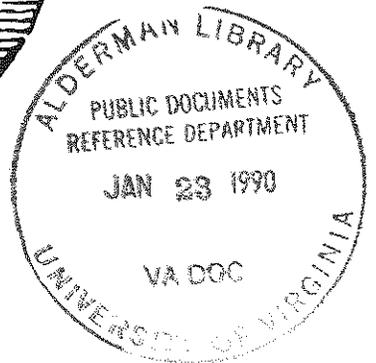
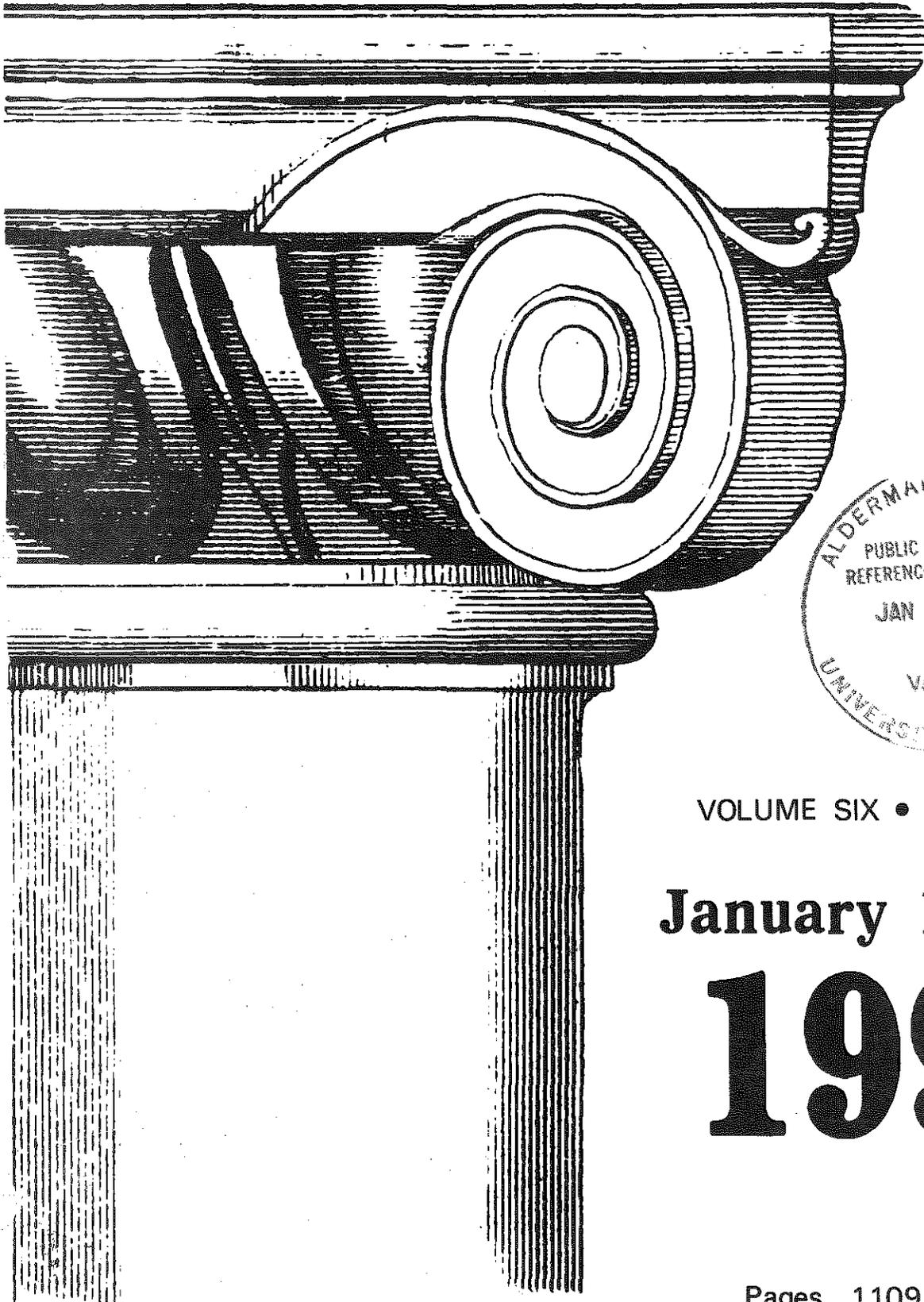


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THE VIRGINIA REGISTER

OF REGULATIONS

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VIRGINIA REGISTER

The *Virginia Register* is an official state publication issued every other week throughout the year. Indexes are published quarterly, and the last index of the year is cumulative.

The *Virginia Register* has several functions. The full text of all regulations, both as proposed and as finally adopted or changed by amendment are required by law to be published in the *Virginia Register of Regulations*.

In addition, the *Virginia Register* is a source of other information about state government, including all Emergency Regulations issued by the Governor, and Executive Orders, the *Virginia Tax Bulletin* issued periodically by the Department of Taxation, and notices of all public hearings and open meetings of state agencies.

ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of proposed action; a basis, purpose, impact and summary statement; a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations.

Under the provisions of the Administrative Process Act, the Registrar has the right to publish a summary, rather than the full text, of a regulation which is considered to be too lengthy. In such case, the full text of the regulation will be available for public inspection at the office of the Registrar and at the office of the promulgating agency.

Following publication of the proposal in the *Virginia Register*, sixty days must elapse before the agency may take action on the proposal.

During this time, the Governor and the General Assembly will review the proposed regulations. The Governor will transmit his comments on the regulations to the Registrar and the agency and such comments will be published in the *Virginia Register*.

Upon receipt of the Governor's comment on a proposed regulation, the agency (i) may adopt the proposed regulation, if the Governor has no objection to the regulation; (ii) may modify and adopt the proposed regulation after considering and incorporating the Governor's suggestions, or (iii) may adopt the regulation without changes despite the Governor's recommendations for change.

The appropriate standing committee of each branch of the General Assembly may meet during the promulgation or final adoption process and file an objection with the *Virginia Registrar* and the promulgating agency. The objection will be published in the *Virginia Register*. Within twenty-one days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative Committee, and the Governor.

When final action is taken, the promulgating agency must again publish the text of the regulation, as adopted, highlighting and explaining any substantial changes in the final regulation. A thirty-day final adoption period will commence upon publication in the *Virginia Register*.

The Governor will review the final regulation during this time and if he objects, forward his objection to the Registrar and the agency. His objection will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation are substantial, he may suspend the regulatory process for thirty days and require the agency to solicit additional public comment on the substantial changes.

A regulation becomes effective at the conclusion of this thirty-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall

be after the expiration of the twenty-one day extension period; or (ii) the Governor exercises his authority to suspend the regulatory process for solicitation of additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified which date shall be after the expiration of the period for which the Governor has suspended the regulatory process.

Proposed action on regulations may be withdrawn by the promulgating agency at any time before final action is taken.

EMERGENCY REGULATIONS

If an agency determines that an emergency situation exists, it then requests the Governor to issue an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited in time and cannot exceed a twelve-months duration. The emergency regulations will be published as quickly as possible in the *Virginia Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures (See "Adoption, Amendment, and Repeal of Regulations," above). If the agency does not choose to adopt the regulations, the emergency status ends when the prescribed time limit expires.

STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 of Chapter 1.1:1 (§§ 9-6.14:6 through 9-6.14:9) of the Code of Virginia be examined carefully.

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Symbol Key

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

DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Title of Regulation: VR 240-04-1. McGruff House Program Regulations.

Statutory Authority: §§ 9-170 and 9-173.4 of the Code Virginia.

Public Hearing Date: April 4, 1990 - 10 a.m.
(See Calendar of Events section
for additional information)

Summary:

The proposed regulations outline the procedures a local law-enforcement agency electing to sponsor a McGruff House Program must follow. These procedures include (i) application to the Department of Criminal Justice Services, (ii) designation as a program sponsor, (iii) background investigations of individuals wishing to sponsor a McGruff House, (iv) training, (v) record keeping, (vi) program operation, and (vii) civil penalties for the misuse of a McGruff sign.

It is intended that final regulations will become effective on July 1, 1990, the date when civil penalties become effective.

Present McGruff House emergency regulations shall expire on September 1, 1990, unless other regulations are adopted prior to that date.

VR 240-04-1. McGruff House Program Regulations.

PART I. DESCRIPTION.

§ 1.1. McGruff House description.

A. A McGruff House is a home where a child in immediate emotional or physical danger or who is in immediate fear of abuse or neglect may seek temporary refuge for assistance.

B. The symbol of McGruff with the phrase "McGruff House" shall be the only symbol or logo authorized to designate a home participating in the McGruff House Program on or after July 1, 1989. Similar programs existing prior to July 1, 1989, such as Block Parents or Helping Hands, and others, are authorized to continue using their existing program symbols and program guidelines.

C. McGruff and McGruff House are copyright protected symbols used by the National Crime Prevention Coalition in its National "Take A Bite Out Of Crime" campaign. The symbol of McGruff must be used in accordance with guidelines developed by the National Crime Prevention Coalition.

PART II. REQUIREMENTS.

§ 2.1. Sponsorship.

A. Participation in the McGruff House Program must be initiated by a local law-enforcement agency. A local law-enforcement agency may participate in the McGruff House Program by having the chief executive of the law-enforcement agency apply in writing on the agency's stationery.

The letter of intent to participate in the McGruff House Program must be sent to the Director of the Department of Criminal Justice Services.

B. Only one law-enforcement agency within a city, county or town jurisdiction may sponsor the McGruff House Program for that locality. The decision as to which law-enforcement agency will sponsor the McGruff House Program is at the option of the locality wishing to participate.

C. Upon written notification from a qualified local law-enforcement agency to participate in the McGruff House Program, the Department of Criminal Justice Services shall provide the requesting law-enforcement agency a copy of the McGruff House Regulations, a McGruff House Starter Kit and a McGruff House Participation Agreement form.

D. Qualified law-enforcement agencies that agree to participate in the McGruff House Program by signing the McGruff House Participation Agreement must develop internal policy guidelines. Agency internal guidelines, in accordance with these regulations, shall at a minimum prescribe the following procedures:

1. Recruitment;
2. Participant background investigation;
3. Training; and
4. Monitoring and record keeping.

Proposed Regulations

§ 2.2. Recruitment.

A. Participation in the McGruff House Program is available to residents within a locality where a law-enforcement agency has agreed to participate in the McGruff House Program.

B. The law-enforcement agency may recruit participants through schools, day care programs, crime prevention programs, community groups or by other methods it deems necessary.

C. Individuals interested in participating in the McGruff House Program must apply directly with the law-enforcement agency sponsoring the McGruff House Program in the locality where they reside.

D. All persons 18 years or older residing in a home wishing to be designated a McGruff House must be listed on a McGruff House Participant's Application form. This form authorizes background investigations for all persons 18 years or older residing in the home wishing to participate.

E. Applications for participation in the McGruff House Program will be valid for one year. Annual reapplication is required to continue participating in the McGruff House Program. Participating law-enforcement agencies will review and update background information of all reapplications.

F. The McGruff House Participation application form used by the law-enforcement agency must at a minimum require the following information.

1. Full names of all persons 18 years or older residing in the applying residence.
2. Birth dates of all persons 18 years or older residing in the applying residence.
3. Social security number or driver's license number of all persons 18 years or older residing in the applying residence.
4. Former home addresses of all persons 18 years or older residing in the applying residence for the previous five years.
5. Address of the applying home.
6. Description of any animals kept at the applying residence.
7. Description of any special conditions which may affect the safety of children who may come into contact with the applying residence.

G. Only those homes where all persons 18 years or older residing at the applying residence have passed the law-enforcement background investigation and have

received authorization from the law-enforcement agency may participate in the McGruff House Program.

§ 2.3. Background investigation.

A. The sponsoring law-enforcement agency shall conduct a background investigation of all persons 18 years or older residing in the applying residence using the information provided on the McGruff House Participant's application.

B. The background investigation and the information obtained from the background investigation shall be done in compliance with § 19.2-389 of the Virginia Code, dissemination of criminal history record information.

C. The background investigation of the McGruff House applicants at a minimum will include the following:

1. Local, state and federal criminal history check of all applicants.
2. Local and state check of child/domestic abuse complaints involving the applying residence or any of the applicants.
3. Local, state and federal check of outstanding arrest warrants for all applicants.
4. A neighborhood check of no less than three households in the immediate neighborhood.

D. Upon completing the background investigation, the law-enforcement agency must refuse participation in the McGruff House Program to any applying residence where any of the residents have been convicted of a felony, convicted of a narcotic drug law offense, or convicted of any domestic or child abuse related charges, or convicted of any charge involving an offense committed against a juvenile. The law-enforcement agency may also, at its own discretion, refuse participation in the McGruff House Program to any individual or household it deems not suited for participation, based upon information gathered from the background investigation. All decisions regarding participation in the program shall be the responsibility of the participating law-enforcement agency, in accordance with these regulations.

E. Records of all applicants shall be maintained by the law-enforcement agency. Applicants shall be notified directly by the law-enforcement agency whether they have been accepted or denied within a reasonable period after the background investigation has been conducted. The law-enforcement agency may notify an organized community group, McGruff House Program, Neighborhood Watch, or other similar organizations of authorized McGruff House Program participants. Information pertaining to rejected applicants shall be kept confidential by the law-enforcement agency, unless the law-enforcement agency finds information of a nature which would require it to invoke its statutory law-enforcement obligations.

§ 2.4. Training.

A. Law-enforcement agencies participating in the McGruff House Program shall provide all participants a training session which addresses the following:

1. Review of emergency telephone numbers.
2. Review of emergency and suspicious situation reporting procedures.
3. Review of McGruff House regulations.
4. Review of basic child and community safety information.
5. Review of the procedures for the proper display and use of the McGruff House sign.

B. Participating law-enforcement agencies will advise all personnel of the purpose and regulations of the McGruff House Program and will develop appropriate policy to guide their personnel to implement and administer the McGruff House Program.

§ 2.5. Participant duties and responsibilities.

A. McGruff House participants must display the McGruff House Program sign in a prominent location so that it can be easily seen from the most frequently traveled public area adjoining the property of the residence. The sign shall be displayed at all times.

B. Participants must have a valid homeowner's or renter's liability insurance policy in effect.

C. The participating residence must have a working telephone which can be used to make emergency or referral telephone calls.

D. Participants will provide the following assistance to children who call upon them for aid.

1. Telephone appropriate authorities for help.
2. Reassure and aid children who are frightened or lost.
3. Assist children who have medical emergencies by getting appropriate assistance.
4. Assist children who are immediately in fear of becoming victims of personal crimes or thefts, or who are in immediate fear of child abusers, gangs or bullies.
5. Report crimes and suspicious situations to law-enforcement officials.
6. Report to the law-enforcement agency details of all incidents where children request assistance.

E. McGruff House Program participants are not to do any of the following for children requesting assistance.

1. Personally provide first aid or administer medications, except in extreme emergencies and then only if qualified.
2. Act as an escort service or provide transportation.
3. Enforce laws.
4. Provide toilet facilities.
5. Provide baby-sitting or child care services.
6. Provide food or beverages.

F. The participating law-enforcement agency may at any time disqualify from participation any residence where any of its members engage in activity deemed by the law-enforcement agency to be detrimental to the objective of the McGruff House Program, or where any of the members are found guilty or any of the offenses noted in § 2.3 D of these regulations.

§ 2.6. Record keeping and monitoring.

A. Participating law-enforcement agencies are required to maintain records of the participants and activities of the McGruff House Program.

B. Participating law-enforcement agencies will provide an annual calendar year report of the status of the McGruff House Program to the Department of Criminal Justice Services. This report must be submitted by February 1 of each year. The annual report will include the following:

1. The number of homes participating in the program at the beginning and end of each calendar year.
2. The number of new McGruff House Participant applications.
3. The number of new McGruff House participants.
4. The number of McGruff House Participant applicants denied and reason for denial.
5. The number of McGruff House Participant reapplications.
6. The number of homes which voluntarily discontinued participation in the McGruff House Program.
7. The number of homes removed from participation in the McGruff House Program and reasons for removal.
8. The number of incidents accompanied by a brief description where McGruff Houses were used by

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children in need of assistance.

§ 2.7. McGruff House sign.

A. The McGruff House sign issued by the National Crime Prevention Coalition is the only sign authorized for use in the McGruff House Program.

B. The McGruff House signs may be obtained by the participating law-enforcement agency from the Utah Council for Crime Prevention, which has been designated to administer the McGruff House Program by the National Crime Prevention Coalition. The national McGruff Program Administrator may be contacted at:

Utah Council for Crime Prevention
4501 South 2700 West
Salt Lake City, UT 84119
(801) 965-4587

C. The McGruff House signs are rented for \$1.00 per sign by the participating law-enforcement agency. One sign is rented for each participating McGruff House. The rented signs are issued unique serial numbers which are issued to the participating law-enforcement agency which rents them. The law-enforcement agency will maintain a record of the serial numbers of signs issued to McGruff House participants.

D. A home which discontinues participation or is removed from participating in the McGruff House Program will return the McGruff House sign to the issuing law-enforcement agency within 15 business work days. Failure to return the McGruff House sign may subject the sign holder to a civil penalty of up to \$100.

PART III. PENALTY.

§ 3.1. Penalty for misuse.

A. Subsequent to July 1, 1990, display of a McGruff House symbol by persons not designated pursuant to §§ 9-173.4 and 9-173.5 of the Code of Virginia and these regulations to participate in the program, shall be subject to a civil penalty of up to \$100.

DEPARTMENT OF EDUCATION (STATE BOARD OF)

Title of Regulation: VR 270-01-0012. Standards for Accrediting Public Schools in Virginia.

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

Public Hearing Date: March 5, 1990 - 7 p.m.
(See Calendar of Events section
for additional information)

Summary:

The proposed changes in the accreditation standards include two new standards: Part XIII, Standard I - Performance Recognition and Part XIV, Standard J - Accreditation Status. Also, a paragraph has been added on the restructuring of middle schools under the self-study and review section. A new criterion was added on parents providing instructional assistance; monitoring retention rates; follow-up on vocational students; at-risk students; and instructional computer equipment.

Class size for special education has been placed in the standards for the first time. Also, teachers in middle and secondary school on a seven period day may teach six periods.

Many of the changes are rewording or changes to make the standards more compatible with the Standards of Quality and legislation passed since the last revision.

VR 270-01-0012. Standards for Accrediting Public Schools in Virginia.

PART I. INTRODUCTION.

§ 1.1. These standards, with certain exceptions as cited in this document, shall become effective beginning with the 1988-89 1990-91 school year. Localities may implement these standards immediately with the exception of those which increase graduation requirements for students and with the exception of Standard C-11, which allows for alternatives to the standard school year of 180 days. Students who completed the ninth grade prior to 1988-89 1990-91 may earn a diploma by meeting the graduation requirements in effect when they entered the ninth grade. Students who completed ninth, tenth, eleventh, or twelfth grade courses before the ninth grade under the 1983 standards shall be awarded credit for those courses under the provisions of these standards. These standards will be reviewed again in 1990 or sooner for the 1992-94 biennium, if deemed necessary, by the Board of Education.

PART II. PURPOSE OF ACCREDITATION.

§ 2.1. The standards for accreditation of public schools in Virginia are designed to provide a *minimum* foundation for quality education. Accreditation standards provide guidance and direction to assist schools in their continuing efforts to offer educational programs to meet the needs, interests, and aspirations of all students. The accreditation standards are designed to achieve the following objectives:

1. Seek to ensure that schools provide educational programs of high quality for all students.
2. Encourage continuous appraisal and improvement of the school program.

3. Foster public confidence.
4. Assure recognition by other institutions of learning.
5. Assist in determining the effectiveness educational performance of schools.

PART III. REQUIREMENTS FOR ACCREDITATION OF PUBLIC SCHOOLS IN VIRGINIA.

§ 3.1. Section 22.1-19 of the Code of Virginia includes the requirement that the Board of Education shall provide for the accreditation of public elementary and secondary schools in accordance with standards prescribed by it.

The Standards of Quality specify that each school division shall maintain schools which meet those the requirements for accreditation prescribed by the Board of Education.

PART IV. PROCEDURES FOR ACCREDITATION.

§ 4.1. Reports and accreditation status.

A. The principal of each school shall submit school accreditation reports, through the division superintendent, to the Department of Education. A Summer School Accreditation Report shall be submitted for each summer program conducted and shall be a part of the accreditation report for the regular school session immediately following the summer session. Report forms will be provided by the Department of Education. Failure to submit the reports on time will constitute grounds for withholding accreditation.

B. Information included in the reports, as well as that obtained through other records and through visits by Department of Education personnel or other designated representatives of the Board of Education, will be used to determine the accreditation status of each school in accordance with tolerances approved by the Board of Education (*See Part XIV Standard J*). Schools will be accredited, accredited with advisement, or accredited with a warning, depending on the extent of existing deficiencies. Each school division shall develop by July 1 of the next school year a written corrective action plan, acceptable to the Board of Education, for any school that is accredited with a warning. A school division not implementing the approved corrective action plan as specified for any such school will lose accreditation status for that school and will be in violation of state law. No school in the warned category shall be permitted to maintain accreditation for more than one year.

C. Schools shall be accredited annually. The Board of Education may require immediate corrective action or change of accreditation status whenever significant deficiencies are reported by representatives of the Department of Education. Schools that lose their

accredited status shall be considered for reaccreditation may have their status reconsidered when subsequent reports and visits by Department of Education personnel reveal that prescribed standards are being met. The local school board shall review annually in public session the implementation of accreditation standards.

D. When a school applies for initial accreditation, a representative of the Department of Education shall visit the school to review the accreditation standards and procedures with the principal. A school with the number of deficiencies that would place it in the warned status will not be accepted for initial accreditation.

§ 4.2. Self-study and review.

A. A self-study followed by a *an on site* review by the a Department of Education approved visiting committee is required for all schools every 10 years. The process shall be conducted using criteria developed or approved by the Department of Education and shall be followed by a written progress report and a staff review of implementation within five years. School divisions that have their own procedure for the process may request approval to use it in lieu of the state process for the five year report.

B. Schools in which the middle school grades (grades 6, 7, or 8) constitute half or more than half of all grades in the school will use the Process for Restructuring Education in the Middle School Grades in lieu of any other process for self-study and review. To minimize duplication of effort, adjustments in the regular evaluation process will be made for those schools in which grades 6 through 8 are not in the same building.

§ 4.3. Application of the standards.

A. These standards apply to schools for all grade levels, K-12, as listed below:

1. Schools with grades K-5 shall meet elementary school standards;
2. Schools with grades 6-8 shall meet the middle school standards; and
3. Schools with grades 9-12 shall meet the secondary school standards.

B. Schools with grade patterns other than those listed above shall meet elementary, middle, or secondary school standards as determined by the Accreditation Service of the Department of Education.

C. Criteria from the standards that are not appropriate to special education or to vocational and alternative programs housed in separate facilities will not be applied so long as state regulations governing services to the students enrolled are met.

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D. Except for the biennial school plan required by Standard D.8 (~~See Part VIII of these regulations~~), written divisionwide plans available in and applicable to each school may be used to satisfy all other written plans required in these standards.

PART V.

SCHOOL AND COMMUNITY RELATIONS: STANDARD A.

§ 5.1. Each school shall have in effect a written plan that promotes interaction with the community and that fosters mutual understanding in providing a quality educational program. The plan shall be developed using the following criteria:

1. Parents, citizens, and representatives from business and industry shall be provided opportunities to participate on advisory committees, in curriculum studies, and in evaluating the educational program.
2. A written plan shall be provided *Provisions* for interpreting the school program to the community *shall be included in the required plan*.
3. A close working relationship shall be maintained between the school and other community agencies that provide services to students.
4. Schools shall have written plans *Provisions* for cooperating with business and industry in formulating educational programs and conducting joint enterprises involving personnel, facilities, training programs, and other resources *shall be included in the required plan*.
5. The staff shall be responsible for using the resources of the community and involving parents and citizens in the following:
 - a. Evaluating the school program; and
 - b. Developing the biennial school plan.
6. The school shall encourage and support the establishment of a Parent-Teacher Association/Organization and shall work cooperatively with it.
7. *The school shall develop and implement guidelines and programs to assist parents in providing instructional assistance to their children in the home.*

PART VI.

PHILOSOPHY, GOALS, AND OBJECTIVES: STANDARD B.

§ 6.1. Each school shall have current written statements of its philosophy, *goals*, and objectives that shall serve as the basis for all school policies and practices. Such statement shall be developed using the following criteria.

1. The philosophy, *goals*, and objectives shall be developed with the of concerned and interested professional and lay people who represent the various populations served by the school.

2. The school's philosophy and objectives shall be consistent with the Standards of Quality and the philosophy and objectives of the school division.

2. *The school staff and community representatives shall review biennially the philosophy, goals, and objectives of the school and shall revise them as needed.*

3. The individual school's philosophy and objectives shall be based on a realistic and systematic needs assessment.

3. *Copies of the school's philosophy, goals, and objectives shall be available to staff members, students, and parents.*

4. The objectives for students shall be stated in terms of skills, abilities, and attitudes to be developed.

4. *The school's philosophy, goals, and objectives shall be the basis for the biennial school plan.*

5. The school staff and community representatives shall review biennially the philosophy and objectives of the school and shall revise them as needed.

5. *The school's objectives and instructional program shall be consistent with the Standards of Quality, the objectives of the school division, the developmental characteristics of the students, research, and best educational practices.*

6. Copies of the school's philosophy and objectives shall be available to staff members, students, and parents.

6. *Each school's philosophy and objectives shall be based on a realistic and systematic needs assessment.*

7. The school's philosophy and objectives shall be the basis for the biennial school plan.

7. *The objectives for students shall be stated in terms of skills, abilities, and attitudes to be developed.*

PART VII.

INSTRUCTIONAL PROGRAM: STANDARD C.

§ 7.1. Each school shall provide a planned and balanced program of instruction that is in keeping with the abilities, interests, and educational needs of students and that promotes individual student achievement.

§ 7.2. Instructional program in elementary schools.

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A. Each elementary school *and all other schools that house grades K-5* shall provide a program of instruction for these grades in the following subjects:

Art	Music
Health	Physical Education
Language Arts	Science , Activity Based
Mathematics	Social Studies (to include Virginia and U.S. Geography)

B. *Kindergarten programs shall be developmental programs that recognize varying patterns and rates of individual development.*

C. In grades 1-3, reading, writing, spelling, listening, speaking, and mathematics shall be the core of the program. Phonics shall be taught in reading. All other subjects shall be taught emphasizing reading and the other language skills.

D. Students not reading at or above grade level after grade 3, as determined by local or state assessment, shall receive additional instruction in reading.

E. *Elementary science shall involve activity based instruction for a minimum of 50% of the instructional time.*

§ 7.3. Instructional program in middle schools.

A. *Each school that contains grades 6, 7, or 8 shall restructure its program according to the plan approved by the Board of Education. Specific attention shall be given to addressing the needs of at-risk students. Each middle level school and all other schools that house one or more of the middle school grades (6, 7, 8) shall provide for those grades a program of learning experiences organized to meet the needs of early adolescence and shall provide instruction in the following subjects and skills :*

Art	Music
Health	Physical Education
Language Arts	Science (Laboratory) Laboratory
Mathematics	Science
Vocational Education	Social Studies (to include
Foreign Language	World Geography)
Study and Test	Computer Uses in Work and Learning
Taking Skills and	
Thinking Skills	

B. The eighth grade shall provide a minimum of eight offerings in five academic areas (language arts, mathematics, science, social studies, and electives), health and physical education, fine arts, and vocational education.

C. Students not reading at or above grade level, as determined by local or state assessment, shall receive additional instruction in reading.

D. *Middle school science programs shall involve laboratory activities for a minimum of 50% of the instructional time.*

§ 7.4. Instructional program in secondary schools.

A. Each secondary school *and all other schools that house one or more of the high school grades (9, 10, 11, 12)* shall offer for those grades options for students to pursue a program of studies in several academic and vocational areas. These options shall include the following:

1. ~~Vocational~~ **Vocational** education Choices that prepare the student *to complete a vocational education program with a marketable skill in one of three or more occupational areas skills ;*
2. ~~Academic~~ **Academic** Choices that prepare the student for technical or preprofessional programs of higher education;
3. ~~Liberal arts~~ **Liberal arts** Choices that prepare the student for college-level studies in the arts and sciences;
4. Access to at least ~~two advanced placement courses~~ **two advanced placement courses** or two college level courses for credit , *which may be any combination of Advanced Placement courses, offered at the high school or through the electronic classroom, and regular college credit courses offered at the high school site or elsewhere ; and*
5. Preparation for scholastic aptitude tests, including as a minimum, a review of appropriate English and mathematics principles and instructions in taking the tests, shall be available for students.

B. Minimum course offerings for each secondary school shall be as follows:

	Grades 9-12
Academic Subjects	23
English	(4)
Mathematics	(4)
Science (Laboratory)	
Laboratory Science	(4)
Social Studies (to include World History and World Geography)	(4)
Foreign Language	(3)
Electives	(4)
Vocational Education	11
Fine Arts	2
Health and Physical Education	2
Total Units	38

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C. Students not reading at or above grade level, as determined by local or state assessment, shall receive additional instruction in reading.

D. When health and physical education are taught as a combination class, at least 40% of the instructional time shall be devoted to health education. Classroom driver education may count for 36 class periods of health education. Students should not be removed from classes in required courses other than health and physical education for the in-car phase of driver education. Secondary science shall involve laboratory instruction for a minimum of 50% of the instructional time.

E. The social studies offering shall include at least one-half unit in economics and the course in Virginia and United States Government shall include instruction on the free enterprise system.

F. When health and physical education are taught as a combination class, at least 40% of the instructional time shall be devoted to health education. Classroom driver education may count for 36 class periods of health education. Students should not be removed from classes in required courses for the in-car phase of driver education.

§ 7.5. The standard unit of credit for graduation shall be based on a minimum of 150 clock hours of instruction. When credit is awarded in less than whole units, the increment awarded must be no greater than the fractional part of the 150 hours of instruction provided. If a school division elects to award credit on a basis other than the standard unit of credit, the locality shall develop a written policy approved by the superintendent and school board which ensures:

1. That the content of the course for which credit is awarded is comparable to 150 clock hours of instruction; and
2. That upon completion, the student will have met the aims and objectives of the course as validated by passing an appropriate test.

§ 7.6. The summer school program shall be equal in quality to the program offered during the regular school term:

1. One unit of new credit per summer session shall be the maximum for which a student may enroll unless prior approval is obtained from the principal, to enroll in more than one subject.
2. Credit for repeated work ordinarily will be granted on the same basis as that for new work. With prior approval of the principal, certain students may be allowed to enroll in two repeat subjects to be completed in not less than 75 clock hours of instruction per unit of credit.
3. Summer school instruction which is provided as

part of a remedial program shall be designed to improve specific identified student deficiencies.

§ 7.7. Locally developed elective courses offered for credit toward high school graduation shall be approved by the division superintendent and school board. When suitable course code numbers for reporting purposes cannot be found in the School Administrators Handbook of Course Codes and Endorsement Codes, they will be assigned, upon request, through the Accreditation Service of the Department of Education.

§ 7.8. Students who begin postsecondary education prior to high school graduation shall receive credit toward high school graduation when the following conditions are met: Beginning in the middle-school years, students shall be counseled as to opportunities for beginning postsecondary education prior to high school graduation. Students taking advantage of such opportunities shall not be denied participation in school activities for which they are otherwise eligible. Wherever possible, students shall be encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit, under the following conditions:

1. Prior written approval of the high school principal for the cross-registration must be obtained;
2. The college must accept the student for admission to the course(s); and
3. The course must be given by the college for degree credits (hence, no remedial courses will be accepted).

Schools that comply with this standard shall not be penalized in receiving state appropriations. Schools and colleges are strongly encouraged to provide such opportunities to the secondary school students at no tuition cost to the individual or his family.

§ 7.9. The school vocational education program shall be competency-based so that students can develop the knowledge, skills, and attitudes required for employment or advanced occupational preparation. The secondary vocational education program shall:

1. Reflect employment opportunities and labor market needs;
2. Be competency-based so that students can develop the knowledge, skills, and attitudes required for employment or advanced occupational preparation;
3. Provide career guidance, including employment counseling and placement services, and job-seeking skills for students including those identified as handicapped;
4. Reflect program completer status for students who plan to seek employment after high school graduation;

5. Provide student leadership development activities as an integral part of the instructional program;

6. Provide activities to reinforce students' basic skills including reading, writing, speaking, listening, problem-solving, critical thinking, personal attitudes/attributes, career development, and technological understanding;

7. Use community resources and facilities to enhance the quality of the instructional program;

8. Use cooperative education, apprenticeships, and mentorships.

9. Be directed toward successful placement of students:

a. In business, industry, government, or the military;

b. In postsecondary programs leading to technical or professional careers; and

10. Reflect cooperative arrangements with community colleges through formal articulation agreements.

§ 7.10. Each middle and secondary school shall provide for the early identification and enrollment of students in a college preparation program with a range of educational and academic experiences in and outside the classroom, including an emphasis on experiences that will motivate disadvantaged and minority students to attend college.

§ 7.11. Each school shall have a program designed to improve the academic achievement and aspirations of culturally disadvantaged students.

§ 7.12. The standard school year shall be 180 days. The standard school day for students in grades 1-12 shall average at least 5-1/2 hours, excluding intermissions for meals and a minimum of three hours for kindergarten. School divisions may develop alternative schedules for meeting these requirements as long as a minimum of 990 hours of instructional time is provided for grades 1-12 and 540 hours for kindergarten. Such alternative plans shall be approved by the local school board and by the Board of Education, ~~under~~ in accordance with guidelines established by the Board of Education.

§ 7.13. All students in grades 1-12 shall maintain a full-day schedule of classes (5-1/2 hours), unless a waiver is granted by the local superintendent of schools.

§ 7.14. Each school shall implement Standards of Learning Objectives or locally developed objectives that are equivalent to or exceed Board of Education requirements.

§ 7.15. Each school shall make available a remediation program, which may include summer school, to reduce the number of students who score in the bottom national

quartile on Virginia State Assessment Program Tests or those who fail the state's literacy tests.

§ 7.16. Each school shall prepare and adhere to a written plan to teach appropriate writing skills at every grade level which shall include specific requirements and which culminates with a research paper in grades 11 or 12. Further, each student shall be required to make an oral presentation on the research paper before an adult or student audience.

§ 7.17. Each school shall implement career education programs infused into the K-12 curriculum which promotes students' awareness or that promote knowledge of careers and emphasize the consequences and implications advantages of leaving completing school without with marketable skills.

§ 7.18. Each school shall provide for the early identification of gifted students and enrollment of such students in challenging differentiated instructional programs taught by teachers with special training or experience in working with gifted students.

§ 7.19. Each school shall provide for the early identification of handicapped students offered a curriculum that is and enrollment of such students in appropriate instructional programs, as required by law.

§ 7.20. By graduation, each student shall receive instruction designed to help him achieve the objectives outlined in Computer Literacy for Students in Virginia issued by the Department of Education.

§ 7.21. Each school shall implement the Standards of Learning for the family life education program promulgated by the Board of Education or a family life education program consistent with the guidelines developed by the Board of Education in December, 1987. *Community involvement shall be an ongoing part of program implementation and evaluation.*

§ 7.22. Homebound instruction shall be made available to students who are confined for periods that would prevent normal educational progress. Homebound instruction shall be approved for credit, provided Board of Education regulations governing such instruction are met.

§ 7.23. When approved by the principal, students may be allowed to enroll in supervised correspondence courses in subjects not available to them through the school's schedule. Credit may be awarded for the successful completion of such courses when the work is done under the supervision of a certified teacher approved by local school authorities.

§ 7.24. Homework shall be governed by a written school board policy developed with the advice of parents and teachers. The policy shall include guidelines for the amount, quality, and timing of homework and shall outline the responsibility of students, teachers, and parents.

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§ 7.25. Experimental and innovative programs that are in conflict with accreditation standards shall be submitted to the Department of Education for approval prior to implementation. The request shall include the purpose, objectives, outline, and evaluation procedures for the programs, and shall be approved by the local school board.

§ 7.26. Each school shall provide a variety of *books*, materials and equipment to support the instructional program.

§ 7.27. School-sponsored extracurricular activities shall be under the direct supervision of the staff and shall contribute to the educational objectives of the school. Extracurricular activities shall be organized to avoid interrupting the instructional program. Extracurricular activities shall not be permitted to interfere with the student's required instructional activities. Extracurricular activities and eligibility requirements shall be established and approved by the superintendent and the school board. Activities which help a student meet the objectives of the course may be considered part of the instructional program; they are not considered extracurricular activities as long as they do not interfere with instruction in other courses.

§ 7.28. Competitive sports of a varsity nature (scheduled league games) shall be prohibited as a part of the elementary school program.

PART VIII. INSTRUCTIONAL LEADERSHIP: STANDARD D.

§ 8.1. The principal, *with the assistance of the faculty*, shall be responsible for instructional leadership and effective school management that promotes achievement of individual students. The principal shall be responsible for the following:

1. An atmosphere of mutual respect and courtesy shall be a primary goal of the school, and the administrative staff shall ~~make every effort to achieve~~ *enlist the help of students, faculty, and community in achieving it.*
2. The principal shall establish and include in the teachers' handbook procedures to protect instructional time from interruptions and intrusions.
3. The principal or his designee shall prepare and adhere to a written plan involving greater use of aides, volunteers, part-time instructors, and technology to assist teachers, *and to assist with the remedial education program.*
4. The regular school day shall be limited to teaching and learning activities.
5. The principal or his designee shall monitor and evaluate the quality of instruction through the

following:

- a. The establishment of written objectives for each teacher, developed cooperatively by the teacher and the administrator;
 - b. A systematic program of classroom observation and follow-up consultation with each teacher *that emphasizes instructional competencies such as academic learning time, accountability, clarity of structure, individual differences, evaluation, consistent rules, affective climate, learner self-concept, meaningfulness, planning, questioning skills, reinforcement, close supervision, and awareness;*
 - c. In-service training and professional assistance and support designed to improve instruction;
 - d. Analysis and use of data on pupil achievement; and
 - e. An evaluation of each teacher at least every two years or in accordance with a schedule approved by the Department of Education.
6. At least 40% of the time of the principal and an average of 40% of the time of the assistant principal(s) shall be devoted to supervision of instruction and curriculum development.
 7. The principal shall analyze test scores and develop plans to improve them when needed. Plans shall be submitted to *the* local school division superintendent.
 8. The principal or his designee shall prepare and adhere to a written biennial school plan ~~which includes the other written plans required in these standards~~, approved by the division superintendent ~~that is consistent with the division's six-year plan.~~
 9. The principal or his designee shall be responsible for using the resources of the community and for involving parents and citizens in the educational program, as indicated in Standard A ~~(see Part V of these regulations).~~
 10. Each school shall prepare and adhere to written procedures to recognize and reward the scholastic achievements of students. ~~(Include in biennial plan).~~
 11. The principal ~~or his designee and staff~~ shall demonstrate high expectations for all students.
 12. The principal or his designee shall act to reduce the number of students who drop out of school by:
 - a. ~~Including dropout prevention programs in the biennial school plan and implementing these programs;~~

b. Providing alternative programs with emphasis on basic skills for students who are not successful in regular instructional programs;

a. *Identifying early, potential dropouts, assessing their individual needs, and providing additional support and alternatives that meet the identified needs. Such programs can include general education, vocational education, and work; must offer learning experiences that vary to meet interests and abilities of individual students; shall include choices in terms of times, location and staffing; and shall be designed to help students acquire knowledge and develop skills and attitudes reflected in the Goals of Education for Virginia's Public Schools;*

e. b Providing counseling services that motivate students to stay in school;

d. c. Establishing and maintaining close contact with parents of potential dropouts;

e. d. Conducting interviews with potential dropouts and with students who are dropping out of school;

f. e. Maintaining records of dropouts, including actions taken to prevent students from dropping out of school, and their reasons for leaving school; and

f. *Monitoring retention rates and procedures; and*

g. Other activities deemed appropriate by local school authorities *including enrollment in career exploration at the middle school level and occupational preparation programs beginning at the ninth grade .*

13. The principal or his designee with the advice of parents shall develop a written procedure for referring for treatment students identified as involved in substance abuse.

14. Each member of the administrative staff shall participate annually in state or local in-service programs designed specifically for administrators.

15. Each school shall maintain a current handbook of policies and procedures that includes the school division's standards of student conduct and procedures for enforcement, along with other matters of interest to parents and students.

16. Each school shall maintain records of receipts and disbursements of *all* funds handled. These records shall be audited annually by a professional accountant approved by the local school board.

17. Each school shall maintain a current record of certification, endorsement, and in-service training of the staff.

18. Fund-raising activities which involve *involving* elementary students in door-to-door solicitation shall be prohibited and so stated in the school handbook.

19. Each school shall have a written procedure to be followed when students or staff are injured or become ill and keep documentation of all injuries which occur at school and on school buses.

20. Each school shall have at least two full-time staff members who have attended and successfully completed courses approved by the State Board of Health in all of the following: cardiopulmonary resuscitation (CPR), Heimlich maneuver (~~for choking~~), and basic first aid. *A list of such personnel shall be made known to students and staff and posted.*

PART IX.

DELIVERY OF INSTRUCTION: STANDARD E.

§ 9.1. The staff shall provide instruction that is educationally sound in an atmosphere conducive to learning and in which students are expected to achieve.

1. Mutual respect, courtesy, and a genuine concern for all students shall be evident in the learning environment.

2. Staff members shall serve as models for effective oral and written communication with special attention to correct use of language and spelling.

3. Teachers of all subjects shall strive to strengthen the basic skills of students.

4. Daily teaching objectives shall be established to achieve the following:

a. Identify what students are expected to learn;

b. Inform students of the learning expected and keep them engaged in learning tasks; and

c. Enable the teacher to spend the maximum time possible in the teaching/learning process by keeping to a minimum disruptions, clerical responsibilities, and the time students are out-of-class.

5. The staff shall provide for individual differences of students through the use of varied materials and activities suitable to their interests, ~~and~~ abilities, *and learning styles .*

6. The staff shall assess the progress of students and report promptly and constructively to them and their parents.

7. The staff shall demonstrate a high expectation of learning for all students.

8. The staff should demonstrate the qualities of

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patriotism, honesty, and fair play and expect the same of all students.

9. Classroom activities shall be structured and monitored to minimize disruptive behavior.

10. Inappropriate behavior by a student shall be responded to quickly and consistently without demeaning the student responsible for the behavior.

11. Each school shall establish a broad-based process for determining the particular guidance and counseling needs of its students and for planning how best to meet these needs. Guidance and counseling programs shall be provided for all students in grades K-12, as needed to achieve the following:

a. Ensure that individual curriculum planning is provided at the middle and secondary level to assist each student in selecting appropriate and challenging courses;

b. Provide opportunities for parents, teachers, and other adults to participate in planned activities that encourage the personal, social, educational, and career development of students;

c. Provide information at the middle and secondary levels regarding vocational completion requirements and job market skills. Secondary students not pursuing further education shall receive employment counseling and placement services to furnish information about employment opportunities available to students graduating from or leaving school;

d. Provide for the coordination of a testing program that includes orientation to test-taking, use of test data, and the interpretation and use of student records data;

e. Provide for the evaluation of the guidance program by the principal, counselor(s), staff, and parents;

f. Ensure that at least 60% of the time of each member of the guidance staff shall be devoted to counseling of students; and

g. Ensure that each student has a balanced program of studies each year, including at least one mathematics or laboratory science course in grades 11 or 12 ; and

h. Ensure that services for at-risk students are coordinated.

12. The library media center shall be organized as the resource center of the school and shall provide a unified program of media services and activities for students and teachers before, during, and after school.

The library media center shall have the following: *The library media center is an integral part of the instructional process. It offers consultation, instruction, access to resources and information in a variety of print, nonprint, and electronic formats, reference services, and audio visual production services to students and teachers. These services are available and accessible throughout the school day. The school library media center shall be characterized by:*

a. An average monthly circulation of print and nonprint materials equal to at least 70% of the school membership;

b. A flexible schedule that provides for library use by all students;

c. A written policy for the selection, evaluation, withdrawal, and disposal of all instructional materials purchased by the school division, with clearly stated procedures for handling challenged, controversial materials;

d. A current cataloging of all library media in the school, which promotes accessibility and ease of retrieval, including a functional loan system, an annual inventory of materials and equipment, and a procedure for screening and discarding media;

e. An information file that reflects curriculum needs and contains pamphlets, clippings, pictures, and information about local resources;

f. A minimum of two complete sets of encyclopedias, one of which has been copyrighted within the last five years;

g. An unabridged dictionary and abridged dictionaries;

h. Newspaper subscription(s) providing daily, local, state, and national news coverage ;

i. Fifteen subscriptions to periodicals for elementary schools and 25 subscriptions for middle and secondary schools that are pertinent to the school program reflect the curricular and personal needs and interests of the students ;

j. A current and accessible professional library in each school, or in a centralized instructional media center in the school division;

k. Materials such as prints, charts, posters, recordings (disc and tape), filmstrips, multimedia kits, models, study prints, slides, transparencies, videotapes, videodiscs, micro computer software, micro forms, online information retrieval systems, and maps and globes that are carefully selected to meet the needs of the instructional program;

1. Collection requirements (20% of which may be nonprint instructional material) for each library media center shall be as follows:

- (1) Ten books per student in elementary schools;
- (2) In middle and secondary schools, a basic collection of 1,000 well-selected titles. (In schools with more than 150 students there shall be a minimum of seven books per student); and
- (3) Fifty percent of the minimum basic collection shall be available for circulation during the first semester in a new school.

m. Librarians involved with teachers and administrators in planning the school curriculum; and

n. Functional equipment to support the use of audiovisual materials.

13. Each school shall include in the biennial school plan a description of its plans to systematically provide foundation levels of instructional computing, distance learning and audiovisual equipment as prescribed in the six-year technology plan for Virginia.

PART X. STUDENT ACHIEVEMENT: STANDARD F.

§ 10.1. Each school shall provide learning objectives to be achieved by students at successive levels of development and shall continually assess the progress of each student in relation to these objectives and the goals of education in Virginia. The goals of public education in Virginia are to aid each pupil to the full extent of his abilities, to accomplish the following:

- 1. Develop competence in the basic learning skills;
- 2. Develop the intellectual skills of rational thought and creativity;
- 3. Acquire knowledge and process skills of science and technology;
- 4. Acquire broad knowledge and understanding of the Humanities;
- 5. Progress on the basis of achievement;
- 6. Graduate from high school and qualify for further education or employment;
- 7. Develop personal standards of ethical behavior and moral choice;
- 8. Participate in society as a responsible family member and citizen;

9. Develop a positive and realistic concept of self and others;

10. Acquire an appreciation for and a sensitivity to people of ~~various races~~ *diverse ethnic and racial groups* ;

11. Practice sound habits of personal health and physical fitness;

12. Enhance *and protect* the quality of the environment;

13. Develop skills, knowledge, and attitudes regarding the arts; and

14. Acquire a basic understanding and appreciation of democracy and the free enterprise system.

§ 10.2. Students shall pass *the* literacy tests *prescribed by the Board of Education* in reading, writing, and mathematics in order to be promoted to the ninth grade except for identified handicapped students who ~~are progressing according to the objectives of~~ *have been exempted by* their individualized education program (IEP). Students transferring to a Virginia public school prior to the ninth grade shall also be required to pass the literacy tests in order to be promoted to the ninth grade. Students who are not promoted shall be enrolled in alternative programs leading to one or more of the following:

- 1. Passing the literacy tests;
- 2. High school graduation;
- 3. General Educational Development (GED) Certificate;
- 4. Certificate of program completion; and
- 5. Job-entry skills.

§ 10.3. Graduation requirement.

A. To graduate from high school, a student shall meet the minimum requirements for the 21-credit diploma outlined below for grades 9-12. Students who graduate with an average grade of "B" or better will receive a Board of Education Seal on the diploma.

	9-12
English	4
Mathematics ²	2
Laboratory Science ²	2
Math or Science ³	1
Social Studies:	3
Virginia and United States History-1 <i>credit</i> ,	
Virginia and United States Government-1 <i>credit</i> ,	

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World Studies (World Culture, World History, or World Geography)-1 credit	
Health and Physical Education	2
Fine Arts or Practical Arts'	1
Electives	6
Total Units	21

B. Each secondary school shall offer as an elective for students, an Advanced Studies Program which requires a minimum of 23 units of credit as outlined below for grades 9-12. Students who graduate with an average grade of "B" or better and successfully complete at least one advanced placement course (AP) or one college level course for credit will receive a Governor's Seal on the diploma.

9-12

English	4
Mathematics	3
Laboratory Science	3
Social Studies:	3
Virginia and United States History-1 credit	
Virginia and United States Government-1 credit	
World Studies (World Cultures, World History or World Geography)-1 credit	
Foreign Language (3 years of one language or 2 years each of 2 languages)	3
Health and Physical Education	2
Fine Arts or Practical Arts'	1
Electives	4
Total Units	23

C. To earn an Advanced Studies Diploma, students shall complete a mathematics sequence that includes Algebra I and two courses above the level of Algebra I, and a science sequence that includes ~~three units from earth science, biology, chemistry, and physics units of credit in at least three of the four following subjects: Earth Science, Biology I, Chemistry I, and Physics I.~~

D. When students below the ninth grade successfully complete ninth, tenth, eleventh or twelfth grade subjects, credit shall be counted toward meeting the units required for graduation in grades 9-12. Students shall be encouraged to take advantage of this option.

E. Students who are graduating from a secondary school and do not intend to continue their education should have identified marketable skills must be program completers in an occupational preparation program or qualify for further education at the post secondary level.

F. Students completing graduation requirements in a summer school accredited under these standards shall be

eligible for a diploma. The last school attended by the student during the regular session shall award the diploma.

§ 10.4. Transfer of credits.

A. A secondary school shall accept credits received from other accredited secondary schools, including summer schools, special sessions, schools accredited through the Virginia Council for Private Education and educational programs operated by the Commonwealth. Credit also shall be accepted for courses satisfactorily completed in accredited colleges and universities when prior written approval of the principal has been granted.

B. Records of transferred students shall be sent ~~directly~~ promptly to the school receiving the student upon request of the receiving school.

C. The transcript of a student who graduates or transfers from a Virginia secondary school shall show that a minimum of 21 units of credit courses in grades 9-12 are required for graduation.

D. Students transferring into a Virginia School division shall be required to earn 21 units of credit or the equivalent for graduation. Each student's prior record shall be evaluated to determine the number and content of additional credits required for graduation. Specified courses normally taken at lower grade levels shall not be required, provided the student has completed the courses required at those grade levels by the school division or state from which he transferred. Students transferring from states not giving credit for health and physical education shall not be required to repeat these courses.

§ 10.5. Students who have met the requirements and conditions set forth in these standards and have met such other requirements as may be prescribed by the local school board and approved by the Board of Education, and handicapped students who have completed the requirements of an individualized education program shall be awarded the appropriate diploma or certificate. The last school attended by the student during regular session shall award the diploma or certificate unless otherwise determined by the two superintendents.

PART XI.

STAFFING: STANDARD G.

§ 11.1. Each school shall have the required staff with proper certification and endorsement.

A. The following shall be the minimum staffing according to type of school and student enrollment average daily membership :

Position: Principal: Elementary: 1 half-time to 200; 1 full-time at 300; Middle: 1 full-time; Secondary: 1 full-time.

Position: Assistant Principal: Elementary: 1 half-time at

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600, 1 full-time at 900; Middle: 1 full-time each 600; Secondary: 1 full-time each 600.

Position: Librarian; Elementary: Part-time to 299, 1 full-time at 300; Middle: 1 half-time to 299, 1 full-time at 300, 2 full-time at 1000; Secondary: 1 half-time to 299, 1 full-time at 300, 2 full-time at 1000.

Position: Guidance Counselors; Elementary: 1 hour per day per 100, 1 full-time at 500, 1 hour per day additional time per 100 or major fraction; Middle: 1 period per 80, 1 full-time at 400, 1 additional period per 80 or major fraction; Secondary: 1 period per 70, 1 full-time at 350, 1 additional period per 70 or major fraction.

Position: Clerical; Elementary: Part-time to 299, 1 full-time at 300; Middle: 1 full-time and 1 additional full-time for each 600 beyond 200 and 1 full-time for the library at 750; Secondary: 1 full-time and 1 additional full-time for each 600 beyond 200 and 1 full-time for the library at 750.

1. Division Level

Position	Elementary	Middle	Secondary
Teachers			
K	1 full-time per 25 with no class larger than 30, full-time aide required for any class larger than 25		
Grade 1	1 full-time per 23 with no class larger than 30		
Grades 2-7	1 full-time per 25 with no class larger than 30 in grades 2 and 3 and no class larger than 35 in grades 4 through 7		
English Classes		1 full-time per 23 in English classes	1 full-time per 23 in English classes

2. School Level

Position	Elementary	Middle	Secondary
Teachers			
Principal	1 half-time to 299 1 full-time at 300	1 full-time	1 full-time per 25
Assistant	1 half-time at 600	1 full-time each 600	1 full-time each 600
Principal	1 half-time at 900		
Librarian	Part-time to 299 1 full-time at 300	1 half-time to 299 1 full-time at 300 2 full-time at 1,000	1 half-time to 299 1 full-time at 300 2 full-time at 1,000
Guidance Counselors	*1 hour per day per 100	1 period per 80 1 full-time at 400	1 period per 70 1 full-time at 350

*1 full-time at 500	1 additional period	1 additional period
*1 hour per day additional time per 100 or major fraction	per 80 or major fractions	per 70 or major fraction
Clerical Part-time to 299 1 full-time at 300	1 full-time and 1 additional full-time for each 600 beyond 200 and 1 full-time for the library at 750	1 full-time and 1 additional full-time for each 600 beyond 200 and 1 full-time for the library at 750

Special education teachers are excluded from this section.

B. A combined school, such as K-12, shall meet at all grade levels the staffing requirements for the highest grade level in that school. This requirement shall apply to all staff, except the guidance staff, and shall be based on the school's total enrollment. The guidance staff requirement shall be based on the enrollment at the various school organization levels as defined in § 4-2, application of standards .

At the discretion of local school authorities, an alternative staffing plan may be developed which ensures that the services set forth in these standards are met. Any alternative staffing plan shall be submitted to the Accreditation and Evaluation Service, Department of Education, for approval. An alternative staffing plan that reduces the number of staff positions will not be acceptable.

C. Program level.

1. Vocational education. Vocational education courses shall not exceed the maximum number of students as prescribed in these standards.

Program

*Laboratory classes in which equipment is used that could result in injury if not properly used
20 - 1*

*Classes where Cooperative Education Method of Instruction is required
20 - 1*

*On-the-Job coordination
20 - 1*

*Classes designed for disadvantaged students
15 - 1*

*Classes designed for handicapped students
10 - 1
12 - 1 with aide*

2. Special education. Special education programs shall not exceed the maximum number of students, as prescribed in these standards. Cross-categorical

Proposed Regulations

programs may be conducted in resource classrooms. However, care must be taken to ensure that placement is appropriate to each student's IEP, and that the teacher is appropriately endorsed in all areas. Students of the same handicapping condition may be placed in a combined self-contained (S.C.) and resource classroom.

Class size maximums for students in self-contained classes with resource students are computed on the basis of a maximum value of 20. To determine the maximum number of students allowed for a teacher who is assigned both self-contained students and resource students, the following procedure shall be followed:

- Find the value to be assigned a student needing self-contained instruction under each handicapping condition.
- Multiply the number of self-contained students by the assigned value.
- Add this total value for self-contained to the number of resource students.
- This total combined value cannot exceed the maximum value of 20.

Program	Elementary	Middle	Secondary
Educable Mentally Retarded (EMR)			
Self-Contained (K-3)	9-1 11-1 with aide	15-1	17-1
Self-Contained (4-5)	10-1 13-1 with aide		
Resource			
One Category	24-1	24-1	24-1
Cross Category	20-1	20-1	20-1
Combined	20-1	20-1	20-1
S-C Student Value (K-3)	2.2 1.8 with aide	1.3	1.2
S-C Student Value (4-5)	2.0 1.5 with aide		
Trainable Mentally Retarded (TMR)			
Self-Contained	8-1 10-1 with aide	8-1 10-1 with aide	8-1 10-1 with aide
Severely and Profoundly Handicapped			
Self-Contained	6-1 8-1 with aide	6-1 8-1 with aide	6-1 8-1 with aide
Orthopedically Impaired			
Self-Contained	8-1 10-1 with aide	8-1 10-1 with aide	8-1 10-1 with aide
Resource			
One Category	24-1	24-1	24-1
Cross Category	20-1	20-1	20-1
Combined	20-1	20-1	20-1

S-C Student Value	2.5 2.0 with aide	2.5 2.0 with aide	2.5 2.0 with aide
Hearing Impaired & Deaf			
Self-Contained	8-1 10-1 with aide	8-1 10-1 with aide	8-1 10-1 with aide
Resource			
One Category	24-1	24-1	24-1
Cross Category	20-1	20-1	20-1
Combined	20-1	20-1	20-1
S-C Student Value	2.5 2.0 with aide	2.5 2.0 with aide	2.5 2.0 with aide
Specific Learning Disabled			
Self-Contained	8-1 10-1 with aide	8-1 10-1 with aide	8-1 10-1 with aide
Resource			
One Category	24-1	24-1	24-1
Cross Category	20-1	20-1	20-1
Combined	20-1	20-1	20-1
S-C Student Value	2.5 2.0 with aide	2.5 2.0 with aide	2.5 2.0 with aide
Seriously Emotionally Disturbed			
Self-Contained	8-1 10-1 with aide	8-1 10-1 with aide	8-1 10-1 with aide
Resource			
One Category	24-1	24-1	24-1
Cross Category	20-1	20-1	20-1
Combined	20-1	20-1	20-1
S-C Student Value	2.5 2.0 with aide	2.5 2.0 with aide	2.5 2.0 with aide
Autism			
Self-Contained	6-1 8-1 with aide	6-1 8-1 with aide	6-1 8-1 with aide
Resource			
One Category	24-1	24-1	24-1
Cross Category	20-1	20-1	20-1
Combined	20-1	20-1	20-1
S-C Student Value	3.3 2.5 with aide	3.3 2.5 with aide	3.3 2.5 with aide
Deaf - Blind			
Self-Contained	6-1 8-1 with aide	6-1 8-1 with aide	6-1 8-1 with aide
Multihandicapped			
Self-Contained	6-1 8-1 with aide	6-1 8-1 with aide	6-1 8-1 with aide
Other Health Impaired			
Self-Contained	6-1 8-1 with aide	6-1 8-1 with aide	6-1 8-1 with aide
Resource			

One Category	24-1	24-1	24-1
Cross Category	20-1	20-1	20-1
Speech Language Impaired			
Self-Contained	8-1 10-1 with aide	8-1 10-1 with aide	8-1 10-1 with aide
Itinerant (75 pupils maximum)			
Noncategorical Primary Program			
K - 2			
Self-Contained 8 - 1			
10 - 1 with aide			
Preschool Programs			
Center-based	8 - 1 with aide		
Home-based	12 - 1		
Combined	10 - 1 with no more than 6 home based		

C. Teachers must be endorsed in an area of special education, pupil personnel services, or licensed by another state agency, as appropriate to the needs of students.

D. Teachers must be endorsed in speech/language impaired and elementary instruction or reading disabilities.

E. The principal of each middle level and secondary school shall be employed on a 12-month basis.

F. Each secondary school with 350 or more students and each middle level school with 400 or more students shall employ at least one member of the guidance staff for 11 months.

G. The maximum number of students in Average Daily Membership per certified classroom teacher for grades K-3 shall be the number required by the Standards of Quality.

H. The maximum number of students in Average Daily Membership per certified classroom teacher for grades 4-7 in elementary schools shall not exceed 35.

I. Each middle and secondary school shall have a student-teacher ratio (based on full-time equivalent teachers and excluding administrators, librarians, and guidance personnel) that does not exceed 25-1.

J. In grade 1 and in English classes (grades 6-12), the number of students per teacher shall not exceed the number required by the Standards of Quality.

K. Middle level and secondary school teachers with a seven period day may teach 30 class periods per week; provided all teachers with more than 25 class periods per week have one period per day unencumbered of all teaching or supervisory duties. One class period each day, unencumbered by supervisory or teaching duties, shall be provided for every full-time classroom teacher for instructional planning, and assignments shall be limited to three different preparations.

L. The Middle and secondary classroom teacher's school teachers with a six-period day may teach a standard load shall be of no more than 25 class periods per week. One class period each day, unencumbered by supervisory or teaching duties, shall be provided for every full-time classroom teacher for instructional planning. Teachers of block programs with no more than 120 student periods per day may teach 30 class periods per week. Teachers who teach very small classes may teach 30 class periods per week, provided the teaching load does not exceed 75 student periods per day. If a classroom teacher teaches 30 class periods per week with more than 75 student periods per day (120 in block programs) an appropriate contractual arrangement and compensation shall be provided.

M. Middle level or secondary school teachers shall teach no more than 750 student periods per week; however, physical education and music teachers may teach 1,000 student periods per week.

N. Every effort Each school shall be made to provide staff members with an unencumbered lunch period to receive state funding for this purpose pursuant to the appropriations act.

O. The number of students in special and vocational education classrooms shall comply with regulations of the Board of Education.

P. Custodial services shall be available to keep the school plant and grounds safe and clean.

Q. Pupil personnel services, including visiting teachers/school social workers, school psychologists, and guidance counselors, shall be available to all students as necessary, especially to provide assistance in preventing dropouts and substance abuse.

PART XII BUILDINGS AND GROUNDS: STANDARD H.

§ 12.1. The school building shall accommodate an educational program that will meet the needs of the students and ensure the health and safety of students and staff as follows:

1. The school site and physical plant shall be accessible, barrier-free, safe, clean, and free from hazardous materials, excessive noise and other distractions, and shall be adequate in size to meet the needs of the students enrolled.
2. Each school shall prepare and adhere to a written plan of vehicular traffic control designed to ensure promote safe and prompt movement of students, staff, and visitors.
3. Each school shall have a written plan that includes training in the proper use of fire extinguishers to follow in emergencies. The plan shall be outlined in

Proposed Regulations

the student handbook and discussed with staff and students during the first week of each school year.

4. All exit doors in a school shall required by the Building Code to be equipped with panic bars that are usable hardware shall remain in a released position while the building is occupied.

5. Records shall be maintained to show that fire drills are held once a week during the first month of school and at least once each month for the remainder of the school term. Evacuation routes for students shall be posted in each room.

6. The principal shall be responsible for conducting one fire inspection during each semester in accordance with regulations contained in the Fire Inspection Guide for Schools.

7. Each school shall have provisions for the proper outdoor display of the flags of the United States and of the Commonwealth of Virginia.

8. Each school plant shall have a maintenance and housekeeping program designed to that will identify, monitor, and control hazardous materials and ensure a healthful and pleasant learning environment.

9. The administrative unit shall have space for a principal's office, secretarial assistance, and record storage.

10. Suitable space shall be made available for student personnel services.

11. The school media center shall have adequate space to provide for the collection and circulation of instructional materials, and adequate seating for group activities.

12. Adequate, safe, and properly-equipped laboratories shall be provided to meet the needs of instruction in the sciences, computers, vocational, and fine arts and vocational programs.

13. Each school shall have appropriate areas and facilities for the physical education program offered. Middle and secondary schools shall have locker rooms and showers.

14. Adequate and properly-equipped classroom space shall be provided.

15. The school plant and grounds shall be kept safe and clean with the responsibility for the care of buildings and grounds shared by staff and the students.

16. Space shall be provided for the proper care of students who become ill.

17. All hazardous chemicals and art supplies shall be properly stored and measures shall be employed to ensure their safe use and disposal.

PART XIII.

PERFORMANCE RECOGNITION: STANDARD I.

§ 13.1. The Superintendent of Public Instruction shall develop and the Board of Education shall approve criteria for determining and recognizing educational performance in the Commonwealth's public school divisions and schools. Such criteria, when approved, shall become an integral part of the accreditation process and shall include student outcome measurements. One year following the approval by the board of such criteria, the superintendent of public instruction shall identify annually to the board those school divisions and schools that exceed or do not meet the approved criteria. From such funds as are identified in the appropriations act for this purpose, a program of one-time grants shall be established by the board to assist local school boards in the implementation of action plans for increasing educational performance in those school divisions and schools that are designated as not meeting the approved criteria. A program of grants shall be established to reward school divisions and schools for outstanding performance.

PART XIV.

ACCREDITATION STATUS: STANDARD J.

§ 14.1. Each school's accreditation status will be based on compliance with all accreditation standards (Standards A-H).

A. Scale for determining accreditation status of schools

Status	Deficiencies
Accredited	0-1
Accredited with advisement	2-5
Loss of accreditation status	6+ or noncompliance with any major criteria

B. Each school division shall develop a written corrective action plan, acceptable to the Board of Education, for any school that loses its accreditation status. A school division not implementing the corrective action specified for any such school will be in violation of state law.

§ 14.2. Calculating deficiencies.

A. One deficiency is assessed for failure to comply with any standard except standards dealing with unendorsed teachers and standards identified as major criteria.

1. Deficiencies for unendorsed teachers are calculated as follows:

First unendorsed teacher = 1 Deficiency

- 1% - 5% = 2 Deficiencies
- 6% - 10% = 3 Deficiencies
- 11% - 15% = 4 Deficiencies
- 16% - 20% = 5 Deficiencies

Beyond 20%, add one deficiency for each 3%.

B. Unendorsed staff refers to full-time equivalent personnel.

School divisions may request waivers for assigning teachers to teach outside their areas of endorsement(s). To qualify for a waiver, a teacher must take annually six semester hours of credit leading to endorsement in the area to which he is assigned and unendorsed. Teachers with waivers will not be counted as deficient.

§ 14.3. Noncompliance with any criteria identified as being major criteria by the Board of Education shall cause a school to lose its accreditation status.

The following are identified as major criteria:

- Standards C.1., 2., and 3.
- Standards D.7, and 12.
- Standards E.11, and 12.
- Standards G.1., 2., and 3.

¹ Level one of a foreign language shall be available to all eighth grade students. An exploratory foreign language offering is encouraged for students below grade eight, but will not be required until electronic classroom technology makes this program available.

² Must be selected from a list of courses approved for graduation requirements by the Board of Education. Only one year of a course in general mathematics may be used to meet the mathematics requirement.

³ Must be selected from a list of courses approved for graduation requirements by the Board of Education or, as an alternative, this requirement may be met by completing an appropriate sequence of courses in vocational education or Junior Reserve Officers Training Corps (JROTC).

⁴ Must be selected from a list of courses approved for graduation requirements by the Board of Education.

BOARD OF MEDICINE

Title of Regulation: VR 465-08-01. Regulations for Certification of Occupational Therapists.

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

Public Hearing Date: February 23, 1990 - 9 a.m.
(See Calendar of Events section for additional information)

Summary:

These proposed regulations establish the requirements for certification of persons practicing as occupational therapists in the Commonwealth, and include the verification of an accredited educational program, the passage of a qualifying examination and the completion of the prescribed application and fees. In addition, the proposed regulations provide for the renewal or reinstatement of certification and for the scope of individual and supervisory responsibilities of the occupational therapists.

VR 465-08-01. Regulations for Certification of Occupational Therapists.

PART I.
GENERAL PROVISIONS.

§ 1.1. Definitions.

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

"Advisory board" means the Advisory Board of Occupational Therapy.

"AOTA" means the American Occupational Therapy Association, Inc.

"AOTCB" means the American Occupational Therapy Certification Board, Inc., under which the national examination for certification is developed and implemented.

"AMA" means the American Medical Association.

"Certification examination" means the national examination approved and prescribed by AOTCB for certification as an occupational therapist.

"Occupational therapist" means a person who is qualified by education and training to administer an occupational therapy program and who holds current and valid certification issued by the board.

"Occupational therapy assistant" means a person under the supervision of a certified occupational therapist.

"World Federation of Occupational Therapists" means the association of member nations outside of the United States, its possessions or territories whose academic and clinical fieldwork requirements are in accordance with the American Occupational Therapy Association Essentials of

Proposed Regulations

an accredited educational program for an occupational therapist.

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

PART II. REQUIREMENTS OF CERTIFICATION AS AN OCCUPATIONAL THERAPIST.

§ 2.1. Requirements, general.

A. No person shall practice as an occupational therapist in the Commonwealth of Virginia except as provided in these regulations.

B. Certification by the board to practice as an occupational therapist shall be by examination as prescribed in these regulations.

§ 2.2. Educational requirements.

A. An applicant for certification who has received his professional education in the United States, its possessions or territories, must successfully complete all academic and fieldwork requirements of an AMA/AOTA accredited educational program as verified by the candidate's program director.

B. An applicant who has received his professional education outside the United States, its possessions or territories, must successfully complete all academic and clinical fieldwork requirements of a program approved by a member association of the World Federation of Occupational Therapists as verified by the candidate's occupational therapy program director and approved by the AOTCB.

C. An applicant who does not meet the educational requirements as prescribed above but who holds certification by the AOTCB as an occupational therapist shall provide verification of his education, training and work experience acceptable to the board.

§ 2.3. Certification by examination.

A. An applicant for certification to practice as an occupational therapist must submit to the board a score report from the certification examination indicating a minimum passing score as established and verified by the AOTCB.

B. Persons who hold current and valid certification from the AOTCB may submit with their application to the board verification of that AOTCB Certification in lieu of the score report of the certification examination as required in § 2.3 A of these regulations.

C. An applicant must submit the application, credentials and prescribed fees as required by the board for certification.

D. An applicant who has graduated from a duly accredited educational program in occupational therapy shall be allowed to practice as an occupational therapist for one year from the date of graduation or until he has taken and received a passing grade of the certification examination, whichever occurs sooner.

E. An applicant who fails to successfully pass the examination within one year after graduation may practice as an occupational therapy assistant under the supervision of a certified occupational therapist until successful completion of the certification examination and the filing of the required application, credentials, and fee.

F. An applicant who does not qualify by education for the AOTCB Certification Examination and who does not hold valid certification from the AOTCB but who is currently practicing occupational therapy may submit for review and recommendation of the advisory board and the approval by the board evidence of his education, training, and experience along with a request to take the certification examination for certification as an occupational therapist in Virginia. A person who does not take the certification examination may continue to practice as an occupational therapy assistant under the supervision of an occupational therapist.

PART III. RENEWAL OF CERTIFICATION: REINSTATEMENT.

§ 3.1. Biennial renewal of certification.

A. An occupational therapist shall renew his certification biennially during his birth month in each even numbered year and pay to the board the renewal fee prescribed in § 5.1 of these regulations.

B. An occupational therapist whose certification has not been renewed by the first day of the month following the month in which renewal is required shall be dropped from the certification roll.

C. An additional fee to cover administrative costs for processing a late application shall be imposed by the board as prescribed in § 5.1.

§ 3.2. Reinstatement.

A. An occupational therapist who allows his certification to lapse for a period of two years or more and chooses to resume his practice shall make a new application to the board and payment of the fee for reinstatement of his certification as prescribed in § 5.1 B of these regulations.

B. An occupational therapist whose certification has been revoked by the board and who wishes to be reinstated must make a new application to the board and

payment of the fee for reinstatement of his certification as prescribed in § 5.1 F of these regulations.

PART V. FEES.

PART IV. PRACTICE OF OCCUPATIONAL THERAPY.

§ 4.1. General responsibilities.

An occupational therapist renders his services of assessment, program planning, and therapeutic treatment upon request for such service.

§ 4.2. Individual responsibilities.

A. An occupational therapist provides assessment by determining the need for, the appropriate areas of, and the estimated extent and time of treatment. His responsibilities include an initial screening of the patient to determine need for services and the collection, evaluation and interpretation of data necessary for treatment.

B. An occupational therapist provides program planning by identifying the goals and the methods necessary to achieve those goals for the patient. He analyzes the tasks and activities of the program, documents the progress, and coordinates the plan with other health services, the family and the patient. The services may include but are not limited to education and training in activities of daily living (ADL); the design, fabrication, and application of orthoses (splints); guidance in the selection and use of adaptive equipment; therapeutic activities to enhance functional performance; prevocational evaluation and training; and consultation concerning the adaptation of physical environments for the handicapped.

C. An occupational therapist provides the specific activities or therapeutic methods to improve or restore optimum functioning, to compensate for dysfunction, or to minimize disability of patients impaired by physical illness or injury, emotional, congenital or developmental disorders, or by the aging process.

§ 4.3. Supervisory responsibilities.

A. An occupational therapist shall be responsible for supervision of occupational therapy assistants who work under his direction.

B. An occupational therapist shall meet with the occupational therapy assistant to review and evaluate treatment and progress of the individual patients at least once every 14 calendar days.

C. An occupational therapist shall not supervise more than four occupational therapy assistants at any one time.

D. An occupational therapist shall be responsible for any action of persons performing occupational therapy under his supervision.

§ 5.1. The following fees have been established by the board:

1. The initial fee for the occupational therapist certification shall be \$150.
2. The fee for reinstatement of the occupational therapist certification shall be \$150.
3. The fee for certification renewal shall be \$85 and shall be due in the birth month of the certified therapist in each even numbered year.
4. The additional fee to cover administrative costs for processing a late application shall be \$25 for each renewal cycle.
5. The fee for a letter of good standing/verification to another state for a license or certification shall be \$10.
6. The fee for reinstatement of revoked certification shall be \$500.

ALL QUESTIONS MUST BE ANSWERED: If any of the following questions is answered YES, explain and substantiate with documentation.

- 3. List all jurisdictions in which you have been issued a licensure/certification to practice Occupational Therapy: active, inactive, or expired: _____
- 4. Have you ever been denied the privilege of taking an Occupational Therapy licensure/certification examination? Yes No
- 5. Have you ever taken the American Occupational Therapy Certification examination? If so, provide date _____ Yes No
- 6. Have you ever been denied a Occupational Therapy licensure/certification. Yes No
- 7. Have you ever been convicted of a violation of/or pled Nolo Contendere to any Federal, State, or local statute, regulation or ordinance, or entered into any plea bargaining relating to a felony or misdemeanor? (Excluding traffic violation, except convictions for driving under the influence) Yes No
- 8. Have you ever been censured, warned, or requested to withdraw from any licensed hospital staff, nursing home, or other health care facility? Yes No
- 9. Have you ever had any of the following disciplinary actions taken against your license/certification to practice Occupational Therapy, or are any such actions pending? (a) suspension/revocation (b) probation (c) reprimand/cease and desist (d) have your practice monitored. Yes No
- 10. Have you ever had any membership in a state or local professional society revoked, suspended, or involuntarily withdrawn? Yes No
- 11. Have you had any malpractice suits brought against you in the last ten years? If so, how many? _____ Provide a letter from your attorney explaining each case. Yes No
- 12. Have you ever been treated by, consulted with, or been under care of a professional for substance abuse? If so, please provide a letter from the treating professional which includes diagnosis, treatment, and prognosis. Yes No
- 13. Have you ever received treatment for/or been hospitalized for a nervous, emotional or mental disorder? If so, provide a letter from your treating professional summarizing diagnosis, treatment, and prognosis. Yes No
- 14. Have you ever had a serious physical disease or diagnosis which could affect your performance of professional duties? If so, please provide a letter from the treating professional which includes diagnosis, treatment, and prognosis. Yes No
- 15. Have you ever been adjudged mentally incompetent or been voluntarily or involuntarily committed to a mental _____ Yes No

16. AFFIDAVIT OF APPLICANT:

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

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

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

RIGHT THUMB PRINT

THIS MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC

IF RIGHT THUMB IS MISSING, USE LEFT AND SO INDICATE.

Signature of Applicant

NOTARY: City/County of _____ State of _____

Subscribed and Sworn to before me this _____ day of _____ 19____

My Commission Expires _____

Notary Public

(NOTARY SEAL)

CERTIFICATE OF PROFESSIONAL EDUCATION

It is hereby certified that _____ Name of Applicant

matriculated in _____ on _____ Date

and received/will receive a diploma from _____ Institution

conferring the degree of _____ Degree

on _____ Date

SCHOOL SEAL _____



THE AMERICAN OCCUPATIONAL THERAPY CERTIFICATION BOARD, INC.

To Whom It May Concern:

We received your request for a letter verifying your certification to be sent to a state regulatory board. We will be glad to process this for you. Our charge for this service is \$10.00 per letter.

Please complete and return this form with your fee made payable to the AOTCB. Send to the American Occupational Therapy Certification Board.

1. _____ AOTCB I.D. # _____
 Name

2. _____ daytime phone # _____
 Address (include zip code)

3. _____
 Name on Certification examination records, if different from #1

4. _____
 Month/Year of Examination

6. State Regulatory Board to which Certification Verification Letters should be sent:

Virginia Board of Medicine
 1601 Rolling Hills Drive
 Richmond, Virginia 23229-5005

Please feel free to contact me if you have any questions.

Sincerely,

 Harriet Flowers
 Administrative Secretary

1183 PICCARD DRIVE, PO BOX 1725, ROCKVILLE, MD 20850-4375
 (301) 950-7979

Occupational Therapy

Virginia Board of Medicine
 1601 Rolling Hills Drive
 Richmond, Virginia 23229-5005

Please print or type name of hospital or place of employment:

(Name of Applicant-Please Print)

The Virginia Board of Medicine, in its consideration of a candidate for certification depends on information from persons and institutions regarding the candidate's employment, training, affiliations and staff privileges.

Please complete this form to the best of your ability and return it to the Board so the information you provide can be given consideration in the processing of this candidate's application in a timely manner.

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

Signature of Applicant _____
 1. Date and type of service: This individual served with us as _____
 from (month) _____ (year) _____ to (month) _____ (year) _____

2. Please evaluate: (Please indicate with check mark)

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

3. Recommendation: (Please indicate with check mark) 1. Recommend highly and without reservation _____
 2. Recommend as qualified and competent _____
 3. Recommend with some reservation (explain) _____
 4. Do not recommend (explain) _____

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

5. The above report is based on: (Please indicate with check mark) 1. Close personal observation _____
 2. General impression _____
 3. A composite of evaluations _____
 4. Other _____

Date: _____ Signed: _____

(This report will become a part of the applicant's file) (Please print or type name)

Occupational Therapy

Please complete top portion and forward one form to each state Board where you hold or have held a occupational therapy certification/license. Extra copies may be xeroxed if needed.

NOTE: Some states require a fee, paid in advance, for providing clearance information. To expedite, you may wish to contact the applicable state/s.

CLEARANCE FROM OTHER STATE BOARD

I was granted license # _____ on _____ by the state of _____ . The Virginia Board of Medicine requests that I submit evidence that my certification/license in the state of _____ is in good standing. You are hereby authorized to release any information in your files, favorable, or otherwise, directly to the Virginia Board of Medicine, 1601 Rolling Hills Drive, Richmond, Virginia 23229-5005. Your earliest attention is appreciated.

Signature

(Please print or type name)

Executive Office of State Board:

Please complete and return this form to the Virginia Board of Medicine, 1601 Rolling Hills Drive, Richmond, Virginia 23229-5005.

State of _____ Name of Licensee _____

License/Certificate No. _____ Date Issued _____

Licensed/Certified through (Check One)

_____ AOTCB Examination _____ State Board Examination

_____ Reciprocity from _____
Name of State

License/Certificate is Current _____ Lapsed _____

Has applicants License/Certificate ever been suspended or revoked?

_____ ? If so, for what reason? _____

Derogatory Information, if any _____

Signature

(BOARD SEAL)

Title

State Board

FINAL REGULATIONS

For information concerning Final Regulations, see information page.

Symbol Key

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

DEPARTMENT OF CORRECTIONS (BOARD OF)

Title of Regulation: VR 230-01-003. Regulations Governing the Certification Process.

Statutory Authority: § 53.1-5 of the Code of Virginia.

Effective Date: March 1, 1990

Summary:

The regulations for the certification process have been developed in order to clearly define the compliance audit policies and procedures established by the Department of and Board of Corrections. This regulation addresses the following:

The scheduling of compliance audits;
Programs subject to audit;
Audit frequency;
Team process on-site;
Post audit reports;
Development of the plan of action;
Variance requests;
Appeal processes; and
Board actions on audit results.

No substantial changes have been made in this regulation since the initial publication. Clarifying statements relative to the audit process have been added to Part III, General Provisions, in response to public comment and review by the Department of Planning and Budget.

VR 230-01-003. Regulations Governing the Certification Process.

PART I. INTRODUCTION.

§ 1.1. Definitions.

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

"Affiliated agencies" means agencies which are not under the administrative control of the Board of Corrections or Department of Corrections, but which are subject to board standards.

"Appeal" means the action taken by a unit, facility or program after an audit when there is disagreement relative to a team finding of noncompliance.

"Board" means the State Board of Corrections.

"Certification" means the status assigned to programs which satisfactorily comply with standards promulgated by the Board of Corrections.

"Certification team leader or certification specialist" means a person assigned to the Certification Unit.

"Certification team" means those persons designated by the Department of Corrections to conduct compliance audits.

"Compliance" means that no deficiency was cited by the audit team or that cited deficiencies have been corrected through completion of the tasks identified in the plan of action.

"Compliance audit" means a review of a program's compliance with standards promulgated by the board.

["Compliance determination" means a list of specific documents or information sources which will verify compliance with a standard.]

"Compliance documentation" means those records, reports, observations and verbal responses required to verify a program's adherence to standards.

["Deficiency" means that a unit, facility or program's performance, or evidence supporting this performance, is insufficient to meet the requirements of a board standard.

"Department" means the State Department of Corrections.

"Life, health, safety standards" are those related to life, health or safety issues as defined by the board and must be in 100% compliance in order for a program to receive an Unconditional Certificate from the Board of Corrections.

"Plan of action" means a document which explicitly states what has or will be done to bring all deficiencies into compliance with standards.

"Program administrator" means the individual responsible for the operation of a program, facility or institution, subject to standards, rules or regulations of the board.

"Related professional agencies" means any unit within the Department of Corrections or any agency, public or private, which serves a similar clientele or provides

services similar to those of the program to be certified.

"Variance" means a decision by the Board of Corrections to temporarily relieve a program of the requirements of a specified standard for a specific period of time.

§ 1.2. References.

Department of Corrections Operating Procedure 1-4, Regulations Development.

Code of Virginia:

§ 53.1-69. Board may prohibit confinement and require transfer of prisoners in substandard facilities.

§ 53.1-144. Term of probation and parole officers; suspension and removal.

§ 53.1-178. Board to establish standards (for halfway houses).

§ 16.1-233. Department to develop court services, appointment and removal of employees, salaries.

§ 16.1-234. Duties of department... (to ensure that minimum standards are adhered to).

§ 16.1-311. Board to prescribe certain standards; how order of board enforced.

§ 16.1-312. Visitation and management of detention homes.

PART II. ADMINISTRATION.

§ 2.1. Legal basis.

Section 53.1-5 of the Code of Virginia requires the Board of Corrections to prescribe program standards and to monitor the activities of the department in implementing the standards.

§ 2.2. Supersession.

These regulations replace and supersede Department of Corrections operating procedure 2-1, Certification Services.

§ 2.3. Effective date.

These regulations shall become effective on [~~January 1,~~ ~~1990~~ March 1, 1990].

PART III. GENERAL PROVISIONS.

§ 3.1. Preaudit procedures.

A. Scheduling of audits.

The certification unit shall develop a compliance audit schedule which shall cover a two-year period.

1. The schedule shall be submitted to the deputy directors or their designees for review and comment. After review, the Certification Unit shall:

a. Disseminate the final schedule to the regional offices; and

b. Review the schedule at least annually and make adjustments for additional audits which need to be incorporated into the schedule.

2. Exceptions from the schedule are allowable, when:

a. Agreed upon by the appropriate deputy director or his designee and the certification manager, if reasonable notification of the exception is given to all parties involved; and

b. The exception does not extend the audit date beyond the frequency limits established by the board, unless approved by the board.

B. Appointment of certification team members.

Team members shall be appointed by the deputy director and shall have had prior compliance audit experience or have completed certification training. At least two-thirds of the team, when available (but no less than one person), shall be staff members of the same type of program, but at least one such member shall be from outside the region. The team leader shall coordinate and facilitate the compliance audit. Jails and lockups shall be audited by [a team consisting of] the Manager for state and local adult community facilities and the assigned certification specialist.

C. Notification.

The certification unit shall notify the program administrator at least 60 days in advance of the audit. The letter of notification shall include a copy of this regulation, a self-audit questionnaire and the compliance determination.

D. Previsit.

Certification specialists shall visit the program administrator prior to the audit to discuss the compliance audit process and procedures. Exceptions to this procedure [shall be based upon the program's need for preaudit information and assistance and] shall be documented and approved by the certification unit manager.

§ 3.2. Frequency of audits.

All state and local correctional facilities, programs and

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units operated by or affiliated with the Department of Corrections shall be audited every other year and, in the case of local jails and lockups, every three years. Exceptions shall be granted for the following reasons:

A. When a new program opens it shall undergo a compliance audit within 12 months.

1. The regional office shall immediately notify the certification unit in writing when a new unit or facility begins operation (Operation begins upon acceptance of the first client).

2. The new unit or facility shall undergo a preparatory audit by the regional office during the first six months of operation.

3. An official audit shall be conducted as soon after six months of operation as can be arranged by the certification unit, not to exceed one year, and as regularly scheduled thereafter.

4. New and existing jails shall be audited and approved for holding juveniles prior to housing juveniles. Upon notification by the regional manager that a facility intends to hold juveniles, the certification unit manager shall arrange an audit date for the facility. The audit results shall be presented at the first regular board meeting after the audit.

B. When the board alters its policy regarding frequency of audits.

C. When circumstances beyond the control of the program prohibit it from demonstrating compliance with the standards. Examples: natural or manmade disaster. [In no case shall the audit be postponed for more than six months after the original audit date.]

§ 3.3. On-site audit procedures.

The on-site audit process shall include the following:

A. Administrator interview.

During the first day of the audit and prior to gathering data, the certification specialist will afford the administrator an opportunity to brief the team on any unique aspects of the program which may have a direct bearing on the audit process.

B. Team orientation.

Prior to data-gathering, the certification specialist shall orient the team to the audit process.

C. Data-gathering.

During the audit, data will be collected through documentation, interview and observation. The team leader shall brief the program administrator daily relative to the

audit process and preliminary findings. [The program administrator shall grant the team access to all documents, staff or area of the program, unit or facility which are relevant to establishing compliance with board standards.]

D. Team voting.

Decisions relative to compliance with standards shall be made by the entire audit team. These decisions shall include the following steps or considerations:

1. When a team member(s) finds an indication of noncompliance, he shall:

a. Bring the findings to the attention of the entire team.

b. Share all information that he has regarding the standard in question.

2. The decision shall rest with the team to determine if the program is or is not demonstrating compliance with the standard. This decision should be based upon whether or not the program has made a good faith effort to comply. That is, a deficiency resulting from a minor lapse in practice or documentation, or one found in only a few of a large number of instances should not be considered as noncompliance with the standard. Further, the team must find that the deviation is minor in nature containing no threat to life, health or safety and resulting in no damage of substance to the program and its services. If a consensus decision is not reached, a majority vote shall determine the team's decision. If a majority decision is not reached, the matter shall be referred to the appropriate deputy director for a decision.

E. Predebriefing.

After team voting has occurred, a meeting shall be held with the program administrators to inform them of the team's findings. At this time, any additional data that may have a direct bearing on the team's findings shall be discussed.

F. Debriefing.

After the predebriefing, a review of the team's findings shall be held for the entire staff, unless the program administrators opt to hold their own debriefing on the audit findings.

§ 3.4. Postaudit procedures.

Upon completion of an audit the following activities shall apply:

A. Report of audit findings.

Within 10 working days following any compliance audit, the certification unit shall mail the audit findings to the

program administrator, and shall send a copy to the appropriate regional manager.

B. Action plan development.

The program administrator shall develop a plan of action to correct any instances of noncompliance noted in the findings. Completion of the plan of action shall be as follows:

1. Appropriate regional office staff shall be available to assist in the development of plan of action.
2. The plan of action must identify:
 - a. The tasks which have been or will be completed to correct a noted deficiency;
 - b. The designated personnel at all levels responsible for the accomplishment of the tasks; and
 - c. The deadlines for the accomplishment of tasks.
3. Within 20 working days of receipt of the notification of deficiencies, the program administrator shall submit the plan of action to the appropriate regional manager. (See § 3.4 F2 for time extensions for development of the plan of action.)
4. Within five working days, the regional manager shall sign the plan indicating [approval, and forward it to the regional administrator who also shall have five working days to review and forward it to the appropriate deputy director for review and approval. his review. If the plan of action (POA) is acceptable the regional manager shall indicate his approval. If approval is not indicated, the manager shall submit a report indicating the problem areas needing to be addressed. The manager shall then forward to POA and report (if applicable) to the regional administrator (or in the case of Adult Community Corrections, the appropriate chief of operations) who shall have five working days to sign the POA indicating his review and approval or disapproval.]
5. Within 10 working days of receipt, the deputy director shall approve, amend or return the plan of action for revision.
6. If returned, the appropriate regional office staff shall have 10 working days to complete any revisions and return the revised plan to the appropriate deputy director.

C. Failure to submit an acceptable action plan.

When a program administrator fails to submit an acceptable action plan within the timeframe specified in § 3.4 of these regulations, the department shall refer the matter to the Board of Corrections with recommendations for action.

D. Variance request.

If compliance with a standard will be impossible, for nonfinancial reasons, the program administrator may submit a request for a variance to the appropriate regional office. The regional administrator shall review and forward the request to the deputy director, accompanied by a recommendation. The deputy director shall review the variance request and decide whether to proceed to the board for approval or return the request for an alternative action. The deputy director shall inform the board of the variance requests which have been disapproved. If the variance request is created during the development of a plan of action, it should be attached and reviewed as part of the plan.

1. The request shall state:

- a. The standard for which a variance is requested;
- b. Justification for the request;
- c. The actions being taken to come into compliance;
- d. The person responsible for such action;
- e. An estimated date of when compliance is expected; and
- f. The specific number of months requested for this variance.

2. Should the program be subject to a compliance audit during the period of the variance, a copy of the approved variance shall be provided to the certification team during the on-site audit.

E. Appeal process.

A program administrator may appeal a team decision in the following manner:

1. Appeal request. The administrator shall submit a plan of action (POA) to the regional office administrator/manager, as appropriate, to correct all deficiencies which are not being appealed. In a separate memorandum, [attached to the POA,] the administrator shall state which findings are being appealed and the rationale for the appeal(s). [The appeal memorandum shall be governed by the timeframe established for the POA in §§ 3.4 B 3-6.]

2. Region office review. The regional administrator/manager shall review the appeal information and, if the matter remains unresolved, forward the POA, appeal request and the regional office analysis of the validity of the appeal to the appropriate deputy director. After resolving questions regarding POAs, the deputy director shall send the approved POA and the appeal information to the certification unit manager, who shall arrange for the

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appeal hearings.

3. Appeal hearing levels. The appeal hearing levels are as follows:

a. Planning and evaluation director and the appropriate chief of operations or deputy director designee;

b. Deputy director of administration and the deputy director of the operating division;

c. Director for the Department of Corrections; and

d. Board of Corrections.

Appeal hearing levels a and b above shall apply to appeals submitted by state-operated programs. Levels a, b, c, and d shall apply to nonstate operated programs.

4. Appeal timeframes. The administrators cited above shall complete required reviews or appeal decisions within five workdays from receipt of the appeal documents. The certification unit manager shall arrange all appeal hearings and distribute required documents within three workdays of receipt of appeal documents. Upon completion of each appeal hearing, the certification unit manager shall notify all parties involved of the appeal decisions within three workdays. If the appeal is denied, a plan of action shall be submitted to the appropriate regional office manager in accordance with the POA timeframes stated previously. If the appeal is granted, the certification unit manager shall note this decision on the plan of action.

F. Board review of audit results:

The certification unit manager shall submit audit reports at the first regular board meeting which occurs 75 days or more after the audit date.

1. Report content: The audit reports shall include the deficiencies, plans of corrective action with notation of completion status, similar deficiencies from the previous audit and a recommended action for board consideration.

2. Deputy director extension: In exceptional situations, the deputy director may grant a 30-day extension to a program administrator for the development of an acceptable action plan. The deputy director shall notify the board of each such extension and the circumstances justifying it. [The board may grant additional extensions if required.]

§ 3.5. Board action on audit results.

Based upon the information submitted by the [director department], the board shall make one of the following

findings based upon the program's status as of the date of the board's review:

A. The program is unconditionally certified.

If the board finds that the program has achieved the following performance requirements, an unconditional certificate may be issued:

1. Compliance with all life, health, safety (LHS) standards; and

2. Compliance with a minimum of 90% of the remaining standards (those not identified as life, health, safety).

A program's unconditional certification status shall remain in effect until the board notifies the program administrator of a change in status [due to noncompliance with standards. The department shall inform the board from time to time of any compliance deficiencies which may affect a program's unconditional certification] .

B. The program is conditionally certified.

If the board finds that the program has not met the requirements of an unconditional certificate but [has complied with all LHS standards and] can be approved to operate pending completion of certain specified requirements, a conditional certificate may be issued with the following stipulations:

1. The program must achieve unconditional certificate requirements within [a period of time specified by the board one year from the date of the board meeting in which the matter was discussed] .

2. The department shall provide the board with periodic status reports until an unconditional certificate is issued.

3. The program and department shall comply with all other stipulations required by the board.

C. The program is placed in probationary status.

If the board finds that a program cannot meet all life, health, and safety standards for reasons beyond the control of the facility (such as the lack of legislative action or the lack of capital funding) the board may determine not to certify the program and may, in lieu of placing the program in uncertified status, place the program on probationary status for a period of time as determined by the board, not to exceed one year, pending correction of the LHS deficiencies. If the program does not achieve compliance with all LHS standards within the specified period, it shall be deemed uncertified.

D. The program is uncertified:

In the event the program fails to meet the requirements

of unconditional certification within the time fixed by the board, the program shall be uncertified. If the board determines that a program does not meet the requirements for unconditional certification or conditional certification, the board shall assign the program to uncertified status. The board may utilize the provisions of § 3.9 of these regulations in such instances. [Any program which is uncertified may request to be reaudited at any time. Such reaudit shall be conducted upon notification to the certification unit manager by the deputy director having authority over the program, that it has achieved compliance with a sufficient percentage of the applicable standards to warrant unconditional or conditional certification by the board.]

[**E. Action is deferred.**

If the board finds that insufficient information upon which to base a decision exists, it may defer action and require additional or clarifying information.

§ 3.6. Notifications.

After board action is taken, information regarding program status shall be made available to the appropriate departmental, state, and local authorities [as specified by the Board of Corrections within two weeks] .

§ 3.7. Certificates/letters.

A certificate shall be issued by the board for all programs which are unconditionally or conditionally certified. A letter shall be issued for programs which are uncertified. This letter shall state the board's position and recommendations relative to the programs' operating status. Programs shall post certificates or status letters upon receipt. The certificate or letter shall be posted in a conspicuous place in the facility so that it is visible to the public. The chairman of the board shall acknowledge those programs which achieve 100% compliance with all standards with a letter of recognition.

§ 3.8. Department action on audit results.

If it is found that the program did not achieve a certifiable level of compliance with standards, or did not submit an acceptable plan of action within the prescribed timeframes, the director or his designee shall:

A. Give the program administrator 30 days to respond in writing to justify the program's unresponsiveness.

B. When a program is locally operated, send a copy of such notice to the head of the local governing body and to the chief judge of the circuit court.

C. Take official action, as specified in § 3.4 C of these regulations, failure to submit an acceptable action plan, or § 3.9, failure to achieve certification.

§ 3.9. Failure to achieve certification.

When a program fails to achieve certification, the following actions may be taken, in compliance with statutes, policies, and procedures established by the board, the department or other state or federal agencies.

A. Department-administered.

If the Department of Corrections administers the program, actions may include, but are not limited to, the following:

1. The administrator(s), authorized to take such action, may bring about a reorganization of the program structure or take such personnel action as may be necessary to bring the program into compliance with standards, or both; or

2. The program may be closed. The procedure for such action shall be in compliance with all board, department, state and federal regulations, policies, or requirements of law.

B. Administrator not department-appointed.

If the program's administrator is not appointed by the Department of Corrections, actions may include, but are not limited to, the following:

1. A recommendation may be made to the administrator, authorized to take action to bring about reorganization of the program structure or take such personnel action as may be necessary to bring the program into compliance with standards, or both; or

2. In the event that action is not taken to achieve certification as set forth in § 3.4 C, the assistance of the appointment authority may be requested to develop a mutually acceptable plan which will bring the unit into compliance.

[3. The program may be closed. The procedure for such action shall be in compliance with all board, departmental, state and federal regulations, policies, or requirements of law.]

C. Locally operated.

If the program is locally operated, but affiliated with the Department of Corrections, actions may include, but are not limited to, the following:

1. A recommendation may be made to the administrator, authorized to take action, to bring about a reorganization of the program structure or to take such personnel action as may be necessary to bring the program into compliance with standards, or both; or

2. The director of the department or the Board of Corrections may initiate proceedings to utilize their proper authority under the appropriate sections of the

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Code of Virginia [: The director will notify the appropriate local governing official and the program administrator of the department's recommendation prior to submission to the board; or , to include the withdrawal of funding where permitted by law.]

[§. Any program which is uncertified may request to be reaudited at any time. Such reaudit shall be conducted upon notification to the certification unit manager by the deputy director having authority over the program, that it has achieved compliance with a sufficient percentage of the applicable standards to warrant unconditional or conditional certification by the board.]

§ 3.10. Newly adopted standards.

When standards are adopted for a program which has not previously been subject to a compliance audit, the following procedures shall be followed:

A. All programs affected shall be placed on the regular schedule, beginning at least 90 days after the effective date of the standards.

B. All programs for which standards have been adopted for the first time shall undergo a preparatory audit by the appropriate regional office prior to undergoing their first official audit.

DEPARTMENT OF LABOR AND INDUSTRY

REGISTRAR'S NOTICE: The following regulations filed by the Department of Labor and Industry are excluded from Article 2 of the Administrative Process Act in accordance with § 9-6.14:4.1 C 4(c) of the Code of Virginia, which excludes regulations that are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The Department of Labor and Industry will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: VR 425-02-36. Air Contaminants Standard (1910.1000).

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

Effective Date: February 14, 1990

Summary:

On September 5, 1989, federal OSHA published its amendment to the Air Contaminants Standard, Permissible Exposure Limits (PEL), Grant of Petitions for Reconsideration and Administrative Stay.

Federal OSHA's action to grant the requests for reconsideration and administrative stays for acetone,

calcium oxide, calcium hydroxide, nitroglycerin ethylene glycol dinitrate, and perchloroethylene, resulted from the settlement of legal challenges to the Air Contaminant's Standard, 1910.1000. (See 54 Fed. Reg. 36766-67)

"OSHA is granting a petition for reconsideration of the Short Term Exposure Limit (STEL) for acetone of 1000 ppm for the cellulose acetate fiber industry and it is not in effect for that industry. The STEL remains in effect for all other industries except the cellulose acetate fiber industry. The Time Weighted Average (TWA) of 750 ppm for acetone is stayed until September 1, 1990, for one operation in the cellulose acetate fiber industry.

OSHA is also granting a petition for reconsideration of the new limit of 5 mg/m³ for calcium hydroxide and it is not in effect. The prior limit of 5 mg/m³ respirable dust and 15 mg/m³ total dust as a particulate not otherwise regulated remains in effect. OSHA will also reconsider the limit of 5 mg/m³ for calcium oxide but the prior limit which was also 5 mg/m³ will remain in effect.

A stay of the ceiling limit for carbon monoxide is granted for three operations in the steel industry. A stay of the new limits for nitroglycerin and ethylene glycol dinitrate is granted to the explosives industry until October 1, 1989. A stay until October 1, 1989, is granted to the drycleaning industry for the new limit for perchloroethylene." (54 Fed. Reg. 36765)

Since this amendment was adopted without public comment in accordance with § 9-6.14:4.1 C 4 (c) of the Code of Virginia, the Department of Labor and Industry will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Note on Incorporation by Reference

Pursuant to § 9-6.18 of the Code of Virginia, the Air Contaminants Standard (1910.1000) is declared a document generally available to the public and appropriate for incorporation by reference. For this reason, the entire document will not be printed in The Virginia Register of Regulations. Copies of this document are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the Office of the Registrar of Regulations, Room 292, General Assembly Building, Capitol Square, Richmond, Virginia.

VR 425-02-36. Air Contaminants Standard (1910.1000).

On November 15, 1989, the Virginia Safety and Health Codes Board adopted an identical version of the federal OSHA amendment to the Air Contaminant Standard as codified in 29 CFR 1910.1000 as published in the Federal Register, Vol. 54, No. 170, pp. 36767-36768, Tuesday, September 5, 1989. The amendments as adopted are not set out.



COMMONWEALTH of VIRGINIA
 VIRGINIA CODE COMMISSION
 General Assembly Building

STATE OFFICE BUILDING
 RICHMOND, VIRGINIA 23286
 (804) 786-2991

December 29, 1989

Louis J. Cernak, Jr., Chairman
 Virginia Safety and Health Codes Board
 205 North Fourth Street
 P. O. Box 12064
 Richmond, Virginia 23219

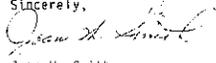
Attention: Margaret Gravett, Administrative Staff Specialist

Re: VR 425-02-36. Air Contaminants Standard

Dear Ms. Gravett:

This will acknowledge receipt of the above-referenced regulations from the Department of Labor and Industry.

As required by § 9-6.14:4.1 C.4.(c). of the Code of Virginia, I have determined that these regulations are exempt from the operation of Article 2 of the Administrative Process Act since they do not differ materially from those required by federal law.

Sincerely,

 Joan W. Smith
 Registrar of Regulations

JWS:stl

"At the time of adoption of the original OSHA standards (May, 1971), there was no general, all-encompassing consensus standard or federal standard for locking out, tagging out, or disabling of machines or equipment to protect employees when maintenance or servicing activities were being performed - a gap that this rulemaking addresses. However, OSHA did adopt various lockout-related provisions of consensus standards which had been developed for specific types of equipment. These provisions are not deleted by this rulemaking. Current lockout-related provisions in the General Industry Standards (29 CFR part 1910) are found in the following sections:

- 1910.178 Powered Industrial Trucks
- 1910.179 Overhead and Gantry Cranes
- 1910.181 Derricks
- 1910.213 Woodworking Machinery
- 1910.217 Mechanical Power Presses
- 1910.218 Forging Machines
- 1910.522 Welding, Cutting and Brazing
- 1910.261 Pulp, Paper and Paperboard Mills
- 1910.262 Textiles
- 1910.263 Bakery Equipment
- 1910.265 Sawmills
- 1910.272 Grain Handling
- 1910.399 Electrical" (54 Fed. Reg. 36644)

"The present OSHA regulations for locking out or tagging out machines and equipment, where they do exist, are not uniform coverage. Inconsistencies in these regulations exist between different equipment and industries, and between different types of equipment in the same industry. Some provisions in the OSHA standards require equipment to have the capability of being "locked out," without requiring such control to be utilized. OSHA feels that the lack of a general standard, and the incompleteness of the existing provisions, have contributed to the alarming number of injuries and fatalities that have occurred.

Since the inception of its enforcement program, OSHA, for the most part, has had to rely upon the use of the "General Duty Clause" (section 5(a)(1) of the Act) citation to ensure that employers provide safeguarding for their employees from the hazards involving the release of hazardous energy. This approach has met with only limited success, limited primarily upon the need for OSHA to prove, in the event of the contest of a section 5(a)(1) citation, that the hazard was a "recognized" hazard and that the hazard was causing or could cause death or serious physical harm. Because of these difficulties, and because of the need to fill a significant gap in the current coverage of part 1910, OSHA has been working since 1977 to gather sufficient information to enable the Agency to write a comprehensive standard for energy control in general industry." (Id.)

"This standard applies to general industry employment

Title of Regulation: VR 425-02-71. Virginia Occupational Safety and Health Standards for General Industry - Standard Concerning Control of Hazardous Energy Sources, Lockout-Tagout, Final Rule.

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

Effective Date: February 14, 1990

Summary:

On September 1, 1989, federal OSHA published its Standard Concerning Control of Hazardous Energy Sources, Lockout/Tagout, Final Rule, which "addresses practices and procedures that are necessary to disable machinery or equipment and to prevent the release of potential hazardous energy while maintenance and servicing activities are being performed." (54 Fed. Reg. 36644) The standard requires employers to have a documented energy control procedure, train employees initially and provide yearly updates, and conduct periodic inspections.

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under 29 CFR part 1910, but does not cover maritime, agriculture, or construction employment. The standard also does not cover oil and gas well drilling; the generation, transmission and distribution of electric power by utilities; and electrical work on electric conductors and equipment. These will be the subjects of separate rulemaking efforts." (Id.)

"The Final Rule will affect most employment covered by OSHA under Part 1910 except; (1) Those activities that are specifically excluded from coverage such as certain work on plug and cord type electrical equipment; and (2) employment for which OSHA has or is in the process of providing separate coverage under a different Subpart or Part, such as the oil and gas field services industry. OSHA has estimated that the rule will affect activities in some 1.7 million establishments employing approximately 39 million workers." (54 Fed. Reg. 36684)

"Although employees in almost every industrial division are exposed to the hazards associated with the unexpected energization or start up of machines or equipment, or by the unanticipated release of stored energy, the preponderance of the accidents and injuries occur in Manufacturing (Division D). It should also be noted that Services (Division I), includes many employers who perform maintenance on equipment in manufacturing and other sections covered by Part 1910."

"In addition to the accidents which could occur when maintenance or servicing is being conducted, OSHA also identified some accidents which could occur while employees are lubricating, cleaning, unjamming or adjusting machines or equipment. These activities differ from other activities which are conducted during normal operation in that these activities can lead to the unexpected release of energy and are usually done only on an as-required basis. When these activities are being conducted during normal operations, the machine guarding required by other OSHA standards (that is, § 1910.212 for point of operation guarding and § 1910.219 for power transmission apparatus guarding) may afford the necessary and sufficient protection for the employees performing those activities. However, in many instances the employee must either remove guards or other safety devices or work under unusual circumstances which would subject the employee to a different or greater risk than would be encountered during normal production operations. In those instances OSHA believes that the machine or equipment must, if possible, be shut down and locked or tagged out to protect the employee from injury." (54 Fed. Reg. 36652)

Since this amendment was adopted without public comment in accordance with § 9-6.14:4.1 C 4(c) of the Code of Virginia, the Department of Labor and Industry will receive, consider and respond to petitions

by any interested person at any time with respect to reconsideration or revision.

Note on Incorporation by Reference

Pursuant to § 9-6.18 of the Code of Virginia, the Standard Concerning Control of Hazardous Energy Sources, Lockout-Tagout, Final Rule (1910.147) is declared a document generally available to the public and appropriate for incorporation by reference. For this reason, the entire document will not be printed in The Virginia Register of Regulations. Copies of the document are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the Office of the Registrar of Regulations, Room 292, General Assembly Building, Capitol Square, Richmond, Virginia.

VR 425-02-71. Virginia Occupational Safety and Health Standards for General Industry - Standard Concerning Control of Hazardous Energy Sources, Lockout-Tagout, Final Rule.

The Virginia Occupational Safety and Health Codes Board adopted the federal OSHA Standard Concerning Control of Hazardous Energy Sources, Lockout-Tagout, Final Rule (1910.147) as codified in 29 CFR 1910.147, and published in the Federal Register, Vol. 54, No. 169, pp. 36687-36696, Friday, September 1, 1989. The amendments as adopted are not set out.


COMMONWEALTH of VIRGINIA
VIRGINIA CODE COMMISSION
General Assembly Building

POST OFFICE BOX 340
RICHMOND, VIRGINIA 22208
(804) 786-3591

December 29, 1989

Louis J. Cernak, Jr., Chairman
Virginia Safety and Health Codes Board
205 North Fourth Street
P. O. Box 12064
Richmond, Virginia 23219

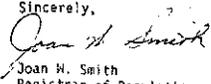
Attention: Margaret Gravett, Administrative Staff Specialist

Re: VR 425-02-71. Standard Concerning Control of Hazardous Energy Sources, Lockout/Tagout, Final Rule

Dear Ms. Gravett:

This will acknowledge receipt of the above-referenced regulations from the Department of Labor and Industry.

As required by § 9-6.14:4.1 C.4.(c). of the Code of Virginia, I have determined that these regulations are exempt from the operation of Article 2 of the Administrative Process Act since they do not differ materially from those required by federal law.

Sincerely,

Joan W. Smith
Registrar of Regulations

JHS:c11

* * * * *

Title of Regulation: VR 425-02-89. Virginia Occupational Safety and Health Standards for Construction Industry - Excavations Standard (1926.650 through 1926.652).

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

Effective Date: February 14, 1990

Summary:

On October 31, 1989, federal OSHA published its amendment to the Excavations Standard which clarifies, simplifies and consolidates the existing standard's requirements for sloping and benching systems and other support systems used to prevent excavation cave-ins. It contains a simplified soil classification system and provides four different options for sloping and four options for shoring. The amendment is performance oriented to give employers added flexibility in providing protection for employees. (54 Fed. Reg. 45894)

The amendment requires employers to comply with any more stringent requirements contained in 1910.146 when working in excavation areas which also meet the definition of "confined space" in 1910.146.

"The need for review and revision of §§ 1926.650 through 1926.653 has been recognized by OSHA since the earliest days of the Agency's existence." (Id.) "OSHA's efforts to revise its excavation and trenching standards were initiated primarily because the Agency has experienced difficulty in enforcing the existing standards." (54 Fed. Reg. 45895) The major problems include (i) whether the excavation requirements in § 1926.651 also applied to trenches (covered by § 1926.652); (ii) the absence of clear requirements in the excavation (nontrench) standard, 1926.651, as to when an employer must take precautions to protect employees from cave-ins (there is no definition of the term "danger from moving ground," which is the point at which employers are required to provide shoring, sloping or some other equivalent system); (iii) confusion resulting from the trenching standard (1926.652) use of the terms "hard or compact soil" and "soft or unstable soil." (54 Fed. Reg. 45896)

The federal standard was amended by the board to reference the VOSH Confined Space Standard, 1910.146, to assure consistency and uniformity in the safety and health measures to be taken by employees while working in excavation areas which also meet the definition of "confined space" contained in 1910.146.

The amendments only serve to reference requirements in 1910.146 which were already applicable to excavation areas meeting the definition of "confined space." The VOSH Confined Space Standard, 1910.146,

was adopted on March 23, 1987, by the Safety and Health Codes Board under the full notice and comment procedures provided by the Virginia Administrative Process Act. The start-up date for enforcement of 1910.146 was January 1, 1988.

Since this amendment was adopted without public comment in accordance with § 9-6.14:4.1 C 4(c) of the Code of Virginia, the Department of Labor and Industry will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Note on Incorporation by Reference

Pursuant to § 9-6.18 of the Code of Virginia, the Excavations Standard (1926.650 through 1926.652) is declared a document generally available to the public and appropriate for incorporation by reference. For this reason, the entire document will not be printed in The Virginia Register of Regulations. Copies of the document are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the Office of the Registrar of Regulations, Room 292, General Assembly Building, Capitol Square, Richmond, Virginia.

VR 425-02-89. Virginia Occupational Safety and Health Standards for Construction Industry - Excavations Standard (1926.650 through 1926.652).

The Virginia Occupational Safety and Health Codes Board adopted a substantially identical version of federal OSHA's amendment to the Excavations Standard as codified in 29 CFR 1926.650 through 1926.652, and published in the Federal Register, Vol. 54, No. 209, pp. 45959-45991, Tuesday, October 31, 1989. The federal version was amended to reference the additional requirements contained in the Virginia Occupational Safety and Health Confined Space Standard for General Industry and the Construction Industry, 1910.146. The amendments as adopted are not set out.

Final Regulations



COMMONWEALTH of VIRGINIA
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POST OFFICE BOX 348
RICHMOND, VIRGINIA 23208
(804) 786-3551

December 29, 1989

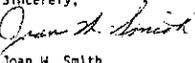
Louis J. Cernak, Jr., Chairman
Virginia Safety and Health Codes Board
205 North Fourth Street
P. O. Box 12064
Richmond, Virginia 23219

Attention: Margaret Gravett, Administrative Staff Specialist
Re: VR 425-02-89. Excavation Standard

Dear Ms. Gravett:

This will acknowledge receipt of the above-referenced regulations from the Department of Labor and Industry.

As required by § 9-6.14:4.1 C.4.(c) of the Code of Virginia, I have determined that these regulations are exempt from the operation of Article 2 of the Administrative Process Act since they do not differ materially from those required by Federal law.

Sincerely,

Joan H. Smith
Registrar of Regulations

JHS:sll

amendment will benefit local departments of social services in their performance of Medicaid eligibility determinations.

VR 460-01-85. State Financial Participation.

Citation § 6.3. State Financial Participation

42 CFR 433.33

AT-79-29

AT-80-34

(a) State funds are used in both assistance and administration.

State funds are used to pay all of the non-Federal share of total expenditures under the plan.

There is local participation. State funds are used to pay not less than 40 percent of the non-Federal share of the total expenditures under the plan. There is a method of apportioning Federal and State funds among the political subdivisions of the State on an equalization or other basis which assures that lack of adequate funds from local sources will not result in lowering the amount, duration, scope or quality of care and services or level of administration under the plan in any part of the State.

(b) State and Federal funds are apportioned among the political subdivisions of the State on a basis consistent with equitable treatment of individuals in similar circumstances throughout the State.

BOARD OF MEDICINE

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

REGISTRAR'S NOTICE: This regulation is excluded from Article 2 of the Administrative Process Act in accordance with § 9-6.14:4.1 C 2 of the Code of Virginia, which excludes regulations that establish or prescribe agency organization, internal practice or procedures, including delegations of authority. The Department of Medical Assistance Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: VR 460-01-85. State Financial Participation.

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

Effective Date: February 15, 1990

Summary:

This amendment to the State Plan for Medical Assistance prescribes the policy of local participation in the Medicaid administration and services. This

Title of Regulation: VR 465-02-01. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic, Clinical Psychology, and Acupuncture.

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 of the Code of Virginia.

Effective Date: February 14, 1990

Summary:

The proposed amendments establish regulations to more clearly define the requirements for endorsement to practice medicine and osteopathy in the Commonwealth of Virginia. These regulations further define the educational requirements, postgraduate training and examination as prerequisites to be eligible for licensure to practice medicine or osteopathy in Virginia. Other amendments that became effective December 20, 1989, are incorporated into this final regulation.

VR 465-02-01. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic, Clinical Psychology, and Acupuncture.

PART I. GENERAL PROVISIONS.

§ 1.1. Definitions.

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

Acupuncture

Board

Clinical psychologist

Practice of clinical psychology

Practice of medicine or osteopathy

Practice of chiropractic

Practice of podiatry

The healing arts.

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

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

"Approved foreign institution" means any foreign institution that is approved by the board under the provisions of VR 465-02-2, Regulations for Granting Approval of Foreign Medical Schools and Other Foreign Institutions That Teach the Healing Arts.

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

"Home country" means the country in which a foreign institution's principal teaching and clinical facilities are located.

"Principal site" means the location in the home country where a foreign institution's principal teaching and clinical facilities are located.

§ 1.2. A separate Virginia State Board of Medicine regulation, VR 465-02-02, Requirements for Approval of Foreign Medical Schools and Other Foreign Institutions That Teach the Healing Arts, is incorporated by reference in these regulations. Prospective applicants for licensure in

Virginia who studied at a foreign institution should refer to that regulation in addition to the regulations contained here.

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

§ 1.4. Advertising ethics.

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

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

§ 1.5. Vitamins, minerals and food supplements.

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

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

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

PART II. LICENSURE: GENERAL REQUIREMENTS AND LICENSURE BY EXAMINATION.

§ 2.1. Licensure, general.

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

B. For all applicants for licensure by this board except

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those in clinical psychology, licensure shall be by examination by this board or by endorsement, whichever is appropriate.

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

§ 2.2. Licensure by examination.

A. Prerequisites to examination.

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

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

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

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

2. Education requirements: Graduates of American institutions.

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

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

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

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

d. For licensure in chiropractic.

(1) If the applicant matriculated in a chiropractic

college on or after July 1, 1975, he shall be a graduate of a chiropractic college approved by the Commission on Accreditation of the Council of Chiropractic Education or any other organization approved by the board.

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

3. Educational requirements: Graduates and former students of foreign institutions.

a. No person who studied at or graduated from a foreign institution shall be eligible for board examination unless that institution has been granted approval by the board according to the provisions of VR 465-02-2, Regulations for Granting Approval of Foreign Medical Schools and Other Foreign Institutions That Teach the Healing Arts.

b. A graduate of an approved foreign institution applying for board examination for licensure shall also present documentary evidence that he:

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

(2) Received a degree from the institution; and

(3) Has fulfilled the applicable requirements of §§ 54.1-2930 and 54.1-2935 of the Code of Virginia.

c. A graduate of an approved foreign institution applying for examination for licensure in medicine or osteopathy shall also possess a standard Educational Council of Foreign Medical Graduates certificate (ECFMG), or its equivalent. Proof of licensure by the board of another state or territory of the United States or a Province of Canada may be accepted in lieu of ECFMG certification.

d. An applicant for examination for licensure in medicine who completed all degree requirements except social services and postgraduate internship at an approved foreign institution shall be admitted to examination provided that he:

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

(2) Has qualified for and completed an appropriate supervised clinical training program as established

by the American Medical Association;

(3) Has completed the postgraduate hospital training required of all applicants for licensure as defined in §§ 54.1-2930 and 54.1-2935 of the Code of Virginia; and

(4) Presents a document issued by the approved foreign institution certifying that he has met all the formal requirements of the institution for a degree except social services and postgraduate internship.

These regulations are promulgated pursuant to § 54.1-2958 of the Code of Virginia and shall not be deemed to apply to graduates of foreign medical schools who matriculated before July 1, 1985. By resolution adopted at a public meeting on November 20, 1982, the board voted to promulgate the following regulations to be effective July 1, 1985, thereby placing potential foreign medical students on notice that such regulations would become effective on said date. Foreign medical students matriculating on and after July 1, 1985, should take care to determine whether their school satisfies these regulations before applying for licensure in Virginia. Inquiries may be directed to the board office at 1601 Rolling Hills Drive, Richmond, Virginia 23229-5005, (804) 662-9908.

4. Credentials to be filed prior to examination.

Applicants shall file with the executive director of the board, along with their applications for board examination (and at least 75 days prior to the date of examination) the credentials specified in subdivisions a, b, or c of § 2.2 A.4, whichever are appropriate:

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

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

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

b. Every applicant who attended a foreign institution shall file:

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

(2) For all such documents not in the English language, a translation made and endorsed by the consul of the home country of the applicant or by a professional translating service; and

(3) A complete chronological record of all professional activities since the applicant attended the foreign institution, giving location, dates, and

types of services performed.

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

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

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

A. Supervision.

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

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

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

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

B. Reporting.

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

1. Submit to the board, within 120 days of the effective date of this regulation, a copy of the supervisory protocol established for each unlicensed supervisee and signed by the supervisor, supervisee, and authorized representative of the institution or agency.

2. Notify the board of any changes in supervisory relationships, including terminations or additions, prior to or within 10 days of such change, with copies of supervisory protocol for all new supervisory relationships to follow within 30 days of such notice.

PART III. EXAMINATIONS.

Final Regulations

§ 3.1. Examinations, general.

The following general provisions shall apply for applicants taking Board of Medicine examinations:

A. Applicants may take Parts I and II of the Federation Licensing Examination (FLEX) separately or as a unit. However, in no case shall an applicant who has not passed Part I be eligible to sit for Part II as a separate examination.

B. A minimum score of 75 is required for passing each part of the examination for licensure administered or recognized by the board.

§ 3.2. Reexamination.

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

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

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

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

§ 3.3. Administration of examination.

A. The board may employ monitors for the examination.

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

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

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

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

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

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

2. Applicants shall be seated as far apart as possible at desks or desk chairs and each shall have in plain view an admission card bearing his number and photograph.

3. No examinee shall have any compendium, notes or textbooks in the examination room.

4. Any conversation between applicants will be considered prima facie evidence of an attempt to give or receive assistance.

5. Applicants are not permitted to leave the room except by permission of and when accompanied by an examiner or monitor.

6. The use of unfair methods will be grounds to disqualify an applicant from further examination at that meeting.

7. No examiner shall tell an applicant his grade until the executive director has notified the applicant that he has passed or failed.

8. No examination will be given in absentia or at any time other than the regularly scheduled examination.

9. The chief proctor shall follow the rules and regulations recommended by the FLEX Test Committee or other testing agencies.

§ 3.4. Scoring of examination.

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

PART IV. LICENSURE BY ENDORSEMENT.

§ 4.1. Licensure by endorsement.

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

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

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

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

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

3. *Graduates of schools of medicine not approved by an accrediting agency recognized by the board shall have completed three years of satisfactory postgraduate training in a hospital approved by the Accreditation Council for Graduate Medical Education, Licensing Medical Council of Canada or other official accrediting body recognized by the American Medical Association for intern or residency training. The board may consider other approved postgraduate training in the United States or Canada as a substitute for up to two of the three years of the required postgraduate training if it finds that such training is substantially equivalent to that required by these regulations.*

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

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

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

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

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

3. *Graduates of schools of osteopathy not approved by an accrediting agency recognized by the board shall have completed three years of satisfactory postgraduate training in a hospital approved by the American Osteopathic Association, Licensing Medical Council of Canada or other official accrediting body recognized by the American Medical Association for intern or residency training. The board may consider other approved postgraduate training in the United States or Canada as a substitute for up to two of the three years of the required postgraduate training if it finds that such training is substantially equivalent to that required by these regulations.*

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

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

E. A Doctor of Chiropractic who meets the requirements of the Virginia Board of Medicine, who has passed the

Final Regulations

National Board of Chiropractic Examiners examination, and has passed an examination equivalent to the Virginia Board of Medicine Part III examination, may be accepted for licensure without further examination.

§ 4.2. Licensure to practice acupuncture.

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

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

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

A. No person shall practice acupuncture in the Commonwealth of Virginia without being licensed by the board to do so.

B. The board shall license as acupuncturists only licensed doctors of medicine, osteopathy, and podiatry. Such licensure shall be subject to the following conditions:

The applicant shall first have obtained:

1. At least 100 hours of instruction in general and basic aspects, specific uses and techniques of acupuncture and indications and contraindications for acupuncture administration; and
2. At least 100 hours of supervised clinical experience approved by the Board of Medicine and under the

supervision of a currently licensed physician in acupuncture.

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

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

§ 4.3. Exemption for temporary consultant.

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

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

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

PART V. RENEWAL OF LICENSE; REINSTATEMENT.

§ 5.1. Renewal of license.

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

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

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

§ 5.2. Reinstatement of lapsed license.

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

A. Submit to the board a chronological account of his professional activities since the last renewal of his license; and

B. Pay the reinstatement fee prescribed in § 7.1 of these regulations.

PART VI. ADVISORY COMMITTEES AND PROFESSIONAL BOARDS.

§ 6.1. Advisory committees to the board.

A. Advisory Committee on Acupuncture.

The board may appoint an Advisory Committee on Acupuncture from licensed practitioners in this Commonwealth to advise and assist the board on all matters relating to acupuncture. The committee shall consist of three members from the state-at-large and two members from the board. Nothing herein is to be construed to make any recommendation by the Advisory Committee on Acupuncture binding upon the board. The term of office of each member of the committee shall be for one year or until his successor is appointed.

B. Psychiatric Advisory Committee.

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

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

PART VII. FEES REQUIRED BY THE BOARD.

§ 7.1. Fees required by the board are:

A. Examination fee for medicine or osteopathy: The fee for the Federation Licensing Examination (FLEX) for Component I shall be \$275 and Component II shall be \$275.

B. Examination fee for podiatry: The fee for the Virginia Podiatry Examination shall be \$250.

C. Examination fee for chiropractic: The fee for the Virginia Chiropractic Examination shall be \$250.

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

E. The fee for rescoring the Virginia Chiropractic

Examination or the Virginia Podiatry Examination shall be \$75.

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

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

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

I. Biennial renewal of license: The fee for renewal shall be \$125, due in the licensee's birth month. An additional fee to cover administrative costs for processing a late application may be imposed by the board. The additional fee for late renewal of licensure shall be \$25 for each renewal cycle.

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

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

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

M. The fee for licensure to practice acupuncture shall be \$100. The biennial renewal fee shall be \$80, due and payable by June 30 of each even-numbered year.

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

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

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

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

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

HRB-30-034
REVISED: 09/07/89

INSTRUCTIONS FOR COMPLETING PODIATRY ENDORSEMENT APPLICATION

Completed application should be returned to this office along with the statutory license fee of \$300.00 by CERTIFIED CHECK or MONEY ORDER, made payable to the Treasurer of Virginia. PERSONAL CHECKS WILL BE RETURNED.

FEES SENT BEFORE THE RECEIPT OF AN APPLICATION WILL BE RETURNED.

APPLICATIONS SENT WITHOUT THE FEE WILL BE RETURNED.

- 1) Send form #H to The Federation of Podiatric Medical Boards, P. O. Box 33285, Washington, D.C. 20033, along with a check for thirty-five dollars (\$35.00), made payable to The Federation of Podiatric Medical Boards.
- 2) Forward form #I to The National Board of Podiatry Examiners for certification of National Boards Part I and Part II.
- 3) Forward form #B (Hospital/Employment questionnaire) to each place of training and/or employment that you have listed on the chronological page of your application. All professional activities since graduation from your professional school, or for the past ten years, must be included.
- 4) Follow instructions as directed on form #C (State questionnaire).
FORMS #B AND #C MAY BE XEROXED FOR YOUR CONVENIENCE.
- 5) Complete form #J (Disciplinary Inquiries) where designated, and forward as directed.
- 6) If you have been discharged from the United States Military Service within the past ten years, submit a photostatic notarized copy of your discharge papers.

If a candidate withdraws after the application has been submitted, a processing fee will be retained by the Board.

YOUR APPLICATION WILL NOT BE CONSIDERED COMPLETE UNTIL ALL OF THE REQUIRED INFORMATION IS RECEIVED.

ADDITIONAL INFORMATION MAY BE REQUIRED

HRB-30-057
10-15-84

COMMONWEALTH of VIRGINIA

Department of Health Regulatory Boards
Board of Medicine
517 West Grace Street
Post Office Box 27708
Richmond, Virginia 23261

EXAM _____
END _____

**APPLICATION
FOR A
CERTIFICATE
TO PRACTICE
PODIATRY**

SECURELY PASTE A PASSPORT-TYPE PHOTOGRAPH NOT LESS THAN 2 1/4" x 2 1/4" IN THIS SPACE

PLEASE SIGN PHOTO

TO THE BOARD OF MEDICINE OF VIRGINIA:

I HEREBY MAKE APPLICATION FOR A CERTIFICATE TO PRACTICE PODIATRY AND SURGERY IN THE STATE OF VIRGINIA AND SUBMIT THE FOLLOWING STATEMENTS:

1. NAME IN FULL (PLEASE PRINT OR TYPE)

(LAST)		(FIRST)		(MIDDLE/MAIDEN)	(GENDER)
(STREET)			(CITY)	(STATE)	(ZIP CODE)
(DATE OF BIRTH)		(PLACE OF BIRTH)		(SOCIAL SECURITY NUMBER)	
MO	DAY	YR			
(GRADUATION DATE)		(PROF. SCH. DEGREE)	(SCHOOL CITY, STATE)		
MO	DAY	YR			
(SPECIALTIES)					(FOREIGN GRADS ONLY) ECFMG CERT. NO.
DIPLOMATE	DIPLOMATE	DIPLOMATE	SPEC.	SPEC.	SPEC.

*ATTACH COPY OF AMERICAN BOARD CERTIFICATE

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

APPROVED BY: _____

(CLASS)	(LICENSE NO.)	(SUFFIX)	(SCH. CODE)	(FEE)	(HOW REG.)	(BASE STATE)
(LICENSE NO.)		(EXPIRATION DATE)		(DATE ISSUED)		

(ADDRESS CHANGE)

(STREET)	(CITY)	(STATE)	(ZIP CODE)
----------	--------	---------	------------

*PLEASE SUBMIT ADDRESS CHANGES IN WRITING IMMEDIATELY!

*PLEASE ATTACH CERTIFIED CHECK OR MONEY ORDER. APPLICATIONS WILL NOT BE PROCESSED WITHOUT THE APPROPRIATE FEE. DO NOT SUBMIT FEE WITHOUT AN APPLICATION. IT WILL BE RETURNED.

16. AFFIDAVIT OF APPLICANT:

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

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

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



SIGNATURE OF APPLICANT

*** -- THIS MUST BE NOTARIZED -- ***

IF RIGHT THUMB IS MISSING, USE LEFT AND SO INDICATE.

NOTARY: City/County of _____ State of _____ Subscribed
and Sworn to before me this _____ day of _____ 19____

My Commission Expires _____ NOTARY PUBLIC

NOTARY SEAL

CERTIFICATE OF PODIATRY EDUCATION

It is hereby certified that _____ of _____
matriculated in _____ at _____ date _____
attended _____ courses of lectures of _____ months each,
and received a diploma from _____ conferring the degree of _____
DATE _____

SCHOOL SEAL

(PRESIDENT, SECRETARY OR DEAN)

FOREIGN MEDICAL GRADUATES — Attach a notarized copy of your diploma and transcript of grades from medical school, with an ENGLISH translation.

INFORMATION & INSTRUCTIONS REGARDING THE CHIROPRACTIC EXAMINATION

Our next examination will be held on _____, 19____, Richmond, Virginia. The deadline date for receipt of the completed application is _____, 19____. If the application is not completed, the candidate will not be eligible to take the examination.

THE FEE for taking the Chiropractic examination is \$250.00. The fee must be submitted with the application. CERTIFIED CHECKS OR MONEY ORDERS ONLY, MADE PAYABLE TO: TREASURER OF VIRGINIA. The fee for the Chiropractic examination are non-refundable. An applicant may, upon request 21 days prior to the scheduled exam, and payment of a \$100.00 fee, reschedule for the next time such examination is given.

The examination of candidates for licensure to practice Chiropractic shall be in three parts consisting of Part I and Part II of the National Board of Chiropractic Examiners and Part III of three components as administered by the Board. A score of 375 or better is required on Part I and II of the National Boards. A grade of 75% or better is required on Part III of the state board examination in order to pass the examination and be eligible for licensure.

Candidates for Chiropractic licensure by examination shall be limited to a total of three attempts in Virginia. After three unsuccessful attempts, it shall be necessary for the candidate to meet with the Credentials Committee.

CERTIFICATE OF CHIROPRACTIC EDUCATION - Forward the entire application to your chiropractic school of graduation for certification of Chiropractic degree (bottom, page 4 of application). You may, a) attach your certified check or money order to the application and forward to your school for completion and have them send directly to the Board of Medicine, or, b) you may forward the application to your school for completion of the education section and have them return the application to you to attach the certified check or money order and send to the Board of Medicine.

NATIONAL BOARD CERTIFICATION - Please request the National Board of Chiropractic Examiners to submit a certified copy of grades attained on the National Board examination.

TRANSCRIPT OF GRADES - Provide this office with a transcript of grades from only your Chiropractic school.

EMPLOYMENT/PROFESSIONAL ACTIVITIES QUESTIONNAIRE - Forward the employment/professional activity questionnaire to each place of training and/or employment that you have listed on the chronological page of your application. All professional activities since graduation from your Chiropractic school, or for the past ten years, must be included. Please note that your signature must be on the reverse side of each employment questionnaire.

STATE QUESTIONNAIRE - Follow instructions as directed on the state questionnaire.

THE EMPLOYMENT, PROFESSIONAL ACTIVITY QUESTIONNAIRE AND THE STATE QUESTIONNAIRE MAY BE XEROXED FOR YOUR CONVENIENCE.

All Chiropractic applicants for licensure in the Commonwealth of Virginia that have matriculated in a Chiropractic College after July 1, 1975, must present evidence of having graduated from a college approved by the Commission on Accreditation of the Council on Chiropractic Education. Chiropractic applicants who matriculated prior to July 1, 1975, must show proof of having graduated from a school approved by the American Chiropractic Association or the International Chiropractic Association.

Your application will not be considered complete until all of the required information is received. Additional information may be requested.

#8 END _____ VIRGINIA BOARD OF MEDICINE
 EXAM _____ 1601 Rolling Hills Drive
 REN _____ Richmond, VA 23229-5005

Please print or type name of hospital place of employment:

(Name of applicant - Please Print)

The Virginia Board of Medicine, in its consideration of a candidate for licensure, depends on information from persons and institutions regarding the candidate's employment, training, affiliations and staff privileges.

Please complete this form to the best of your ability and return it to the Board so the information you provide can be given consideration in the processing of this candidate's application in a timely manner.

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

 Signature of Applicant

1. Date and type of service: This doctor served with us as _____
 from (month) _____ (year) _____ to (month) _____ (year) _____

2. Please evaluate: (Please indicate with check mark)

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

3. Recommendation: (Please indicate with check mark) 1. Recommend highly and without reservation _____
 2. Recommend as qualified and competent _____
 3. Recommend with some reservation (explain) _____
 4. Do not recommend (explain) _____

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

5. The above report is based on: (Please indicate with check mark) 1. Close personal observation _____
 2. General impression _____
 3. A composite of evaluations _____
 4. Other _____

Date: _____ Signed: _____

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

 (Please print or type name)

Title: _____

VIRGINIA

REQUEST FOR PODIATRY DISCIPLINARY ACTION

This is to be completed by the Podiatrist and mailed directly to:

The Federation of Podiatric Medical Boards
P.O. Box 33285
Washington, DC 20033

PLEASE PRINT OR TYPE

FULL NAME: _____
 First Middle Last

ADDRESS: _____

DATE OF BIRTH: _____ PLACE OF BIRTH: _____

PODIATRY SCHOOL: _____

DATE OF GRADUATION: _____

STATE(S) IN WHICH LICENSE(S) ARE HELD: 1) _____

2) _____ 3) _____

LICENSE NUMBER(S): 1) _____ 2) _____

3) _____

DATE(S) ISSUED: 1) _____ 2) _____ 3) _____

Requesting Organization: Virginia Board of Medicine
1601 Rolling Hills Drive
Richmond, Virginia 23229-5005

Please return information to above address: Purpose of request for information: Licensure/Examination

DO NOT USE SPACE BELOW

Request for Podiatry discipline profile taken by other state(s) and nature of discipline actions:

Executive Director
Federation of Podiatric Medical
Boards

Date

NATIONAL BOARD OF PODIATRY EXAMINERS CERTIFICATION

This section to be completed by the office of the Executive Director/Secretary of the National Board of Podiatry Examiners.

This is to certify that _____ D.P.M.

was granted a certificate by the _____

No. _____ on the _____ day of _____, 19 _____

and is a Diplomate of the above-named Board

(BOARD SEAL)

Signature

Title

Date

The applicant must assume the responsibility for completion of this form and is forewarned that it must be fully completed and forwarded to the Virginia Board of Medicine before any application may be considered.

Please attach certification of grades.

Please return completed form directly to:

Department of Health Professions
Virginia Board of Medicine
1601 Rolling Hills Drive
Richmond, Virginia 23229-5005



COMMONWEALTH of VIRGINIA

Department of Health Professions
Board of Medicine

Bernard L. Henderson, Jr.
Director

Hilary H. Connor, M.D.
Executive Director

1601 Rolling Hills Drive, Suite 200
Richmond, Virginia 23229-5005
(804) 662-9906
FAX (804) 662-9943

Candidates for Chiropractic Licensure:

Before each examination, we receive numerous telephone calls with questions about the examination. Many of these questions are impossible to answer for obvious reasons. This letter is to answer some of the questions we receive concerning the Virginia Chiropractic Examination, Component III, Clinical Competency.

This examination will consist of clinical diagnosis, X-ray, clinical laboratory and findings, clinical therapeutics, (including extremity treatment), nutrition, and several case studies. However, the examination may include other areas that would normally be seen in a clinical setting.

The examination is strictly an objective type examination and similar in format to the National Boards.

There will be no need for you to bring patients, equipment, or other diagnostic tools. All necessary supplies will be furnished by the Virginia Board of Medicine.

The examination will start early in the morning. There will be appropriate time for lunch and the exam will again resume after lunch. It should be finished the afternoon of the same day and will be followed by a short orientation sponsored by the Virginia Chiropractic Association.

All examinations will be graded by computer and, with no unforeseen problems, results should be available in 6-8 weeks. Results will be mailed to you. No one will be entitled to know the successful candidates until everyone is notified.

Best of luck on your up-coming examination. We are looking forward to seeing you in practice.

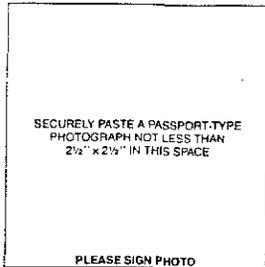
HRS-20058
9-3-87

COMMONWEALTH of VIRGINIA

Department of Health Regulatory Boards
Board of Medicine
1601 Rolling Hills Drive
Richmond, Virginia 23229-5005

EXAM _____
END _____

APPLICATION
FOR A
CERTIFICATE
TO PRACTICE
CHIROPRACTIC



TO THE BOARD OF MEDICINE OF VIRGINIA:
I HEREBY MAKE APPLICATION FOR A CERTIFICATE TO PRACTICE CHIROPRACTIC IN THE STATE OF VIRGINIA AND SUBMIT THE FOLLOWING STATEMENTS:

1. NAME IN FULL (PLEASE PRINT OR TYPE)

(LAST)	(FIRST)	(MIDDLE/MAIDEN)	(GENDER)
(STREET)	(CITY)	(STATE)	(ZIP CODE)
(DATE OF BIRTH) MO DA YR	(PLACE OF BIRTH)	(SOCIAL SECURITY NUMBER)	
(GRADUATION DATE) MO DA YR	(PROF. SCH. DEGREE)	(SCHOOL CITY, STATE)	

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

APPROVED BY: _____

(CLASS)	(LICENSE NO.)	(SUFFIX)	(SCH. CODE)	(FEE)	(HOW REG.)	(BASE STATE)
(LICENSE NO.)	(EXPIRATION DATE)	(DATE ISSUED)				
(ADDRESS CHANGE)						
(STREET)	(CITY)	(STATE)	(ZIP CODE)			

PLEASE SUBMIT ADDRESS CHANGES IN WRITING IMMEDIATELY
*PLEASE ATTACH CERTIFIED CHECK OR MONEY ORDER. APPLICATIONS WILL NOT BE PROCESSED WITHOUT THE APPROPRIATE FEE. DO NOT SUBMIT FEE WITHOUT AN APPLICATION. IT WILL BE RETURNED.

16. AFFIDAVIT OF APPLICANT:

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

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

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

RIGHT THUMB PRINT



SIGNATURE OF APPLICANT

— THIS MUST BE NOTARIZED —

IF RIGHT THUMB IS MISSING, USE LEFT AND SO INDICATE

NOTARY: City/County of _____ State of _____ Subscribed and Sworn to before me this _____ day of _____ 19____

My Commission Expires _____ NOTARY PUBLIC

NOTARY SEAL

CERTIFICATE OF CHIROPRACTIC EDUCATION

It is hereby certified that _____ of _____ matriculated in _____ at _____ date _____ attended _____ courses of lectures of _____ months each, and received a diploma from _____ conferring the degree of _____

DATE

SCHOOL SEAL

(PRESIDENT, SECRETARY or DEAN)

Exam: VIRGINIA BOARD OF MEDICINE
Employment/Professional Activity 1601 Rolling Hills Drive
Questionnaire: Richmond, Virginia 23229-5005

Please print or type name of hospital place of employment:

(Name of applicant-Please print)

The Virginia Board of Medicine, in its consideration of a candidate for licensure, depends on information from persons and institutions regarding the candidate's employment, training, and affiliations.

Please complete this form to the best of your ability and return it to the Board so the information you provide can be given consideration in the processing of this candidate's application in a timely manner.

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

Signature of Applicant

1. Date and type of service: This chiropractor served with us as _____ from (month) _____ (year) _____ to (month) _____ (year) _____

2. Please evaluate: (Please indicate with check mark)

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

3. Recommendation: (Please indicate with check mark) 1. Recommend highly and without reservation _____
2. Recommend as qualified and competent _____
3. Recommend with some reservation (explain) _____
4. Do not recommend (explain) _____

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

5. The above report is based on: (Please indicate with check mark: 1. Close personal observation _____
2. General impression _____
3. A composite of evaluations _____
4. Other _____

Date: _____
(This report will become a part of the applicant's file and may be reviewed by the applicant upon demand)

Signed: _____

(Please print or type name)

Title: _____

1601 Rolling Hills Drive
 Richmond, Virginia 23229-5005

Please print or type name of hospital place of employment:

(Name of applicant-Please print)

The Virginia Board of Medicine, in its consideration of a candidate for licensure, depends on information from persons and institutions regarding the candidate's employment, training, and affiliations.

Please complete this form to the best of your ability and return it to the Board so the information you provide can be given consideration in the processing of this candidate's application in a timely manner.

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

Signature of Applicant

1. Date and type of service: This chiropractor served with us as _____
 from (month) _____ (year) _____ to (month) _____ (year) _____

2. Please evaluate: (Please indicate with check mark)

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

3. Recommendation: (Please indicate with check mark) 1. Recommend highly and without reservation _____
 2. Recommend as qualified and competent _____
 3. Recommend with some reservation (explain) _____
 4. Do not recommend (explain) _____

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

5. The above report is based on: (Please indicate with check mark) 1. Close personal observation _____
 2. General impression _____
 3. A composite of evaluations _____
 4. Other _____

Date: _____ Signed: _____
 (This report will become a part of the applicant's file and may be released by the applicant upon demand)
 _____ (Please print or type name)
 Title: _____

Exam:

Please complete top portion and forward one form to each State Chiropractic Board where you hold or have held a Chiropractic license. Extra copies may be xeroxed if needed.

NOTE: Some states require a fee, paid in advance, for providing clearance information. To expedite, you may wish to contact the applicable state/states.

CLEARANCE FROM OTHER STATE BOARDS

I was granted license # _____ on _____ by the state of _____. The Virginia Board of Medicine requests that I submit evidence that my license in the State of _____ is in good standing. You are hereby authorized to release any information in your files, favorable, or otherwise, directly to the Virginia Board of Medicine, 1601 Rolling Hills Drive, Richmond, Virginia. Your early attention is appreciated.

Signature

Please print or type name

 EXECUTIVE OFFICE OF STATE BOARD:

Please complete and return this form to the Virginia Board of Medicine, 1601 Rolling Hills Drive, Richmond, Virginia 23229-5005.

State of _____ Name of Licensee _____

Graduate of _____ License No. _____

Issued _____ by reciprocity/endorsement _____

by examination _____ License is current _____ lapsed _____

Has applicant's license ever been suspended or revoked? _____

If so, for what reason? _____

Derogatory information, if any _____

Comments, if any _____

(BOARD SEAL)

Signature

Title

HRB-30-034
Revised: 06-08-88

AMERICAN

INSTRUCTIONS FOR COMPLETING FLEX ENDORSEMENT APPLICATION

Completed application should be returned to this office along with the statutory licensure fee of \$300.00, made payable to the Treasurer of Virginia, by CERTIFIED CHECK or MONEY ORDER. PERSONAL CHECKS WILL BE RETURNED.

FEES SENT BEFORE THE RECEIPT OF AN APPLICATION WILL BE RETURNED.

APPLICATION SENT WITHOUT THE FEE WILL BE RETURNED.

1. Send enclosed card to the Federation of State Medical Boards.
2. Forward the entire application to your professional school of graduation for certification of your professional degree (bottom, page 4). You may, a) attach your CERTIFIED CHECK or MONEY ORDER to the application and forward to your school for completion and have them send directly to the Board of Medicine, or, b) you may forward the application to your school for completion of the education section and have them return the application to you to attach the CERTIFIED CHECK or MONEY ORDER and send to the Board of Medicine.
3. Provide this office with a transcript of grades from your professional school. We will accept an unofficial copy.
4. Forward form #B (Hospital/employment questionnaire) to each place of training and/or employment that you have listed on the chronological page of your application. All professional activities since graduation from your professional school, or for the past ten years, must be included.
5. Follow instructions as directed on form #C (State questionnaire). FORMS #B AND #C MAY BE XEROXED FOR YOUR CONVENIENCE.
6. Complete form #D (AMA/AOA Profile) where designated, and forward as directed.
7. All candidates must have one year of approved post-graduate training in the United States or Canada. If your training was completed over ten years ago, submit a copy of certificate of internship or residency.
8. If you have been discharged from the United States Military Service within the past ten years, submit a photostatic notarized copy of your discharge papers.

If a candidate withdraws after the application has been submitted, a processing fee will be retained by the Board.

YOUR APPLICATION WILL NOT BE CONSIDERED COMPLETE UNTIL ALL OF THE REQUIRED INFORMATION IS RECEIVED. ADDITIONAL INFORMATION MAY BE REQUESTED.

HRB-30-034
REVISED: 11-23-88

INSTRUCTIONS FOR COMPLETING NATIONAL BOARDS ENDORSEMENT APPLICATION

Completed application should be returned to this office with statutory licensure fee of \$300.00, made payable to the Treasurer of Virginia, by CERTIFIED CHECKS or MONEY ORDER. PERSONAL CHECKS WILL BE RETURNED.

FEES SENT BEFORE THE RECEIPT OF AN APPLICATION WILL BE RETURNED.

APPLICATIONS SENT WITHOUT THE FEE WILL BE RETURNED.

1. Send enclosed card to the National Board of Medical Examiners.
2. Forward the entire application to your professional school of graduation for certification of your professional degree (bottom, page 4). You may, a) attach your CERTIFIED CHECK OR MONEY ORDER to the application and forward to your school for completion and have them send directly to the Board of Medicine, or, b) you may forward the application to your school for completion of the education section and have them return the application to you to attach the CERTIFIED CHECK or money order and send to the Board of Medicine.
3. Provide this office with a transcript of grades from your professional school. We will accept an unofficial copy.
4. Forward form #B (Hospital/employment questionnaire) to each place of training and/or employment that you have listed on the chronological page of your application. All professional activities since graduation from your professional school, or for the past ten years, must be included.
5. Follow instructions as directed on form #C (State questionnaire). FORMS #B AND #C MAY BE XEROXED FOR YOUR CONVENIENCE.
6. Complete form #D (AMA/AOA Profile) where designated, and forward as directed.
7. Complete form #E (Disciplinary inquiries) where designated, and forward as directed.
8. All candidates must have one year of approved post-graduate training in the United States or Canada. If your training was completed over ten years ago, submit a copy of certificate of internship or residency.
9. If you have been discharged from the United States Military Service within the past ten years, submit a photostatic notarized copy of your discharge papers.

If a candidate withdraws after the application has been submitted, a processing fee will be retained by the Board.

HRB-30-034
REVISED: 11/29/88

INSTRUCTIONS FOR COMPLETING FLEX ENDORSEMENT APPLICATION

FOREIGN GRADUATE APPLICANTS

Completed application should be returned to this office along with the statutory licensure fee of \$300.00, made payable to the Treasurer of Virginia, by CERTIFIED CHECK or MONEY ORDER. PERSONAL CHECKS WILL BE RETURNED.

FEES SENT BEFORE THE RECEIPT OF AN APPLICATION WILL BE RETURNED.

APPLICATIONS SENT WITHOUT THE FEE WILL BE RETURNED.

- 1) Send enclosed card to the Federation of State Medical Boards.
- 2) Submit a notarized copy of your professional school diploma with the English translation, along with a transcript of grades from your professional school. DO NOT SEND MEDICAL EDUCATION SECTION OF APPLICATION TO YOUR MEDICAL SCHOOL.
- 3) Forward form #G to the ECEMG office as directed.
- 4) Forward form #B (Hospital/employment questionnaire) to each place of training and/or employment that you have listed on the chronological page of your application. All professional activities since graduation from your professional school, or for the past ten years, must be included.
- 5) Follow instructions as directed on form #C (State questionnaire).

FORMS #B AND #C MAY BE XEROXED FOR YOUR CONVENIENCE.

- 6) Completed form #D (AMA/AOA Profile) where designated, and forward as directed.

NOTE: AS OF JULY 1, 1988:

- 7) All candidates must have three (3) years of approved postgraduate training in the United States or Canada. The Board may, in its discretion, consider other postgraduate training as a substitute for up to two of the three years of the required postgraduate training if it

finds that such training is substantially equivalent to that required by this section. If your training was completed over ten years ago, submit a copy of a certificate of internship or residency.

- 8) If you have been discharged from the United States Military Service within the past ten years, submit a photostatic notarized copy of your discharge papers.

If a candidate withdraws after the application has been submitted, a processing fee will be retained by the Board.

YOUR APPLICATION WILL NOT BE CONSIDERED COMPLETE UNTIL ALL OF THE REQUIRED INFORMATION IS RECEIVED.

ADDITIONAL INFORMATION MAY BE REQUIRED

ALL QUESTIONS MUST BE ANSWERED. If any of the following questions is answered YES, explain and substantiate with available documentation. Letters must be submitted by your attorney regarding malpractice suits. Letters must be submitted by any treating professionals regarding treatment. These shall include diagnosis, treatment, and prognosis.

3. I hereby certify that I studied medicine/osteopathy and received the degree of _____ on _____ from _____

4. Do you intend to engage in the active practice of medicine/osteopathy in the Commonwealth of Virginia? _____. If YES, give location _____

5. List all jurisdictions in which you have been issued a license to practice medicine/osteopathy and surgery, active or inactive. Indicate number and date issued. _____

6. Have you ever been denied a license or the privilege of taking a medical licensure/competency examination, or any licensing authority? If yes, please explain, giving the location. YES NO

7. Have you ever taken the Flex examination? YES NO. If yes, how many times, and list by state, month, and year in which you took the Flex. _____

8. Have you ever been convicted of a violation of/or Pled Nolo Contendere to any Federal, State, or local statute, regulation or ordinance, or entered into any plea bargaining relating to a felony or misdemeanor? (Excluding traffic violations, except convictions for driving under the influence). YES NO

9. Have you ever voluntarily surrendered your clinical privileges while under investigation, been censured or warned, or requested to withdraw from the staff of any hospital, nursing home, or other health care facility, or health care provider? YES NO

10. Have you ever had any of the following disciplinary actions taken against your license to practice medicine, DEA permit, state controlled substances registration, medicare, medicaid, or are any such actions pending (a) suspension/revocation (b) probation (c) reprimand/cease and desist (d) have your practice monitored or (e) limitation placed on scheduled drugs? If YES, please send complete details. YES NO

11. Have you ever had any membership in a professional society revoked, suspended, or sanctioned in any manner? YES NO

12. Have you voluntarily withdrawn from any professional society while under investigation? YES NO

13. Have you had any malpractice suits brought against you in the last ten years? If so, how many, and provide a letter from your attorney explaining each case. YES NO

14. Have you ever been physically or emotionally dependent upon the use of alcohol/drugs or treated by, consulted with, or been under the care of a professional for any substance abuse? If so, please provide a letter from the treating professional. YES NO

15. Have you ever received treatment for/or been hospitalized for a nervous, emotional or mental disorder? If so, please provide a letter from your treating professional summarizing diagnosis, treatment, and prognosis. YES NO

16. Do you have a physical disease or diagnosis which could affect your performance of professional duties? If so, please provide a letter from the treating professional. YES NO

17. Have you ever been adjudged mentally incompetent or been voluntarily committed to a mental institution? Please provide details. YES NO

16. AFFIDAVIT OF APPLICANT:

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

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

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



IF RIGHT THUMB IS MISSING, USE LEFT AND SO INDICATE.

SIGNATURE OF APPLICANT

*** - THIS MUST BE NOTARIZED - ***

NOTARY: City/County of _____ State of _____ Subscribed and Sworn to before me this _____ day of _____ 19____

My Commission Expires _____ NOTARY PUBLIC

NOTARY SEAL

CERTIFICATE OF MEDICAL EDUCATION

It is hereby certified that _____ of _____ matriculated in _____ at _____ date _____ attended _____ courses of lectures of _____ months each, and received a diploma from _____ conferring the degree of _____

DATE

SCHOOL SEAL

(PRESIDENT, SECRETARY or DEAN)

FOREIGN MEDICAL GRADUATES — Attach a notarized copy of your diploma and transcript of grades from medical school, with an ENGLISH translation.

NO. _____
 END _____
 EXAM _____
 REN _____

VIRGINIA BOARD OF MEDICINE
 1601 Rolling Hills Drive
 Richmond, VA 23229-5005

Please print or type name of hospital place of employment:

(Name of applicant - Please Print)

The Virginia Board of Medicine, in its consideration of a candidate for licensure, depends on information from persons and institutions regarding the candidate's employment, training, affiliations and staff privileges.

Please complete this form to the best of your ability and return it to the Board so the information you provide can be given consideration in the processing of this candidate's application in a timely manner.

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

Signature of Applicant

1. Date and type of service: This doctor served with us as _____
 from (month) _____ (year) _____ to (month) _____ (year) _____

2. Please evaluate: (Please indicate with check mark)

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

3. Recommendation: (Please indicate with check mark)

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

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

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

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

Date: _____ Signed: _____

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

(Please print or type name)

Title: _____

END X EXAM _____ REG _____ #C

Please complete top portion and forward one form to each State Medical Board where you hold or have held a medical license. Extra copies may be xeroxed if needed.

NOTE: Some states require a fee, paid in advance, for providing clearance information. To expedite, you may wish to contact the applicable state/states.

CLEARANCE FROM OTHER STATE BOARDS

I was granted license # _____ on _____ by the state of _____
 The Virginia Board of Medicine requests that I submit evidence that my license in the state of _____ is in good standing.

You are hereby authorized to release any information in your files, favorable, or otherwise, directly to the Virginia Board of Medicine, 1601 Rolling Hills Dr., Richmond, Virginia. Your early attention is appreciated.

SIGNATURE

(Please print or type name)

 EXECUTIVE OFFICE OF STATE BOARD:

Please complete and return this form to the Virginia Board of Medicine, 1601 Rolling Hills Drive, Richmond, Virginia 23229-5005.

State Of _____ Name of Licensee _____

Graduate of _____ License No. _____ Issued _____

By reciprocity/endorsement _____ by examination _____

License is current _____ lapsed _____

Has applicant's license ever been suspended or revoked? _____

If so, for what reasons? _____

Derogatory information, if any _____

Comments, if any _____

(Board Seal)

Signed _____

Title _____

HD

LICENSURE REGISTRATION

VIRGINIA
REQUEST FOR PHYSICIAN PROFILE

THIS IS TO BE COMPLETED BY THE PHYSICIAN (WHETHER A MEMBER OR NOT) AND MAILED DIRECTLY TO ONE OF THE FOLLOWING:

AMERICAN MEDICAL ASSOC. DEPT. OF DATA RELEASE 535 N. DEARBORN CHICAGO, ILLINOIS 60610	OR	AMERICAN OSTEOPATHIC ASSOC. DEPT. OF MEMBERSHIP & INFO. SERV. 212 EAST OHIO STREET CHICAGO, ILLINOIS 60611
--	----	---

PLEASE PRINT OR TYPE

FULL NAME: _____
FIRST MIDDLE LAST

ADDRESS: _____
STREET CITY STATE ZIP

DATE OF BIRTH: _____ PLACE OF BIRTH _____

MEDICAL/OSTEOPATHIC SCHOOL _____

DATE OF GRADUATION: _____

ECFMG # IF FOREIGN MEDICAL GRADUATE: _____

STATE(S) IN WHICH LICENSE(S) ARE HELD: 1) _____ 2) _____

LICENSE NUMBERS(S): 1) _____ 2) _____

DATE(S) ISSUED: 1) _____ 2) _____

REQUESTING ORGANIZATION: VIRGINIA BOARD OF MEDICINE
1601 ROLLING HILLS DRIVE
RICHMOND, VIRGINIA 23229 - 5005

(AMA/ACA—PLEASE RETURN INFORMATION TO ABOVE ADDRESS.)

PURPOSE OF REQUEST FOR INFORMATION: LICENSURE/EXAMINATION

CERTIFICATE NUMBER _____ DATE DECLARED REGISTERED _____
FOR OFFICE USE ONLY

When my Virginia license is issued I would like to have my Certificate of Registration engrossed with my name as follows:

PLEASE PRINT LEGIBLY or TYPE

NAME: _____

Upon issuance of license a wall certificate will be mailed as soon as engrossing is complete. Certificates of Registration are renewable bi-annually, every even year on your birth month. The renewal fee is \$125.00. Renewal notices are mailed sixty (60) days prior to the last day of your birth month to the address on record in this office.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HEALTH PROFESSIONS ---

BOARD OF MEDICINE
1601 Rolling Hills Drive
Richmond, VA 23229-5005

Title of Regulation: VR 465-04-01. Regulations Governing the Practice of Respiratory Therapy Practitioners.

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

Effective Date: February 14, 1990

Summary:

The proposed regulations establish the requirements for education, examination, disciplinary procedures, and individual responsibilities for certification to practice as a respiratory therapy practitioner to assure the health, safety, and welfare of the citizens of Virginia. A comprehensive review was conducted by the Advisory Committee on Respiratory Therapy Practitioners and the Board of Medicine following the public comment period. The proposed regulations were amended to reflect the recommendations of the Governor for reinstatement of a lapsed certificate and procedures for disciplinary actions in appropriate situations.

VR 465-04-01. Regulations Governing the Practice of Certified Respiratory Therapy Practitioners.

**PART I.
GENERAL PROVISIONS.**

§ 1.1. Definitions.

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

"Board" means the Virginia State Board of Medicine.

"Certified respiratory therapy practitioner" means a person who has passed the certification examination for the entry level practice of respiratory therapy administered by the National Board of Respiratory Care, Inc., or other examination approved by the board, who has complied with such rules and regulations pertaining to certification as shall be prescribed by the board, and who has been issued a certificate by the board.

"Committee" means the Advisory Committee on Respiratory Therapy to the board.

"NBRC" means the National Board of Respiratory Care, Inc.

"Referral and direction" means the referral of a patient by a licensed doctor of medicine, osteopathy, podiatry or dental surgery to a certified respiratory therapy practitioner for a specific purpose and for consequent treatment that will be performed under the direction of and in continuing communication with the referring doctor.

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

[§ 1.3. Any violation of Chapter 29 of Title 54.1 shall be subject to the statutory sanctions as set forth in the Act.]

**PART II.
REQUIREMENTS FOR PRACTICE AS A CERTIFIED
RESPIRATORY THERAPY PRACTITIONER.**

§ 2.1. Requirements, general.

A. No person shall practice as a certified respiratory therapy practitioner in the Commonwealth of Virginia except as provided in these regulations.

B. All services rendered by a certified respiratory therapy practitioner shall be performed only upon referral and direction of a doctor of medicine, osteopathy, podiatry or dental surgery licensed to practice in the Commonwealth of Virginia.

§ 2.2. Certification.

An applicant for a certificate to practice as a certified respiratory therapy practitioner shall:

1. Submit to the board written evidence, verified by affidavit, that the applicant has passed the NBRC entry level examination for respiratory therapy, or its equivalent;
2. Make application on forms supplied by the board and completed in every detail; and
3. Pay at the time of filing the application, the application fee prescribed in § 4.1 of these regulations.

§ 2.3. Renewal of certificate.

Every certified respiratory therapy practitioner intending to continue his certification shall annually on or before July 1:

1. Register with the board for renewal of his certificate; and
2. Pay the prescribed renewal fee at the time he files for renewal.

**PART III.
SCOPE OF PRACTICE.**

§ 3.1. Individual responsibilities.

Practice as a certified respiratory therapy practitioner means, upon medical referral and direction, the evaluation, care and treatment of patients with deficiencies and

Final Regulations

abnormalities associated with the cardiopulmonary system. This practice shall include, but not be limited to, ventilatory assistance and support; the insertion of artificial airways without cutting tissue and the maintenance of such airways; the administration of medical gases exclusive of general anesthesia; topical administration of pharmacological agents to the respiratory tract; humidification; and administration of aerosols. The practice of respiratory therapy shall include such functions shared with other health professionals as cardiopulmonary resuscitation; bronchopulmonary hygiene; respiratory rehabilitation; specific testing techniques required to assist in diagnosis, therapy and research; and invasive and noninvasive cardiopulmonary monitoring.

PART IV. FEES.

§ 4.1. The following fees are required:

A. The application fee, payable at the time the application is filed, shall be \$100.

B. The annual fee for renewal of registration, payable on or before July 1, shall be \$25.

C. An additional fee to cover administrative costs for processing a late application may be imposed by the board. The additional fee for late renewal of licensure shall be \$10 for each renewal cycle.

[D. Lapsed license.

The fee for reinstatement of a license issued by the Board of Medicine pursuant to § 54.1-2904, which has expired for a period of two years or more, shall be \$100 and must be submitted with an application for licensure reinstatement.]

**INSTRUCTIONS FOR COMPLETING A CERTIFICATION AS A
RESPIRATORY THERAPY PRACTITIONER APPLICATION**

REQUIREMENTS FOR CERTIFICATION AS A RESPIRATORY THERAPY PRACTITIONER

The Board may accept for certification, a candidate as a Respiratory Therapy Practitioner who has submitted satisfactory evidence that he has successfully completed all or such part as may be prescribed by the Board, of an educational course of study of respiratory therapy.

THE FEE - Each applicant must submit a completed application to the Virginia Board of Medicine. This must be accompanied by the application fee of ONE HUNDRED DOLLARS (\$100.00). Applications will not be processed unless the fee is attached. The fee must be a certified check or money order, made payable to the Treasurer of Virginia.

CERTIFICATE OF PROFESSIONAL EDUCATION - This section of the application (bottom, page 4) should be completed by your respiratory therapy school. The entire application must be forwarded. We will not accept copies.

CERTIFICATION OF CREDENTIALS FROM NBRC - Certification should be requested from the National Board for Respiratory Care, Inc., 8310 Nieman Road, Lenexa, Kansas 66214, Phone (913) 599-4200. Please use the enclosed form. This should be mailed directly from the NBRC to the Board office. (A two dollar fee is required).

HOSPITAL/EMPLOYMENT QUESTIONNAIRE - Forward the Hospital/Employment questionnaire to each place of training and/or employment that you have listed on the chronological page of your application. All professional activities since graduation from your professional school, must be included. Please note that your signature must be on the bottom of the questionnaire.

STATE QUESTIONNAIRE - Follow instructions as directed on the state questionnaire.

The Hospital/Employment and State questionnaires may be xeroxed for your convenience.

HRB-30-061
8/15/85

COMMONWEALTH OF VIRGINIA

DEPT. OF HEALTH PROFESSIONS
BOARD OF MEDICINE
1601 ROLLING HILLS DR.
RICHMOND, VA 23229-5005

**APPLICATION
FOR
CERTIFICATION AS A
RESPIRATORY THERAPY
PRACTITIONER**

SECURELY PASTE A PASSPORT-TYPE
PHOTOGRAPH NOT LESS THAN
2 1/2" x 2 1/2" IN THIS SPACE

PLEASE SIGN PHOTO

TO THE BOARD OF MEDICINE OF VIRGINIA:

I HEREBY MAKE APPLICATION FOR CERTIFICATION AS A
RESPIRATORY THERAPY PRACTITIONER IN THE COMMONWEALTH
OF VIRGINIA AND SUBMIT THE FOLLOWING STATEMENTS:

1. NAME IN FULL (PLEASE PRINT OR TYPE)

(LAST)	(FIRST)	(MIDDLE/MAIDEN)	(GENDER)
(STREET)	(CITY)	(STATE)	(ZIP CODE)
(DATE OF BIRTH)	(PLACE OF BIRTH)	(SOCIAL SECURITY NUMBER)	
(GRADUATION DATE)	(PROF. SCH. DEGREE)	(SCHOOL CITY, STATE)	

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

APPROVED BY: _____ (DATE)

(CLASS)	(PENDING NO.)	(SUFFIX)	(SCH. CODE)	(FEE)	(HOW REG.)	(BASE STATE)
(CERTIFICATE NO.)			(EXPIRATION DATE)	(DATE ISSUED)		

(ADDRESS CHANGE)

(STREET)	(CITY)	(STATE)
----------	--------	---------

*PLEASE SUBMIT ADDRESS CHANGES IN WRITING IMMEDIATELY!

*PLEASE ATTACH CERTIFIED CHECK OR MONEY ORDER. APPLICATIONS WILL NOT BE PROCESSED WITHOUT THE APPROPRIATE FEE. DO NOT SUBMIT FEE WITHOUT AN APPLICATION. IT WILL BE RETURNED.

18. AFFIDAVIT OF APPLICANT:

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

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

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

RIGHT THUMB PRINT

IF RIGHT THUMB IS MISSING, USE LEFT AND SO INDICATE.

SIGNATURE OF APPLICANT

— THIS MUST BE NOTARIZED —

NOTARY: City/County of _____ State of _____ Subscribed and Sworn to me before this _____ day of _____ 19 _____

My Commission Expires _____ NOTARY PUBLIC

NOTARY SEAL

CERTIFICATE OF PROFESSIONAL EDUCATION

It is hereby certified that _____ of _____ matriculated in _____ at _____ date _____ attended _____ courses of lectures of _____ months each, and received a diploma from _____ conferring the degree of _____

DATE

(SCHOOL SEAL)

(President, Secretary or Dean)

PLEASE COMPLETE THE TOP PORTION OF THIS FORM AND FORWARD IT AND A CHECK OR MONEY ORDER FOR \$2.00 (Payable to NBRC) TO:

The National Board for Respiratory Care, Inc. 8310 Nieman Road Lenexa, Kansas 66214 (913) 599-4200

I am applying for a certificate to practice respiratory therapy in the Commonwealth of Virginia. The Board of Medicine requires that this form be completed by the NBRC. Please complete the form and return it to the address below. Thank you.

Department of Health Professions Board of Medicine 1601 Rolling Hills Drive Richmond, Virginia 23229-5005

Name _____ First _____ Middle _____ Last _____

Social Security No. _____

Name Credentialed by if different from above _____

Complete all that apply:

DATE CERTIFIED (CRTT) - _____

DATE REGISTERED (RRT) - _____

REGISTRY NO. - _____

Applicants Signature

***** TO BE COMPLETED BY THE NATIONAL BOARD FOR RESPIRATORY CARE, INC. *****

This is to verify that the individual named above has obtained the following credentials from the National Board for Respiratory Care, Inc.:

_____ CERTIFIED RESPIRATORY THERAPY TECHNICIAN: DATE _____

_____ REGISTERED RESPIRATORY THERAPIST: NUMBER _____

SEAL

Authorized Signature

EXAM

Department of Health Professions
Virginia Board of Medicine
1601 Rolling Hills Drive
Richmond, Virginia 23229-5005

Please print name of place of
employment below:

Name of Applicant-Please print

The Virginia Board of Medicine receives a great number of applications for certification. Since we cannot personally interview these applicants, we are forced to depend on information from the businesses/institutions in which the applicant has been employed. Please complete this form to the best of your ability and return it to the Board so the information you provide can be given consideration in the processing of the candidate's application.

I hereby authorize all hospital, institutions, or organizations, my references, personal physicians, employer (past and present), business and professional (past and present) and governmental agencies to release to the Virginia Board of Medicine any information, file or records requested by the board in connection with the processing of my application.

Signature of Applicant

1. Date of employment. This person served with us as a Respiratory Therapist: From _____ To _____
2. Was this person of responsibility? _____
3. Was this person ethical and honest? _____
4. Did he/she have the ability to get along with others? _____
5. Did he/she have a good knowledge of his/her profession? _____
6. Were you satisfied with this person's performance and would you welcome him/her to work with you in the future? _____
7. My judgement of this person's character and professional ability is as follows: _____

Date _____

Signed

Title

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

EXAM

Please complete top portion and forward one form to each State Board where you hold or have held a respiratory therapy license. Extra copies may be xeroxed if needed.

NOTE: Some states require a fee, paid in advance, for providing clearance information. To expedite, you may wish to contact the applicable state/s.

CLEARANCE FROM OTHER STATE BOARD

I was granted license # _____ on _____ by the state of _____. The Virginia Board of Medicine request that I submit evidence that my license in the state of _____ is in good standing. You have hereby authorized to release any information in your files, favorable, or otherwise, directly to the Virginia Board of Medicine, 1601 Rolling Hills Drive, Richmond, Virginia 23229-5005. Your earliest attention is appreciated.

Signature

(Please print or type name)

Executive Office of State Board:

Please complete and return this form to the Virginia Board of Medicine, 1601 Rolling Hills Drive, Richmond, VA 23229-5005.

State of _____ Name of Licensee _____

License/Certificate No. _____ Date issued _____

Licensed/Certified through (Check one)

_____ NBRC Examination _____ State Board Examination

_____ Reciprocity from _____
Name of State

License/Certified is Current _____ Lapsed _____

Has applicants License/Certificate ever been suspended or revoked?

_____, If so, for what reason? _____

Derogatory Information, if any _____

Signature

(BOARD SEAL)

Title

State Board

MILK COMMISSION

NOTICE: The Milk Commission is exempted from the Administrative Process Act (§ 9-6.14:4 of the Code of Virginia); however, it is required by § 9-6.14:22 to publish its regulations.

* * * * *

Due to its length, the following regulation filed by the Milk Commission is not being published; however, in accordance with § 9-6.14:22 of the Code of Virginia, a summary is being published in lieu of full text. Also, the amendment is set out below. The full text of the regulation is available for inspection at the office of the Registrar of Regulations and at the Milk Commission.

Title of Regulation: VR 475-02-02. Rules and Regulations for the Control, Regulation and Supervision of the Milk Industry in Virginia.

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

Effective Date: February 1, 1990

Summary:

The amendment to the regulation was necessitated by the inequity that existed when two or more cooperatives were supplying milk to the same processing plant and one cooperative failed to deliver base during the delivery period, which resulted in that cooperative receiving a higher blend price than the other cooperatives.

VR 475-02-02. Rules and Regulations for the Control, Regulation and Supervision of the Milk Industry in Virginia.

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

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

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

D. Delivered base for each producer and/or cooperative

association shall be the lesser of assigned base or total deliveries. for a monthly delivery period shall be the assigned base, unless deliveries are less than assigned base. When deliveries are less than assigned based the delivered base shall be 92% of actual deliveries.

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

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

DEPARTMENT OF TAXATION

Title of Regulation: Virginia Tire Tax Regulations.

VR 630-27-640. Definitions.

VR 630-27-641. Imposition of the Tax.

VR 630-27-642. Collection of the Tax; Exceptions, Deductions.

VR 630-27-643. Distribution of Revenues.

VR 630-27-644. Provisions of Chapter 6, Title 58.1 to apply, *mutatis mutandis*.

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

Effective Date: February 14, 1990

Summary:

These regulations explain the application of the Virginia Tire Tax to the retail sale of new tires. The tax, equal to \$.50 per tire, is applicable to sales of new tires by Virginia tire retailers. Exempt from the tax are tires for devices moved exclusively by human power, used exclusively upon stationary rails or tracks, or used exclusively for farming purposes, except for farm trucks.

The final regulations do not differ drastically from the proposed regulations. Several changes were made to clarify the intent of the application of the tax to replacement truck tires and warranty plans, incorporate language regarding the misuse of exemption certificates, and eliminate reference to the filing of combined returns. Other minor nonsubstantive changes were also made.

The tire tax will generally be subject to the provisions of the retail sales and use tax, except that all replacement truck tires will be subject to the tire tax. As compensation for collecting the tire tax, tire

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retailers may retain 5.0% of the tax collected, provided that the tax is not delinquent at the time of payment.

The tax is applicable to new tires sold on and after January 1, 1990, through December 31, 1994.

VR 630-27-640. Definitions.

[§ 1. Definitions.]

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

"Fund" means the Waste Tire Truck Fund.

"New tire" means a tire manufactured for first time use on a vehicle. It does not include a worn or used tire that has been reconditioned to a usable state, i.e., recapped or retreaded tires.

"Replacement truck tire" means a new tire [designated by industry standards for use on a truck which is] sold to replace a tire attached to or used as a spare on a truck.

"Retailer of tires" means a person engaged in the business of making retail sales of new tires within this Commonwealth.

"Retail sale of tires" means the sale of new tires to a person for any purpose other than for resale. The term also includes the withdrawal of new tires from resale inventory for use or consumption by a retailer, including withdrawals from inventory for personal use or for company use. Retail sales do not include the sale of new tires to a person solely for the purpose of resale, provided the subsequent retail sale in this Commonwealth is subject to the tire tax or is otherwise exempt of the tax.

"Tire" means a continuous solid or pneumatic rubber covering encircling the wheel of a vehicle for transportation purposes.

"Vehicle" means any device moving on wheels upon which or by which any person or property is or can be transported or drawn and any device drawn by or designed to be drawn by such a device upon a highway. It includes all terrain vehicles, mopeds, etc., but does not include the devices exempt from the tax in VR 630-27-642 or off-road equipment [or vehicles], such as construction and material handling equipment, riding lawn mowers, [or] aircraft [or race cars] .

VR 630-27-641. Imposition of the tax.

§ 1. Generally.

The tire tax is imposed on each retailer of tires in this Commonwealth, in addition to all other taxes and fees currently imposed by law. The tax shall be \$.50 per tire

for each new tire sold by a tire retailer, regardless of the selling price of the tire.

The tax is applicable to new tires sold on or after January 1, 1990, through December 31, 1994.

§ 2. Taxable sales.

A. Generally.

All sales of new tires are subject to the tire tax unless the contrary is established. The burden of proving that the tax does not apply rests with the retailer, unless he takes, in good faith from the purchaser, a certificate of exemption indicating that the sale is exempt from the tax. Certificates of exemptions valid for purposes of the retail sales and use tax will generally be acceptable for purposes of the tire tax, except as provided in VR 630-27-642.

If a purchaser who gives a certificate of exemption makes any use of the tire other than an exempt use, such use shall be deemed a taxable sale and the purchaser shall be liable for payment of the tax. [In the event a purchaser fails to pay the tax upon a nonexempt use of an exemption certificate, the provisions of § 58.1-623.1 of the Code of Virginia shall apply.]

B. Maintenance contracts and warranty plans.

The tax is applicable to new tires provided to a customer for replacement or exchange under maintenance contracts and warranty plans [for which a customer has paid a fee] .

[Under original manufacturers' warranties, the tax is applicable in those instances in which a retailer requires a payment from a customer to replace a defective tire. However, the tax is not applicable in those instances in which a retailer allows the exchange of a defective tire for a new tire without an additional charge to the customer.]

C. Sale of tires on a "national account."

A sale of tires on a "national account" takes place when a tire manufacturer enters into a price agreement with a purchaser in which a Virginia tire retailer supplies the tires but the purchaser is billed directly by the manufacturer. The tax is applicable to new tires supplied to a customer in the Commonwealth on all national account sales and shall be collectible from the tire manufacturer and paid to the Department of Taxation.

[D. Sale of tires for use on vehicle for resale.

The tax is applicable to the purchase of new tires used to replace used tires on a vehicle prior to the sale of the vehicle, i.e., the purchase of tires by a car dealer to replace tires on a used vehicle, the price of which are included in the sales price of the vehicle, is subject to the tax when purchased and no additional tax is due when the

vehicle is sold.]

§ 3. Nontaxable sales.

The tax does not apply to (i) the sale of new tires from a place of business located outside the Commonwealth ([see VR 630-10-84] for definition of "place of business in Virginia" [see VR 630-10-84]), (ii) any tires attached to a vehicle or included within or on a vehicle as a spare before the time of sale of the vehicle that are included in the sales price of the vehicle, or (iii) the sale of a new tire by a Virginia retailer that is delivered to a purchaser in another state as provided in VR 630-10-51.

[The tax, however, does apply to the purchase of new tires used to replace used tires on a vehicle prior to the sale of the vehicle, i.e., the purchase of tires by a car dealer to replace tires on a used vehicle, the price of which is included in the sales price of the vehicle, is subject to the tax when purchased and no additional tax is due when the vehicle is sold.]

VR 630-27-642. Collection of the tax; [exemptions exceptions]; deductions.

§ 1. Collection of the tax.

A. Generally.

The provisions of Chapter 6 (§ 58.1-600 et seq.) of Title 58.1 [and the regulations promulgated thereunder] relating to the collection of the retail sales and use tax shall apply to the tire tax, except that while the legal incidence of the retail sales and use tax is on the purchaser, the tire tax is imposed on the tire retailer and will remain his legal debt until paid. The tax may be passed on to the ultimate consumer, but is not to be added to [or included in] the sales price of a tire for purposes of computing the retail sales and use tax due, provided it is separately stated on the invoice to the purchaser.

B. Registration and filing requirements.

1. Generally.

A retailer of tires is required to register for the tax with the Department of Taxation. A separate application for registration is required for each place of business in the Commonwealth.

Except as otherwise authorized by the Tax Commissioner, a retailer shall be required to file a tire tax return on a form prescribed by the Department of Taxation on a quarterly basis even if no tax is due. Returns will be due on or before the 20th day of the month following the close of the calendar quarter, i.e., April 20, July 20, October 20 and January 20.

2. [Combined and] Consolidated returns.

[Any retailer who has two or more business locations for which he is required to hold a certificate of registration within the same locality may elect to file a single combined return to report and remit tire tax due for all locations within that locality. The election to file a combined return, however, does not eliminate the requirement that a certificate of registration be obtained for each business location.]

Any retailer who has five or more business locations for which he is required to hold a certificate of registration within the Commonwealth may request permission to file a consolidated return to report and remit tire tax due for all locations. The election to file a consolidated return, however, does not eliminate the requirement that a certificate of registration be obtained for each business location.

§ 2. Exceptions.

A. Generally.

The tax does not apply to tires for:

1. Any device moved exclusively by human power. For example, tires for bicycles, garden carts, wheelbarrows, etc., are exempt from the tax; however, new tires for use on a moped, all terrain vehicle, trailer or motorcycle are subject to the tax.
2. Any device used exclusively upon stationary rails or tracks.
3. Any device used exclusively for farming purposes, except a farm truck [licensed] for highway use. For example, new tires for use on tractors are exempt from the tax.

B. Sales and use tax exemptions.

The exemptions from the retail sales and use tax provided in § 58.1-608 of the Code of Virginia are also applicable to the tire tax, except that replacement truck tires are subject to the tax. Replacement truck tires subject to the tax include, but are not limited to, tires purchased by common carriers, public service corporations, the Commonwealth of Virginia and any political subdivision thereof, fire departments and rescue squads and farmers. Replacement truck tires purchased by the United States are not subject to the tax.

C. Withdrawals from inventory.

No exemption is allowed for the withdrawal of new tires from resale inventory, except that withdrawals from inventory [that are] (i) [that are] donated to nonprofit organizations or the Commonwealth of Virginia, except [replacement] truck tires, (ii) [returned] by a dealer [for return] to a manufacturer for credit or as an equivalent exchange of inventory, or (iii) [that are] otherwise exempt, are not subject to the tax.

Final Regulations

§ 3. Deductions.

A. [~~Dealers Dealer's~~] discount.

As compensation for accounting for and remitting the tax, a retailer shall be allowed 5.0% of the amount of tax due and accounted for in the form of a deduction, provided the amount due was not delinquent at the time of payment.

Example: A retailer selling 1,000 tires subject to the tire tax during a quarter would report tax due of \$500 (1,000 tires X \$.50) and retain a [~~dealers dealer's~~] discount of \$25 remitting the net amount of \$475, provided the tire tax return is timely filed and the tax is timely paid. The \$25 discount is calculated by multiplying the amount of tax due by 5.0% [~~or ()~~ $\$500 \times .05 = \25 . []]

B. Other deductions.

1. *Bad debts.* A retailer may retain a credit for the amount of tax previously reported and paid on a return for an account which is found to be [~~worthless uncollectible~~]. Such credit must be claimed on the return filed for the period in which the account is determined to be [~~worthless uncollectible~~]. The credit shall be claimed in the same manner as set forth in VR 630-10-11.

2. *Returned tires.* A retailer may obtain a credit for the tax remitted on tires returned by a customer provided that the amount of the tax has been refunded or credited to the purchaser. The credit shall be claimed in the same manner as set forth in VR 630-10-93.

VR 630-27-643. Distribution of revenues.

All revenues from the tire tax, minus administrative expenses incurred by the Department of Taxation, will be deposited into the fund. The fund is administered by the Department of Waste Management as provided in § 10.1-1422.1 of the Code of Virginia.

VR 630-27-644. Provisions of Chapter 6 of Title 58.1 to apply mutatis mutandis.

The provisions of the Virginia Retail Sales and Use Tax Act (§§ 58.1-600 through 58.1-639) and the regulations promulgated thereunder (VR 630-10-1 et seq.) are applicable to the tire tax, mutatis mutandis, except as otherwise provided by law or this regulation.

[Form T-1 "Virginia Tire Tax Return" is part of this regulation and can not be duplicated.]

Form R-1 COMMONWEALTH OF VIRGINIA
COMBINED REGISTRATION APPLICATION FORM

This application may be used to register for any of the following taxes: Sales and Use, Employer Withholding, Corporate Income, Litter, Consumer Use, and Tire. Contact the Department of Taxation or one of the District Offices shown on the enclosed list if you need application forms or information on taxes other than those covered by this application.

RETURN TO:
Department of Taxation
Registration Unit
P.O. Box 6-L
Richmond, Virginia 23262-0001
Phone 804-367-8057

Please PRINT or TYPE all information on this application.

SECTION A: ALL APPLICANTS MUST COMPLETE THIS SECTION	FOR OFFICE USE ONLY		
	ID	NMAI	NPC
1. Taxes to register on this application. (Check appropriate boxes).	AC	OSDC	BC
a) <input type="checkbox"/> Corporate Income	LC	ELD	
b) <input type="checkbox"/> Employer Withholding Tax	OPNO	DATE	
c) <input type="checkbox"/> Litter Tax			
d) <input type="checkbox"/> Sales or Use Tax			
e) <input type="checkbox"/> Consumer Use Tax			
f) <input type="checkbox"/> Tire Tax			

BUSINESS NAME AND BUSINESS ADDRESS
Legal Name of Dealer, Employer, Partnership or Corporation:

2. _____

3. _____

"Trading As" Name (If Different From Above):

4. _____

5. _____

Street Address of Business Location (PHYSICAL LOCATION):
Rural Routes Must Have Box Number

6. _____

7. _____

City, Town, Post Office _____

State _____ ZIP Code _____

8. PHONE: _____

Area Code _____ Number _____

9. Name of City or County in which the BUSINESS LICENSE is held: _____

10. Federal Employer's Identification Number: _____

11. Enter your four digit code for principal business activity. (Refer to chart in instructions): _____

12. Principal Business/Activity In Which Engaged: _____

13. TYPE OF OWNERSHIP (Check Appropriate Box):

a) Sole Proprietorship d) Corporation

b) Governmental e) Sub Chapter S Corporation

c) Partnership f) Other, Explain Below: _____

20. The PLACE OF BUSINESS shown on lines 6, 7, and 8 above is located:

a) OUTSIDE Virginia, in the state of _____

b) In the state of Virginia, ENTIRELY WITHIN the CITY or COUNTY of _____

c) In the state of Virginia, partly in the CITY or COUNTY of _____ and partly in the CITY or COUNTY of _____

(Note: Sales Tax or Tire Tax dealers with multiple places of business must file a separate application for each place of business.)

21. Is applicant now or has applicant ever been registered for any Virginia business taxes? YES NO

If "YES", list tax(es) and previous Virginia account number(s):

Tax _____	Account Number _____

22. If applicant's business is a subsidiary, give name and federal employer's identification number (FEIN) of parent corporation:

Virginia Account Number _____ FEIN _____ Name _____

MAILING NAME AND MAILING ADDRESS
(Complete Only if Different from Business Address.)

Name:

14. _____

15. _____

Street or Other Mailing Address:

16. _____

17. _____

18. _____

City or County _____ State _____ ZIP Code _____

(If separate mailing addresses are desired for different taxes, check here , and attach a separate sheet showing mailing addresses desired for each tax.)

19. LOCATION OF RECORDS (Check appropriate box)

a) Same as Business Address

b) Same as Mailing Address

c) Other, Identify Below

Street Address: _____

City or County _____ State _____ ZIP Code _____

PHONE: _____

Area Code _____ Number _____

Final Regulations

SECTION B: SALES TAX, AND TIRE TAX: Complete if Section A, box 1(d), 1(e), or 1(c) was checked.

23. Date applicant began making taxable sales at this place of business or new business entity was established. MO. DAY YEAR
- 23a. Date applicant began making taxable sales of tires at this place of business or new business entity was established. MO. DAY YEAR
24. If your business is seasonal (not operational the entire year) and you desire to file returns only for those months you collect Sales, Use, or Tire Tax, check the month(s) active:
- | | | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
25. If applicant's place of business is located outside Virginia, will any office, warehouse or other place of business be maintained in Virginia? (Does not apply to Tire Tax dealers.) YES NO
If yes, enter the address and nature of activity conducted there: _____
26. If your business activity can reasonably be expected to file Consumer Use Tax returns four or more times per year, check here and show estimated frequency of filing _____
27. Consolidated Reporting:
Applicant files a consolidated return for Sales Tax or Tire Tax and wants to add this place of business to:
 Sales Tax Tire Tax Consolidated Account Number: _____

SECTION C: EMPLOYER-WITHOLDING-TAX. Complete if Section A, box 1(b) was checked:

28. Date employer began, should have begun, or will begin withholding Virginia income Tax from employee wages. MO. DAY YEAR
29. If your business is seasonal (not operational the entire year) and you desire to file returns only for those months you withhold Virginia Income Tax from employee wages, check the month(s) active:
- | | | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
30. Employer reasonably expects that the aggregate amount of Virginia Income Tax to be withheld by him will be:
 \$300 or less per quarter More than \$300 but less than \$3,000 per quarter \$3,000 or more per quarter

SECTION D: CORPORATE INCOME TAX. Complete if Section A, box 1(e) was checked.

31. Date of Incorporation MO. DAY YEAR
32. State or County _____
33. Date that business was initiated in Virginia, or is expected to be: MO. DAY YEAR
34. Taxable year (same as for Federal purposes): Calendar Year - January 1 to December 31
 Fiscal Year - mo. day yr. to mo. day yr.

SECTION E: ALL APPLICANTS MUST COMPLETE THIS SECTION.

35. Identify owners, partners, corporation officers or trustees (Please Print):
SOCIAL SECURITY NUMBER NAME, TITLE, HOME ADDRESS, CITY, STATE, ZIP CODE, HOME PHONE

36. Signed _____ Title _____
Date _____
If the business is a corporation, an officer of the corporation authorized to sign on behalf of the corporation must sign; if a partnership, one partner must sign; if an unincorporated association, one member must sign; if a sole proprietorship, the proprietor must sign. (Signatures of accountants and CPA's will not be accepted).

FOR OFFICE USE ONLY

Action(s) and/or change(s) requested: _____
Reason(s): _____
Requested by: _____ Date: _____
(Name, Section or District Office and Division)

VA DEPT. OF TAXATION
1501220 (REV. 5/89)

EMERGENCY REGULATIONS

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

Title of Regulation: VR 460-02-2.2100, 460-02-2.6100, 460-03-2.6500. Elimination of More Restrictive Income and Resource Methodologies.

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

Effective Dates: December 29, 1989, through December 29, 1990.

Summary:

1. REQUEST: The Governor's approval is hereby requested to adopt the emergency regulation entitled *Elimination of More Restrictive Income and Resource Methodologies to conform the State Plan for Medical Assistance to the U.S. District Court's Order.*

2. RECOMMENDATION: Recommend approval of the Department's request to take an emergency adoption action regarding *Elimination of More Restrictive Income and Resource Methodologies.* The Department intends to initiate the public notice and comment requirements contained in the Code of Virginia § 9-6.14:7.1.

/s/ Bruce U. Kozlowski
Director
Date: December 19, 1989

3. CONCURRENCES:

Concur
/s/ Eva S. Teig
Secretary of Health and Human Resources
Date: December 20, 1989

4. GOVERNOR'S ACTION:

Approve
/s/ Gerald L. Baliles
Governor
Date: December 27, 1989

FILED WITH:

/s/ Joan W. Smith
Registrar of Regulations
December 29, 1989

Discussion:

6. BACKGROUND: Section 1902(f) of the Social Security Act gives to States the option to impose more restrictive eligibility criteria on the Aged, Blind and Disabled than those imposed by the Supplemental Security Income (SSI) Program. This authority was originally given to states in 1972, in section 209(b) of P.L. 92-603 when the SSI Program was created in

order to help states whose eligibility criteria for Aid to the Aged, Aid to the Blind and Aid to the Permanently and Totally Disabled had been lower than the national eligibility standards for the new SSI Program. Mandating Medicaid eligibility for all SSI eligibles would have resulted in additional expenditures of state funds for the cost of Medicaid.

The 209(b) option allows the state the flexibility to set eligibility criteria no more restrictive than those set by the State Medicaid Program on January 1, 1972.

Current 209(b) More Restrictive Criteria:

In Virginia the 209(b) option has been used to contain Medicaid expenditures in selected areas of eligibility criteria when changes in the criteria for SSI would have caused large additional expenditures for Medicaid. The more restrictive criteria have concentrated on the way resources are handled. The more restrictive requirement most often discussed is the limit on the ownership of property contiguous to the home site. Other more restrictive criteria include:

prohibiting presumptive eligibility and disability;

prohibiting conditional eligibility;

counting the value of interests in undivided estates;

limiting the time a home is exempt for individuals in nursing homes to six months from admission;

counting the value of jointly owned property.

Section 303(e) of the Medicare Catastrophic Coverage Act created a new section of the Social Security Act, 1902(r)(2)(A) which reads "The methodology to be employed in determining income and resource eligibility for individuals under subsection (a)(10)(A)(i)(III), (A)(10)(A)(i)(IV), (a)(10)(A)(ii), (a)(10)(C)(i)(III), or under subsection (f) may be less restrictive, and shall be no more restrictive, than the methodology -

(i) in the case of groups consisting of aged, blind, or disabled individuals, under the Supplemental Security Income Program under Title XVI, or

(ii) in the case of other groups, under the State plan most closely categorically related."

Because the provision referenced 209(b) ("subsection f"), the Department of Medical Assistance Services (DMAS) sought clarification from the Health Care Financing Administration (HCFA) as to whether this language prohibited Virginia from continuing to impose the more restrictive income and resource methodologies for contiguous property, undivided estates, the limited exemption of the home for a nursing home patient, and jointly owned property.

Emergency Regulations

HCFA advised DMAS by letter dated November 21, 1988, that "We conclude that Virginia and other § 1902(f) States [sic] can continue to reflect in their Medicaid plans more restrictive eligibility requirements consistent with the authority of § 1902(f)." Upon receiving this interpretation from HCFA, DMAS did not change its 209(b) eligibility rules.

A class action lawsuit was filed on February 10, 1989, in the U.S. District Court in Harrisonburg charging that Virginia's State Plan for Medical Assistance violated § 1902(r) of the Social Security Act. On October 25, 1989, the court issued an injunction which prohibited the Commonwealth from using more restrictive income and resource methodologies for the Aged, Blind or Disabled in determining Medicaid eligibility.

Congressional Action:

During the pendency of the suit, Congress developed the Omnibus Budget Reconciliation Act of 1989 (OBRA 89). In the House of Representative's version of OBRA 89, language was included to "clarify" the intent of § 1902(r) of the Act. This language would have amended 1902(f) of the Act to specifically limit its effect in the case of income and resource methodologies. The Senate version of the bill did not include this provision. When the final OBRA 89 bill emerged from the conference committee, the language referencing 1902(r) had been deleted. It can be argued on appeal, therefore, that Congress did not desire to limit the authority of the states to apply more restrictive income and resource methodologies.

This conclusion is arguably strengthened by the fact that OBRA 89 did limit the authority of states to apply any more restrictive income and resource methodologies to Qualified Medicare Beneficiaries, optional or mandated, the Severely Disabled, and in calculating the community spousal resource allowance in nursing home cases.

Present Actions:

All local departments of social services have been trained on the new eligibility requirements and are processing applications without applying the more restrictive budget methodologies. In addition, the Department of Medical Assistance Service (DMAS) and the Department of Social Services (DSS) are preparing to notify all members of the affected classes of the court decision to advise them of their right to file new applications for Medicaid.

7. AUTHORITY TO ACT: The Code of Virginia (1950) as amended, § 32.1-324, grants to the Director of the Department Medical Assistance Services the authority to administer and amend the Plan for Medical Assistance in lieu of Board action pursuant to the

Board's requirements. The Code also provides, in the Administrative Process Act (APA) § 9-6.14:9, for this agency's adoption of emergency regulations subject to the Governor's approval. Subsequent to the emergency adoption action and filing with the Registrar of Regulations, the Code requires this agency to initiate the public notice and comment process as contained in Article 2 of the APA.

On October 25, 1989, the federal court issued an injunction which prohibited the Commonwealth from using more restrictive income and resource methodologies for the Aged, Blind or Disabled in determining Medicaid eligibility. Therefore, the Department of Medical Assistance Services must amend the State Plan to remove the more restrictive income and resource methodologies covered by that court order. The District Court has refused to grant a stay of the injunction and the case is being appealed to the 4th Circuit Court of Appeals.

Without an emergency regulation, even though this amendment to the State Plan is mandated by court order, it cannot become effective until 30 days after the publication in the Virginia Register. Therefore, an emergency regulation is needed to obtain an earliest possible effective regulation.

8. FISCAL/BUDGETARY IMPACT: The more restrictive income and resource methodologies option used in Virginia reduced access to Medicaid for certain SSI recipients. Eliminating this income and resource methodology option is expected to increase eligibles by approximately 9,900 new average monthly eligibles in FY 91 and 10,000 in FY 92 (a 3% growth rate).

No cost impact is expected until January, 1990. The disabled comprise the largest component of the 209(b) population. Experience in the Medicaid program has shown that the major medical cost for the disabled population is inpatient care. Based on experience with hospital payment cycles, DMAS can expect a two- to three-month lag in billing.

Because of media attention to this policy change and the strong interest on the part of advocates for the disabled, DMAS expects to see approximately 50% of the expected average monthly number of eligibles in the first month that it receives claims (January 1990). Because this policy decision is unprecedented, DMAS has no alternative to the application of this a priori model.

DMAS estimates that the remaining 50% of average monthly number of eligibles will enroll and receive services gradually over the next six months.

The cost per month for this population was determined using costs per full year equivalent eligible calculated from data in the HCFA 2082 Statistical

Report and trended upwards based on the DRI inflation factor for hospitals. Costs of long-term care for eligibles receiving long-term care were not included in the calculation.

The fiscal impact of eliminating the more restrictive income and resource methodologies is estimated to be:

	FY 91 (Thousands)	FY 92 (Thousands)	Total (Thousands)
GF	\$16,710	\$18,284	\$34,994
NGF	\$16,710	\$18,284	\$34,994
Total	\$33,320	\$36,568	\$69,988

9. RECOMMENDATION: Recommend approval of this request to take an emergency adoption action. Pending the approval of the Health Care Financing Administration, this regulation is to remain in force for one full year or until superseded by final regulations promulgated through the APA. Without an effective emergency regulation, the Department lacks the authority to eliminate the more restrictive income and resource methodologies from the State Plan for Medical Assistance in conformance to the court order.

10. Approval Sought for VR 460-02-2.2100, 460-02-2.6100, and 460-03-2.6500.

Approval of the Governor is sought for an emergency modification of the Medicaid State Plan in accordance with the Code of Virginia § 9-6.14:4.1(C)(5) to adopt the following regulation:

Emergency Regulations

Revision: HCFA-PM-87-4
MARCH 1987

(BERC)

ATTACHMENT 2.2A
Page 6a
OMB NO.: 0938-0193

Agency*	Citation(s)	Groups Covered
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e. Have earnings that are not sufficient to provide for himself or herself a reasonable equivalent of the Medicaid, SSI (including any Federally administered SSP), or public funded attendant care services that would be available if he or she did have such earnings.

— Not applicable with respect to individuals receiving only SSP because the State either does not make SSP payments or does not provide Medicaid to SSP only recipients.

1619(b)(8)
of the Act,
P. L. 99-643
(Section 7)

*as stated
how
2/19/87*

~~XX~~ The State applies more restrictive eligibility requirements for Medicaid than under SSI and under 42 CFR 435.121. Individuals who qualify for benefits under section 1619(a) of the Act or individuals described above who meet the eligibility requirements for SSI benefits under section 1619(b)(1) of the Act and who met the State's more restrictive requirements in the month before the month they qualified for SSI under section 1619(a) or met the requirements of section 1619(b)(1) of the Act are covered. Eligibility for these individuals continues as long as they continue to qualify for benefits under section 1619(a) of the Act or meet the SSI requirements under section 1619(b)(1) of the Act.

1634(c) of
the Act,
P.L. 99-643
(Section 6)

11. Blind or disabled individuals who--

- a. Are at least 18 years of age;
- b. Lose SSI eligibility because they become entitled to OASDI child's benefits under section 202(d) of the Act or an increase in these benefits based on their disability. Medicaid eligibility for these individuals continues for as long as they would be eligible for SSI, absence their OASDI eligibility.

*Agency that determines eligibility for coverage.

Revision: HCFA-PM-87-4
MARCH 1987

(BERC)

ATTACHMENT 2.6-A
Page 9
OMB No.: 0938-0193

Citation	Condition or Requirement
1905(p)(1)(c) and (m)(5)(B) of the Act, P.L. 99-509 (Secs. 9403(b) and (f)	<p>f. In determining countable income for qualified Medicare beneficiaries covered under Section 1902(a)(10)(E) of the Act, the following disregards are applied:</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> <u>XX</u> The disregards of the SSI program.<input type="checkbox"/> The disregards of the State supplementary payment program, as follows:<input checked="" type="checkbox"/> XX The disregards of the SSI program except for the following restrictions, applied under the provisions of Section 1902(f) of the Act.
	<p>Supplement 1 to <u>ATTACHMENT 2.6-A</u> specifies for non-1902(f) and 1902(f) states the income levels for optional categorically needy groups of individuals with incomes up to the Federal nonfarm income poverty line—pregnant women and infants or children covered under §1902(a)(10)(A)(ii)(IX) of the Act and aged and disabled individuals covered under §1902(a)(10)(A)(ii)(X) of the Act—and groups of qualified Medicare beneficiaries covered under §1902(a)(10)(E) of the Act.</p>
	<p>Supplement 7 to <u>ATTACHMENT 2.6-A</u> specifies for 1902(f) states the income levels for categorically needy aged, blind and disabled persons who are covered under requirements more restrictive than SSI.</p>
	<p>Supplement 5 to <u>ATTACHMENT 2.6-A</u> contains more restrictive budget methodologies which shall be applied to qualified Medicare beneficiaries.</p>

Emergency Regulations

Revision: HCFA-PM-87-4
MARCH 1987

(BERC)

ATTACHMENT 2.6-A
Page 12
OMB No.: 0938-0193

Citation

Condition or Requirement

4. Other deductions from income applied under the Medicaid Plan.
5. Required incurred medical and remedial services.
5. Resource Exemptions - Categorically and Medically Needy.
- a. Except as specified in item C.5.e. below, in determining countable resources for AFDC related individuals, the disregards and exemptions in the State's approved AFDC plan are applied. For the Medically needy, See Supplement 5 to Attachment 2.6A.
- b. In determining countable resources for aged individuals, including aged individuals with incomes up to the Federal nonfarm poverty line described in section 1902(m)(1) of the Act, the following disregards are applied:
- XX The disregards of the SSI program.
- ~~XX~~ The disregards of the SSI program, except for the following restrictions, applied under the provisions of section 1902(f) of the Act: See NOTE below.
- c. In determining countable resources for blind individuals, the following disregards are applied:
- XX The disregards of the SSI program.
- ~~XX~~ The disregards of the SSI program, except for the following restrictions applied under the provisions of section 1902(f) of the Act:

1902(a)(10)
and 1902(m)(1)
(C) of the Act
P.L. 97-248
(Section 137) and
P.L. 99-509
(Section 9402)

NOTE: The State uses more liberal resource exemptions than the cash assistance programs, as allowed under DEFRA. See Supplement 5 to Attachment 2.6-A for the exemptions used for all medically needy groups. Prior approved state plan pages are appended.

Emergency Regulations

Revision: HCFA-PM-87-4
MARCH 1987

(BERC)

ATTACHMENT 2.6-A
Page 13
OMB No.: 0938-0193

Citation

Condition or Requirement

1902(a)(10) and
1902(m)(1)(C)
of the Act,
P.L. 97-248
(Section 137) and
P.L. 99-509
(Section 9402)

- d. In determining countable resources for disabled individuals, including disabled individuals with incomes up to the Federal nonfarm poverty line described in section 1902(m)(1) of the Act, the following disregards are applied:

XX The disregards of the SSI program.

~~XX~~ The disregards of the SSI program, except for the following restrictions applied under the provisions of §1902(f) of the Act:

See NOTE page 12.

1902(1)(3)(B) of
the Act,
P.L. 99-509
(Section 9401(b))

- e. In determining countable resources of women during pregnancy and during the 60-day period beginning on the last day of pregnancy covered under the provisions of section 1902(a)(10)(A)(ii)(IX) of the Act, the following disregards are applied:

XX Not applicable. No resource standard is applied.

_____ The disregards of the SSI program.

_____ The following disregards which are different but not more restrictive than the disregards of the SSI program:

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Citation

Condition or Requirement

1902(1)(3)(C)
of the Act,
P.L. 99-509
(Section 9401(b))

- f. In determining countable resources of infants and children under 5 covered under the provisions of §1902(a)(10)(A)(ii)(IX) of the Act, the following disregards are applied:

_____ Not applicable. No resource standard is applied.

XX The disregards and exemptions in the State's approved AFDC plan.

_____ The following disregards and exemptions, which are different but no more restrictive than those in the State's approved AFDC plan.

1902(p)(1)(D)
of the Act,
P.L. 99-509
(Section 9403(b))

- g. In determining countable resources of qualified Medicare beneficiaries covered under §1902(a)(10)(E) of the Act, the following disregards are applied:

XX The disregards of the SSI program.

_____ The disregards of the SSI program, except for the following restrictions, applied under the provisions of §1902(f) of the Act:

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Citation

Condition or Requirement

6. Resource Standard - Categorically Needy

- a. 1902(f) States (except as specified under items 6.c. and d. below)

XX Same as SSI resource standards.

_____ More restrictive.

- b. Non-1902(f) States (except as specified under items 6.c. and d. below)

The resource standards are the same as those in the related cash assistance program or State supplement.

Supplement 8 to ATTACHMENT 2.6-A specifies for 1902(f) States the categorically needy resource levels for all covered categorically needy groups.

1902(1)(3)(A),
(B) and (C) of
the Act,
P.L. 99-509
(Sec. 9401(b))

- c. For pregnant women and infants or children covered under the provisions of section 1902(a)(10)(A)(ii)(IX) of the Act, the agency applies a resource standard:

/ / Yes. Supplement 2 to ATTACHMENT 2.6-A specifies the standard, which for pregnant women, is no more restrictive than the standard under the SSI program; and for infants and children, is no more restrictive than the standard applied in the State's approved AFDC plan.

/XX/ No. The agency does not apply a resource standard to these individuals.

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Citation

Condition or Requirement

10. Treatment of Income and Resources -
Categorically and Medically Needy and
Qualified Medicare Beneficiaries

a. AFDC related individuals (other than under
items 9.e. and f. below)

The agency uses the same methodologies for
treatment of income and resources as used
in the State's approved AFDC State plan.

1902(a)(10)(A)
1902(a)(10)(C),
and 1902 (m)(1)(B)
and (C) of the
Act, P.L.99-509
(Section 9402(a))

*b. Aged individuals, including individuals
covered under §1902(a)(10)(A)(ii)(X) of the
Act.

~~XX~~ The agency uses the same methodologies
for treatment of income and resources
as used in the SSI program (or the
optional State supplement program which
meets the requirements of 42 CFR
435.230, as appropriate).

*NOTE: The State uses some
more liberal resource exemptions
than the cash assistance programs,
as allowed under DEFRA. See Supple-
ment 5 to Attachment 2.6 A for the
exemptions used for all medically
needy groups. Prior approved State
Plan pages are appended.

~~XX~~ The agency uses methodologies for
treatment of income and resources that
differ from those of the SSI program.
These differences result from
restrictions applied under §1902(f) of
the Act. The methodologies are
described in Supplement 5 to ATTACHMENT
2.6-A.

*c. Blind individuals

~~XX~~ The agency uses the same methodologies
for treatment of income and resources
as used in the SSI program (or the
optional State supplement program which
meets the requirements of 42 CFR
435.230, as appropriate).

~~XX~~ The agency uses methodologies for
treatment of income and resources that
differ from those of the SSI program.
These differences result from
restrictions applied under §1902(f) of
the Act.

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Citation	Condition or Requirement
	The methodologies are described in Supplement 5 to <u>ATTACHMENT 2.6-A</u> .
1902(a)(10)(A), 1902(a)(10)(C), and 1902(m)(1)(B) and (C) of the Act, P.L. 99-509 (Section 9402(a))	*d. Disabled individuals, including individuals covered under §1902(a)(10)(A)(ii)(X) of the Act. XX The agency uses the same methodologies for treatment of income and resources as used in the SSI program (or the optional State supplement program which meets the requirements of 42 CFR 435.230, as appropriate). XX The agency uses methodologies for treatment of income and resources that differ from those of the SSI program. These differences result from restrictions applied under §1902(f) of the Act. The methodologies are described in Supplement 5 to <u>ATTACHMENT 2.6-A</u> .
1902(1)(3) of the Act, P.L. 99-509 (Section 9401(b))	e. Individuals who are pregnant women covered under §1902(a)(10)(A)(ii)(X)(A) of the Act. (1) <u>Treatment of Income</u> The agency uses the same methodologies for treatment of income as used under-- ___ The State's approved AFDC plan. ___ The approved title IV-E plan. (2) <u>Treatment of Resources</u> ___ The agency uses the same methodologies for treatment of resources as used in the SSI program.

*NOTE: The State uses some more liberal resource exemptions than the cash assistance programs, as allowed under DEFRA. See Supplement 5 to Attachment 2.6 A for the exemptions used for all medically needy groups. Prior approved State Plan pages are appended.

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Citation

Condition or Requirement

1905(p)(1)
(C) and (D) of
the Act,
P.L. 99-509
(Section 9403)

g. Qualified Medicare beneficiaries covered
under §1902(a)(10)(E) of the Act--

XX The agency uses the same methodologies
for treatment of income and resources
as used in the SSI program (or the
optional State supplement program which
meets the requirements of 42 CFR
435.230, as appropriate).

_____ The agency uses methodologies for
treatment of income and resources that
differ from those of the SSI program.
These differences result from
restrictions applied under §1902(f) of
the Act. The methodologies are
described in Supplement 5 to ATTACHMENT
2.6-A.

435.914

11. Effective Date of Eligibility - Categorically
and Medically Needy and Qualified Medicare
Beneficiaries

a. Groups Other Than Qualified Medicare
Beneficiaries

(1) For the prospective period.

Coverage is available for the full
month if the following individuals
are eligible at any time during the
month.

XX Aged, blind, disabled.

XX AFDC-related.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
State of Virginia

METHODOLOGIES FOR TREATMENT OF INCOME AND RESOURCES
THAT DIFFER FROM THOSE OF THE SSI PROGRAM

//PAGE
//ONE

§100. Income and Resource Requirements Applicable to all Groups

- A. The value of real and personal property resources owned by the applicant/recipient may not exceed \$2,000.00 for a single person, \$3,000.00 for a couple or two-person family unit. For each additional person in the family unit, an additional \$100.00 in resources is allowed.
- B. Real or personal property of a spouse is considered available to a spouse if they are living together. Real or personal property of parent living in the home is considered available to his/her child(ren), except property owned by an SSI recipient is not considered available to his/her children in determining their eligibility for Medicaid.
- C. No lien may be imposed or any encumbrance placed upon any property, real or personal, owned by a recipient of medical assistance except pursuant to a court judgment on account of benefits incorrectly paid.
- D. For income-producing property and other nonresidential property, appropriate equity and profit is to be determined by the prorata share owned by an individual in relation to his proportionate share of the equity and profit.
- E. Property in the form of an interest in an undivided estate is to be regarded as an asset unless it is considered unseizable for reasons other than being an undivided estate. In the case of a court action to partition, however, if such an action would not result in the applicant/recipient securing title to property having value substantially in excess of the cost of the court action, the property would not be regarded as an asset. Reserved.
- F. The current market value of real property is determined by ascertaining the tax assessed value of the property and applying to it the local assessment rate. The equity value is the current market value less the amount due on any recorded liens against the property. "Recorded" means written evidence that can be substantiated, such as deeds of trust, liens, promissory notes, etc.
- G. The following limitations apply to income and resources in addition to the income and resource requirements of the Supplemental Security Income (SSI) program for the aged, blind and disabled, and of the Aid to Dependent Children (ADC) cash assistance program for all other individuals:

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§200. Aged, Blind, and Disabled (SSI-related) Individuals

§201. Real Property

§201.1 Home Ownership

Ownership // of // a // dwelling // occupied // by // the // Applicant // as // his
home // does // not // affect // eligibility // For // those // medically // needy
persons // whose // eligibility // for // medical // assistance // is // required
by // Federal // law // to // be // dependent // on // the // budget // methodology // for
Aid // to // Dependent // Children // a // home // means // the // house // and // lot // used
as // the // principal // residence // and // all // contiguous // property // For
all // other // persons // a // home // shall // mean // the // house // and // lot // used
as // the // principal // residence // and // all // contiguous // property // as // long
as // the // value // of // the // land // exclusive // of // the // lot // occupied // by // the
house // does // not // exceed // \$5,000 // In // any // case // in // which // the
definition // of // home // as // provided // here // is // more // restrictive // than
that // provided // in // the // state // plan // for // medical // assistance // in
Virginia // as // it // was // in // effect // on // January // 1 // 1972 // than // a // home
means // the // house // and // lot // used // as // the // principal // residence // and
all // contiguous // property // essential // to // the // operation // of // the // home
regardless // of // value //

The // lot // occupied // by // the // house // shall // be // a // measure // of // land // as
designated // on // a // plat // or // survey // or // whatever // the // locality // sets
as // a // minimum // size // for // a // building // lot // whichever // is // less // In
localities // where // no // minimum // building // lot // requirement // exists // a
lot // shall // be // a // measure // of // land // designated // on // a // plat // or // survey
or // one // acre // whichever // is // less //

Contiguous // property // essential // to // the // operation // of // the // home
means:

A // land // used // for // the // regular // production // of // any // food // or // goods
for // the // household // s // consumption // only // including:

1 // vegetable // gardens //

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2. pastureland which supports livestock raised for milk or meat, and land used to raise chickens, pigs, etc. (the amount of land necessary to support such animals is established by the local extension service; however, in no case shall more land be allowed than that actually being used to support the livestock.);

3. on buildings used to process and/or store any of the above;

D/ driveways which connect the home site to public roadways;

E/ land necessary to the home site to meet local zoning requirements (e.g. building sites, mobile home sites, road frontage, distance from road, etc.);

F/ land necessary for compliance with state or local health requirements (e.g. distance between home and septic tank, distance between septic tanks, etc.);

G/ water supply for the household;

H/ existing burial plots;

I/ outbuilding used in connection with the dwelling, such as garages or tool sheds;

All of the above facts must be fully reevaluated and documented in the case record before the home site determination is made.

Reserved.

§201.2 Income-Producing Real Property Other than the Home - Does not affect eligibility if:

A) it is used in a trade or business or is otherwise income-producing and

B) the equity value (current market value less the balance of any recorded lien(s) against the property) of the property does not exceed \$6,000.00, and

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- C) the property produces a net annual income to the individual of at least 6% of the property's equity value.
- D) if the property produces less than the 6% net annual income, it may be excluded if its equity value does not exceed \$6,000.00 and it is used in a business or non-business income-producing activity, and the following conditions are met:
 - 1) unusual or adverse circumstances, such as a fire, street repair in front of a store, or natural disaster, cause a temporary reduction in the rate of return, and
 - 2) the property usually produces net annual income of at least 6% of the equity value, and
 - 3) the individual expects the property to again produce income at the 6% rate of return within 18 months of the end of the calendar year in which the unusual incident caused the reduction in the rate of return.

When the property must be counted because the equity exceeds \$6,000.00 or because the net annual return to the individual is less than 6% of equity, the individual's equity in the property is a countable resource.

§201.3 Other Real Property: Ownership of such property generally precludes eligibility. Exceptions to this provision are: (a) when the equity value of the property, plus all other resources, does not exceed the appropriate resource limitation; (b) the property is smaller than the county or city zoning ordinances allow for home sites or building purposes; or (c) the property has less than the amount of road frontage required by the county or city for building purposes and adjoining land owners will not buy the property or (d) the property has no access to the public address as though the exempted home site, or (e) the property is contiguous to the recipient's home site and the survey expenses required for its sale reduce the value of such property, plus all other resources, below applicable resource limitations; or (f) the property cannot be sold at a price/a reasonable effort to sell to sell at has been made, as defined below. Ownership of real property other than the home will not effect eligibility when the property cannot be sold after a reasonable effort to sell has been made, as defined in §201.4.

§201.4 Reasonable Effort to Sell

- a) For purposes of this section "current market value" is defined as the current tax assessed value. If the property is listed by a realtor,

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then the realtor may list it at an amount higher than the tax assessed value. In no event, however, shall the realtor's list price except 150% of the assessed value.

- b) A reasonable effort to sell is considered to have been made:
 - 1) As of the date the property becomes subject to a realtor's listing agreement if
 - i. it is listed at a price at current market value, and
 - ii. the listing realtor verifies that it is unlikely to sell within 90 days of listing given the particular circumstances involved (e.g., owner's fractional interest; zoning restrictions; poor topography; absence of road frontage or access; absence of improvements; clouds on title, right of way or easement; local market conditions)

OR

- 2) When at least two realtors refuse to list the property. The reason for refusal must be that the property is unsaleable at current market value. Other reasons for refusal are not sufficient.

OR

- 3) When the applicant has personally advertised his property at or below current market value for 90 day by use of a "Sale By Owner" sign located on the property and by other reasonable efforts such newspaper advertisements, or reasonable inquiries with all adjoining land-owners or other potential interested purchasers.
- C. Notwithstanding the fact that the recipient made a reasonable effort to sell the property and failed to sell it, and although the recipient has become eligible, the recipient must make a continuing reasonable effort to sell by:
 - 1) Repeatedly renewing any initial listing agreement until the property is sold. If the list price was initially higher than the tax-assessed value, the listed sales price must be reduced after 12 months to no more than 100% of the tax-assessed value.

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- 2) In the case where at least 2 realtors have refused to list the property, the recipient must personally try to sell the property by efforts described in b(3) above, for 12 months.
- 3) In the case of recipient who has personally advertised his property for a year without success (the newspaper advertisements "for sale" sign, etc., do not have to be done continually; these efforts just have to be done for at least 90 days within 12 month period), the recipient must then
 - i. subject his property to a realtor's listing agreement at price at or below current market value; or
 - ii. meet the requirements of Section b(2) above which are that the recipient must try to list the property and at least two realtors refuse to list it because it is unsaleable at current market value; other reasons for refusal to list are not sufficient.
- d) If the recipient has made a continuing effort to sell the property for 12 months, then the recipient may sell the property between 75% and 100% of its tax assessed value and such sale shall not result in disqualification under the transfer of property rules. If the recipient requests to sell his property at less than 75% of assessed value, he must submit documentation from the listing realtor, or knowledgeable source if the property is not listed with a realtor, that the requested sale price is the best price the recipient can expect to receive for the property at this time. Sale at such a documented price shall not result in disqualification under the transfer of property rules. The proceeds of the sale will be counted as a resource in determining continuing eligibility.
- e) Once the applicant has demonstrated that his property is unsaleable by following the procedures in Section "b", the property is disregarded in determining eligibility starting the first day of the month in which the most recent application was filed, or up to three months prior to this month of application if retroactive coverage is requested and the applicant met all other eligibility requirements in the period. A recipient must continue his reasonable efforts to sell the property as required in Section "C" above.

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§202. Personal Property

§202.1 Automobiles - Ownership of one motor vehicle does not affect eligibility. If more than one vehicle is owned, the individual's equity in the least valuable vehicle(s) must be counted. The value of the vehicles is the wholesale value listed in the National Automobile Dealers Official Used Car Guide (NADA) Book, Eastern Edition. In the event the vehicle is not listed, the value assessed by the locality for tax purposed may be used. The value of the additional motor vehicle(s) is to be counted in relation to the amount liquidable assets that may be retained.

n the approved State plan on 1/84.
§202.2 Life, retirement, and other related types of insurance policies with face values totaling \$1,500, or less on any one person 21 years old and over are not considered resources. When the face value(s) of such policies of any one person exceeds \$1,500, the cash surrender value of the policy(ies) is counted as a resource.

§202.3 Prepaid burial plans are counted as resources if refundable to the individual upon his request. Cemetery plots are not counted as resources.

Reserved.

§202.4 Liquidable assets such as cash, bank accounts, stocks, bonds, securities and deeds of trusts are considered resources.

§203. Income. For the purposes of determining eligibility, income is defined as the receipt of any property or services which an individual can apply, either directly or by sale or conversion, to meet the individual's basic needs for food, shelter, and clothing. Income is either earned (payment received by the individual for services performed as an employee, or as a result of being self-employed) or unearned (includes pensions, benefits, prizes, inheritances, gifts, dividends, support and maintenance, etc.)

§204. Deeming of Income and Resources.

§204.1 Responsibility of Spouses.

A. If an individual and his/her spouse apply or are eligible for Medicaid as aged, blind, or disabled, and they cease to live together (separate), their income and resources are considered available (deemed) to each other for the time periods specified below. After the appropriate time period, income or resources actually contributed by the separated spouse to the individual are counted in determining the individual's eligibility.

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- B. If eligible spouses separate because one is institutionalized, their income is deemed to each other through the month in which they cease to live together. This deeming stops with the month after the month in which separation occurs. Their income, however, is deemed available to each other during the month in which they cease to live together and during the six months following that month. For requirements governing the treatment of income between spouses when one is institutionalized see Attachment 2.6 A pages 5a and 5b and Supplement 13.
- C. If spouses separate for any reason other than institutionalization, their income and resources are deemed to each other during the month in which they cease to live together and during the six months following that month. However, if the deeming of their income and/or resources cause them to be ineligible as a couple, each spouse's eligibility will be determined individually using the procedure in "D" below.
- D. If only one spouse in a couple applies for Medicaid or only one meets the aged, blind, or disabled requirement, or if both spouses apply and are not eligible as a couple, and they separate, only the income and resources of the separated spouse that are actually contributed to the individual are counted as available to the individual beginning with the month after the month in which they cease to live together.

§204.2 Responsibility of Parents for Blind or Disabled Children

- A. If the blind or disabled child is under age 18, or under age 21 and regularly attending a school, college, university or is receiving technical training designed to prepare him for gainful employment, and living in the same household with a parent, the parents' income and resources are deemed available to the child.
- B. Only the parent's income and resources which remain, after deducting appropriate disregards and amounts for the maintenance needs of the parents and other dependents in the household, is deemed as resources and unearned income available to the blind or disabled child.

§300. Aid to Dependent Children (ADC) Related Individuals

*§301. Real Property - the regulations in Sections 100, and 201.1 through 201.4 above apply. Life rights to real property are not counted as a resource.

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§302. Personal Property

§302.1 Automobiles - The policy in section 202.1 applies.

§302.2 Life Insurance - The policy in section 202.1 applies.

§302.3 Burial Plots - The market value of a burial plots owned by any member of the family unit are not counted toward the Medical resource limit for the family.

§302.4 Prepaid burial plans are counted as resources, except for the amount(s) of such funeral agreements that are disregarded under the Virginia ADC cash assistance program.

§302.5 Liquidable assets such as cash, bank accounts, stocks, bonds, and securities, are counted as resources.

§303. Income - the income eligibility determination methodology of the Virginia ADC cash assistance program applies.

§400. Financial Eligibility Criteria More Restrictive than SSI

§401. SSI recipient who has transferred or given away property to become or remain eligible for SSI or Medicaid and who has not received compensation in return for the property approximating the value of the property is not covered (See Supplement 9 to Attachment 2.6-A).

§402. SSI recipient who owns real property contiguous to his residence which does not meet the home property definition (above), the income-producing requirement (above), or which is saleable as not covered by the equity value of the contiguous property, when added to the value of all these resources, exceed the resource limit applicable to the Medicaid family unit. Reserved.

§403. SSI recipient who owns a prepaid burial plan is not covered if the value of the prepaid burial plan plus all other countable resources including real property exceeds the resource limit applicable to the Medicaid family unit. Reserved.

Note: These sections contain provisions more liberal than SSI or AFDC cash assistance policy, as allowed under the "moratorium" provisions of the Act.

Emergency Regulations

DEPARTMENT OF WASTE MANAGEMENT (VIRGINIA WASTE MANAGEMENT BOARD)

Title of Regulation: VR 672-20-30. Continued Operation of Certain Solid Waste Management Facilities.

Statutory Authority: §§ 10.1-1402 and 9-6.14:4.1 C 5 of the Code of Virginia.

Effective Dates: December 22, 1989 through December 21, 1990.

Summary:

This regulation allows the continued operation of certain facilities affected by the Virginia Supreme Court's decision in Board of Supervisors of King and Queen County v. King Land Corporation, Record No. 871056 (June 9, 1989).

The regulation establishes procedural requirements for the filing of applications and the issuance of permits for those facilities affected by the decision that have complied with the Board's Financial Assurance Regulations of Solid Waste Facilities (VR 672-20-1) (FAR).

For those facilities that have not complied with the FAR or that do not submit a permit application, the regulation sets out requirements for facility closure.

Basis of Emergency:

The Virginia Supreme Court decision invalidates approximately sixty solid waste management facility permits. The decision invalidates all permits issued between October 1, 1981 and June 30, 1986, whether or not the facilities have subsequently complied with FAR. In the absence of an emergency regulation, these facilities would have to submit new applications in accordance with the requirements of the Board's Solid Waste Management Regulations (VR 672-20-10). Development of plans and review of applications would result in the closure of these facilities for approximately two years. Local governments' and businesses' ability to manage solid wastes would be severely hampered by these closures. Moreover, use of Departmental resources to process these applications would unnecessarily delay the permitting of other needed facilities.

Therefore, the Virginia Waste Management Board, pursuant to §§ 10.1-1402 of the Code of Virginia, with the concurrence of the Governor of the Commonwealth, pursuant to § 9-6.14:4.1.C.5 of the Code of Virginia, adopts this emergency regulation, effective upon filing with the Registrar of Regulations.

It is so ordered:

By: /s/ Cynthia V. Bailey, Director

Date: December 12, 1989

Approved: /s/ Gerald L. Baliles
Governor of the Commonwealth
Date: December 21, 1989

Filed: /s/ Joan W. Smith
Registrar of Regulations
Date: December 22, 1989 - 2:54 p.m.

Preface:

This regulation allows the continued operation of facilities affected by the decision of the Supreme Court of Virginia in Board of Supervisors of King and Queen Co. v. King Land Corporation, Record No. 871056 (June 9, 1989), for facilities that have subsequently complied with the Financial Assurance Regulations of Solid Waste Facilities (VR 672-20-1) (Financial Assurance Regulations) and met certain other conditions. Nothing in this regulation shall be construed as restricting the authority of the Virginia Waste Management Board (the Board), the Department of Waste Management (DWM), or the Director of DWM from taking enforcement action under any applicable statutes, regulations, orders or permit conditions.

VR 672-20-30. Continued Operation of Certain Solid Waste Management Facilities.

PART I. DEFINITIONS.

The definitions set out in Part I of the Board's Solid Waste Management Regulations (VR 672-20-10) (SWMR) are incorporated by reference.

PART II. APPLICABILITY.

This regulation shall apply to any solid waste management facility that:

- 1. Received a solid waste management permit from the State Health Commissioner between October 1, 1981 and June 30, 1986, inclusive (whether or not the permit has been amended during or after that period); and*
- 2. Accepted non-hazardous solid waste for treatment, storage or disposal during the six months prior to the effective date of this regulation; and*
- 3. Complies, by January 1, 1990, with the Financial Assurance Regulations.*

PART III. CONTINUED OPERATION.

- 1. Any solid waste management facility to which these*

regulations apply may continue to accept waste for treatment, storage or disposal for a period not to exceed six months from the effective date of this regulation, unless otherwise provided. The operation of the facility during this period shall conform to the Virginia Waste Management Act, the conditions of the permit (including any amendments) that were affected by the decision of the Court, any applicable orders of the Board, and the SWMR. For purposes of SWMR Section 2.4.B only, the affected permit shall be considered a valid permit during this period.

2.a. Any solid waste management facility to which this regulation applies shall, within six months of the effective date of this regulation, submit a complete application to the Department as prescribed in Part IV of this regulation. The application shall contain the local government certification required by Virginia Code Section 10.1-1408.1B. Such application shall be submitted by certified mail.

b. Any solid waste management facility which submits a complete application as set out in Part IV, paragraph 2.a may continue to accept waste for treatment, storage or disposal for a period not to exceed twelve months from the effective date of this regulation, unless otherwise provided. The operation of the facility during this period shall conform to the Waste Management Act, the conditions of the permit (including any amendments) that were affected by the decision of the Court, any applicable orders of the Board, and the SWMR. For purposes of SWMR Section 2.4.B only, the affected permit shall be considered a valid permit during this period.

3. Following the issuance of any permit on an application submitted under Part III, paragraph 2.a, the operation of the facility shall conform to the Virginia Waste Management Act, the issued permit, any applicable orders of the Board, and the SWMR.

PART IV. PERMIT APPLICATION.

Any application for a solid waste management permit under this regulation shall be submitted on Form A of this regulation.

PART V. FACILITY CLOSURE.

1. Any facility to which this regulation applies that does not submit a complete permit application pursuant to Part III, paragraph 2.a of this regulation within six months of the effective date of this regulation shall, within nine months of the effective date of this regulation, submit closure plans that comply with the SWMR. Thereafter, closure of the facility shall proceed in accordance with the SWMR.

2. Any facility to which this regulation applies that submits a complete permit application pursuant to Part III, paragraph 2.a of this regulation but does not receive a permit within one year of the effective date of this regulation shall, within sixty days of permit denial or within one year of the effective date of this regulation, whichever first occurs, submit closure plans that comply with the SWMR. Thereafter, closure of the facility shall proceed in accordance with the SWMR.

3. Any facility receiving a permit in accordance with this regulation shall close the facility in accordance with the terms of that permit (including any amendments), and any statutes, orders, or regulations in effect at the time of closure.

PART VI. MISCELLANEOUS FACILITIES.

Any facility that received a permit prior to October 1, 1981, and that permit was amended between October 1, 1981, and July 1, 1986, inclusive, shall be operated under the initial permit and any amendments made prior to October 1, 1981, unless the facility seeks an amended permit using the procedure set forth in this regulation. If the facility elects to seek amendment under this regulation, the application need not contain the certification required by § 10.1-1408.1B of the Code of Virginia, and the facility shall not be subject to closure if the amended permit does not issue within twelve months of the effective date of this regulation. If the amended permit does not issue within twelve months of the effective date of this regulation, the facility shall be operated under the initial permit and any amendments issued prior to October 1, 1981 until the issuance of the amended permit.

PART VII. EXTENSIONS OF TIME.

The Director of the Department of Waste Management may, for good cause shown, grant an extension of time, not exceeding six months, from any deadline imposed by this regulation. Any request for an extension shall be made in writing and shall be hand-carried or filed by certified letter not less than twenty-one (21) days before the deadline from which relief is sought. Not more than one such extension may be granted from any applicable deadline, although a separate extension may be granted for subsequent deadlines for the same facility, in accordance with this paragraph. All requests for an extension of time shall be made in writing to the Director.

PART VIII. SEVERABILITY.

If any provision of this regulation, or the application of any provision of this regulation to any person or circumstances, is held invalid, unconstitutional or inapplicable to any person or circumstances, such

Emergency Regulations

invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions of this regulation and its application.

GOVERNOR

GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

(Required by § 9-6.12:9.1 of the Code of Virginia)

VIRGINIA EMPLOYMENT COMMISSION

Title of Regulation: VR 300-01-3. Virginia Employment Commission Regulations and General Rules - Benefits.

Governor's Comment:

The promulgation of these regulations is intended to benefit individuals taking training courses to improve their employment opportunities. Pending public comment, I recommend approval of these regulations.

/s/ Gerald L. Baliles
Date: December 20, 1989

DEPARTMENT OF HEALTH (STATE BOARD OF)

Title of Regulation: VR 355-32-01.01. Regulations Governing Emergency Medical Services.

Governor's Comment:

I concur with the intent of this proposal. My final approval will be contingent upon the Department of Health's consideration of DPB's comments and a review of the public's comments.

/s/ Gerald L. Baliles
Date: December 13, 1989

BOARD OF MEDICINE

Title of Regulation: VR 465-07-01. Certification of Optometrists to Treat Certain Diseases Including Abnormal Conditions of the Human Eye and its Adnexa with Certain Pharmaceutical Agents.

Governor's Comment:

I concur with the form and content of this proposal. My final approval will be contingent upon a review of the public's comments.

/s/ Gerald L. Baliles
Date: December 20, 1989

DEPARTMENT OF SOCIAL SERVICES (STATE BOARD OF)

Title of Regulation: VR 615-01-26. Aid to Dependent Children (ADC) Program - Deprivation Due to the Incapacity of a Parent.

Governor's Comment:

I concur with the form and content of this proposal. My final approval will be contingent upon a review of the public's comments.

/s/ Gerald L. Baliles
Date: December 16, 1989

STATE WATER CONTROL BOARD

Title of Regulation: VR 680-14-03. Toxics Management Regulation.

Governor's Comment:

Pending changes in response to public comments and final budget decisions, I recommend approval of the amendments to the Water Control Board's Toxics Management Regulation, conditioned on the following:

- that no extension of time be allowed under the regulation for permittees to address their toxics problems; and

- that the amended regulation be at least as stringent in leading to the elimination of toxics as that which is now in effect.

/s/ Gerald L. Baliles
Date: December 7, 1989

GENERAL NOTICES/ERRATA

Symbol Key †

† Indicates entries since last publication of the Virginia Register

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (BOARD OF)

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Agriculture and Consumer Services intends to consider amending regulations entitled: **VR 115-04-12. Rules and Regulations for the Enforcement of the Virginia Gasoline and Motor Fuel Law.** The purpose of the proposed action is to reduce ozone-producing evaporative volatile organic compound emissions, by limiting gasoline volatility during the ozone season (May through September), for the protection of public health and welfare. Such reductions will contribute to the attainment of the National Ambient Air Quality Standards for ozone.

This regulatory initiative is being undertaken in consultation with the Department of Air Pollution Control.

Statutory Authority: §§ 59.1-153 and 59.1-156 of the Code of Virginia.

Written comments may be submitted until 5 p.m., February 28, 1990.

Contact: W. P. Zentmeyer, Supervisor, Fertilizer and Motor Fuel Section, P. O. Box 1163, Richmond, VA 23209, telephone (804) 786-3511

ALCOHOLIC BEVERAGE CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Alcoholic Beverage Control Board intends to consider amending regulations entitled: **VR 125-01-6. Manufacturers and Wholesalers Operations.** The purpose of the proposed action is to eliminate the controversy, uncertainty and potential litigation under the Virginia Beer Franchise Act and the Virginia Wine Franchise Act which have frequently arisen in the past whenever the brand owners of beer or wine sold in Virginia choose to conduct business with Virginia wholesale licensees through third parties, and through acknowledgements and disclosures, to identify and establish the business, agency and commercial relationships between manufacturers, importers and wholesalers of wine and beer.

A public meeting will be held on January 17, 1990, at 10

a.m. in the First Floor Hearing Room, 2901 Hermitage Road, Richmond, Virginia, to receive comment from the public.

Statutory Authority: §§ 4-7(1), 4-11, 4-98.14 and 4-103(b) and 9-6.14:1 et seq. of the Code of Virginia.

Written comments may be submitted until 10 a.m., January 17, 1990.

Contact: Robert N. Swinson, Secretary to the Board, Alcoholic Beverage Control Board, P.O. Box 27491, Richmond, VA 23261, telephone (804) 367-0616

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Alcoholic Beverage Control Board intends to consider amending regulations entitled: **VR 125-01-1 through VR 125-01-7. Regulations of the Virginia Alcoholic Beverage Control Board.** The purpose of the proposed action is to receive information from industry, the general public and licensees of the board concerning adopting, amending or repealing the board's regulations.

Notice to the Public

A. Pursuant to the Virginia Alcoholic Beverage Control Board's "Public Participation Guidelines For Adoption Or Amendment of Regulations" (VR 125-01-1, Part V of the Regulations of the Virginia Alcoholic Beverage Control Board), the Board will conduct a public meeting on January 17, 1990, at 10 a.m. in its Hearing Room, First Floor, A.B.C. Board, Main Offices, 2901 Hermitage Road, City of Richmond, Virginia, to receive comments and suggestions concerning the adoption, amendment or repeal of Board regulations. Any group or individual may file with the Board a written petition for the adoption, amendment or repeal of any regulation. Any such petition shall contain the following information, if available.

1. Name of petitioner.
2. Petitioner's mailing address and telephone number.
3. Recommended adoption, amendment or repeal of specific regulation(s).
4. Why is change needed? What problem is it meant to address?
5. What is the anticipated effect of not making the change?

6. Estimated costs and/or savings to regulate entities, the public, or others incurred by this change as compared to current regulations.

7. Who is affected by recommended change? How affected?

8. Supporting documents.

The Board may also consider any other request for regulatory change at its discretion. All petitions or requests for regulatory change should be submitted to the Board no later than November 17, 1989.

B. The Board will also be appointing an Ad Hoc Advisory Panel consisting of persons on its General Mailing List who will be affected by or interested in the adoption, amendment or repeal of Board regulations. This panel will study requests for regulatory changes, make recommendations, and suggest actual draft language for a regulation, if it concludes a regulation is necessary. Anyone interested in serving on such panel should notify the undersigned by November 17, 1989, requesting that their name be placed on the General Mailing List.

C. Applicable laws or regulation (authority to adopt regulations): Sections 4-11, 4-69, 4-69.2, 4-72.1, 4-98.14, 4-103 and 9-6.14:1 et seq., Virginia Code; VR 125-01-1, Part V, Board Regulations.

D. Entities affected: (1) all licensees (manufacturers, wholesalers, importers, retailers) and (2) the general public.

A public meeting will be held on January 17, 1990, at 10 a.m., in the First Floor Hearing Room, 2901 Hermitage Road, Richmond, Virginia, to receive comments from the public.

Statutory Authority: §§ 4-7(1), 4-11, 4-36, 4-69, 4-69.2, 4-72.1, 4-98.14 and 4-103(b) of the Code of Virginia.

Written comments may be submitted until 10 a.m., January 17, 1990.

Contact: Robert N. Swinson, Secretary to the Board, Alcoholic Beverage Control Board, P.O. Box 27491, Richmond, VA 23261, telephone (804) 367-0616 or SCATS 367-0616

BOARD FOR BRANCH PILOTS

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board for Branch Pilots intends to consider amending regulations entitled: **VR 535-01-01. Branch Pilot Regulations.** The purpose of the proposed action is to review and seek public comments on this regulation and to amend or repeal as

needed.

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

Written comments may be submitted until February 15, 1990.

Contact: Florence R. Brassier, Deputy Director for Regulatory Programs, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8574 or toll-free 1-800-552-3016

DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Criminal Justice Services Board intends to consider promulgating regulations entitled: **Regulations Governing the Privacy and Security of Criminal History Record Information Checks for Firearm Purchase.** The purpose of the proposed action is to promulgate regulations that are currently emergency regulations which are effective through October 13, 1990, governing the privacy and security of criminal history record information used for checks for firearm purchase.

Statutory Authority: §§ 9-170 21 and 18.2-308.2:2 of the Code of Virginia.

Written comments may be submitted until January 18, 1990, to Charlotte McClamroch, Section Chief, Department of Criminal Justice Services, 805 East Broad Street, Richmond, Virginia 23219.

Contact: Paula Scott, Executive Assistant, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-4000

DEPARTMENT OF FORESTRY

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Forestry intends to consider amending regulations entitled: **VR 312-01-02. Standards for Classification of Real Estate as Devoted to Forest Use Under the Virginia Land Use Assessment Law.** The purpose of the proposed action is to establish standards for forest land use taxation and a standardized commitment document for use by the applicant.

Statutory Authority: §§ 58.1-3230 and 58.1-3240 of the Code of Virginia.

Written comments may be submitted until February 15, 1990.

General Notices/Errata

Contact: James D. Starr, Chief, Forest Management, P. O. Box 3758, Charlottesville, VA 22903, telephone (804) 977-6555

LIBRARY BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Library Board intends to consider amending regulations entitled: **Requirements Which Must be Met in Order to Receive Grants-In-Aid.** The purpose of the proposed action is to consider changes to the local minimum expenditure requirement and to other criteria libraries must meet in order to receive grant-in-aid.

Statutory Authority: § 42.1-52 of the Code of Virginia.

Written comments may be submitted until February 20, 1990.

Contact: Ella Gaines Yates, State Librarian, Virginia State Library and Archives, 11th St. at Capitol Square, Richmond, VA 23219, telephone (804) 786-2332

MARINE RESOURCES COMMISSION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Marine Resources Commission intends to consider amending regulations entitled: **Coastal Primary Sand Dunes/Beaches Guidelines.** The purpose of the proposed amendment is to implement the policy set forth in § 62.1-13.21 and to assist localities in the regulation of coastal primary sand dunes and beaches. The guidelines are also used by the public in evaluating the acceptability and consequences of proposed uses or development of these dunes and beaches.

Statutory Authority: § 62.1-13.24 of the Code of Virginia.

Written comments may be submitted until February 1, 1990.

Contact: Robert W. Grabb, Chief, Habitat Management Division, P. O. Box 756, Newport News, VA 23607-0756, telephone (804) 247-2252

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Medical Assistance Services intends to consider promulgating

regulations entitled: **Medical assistance provisions of the Family Support Act of 1988.** The purpose of the proposed action is to implement the requirements of the federal statute as approved by Congress and enacted by the President.

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

Written comments may be submitted until February 1, 1990, to Ann E. Cook, Eligibility and Regulatory Consultant, Policy Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, Virginia 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7933

DEPARTMENT OF PERSONNEL AND TRAINING

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Personnel and Training intends to consider promulgating regulations entitled: **Guidelines for Public Participation in Regulation Development and Promulgation.** The purpose of the proposed regulation is to establish Department of Personnel and Training guidelines for soliciting and incorporating public participation in the development and promulgation of regulations.

Statutory Authority: §§ 2.1-20.1 and 2.1-20.1:02 of the Code of Virginia.

Written comments may be submitted until March 9, 1990.

Contact: Anthony C. Graziano, Manager of State Benefits, Department of Personnel and Training, 101 N. 14th St., Richmond, VA 23219, telephone (804) 225-2170

VIRGINIA RACING COMMISSION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Racing Commission intends to consider promulgating regulations entitled: **Regulations Pertaining to Horse Racing with Pari-Mutuel Wagering.** The purpose of the proposed regulation is to establish procedures for the Virginia Breeders' Fund, establish medication guidelines, and post-race testing procedures, and licensure of limited horse race meetings.

Statutory Authority: § 59.1-364 of the Code of Virginia.

Written comments may be submitted until February 1,

1990, to Chairman, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208.

Contact: William H. Anderson, Regulatory Coordinator, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208, telephone (804) 371-7363

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Social Services intends to consider promulgating regulations entitled: **Child Day Care Policy**. The purpose of the proposed action is to provide for the Department of Social Services basic policy and operating principles in the provision of child day care services.

Statutory Authority: §§ 63.1-33.17, 63.1-33.24, 63.1-55 and 63.1-148 of the Code of Virginia.

Written comments may be submitted until January 15, 1990, to E. Janet Riddick, Bureau of Adult and Family Services, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Peggy Friedenborg, Executive Assistant, Department of Social Services, Bureau of Governmental Affairs, 8007 Discovery Dr., Richmond, VA 23229-8699, telephone (804) 662-9217

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Social Services intends to consider amending regulations entitled: **Conversion of Anticipated Income to Monthly Amounts in the Food Stamp Program**. The purpose of the proposed action is to ensure that no household is denied food stamp benefits solely because of a method of calculating monthly income.

This policy is based on federal food stamp regulations contained at 7 CFR 273.10(c)(2)(i).

Statutory Authority: § 63.1-25.2 of the Code of Virginia.

Written comments may be submitted until January 17, 1990, to Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Margaret J. Friedenborg, Legislative Analyst, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229-8699, telephone (804) 662-9217

GENERAL NOTICES

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

Notice to the Public of Proposed Regulation Action and Notice of Public Regulatory Development Meeting

Pursuant to the Public Participation guidelines contained in VR 125-01-1 § 5.1, the board intends to consider proposals to amend the regulations as set forth below and will conduct a public meeting on such proposal as indicated below:

1. VR 125-01-6 § 6 - Wine and beer importer licenses; conditions for issuance and renewal.

a. **Subject of Proposal** - To require all persons applying for the issuance or renewal of a wine or beer importer's license to file written acknowledgments by brand owners that any wholesale licensees which have been or are later supplied with its brands, either directly or indirectly, are appointed as designated distributors of the brand owner for purposes of the Virginia Beer Franchise Act or the Virginia Wine Franchise Act.

b. **Entities Affected** - Manufacturers, importers, and wholesalers of wine and beer.

c. **Purpose of Proposal** - To eliminate the controversy, uncertainty and potential litigation under the Virginia Beer Franchise Act and the Virginia Wine Franchise Act which have frequently arisen in the past whenever the brand owners of beer or wine sold in Virginia choose to conduct business with Virginia wholesale licensees through third parties, and through acknowledgments and disclosures, to identify and establish the business, agency and commercial relationships between manufacturers, importers and wholesalers of wine and beer.

d. **Issues Involved** - Whether brand owners who have chosen to conduct business with Virginia wholesale licensees through third parties are obligated to comply with the provisions of the Virginia Beer Franchise Act or the Virginia Wine Franchise Act.

e. **Applicable Laws or Regulations** - §§ 4-7(b) and (l), 4-11, 4-25(e), 4-118.3 - 4-118.20:1 and 4-118.42 - 4-118.61 of the Code of Virginia.

f. **Submitted By:** Virginia Beer Wholesalers Association, Inc.

2. Regulations are adopted by the board pursuant to authority contained in §§ 4-7(l), 4-11(a), 4-98.14, 4-103(b) and 9-6.14:1 et seq. of Title 9 of the Code of Virginia.

3. The board requests that all persons interested in the above described subject please submit comments in writing

General Notices/Errata

by 10 a.m. January 17, 1990, to Robert N. Swinson, P. O. Box 27491, Richmond, Virginia 23261 or attend the public meeting scheduled below.

4. The board will hold a public meeting and receive the comments or suggestions of the public on the above subject. The meeting will be in the First Floor Hearing Room at 2901 Hermitage Road, Richmond, Virginia at 10 a.m. on January 17, 1990.

5. Regarding the proposal as set forth above, all references to existing regulations that may be the subject of amendment or repeal, all references to proposed numbers for new regulations or to applicable laws or regulations are for purposes of information and guidance only, and are not to be considered as the only regulations or laws that may be involved or affected when developing draft language to carry out the purposes of any proposal. This notice is designed, primarily, to set forth the subject matter and objectives of each proposal. In developing draft language, it may be necessary to amend or repeal a number or existing regulations and/or adopt new regulations as may be deemed necessary by the board, and the references set forth above are not intended to be all inclusive.

6. Contact Robert N. Swinson, if you have questions, at the above address or by phone at (804) 367-0616.

DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Notice

In accord with the Anti-Drug Abuse Act of 1988 (Public Law 100-690, Title VI, Subtitle C) the Department of Criminal Justice Services intends to submit an application for federal funds to the Bureau of Justice Assistance, U.S. Department of Justice.

The application will be submitted to the Bureau no later than January 19, 1990, and will request \$9,207,000 in federal funds, which is Virginia's allocation for federal fiscal year 1990 under the Drug Control and System Improvement Formula Grant Program.

In addition to the Standard Form 424, "Application For Federal Assistance," the application contains a statewide drug and violent crime strategy which analyzes the state's drug and violent crime problems, identifies needs and priorities, and indicates proposed ways for using the federal grant funds to address the needs and priorities.

The application will be available for review and comment on or after January 18, 1990. Single copies may be obtained by contacting Joseph R. Marshall, Programs Coordinator, Department of Criminal Justice Services, 805 East Broad Street, Richmond, Virginia 23219; telephone (804) 786-1577.

NOTICES TO STATE AGENCIES

RE: Forms for filing material on dates for publication in the Virginia Register of Regulations.

All agencies are required to use the appropriate forms when furnishing material and dates for publication in the Virginia Register of Regulations. The forms are supplied by the office of the Registrar of Regulations. If you do not have any forms or you need additional forms, please contact: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

FORMS:

NOTICE OF INTENDED REGULATORY ACTION - RR01
NOTICE OF COMMENT PERIOD - RR02
PROPOSED (Transmittal Sheet) - RR03
FINAL (Transmittal Sheet) - RR04
EMERGENCY (Transmittal Sheet) - RR05
NOTICE OF MEETING - RR06
AGENCY RESPONSE TO LEGISLATIVE OR GUBERNATORIAL OBJECTIONS - RR08
DEPARTMENT OF PLANNING AND BUDGET (Transmittal Sheet) - DPBRR09

Copies of the Virginia Register Form, Style and Procedure Manual may also be obtained at the above address.

ERRATA

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Title of Regulation: VR 394-01-03. Asbestos Survey Standards for Condominiums.

Publication: 6:4 VA.R. 575 November 20, 1989

Correction to the Final Regulation:

Page 575, 2nd column, subsection G, subdivision 1, should read:

"...Samples should contain at least [~~15~~ 1] cubic centimeter..."

Page 577, column 2, paragraph 2, lines 7 and 8 under Priority Level III, should read:

"...they do not become friable [*after repairs are made or remove the material using competent, licensed personnel*].

Title of Regulation: VR 394-01-07. Asbestos Survey Standards - Inspection of Buildings to be Renovated or

Demolished for the Presence of Asbestos.

Publication: 6:4 VA.R. 585 November 20, 1989

Page 585, column 1, definition of "Central Heating," line 3, should read:

"...of heat to [aH] habitable..."

Page 589, column 1, subsection G, line 5, should read:

"... followed on pages 15 through 27 in..."

Page 589, column 1, subsection H, line 2, should read:

"...samples should contain at least [15 l] cubic..."

CALENDAR OF EVENTS

Symbols Key

- † Indicates entries since last publication of the Virginia Register
- ☒ Location accessible to handicapped
- ☎ Telecommunications Device for Deaf (TDD)/Voice Designation

NOTICE

Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the Virginia Register deadline may preclude a notice of such cancellation.

For additional information on open meetings and public hearings held by the Standing Committees of the Legislature during the interim, please call Legislative Information at (804) 786-6530.

VIRGINIA CODE COMMISSION

EXECUTIVE

BOARD FOR ACCOUNTANCY

† January 22, 1990 - 10 a.m. - Open Meeting

† January 23, 1990 - 8 a.m. - Open Meeting

Department of Commerce, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ☒

A meeting to (i) review correspondence; (ii) review enforcement cases; (iii) review applications for certification and licensure; and (iv) conduct routine board business.

Contact: Roberta L. Banning, Assistant Director, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8590 or toll-free 1-800-552-3016

DEPARTMENT OF AIR POLLUTION CONTROL

† February 6, 1990 - 7 p.m. - Briefing

† February 6, 1990 - 7:30 p.m. - Public Hearing

Louisa Courthouse, Circuit Courtroom, Main Street, Louisa, Virginia

A permit application has been submitted by the Luck Stone Corporation to construct and operate a stone crushing plant and quarry. This facility to be located one mile west of Route 522 on State Route 613.

Contact: Northeastern Regional Office, 300 Central Rd., Suite B, Fredericksburg, VA 22401, telephone (703) 899-4600

ARLINGTON COUNTY/CITY OF FALLS CHURCH LOCAL EMERGENCY PLANNING COMMITTEE

† February 15, 1990 - 7:30 p.m. - Open Meeting
Arlington County Water Pollution Control Plant, 3401 South Glebe Road, Arlington, Virginia. ☒ (Interpreter for deaf provided if requested)

A regular meeting.

Contact: Thomas M. Hawkins, Jr., Chairman, 2100 Clarendon Blvd., Suite 400, Fire Department Administration, Arlington, VA 22201, telephone (703) 358-3365 or (703) 558-2096/TDD ☎

STATE BUILDING CODE TECHNICAL REVIEW BOARD

† January 19, 1990 - 10 a.m. - Open Meeting
Fourth Street Office Building, 205 North 4th Street, 2nd Floor Conference Room, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A meeting to (i) consider requests for interpretation of the Virginia Uniform Statewide Building Code; (ii) consider appeals from the rulings of local appeal boards regarding application of the Virginia Uniform Statewide Building Code; and (iii) approve minutes of previous meeting.

Contact: Jack A. Proctor, 205 N. 4th St., Richmond, VA 23219, telephone (804) 786-4752

CENTRAL VIRGINIA ASAP POLICY BOARD

† January 17, 1990 - 7 p.m. - Open Meeting
Irby's, 8800 Timberlake Road, Lynchburg, Virginia. ☒

Winter policy board meeting regarding program activities for the quarter.

Contact: L. T. Townes, Director, P. O. Box 4345, Fort Hill Station, Lynchburg, VA 24502, telephone (804) 528-4073

LOCAL EMERGENCY PLANNING COMMITTEE OF CHESTERFIELD COUNTY

† February 1, 1990 - 5:30 p.m. - Open Meeting

† March 1, 1990 - 5:30 p.m. - Open Meeting

Chesterfield County Administration Building, 10001 Ironbridge Road, Chesterfield, Virginia. ☒

The committee will meet to discuss the requirements of Superfund Amendment and Reauthorization Act of 1986.

Contact: Lynda G. Furr, Assistant Emergency Services Coordinator, Chesterfield Fire Dept., P.O. Box 40, Chesterfield, VA 23832, telephone (804) 748-1236

CHILD DAY-CARE COUNCIL

February 8, 1990 - 9 a.m. - Open Meeting

March 8, 1990 - 9 a.m. - Open Meeting

Koger Executive Center, West End, Blair Building, Conference Rooms A and B, 8007 Discovery Drive, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A meeting to discuss issues, concerns and programs that impact licensed child care centers. A public comment period is scheduled at 9 a.m.

Contact: Peggy Friedenber, Legislative Analyst, Office of Governmental Affairs, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229-8699, telephone (804) 662-9217

DEPARTMENT FOR CHILDREN

State-Level Runaway Youth Services Network

January 18, 1990 - 10:30 a.m. - Open Meeting

Department of Corrections, 6900 Atmore Drive, Room 3056, Richmond, Virginia. ☒

A regular business meeting open to the public.

Contact: Martha Frickert, Human Resources Developer, Department for Children, 805 E. Broad St., 11th Floor, Richmond, VA 23219, telephone (804) 786-5994

COORDINATING COMMITTEE FOR INTERDEPARTMENTAL LICENSURE AND CERTIFICATION OF RESIDENTIAL FACILITIES FOR CHILDREN

January 19, 1990 - 8:30 a.m. - Open Meeting

February 16, 1990 - 8:30 a.m. - Open Meeting

March 16, 1990 - 8:30 a.m. - Open Meeting

Office of the Coordinator, Interdepartmental Licensure and Certification, 1603 Santa Rosa Drive, Tyler Building, Suite 210, Richmond, Virginia. ☒

A regularly scheduled meeting to consider such administrative and policy issues as may be presented to the committee. A period for public comment is provided at each meeting.

Contact: John J. Allen, Jr., Coordinator, Interdepartmental

Licensure and Certification, Office of the Coordinator, 8007 Discovery Dr., Richmond, VA 23229-8699, telephone (804) 662-7124

INTERDEPARTMENTAL COUNCIL ON RATE-SETTING FOR CHILDREN'S FACILITIES

† January 23, 1990 - 9:30 a.m. - Open Meeting

Administrative Building, Saint Joseph's Villa, 8000 Washington Highway, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

The council will discuss its charge and proposed activities with the Assistant Attorney General. It will receive a status briefing on the Department of Planning and Budget Study of Children's Residential Services and it will clarify and identify issues in the rate-setting process.

Contact: Russell Harris, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229, telephone (804) 662-9011

BOARD OF COMMERCE

February 1, 1990 - 11 a.m. - Open Meeting

Department of Commerce, 3600 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ☒

A regular quarterly meeting of the board. The director will report on legislation under consideration by the General Assembly that would affect the regulatory operations of the Department of Commerce.

Contact: Alvin D. Whitley, Policy Analyst, Director's Office, Department of Commerce, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8564, toll-free 1-800-552-3016 or SCATS 367-8519

DEPARTMENT OF COMMERCE

January 19, 1990 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Commerce intends to amend regulations entitled: VR 190-05-01. **Asbestos Licensing Regulations.** The amendments to the Virginia Asbestos Licensing Regulations include RFS contractor licensure requirements, qualifications for inspector and management planner license, contractor notification requirements and revisions of license application procedures.

Statutory Authority: § 54.1-500 et seq. of the Code of Virginia.

Calendar of Events

Written comments may be submitted until January 19, 1990.

Contact: Peggy J. Wood, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595

BOARD FOR COMMERCIAL DRIVER EDUCATION SCHOOLS

January 19, 1990 - 10 a.m. – Open Meeting
Department of Commerce, 3600 West Broad Street, Richmond, Virginia. ☒

An open board meeting to conduct regulatory review and routine board business.

Contact: Gerald W. Morgan, Administrator, Department of Commerce, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8534 or toll-free 1-800-552-3016

DEPARTMENT OF CONSERVATION AND RECREATION

Falls of the James Scenic River Advisory Board

† **January 19, 1990 - noon – Open Meeting**
† **February 16, 1990 - noon – Open Meeting**
Assistant City Manager's Conference Room, City Hall, 3rd Floor, Richmond, Virginia. ☒

A meeting to review river issues and programs.

Contact: Richard G. Gibbons, Environmental Program Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-4132

BOARD FOR CONTRACTORS

† **January 17, 1990 - 8:30 a.m. – Open Meeting**
† **January 17, 1990 - 9 a.m. – Open Meeting**
Department of Commerce, 3600 West Broad Street, Richmond, Virginia. ☒

A regular quarterly 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 discussed in executive session. The meeting will be preceded by a meeting of the Applications Committee of the board.

Contact: Kelly G. Ragsdale, Assistant Director, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8557 or toll-free 1-800-552-3016

† **January 31, 1990 - 10 a.m. – Open Meeting**

Holiday Inn Downtown, Williamsburg Holidome, 814 Capital Landing Road, Williamsburg, Virginia

The board will meet to conduct a formal hearing:

File Numbers 87-00501, 87-01020, Board for Contractors v. Marion T. Poythress, Jr. t/a Poythress Builders.

Contact: Gayle Eubank, Hearings Coordinator, Department of Commerce, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8524

BOARD OF CORRECTIONS

† **January 17, 1990 - 10 a.m. – Open Meeting**
† **February 7, 1990 - 10 a.m. – Open Meeting**
Board of Corrections Board Room, 6900 Atmore Drive, Richmond, Virginia. ☒

A regular monthly meeting.

Contact: Vivian Toler, Secretary of the Board, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3235

BOARD FOR COSMETOLOGY

February 18, 1990 – Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board for Cosmetology intends to amend regulations entitled: **VR 235-01-02. Board for Cosmetology Regulations.** The regulation reestablishes a requirement for the cosmetology schools to report the number of hours and performances of a student upon termination for any reason.

Statutory Authority: § 54.1-201 5 of the Code of Virginia.

Written comments may be submitted until February 18, 1990.

Contact: Roberta L. Banning, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590 or toll-free 1-800-552-3016 (VA only)

CRIMINAL JUSTICE SERVICES BOARD

April 4, 1990 - 9:30 a.m. – Public Hearing
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Criminal Justice Services Board intends to amend regulations entitled: **VR 240-01-4. Rules Relating to Compulsory Minimum**

Training Standards for Jailors or Custodial Officers, Courtroom Security Officers and Process Service Officers. The proposed rules set forth optimum tasks and the minimum acceptable level of proficiency for entry level jailors, custodial officers, courtroom security officers and process service officers.

Statutory Authority: § 9-170 of the Code of Virginia.

Written comments may be submitted until March 5, 1990, to L. T. Eckenrode, Department of Criminal Justice Services, 805 East Broad Street, Richmond, Virginia 23219.

Contact: Paula Scott, Executive Assistant, Criminal Justice Services Board, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-4000

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April 4, 1990 - 9:30 a.m. – Public Hearing
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Criminal Justice Services Board intends to amend regulations entitled: **VR 240-01-12. Rules Relating to Certification of Criminal Justice Instructors.** The proposed amendments revise qualifications, requirements and minimum standards for the certification and recertification of criminal justice instructors.

Statutory Authority: § 9-170 of the Code of Virginia.

Written comments may be submitted until March 5, 1990, to L. T. Eckenrode, Department of Criminal Justice Services, 805 East Broad Street, Richmond, Virginia 23219.

Contact: Paula Scott, Executive Assistant, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-4000

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† April 4, 1990 - 10:30 a.m. – Public Hearing
State Capitol, Capitol Square, House Room 2, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Criminal Justice Services intends to adopt regulations entitled: **VR 240-04-1. McGruff House Program Regulations.** These proposed regulations outline procedures for the designation and operation of McGruff House Programs and McGruff Houses.

STATEMENT

Basis: Pursuant to the provisions of § 9-170 of the Code of Virginia, the Criminal Justice Services Board intends to promulgate Regulations Relating to the McGruff House Program. Section 9-173.4 of the Code of Virginia became

effective July 1, 1989, and it directs the establishment of these regulations.

Purpose: The purpose of the regulation is for the Department of Criminal Justice Services, as directed by the General Assembly, to establish the symbol of "McGruff" with the phrase "McGruff House" as the symbol used to designate a house in the Commonwealth where a child who is abused, neglected or otherwise emotionally or physically in danger may seek refuge and assistance. Furthermore, the department has been directed to develop and administer rules regarding the operation of the programs by local law-enforcement agencies.

Substance: Section 9-173.4 of the Code of Virginia directs the Department of Criminal Justice Services to establish, by regulation, appropriate procedures governing (i) qualification and criteria for designation as a McGruff House and participants' duties and responsibilities, such regulations to include but not be limited to duties regarding reporting of incidents to the local law-enforcement agency and Department of Social Services' child-protective services program, (ii) programs to publicize the McGruff House Program, (iii) dissemination of the McGruff House symbol to day care centers, schools, and law enforcement agencies, (iv) designation and registration of McGruff House with, and monitoring and periodic review of such houses by, local law-enforcement agencies, and (v) coordination of the program with the child-protective services component of the local Department of Social Services. This section became effective July 1, 1989, with civil penalties for unauthorized use of McGruff House signs to become effective July 1, 1990.

Issues: McGruff House Program emergency regulations became effective on September 13, 1989, in order to provide guidance to localities currently using the McGruff House Program and to insure that persons and organizations do not unnecessarily subject themselves to civil penalties established by the legislation. It is intended that final regulations will become effective on July 1, 1990, the date when civil penalties become effective. The emergency regulations shall expire on September 1, 1990, unless other regulations are adopted prior to that date.

Impact: These regulations will affect all local law-enforcement agencies desiring to administer a McGruff House Program and all individuals desiring the designation of a McGruff House.

The McGruff House Program regulations will incur costs to the Department of Criminal Justice Services to obtain and produce McGruff House promotional material estimated to be no more than \$5,000. Localities electing to sponsor a McGruff House Program will incur the costs of conducting the background investigations of the participants, for rental of the McGruff House signs, and for the purpose of training and promotional material.

Statutory Authority: §§ 9-170 and 9-173.4 of the Code of

Calendar of Events

Virginia.

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Written comments may be submitted until March 16, 1990.

Contact: Paula Scott, Executive Assistant, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-8730

DANVILLE LOCAL EMERGENCY PLANNING COMMITTEE

† January 18, 1990 - 3 p.m. - Open Meeting
Municipal Building, 2nd Floor Conference Room, Danville, Virginia. ☐

Local committee, SARA Title III. Hazardous Material Community Right-to-Know.

Contact: C. David Lampley, Chairman, LEPC, 297 Bridge St., Danville, VA 24541, telephone (804) 799-5228

BOARD OF DENTISTRY

† March 10, 1990 - 10 a.m. - Open Meeting
Sheraton-Fredericksburg, I-95, Route 3, Fredericksburg, Virginia

A legislative committee meeting to discuss regulations.

Contact: N. Taylor Feldman, Executive Director, 1601 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9906

DEPARTMENT OF EDUCATION (BOARD OF)

February 5, 1990 - Written comments may be submitted until this date.

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Board of Education intends to repeal existing regulations and promulgate new regulations entitled: **VR 270-01-0033. Regulations Governing Driver Education.** The current Board of Education Regulations need to be clarified in the Code of Virginia to specify what is a "standardized program of driver education for public and nonpublic schools" and for commercial schools, how "comparable content and quality" is defined.

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

Written comments may be submitted until February 5, 1990.

Contact: Jeane L. Bentley, Associate Director, Health, Physical Education and Driver Education, Department of Education, P.O. Box 6Q, Richmond, VA 23216, telephone (804) 225-2866

† March 5, 1990 - 7 p.m. - Public Hearing
Mills E. Godwin High School, Richmond, Virginia

† March 5, 1990 - 7 p.m. - Public Hearing
Hampton High School, Hampton, Virginia

† March 5, 1990 - 7 p.m. - Public Hearing
Pulaski High School, Pulaski, Virginia

† March 5, 1990 - 7 p.m. - Public Hearing
Osborn High School, Manassas, Virginia

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Board of Education intends to amend regulations entitled: **VR 270-01-0012. Standards for Accrediting Public Schools in Virginia.** These standards provide a foundation for quality education and provide guidance and direction to assist schools in their continuing efforts to offer educational programs to meet the need, interests, and aspirations of students.

STATEMENT

Administrative and fiscal impact of the proposed accreditation for public schools is summarized below. Where the fiscal impact of the proposed standards reflects "no additional cost," it is recognized that in some cases local conditions may result in minimal expenditures. Standards and criteria not listed should not result in additional administrative or fiscal impact.

Self-Study and Review

Administrative Impact: None
Fiscal Impact: Minimal, if any.

Standard A.7.

Administrative Impact: Minimal
Fiscal Impact: None.

Standard C.2.

Administrative Impact: Minimal.
Fiscal Impact: Minimal for LEA's; SEA cost during 1990-92 is estimated to be \$651,190.

Standard E.13.

Administrative Impact: Minimal; staff time to write.
Fiscal Impact: Minimal, if any.

Standard G.1.

Administrative Impact: Minimal; scheduling revisions.
Fiscal Impact: Additional state funds required; \$3,900,00 in 1990-91; \$4,200,000 in 1991-92. No additional local funds required.

Standard G.8.

Administrative Impact: Minimal, if any. Revised scheduling.
Fiscal Impact: None.

Standard G.11.

Administrative Impact: Employment of staff; revising scheduling.

Fiscal Impact: SEA budget proposal for 1992 contains \$14,722,785. Estimated local costs, annually, are \$3,200,000.

Standard H.13.

Administrative Impact: None, unless facilities constructed.

Fiscal Impact: Estimated cost for schools not having such facilities, \$200,000 per school.

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

Written comments may be submitted until March 5, 1990.

Contact: Robert B. Jewell, Associate Director, Department of Education, P. O. Box 6-Q, Richmond, VA 23216-2060, telephone (804) 225-2105

COUNCIL ON THE ENVIRONMENT

† January 16, 1990 - 7 p.m. - Open Meeting
Department of Information Technology, Plaza Auditorium,
110 South 7th Street, 4th Floor, Richmond, Virginia. ☒

A quarterly meeting to discuss environmental issues in the Commonwealth. The public is invited and will be given the opportunity to comment and ask questions during the Public Forum segment of the meeting. An agenda is being developed and will be available prior to the meeting.

Contact: David J. Kinsey, Special Projects Coordinator, Council on the Environment, Richmond, VA 23219, telephone (804) 786-4500

VIRGINIA FARMERS' MARKET BOARD

January 18, 1990 - 1 p.m. - Open Meeting
Washington Building, 1100 Bank Street, 2nd Floor
Conference Room, Richmond, Virginia. ☒

A board meeting.

Contact: Nancy L. Israel, Farmers' Market Network Program Director, 1100 Bank St., Washington Bldg., Room 1002, Richmond, VA 23219, telephone (804) 371-6157

VIRGINIA FIRE SERVICES BOARD

Training Committee

† January 19, 1990 - 10 a.m. - Open Meeting
Hanover Training Center, Route 696, Ashland, Virginia. ☒

A working session to complete work on regional

training center grants and develop recommendations on grant awards for submission to the Fire Services Board which will make final decisions at its regular meeting scheduled for February 9, 1990, in Richmond.

Contact: Carl N. Cimino, Executive Director, Department of Fire Programs, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 225-2681

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

February 6, 1990 - 9 a.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive,
Richmond, Virginia. ☒

9 a.m. - Examination session

1 p.m. - General board meeting and discussion of proposed regulations and preneed regulations

Contact: Meredyth P. Partridge, Executive Director, 1601 Rolling Hills Dr., Richmond, VA 23229-5005, telephone (804) 662-9907

GLOUCESTER LOCAL EMERGENCY PLANNING COMMITTEE

January 24, 1990 - 6:30 p.m. - Open Meeting
Old Colonial Courthouse, Court Green, Main Street,
Gloucester, Virginia. ☒

The Gloucester LEPC will hold its winter quarterly meeting with an agenda set to include:

Selection of officers and committee chairpersons, and development of training and exercise scenario timetables for 1990.

Contact: Georgette N. Hurley, Assistant County Administrator, P.O. Box 329, Gloucester, VA 23061, telephone (804) 693-4042

HANOVER COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

January 30, 1990 - 9 a.m. - Open Meeting
Hanover County Fire Company #5, Route 1004, Hanover,
Virginia

A meeting to (i) nominate a chairperson for LEPC; (ii) conduct LEPC update; and (iii) receive public comment.

Contact: John F. Trivellin, Hazardous Materials Coordinator, P. O. Box 470, Hanover, VA 23069, telephone (804) 798-8535 or 730-6195

Calendar of Events

HAZARDOUS MATERIALS TRAINING COMMITTEE

† February 13, 1990 - 10 a.m. - Open Meeting
Holiday Inn Conference Center, Koger Center South, 1021
Koger Center Boulevard, Richmond, Virginia

The first meeting of the committee to discuss curriculum, course development, and review existing hazardous materials courses.

Contact: Larry A. Logan, Chairman, Fire and Emergency Services, 3568 Peters Creek Rd., N.W., Roanoke, VA 24019, telephone (703) 561-8070

BOARD OF HEALTH PROFESSIONS

† February 8, 1990 - 11 a.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Conference Room 1, Richmond, Virginia. ☒

The board will consider the final report of its evaluation of the health professional enforcement system in addition to the conduct of routine business.

Contact: Richard D. Morrison, Executive Director, 1601 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9918

VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL

January 23, 1990 - 9:30 a.m. - Open Meeting
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia. ☒

A monthly meeting to address financial, policy or technical matters which may have arisen since the last meeting.

Contact: G. Edward Dalton, Deputy Director, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-6371/TDD ☎

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March 7, 1990 - 10 a.m. - Public Hearing
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Health Services Cost Review Council intends to amend regulations entitled: **VR 370-01-001. Rules and Regulations of the Virginia Health Services Cost Review Council.** These amendments will bring nursing homes under the financial reporting requirements of the council and require an audited consolidated financial statement from each hospital that reports to the council or any corporation that controls a hospital.

Statutory Authority: § 9-169 of the Code of Virginia.

Written comments may be submitted until 3 p.m., March 5, 1990.

Contact: G. Edward Dalton, Deputy Director, Virginia Health Services Cost Review Council, 805 E. Broad St., 6th Floor, Richmond, VA 23219, telephone (804) 786-6371

HOPEWELL INDUSTRIAL SAFETY COUNCIL

† February 6, 1990 - 9 a.m. - Open Meeting
† March 6, 1990 - 9 a.m. - Open Meeting
Hopewell Community Center, Second and City Point Road, Hopewell, Virginia. ☒ (Interpreter for deaf provided if requested)

Local emergency preparedness committee meeting as required by SARA Title III.

Contact: Robert Brown, Emergency Services Coordinator, 300 N. Main St., Hopewell, VA 23860, telephone (804) 541-2298

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Amusement Device Technical Advisory Committee

January 18, 1990 - 9 a.m. - Open Meeting
205 North Fourth Street, 7th Floor Conference Room, Richmond, Virginia. ☒

A meeting to review and discuss regulations pertaining to the construction, maintenance, operation and inspection of amusement devices adopted by the Board of Housing and Community Development.

Contact: Jack A. Proctor, CPCA, Deputy Director, Building Regulatory Services, Department of Housing and Community Development, 205 N. 4th St., Richmond, VA 23219-1747, telephone (804) 786-4752 or (804) 786-5405/TDD ☎

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

January 16, 1990 - 10 a.m. - Open Meeting
601 South Belvidere Street, Richmond, Virginia. ☒

A regular meeting of the Board of Commissioners to (i) review and, if appropriate, approve the minutes from the prior monthly meeting; (ii) consider for approval and ratification mortgage loan commitments under its various programs; (iii) review the authority's operations for the prior month; (iv) consider and, if appropriate, approve proposed amendments to the Rules and Regulations for Single Family Mortgage Loans to Persons and Families of Low and Moderate Income; and (v) consider such other matters and take such other actions as they may deem appropriate.

Various committees of the board may also meet before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting will be available at the office of the authority one week prior to the date of the meeting.

Contact: J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 S. Belvidere St., Richmond, VA 23220, telephone (804) 782-1986

COUNCIL ON HUMAN RIGHTS

March 28, 1990 - 10 a.m. - Public Hearing
James Monroe Building, 101 North 14th Street, 1st Floor, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Council on Human Rights intends to adopt regulations entitled: **VR 402-01-02. Regulations to Safeguard Virginia's Human Rights From Unlawful Discrimination.** The purpose of these regulations is to supplement the Virginia Human Rights Act (§ 2.1-714 et seq.) which safeguards all individuals within the Commonwealth from unlawful discrimination.

Statutory Authority: § 2.1-720.6 of the Code of Virginia.

Written comments may be submitted until February 18, 1990, to Sandra D. Norman, P.O. Box 717, Richmond, Virginia 23206.

Contact: Lawrence J. Dark, Director, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 225-2292 or toll-free 1-800-633-5510

DEPARTMENT OF LABOR AND INDUSTRY

Virginia Apprenticeship Council

† January 18, 1990 - 10 a.m. - Open Meeting
Fourth Street Office Building, 2nd Floor Conference Room, 205 North 4th Street, Richmond, Virginia. ☒

A regularly quarterly meeting. The council meeting will begin immediately after conclusion of the public session.

Contact: Robert S. Baumgardner, Director of Apprenticeship, Department of Labor and Industry, P. O. Box 12064, Richmond, VA 23241, telephone (804) 786-2381

LIBRARY BOARD

January 18, 1990 - 9:30 a.m. - Open Meeting
Virginia State Library and Archives, 11th Street at Capitol Square, 3rd Floor, Supreme Court Room, Richmond, Virginia. ☒

A meeting to discuss administrative matters of the Virginia State Library and Archives.

Contact: Jean H. Taylor, Secretary to State Librarian, Virginia State Library and Archives, 11th St. at Capitol Square, Richmond, VA 23219, telephone (804) 786-2332

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February 4, 1990 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Library Board intends to adopt regulations entitled: **VR 440-01-149.2. Certification of Librarians.** The purpose of this regulation is to establish qualifications for certification of professional librarians in certain public libraries and establish fees.

Statutory Authority: § 42.1-15.1 of the Code of Virginia.

Written comments may be submitted until February 4, 1990.

Contact: Ella Gaines Yates, State Librarian, Virginia State Library and Archives, 11th St. at Capitol Square, Richmond, VA 23219, telephone (804) 786-2332

Executive Committee

February 5, 1990 - 10 a.m. - Open Meeting
Virginia State Library and Archives, 11th Street at Capitol Square, 2nd Floor, State Librarian's Office, Richmond, Virginia. ☒

A conference call meeting to enact final regulations regarding the Certification of Librarians (VR 440-01-149.2). Additional conference call locations are the offices of:

Mr. John W. A. Parsons, Chairman
National Commission on Libraries &
Information Science
1111 18th Street, N.W.
Suite 302
Washington, D.C. 20036
(202) 254-5100

and

Mr. Robert C. Nusbaum, Vice-Chairman
1700 Dominion Tower
P. O. Box 3460
Norfolk, VA 23514
(804) 622-3366

Contact: Ella Gaines Yates, State Librarian, Virginia State Library and Archives, 11th St. at Capitol Square, Richmond, VA 23219, telephone (804) 786-2332

Calendar of Events

LONGWOOD COLLEGE

January 19, 1990 - noon - Open Meeting
January 20, 1990 - noon - Open Meeting
Richmond Omni Hotel, Richmond, Virginia. ☒

A meeting to conduct business pertaining to the governance of the institution.

Contact: William F. Dorrill, President, Longwood College, Farmville, VA 23901, telephone (804) 395-2001

STATE LOTTERY BOARD

January 24, 1990 - 10 a.m. - Open Meeting
State Lottery Department, 2201 West Broad Street, Conference Room, Richmond, Virginia. ☒

A regularly scheduled monthly meeting of the board. Business will be conducted according to items listed on the agenda which has not yet been determined. Two periods for public comment are scheduled.

Contact: Barbara L. Robertson, Lottery Staff Officer, State Lottery Department, 2201 W. Broad St., Richmond, VA 23220, telephone (804) 367-9433

MARINE RESOURCES COMMISSION

January 23, 1990 - 9:30 a.m. - Open Meeting
Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Room 403, Newport News, Virginia. ☒

The commission will meet to hear and decide cases on fishing licensing, oyster ground leasing, environmental permits in wetlands bottomlands, coastal sand dunes and beaches. The commission hears and decides appeals made on local wetlands board decisions.

Fishery management and conservation measures are discussed by the commission. The commission is empowered to exercise general regulatory power within 15 days and is empowered to take specialized marine life harvesting and conservation measures within five days.

Contact: Sandra S. Schmidt, Secretary to the Commission, 2600 Washington Ave., Room 303, Newport News, VA 23607-0756, telephone (804) 247-2208

BOARD OF MEDICAL ASSISTANCE SERVICES

January 17, 1990 - 9 a.m. - Open Meeting
City Hall, 301 King Street, Room 3000, Alexandria (Old Town), Virginia. ☒

An open meeting to discuss the 1990 budget and other

business pertinent to the board.

Contact: Jacqueline M. Fritz, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA, telephone (804) 786-7958

BOARD OF MEDICINE

† February 23, 1990 - 9 a.m. - Public Hearing
Department of Health Professions, 1601 Rolling Hills Drive, Board Room 2, Richmond, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to adopt regulations entitled: **VR 465-08-01. Regulations for Certification of Occupational Therapists.** These proposed regulations will establish educational requirements, examination, and application fee for certification to practice as an Occupational Therapist.

STATEMENT

Basis: Sections 54.1-2956.1 through 54.2956.5 of the Code of Virginia.

Purpose: The proposed regulations establish requirements for the educational program and the passage of a qualifying examination pursuant to certification of occupational therapists for the appropriate delivery of care to the citizens of the Commonwealth.

Estimated entities and impacts:

Regulated entities: There are approximately 800 persons practicing occupational therapy in the Commonwealth of Virginia who would be eligible to seek certification. Since this is a new profession to be regulated, it is estimated that most of those eligible by training and examination would apply for certification.

Estimated costs: The board anticipates the operating costs to increase \$150,000 to implement and continue this new certification program in FY 1990-92. The basic costs include such requirements as additional staff personnel to review and process the applications, administrative costs of supplies, storage and postage, investigations of complaints, preparation and scheduling of hearings, and expenses related to the Advisory Board on Occupational Therapy.

Source of funds: All funds of the board are derived from fees paid by the regulated therapists and new applicants for certification.

Impact on small business: It is estimated that most of the currently practicing occupational therapists are employed by agencies, hospitals, or schools and therefore would not meet the definition of a "small business." The cost of certification and renewal should not impact any entity that would qualify as a small business. However, it is estimated

that the limitation on numbers of persons a certified occupational therapist may supervise could affect a small number of enterprises that would qualify as small businesses.

The board will consider forms and reports required to implement the requirements stipulated in the proposed regulations following the public hearing. A draft of forms under consideration is published.

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

Written comments may be submitted until March 15, 1990, to Hilary H. Conner, M.D., Executive Director, Board of Medicine, 1601 Rolling Hills Drive, Richmond, Virginia 23229-5005.

Contact: Eugenia K. Dorson, Deputy Executive Director, Board of Medicine, 1601 Rolling Hills Dr., Richmond, VA 23229-5005, telephone (804) 662-9925

† March 22, 1990 - 8 a.m. - Open Meeting
† March 23, 1990 - 8 a.m. - Open Meeting
† March 24, 1990 - 8 a.m. - Open Meeting
† March 25, 1990 - 8 a.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Surry Building, Board Room 1, 1st Floor, Richmond, Virginia. ☐

The board will meet on March 22, 1990, in open session to conduct general board business and discuss any other items which may come before the board. The board will meet on March 23-25, 1990, to review reports, interview licensees and make decisions on discipline matters.

Contact: Eugenia K. Dorson, Deputy Executive Director, 1601 Rolling Hills Dr., Surry Bldg., Richmond, VA 23229-5005, telephone (804) 662-9925

Ad Hoc Committee on Optometry

February 2, 1990 - 1 p.m. - Open Meeting
NOTE: CHANGE IN MEETING TIME
Department of Health Professions, 1601 Rolling Hills Drive, Surry Building, 2nd Floor, Board Room 1, Richmond, Virginia. ☐

The committee will review and discuss the post graduate training programs and the development of an examination for certification of optometrists to treat certain diseases of the human eye with certain therapeutic pharmaceutical agents, and other items which may come before the committee.

Chiropractic Examination Committee

NOTE: CHANGE OF MEETING DATE
January 25, 1990 - 1:30 p.m. - Executive Session
Department of Health Professions, 1601 Rolling Hills Drive, Surry Building, 2nd Floor, Board Room 2, Richmond,

Virginia. ☐

The committee will meet in executive session to develop test questions for the June 1990 Chiropractic Examination.

Executive Committee

February 2, 1990 - 9 a.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Surry Building, 2nd Floor, Board Room 1, Richmond, Virginia. ☐

The committee will meet in open session to review closed cases, cases/files requiring administrative actions and consider any other items which may come before the committee.

Legislative Committee

January 19, 1990 - 9 a.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Board Room 1, Surry Building, 2nd Floor, Richmond, Virginia. ☐

The committee will meet to review and respond to public comments received in response to proposed regulations VR 465-05-01, Physician's Assistants; VR 465-07-01, Certification of Optometrists; proposed amendments to VR 465-03-01, Practice of Physical Therapy; and other matters which may be presented for discussion and consideration for recommendations to the full board.

Advisory Board on Physical Therapy

January 26, 1990 - 9 a.m. - Open Meeting
Embassy Suites Hotel, 2925 Emerywood Parkway, Section D/Ballroom, Richmond, Virginia. ☐

A meeting to review and discuss regulations, bylaws, procedural manuals, receive reports, and other items which may come before the board.

Advisory Board on Physician's Assistants

February 2, 1990 - 2:30 p.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Surry Building, Board Room 1, 2nd Floor, Richmond, Virginia. ☐

A meeting to review public comments received on proposed regulations VR 465-04-01 and prepare a report for the full board in March, 1990.

Contact: Eugenia K. Dorson, Deputy Executive Director, 1601 Rolling Hills Dr., Surry Bldg., 2nd Floor, Richmond, VA 23229-5005, telephone (804) 662-9925

Calendar of Events

STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

January 24, 1990 - 9:30 a.m. - Open Meeting
Henrico Area Community Services Board, Richmond,
Virginia. ☒

A regular monthly meeting. Agenda to be published on
January 17 and may be obtained by calling Jane
Helfrich.

Tuesday evening - Committee meeting 6 p.m., Informal
session 8:30 p.m.

Wednesday - Legislative breakfast 7:30 a.m., Regular
session 9:30 a.m. See agenda for location.

Contact: Jane Helfrich, Board Administrator, P. O. Box
1797, Richmond, VA 23214, telephone (804) 786-3921

Joint Board Liaison Committee

† **January 16, 1990 - 10 a.m. - Open Meeting**
James Madison Building, 109 Governor Street, 10th Floor
Conference Room, Richmond, Virginia. ☒

A quarterly meeting of the committee comprised of
representatives of the Boards of Education, Health,
Mental Health, Mental Retardation and Substance
Abuse Services, Rehabilitative Services and Social
Services. Agenda items include topics of common
interest and the development of joint policies relative
to clients who are mutually served.

Contact: Jane V. Helfrich, Administrative Staff, Department
of Mental Health, Mental Retardation and Substance Abuse
Services, P. O. Box 1797, Richmond, VA 23214, telephone
(804) 786-3921

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

Mental Retardation Advisory Council

† **February 9, 1990 - 10 a.m. - Open Meeting**
James Madison Building, 109 Governor Street, 13th Floor,
Richmond, Virginia. ☒

A quarterly meeting to conduct business relative to the
council's responsibility for advising the board on issues
pertaining to mental retardation. Agenda will be
available February 2, 1990.

Contact: Stanley J. Butkus, PhD, Director of Mental
Retardation Services, P. O. Box 1797, Richmond, VA 23214,
telephone (804) 786-1746

Substance Abuse Advisory Council

† **February 22, 1990 - 10 a.m. - Open Meeting**
James Madison Building, 109 Governor Street, 13th Floor

Board Room, Richmond, Virginia. ☒

A meeting to discuss issues relative to the planning
and delivery of substance abuse services in Virginia.

Contact: Wayne Thacker, Director, Office of Substance
Abuse Services, 109 Governor St., Richmond, VA 23219,
telephone (804) 786-3906 or (804) 786-2991/TDD ☎

University of Virginia Institute of Law, Psychiatry and Public Policy, Division of Continuing Education, Office of Continuing Legal Education and Office of Continuing Medical Education

† **March 13, 1990 - Open Meeting**

† **March 14, 1990 - Open Meeting**

Patrick Henry Inn, Best Western, Colonial Williamsburg,
Virginia. ☒

The 13th Annual Symposium on Mental Health and the
Law to address issues related to mental health and
the law. 9 hours in Category 1 CME, 9 CEU and 9
CLE credits applied for.

Contact: Carolyn Engelhard, Institute of Law, Psychiatry
and Public Policy, Box 100, Blue Ridge Hospital,
Charlottesville, VA 22901, telephone (804) 924-5435

VIRGINIA MUSEUM OF NATURAL HISTORY

Board of Trustees

January 27, 1990 - 9 a.m. - Open Meeting
Radisson Hotel, 555 East Canal Street, Richmond, Virginia.
☒

A meeting to include reports from the executive,
finance, development, education and exhibits,
marketing, personnel, planning/facilities, and research
and collections committees.

Contact: Rhonda J. Knighton, Executive Secretary, Virginia
Museum of Natural History, 1001 Douglas Ave.,
Martinsville, VA 24112, telephone (703) 666-8600, SCATS
857-6950/6951 or (703) 666-8638/TDD ☎

BOARD OF NURSING

† **January 29, 1990 - 9 a.m. - Open Meeting**

† **January 30, 1990 - 9 a.m. - Open Meeting**

† **January 31, 1990 - 9 a.m. - Open Meeting**

Department of Health Professions, 1601 Rolling Hills Drive,
Richmond, Virginia. ☒ (Interpreter for deaf provided if
requested)

A regular meeting of the board to consider matters
related to nursing education programs, discipline of
licensees, licensing by examination and endorsement,
and other matters under the jurisdiction of the board.

Contact: Corinne F. Dorsey, R.N., Executive Director, Board of Nursing, 1601 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9909 or toll-free 1-800-533-1560

BOARD OF NURSING HOME ADMINISTRATORS

January 17, 1990 - 9 a.m. - Open Meeting
January 18, 1990 - 9 a.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

A meeting to draft proposed regulations for nursing home administrators.

Contact: Meredyth P. Partridge, Executive Director, 1601 Rolling Hills Dr., Richmond, VA 23229-5005, telephone (804) 662-9111

OLD DOMINION ASAP POLICY BOARD

† January 16, 1990 - 6:30 p.m. - Open Meeting
The Wayside Inn, President's Room, 7783 Main Street, Middletown, Virginia. ☒

A meeting to (i) approve October 17, 1989, minutes; (ii) discuss and possibly authorize the purchase of Alco-sensors for distribution to local law-enforcement agencies; (iii) discuss treatment service provider; and (iv) elect officers for the new year.

Contact: Joseph A. Walker, Director, 112 S. Cameron St., Winchester, VA 22601, telephone (703) 665-5633

DEPARTMENT OF PERSONNEL AND TRAINING

January 16, 1990 - 10 a.m. - Public Hearing
James Monroe Building, 101 North 14th Street, Conference Room D, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Personnel and Training intends to adopt regulations entitled: **VR 525-01-02. Commonwealth of Virginia Health Benefits Program.**

Statutory Authority: §§ 2.1-20.1 and 2.1-20.1:02 of the Code of Virginia.

Written comments may be submitted until February 20, 1990.

Contact: Anthony C. Graziano, Manager of State Benefits, Department of Personnel and Training, 101 N. 14th St., Richmond, VA 23219, telephone (804) 225-2170

BOARD OF PHARMACY

† January 17, 1990 - 9 a.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, 1st Floor Conference Room, Richmond, Virginia. ☒

A board meeting to conduct general board business.

Adoption of proposed regulations for physicians to sell drugs (TENTATIVE).

Contact: Jack B. Carson, Executive Director, Board of Pharmacy, 1601 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9911

BOARD OF PROFESSIONAL COUNSELORS

† February 8, 1990 - 1 p.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

A formal hearing.

† February 9, 1990 - 9 a.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

A meeting to conduct general board business including committee reports, response to correspondence, and regulatory review.

Contact: Joyce D. Williams, Administrative Assistant, 1601 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9912

BOARD OF PSYCHOLOGY

† January 26, 1990 - 9 a.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

A meeting to (i) conduct general board business; (ii) review applications for licensure, residency, and registrations as Technical Assistants; and (iii) discuss results of oral examinations.

Contact: Evelyn B. Brown, Executive Director, 1601 Rolling Hills Dr., Richmond, VA 23229-5005, telephone (804) 662-9913

VIRGINIA RACING COMMISSION

† January 17, 1990 - 9:30 a.m. - Open Meeting
VSRS Building, 1204 East Main Street, Richmond, Virginia. ☒

A drafting meeting will be held on writing regulations pertaining to limited licenses, the Virginia Breeders

Calendar of Events

Fund and medication.

Contact: William H. Anderson, Regulatory Coordinator, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208, telephone (804) 371-7363

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NOTE: CHANGE OF WRITTEN COMMENT PERIOD
January 24, 1990 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Racing Commission intends to adopt regulations entitled: **VR 662-01-02. Regulations Pertaining to Horse Racing with Pari-mutuel Wagering.**

Statutory Authority: § 59.1-364 of the Code of Virginia.

Written comments may be submitted until January 24, 1990, to Donald Price, Executive Secretary, Virginia Racing Commission, P.O. Box 1123, Richmond, Virginia 23208.

Contact: William H. Anderson, Regulatory Coordinator, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208, telephone (804) 371-7363

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NOTE: CHANGE OF MEETING DATE
January 24, 1990 - 9:30 a.m. - Public Hearing
VSRS Building, 1204 East Main Street, Richmond, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Racing Commission intends to amend regulations entitled: **VR 662-01-02. Regulation Pertaining to Horse Racing with Pari-Mutuel Wagering.** The purpose of the proposed amendment is to request approval of racing days, transfer and acquisition of an interest in a license, appeals of licensing decisions, pari-mutuel wagering, and purse distribution.

Statutory Authority: § 59.1-364 of the Code of Virginia.

Written comments may be submitted until February 19, 1990, to Chairman, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208.

Contact: William H. Anderson, Regulatory Coordinator, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208, telephone (804) 371-7363

BOARD OF REHABILITATIVE SERVICES

January 25, 1990 - 9:30 a.m. - Open Meeting
† **February 22, 1990 - 9:30 a.m.** - Open Meeting
4901 Fitzhugh Avenue, Richmond, Virginia. ☒ (Interpreter

for deaf provided if requested)

The board will receive department reports, consider regulatory matters and conduct the regular business of the board.

Finance Committee

January 24, 1990 - 2 p.m. - Open Meeting
† **February 21, 1990 - 2 p.m.** - Open Meeting
4901 Fitzhugh Avenue, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

The committee will review monthly financial reports and budgetary projections.

February 21, 1990 - update on status of biennial budget request and develop calendar for FY 92 budget development.

Legislation and Evaluation Committee

January 24, 1990 - 4 p.m. - Open Meeting
† **February 21, 1990 - 4 p.m.** - Open Meeting
4901 Fitzhugh Avenue, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

The committee will review pending federal and state legislation and develop criteria for evaluation of department programs.

Program Committee

January 24, 1990 - 3 p.m. - Open Meeting
† **February 21, 1990 - 3 p.m.** - Open Meeting
4901 Fitzhugh Avenue, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

The committee will review vocational rehabilitation regulation proposals and explore options for developing amendments to current VR regulations.

February 21, 1990 - Client Service Program Information, Independent Living Report and WWRC Program Information.

Contact: Susan L. Urofsky, Commissioner, 4901 Fitzhugh Ave., Richmond, VA 23230, telephone (804) 367-0319, toll-free 1-800-552-5019/TDD ☎ or (804) 367-0280/TDD ☎

ROANOKE VALLEY LOCAL EMERGENCY PLANNING COMMITTEE

† **January 18, 1990 - 9 a.m.** - Open Meeting
Salem Civic Center, 1001 Roanoke Boulevard, Room C, Salem, Virginia. ☒

A regular meeting.

Contact: David Hoback, Deputy Coordinator of Emergency

Services, 215 Church Ave., S.W., Roanoke, VA 24011, telephone (703) 981-2425

STATE BOARD OF SOCIAL SERVICES

January 17, 1990 - 2 p.m. - Open Meeting
January 18, 1990 - 9 a.m. - Open Meeting (If Necessary)
February 14, 1990 - 2 p.m. - Open Meeting
February 15, 1990 - 9 a.m. - Open Meeting (If Necessary)
Department of Social Services, 8007 Discovery Drive, Richmond, Virginia. ☒

A work session and formal business meeting of the board.

Contact: Phyllis Sisk, Administrative Staff Specialist, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229-8699, telephone (804) 662-9236

DEPARTMENT OF SOCIAL SERVICES (STATE BOARD OF)

January 20, 1990 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled: **VR 615-91-2. Lump Sum Ineligibility Period in the Aid to Dependent Children (ADC) Program.** The proposed amendment deletes language giving final authority to the local social services agency for decisions regarding conditions that could shorten the period of ineligibility established due to the receipt of a lump sum.

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

Written comments may be submitted until January 20, 1990, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Peggy Friedenberg, Legislative Analyst, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229-8699, telephone (804) 662-9217

VIRGINIA SOIL AND WATER CONSERVATION BOARD

January 16, 1990 - 10 a.m. - Public Hearing
Department of Transportation, 1221 East Broad Street, East Conference Room, Richmond, Virginia

January 18, 1990 - 10 a.m. - Public Hearing
Roanoke City Hall, Room 156, Roanoke, Virginia

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Virginia Soil and Water Conservation Board intends to amend regulations

entitled: **VR 625-03-00. Flood Prevention and Protection Assistance Fund.** This regulation is intended to provide administration of the Flood Prevention and Protection Fund and to provide guidance and assistance to local public bodies applying for a loan or grant.

Statutory Authority: § 10.1-603.18 of the Code of Virginia.

Written comments may be submitted until 3 p.m., March 5, 1990, to Leon E. App, Executive Assistant, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, Virginia 23219.

Contact: L. S. Button, Jr., Manager, Bureau of Dam Safety and Floodplain Management, Department of Conservation and Recreation, 203 Governor St., Suite 238, Richmond, VA 23219, telephone (804) 371-7536

DEPARTMENT OF TAXATION

February 20, 1990 - 2 p.m. - Public Hearing
Department of Taxation, Central Office Training Room, 2200 West Broad Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to adopt regulations entitled: **VR 630-2-335. Individual Income Tax: Virginia Tax Reform Credit.** The purpose of the proposed action is to inform individual income taxpayers of the correct procedures for claiming the Virginia Tax Reform Credit enacted by the 1989 General Assembly.

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

Written comments may be submitted until February 20, 1990.

Contact: Janie E. Bowen, Director, Tax Policy Division, Department of Taxation, P.O. Box 6-L, Richmond, VA 23282, telephone (804) 367-8010

COMMONWEALTH TRANSPORTATION BOARD

January 17, 1990 - 2 p.m. - Open Meeting
Department of Transportation, 1401 East Broad Street, Board Room, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A work session of the Commonwealth Transportation Board and the Department of Transportation staff.

January 18, 1990 - 10 a.m. - Open Meeting
Department of Transportation, 1401 East Broad Street, Board Room, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A monthly meeting to vote on proposals presented

Calendar of Events

regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board approval.

Contact: Albert W. Coates, Jr., Assistant Commissioner, Department of Transportation, 1401 E. Broad St., Richmond, VA, telephone (804) 786-9950

TRANSPORTATION SAFETY BOARD

† **January 31, 1990 - 1:30 p.m.** – Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. ☒

A meeting to discuss various subjects which pertain to transportation safety.

Contact: John T. Hanna, Deputy Commissioner for Transportation Safety, 2300 W. Broad St., Richmond, VA 23269, telephone (804) 367-6620 or (804) 367-1752/TDD ☎

TREASURY BOARD

† **January 17, 1990 - 9 a.m.** – Open Meeting
† **February 21, 1990 - 9 a.m.** – Open Meeting
James Monroe Building, 101 North 14th Street, Treasury Board Conference Room, 3rd Floor, Richmond, Virginia. ☒

A regular monthly meeting.

Contact: Laura Wagner-Lockwood, Senior Debt Manager, Department of the Treasury, P. O. Box 6-H, Richmond, VA 23215, telephone (804) 225-4931

VIRGINIA MILITARY INSTITUTE

Board of Visitors

January 27, 1990 - 8:30 a.m. – Open Meeting
Virginia Military Institute, Smith Hall, Board Room, Lexington, Virginia. ☒

A regular winter meeting of the VMI Board of Visitors to receive committee reports.

Contact: Colonel Edwin L. Dooley, Jr., Secretary, Virginia Military Institute, Lexington, VA 24450, telephone (703) 464-7206

VIRGINIA VOLUNTARY FORMULARY BOARD

February 1, 1990 - 10 a.m. – Public Hearing
James Madison Building, 109 Governor Street, Main Floor Conference Room, Richmond, Virginia. ☒

A public hearing to consider the proposed adoption and issuance of revisions to the Virginia Voluntary

Formulary. The proposed revisions to the Formulary delete drugs and drug products from the Formulary that became effective on November 15, 1988, and the most recent supplement to that revision. Copies of the proposed revisions to the Formulary are available for inspection at the Virginia Department of Health, Bureau of Pharmacy Services, James Madison Building, 109 Governor Street, Richmond, Virginia 23219. Written comments sent to the above address and received prior to 5 p.m. on February 1, 1990, will be made a part of the hearing record and considered by the board.

Contact: James K. Thomson, Director, Bureau of Pharmacy Services, 109 Governor St., Richmond, VA 23219, telephone (804) 786-4326

BOARD FOR THE VISUALLY HANDICAPPED

January 18, 1990 - 2:30 p.m. – Open Meeting
Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

The board meets quarterly to review policy and procedures of the department and to review and approve the department's budget.

Contact: Diane E. Allen, Administrative Assistant, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3145, toll-free 1-800-622-2155 or (804) 371-3140/TDD ☎

DEPARTMENT FOR THE VISUALLY HANDICAPPED

Advisory Committee on Services

January 20, 1990 - 11 a.m. – Open Meeting
Department for the Visually Handicapped, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

The committee meets quarterly to advise the Board for the Visually Handicapped on matters related to services for blind and visually handicapped citizens of the Commonwealth.

Contact: Barbara G. Tyson, Executive Secretary, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3140/TDD ☎ or toll-free 1-800-622-2155

Interagency Coordinating Council on Delivery of Related Services to Handicapped Children

† **January 23, 1990 - 2 p.m.** – Open Meeting
Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, Virginia. ☒

A regular monthly meeting.

Contact: Glen R. Slonneger, Jr., Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3140

VIRGINIA COUNCIL ON VOCATIONAL EDUCATION

† February 14, 1990 - 10 a.m. - Open Meeting
Jefferson-Sheraton Hotel, Richmond, Virginia

† February 15, 1990 - 10 a.m. - Open Meeting
James Monroe Building, 101 North 14th Street, Richmond, Virginia. ☐

February 14, 1990 - 10 a.m. - committee meetings.
1:30 p.m. - business session
3:15 p.m. - work session

February 15, 1990 - 10 a.m. - meeting with the Virginia Board of Education.

Contact: George S. Orr, Jr., Executive Director, Virginia Council on Vocational Education, 7420-A Whitepine Road, Richmond, VA 23237, telephone (804) 275-6218

DEPARTMENT OF WASTE MANAGEMENT (VIRGINIA WASTE MANAGEMENT BOARD)

February 9, 1990 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Waste Management Board intends to adopt regulations entitled: **VR 672-50-01. Regulations for the Development of Solid Waste Management Plans.** The regulations require each city, county and town, acting individually or as a designated region, to prepare plans for solid waste management within their jurisdictions. They describe plan contents and recycling goals.

Statutory Authority: Chapter 14 (§ 10.1-1400 et seq. and specifically § 10.1-1411) of Title 10.1 of the Code of Virginia.

Written comments may be submitted until February 9, 1990.

Contact: Robert G. Wickline, Department of Waste Management, 101 N. 14th St., 11th Floor, Richmond, VA 23219, telephone (804) 225-2667

January 31, 1990 - 7:30 p.m. - Public Hearing
Wise County Courthouse, Board of Supervisors Room, Wise, Virginia

Pursuant to the requirements of Part VII of the Solid Waste Management Regulations (§ 7 E, VR 672-20-10), the draft permit for the Wise County Sanitary Landfill,

proposed by Wise County Board of Supervisors is available for public review and comment.

The Department of Waste Management will hold a public hearing on this draft permit; persons wishing to speak should contact A.C. McNeer, Hearing Officer, Department of Waste Management, Division of Administration, 11th Floor, James Monroe Building, 101 North 14th Street, Richmond, VA 23219, (804) 225-2837.

The comment period shall extend until 5 p.m. on February 12, 1990. Comments on this draft should be in writing and directed to Karol A. Akers, Technical Services Chief, Department of Waste Management, Division of Technical Services, 11th Floor, James Monroe Building, 101 North 14th Street, Richmond, VA 23219.

Contact: E. D. Gillespie, Environmental Engineer Consultant, Department of Waste Management, 11th Floor, James Monroe Bldg., 101 N. 14th, Richmond, VA 23219, telephone (804) 225-2851, toll-free 1-800-552-2075 or (804) 371-8737/TDD 5

STATE WATER CONTROL BOARD

† January 17, 1990 - 7 p.m. - Public Hearing
Randolph Elementary School Cafeteria, 1552 Sheppard Town Road, Crozier, Virginia. ☐

A public hearing to receive comments on the proposed reissuance of Virginia Pollutant Discharge Elimination System (VPDES) Permit No. VA0004685 for R. I. Pruitt, Goochland County, Route 1, Box 31, Rockville, Virginia 23146. The purpose of the hearing is to receive comments on the proposed reissuance or denial of the permit, and the effect of the discharge on water quality or beneficial uses of state waters.

† January 24, 1990 - 7 p.m. - Public Hearing
North Accomack Elementary School Auditorium, Route 13, Mappsville, Virginia. ☐

A public hearing to receive comments on the proposed issuance or denial of a Virginia Pollutant Discharge Elimination System (VPDES) Permit No. VA0082538 for Taylor and Fulton, Incorporated, P. O. Box 1087, Palmetto, Florida 34221. The purpose of the hearing is to receive comments on the proposed permit, the issuance or denial of the permit and the effect of the discharge on water quality or beneficial uses of state waters.

Contact: Lori A. Freeman, Hearings Director, Office of Policy Analysis, State Water Control Board, 2111 N. Hamilton St., P.O. Box 11143, Richmond, VA 23230-1143, telephone (804) 367-6815

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Calendar of Events

February 12, 1990 - 2 p.m. - Public Hearing
Newport News City Council Chambers, City Hall, 2400
Washington Avenue, Newport News, Virginia

February 26, 1990 - 10:30 a.m. - Public Hearing
Rockbridge Regional Library, 128 South Main Street,
Lexington, Virginia

March 19, 1990 - 3 p.m. - Formal Hearing
General Assembly Building, Capitol Square, Senate Room
B, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1
of the Code of Virginia that the State Water Control
Board intends to amend regulations entitled: **VR
680-21-01. Standards with General, Statewide
Application.** The proposed amendment would add a
new section, VR 680-21-01.15 - Dioxin for Surface
Waters, to the Water Quality Standards.

Statutory Authority: § 62.1-44.15(3a) of the Code of
Virginia.

Written comments may be submitted until March 5, 1990,
to Doneva Dalton, State Water Control Board, P. O. Box
11143, Richmond, Virginia 23230.

Contact: Durwood Willis, Office of Environmental Research
and Standards, State Water Control Board, P. O. Box 11143,
Richmond, VA 23230, telephone (804) 367-6714

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February 22, 1990 - 2 p.m. - Public Hearing
Virginia War Memorial Auditorium, 621 South Belvidere
Street, Richmond, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1
of the Code of Virginia that the State Water Control
Board intends to amend regulations entitled: **VR
680-16-16. Richmond-Crater Interim Water Quality
Management Plan.** The purpose of the proposed
amendment is to provide a basis for long-term
implementation of a Combined Sewer Overflow Control
Plan for the City of Richmond.

Statutory Authority: § 62.1-44.15(3a) of the Code of
Virginia.

Written comments may be submitted until February 22,
1990, to Doneva Dalton, State Water Control Board, P.O.
Box 11143, Richmond, Virginia 23230.

Contact: Curt Linderman, Piedmont Regional Office, State
Water Control Board, P.O. Box 11143, Richmond, VA 23230,
telephone (804) 367-1006

COUNCIL ON THE STATUS OF WOMEN

January 16, 1990 - 7 p.m. - Open Meeting

Richmond Radisson Hotel, 555 East Canal Street,
Richmond, Virginia

A regular meeting to conduct general business and to
receive reports from the council standing committees.

Contact: Bonnie H. Robinson, Executive Director, 8007
Discovery Dr., Richmond, VA 23229-8699, telephone (804)
662-9200

LEGISLATIVE

Notice to Subscribers

Legislative meetings held during the Session of the
General Assembly are exempt from publication in The
Virginia Register of Regulations. You may call Legislative
Information for information on standing committee
meetings. The number is (804) 786-6530.

CHRONOLOGICAL LIST

OPEN MEETINGS

January 16

Environment, Council on the
Housing Development Authority, Virginia
† Mental Health, Mental Retardation and Substance
Abuse Services, Department of
- Joint Board Liaison Committee
† Old Dominion ASAP Policy Board
Women, Council on the Status of

January 17

† Central Virginia ASAP Policy Board
† Contractors, Board for
† Corrections, Board of
Medical Assistance Services, Board of
Nursing Home Administrators, Board of
† Pharmacy, Board of
† Racing Commission, Virginia
Social Services, State Board of
Transportation Board, Commonwealth
† Treasury Board

January 18

Children, Department for
- State-Level Runaway Youth Services Network
† Danville Local Emergency Planning Committee
Farmers' Market Board, Virginia
Housing and Community Development, Board of
- Amusement Device Technical Advisory Committee

† Labor and Industry, Department of
 - Virginia Apprenticeship Council
 Library Board
 Nursing Home Administrators, Board of
 † Roanoke Valley Local Emergency Planning
 Committee
 Social Services, State Board of
 Transportation Board, Commonwealth
 Visually Handicapped, Board for the

January 19

† Building Code Technical Review Board, State
 Children, Coordinating Committee for
 Interdepartmental Licensure and Certification of
 Residential Facilities for Children
 Commercial Driver Education Schools, Board for
 † Conservation and Recreation, Department of
 - Falls of the James Scenic River Advisory Board
 † Fire Services Board, Virginia
 - Training Committee
 Medicine, Board of
 - Legislative Committee
 Longwood College
 - Board of Visitors

January 20

Longwood College
 - Board of Visitors
 Visually Handicapped, Department for the
 - Advisory Committee on Services

January 22

† Accountancy, Board for

January 23

† Accountancy, Board for
 † Children's Facilities, Interdepartmental Council on
 Rate-Setting for
 Health Services Cost Review Council, Virginia
 Marine Resources Commission
 † Visually Handicapped, Department for the
 - Interagency Coordinating Council on Delivery of
 Related Services to Handicapped Children

January 24

Gloucester Local Emergency Planning Committee
 Lottery Department, State
 Mental Health, Mental Retardation and Substance
 Abuse Services Board, State
 Rehabilitative Services, Board of
 - Finance Committee
 - Legislation and Evaluation Committee
 - Program Committee

January 25

† Medicine, Board of
 - Chiropractic Examination Committee
 Rehabilitative Services, Board of

January 26

Medicine, Board of

- Advisory Board on Physical Therapy
 † Psychology, Board of

January 27

Virginia Military Institute
 - Board of Visitors
 Natural History, Virginia Museum of
 - Board of Trustees

January 29

† Nursing, Board of

January 30

Hanover County Local Emergency Planning Committee
 † Nursing, Board of

January 31

† Contractors, Board for
 † Nursing, Board of
 † Transportation Safety Board

February 1

† Chesterfield County, Local Emergency Planning
 Committee
 Commerce, Board of

February 2

Medicine, Board of
 - Ad Hoc Committee on Optometry
 - Executive Committee
 - Advisory Board on Physician's Assistants

February 5

Library Board

February 6

† Air Pollution Control, Department of
 Funeral Directors and Embalmers, Board of
 † Hopewell Industry Safety Council

February 7

† Corrections, Board of

February 8

Child Day-Care Council
 † Health Professions, Board of
 † Professional Counselors, Board of

February 9

† Mental Health, Mental Retardation and Substance
 Abuse Services, Department of
 - Mental Retardation Advisory Council
 † Professional Counselors, Board of

February 13

† Hazardous Materials Training Committee

February 14

Social Services, State Board of
 † Vocational Education, Council on

Calendar of Events

February 15

† Arlington County/City of Falls Church Local
Emergency Planning Committee
Social Services, State Board of
† Vocational Education, Council on

February 16

Children, Coordinating Committee for
Interdepartmental Licensure and Certification of
Residential Facilities for Children
† Conservation and Recreation, Department of
- Falls of the James Scenic River Advisory Board

February 20

Taxation, Department of

February 21

† Rehabilitative Services, Board of
- Finance Committee
- Legislation and Evaluation Committee
- Program Committee
† Treasury Board

February 22

† Mental Health, Mental Retardation and Substance
Abuse Services, Department of
- Substance Abuse Advisory Council
† Rehabilitative Services, Board of

March 1

† Chesterfield County, Local Emergency Planning
Committee of

March 6

† Hopewell Industrial Safety Council

March 8

Child Day-Care Council

March 10

† Dentistry, Board of

March 13

† Mental Health, Mental Retardation and Substance
Abuse Services, Department of
- University of Virginia Institute of Law, Psychiatry
and Public Policy, Division of Continuing Education,
Office of Continuing Legal Education and Office of
Continuing Medical Education

March 14

† Mental Health, Mental Retardation and Substance
Abuse Services, Department of
- University of Virginia Institute of Law, Psychiatry
and Public Policy, Division of Continuing Education,
Office of Continuing Legal Education and Office of
Continuing Medical Education

March 16

Children, Coordinating Committee for
Interdepartmental Licensure and Certification of

Residential Facilities for Children

March 22

† Medicine, Board of

March 23

† Medicine, Board of

March 24

† Medicine, Board of

March 25

† Medicine, Board of

PUBLIC HEARINGS

January 16

Soil and Water Conservation Board, Virginia

January 17

† Water Control Board, State

January 18

Soil and Water Conservation Board, Virginia

January 24

Racing Commission, Virginia
† Water Control Board, State

January 31

Waste Management, Department of

February 1

Voluntary Formulary Board, Virginia

February 5

Education, Department of

February 12

Water Control Board, State

February 20

Taxation, Department of

February 22

Water Control Board, State

February 23

† Medicine, Board of

February 26

Water Control Board, State

March 5

† Education, Department of

March 7

Health Services Cost Review Council, Virginia

March 28
Human Rights, Council on

April 4
Criminal Justice Services Board

Calendar of Events
