contact: David Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail asbestos@dpor.virginia.gov.

AUCTIONEERS BOARD

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Auctioneers Board intends to amend regulations entitled **18 VAC 25-10, Public Participation Guidelines**. The purpose of the proposed action is to clarify the existing regulation by specifying that the term "agency" refers to the board; clarifying that, in addition to a person, an organization may file a petition for rulemaking; and excepting fast-track rulemaking from the applicability of certain provisions of the public participation guidelines.

Statutory Authority: §§ 2.2-4007 and 54.1-602 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.


BOARD FOR BARBERS AND COSMETOLOGY

April 9, 2004 - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Barbers and Cosmetology intends to amend regulations entitled **18 VAC 41-10, Public Participation Guidelines**. The purpose of the proposed action is to clarify the existing regulation by specifying that the term "agency" refers to the board; clarifying that, in addition to a person, an organization may file a petition for rulemaking; and excepting fast-track rulemaking from the applicability of certain provisions of the public participation guidelines.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.


Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

April 19, 2004 - 9 a.m. -- Open Meeting
† June 14, 2004 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 


A general business meeting including consideration of regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: William H. Ferguson, II, Executive Director, Board for Barbers and Cosmetology, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY , e-mail barberscosmo@dpor.virginia.gov.

BOARD FOR THE BLIND AND VISION IMPAIRED

April 13, 2004 - 1 p.m. -- Open Meeting
Department for the Blind and Vision Impaired, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A meeting to review information regarding Department for the Blind and Vision Impaired activities and operations, review expenditures from the board endowment fund, and discuss other issues raised for the board members.

Contact: Kathy C. Proffitt, Administrative 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

Calendar of Events

CEMETERY BOARD

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Cemetery Board intends to amend regulations entitled **18 VAC 47-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 54.1-201 and 54.1-2313 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

April 21, 2004 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A meeting to conduct board business.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail Karen.O'Neal@dpor.virginia.gov.

CHARITABLE GAMING BOARD

June 8, 2004 - 10 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 1st Floor, Conference Rooms D and E, Richmond, Virginia. ♿

A general meeting. An agenda will be posted on the agency website.

Contact: Frances C. Jones, Office Manager, Charitable Gaming Board, 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-3014, FAX (804) 786-1079, e-mail Frances.Jones@dcg.virginia.gov.

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

March 22, 2004 - 10 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, Conference Room D, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to conduct general business, including review of local Chesapeake Bay Preservation Area programs. Public comment will be taken. A training session will be provided for the board members at the noon hour.

Contact: Carolyn J. Elliott, Administrative Assistant, Chesapeake Bay Local Assistance Board, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447, toll-free (800) 243-7229, (800) 243-7229/TTY ☎, e-mail carolyn.elliott@cblad.virginia.gov.

CHILD DAY-CARE COUNCIL

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Child Day-Care Council intends to repeal regulations entitled **22 VAC 15-20, General Procedures and Information for Licensure**. The purpose of the proposed action is to repeal the existing regulation that was jointly promulgated with the State Board of Social Services.

Statutory Authority: §§ 63.2-1734 and 63.2-1735 of the Code of Virginia.

Contact: Kathryn Thomas, Program Development Consultant, Child Day-Care Council, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7158, FAX (804) 726-7132 or e-mail kathryn.thomas@dss.virginia.gov.

STATE CHILD FATALITY REVIEW TEAM

May 14, 2004 - 10 a.m. -- Open Meeting
Office of the Chief Medical Examiner, 400 East Jackson Street, Richmond, Virginia. ♿

The business portion of the State Child Fatality Review Team meeting, from 10 a.m. to 10:30 a.m., is open to the public. At the conclusion of the open meeting, the team will go into closed session for confidential case review.

Contact: Virginia Powell, Manager, Fatality Review and Surveillance Programs, State Child Fatality Review Team, 400 East Jackson St., Richmond, VA 23219, telephone (804) 786-6047, FAX (804) 371-8595, toll-free (800) 447-1708, e-mail Virginia.Powell@vdh.virginia.gov.

STATE BOARD FOR COMMUNITY COLLEGES

May 19, 2004 - 1:30 p.m. -- Open Meeting
Location to be announced.

Committees will meet as follows: Academic and Student Affairs, Audit, and Budget and Finance will meet at 1:30 p.m.; Facilities and Personnel Committees will meet at 3 p.m.

Contact: D. Susan Hayden, Director of Public Affairs, State Board for Community Colleges, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY ☎

May 20, 2004 - 8:30 a.m. -- Open Meeting
Location to be announced.

A regular meeting. Public comment may be received at the beginning of the meeting upon notification at least five working days prior to the meeting.

Contact: D. Susan Hayden, Director of Public Affairs, State Board for Community Colleges, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY ☎

COMPENSATION BOARD

March 26, 2004 - 11 a.m. -- Open Meeting

† **April 23, 2004 - 11 a.m.** -- Open Meeting

Compensation Board, 202 North 9th 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 cindy.waddell@scb.virginia.gov.

† **April 15, 2004 - 10 a.m.** -- Open Meeting

Hanover County Complex, 7497 County Complex Road, Board of Supervisors Meeting Room, Hanover, Virginia. ♿

† **April 16, 2004 - 11 a.m.** -- Open Meeting

Augusta County Government Center, Dick Huff Lane (off Lee Highway/US Route 11), Augusta County Board of Supervisor's Meeting Room, Verona, Virginia.

A FY05 budget hearing.

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 cindy.waddell@scb.virginia.gov.

BOARD OF CONSERVATION AND RECREATION

† **April 29, 2004 - 10 a.m.** -- Open Meeting

Lake Anna State Park, Visitor's Center, 6800 Lawyers Road, Spotsylvania, Virginia.

A regular business meeting.

Contact: Leon E. App, Chief 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.

DEPARTMENT OF CONSERVATION AND RECREATION

March 30, 2004 - 7 p.m. -- Open Meeting

Cedar Crest Conference Center, Twin Lakes State Park, 788 Twin Lakes Road, Green Bay, Virginia. ♿

A meeting of the Twin Lakes State Park Master Plan Advisory Committee to review park resource inventory maps, goals and objectives, and the park purpose statement, as well as review recommendations for future developments for the master plan.

Contact: Anne L. Reeder, Park Manager, 788 Twin Lakes Rd., Green Bay, VA 23942, telephone (434) 392-3435, FAX (434) 392-9406, e-mail alreeder@dcr.state.va.us.

April 20, 2004 - 10 a.m. -- Open Meeting

Cedar Crest Conference Center, Twin Lakes State Park, 788 Twin Lakes Road, Green Bay, Virginia. ♿

A meeting of the Twin Lakes State Park Master Plan Advisory Committee to review public input and finalize goals, objectives and the park purpose statement, as well as review recommendations for future developments for the master plan.

Contact: Anne L. Reeder, Park Manager, 788 Twin Lakes Rd., Green Bay, VA 23942, telephone (434) 392-3435, FAX (434) 392-9406, e-mail alreeder@dcr.state.va.us.

May 18, 2004 - 10 a.m. -- Open Meeting

Cedar Crest Conference Center, Twin Lakes State Park, 788 Twin Lakes Road, Green Bay, Virginia. ♿

A meeting of the Twin Lakes State Park Master Plan Advisory Committee to finalize its work on park goals and objectives and purpose statement as well as potential future park development.

Contact: Anne L. Reeder, Park Manager, 788 Twin Lakes Rd., Green Bay, VA 23942, telephone (434) 392-3435, FAX (434) 392-9406, e-mail alreeder@dcr.state.va.us.

† **June 22, 2004 - 7 p.m.** -- Open Meeting

Cedar Crest Conference Center, Twin Lakes State Park, 788 Twin Lakes Road, Green Bay, Virginia. ♿

A meeting to review and adopt recommended draft planning concepts, which include plan components and future developments.

Contact: Anne L. Reeder, Park Manager, 788 Twin Lakes Road, Green Bay, VA 23942, telephone (434) 392-3435, FAX (434) 392-9406, e-mail alreeder@dcr.state.va.us.

Virginia Scenic River Board

April 22, 2004 - 11 a.m. -- Open Meeting

Virginia State University, Jones Dining Hall, Hayden Street, Petersburg, Virginia. ♿

A regular business meeting.

Contact: Leon E. App, Chief 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.

Virginia Soil and Water Conservation Board

April 13, 2004 - 7 p.m. -- Public Hearing

Roanoke City Council Chamber, Noel C. Taylor Municipal Building, 215 Church Avenue, SW, Roanoke, Virginia.

April 14, 2004 - 7 p.m. -- Public Hearing

Rocky Mount Municipal Building, Council Chambers, 345 Donald Avenue, Rocky Mount, Virginia. ♿

Calendar of Events

The public is invited to comment on the request of the City of Roanoke to join the existing organization of the Blue Ridge Soil and Water Conservation District (BRSWCD). On January 23, 2004, the Virginia Soil and Water Conservation Board (board) approved a petition from Roanoke City suggesting the need for realigning the existing Blue Ridge Soil and Water Conservation District and including the City of Roanoke. State law empowers the board to review and decide about the formation of districts and resolve changes with district boundaries. The BRSWCD is a political subdivision of the Commonwealth and is currently comprised of Henry, Franklin and Roanoke counties. Virginia's 47 soil and water conservation districts promote natural resource conservation and stewardship and work directly with landowners, property managers and other citizens. Among the reasons presented by Roanoke City for joining the BRSWCD are the ability to participate in the rapidly expanding area of available conservation programs, which require the expertise and assistance of conservation districts, primarily from a water quality standpoint; the ability to utilize and work with the BRSWCD in educational programs designed to increase the awareness and understanding of area youth in environmental issues; and a need for local elected representation knowledgeable in conservation issues to serve the City of Roanoke. Verbal and written comments provided to the board will be considered as the board makes its decision. The board reserves the right to limit the comment time period for each speaker to a reasonable time period. The board will accept written comments received by close of business May 1, 2004, from all interested parties. Forward comments to VSWCB Chair, 203 Governor Street, Suite 206; Richmond, VA 23219.

Contact: Leon E. App, Chief 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

March 23, 2004 - 9 a.m. -- Open Meeting

March 25, 2004 - 9 a.m. -- Open Meeting

March 30, 2004 - 9 a.m. -- Open Meeting

April 6, 2004 - 9 a.m. -- Open Meeting

April 20, 2004 - 9 a.m. -- Open Meeting


April 22, 2004 - 9 a.m. -- Open Meeting

† April 27, 2004 - 9 a.m. -- Open Meeting


† April 28, 2004 - 9 a.m. -- Open Meeting

† May 5, 2004 - 1:30 p.m. -- Open Meeting

† May 11, 2004 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Informal fact-finding conferences. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at (804) 367-0946 at least 10 days prior to the meeting so that suitable arrangements can be made for appropriate accommodations. The department fully complies with the Americans with Disabilities Act.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail contractors@dpor.virginia.gov.

* * * * *


April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Board for Contractors intends to amend regulations entitled **18 VAC 50-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.


Statutory Authority: §§ 2.2-4007 54.1-1102 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.


April 13, 2004 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 


A meeting to conduct board business.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 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.

May 5, 2004 - 10 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting of the Tradesman and Education Committee to conduct committee business. The department fully complies with the Americans with Disabilities Act.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail contractors@dpor.virginia.gov.

May 25, 2004 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A regular scheduled meeting to address policy and procedural issues; review and render decisions on applications for contractors' licenses; and review and render case decisions on matured complaints against licensees. The meeting is open to the public; however, a portion of the board's business may be conducted in closed session. The

department fully complies with the Americans with Disabilities Act.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 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

† **April 23, 2004 - 10 a.m.** -- Open Meeting
James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss general business.

Contact: Patty Ennis, Board Clerk, Department of Correctional Education, 101 N. 14th Street, 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 JUSTICES SERVICES BOARD

May 13, 2004 - 9 a.m. -- Public Hearing
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

April 23, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Criminal Justice Services Board intends to adopt regulations entitled **6 VAC 20-210, Regulations for the Implementation of the Law Permitting DNA Analysis Upon Arrest for All Violent Felonies and Certain Burglaries**. The purpose of the proposed action is to comply with §§ 19.2-310.2:1 and 19.2-310.3:1 of the Code of Virginia, effective January 1, 2003, permitting DNA analysis upon arrest for all violent felonies and certain burglaries.

Statutory Authority: §§ 19.2-310.2:1 and 19.2-310.3:1 of the Code of Virginia.

Contact: Katya Newton, Counsel for Division of Forensic Science, Department of Criminal Justice Services, 700 N. 5th St., Richmond, VA 23219, telephone (804) 786-6848, FAX (804) 786-6857 or e-mail knewton@dfs.state.va.us.

† **May 13, 2004 - 11 a.m.** -- Open Meeting
† **June 10, 2004 - 11 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

A general business meeting.

Contact: Judith Kirkendall, Regulatory Coordinator, Department of Criminal Justice Services, 8th Street Office Bldg., 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 786-8003, FAX (804) 786-0410, e-mail jkirkendall@dcjs.state.va.us,

BOARD OF DENTISTRY

March 26, 2004 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A Special Conference Committee will convene to hold informal conferences. There will not be a public comment period.

Contact: Cheri Emma-Leigh, Operations Manager, Board of Dentistry, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail Cheri.Emma-Leigh@dhp.state.va.us.

† **April 9, 2004 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 1, Richmond, Virginia. ♿

A meeting to discuss board business. There will be a public comment period at the start of the meeting.

Contact: Sandra Reen, Executive Director, Board of Dentistry, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail Sandra.reen@dhp.state.va.us.

† **April 8, 2004 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, Board Room 1, Richmond, Virginia. ♿

A meeting of the Regulatory/Legislative Committee to discuss proposed regulations for dentists and dental hygienists and legislation affecting the practice of dentistry.

Contact: Sandra Reen, Executive Director, Board of Dentistry, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail Sandra.reen@dhp.state.va.us.

DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

April 15, 2004 - 11 a.m. -- Open Meeting
May 20, 2004 - 11 a.m. -- Open Meeting
† **June 17, 2004 - 11 a.m.** -- Open Meeting
Department of General Services, Eighth Street Office Building, 3rd Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly meeting to review requests submitted by localities to use design-build or construction management type contracts. Contact the Division of Engineering and Building to confirm the meeting.

Contact: Rhonda M. Bishton, Administrative Assistant, Department of General Services, 805 E. Broad Street, Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/☎, or e-mail rbishton@dgs.state.va.us.

Calendar of Events


BOARD OF EDUCATION

March 24, 2004 - 9 a.m. -- Open Meeting

April 28, 2004 - 9 a.m. -- Open Meeting

April 29, 2004 - 9 a.m. -- Open Meeting

May 26, 2004 - 9 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular business meeting of the board. The public is urged to confirm arrangements prior to each meeting by viewing the Department of Education's public meeting calendar at <http://www.pen.k12.va.us/VDOE/meetings.html>. This site will contain the latest information on the meeting arrangements and will note any last-minute changes in time or location. Persons who wish to speak or who require the services of an interpreter for the deaf should contact the agency at least 72 hours in advance. Public comment will be received.

Contact: Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department 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.

DEPARTMENT OF EDUCATION

April 1, 2004 - 8:30 a.m. -- Open Meeting

April 2, 2004 - 8:30 a.m. -- Open Meeting


Radisson Hotel Historic Richmond, 301 West Franklin Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the State Special Education Advisory Committee. The public is urged to confirm arrangements prior to each meeting by viewing the Department of Education's public meeting calendar at <http://www.pen.k12.va.us/VDOE/meetings.html>. This site will contain the latest information on the meeting arrangements and will note any last-minute changes in time or location. Please note that persons requesting the services of an interpreter for the deaf are asked to do so at least 72 hours in advance so that the appropriate arrangements may be made.

Contact: Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. 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.

Advisory Board on Teacher Education and Licensure

April 19, 2004 - 9 a.m. -- Open Meeting


Sheraton Richmond West, 6624 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. The public is urged to confirm arrangements prior to each meeting by viewing the Department of Education's public meeting calendar at <http://www.pen.k12.va.us/VDOE/meetings.html>. This site will contain the latest information on the meeting arrangements and will note any last minute changes in time or location. Persons requesting the services of an interpreter for the deaf are asked to do so at least 72 hours in advance so that the appropriate arrangements may be made.


Contact: Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. 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.

STATE BOARD OF ELECTIONS

† **March 24, 2004 - 10 a.m.** -- Open Meeting


General Assembly Bldg, 9th and Broad Streets, 4-West Conference Room, Richmond, Virginia. 

A meeting to approve the upgrade to DieBold Accue TSR6 voting equipment.

Contact: Vanessa Archie, Administrative Assistant, State Board of Elections, 200 N. 9th St., Room 101, Richmond, VA 23219, telephone (804) 864-8908, FAX (804) 371-0194, toll-free (800) 552-9745, (804) 260-3466/TTY , e-mail vanessa.archie@sbe.virginia.gov.

LOCAL EMERGENCY PLANNING COMMITTEE - ROANOKE VALLEY

April 28, 2004 - 9 a.m. -- Open Meeting

American Red Cross, 352 Church Avenue, SW, Roanoke, Virginia. 

A quarterly meeting to provide information on training and development.

Contact: Jeb Wallace, ITT Industries Night Vision, 7635 Plantation Road, Roanoke, VA 24019, telephone (540) 362-7371, FAX (540) 362-5408.

DEPARTMENT OF EMPLOYMENT DISPUTE RESOLUTION

NOTE: CHANGE IN MEETING DATE


April 29, 2004 - 10 a.m. -- Open Meeting

Washington Building, 1100 Bank Street, Room 204, Richmond, Virginia.

A quarterly meeting of the Virginia Administrative Dispute Resolution Act Council.


Contact: Claudia Farr, Director, Department of Employment Dispute Resolution, 830 E. Main St., Suite 400, Richmond, VA 23219, telephone (804) 786-7994, e-mail vadra@edr.virginia.gov.

DEPARTMENT OF ENVIRONMENTAL QUALITY

March 23, 2004 - 7 p.m. -- Open Meeting
H. M. Pearson Elementary School, 9347 Bastable Mill Road,
Calverton, Virginia. 


The final public meeting on the development of bacteria TMDLs for Cedar and Licking Run in Pauquier and Prince William Counties. The public notice appeared in the Virginia Register of Regulations on March 8, 2004, and the public comment period closes on April 21, 2004.


Contact: Katherine Bennett, Department of Environmental Quality, 13901 Crown Court Woodbridge, VA 22193, telephone (703) 583-3896, FAX (703) 583-3841, e-mail kebennett@deq.state.va.us.

† March 25, 2004 - 7 p.m. -- Open Meeting
Augusta County Government Center Board Room, 18
Government Center Lane, Verona, Virginia. 


The final public meeting on the development of bacteria and or benthics TMDLs for stream segments in the Middle and South River Watersheds. The public notice appears in the Virginia Register of Regulations on March 22, 2003, and the public comment period closes on April 24, 2004.

Contact: Robert Brent, Department of Environmental Quality, 4411 Early Rd., Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878, e-mail rnbrent@deq.state.va.us.

† March 25, 2004 - 10 a.m. -- Open Meeting
Department of Environmental Quality Southwest Regional
Office, 355 Deadmore Street, Abingdon, Virginia. 


† March 26, 2004 - 10 a.m. -- Open Meeting
Department of Environmental Quality Northern Regional
Office, 13901 Crown Court, Woodbridge, Virginia. 

† March 30, 2004 - Noon -- Open Meeting
Department of Environmental Quality Piedmont Regional
Office, 4949-A Cox Road, Glen Allen, Virginia.

† March 31, 2004 - 10:30 a.m. -- Open Meeting
Department of Environmental Quality West Central Regional
Office, 3019 Peters Creek Road, Roanoke, Virginia. 

Public informational meetings regarding the Draft 2004 305(b)/303(d) Water Quality Assessment Integrated Report. The draft report will be released on March 24, 2004. The public notice appears in the Virginia Register of Regulations on March 22, 2004, and the comment period closes on April 23, 2004. For directions contact Allen Newman at 276-676-4804.

Contact: Darryl Glover, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4321, e-mail dmgllover@deq.state.va.us.


† March 30, 2004 - 10 a.m. -- Open Meeting
Virginia Military Institute, Preston Library, Turman Room
(Lecther Avenue), Lexington, Virginia. 

A meeting of the Sewage Collection and Treatment Advisory Committee. Discussions will include transfer of administration of the SCAT regulation to the Department of

Environmental Quality, changes to the regulation, discussion of the committee's role and discussion of related regulations.

Contact: Robert VanLier, Area Engineer Northern Region, Department of Environmental Quality, telephone (434) 975-0897, e-mail rjvanlier@deq.state.va.us.


Virginia Recycling Markets Development Council

March 25, 2004 - 10:30 a.m. -- Open Meeting
Henrico Training Center, Shrader and Parham Roads, Glen
Allen, Virginia. 

A regular meeting.

Contact: G. Steven Coe, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4029, FAX (804) 698-4224, e-mail gscoe@deq.state.va.us.


VIRGINIA FIRE SERVICES BOARD

May 12, 2004 - 10:30 a.m. -- Open Meeting
State Forestry Building, Fontaine Business Park,
Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Code Change and Development Committee.


Contact: Jennifer Cole, VFSB Clerk, Virginia Fire Services Board, 101 N. 14th St., 18th Floor, Richmond, VA 23219, telephone (804) 371-0220, FAX (804) 371-0219, e-mail jcole@vdfp.state.va.us.

BOARD OF FORESTRY

† March 23, 2004 - 10 a.m. -- Open Meeting
Department of Forestry Central Office, 900 Natural Resources
Drive, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A Board of Forestry subcommittee will review the Department of Forestry's Budget.

Contact: Donna S. Hoy, Administrative Staff Specialist, Department of Forestry, 900 Natural Resources Dr., Suite 800, Charlottesville, VA, telephone (434) 977-6555, FAX (434) 977-7749, e-mail hoyd@dof.state.va.us.

March 30, 2004 - 1 p.m. -- Open Meeting
Virginia Military Institute, Moody Hall, Lexington, Virginia.  (Interpreter for the deaf provided upon request)

A business meeting.


Contact: Donna S. Hoy, Administrative Staff Specialist, Department of Forestry, 900 Natural Resources Dr., Suite 800, Charlottesville, VA 22903, telephone (434) 977-6555, FAX (434) 977-7749, e-mail hoyd@dof.state.va.us.

Calendar of Events


BOARD OF FUNERAL DIRECTORS AND EMBALMERS

March 30, 2004 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

Informal conferences to hear possible violations of the laws and regulations governing the practice of funeral service.

Contact: Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail elizabeth.young@dhp.state.va.us.

BOARD OF GAME AND INLAND FISHERIES

March 25, 2004 - 9 a.m. -- Open Meeting
Department of Game and Inland Fisheries, 4000 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to address staff's recommendations to amend the regulation sections governing the validation of game check tags for bear, deer, and turkey taken during lawful hunting; the checking of such game animals; and the description of an automated system that may be used for reporting the harvest of the animals. The board is exempted from the Administrative Process Act (§ 2.2-4002 et seq.) of the Code of Virginia in promulgating wildlife management regulations, including the length of seasons, bag limits and methods of take set on the wildlife resources within the Commonwealth of Virginia. Under board procedures, regulatory actions occur over two sequential board meetings. At the March 25 meeting, Department of Game and Inland Fisheries' staff will present recommendations for regulatory amendments, the board will solicit and hear comments from the public in a public hearing, and the board then may propose regulations or regulation amendments.

Any proposed regulatory actions will be published in the Virginia Register of Regulations and posted on the Internet at www.dgif.state.va.us, and summaries will be advertised in newspapers. A public comment period on any proposed regulations begins March 25 and closes June 25, 2004. Adoption of any regulations or regulation amendments as final will take place at the subsequent board meeting, to be held June 25, 2004. The board is required by § 2.2-4031 to publish all proposed and final regulations. The board will address staff's recommendations for changes to the process and schedule for amending regulations in future biennial regulation reviews; and it may address general and administrative issues. It may hold a closed session at some time during the March 25 meeting, and may elect to hold a dinner Wednesday evening, March 24, 2004, at a location and time to be determined.

Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4016 West Broad Street, Richmond VA 23230, telephone (804) 367-8341, FAX (804) 367-0488, e-mail dgifweb@dgif.state.va.us.

DEPARTMENT OF GENERAL SERVICES

March 23, 2004 - 10:30 a.m. -- Public Hearing
Department of Environmental Quality, Southwest Regional Office, 355 Deadmore Street, Abington, Virginia.

March 24, 2004 - 10:30 a.m. -- Public Hearing
Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, Roanoke, Virginia.

March 30, 2004 - 11:30 a.m. -- Public Hearing
City Center, 700 Town Center Drive, James Room, Newport News, Virginia.

March 31, 2004 - 11 a.m. -- Public Hearing
Department of General Services, Division of Consolidated Laboratory Services, 600 North 5th Street, Richmond, Virginia.

April 1, 2004 - 11:30 a.m. -- Public Hearing
Department of Environmental Quality, Northern Virginia Regional Office, 13901 Crown Court, Woodbridge, Virginia.

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of General Services' Division of Consolidated Laboratory Services intends to adopt regulations entitled **1 VAC 30-45, Certification for Noncommercial Environmental Laboratories**, and **1 VAC 30-46, Certification for Commercial Environmental Laboratories**. The purpose of the proposed action is to establish a program to certify environmental laboratories that submit data to the Department of Environmental Quality under Virginia's air, waste and water laws and regulations. Section 2.2-1105 of the Code of Virginia requires the Division of Consolidated Laboratory Services to establish and carry out the program to ensure that environmental laboratories provide accurate and consistent tests, analyses, measurements and monitoring.

Statutory Authority: § 2.2-1105 of the Code of Virginia.

Contact: Nancy S. Saylor, Consultant to the Division of Consolidated Laboratory Services, 600 N. 5th St., Richmond, VA 23219, telephone (804) 231-7980, FAX (804) 231-7980 or e-mail nssaylor@erols.com.


BOARD FOR GEOLOGY

April 9, 2004 - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 2.2-4007 that the Board for Geology intends to amend regulations entitled **18 VAC 70-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow that requests placed on the board's public participation notification list be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-1402 of the Code of Virginia.


Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

April 20, 2004 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 


A meeting to conduct board business.

Contact: David E. Dick, Executive Director, Board for Geology, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail david.dick@dpor.virginia.gov.

GEORGE MASON UNIVERSITY

March 24, 2004 - 9 a.m. -- Open Meeting
George Mason University, Mason Hall, Fairfax, Virginia. 

A meeting of the Board of Visitors. The agenda will be published 10 days prior to the meeting.

Contact: Mary Roper, Secretary, pro tem, George Mason University, MSN 3A1, 4400 University Dr., Fairfax, VA 22030, telephone (703) 993-8703, (703) 993-8707/TTY , e-mail mroper@gmu.edu.

STATE BOARD OF HEALTH

April 26, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to repeal regulations entitled **12 VAC 5-210, Charges and Payment Requirements by Income Levels**, and amend regulations entitled **12 VAC 5-200, Regulations Governing Eligibility Standards and Charges for Health Care Services to Individuals**. The purpose of the proposed action is to review the system of eligibility and charges for medical services provided by local health departments.

Statutory Authority: §§ 32.1-11 and 32.1-12 of the Code of Virginia.

Contact: James Burns, M.D., Deputy Commissioner for Public Health, Department of Health, 107 Governor St., 13th Floor, Richmond, VA 23219, telephone (804) 864-7001, FAX (804) 864-7022 or e-mail jim.burns@vdh.virginia.gov.

April 29, 2004 - 9 a.m. -- Open Meeting
Richmond area.

A quarterly meeting of the board to discuss state health issues.

Contact: Margot Fritts, Office of Health Policy and Planning, Department of Health, 109 Governors St., 10th Floor, Richmond, VA 23219, telephone (804) 864-7428, FAX (804) 864-7440, e-mail margot.fritts@vdh.virginia.gov.

† May 11, 2004 - 7 p.m. -- Public Hearing
Eastern Shore of Virginia Chamber of Commerce and Tourism Commission, 19056 Industrial Parkway, Melfa, Virginia.

† May 18, 2004 - 7 p.m. -- Public Hearing
Mecklenburg County Courthouse, 393 Washington Street, Boydton, Virginia.

† May 19, 2004 - 7 p.m. -- Public Hearing
Winchester Medical Center, 1840 Amherst Street, Meeting Room 3, Winchester, Virginia.


† May 21, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to repeal regulations entitled **12 VAC 5-500, Rules and Regulations Governing the Construction and Maintenance of Migrant Labor Camps**, and adopt regulations entitled **12 VAC 5-501, Rules and Regulations Governing the Construction and Maintenance of Migrant Labor Camps**. The purpose of the proposed action is to repeal the existing regulations governing migrant labor camps (12 VAC 5-500) and promulgate new regulations (12 VAC 5-501).

Statutory Authority: § 32.1-211 of the Code of Virginia.

Contact: Gary L. Hagy, Director, Division of Food and Environmental Services, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7455, FAX (804) 864-7475 or e-mail gary.hagy@vdh.virginia.org.


DEPARTMENT OF HEALTH

† May 14, 2004 - 10:30 a.m. -- Open Meeting
Children's Hospital, 2924 Brook Road, Auditorium, Richmond, Virginia. 

A quarterly meeting of the Advisory Committee for the Virginia Early Hearing Detection and Intervention Program, formerly known as the Virginia Newborn Hearing Screening Program.

Contact: Pat T. Dewey, Program Manager, Department of Health, 109 Governor St., 8th Floor, Richmond, VA 23219, telephone (804) 864-7713, FAX (804) 864-7721, e-mail pat.dewey@vdh.virginia.gov.

State Emergency Medical Services Advisory Board

May 14, 2004 - 1 p.m. -- Open Meeting
The Place at Innsbrook, 4036-C Cox Road, Glen Allen, Virginia. 

A quarterly meeting.

Contact: Gary R. Brown, Director, Department of Health, 109 Governor St., Suite UB-55, Richmond, VA 23219, telephone (804) 864-7600, FAX (804) 864-7580, toll-free (800) 523-6019, e-mail gary.brown@vdh.virginia.gov.

Calendar of Events


Sewage Handling and Disposal Appeal Review Board

April 7, 2004 - 10 a.m. -- Open Meeting
Henrico County Health Department, 8600 Dixon Powers Drive, Human Services Board Room, Richmond, Virginia.

A meeting to hear appeals of the health department denials of septic tank permits.

Contact: Susan C. Sherertz, Secretary to the Board, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7464, FAX (804) 864-7476, e-mail susan.sherertz@vdh.virginia.gov.


DEPARTMENT OF HEALTH PROFESSIONS

† **March 24, 2004 - 11 a.m.** -- Open Meeting
Virginia State Forensic Science Building, 6600 Northside High School Road, Roanoke, Virginia. 

A meeting of the Prescription Monitoring Program Advisory Committee for the purpose of orientation and development of work plan. Public comments will not be received during this meeting.

Contact: Ralph A. Orr, Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, Virginia 23230, telephone (804) 662-9129, FAX (804) 662-9240.

April 16, 2004 - 9 a.m. -- Open Meeting


† **June 11, 2004 - 9 a.m.** -- Open Meeting
Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 

A meeting of the Intervention Program Committee for the Health Practitioners' Intervention Program (HPIP).

Contact: Donna P. Whitney, Intervention Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9424, FAX (804) 662-7358, e-mail donna.whitney@dhp.state.va.us.

VIRGINIA HIGHER EDUCATION TUITION TRUST FUND


Virginia College Savings Plan Board

† **March 23, 2004 - 10 a.m.** -- Open Meeting
James Monroe Building, 101 North 14th Street, 5th Floor, Richmond, Virginia. 


A regular meeting.

Contact: Lee Hall, Special Projects Assistant, Virginia Higher Education Tuition Trust Fund, James Monroe Bldg, 101 N. 14th St., 5th Floor., telephone (804) 786-3605, FAX (804) 786-2453, toll-free (888) 567-0540, e-mail lhall@virginia529.com.

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT


March 22, 2004 - 10 a.m. -- Open Meeting
Department of Housing and Community Development, 501 North 2nd Street, Richmond, 1st Floor, Board Room, Richmond, Virginia. 

A regular business meeting.

Contact: Stephen W. Calhoun, Regulatory Coordinator, Department of Housing and Community Development, The Jackson Center, 501 N. 2nd St., Richmond, VA 23219-1321, telephone (804) 371-7000, FAX (804) 371-7090, (804) 371-7089/TTY , e-mail scalhoun@dhcd.state.va.us.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT


State Building Code Technical Review Board

April 16, 2004 - 10 a.m. -- Open Meeting
Department of Housing and Community Development, 501 North 2nd Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


The Review Board hears appeals under the department's building and fire regulations and considers interpretations and the formulation of recommendations for future changes to the codes.

Contact: Vernon W. Hodge, Secretary, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7150.


JAMESTOWN-YORKTOWN FOUNDATION

May 5, 2004 - Noon -- Open Meeting
Richmond, Virginia area; specific location to be announced.  (Interpreter for the deaf provided upon request)

A regular meeting of the Jamestown 2007 Steering Committee.

Contact: Stacy Ruckman, Administrative Office Manager, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4253, FAX (757) 253-5299, (757) 253-5110/TTY , e-mail sruckman@jyf.state.va.us.

May 13, 2004 - 10 a.m. -- Open Meeting

May 14, 2004 - 8 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.  (Interpreter for the deaf provided upon request)

A semiannual meeting of the Board of Trustees and its committees. Specific schedule not yet confirmed. An opportunity for public comment will be provided on the May 14 business session agenda.

Contact: Laura W. Bailey, Executive Assistant to the Boards, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4840, FAX

(757) 253-5299, toll-free (888) 593-4682, (757) 253-7236/TTY ☎, e-mail lwbailey@jyf.state.va.us.

June 2, 2004 - 2 p.m. -- Open Meeting
Richmond, Virginia area; specific location to be announced. ♿
(Interpreter for the deaf provided upon request)

A regular meeting of the Executive Committee of the Jamestown 2007 Steering Committee.

Contact: Stacy Ruckman, Administrative Office Manager, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4253, FAX (757) 253-5299, (757) 253-5110/TTY ☎, e-mail sruckman@jyf.state.va.us.

DEPARTMENT OF LABOR AND INDUSTRY

Virginia Migrant and Seasonal Farmworkers Board

† **April 7, 2004 - 10 a.m.** -- Open Meeting
State Capitol, House Room 1, Richmond, Virginia. ♿
(Interpreter for the deaf provided upon request)

A quarterly meeting.

Contact: Betty B. Jenkins, Board Administrator, Department of Labor and Industry, 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2391, FAX (804) 371-6524, (804) 786-2376/TTY ☎, e-mail bbj@doli.state.va.us.

Safety and Health Codes Board

April 21, 2004 - 10 a.m. -- Public Hearing
State Corporation Commission, Tyler Building, 1300 East Main Street, Courtroom A, Richmond, Virginia.

April 23, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Labor and Industry intends to repeal regulations entitled **16 VAC 25-175-1926.950 (c) (1), Clearances**, and adopt regulations entitled **16 VAC 25-155, Virginia Construction Industry General Requirements for Clearances, Construction of Electric Transmission and Distribution Lines and Equipment**. The purpose of the proposed action is to provide construction electrical transmission workers with safety protection identical to general industry electrical transmission workers.

Statutory Authority: § 40.1-22 (5) of the Code of Virginia.

Contact: Regina P. Cobb, Agency Management Analyst Senior, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-0610, FAX (804) 786-8418 or e-mail rlc@doli.state.va.us.

April 21, 2004 - 10 a.m. -- Open Meeting
State Corporation Commission, Tyler Building, 1300 East Main Street, Second Floor, Courtroom A, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting to immediately follow public hearing.

Contact: Regina P. Cobb, Agency Management Analyst Senior, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-0610, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail rlc@doli.state.va.us.

THE LIBRARY BOARD

† **June 14, 2004 - 10:30 a.m.** -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿

A meeting to discuss matters pertaining to the Library of Virginia and The Library Board. Committees of the Board will meet as follows:

8:15-9:15 a.m. - Public Library Development Committee, Publications and Educational Services Committee, Records Management Committee

9:30-10:30 a.m. - Archival and Information Services Committee, Collection Management Services Committee, Legislative and Finance Committee

10:30 a.m. - Library board meeting

Contact: Jean H. Taylor, Executive Secretary Senior, The Library of Virginia, 800 E. Broad St., Richmond, Virginia 23219-8000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY ☎, e-mail jtaylor@lva.lib.va.us.

MARINE RESOURCES COMMISSION

March 23, 2004 - 9:30 a.m. -- Open Meeting

† **April 27, 2004 - 9:30 a.m.** -- Open Meeting

† **May 25, 2004 - 9:30 a.m.** -- Open Meeting

† **June 22, 2004 - 9:30 a.m.** -- Open Meeting

Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly commission meeting.

Contact: Jane McCroskey, Commission Secretary, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-8101, toll-free (800) 541-4646, (757) 247-2292/TTY ☎, e-mail jmccroskey@mrc.state.va.us.

BOARD OF MEDICAL ASSISTANCE SERVICES

April 13, 2004 - 10 a.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Conference Room, Richmond, Virginia. ♿

A routine quarterly meeting required by the BMAS bylaws.

Contact: Nancy Malczewski, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8096, FAX (804) 371-4981, (800) 343-0634/TTY ☎, e-mail nancy.malczewski@dmas.virginia.gov.

Calendar of Events

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES


March 26, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled **12 VAC 30-70, Methods and Standards for Establishing Payment Rates; Inpatient Hospital Services**. The purpose of the proposed action is to reduce capital cost reimbursement levels for inpatient hospitals from 100% to 80%, found in 12 VAC 30-70-271.


Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.


Public comments may be submitted until March 26, 2004, to Steve Ford, Manager, Division of Provider Reimbursement, 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 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-7959, FAX (804) 786-1680, or e-mail vsimmons@dmas.state.va.us.


March 30, 2004 - 4 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Board Room, Richmond, Virginia. 


A meeting of the Medicaid Physicians Advisory Committee to discuss physician issues in the Medicaid system.

Contact: Chris Schroeder, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-0552, FAX (804) 371-4981, (800) 343-0634/TTY , e-mail cschroed@dmas.state.va.us.


April 21, 2004 - 1 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Board Room, Richmond, Virginia. 

A meeting of the Pharmacy and Therapeutics Committee.


Contact: Adrienne T. Fegans, Program Operations Administrator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-4112, FAX (804) 371-4981, (800) 343-0634/TTY , e-mail adrienne.fegans@dmas.virginia.gov.

May 11, 2004 - 1 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Board Room, Richmond, Virginia. 


A meeting of the Pharmacy Liaison Committee to discuss current DMAS pharmacy issues and programs.

Contact: Javier Menendez, RPh, Pharmacy Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-2196, (800) 343-0634/TTY , e-mail jmenendez@dmas.state.va.us.

Drug Utilization Review Board

May 6, 2004 - 2 p.m. -- Open Meeting
Department of Medical Assistance Services 600 E. Broad Street, 13th Floor Board Room Richmond, Virginia. 

A regular meeting.

Contact: Javier Menendez, Pharmacy Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300 Richmond, VA 23219, telephone (804) 786-2196, (800) 343-0634/TTY , e-mail jmenende@dmas.state.va.us.

BOARD OF MEDICINE

March 27, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to amend regulations entitled **18 VAC 85-110, Regulations Governing the Practice of Licensed Acupuncturists**. The purpose of the proposed action is to license an applicant who graduated from an acupuncture program that had obtained candidacy status from the accrediting body and subsequently been accredited within three years of the applicant's graduation.

Statutory Authority: §§ 54.1-113 and 2.2-295.69 of the Code of Virginia.

Public comments may be submitted until March 27, 2004, to William L. Harp, M.D., Executive Director, Board of Medicine, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Profession, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.state.va.us.


† March 31, 2004 - 9 a.m. -- Open Meeting
Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia.

† April 6, 2004 - 9 a.m. -- Open Meeting
Clarion Hotel, 3315 Ordway Drive, Roanoke, Virginia.

April 14, 2004 - 9 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.

† May 14, 2004 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.

An informal conference committee meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions. Public comment will not be received.

Contact: Peggy Sadler or Renee Dixson, Staff, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY , e-mail Peggy.Sadler@dhp.state.va.us.

April 10, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to amend regulations entitled **18 VAC 85-120, Regulations Governing the Certification of Athletic Trainers**. The purpose of the proposed action is to allow the board to provide a limited provisional certification to those licensed or certified in another jurisdiction pending completion of an application.

Statutory Authority: §§ 54.1-2400 and 54.1-2957.4 of the Code of Virginia.

Public comments may be submitted until April 10, 2004, to William L. Harp, M.D., Executive Director, Board of Medicine, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Profession, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.state.va.us.

† **April 22, 2004 - 8 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting to consider regulatory and disciplinary matters as may be presented on the agenda. Public comment on agenda items will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

† **April 22, 2004 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 3, Richmond, Virginia.

The Credentials Committee will meet to consider applicants for licensure matters of the board. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

† **May 27, 2004 - 8:30 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

The Legislative Committee will consider regulatory matters 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, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX

(804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Advisory Board on Acupuncture

† **May 18, 2004 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of acupuncture. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Advisory Board on Athletic Training

† **May 20, 2004 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 1, Richmond, Virginia.

A meeting to consider issues related to the regulation of athletic training. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Advisory Board on Occupational Therapy

† **May 19, 2004 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of occupational therapy. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Advisory Board on Physician Assistants

† **May 20, 2004 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 1, Richmond, Virginia.

A meeting to consider issues related to the regulation of physician assistants. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Calendar of Events

Advisory Board on Radiologic Technology

† **May 18, 2004 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of radiologic technology. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Advisory Board on Respiratory Care

† **May 19, 2004 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of respiratory care. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

† **March 24, 2004 - 1 p.m.** -- Open Meeting
Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The third meeting of the Olmstead Community Integration Implementation Team.

Contact: Viktoria Glenn, Administrative Assistant to the Olmstead Initiative, Department of Mental Health, Mental Retardation and Substance Abuse Services, Forest Office Park, Lee Bldg., Franklin Farms Drive, Richmond, VA 23229, telephone (804) 662-7069, FAX (804) 662-7662, e-mail glennvh@dhs.state.va.us.

STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

† **April 22, 2004 - 10 a.m.** -- Open Meeting
Holiday Inn Central, 3207 North Boulevard, Richmond Virginia. ♿

A regular meeting. There will be a public comment period.

Contact: Marlene A. Butler, State Board Secretary, Department of Mental Health, Mental Retardation and Substance Abuse Services, Jefferson Bldg., 1220 Bank St.,

13th Floor, Richmond, VA 23219, telephone (804) 786-7945, FAX (804) 371-2308, e-mail mbutler@dmhmrsas.state.va.us.

VIRGINIA COMMISSION ON MILITARY BASES

April 16, 2004 - 11 a.m. -- Open Meeting
Virginia's Center for Innovative Technology, 2214 Rock Hill Road, Briefing Room, Herndon, Virginia. ♿

A quarterly meeting.

Contact: Cynthia H. Arrington, Communications, Virginia Commission on Military Bases, P.O. Box 798, Richmond, VA 23218, telephone (804) 225-3743, FAX (804) 786-1121, e-mail carrington@yesvirginia.org.

DEPARTMENT OF MOTOR VEHICLES

Medical Advisory Board

† **April 14, 2004 - 8 a.m.** -- Open Meeting
† **June 11, 2004 - 8 a.m.** -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A general business meeting.

Contact: Jacquelin Branche, R. N., Division Manager, Department of Motor Vehicles, P.O. Box 27412, Richmond VA 23269-0001, telephone (804) 497-7188, FAX (804) 367-1604, toll-free (800) 435-5137, (800) 272-9268/TTY ☎, e-mail dmvj3b@dmv.state.va.us.

VIRGINIA MUSEUM OF FINE ARTS

April 6, 2004 - 8 a.m. -- Open Meeting
May 4, 2004 - 8 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, MDR Payne Room, Richmond, Virginia. ♿

A meeting for staff to update the Executive Committee. 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.

April 20, 2004 - 9 a.m. -- Open Meeting
Lewis Ginter Botanical Garden, Robins Room, 1800 Lakeside Avenue, Richmond, Virginia. ♿

A meeting for trustees and staff to discuss governance issues. 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.

† **June 17, 2004 - Noon** -- Open Meeting
Virginia Museum of Fine Arts, 200 North Boulevard, Auditorium, Richmond, Virginia. ♿

A meeting for staff to update the Executive/Finance Committee. Public comment will not be received.

Contact: Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

BOARD OF NURSING

March 22, 2004 - 9 a.m. -- Open Meeting

March 24, 2004 - 9 a.m. -- Open Meeting

March 25, 2004 - 9 a.m. -- Open Meeting

May 17, 2004 - 9 a.m. -- Open Meeting

May 19, 2004 - 9 a.m. -- Open Meeting

May 20, 2004 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A panel of the board will conduct formal hearings with licensees or certificate holders. Public comment will not be received.

Contact: Jay P. Douglas, M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.state.va.us.

March 23, 2004 - 9 a.m. -- Open Meeting

May 18, 2004 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. ♿

A general business meeting including committee reports, consideration of regulatory action, and disciplinary case decisions as presented on the agenda. Public comment will be received at 11 a.m.

Contact: Jay P. Douglas, R.N., Executive Director, Board of Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail jay.douglas@dhp.state.va.us.

April 8, 2004 - 9 a.m. -- Open Meeting

April 13, 2004 - 9 a.m. -- Open Meeting

April 19, 2004 - 9 a.m. -- Open Meeting

April 20, 2004 - 9 a.m. -- Open Meeting

April 29, 2004 - 9 a.m. -- Open Meeting

June 3, 2004 - 9 a.m. -- Open Meeting

June 7, 2004 - 9 a.m. -- Open Meeting

June 8, 2004 - 9 a.m. -- Open Meeting

† **June 9, 2004 - 9 a.m.** -- Open Meeting

† **June 10, 2004 - 9 a.m.** -- Open Meeting

† **June 15, 2004 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. ♿

† **June 16, 2004 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿

A Special Conference Committee comprised of two or three members of the Virginia Board of Nursing will conduct informal conferences with licensees and/or certificate holders. Public comment will not be received.

Contact: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.state.va.us.

JOINT BOARDS OF NURSING AND MEDICINE

April 21, 2004 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A meeting of the Joint Boards of Nursing and Medicine.

Contact: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad Street, 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, e-mail nursebd@dhp.state.va.us.

BOARD OF NURSING HOME ADMINISTRATORS

April 14, 2004 - 11 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A Special Conference Committee will meet to hold informal conferences. There will not be a public comment period.

Contact: Cheri Emma-Leigh, Operations Manager, Board of Nursing Home Administrators, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-7457, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail Cheri.Emma-Leigh@dhp.state.va.us.

OLD DOMINION UNIVERSITY

April 8, 2004 - 1 p.m. -- Open Meeting

Webb University Center, Old Dominion University, Norfolk, Virginia. ♿

A quarterly meeting of the governing board of the institution to discuss business of the board and the institution as determined by the Rector and the President.

Contact: Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail dmeeks@odu.edu.

BOARD FOR OPTICIANS

April 9, 2004 - 9:30 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A general business meeting to consider regulatory and other issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session.

Calendar of Events

Public comment will be heard at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

Contact: William H. Ferguson, II, Executive Director, Board for Opticians, 3600 West Broad Street, Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail opticians@dpor.virginia.gov.

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Board for Opticians intends to amend regulations entitled **18 VAC 100-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES

† **March 25, 2004 - 1 p.m.** -- Open Meeting
Koger Center, Wythe Building, Forest Office Park, 1604 Santa Rosa Road, 2nd Floor Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Executive Committee.

Contact: Sandra Smalls, Executive Assistant to the Director, Virginia Board for People with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA, telephone (804) 786-9368, FAX (804) 786-1118, toll-free (800) 846-4464, (800) 846-4464/TTY ☎, e-mail smallsse@vbpd.state.va.us.

† **March 26, 2004 - 9 a.m.** -- Open Meeting
Richmond Marriott Hotel, 500 East Broad Street, Grand Ballroom, Salon E, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting of the board.

Contact: Sandra Smalls, Executive Assistant to the Director, Virginia Board for People with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA, telephone (804) 786-9368, FAX (804)

786-1118, toll-free (800) 846-4464, (800) 846-4464/TTY ☎, e-mail smallsse@vbpd.state.va.us.

BOARD OF PHARMACY

March 25, 2004 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

A Special Conference Committee will discuss disciplinary matters. Public comments will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9911, FAX (804) 662-9313.

† **April 13, 2004 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. ♿

A meeting to consider such regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth Scott Russell, RPh, Executive Director, Board of Pharmacy, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY ☎, e-mail scotti.russell@dhp.state.va.us.

BOARD OF PHYSICAL THERAPY

March 26, 2004 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

Informal conferences will be held to hear possible violations of the laws and regulations governing the practice of physical therapy.

Contact: Elizabeth Young, Executive Director, Board of Physical Therapy, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.state.va.us.

March 26, 2004 - 7:30 p.m. -- Public Hearing
VPTA Leadership Retreat at Hospitality House, 415 Richmond Road, Williamsburg, Virginia.

April 10, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Physical Therapy intends to amend regulations entitled **18 VAC 112-20, Regulations Governing the Practice of Physical Therapy**. The purpose of the proposed action is to clarify and update educational, examination and practice requirements. Substantive changes include the elimination of the prohibition on licensure after six failed attempts to pass the national examination; inclusion of a requirement for additional clinical training or course work to sit for the


examination after three failures; and acceptance of documentation of active practice for seven years with an unrestricted license if the examination taken for initial licensure is not identical to the examination required in Virginia. A copy of the proposed regulation may be found under Laws and Regulations Governing Physical Therapy at [http://dhp.state.va.us/Physical Therapy/default.htm](http://dhp.state.va.us/Physical%20Therapy/default.htm).

Statutory Authority: § 54.1-2400 and Chapter 34.1 (§ 54.1-3473 et seq.) of Title 54.1 of the Code of Virginia.


Public comments may be submitted until April 10, 2004, to Elizabeth Young, Executive Director, Board of Physical Therapy, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Profession, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.state.va.us.


POLYGRAPH EXAMINERS ADVISORY BOARD

June 3, 2004 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 


A regular meeting. The board fully complies with the Americans with Disabilities Act.

Contact: Eric Olson, Executive Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail olson@dpor.state.va.us.

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

June 7, 2004 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 5th Floor Conference Room 5W,
Richmond, Virginia. 

A quarterly 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 judy.spiller@dpor.virginia.gov.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Department of Professional and Occupational Regulation intends to amend regulations entitled **18 VAC 120-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language

specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.


Statutory Authority: §§ 2.2-4007, 54.1-201, 54.1-831 and 54.1-1802 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.


BOARD OF PSYCHOLOGY

April 27, 2004 - 9:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia.


A business meeting to include reports from standing committees and any other disciplinary or regulatory matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.


Contact: Evelyn B. Brown, Executive Director, Board of Psychology, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail evelyn.brown@dhp.state.va.us.

VIRGINIA PUBLIC GUARDIAN AND CONSERVATOR ADVISORY BOARD


† March 23, 2004 - 11:45 a.m. -- Open Meeting
Woodlands Hotel and Suites, 105 Visitors Center Drive,
Williamsburg, Virginia. 

A meeting of the Executive Committee to nominate officers.

Contact: Terry Raney, Guardianship Coordinator, Department for the Aging, 1600 Forest Ave., Suite 102, Richmond, VA 23229, telephone (804) 662-7049, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 552-3402/TTY , e-mail terry.raney@vda.virginia.gov.

May 20, 2004 - 10 a.m. -- Open Meeting
1610 Forest Avenue, Suite 100, Richmond, Virginia. 

A quarterly meeting.

Contact: Terry Raney, Guardianship Coordinator, Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-7049, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY , e-mail traney@vda.virginia.gov.

REAL ESTATE APPRAISER BOARD

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Real Estate Appraiser Board intends to amend regulations entitled **18 VAC 130-10, Public Participation**

Calendar of Events

Guidelines. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-2013 of the Code of Virginia.


Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

REAL ESTATE BOARD


† **March 24, 2004 - 1 p.m.** -- Open Meeting

March 31, 2004 - 9 a.m. -- Open Meeting


† **April 1, 2004 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

An informal fact-finding conference.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Real Estate Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail Karen.O'Neal@dpor.virginia.gov.

March 24, 2004 - 2 p.m. -- Public Hearing

Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia. 


April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Real Estate Board intends to amend regulations entitled **18 VAC 135-20, Virginia Real Estate Board Licensing Regulations**. The purpose of the proposed action is to increase fees.

Statutory Authority: §§ 2.2-4007, 54.1-113 and 54.1-2105 of the Code of Virginia.


Contact: Christine Martine, Executive Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946 or e-mail reboard@dpor.virginia.gov.

March 25, 2004 - 8:30 a.m. -- Open Meeting


Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia. 

A meeting of the full board to review fair housing cases.


Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Real Estate Board, 3600 W. Broad St.,

Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail Karen.O'Neal@dpor.virginia.gov.

March 25, 2004 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia. 

A regular meeting of the full board.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Real Estate Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail Karen.O'Neal@dpor.virginia.gov.

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Real Estate Board intends to amend regulations entitled **18 VAC 135-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-2105 of the Code of Virginia.


Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

DEPARTMENT OF REHABILITATIVE SERVICES


Commonwealth Neurotrauma Initiative Advisory Board

† **March 31, 2004 - 10 a.m.** -- Open Meeting

† **June 16, 2004 - 9:30 a.m.** -- Open Meeting


Virginia Department for the Deaf and Hard of Hearing, 1602 Rolling Hills Drive, 2nd Floor Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting.

Contact: Kristie Chamberlain, CNI Program Specialist, Department of Rehabilitative Services, 8004 Franklin Farms Dr., Box K300, Richmond, VA 23288-0300, telephone (804) 662-7154, FAX (804) 662-7154, toll-free (800) 552-5019, (804) 464-9950/TTY , e-mail chambekl@drs.state.va.us.

VIRGINIA RESOURCES AUTHORITY

April 13, 2004 - 9 a.m. -- Open Meeting

Virginia Resources Authority, Eighth and Main Building, 707 East Main Street, 2nd Floor, Richmond, 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: Bonnie R. C. McRae, Executive Assistant, Virginia Resources Authority, 707 E. Main St., Richmond, VA 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-mail bmcrac@vra.state.va.us.

STATE BOARD OF SOCIAL SERVICES

March 26, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled **22 VAC 40-80, General Procedures and Information for Licensure**. The purpose of the proposed action is to amend the regulation to clarify and simplify some standards and to incorporate changes that have been made to the Code of Virginia since the last revision of this regulation. Many changes are the result of the recodification of Title 63.1 of the Code of Virginia that will become effective October 1, 2002. The Code of Virginia mandates that the Department of Social Services (department) license certain facilities that provide care to children and adults. Programmatic regulations are developed for these facilities. The current regulation contains general licensing requirements that are applicable to all licensed programs but are not included in the programmatic regulations. Previously, this regulation was promulgated jointly by the State Board of Social Services (board) and the Child Day-Care Council for all the department's licensed programs. However, the Child Day-Care Council desires to promulgate a separate regulation that applies only to child day centers (the only program for which they have regulatory responsibility). This regulation will continue to contain references to child day centers, however, because of the board's sole authority to regulate some procedures and activities that are applicable to child day centers. The goal of the amended regulation is to provide clear and concise information and requirements for

applicants, licensees, and licensing staff regarding the licensing process.

Statutory Authority: §§ 63.2-217, 63.2-1732, 63.2-1733 and 63.2-1734 of the Code of Virginia

Contact: Kathryn Thomas, Program Development Consultant, Division of Licensing Programs, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7158, FAX (804) 726-7132, or e-mail kathryn.thomas@dss.virginia.gov.

March 26, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled **22 VAC 40-141, Licensing Standards for Independent Foster Homes**. The purpose of the proposed action is to change the title to "Licensing Standards for Independent Foster Homes, amend the existing standards to clarify the intent of the regulation and incorporate changes made in the Code of Virginia since this regulation was adopted. Proposed amendments include allowing placement agreements; allowing children to remain in the independent foster home for up to six months; updating medical requirements; clarifying capacity; revising standards regarding physical restraint and time-out/separation; strengthening and updating safety requirements to better protect infants and young children; including language regarding respecting the diversity of children and their families; and the responsibilities of the licensee.

Statutory Authority: §§ 63.2-217 and 63.2-1734 of the Code of Virginia.

Contact: Cynthia Carneal, Operations Consultant, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7140, FAX (804) 726-7132 or e-mail cynthia.carneal@dss.virginia.gov.

March 26, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to adopt regulations entitled **22 VAC 40-293, Locality Groupings**. The purpose of the proposed action is to establish criteria for local departments of social services to change Temporary Assistance for Needy Families (TANF) locality groupings. Locality groupings determine payments levels for recipients of TANF in each locality.

Statutory Authority: § 63.2-217 of the Code of Virginia.

Contact: Mark L. Golden, TANF Program Manager, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7385, FAX (804) 726-7356 or e-mail mark.golden@dss.virginia.gov.

Calendar of Events

March 26, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled **22 VAC 40-740, Locality Groupings**. The purpose of the proposed action is to update guidelines used by local departments of social services for investigating reports and protecting the health, safety, and welfare of the elderly and adults. Proposed changes are primarily technical in nature to make the regulation consistent with the Code of Virginia and current policy, update state agency names and delete outdated terminology.

Statutory Authority: §§ 63.2-217 and 63.2-1605 of the Code of Virginia.

Contact: Cindy Lee, Adult Services Program Consultant, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7535, FAX (804) 726-7895 or e-mail cindy.lee@dss.virginia.gov.

† May 21, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled **22 VAC 40-745, Assessment in Adult Care Residences**. The purpose of the proposed action is to establish general standards for the assessment of applicants to and residents of assisted living facilities. It should be noted that adult care residences are now called assisted living facilities. Through the assessment process, public funds can be more appropriately utilized by ensuring that individuals receive the level of care and services they need.

Statutory Authority: §§ 63.2-217 and 63.2-1732 of the Code of Virginia

Contact: Marjorie Marker, Family Services Specialist, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7536, FAX (804) 726-7894, or e-mail marjorie.marker@dss.virginia.gov.

April 14, 2004 - 9 a.m. -- Open Meeting

April 15, 2004 - 9 a.m. -- Open Meeting
Sudley North Government Center, 7987 Ashton Avenue, Manassas, Virginia.

A business meeting. Public comment will be received beginning at 1:30 p.m.

Contact: Pat Rengnerth, State Board Liaison, Department of Social Services, Office of Legislative and Regulatory Affairs, 7 N. 8th St., Room 5214, Richmond, VA 23219, telephone (804) 726-7905, FAX (804) 726-7906, (800) 828-1120/TTY ☎, e-mail patricia.rengnerth@dss.virginia.gov.

BOARD FOR PROFESSIONAL SOIL SCIENTISTS AND WETLAND PROFESSIONALS

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Board for Professional Soil Scientists intends to amend regulations entitled **18 VAC 145-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

April 14, 2004 - 10 a.m. -- Public Hearing
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

April 23, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Professional Soil Scientists and Wetland Professionals intends to amend regulations entitled **18 VAC 145-20, Board for Professional Soil Scientists Regulations**. The purpose of the proposed action is to adjust fees as necessary in accordance with § 54.1-113 of the Code of Virginia (Callahan Act).

Statutory Authority: §§ 54.1-113 and 54.1-201 of the Code of Virginia.

Contact: Mark N. Courtney, Executive Director, Board for Professional Soil Scientists, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail soilscientist@dpor.virginia.gov.

VIRGINIA TOBACCO SETTLEMENT FOUNDATION

March 23, 2004 - Noon -- Open Meeting
VCU Sports Medicine Center, 1300 West Broad Street, Parlor, Richmond, Virginia. ♿

A meeting of the Board of Trustees to discuss new marketing concepts.

Contact: Eloise Burke, Senior Executive Assistant, Virginia Tobacco Settlement Foundation, 701 E. Franklin St., Suite

501, Richmond, VA 23219, telephone (804) 786-2523, FAX (804) 225-2883, e-mail eburke@tsf.state.va.us.

April 20, 2004 - 3 p.m. -- Open Meeting
Sully Governmental Center, 4900 Stonecroft Boulevard, Chantilly, Virginia.

A meeting of the North Regional Advisory Board to review proposals.

Contact: Lisa Brown, Grants Program Administrator, Virginia Tobacco Settlement Foundation, 620 Herndon Parkway, Suite 200, Herndon, VA 20170, telephone (703) 481-9823, FAX (703) 481-9857, e-mail lbrown@tsf.state.va.us.

BOARD OF VETERINARY MEDICINE

† **April 7, 2004 - 8 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia. ♿

A meeting of the Legislative/Regulatory Review Committee to consider possible changes to the current regulations. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Veterinary Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9915, FAX (804) 662-9504, (804) 662-7197/TTY ♿, e-mail elizabeth.carter@dhp.state.va.us.

† **April 7, 2004 - 10 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

Informal hearings (disciplinary hearings). These are public meetings, but public comment will not be received.

Contact: Terri H. Behr, Administrative Specialist, Board of Veterinary Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9915, FAX (804) 662-7098, (804) 662-7197/TTY ♿, e-mail terri.behr@dhp.state.va.us.

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

March 30, 2004 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.

A regular meeting.

Contact: David E. Dick, Executive Director, Board for Waste Management Facility Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-6128, (804) 367-9753/TTY ♿, e-mail wastemgt@dpor.state.virginia.gov.

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Board for Waste Management Facility Operators intends to amend regulations entitled **18 VAC 155-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-2211 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

STATE WATER CONTROL BOARD

March 23, 2004 - 9:30 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, 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 cmb Berndt@deq.state.va.us.

March 24, 2004 - 10 a.m. -- Open Meeting

April 28, 2004 - 10 a.m. -- Open Meeting

May 26, 2004 - 10 a.m. -- Open Meeting

Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. ♿

A meeting of the ad hoc committee established to assist in the development of water quality standards to protect the Chesapeake Bay from nutrient enrichment and sedimentation.

Contact: Eleanore Daub, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4116, toll-free 800-592-5482 or (804) 698-4021/TTY ♿

March 31, 2004 - 7 p.m. -- Public Hearing
Loudoun County Sanitation Authority, 880 Harrison Street, SE, Leesburg, Virginia.

April 23, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends


Calendar of Events

to repeal regulations entitled **9 VAC 25-400, Policy for Waste Treatment and Water Quality Management for the Dulles Area Watershed**. The purpose of the proposed action is to eliminate 9 VAC 25-400 and concurrently adopt a reformatted **9 VAC 25-401, Sewage Treatment in the Dulles Area Watershed regulation**.

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

Contact: Thomas A. Faha, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3846 or e-mail tafaha@deq.state.va.us.


April 1, 2004 - 2 p.m. -- Open Meeting

Luray Fire Station, 1 Firehouse Lane, Luray, Virginia. 

A public meeting to receive comments on the State Water Control Board's notice of intent to amend the water quality standards regulations to designate certain waters within the Shenandoah National Park as exceptional state resource waters (Tier III). The notice of intent was published in the Virginia Register of Regulations on February 23, 2004, and the public comment closes on April 9, 2004.

Contact: Jean W. Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113, FAX (804) 698-4522, e-mail jwggregory@deq.state.va.us.


April 7, 2004 - 1 p.m. -- Open Meeting

Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

A meeting of the Virginia Wetlands Enhancement and Restoration Coordinating Committee. The committee will, among other things, be promoting voluntary wetlands creation and/or enhancement on public and private lands.

Contact: Ellen Gilinsky, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4375, FAX (804) 698-4347, e-mail egilinsky@deq.state.va.us.

April 13, 2004 - 10 a.m. -- Public Hearing

Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 


May 7, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled **9 VAC 25-590, Petroleum Underground Storage Tank Financial Responsibility Requirements**. The purpose of the proposed action is to propose administrative changes, incorporate ways to reduce the cost of compliance with the existing requirements and such other amendments necessary in response to public comment.


Statutory Authority: §§ 62.1-44.34:9 and 62.1-44.34:12 of the Code of Virginia.

Contact: Renee Hooper, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4018 or e-mail rthooper@deq.state.va.us.


† April 22, 2004 - 1:30 p.m. -- Open Meeting

Department of Environmental Quality Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 


† May 3, 2004 - 10 a.m. -- Open Meeting

Department of Environmental Quality Valley Regional Office, 411 Early Road, Harrisonburg, Virginia. 


† May 4, 2004 - 10 a.m. -- Open Meeting

Department of Environmental Quality Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia. 

† May 5, 2004 - 1:30 p.m. -- Open Meeting

Department of Environmental Quality West Central Regional Office, 3019 Peters Creek Road, Roanoke, Virginia. 

† May 6, 2004 - 1:30 p.m. -- Open Meeting

Department of Environmental Quality Southwest Regional Office, 355 Deadmore Street, Abingdon, Virginia. 

A meeting to receive comments from the public on the State Water Control Board's intent to amend 9 VAC 25-720-50 B of the Potomac-Shenandoah Basin, 9 VAC 25-720-70 B of the Rappahannock Basin, 9 VAC 25-720-80 B of the Roanoke Basin, 9 VAC 25-720-90 B of the Tennessee-Big Sandy Basin, and 9 VAC 25-720-130 B of the New River Basin. These portions of the regulation (9 VAC 25-720) contain stream segment classifications, effluent limitations including water-quality-based effluent limitations, and waste load allocations that are not a component of total maximum daily loads. The proposed amendment is needed to establish a standard format for data presentation, update the data and information contained in these portions of the regulation to reflect the advances in technology, changing water quality conditions, and provide consistency with VPDES permits. Draft amendments have not been developed. The Notice of Intended Regulatory Actions appear in the Virginia Register on March 22, 2004, and the public comment period will close on May 14, 2004.

Contact: Charles Martin, State Water Control Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4462, FAX (804) 698-4522, e-mail chmartin@deq.state.va.us.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

April 9, 2004 - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 2.2-4007 that the Board for Waterworks and Wastewater Works Operators intends to amend regulations entitled **18 VAC 160-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as

undeliverable over more than one day, the person or organization concerned will be deleted from the list.

225-2190, toll-free (800) 828-1120, e-mail grobinson@vec.state.va.us.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.


May 12, 2004 - 10 a.m. -- Public Hearing
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor Conference Room, Richmond, Virginia. 

May 25, 2004 - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 2.2-4007 that the Board for Waterworks and Wastewater Works Operators intends to amend regulations entitled **18 VAC 160-20, Board for Waterworks and Wastewater Works Operators Regulations**. The purpose of the proposed action is to adjust fees as necessary in accordance with § 54.1-113 of the Code of Virginia (Callahan Act). Any other changes that may be necessary may also be considered.

Statutory Authority: §§ 54.1-113 and 54.1-201 of the Code of Virginia.

Contact: David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, or e-mail David.Dick@dpor.virginia.gov.

† June 22, 2004 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business.

Contact: David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail waterwasteoper@dpor.state.va.us.

VIRGINIA WORKFORCE COUNCIL


† March 31, 2004 - 9:30 a.m. -- Open Meeting
Virginia Historical Society, 428 North Boulevard, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A business meeting. Public comment will be scheduled and limited to three minutes per person and a written copy of comments is required. Agenda items will be announced.

Contact: Gail Robinson, Council Liaison, Virginia Employment Commission, 703 E. Main St., Room 121, Richmond, VA 23219, telephone (804) 225-3070, FAX (804)

INDEPENDENT


STATE LOTTERY BOARD

† April 28, 2004 - 9:30 a.m. -- Open Meeting
State Lottery Department, 900 East Main Street, 13th Floor, Richmond, Virginia. 


A regular meeting. There will be an opportunity for public comment shortly after the meeting is convened.

Contact: Frank S. Ferguson, Director, Legislative and Regulatory Affairs, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7901, FAX (804) 692-7905, e-mail fferguson@valottery.state.va.us.

VIRGINIA OFFICE FOR PROTECTION AND ADVOCACY

† March 25, 2004 - 10 a.m. -- Open Meeting
1910 Byrd Avenue, Suite 5, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Public comment is welcome and will be received at the start of the meeting. Individuals requiring interpreter services or other accommodations should contact Ms. Vance.


Contact: Dee Vance, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave, Suite 5, Richmond, Virginia 23230, telephone (804) 662-7099, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail vancedm@vopa.state.va.us.

VIRGINIA RETIREMENT SYSTEM

March 24, 2004 - 11 a.m. -- Open Meeting
April 21, 2004 - 11 a.m. -- Open Meeting
May 19, 2004 - 11 a.m. -- Open Meeting
Bank of America Building, 1111 East Main Street, 4th Floor Conference Room, Richmond, Virginia.

The regular meeting of the Investment Advisory Committee of the VRS Board of Trustees. No public comment will be received at the meeting.

Contact: Phyllis Henderson, Investment Department Administrative Assistant, Virginia Retirement System, 1111 East Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail phenderson@vrs.state.va.us.

March 24, 2004 - 3 p.m. -- Open Meeting
May 19, 2004 - 4 p.m. -- Open Meeting
VRS Headquarters, 1200 East Main Street, Richmond, Virginia. 

A meeting of the Audit and Compliance Committee. No public comment will be received at the meeting.

Calendar of Events

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail lking@vrs.state.va.us.

† **March 25, 2004 - 8:30 a.m.** -- Open Meeting
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. ♿

A special meeting of the Benefits and Actuarial Committee.
No public comment will be received at the meeting.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail lking@vrs.state.va.us.

March 25, 2004 - 9 a.m. -- Open Meeting

May 20, 2004 - 9 a.m. -- Open Meeting

Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. ♿

A regular meeting of the Board of Trustees. No public comment will be received at the meeting.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail lking@vrs.state.va.us.

May 19, 2004 - 2:30 p.m. -- Open Meeting

VRS Headquarters, 1200 East Main Street, Richmond, Virginia. ♿

Meetings of the following committees:

2:30 p.m. - Benefits and Actuarial Committee

4 p.m. - Administration and Personnel Committee

No public comment will be received at the meeting.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail lking@vrs.state.va.us.

June 1, 2004 - 8:30 a.m. -- Open Meeting

Location to be determined. ♿

Board of Trustees annual retreat.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail lking@vrs.state.va.us.

LEGISLATIVE

CHRONOLOGICAL LIST

OPEN MEETINGS

March 22

Agriculture and Consumer Services, Department of
- Virginia Agricultural Council
Alcoholic Beverage Control Board
Chesapeake Bay Local Assistance Board
Housing and Community Development, Board of
Nursing, Board of

March 23

Agriculture and Consumer Services, Department of
- Virginia Agricultural Council
† Air Pollution Control Board, State
- State Advisory Board on Air Pollution
Contractors, Board for
Environmental Quality, Department of
† Forestry, Board of
† Higher Education Tuition Trust Fund, Virginia
- Virginia College Savings Plan Board
Marine Resources Commission
Nursing, Board of
† Public Guardian and Conservator Advisory Board
Tobacco Settlement Foundation, Virginia
Water Control Board, State

March 24

Agriculture and Consumer Services, Department of
- Virginia Dark-Fired Tobacco Board
Education, Board of
† Elections, State Board of
George Mason University
† Health Professions, Department of
- Prescription Monitoring Program Advisory Committee
† Mental Health, Mental Retardation and Substance Abuse
Services, Department of
- Olmstead Community Integration Implementation Team
Nursing, Board of
† Real Estate Board
Retirement System, Virginia
Water Control Board, State

March 25

Contractors, Board for
† Environmental Quality, Department of
- Virginia Recycling Markets Development Council
Game and Inland Fisheries, Board of
Nursing, Board of
† People with Disabilities, Virginia Board for
Pharmacy, Board of
† Protection and Advocacy, Virginia Office for
Real Estate Board
† Retirement System, Virginia

March 26

† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Compensation Board
Dentistry, Board of

† Environmental Quality, Department of
† People with Disabilities, Virginia Board for
Physical Therapy, Board of

March 30

Agriculture and Consumer Services, Department of
- Virginia Marine Products Board
Conservation and Recreation, Department of
Contractors, Board for
† Environmental Quality, Department of
Forestry, Board of
Funeral Directors and Embalmers, Board of
Medical Assistance Services, Department of
- Medicaid Physicians Advisory Committee
Waste Management Facility Operators, Board for

March 31

† Arts, Virginia Commission for the
† Environmental Quality, Department of
† Medicine, Board of
Real Estate Board
† Rehabilitative Services, Department of
- Commonwealth Neurotrauma Initiative Trust Fund
Advisory Board
† Workforce Council, Virginia

April 1

Agriculture and Consumer Services, Department of
- Virginia Horse Industry Board
Education, Department of
- State Special Education Advisory Committee
† Real Estate Board
Water Control Board, State

April 2

Art and Architectural Review Board
Education, Department of
- State Special Education Advisory Committee

April 5

† Alcoholic Beverage Control Board

April 6

Contractors, Board for
† Medicine, Board of
† Museum of Fine Arts, Virginia

April 7

Health, Department of
- Sewage Handling and Disposal Appeal Review Board
† Labor and Industry, Department of
- Virginia Migrant and Seasonal Farmworkers Board
† Veterinary Medicine, Board of
Water Control Board, State

April 8

† Dentistry, Board of
Nursing, Board of
Old Dominion University

April 9

† Dentistry, Board of
Opticians, Board for

April 13

† Arts, Virginia Commission for the
Blind and Vision Impaired, Board for the
Contractors, Board for
Medical Assistance Services, Board of
Nursing, Board of
† Pharmacy, Board of
Resources Authority, Virginia

April 14

† Arts, Virginia Commission for the
Medicine, Board of
† Motor Vehicles, Department of
- Medical Advisory Board
Nursing Home Administrators, Board of
Social Services, State Board of

April 15

† Compensation Board
Design-Build/Construction Management Review Board
Social Services, State Board of

April 16

† Compensation Board
Health Professions, Board of
- Intervention Program Committee
Housing and Community Development, Department of
- State Building Code Technical Review Board
Military Bases, Virginia Commission on

April 19

† Alcoholic Beverage Control Board
Barbers and Cosmetology, Board for
Education, Department of
- Advisory Board on Teacher Education and Licensure
Nursing, Board of

April 20

† Arts, Virginia Commission for the
Conservation and Recreation, Department of
Contractors, Board for
Geology, Board for
Museum of Fine Arts, Virginia
Nursing, Board of
Tobacco Settlement Foundation, Virginia

April 21

Cemetery Board
Labor and Industry, Department of
- Safety and Health Codes Board
Medical Assistance Services, Department of
- Pharmacy and Therapeutics Committee
Nursing and Medicine, Joint Boards of
Retirement System, Virginia

April 22

† Arts, Virginia Commission for the
Conservation and Recreation, Department of
- Virginia Scenic River Board
Contractors, Board for
† Medicine, Board of
† Mental Health, Mental Retardation and Substance Abuse
Services, State Board
† Water Control Board, State

April 23

† Compensation Board
† Correctional Education, Board of

April 26

Alzheimer's Disease and Related Disorders Commission

April 27

† Arts, Virginia Commission for the
† Contractors, Board for
† Marine Resources Commission
Psychology, Board of

April 28

† Contractors, Board for
Education, Board of

Calendar of Events

Emergency Planning Committee, Local - Roanoke Valley
† Lottery Board, State
Water Control Board, State

April 29

† Conservation and Recreation, Board of
Education, Board of
† Employment Dispute Resolution, Department of
- Virginia Administrative Dispute Resolution Act Council
Health, Board of
Nursing, Board of

May 3

† Alcoholic Beverage Control Board
† Water Control Board, State

May 4

† Arts, Virginia Commission for the
Fine Arts, Virginia Museum of
† Water Control Board, State

May 5

Contractors, Board for
Jamestown-Yorktown Foundation
† Water Control Board, State

May 6

Accountancy, Board of
† Arts, Virginia Commission for the
Medical Assistance Services, Department of
- Drug Utilization Review Board
† Water Control Board, State

May 7

Art and Architectural Review Board

May 11

† Arts, Virginia Commission for the
† Contractors, Board for
Medical Assistance Services, Department of
- Pharmacy Liaison Committee

May 12

Fire Services Board, Virginia

May 13

† Arts, Virginia Commission for the
† Criminal Justice Services Board
Jamestown-Yorktown Foundation

May 14

Child Fatality Review Team, State
† Health, Department of
- State Emergency Medical Services Advisory Board
- Advisory Committee for the Virginia Early Hearing
Detection and Intervention Program
Jamestown-Yorktown Foundation
† Medicine, Board of

May 17

† Alcoholic Beverage Control Board
Nursing, Board of

May 18

† Arts, Virginia Commission for the
Conservation and Recreation, Department of
† Medicine, Board of
- Advisory Board on Acupuncture
- Advisory Board of Radiologic Technology
Nursing, Board of

May 19

Asbestos, Lead, and Home Inspectors, Virginia Board for
Community Colleges, State Board for
† Medicine, Board of

- Advisory Board of Occupational Therapy
- Advisory Board on Respiratory Care
Nursing, Board of
Retirement System, Virginia

May 20

Community Colleges, State Board for
Design-Build/Construction Management Review Board
† Medicine, Board of
- Advisory Board on Athletic Training
- Advisory Board on Physician Assistants
Nursing, Board of
Public Guardian and Conservator Advisory Board, Virginia
Retirement System, Virginia

May 25

Contractors, Board for
† Marine Resources Commission

May 26

Education, Board of
Water Control Board, State

May 27

† Medicine, Board of

June 1

Retirement System, Virginia

June 2

Jamestown-Yorktown Foundation

June 3

Nursing, Board of
Polygraph Examiners Advisory Board

June 4

Art and Architectural Review Board

June 7

† Alcoholic Beverage Control Board
Nursing, Board of
Professional and Occupational Regulation, Board for

June 8

Alzheimer's Disease and Related Disorders Commission
Charitable Gaming Board
Nursing, Board of

June 9

† Nursing, Board of

June 10

† Criminal Justice Services Board
† Nursing, Board of

June 11

† Health Professions, Department of
- Intervention Program Committee
† Motor Vehicles, Department of
- Medical Advisory Board

June 14

† Barbers and Cosmetology, Board for
† Library Board, The

June 15

† Nursing, Board of

June 16

† Nursing, Board of
† Rehabilitative Services, Department of
- Commonwealth Neurotrauma Initiative Advisory Board

June 17

† Design-Build/Construction Management Review Board
† Museum of Fine Arts, Virginia

June 21

† Alcoholic Beverage Control Board

June 22

- † Conservation and Recreation, Department of
- † Marine Resources Commission
- † Waterworks and Wastewater Works Operators, Board for

PUBLIC HEARINGS**March 23**

General Services, Department of

March 24

General Services, Department of
Real Estate Board

March 26

Physical Therapy, Board of

March 30

General Services, Department of

March 31

General Services, Department of
Water Control Board, State

April 1

General Services, Department of

April 5

† Air Pollution Control Board, State

April 13

Conservation and Recreation, Department of
- Virginia Soil and Water Conservation Board
Water Control Board, State

April 14

Conservation and Recreation, Department of
- Virginia Soil and Water Conservation Board
Soil Scientists, Board for Professional

April 21

Labor and Industry, Department of
- Safety and Health Codes Board

May 11

† Health, State Board of

May 12

Waterwork and Wastewater Works Operators, Board for

May 13

Criminal Justice Services Board

May 18

† Health, State Board of

May 19

† Health, State Board of

Calendar of Events
