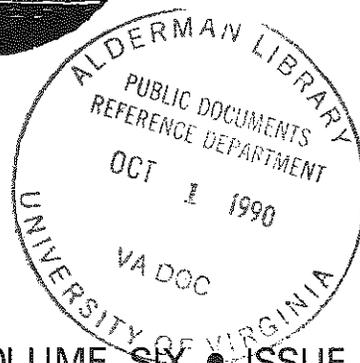
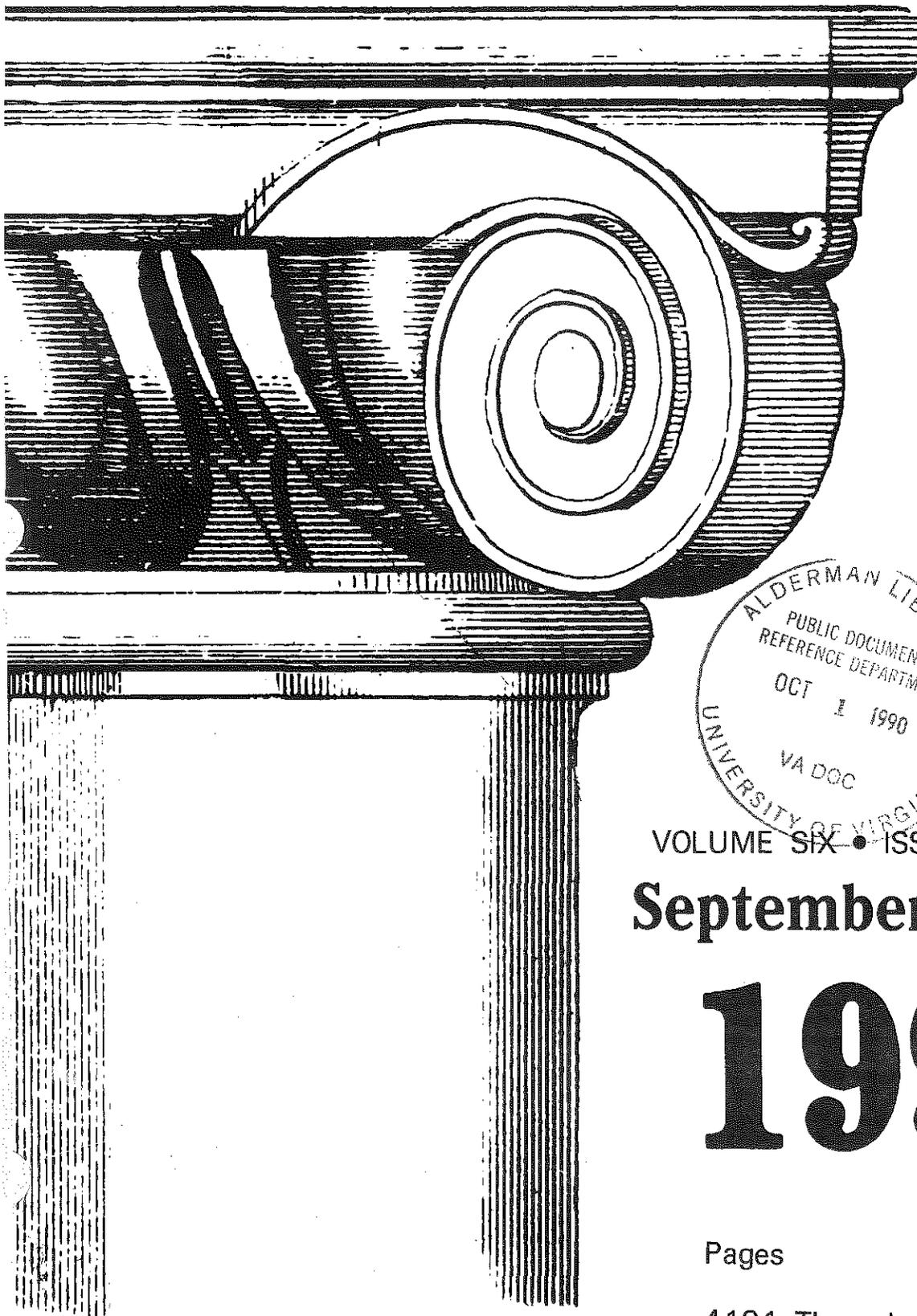


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OF REGULATIONS

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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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PROPOSED REGULATIONS

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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 MEDICAL ASSISTANCE SERVICES (BOARD OF)

Title of Regulation: VR 460-04-8.7. Client Appeals.

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

Public Hearing Date: N/A - Written comments may be submitted until November 23, 1990.
(See Calendar of Events section for additional information)

Summary:

The Code of Federal Regulations § 431 Subpart E contains the federal requirement for fair hearings for applicants and recipients. This subpart, in implementing the Social Security Act § 1902 (a)(3), requires that the State Plan for Medical Assistance provide an opportunity for a fair hearing to any person whose claim for assistance is denied or not acted upon promptly. Hearings are also available for individuals if Medicaid takes action to suspend, terminate, or reduce services. The State Plan conforms to this requirement on page 33.

The Virginia General Assembly amended the Administrative Process Act effective July 1, 1989, to allow limited judicial review of public assistance case decisions. In an effort to ensure continued due process fairness in client appeals and, in anticipation of the newly established availability of judicial review, the department has revised its administrative procedures for client appeals.

The volunteer Medicaid Appeals Board, formerly used to decide client appeals, has been replaced with a Medical Assistance Appeals Panel which consists of three Administrative Law Judges employed by the department. The revised Client Appeals system now provides for two levels of review of Medicaid client appeals. The first level is a hearing officer decision and the second is a decision by the panel of Administrative Law Judges. These new procedures should minimize the number of decisions appealed in court.

The department administers this revised system under emergency regulations that are effective until January 15, 1991. While these proposed regulations include a change to the structure of the previously filed emergency regulations by formatting them in the sequence by which the process actually occurs, but the

operating premise of the Client Appeals system, described in the emergency regulation remains unchanged.

VR 460-04-8.7. Client Appeals.

PART I. GENERAL.

Article I. Definitions.

§ 1.1. Definitions.

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

"Agency" means:

1. An agency which, on the department's behalf, makes determinations regarding applications for benefits provided by the department; and,
2. The department itself when it makes initial determinations regarding client benefits.

"Appellant" means an applicant for or recipient of medical assistance benefits from the department who seeks to challenge an adverse action regarding his benefits or his eligibility for benefits.

"Department" means the Department of Medical Assistance Services.

"Division" means the department's Division of Client Appeals.

"Final decision" means a written determination by a hearing officer which is binding on the department, unless modified on appeal or review.

"Panel" means the Medical Assistance Appeals Panel.

"Representative" means an attorney or agent who has been authorized to represent an appellant pursuant to these regulations.

Article 2. The Appeal System.

§ 1.2. Division of Client Appeals.

The division shall maintain a two-step appeals system

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for clients to challenge adverse actions regarding services and benefits provided by the department:

1. *Hearing officer review.* The first level of appeal is a hearing before a hearing officer. See Part II of these regulations.

2. *Medical Assistance Appeals Panel Review.* An appellant who believes the hearing officer's decision is incorrect may appeal to the Medical Assistance Appeals Panel for review. See Part III of these regulations.

§ 1.3. Time limitation for appeals.

Hearing officer appeals shall be scheduled and conducted to comply with the 90-day time limitation imposed by federal regulations, unless waived in writing by the appellant or the appellant's representative.

§ 1.4. Judicial review.

An appellant who believes the decision of the Medical Assistance Appeals Panel is incorrect may seek judicial review pursuant to § 9-6.14:1 et seq. of the Virginia Code and Part 2A, Rules of the Virginia Supreme Court. An appellant must receive a final decision from the panel before seeking judicial review.

Article 3. Representation.

§ 1.5. Right to representation.

An appellant shall have the full right to representation by an attorney or agent at all stages of appeal.

§ 1.6. Designation of representative.

A. Agents.

An agent must be designated in a written statement which is signed by the appellant. If the appellant is physically or mentally unable to sign a written statement, the division may allow a family member or other person acting on appellant's behalf to represent the appellant.

B. Attorneys.

If the agent is an attorney, a signed statement by an attorney that he is authorized to represent the appellant prepared on the attorney's letterhead, shall be accepted as a designation of representation.

C. Substitution.

A member of the same law firm as a designated representative shall have the same rights as the designated representative.

D. Revocation.

An appellant may revoke representation by another person at any time. The revocation is effective when the department receives written notice from the appellant.

Article 4. Notice and Appeal Rights.

§ 1.7. Notification of adverse agency action.

The agency which makes an initial adverse determination shall inform the applicant or recipient in a written notice:

1. What action the agency intends to take;
2. The reasons for the intended action;
3. The specific regulations that support or the change in law that requires the action;
4. The right to request an evidentiary hearing, and the methods and time limits for doing so;
5. The circumstances under which benefits are continued if a hearing is requested (see § 1.10); and
6. The right to representation.

§ 1.8. Advance notice.

When the agency plans to terminate, suspend or reduce an individual's eligibility or covered services, the agency must mail the notice described in § 1.7 at least 10 days before the date of action, except as otherwise permitted by federal law.

§ 1.9. Right to appeal

An individual has the right to file an appeal when:

1. His application for benefits administered by the department is denied. However, if an application for State Local Hospitalization coverage is denied because of a lack of funds which is confirmed by the hearing officer, and no factual dispute exists, there is no right to appeal.
2. The agency takes action or proposes to take action which will adversely affect, reduce, or terminate his receipt of benefits;
3. His request for a particular medical service is denied, in whole or in part;
4. The agency does not act with reasonable promptness on his application for benefits or request for a particular medical service; or
5. Federal regulations require that a fair hearing be granted.

§ 1.10. If an appellant files a timely Request of Appeal, his services shall not be terminated or reduced until the appeal has been finally decided unless the appeal is invalidated by the hearing officer. Maintaining services.

A. If the agency mails the 10-day notice described in § 1.8 and the appellant files his Request for Appeal before the date of action, his services shall not be terminated or reduced until all appeals have been finally decided, unless it is determined at the hearing that the sole issue is one of federal or state law or policy and the appellant is promptly informed in writing that services are to be terminated or reduced pending the hearing decision.

B. If the agency's action is sustained on appeal, the agency may institute any available recovery procedures against the appellant to recoup the cost of any services furnished to the appellant, to the extent they were furnished solely by reason of § 1.10 A of these regulations.

Article 5. Miscellaneous Provisions.

§ 1.11. Division records.

A. Removal of records.

No person shall take from the division's custody any original record, paper, document, or exhibit which has been certified to the division except as the Director of Client Appeals authorizes, or as may be necessary to furnish or transmit copies for other official purposes.

B. Confidentiality of records.

Information in the appellant's record can be released only to a properly designated representative or other person(s) named in a release of information authorization signed by an appellant, his guardian or power of attorney.

C. Fees.

The fees to be charged and collected for any copies will be in accordance with Virginia's Freedom of Information Act or other controlling law.

D. Waiver of fees.

When copies are requested from records in the division's custody, the required fee shall be waived if the copies are requested in connection with an individual's own review or appeal.

§ 1.12. Computation of time limits.

A. Acceptance of postmark date.

Documents postmarked on or before a time limit's expiration shall be accepted as timely.

B. Computation of time limit.

In computing any time period under these regulations, the day of the act or event from which the designated period of time begins to run shall be excluded and the last day included. If a time limit would expire on a Saturday, Sunday, or state or federal holiday, it shall be extended until the next regular business day.

PART II. HEARING OFFICER REVIEW.

Article 1. Commencement of Appeals.

§ 2.1. Evidentiary hearings.

A hearing officer shall review all agency determinations which are properly appealed; conduct informal, fact-gathering hearings; evaluate evidence presented; and issue a written decision sustaining, reversing, or remanding each case to the agency for further proceedings.

§ 2.2. Request for appeal.

Any written communication from an appellant or his representative which clearly expresses that he wants to present his case to a reviewing authority shall constitute an appeal request. This communication should explain the basis for the appeal.

§ 2.3. Place of filing a Request for Appeal.

A Request for Appeal shall be delivered or mailed to the Division of Client Appeals.

§ 2.4. Filing date.

The date of filing shall be the date the request is postmarked, if mailed, or the date the request is received by the department, if delivered other than by mail.

§ 2.5. Time limit for filing.

A Request for Appeal shall be filed within 30 days of the appellant's receipt of the notice of an adverse action described in § 1.8 of these regulations. It is presumed that appellants will receive the notice three days after the agency mails the notice. A Request for Appeal on the grounds that an agency has not acted with reasonable promptness may be filed at any time until the agency has acted.

§ 2.6. Extension of time for filing.

An extension of the 30-day period for filing a Request for Appeal may be granted for good cause shown. Examples of good cause include, but are not limited to, the following situations:

1. Appellant was seriously ill and was prevented from contacting the division;

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2. Appellant did not receive notice of the agency's decision;

3. Appellant sent the Request for Appeal to another government agency in good faith within the time limit;

4. Unusual or unavoidable circumstances prevented a timely filing.

§ 2.7. Provision of information.

Upon receipt of a Request for Appeal, the division shall notify the appellant and his representative of general appeals procedures and shall provide further detailed information upon request.

Article 5. Prehearing Review.

§ 2.8. Review.

A hearing officer shall initially review an assigned case for compliance with prehearing requirements and may communicate with the appellant or his representative and the agency to confirm the agency action and schedule the hearing.

§ 2.9. Medical Assessment.

A. A hearing officer may order an independent medical assessment when:

1. The hearing involves medical issues such as a diagnosis, an examining physician's report, or a medical review team's decision; and

2. The hearing officer determines it necessary to have an assessment by someone other than the person or team who made the original decision, for example, to obtain more detailed medical findings about the impairments, to obtain technical or specialized medical information, or to resolve conflicts or differences in medical findings or assessments in the existing evidence.

B. A medical assessment ordered pursuant to this regulation shall be at the department's expense and shall become part of the record.

§ 2.10. Prehearing action.

A. Invalidation.

A Request for Appeal may be invalidated if it was not filed within the time limit imposed by § 2.5 or extended pursuant to § 2.6.

1. If the hearing officer determines that the appellant has failed to file a timely appeal, the hearing officer shall notify the appellant and the appellant's representative of the opportunity to show good cause

for the late appeal.

2. If a factual dispute exists about the timeliness of the Request for Appeal, the hearing officer shall receive evidence or testimony on those matters before taking final action.

3. If a Request for Appeal is invalidated, the hearing officer shall issue a decision pursuant to § 2.22.

B. Administrative dismissal.

A Request for Appeal may be administratively dismissed without a hearing if the appellant has no right to appeal under § 1.9 of these regulations.

1. If the hearing officer determines that the appellant does not have the right to an appeal, the hearing officer shall notify the appellant and appellant's representative of the opportunity to contest the hearing officer's proposed administrative dismissal of the request.

2. If the appellant or the appellant's representative objects to the proposed administrative dismissal, the hearing officer shall conduct a hearing on the matter before taking final action.

3. If a Request for Appeal is administratively dismissed, the hearing officer shall issue a decision pursuant to § 2.22.

C. Judgment on the record

If the hearing officer determines from the record that the agency's determination was clearly in error and that the case should be resolved in the appellant's favor, he shall issue a decision pursuant to § 2.22.

D. Remand to agency.

If the hearing officer determines from the record that the case might be resolved in the appellant's favor if the agency obtains and develops additional information, documentation, or verification, he may remand the case to the agency for action consistent with the hearing officer's written instructions. The remand order shall be sent to the appellant and any representative.

E. Removal to the Medical Assistance Appeals Panel

In cases where the sole issue is one of state or federal law or policy, the case may, with the appellant's approval, be removed to the Medical Assistance Appeals Panel. Such cases will proceed according to the provisions of Part III of these regulations.

1. Before such removal, the hearing officer will send the appellant a statement of undisputed facts and identify the legal questions involved.

2. If the appellant accepts the hearing officer's statement of facts and legal questions involved, he may agree to removal to the panel.

3. If appellant disputes any facts, wants to present additional evidence, or desires a face-to-face hearing, removal is inappropriate, and a hearing must be held.

Article 7. Hearing.

§ 2.11. Scheduling.

To the extent possible, hearings will be scheduled at the appellant's convenience, with consideration of the travel distance required.

§ 2.12. Notification.

When a hearing is scheduled, the appellant and his representative shall be notified in writing of its time and place.

§ 2.13. Postponement.

A hearing may be postponed for good cause shown. No postponement will be granted beyond 30 days after the date of the Request for Appeal was filed unless the appellant or his representative waives in writing the 90-day deadline for the final decision.

§ 2.14. Location.

The hearing location shall be determined by the division. If for medical reasons the appellant is unable to travel, the hearing may be conducted at his residence.

§ 2.15. Client access to records.

Upon the request of the appellant or his representative, at a reasonable time before the date of the hearing, as well as during the hearing, the appellant and his representative may examine the content of appellant's case file and all documents and records the agency will rely on at the hearing.

§ 2.16. Subpoenas.

Appellants who require the attendance of witnesses or the production of records, memoranda, papers, and other documents at the hearing may request issuance of a subpoena in writing. The request must be received by the division at least five business days before the hearing is scheduled. Such request must include the witness' name, home and work address, county or city of work and residence, and identify the sheriff's office which will serve the subpoena.

§ 2.17. Role of the hearing officer.

The hearing officer shall conduct the hearing, decide on

questions of evidence and procedure, question witnesses, and assure that the hearing remains relevant to the issue(s) being appealed. The hearing officer shall control the conduct of the hearing and decide who may participate in or observe the hearing.

§ 2.18. Informality of hearings.

Hearings shall be conducted in an informal, nonadversarial manner. The appellant or his representative has the right to bring witnesses, establish all pertinent facts and circumstances; present an argument without undue interference, and question or refute the testimony or evidence, including the opportunity to confront and cross-examine adverse witnesses.

§ 2.19. Evidence.

The rules of evidence shall not strictly apply. All relevant, nonrepetitive evidence may be admitted, but the probative weight of the evidence will be evaluated by the hearing officer.

§ 2.20. Record of hearing.

All hearings shall be recorded. All exhibits accepted or rejected shall become part of the hearing record.

§ 2.21. Oath or affirmation.

All witnesses shall testify under oath.

§ 2.22. Dismissal of Request for Appeal.

Request for Appeal may be dismissed if:

1. The appellant or his representative withdraws the request in writing; or
2. The appellant or his representative fails to appear at the scheduled hearing without good cause, and does not reply within 10 days after the hearing officer mails an inquiry as to whether the appellant wishes further action on the appeal.

§ 2.23. Post-hearing supplementation of the record.

A. Medical assessment.

Following a hearing, a hearing officer may order an independent medical assessment as described in § 2.9.

B. Additional evidence.

The hearing officer may leave the hearing record opened for a specified period of time in order to receive additional evidence or argument from the appellant. If the record indicates that evidence exists which was not presented by either party, with the appellant's permission, the hearing officer may attempt to secure such evidence.

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C. Appellant's right to reconvene hearing or comment

If the hearing officer receives additional evidence from a person other than the appellant or his representative, the hearing officer shall send a copy of such evidence to the appellant and his representative and give the appellant the opportunity to comment on such evidence in writing or to reconvene the hearing to respond to such evidence.

D. Any additional evidence received will become a part of the hearing record, but the hearing officer must determine whether or not it will be used in making the decision.

§ 2.24. Final decision.

After conducting the hearing and reviewing the record, the hearing officer shall issue a written final decision which either sustains or reverses the agency action or remands the case to the agency for further action consistent with his written instructions. The hearing officer's final decision shall be considered as the agency's final administrative action pursuant to 42 CFR, 431.244(f). The final decision shall include:

1. A description of the procedural development of the case;
2. Findings of fact which identify supporting evidence;
3. Citations to supporting regulations and law;
4. Conclusions and reasoning;
5. The specific action to be taken by the agency to implement the decision; and
6. Notice of further appeal rights to the Medical Assistance Appeals Panel. This notice shall include information about the right to representation, time limits for requesting review, the right to submit written argument, the right to present oral argument, and the right to receive benefits pending review.

§ 2.25. Transmission of the hearing record.

The hearing record shall be forwarded to the appellant and his representative with the hearing decision.

PART III. MEDICAL ASSISTANCE APPEALS PANEL.

Article 1. General.

§ 3.1. Composition of the Medical Assistance Appeals Panel.

The panel shall consist of a Senior Administrative Law Judge and two Administrative Law Judges who are appointed by the director of the department and shall

serve at his pleasure.

§ 3.2. Function of the panel.

Taking into consideration the record made below, the panel shall review and decide all appeals from hearing officers' decisions by evaluating the evidence in the record and any written and oral argument submitted, consistent with relevant federal and state law, regulations, and policy

Article 2. Commencement of Panel Review.

§ 3.3. Commencing panel review.

An appeal is commenced when the appellant or his representative files a Request for Review, or another written statement indicating the appellant's belief that the hearing officer's decision is incorrect.

§ 3.4. Place of filing Request for Review.

The Request for Review shall be filed with the Medical Assistance Appeals Panel, Department of Medical Assistance Services, 600 E. Broad St. Richmond, VA 23219.

§ 3.5. Time limit for filing.

A Request for Review shall be filed within 12 days from the date the hearing officer's decision is mailed.

§ 3.6. Extension of time for filing.

An extension of the 12-day period for filing a Request for Review may be granted for good cause shown. A request for an extension shall be in writing and filed with the panel. The request shall include a complete explanation of the reasons that an extension is needed. Good cause includes unusual or unavoidable circumstances which prevented a timely appeal (See § 2.6).

§ 3.7. Dismissal.

A. A Request for Review shall be dismissed if it was not filed within the time limit imposed by § 3.5 or extended pursuant to § 3.6. If a factual dispute exists about the timeliness of the Request for Review, the panel shall receive evidence or testimony on those matters before taking final action.

B. A dismissal shall constitute the panel's final disposition of the appeal.

C. Judgment on the record.

If the panel determines from the evidence in the record that the hearing officer's decision was clearly in error and that the case should be resolved in the appellant's favor, the panel may issue a final decision without receiving written or oral argument from appellant.

Article 5. Written Argument.

§ 3.8. Right to present written argument.

An appellant may file written argument to present reasons why the hearing officer's decision is incorrect.

§ 3.9. Time limitation.

Written argument by the appellant, if any, shall be filed with the panel within 10 days after the Request for Review is filed.

§ 3.10. Extension.

An extension of the time limit for filing written argument may be granted for good cause shown.

§ 3.11. Evidence.

No additional evidence shall be accepted with the written argument unless it is relevant, nonrepetitive and not reasonably available at the hearing level through the exercise of due diligence.

Article 6. Oral Argument.

§ 3.12. Requesting oral argument.

An appellant or his representative may ask for a hearing to present oral argument with the Request for Review.

§ 3.13. Place of hearing.

Hearings shall be held at the Department of Medical Assistance Services' central office in Richmond, 600 E. Broad Street, Suite 1300, Richmond, Virginia 23219.

§ 3.14. Notice of hearing.

A. Scheduling the hearing.

Unless judgment on the record is issued pursuant to § 3.7 C, a hearing will be set, and, to the extent possible, scheduled at the appellant's convenience.

B. Notification.

As soon as a hearing is scheduled, the person requesting it will be notified, at least seven days in advance.

C. Postponement.

A hearing may be postponed by the appellant or his representative for good cause shown.

§ 3.15. Function of the Senior Administrative Law Judge.

The Senior Administrative Law Judge shall be the presiding member of the panel. If the Senior Administrative Law Judge is absent, one of the Administrative Law Judges shall preside on a rotating basis.

§ 3.16. Recorded hearing.

The hearing shall be tape recorded.

§ 3.17. Evidence.

No additional evidence will be accepted at the oral argument unless it meets the requirements of § 3.11 and is presented to the panel in advance of the hearing date.

Article 7. Disposition.

§ 3.18. Disposition.

A. Vote.

The panel decision is made by majority vote, and the decision may be to sustain, reverse or remand the hearing officer's decision.

B. Summary affirmance.

By majority vote the panel may summarily affirm the hearing officer's decision by adopting the hearing officer's decision as its own.

C. Content of decisions.

Decisions shall be accompanied by a written opinion, stating facts with supporting evidence, reasons and conclusions, citations to supporting law and regulations, and an order describing the specific action to be taken to implement the decision. Information about further appeal rights will also be provided.

D. Remand to hearing officer.

A remand order shall clearly state the panel's instructions for further development of the evidence or the legal or policy interpretation to be applied to the facts on record.

E. The panel decision shall be sent to appellant and his representative and the agency. This shall constitute the panel's final disposition of the appeal.

Article 8. Reconsideration.

§ 3.19. When reconsideration is accorded.

A decision unfavorable to the appellant may be reconsidered by the panel on its own motion or upon motion by the appellant or his representative alleging

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error of fact or application of law or policy.

§ 3.20. Filing and content.

Appellant's motion for reconsideration must be filed within 12 days after entry of the panel's decision. This motion shall set forth clearly and specifically the alleged error(s) in the panel's decision.

§ 3.21. Review.

The Administrative Law Judge who wrote the majority opinion shall review the sufficiency of the allegations set forth in the motion and may request additional written argument from the appellant.

§ 3.22. Disposition.

The ruling on the motion for reconsideration shall be in writing and entered as the final order in the case. If the motion is granted, a new decision will be issued in accordance with § 3.18.

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

Title of Regulation: VR 615-01-28. Aid to Dependent Children (ADC) Program - Entitlement Date.

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

Public Hearing Date: N/A - Written comments may be submitted until November 23, 1990.

(See Calendar of Events section for additional information)

Summary:

The Department of Social Services is proposing to amend state ADC policy regarding the date of entitlement. When an application for ADC is approved, the date of entitlement to benefits depends on the date the determination of eligibility is made. When an application is determined eligible in the month of application, the date of entitlement is the date of authorization. When the application is determined eligible after the month of application, entitlement is to begin the first of the month following the month of application. Such an amendment will bring Virginia's ADC date of entitlement policy into compliance with 45 CFR 206.10.

VR 615-01-28. Aid to Dependent Children (ADC) Program - Entitlement Date.

PART I. DEFINITIONS.

§ 1.1. The following words and terms, when used in these guidelines, shall have the following meaning unless the

context clearly indicates otherwise:

"Date of entitlement" means the date assistance begins.

"Application" means a written request for financial assistance received by the local social services agency.

"Date of authorization" means the date the application is determined to be eligible by the local eligibility worker signs and dates an evaluation form indicating eligibility has been determined.

PART II. DATE OF ENTITLEMENT.

§ 2.1. When eligibility for financial assistance is determined in the same month in which the application is received, entitlement will begin effective the date of application authorization. If eligibility is not determined in the same month in which the application is received, the date of entitlement will begin effective the first of the month following the month of application.

* * * * *

Title of Regulation: VR 615-53-01. Child Day Care Services Policy.

Statutory Authority: §§ 63.1-25, 63.1-55 and 63.1-248.6 of the Code of Virginia.

Public Hearing Date: September 28, 1990 - 10 a.m.
(See Calendar of Events section for additional information)

Summary:

This regulation establishes child day care policy that the department must have to implement federal requirements related to welfare reform pursuant to P.L. 100-485. All of these federal requirements must be in place in Virginia by October 1, 1990.

VR 615-53-01. Child Day Care Services Policy.

PART I. DEFINITIONS.

§ 1.1. Definitions.

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

"Aid to Families with Dependent Children" means a program established by Title IV-A of the Social Security Act and authorized in Virginia by Chapter 6 (§ 63.1-86 et seq.) of Title 63.1 of the Code of Virginia. This program provides benefits to needy children who are deprived of parental support or care.

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"AFDC" means Aid to Families with Dependent Children Program.

"Aid to Families with Dependent Children-Unemployed Parent" means the program authorized in § 407 of the Social Security Act which provides aid to dependent children who are deprived of parental support or care by reason of the unemployment of the parent who is the principal wage earner.

"AFDC-UP" means Aid to Families with Dependent Children-Unemployed Parent Program.

"Agency" means a local department of social services/welfare.

"Child" means an individual from birth to 13 years of age, or children up to 18 years of age if they are physically or mentally incapable of caring for themselves or are subject to court supervision.

"Child day care services" means those activities that assist eligible families in the arrangement or purchase, or both, of day care for children.

"Day care center" means a facility operated for the purpose of providing care, protection, and guidance to a group of children separated from their parents during a part of the day.

"Department" means the Virginia Department of Social Services.

"Developmental day care" means day care provided for handicapped children, or children with physical, mental or emotional problems such as learning disabilities, behavior disorders, or inability to adjust with the family and peers.

"Education leading to employment" means the pursuit of basic remedial instruction to achieve a basic literacy level, instruction in English as a second language, preparation for G.E.D. or adult education, the completion of high school, associate degree or certificate, work at the college level or bachelor degree from a college or university if the course of instruction is limited to a curriculum directly related to the fulfillment of an individual's educational goal to obtain useful employment in a recognized profession or occupation.

"Employment Services Program" means a program operated by the Department of Social Services which helps AFDC, AFDC-UP and GR recipients in securing employment or the training or education needed to secure employment as required by Chapter 6.2 (§ 63.1-133.12:1) of Title 63.1 of the Code of Virginia.

"ESP" means the Employment Services Program.

"Family day care provider" means a person who is responsible for the supervision and care of children in the provider's home.

"Federal Title IV-A Funding" means funding provided to states from the federal government through the Social Security Act to fund the AFDC program, child day care for AFDC recipients, and the transitional child day care program.

"FSET" means Virginia's Food Stamp Employment and Training Program, a program to provide non-AFDC able-bodied recipients of food stamps with employment and training services.

"Full-time employment" means regularly scheduled activities that engage a participant in employment for 30 or more hours per week.

"Good cause" means a valid reason why an unemployed parent in a two parent household cannot provide the needed child day care. The rationale for the agency's decision must be documented in the case record.

"Income eligible" means that eligibility is based on income and determined by measuring the family income and size against the state median income chart.

"In-home day care provider" means a person who is responsible for the supervision and care of children in the child's own home.

"IV-A earned income disregard" means the method by which the cost of child day care is not included in determining initial and ongoing eligibility and the amount of the benefit for working applicants and recipients of AFDC.

"JOBS" means the Job Opportunities and Basic Skills Training Program for AFDC, General Relief, and AFDC-UP recipients effective October 1, 1990.

"Job search" means the activity whereby participants are required to make a certain number of employer contacts a week for a specific length of time.

"Market rate" means the percentile, selected by the State Board of Social Services at the recommendation of the commissioner, not to exceed the 75th percentile of the range of costs in a community for a particular type of child day care.

"Parent" means primary adult caretaker or guardian of a child.

"Parental access" means that parents may visit the day care setting at any time their child is in care.

"Part-time employment" means any regularly scheduled activity that engages a participant in employment for a minimum of eight hours but less than 30 hours per week.

"Postsecondary education" means any course of instruction beyond that of high school offered by an institution of higher education as determined by the

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Secretary of Education to meet the Higher Education Act of 1965.

"Purchase of service order" means a form sent to a vendor to authorize the delivery of services to a client.

"Regulated provider" means a child day care provider who is either state licensed, county approved, or local agency approved.

"Relative provider" means a child day care provider related to the parent or child by blood or marriage.

"Resource and referral services" means the provision of education regarding child day care choices and assistance with locating appropriate child day care placements, provided by a recognized referral resource or a local agency.

"Satisfactory progress" means that the participant in any educational or training activity is meeting, on a periodically measured basis of less than one year such as a term or quarter, a consistent standard of progress based on written policy developed by the educational institution or training agency and approved by the IV-A agency.

"Service plan" means the written, mutually agreed upon course of action determined by the parent and service worker.

"State median income" (SMI) means the level of income by family size which represents the mid point of income levels in Virginia.

"Training leading to employment" means the development of specific work attitudes, behaviors, or skills leading to job readiness as well as the development of specific technical or vocational skills that lead to employment in a recognized occupation and results in other than a baccalaureate or advanced degree.

"Transitional child day care services" means the day care services (up to 12 months) for which certain former recipients of AFDC are eligible after April 1, 1990.

"Unregulated provider" means any child day care provider who is not state licensed or locally approved and is not subject to such licensure or approval.

"USDA food program" means the United States Department of Agriculture program to reimburse regulated child care providers for meals and snacks served to eligible children in the day care setting.

"Vendor" means a provider who can sell services.

PART II. POLICY.

Article I. Individuals to be served.

§ 2.1. Children to be served.

Child day care services shall be provided for eligible families with children who need day care and who are under age 13, or children up to 18 years of age if they are physically or mentally incapable of caring for themselves or subject to court supervision. Day care shall not be purchased for children who are eligible to attend kindergarten or for older children during that portion of a day when appropriate public education is available unless there are reasons the children must be out of school.

§ 2.2. Mandated eligible populations.

A. Child day care shall be guaranteed for the following groups:

1. Aid to families with dependent children.

a. Children in an AFDC assistance unit are eligible for necessary child day care services to enable an AFDC eligible family member to participate in required Employment Services Programs (ESP/JOBS) activities. This includes those AFDC recipients referred to ESP/JOBS because they are in self-initiated education or training.

b. Children in an AFDC assistance unit are eligible for necessary child day care services to enable a non-ESP AFDC recipient to accept employment or remain employed.

c. Child day care services shall be provided for children who would have been in the assistance unit if it were not for the receipt of SSI under Title XVI or foster care payments under IV-E when the eligible family member is engaged as provided in subdivision a or b above.

2. Income eligible recipients. Child day care subsidy for income eligible parents shall be made available on a sliding fee scale basis. All income eligible parents will contribute towards the cost of care.

a. Transitional services.

(1) Parents who have received AFDC for any three of the past six months, upon loss of eligibility for AFDC because of employment and meeting other department eligibility requirements, are eligible for up to 12 consecutive months of child day care. This eligibility is from the date of closure of AFDC as long as the parents remain income eligible. Parents must be working in order to receive transitional services.

(2) Children must have been on the grant during the last month of receipt of AFDC, or would have been on the grant were it not for receipt of SSI or foster care.

(3) Eligibility for the program shall be determined in accord with State Board of Social Services policy and federal regulations, and eligibility determination must be coordinated with the local agency eligibility unit that was responsible for the former AFDC case.

(4) The agency shall inform the former recipient that transitional child day care benefits are available. This information shall be made available at the time of initial eligibility and at the time of notification of ineligibility for AFDC. Eligible families must request this extension of services in writing.

(5) If parents meet the eligibility criteria for transitional services, transitional funding shall be used, except in situations where notices of action do not permit payment in a timely manner. In these cases AFDC/ESP funding can be used for one month to give the agency time to set up the transitional funding.

b. Child day care fee system services. To the extent that funding is available, localities shall provide child care subsidies to income eligible clients who are employed or in education/training leading to employment.

3. Food stamp recipients. Child day care shall be made available for children of recipients of food stamps who are participating in Virginia's Food Stamp Employment and Training Program, at a cost of up to the federally allowed maximum.

§ 2.3. Nonmandated reasons for services.

Child day care may be provided for eligible parents for the following reasons.

A. Child protective services.

Child day care may be used to provide protection for children if the family situation places children in jeopardy or subject to abuse or neglect; the tensions or deviant behavior of the adults or other children in the home make it desirable for the children to be out of the home part of the day; or a period of family counseling and rehabilitation makes care of the children away from the home necessary.

B. Illness or absence of parent.

Child day care services may be provided for a short period of time if there is no other person available to provide care without cost.

Parents must be unable to provide care due to illness, absence from the home for medical diagnosis or other short term emergency, outpatient treatment, or for a period of hospitalization.

C. Developmental child day care.

Child day care may be used to provide specialized developmental opportunities for children if care required for normal growth and development is not available in the home.

§ 2.4. Good cause.

In two-parent households where one parent is unemployed, there shall be good cause why that parent cannot provide the needed child care before payment for child day care will be made.

§ 2.5. Education and training.

A. AFDC recipients.

Necessary child day care services to support a parent's participation in ESP/JOBS related education and training activities shall be provided if needed.

B. Child day care fee system.

For parents eligible for the child day care fee system, day care needed to support attendance and completion of high school, vocational school, or a postsecondary program may be provided if funding is available.

C. Post baccalaureate.

Payment for child day care for the attainment of post baccalaureate education is not allowed, except with local only funding.

D. Satisfactory progress.

Study shall be limited to a curriculum related to the fulfillment of an individual's educational goal. Participants in an educational or training program shall show that they are making satisfactory progress in order to continue receiving child day care services.

Article 2.

Child Day Care Settings.

§ 3.1. Child day care centers, family day care homes and in-home providers.

Parents shall choose among the three major types of child day care: child day care centers, family day care homes, and in-home child day care providers.

§ 3.2. Types of providers.

A. Regulated providers.

When purchasing child day care for those participating in the child day care fee system program, only regulated care shall be used.

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Regulated providers will be paid directly by the agency by vendor payment after service provision.

B. Unregulated providers.

When child day care is purchased for recipients of AFDC, transitional services, or FSET using federal funds, parents may select regulated or unregulated providers as required by federal regulations.

When unregulated care is selected, the parent is responsible for all payments to the unregulated provider. With proper receipts, the parent may then be reimbursed by the agency.

C. Relative providers.

Local agencies shall not establish policy that prohibits the utilization of a relative as a child day care provider as long as the individual is not a part of the assistance unit or legally responsible for the child(ren) needing care.

Article 3.

Determination of Services to be Provided.

§ 3.3. Service planning process.

A. Assessment.

The family need for child day care shall be assessed at the time of application. Parents shall be informed of the full range of services offered by the agency. If it is clear that the only need is for child day care services, a simple assessment will suffice. If the family identifies other needs, a full assessment shall be completed. A case shall be opened on all families that are to receive child day care services, and all appropriate case management procedures found in department manuals shall be followed. Parents shall be required to sign a service application.

B. Determination of eligibility and funding source.

1. The locality shall make the determination of whether the family is eligible for child day care services, and the appropriate funding source to pay for the needed child day care services shall be identified.

2. Once eligibility is determined, parents will be informed as to whether their full costs of child day care will be paid or whether they will be required to pay a fee, and, if so, the amount of that fee. It is the parent's responsibility to pay all fees owed directly to the provider.

3. Recipients of AFDC shall have the full cost of needed day care paid by the agency in accordance with procedures found in department manuals.

4. Parents shall be informed of their responsibility to report to the local agency within 10 days changes in

choice of providers, family size and income, or any other changes that could affect their eligibility for services. They shall also be informed that if they have involvement with the Division of Support Enforcement they shall be expected to cooperate with that division or risk loss of child day care benefits. For programs where parent fees are required, failure to pay fees or make adequate arrangements for paying back fees owed will result in ineligibility for services.

C. Resource and referral.

The service worker shall assist the parent to receive child day care resource and referral services, from a recognized community resource, including the local agency.

D. Selection of provider.

1. Agencies shall not establish policies that limit parental choice of providers.

2. In the selection of a provider, the service worker shall encourage the parent to consider the individual developmental needs of the child, ability of the provider to meet the needs of the family, proximity of the provider to the child's residence or school, proximity of the provider to parent's residence or employment site, travel time of the parent/child to the provider's location, and cost of care.

3. The service worker shall encourage the parent to choose regulated care if it is available. The service worker shall discuss with the parent the minimum standards for an agency approved provider of day care. Parents choosing unregulated care shall be required to acknowledge in writing that regulated care was offered and declined. The difference in payment methods for regulated and unregulated providers shall also be explained to the parent.

4. The parent has the ultimate responsibility for the selection of the child day care provider.

5. The service worker shall obtain the following information for all providers selected: full name, address, rates charged the general public for the type of child day care service provided, and whether the provider is regulated or unregulated.

E. Service plan.

A written service plan shall be completed for every child day care case. If parents are active with the Employment Service Program the day care service plan shall be coordinated with the employability plan.

F. Waiting list.

For all families eligible for child day care services, except AFDC parents or recipients of transitional services, it may be necessary to place a family on an agency

waiting list for child day care services. Service by date of request is an acceptable means of administering a waiting list. Any other proposed policy for a waiting list shall be sent to the regional office of the department for approval prior to submission to the local board of social services. Waiting list policy must assure that decisions are made uniformly and fairly.

Article 4.

Payment for Care.

§ 4.1. Types of payment.

A. Direct payment.

For regulated providers, the agency will make payment for child day care by means of direct payment to the provider following department purchase procedures. Local agencies shall not make direct vendor payments to unregulated providers.

Local agencies may use a modification of the department's purchase of service order form to make direct payment to regulated providers. Such a modified form would have to receive prior department approval and meet all requirements found in department manuals to ensure that it contains all necessary elements to authorize the delivery of service to the family.

B. Reimbursement to client.

For unregulated providers, the parent shall make all payments directly to the unregulated provider. Parents will receive reimbursement when they submit to the agency proper documentation and receipts.

AFDC recipients who are working may choose to take the IV-A earned income disregard for child day care expenses, whether the provider selected is regulated or unregulated.

§ 4.2. Determining payment amount.

A. Market rates of pay.

The department will establish local market rates for child day care for all localities in the state by type of care. Agencies shall pay the rates charged by providers up to the local market rate for a particular type of care. Agencies shall not establish their own maximum monthly rates of pay.

Parents who chose to place a child in a facility whose rate is above the local market rate shall pay the additional amount themselves, unless the agency elects to pay the additional amount out of local only funds. When agencies use local only funds to subsidize the cost of care above the local market rate, this policy shall be approved by the local board of social services and recorded in the minutes, including the maximum allowable subsidy. Subsidy decisions shall not be made on an individual case basis.

B. Unit price.

The unit price of service shall be based on a week or less. Rates paid will be based on provider enrollment and attendance policies and department payment policies.

The total cost of care, including special programs, activities fees and transportation, shall not exceed the local market rate.

Transportation services shall be paid using day care funds only when the transportation services are provided by the day care provider.

When an annual or one-time-only registration fee is not included in the market rate it shall be paid by the agency separately. One registration fee shall be paid per child per year, unless there are extenuating circumstances.

For justifiable reasons, child day care may be purchased for up to two consecutive weeks per month to prevent the disruption of day care services when:

1. The child(ren) is absent from care, or
2. The parent is away from the employment or the education or training site.

C. Administrative expenses.

If funding is not available without cost or covered under Title XIX (Medicaid) or other insurances, payment may be made by the agency for needed medical and dental examinations required for the entry into day care for eligible children, and subsequently at intervals appropriate to the child's age or state of health. If such payments are made, they shall be paid out of service administration funds.

D. Beginning date of service payment.

1. The beginning date of service payment authorization shall be no earlier than:

- a. The date the individual is determined eligible for child day care services according to generic services eligibility policy in department manuals, and

- b. The effective date of the approval of the provider when using regulated care.

2. For transitional services, payment shall be made retroactive to the date of eligibility (the month following the loss of AFDC) if the parent has requested the service and has proper receipts for day care paid, and proof of employment.

E. Sliding fee scale.

Child day care services shall be available to income eligible and transitional recipients on a sliding fee scale

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basis. Within available funds localities shall serve eligible families who earn 50% or less of the state median income. Localities can opt to serve families who earn up to 70% of the state median income with federal and state funds, and above 70% with local funds.

All parents receiving sliding fee scale subsidy must contribute towards the cost of their child day care.

The following sliding fee scale shall be used statewide for determining fees owed by parents in the fee system or transitional programs, unless a locality specifically wishes to use a variation for the state and locally funded fee system. In this case the locality must obtain prior department approval to use the alternative scale, and the approval must be based on specific, uniform criteria. Alternative scales shall not be approved for transitional child day care services.

State Sliding Fee Scale

% of State Median Income	% of Gross Income Family Pays (This is per family, not per child)
20% or less	1.0%
30%	2.5%
40%	5.0%
50%	7.5%
60%	10.0%
70%	15.0%
over 70%	Family ineligible for fee subsidy except out of local only funding.

The agency shall adjust the parent's fee if the income of the parent moves the fee payment to a higher or lower level on the SMI scale.

Agencies have the option of assisting parents with the payment of the day care fee as determined by the sliding fee scale using local only funds. Local policy for the subsidy of parent fees shall be approved by the local board of social services and recorded in the minutes. Local policy governing subsidy for parent fees shall be applied uniformly.

Article 5.

Local Agency Service Delivery Responsibilities.

§ 5.1. Local child day care plan.

Effective October 1, 1990, agencies will complete and have in place an annual local child day care plan. This plan is a management tool to enhance the delivery of child day care services and may be modified throughout the year.

A. Community coordination.

Local departments shall coordinate child day care

services with existing child day care resource and referral agencies, early childhood education programs, schools, private for-profit and nonprofit child day care providers, and other groups in the community involved in child day care. This will be done in order to ensure understanding of the department's program to enhance parental choice and to maximize coordination of child day care services in the community.

B. Administrative support agreements.

Local agencies may contract with other local governmental or nonprofit agencies for the management of certain child day care services. However, federal regulations prohibit local social service agencies from contracting with other agencies for the administration of child day care services for families funded out of IV-A funds (AFDC, ESP/JOBS, and transitional services). Administration is defined as activities such as processing applications, determining/redetermining eligibility, providing hearings, and imposing sanctions.

The department must give prior approval to any such contract. The contractor and the local agency shall be required to meet all department policy and reporting requirements.

§ 5.2. Local recruitment/approval/training of providers.

It is the responsibility of the service worker, using state approved standards, to recruit, approve, and provide training for locally approved child day care providers. Family day care providers shall be informed of the benefits of participating in the USDA Food Program.

If a family or in-home provider is selected and is not local agency approved and desires to be, the provider shall be informed as to how to apply to become local agency approved. Emergency approvals may be granted in certain situations where time does not allow the completion of the full day care approval before care starts.

§ 5.3. Service delivery.

The service worker shall inform the parents and providers that he is available on an on-going basis to assist with problem solving. A direct contact shall be made at least quarterly with a member of the case household. The service worker shall evaluate, at least quarterly, whether the child day care services authorized are meeting the needs of the child and parent. In some cases, other services will be needed by the family and will be provided directly or arranged for by the service worker.

Agency termination of child day care services shall be planned jointly with the parent and provider, and arrangements made for other services if needed by the family.

Adequate documentation supporting the reasons for

termination shall be filed in the case record. If the locality proposed to deny, discontinue, terminate or reduce child day care benefits, written notice must be given to the parent. If the parent disputes this decision, they are entitled to a fair hearing.

Agencies shall assure that case records are maintained accurately in accordance with all case management policy in department manuals.

Article 6.
Complaints in the Day Care Setting.

§ 6.1. Child abuse or neglect.

All complaints regarding possible child abuse or neglect occurring in a child day care setting shall be referred to the child protective services unit at the local agency serving the area where the day care service is located. Information regarding the complaint shall be shared with the worker responsible for licensure or approval.

§ 6.2. Other complaints.

All other complaints shall be referred to the unit which approved the resource.

Day Care Child's Emergency Medical Authorization

CHILD'S MEDICALLY DIAGNOSED ALLERGIES OR CHRONIC CONDITIONS ETC.

CHILD'S MEDICAL NUMBER

OTHER INSURANCE IF YES, COMPANY
 YES NO

INSURANCE NUMBER

The Parent/Guardian authorizes immediate medical care and consents to the hospitalization of, the performance of necessary diagnostic tests upon, the use of surgery on, and/or the administration of drugs to his/her child or ward if an emergency occurs when he/she cannot be located immediately.

SIGNATURE OF PARENT OR GUARDIAN DATE

NOTE: THIS FORM IS TO BE KEPT BY THE PROVIDER AND IS TO BE TAKEN TO THE DOCTOR OR TREATMENT FACILITY IN CASE OF EMERGENCY.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
CHILD DAY CARE

CHILD DAY CARE PROVIDER RATE VERIFICATION

PART I

Name Telephone

Address

Hours of Operation _____ Days of Operation _____

PART II DESCRIPTION OF SERVICES

(1) Service: _____
Unit Price (D, W, M) _____

(2) Service: _____
Unit Price (D, W, M) _____

(3) Service: _____
Unit Price (D, W, M) _____

PART III

Signature of Provider _____ Date _____

PART IV OFFICIAL USE ONLY

Regulated Applicable Market _____

Un-Regulated Rate(s) (1) _____

(2) _____

(3) _____

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
CHILD DAY CARE

PROVIDER CHOICE

PART I

Case Name Case Number

PART II

The differences between regulated and unregulated child day care have been explained to me, as well as the methods of payment for each. I understand that by choosing unregulated care I will be responsible for paying the total cost of my child day care directly to the provider. I can seek reimbursement from the department of social services for the agency's part of the day care cost. It is my choice to use unregulated child day care.

Name Date

002 02 002

(804) 270-5300		FAX (804) 747-7237	
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COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
CHILD DAY CARE

Case Name _____ Case # _____ Date _____

CHILD DAY CARE FEE WORK SHEET

Gross Monthly Income = A <small>(To determine monthly income from weekly, multiply weekly by 4.3)</small>		A =														
% of State Median Income = B <small>Compare monthly income with SMI chart in Vol. VII, Ch. C, factoring in family size</small>	<table border="1"> <tr> <td>% of SMI (B)</td> <td>% of Gross Income Family Pays (C)</td> </tr> <tr> <td>20% or less</td> <td>1.0%</td> </tr> <tr> <td>30%</td> <td>2.5%</td> </tr> <tr> <td>40%</td> <td>5.0%</td> </tr> <tr> <td>50%</td> <td>7.5%</td> </tr> <tr> <td>60%</td> <td>10.0%</td> </tr> <tr> <td>70%</td> <td>15.0%</td> </tr> </table>	% of SMI (B)	% of Gross Income Family Pays (C)	20% or less	1.0%	30%	2.5%	40%	5.0%	50%	7.5%	60%	10.0%	70%	15.0%	B =
% of SMI (B)	% of Gross Income Family Pays (C)															
20% or less	1.0%															
30%	2.5%															
40%	5.0%															
50%	7.5%															
60%	10.0%															
70%	15.0%															
Percentage of income family pays as fee = C <small>Take B to sliding fee scale chart (Chapter D in Vol. VII) to get C</small>		C =														
Amount family pays as fee = D <small>Multiply family monthly income by C</small>	A X C = D	D =														
Total cost of day care = E <small>Amount agency pays = F</small>		E =														
Subtract D from E to get F																
On POSO	<p align="center">PROOF APPROVAL</p> <p align="center"><small>Please read carefully. The requester is responsible for final approval of this job before it is printed.</small></p> <input type="checkbox"/> APPROVED AS IS <input type="checkbox"/> APPROVED WITH NOTED CHANGES <input type="checkbox"/> MAKE NOTED CHANGES AND SEND ANOTHER PROOF.															

Notice of Action _____

Enter C on Line 1 _____

Enter # of service units and time frame on Line 2 _____

Date Notice Sent _____

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
CHILD DAY CARE

CHILD DAY CARE FEE PAYMENT AGREEMENT

PART I -- General Information (To Be Completed by Parent/Caretaker)

Parent/Caretaker _____	Home Telephone Number _____
Address _____	City, State, Zip _____
Children in Care:	
1 _____	3 _____
2 _____	4 _____
	5 _____
	6 _____

PART II -- Agreement by Parent/Caretaker

I have been determined eligible for day care financial assistance by the _____

Local Department of Social Services

I agree to pay a monthly fee of _____ to (provider name) _____ for the provision of child day care services for the child(ren) listed above. I agree that this fee payment is due on (date) _____ of each month unless other arrangements have been made with my day care provider. I understand that if my fee is not paid as per this agreement my day care provider may refuse to accept my child(ren) into care until all fees are paid or my provider and I agree to a repayment plan.

Signed _____ Date _____

PART III -- Agreement by Day Care Provider

I agree to accept the stated fee amount for the provision of day care services per the agreement in Part II. I will bill the local department of social services for the remainder of my monthly day care charge following the contract provided by the local department of social services. I further agree to notify the department of social services if the parent/caretaker fails to make the payment as required by Part II of this agreement.

Signed _____ Date _____

Proposed Regulations

S A M P L E F O R M

COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF SOCIAL SERVICES
 PARENTAL CONSENT
 FOR MEDICATION & SPECIAL ACTIVITIES
 CHILD'S Name _____

INSTRUCTIONS: This form is to be kept by the provider. Please discard all medication that is not used or returned to the parent.

THIS FORM IS TO BE USED BY PARENTS/GUARDIANS TO APPROVE THE GIVING OF MEDICATION TO THEIR CHILDREN IN DAY CARE BY THE PROVIDER AND TO PERMITTING THEM TEMPORARY ABSENCE FROM THE HOME FOR RECREATIONAL OR EDUCATIONAL PURPOSES, ETC.

DATE _____ MEDICATION _____ MEDICATION SIGNATURE _____
 What medication, how often, how long _____
 Location - place, _____
 Use activity _____
 method of transportation _____

COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF SOCIAL SERVICES

CHILD DAY CARE INFORMATION AND AGREEMENT

Part I. General Information (To be completed by parent/guardian)

Parent/Guardian Name _____ Home Telephone Number _____ Work Telephone Number _____
 Address _____ City, State, Zip _____
 Parent/Guardian's Work Address _____ City, State, Zip _____
 Emergency Contact Person _____ Telephone Number _____
 Address _____ City, State, Zip _____
 Child's Name, Address _____ City, State, Zip _____
 Child's Telephone Number _____

Part II. Agreement by Parent/Guardian

I agree to place in the care of _____ the children as stated below on this agreement form. I understand that the day care provider will notify me if the child is ill or if a designated person will pick the child up as soon as possible. I agree to see that each child in care has a positive experience for up to within 20 days after the onset of care unless specifically exempted (not applicable for in-home care). I agree to deliver and pick up my children promptly each day at the times agreed upon.

Signed _____ Date _____

Part III. Agreement by Day Care Provider

I agree to provide day care for the children as stated below on this agreement form. I agree to notify the parent/guardian or designated person whenever any of their children becomes ill. In the event of the parent/guardian or designated person cannot be reached, I agree to obtain necessary immediate medical care for the child involved. I agree to provide day care only with the written consent of the parent/guardian and all non-prescription drugs including asthma and diabetes only in accordance with the parent/guardian's instructions.

Signed _____ Date _____

Part IV. Names of Children in Care

Name of Children in Care _____ Date of Birth _____ Date Placed in Care _____

Persons Authorized to Call for Children (Only those persons specified here are allowed to pick up children)

Health information (include here any special information that the provider should know about a particular child such as allergies, dental diet, reactions to routine activities, etc. . . .)

PROVIDER

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 AGRICULTURE AND CONSUMER SERVICES (BOARD OF)

Title of Regulation: VR 115-02-01. Rules and Regulations Pertaining to Reporting Requirements for Contagious and Infectious Diseases of Livestock and Poultry in Virginia.

Statutory Authority: §§ 3.1-724 and 3.1-726 of the Code of Virginia.

Effective Date: November 2, 1990.

Summary:

The regulation continues authority contained in an emergency regulation set to expire on November 1, 1990, for requiring the reporting of disease findings by veterinarians, laboratories, and other designated reporting entities. It also compels the reporting of poultry diseases.

There was a deficiency in the regulation that existed prior to the emergency regulation, because it did not compel the reporting of poultry diseases. Also, under that prior regulation, important sources of information, such as private laboratories, were not required to report instances of disease that they learn of in the course of their daily work. The present measure will continue to provide the State Veterinarian with needed additional information about the kinds and numbers of cases of livestock and poultry diseases occurring in Virginia, thereby serving as a basis for disease-control and eradication programs for livestock and poultry. Armed with such additional information, the State Veterinarian will be better able to combat both poultry and livestock diseases, especially those of the sort that have recently occurred in Virginia.

VR 115-02-01. Rules and Regulations Pertaining to Reporting Requirements for Contagious and Infectious Diseases of Livestock and Poultry in Virginia.

§ 1. Normal reporting.

Any person practicing veterinary medicine, any person or firm operating a laboratory for the diagnosis of livestock or poultry diseases, and any other reporting entity designated by the State Veterinarian within the Commonwealth of Virginia shall, between the first and tenth day of each month for the month preceding, report in writing to the State Veterinarian the existence of those contagious or infectious diseases among livestock that normally are required to be reported by the State

Veterinarian. Such reports shall be on forms furnished by the State Veterinarian and shall be submitted as required, and poultry known to him listed on Schedule B of form VDACS-03016 (8/87), "Reportable Diseases of Virginia Livestock and Poultry."

§ 2. Special reporting.

Any person practicing veterinary medicine, any person or firm operating a laboratory for the diagnosis of livestock or poultry diseases, and any other reporting entity designated by the State Veterinarian within the Commonwealth of Virginia shall report within 24 hours by telephone to the State Veterinarian: (i) the existence of anthrax, glanders, or any vesicular or exotic disease or any other disease of among livestock or poultry known to him listed on Schedule A of form VDACS-03016 (8/87), "Reportable Diseases of Virginia Livestock and Poultry"; and (ii) the existence of any disease of poultry listed on Schedule A of form VDACS-03016 (8/87), "Reportable Diseases of Virginia Livestock and Poultry." If for any reason the State Veterinarian is not immediately available by telephone, such report shall be made directly to any veterinarian in the employ with of the Commonwealth of Virginia.

Forms to be implemented:

VDACS-03016 (8/87)

REPORTABLE DISEASES OF VIRGINIA LIVESTOCK AND POULTRY
(Foreign and Domestic)

Reportable diseases are those diseases listed herein that have or may potentially have major economic importance for the livestock and poultry industries of Virginia, and for which the State Veterinarian has determined that reporting their presence is necessary to eradicate or control them. Any person practicing veterinary medicine in the Commonwealth and any other reporting entity specified by the State Veterinarian shall report a laboratory or clinically diagnosed case of any of the diseases listed herein to the State Veterinarian. Reports of diseases listed herein under **SCHEDULE A** shall be made **BY TELEPHONE WITHIN 24 HOURS OF DIAGNOSIS**. Diseases listed under **SCHEDULE B** may also be reported by telephone or be reported on this form and mailed to the **STATE VETERINARIAN**, Virginia Department of Agriculture and Consumer Services, Washington Building, Suite 800, 1100 Bank Street, Richmond, VA 23219-9955. Reports made under **SCHEDULE B** should be made between the 1st and 10th **OF EACH MONTH** for the month preceding. A **TOLL-FREE TELEPHONE** having the number **1-800-342-3124** and a **SELF-ADDRESSED STAMPED ENVELOPE** are provided for your convenience.

A	MONTH	1 2 3 4 5 6 7 8 9 0
B	YEAR	1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9 0
C	ENTITY	0 1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9

GENERAL INSTRUCTIONS

A. MONTH
Circle the digit or digits that identify the month reported upon. For example, if the report is made in April, the fourth month, circle the "4." If the report is made for November, the eleventh month, circle each of the "11's" as a means of expressing the number "11."

B. YEAR
Circle the two digits constituting the last two digits of the calendar year in which the report is made. For "1989," for example, circle "89" on the top line and "89" on the second line.

C. ENTITY
Circle the three digits constituting your assigned entity code, with the first digit of the code entered on the top line, the second digit on the second line, and the third digit on the third line.

D. CODE/DISEASE
Make no entries here; however, for the diseases listed in this column, enter the required information in columns E through K.

E. DIAG (Diagnosis)
Circle "C" for "clinical diagnosis" or "L" for "laboratory diagnosis".

F. CASES
Circle the digit that represents the number of animals infected. If more than nine animals were infected, write the number infected in column G.

G. If cases are more than nine, write in number.

H. HERDS/FLOCKS
Circle the digit that represents the number of herds or flocks infected. If more than nine herds or flocks were infected, write the number in column J.

J. If Herds/Flocks are more than nine, write in the number.

K. CITY/COUNTY
Write the name of the city or county in which the disease was found.
NOTE: If no reportable diseases are diagnosed during reporting period, please submit a negative report.

SCHEDULE A
(Report within 24 hours of diagnosis by telephone)
ITALICIZED TYPE INDICATES FOREIGN ANIMAL DISEASE

D	E	F	G	H	J	K
CODE/DISEASE	DIAG	CASES	HERDS/FLOCKS			CITY/COUNTY
A1. CATTLE DISEASES						
A1.1	<i>African trypanosomiasis</i>	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.2	Anthrax	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.3	Babesiosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.4	Brucellosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.5	Contagious pleuropneumonia	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.6	East Coast fever	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.7	Ephemeral fever	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.8	Foot and mouth disease	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.9	Heartwater disease	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.10	Lumpy skin disease	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.11	Malignant catarrhal fever	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.12	Melioidosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.13	Pseudotuberculosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.14	Pseudorabies	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.15	Rift Valley fever	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.16	Rinderpest	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.17	Scabies	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.18	Tuberculosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A1.19	Vesicular stomatitis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		

VDACS-03018 (8/87)

SCHEDULE A (cont'd.)
(Report within 24 hours of diagnosis by telephone)
ITALICIZED TYPE INDICATES FOREIGN ANIMAL DISEASE

D	E	F	G	H	J	K
CODE/DISEASE	DIAG	CASES		HERDS/FLOCKS		CITY/COUNTY
A2. GOAT DISEASES						
A2.1	<i>African trypanosomiasis</i>	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A2.2	Brucellosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A2.3	Foot and mouth disease	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A2.4	Heartwater disease	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A2.5	Melioidosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A2.6	Rift Valley fever	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A2.7	Rinderpest	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A2.8	Scabies	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A2.9	Tuberculosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A2.10	Vesicular stomatitis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3. HORSE DISEASES						
A3.1	<i>African horse sickness</i>	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3.2	Borna	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3.3	Contagious equine metritis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3.4	Eastern equine encephalitis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3.5	Equine infectious anemia	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3.6	Equine leucencephalomalacia	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3.7	Glanders	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3.8	<i>Japanese B encephalitis</i>	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3.9	Melioidosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3.10	Venezuelian equine encephalitis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3.11	Vesicular stomatitis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A3.12	Western equine encephalitis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A4. LLAMA DISEASES						
A4.1	Anthrax	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A4.2	Brucellosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A4.3	Foot and mouth disease	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A4.4	Tuberculosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A4.5	Vesicular stomatitis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A5. POULTRY DISEASES						
A5.1	Avian chlamydiosis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A5.2	Avian influenza	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A5.3	Duck viral enteritis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A5.4	<i>Exotic Newcastle disease</i>	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A5.5	Fowl typhoid	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A5.6	Laryngotracheitis	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A5.7	<i>Myxolipoma gallisepticum</i>	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A5.8	Pancreo's disease	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		
A5.8	Pulorum disease	C L 1 2 3 4 5 6 7 8 9		1 2 3 4 5 6 7 8 9		

SCHEDULE B (cont.)
(Report between the 1st and 10th of each month by mail or telephone)

D	CODE/DISEASE	E	DIAG	F	G	H	HERDS/FLOCKS	J	K	CITY/COUNTY
82. GOAT DISEASES										
82.1	Cereous lymphocytosis	C	L	123456789	123456789	123456789	123456789			
82.2	Caprine arthritis & encephalitis	C	L	123456789	123456789	123456789	123456789			
82.3	Uterosis	C	L	123456789	123456789	123456789	123456789			
82.4	Paratuberculosis	C	L	123456789	123456789	123456789	123456789			
83. HORSE DISEASES										
83.1	Botulism	C	L	123456789	123456789	123456789	123456789			
83.2	Equine influenza	C	L	123456789	123456789	123456789	123456789			
83.3	Equine meningoencephalitis	C	L	123456789	123456789	123456789	123456789			
83.4	Equine viral anemia	C	L	123456789	123456789	123456789	123456789			
83.5	Psoroptic horse fever	C	L	123456789	123456789	123456789	123456789			
83.6	Strangles	C	L	123456789	123456789	123456789	123456789			
83.7	Foal diarrhoea (nonspecific)	C	L	123456789	123456789	123456789	123456789			
84. LLAMA DISEASES										
84.1	Anglismosis	C	L	123456789	123456789	123456789	123456789			
84.2	Bursitis	C	L	123456789	123456789	123456789	123456789			
84.3	Leptospirosis	C	L	123456789	123456789	123456789	123456789			
84.4	Uterosis	C	L	123456789	123456789	123456789	123456789			
84.5	Paratuberculosis	C	L	123456789	123456789	123456789	123456789			
85. POULTRY DISEASES										
85.1	Avian leucosis	C	L	123456789	123456789	123456789	123456789			
85.2	Avian Tuberculosis	C	L	123456789	123456789	123456789	123456789			
85.3	Fowl cholera	C	L	123456789	123456789	123456789	123456789			
85.4	Mycoplasma gallisepticum	C	L	123456789	123456789	123456789	123456789			
85.5	Mycoplasma synoviae	C	L	123456789	123456789	123456789	123456789			
85.6	Salmonella enteritidis	C	L	123456789	123456789	123456789	123456789			
86. SHEEP DISEASES										
86.1	Bluetongue	C	L	123456789	123456789	123456789	123456789			
86.2	Caseous lymphadenitis	C	L	123456789	123456789	123456789	123456789			
86.3	Contagious ecthyma	C	L	123456789	123456789	123456789	123456789			
86.4	Foot rot	C	L	123456789	123456789	123456789	123456789			
86.5	Infectious tenosynovitis	C	L	123456789	123456789	123456789	123456789			
86.6	Lameness	C	L	123456789	123456789	123456789	123456789			
86.7	Paratuberculosis	C	L	123456789	123456789	123456789	123456789			
87. SWINE DISEASES										
87.1	Arophic rhinitis	C	L	123456789	123456789	123456789	123456789			
87.2	Encephalitis	C	L	123456789	123456789	123456789	123456789			
87.3	Influenza	C	L	123456789	123456789	123456789	123456789			
87.4	Leptospirosis	C	L	123456789	123456789	123456789	123456789			
87.5	Porcine	C	L	123456789	123456789	123456789	123456789			
87.6	Swine dysentery	C	L	123456789	123456789	123456789	123456789			
87.7	Toxoplasma gastroenteritis	C	L	123456789	123456789	123456789	123456789			
87.8	Tuberculosis	C	L	123456789	123456789	123456789	123456789			

SCHEDULE A (cont.)
(Report within 24 hours of diagnosis by telephone)
ITALICIZED TYPE INDICATES FOREIGN ANIMAL DISEASE

D	CODE/DISEASE	E	DIAG	F	G	H	HERDS/FLOCKS	J	K	CITY/COUNTY
88. SHEEP DISEASES										
88.1	African trypanosomiasis	C	L	123456789	123456789	123456789	123456789			
88.2	Bruceella	C	L	123456789	123456789	123456789	123456789			
88.3	Foot and mouth disease	C	L	123456789	123456789	123456789	123456789			
88.4	Haemorrhagic disease	C	L	123456789	123456789	123456789	123456789			
88.5	Mediastinitis	C	L	123456789	123456789	123456789	123456789			
88.6	Rift Valley fever	C	L	123456789	123456789	123456789	123456789			
88.7	Rocky Mountain spotted fever	C	L	123456789	123456789	123456789	123456789			
88.8	Scabies	C	L	123456789	123456789	123456789	123456789			
88.9	Scrapie	C	L	123456789	123456789	123456789	123456789			
88.10	Tuberculosis	C	L	123456789	123456789	123456789	123456789			
88.11	Vascular stomatitis	C	L	123456789	123456789	123456789	123456789			
89. SWINE DISEASES										
89.1	African swine fever	C	L	123456789	123456789	123456789	123456789			
89.2	Bruceella	C	L	123456789	123456789	123456789	123456789			
89.3	Foot and mouth disease	C	L	123456789	123456789	123456789	123456789			
89.4	Hog cholera	C	L	123456789	123456789	123456789	123456789			
89.5	Japanese B encephalitis	C	L	123456789	123456789	123456789	123456789			
89.6	Paratuberculosis	C	L	123456789	123456789	123456789	123456789			
89.7	Vascular stomatitis	C	L	123456789	123456789	123456789	123456789			
89.8	Vascular exanthema	C	L	123456789	123456789	123456789	123456789			

SCHEDULE B
(Report between the 1st and 10th of each month by mail or telephone)

D	CODE/DISEASE	E	DIAG	F	G	H	HERDS/FLOCKS	J	K	CITY/COUNTY
91. CATTLE DISEASES										
91.1	Anthraxosis	C	L	123456789	123456789	123456789	123456789			
91.2	Bleeding	C	L	123456789	123456789	123456789	123456789			
91.3	Bluetongue	C	L	123456789	123456789	123456789	123456789			
91.4	Bovine viral diarrhoea	C	L	123456789	123456789	123456789	123456789			
91.5	Infectious bovine rhinotracheitis	C	L	123456789	123456789	123456789	123456789			
91.6	Infectious keratitis	C	L	123456789	123456789	123456789	123456789			
91.7	Leptospirosis	C	L	123456789	123456789	123456789	123456789			
91.8	Lymphosarcoma	C	L	123456789	123456789	123456789	123456789			
91.9	Lameness	C	L	123456789	123456789	123456789	123456789			
91.10	Malignant edema	C	L	123456789	123456789	123456789	123456789			
91.11	Paratuberculosis	C	L	123456789	123456789	123456789	123456789			

Final Regulations

* * * * *

Title of Regulation: VR 115-02-17. Rules and Regulations Establishing a Monitoring Program for Avian Influenza and Other Poultry Diseases.

Statutory Authority: §§ 3.1-724 and 3.1-726 of the Code of Virginia.

Effective Date: November 2, 1990.

Summary:

The regulation will establish a program in Virginia for the early detection of infectious and contagious diseases of poultry. The statistical sampling and testing of poultry from a representative number of geographical locations in the Commonwealth will provide data needed to establish more responsive disease-monitoring and -control programs. The information that will be obtained from this approach to disease monitoring will be invaluable in protecting Virginia's poultry from losses that might otherwise be incurred in future disease outbreaks.

The regulation includes a provision that states that with the prior approval of the State Veterinarian one may market poultry that has recovered from avian influenza.

The measure will continue the authority provided at present by an emergency regulation.

VR 115-02-17. Rules and Regulations Establishing a Monitoring Program for Avian Influenza and Other Poultry Diseases.

§ 1. Definitions.

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

"Avian influenza" means any one of several infections or disease syndromes in avian species caused by Type A influenza viruses of the Orthomyxovirus group.

"Backyard flock" means a flock of fewer than 500 birds maintained on private premises for the sole use of the owner.

"Breeding flocks" means poultry used to produce fertile eggs to produce poultry for multiplier flocks.

"Broiler breeder" means a chicken used to supply fertile eggs to hatcheries for the production of broilers.

"Broiler" means a chicken that is grown exclusively for food purposes.

"Commercial toms and hens" means immature male and

female turkeys that are grown to market size for food purposes.

"Cockerel" means a young male chicken.

"Confined wild birds" means any live wild fowl which are confined by means of pens or other structures, or which are pinioned, and includes their offspring which are regulated by state or federal permits.

"Department" means the Virginia Department of Agriculture and Consumer Services.

"Exotic Newcastle disease" means the velogenic or viscerotropic form of the disease of poultry caused by the Newcastle Disease Virus (NDV) of the Paramyxovirus group.

"Flock" means all of the poultry on one premises, except that, at the discretion of the department, any group of poultry which is segregated from other poultry and has been so segregated for a period of at least 21 days may be considered as a separate flock.

"Fowl typhoid" means an infection of poultry caused by *Salmonella gallinarum*.

"Game farm" means any location where a variety of avian species such as waterfowl, pheasant, quail, peafowl, etc., that qualify as game fowl are congregated or raised individually or otherwise.

"Game fowl" means any variety of avian species hunted for food or sport or specifically raised for sport.

"Grower of poultry" means any person, including an employee, agent or independent contractor, who grows, raises, or keeps poultry for himself or for another.

"Hatchery" means incubators, hatchers, and auxiliary equipment on one premises operated and controlled for the hatching of poultry.

"Layers" means chickens that produce eggs for food purposes.

"Multiplier flock" means poultry used to produce fertile eggs to produce poultry for egg production and broiler flocks.

"Owner" means any person or firm that owns poultry.

"Person" means any person, firm, partnership, corporation, or institution.

"Poultry" means live fowl, including chickens, turkeys, waterfowl, and game birds, which are propagated and maintained under the control of any person.

"Poults" means young turkeys.

"Pullets" means young female chickens.

"Pullorum disease" means an infection of poultry caused by *Salmonella pullorum*.

"*Salmonella enteritidis*" means a specific bacterial organism capable of producing severe gastroenteritis in humans and many animals.

"Slaughter birds" means any birds that are slaughtered at establishments that have been issued a grant of inspection by the U.S. Department of Agriculture, Food Safety Inspection Service or by the department.

"Small privately owned layer flocks" means any flock of fewer than 500 birds that is used to produce eggs for food purposes and is privately owned.

"Specimens" means samples, including but not limited to samples of blood, tissues, eggs, and swabs, as well as samples taken from the environment in which a bird lives.

"State Veterinarian" means a veterinarian employed by the Commissioner of Agriculture and Consumer Services who is responsible for the animal health programs in the Commonwealth.

"Turkey breeders" means turkeys that are used to supply fertile eggs to hatcheries for the production of commercial toms and hens.

§ 2. Inventory.

Any person governed by § 3 of this regulation shall disclose to the State Veterinarian within 10 days after the State Veterinarian's request the numbers of birds in each classification identified in subsections D and E of § 3.

§ 3. Specimen submissions.

A. All growers of poultry shall submit to a state laboratory for diagnostic testing specimens from poultry they grow, as specified in subsection C of this section.

B. All persons operating slaughtering plants, egg plants, hatcheries, layer houses, or any other poultry-raising, poultry-keeping or poultry-handling endeavor also shall submit such specimens from poultry they grow, handle, or process, as specified in subsection C of this section.

C. Specimens from poultry submitted pursuant to subsections A and B of this section for laboratory analysis shall be for diseases governed by § 3.1-726 of the Code of Virginia in the number and kind and at a time designated by the State Veterinarian.

D. Specimens submitted in accordance with subsection C of this section shall be from the following classes of poultry.

1. Chickens

- a. Slaughter birds
- b. Broiler breeders
- c. Layers
- d. Layer breeders
- e. Broilers
- f. Pullets
- g. Cockerels

[h. Game birds]

2. Turkeys

- a. Slaughter birds
- b. Turkey breeders
- c. Commercial toms and hens
- d. Poult

[3. Game birds

- a. Bobwhite quail
- b. Chukar partridge
- c. Pheasant
- d. Others]

E. Specimens that are required for laboratory testing to detect infectious and contagious diseases shall be submitted as directed by the State Veterinarian from the following:

- 1. Exhibition birds;
- 2. Birds from small privately owned layer flocks;
- 3. Birds on game farms; and
- 4. Birds in backyard flocks.

[F. Disposition of poultry that have recovered from infectious or contagious diseases.

Nothing in this regulation shall prohibit the marketing of poultry that have recovered from avian influenza, but the marketing of such recovered poultry shall occur only with the prior approval of the State Veterinarian.]

Title of Regulation: VR 115-02-18. Rules and Regulations Pertaining to the Disposal of Entire Flocks of Dead Poultry.

Final Regulations

Statutory Authority: § 3.1-726 of the Code of Virginia.

Effective Date: November 2, 1990.

Summary:

The regulation will continue authority contained in a soon-to-expire emergency regulation governing the disposal of entire flocks of dead poultry.

The occurrence of avian influenza and Exotic Newcastle disease can and often does quickly result in large numbers of dead birds. Many of the birds die as a consequence of the disease itself. Others must be humanely destroyed as a means of preventing the virus they carry from spreading to healthy birds. Large numbers of dead, disease-laden bird carcasses require proper disposal to prevent contamination of the environment and to prevent the further spread of the disease.

The regulations (i) establish requirements for disposal of entire flocks of dead poultry, including provision for disposal pits, incinerators, landfills, and rendering; (ii) establish exemptions from the provisions of the regulation; (iii) establish appropriate methods for the transportation of dead poultry; and (iv) establish a process for the approval of the disposal of dead poultry on all premises raising poultry for profit.

VR 115-02-18. Rules and Regulations Pertaining to the Disposal of Entire Flocks of Dead Poultry.

§ 1. Definitions.

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

"Dead poultry" means poultry, exclusive of those intentionally slaughtered for food, which die or are destroyed as a result of a contagious and infectious disease upon any premises in the state.

"Department" means the Virginia Department of Agriculture and Consumer Services.

"Disposal" means the complete destruction of dead poultry in an incinerator or their proper disposition in a disposal pit, in a landfill, or by rendering.

"Disposal pit" means an opening dug in the ground that meets the Initial Site Screening Criteria for Burial of Dead Poultry, the terms of which are hereby incorporated by reference and specified in VR 672-20-10 of the Virginia Department of Waste Management, Solid Waste Management Regulations.

"Entire flock" means all of the poultry within one group of poultry that has been designated as a flock for a period of at least 21 days.

"Flock" means all of the poultry on one premises, except that, at the discretion of the department, any group of poultry which is segregated from other poultry and has been so segregated for a period of at least 21 days may be considered as a separate flock.

"Incinerator" means a firebox constructed of masonry or metal in which dead poultry is burned by the use of fuel.

"Infectious and contagious disease" means [; but is not limited to,] avian influenza and exotic newcastle disease.

"Landfill" means an engineered land burial facility for the disposal of solid waste which is so located, designed, constructed, and operated to contain and isolate the solid waste so that it does not pose a substantial present or potential hazard to human health or the environment.

"Off-farm disposal site" means any site for the disposal of dead poultry other than the farm on which the dead poultry died.

"Person" means any person, firm, partnership, corporation, or institution which engages in the raising or keeping of poultry for profit in this state.

"Poultry" means all chickens, ducks, turkeys or other domestic fowls being raised or kept on any premises in the state for profit.

"Premises" means the entire tract of land, including but not limited to the buildings thereon, owned, leased or used by any person for the raising or keeping of poultry for profit.

"Raising or keeping of poultry for profit" means the raising or keeping of 500 or more poultry at one time for the purpose of sale of such poultry or the eggs produced therefrom.

"Rendering" means treating dead poultry according to the process described in 9 CFR § 381.95(a).

§ 2. Applicability.

These regulations shall govern the disposal of dead birds by persons who raise or keep poultry for profit or who have entered into a contract for the raising or keeping of poultry for profit, but only when the entire flock is to be depopulated or when the entire flock dies. In all other instances § 3.1-742 et seq. of the Code of Virginia, Disposal of Dead Poultry, shall govern.

§ 3. Disposal pits, incinerators, landfilling, or rendering required of persons raising or keeping poultry for profit.

A. It shall be unlawful for any person to engage in the raising or keeping of poultry for profit on any premises within the Commonwealth of Virginia, or to enter into a contract involving the raising or keeping of poultry for profit with any other person, unless the premises upon

which such poultry is to be raised or kept is provided with or unless the person maintaining the premises whereon the poultry is raised or kept has access to:

1. A disposal pit;
2. An incinerator;
3. A renderer through a bona fide contract for rendering;
4. A landfill, through a bona fide contract for the disposal of dead poultry therein.

B. Provisions governing disposal pits.

1. If possible, an area away from public view should be selected.
2. No person engaged in the raising or keeping of poultry for profit and no person who has entered into a contract involving the raising or keeping of poultry for profit with any other person shall construct or use any pit for the disposal of poultry unless it conforms to the definition of a disposal pit contained in this regulation.
3. Any person engaged in the raising or keeping of poultry for profit and any person who has entered into a contract involving the raising or keeping of poultry for profit with any other person shall, before using a disposal pit, obtain approval for its use as required by state law.

C. Provisions governing incinerators.

1. If possible, an area away from public view should be selected.
2. No person engaged in the raising or keeping of poultry for profit and no person who has entered into a contract involving the raising or keeping of poultry for profit with any other person shall construct or use an incinerator for the disposal of dead poultry unless it is constructed of masonry or metal and has the capability to burn within a time frame approved by the State Veterinarian all poultry raised or kept on the premises at any time.
3. Any person engaged in the raising or keeping of poultry for profit and any person who has entered into a contract involving the raising or keeping of poultry for profit with any other person shall, before using an incinerator on his premises to dispose of birds, obtain approval for its use as required by state law.

D. Provisions governing bona fide rendering contract.

No person engaged in the raising or keeping of poultry for profit and no person who has entered into a contract

involving the raising or keeping of poultry for profit with any other person shall dispose of dead poultry through rendering unless he has entered into a bona fide contract for the rendering of such dead poultry, which contract shall be part of the plan for disposal of dead poultry specified by § 5 of this regulation.

E. Provisions governing bona fide contract with a landfill.

No person engaged in the raising or keeping of poultry for profit and no person who has entered into a contract involving the raising or keeping of poultry for profit with any other person shall dispose of dead poultry in a landfill unless he has entered into a bona fide contract for such disposal of dead poultry in a landfill, which contract shall be part of the plan for the disposal of dead poultry specified by § 5 of this regulation.

§ 4. Exemptions.

The State Veterinarian may authorize disposal of dead poultry by a method other than one prescribed in this regulation, so long as [, in the opinion of the State Veterinarian] that method meets or exceeds the standards established by this regulation.

§ 5. Plans for disposal of dead poultry.

A. No person shall engage in the raising or keeping of poultry for profit and no person shall enter into a contract involving the raising or keeping of poultry for profit with any other person unless he files with the State Veterinarian a plan, embracing at a minimum provisions consistent with the requirements of this regulation for the disposal of an entire flock of dead poultry.

B. No person may implement the plan or any amendment to it until it is approved by the State Veterinarian.

[**C.** Nothing in this section shall prohibit a person from filing a plan on behalf of its contract growers.]

§ 6. Transportation of dead poultry; sanitation.

A. No person may transport any dead poultry from any premises without the prior approval, granted by permit on a case-by-case basis, by the State Veterinarian or his representative.

B. No person may transport dead poultry from a farm premises to any off-farm disposal site except in leak-proof containers or leak-proof trucks.

C. No person may transport dead poultry from a farm premises to any off-farm disposal site unless the dead poultry is enclosed in the transporting vehicle so that feathers and other debris will not be released into the environment.

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D. No person may transport dead poultry from a farm premises to an off-farm disposal site unless:

1. The containers are disinfected prior to loading on the truck and the exterior of the loaded truck disinfected prior to leaving the farm; and
2. The entire truck is cleaned and disinfected after unloading at the off-farm disposal site and prior to leaving the off-farm disposal site.

DEPARTMENT OF CORRECTIONS (STATE BOARD OF)

Title of Regulation: VR 230-30-007. Supervision Fee - Rules, Regulations and Procedures.

Publication Date: 6:22 V.A.R. 3511-3520 July 30, 1990

In accordance with § 9-6.14:9.4 of the Code of Virginia, the Department and Board of Corrections hereby WITHDRAW as of August 28, 1990, VR 230-30-007, Supervision Fee, Rules, Regulations and Procedures, which was printed in FINAL form in 6:22 V.A.R. 3511-3520 July 30, 1990.

This action is necessitated by the extensive number of changes recommended by the Department of Planning and Budget during the 30-day final adoption period.

Issues raised by the Department of Planning and Budget have been reviewed, and all relevant changes have been incorporated into the regulation. The final regulation is being republished with these additional changes in this issue of the Virginia Register of Regulations.

* * * * *

Title of Regulation: VR 230-30-007. Supervision Fee - Rules, Regulations and Procedures.

Statutory Authority: §§ 53.1-5 and 53.1-150 of the Code of Virginia.

Effective Date: October 24, 1990.

Summary:

These rules, regulations and procedures have been promulgated by the Board of Corrections to carry out its statutory requirements. They address:

1. Eligibility requirements;
2. Exemption criteria;
3. Intake procedures;
4. Exemption procedures;
5. Collection procedures;

6. Record-keeping requirements;

7. Delinquency procedures;

8. Client transfer procedures; and

9. Closure procedures.

They also include samples of all the required forms.

These regulations apply to all persons placed under adult probation, parole or state work release supervision on or after July 1, 1981. They also apply to persons entering Community Diversion Incentive programs on or after July 1, 1988. Eligible persons must make up to a maximum of 60 payments at an amount fixed by the statute.

Generally, the regulations were originally adopted as emergency regulations on June 15, 1988. The proposed regulations were essentially the same as those on an emergency basis. However, the final regulations are substantially modified as follows:

1. The introduction was deleted as it was no longer pertinent to the current statutory requirement.
2. The definitions were revised to more closely follow the definitions in Title 60.2 of the Code of Virginia relating to the Virginia Unemployment Compensation Act.
3. Many procedural steps were deleted so that the focus would be on those regulations required for implementation. Related procedures will be developed by the department.
4. The language throughout was revised as needed for clarity and to eliminate duplication.
5. The overall effect of the changes is a much more general and a shorter document which addresses general requirements, but deletes specific procedural steps which will be the focus of a separate document.

VR 230-30-007. Supervision Fee - Rules, Regulations and Procedures.

PART I GENERAL PROVISIONS.

[§ 1.1. Definitions.

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

"Delinquency" means a person is delinquent after [the] missing [of] one monthly supervision fee payment.

"Employment" means any service including service in interstate commerce, performed by an individual for remuneration [, or] under any contract for hire, written or oral, expressed or implied.

"Income" means any money received from all sources, exclusive of social security and welfare.

"Legal dependents" means those persons legally eligible to be listed as exemptions for federal income tax purposes.

"Month" means a calendar month or fraction thereof.

"Monthly gross income" means income received in a calendar month.

"Supervision" means that period of time from [the] opening [of] the case by [the execution of executing] the Community Release Agreement, the Conditions of Probation or Parole, or the Community Diversion Incentive (CDI) Program Diversion Agreement until the case is terminated, or timely payments [for 60 months] have been made for 60 months.

"Unable to work" means having clinical documentation of a physical, mental [,] or emotional disability which precludes work or employment for the client.

"Unreasonable hardship" means monthly gross income is less than the federal poverty guidelines provided by the Department of Social Services.

"Unreasonable hardship due to extenuating circumstances" means monthly gross income is reduced below federal poverty guidelines because of payments on financial obligations caused by court ordered sanctions, natural disasters, unreimbursed medical expenses [,] or other unusual circumstances.

"Verified income" means written documentation establishing the client's income, such as check stubs, contracts, legal documents, etc.

§ 1.2. Supersession.

These standards supersede the emergency "Supervision Fee Rules and Regulations" adopted by the Board of Corrections on June 20, 1989.

§ 1.3. Eligibility.

All adults and juveniles sentenced as adults are subject to the provisions of § 53.1-150 of the Code of Virginia (See Appendix 1) with these notations:

1. A person shall not be liable for payment for the last month of supervision.
2. A person shall not be subject to double monthly fees in the event of concurrent supervision

requirements.

3. In the event of concurrent parole and probation or CDI participation, the district or program shall open the case in accordance with existing program procedures and the fee collection shall be assigned to the active status.

4. In the event of concurrent work release, parole, community diversion or probation, the Department of Corrections (DOC) Accounts Receivable Section shall be responsible for collecting the fees.

5. Persons sentenced in Virginia who transfer to another state and transfer back to Virginia are [eligible subject to the fee] when accepted for supervision.

6. All persons [eligible for inclusion in subject to] the provisions of § 53.1-150 are obligated for fee payments unless and until they are exempted [by proper authority] , are terminated from supervision, or comply with the 60-month provision.

PART II.
ADMINISTRATIVE PROCEDURES.

§ 2.1. Intake process.

A. All probationers, parolees [,] and state work releasees entering supervision on or after July 1, 1981, and CDI offenders who agree to diversion on or after July 1, 1988, shall have the provisions of § 53.1-150 of the Code of Virginia and [the] Supervision Fee Rules and Regulations explained to them by the supervising probation and parole officer, work release counselor [,] or CDI case manager, respectively.

B. Explanation of this obligation shall be given at the time of initial interview and be evidenced by execution of the Client Introduction Form (See Appendix 2). The [original] completed form shall be distributed to the client case file and the client [shall receive a copy] .

C. Refusal to sign the Client Introduction Form does not relieve the person of [its Virginia Code § 53.1-150] requirements. The supervising officer, work release counselor [,] or CDI case manager should note this occurrence on the form, sign it and distribute the copies as shown above.

D. A Supervision Fee Record (See Appendix 3) shall be set up on each probationer, parolee, or state work releasee entering supervision on or after July 1, 1981, and each person entering community diversion status on or after July 1, 1988. [This The record] system may be manual or automated.

§ 2.2. Exemptions.

A. Section 53.1-150 [provides for allows] the exemption

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of eligible persons from the fee payment obligation if approved by proper authority on the grounds of unreasonable hardship [or unreasonable hardship based on extenuating circumstances] .

[B. The Division of Adult Community Corrections is responsible for reviewing and issuing federal poverty guideline information each fiscal year for purposes of determining unreasonable hardship.]

[B. Exemption application.

1. A person may apply for an exemption at any time after entry into active supervision and completion of either the Client Introduction Form or the revised Community Release Agreement. Documentation of hardship shall be provided by the person seeking exemption (See Appendix 4).

2. If an exemption based on unreasonable hardship is denied, the client may apply for an exemption based on unreasonable hardship due to extenuating circumstances.

3. Persons who are denied an exemption for any reason may reapply whenever their circumstances have changed.]

C. Exemption process.

1. Exemptions for unreasonable hardship or for unreasonable hardship based on extenuating circumstances.

a. The exemption process for parolees shall be [in accordance with according to] procedures approved by the Virginia Parole Board.

b. The exemption process for probationers and CDI participants shall be [in accordance with according to] procedures approved by the sentencing court.

c. The exemption process for state work releasees shall be [in accordance with according to] procedures approved by the Department of Corrections.

[2. The Division of Adult Community Corrections will annually review and issue the federal poverty guideline information needed for determining unreasonable hardship.]

[3 D] . Exemption termination process.

[a 1] . Exemptions shall be terminated when the reasons for which the exemption was granted are no longer valid.

[b. When the reasons for exemption are no longer valid, the The] supervising officer, CDI program director or work release program staff member shall

document the invalidity and recommend exemption termination to the chief officer, CDI program director [,] or work release director.

[e 2.] The chief probation and parole officer, CDI program director or appropriate work release program administrator may recommend termination of an exemption(s) to the exempting authority [in accordance with approved steps] .

[d 3] . The supervising officer, CDI case manager or work release program staff member, is responsible for monitoring the exemption reasons at least quarterly.

[e 4] . There is no appellate procedure for termination by the exempting authority.

[D. Exemption application.

1. A person may apply for an exemption at any time after entry into active supervision and completion of either the Client Introduction Form or the revised Community Release Agreement. Documentation of hardship shall be provided by the person seeking exemption (See Appendix 4).

2. If an exemption based on unreasonable hardship is denied, the client may apply for an exemption based on unreasonable hardship due to extenuating circumstances.

3. Persons who are denied an exemption for any reason may reapply whenever their circumstances have changed.

PART III.

PAYMENTS AND COLLECTION PROCEDURES.

§ 3.1. Payments.

A. Payments [shall be made in full as] specified in § 53.1-150 of the Code of Virginia or the sentencing general district court [shall be made in full] . This allows advance payments but not partial payments.

B. Payments [shall be due no later than the fifth day of each month] for [obligations in] the preceding calendar month [shall be due no later than the fifth day of the following month] .

C. Payments shall be in the form of certified checks, cashier's checks, corporate checks or money orders [; and] made payable to the Department of Corrections.

D. [By mutual agreement, the The] employer may deduct the fee payment from the person's pay and forward the payment to the district office or CDI program office [which is supervising the client] .

E. All payments shall be made in person to the supervising officer [or , the] CDI case manager or

mailed to the district office or CDI program office.

F. [~~Payments will~~ Payment obligations shall] commence with the calendar month in which the exemption terminated.

§ 3.2. District/CDI program collection procedures.

A. The chief probation and parole officer [~~and or~~] CDI program director are responsible for monitoring compliance with the fee collection rules and regulations in the probation and parole district or CDI program area.

B. The chief officer or CDI program director may establish written local office procedures to monitor compliance with the rules and regulations, subject to the approval of the regional probation and parole manager or community alternatives manager.

C. Probation and parole district and CDI offices [shall] issue sequentially numbered receipts or their equivalent to offenders upon payment. Clients should be strongly urged to retain the receipts in the event of theft or loss. [~~This~~ The receipt] system may be manual or automated.

D. [~~The~~ Probation and parole district and CDI offices shall process the] daily ledger sheet (See Appendix 5) [shall: as follows:]

1. [~~Have all~~ All] payments [~~noted upon~~ shall be listed upon] receipt by probation and parole or CDI staff members [; .]

2. [~~Be completed~~ The sheets shall be completed] by the close of each business day. Daily ledger sheets [~~should~~ shall] be submitted when the accumulated funds exceed \$200 or weekly-whichever occurs first. [~~It should~~ They shall] be prepared in triplicate. Two copies, along with the [~~receipted and listed~~] checks/money orders, [~~should~~ shall] be mailed to the DOC Accounts Receivable Section. One copy [~~should~~ shall] be retained in the district or CDI office [; and .]

3. [~~Have all~~ All] entries on daily ledger sheets and checks or money orders reconciled [~~in accordance with § 4.1~~ according to § 3.4] and [~~a the~~] copy of the [~~reconciled~~] daily ledger sheet returned to the district office or CDI office by the DOC Accounts Receivable Section. The reconciled amounts [~~should~~ shall] be posted to the supervision fee record within five days of receipt.

E. [~~All~~ Probation and parole district and CDI offices shall post all] supervision fee records [~~shall be posted~~] each month for all activity within the preceding calendar month.

[1.] The entries shall [~~reflect:~~ show:]

[1 a] . Amount paid - \$30.

[2 b] . Exemption - Ex-1; Ex-2.

[3 c] . Unemployed - UN.

[4 d] . Delinquency - DEL.

[5 e] . Interstate - IS.

[6 f] . Ineligible - IN.

[7 g] . Closed - CL.

[2.] The entries shall [~~reflect~~ show] the date of the entry and the initials of the person making the entry.

F. All delinquent persons for a calendar month shall be identified and the delinquency procedures [~~in § 4.2~~] initiated [in accordance with § 3.6.] .

G. Any shortage shall be reported immediately to the regional probation and parole manager or regional community alternatives manager and to the cash receipts supervisor of the DOC Accounts Receivable Section in writing. Every effort [~~should~~ shall] be made to recover lost or stolen payments.

H. Every effort shall be made to determine the source of unidentified payments. The regional probation and parole manager or regional community alternatives manager [,] and [the] cash receipts supervisor of the DOC Accounts Receivable Section [~~should~~ shall] be notified in writing if such efforts are unsuccessful.

§ 3.3. State work release collection procedures.

A. The work release facility director [,] for persons in state facilities [,] or the community facilities managers [,] for [~~eligible~~] persons [subject to the fee] in local programs [~~are responsible for monitoring~~ shall monitor] compliance [with the fee collection rules and regulations] at the unit or facility [~~(s)~~ for the fee collection rules and regulations] .

B. Subject to the approval of the regional administrator for state facilities or community facilities manager [,] the work release program facility director shall establish written local office procedures to monitor compliance with the rules and regulations.

C. The work release facility directors [,] for persons in state facilities [,] or the community facilities managers [,] for [~~eligible~~] persons [subject to the fee] in local programs [,] [~~are responsible for advising~~ shall advise] the DOC Accounts Receivable Section of any work releasee subject to fee collection.

D. [~~Directors~~ Program facility directors] or [community facility] managers [~~are responsible to~~ shall] advise the DOC Accounts Receivable Section in writing when persons are exempted from fee collection or are no longer subject to the provisions of § 53.1-150 of the Code

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of Virginia.

E. The accounts receivable manager [*is responsible for deducting shall deduct*] the supervision fee each month from the pay of each [*eligible person subject to the fee*] . The deductions [*should shall*] be made in a manner consistent with generally accepted accounting principles and in a manner approved by the DOC Assistant Comptroller, Accounting Operations.

[F. By the 15th day of each month, the work release supervisor should provide the cash receipts supervisor in the DOC Accounts Receivable Section with a monthly report noting (i) the amount of fees collected and (ii) that all moneys collected in the preceding calendar month will be forwarded. The actual transfer of funds shall be at such intervals and by such methods consistent with generally accepted accounting principles and as approved by the DOC Assistant Comptroller, Accounting Operations.

[G. F.] All supervision fee records [*should shall*] be posted as required in § 3.2.

[§ 3.4. General Accounting DOC (Accounts Receivable Section) procedures.

A. The cash receipts unit shall receive the checks/money orders for supervision fee payments from employers, the work release units, district offices, and CDI program offices.

B. The Cash Receipts Unit of the Accounts Receivable Section shall reconcile the checks/money orders and entries on the daily ledger sheet (See Appendix 5) and return one copy of the reconciled daily ledger sheet to the sending unit, district or program within 10 days of its receipt.

C. The Cash Receipts Unit shall prepare a monthly report (See Appendix 6) for the deputy director, Adult Community Corrections concerning fees collected. The accounts receivable manager shall transmit the report.

D. The DOC Assistant Comptroller Accounting Operations shall, according to generally accepted accounting principles, establish any fiscal procedures deemed necessary and not otherwise set forth to receive, account for, and disburse funds collected under the provisions of § 53.1-150 of the Code of Virginia.]

[§ 3.4 3.5] . Refunds of payments.

A. Requests for refunds shall be made to the cash receipts supervisor of the DOC Accounts Receivable Section by the chief probation and parole officer, CDI program director or work release facility director in writing.

B. Any refunds authorized by the cash receipts supervisor shall be in accordance with accepted accounting principles or applicable state requirements.

[PART IV. OPERATIONAL PROCEDURES.

§ 4.1. General accounting DOC (Accounts Receivable Section) procedures.

The Accounts Receivable Section will be responsible for receiving supervision fee payments from the work release units and district offices for probationers and parolees, or CDI program offices as prescribed below:

1. The Cash Receipts Unit of the Accounts Receivable Section (i) shall receive such payments; (ii) reconcile the checks/money orders and entries on the daily ledger sheet (See Appendix 5); (iii) and return one copy of the daily ledger sheet to the sending unit, district or program within 10 days of its receipt.

2. The Cash Receipts Unit shall prepare a monthly report (See Appendix 6) concerning fees collected for the deputy director, Adult Community Corrections. The accounts receivable manager shall transmit the report.

3. The DOC Assistant Comptroller Accounting Operations shall, in accordance with generally accepted accounting principles, establish any fiscal procedures deemed necessary and not otherwise set forth to receive, account for, and disburse funds collected under the provisions of § 53.1-150 of the Code of Virginia.

[§ 4.2. 3.6.] Delinquency procedures.

A. The probation and parole officer or CDI case manager [*should shall*] make every effort to encourage clients to meet their supervision fee obligations.

B. The chief probation and parole officer and CDI program director [*are responsible for developing shall develop*] written local office procedures, subject to the approval of the regional probation and parole manager or community alternatives manager for identifying delinquent clients and for recovering outstanding fee payments.

C. All persons [*who have failed failing*] to make payment for the preceding calendar month will be mailed a Supervision Fee Delinquency Notice (See Appendix 7) [*by the supervising officer/case manager*] . Under § 53.1-150 of the Code of Virginia, more than two months delinquency may constitute sufficient grounds for revocation of parole, probation, work release or community diversion status.

D. In the event of alleged violation by parolees, action [*should shall*] be taken [*in accordance with according to*] existing Parole Board violation procedures.

E. For probationers and CDI participants, the delinquency [*should shall*] be noted in the case file [*and the*] . The] sentencing court shall be notified of the

delinquency [and the supervising officer's/case manager's , along with any] recommendation [, by the supervising officer/case manager] .

F. Delinquency by state work releasees [should shall] be identified and addressed by the work release facility director [according to divisional guidelines] .

[PART IV. TRANSFER AND CLOSURE PROCEDURES.]

§ [4.3. 4.1.] Transfer procedures.

The general transfer procedures for persons subject to the provisions of the supervision fee, who transfer from one supervision status to another, from one probation and parole district to another, from one CDI program to another or from Virginia to other states, are:

[1. A. Transfers from] Work release or community diversion incentive to parole or probation.

[a. 1.] Persons [subject to the provisions of § 53.1-150 of the Code of Virginia] being released from state work release status or CDI program participation to probation or parole supervision [should shall] be terminated from the work release or CDI program [in accordance with according to] existing program procedures.

[b. 2.] The work release unit or CDI program director shall notify the accounts receivable manager of the program termination. A copy of the notice [should shall] be sent to the central criminal file and local case file. The supervision fee record shall be marked "closed."

[e. 3.] The chief probation and parole officer shall enter such persons into supervision as a new case.

[2. B. Transfers from] parole to probation or vice versa.

Persons [who conclude concluding] either parole or probation supervision but have a continuing probation or parole obligation shall have the supervision fee obligation continued without interruption.

[3. C.] Transfers to other districts.

Persons may transfer to another probation and parole district or from one CDI program to another [in accordance with according to] existing program procedures.

[a. 1.] The supervision fee record, the Client Introduction form and the Hardship Exemption Application, if applicable, [should shall] be included in the final transfer material. The sending district or CDI program shall mark the record "closed" and retain a copy.

[b. 2.] The case file [should shall] reflect the transfer of these materials and the person's supervision fee status.

[e. 3.] The receiving district or program shall continue the supervision fee collection process without interruption.

[d. The exemption authority shall pass to the receiving chief probation and parole officer for parolees and to the receiving chief probation and parole officer or CDI program director for probationers or CDI participants, unless otherwise directed by the sentencing court.

4. D.] Transfer to or from other states.

[a. 1.] Persons may transfer to or be received from other states [in accordance with according to] existing interstate compact procedures. However, upon the effective date of transfer, they are not [eligible for subject to the] supervision fee payment.

[b. 2.] Persons [seeking transfer transferring] to another state are obliged to pay the supervision fee until the effective transfer date, except that they shall not be charged for the last month of supervision. The sending district shall mark the record "closed" and retain it.

§ [4.4. 4.2.] Closure procedures.

[A.] Persons [subject to the provisions of the supervision fee] may be terminated for death, discharge, interstate transfer, or revocation. [The general closure procedures after termination are:]

[1. B.] Cases should be closed in accordance with existing program procedures including a reference to the supervision fee status [; .]

[2. C.] The [DOC] work release accountant shall be advised of any work release case closing [,] in writing [,] by the work release facility director with a copy forwarded to the central criminal file [; and .]

[3. D.] The supervision fee record shall be posted with a closed entry and retained in the district, unit, or CDI program file.

[PART V. EXTERNAL REQUIREMENTS AND LIMITATIONS.]

§ [4.5. 5.1.] External requirements.

All rules, regulations [,] and procedures are subject to any applicable auditing requirements and all records are governed by any applicable state library or statutory requirements.]

§ [4.6. 5.2.] Limitations.

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These regulations set forth the responsibilities of Department of Corrections and Community Diversion Incentive Program employees and do not establish rights or entitlements for any person subject to the provisions of § 53.1-150 of the Code of Virginia.

§ 53.1-150. Contributions by persons on parole, probation, and work release; delinquency as grounds for revocation of parole or probation; exemptions. — A. Any person (i) who is placed on parole, who is granted suspension of sentence and probation by a court of competent jurisdiction, who is participating in a community diversion program as provided in § 53.1-161, or who is participating in a work release program pursuant to the provisions of § 53.1-60, (ii) who is under the supervision of the Department, which shall include being under the supervision of a court services officer who is employed by the Department and serves a general district court, or of a community diversion program as provided in § 53.1-181, and (iii) who is gainfully employed, shall be required to contribute thirty dollars per month or, if such person is under the supervision of a court services officer of a general district court, then, in the discretion of the court, an amount not to exceed thirty dollars per month, toward the cost of his supervision beginning thirty days from the date he is employed.

Such sums shall be deducted by the parolee, probationer, or participant in a community diversion program from his monthly net earned income and shall be delivered to the Department pursuant to rules and regulations adopted by the Board of Corrections. By prior agreement between an employer and parolee, probationer, or participant in a community diversion program, an employer may deduct thirty dollars from the monthly earned income of the parolee or probationer and remit such amount to the Department pursuant to rules and regulations adopted by the Board of Corrections. In the case of prisoners employed pursuant to § 53.1-60, such sums shall be deducted by the Director from any wages earned by the prisoners. All such funds collected by the Department shall be deposited in the general fund of the state treasury.

In the event of more than two months' delinquency in making such contributions by a parolee or probationer, such delinquency may constitute sufficient grounds for revocation of his parole or probation. In the event that a probationer or parolee has made timely payments pursuant to this subsection for a total of sixty months without revocation of his probation or parole or extension of the length of his probation or parole, then he shall have no further obligation to contribute toward the cost of his supervision for the offense or offenses for which he was originally placed on probation or parole.

B. The Virginia Parole Board may exempt a parolee from the requirements of subsection A on the grounds of unreasonable hardship, and the sentencing court may exempt a probationer or participant in a community diversion program from the requirements of subsection A on the grounds of unreasonable hardship. The Director may exempt a work releasee from the requirements of subsection A on the grounds of unreasonable hardship. Any parolee or probationer transferred to or from other states under the supervision of the interstate compact for the supervision of parolees or probationers shall be exempt from the requirements of subsection A.

C. The provisions of subsection A shall not apply to any person against whom further proceedings have been deferred pursuant to § 18.2-251. (Code 1950, § 53-19.40; 1981, c. 634; 1982, cc. 492, 636; 1984, c. 668; 1988, c. 824; 1990, cc. 511, 816.)

APPENDIX 1

DEPARTMENT OF CORRECTIONS
SUPERVISION FEE

CLIENT INTRODUCTION FORM

NAME: John S. Doe VSP/SS# 000001
(Print/Type)

Section 53.1-150, Code of Virginia, requires that all persons, unless exempted, who are placed on probation, parole and/or work release/Community Diversion Program pay a monthly supervision fee of \$ toward the cost of his/her supervision. The requirement begins thirty (30) days from the date he/she is initially employed.

The following is furnished for your information:

- The fee is due by the fifth of the month following the thirtieth (30th) day of gainful employment and will continue each month thereafter. If you make timely payments for 60 months without revocation or extension of your probation/parole, you will have no further obligation to pay the fee. Further, you will not be obligated to pay the fee during the last month you are under supervision.
- Payments may be made at the District Office, or CDI Office, either in person or by mail or in person to the supervising officer or Case Manager.
- Payments will be made by certified check, cashier's check, or money order made payable to the "Department of Corrections".
- When you obtain a certified check, cashier's check, or money order, you will be furnished a receipt. Please keep it. It will serve as your proof of payment and may be used in the event of theft or loss.
- There are provisions for hardship exemptions which will be discussed with you by your supervising officer or CDI Case Manager. If you feel you qualify, you may apply for an exemption.
- If you become behind by three (3) payments, your probation, parole or work/release or community diversion status may be revoked.

I have read (or had read to me) and understand the above.

July 1, 1988 Date John S. Doe Client
Nathan Fortescu Supervising Officer 40 District
Distribution: Client, District/Unit File

Appendix 2

SUPERVISION FEE RECORD

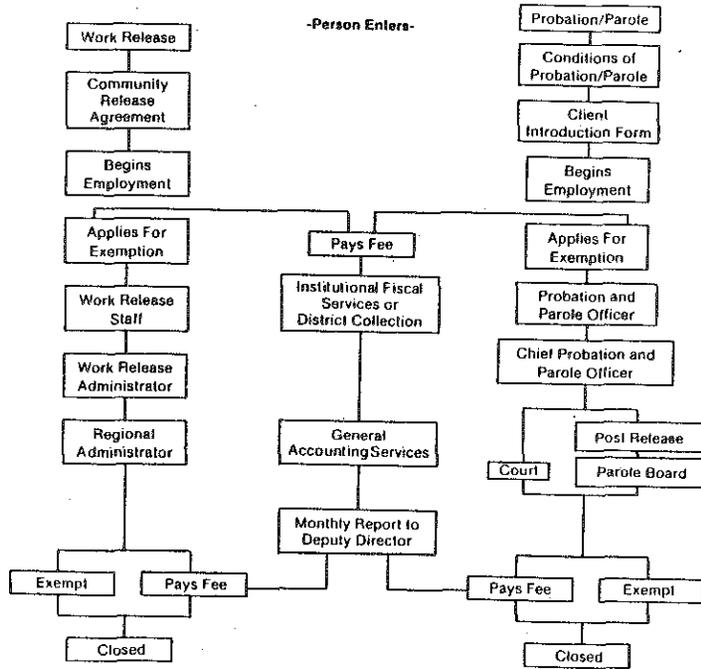
CLIENT NAME	Jane S. Doe	# 000001	F. O. N. Fortescu	DIST. # 10				
Date of Supervision	July 1, 1981		Expiration Date	September 30, 1982				
Date	Code	By	Date	Code	By			
1981			1982		19			
Jan			Jan (2-5)	\$15	NF	Jan		
Feb			Feb (3-5)	\$15	NF	Feb		
Mar			Mar (3-31)	\$15	NF	Mar		
Apr			Apr (4-19)	\$15	NF	Apr		
May			May (6-2)	\$15	NF	May		
Jun			Jun (6-30)	\$15	NF	Jun		
Jul (7-31)	IN	NF	Jul (8-5)	DEL/pd.	NF	Jul		
Aug (8-31)	\$15	NF	Aug (9-2)	\$30	NF	Aug		
Sep (9-30)	\$15	NF	Sep (9-30)	CL	NF	Sep		
Oct (10-22)	\$15	NF	Oct			Oct		
Nov (12-4)	\$15	NF	Nov			Nov		
Dec (12-28)	\$15	NF	Dec			Dec		

Probation/Parole Codes	Work Release	CDI Program
A. Amount Paid - \$15.00	A. Employed - EM	A. Amount Paid - \$15.00
B. Exemption - Ex-1a	B. Exemption - Ex-1a	B. Exemption - Ex-1a
C. Unemployed - Un	C. Unemployed - Un	C. Unemployed - Un
D. Delinquency - Del	D. Delinquency - Del	D. Delinquency - Del
E. Interstate - IS	E. Ineligible - IN	E. Interstate - IS
F. Ineligible - IN	F. Closed - CL	F. Ineligible - IN
G. Closed - CL		G. Closed - CL

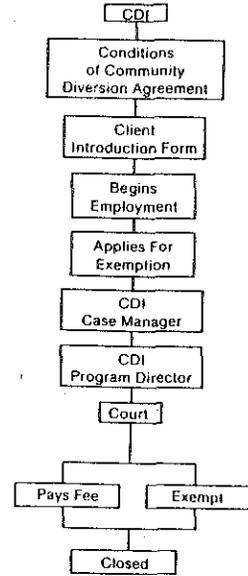
In the date column, show the actual payment date next the month to which the payment/entry is to be credited.

Appendix 3

SUPERVISION FEE PROCESS



Appendix 3



New Flow Chart Process to Incorporate CDI Program

DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING

Title of Regulation: VR 245-02-01. Regulations Governing Eligibility Standards and Application Procedures for the Distribution of Telecommunications Equipment.

Statutory Authority: § 63.1-85.4 of the Code of Virginia.

Effective Date: October 24, 1990.

Summary

These regulations are used to screen hearing-impaired and speech-impaired applicants for the Telecommunications Assistance Program (TAP) and to determine the applicant's contribution (payment) toward the purchase of telephone equipment.

The amendments ensure the confidentiality of all TAP applications and other client materials used in determining the applicant's award.

VR 245-02-01. Regulations Governing Eligibility Standards and Application Procedures for the Distribution of Telecommunications Equipment.

PART I. DEFINITIONS.

§ 1.1. Definitions.

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

"Amplified handset" means a mechanical device that amplifies either incoming sounds for hearing-impaired persons or outgoing sounds for speech-impaired persons.

"Applicant" means a person who applies for telecommunications equipment.

"Application" means the TAP Application (VDDHH-TDD-1).

"Audiologist" means any person who accepts compensation for examining, testing, evaluating, treating or counseling persons having or suspected of having disorders or conditions affecting hearing and related communicative disorders or who assists persons in the perception of sound and is not authorized by another regulatory or health regulatory board to perform any such services.

"Braille TDD" means an electrical device for use with a telephone that utilizes a keyboard, an acoustic coupler, a visual display and a braille display to transmit and receive messages.

"Completion date" means the date all supporting documentation for the application is received by the department.

"Coordinator" means the Coordinator for Statewide Telecommunications Programs for the Deaf of the Virginia Department for the Deaf and Hard-of-Hearing.

"Coupon" means a voucher which may be used by the recipient as credit toward the purchase of approved telecommunications equipment from a contracted vendor.

"Deaf" means the presence of a hearing impairment that requires use of a telecommunications device for the deaf to communicate effectively on the telephone.

"Deaf-blind" means the presence of a hearing impairment and a visual impairment that requires use of a braille or large-print TDD to communicate effectively on the telephone.

"Department" means the Virginia Department for the Deaf and Hard-of-Hearing.

"Director" means the Director of the Virginia Department for the Deaf and Hard-of-Hearing.

"Family" means the applicant, his dependents and any person legally required to support the applicant, including spouses.

"Gross income" means the income, total cash receipts before taxes from all sources of the applicant, his dependents and any person legally required to support the applicant including spouses.

"Minor" means a person less than 18 years of age whose parents are legally responsible for his support.

"Outreach specialist" means a person hired by the department to provide outreach services and to assist the department in carrying out activities related to the Telecommunications Assistance Program on either a regional or local level.

"Physician" means a person who has a medical degree and a license to practice medicine in any one of the United States.

"Program" or **"TAP Program"** means Telecommunications Assistance Program for distributing telecommunications equipment to deaf, severely hearing-impaired, deaf-blind and speech-impaired persons who meet eligibility requirements through an application process.

"Public assistance" means and includes aid to dependent children; auxiliary grants to the aged, blind and disabled; medical assistance; food stamps; general relief; fuel assistance; and social services.

"Recipient" means a person who receives telecommunications equipment or a coupon valid toward the purchase of the equipment.

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"Ring signal device" means a mechanical device that alerts a deaf, severely hearing-impaired or deaf-blind person of an incoming call.

"Severely hearing-impaired" means a hearing loss that requires use of either a Telecommunications Device for the Deaf or an amplified telephone handset to communicate effectively on the telephone.

"Speech-impaired" means a loss of verbal communication ability which prohibits normal usage of a standard telephone handset.

"Speech pathologist" means any person who accepts compensation for examining, testing, evaluating, treating or counseling persons having or suspected of having disorders or conditions affecting speech, voice or language and is not authorized by another regulatory or health regulatory board to perform any such services.

"Telecommunications devices for the deaf, hereinafter called TDD" means an electrical device for use with a telephone that utilizes a keyboard, acoustic coupler and display screen to transmit and receive messages.

"Telecommunications equipment" means any mechanical adaptation for a telephone needed by a deaf, a hearing-impaired or a speech-impaired person in order to use the telephone, including amplified handsets, ring signaling devices, and braille, large-print or regular-print TDDs.

PART II. PARTICIPATION OF APPLICANT.

§ 2.1. Eligibility requirements.

Upon request for telecommunications equipment by an applicant, the department will require information as to the family size, financial status, and other related data as described on the application. It is the applicant's responsibility to furnish the department with the correct financial data in order to be appropriately classified according to income level and to determine applicable charges for telecommunications equipment. Applicants eligible to participate in the program shall meet the following requirements:

1. The applicant must be certified as deaf, severely hearing-impaired, deaf-blind, or speech-impaired by a licensed physician, audiologist, speech-language pathologist, vocational rehabilitation counselor employed by the Department of Rehabilitative Services or the Department for the Visually Handicapped, a Virginia School for the Deaf and Blind representative, or other appropriate agency or government representative.
2. The applicant shall reside in the Commonwealth of Virginia.

3. An applicant shall submit a completed application.

§ 2.2. Charges for equipment.

Eligible applicants shall be granted program participation based on a first-come, first-served basis and the availability of program funds. The participation of applicants shall be by coupon. (See Part IV.) The approved applicant may use his coupon in addition to his contribution, (as defined in §§ 2.2 A 1-2 subdivisions A 1 and 2 of § 2.2 of these regulations) , to purchase the approved equipment at the state contract rate.

A. Cost of the program to applicant.

If the *individual or family monthly gross income is such that a charge for telecommunications equipment is required*, an explanation of the charges shall be provided to the recipient.

1. An applicant shall not be required to participate in the cost of telecommunications equipment if his individual or family monthly gross income is:

a. Obtained solely from , (any one or combination of) , public assistance , (as defined in Part I of these regulations) , earnings of minor children or gifts , (or any combination thereof) ; or

b. Less than or equal to the Economic Needs Guidelines found in *subdivision A 3 of § 2.2 A 3* of these regulations.

2. Any other applicant shall be required to participate in the cost of any telecommunications equipment distributed to the applicant. The portion paid by the applicant to the vendor shall be equal to the amount which his individual or family monthly gross income exceeds the following Economic Needs Guidelines. However, this amount shall not exceed the approved equipment total price or \$75, whichever is lower.

3. Statewide Economic Needs Guidelines. *The same formula used to determine the following sets of Economic Needs Guidelines shall be applied where the number of family members exceeds six.*

	Monthly Gross Income	Annual Gross Income
Family of 1	\$1,210	\$14,520
Family of 2	1,583	18,996
Family of 3	1,995	23,940
Family of 4	2,327	27,924
Family of 5	2,699	32,388
Family of 6	3,072	36,864

a. Northern Virginia Economic Needs Guidelines. To be used for applicants residing in Arlington, Fairfax, Loudoun, and Prince William counties and the incorporated cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park.

	Monthly Gross Income	Annual Gross Income
Family of 1	\$1,319	\$15,828
Family of 2	1,726	20,712
Family of 3	2,175	26,100
Family of 4	2,537	30,444
Family of 5	2,942	35,304
Family of 6	3,349	40,188

b. If an applicant is paying monthly installments toward a debt(s), then the amount of one monthly installment will be subtracted from the applicant's expected contribution before the valid amount of the coupon is determined, under the following conditions:

1. The debt(s) is owed for nonpreventative medical or dental services; and
2. The debt(s) is owed by or for the applicant or individuals whom the applicant is legally responsible to support or is legally supported by.

§ 2.3. Type of equipment.

The applicant must choose the type(s) of equipment requested based upon the applicant's sensory loss. The equipment available through the program includes: TDDs, braille TDDs, amplified handsets and ring signal devices.

PART III. APPLICATION PROCEDURES.

§ 3.1. The application may be obtained from the department or the department's outreach specialists or other authorized distribution centers. Completed applications shall be forwarded to:

Virginia Department for the Deaf and Hard-of-Hearing
ATTN: TAP Program
101 North 14th Street
7th Floor
Richmond, VA 23210-3678
[Washington Building
Capitol Square
1100 Bank Street
12th Floor
Richmond, VA 23219-3640]

The VDDHH telephone number is 1-800-552-7917 (V/TDD) or (804) 225-2570 (V/TDD).

§ 3.2. Processing applications.

A. The coordinator shall approve all applications for which eligibility requirements defined in § 2.1 are satisfied, except as provided in subsections B and C of this regulation.

B. Original application shall not be approved:

1. When the applicant has already been issued a coupon which is still valid towards the purchase of telecommunications equipment under this program.
2. When the applicant has received a device from the TAP Program within the preceding four years.

C. Application for replacement equipment shall not be approved when:

1. A device previously issued by the department has been subjected to abuse, misuse or unauthorized repair by the recipient.
2. The recipient fails to provide a police report of a stolen device or refuses to cooperate with the police investigation or in the prosecution of the suspect, including the refusal to testify in court when requested to do so.
3. The recipient is found negligent in the police report, such as doors to the house or car left unlocked or unattended.
4. The recipient has lost the device.
5. The recipient has sold the device.

§ 3.3. Notice of action on approved or denied applications.

The recipient shall be notified of a decision regarding an original application within 30 days of the completion date.

PART IV. COUPON SYSTEM.

§ 4.1. Coupons.

A coupon for purchase of telecommunications equipment based on an original application will be processed as follows:

1. The TAP Program Coordinator shall issue coupons varying in amount, but not exceeding the equipment's contracted price, for the purchase of approved equipment to persons determined to be eligible for the program. The coordinator will attach a list of contracted vendors who sell the approved telecommunications equipment.

2. The coupon shall entitle the recipient to purchase

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the approved equipment at the state-contract rate.

3. The recipient shall present or send the coupon to the vendor to make a purchase of approved equipment within 30 days of the coupon's issuance date.

4. The coupon shall have the signature and signature date of the recipient. The signature date indicates the order date for approved equipment by the recipient.

5. The vendor shall complete its section of the coupon, including signature and date, documenting the corresponding serial numbers for all approved equipment. The serial number for all equipment shall be required for reimbursement.

6. Within 30 days of the order date, the vendor shall forward the coupon to the Virginia Department for the Deaf and Hard-of-Hearing (VDDHH). An invoice for payment shall accompany the coupon for reimbursement. When submitting the coupon and invoice for payment, the vendor shall provide proof of delivery to the recipient's home address. This proof shall include a signature indicating receipt of the approved equipment.

7. Payment reimbursed from VDDHH to the vendor shall not exceed the valid amount, found in the upper right-hand corner, of the coupon.

8. The difference between the equipment's state-contracted price under the program and the value of the coupon will be collected by the vendor from the recipient.

9. Upon receipt of the authorized coupon, accompanying invoice, and confirmation of satisfactory delivery of the equipment, VDDHH will process an accounting voucher for the valid amount. The agency accounting voucher will be processed with an appropriate due date in accordance with the terms and conditions set forth in the Commonwealth's Prompt Payment Act.

§ 4.2. Ownership.

All telecommunications devices distributed through the program are the property of the recipient.

§ 4.3. Liability.

Recipients shall be responsible for any repairs to or loss of a device issued in the program.

PART V. CONFIDENTIALITY.

§ 5.1. Confidentiality.

All TAP applications and other client materials shall be

kept confidential by department personnel and other persons authorized by the department to view such materials. An applicant's award shall also be confidential and shall not be released without the applicant's permission.



TELECOMMUNICATIONS ASSISTANCE PROGRAM (TAP)

Eligible applicants for telecommunications equipment for hearing-impaired and speech-impaired people.

PLEASE PRINT OR TYPE

1. APPLICATION: ORIGINAL RENEWAL

2. NAME OF PERSON WHO WILL USE THIS EQUIPMENT:

First Name _____ Last Name _____ Birthdate: _____

4. APPLICANT IS: MARRIED SINGLE DIVORCED WIDOWED

5. SPOUSE NAME: _____

6. HOME ADDRESS: _____

7. MAILING ADDRESS (if different): _____

8. WHEN DID YOU MOVE TO VIRGINIA? _____

9. CITY or COUNTY YOU LIVE IN: _____

10. DO YOU NOW HAVE A TELEPHONE IN YOUR HOME? YES NO

11. TELEPHONE NUMBER: _____

12. NAME OF PERSON LISTED IN TELEPHONE DIRECTORY: _____

13. THE EQUIPMENT BOX -- CHECK (X) IN THE CORRECT GROUP

14. FAMILY SOURCE OF INCOME (If more than one, list on the back of this application)

15. FAMILY SIZE (include yourself)

16. UNDERSTAND: 1- If any information on this application is not true, I will have to give all equipment back to VADDELL. 2- I accept responsibility for all repair and maintenance costs. 3- I accept responsibility for all repair and maintenance costs. 4- I accept responsibility for all of my telephone bills. 5- The FAMILY MONTHLY INCOME (Question #13) is the total gross monthly income my family earns in one month.

17. DO YOU NEED TRAINING TO USE THESE MACHINES? YES NO

18. APPLICANT CERTIFICATION: I CERTIFY: 1- The information on this application is true. 2- I live in Virginia. 3- I am hearing-impaired and/or speech-impaired. 4- There is telephone service in my home now or I will get telephone service as soon as your office lets me know that I will get the machine that I ask for. 5- The FAMILY MONTHLY INCOME (Question #13) is the total gross monthly income my family earns in one month.

APPLICANT SIGNATURE _____ Date: _____

PARENT OR GUARDIAN: _____ Date: _____

19. PROFESSIONAL CERTIFICATION (mark the appropriate category): Doctor (licensed physician) Audiologist Speech Pathologist School (for the Deaf Rep.) DRS or DVH Rep. Other appropriate agency Rep. (check with VADDELL)

1. Gender: This applicant meets the definition of "Deaf" - "Severely Hearing-Impaired" or "Speech-Impaired" even on the reverse side of this application. (Please set back of this form for a definition of each impairment and a description of each device)

Name of Certifying Person: _____ Title: _____

Name of Agency: _____ State Loc. # (if applicable): _____

Address: _____ Doa. Phone Number: _____

Signature: _____ Date: _____

Applicant for this equipment will be responsible about operation of a telephone and for any damage to equipment or loss of equipment.

TAP APPLICATION INSTRUCTIONS

Important! Follow these directions carefully.

If any answers are incorrect, inconsistent or left blank, the application process will be delayed and you may have to fill out additional forms.

You must write an answer to every question on the TAP Application!

(If not sure, in the shaded areas.)

1. Application: Check (X) "Original" if you have not received equipment through this program before.

2. Name of person who will use this equipment: Print your full legal name last name, first name and middle initial.

3. Birthdate: Print the numbers, for example August 11, 1958 = 8/11/58

4. Applicant is: Married Single Divorced Widowed (Check one that relates to the program who will use the equipment.)

5. Spouse Name: Write the last name, first name and middle initial of the spouse of the person who will use this equipment, and the parent, if none, or the "home" in the space.

6. Home Address: Print your complete home (street) address. A P.O. Box is not acceptable.

7. Mailing Address: Print your complete mailing address (including P.O. Box, R.D., etc.). Do not print your apartment number.

8. When did you move to Virginia? Print the month and year you moved to Virginia. Do not print the month and year you were born in Virginia and lived here your whole life, use the same numbers as your birthdate.

9. City or County you live in: Print the city or county name. Some examples: You may live in Henrico, Chesterfield, or Henric County. (Print) Virginia County.

10. Do you have a telephone in your home? Check (X) "Yes" or "No"

11. Telephone Number: Write your telephone number. If you don't have a telephone number, then write "no number."

12. Name of Person Listed in Telephone Directory: Write last name, first name and middle initial of the name as it appears in the phone book.

13. Family Monthly Income: Write only one number -- the total money your family earns in one month. Do not include money from Social Security, unemployment, or other federal and state taxes, social security, insurance, etc.

14. Family Source of Income: Family Monthly Income comes from using codes (letters) below. If example, if your money comes from Social Security, you would write an "S" in the space. (Use as many letters as you need to show where all your money comes from.)

Codes: A - Salary/Wages B - Self-employment after Social Security C - Unemployment/Compensation D - Workman's Compensation E - Non-employment (unemployed) F - Private Pension (retirement) G - Government Employee (pension) H - Alimony I - Public Assistance J - Grants or other children K - Regular Social Security (retirement, Medicare) L - Child Support M - Other (Specify on application)

15. Family Size (include yourself): This is the size of your family. Use the number of dependents (including yourself) who will use the equipment claimed on your application. (If you claim a tax return, count the number of your dependents listed on the tax return.)

16. Equipment Box: Pick the one group which relates to you! (X) "Severely Hearing-Impaired or Speech-Impaired"

Severely Hearing-Impaired: A hearing-impaired person who requires use of either a TDD or an amplified receiver to communicate effectively on the telephone.

Speech-Impaired: A verbal impairment which prohibits normal usage of a telephone.

Below the group you picked, choose the equipment you would like to receive.

TDD: Telecommunications Device for the Deaf. A TDD is a machine that looks like a small typewriter. To use it you put your telephone number on the TDD (see picture). The person you are talking to must also have a TDD.

There is also a large-print TDD available for the hearing-impaired/visually-impaired.

Volume Control Telephone: A Volume Control Telephone lets you change how loud the voice sounds if you are speech-impaired or how loud the person you are talking to sounds if you are hearing-impaired.

Ring Signaler: A Ring Signaler is a machine that helps you know when the telephone is ringing on the telephone. Visual kinds of Ring Signaler: Visual (light) for deaf. Audible (loud) for hearing-impaired, and tactile (vibrating) for Deaf/Blind.

Do you need training to use these machines? Check "Yes" if you want to learn how to use the equipment.

Applicant Certification: Read all statements in this section. If all is clearly explained to you, and you agree and all your information is true, then sign your name, social security number and today's date (see numbers).

A signature is needed from all applicants who are 3 years old or older. If the applicant is under 18 years old, then the mother, father, or legal guardian must also sign the application, and put their social security number and today's date on the second line provided.

Professional Certification: Take this application to any one of the kinds of professionals listed in this section. This must all be the seal, stamp, or signature of the professional who gives the application back to you.

VADDELL must approve a device and fund for this device.

CHECK YOUR APPLICATION BEFORE MAILING IT: Did you sign your name? Did you sign your spouse's name? Did you check the equipment you want? Have a doctor or other professional sign your application?

If you do not get a telephone call or letter from VADDELL within 4 weeks, call 1-800-555-3131.



Final Regulations

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Title of Regulation: VR 320-01-2. Regulations of the Board of Funeral Directors and Embalmers.

Statutory Authority: § 54.1-2803 of the Code of Virginia.

Effective Date: October 24, 1990.

Summary:

The regulations are designed to ensure the public protection by establishing standards for qualifications, training, examination, licensure, and practice of persons as funeral service licensees; funeral directors; embalmers; funeral establishments; funeral service trainees; and surface transportation and removal services operating in the Commonwealth.

The regulations will impact funeral directors, full funeral service licensees, embalmers, establishments, surface transportation and removal services, and trainees involved in the funeral service profession in the Commonwealth.

1. Operational responsibilities;
2. Fees;
3. Licensure and renewals;
4. Requirements for licensure;
5. Application process;
6. Examination requirements;
7. Trainee and trainee program requirements;
8. Surface transportation and removal service registration;
9. Issuance of courtesy cards;
10. Disciplinary action;
11. Standards for embalming;
12. Pricing standards and forms.

VR 320-01-2. Regulations of the Board of Funeral Directors and Embalmers.

PART 1. GENERAL PROVISIONS.

Article 1.

Definitions, Legal Base, Purpose, Applicability.

§ 1.1. Definitions.

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

“Advertisement” means any information disseminated or placed before the public.

“Alternate care” means the preparation of a dead human body, exclusive of embalming, to include bathing and surface disinfection.

“Alternative container” means a nonmetal receptacle or enclosure, without ornamentation or a fixed interior lining, which is designed for the encasement of human remains and which is made of cardboard, pressed-wood, composition materials (with or without an outside covering) or pouches of canvas or other materials.

“Applicant” means a person applying for examination and licensure by the board.

“At need” means when death has occurred.

“Board” means the Board of Funeral Directors and Embalmers.

“Burial garment” means clothing designed specifically for use on dead human remains.

“Cash advance item” means any item of service or merchandise described to a purchaser as a cash advance, accommodation, cash disbursement, or similar term. A cash advance item is also any item obtained from a third party and paid for by the funeral provider on the purchaser's behalf. Cash advance items may include, but are not limited to, the following items: cemetery or crematory services, pallbearers, public transportation, clergy honoraria, flowers, certificates.

“Casket” means a rigid container which is designed for the encasement of human remains and which is usually constructed of wood, metal, or like material, and ornamented and lined with fabric.

“Conduct” means to carry out and perform.

“Courtesy card” means the card issued by the board which grants limited and restricted funeral service privileges in the Commonwealth to out-of-state funeral service licensees, funeral directors, and embalmers.

“Cremation” means a heating process which incinerates human remains.

“Cremation urn” means a wood, metal, stone, plastic, or composition container or a container of other material, which is designed for encasing cremated ashes.

“Cremation vault” or “cremation outer burial container” means any container which is designed for encasement of an inner container or urn containing cremated ashes. Also

known as a cremation box.

"Crematory" means any person, partnership, or corporation that performs cremation.

"Department" means the Department of Health Professions.

"Direct cremation" means a disposition of human remains by cremation, without formal viewing, visitation, or ceremony with the body present.

"Embalmer" means any person engaged in the practice of embalming.

"Embalming" means the preservation and disinfection of the human dead by external or internal application of chemicals.

"Establishment manager" means a funeral service licensee or funeral director licensed by the board, responsible for the direct supervision and management of a funeral service establishment or branch facility.

"Executive director" means the board administrator for the Board of Funeral Directors and Embalmers.

"Full-time employment" means employment at the establishment for 40 hours per week.

"Funeral directing" means the for-profit profession of directing or supervising funerals, or preparing human dead for burial by means other than embalming.

"Funeral director" means any person engaged in the practice of funeral [directing service] .

"Funeral goods" means the goods which are sold or offered for sale directly to the public for use in connection with funeral services. Also known as funeral merchandise.

"Funeral provider" means any person, partnership, or corporation that sells or offers to sell funeral goods and funeral services to the public.

"Funeral service establishment" means any main establishment, branch, or chapel where any part of the profession of funeral directing or the act of embalming is performed.

"Funeral service licensee" means a person who is licensed in the practice of funeral service [and funeral directing] .

"Immediate burial" means a disposition of human remains by burial, [with a graveside service,] without visitation or ceremony.

"Outer burial container" means any container which is designed for placement in the grave around the casket

including, but not limited to, containers commonly known as burial vaults, grave boxes, and grave liners.

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

"Practice of funeral services" means engaging in the care and disposition of the human dead, the preparation of the human dead for the funeral service, burial, or cremation, the making of arrangements for the funeral service or for the financing of the funeral service and the selling or making of financial arrangements for the sale of funeral supplies to the public.

"Preneed" means any time other than at-need.

"Preneed funeral financing" means the arranging of funding for funeral services prior to death.

"Preneed funeral planning" means the making of funeral arrangements or selecting of funeral merchandise prior to death.

"Registration" means the process of applying to the board to seek approval to serve as a trainee, trainer, or to operate a service transportation and removal service.

"Resident trainee" means a person who is preparing to be licensed for the practice of funeral services under the direct supervision of a practitioner licensed by the board.

"Services of funeral director and staff" means those services which may be furnished by a funeral provider in arranging and supervising a funeral [; which are not included in the prices of other categories listed on the general price list, such as conducting the arrangements conference, planning the funeral, obtaining necessary permits, and placing obituary notice] .

"Solicitation" means initiating [direct] contact with consumers with the intent of influencing their selection of a [funeral plan or a] funeral service provider.

"Surface transportation and removal service" means any person, private business, or funeral service establishment, except a common carrier engaged in interstate commerce, the Commonwealth and its agencies, engaged in the business of surface transportation or removal of dead human bodies in the Commonwealth.

"Unfinished wood box" means [an unornamented casket a container] made of wood which does not have a fixed interior interlining.

§ 1.2. Legal base.

The following legal base describes the responsibility of the Board of Funeral Directors and Embalmers regulations governing funeral service in the Commonwealth of Virginia:

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Title 54.1, Chapter 1 (§ 54.1-100 et seq.);

Title 54.1, Chapter 24 (§ 54.1-2400 et seq.);

Title 54.1, Chapter 25 (§ 54.1-2500 et seq.);

Title 54.1, Chapter 28 (§ 54.1-2800 et seq.);

Title 32.1, Chapter 2 (§ 32.1 et seq.);

Title 32.1, Chapter 6 (§ 32.1-263 et seq.);

Title 32.1, Chapter 7 (§ 32.1-274 et seq.);

Title 32.1, Chapter 8 (§ 11-24 et seq.)

[Title 11, Chapter 5 (§§ 11-24 et seq.)]

of the Code of Virginia; and

§ 453.1 (b)(d), (f), (g)(i), (k), (m)(p) of the Federal Trade Commission's Funeral Industry Rule.

§ 1.3. Purpose.

These regulations establish the standards for qualifications, training, examination, licensure, and practice of persons as funeral service licensees; funeral directors; embalmers; funeral establishments; funeral service trainees; and surface transportation and removal services operating in the Commonwealth of Virginia.

§ 1.4. Applicability.

Individuals and establishments subject to these regulations are (i) funeral directors, (ii) embalmers, (iii) funeral service licensees, (iv) funeral establishments, (v) transportation and removal services, and (vi) resident trainees.

Exemptions: The provisions of these regulations shall not apply to any officer of local or state institutions or to the burial of the bodies of inmates of state institutions when buried at the expense of the Commonwealth or any of its political subdivisions.

Any person holding a license as a funeral director or embalmer or an equivalent in another state, having substantially similar requirements as the board, may apply to the board for courtesy card privileges to remove bodies from and to arrange funerals or embalm bodies in this Commonwealth. However, these privileges shall not include the right to establish or engage generally in the business of funeral directing and embalming in Virginia.

Article 2.

Public Participation Guidelines.

§ 1.5. Mailing list.

The executive director of the board shall maintain a list of persons and organizations who will be mailed the following documents as they become available:

1. Notice of intent to promulgate regulations;
2. Notice of public hearings or informational proceedings, the subject of which is proposed or existing regulations; and
3. Final regulations adopted.

§ 1.6. Additions and deletions to mailing list.

A. Any person wishing to be placed on the mailing list shall have his name added by writing to the board.

B. The board, in its discretion, may add to the list any person, organization, or publication it believes will serve the purpose of responsible participation in the formation or promulgation of regulations.

C. Those on the list may be periodically requested to indicate their desire to continue to receive documents or to be deleted from the list.

D. When mail is returned as undeliverable, persons will be deleted from the list.

§ 1.7. Notice of intent.

A. At least 30 days prior to publication of the notice to conduct an informational proceeding as required by § 9-6.14.7.1 of the Code of Virginia, the board shall publish a notice of intent.

B. The notice shall contain a brief and concise statement of the possible regulation or the problem the regulation would address and invite any person to provide written comment on the subject matter.

C. The notice shall be transmitted to the Registrar of Regulations for inclusion in the Virginia Register of Regulations.

§ 1.8. Informational proceedings or public hearings for existing regulations.

A. At least once each biennium, the board shall conduct an informational proceeding, which may take the form of a public hearing, to receive public comment on existing regulations. The purpose of the proceeding will be to solicit public comment on all existing regulations as to their effectiveness, efficiency, necessity, clarity, and cost of compliance.

B. Notice of such proceeding shall be transmitted to the Registrar of Regulations for inclusion in the Virginia Register of Regulations.

C. The proceeding may be held separately or in conjunction with other informational proceedings.

§ 1.9. Petition for rulemaking.

A. Any person may petition the board to adopt, amend, or delete any regulation.

B. Any petition received within 10 days prior to a board meeting shall appear on the agenda of that meeting of the board.

C. The board shall have sole authority to dispose of the

petition.

§ 1.10. Notice of formulation and adoption.

Prior to any meeting of the board or subcommittee of the board at which the formulation or adoption of regulations is to occur, the subject matter shall be transmitted to the Registrar of Regulations for inclusion in the Virginia Register of Regulations.

§ 1.11. Advisory committees.

The board may appoint advisory committees as it may deem necessary to provide for citizen and professional participation in the formation, promulgation, adoption, and review of regulations.

**PART II.
OPERATIONAL RESPONSIBILITIES.**

**Article 1.
Posting of License.**

§ 2.1. Posting of license.

A. Each licensee shall post his [original] license [, photocopy of his original license, or a duplicate license obtained from the board] in a main entrance or place conspicuous to the public in [the main each] establishment or branch where he is employed.

B. The establishment license shall be posted in a main entrance of the establishment or place conspicuous to the public.

C. Each licensee shall be able to produce his wallet license upon request.

**Article 2.
Records.**

§ 2.2. Accuracy of information.

A. All changes of mailing address; name; place of employment; or change in establishment ownership, manager, or name shall be furnished to the board within five days after the change occurs.

B. All notices required by law and by these regulations to be mailed by the board to any registrant or licensee shall be validly given when mailed to the latest address on file with the board and shall not relieve the licensee, trainee, establishment, or firm of obligation to comply.

**PART III.
FEES.**

§ 3.1. Initial fees.

The following fees shall be paid as applicable for initial licensure or registration:

- 1. Examination \$100
- 2. License to practice funeral service \$100
- 3. Funeral service establishment license \$150
- 4. Surface transportation and removal service registration \$200
- 5. Funeral service trainee registration \$ 25
- 6. Courtesy card \$ 50
- 7. Change of ownership, manager, or establishment name \$ 15
- 8. Verification of licensure requests from another state \$ 50
- 9. Resumption of traineeship after interruption . \$ 10

§ 3.2. Renewal fees.

The following annual fees shall be paid as applicable for license renewal:

- 1. Funeral service license payable by March 31 . \$100
- 2. Funeral director license payable by March 31 \$100
- 3. Embalmer license payable by March 31 \$100
- 4. Funeral service establishment license payable by January 31 \$150
- 5. Surface transportation and removal service registration payable by January 31 \$200
- 6. Funeral service trainee registration payable by January 31 \$ 25
- 7. Courtesy cards payable by December 31 \$ 50

§ 3.3. Reinstatement fees.

The following reinstatement fees shall be paid in addition to annual renewal fees for reinstatement of license or registration up to three years following expiration:

- 1. Funeral service, director, or embalmer reinstatement \$ 25
- 2. Establishment reinstatement \$ 25
- 3. Transportation and removal service reinstatement \$ 25
- 4. Resident trainee registration reinstatement ... \$ 10

§ 3.4. Other fees.

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A. Duplicates.

Duplicate trainee registrations, [surface transportation and removal registrations,] licenses, establishment licenses, or courtesy cards shall be issued by the board at the individual's request.

Duplicate license, registration, courtesy card ... \$ 25

Duplicate wall certificates \$ 50

B. Other.

There shall be a fee of \$25 for returned checks.

Fees shall not be refunded once submitted.

PART IV. RENEWALS.

§ 4.1. Expiration dates.

A. The following shall expire on January 31 of each calendar year:

1. Funeral service establishment license;
2. Funeral service trainee registration; and
3. Surface transportation and removal service registration.

B. The following shall expire on March 31 of each calendar year:

1. Funeral service license;
2. Funeral director license; and
3. Embalmer license.

C. Courtesy cards expire on December 31 of each calendar year.

D. A person who or establishment which fails to renew a license [, registraton,] or courtesy card by the expiration dates prescribed in this section shall be deemed to have an invalid license [, registration,] or courtesy card.

§ 4.2. Renewal of license; registration.

A person, establishment, or surface transportation and removal service who desires to renew his license or registration for the next year, not later than the expiration date shall:

1. Return the renewal notice;
2. Submit the applicable fee prescribed in § 3.2; and

3. Notify the board of any changes in name, address, employment, managers or ownership.

§ 4.3. Reinstatement of expired license or registration.

The board may consider reinstatement of an expired license or registration for up to three years following expiration. A written application request for reinstatement shall be submitted to the board and shall include payment of all applicable delinquent renewal fees prescribed in § 3.2 plus the additional reinstatement fee prescribed in § 3.3.

§ 4.4. Reapplication of license.

When a license is not reinstated within three years of its expiration date, an applicant for licensure shall:

1. Reapply for licensure; and
2. Reapply for state examination.

PART V. REQUIREMENTS FOR LICENSURE.

Article 1. Establishments: General Qualifications.

§ 5.1. General qualifications of establishments.

All places of business in the Commonwealth, including main establishments, branches or chapels, where any part of the profession or business of funeral directing or any act of embalming, or either or both, is carried on, conducted, or performed, or is permitted to be carried on, conducted, or performed, and where preneed funeral arrangements are conducted, shall be:

1. Subject to regulation and inspection by the board;
2. Operated in accordance with law; and
3. Maintained in compliance with these requirements.

§ 5.2. Establishment license required.

No person shall maintain, manage, or operate a funeral service establishment in the Commonwealth, unless such establishment holds a license issued by the board.

§ 5.3. Current license requirements.

The license shall be:

1. For the current calendar year; and
2. In the name of the funeral service licensee or licensed funeral director designated by the ownership to be manager of the establishment.

§ 5.4. [Separate license Manager-of-record] required.

Every funeral service establishment and every branch or chapel of such establishment in the Commonwealth, regardless of how owned, shall have a separate funeral service licensee or funeral director licensed by the board who is employed full time at the establishment and is designated as manager of the establishment.

§ 5.5. Expiration of establishment licenses.

Establishment licenses shall expire January 31 of each calendar year (see subsections A and D of § 4.1 and §§ 4.2 through 4.4 for renewal information.)

Article 2.

Funeral Service, Funeral Directors and Embalmers: General Qualifications.

§ 5.6. License required; exception.

No person shall engage in the practice of funeral service, or practice as a funeral director or embalmer in the Commonwealth without having the required license issued by the board.

EXCEPTION: A registered trainee may perform such acts only in strict conformity with the provisions of these regulations.

§ 5.7. Expiration of licenses.

With the exception of trainees, licenses shall expire on March 31 of each calendar year (see subsections B and D of § 4.1 and §§ 4.2 through 4.4 for renewal information. See § 6.12 for trainee registration expiration information).

§ 5.8. Requirement for license.

To be licensed for the practice of funeral service, a person shall:

1. Be at least 18 years of age;
2. Be a graduate of a high school or the equivalent;
3. Have completed traineeship and be a graduate from a school of mortuary science or funeral service approved by the board;
4. Pass the required state and national examinations; and
5. Not have been convicted of a felony. The board, in its discretion, may license an individual convicted of [a] felony if he has been pardoned or has had his civil rights restored.

Article 3.

Application Process.

§ 5.9. Funeral service applicants.

An individual seeking licensure for funeral service or seeking examination/reexamination shall submit simultaneously:

1. Completed and signed application;
2. Additional documentation as may be required by the board to determine eligibility of the applicant; and
3. The applicable fees(s) prescribed in subdivision 1 of § 3.1.

§ 5.10. Application package; exception.

All required parts of the application package shall be submitted at the same time. An incomplete package will be returned to the licensee.

EXCEPTION: Some schools require that certified transcripts be sent directly to the licensing authority. That policy is acceptable to the board.

National examination scores will also be accepted from the examining authority.

§ 5.11. Date of submission of application package.

An individual applying for examination shall submit the application package within six months and not less than 45 days prior to an examination date.

§ 5.12. Establishment applicants.

Not less than 45 days prior to opening of an establishment, an owner or licensed manager seeking an establishment license shall submit simultaneously:

1. Completed and signed application;
2. Additional documentation as may be required by the board to determine eligibility for licensure; and
3. The applicable fee prescribed in subdivision 3 of § 3.1.

§ 5.13. Incomplete application package.

All required parts of the application package shall be submitted at the same time. An incomplete package will be returned to the licensee.

§ 5.14. Waiver of time limits.

The board may for good cause, waive the time requirement in §§ 5.11 and 5.12 for the filing of any application. The burden of proof which demonstrates good cause rests with the applicant.

Article 4.

General Examination Requirements.

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§ 5.15. National Board examination required.

Prior to applying for state examination for licensure, every applicant for initial licensure by the board shall pass the National Board Examination of the Conference of Funeral Service Examining Boards of the United States, Inc., administered in accredited schools of embalming or mortuary science.

§ 5.16. Virginia State Board examination.

All applicants shall pass the Virginia State Board Examination.

§ 5.17. Failure to appear.

The applicant shall forfeit the Virginia State Board examination fee if he is unable to sit for the examination for any reason.

§ 5.18. Reexamination.

Any person failing the Virginia State Board examination shall reapply for a subsequent examination, and shall pay the examination fee prescribed in subdivision 1 of § 3.1 for each application filed.

§ 5.19. Scheduling examinations.

A. An applicant may request to take the scheduled Virginia State Board examination most closely preceding the expected completion of the mortuary school, if traineeship has also been completed, or traineeship, if mortuary school has been completed.

B. All such requests shall be in writing.

C. Approval of the written request by the board shall be required prior to submitting the application and fee for examination (see §§ 5.11 and 3.1).

D. Application for licensure and the licensure fee (see subdivision 2 of § 3.1) shall be submitted after the applicant completes the qualifications for licensure.

Article 5.

Licensure of Out-of-State Applicants.

§ 5.20. Out-of-state applicants.

Licenses for the practice of funeral service or its equivalent issued by other states, territories, or the District of Columbia may be recognized by the board and the holder of such license(s) may be granted a license to practice funeral service within the Commonwealth, as follows:

1. *Reciprocity.* Licenses may be granted by reciprocity provided that the same privileges are granted by the other jurisdiction to Virginia funeral service licensees by the establishment of substantially similar licensure

requirements and reciprocity agreements between the two jurisdictions; or

2. *Endorsement.* Licenses may be granted to applicants by the board on a case-by-case basis, if the applicant holds a valid license for the practice of funeral service or its equivalent in another state, territory, or the District of Columbia and possesses credentials which are substantially similar to, or more stringent than required by the Commonwealth for initial licensure and the examinations and passing grades received by the applicant are equivalent to those required by the board.

§ 5.21. State examination required.

An out-of-state applicant for board licensure shall pass the Virginia State Board Examination (See § 5.16).

PART VI.

TRAINEE PROGRAM REQUIREMENTS.

Article 1.

Resident Trainees: Requirements and Application Process for Registration.

§ 6.1. Resident trainee requirements.

To be approved for registration as a resident trainee, a person shall:

1. Be a graduate of an accredited high school or the equivalent;
2. Obtain a trainer [supervisor] approved by the board to provide training;
3. Have not been convicted of a felony. The board, in its discretion, may approve an individual convicted of a felony if he has been pardoned or has had his civil rights restored.

§ 6.2. Trainee application package.

Every qualified person seeking registration with the board as a trainee under the Program for Training of Resident Trainees shall submit an application package which shall include:

1. Completed and signed application;
2. Fee prescribed in subdivision 5 of § 3.1; and
3. Additional documentation as may be required by the board to determine eligibility of the applicant.

§ 6.3. Submission of incomplete application package; exception.

All required parts of the application package shall be submitted at the same time. An incomplete package will

be returned to the licensee.

EXCEPTION: Some schools require that certified transcripts be sent directly to the licensing authority. That policy is acceptable to the board.

National examination scores where applicable will also be accepted from the examining authority.

Article 2. Training Program.

§ 6.4. Apprenticeship training.

For applicants applying for initial traineeships after the effective date of these regulations, the trainee program shall consist of at least 18 months of apprenticeship training.

§ 6.5. Training sites.

Funeral training shall be given at the main office of the funeral service establishment approved for training or at any branch of an establishment approved for training or at any branch of an establishment that complies with the provisions of these regulations and is approved by the board as a training site.

§ 6.6. Training supervision.

Training shall be conducted under the direct supervision of a licensee(s) approved by the board.

§ 6.7. Number of trainees limited.

When more than two trainees are requested by an establishment, not more than two trainees will be registered per licensed supervisor at any time.

§ 6.8. Approval of funeral training.

The approval shall apply to and be valid only to:

1. The trainee;
2. The licensed person(s) under whom the training is to be given; and
3. The funeral service establishment(s) named in the approval statement.

§ 6.9. Trainee work schedule.

Every trainee shall be assigned a work schedule of at least 40 hours each week in order to obtain credit for such training. The trainee shall be required to serve weekday, evening, and weekend shifts to receive training in all areas of funeral service.

§ 6.10. Requirements of traineeship.

A. A trainee shall participate in arranging or conducting at least 25 funerals and in caring for and disposing of the dead during the traineeship but only in the [presence of the room with and in visual contact with a] funeral service licensee or licensed funeral director [approved by the board to be the supervisor] .

B. A trainee shall embalm at least 25 dead human bodies during the traineeship but only in the [presence of room with and in visual contact with] a funeral service licensee or a licensed embalmer [approved by the board to be the supervisor] .

§ 6.11. Expiration of trainee registration.

Registrations expire on January 31 of each year of the traineeship tenure (see subsections A and D of § 4.1 and §§ 4.2 through 4.4 for renewal information).

Article 3. Qualifications and Application Process to Train.

§ 6.12. Supervisor [approval approved] .

An individual shall be approved by the board prior to serving as a supervisor.

§ 6.13. Qualifications of [trainers supervisor] .

The board shall approve only funeral service licensees, licensed funeral directors, or licensed embalmers to give funeral training who:

1. Have a full and unrestricted Virginia license; and
2. Are employed full time in the establishment where training occurs.

§ 6.14. Approval of training establishment.

An individual, firm, or corporation owning or operating any funeral service establishment shall apply to and be approved by the board prior to permitting funeral training to be given or conducted in the establishment.

§ 6.15. Qualifications of training establishment.

The board shall approve only an establishment or two combined establishments to serve as the training site(s) which:

1. Have a full and unrestricted Virginia license;
2. Have complied in all respects with the provisions of these regulations; and
3. Have 35 or more funerals and 35 or more bodies for embalming per calendar year for each person to be trained. This average must be maintained throughout the period of training.

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§ 6.16. [~~Trainee~~ Supervisor] application package.

Every qualified person seeking approval of the board as a supervisor or an establishment or combined establishments seeking approval as a training site(s) shall submit an application package which shall include:

1. Completed and signed application; and
2. Additional documentation as may be required by the board to determine eligibility of the applicant.

Article 4.

Administration of Trainee Program.

§ 6.17. [~~Trainee to comply with~~] Curriculum [compliance] .

An approved supervisor shall comply with the curriculum developed by the board for the trainee program and shall provide supervision and training as prescribed by that curriculum and these regulations.

§ 6.18. [~~Trainee's Supervisor's~~] report to board.

The trainee, the supervisor, and the establishment manager shall submit a written report to the board at the end of every six months of training. The report shall:

1. Verify that the trainee has actually served in the required capacity as prescribed in §§ 6.9 and 6.10 during the preceding six months; and
2. Be received in the board office no later than 10 days following the end of the six-month period.

§ 6.19. Failure to submit training report.

If the trainee, supervisor, or establishment manager fails to submit the reports required in § 6.18, the trainee shall forfeit all credit for training since the last report made. The board may waive such forfeiture.

§ 6.20. Terminated or interrupted training.

If the training program is terminated or interrupted prior to completion, the trainee and the supervisor shall submit the following information to the board within five working days:

1. Trainee.
 - a. All partial progress reports to the date of termination for the six-month period; and
 - b. Written explanation of the causes of program termination/interruption.
2. Supervisor. The supervisor shall submit written explanation of the causes of program termination/interruption.

§ 6.21. Selection of new [~~trainee~~ supervisor] .

If the program is interrupted because the approved supervisor is unable to serve, the trainee shall obtain a new supervisor.

§ 6.22. Resumption of training [~~under new supervisor~~] .

Credit for training shall resume when a new supervisor is obtained by the trainee and approved by the board (see §§ 6.12 through 6.16).

§ 6.23. Resumption-of-traineeship application.

When a traineeship is interrupted by the trainee, the trainee shall submit a resumption-of-traineeship application to the board prior to resuming his traineeship.

§ 6.24. Credit for partial reports.

Credit for partial reports shall only be given in increments of one month.

PART VII. REGISTRATION.

Article 1.

Surface Transportation and Removal Services.

§ 7.1. Registration of surface transportation and removal services.

[A.] Every surface transportation and removal service not licensed under [~~a full funeral service~~ an establishment] license [issued by the Board] shall be registered with the board.

[B.] All persons proposing to operate and each owner of a service shall submit an application package for registration which shall include:

1. Completed and signed application;
2. Fee prescribed in subdivision 4 of § 3.1; and
3. Additional documentation as may be required by the board to determine eligibility of the applicant.

§ 7.2. Exclusion from jurisdiction [~~of surface transportation and removal services~~] .

The following shall not be within the jurisdiction of surface transportation and removal services:

1. Arranging or conducting funerals;
2. Offering to or providing for the care or preparation, including embalming, of dead human bodies; and
3. Selling or providing funeral related goods and

services.

§ 7.3. Misrepresentation.

A person employed or operating a surface transportation and removal service shall not in any manner misrepresent himself to the public as being an official of any local jurisdiction, the Commonwealth, federal, or any other governmental body unless granted such authority. This shall include the name and title of the company or service, uniforms, equipment, vehicles, and any other instruments used or proffered by the services or its agents. The board shall be the sole determinant of the appropriateness of the pertinent qualities of the service and staff in enforcing this regulation.

§ 7.4. Expiration of registration.

The registration shall expire on January 31 of each calendar year (see subsections A and D of § 4.1 and §§ 4.2 through 4.4 for renewal information).

PART VIII.
ISSUANCE OF COURTESY CARDS.

§ 8.1. Courtesy cards.

A. An out-of-state person applying for a courtesy card shall hold a valid license for funeral service, funeral directing, or embalming in another state, territory, or the District of Columbia.

B. The other state shall have requirements for licensure substantially similar to those existing in the Commonwealth of Virginia.

§ 8.2. Application for courtesy card.

An application to this board for a courtesy card shall be:

1. Submitted for approval to the licensing authority having jurisdiction at the applicant's place of employment; and
2. Forwarded by the designated official of such authority, to the board. The certificate of approval and the fee prescribed in subdivision 6 of § 3.1 shall be included.

§ 8.3. Courtesy card privileges.

A courtesy card permits the holder to:

1. Remove bodies from Virginia;
2. Arrange funerals in Virginia; and
3. Embalm bodies in Virginia.

§ 8.4. Exceptions to privileges.

The privileges of a courtesy card do not include:

1. The right to establish or engage generally in the business of funeral directing and embalming in the Commonwealth; and
2. The right of the recipient to be continuously employed professionally by a funeral establishment in the Commonwealth.

§ 8.5. Expiration of courtesy card.

A courtesy card shall expire on December 31 of the year of issuance.

PART IX.
SCHOOLS OF EMBALMING AND MORTUARY SCIENCE.

§ 9.1. Approval.

The board hereby adopts as its approved school list those mortuary science or funeral service schools which are accredited by the American Board of Funeral Service Education, Incorporated. All applicants for licensure are required to have graduated from a funeral service program offered by an approved school of mortuary science or funeral service.

PART X.
REFUSAL, SUSPENSION, REVOCATION AND DISCIPLINARY ACTION.

§ 10.1. Unprofessional conduct.

The board may refuse to admit a candidate to any exam; refuse to issue or renew a license, registration, or approval to any applicant; and may suspend for a stated period of time or indefinitely, or revoke any license or approval, or reprimand any person, or place his license on probation with such terms and conditions and for such time as it may designate, or impose a monetary penalty for any of the following causes:

1. Breach of confidence. Licensees and registrants are necessarily brought within the privacy of those in which they serve and are often placed in positions where they receive confidences and learn intimate details of domestic life and family secrets. The unnecessary or unwarranted disclosure of such confidences by the funeral licensee in the course of practice shall be determined to be an act of unprofessional conduct.
2. Unfair competition.
 - a. A funeral service licensee, funeral director, or registered surface transportation and removal service shall not interfere when another has been

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called to take charge of a dead human body and the caller or agent of the caller has the legal right to the body's disposition.

b. A funeral service licensee or funeral director shall not consent to take charge of a body unless authorized by the person or his agent having the legal right to disposition.

3. False advertising.

a. No licensee or registrant shall make, publish, disseminate, circulate or place before the public, or cause directly or indirectly to be made, an advertisement of any sort regarding services or anything so offered to the public which contains any promise; assertion; representation; or statement of fact which is untrue, deceptive, or misleading.

b. The following practices both written and verbal shall constitute false, deceptive, or misleading advertisement within the meaning of § 54.1-2806 4 of the Code of Virginia:

(1) Advertising containing inaccurate statements;

(2) [~~Printed~~ Aired] or published advertisements which do not disclose the name of the establishment manager [~~and~~ or] licensed owner when the owner is a licensee; and

(3) Advertisement which gives a false impression as to ability, care, and cost of conducting a funeral, or that creates an impression of things not likely to be true.

c. The following practices are among those which shall constitute an untrue, deceptive, and misleading representation or statement of fact:

(1) Representing that funeral goods or services will delay the natural decomposition of human remains for a long-term or indefinite time; and

(2) Representing that funeral goods have protective features or will protect the body from gravesite substances over or beyond that offered by the written warranty of the manufacturer.

4. Inappropriate handling of dead human bodies.

a. At all times human bodies are to be handled with proper dignity and respect in conformity with the customs of the community being served.

b. During the removal of a dead human body, proper care shall be given to prevent the spread of infectious and contagious diseases.

c. All dead human bodies shall be properly wrapped and placed on a cot or stretcher which is

self-contained and covered so that no part of the human body is visible to the public.

d. Transportation and removal vehicles shall be of such nature as to eliminate exposure of the deceased to the public during transportation.

e. During the transporting of a human body, consideration shall be taken to avoid unnecessary delays or stops during travel.

5. Obtaining a license or registration by fraud, either in the application for the license or in passing the examination.

6. Conviction of a felony.

7. Failure to comply with any regulations of the board.

8. Failure to comply with federal, state, or local laws and regulations governing the operation of a funeral establishment.

9. Conducting the practice of funeral services in such a manner as to constitute a danger to the health, safety, and well-being of the staff or the public.

10. Inability to practice with skill or safety because of physical, mental, or emotional illness, or substance abuse.

11. Unprofessional conduct.

PART XI. STANDARDS FOR EMBALMING.

Article 1. General.

§ 11.1. Embalming report.

Every funeral establishment shall record and maintain a separate, identifiable report for each embalming procedure conducted (see § 13.1 and Appendix IV).

§ 11.2. Contents of embalming report.

The report shall contain the following (see example in Appendix IV):

1. Name of deceased;

2. Date of death;

[~~3. Cause of death;~~]

[4 3] . Date of embalming;

[5 4] . Name of embalmer and license number;

- [6 5] . Autopsy information where applicable;
- [7 6] . Preembalming condition of body;
- [8 7] . Description of preembalming preparation;
- [9 8] . Description of fluids used;
- [10 9] . Type and point of injection;
- [11 10] . Quality of fluid distribution;
- [12 11] . Type and amount of cavity fluid;
- [12. Body cavity treatment;]
- 13. Restoration techniques; and
- 14. Other conditions and treatments.

[§ 11.3. Approval to embalm.

Prior approval for embalming shall be obtained in writing from a family member or other authorized person.

§ [11.4 11.3.] Documentation of embalming [~~without approval~~] .

A licensee who proceeds with an embalming without prior approval from a family member or other person shall:

1. Document the reasons for proceeding in writing;
2. Document the efforts made to contact the family or authorized person;
3. Document the licensee authorizing the embalming; and
4. Obtain subsequent approval from a family member or other authorized person.

Article 2.
Preparation Room.

§ [11.5 11.4.] Preparation room required.

Every funeral service establishment at which embalming of dead human bodies is performed shall have at least one room used exclusively for embalming [or preparation of the body] .

§ [11.6 11.5] . Size of preparation room.

The preparation room shall be of a size to accommodate the average number of embalmings being performed simultaneously at the facility.

§ [11.7 11.6] . Preparation room requirements.

The following are required of the preparation room(s):

1. The walls shall extend floor to ceiling;
2. The floor and wall surfaces shall be of a material or covered by a material impervious to water;
3. The material shall extend from wall to wall with all joints tight and sanitary; and
4. No other room shall be used for the performance of any function connected with embalming.

§ [11.8 11.7] . Condition of preparation room.

A. The preparation room(s) shall be kept in a clean and sanitary condition at all times, subject to inspection.

B. Inventories of embalming and preparation materials shall not be stored on the floor in the preparation room.

C. Any items or supplies not directly used in an embalming procedure shall not be stored in the preparation room.

Article 3.
Equipment.

§ [11.9 11.8] . Preparation room equipment.

The preparation room(s) shall be equipped with:

1. A ventilation system which operates and is appropriate to the size and function of the room;
2. Running hot and cold water;
3. Flush or slop sink connected with public sewer or with septic tank where no public sewer is available;
4. Metal or porcelain morgue table;
5. Covered waste container;
6. Instruments and apparatus for the embalming process;
- [7. A means or method for the sterilization of reusable instruments by:]
 - a. Chemical bath or soak; or
 - b. Autoclave (steam); or
 - c. Ultraviolet light;
8. Disinfectants and antiseptic solutions;
9. Clean gowns or aprons, preferably impervious to water;

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10. Rubber gloves for each embalmer or trainee using the room;

11. A hydroaspirator(s) equipped with a vacuum breaker; and

12. [A sterile An] eye wash station.

Article 4.

Prevention of Spread of Disease.

§ [~~11.10~~ 11.9] . Disposal of waste materials.

At the completion of each embalming operation all used cotton, bandages, and other waste materials shall be disposed of properly to avoid contagion and the possible spread of disease.

§ [~~11.11~~ 11.10] . Separate restroom facility required.

Every funeral service establishment or branch facility shall be equipped with a sanitary restroom facility which operates and is separate from the preparation room.

§ [~~11.12~~ 11.11] . First aid kit required.

A standard first aid kit shall be immediately accessible outside the door to the preparation room.

PART XII. PRICING STANDARDS.

Article 1.

General.

§ 12.1. Disclosure of price of funeral goods and services.

In selling or offering to sell funeral goods or funeral services to the public, it is an unfair or deceptive act or practice for a funeral provider to fail to furnish price information disclosing the cost to the purchaser for each of the specific funeral goods and funeral services used in connection with the disposition of deceased human bodies.

§ 12.2. Disclosures.

Funeral providers must make all required disclosures in a clear and conspicuous manner as follows:

1. Telephone price disclosures.

a. Persons who ask by telephone about the funeral provider's offerings and prices, shall be given accurate information over the telephone from the price list (described in Article 2 of this part) which reasonably answers the question and which is readily available.

b. The licensee shall inform the telephone inquiries of all disclosures included on the various price lists.

c. The licensee shall inform the telephone inquirer that complete written information is available at the establishment.

2. In person price disclosures.

a. Persons who inquire in person about funeral arrangements or the prices of funeral goods or funeral services shall be given a printed or typewritten general price list [~~and container price list~~] to retain if they choose.

b. The funeral provider shall offer the price [~~list(s)~~ list] upon beginning discussion either of funeral arrangements or of the selection of any funeral goods or funeral services.

§ 12.3. Itemized [~~written~~] statement.

Licensees shall furnish [~~for retention~~] to each person who arranges a funeral or other disposition of human remains, [a copy of] an itemized written statement of the funeral goods and services selected by that person and the prices to be paid for each item.

Article 2.

General Price List.

(See example in Appendix I)

§ 12.4. Identifying information.

The general price list shall contain at least the following:

1. The name, address, and telephone number of the funeral provider's place of business;

2. A caption describing the list as a "general price list"; and

3. The effective date for the price list.

§ 12.5. Prices.

A. Funeral service establishments shall include on the general price list, in any order, the retail prices, expressed either as the flat fee, or as the price per hour, mile, or other unit of computation, for services and supplies offered for sale.

B. The following general disclosures shall be included on the first page of the general price list:

1. "The goods and services shown below are those we can provide to our customers. You may choose only the items you desire. (However, any funeral arrangements you select will include a charge for our services.) If legal or other requirements mean you must buy any items you did not specifically ask for, we will explain the reason in writing on the statement we provide describing the funeral goods

and services you selected prior to the signing of the contract.”

2. “This list does not include prices for certain items that you may ask us to buy for you such as cemetery or crematory services, flowers, and newspaper notices. The prices for these items will be shown on your bill or the statement describing the funeral goods and services you selected.”

§ 12.6. Professional services of funeral director and staff.

A. A list of the following professional services and a description of what charge includes, shall be provided on the general price list:

1. Minimum services of funeral director and staff; [and]

[2. Additional traditional services of funeral director and staff;

3. Additional limited services of funeral and staff; and

4. Other services of funeral director and staff.

2. Optional services of funeral director and staff.]

B. Disclosures.

If the [charge is charges above are] mandatory and cannot be declined by the purchaser, the following statement shall be included on the price list:

“This fee for our services will be added to the total cost of the funeral arrangements you select. This fee is already included in our charges for direct cremations, immediate burials, and forwarding or receiving remains.”

§ 12.7. Funeral home facilities.

A list of the following uses of the facility and a description of what charge includes shall be provided on the general price list:

1. Basic facilities;

2. [Facilities] for visitation and viewing; and

3. [Facilities] for funeral ceremony.

§ 12.8. Embalming services.

A. Separate prices shall be listed for embalming normal remains versus autopsied remains if the charges are different.

B. Disclosures.

The following disclosures shall be placed under the

embalming section on the general price list:

1. “Except in certain special cases, embalming is not required by law. Embalming may be necessary, however, if you select certain funeral arrangements, such as a funeral with viewing.”

2. “If you do not want embalming, you usually have the right to choose an arrangement which does not require you to pay for it, such as direct cremation or immediate burial.”

§ 12.9. Other preparation services.

Other preparations of the body shall be listed.

§ 12.10. Immediate burials.

A. A list of the following immediate burial services and a description of what the base prices of an immediate burial service includes shall be placed on the general price list.

1. Immediate burial where the purchaser provides the casket;

2. Immediate burial where the licensee provides the minimum casket or alternative container; and

3. Immediate burial base price plus a casket (other than the minimum) chosen by the purchaser.

B. A price range shall be listed for immediate burials.

§ 12.11. Direct cremations.

A. A list of the following direct cremation services and a description of what the prices of a direct cremation include shall be placed on the general price list:

1. Direct cremation where the purchaser provides the container;

2. Direct cremation where the licensee provides an alternative container; and

3. Direct cremation where the licensee provides an unfinished wood box.

B. A price range shall be listed for direct cremations.

C. Disclosures.

The following disclosure has to be placed on the general price list if the licensee arranges direct cremations. It may be placed under the heading of direct cremations on the container price list:

“State and local laws do not require a casket for direct cremation. [~~For~~ If you want to arrange a direct cremation, you] can use an unfinished wood

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box or an alternative container. Alternative containers can be made of materials like heavy cardboard or composition materials (with or without an outside covering), or pouches of canvas."

§ 12.12. Transfer services.

[~~A~~] A list of the following transfer services and a description of what the prices of the services include shall be placed on the general price list:

1. Transfer of remains to funeral establishment;
2. Forwarding remains to another funeral establishment; and
3. Receiving remains from another funeral home.

§ 12.13. Automotive services.

A. A list of the following automotive services shall be placed on the general price list if owned by the facility:

1. Hearse;
2. Limousine; and
3. Other automotive equipment.

B. Any of these items that are obtained through a third party shall be shown under cash advance items on the itemized statement of goods and services.

§ 12.14. Funeral merchandise.

A. The following funeral merchandise shall be placed on the general price list if offered for sale. A price range shall be given for each:

1. Casket;
2. Outer burial containers;
3. Cremation urns;
4. Cremation vaults.

B. [~~The following disclosure shall be placed on the General Price List under each item listed in subsection A of this section: The following funeral merchandise shall also be placed on the general price list if offered for sale:~~]

1. Acknowledgment cards;
2. Register book(s);
3. Folders;
4. Other.

C. [~~The following funeral merchandise also shall be placed on the general price list if offered for sale: The following disclosure shall be placed on the general price list under each item listed in subsection A of this section:~~]

"A complete price list will be provided at the funeral home."

Article 3.

[~~Outer Burial~~] Container and Casket Price List.
(See Appendix II)

§ 12.15. Containers; exceptions.

A. Funeral providers who sell or offer to sell caskets, alternative containers, or outer burial containers must prepare [~~a~~ an "outer burial] container and casket price list."

B. The [~~outer burial~~] container[/ and] casket price [~~list lists~~] shall accompany or be a part of the general price list.

C. A typewritten or printed [~~outer burial~~] container [and casket] price list shall be [~~given shown~~] to people who inquire in person about the offerings or prices of containers.

EXCEPTION: If the complete [~~outer burial~~] container [and casket] price [~~list is list(s) are~~] a part of the general price list, [~~a~~] separate [~~outer burial~~] container [and casket] price [~~list does list(s) do~~] not have to be [~~given shown~~] to the public.

D. The container price list shall disclose at least the following information:

1. The name of the funeral provider's place of business;
2. A caption describing the list(s) as a casket, alternative container, outer burial list; or
3. The retail prices of all caskets, alternative containers, and outer burial containers which do not require special ordering;
4. The effective date(s) of the price list(s); and
5. Enough information to identify the manufacturers, models, types, and interiors of all units available for sale, including inventory.

E. When other formats, such as notebooks, brochures, or charts, are used they shall contain the same information as prescribed in subsection D of this section and shall be displayed in a clear and conspicuous manner.

F. A funeral establishment which has a casket selection room shall have available a means for indicating the price

of each casket within the room.

G. If a licensee arranges direct cremations, he shall make an unfinished wood box or alternative container available.

H. The following disclosure shall be placed at the applicable locations on [both] the [outer burial] container [and the casket] price list(s):

[1. "In most areas of the country, no state or local law requires you to buy a container to surround the casket in the grave. However, many cemeteries ask that you have a container so that the grave will not sink. Either a burial vault or a grave liner will satisfy cemeteries that have these requirements."]

"The only warranty on the casket or outer burial container, or both, sold in connection with this service is the express written warranty, if any, granted by the manufacturer. This funeral home makes no warranty, express or implied, with respect to the casket or outer burial container, or both."

[I. The following disclosure shall be placed on the outer burial container price list:

"In most areas of the country, no state or local law requires you to buy a container to surround the casket in the grave. However, many cemeteries ask that you have a container so that the grave will not sink. Either a burial vault or a grave liner will satisfy cemeteries that have these requirements."]

Article 4.

Itemized Statement of Funeral Expenses. (See Appendix III)

§ 12.16. Itemized statements.

A. Itemized statements shall be executed:

1. At the time such arrangements are made if the party is present; or
2. If the party is not present, not later than the time of the final disposition of the body.

B. The itemized statement shall be signed by the funeral service licensee or funeral director and the party contracting for the funeral arrangements.

C. The itemized statement shall contain a statement that the contracting party acknowledges the receipt of a copy of the itemized statement, the general price list, and the container price list.

D. The itemized statement shall include all items and charges which are made available to the contracting party such as the following categories:

1. Professional services of funeral licensees and staff;
 - a. Minimum services of funeral director and staff;
[b. Additional traditional services of funeral director and staff;
 - e. Additional limited services of funeral director and staff; and
 - d. Other services of funeral director and staff;
 - b. Optional services of funeral director and staff.]
2. Funeral home facilities (types of services shall be listed individually);
3. Embalming;
 - a. Disclosures shall be as follows:
 - (1) "If you selected a funeral which requires embalming, such as a funeral with viewing, you may have to pay for embalming."
 - (2) "You do not have to pay for embalming you did not approve if you selected arrangements such as a direct cremation or immediate burial. If we charged for embalming we will explain why below."
4. Other preparation services (types of services shall be listed individually);
5. Immediate burial (types of services included in the price shall be described);
6. Direct cremation (types of services shall be described);
7. Transfer of remains to funeral establishment;
8. Forwarding of remains to another funeral establishment;
9. Receiving remains from another funeral establishment;
10. Automotive equipment (types of services shall be listed individually);
11. Funeral merchandise (types of services shall be listed individually);
12. Container selected (types shall be listed and described individually);
13. Any and all anticipated or actual cash advances and expenditures requested by the party contracting for the funeral arrangements shall be listed individually.

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14. Virginia sales tax paid on all items to which such tax is applicable; and

15. The total costs of the funeral goods and funeral services selected.

E. Disclosures.

The following disclosures shall be on the itemized statement of goods and services:

1. "Charges are only for those items that are used. If we are required by law, to purchase any items, we will explain the reasons in writing below."

2. "The only warranty on the casket or outer burial container, or both, sold in connection with this service is the express written warranty, if any, granted by the manufacturer. This funeral home makes no warranty, express or implied, with respect to the casket or outer burial container, or both."

§ 12.17. Cemetery and crematorium.

The licensee shall identify and describe in writing at the applicable location on the itemized statement any funeral goods or services representing policies of particular cemeteries or crematoriums.

PART XIII. RETENTION OF DOCUMENTS.

§ 13.1. Retention of documents.

The following shall apply to retention of embalming reports, price lists, and itemized statements:

1. Price lists shall be retained for three years after the effective date.

2. Itemized statements shall be retained for three years from the date on which the statement was signed.

3. Embalming reports shall be retained for three years after the date of the embalming.

4. Documents shall be maintained on the premises of the funeral establishment and made available for inspection.

5. In instances where the funeral establishment is sold, documents shall be transferred to the new owner, unless the existing firm is relocating to a new facility.

APPENDIX I

Any Funeral Home
Main Street
Anytown, Virginia
Telephone Number

GENERAL PRICE LIST

These prices are effective as of (Date)

Prices are subject to change without prior notice

I. General Information: Disclosures

The goods and services shown below are those we can provide to our customers. You may choose only the items you desire. However, any funeral arrangements you select will include a charge for our services.

(*Note to establishment: If the last sentence does not apply at your funeral home, you may delete it.)

If legal or other requirements mean you must buy any items you did not specifically ask for, we will explain the reason in writing on the statement we provide describing the funeral goods and services you selected [~~prior to signing the contract~~].

This list does not include prices for certain items that you may ask us to buy for you such as cemetery or crematory services, flowers, and newspaper notices. The prices for these items will be shown on your bill or the statement describing the funeral goods and services you selected.

II. Professional Services of Funeral Director and Staff:

A. Minimum Services of Funeral Director and Staff \$ _____

Our charge includes (*Note to establishment: List what your charge includes.)

This fee for our services will be added to the total cost of the funeral arrangements you select. This fee is already included in our charges for direct cremations, immediate burials, and forwarding or receiving remains. (*Note to establishment: This paragraph must be added if it applies at your funeral home.)

~~B. Additional Traditional Services of Funeral Director and Staff \$ _____~~

~~Our charge includes (*Note to establishment: List~~

APPENDIX I

GENERAL PRICE LIST

Note to Establishments: The following General Price List has been prepared as a guideline. All General Price Lists must contain at least the following content if you offer the goods and services for sale at your establishment. You may use any format arrangement you choose and may add to this information to fit your establishment's services.

This sample form has notes throughout that are for your information only and are not intended to be included on the form when you prepare the form for use at your establishment. The Board has marked these notes with asterisks (*).

The statements in italics are required by the Federal Trade Commission and the Board. The FTC disclosure requirements must be placed under the appropriate category as indicated on this sample form.

~~_____ what your charge includes.→)~~
~~[C. Additional Limited Services of Funeral Director and Staff _____ \$ _____]~~

~~[Our charge includes (*Note to establishment: List what your charge includes.→)]~~
~~[D. Other Services of Funeral Director and Staff _____ \$ _____]~~

~~[Our charge includes (*Note to establishment: List what your charge includes.→)]~~
 [B. Optional Services of Funeral Director and Staff \$ _____]

III. Funeral Home Facilities

A. Basic Facilities \$ _____

Our charge includes (*Note to establishment: List what your charge includes.)

B. [Facilities for] visitation [and viewing] \$ _____

Our charge includes (*Note to establishment: List what your charge includes.)

C. [Facilities for] funeral ceremony \$ _____

Our charge includes (*Note to establishment: List what your charge includes.)

IV. Embalming

A. Normal remains. \$ _____

B. Autopsy remains. \$ _____

Except in certain special cases, embalming is not required by law. Embalming may be necessary, however, if you select certain funeral arrangements such as a funeral with viewing. If you do not want embalming, you usually have the right to choose an arrangement which does not require you to pay for it, such as direct cremation or immediate burial.

V. Other Preparation of the Deceased \$ _____

(*Note to establishment: List as below each preparation service that you offer and the price.)

A. \$ _____

B. \$ _____

C. \$ _____

(etc.)

VI. Immediate Burial (List price range) \$ _____ to \$ _____

(*Note to establishment: A price range must be given for an immediate burial. The lowest price would be your immediate burial package with container provided by purchaser. The highest price would be your immediate burial package plus your most expensive casket. See below.)

Our charge includes (*Note to establishment: List what your charge includes.)

A. Immediate burial with container provided by purchaser. \$ _____

B. Immediate burial with minimum casket \$ _____

C. Immediate burial with the use of any other than the minimum casket would be this fee PLUS the casket selected by the purchaser. (*Note to establishment: Your lowest price for the basic immediate burial package would go here. The purchaser could then add this basic price to the price of the casket to arrive at the total price under this category. The basic price listed here must match the lowest price in the price range above.) \$ _____

VII. Direct Cremation (List price range) \$ _____ to \$ _____

(*Note to establishment: A price range must be given for a direct cremation. The lowest price would be your direct cremation package with a container provided by the purchaser. Your highest price would be your direct cremation package plus an unfinished wooden box, or your highest price could be listed like the price in IX(c) above in immediate burials.)

Our charge includes (*Note to establishment: List what your charge includes.)

State and local laws do not require a casket for direct cremation. If you want to arrange a direct cremation, you can use an unfinished wood box or an alternative container. Alternative containers can be made of materials like heavy cardboard or composition materials (with or without an outside covering), or pouches of canvas.

A. Direct cremation with container provider \$ _____

- by the purchaser.
- B. Direct cremation with alternative container. \$ _____
- C. Direct cremation with unfinished wooden box. \$ _____
- D. Direct cremation with the use of any other than the above would be this fee PLUS the casket selected by the purchaser. (*Note to establishment: This is optional.) \$ _____

VIII. Transfer of Remains to Funeral Establishment \$ _____

(*Note to establishment: This is added only when it is not included under professional services and you choose it to be a separate price. You must explain what this charge includes if listed separately.)

IX. Forwarding Remains to Another Funeral Home \$ _____

Our charge includes (*Note to establishment: List what your charge includes.)

X. Receiving Remains from Another Funeral Home \$ _____

Our charge includes (*Note to establishment: List what your charge includes.)

XI. Automotive Equipment \$ _____

(*Note to establishment: Specify that local service is only for so many miles. If per-mile fee is charged beyond local miles, please specify the fee. List all automotive equipment that you own and offer to sell as a service. List the cost of each one purchased on the itemized statement. Any vehicles that you rent would be included on the itemized statement as a cash advance item.)

XII. Funeral Merchandise

A. Caskets \$ _____ to \$ _____

A complete price list will be provided at the funeral home.

B. Outer Burial Container \$ _____ to \$ _____

A complete price list will be provided at the funeral home.

In most areas of the country, no state or local law requires you to buy a container to surround the casket in the grave. However, many cemeteries ask that you have a

container so that the grave will not sink. Either a burial vault or a grave liner will satisfy [~~cemeteries that have~~] these requirements.

C. Cremation Urns \$ _____ to \$ _____

A complete price list will be provided at the funeral home.

D. Cremation Vault (*if used) \$ _____ to \$ _____

A complete price list will be provided at the funeral home.

E. (*Note to establishment: Continue to list all funeral merchandise that you offer. A price range is only required on the first four above. This list must also include acknowledgement cards, register book, and memorial folders if you offer them for sale.)

APPENDIX II

Any Funeral Home

[OUTER BURIAL] CONTAINER [AND CASKET] PRICE LIST

(* [Containers may be listed in separate lists or combined into one]. These prices must accompany General Price List or be included in the General Price List)

These prices are effective as of (DATE) _____.

In most areas of the country, no state or local law requires you to buy a container to surround the casket in the grave. However, many cemeteries ask that you have a container so that the grave will not sink. Either a burial vault or a grave liner will satisfy [cemeteries that have] these requirements.

Manufacturer	Description	Price
*List Manufacturers	*Describe containers	\$ _____

Warranties

[Our funeral home makes no representations or warranties about the protective value of certain caskets and outer burial containers other than those made by the manufacturer.] The only warranties [expressed or implied, granted granted] in connection with [goods sold with] this [funeral] service [are is] the express written [warranties warranty], if any, [extended granted] by the manufacturer [thereof]. No other warranties and no warranties of merchandising fitness for a particular product are extended by the seller. This funeral home makes no warranty, express or implied, with respect to the casket or outer burial container, or both.]

APPENDIX II

[OUTER BURIAL] CONTAINER / CASKET PRICE LIST

Note to Establishments: The following [Outer Burial] Container [and Casket] Price List has been prepared as a guideline. [You must have lists that are identified separately as an outer burial container list and a casket list.] All [Outer Burial] Container [and Casket] Price Lists must contain at least the following content if you offer the goods and services for sale at your establishment. You may use any format arrangement you choose and may add to this information to fit your establishment's services.

This sample form has notes throughout that are for your information only and are not intended to be included on the form when you prepare the form for use at your establishment. The Board has marked these notes with asterisks (*).

The statements in italics are required by the Federal Trade Commission and the Board. They may be placed in any location on the [outer burial] container [and] price [list lists].

APPENDIX III

ITEMIZED STATEMENT

Note to Establishments: The following Itemized Statement has been prepared as a guideline. All Itemized Statements must contain at least the following content if you offer the goods and services for sale at your establishment. You may use any format arrangement you choose and may add to this information to fit your establishment's services.

This sample form has notes throughout that are for your information only and are not intended to be included on the form when you prepare the form for use at your establishment. The Board has marked these notes with asterisks (*).

The statements in italics are required by the Federal Trade Commission and the Board. They may be placed at any location on the itemized statement.

APPENDIX III

Any Funeral Home
Main Street
Anytown, Virginia
Telephone Number

Itemized Statement of Funeral Goods and Services Selected

Funeral Services for _____ Date of Death _____ Today's Date _____

I. PROFESSIONAL SERVICES

A. Minimum Services of Funeral Director and Staff \$ _____

~~[B. Additional Traditional Services of Funeral Director and Staff \$ _____]~~

~~[C. Additional Limited Services of Funeral Director and Staff \$ _____]~~

~~[D. Other Services of Funeral Director and Staff \$ _____]~~

[B. Optional Services of Funeral Director and Staff \$ _____]

[Subtotal: Professional Services: \$ _____]

II. FUNERAL HOME FACILITIES

A. Use of basic facilities, administration, arrangement and preparation rooms \$ _____

B. Use of facilities for viewing/visitation (each night and portion of any day) \$ _____

C. Use of facilities for funeral ceremony (chapel or rooms) \$ _____

D. Other \$ _____

[Subtotal: Funeral Facilities: \$ _____]

III. EMBALMING

If you selected a funeral which requires embalming, such as a funeral with a viewing, you may have to pay for embalming you did not approve if you selected arrangements such as a direct cremation or immediate burial. If we charge for embalming, we will explain why below.

- 1. Normal remains \$ _____
 - 2. Autopsy remains \$ _____
- [Subtotal: ~~Embalming~~ \$ _____]

[Embalming Authorized By: _____]

Reason for Embalming: _____

IV. OTHER PREPARATION OF THE BODY

(*Note to establishment: List in spaces below each preparation service that you offer and the price of those purchased.)

- A. \$ _____
- B. \$ _____
- C. \$ _____

(etc.)

[Subtotal: ~~Preparation~~ \$ _____]

V. IMMEDIATE BURIAL \$ _____

Charge includes (*Note to establishment: Briefly list what charge includes.)

VI. DIRECT CREMATION \$ _____

Charge includes (*Note to establishment: Briefly list what charge includes.)

VII. TRANSFER OF REMAINS TO FUNERAL ESTABLISHMENT \$ _____

(*Note to establishment: This is listed separately only when you list it as a separate charge on your General Price List.)

VIII. FORWARDING REMAINS TO ANOTHER FUNERAL HOME \$ _____

Charge includes (*Note to establishment: Briefly list what charge includes.)

IX. RECEIVING REMAINS FROM ANOTHER FUNERAL HOME \$ _____

Charge includes (*Note to establishment: Briefly list what charge includes.)

X. AUTOMOTIVE EQUIPMENT

Local service beyond _____ miles, add \$ _____ per vehicle. (*Note to establishment: This statement must be included if this is your practice. List below all automotive equipment that you own and offer to sell as a service. Any vehicles that you rent would be a cash advance item.)

XI. FUNERAL MERCHANDISE

- A. Casket (*describe) _____ \$ _____
- B. Outer Burial Container (*describe) _____ \$ _____
- C. Cremation Urns (*describe) _____ \$ _____
- D. Cremation Vault (*describe) _____ \$ _____
- E. (*Note to establishment: Continue to list all funeral merchandise that you offer. You do not have to describe any others.)

[Subtotal: ~~Funeral Merchandise~~ \$ _____]

[Va. State Sales Tax on Merchandise \$ _____]

XII. ANTICIPATED CASH ADVANCE ITEMS

(*Note to establishment: List all cash advance items that you are willing to arrange for the purchaser.)

- A. \$ _____
- B. \$ _____
- C. \$ _____

(etc.)

[Subtotal: Cash Advance _____ \$ _____]

SUMMARY

[*Note to establishment: Leave dollar amount blank or mark N/A if fee does not apply.]

- 1. Subtotal: Professional Services \$ _____
- [2. Subtotal: Facilities _____ \$ _____]
- [3. Subtotal: Transfer to Funeral Home _____ \$ _____]
- [4. Subtotal: Forwarding to Another Funeral Home _____ \$ _____]
- [5. Subtotal: Receiving from Another Funeral Home _____ \$ _____]
- [6. Subtotal: Embalming _____ \$ _____]
- [7. Subtotal: Other Preparation _____ \$ _____]
- [8. Subtotal: Immediate Burial _____ \$ _____]
- [9. Subtotal: Direct Cremation _____ \$ _____]
- [0 2]. Subtotal: Funeral Merchandise \$ _____
- Va. Sales Tax on Funeral Merchandise \$ _____
- [11 3]. Subtotal: Anticipated Cash Advances \$ _____
- TOTAL FUNERAL ACCOUNT \$ _____
- Additional late purchase cash advances \$ _____
- [GRAND FINAL] TOTAL FUNERAL ACCOUNT \$ _____
- Unit Price (if less than above): \$ _____

DISCLOSURES

Charges [shown] are only for those items that are used. [If the type of funeral selected requires extra items, or the purchaser orders extra items, or if [we are required by law, [a cemetery, or crematorium] to purchase any items, we will explain the reasons in writing below:

The only warranty on the casket or outer burial container, or both, sold in connection with these services is the express written warranty, if any, granted by the manufacturer. This funeral home makes no warranty, express or implied, with respect to the casket or outer burial container, or both.

ACKNOWLEDGMENT AND AGREEMENT

I/we hereby acknowledge that I/we have the legal right to arrange the final services for the deceased, and I/we authorize _____ to perform services, furnish goods, and incur outside charges specified on the Statement. I/we acknowledge that I/we have received, on this date, the General Price List and the Casket Price List and Outer Burial Container Price List. I/we also acknowledge execution and receipt of a copy of this Statement.

TERMS OF PAYMENT

(*Note to establishment: Describe your terms of payment here.)

Co-signed _____	Dated _____	Signed _____	Dated _____
Street _____		Street _____	
City _____	State _____	Zip _____	City _____
State _____		State _____	

Acceptance: (Name of Funeral Home) agrees to provide all services, merchandise, and cash advances indicated on this Statement.

By Licensed Funeral Director or
 Funeral Service Licensee

APPENDIX IV

Any Funeral Home
Main Street
Anytown, Virginia
Telephone Number

Embalming Record

APPENDIX IV

EMBALMING RECORD

Note to Establishments: The following Embalming Record has been prepared as a guideline. All Embalming Records must contain at least the following items. You may use any format arrangement you choose and may add to this information to fit your establishment's services.

This sample form has notes throughout that are for your information only and are not intended to be included on the form when you prepare the form for use at your establishment. The Board has marked these notes with asterisks (*).

I. General Information

A. Deceased

Name of Deceased _____

Date of Death _____

[Place-of-Death-----]

[Time-of-Death-----]

[Cause-of-Death-----]

B. Embalming

Date of Embalming _____

Name of Embalmer _____

License # of Embalmer _____

[Starting-time--(optional)-----]

[Ending-time--(optional)-----]

C. Autopsy Information (if applicable)

Autopsy: _____ yes _____ no

_____ Cranial

_____ Trunk

_____ Arterial Embalming before autopsy

Disposition of Viscera _____

[D--Coemetics-by--(optional)-----]

[Dressing-by--(optional)-----]

[Gasketing-by--(optional)-----]

II. Condition of Remains Prior to Embalming

- | | |
|---|---|
| <input type="checkbox"/> Dehydration | <input type="checkbox"/> Skin Slip |
| <input type="checkbox"/> Discolorations | <input type="checkbox"/> Subcutaneous emphysema |
| <input type="checkbox"/> Edema | <input type="checkbox"/> Tissue Gas |
| <input type="checkbox"/> Emaciation | <input type="checkbox"/> Trauma |
| <input type="checkbox"/> Gangrene | <input type="checkbox"/> Ulceration |
| <input type="checkbox"/> Purge | <input type="checkbox"/> Other |
| <input type="checkbox"/> Rigor Mortis | |

Describe and explain the extent of any conditions checked above:

III. Injection

A. Type of Injection

- Single Point
- Multi-site
- Other

B. Initial Artery Injected

- | | | |
|------------------------------------|--------------------------------|-------------------------------|
| <input type="checkbox"/> Carotid: | <input type="checkbox"/> right | <input type="checkbox"/> left |
| <input type="checkbox"/> Femoral: | <input type="checkbox"/> right | <input type="checkbox"/> left |
| <input type="checkbox"/> Axillary: | <input type="checkbox"/> right | <input type="checkbox"/> left |
| <input type="checkbox"/> other: | _____ | |

C. Other Arteries Injected

- | | | |
|------------------------------------|--------------------------------|-------------------------------|
| <input type="checkbox"/> Carotid: | <input type="checkbox"/> right | <input type="checkbox"/> left |
| <input type="checkbox"/> Femoral: | <input type="checkbox"/> right | <input type="checkbox"/> left |
| <input type="checkbox"/> Axillary: | <input type="checkbox"/> right | <input type="checkbox"/> left |
| <input type="checkbox"/> Radial: | <input type="checkbox"/> right | <input type="checkbox"/> left |
| <input type="checkbox"/> Other: | _____ | |

D. Drainage Veins

- | | | |
|------------------------------------|--------------------------------|-------------------------------|
| <input type="checkbox"/> Jugular: | <input type="checkbox"/> right | <input type="checkbox"/> left |
| <input type="checkbox"/> Femoral: | <input type="checkbox"/> right | <input type="checkbox"/> left |
| <input type="checkbox"/> Axillary: | <input type="checkbox"/> right | <input type="checkbox"/> left |
| <input type="checkbox"/> Other: | _____ | |

IV. Fluids

A. Pre-Injection

- Fluid: _____
- Dilution Rate: _____

IV-2

Total Volume: _____

B. Arterial Injection

- Fluid: _____
- _____
- Ounces per Gallon: _____

- Fluid: _____
- _____

Ounces per Gallon: _____

Total Solution Volume Injected: _____

C. Accessory Fluids (List type and amount)

- H2O conditioner: _____
- Humectant: _____
- Dye: _____
- Co-Injection: _____
- Other: _____

D. Cavity Fluid (List type and amount)

E. Quality of Fluid Distribution

- Excellent
- Good
- Fair

F. Aspiration

Body Re-aspirated: yes no

V. Other Treatments

IV-3

External Embalming (Describe):

Hypodermic Embalming (Describe):

Other conditions and/or Treatments (Describe)

Restoration (Describe): __ Hypodermic __ Other

VI. Setting Features ~~{*optional}~~

A. Mouth

- _____ Needle Injector
- _____ Muscular Suture
- _____ Other: _____
- _____ Teeth Present
- _____ Dentures
- _____ Artificial Replacement

B. Eyes (Describe):

VII. Signatures

_____	_____
Embalmer	Receiving Funeral Director
_____	_____
Date	Date

MARINE RESOURCES COMMISSION

Habitat Management Division

Title of Regulation: VR 450-01-0058. Coastal Primary Sand Dune/Reaches Guidelines: Barrier Island Policy.

Statutory Authority: §§ 62.1-13.4 and 62.1-13.24 of the Code of Virginia.

Effective Date: October 24, 1990.

Summary:

This regulation gives greater acknowledgment to the dynamic and transient nature of barrier islands as landform features, their inherent value as natural heritage resources in their natural state, and their importance as habitat to certain threatened or endangered species.

The regulation attempts to minimize the impacts associated with low density, single-family, recreational development by incorporating many of the important features found in Accomack County's Barrier Island Zoning District (BI) category. Exempted from regulation are those military activities essential to national security as well as the construction, operation and maintenance of Coast Guard facilities.

The regulation also provides for the consideration of both the cumulative and secondary impacts attendant with an application review, and requires that all structures, including septic systems shall be set back from the dune crest 20 times the local 100-year long-term annual shoreline recession rate.

Finally, the regulation implements a no-cost, annual permit requirement in an effort to more closely govern vehicular use and thereby minimize the impacts attributable to these uses on fragile natural areas.

VR 450-01-0058. Coastal Primary Sand Dune/Reaches Guidelines: Barrier Island Policy.

A. Introduction.

[1. Definitions - For the purpose of this regulation, the definitions contained within § 62.1-13.22 of the Code of Virginia apply. In addition, the following words and terms when used in these regulations, shall have the following meaning unless the context clearly indicates otherwise:

Barrier Islands - means elongated narrow landforms consisting largely of unconsolidated and shifting sand, fronted on one side by the ocean and on the other by a bay or marshland which separates them from the mainland.

Dune Crest - means as the highest elevation of the

coastal primary sand dune on the lot as determined in consultation with the Virginia Institute of Marine Science.

Local 100-year long-term recession rate - means calculating the average shoreline recession over fixed one-mile intervals averaged over the period between surveys of 100 years or more.]

[2. Background]

Barrier islands are transient landforms. Their dynamic and unstable nature poses significant risk to life and property located there. Scientific evidence placed before the Marine Resources Commission supports a finding that some of Virginia's barrier islands, including Cedar Island, are more [*dynamic fragile*], more unstable and pose even greater risk to life and property than many other coastal barriers [,] due to their sand-deficient character. In addition, barrier islands are themselves significant natural resources and that contain a number of specific features (coastal primary sand dunes, wetlands, and vast stretches of state-owned sandy beaches) including natural heritage resources and threatened or endangered species that are recognized by the General Assembly for their natural value and are protected by law. [*This policy applies to the barrier island systems on the seaside of the Virginia portion of the southern Delmarva peninsula, and is not intended to cover military activities essential to national security, or the construction, operation, maintenance or rehabilitation of coast guard facilities or access thereto. This exclusion does not obviate compliance with other applicable provisions of the Coastal Primary Sand Dune Protection Act.]*

Survival of these barrier islands [often] depends on [their the] ability [to migrate of sand to wash across the island] naturally in concert with the local wind and wave climate [which transfers the available sand to the landward side of the dune] . [If The sand] is then protected from loss offshore and provides a means of perpetuating the island, albeit in a more landward location. Activities which adversely affect this interaction can have an extremely detrimental impact on the island as well as the structure, form and function of its dune system. The artificial accumulation of sand along the oceanside of an island can make it more susceptible to loss offshore during a storm. Once [this such a loss occurs,] the sand then becomes unavailable for washover and [for] the continued [~~transgression~~ landward migration] of the island. Houses, sand fences and similar structures can also alter wind patterns [which ; this alteration] impedes the wind transport of sand across the island. [Any] Accumulations adjacent to these impediments [will, in turn, can] be lost offshore as the shoreline continues to recede [,] leading to an increased rate of recession and a narrowing of the island. In addition, many of the Commonwealth's rarest species depend on the continuation of natural processes that currently exist on barrier islands. [As such Consequently] they are threatened by any interference with those processes. The implementation of [these the] policies and

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guidelines [set forth in this document] will support [~~the implementation~~ a fuller achievement] of the [purposes of the] Virginia Natural Area Preserves Act [(§ 10.1-209 et seq. of the Code of Virginia)], the Virginia Endangered Species Act [(§ 29.1-563 et seq. of the Code of Virginia)] and the Virginia Endangered Plant and Insect Species Act [(§ 3.1-1020 et seq. of the Code of Virginia)] .

Two of the main natural features of barrier islands are natural dunes and washover areas, both of which are included in the statutory definition of a coastal primary sand dune as a "mound of unconsolidated sandy soil which is contiguous to mean high water, whose landward and lateral limits are marked by a change in grade from ten percent or greater to less than ten percent and upon any part of which is growing" certain designated plants [as listed in § 62.1-13.22 of the Code of Virginia]. Given the particular combination of risks to both natural values and life and property posed by development on barrier islands, the Commission finds it [necessary and] appropriate to establish [~~this a~~] policy and supplemental guidelines to assist landowners and decision makers alike in shaping barrier island uses in a manner that preserves and protects the values of Coastal Primary Sand Dunes as set forth by the General Assembly.

B. Permits required.

1. Applications [for new development] .

a. No construction or any other activity which has the potential for encroaching on or otherwise damaging coastal primary sand dunes or state-owned beaches shall occur without review and approval by the Marine Resources Commission (Commission) or a local wetland board, or both . Consequently, a permit application shall be submitted for any such construction or other activity. Each application shall include:

(1) A certified survey of the site which is representative of current conditions showing: (i) one foot contours relative to local mean high water, commencing at the line and proceeding through the site to the first wetlands vegetation, (ii) specific location for all proposed structures including septic system and drainfields, (iii) size, configuration and design of access points, (iv) location of any other activity which may affect coastal primary sand dunes or state-owned shore, and (v) a [dune] crest [line], determined in consultation with the Virginia Institute of Marine Science, which identifies the [~~crest of any dune~~ highest elevation of the coastal primary sand dune on the lot] .

(2) A copy of both a valid building permit and septic or other wastewater handling or disposal system permit.

b. All lot pins and proposed construction locations, drainfield sites and access points shall be staked

and tied to suitable reference points.

c. In its review of the application, the Commission (or a local wetlands board) will determine the correctness of the [dune] crest [line] and will establish a minimum setback necessary to prevent encroachment in or damage to the dune or interference with the natural processes of dune growth.

2. Loss of structures [and applications for redevelopment]. When a structure is destroyed or damaged by natural events such that the structure is condemned by health officials or local building officials, reconstruction in that location may not be authorized. Submission of a new application and evaluation as if no structure were present will be required. *In the event a structure is damaged beyond repair and no longer habitable or damaged and not restored to a usable state within one year, the owner of record shall be responsible for the complete removal of all vestiges of the structure and materials resulting therefrom, including the septic tank, distribution box and drainfields in their entirety [, or as directed by the state or local Department of Health] . The owner of the lot shall restore the area to as natural a state as possible. [All septic tanks made of nonbiodegradable plastic materials shall have an appropriate identification number affixed to them to aid in identification.]*

C. Supplemental guidelines.

1. Structures.

a. No permanent structure, other than those already specifically allowed by law or provided [~~for~~] in subdivision [b] [C 2 b] below for purposes of permanent access, will be permitted seaward of the crest of the coastal primary sand dune. No permanent alteration of the coastal primary sand dune will be permitted, except in accordance with the standards set forth in the Coastal Primary Sand Dunes Act.

b. Since it is well established that the coastal primary sand dunes and the islands themselves recede continually westward at a [~~fairly~~ reasonably] predictable rate, and that excessive vehicular and feet pedestrian use will increase the fragility of coastal primary sand dunes or impact upon significant natural resources, development must be limited to no more than low density single family use on each platted parcel. Uses other than single family dwellings can clearly be characterized as "unnecessary and inconsistent with the public interest considering all material factors."

c. *The density of structures and the percentage of the shoreline frontage occupied by those structures [is are] critical to minimizing the impact they have*

on sand migration across the island. [~~With a goal that~~ Data concerning the development on barrier islands indicates that adverse impacts may be minimized when] no more than 25% of the [islands'] linear shoreline [~~frontage should be~~ is] occupied by structures [; . This factor shall be considered in evaluating the individual and cumulative impacts of each permit application. In considering permit applications,] the following guidelines [~~should~~ shall] be followed:

(1) There shall be adequate area within the lot that is neither sand dune, including beach and overwash areas, nor wetlands to accommodate the proposed dwelling and any appurtenant structures [,] including attendant sanitary facilities.

(2) Minimum frontage for a lot on the ocean capable of supporting a single-family vacation cottage shall be 100 feet.

(3) Minimum side yard requirements [for a 100-foot lot] shall be [~~35~~ 30] feet [and for a 200-foot lot, 75 feet] .

(4) The setback from the dune crest for all structures including septic systems shall be [~~50~~ 20] times the local 100-year long-term [annual] shoreline recession rate. The dune crest shall be defined as the location of the highest elevation of the coastal primary sand dune, beach or washover located on the lot.

(5) The maximum allowable square footage for the first floor of a single family dwelling on a 100-foot lot shall be 900 square feet and for a 200-foot lot, [~~1200~~ 1800] square feet, including porches [and ,] decks [, and other appurtenances] . Houses [with first floors] larger than [a total of 1800 square feet on a 100-foot lot or 2400 square feet on a 200-foot lot these] will not be considered necessary economic development.

[(6) A maximum of one full bath will be permitted per dwelling, and all large scale "water hungry" and effluent producing devices such as dishwashers, washing machines and garbage disposals are prohibited.]

[(7) (6)] The maximum height of a dwelling shall be 25 feet measured from [the base of] the first floor to the peak of the roof.

[(9) (7)] All dwellings shall be constructed on elevated open pilings a minimum of 10 feet above grade. No enclosures will be permitted below the first floor.

[(8) An appropriate identification number shall be affixed to all septic tanks made of nonbiodegradable plastic materials to aid in their identification.

(9) Exceptions to these requirements may be authorized in individual cases. No such exception shall be authorized unless the Commission finds (i) that the strict application of the requirement would produce undue hardship, and (ii) that the authorization of such exception will not result in significant detriment to barrier islands, their natural resources, or adjacent property.]

d. [~~The Evidence of~~] cumulative [environmental] impacts of existing and proposed structures, as well as the secondary impacts resulting from their use, shall be considered in passing upon any application for a permit.

2. Access.

a. No cuts through the dune will be permitted except as necessary to reduce the dune slope for equipment access . Temporary vehicular access for purposes of construction will be permitted only by open-pile or "corduroy" ramps. Permits for temporary vehicular access will be limited as necessary to protect coastal fauna significant natural resources . At expiration of the authorized term all structures, except as noted in subdivision b below, shall be removed and the dune restored to its preconstruction contours and revegetated . All plans for temporary construction access must be specified in the application of any construction permit.

b. Permanent vehicular access across the dune will be permitted only by "corduroy" or open-pile vehicular ramps which allow the natural process of dune growth and migration to occur. An open-pile or "corduroy" ramp developed for purposes of construction access may remain in place for permanent access if it meets the above criteria and is specifically approved. All plans for permanent access must be specified in the application for any construction permit.

c. Each dwelling will be limited to a maximum of one vehicle for access to and from the island's landings. All vehicles shall be subject to the following conditions:

(1) Each vehicle shall have a no-cost annually renewable permit to travel on the beach. The owner shall attest at the time of renewal the vehicle's status and condition.

(2) The permit number for each vehicle shall be displayed in two-foot high letters on the roof and sides of the vehicle.

(3) When a vehicle for a particular dwelling is no longer functional, it must be removed from the island. Evidence of its removal must be provided prior to the issuance of a permit for a new vehicle.

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(4) All driving will be limited to the intertidal zone and between there and approved dune crossovers. Vehicular use of the beach at periods greater than four hours either side of low water shall be considered a violation of this section.

(5) All bird nesting areas posted by the Virginia Department of Game and Inland Fisheries [~~and the~~ ,] U.S. Fish and Wildlife Service [, or Department of Conservation and Recreation] shall be off limits to all vehicles.

(6) No all terrain vehicles (ATVs) will be permitted on barrier islands.

(7) Evidence of vehicular use in areas other than those authorized shall be cause for revocation of the permit and a requirement that the vehicle be removed from the island. Any person [~~the~~] having [~~their~~ his] permit revoked shall be precluded from reapplication for a one-year period.

3. [~~Are~~] Roads. No roads or trails will be permitted on or across any coastal primary sand dune or in any wetland.

4. [~~No~~] Sand movement. No artificial relocation of sand will be permitted except for the recovering of septic systems in emergency situations utilizing sand from landward of the dune crest .

5. [~~No~~] Shore hardening. Structures normally associated with or used for shoreline protection or erosion control, including but not limited to bulkheads, riprap, revetments, gabion baskets, sand bags, groins and jetties, or any other hardening of the shoreline will not be permitted under any circumstances.

6. [~~No~~] Point [~~sources source discharges~~]. No point source discharge pipe, structures or other devices will be permitted.

7. Bond requirement. A reasonable bond or letter of credit will be required prior to granting any permit to assure restoration of any temporary alteration of the coastal primary sand dune including, but not limited to, regrading to the original elevation, resprigging with appropriate vegetation and removal of any and all construction debris.

8. Sand fence. The use of sand fencing [~~on barrier islands or other artificial barriers~~] is [~~not acceptable discouraged~~] because of its interference with the natural [~~transgression~~] of sand transport and migration on [barrier islands.

9. Solid waste. All solid waste generated on barrier islands must be removed and disposed of appropriately on the mainland.

10. Pets. [~~Domestic pets shall be restrained or under~~

~~the control of their owner at all times; shall not be allowed off of the owner's lot except under leash; and shall not be abandoned on a barrier island to prevent their roaming at will and causing wildlife depredations In order to prevent unrestricted roaming which may result in the disturbance of, or depredation to wildlife, domestic pets must (i) be restrained or under control of their owner at all times; (ii) shall not be allowed off of the owner's property except under leash; and (iii) shall not be abandoned on a barrier island] .~~

11. Endangered species. [~~Disturbances to Encroachment upon the nesting sites of~~] threatened and endangered species [~~nesting areas~~] identified by the Virginia Department of Game and Inland Fisheries [~~are or Department of Conservation and Recreation is~~] prohibited. [Evidence of impact or potential impact on threatened and endangered species shall be considered in passing upon any application for a permit.]

12. Landscaping. The planting of exotic species [; or] introduction of non-native fauna [; are impermissible.] Broadcast spraying of pesticides or herbicides [~~or grazing of animals are impermissible is impermissible except when necessary to protect the public health or safety as decreed by the appropriate public health official~~] .

D. Public hearings.

The public hearing required by § 6 of the model ordinance may be held in Newport News, Virginia. Such hearing will not be scheduled until the commission staff has determined that it is in receipt of a complete application.

E. Comments/advisory notes.

1. Risks. While future events and their impacts on human activity cannot be forecast with any degree of precision, experience in other coastal areas suggests a proclivity to seek public assistance when catastrophic events occur or when services are needed beyond the ability of private resources to provide. The commission believes that any development on barrier islands should be undertaken only with the full acceptance by the owners of the risks involved.

a. No public protection of private property. Authorization of structures should in no way serve as justification for the future expenditure of public resources to protect such structures.

b. Services. Any services which may be provided by local government to promote public health, safety and general welfare must be installed, maintained and operated in a manner consistent with the policy, standards and guidelines of both the Wetlands and Dunes Protection Acts.

c. Relocation of structures. Once local mean high water approaches a structure to within 5/10 times the average recession rate, a plan for its movement/relocation ~~should~~ *must* be submitted for review. *No movement or relocation will be permitted without the written permission of the commission.*

2. Interference with natural processes. The serious sand deficiency which currently exists ~~may be on~~ *Virginia's barrier islands is* exacerbated by any artificial manipulation, including sand fences, which might render the supply more vulnerable to export offshore or interfere with the natural movement onshore in washover areas during storm events. Private property owners have even more at stake than the public-at-large in assuring that natural processes are not interfered with to any discernible degree.

3. Value of dune preservation. Special emphasis is placed on the legislative declaration of public policy that coastal primary sand dunes "in their natural state serve as protective barriers from the effects of flooding and erosion caused by coastal storms, thereby protecting life and property."

a. Accordingly, every reasonable precaution to avoid permanent alteration is expected to be exercised by all users in gaining temporary access to private property for construction or for continued access to authorized structures.

b. ~~If possible~~ *All* construction, including septic systems, ~~should~~ *shall* be set-back from mean high water a distance at the site to assure ~~some~~ *reasonable* survival duration. *Setbacks from the dune crest were specified in [a previous subdivision C 1 c (4) of this policy] .*

4. Water quality. While the commission believes that properly functioning septic systems in the limited density anticipated will have no measurable effect, failing systems of greater numbers than now forecast could impact important public shellfish growing areas. *Therefore, staff will request at least biannually from the State Health Department an assessment by the State Water Control Board of the cumulative impact and catastrophic failure of septic systems they have authorized by the State Health Department may be requested from time to time .*

F. Policy with regard to private restrictive agreements.

In addition to the above guidelines and advisory comments and as an additional means to reasonably "preserve and protect coastal primary sand dunes and reaches and to prevent their despoliation and destruction," and to help achieve the other purposes set forth by the General Assembly in the Coastal Primary Sand Dune Protection Act, the commission endorses and looks favorably upon restrictive private covenants which

"accommodate necessary economic development in a manner consistent with the protection of (coastal primary sand dunes)." For example, the Commission encourages restrictive private covenants which:

1. Protect the "natural habitat for coastal fauna," "wildlife habitat," and "vegetation which stabilizes (Coastal Primary Sand Dunes)."

2. Prohibit special exemptions or attempt to obtain such exemptions from the application of controlling statutes.

3. Enhance the "scenic and recreational attractiveness of Virginia's coastal area," protect the "important natural habitat for coastal fauna," and protect the "vegetation which stabilizes such features."

4. Require cooperation with the state and federal conservation agencies to protect the ecologically significant natural resources and ~~wildlife~~, including granting permission to post critical bird nesting sites.

BOARD OF MEDICINE

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: October 24, 1990.

Summary:

The final regulations (i) classify as unprofessional conduct selling, prescribing, or administering anabolic steroids for other than therapeutic purposes; (ii) define the meaning of misleading or deceptive advertising by licensees of the board; (iii) establish provisions for applicants who have failed one or both components of the FLEX to take the failed or missing component; (iv) identify combinations of the FLEX examination, the failure of which will require additional training to be eligible for further testing; (v) establish additional hours of instruction in general and basic aspects in the uses and techniques of acupuncture in lieu of supervised clinical training to be eligible for licensure to practice acupuncture; and (vi) establish grounds for suspension or revocation of licensure to practice acupuncture for failure to maintain patient records and provide such records to the board upon request. The Virginia board of Medicine received no public comments during the period made available to the public. Therefore, based upon the absence of public comments, no additional changes were made by the board.

VR 465-02-01. Regulations Governing the Practice of

Final Regulations

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.

§ 1.6. Anabolic steroids.

It shall be considered unprofessional conduct for a licensee of the board to sell, prescribe, or administer anabolic steroids to any patient for other than accepted therapeutic purposes.

§ 1.7. Misleading or deceptive advertising.

A licensee or certificate holder's authorization of or use

in any advertising for his practice of the term "board certified" or any similar words or phrase calculated to convey the same meaning shall constitute misleading or deceptive advertising under § 54.1-2914 of the Code of Virginia, unless the licensee or certificate holder discloses the complete name of the specialty board which conferred the aforementioned certification.

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 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

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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.

§ 3.1. Examinations, general.

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

A. Applicants may take *Parts Components 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 Component I* be eligible to sit for *Part Component II* as a separate examination.

B. Applicants who have taken both Components I and II of the Federation Licensing Examination (FLEX), in one sitting, and have failed to pass both components, or have taken and passed only one component in another state or territory of the United States, the District of Columbia, or Province of Canada, and have met all other requirements for licensure in Virginia may be eligible to take the failed or missing component upon payment of the fee prescribed in § 7.1.

B. C. 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 Component I and Part Component II*, or *Parts I, II, and III* of the FLEX examination in Virginia or any other state or territory of the United States, the District of Columbia,

or Province of Canada, or a combination of either of these examinations, 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

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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 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 condition :

1. The applicant shall first have obtained : 1. at least 100 200 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.

E. Failure to maintain patient records of those patients treated with acupuncture or failure to respond to the board's request for patient records within 30 days shall be grounds for suspension or revocation of a license to practice acupuncture.

§ 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

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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.

FEEES 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.

REGISTRAR OF REGULATIONS
 90 SEP -5 AM 11:24

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

APPLICATION FOR CERTIFICATION TO PRACTICE ACUPUNCTURE

INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR
 LICENSURE TO PRACTICE ACUPUNCTURE

Please read carefully:

1. Sections from the Code of Virginia, 1950, as amended, relating to Acupuncture.
 - a. 54.1-2900 Definition
 - b. 54.1-2965 Regulations governing the practice of acupuncture
2. Sections from the Virginia Board of Medicine Rules and Regulations relating to acupuncture.
 - a. Part IV, Section 4.2 Licensure to practice
 - b. Part VIII, Section 7.1 (M) Fees required by the Board
3. The list of the approved organizations for acupuncture
4. Complete the application for certification to practice Acupuncture with supporting documentation of training, the fee of \$100.00 (certified check or money order) and return to:

Commonwealth of Virginia
 Department of Health Professions
 Virginia Board of Medicine
 1601 Rolling Hills Drive
 Richmond, Virginia 23229-5005
5. Upon receipt of the completed application in the Board office the request will then be forwarded to the Advisory Committee on Acupuncture for their final approval.
6. Certification will be issued upon approval of the Acupuncture Committee.

1. Print Full Name; (Please print or type)

 (Last) (First) (Middle)

 (Address)

 (City) (State) (Zip Code)
2. Documentation of 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; 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.

3. Do you hold or have held an acupuncture license in another State/s. Please list state, license # and date issued:

4. Have you ever been refused a license to practice Acupuncture?

() Yes
 () No
5. If licensed to practice Acupuncture, has the license ever been revoked?

() Yes
 () No

(If yes to the above questions, explain on a separate sheet)

Over

Acupuncture Experience
(List Chronologically)

- 5. Original verification of all acupuncture practice, with English translations if necessary, should be submitted with this application.

Date/s	Name & Location of Institute	Description

Under penalties of perjury, I declare and affirm that the statements made in the foregoing application, including accompanying statements and transcripts are true, complete and correct. I understand that any false or misleading information in, or in connection with my application may be cause of denial or loss of license.

To Be Completed By The Board of Medicine

Approved _____

Date _____

License Number _____

Date Issued _____



COMMONWEALTH of VIRGINIA

Department of Health Professions
Board of Medicine

Bernard L. Henderson, Jr.
Deputy

Hilary H. Connor, M.D.
Executive Director

1601 Rolling Hills Drive, Suite 200
Richmond, Virginia 23229-5005
(804) 662-9308
FAX (804) 662-9943

REGISTRAR OF REGULATIONS
90 SEP -5 AM 11:24

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.

INFORMATION & INSTRUCTIONS REGARDING THE CHIROPRACTIC EXAMINATION

Our next examination will be held on January 17, 19 91, Richmond, Virginia. The deadline date for receipt of the completed application is November 12, 19 90. 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.

Over

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 Chiropractic and received the degree of ... on ... from ...
4. Do you intend to engage in the active practice of chiropractic in the Commonwealth of Virginia? ... If YES, give location ...
5. List all states in which you have been issued a license to practice chiropractic, active or inactive. Indicate number and date issued.
6. Have you ever been examined by any other licensing board? If YES, list date/s and location/s of all prior examinations.
7. Have you ever been denied a certificate or the privilege of taking an examination before any state, territory, or country licensing board?
8. Are you certified by the National Chiropractic Examiners?
9. 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?
10. Have you ever been censured, warned, or requested to withdraw from any licensed hospital staff, nursing home, or other health care facility?
11. Have you ever had any of the following disciplinary actions taken against your license to practice chiropractic, or any such actions pending?
12. Have you ever had any membership in a state or local professional society revoked, suspended, or withdrawn?
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.
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 substance abuse? If so, please provide a letter from the treating professional.
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.

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.



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 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:
Employment/Professional Activity
Questionnaire:

VIRGINIA BOARD OF MEDICINE
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				
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: _____

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: 11-23-88

REGISTRAR OF REGULATIONS

90 SEP -5 AM 11:23

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 an official transcript of grades from your professional school.
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.

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

_HRB-30-034
REVISED: 11/29/88

REGISTRAR OF REGULATIONS

90 SEP -5 AM 11:23

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 ECFMG 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.

NOTICE: 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 post-graduate 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 copies 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 REQUESTED

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.

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 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.

END #6

EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL GRADUATES 3624 MARKET STREET PHILADELPHIA, PA 19104

PLEASE CERTIFY THAT THE FOLLOWING APPLICANT FOR LICENSURE IN VIRGINIA HAS A STANDARD ECFMG CERTIFICATE.

ECFMG# _____ (NAME OF APPLICANT)

APPLICANTS DO NOT COMPLETE BELOW---FOR ECFMG USE ONLY

THIS IS TO CERTIFY THAT _____ (NAME OF APPLICANT IN FULL)

WAS GRANTED THE COMMISSION FOR FOREIGN MEDICAL GRADUATES STANDARD CERTIFICATE NUMBER _____ ON THE _____ DAY OF _____, 19____

THIS CERTIFICATE IS:

- 1. _____ VALID INDEFINITELY
2. _____ UNDER INVESTIGATION
3. _____ RECERTIFIED (DATE)
4. _____ OTHER (EXPLAIN)

SIGNATURE EDWARD C. WARNER, DIRECTOR OF INFORMATION SERVICES

DATE

(SEAL OF ECFMG)

PLEASE RETURN DIRECTLY TO:

VIRGINIA BOARD OF MEDICINE 1601 ROLLING HILLS DRIVE RICHMOND, VIRGINIA 23229-5005

Final Regulations

To request that the Federation send a FLEX and/or SPEX Certification to your licensing board, you must:

1. Complete the attached request form.
2. Provide a money order for \$35 for each certification requested. Make money orders payable to the Federation of State Medical Boards.
NOTE: Personal checks cannot be accepted and will be returned.
3. Return the completed form and money order in the envelope provided.

DO NOT SEND YOUR LICENSE APPLICATION AND/OR SUPPORTING DOCUMENTATION TO THIS OFFICE. DOING SO MAY DELAY YOUR LICENSE APPLICATION.

The Federation of State Medical Boards endeavors to meet licensing boards' deadlines for acceptance of applications. However, requests for FLEX/SPEX Certifications should be forwarded to the Federation as far in advance of the deadline as possible.

FEDERATION OF STATE MEDICAL BOARDS

2630 West Freeway, Suite 138
Fort Worth, Texas 76102-7199
(817) 335-1141

The Federation Licensing Examination (FLEX) is the examination used for physician licensure by all U.S. medical licensing authorities. The Federation's Special Purpose Examination (SPEX) is an examination to assist licensing jurisdictions in their assessment of current competence requisite for general, undifferentiated medical practice by physicians who hold or have held a valid license in a U.S. jurisdiction. Regulations concerning licensure eligibility, application, acceptable FLEX/SPEX scores, etc. are established by the licensing boards in each state/jurisdiction. It must be emphasized that the regulations of licensing boards are subject to change without notice. Candidates for physician licensure should contact directly the licensing board in the state/jurisdiction from which licensure is being sought. To do so, a list of names, addresses and phone numbers can be obtained from the Federation of State Medical Boards at the address shown above.

In support of your application for licensure and in accordance with licensing board requirements, the Federation will provide a Certification of your FLEX and/or SPEX scores directly to the licensing board to which you are applying. The Certification will also include information, if applicable, on any disciplinary action taken against you and reported to the Federation by a licensing and/or other credentialing agency.



PLACE
STAMP
HERE

DETACH HERE

I am applying for medical license in the state/jurisdiction of _____ and request Certification of my FLEX and/or SPEX scores be sent to the licensing board in that jurisdiction. Documents in support of my application must be submitted to the board by _____ (month/year)

Date of last FLEX SPEX (month/year) _____

Number of times taken FLEX _____ SPEX _____

Name - Print full name (month/year) _____ (State where last FLEX/SPEX taken) _____

Current mailing address (Medical School) _____ (Year of graduation) _____

City and State (City, State) _____ (Country in which School is located) _____

Birth date of birth (month/year/day) _____ (Date of Birth: month/year/day) _____ (Country of citizenship upon entering School) _____

Physician license state code and number (Social Security Number) _____ (ECPID Number, if applicable) _____

Signature _____ (Date) _____

DETACH THIS FORM AND MAIL IN ENVELOPE PROVIDED WITH MONEY ORDER FOR \$35 FOR EACH CERTIFICATION REQUESTED.

CERTIFICATION

FEDERATION OF STATE MEDICAL BOARDS
OF THE U.S., INC.
2630 West Freeway, Suite 138
Fort Worth, Texas 76102-7199

CERTIFICATION

NATIONAL BOARD OF MEDICAL EXAMINERS
3930 CHESTNUT STREET
PHILADELPHIA, PA 19104

PLACE
POSTAGE
HERE

FROM:



NATIONAL BOARD OF MEDICAL EXAMINERS*

3930 CHESTNUT STREET, PHILADELPHIA, PA 19104

Procedures for Obtaining a Medical License by Endorsement of National Board Certification

Certification by the National Board of Medical Examiners (NBME®), one of two avenues to licensure in the United States, is provided to candidates who have received the M.D. degree from a U.S. or Canadian medical school accredited by the LCME, passed Parts I, II and III and have completed, with a satisfactory record, one full year (twelve months) in a graduate medical education program accredited by the ACGME or comparable Canadian accreditation. Based upon current information provided by the states, NBME certification is accepted as qualification for initial licensure by the medical licensing authorities of all states and territories except Texas and the Virgin Islands. Additionally, certification by the NBME is accepted for initial licensure in the Canadian provinces of Alberta and Ontario. Some jurisdictions may have additional regulations. Physicians seeking licensure by endorsement of NBME certification are advised to contact individual state licensing authorities for complete information. **Do not call the NBME for this information. It is not an official depository for these regulations.**

To obtain a medical license by endorsement of NBME certification:

1. Contact the licensing board of the state in which you are seeking licensure. Advise the board that you are a National Board diplomate who is seeking licensure by endorsement of National Board certification. The state board will provide you with the forms you need to apply for licensure.
2. Complete the Request for Endorsement of Certification by the

National Board of Medical Examiners* as directed. Your first endorsement after being certified by the NBME is free of charge. The fee for each subsequent endorsement is \$30.00. (If you are currently licensed, your first endorsement has already been provided.)

3. Tear off the request form at the perforations. Using the return envelope, enclose the form and your check or money order, made payable to the National Board of Medical Examiners. **Please note that the remittance must accompany your request.**

4. Mail the form and remittance to reach the National Board at least four weeks in advance of the state's deadline for acceptance of applications. It is not necessary to provide the NBME with the state licensing board address. While the NBME endeavors to meet all deadlines, it is our policy to process endorsement requests on a first-come, first-served basis. Additional forms can be obtained from the state licensing board.

5. Return your completed licensure application directly to the state licensing board. **Do not send this application to the NBME.**

Upon receipt of your request, the NBME will mail an "Endorsement of Certification" either to you or to the state licensing board you specify in accordance with state regulations. This document is acceptable to the state in lieu of our completing any section of its forms. You will be notified by mail when your endorsement request has been processed.

Request for Endorsement of Certification By The National Board Of Medical Examiners

BD 01
DR 02
SENT:

State	Send To: (Check one) Me or State	State Deadline	Fee
1. _____	<input type="checkbox"/> Me <input type="checkbox"/> State	/	\$30.00
2. _____	<input type="checkbox"/> Me <input type="checkbox"/> State	MO / DA	\$30.00
3. _____	<input type="checkbox"/> Me <input type="checkbox"/> State	MO / DA	\$30.00
4. _____	<input type="checkbox"/> Me <input type="checkbox"/> State	MO / DA	\$30.00
5. _____	<input type="checkbox"/> Me <input type="checkbox"/> State	MO / DA	\$30.00

Amount Enclosed: _____

Address and Biographic Information (PLEASE PRINT CLEARLY)

Provide as much information as possible. If you do not know your NBME Identification Number, do not call the NBME. The rest of the biographic information is sufficient to process your request.

Your Full Name: _____

Social Security Number: _____

Date of Birth: _____

N.B. Identification Number: _____

Medical School: _____

Year of Graduation: _____

Your Address: _____
Number and Street

City: _____ State: _____ Zip Code: _____

Signature: _____

Date: _____

Do not submit duplicate requests.

TEAR HERE

TEAR HERE

Have you: signed your request?
 enclosed your check?

Final Regulations

#B 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)

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 _____

Signed _____

(Board Seal)

Title _____

#D

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
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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/AOA--PLEASE RETURN INFORMATION TO ABOVE ADDRESS.)

PURPOSE OF REQUEST FOR INFORMATION: LICENSURE/EXAMINATION

#E

PLEASE COMPLETE THIS FORM AND MAIL TO:

DISCIPLINARY INQUIRIES
 Federation of State Medical Boards
 6000 Western Place #707
 Fort Worth, Texas 76107

The VIRGINIA BOARD OF MEDICINE requests a disciplinary search concerning the following physician:

NAME _____

STREET ADDRESS _____

CITY, STATE AND ZIP CODE _____

DATE OF BIRTH _____ SOCIAL SECURITY NUMBER _____

MEDICAL SCHOOL OF GRADUATION AND BRANCH LOCATION _____

DATE OF GRADUATION _____

PHYSICIAN'S SIGNATURE _____

PLEASE NOTE: THERE IS NO CHARGE TO THE PHYSICIAN FOR THIS SERVICE.

The Federation will mail the results to the following address:

VIRGINIA BOARD OF MEDICINE
 1601 ROLLING HILLS DRIVE
 RICHMOND, VIRGINIA 23229-5005

ATTENTION: MRS. OLA POWERS
 ADMINISTRATIVE ASSISTANT

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

REGISTRAR OF REGULATIONS
90 SEP -5 11:11:24

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 (Disiplinary 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

INFORMATION & INSTRUCTIONS REGARDING THE PODIATRY EXAMINATION

Our next examination will be held on December 4, 1990, Richmond, Virginia. The deadline date for receipt of the completed application is September 28, 1990. If the application is not completed, the candidate will not be eligible to take the examination.

THE FEE for taking the Podiatry examination is \$250.00. The fee must be submitted with the application. **CERTIFIED CHECKS OR MONEY ORDER ONLY, MADE PAYABLE TO: TREASURER OF VIRGINIA.** The fee for the Podiatry 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 Podiatry shall be in three parts consisting of Part I and Part II of the National Board of Podiatry Examiners and Part III as administered by the Board. A grade of seventy-five percent shall be required on Part I, Part II and Part III for the candidate to pass the examination. Part III of the examination as administered by the Board shall consist of: Part I - (General Podiatric Medicine and Therapeutics) consisting of: microbiological diseases, dermatology, neurology, cardiovascular-respiratory, musculoskeletal, metabolic and endocrine, medical emergencies and trauma, rheumatology, pharmacology, physical medicine and rehabilitations, local therapy, systematic therapy, surgery, biomechanics, Part II - (Photographs) and Part III - Patient Management Problems.

Candidates for Podiatry license 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 PODIATRY EDUCATION - Forward the entire application to your podiatry school of graduation for certification of Podiatry 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 - Send the enclosed form to the National Board of Podiatry Examiners for certification of grades.

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

ACCREDITED TRAINING - Candidates for examination must have completed one year of satisfactory postgraduate training in a hospital in the United States or Canada, approved by the American Podiatry Association.

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 Podiatry 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.

FEDERATION DISCIPLINARY ACTION - Send the enclosed form to The Federation of Podiatric Medical Boards, P.O. Box 33285, Washington, DC 20033, along with a check for thirty-five dollars (\$35.00), made payable to The Federation of Podiatric Medical Boards.

If you have been discharged from the United States Military Service within the past 10 years, please submit a photostatic notarized copy of your discharge papers.

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

HRB-30-057
10-15-84

COMMONWEALTH of VIRGINIA

DEPT. OF HEALTH PROFESSIONS
BOARD OF MEDICINE
1801 ROLLING HILLS DR.
RICHMOND, VA 23229-5305

EXAM _____

END _____

**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)
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*PLEASE SUBMIT ADDRESS CHANGES IN WRITING IMMEDIATELY!

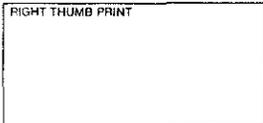
*PLEASE ATTACH CERTIFIED CHECK OR MONEY ORDER. APPLICATIONS WILL NOT BE PROCESSED WITHOUT THE APPROPRIATE FEE. DO NOT SUBMIT FEES WITHOUT AN APPLICATION. IT WILL BE RETURNED.

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.



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 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.

#8 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)

Table with 4 columns: Poor, Fair, Good, Superior and 5 rows: 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)

Exam

Please complete top portion and forward one form to each State Podiatry Board where you hold or have held a podiatry 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 BOARDS

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 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 appreciate.

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 # _____

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 _____

#H

VIRGINIA BOARD OF MEDICINE
1601 ROLLING HILLS DRIVE
RICHMOND, VIRGINIA 23229-5005

PLEASE RETURN INFORMATION TO THE ABOVE ADDRESS

CERTIFICATION OF GRADES ATTAINED ON THE
PODIATRIC MEDICAL LICENSING EXAMINATION FOR STATES
(PMLEXIS)

I, _____, Executive Director of the Federation of Podiatric Medical Boards certify that _____ DPM took the Podiatric Medical Licensing Examination in the State of _____ on _____.

I further certify that the grades achieved on this examination were as follows:

Part I	Part II	Part III	
_____	_____	_____	Percent Average _____

Executive Director _____

Date _____

APPLICANT:

Please forward this form with a check for \$35 to: The Federation of Podiatric Medical Boards, P.O. Box 33285, Washington, DC 20033.

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

Title of Regulation: VR 615-70-17. Child Support Enforcement Program.

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

Effective Date: October 24, 1990.

Summary:

The revision to the Child Support Enforcement Program regulation sets standards to ensure that child support services are effectively and expeditiously provided to custodial parents and their children. The revisions require the Department of Social Services to take specific case actions within specific time frames. These case actions and time frames are required by federal law.

VR 615-70-17. Child Support Enforcement Program.

PART I. DEFINITIONS.

§ 1.1. Definitions.

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

"ADC" means Aid to Dependent Children which is established under Title IV-A of the Social Security Act. This is a category of financial assistance paid on behalf of children who are deprived of one or both of their parents by reason of death, disability, or continued absence (including desertion) from the home.

"ADC/FC" means Aid to Dependent Children/Foster Care which is established under Title IV-E of the Social Security Act. This is a category of financial assistance paid on behalf of children who otherwise meet the eligibility criteria for ADC and who are in the custody of the local social service agencies.

"Administrative" means noncourt ordered, legally enforceable actions the department may take to establish or enforce a child support obligation.

"Appeal" means a request for a review of an action taken by the division.

"Application" means a written document requesting child support enforcement services which the department provides to the individual [or agency] applying for services and which is signed by the custodial parent [or agency representative].

"Bad check" means a check not honored by the bank on which it is drawn.

"Custodial parent" means (i) the natural or adoptive parent with whom the child resides, (ii) a step-parent or other person who has legal custody of the child and with whom the child resides, or (iii) a social service agency which has legal custody of a child in foster care.

"Debt" means the total unpaid support obligation established by court order, administrative order, or payment of public assistance which is owed by an absent responsible parent to either the custodial parent or to the Commonwealth.

"Delinquent" means an unpaid child support obligation.

"Department" means the Virginia Department of Social Services.

"Disregard payment" means a payment made to an ADC recipient in an amount up to \$50. The payment is made from the current child support collected on the individual's behalf.

"District office" means a local office of the Division of Child Support Enforcement responsible for the operation of the Child Support Enforcement Program.

"Division" means the Division of Child Support Enforcement of the Virginia Department of Social Services.

"Enforcement" means ensuring the payment of child support through the use of administrative or judicial means.

"Erroneous payment" means a payment sent to the custodial parent for which no funds were received by the department to be paid to that client.

"Financial statement" means a sworn document from the custodial parent and absent responsible parent showing their financial situation.

"Foreclosure" means a judicial procedure to enforce debts involving forced judicial sale of the real property of a debtor.

"Health care coverage" means a plan providing hospital, medical, or surgical care coverage for dependent children.

"Hearings officer" means a disinterested person designated by the department to hold appeal hearings and render appeal decisions.

"IV-D agency" means a governmental entity administering the child support program under Title IV-D of the Social Security Act. In Virginia the IV-D agency is the Division of Child Support Enforcement.

"Judicial" means an action initiated through a court.

"Location only services" means that certain entities such as courts and other state child support enforcement

Final Regulations

agencies can receive only locate services from the department.

"Local social service agency" means one of Virginia's locally administered social service or welfare departments which operate the ADC and ADC/FC programs and other programs offered by the department.

"Location" means obtaining information which is sufficient and necessary to take action on a child support case including information concerning (i) the physical whereabouts of the absent parent or his employer, or (ii) other sources of income or assets, as appropriate.

"Medicaid only" means a category of public assistance whereby a family receives Medicaid but is not eligible for or receiving ADC.

"Mistake of fact" means an error in the identity of the absent responsible parent or in the amount of child support owed.

"Obligation" means the amount and frequency of payments which the absent responsible parent is legally bound to pay.

"Pendency of an appeal" means the period of time after an administrative appeal has been made and before the final disposition.

"Public assistance" means payments for ADC, or ADC/FC, or Medicaid-only.

"Putative father" means an alleged father; a person named as the father of a child born out-of-wedlock but whose paternity has not been established.

"Recipient" means a person receiving public assistance.

"Responsible parent" means a person required under law to support a dependent child or the child's caretaker.

"Service" or "service of process" means the delivery to or leaving of, in a manner prescribed by state statute, an administrative or court order giving the absent responsible parent reasonable notice of the action being taken against him and affording the person an opportunity to be heard regarding the matter.

"Summary of facts" means a written statement of facts outlining the actions taken by the department on a case which has been appealed.

"Supplemental Security Income" means a program administered by the federal government which guarantees a minimum income to persons who meet the requirement of aged, blind, or disabled.

PART II. GENERAL INFORMATION.

Article I. Services.

§ 2.1. Services provided.

A. Child support enforcement services shall be provided as a group to ADC, ADC/FC, Medicaid only, and non-ADC clients. Courts and other state IV-D agencies may apply for location-only services.

B. Child support enforcement services shall include the following services which may involve administrative or court action:

1. Location of absent responsible parents, *their employers, or their sources of income* ;
2. Establishment of paternity;
3. Establishment or modification of child support obligations, including the responsibility to provide health care coverage;
4. Enforcement of child support obligations, both administratively and judicially determined; and
5. Collection and disbursement of child support payments, regardless of whether the obligation is legally established.

§ 2.2. Eligibility for services.

A. Individuals residing in Virginia who receive ADC, ADC/FC, or Medicaid only assistance are automatically eligible for child support services.

1. ADC, ADC/FC, and Medicaid only applicants and recipients must accept child support services as a condition of eligibility for public assistance unless the local social service agency determines that good cause exists for not accepting these services.
2. The department shall suspend action on a child support case in which the local social service agency has determined that good cause exists for not cooperating with the department in its pursuit of child support.
3. The department shall continue to provide child support services to a custodial parent when the ADC case closes.
 - a. The department shall provide these services without requiring a formal application.
 - b. The department shall continue to provide these services until the custodial parent states in writing that the services are no longer wanted unless the closure of the child support case is contrary to state or federal law.

B. Individuals residing in Virginia or having a legal residence in Virginia who do not receive ADC, ADC/FC, or Medicaid only assistance must make an application for child support services as a condition of eligibility for those services.

1. The child for whom child support is being requested must be under 18 years of age, unless:

a. There is a court order specifying that support continue until a later age, or

b. The child is handicapped, or

c. The services being requested are for a child support obligation which existed prior to the child's 18th birthday.

2. If the child for whom support is being sought is under 18 years of age, the applicant must be the parent or legal guardian of the child and the child must reside with the applicant.

C. Individuals residing outside of Virginia shall be eligible for child support services upon a request for services from the IV-D agency in the state in which they reside.

D. Courts and other state IV-D agencies are eligible for location only services.

Article 2. Department as Payee.

§ 2.3. Assignment of rights.

Assignment of child support rights to the Commonwealth is automatic by operation of law with receipt of ADC, ADC/FC, or Medicaid only assistance and, for ADC cases, continues after the public assistance case closes unless the client requests in writing that the services be terminated.

§ 2.4. Authorization to seek or enforce a child support obligation.

Persons receiving child support services shall give the department written authorization to seek or enforce support on behalf of the child or spouse and child.

§ 2.5. Special conditions regarding receipt of ADC or ADC/FC.

A. Receipt of ADC or ADC/FC assistance creates a debt to the Commonwealth.

B. If a debt is owed to the Commonwealth due to the receipt of ADC or ADC/FC assistance, the department shall apply amounts collected for past due child support toward this debt unless the court order stipulates otherwise.

C. Money received from tax intercept shall be applied, in total, toward the ADC or ADC/FC debt.

Article 3. Application and Case Assessment and Prioritization.

§ 2.6. Application fees.

The application fee for child support services is \$1.00 for nonpublic assistance clients. The department shall pay this fee on behalf of such applicants for child support enforcement services.

§ 2.7. Application process.

A. The department shall make applications accessible to the public and shall include with each application information describing child support enforcement services, the custodial parent's rights and responsibilities, [the absent responsible parent's rights,] and payment distribution policies.

1. The department shall provide an application on the day an individual requests the application when the request is made in person.

2. The department shall send applications within five working days of the date a written or telephone request for an application is received.

B. The department shall provide ADC, ADC/FC, and Medicaid-only recipients with the above information, the rights and responsibilities of custodial parents, [the absent responsible parent's rights] and general distribution policies within five working days of receiving the referral from a local social service agency.

C. The department shall, within two calendar days of the date of application from a nonpublic assistance recipient or the date a referral of a public assistance recipient is received, establish a case record, and within 20 calendar days, obtain the information needed to locate the absent responsible parent, initiate verification of information, if appropriate, and gather all relevant facts and documents.

§ 2.8. Case assessment and prioritization.

A. Case assessment.

The department shall (i) assess the case information to determine if sufficient information to establish or enforce a child support obligation is available and verified and (ii) attempt to obtain additional case information if the information is not sufficient and (iii) verify case information which is not verified.

B. Case prioritization.

1. The department shall give priority to cases which contain [any of] the following [information on the

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absent responsible parent or putative father]:

- a. *Verified, current, residential address*; [or]
- b. *Current employer*; [or]
- c. *Last known residential address or last known employer if the information is less than three years old*; [or]
- d. *Social security number and date of birth*.

2. The department shall give [~~lowest~~ low] priority but shall review [~~annually~~ periodically] cases in which:

- a. [~~The absent responsible parent resides in a country which does not have a reciprocity agreement with the United States of America. There is not adequate identifying or other information to meet requirements for submittal for location, or~~]
- b. The absent responsible parent receives supplemental security income or public assistance.

§ 2.9. Service of process.

Service is necessary when child support obligations are established either administratively or through court action and, in some instances, when actions to enforce the obligation are taken.

A. The methods of service of process required by law vary with the action being taken and include individual personal service, substituted service, posted service, certified mail, and regular mail.

B. The department shall use diligent efforts to serve process. Diligent efforts to serve process shall include:

1. When the method of service of process used to notify an absent parent of an administrative action is not successful and the address of the absent responsible parent is known and verified, the department shall exhaust every [~~other~~] method [of service] allowed by law.
2. When the method of service of process used to notify an absent parent of court action is not successful and the address of the absent parent is known and verified, the department shall provide the sheriff or process server with additional information about the absent parent's address.
3. When the method of service of process is not successful after the department has exhausted all methods of service allowed or has provided the sheriff or process server with an additional information, the department shall repeat its attempts to serve process at least quarterly.

§ ~~2.7~~. § 2.10. Costs associated with the provision of child support services.

A. The department may not require custodial parents to pay the costs associated with the provision of child support services.

B. The putative father shall pay the costs associated with the determination of paternity if he is ordered by a court to pay these costs.

PART III. LOCATION.

§ 3.1. The department shall provide location services (i) whenever the location of absent responsible parents or their employers is needed in order to establish or enforce a child support obligation and (ii) when there is sufficient identifying information available to the department to access location sources.

§ 3.2. Location sources.

A. Whenever location services are provided, the department shall access all necessary locate sources. Locate sources include but are not limited to:

1. Local public and private sources.
2. State Parent Locator Services.
3. Electronic Parent Locator Network.
4. Central Interstate Registry.
5. Federal Parent Locator Service.
6. Parents, friends, and other personal sources.

§ 3.3. Location time requirements.

A. The department shall access all appropriate location sources within 75 calendar days of receipt of the application for child support services or the referral of a public assistance recipient if the department determines that such services are needed and quarterly thereafter if the location attempts are unsuccessful.

B. The department shall review at least quarterly those cases [in] which [~~need additional case information in order to establish or enforce the child support obligation~~ previous attempts to locate absent responsible parents or sources of income or assets have failed, but adequate identifying and other information exists to meet requirements for submittal for location].

C. The department shall provide location services immediately if new information is received which may aid in location.

D. When the custodial parent resides in Virginia, the

department shall utilize the Federal Parent Locator Service at least annually when other location attempts have failed.

E. When another state requests location services from the department [~~or the department receives a request for location services from another state~~], the department shall follow the time requirements described in the Code of Federal Regulations, Title 45, part 303, § 303.7.

PART III. IV. ESTABLISHING CHILD SUPPORT OBLIGATIONS.

Article 1. Paternity Establishment.

§ ~~3.1~~ § 4.1. Establishing paternity.

In order for the department to establish a child support obligation and to enforce and collect child support payments from a putative father, the father must be determined to be legally responsible for the support of the child. In situations in which the a putative father has not been legally determined to be the father of the child, paternity must be adjudicated established before a child support obligation can be established administratively ordered or court ordered .

1. The department shall obtain a sworn statement(s) from the custodial parent acknowledging the paternity of the child or children for whom child support is sought.

2. Based on this sworn statement, the department shall attempt to locate the putative father, if necessary, according to the locate time requirements described in Part III above.

3. Once the putative father is located, the department shall contact him to determine if he is willing to sign a sworn statement voluntarily acknowledging paternity or to voluntarily submit to blood testing to determine paternity.

a. The department shall advise the putative father verbally and in writing of his rights and responsibilities regarding child support prior to obtaining a sworn statement of paternity.

b. A putative father who signs a sworn statement of paternity [along with an acknowledgement from the mother] or who, through genetic blood testing, is affirmed by at least a 98% probability to be the father of the child is responsible for the financial support of the child or children.

4. When the putative father does not sign a sworn statement of paternity or does not voluntarily submit to blood testing or the blood test shows less than a 98% probability of paternity, the department shall petition the court for a paternity determination when

there is sufficient evidence to do so.

[~~5~~] The department may simultaneously take the actions described in subdivisions 3 and 4 above.

[~~F 5~~] . Within 90 calendar days of locating the putative father, the department shall:

a. Obtain a sworn acknowledgement of paternity or arrange for voluntary blood testing, or

b. File a petition with the court for paternity establishment.

[~~7 6~~] . In any case where more than one putative father has been identified, the department shall pursue paternity for [~~other all~~] putative fathers [~~when a putative father is excluded from paternity by blood testing or the court finds that he is not the father of the child~~] .

[~~8 7~~] . The department shall [~~monitor track~~] all cases in which paternity must be established to assure that, in all cases where the putative father is located, paternity is established or the putative father excluded within one year of the child reaching six months of age or within one year of petitioning the court for paternity, whichever occurs later.

§ ~~3.2~~ § 4.2. Establishing paternity in interstate cases.

The department shall establish, if possible, the paternity of children who do not reside in Virginia when the putative father resides in Virginia and a request for such services is received from another state IV-D agency.

Article 2. Administrative Support Orders.

§ ~~3.3~~ § 4.3. Administrative establishment of a child support obligation.

The department has statutory authority to establish child support obligations through noncourt ordered legally enforceable administrative means. These administrative obligations have the same force and effect as a support obligation established by the court.

A. The amount of child support that is owed and the frequency with which it is paid must be established before the payment of child support can be enforced.

B. The administrative order shall be called the Administrative Support Order.

C. The department shall use administrative rather than judicial means to establish the child support obligation whenever possible.

D. The department shall use administrative means to establish a temporary child support obligation when judicial determinations of support are pending due to

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custody and visitation issues.

E. Within 90 calendar days of locating the absent responsible parent, [or of establishing paternity] the department shall attempt to either ensure that a child support obligation is established or shall diligently attempt to complete the service of process necessary for an obligation to be ordered.

F. When a court [or an administrative hearings officer] dismisses a petition for a support order without prejudice [or an administrative hearings officer overrules an administrative support action], the department shall examine the reasons for the dismissal [or overruling] and determine when [or if] it would be appropriate to seek an order in the future.

E. G. The department shall consider The child support obligation to be established when an Administrative Support Order has been served and the 10-day appeal period for the administrative order has elapsed.

F. H. The department shall modify the obligation when new information is received necessitating a change.

G. I. The department shall modify the amount of the obligation for future child support payments only.

§ 3-4. § 4.4. Determining the amount of the child support obligation.

A. The obligation shall include:

1. Frequency with which the current amount owed is to be paid,
2. Current amount owed,
3. Public assistance debt, if any, and
4. Unpaid past due child support, if any.

B. Financial statements.

1. The department shall use financial statements obtained from the absent responsible parent and the custodial parent to determine the amount of the child support obligation.
2. The absent responsible parent and custodial parent shall complete sworn financial statements upon demand by the department and annually thereafter.
3. If the custodial parent is a recipient of public assistance, the department shall use the information obtained through the ADC or ADC/FC eligibility process to meet the financial statement requirement.
4. The department shall define the type of financial information which shall be required based on § 63.1-274.5 of the Code of Virginia which is

incorporated by reference.

5. A custodial parent who is not a responsible parent of the child for whom child support is being sought shall not be required to complete a financial statement.

6. The department shall obtain financial statements from both absent responsible parents when the custodial parent is not a responsible parent of the child.

C. When an absent parent is responsible for the support of children receiving ADC or ADC/FC assistance, the department shall initially base the amount of the obligation on the amount of ADC or ADC/FC paid on behalf of the responsible parent's dependents.

1. The department shall change the proposed obligation amount and base it on the child support scale if the absent responsible parent provides financial information during the pendency of an administrative appeal.

2. If the department receives financial information after the obligation is established, the department shall modify the Administrative Support Order prospectively and shall base the future obligation amount on the child support scale.

D. When the absent parent is responsible for the support of children not receiving ADC or ADC/FC and provides a financial statement, the department shall base the amount of the obligation on the child support scale.

1. If the responsible parent does not provide a financial statement and there is no court order and no previously issued administrative order, the department shall issue a default Administrative Support Order.

2. The default administrative order shall be based on the amount of public assistance that would be paid on behalf of the absent responsible parent's dependents if they were eligible for ADC assistance.

E. The department shall determine the amount to be paid monthly toward a child support debt when the obligation is administratively ordered and when a court ordered obligation for support does not specify the amount to be paid toward the debt. The monthly payment for arrears will be \$65 or 25% of the current obligation, whichever is greater, and shall not exceed the amount allowed under the Consumer Credit Protection Act.

§ 3-5. § 4.5. Service of the administrative support order.

The department must legally serve the Administrative Support Order on the absent responsible parent or receive a waiver of service from the responsible parent in order to have an established obligation.

§ 3-6. § 4.6. Health care coverage.

A. The absent responsible parent shall provide information regarding health care coverage for his dependent children, and his spouse or former spouse if applicable, upon request from the department.

B. The absent responsible parent shall provide health care coverage for the child or children if medical insurance is available through his employment.

§ 3-7. § 4.7. Child support scale.

A. The department is required to use the Schedule of Monthly Basic Child Support Obligations and procedures in § 20-108.2 of the Code of Virginia in calculating the amount of administrative child support obligations. This section of the Code is incorporated by reference.

B. The department shall call this schedule the child support scale.

C. The department shall use the scale in establishing Administrative Support Orders except in the two situations identified in § 3-4 4.4 C and D 1.

D. The total child support obligation will be divided between both parents in the same proportion as their individual gross incomes bear to their combined gross income.

E. The department shall consider the following factors in calculating the combined gross income:

1. The absent responsible parent and custodial parent's gross monthly income from all sources with the exception noted in subsection F of this section,
2. The number of children for whom the absent responsible parent and custodial parent share joint legal responsibility,
3. Extraordinary medical and dental expenses which are defined in § 20-108.2 of the Code of Virginia, and
4. The custodial parent's work related child care expenses.

F. The department may not include benefits from public assistance programs as defined in § 63.1-87, Supplemental Security Income, or child support received in calculating the combined gross income.

§ 4.8. Periodic reviews of the child support obligation.

The amount of the child support obligation is based on the financial situation of both parents. The department or the courts, depending on who issued the order, may modify the amount of the obligation if the parents' [financial] situation changes. Either the department or either parent may initiate a review of the amount of the

child support obligation.

A. The department shall initiate a review of each child support obligation [: as required by federal regulations.]

[1. At least every three years and more frequently at the discretion of the department.]

[2. At the request of another state's child support enforcement agency.

B. Either parent may initiate a review of the child support obligation by providing documentation of a change in [financial] circumstances [potentially affecting the child support obligation] .

C. The department shall modify an administrative obligation [or petition the court to modify a court ordered obligation] when the results of the review indicate a change in the gross income of either parent which is [greater than \$50 per month a difference of at least 10% in either parent's gross monthly income or a change in the monthly obligation of at least \$25] .

[D. The department shall petition to modify a court ordered obligation based on criteria established by the court.]

PART IV. V.
ENFORCING CHILD SUPPORT OBLIGATIONS.

Article 1
General.

§ 4-1. § 5.1. Enforcement rules.

A. The department shall, whenever possible, administratively enforce compliance with established child support orders including both administrative and court orders.

B. The department shall enforce child support obligations at the time the Administrative Support Order is initially entered through the use of one of the following methods of wage withholdings:

1. Immediate withholding of earnings
2. Voluntary assignment of earnings

C. The department shall enforce child support obligations when the obligation becomes delinquent through the use of one or more of the following administrative enforcement remedies:

1. Mandatory withholding of earnings
2. Liens
3. Orders to withhold and deliver

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4. Foreclosure
5. Distraint, seizure, and sale
6. Unemployment compensation benefits intercept
7. Bonds, securities, and guarantees
8. Tax intercept
9. Internal Revenue Service full collection service
10. Credit bureau reporting
11. Enforcement remedies for federal employees.

D. The department shall attempt to enforce current and delinquent child support payments through administrative means before petitioning the court for enforcement action unless it determines that court action is more appropriate.

E. The department shall [; whenever possible, enforce a health care coverage requirement in a child support order within 30 days of receiving notification of noncompliance take any appropriate enforcement action, unless service of process is necessary, within no more than 30 calendar days of identifying a delinquency or of locating that absent responsible parent, whichever occurs later, except income withholding and federal and state income tax refund offset] .

[F. The department shall take appropriate enforcement action if service of process is necessary within 60 calendar days of identifying a delinquency or of locating the absent responsible parent, whichever occurs later.]

[G. The department shall take appropriate enforcement action within the above timeframes to enforce health care coverage.]

[F H] . When an enforcement action is unsuccessful, the department shall examine the reason(s) and determine when it would be appropriate to take an enforcement action in the future. The department shall take further enforcement action at a time and in a manner determined appropriate by department staff.

§ 4-2. § 5.2. Withholding of earnings rules.

A. The department may issue a withholding of earnings order against all earnings except those exempted from garnishment under federal and state law.

B. The amount of money withheld from earnings may not be more than the amount allowed under the Consumer Credit Protection Act. (§ 34-29 of the Code of Virginia)

C. The department must legally serve the wage withholding order on the absent responsible parent or receive a waiver of service from the individual [*within 60 days of the date the noncompliance occurred or the*

date the absent parent is located; whichever occurs later]

D. The department shall modify the withholding of earnings order only if there is a change in the amount of the current support or past due debt.

E. The department shall release the withholding of earnings order only if one of the following occurs:

1. The current support obligation terminates and any past due debt is paid in full;
2. Only a past due debt is owed and it is paid in full;
3. The whereabouts of the child or child and caretaker become unknown;
4. Bankruptcy laws require release; or
5. A nonpublic assistance client no longer wants the services of the department.

Article 2.

Immediate and Voluntary Withholding of Earnings.

§ 4-3. § 5.3. General.

The Administrative Support Order shall include a requirement for immediate withholding of the child support obligation from the absent responsible parent's earnings. The custodial parent and absent responsible parent may choose a voluntary assignment of earnings as an alternate arrangement for payment of child support.

§ 4-4. § 5.4. Immediate withholding of earnings.

The Administrative Support Order shall include a requirement for immediate withholding of the child support obligation from the absent responsible parent's earnings.

§ 4-5. § 5.5. Voluntary withholding of earnings.

A. Voluntary withholding of earnings is also called voluntary assignment of earnings.

B. The custodial parent and absent responsible parent may choose a voluntary assignment of earnings at the time the obligation is established as an alternate to immediate withholding of earnings for payment of child support.

C. The department may initiate a voluntary assignment of earnings when it is the most expeditious means of enforcing a wage withholding.

D. The absent responsible parent may not choose a voluntary assignment of earnings as an alternative to mandatory withholding of earnings after enforcement action has been initiated.

Article 3. Other Enforcement Remedies.

The department shall have the authority to administratively collect delinquent child support payments from absent responsible parents. These are called enforcement remedies.

§ 4-6. § 5.6. Mandatory withholding of earnings.

The department shall send a Mandatory Withholding of Earnings order to an employer requiring the deduction of the child support obligation from the absent responsible parent's earnings when a payment is delinquent in an amount equal to or exceeding one month's child support obligation.

§ 4-7. § 5.7. Liens.

A. The department may file a lien on the real or personal property of the absent responsible parent when there is a support debt.

B. Upon receipt of a support order from a jurisdiction outside of Virginia, the department may immediately file a lien.

C. The lien of the department shall have the priority of a secured creditor.

D. The lien of the department shall be subordinate to the lien of any prior mortgagee.

E. The lien shall be released when the child support debt has been paid in full.

§ 4-8. § 5.8. Orders to withhold and deliver.

A. The department may use orders to withhold and deliver to collect assets such as bank accounts, trust funds, stocks, bonds, and other types of financial holdings when there is a support debt.

B. The department shall release the order to withhold when the order cannot be served on the absent responsible parent.

C. The department shall release the order to deliver when:

1. The debt on the order is paid, or
2. The absent responsible parent makes satisfactory alternate arrangements for paying the full amount of the debt.

§ 4-9. § 5.9. Distraint, seizure, and sale.

A. The department may use distraint, seizure, and sale against the real or personal property of an absent responsible parent when there is a support debt.

B. The director of the division shall give final approval for the use of distraint, seizure, and sale.

§ 4-10. § 5.10. Unemployment compensation benefits intercept.

A. The department may intercept unemployment compensation benefits when there is a support debt.

B. The department may, with the consent of the absent responsible parent, intercept unemployment compensation benefits when there is not a support debt.

C. The department may intercept unemployment compensation benefits paid by the Commonwealth to an absent responsible parent who lives out of state.

D. The department shall intercept the amount of benefits allowed by the Virginia Employment Commission.

§ 4-11. § 5.11. Bonds, securities, and guarantees.

The department shall use administrative bonds, securities, and guarantees as an enforcement action only if the amount of the delinquency exceeds \$1,000 and

1. After all other enforcement actions fail, or
2. When no other enforcement actions are feasible.

§ 4-12. § 5.12. Tax intercept.

A. The department may *shall* intercept state and federal income tax refunds and shall apply these moneys, in whole or in part, first to any debt to the Commonwealth and second to delinquent child support obligations.

B. The Virginia Department of Taxation prescribes rules for interception of state tax refunds and notification to the person whose tax refund is being intercepted.

1. The department may retain moneys up to the amount owed on the due date of the finalization notice from the department to the Virginia Department of Taxation.
2. The department may intercept state tax refunds when the delinquent amount equals at least \$25.
3. The department may not disburse the intercepted taxes if the absent responsible parent has appealed the intercept action and the appeal is pending.
4. The department shall issue a refund to the absent responsible parent when one of the following occurs:

- a. The intercept was made in error.
- b. The absent responsible parent pays the delinquent amount in full after the Department of Taxation has been notified of the delinquency and before the tax

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refund is intercepted.

c. Either or both federal and state tax refunds are intercepted, the total amount intercepted is more than the amount of the delinquency at the time that notification of the tax intercept was sent to the Department of Taxation, and the absent responsible parent does not agree to allow the department to apply the excess funds to any delinquency that accrued after certification for tax intercept.

C. The Internal Revenue Service has prescribed rules regarding the interception of federal tax refunds. Part 45, §§ 302.60 and 303.72 of the Code of Federal Regulations are incorporated by reference in this regulation.

Article 4. Federal Enforcement Remedies.

In addition to state administrative enforcement remedies, the department shall use federal enforcement remedies to enforce child support obligations.

~~§ 4.13.~~ § 5.13. Internal Revenue Service full collection service.

A. The department may ask the Internal Revenue Service to collect delinquent child support payments when all reasonable efforts to collect past due child support payments have been made but have not been successful.

B. The department shall make this request through the federal Office of Child Support Enforcement.

~~§ 4.14.~~ § 5.14. Enforcement remedies to be used against federal employees.

A. The department may apply its enforcement remedies against United States military and civilian active and retired personnel.

B. When enforcement under Virginia law is not possible, the department may use (i) Mandatory Military Allotments and (ii) Involuntary Child Support Allotments for Public Health Services Employees to enforce child support obligations of active military personnel and public health services employees.

1. For the purposes of these two enforcement actions, delinquency shall be defined as failure of the absent responsible parent to make child support payments equal to the amount due for two months.

2. The amount of money withheld from these wages shall be up to the amount allowed under the Consumer Credit Protection Act.

PART V. VI. ADMINISTRATIVE APPEALS.

Actions to establish and enforce child support obligations

administratively may be appealed according to the following rules.

~~§ 5.1.~~ § 6.1. Validity of the appeal.

A. The department shall determine the validity of an appeal.

1. The appeal must be in writing.

2. The appeal must be received within 10 working days of service when personally delivered.

3. If mailed, the postmark must be no later than 10 working days from the date of service of the notice of proposed action.

B. The only exception to this shall be appeals of federal and state tax intercepts. The absent responsible parent shall have 30 days to appeal a tax intercept notice to the department.

~~§ 5.2.~~ § 6.2. General rules.

A. The appeal shall be heard by a hearings officer.

1. The hearings officer shall hold the hearing in the district office where the custodial parent resides unless another location is requested by the absent responsible parent and it complies with § 63.1-267.1 of the Code of Virginia.

2. The absent responsible parent and the custodial parent may be represented at the hearing by legal counsel.

3. The absent responsible parent may withdraw the appeal at any time.

4. The hearings officer shall accept a request for a continuance from the absent responsible parent or the custodial parent if:

a. The request is made in writing at least five working days prior to the hearing, and

b. The request is for not more than a 10-day continuance.

B. The hearings officer shall notify the absent responsible parent and custodial parent of the date and time of the hearing and of the disposition of the hearing in accordance with § 63.1-267.1 of the Code of Virginia.

C. Prior to the hearing, the hearings officer shall send the absent responsible parent and the custodial parent a copy of the Summary of Facts prepared by the district office.

D. The hearings officer shall provide the absent responsible parent and the custodial parent with a copy of

the hearing decision either at the time of the hearing or no later than 45 days from the date the appeal request was first received by the department.

E. The hearings officer shall notify the absent responsible parent and the custodial parent in writing by certified mail if the appeal is determined to be abandoned because the absent responsible parent did not appear at the hearing.

F. The absent responsible parent or the custodial parent may appeal the hearings officer's decision to the juvenile and domestic relations district court within 10 calendar days of receipt of the hearings officer's decision. An appeal of a tax intercept must be made to the circuit court within 30 days of the date of the hearings officer's decision.

~~§ 5-2.~~ § 6.3. Appeal of enforcement actions.

A. The absent responsible parent may appeal the actions of the department to enforce a support obligation only under the following conditions:

1. For withholding of earnings; liens; distraint, seizure, and sale; and unemployment compensation benefits intercept the appeal shall be based only on a mistake of fact.
2. For orders to withhold and deliver the appeal shall be based only on (i) a mistake of fact or (ii) whether the funds to be withheld are exempt by law from garnishment.
3. Federal and state tax intercepts may be appealed based only on (i) a mistake of fact or (ii) the validity of the claim.

B. A mistake of fact is based on:

1. An error in the identity of the absent responsible parent, or
2. An error in the amount of current support or past due support.

~~§ 5-4.~~ § 6.4. Appeal of federal enforcement remedies.

Actions to enforce child support payments through federal enforcement remedies may not be appealed through the Department of Social Services. Absent responsible parents shall appeal these actions to the federal agency which took the action.

PART VI. VII. INTERSTATE RESPONSIBILITIES.

When the absent responsible parent and the custodial parent reside in different states, cooperation between these states is necessary.

~~§ 6-1.~~ § 7.1. Cooperation with other state IV-D agencies.

A. The department shall provide the same services to other state IV-D cases that it provides to its own cases with the following conditions:

1. The request for services must be in writing.
2. The request for services must list the specific services needed.

B. The department shall request in writing the services of other state IV-D agencies when the custodial parent resides in Virginia, but the absent responsible parent resides in another state.

C. Other department responsibilities in providing services to other state IV-D cases and obtaining services from other state IV-D agencies are defined in Part 45, § 303.7 of the Code of Federal Regulations and §§ 63.1-274.6 and 20-88.22 of the Code of Virginia. These regulations are incorporated by reference here.

~~§ 6-2.~~ § 7.2. Central registry.

A. The department shall manage the flow of interstate correspondence through a Central Registry located in the division's central office. Correspondence will be handled according to the rules established by the state and federal regulations cited by reference above.

B. The Central Registry shall act as the Uniform Reciprocal Enforcement of Support Act State Information Agent required by § 20-88.22 of the Code of Virginia.

PART VII. VIII. CONFIDENTIALITY AND EXCHANGE OF INFORMATION.

Article 1. Information Collected by the Department.

~~§ 7-1.~~ § 8.1. Information collected from state, county, and city offices.

A. State, county, and city offices and agencies shall provide the department with information about absent responsible parents.

B. The department shall use this information to locate and collect child support payments from absent responsible parents.

~~§ 7-2.~~ § 8.2. Subpoena of financial information.

The department may subpoena financial records from a person, firm, corporation, association, political subdivision, or state agency to corroborate the existence of assets of the absent responsible parent or the custodial parent identified by the Internal Revenue Service.

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Article 2.

Information Released by the Department.

~~§ 7-3.~~ ~~§ 8.3.~~ Agencies to whom the department releases information.

A. The department may release information on absent responsible parents to courts and other state child support agencies.

B. The department shall release information concerning the absent responsible parent to consumer credit agencies upon their request.

C. The department may release information concerning custodial parents to courts and other state IV-D agencies as necessary to collect child support on their behalf.

D. The department shall obtain permission from the absent responsible parent or the custodial parent prior to providing information on that person to an entity other than the ones listed above.

~~§ 7-4.~~ ~~§ 8.4.~~ Release of information to and from the Internal Revenue Service.

A. The department may not release information provided by the Internal Revenue Service to anyone outside of the department with the following exceptions:

1. The department may release the information to local social service agencies and the courts, but the source of the information may not be released.
2. The department may release information provided by the Internal Revenue Service if that information is verified by a source independent of the IRS.

B. The division director, or a designee, may release information on absent responsible parents to the Internal Revenue Service.

~~§ 7-5.~~ ~~§ 8.5.~~ Request for information from the general public.

The department shall answer requests for information from the general public within five working days of receipt of the request or less as federal and state law may require.

~~§ 7-6.~~ ~~§ 8.6.~~ Requests for information from absent responsible parents and the custodial parents.

A. The department shall release, upon request from the absent responsible parent or custodial parent, copies of court orders, administrative orders, enforcement actions, and fiscal records.

B. The department shall release to the absent responsible parent and to the custodial parent personal information contained in the case record which pertains to

the individual requesting the information with one exception. The department may not release medical or psychological information for which the physician providing the information has stated the individual should not have access.

C. The absent responsible parent and the custodial parent may correct, challenge, or explain the personal information which pertains to that individual.

D. The department shall charge a fee for copying case record information. The department shall base the fee on the cost of copying the material.

~~§ 7-7.~~ ~~§ 8.7.~~ Release of health care information.

The department shall provide specific third party liability information to the Department of Medical Assistance Services in order for that agency to pursue the absent responsible parent's medical provider for any Medicaid funds expended for his dependents who are receiving ADC or ADC/FC or who are Medicaid-only clients.

A. The department shall release health care coverage information on ADC, ADC/FC, and Medicaid only cases to the Department of Medical Assistance Services as prescribed in the cooperative agreement between the department and that agency.

B. The department shall release health care coverage information on ADC, ADC/FC, and Medicaid only cases to other state child support agencies upon their request.

C. The department shall release information on health care coverage for nonpublic assistance cases only with the consent of the custodial parent.

PART VIII IX . RIGHTS AND RESPONSIBILITIES OF THE CUSTODIAL PARENT AND OF THE DEPARTMENT.

Article 1.

Custodial Parent's Rights and Responsibilities.

Throughout this regulation rights and responsibilities of the custodial parents are mentioned in general terms. This section of the regulation does not abridge those rights and responsibilities; it adds to them.

~~§ 8-1.~~ ~~9.1.~~ Custodial parents rights.

A. The department shall give the custodial parent prior notice of major decisions about the child support case.

B. The department shall periodically inform the custodial parent of the progress of the case.

C. The department shall provide the custodial parent with copies of appropriate notices as identified in this

regulation.

D. The department shall advise custodial parents who receive ADC of the following rights:

1. The \$50 disregard payments,
2. Eligibility for continued Medicaid coverage when ADC is no longer received, and
3. Eligibility for continued child support services when ADC is no longer received.

E. The department shall inform all non-ADC or ADC/FC clients at the time of application for services of the effect of past receipt of ADC or ADC/FC on the collection of child support payments.

~~§ 8.2.~~ § 9.2. Custodial parent's responsibilities.

A. Custodial parents must give full and complete information, if known, regarding the absent responsible parent's name, address, social security number, current employment, and employment history and provide new information when learned.

B. Custodial parents must inform the department of any public assistance which was received in the past on behalf of the parent and children.

C. Custodial parents must promptly (i) inform the department of any divorce actions or court actions to establish a child support order, (ii) send to the department copies of any legal documents pertaining to divorce, support, or custody, and (iii) inform the department of any changes in custody or plans for reconciliation with the absent responsible parent.

D. Custodial parents must notify the department if an attorney is hired to handle a child support matter.

E. Custodial parents must notify the department immediately of any change in their financial circumstances.

F. Custodial parents must notify the department in writing regarding any change of their address or name. When possible, the custodial parent shall give this notification 30 days in advance.

Article 2.

Department's Rights and Responsibilities.

~~§ 8.3.~~ § 9.3. Department's rights.

A. The department shall decide, in a manner consistent with state and federal requirements, the best way to handle a child support case.

B. The department shall decide when to close a case based on federal requirements and the criteria in Part X

XI.

~~§ 8.4.~~ § 9.4. Department's responsibilities.

A. The department shall act in a manner consistent with the best interests of the child.

B. The department shall establish a priority system for providing services which will ensure that services are provided in a timely manner.

C. The department shall keep custodial parents advised about the progress of the child support cases and shall include custodial parents in major decisions made about the handling of the child support case.

PART IX. X.

PROCESSING SUPPORT PAYMENTS.

Article 1.

Child Support Payments.

~~§ 9.1.~~ § 10.1. Disbursement of child support payments.

A. An absent responsible parent may have multiple child support obligations.

1. Each case shall receive full payment of the current obligation when possible.

2. If the absent responsible parent's disposable earnings do not cover the full payment for each current support order, the department shall prorate the amount withheld among all orders.

B. Current support obligations shall be satisfied before satisfying a past due debt.

C. The method by which child support payments are disbursed is governed by Part 45, §§ 302.51 and 302.52 of the Code of Federal Regulations which are incorporated by reference.

Article 2.

Payment Recovery.

~~§ 9.2.~~ § 10.2. Bad checks.

A. When a payment made by an employer or absent responsible parent is not honored upon presentation to the bank on which it was drawn, the department shall first demand payment from the employer or absent responsible parent.

B. If the employer or absent responsible parent does not comply with the demand and the custodial parent is not an ADC or ADC/FC recipient, the department shall recover the payment from the custodial parent according to the methods described in § 9.4 10.4 .

C. The department shall concurrently take enforcement

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action against the absent parent or legal action against the employer.

D. If a check received from a custodial parent is not honored upon presentation to the bank upon which it was drawn, the department shall demand payment from the custodial parent.

§ 0-3. § 10.3. Erroneous/duplicate disbursements.

A. When the department sends the custodial parent a payment in error or a duplicate payment, the department shall first demand payment from the custodial parent.

B. If the custodial parent is not an ADC or ADC/FC recipient and does not comply with the demand, the department shall recover the amount of the payment according to the methods described in § 0-4 10.4 .

§ 0-4. § 10.4. Methods of payment recovery from the custodial parent.

A. If the custodial parent is not an ADC or ADC/FC recipient, the department shall:

1. Intercept and retain payments for past due debt.
2. Retain 10% of the current support payment.
3. Retain the lesser of the balance due or 100% of any intercepted funds.
4. Retain the lesser of the balance due or funds seized from bank accounts.

B. If the custodial parent is an ADC or ADC/FC recipient, the division shall notify the Division of Benefit Programs when an erroneous or duplicate payment has been retained by the client.

PART X. XI. CASE CLOSURE.

§ 10-1. § 11.1. General rules.

A. The department shall terminate child support enforcement services when : *one of the criteria defined in the Code of Federal Regulations, Title 45, § 303.11 is met.*

1. A eustodial parent is no longer eligible for services;
2. A eustodial parent no longer wants child support enforcement services, and the department is not required by law to provide the services;
3. The absent responsible parent is no longer responsible for the support of the child and has no past due debt; or
4. The department is unable to obtain information either to establish or enforce the case and has

exhausted all methods known to the department to obtain such information.

B. Sixty calendar days prior to closing a case, the department shall notify the custodial parent of its intent to close the case and shall give the reason for the case closure [with the exceptions noted in the Code of Federal Regulations, Title 45, § 303.11] . The department shall not close the case if the custodial parent supplies additional case information.

B. C. The department shall continue to provide collection and disbursement services until alternate arrangement for these services has been made.

D. The department shall reopen a closed case if the custodial parent requests the case be reopened because there is a change in circumstance which could lead to the establishment or enforcement of a child support obligation.

E. The department shall purge all closed case records three years after the case is closed pursuant to the Code of Federal Regulations, Title 45, part 74, subpart D.



Commonwealth of Virginia
 Department of Social Services
 Division of Child Support Enforcement

RP Name _____
 RP SSN _____
 Case ID# _____

APPLICATION FOR CHILD SUPPORT ENFORCEMENT SERVICES

I, _____, Social Security number _____ am applying to the Division of Child Support Enforcement for child support enforcement services for the following children:

Children's Name	Date of Birth	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____

The services I am applying for include:

- Location of the Responsible Parent to obtain child support (if the whereabouts are unknown)
- Obtaining an acknowledgment of paternity (if not already established)
- Establishing child support obligations
- Enforcing and collecting a child support obligation

I authorize the Division of Child Support Enforcement (DCSE) to explore, pursue, and utilize all sources of information available in support of its investigation. I understand that, depending on the information I provide (including, but not limited to, the Responsible Parent's SSN, address and employer), the DCSE will assign a priority level to my case. I understand that the DCSE cannot guarantee the success of its efforts.

I understand that legal assistance may be provided in establishing or enforcing a child support obligation. I acknowledge that any legal assistance which may be provided by the Office of the Attorney General, any office of a Commonwealth's Attorney or otherwise is being provided to the Division of Child Support Enforcement, and not to me personally. A final decision concerning any legal action which may be taken in my case shall be made by the Division, and the Division shall advise me of action they have decided to take. I further acknowledge that I am aware of my right to secure the services of my own attorney to represent me personally at any time. If I choose to retain the services of a private attorney, I will notify the Division immediately.

I authorize the Division of Child Support Enforcement to seek, enforce, and collect for me and my children current or past due support from anyone who has a legal duty to support me and my children.

I authorize the Division of Child Support Enforcement to endorse and cash checks, money orders, or other forms of payment which are made out to me for support payments.



SLAIR BUILDING
 4007 DISCOVERY DRIVE
 RICHMOND, VIRGINIA 23229 8599
 804/662-9204

LARRY D. JACKSON
 COMMISSIONER

COMMONWEALTH of VIRGINIA
 DEPARTMENT OF SOCIAL SERVICES

Dear Employer:

Your employee _____ SSN _____ has been ordered to provide health care coverage for his dependent child(ren) if it can be obtained through his employer even if there is an additional cost to the employee. Please complete the bottom section of this letter by checking the statements which apply and return it to us in the pre-addressed envelope we have enclosed for your convenience.

Sincerely,

Investigator
 Telephone _____

The above-named dependents are covered by the following health care coverage:

Insurance Company: _____

Policy Number: _____

Beginning date of dependent coverage: _____

Coverage type:

- Hospital only
- Hospital, Surgical and Major Medical
- Charpus
- Hospital and Surgical
- Health Maintenance Organization (HMO)

Insurance for the above-named dependents ended on _____ (Date).

Since enrollment there have been lapses in coverage from _____ to _____ (Dates).

The above-named dependents are not enrolled in an insurance plan, but insurance is available for the employee's dependents.

Medical insurance for dependents is not available to this employee.

Date _____

Signature _____

Company Name _____

Company Address _____

Telephone Number _____





SLAIR BUILDING
5007 DISCOVERY DRIVE
RICHMOND, VIRGINIA 23229-9639
1804562-9204

LARRY D. JACKSON
COMMISSIONER

COMMONWEALTH of VIRGINIA
DEPARTMENT OF SOCIAL SERVICES

Dear :

_____ has enrolled _____
under the following health care policy:

Insurance Company: _____

Policy Number: _____

Beginning Date: _____

Coverage Type: _____

This policy covers certain medical needs. You should make this coverage known when your child(ren) needs medical attention. If your child(ren) is also covered by Medicaid, use both the above insurance information and your Medicaid card when receiving medical services.

Please note that since this insurance coverage is related to the responsible person's employment, any termination of employment will probably void this coverage.

The health care policy for _____ through _____
Insurance Company ended on _____

The health care coverage for _____ has changed. The new insurance information is as follows:

Insurance Company: _____

Policy Number: _____

Beginning Date: _____

Coverage Type: _____

Sincerely,

Investigator
Telephone:

An Equal Opportunity Agency



BOARD OF SOCIAL WORK

Title of Regulation: VR 620-01-1. Public Participaton Guidelines.

Statutory Authority: § 9-6.14:7.1 of te Code of Virginia.

Effective Date: October 24, 1990.

NOTICE: The board has repealed these regulations as they are being incorporated into VR 620-01-2. Regulations Governing the Practice of Social Work.

* * * * *

Title of Regulation: VR 620-01-2. Regulations Governing the Practice of Social Work.

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

Effective Date: October 24, 1990.

Summary:

The final regulations of the Board of Social Work establish the requirements governing the practice of social work in the Commonwealth of Virginia. They include the educational and experiential requirements necessary for licensure; provide criteria for the written and oral examinations; set the standards of practice; and establish procedures for the disciplining of licensed social workers. The regulations govern two classes of licensees, licensed social worker and licensed clinical social worker, as well as continuing provisions for statutorily defined associate social worker and registered social worker as grandfathered licensee classes.

Revisions to previously approved emergency regulations allow those applicants that received their supervised experience prior to the implementation of these regulations, that were not registered with the board to be accepted towards licensure provided that the supervision met the requirements of the board which were in effect at the time the supervision was rendered.

The proposed regulations were published in the Virginia Register on May 21, 1990. Following the close of the public comment period on July 21, 1990, the board prepared a summary of the comments received as well as board responses to the comments. As a result of some of the comments received, minor revisions for clarity were made. In addition, the board made provisions in § 2.2 A and § 2.2 B to allow applicants who are unable to secure supervision by a social worker to be allowed to have supervision by another approved individual when an undue hardship exists.

The board adopted the regulations at its meeting on

August 24, 1990.

VR 620-01-2. Regulations Governing the Practice of Social Work.

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:

"Accredited school of social work" is defined as a school of social work accredited by the Council on Social Work Education.

"Applicant" is defined as a person who has submitted a completed application for licensure as a social worker with the appropriate fees.

"Board" is defined as the Virginia Board of Social Work.

"Candidate for licensure" is defined as a person who has satisfactorily completed all educational and experience requirements for licensure and has been deemed eligible by the board to sit for the required examinations.

"Clinical course of study" is defined as graduate course work which includes courses in human behavior and social environment, social policy, research, clinical practice with individuals, families, groups and a clinical practicum which focuses on diagnostic, prevention and treatment services.

[*"Exemption from requirements of licensure" is defined in § 54.1-3701 of the Code of Virginia.]*

"Supervision" is defined as the relationship between a supervisor and supervisee which is designed to promote the development of responsibility and skill in the provision of social work services. Supervision is the inspection, critical evaluation, and direction over the services of the supervisee. Supervision shall include, without being limited to, the review of case presentations, audio tapes, video tapes, and direct observation.

§ 1.2. Public participation guidelines.

A. Mailing list.

The Board of Social Work will maintain a list of persons and organizations who will be mailed the following documents as they become available.

- 1. "Notice of intent" to promulgate regulations.*
- 2. "Notice of public hearing" or "informational proceeding," the subject of which is proposed or existing regulations.*

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3. Final regulation adopted.

B. Being placed on list.

Any person or organization wishing to be placed on the mailing list may be added by writing the board. In addition, the board may, at its discretion, add to the list any person, organization, or publication it believes will serve the purpose of responsible participation in the formation or promulgation of regulations. Persons and organizations on the list will be provided all information stated in subsection A of these guidelines. Individuals and organizations will be periodically requested to indicate their desire to continue to receive documents or be deleted from the list. Where mail is returned as undeliverable, individuals and organizations will be deleted from the list.

C. Notice of intent.

At least 30 days prior to publication of the notice of intent to conduct an informational proceeding as required by § 9-6.14:1 of the Code of Virginia, the board will publish a "notice of intent." This notice will contain a brief and concise statement of the possible regulation or the problem the regulation would address and invite any person or organization to provide written comment on the subject matter. Such notice shall be transmitted to the Registrar of Regulations for inclusion in the Virginia Register.

D. Information proceedings or public hearings for existing rules.

At least once each biennium, the board will conduct an informational proceeding, which may take the form of a public hearing, to receive public comment on existing regulations. The purpose of the proceedings will be to solicit public comment on all existing regulations as to their effectiveness, efficiency, necessity, clarity, and cost of compliance. Notice of such proceedings will be transmitted to the Registrar for inclusion in the Virginia Register. Such proceedings may be held separately or in conjunction with other informational proceedings.

E. Petition for rulemaking.

Any person may petition the board to adopt, amend, or delete any regulation. Any petition received shall appear on the next agenda of the board. The board shall have sole authority to dispose of the petition.

F. Notice of formulation and adoption.

After any meeting of the board or any subcommittee or advisory committee where the formulation or adoption of regulations occurs, the subject matter shall be transmitted to the Registrar for inclusion in the Virginia Register.

G. Advisory committees.

The board may appoint committees as it may deem necessary to provide for adequate citizen participation in the formation, promulgation, adoption and review of regulations.

§ 1.2. § 1.3. Fees.

A. The board has established fees for the following:

1. Registration of supervision	\$25
2. Annual renewal of supervision	25
3. Application processing	65
4. Examinations and reexaminations:	
Written	85 90
Oral (for first specialty)	65 75
(for second specialty)	65
5. Initial license:	prorated portion
..... of biennial license	
..... fee for unexpired	
..... part of biennium	
6. Biennial license	
a. Registered social worker	30 35
b. Associate social worker	30 35
c. Licensed social worker	120 125
d. Licensed clinical social worker	120 125
7. Penalty for Late renewal fee	10
8. Name change	10
9. 8. Endorsement to another jurisdiction	10
10. 9. Additional or replacement wall	
certificates	15
11. 10. Returned check	15

B. Fees shall be paid by check or money order made payable to the Treasurer of Virginia and forwarded to the board. Examination fees shall be paid as follows:

1. Written examination fee shall be mailed directly to the examination service no later than 60 days prior to the examination administration.

2. Oral examination fee shall be mailed to the board office with the work sample. Check is to be made payable to the Treasurer of Virginia.

PART II. REQUIREMENTS FOR LICENSURE.

§ 2.1. General requirements.

A. No person shall practice as a social worker or clinical social worker in the Commonwealth of Virginia except as provided for in the Code of Virginia or these regulations.

B. Licensure by this board to practice as a social worker or clinical social worker shall be determined by examination.

C. Every applicant for examination for licensure by the board shall:

1. Meet the education and experience requirements prescribed in § 2.2 of these regulations for the category of practice in which licensure is sought.
2. Have official transcripts documenting required academic coursework and degrees attained submitted directly from the appropriate institutions of higher education to the board not less than ~~60~~ 90 days prior to the date of the written examination.
3. Submit to the board, not less than ~~60~~ 90 days prior to the date of the written examination:
 - a. A completed application, on forms provided by the board;
 - b. Documented evidence of having fulfilled the experience requirements of § 2.2; and
 - c. The application fee prescribed in § ~~1-2~~ 1.3 of these regulations.

§ 2.2. Education and experience requirements.

A. For a licensed social worker:

1. Education. The applicant shall hold a bachelor's or a master's degree from an accredited school of social work, documented as prescribed in § 2.1 C 2. Graduates of foreign institutions shall establish the equivalency of their education to this requirement through the Foreign Equivalency Determination Service of the Council on Social Work Education.
2. Experience. Applicants shall meet applicable requirements for experience depending on their educational background, as provided in subdivisions a and b of this subdivision.
 - a. Bachelor's degree applicants shall have had two years of full-time post-bachelor's degree experience or the equivalent in part-time experience in casework management and supportive services under supervision satisfactory to the board.

(1) Full-time experience in casework management and supportive services is defined as a total of 3000 hours of work experience acquired in no less than two years.

(2) Part-time equivalent experience in casework management and supportive services is defined as at least 3000 hours of work experience acquired in no less than four years.

b. Master's degree applicants are not required to have professional experience in the field.

c. Registration of supervised post-bachelor's degree experience ~~may~~ shall be required as provided in ~~subdivisions~~ *subdivision* (1) and ~~(2)~~ of this subdivision.

[~~(1)~~ Experience in a nonexempt setting;]

[~~(a)~~ (1)] An individual who proposes to obtain supervised post-bachelor's degree experience [~~in a nonexempt setting~~] in Virginia shall, prior to the onset of such experience and annually thereafter for each succeeding year of such experience:

[~~(i)~~ (a)] Be registered on a form provided by the board and completed by the supervisor and supervised individual; and

[~~(ii)~~ (b)] Pay the annual registration-of-supervision fee as prescribed by the board.

[~~(b)~~ (2)] The supervisor providing supervision under this subsection shall:

[~~(i)~~ (a)] Be a licensed social worker with a Master's degree; or [~~a social worker who holds a Master's degree in social work and who has had at least two years of experience prior to performing such supervision or~~]

[~~(ii)~~ (b)] Be a licensed clinical social worker [~~or such supervision as approved by the board; and ; or~~]

[(c)] Be an individual who the board finds is qualified to supervise after a finding that the requirement for a supervisor who is a licensed social worker or a licensed clinical social worker constitutes an undue burden on the applicant; and]

[~~(i)~~ (d)] Be responsible for the social work practice of the prospective applicant once the supervisory arrangement is accepted by the board.

[~~(e)~~ 3] Applicants [~~shall~~ must] document successful completion of their supervised experience on appropriate forms at the time of application. Supervised experience obtained prior [~~to July 6, 1989, that was not registered with the board to the~~]

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implementation of these regulations] may be accepted towards licensure if this supervision met the requirements of the board which were in effect at the time the supervision was rendered.

[~~(e)~~ ~~(d)~~ (4)] The supervised experience shall include at least 100 hours of weekly face-to-face supervision during the two-year period.

[~~(d)~~ ~~(e)~~ Peer supervision shall not be substituted for any of the required hours of supervision.]

~~(e)~~ [~~(f)~~ Group supervision shall constitute no more than 30 hours of the 100 hours required for supervision.]

~~(f)~~ [~~(g)~~ (5)] Supervision between members of the immediate family (to include spouses, parents, and siblings) will not be approved.

~~(g)~~ [~~(h)~~ (6)] The individual acting as supervisor:

[~~(i)~~ (a)] Shall be knowledgeable about the diagnostic assessment and treatment plan of cases assigned to the applicant and shall be available to the applicant on a regularly scheduled basis for supervision;

[~~(ii)~~ (b)] Shall not provide supervision of activities for which the applicant has not had appropriate education;

[~~(iii)~~ (c)] Shall not provide supervision for activities for which the supervisor is not qualified; and

[~~(iv)~~ (d)] Shall, on an annual basis, provide to the board documentation of the hours attained by the supervisee of social work practice for which the supervisor has been responsible. On the same form on which this information is recorded, the supervisor shall list the number of hours of face-to-face supervision [or group supervision, or both,] received during the reporting period as well as evaluate the supervisee in the areas of professional ethics and professional competency.

~~(b)~~ [~~(f)~~ (7)] At the time of application, applicants shall provide to the board documentation of the supervised experience from all supervisors, or, if a supervisor is unavailable, shall provide a satisfactory explanation of such circumstances to the board:

[~~(f)~~ (a)] Applicants whose former supervisor is deceased or whose whereabouts is unknown shall submit to the board a notarized affidavit from the present chief executive officer of the agency, corporation, or partnership in which the applicant was supervised; and

[~~(ii)~~ (b)] The affidavit shall specify dates of employment, job responsibilities, the supervisor's name (and last known address), and the total

number of hours spent by the applicant with the supervisor in face-to-face supervision.

[(2) Experience in an exempt setting. Persons who wish to register their exempt setting supervised experience as the supervised experience required for licensure must meet the requirements of these regulations as prescribed in § 2.2 A 2 e.]

[(8) Individuals may obtain the required supervised experience without registration provided such experience:

(a) Is obtained in an exempt setting; and

(b) Meets all other requirements of the board for supervised experience as set forth in this subsection.]

B. For a licensed clinical social worker:

1. Education. The applicant shall hold a minimum of a master's degree from an accredited school of social work, documented as prescribed in § 2.1 C 2. Graduates of foreign institutions shall establish the equivalency of their education to this requirement through the Foreign Equivalency Determination Service of the Council on Social Work Education.

a. The degree program shall have included a graduate *clinical* course of study; or

b. The applicant shall provide documentation of having completed specialized experience, coursework or training acceptable to the board as equivalent to such sequence of courses.

2. Experience. The applicant shall have had ~~three two~~ years of full-time post-master's degree experience in the delivery of clinical services as prescribed in subdivision a of this subdivision, or the equivalent in part-time experience. The post-master's experience, whether full- or part-time, shall be under supervision satisfactory to the board as prescribed in § 2.2 B 2 c. A doctorate degree in clinical social work may be counted as ~~one-third~~ of the time required.

a. Full-time experience in the delivery of clinical services is defined as a total of ~~4,500~~ 3,000 hours of work experience required in no less than ~~three two~~ years.

(1) Of these ~~4,500~~ 3,000 hours, 15 hours per week shall be spent in face-to-face client contact, for a total of ~~2,070~~ 1,380 hours in the ~~three two~~ -year period.

(2) The remaining hours may be spent in activities supporting the delivery of clinical services.

b. Part-time equivalent experience in the delivery of

clinical services is a total of ~~4,500~~ 3,000 hours of work experience acquired in no more than ~~six~~ four years. Of the ~~4,500~~ 3,000 hours, ~~2,070~~ 1,380 hours shall be spent in face-to-face client contact.

[~~e.~~ Registration of supervised post-graduate degree experience] may [~~shall~~ be required as provided in subdivisions (1) and (2) of this subdivision:

(1) Experience in a nonexempt setting:]

[~~(a) c.~~ Except as provided in § 2.2 B 2 e below,] an individual who proposes to obtain supervised post-graduate experience [~~in a nonexempt setting~~] in Virginia shall, prior to the onset of such experience and annually thereafter for each succeeding year of such experience:

[~~(i)~~ (1)] Be registered on a form provided by the board and completed by the supervisor and the supervised individual; and

~~(ii)~~ (2)] Pay the annual registration-of-supervision fee prescribed by the board.

[~~(b)~~ d.] The supervisor providing supervision under [~~this subsection subdivision c above shall:~~

[~~(i)~~ (1)] Be a licensed clinical social worker ; psychologist ~~(clinical)~~, professional counselor, clinical psychologist, or psychiatrist; ~~(ii) persons who do not meet the requirements of 2.2 B 2 e (1)(b) i - f~~ Persons who are not licensed clinical social workers but were approved by the board prior to the implementation of these regulations to provide supervision to prospective applicants for licensure may continue to provide supervision to those individuals provided that the supervisory arrangements were registered with the board; and ; or

[(2) Be an individual who the board finds is qualified to supervise after a finding that the requirement for a supervisor who is licensed clinical social worker constitutes an undue burden on the applicant; and]

[~~(iii)~~ (3)] Be responsible for the clinical activities of the prospective applicant once the supervisory arrangement is accepted by the board.

[~~(e)~~ e.] Applicants [~~shall~~ must] document successful completion of their supervised experience on appropriate forms at the time of application. Supervised experience obtained prior to [July 6, 1989, that was not registered with the board the effective date of these regulations] may be accepted towards licensure if this supervision met the requirements of the board which were in effect at the time the supervision was rendered.

~~(e)~~ [~~(d)~~ f.] An individual who does not become a candidate for licensure after ~~six~~ four years of supervised training in a nonexempt setting shall submit evidence to the board showing why the training should be allowed to continue.

~~(d)~~ [~~(e)~~ g.] The experience shall include at least 150 100 hours of face-to-face supervision during the ~~three~~ two-year period as follows: ~~(i)~~ . A minimum of one hour of individual face-to-face supervision per week shall be provided during for the first two years.

~~(ii)~~ a minimum of 50 hours of the 150 hours of face-to-face supervision shall be provided by a licensed clinical social worker; and

~~(iii)~~ at least 25 hours of supervision shall be provided in each specialty area (Casework, Groupwork) for which the applicant is seeking licensure.

~~(e)~~ [~~(f)~~ h.] Supervision between members of the immediate family (to include spouses, parents, and siblings) will not be approved.

~~(f)~~ [~~(g)~~ i.] The individual obtaining the ~~three~~ two years of required experience shall not call himself a licensed clinical social worker, solicit clients, bill for his services, or in any way represent himself as a clinical social worker until such a license has been issued.

~~(g)~~ Group supervision involving six or fewer supervised persons will be acceptable for not more than one-third of the required 150 hours of face-to-face supervision; on the basis of two hours of group supervision as considered equivalent to one hour of individual supervision. Group supervision cannot be substituted for the required one hour of face-to-face individual supervision per week during the first two years.

~~(h)~~ Peer supervision will not be counted toward the 150 hours of supervision required during the three-year period.

~~(i)~~ [~~(h)~~ j] The individual licensed clinical social worker acting as supervisor shall :

[~~(j)~~ (1)] shall Be knowledgeable about the diagnostic assessment and treatment plan plans of cases for clients assigned to the applicant and shall be available to the applicant on a regularly scheduled basis for supervision;

[~~(ii)~~ (2)] Shall not Provide supervision of only for those activities for which the applicant has not had appropriate education;

[~~(iii)~~ (3)] Shall not Provide supervision for only for

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those activities for which the supervisor is not qualified; and

[~~(iv)~~ (4)] *Shall Provide*, on an annual basis, provide to the board to the board, documentation of the supervisee's direct client contact and supervisory hours for which the supervisor was responsible. The supervisor shall evaluate the supervisee in the areas of professional ethics, knowledge of theory base, and professional competency, noting any limitations observed regarding the supervisee's skills and practice.

(j) [~~(j)~~ k.] Applicants shall provide to the board documentation of the supervised experience from all supervisors, or, if a supervisor is unavailable, shall provide a satisfactory explanation of such circumstances to the board:

[~~(i)~~ (1)] Applicants for licensure who have worked full-time for a minimum of ~~three~~ two years in the delivery of clinical social work services need document only their full-time employment as long as the requirement in § 2.2 B 2 a (1) has been met;

[~~(ii)~~ (2)] Applicants for licensure who have worked part-time in the delivery of clinical services will need to document the experience prescribed in both subdivisions (1) and (2) of § 2.2 B 2 a, covering a period not more than ~~six~~ four years;

[~~(iii)~~ (3)] Applicants whose former supervisor is deceased, or whose whereabouts is unknown, shall submit to the board a notarized affidavit from the present chief executive officer of the agency, corporation or partnership in which the applicant was supervised; and

[~~(iv)~~ (4)] The affidavit shall specify dates of employment, job responsibilities, supervisor's name (and last address, if known), and the total number of hours spent by the applicant with the supervisor in face-to-face supervision.

[(2) Experience in an exempt setting.

Persons [*Individuals working in exempt settings are not required to register their supervision with the board. However, those individuals who wish to register their exempt setting supervised experience as the supervised experience required for licensure must shall meet the requirements of these regulations as prescribed in § 2.2 B 2 e as prescribed.*

(a) *Prior to the onset of such experience and annually thereafter for each succeeding year of such experience such individuals shall:*

(i) be registered on a form provided by the board and completed by the supervisor and the supervised

individual; and

(ii) pay the annual registration-of-supervision fee prescribed by the board.

(b) *The supervisor providing supervision under this subsection shall*

(i) be a licensed clinical social worker. Persons who are not licensed clinical social workers but were approved by the board prior to the implementation of these regulations to provide supervision to prospective applicants for licensure may continue to provide supervision to those individuals provided that the supervisory arrangements were registered with the board.

(ii) The supervisor shall be responsible for the clinical activities of the prospective applicant once the supervisory arrangement is accepted by the board.

(c) *Applicants shall document successful completion of their supervised experience on appropriate forms at the time of application. Supervised experience obtained prior to July 6, 1989, that was not registered with the board may be accepted towards licensure if this supervision met the requirements of the board which were in effect at the time the supervision was rendered.*

(d) *The experience shall include at least 100 hours of face-to-face supervision during the two-year period and a minimum of one hour of individual face-to-face supervision per week shall be provided for the two years.*

(e) *Supervision between members of the immediate family (to include spouses, parents, and siblings) will not be approved.*

(f) *The individual obtaining the two years of required experience shall not call himself a licensed clinical social worker, solicit clients, bill for his services, or in any way represent himself as a clinical social worker until such a license has been issued.*

(g) *The licensed clinical social worker acting as supervisor shall:*

(i) be knowledgeable about the diagnostic assessment and treatment plans for clients assigned to the applicant and shall be available to the applicant on a regularly scheduled basis for supervision;

(ii) provide supervision only for those activities for which the applicant has had appropriate education;

(iii) provide supervision only for those activities for

which the supervisor is qualified; and

(iv) provide, on an annual basis, to the board, documentation of the supervisee's direct client contact and supervisory hours for which the supervisor was responsible. The supervisor shall evaluate the supervisee in the areas of professional ethics, knowledge of theory base, and professional competency, noting any limitations observed regarding the supervisee's skills and practice.

(h) Applicants shall provide to the board documentation of the supervised experience from all supervisors, or, if a supervisor is unavailable, shall provide a satisfactory explanation of such circumstances to the board.

(i) Applicants for licensure who have worked full-time for a minimum of two years in the delivery of clinical social work services need document only their full-time employment as long as the requirement in § 2.2 B 2 a (1) has been met.

(ii) Applicants for licensure who have worked part-time in the delivery of clinical services will need to document the experience prescribed in both subdivisions (1) and (2) of § 2.2 B 2 a, covering a period of not more than four years.

(iii) Applicants whose former supervisor is deceased, or whose whereabouts is unknown, shall submit to the board a notarized affidavit from the present chief executive officer of the agency, corporation or partnership in which the applicant was supervised.

(iv) The affidavit shall specify dates of employment, job responsibilities, supervisor's name (and last address, if known), and the total number of hours spent by the applicant with the supervisor in face-to-face supervision.

[1. Individuals may obtain the required supervised experience without registration or reporting of supervision provided such experience:

(1) Is obtained in an exempt setting; and

(2) Meets all other requirements of the board for supervised experience as set forth in § 2.2 B 2.]

§ 2.3. Applicant for licensure in an additional specialty.

An applicant seeking licensure in an area of practice other than that listed in the original application shall present documentation of 25 hours of supervised experience in the additional specialty for which licensure is sought and shall take the required examinations in this specialty area.

PART III.

EXAMINATIONS.

§ 3.1. General examination requirements.

A. The board may waive the written examination in whole or in part, if the applicant has been certified or licensed in another jurisdiction by standards and procedures equivalent to those of the board.

B. An applicant for licensure by the board as a social worker shall take *pass* a written examination and an applicant for licensure as a clinical social worker shall take *pass* a written and oral examination at times prescribed by the board.

C. Examination schedules.

A written examination and an oral examination shall be administered at least twice each year. The board may schedule such additional examinations as it deems necessary.

1. The executive director of the board shall notify all candidates in writing of the time and place of the examinations for which they have been approved to sit, and of the fees for these examinations.

2. The candidate shall submit the applicable fees following the instructions under § 1.3 B .

3. If the candidate fails to appear for the examination without providing written notice at least two weeks before the examination, the examination fee shall be forfeited.

§ 3.2. Written examination.

A. The written examination comprises an examination consisting of standardized multiple-choice questions. These questions may cover all or some of the following areas: social sciences, human growth and development, social work practice with individuals, families, couples and groups, social groupwork, supervision, legislation social policy, administration, social work research, community organization and planning, and social work knowledge and concerns ethical principles of social work practice in addition to other areas deemed relevant to the board .

B. The board will establish passing scores on the written examination.

§ 3.3. Oral examination: clinical social worker candidates only.

Successful completion of the written examination requirements shall be a prerequisite to taking the oral examination for the clinical social worker license.

A. Candidates who sit for the clinical social worker written licensure examination shall submit to the board office a work sample prepared in accordance with the

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requirements outlined in subsection D of this section.

B. Candidates who pass the written examination will be notified by the board of the time and place of the oral examination.

C. The oral examination shall consist of ~~an~~ *a face-to-face interview between* by the board or its designees ~~and of the candidate for the purpose of determining the minimal competence of the candidate :~~

1. Reviewing the candidate's education, training and experience;

2. 1. Evaluating the applicant's professional ~~competence~~ *competency and emotional maturity, the extent and nature of the applicant's professional identity, the candidate's knowledge of ethical professional behavior, and demonstrated competency to successfully apply such knowledge in clinical practice, and*

3. 2. Determining the candidate's clinical skills as demonstrated in a work sample or through another examination format as prescribed by the board.

D. The work sample(s) ~~sample~~ of a candidate for examination for licensure as a clinical social worker shall conform to the following requirements:

1. The work sample(s) ~~sample~~ shall:

a. Present material drawn from the candidate's practice within the last 12 months immediately preceding the date of the ~~written~~ oral examination;

b. Be typical of the practice ~~specialty~~ area in which the candidate intends to engage as a clinical social worker ; and .

c. State the area(s) of specialty in which the candidate seeks licensure to practice, specifying whether the planned specialty will be casework (including individual, family, and marital); or groupwork.

2. A candidate who plans to practice in both specialty areas shall submit a separate work sample for each area. Each sample shall be reflective of the candidate's work in the applicable specialty area.

3. 2. Each ~~The~~ work sample shall be typed, double-spaced, on one side of the paper only, and within an absolute limit of six pages in length. Six clearly readable copies of ~~each~~ the work sample shall be submitted to the board.

4. 3. A ~~The~~ work sample on casework or groupwork shall present an orderly, sequential treatment based on the candidate's understanding of the problem described. The work sample shall:

a. State dates of treatment, including the frequency of the sessions;

b. Provide a clear statement of the problem in such a way as to demonstrate the client's description of the problem and to substantiate the ~~therapist's interpretation~~ *candidate's assessment* of the problem;

c. Substantiate the diagnostic assessment made by the therapist and the relationship to relevant significant history ;

d. Show clearly the flow of the treatment process based upon the ~~therapist's~~ *candidate's* conceptual understanding of the problem and the diagnosis; and

e. Demonstrate the role played by the ~~therapist~~ *candidate* in facilitating the treatment process and the client's progress; the theory base from which the therapist is operating; and the social work principles ~~the therapist has used~~ *and the social work principles utilized with the client* .

5. 4. Candidates who submit a work sample but do not take the next scheduled oral examination may use this sample for the subsequent oral examination period only.

5. Failure to meet the criteria above may result in the applicant being denied permission to take the oral examination.

E. A majority decision of the board will determine whether a candidate has passed the oral examination.

§ 3-4. Reexamination.

F. Reexamination will be required on the failed oral examination as follows: . 1. After paying the reexamination fee, a candidate may be reexamined *only* once within a 12-month period.

2. The candidate may be reexamined on any scheduled examination date; and

3. A candidate who fails the examination twice shall reapply and submit documentation of education and experience as recommended by the board.

PART IV. LICENSURE RENEWAL; REINSTATEMENT ; NAME CHANGE .

§ 4.1. Biennial renewal of licensure.

A. All licensees shall renew their licenses on or before June 30 of each odd-numbered year *and pay the renewal fee prescribed by the board* .

A. Along with the renewal application, the licensee shall

submit:

1. A statement verifying completion of a minimum of 40 clock hours of continuing education in social work during the last biennium;

a. Acceptable categories of continuing educational activities:

(1) Academic social work courses taken for credit or audited.

(2) Continuing education offered by accredited social work education programs, other accredited educational programs, and other providers, including professional associations, agencies and private entrepreneurs:

(a) Seminars, institutes, workshops, or mini-courses oriented to the enhancement of social work practice, values, skills and knowledge; and

(b) Cross-disciplinary offering from medicine, law, and the behavioral sciences if they are clearly related to the enhancement of social work practice, values, skills and knowledge.

(3) Planned self-directed study in collaboration with other professionals; (i) independent study in a social work curriculum area or a closely related field. Examples include a planned reading program, individual supervision or consultation; and (ii) the content and plan of instruction developed by the licensee.

(4) Publication of books, papers, or presentations given for the first time at a professional meeting;

(5) Other professional activities, including: (i) preparation for the first time of an academic social work course, in-service training workshop or seminar, or other professional seminar; and (ii) research not resulting in publication.

(6) Social work-related academic courses such as mental health, administration, health and social research, psychology, sociology, human growth and development, child and family development, counseling and guidance.

2. The renewal fee prescribed by the board.

B. Failure to receive a renewal notice from the board shall not relieve the licensee from the renewal requirement.

§ 4.2. Late renewal.

A social worker or clinical social worker whose license has expired may renew that license within four years after its expiration date by:

1. Providing evidence of having met all applicable requirements ; including the requirements for continuing education; and .

2. Paying:

a. The penalty *late renewal* fee prescribed by the board; and

b. The renewal fee prescribed by the board for each renewal period during which the license was expired.

§ 4.3. Reinstatement.

A social worker or clinical social worker who fails to renew the license for four years or more and who wishes to resume practice shall

§ 4.4. Legal change of name.

A. An individual practicing under a license issued by the board shall ensure that the current license bears the current legal name of that individual.

B. A licensee whose name is changed by marriage or court order shall promptly:

1. Notify the board of such change and provide a copy of the legal paper documenting the change;

2. Pay the "name change" fee prescribed in § 1.2;

3. Request and obtain from the board a new license bearing the individual's new legal name;

4. Practice only under such new legal name.

§ 4.5. 4.4. Renewal of registration for associate social workers and registered social workers.

The registration of every associate social worker and registered social worker with the former Virginia Board of Registration of Social Workers under *former* § 54-775.4 of the Code of Virginia shall expire on June 30 of each odd-numbered year.

1. Each registrant shall return the completed application before the expiration date, accompanied by the payment of the renewal fee prescribed by the board.

2. Failure to receive the renewal notice shall not relieve the registrant from the renewal requirement.

PART V. COMMITTEES.

§ 5.1. Examining and advisory committees.

The board may establish advisory and examining

Final Regulations

committees to assist it in carrying out statutory responsibilities.

1. The committees may assist in evaluating the professional qualifications of applicants and candidates for licensure and renewal of licenses and in other matters the board deems necessary.

2. The committees may assist in the evaluation of the mental or emotional competency, or both, of any licensee or applicant for licensure when such competence is an issue before the board.

PART VI. DISCIPLINARY PROVISIONS STANDARDS OF PRACTICE .

§ 6.1. Standards of practice Professional conduct .

No person whose activities are regulated by the board shall:

1. Engage in professional conduct harmful to the public health, safety, and welfare or the best interest of the public.

2. Engage in professional conduct designed solely to further the financial interest of the licensee and not necessary for diagnostic or therapeutic purposes.

3. Engage in any professional conduct unless qualified by training or experience, or both.

4. Violate or aid and abet another in violating any provision of statutes applicable to the practice of social work or any provision of these regulations.

5. Perform or attempt to perform professional functions outside the area of licensed competence.

Persons whose activities are regulated by the board shall:

1. Practice in a manner that is in the best interest of the public and does not endanger the public health, safety, or welfare.

2. Be able to justify all service rendered to clients as necessary for diagnostic or therapeutic purposes.

3. Practice only within the competency areas for which they are qualified by training or experience, or both.

4. Report to the board known or suspected violations of the laws and regulations governing the practice of social work.

5. Neither accept nor give commissions, rebates, or other forms of remuneration for referral of clients for professional services.

6. Ensure that clients are aware of fees and billing arrangements before rendering services.

7. Keep confidential their counseling relationships with clients, with the following exceptions: (i) when the client is [~~in a~~] danger [~~of to~~] self or others; and (ii) when the social worker is under court order to disclose information.

8. Disclose therapy records to others only with the written consent of the client.

9. When advertising their services to the public, ensure that such advertising is neither fraudulent nor misleading.

10. Not engage in dual relationships with clients that might compromise the client's well-being or impair the social worker's objectivity and professional judgment (to include such activities as counseling close friends or relatives, engaging in sexual intimacies with a client).

§ 6.2. Grounds for denial, revocation, suspension, or denial of renewal of license.

Action by the board to deny, revoke, suspend or decline to renew a license shall be in accordance with the following:

1. Conviction of a felony or of a misdemeanor involving moral turpitude;

2. Procurement of license by fraud or misrepresentation;

3. Conducting one's practice in such a manner so as to make the practice a danger to the health and welfare of one's clients or to the public . *In the event a question arises concerning the continued competence of a licensee, the board will consider evidence of the following as a demonstration of effort to maintain minimum competence to engage in practice:*

[~~1~~ a.] Evidence of continuing education in one or more of the following categories:

[~~a.~~ (1)] Academic social work courses taken for credit or audited.

[~~b.~~ (2)] Continuing education offered by accredited social work education programs, other accredited educational programs, and other providers, including professional associations, agencies and private entrepreneurs:

[~~1~~ (a)] Seminars, institutes, workshops, or mini-courses oriented to the enhancement of social work practice, values, skills and knowledge; and

[~~(2)~~ (b)] *Cross-disciplinary offering from medicine, law, and the behavioral sciences if they are clearly related to the enhancement of social work practice, values, skills and knowledge.*

[~~e.~~ (3)] *Planned self-directed study in collaboration with other professionals;*

[~~(4)~~ (a)] *Independent study in a social work curriculum area or a closely related field. Examples include a planned reading program, individual supervision or consultation; and*

[~~(2)~~ (b)] *The content and plan of instruction developed by the licensee.*

[~~d.~~ (4)] *Publication of books, papers, or presentations given for the first time at a professional meeting;*

[~~e.~~ (5)] *Other professional activities, including:*

[~~(4)~~ (a)] *Preparation for the first time of an academic social work course, in-service training workshop or seminar, or other professional seminar; and*

[~~(2)~~ (b)] *Research not resulting in publication.*

[~~f.~~ (6)] *Social work-related academic courses such as mental health, health and social work research, psychology, human growth and development, and child and family development.*

4. ~~or is~~ *Being unable to practice social work with reasonable skill and safety to clients by reason of illness, excessive use of alcohol, drugs, narcotics, chemicals or any other type of material or as a result of any mental or physical condition;*

4. 5. *Conducting one's practice in a manner contrary to the standards of ethics of social work or in violation of § 6.1, standards of practice;*

5. 6. *Performing functions outside the board-licensed area of competency; and*

6. 7. *Violating or aiding and abetting another to violate any statute applicable to the practice of social work or any provision of these regulations.*

§ 6.3. *Reinstatement following disciplinary action.*

Any person whose license has been suspended, revoked, or denied renewal by the board under the provisions of § 6.2 may, ~~two years subsequent to such board action in order to be eligible for reinstatement~~, (i) submit a new application to the board for a license ~~;~~, (ii) *pay the appropriate application fee, and (iii) submit any other credentials as prescribed by the board.*

1. The board, at its discretion, may, after a hearing, grant the reinstatement;

2. The applicant for reinstatement, if approved, shall be licensed upon payment of the appropriate fees applicable at the time of reinstatement.



COMMONWEALTH of VIRGINIA

Department of Health Professions
Boards of Social Work

Bernard L. Henderson, Jr.
Director

Evelyn B. Brown
Executive Director

1801 Rolling Hills Drive, Suite 200
Richmond, Virginia 23229-5005
(804) 682-9914
FAX (804) 682-9943
TDD (804) 682-7197

EMPLOYER/SUPERVISOR VERIFICATION FORM

NAME OF APPLICANT: _____

The following information is required in order to determine the eligibility of the above-named applicant for licensure as a clinical social worker:

- 1. Supervisor's Name
(a) Profession
(b) Licensed? Yes No Where? License #
(c) Business Address
(d) Position
2. How Long Have You Known Applicant?
Dates of Employment/Supervision to
3. Applicant's Position
4. Number of Hours Per Week Supervision Rendered
5. Total Number of Hours Supervision Rendered
(a) Total Number of hours of face-to-face supervision (individual)
(b) Total Number of hours of group supervision (supervised as a member of a group)
(c) Total Number of hours of face-to-face supervision (groupwork)

NOTE: No. 5 (a), (b) and (c) must equal number of hours noted in No. 5 - Total Number of Hours of Supervision Rendered.

- 6. Duties Performed by Applicant Under your Supervision:
7. In your opinion, is applicant competent to practice under license applied for?
8. Further Comments:
Date Supervisor's Signature

NOTE: THIS FORM IS TO BE RETURNED TO THE APPLICANT AT THE ADDRESS NOTED BELOW:
Applicant's Name
Address

DEPARTMENT OF HEALTH PROFESSIONS
BOARD OF SOCIAL WORK
1601 Rolling Hills Drive, Suite 200
Richmond, Virginia 23229

ANNUAL EVALUATION OF SUPERVISION

This form is required to be completed by the supervisor annually in order to determine the trainee's professional competency and ethics. Please return to the Board office along with the \$25.00 annual registration of supervision fee.

1. TRAINEE'S NAME: _____

2. SUPERVISOR'S NAME: _____

BUSINESS ADDRESS: _____ Phone: () _____

Profession: _____ License No.: _____

3. DATES TRAINEE UNDER YOUR SUPERVISION:

From: _____ To: _____

Total Number of Hours Applicant Worked Per Week: _____

Number of Hours Per Week of Face-to-Face Supervision Received: _____

Total Number of Hours of Face-to-Face Supervision Received: _____

(a) Total Number of Hours of Individual Supervision: _____

(b) Total Number of Hours of Group Supervision
(Supervised as a member of a group) _____

4. DUTIES PERFORMED BY TRAINEE UNDER YOUR SUPERVISION:

5. SUPERVISORS ARE REQUIRED TO EVALUATE THE TRAINEE IN THE FOLLOWING AREAS OF CLINICAL PRACTICE REGARDING THE TRAINEE'S SKILLS AND PRACTICE.

(a) Does the trainee adequately demonstrate an overall competence in the application of his/her theory base?

Yes _____ No _____

(b) Does the trainee adequately demonstrate an overall competence and skill in the application of differential diagnostics?

Yes _____ No _____

(c) Does the trainee demonstrate an overall ability and skill to establish and monitor a treatment plan?

Yes _____ No _____

(d) Does the trainee demonstrate an overall use of the "professional self" with the client in the treatment process?

Yes _____ No _____

(e) Does the trainee understand and meet the standards, values, or ethics of the social work profession?

(f) Does the trainee perform in a professional manner adequate for potential self-directed, independent practice?

Yes _____ No _____

If answered "No" in any of the above, please explain below: _____

6. FURTHER COMMENTS: _____

SUPERVISOR'S SIGNATURE

DATE



COMMONWEALTH of VIRGINIA

BERNARD L. HENDERSON, JR.
DIRECTOR

Department of Health Regulatory Boards
Board of Social Work

1601 ROLLING HILLS DRIVE
RICHMOND, VIRGINIA 23229-5005
(804) 662-9914

LICENSURE VERIFICATION FROM ANOTHER STATE

TO: BOARD OF SOCIAL WORK, STATE OF _____

The Virginia Board of Social Work has received an application for licensure from _____ who holds license number _____ dated _____ from the state of _____.

Virginia statutes permit waiver of a portion of our examinations if the applicant is licensed under the laws of a jurisdiction that imposes the same requirements as Virginia, and has passed an exam similar to that administered in Virginia.

Please complete this form and return it directly to this office.

- Did the applicant take a written licensing examination? Yes No
If yes, please indicate:
 (a) Type of examination: ASI PES Other _____
 (b) Date of examination: _____
 (c) Length of examination: _____
 (d) Cut-off score: _____
 (e) Applicant's score: _____
 (f) Level of exam taken: _____

- Is the applicant currently licensed and in good standing? Yes No
If no, please explain. (Use additional sheet if necessary.) _____

Your cooperation will be appreciated. Any information you provide will be treated as confidential.

CERTIFICATION OF SECRETARY OF THE STATE BOARD OF SOCIAL WORK, STATE OF _____

I hereby certify that the above information is true and correct.

(Seal) Name: _____
 Signature: _____
 Title: _____
 Date: _____

FEE: \$25

DEPARTMENT OF HEALTH PROFESSIONS
BOARD OF SOCIAL WORK
1801 ROLLING HILLS DRIVE
RICHMOND, VIRGINIA 23229-5005
(804) 662-9914

REGISTRATION OF SUPERVISION

An individual who intends to apply for licensure as a clinical social worker must have completed three years of post-master's degree experience in the delivery of clinical social work services under the supervision of a licensed mental health practitioner.

This form is to be completed for the purpose of registering that experience with the Board. Board approval must be granted before the clinical experience begins. Prospective trainees are encouraged to submit this form at least 30 days before the beginning of the supervised training experience.

SECTION A—PERSONAL

- Name in full _____ Social Security Number _____
FIRST MIDDLE LAST AREA
- Residence Address _____ Telephone No. _____
NO STREET CITY/COUNTY STATE ZIP
- Business name and address _____ Telephone No. _____
NAME NO. STREET
- Birth date _____ Birth place _____
CITY/COUNTY STATE ZIP

SECTION B—EDUCATION

- List in chronological order the name and location of each school or other institution, beyond high school, that you have attended.

INSTITUTION	DATES OF ATTENDANCE		MAJOR AND/OR CONCENTRATION	DEGREE RECEIVED	DATE DEGREE CONFERRED
	From	To			

- List in chronological order the field instruction you have had.

INSTITUTION	DATES (MO./YR.)		HOURS PER WEEK	DUTIES (Types of learning experiences as related to specialty area of practice)
	From	To		

- Did you take the required number of clinical courses to satisfy your graduate institution's requirements for a clinical social work concentration? Yes No
List the graduate clinical courses that you have completed.

Trainees are required to have their MSW transcripts sent directly to the Board office from the graduate institution.

SECTION C—NATURE OF SUPERVISION

The trainee wishes to receive supervision in the following selected area(s):

Casework _____
 Groupwork _____

Description of the nature of services to be rendered by the trainee:

Trainee's previous or concurrent social work supervision:

Dates: From _____ To: _____ By Whom: _____
MO./DAY/YR. MO./DAY/YR.
 Supervisor's Profession and License Number if Licensed: _____

Dates: From _____ To: _____ By Whom: _____
MO./DAY/YR. MO./DAY/YR.
 Supervisor's Profession and License Number if Licensed: _____

SECTION D—SUPERVISOR INFORMATION

Name _____
FIRST MIDDLE LAST

Business Address _____

Professional License _____ License No. _____ State _____

If the supervisor is not licensed in the Commonwealth of Virginia, a verification of licensure form must be submitted to the Virginia Board of Social Work from the jurisdiction where the supervisor is licensed.

Number of persons currently under supervisor's supervision:

Name _____ Name _____
 Name _____ Name _____
 Name _____ Name _____
 Name _____ Name _____

**COMMONWEALTH OF VIRGINIA
 BOARD OF SOCIAL WORK**



DEPARTMENT OF HEALTH PROFESSIONS
 BOARD OF SOCIAL WORK
 1601 ROLLING HILLS DRIVE
 RICHMOND, VIRGINIA 23229-5005
 (804) 662-9914

APPLICATION FOR EXAMINATION AND LICENSURE

APPLICATION FOR LICENSURE AS A: **APPLICATION FEE:** **MAKE ALL CHECKS AND MONEY ORDERS**
 CLINICAL SOCIAL WORKER \$65.00 Casework **PAYABLE TO THE TREASURER OF VIRGINIA**
 Casework Specialty
 Group work Specialty

SECTION A—PERSONAL

1. Name in full _____ Social Security Number _____
FIRST MIDDLE LAST
 2. Residence Address _____
NO. STREET CITY/COUNTY STATE ZIP AREA
 3. Business name and address _____
CITY/COUNTY STATE ZIP NO. STREET Telephone No.
 4. Birth date _____ Birth place _____

SECTION B—GENERAL INFORMATION

1. Are you licensed or certified in any state as a Social Worker? Yes No
 Name of state _____ Date _____ License or certificate number _____

ANSWER THE FOLLOWING QUESTIONS:

- | | YES | NO |
|---|-----|-----|
| 1. Have you ever been denied the privilege of taking an occupational licensure or certification examination? If yes, state what type of occupational examination and where. _____ | ___ | ___ |
| 2. Have you ever failed an examination for licensure or certification? If so, how many times _____ Where? _____ | ___ | ___ |
| 3. Have you ever had any disciplinary action taken against an occupational license to practice or is any such action pending? If yes, explain in detail. _____ | ___ | ___ |
| 4. Have you ever been convicted of a violation of or pled nolo contendere to any federal, state, or local statute, regulation or ordinance or entered into any plea bargaining relating to a felony or misdemeanor (excluding traffic violations, except convictions for driving under the influence)? If yes, explain in detail. _____ | ___ | ___ |
| 5. Have you ever been physically or emotionally dependent upon the use of alcohol or drugs or been treated by, consulted with, or under the care of a professional for substance abuse? If yes, please provide a letter from the treating professional stating the diagnosis, treatment, and prognosis. _____ | ___ | ___ |
| 6. Have you been unable to practice social work by reason of illness, excessive use of alcohol, drugs, chemicals or any other type of material or as a result of any mental or physical condition? If yes, please provide a letter or explanation. _____ | ___ | ___ |
| 7. Have you ever been censured, warned, or requested to withdraw or your employment terminated from any health care facility, agency, or practice? If yes, explain in detail. _____ | ___ | ___ |

SECTION E—SUPERVISED CLINICAL SOCIAL WORK EXPERIENCE
 INDICATE BELOW PERSONS DESIGNATED AS YOUR SUPERVISORS OF CLINICAL SOCIAL WORK SUPERVISED EXPERIENCE TO WHOM VERIFICATION FORM(S) WILL BE SENT.

SUPERVISOR'S NAME		INSTITUTION OR BUSINESS NAME & ADDRESS		LICENSE NUMBER		STATE WHERE LICENSED	
SUPERVISOR'S PROFESSIONAL LICENSE		HRS PER WEEK		TOTAL HOURS OF FACE-TO-FACE SUPERVISION		GROUPWORK	
DATE APPLICANT EMPLOYED FROM		TO		CASEWORK		TOTAL HOURS OF GROUP SUPERVISION	
DESCRIPTION OF SUPERVISION		CASEWORK		GROUPWORK		TOTAL HOURS OF SUPERVISION	
DESCRIPTION OF APPLICANT'S PROFESSIONAL WORK DURING THE SUPERVISION		CASEWORK		GROUPWORK		TOTAL HOURS OF SUPERVISION	
SUPERVISOR'S NAME		INSTITUTION OR BUSINESS NAME & ADDRESS		LICENSE NUMBER		STATE WHERE LICENSED	
SUPERVISOR'S PROFESSIONAL LICENSE		HRS PER WEEK		TOTAL HOURS OF FACE-TO-FACE SUPERVISION		GROUPWORK	
DATE APPLICANT EMPLOYED FROM		TO		CASEWORK		TOTAL HOURS OF GROUP SUPERVISION	
DESCRIPTION OF SUPERVISION		CASEWORK		GROUPWORK		TOTAL HOURS OF SUPERVISION	
DESCRIPTION OF APPLICANT'S PROFESSIONAL WORK DURING THE SUPERVISION		CASEWORK		GROUPWORK		TOTAL HOURS OF SUPERVISION	
SUPERVISOR'S NAME		INSTITUTION OR BUSINESS NAME & ADDRESS		LICENSE NUMBER		STATE WHERE LICENSED	
SUPERVISOR'S PROFESSIONAL LICENSE		HRS PER WEEK		TOTAL HOURS OF FACE-TO-FACE SUPERVISION		GROUPWORK	
DATE APPLICANT EMPLOYED FROM		TO		CASEWORK		TOTAL HOURS OF GROUP SUPERVISION	
DESCRIPTION OF SUPERVISION		CASEWORK		GROUPWORK		TOTAL HOURS OF SUPERVISION	
DESCRIPTION OF APPLICANT'S PROFESSIONAL WORK DURING THE SUPERVISION		CASEWORK		GROUPWORK		TOTAL HOURS OF SUPERVISION	

3. Have you had three (3) years of postgraduate supervision with a minimum of 150 hours of face-to-face consultation with your supervisor(s)?
 -- Yes -- No Total hours _____ Where? _____

SECTION C—COMPETENCIES
 The Standards of Practice limit your practice to your demonstrated areas of competence. List concisely your competencies. If you feel it is necessary, you also may attach a more elaborate explanation.

Client Population _____

Skills To Be Used _____

SECTION D—EDUCATION
 1. List in chronological order the name and location of each school or other institution, beyond high school, that you have attended.

INSTITUTION	DATES OF ATTENDANCE From To	MAJOR AND/OR CONCENTRATION	DEGREE RECEIVED	DATE DEGREE CONFERRED

2. List in chronological order the field institution you have had.

INSTITUTION	DATES (MO, YR.) From To	HOURS PER WEEK	DUTIES

3. Did you take the required number of clinical courses to satisfy your graduate institution's requirements for a clinical social work concentration? -- Yes -- No.

List the graduate clinical courses that you have completed.

SECTION F—PROFESSIONAL EMPLOYMENT EXPERIENCE

List in chronological order the entire professional employment experience you have had after receiving a master's degree in clinical social work.

DATES OF EMPLOYMENT		EMPLOYER	ADDRESS	HOURS PER WEEK	SUPERVISOR	DUTIES
From	To					

SECTION G—AFFIDAVIT

Have this AFFIDAVIT completed by a Notary Public.

State of _____

County or City of _____

The undersigned, being duly sworn, deposes and says that he is the person who executed this application, that the statements herein contained are true, that he has not suppressed any information that might affect this application, and that he has read and understands this affidavit. The undersigned also certifies that he has read and that he understands the regulations of the Board of Social Work governing the practice of social work in Virginia.

Signature of applicant: _____ Signature of Notary Public _____

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

My commission expires: _____

**COMMONWEALTH OF VIRGINIA
BOARD OF SOCIAL WORK**



DEPARTMENT OF HEALTH PROFESSIONS
BOARD OF SOCIAL WORK
1501 ROLLING HILLS DRIVE
RICHMOND, VIRGINIA 23229-5005
(804) 662-9914

APPLICATION FOR EXAMINATION AND LICENSURE

APPLICATION FOR LICENSURE AS A: **SOCIAL WORKER** APPLICATION FEE: \$65.00 MAKE ALL CHECKS AND MONEY ORDERS PAYABLE TO THE TREASURER OF VIRGINIA

SECTION A—PERSONAL

- Name in full _____ Social Security Number _____
FIRST MIDDLE LAST AREA
- Residence Address _____ Telephone No. _____
NO. STREET CITY/COUNTY STATE ZIP
- Business name and address _____ Telephone No. _____
NAME NO. STREET CITY/COUNTY STATE ZIP
- Birth date _____ Birth place _____

SECTION B—GENERAL INFORMATION

- Are you licensed or certified in any state as a Social Worker? Yes No
Name of state _____ Date _____ License or certificate number _____

ANSWER THE FOLLOWING QUESTIONS:

- | | YES | NO |
|---|--------------------------|--------------------------|
| 1. Have you ever been denied the privilege of taking an occupational licensure or certification examination? If yes, state what type of occupational examination and where. | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Have you ever failed an examination for licensure or certification? If so, how many times _____ Where? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Have you ever had any disciplinary action taken against an occupational license to practice or is any such action pending? If yes, explain in detail. | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Have you ever been convicted of a violation of or pled nolo contendere to any federal, state, or local statute, regulation or ordinance or entered into any plea bargaining relating to a felony or misdemeanor (excluding traffic violations, except convictions for driving under the influence)? If yes, explain in detail. | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Have you ever been physically or emotionally dependent upon the use of alcohol or drugs or been treated by, consulted with, or under the care of a professional for substance abuse? If yes, please provide a letter from the treating professional stating the diagnosis, treatment, and prognosis. | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Have you been unable to practice social work by reason of illness, excessive use of alcohol, drugs, chemicals or any other type of material or as a result of any mental or physical condition? If yes, please provide a letter of explanation. | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Have you ever been censured, warned, or requested to withdraw or your employment terminated from any health care facility, agency, or practice? If yes, explain in detail. | <input type="checkbox"/> | <input type="checkbox"/> |

SECTION E—SUPERVISED SOCIAL WORK EXPERIENCE
(To be completed by Bachelor of Social Work Applicants Only)

INDICATE BELOW PERSONS DESIGNATED AS YOUR SUPERVISORS OF SOCIAL WORK SUPERVISED EXPERIENCE TO WHOM VERIFICATION FORM(S) WILL BE SENT. VERIFICATION OF SUPERVISION FORMS MUST BE RETURNED TO THE BOARD OFFICE BY THE SUPERVISOR, NOT THE APPLICANT.

SUPERVISOR'S NAME	
INSTITUTION OR BUSINESS NAME & ADDRESS	
SUPERVISOR'S PROFESSIONAL LICENSE	LICENSE NUMBER
DATE APPLICANT EMPLOYED FROM	TO
TOTAL HOURS OF FACE-TO-FACE SUPERVISION	
TOTAL HOURS OF GROUP SUPERVISION	
DESCRIPTION OF APPLICANT'S PROFESSIONAL WORK DURING THE SUPERVISION	
SUPERVISOR'S NAME	
INSTITUTION OR BUSINESS NAME & ADDRESS	
SUPERVISOR'S PROFESSIONAL LICENSE	LICENSE NUMBER
DATE APPLICANT EMPLOYED FROM	TO
TOTAL HOURS OF FACE-TO-FACE SUPERVISION	
TOTAL HOURS OF GROUP SUPERVISION	
DESCRIPTION OF APPLICANT'S PROFESSIONAL WORK DURING THE SUPERVISION	
SUPERVISOR'S NAME	
INSTITUTION OR BUSINESS NAME & ADDRESS	
SUPERVISOR'S PROFESSIONAL LICENSE	LICENSE NUMBER
DATE APPLICANT EMPLOYED FROM	TO
TOTAL HOURS OF FACE-TO-FACE SUPERVISION	
TOTAL HOURS OF GROUP SUPERVISION	
DESCRIPTION OF APPLICANT'S PROFESSIONAL WORK DURING THE SUPERVISION	

1. Total number of years of post bachelor's degree social work experience _____
2. Total number of hours of face-to-face supervision _____
3. Total number of hours of group supervision _____

SECTION C—COMPETENCIES

The Standards of Practice limit your practice to your demonstrated areas of competence. List concisely your competencies. If you feel it is necessary, you also may attach a more elaborate explanation.

Client Population

Skills To Be Used

SECTION D—EDUCATION

1. List in chronological order the name and location of each school or other institution, beyond high school, that you have attended.

INSTITUTION	DATES OF ATTENDANCE		MAJOR AND/OR CONCENTRATION	DEGREE RECEIVED	DATE DEGREE CONFERRED
	From	To			

2. List in chronological order the field institution you have had.

INSTITUTION	DATES (MO./YR.)		HOURS PER WEEK	DUTIES (Types of learning experiences as related to specialty area of practice)
	From	To		

SECTION F—PROFESSIONAL EMPLOYMENT EXPERIENCE

List in chronological order the entire professional employment experience you have had after receiving your undergraduate degree (if you are a B.S.W. applicant) or your graduate degree (if you are a M.S.W. applicant).

DATES OF EMPLOYMENT From To	EMPLOYER	ADDRESS	HOURS PER WEEK	SUPERVISOR	DUTIES

SECTION G—AFFIDAVIT

Have this AFFIDAVIT completed by a Notary Public.

State of _____

County or City of _____

The undersigned, being duly sworn, deposes and says that he is the person who executed this application, that the statements herein contained are true, that he has not suppressed any information that might affect this application, and that he has read and understands this affidavit. The undersigned also certifies that he has read and that he understands the regulations of the Board of Social Work governing the practice of social work in Virginia.

Signature of applicant: _____ Signature of Notary Public _____

Subscribed and sworn to before me this _____ day of _____, 13 _____

My commission expires: _____

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BOARD OF VETERINARY MEDICINE

Title of Regulation: VR 645-01-1. Regulations Governing the Practice of Veterinary Medicine.

Statutory Authority: § 54.1-2400(6) of the Code of Virginia.

Effective Date: October 31, 1990.

Summary:

The final regulations of the Board of Veterinary Medicine state the requirements for licensure of veterinarians and veterinary technicians and for registration of animal facilities; practice requirements; disciplinary provisions and fees applicable to licensees and registrants; requirements for drug storage, destruction, dispensing, and records at animal facilities; and standards for animal facilities. The final regulations are the result of a revision process which included the biennial review of all existing regulations, required by law and by the board's Public Participation Guidelines found in § 1.2 D of the regulations.

VR 645-01-1. Regulations Governing the Practice of Veterinary Medicine.

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:

"Animal facility" or "veterinary facility" means any fixed or mobile establishment, veterinary hospital, animal hospital or premises wherein or whereon or out of which veterinary medicine is practiced.

"Automatic emergency lighting" is lighting which is powered by battery, generator, or alternate power source other than electrical power, is activated automatically by electrical power failure, and provides sufficient light to complete surgery or to stabilize the animal until surgery can be continued or the animal moved to another facility.

"Board" means the Virginia Board of Veterinary Medicine.

"Controlled substance" means a drug, substance, or immediate precursor in Schedules I through VI of Article 6-1 5, Chapter 15-1 34, Title 64 54.1 of the Code of Virginia, which includes legend drugs that bear the warning "Caution, Federal Law restricts this drug to use by or on the order of a licensed veterinarian.

"Full service facility" means a stationary facility which shall provide surgery and encompass all aspects of health

care for small or large animals.

"Inactive practitioner" means a veterinarian currently licensed by the board but not actively engaged in the practice of veterinary medicine in the Commonwealth.

"Large animal ambulatory facility" means a mobile practice in which health care of large animals, including surgery, is performed at the location of the animal.

"Practitioner" means a veterinarian currently licensed by the board.

"Preceptorship" or "clerkship" means a formal arrangement between a college of veterinary medicine approved by the board and a veterinarian licensed by the board, in which a veterinary medical student in his final year, enrolled in such college, obtains practical training in the practice of veterinary medicine under the immediate and direct on-premises supervision of the veterinarian.

"Professional judgment" includes any decision or conduct in the practice of veterinary medicine, as defined by § 54-786 54.1-3800 of the Code of Virginia.

"Schools or colleges accredited by the AVMA" means schools accredited by the American Veterinary Medical Association.

"Small animal house call facility" means a mobile practice in which health care of small animals is performed at the residence of the owner of the small animal.

"Small animal outpatient facility" means a stationary facility where health care of small animals is performed and may include surgery under certain conditions. Overnight hospitalization shall not be required.

"Surgery" means any invasive or manipulative procedure that requires anesthesia, sedation, or other restraint.

"Surgical lighting" is lighting which is designed to give off a concentrated light source, not give off harmful heat, is movable over the entire surface of the surgical table, and is shielded to prevent glass shatter.

"Veterinarian in charge" means the licensed veterinarian at each registered animal facility who is responsible for maintaining the facility within the standards for facilities set by the regulations, for complying with federal and state drug laws, and for notifying the board of the facility's closure.

"Veterinary technician" means a certified licensed animal technician as defined in § 54-786.3 54.1-3806 of the Code of Virginia.

§ 1.2. Public participation guidelines.

A. Mailing list.

The executive director of the board shall maintain a list of persons and organizations who will be mailed the following documents as they become available:

1. "Notice of intent" to promulgate regulations.
2. "Notice of public hearing" or "informational proceeding," the subject of which is proposed or existing regulations.
3. Final regulations adopted.

B. Being placed on or deleted from list ; deletion .

Any person wishing to be placed on the mailing list may do so by writing the board. In addition, the board at its discretion, may add to the list any person, organization, or publication it believes will serve the purpose of responsible participation in the formulation or promulgation of regulations. Those on the list may be provided all information stated in subsection A of this section.

Those on the list may be periodically requested to indicate their desires to continue to receive documents or to be deleted from the list. When mail is returned as undeliverable, or when no timely response is forthcoming, they will be deleted from the list.

C. Notice of intent.

At least 30 days prior to publication of the notice to conduct an informational proceeding as required by § 9-6.14:1 of the Code of Virginia, the board will publish a "notice of intent." This notice will contain a brief and concise statement of the possible regulation or the problem the regulation would address and invite any person to provide written comment on the subject matter. Such notice shall be transmitted to the Registrar of Regulations for inclusion in the Virginia Register of Regulations.

D. Informational proceedings or public hearings for existing rules.

At least once each biennium, the board will conduct an informational proceeding, which may take the form of a public hearing, to receive public comment on existing regulations. The purpose of the proceeding will be to solicit public comment on all existing regulations as to their effectiveness, efficiency, necessity, clarity, and cost of compliance. Notice of such proceeding will be transmitted to the Registrar of Regulations for inclusion in the Virginia Register of Regulations. Such proceeding may be held separately or in conjunction with other informational proceedings.

E. Petition for rulemaking.

Any person may petition the board to adopt, amend, or delete any regulation. Any petition received in a timely

manner shall appear on the next agenda of the board. The board shall have sole authority to dispose of the petition.

F. Notice of formulation and adoption.

Prior to any meeting of the board or subcommittee of the board at which the formulation or adoption of regulations is to occur, the subject matter shall be transmitted to the Registrar of Regulations for inclusion in the Virginia Register of Regulations.

G. Advisory committees.

The board may appoint advisory committees as it may deem necessary to provide for adequate citizen participation in the formulation, promulgation, adoption and review of regulations.

§ 1.3. Register of practitioners, veterinary technicians and animal facilities.

A. Register of practitioners and veterinary technicians.

The executive director as directed by the board shall record in a book to be kept for such purposes, the names of all practitioners of veterinary medicine and holders of certificates as veterinary technicians to whom licenses or certificates are issued as provided by law. The book shall be styled and recognized as the register of practitioners of veterinary medicine and holders of certificates as veterinary technicians in Virginia and it shall be admissible in evidence as a regularly kept record of the board. Such register shall be available for inspection during business hours in the board office. The board shall insert in the register any alteration in the name of any licensed or certified person as it receives proof satisfactory to the board. A separate record shall be maintained of all addresses.

B. Register of animal facilities.

The executive director of the board shall record in a book to be kept for such purposes the names of all animal facilities. Such book shall list the name and permit number of the animal facility and shall be admissible in evidence as a regularly kept record of the board.

C. Accuracy of address.

It shall be the duty and responsibility of each licensee and holder of a registration permit to operate an animal facility to keep the board apprised at all times of his current address. All notices required by law or by these regulations to be mailed to any veterinarian, certified veterinary technician, or holder of a permit to operate an animal facility, shall be validly given when mailed to the address furnished to the board pursuant to this regulation. All address changes shall be furnished to the board within 30 days of such change.

§ 1.4. Filing date.

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Completed applications for certification and licensure shall be filed with the board office at least 45 days prior to the announced date of the examination.

§ 1.5. Records.

All completed applications and supporting papers submitted to the board with the application become a part of the applicant's examination records and become the property of the board.

§ 1.6. Issuance of licenses and certificates .

The board shall issue to each applicant who ~~shall pass the examination fulfills the requirements~~ for licensure as a veterinarian or ~~certification as an a~~ veterinary technician a license or ~~certificate~~ as appropriate. Each license and ~~certificate~~ shall be subscribed by the president and secretary of the board and shall have affixed to it the seal of the board.

§ 1.7. Renewal requirements.

A. Every person authorized by the board to practice veterinary medicine shall, on ~~February 28 before March 1~~ of every year, pay to the board a renewal fee as prescribed in § 1.10 of these regulations and every holder of a certificate of veterinary technology shall, in a like manner, pay a renewal fee as prescribed in § 1.10.

1. The board shall mail to each licensed or ~~certified~~ person a notice to renew his license or ~~certificate~~ prior to the expiration of the license or ~~certificate~~ .

2. It shall be the responsibility of each person so licensed or ~~certified~~ to return the renewal application with the prescribed fee so that it will be received by the board prior to the expiration date of his license or ~~certificate~~ . Failure to renew shall cause the license or ~~certificate~~ to lapse and become invalid.

3. A veterinarian's license or veterinary technician's ~~certificate~~ license may be renewed up to one year after the expiration date, provided a late fee as prescribed in § 1.10 is paid in addition to the required renewal fee and further provided that the veterinarian or veterinary technician has not *intentionally* engaged in practice in Virginia after the expiration date of the license .

4. Reinstatement of licenses or ~~certificates~~ expired for one year or more shall be at the discretion of the board. The board shall require documentation of *clinical* competency and professional activities , and may require examination in addition to the prescribed reinstatement fee and the current renewal fee as conditions for reinstatement of a license or ~~certificate~~ .

B. A new facility shall apply for registration with the board at least 60 days prior to opening for practice and

pay to the board a registration fee as prescribed in § 1.10 at the time of application.

1. Every such animal facility so registered shall be required to renew the registration permit annually and pay to the board a registration fee as prescribed in § 1.10 of these regulations.

2. Failure to renew the facility permit by February 28 of each year shall cause the permit to expire and become invalid. The permit may be reinstated without reinspection, within ~~30~~ 60 days of expiration, provided the board receives a properly executed renewal application and a late fee as prescribed in § 1.10 in addition to the required renewal fee. Reinstatement of an expired permit after ~~30~~ 60 days shall be *at the discretion of the board* and contingent upon a reinspection and payment of the late fee, the reinspection fee, *the renewal fee* and the facility reinstatement fee.

3. Every new animal facility or an animal facility which changes location shall be inspected, approved and registered by the board prior to opening for the practice of veterinary medicine. Applications are to be made at least 60 days prior to the proposed opening date of the animal facility. If more than one inspection is required for approval, the reinspection fee shall be imposed for each additional inspection.

§ 1.8. Licenses , ~~certifications~~ and registrations to be displayed.

A. Veterinarians.

1. Each licensed veterinarian shall publicly post his current Virginia license to practice veterinary medicine in the facility where he practices.

2. Each licensed veterinarian administering, prescribing or dispensing Scheduled II-V drugs shall obtain and maintain on the premises a controlled substances registration certificate from the Virginia Board of Pharmacy *as required by § 54.1-3422 of the Code of Virginia* .

B. Veterinary technicians.

Each ~~certified~~ licensed veterinary technician shall publicly post his current Virginia ~~certificate~~ license as a veterinary technician at the facility of the employing veterinarian.

C. Animal facilities.

Each animal facility shall have publicly ~~posted~~ *post* the current Virginia registration permit to operate such a facility.

§ 1.9. Reinstatement.

Any person whose license to practice veterinary medicine or certificate to act as an veterinary technician or permit to operate an animal facility has been suspended or revoked as herein provided may thereafter, at any time, apply to the board for relicensure, recertification or reregistration. Any person who has had his license or permit suspended or revoked as herein provided may, at any time, apply to the board for relicensure or reregistration. Accordingly, such person may petition the board for a hearing, and the provisions of the Administrative Process Act shall apply.

§ 1.10. Fees.

Veterinary examination fee	\$125.
Veterinary license fee (active)	125.
<i>Initial veterinary license fee for October exam (active)</i> .	<i>.65.</i>
Veterinary license fee (inactive)50.
Veterinary license renewal late fee25.
Veterinarian reinstatement fee	250.
Veterinary technician <i>national board</i> examination fee ..	.75.
<i>Veterinary technician state board examination fee</i>	<i>.25</i>
Veterinary technician certificate <i>license</i> fee25.
Veterinary technician certificate <i>license</i> renewal late fee ..	10 <i>25</i> .
Veterinary technician reinstatement fee50.
<i>Initial animal facility permit registration fee</i>	50 <i>100</i> .
Animal facility renewal fee50.
Animal facility renewal late fee	15 <i>25</i> .
Animal facility reinstatement fee	100.
Animal facility reinspection fee	100.
<i>Animal facility—change of location fee</i>	<i>100.</i>
<i>Animal facility—change of veterinarian-in-charge fee</i> ..	<i>20.</i>
Duplicate certificate fee	10 <i>20</i> .

PART II.
VETERINARIANS.

§ 2.1. Requirements for licensure as a veterinarian.

A. The applicant, in order to be licensed by the board to practice veterinary medicine, shall:

1. Have received a degree in veterinary medicine from a college or school of veterinary medicine approved by the board; or have fulfilled the requirements of the Educational Commission of Foreign Veterinary Graduates (E.C.F.V.G.) of the American Veterinary Medical Association;

2. File the following documents with the board at least 45 days prior to the announced date of examination:

- a. A complete and notarized application on a form obtained from the board;
- b. An official copy, indicating veterinary degree, of the applicant's college or school transcript;
- c. ~~Two~~ *One* passport [~~photographs~~ *photograph*] of reasonable likeness of the applicant taken within six months of the date of the application;
- d. Certified check, cashier's check, or money order, payable to the Treasurer of Virginia, as prescribed in § 1.10 for the examination fee and the applicable licensing fee; and
- e. Certification of good standing by each board from which the applicant holds a license to practice veterinary medicine.

3. Pass the following examinations with a score on each determined acceptable by the board:

- a. The national board examination;
- b. The national clinical competency test; and
- c. A written examination administered by the board which shall embrace such subjects as the board shall from time to time prescribe.

4. Have committed no acts which would constitute a violation of § ~~54-786.4~~ *54.1-3807* of the Code of Virginia.

B. Reexamination.

1. The national board examination, national clinical competency test scores, and the transcripts required pursuant to this regulation shall be acceptable as part of the application for reexamination for a period of two years following the date of the original examination. The board-administered written examination scores shall be acceptable for a period of one year.

2. All requests for reexamination shall be filed with the board at least 45 days prior to the date of examination which the applicant wishes to take. Such requests shall be accompanied by an updated application, one passport photograph of the applicant taken within six months of the date of the

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application, and a fee in the amount prescribed in § 1.10.

§ 2.2. Requirements for licensure by endorsement.

B. A. The board may also, in its discretion, grant a license by endorsement to an applicant who was graduated from a school of veterinary medicine five years or more prior to the date of application and who is licensed to practice veterinary medicine in another jurisdiction provided that: state, the District of Columbia or possessions or territories of the United States, and who has been continuously engaged in clinical practice for five years or more prior to the date of application provided that:

1. The applicant passes the national clinical competency test, provided, that the board may, in its discretion, waive this requirement if the applicant has been continuously engaged in the clinical practice during the immediately preceding five years;

2. 1. The applicant passes a the written examination administered by the board;

3. 2. The applicant has met all of the other requirements of this section; § 2.1, provided however that the board may, in its discretion, waive the requirement that the applicant pass the national board exam or the clinical competency test, or both, if the applicant has been continuously engaged in clinical practice during the immediately preceding five years.

4. It has been verified by the appropriate regulatory board of veterinary medicine in the state or states in which he holds, or has held, a license that the applicant is in good standing, with such endorsement being made by formal correspondence from that board to the Virginia Board of Veterinary Medicine; and

5. The applicant has documented all professional activities since graduation from an approved school of veterinary medicine.

C. Reexamination:

1. The national board examination, clinical competency test scores, and the transcripts required pursuant to this regulation shall be acceptable as part of the application for reexamination for a period of two years following the date of the original examination.

2. All requests for reexamination shall be filed with the board at least 45 days prior to the date of examination which the applicant wishes to take. Such requests shall be accompanied by an updated application; two passport photographs of the applicant taken within six months of the date of the application; and a fee in the amount prescribed in § 1.10.

~~§ 2.2.~~ § 2.3. Requirements for practical training in a preceptorship.

The practical training and employment of qualified students of veterinary medicine by licensed veterinarians shall be governed and controlled as follows:

1. No student shall be qualified to receive practical training by a licensed veterinarian nor shall a licensed veterinarian give practical training to any student unless such student shall be duly enrolled and in good standing in a veterinary college or school, and shall be engaged in a preceptorship as defined by the board and authorized by his college or school. This preceptorship shall not exceed a period of four months.

2. No student receiving practical training from a licensed veterinarian shall at any time discharge or perform any function or act pertaining to the practice of veterinary medicine, except under the immediate and direct on-premises supervision of a veterinarian licensed by the board.

~~§ 2.3.~~ § 2.4. Unprofessional conduct.

Unprofessional conduct as referenced in § ~~54-786.4(8)~~ 54.1-3807(5) of the Code of Virginia, shall include the following:

1. Representing conflicting interests except by express consent of all concerned given after a full disclosure of the facts. Acceptance of a fee from both the buyer and the seller is prima facie evidence of a conflict of interest.

2. Practicing veterinary medicine where an unlicensed person has the authority to control the professional judgment of the licensed veterinarian.

3. Issuing a certificate of health unless he shall know of his own knowledge by actual inspection and appropriate tests of the animals that the animals meet the requirements for the issuance of such certificate on the day issued.

4. Violating the confidential relationship between himself and his clients.

5. Advertising in a manner which is false, deceptive, or misleading or which makes subjective claims of superiority.

6. Failing to maintain an animal facility as set forth by these regulations.

7. Practicing veterinary medicine in an animal facility that is not currently registered. This shall not apply to emergency situations.

8. Violating any state law, federal law, or board

regulation pertaining to the dispensing or recordkeeping requirement, or both, for controlled substances or pertaining to the practice of veterinary medicine .

9. Dispensing or prescribing controlled substances not in the course of professional practice or when a bonafide veterinarian/client/patient relationship has not been established.

10. Permitting a person other than a licensed veterinarian, certified veterinary technician, or person otherwise duly certified in x-ray technology to operate diagnostic radiographic equipment.

11. Permitting a person other than a licensed veterinarian or a certified veterinary technician to induce anesthesia.

12. Practicing veterinary medicine in such a manner as to endanger the health and welfare of his patients or the public; or being unable to practice veterinary medicine with reasonable skill and safety by reason of illness, drunkenness, excessive use of drugs, narcotics, chemicals or any other type of material or as a result of any mental or physical condition.

13. *Performing surgery on small animals in an unlicensed facility or a facility not equipped with a surgery suite and adequate recovery area or performing surgery on large animals not in accordance with accepted standards of practice.*

~~13.~~ 14. Failing to pay any required fees.

~~14.~~ 15. Failing to pay board-imposed fines.

~~15.~~ 16. Refusing the board or its agent the right to inspect a facility at reasonable hours.

~~16.~~ 17. Prescribing or dispensing , or both, ~~drugs, or both,~~ controlled substances, including anabolic steroids for human use.

~~17.~~ 18. Allowing a preceptee to diagnose, prescribe, or perform surgery unless under the direct, on-premises supervision of a licensed veterinarian.

19. *Practicing veterinary medicine in the Commonwealth while license is on inactive status.*

PART III. ~~CERTIFIED~~ LICENSED VETERINARY TECHNICIANS.

§ 3.1. Requirements for ~~certification~~ licensure as veterinary technician.

A. The applicant, in order to be ~~certified~~ licensed by the board as a veterinary technician, shall:

1. Have received a degree in veterinary technology

from a college or school approved by the American Veterinary Medical Association;

2. File the following documents with the board at least 45 days prior to the announced date of examination:

a. A complete and notarized application on a form obtained from the board;

b. An official copy, indicating a veterinary technology degree, of the applicant's college or school transcript;

c. ~~Two~~ *One* passport ~~photographs~~ *photograph* of reasonable likeness of the applicant taken within six months of the date of the application;

d. Certified check, cashier's check, or money order, payable to the Treasurer of Virginia, as prescribed in § 1.10, for the examination fee and the applicable ~~certification~~ *licensure* fee; and

e. Certification *that the applicant is in good standing* by each board from which the applicant holds a *license/* certificate/registration to practice animal technology.

3. Pass the following examinations with a score on each determined acceptable by the board:

a. The national board examination for veterinary technicians; and

b. A written examination administered by the board ~~which shall be administered at least once annually and which shall embrace such subjects as the board shall from time to time prescribe . The board shall administer this examination at least once annually. The board shall determine the subject matters included on this examination.~~

B. Reexamination.

1. *The national board scores and trascript required pursuant to this regulation shall be acceptable as part of the application for reexamination for a period of two years following the date of the original examination. The board-administered written examination shall be acceptable for a period of one year.*

2. *Any veterinary technician applicant failing to pass either part of the examination shall be reexamined at his request, at the next scheduled examination administered by the board, on the part of the examination failed. If the applicant fails to pass this reexamination, he will be required to pass a subsequent examination in its entirety.*

3. *All requests for reexamination shall be filed with the board at least 45 days prior to the date of*

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examination which the applicant wishes to take. Such requests shall be accompanied by an updated application, one passport photograph of the applicant taken within six months of the date of this application, and a fee in the amount prescribed in § 1.10.

§ 3.2. Requirements for licensure by endorsement.

B. A. The board, at its discretion, may also grant a certificate license by endorsement to a technician licensed, certified or registered in another jurisdiction state, the District of Columbia or possessions or territories of the United States based on a written examination administered by the board to an applicant who has not taken the national board examination, provided that:

1. The applicant has met all of the other requirements of this section § 3.1 ; and
2. The applicant has filed the required application as provided for in these rules and regulations;
3. 2. The applicant has been issued a certificate as a veterinary technician in another state whose requirements are at least equal to those of Virginia ; and .
4. The applicant ensures that the board is furnished a certificate of good standing from the state in which he is certified at the time of submitting an application to sit for the Virginia examination.

C. Reexamination.

1. The national board scores and transcript required pursuant to this regulations shall be acceptable as part of the application for reexamination for a period of two years following the date of the original examination.
2. Any veterinary technician applicant failing to pass either part of the examination shall be reexamined at his request, at the next scheduled examination administered by the board, on the part of the examination failed. If the applicant fails to pass this reexamination, he will be required to pass a subsequent examination in its entirety.
3. All requests for reexamination shall be filed with the board at least 30 days prior to the date of examination which the applicant wishes to take. Such requests shall be accompanied by an updated application, two passport photographs of the applicant taken within six months of the date of this application, and a fee in the amount prescribed in § 1.10 of these regulations.

§ 3.2. § 3.3. Unprofessional conduct.

Unprofessional conduct as referenced in § 54-786.4(8)

54.1-3807(5) of the Code of Virginia, shall include the following:

1. Compromising the confidentiality of the doctor/client relationship.
2. Practicing veterinary technology in an animal facility that is not currently registered. This shall not apply to emergency situations.
3. Violating any state law, federal law, or board regulation pertaining to the use of controlled substances or any provisions pertaining to the practice of veterinary medicine .
4. Diagnosing, performing surgery, or prescribing drugs.

PART IV. ANIMAL FACILITIES.

§ 4.1. Requirements to be registered as an animal facility.

A. Every animal facility must possess an appropriate permit to operate. Veterinary medicine may only be practiced out of a registered facility. Applications must be made to the board 60 days in advance of opening or changing the location or designating a veterinarian in charge of the facility. Mobile animal facilities operating out of a permitted facility need not make separate application to obtain a separate permit. Mobile animal facilities operating independently of a permitted facility must make application.

B. No An animal facility will be registered by the board unless when :

1. It is first inspected by the board and is found to meet the standards set forth by § § 4.2 and 4.3 of these regulations where applicable. If, during a new or routine facility inspection, violations or deficiencies are found necessitating a reinspection, the prescribed reinspection fee will be levied. Failure to pay the fee shall be deemed unprofessional conduct and, until paid, the facility shall be deemed to be unregistered.
2. A veterinarian currently licensed by and in good standing with the board is registered with the board in writing as veterinarian-in-charge and has paid the facility registration fee.

a. The veterinarian-in-charge is responsible for:

- (1) "Maintaining the facility within the standards set forth by § § 4.2 and 4.3 of these regulations;
- (2) Performing the biennial controlled substance inventory and ensuring compliance at the facility with any federal or state law relating to controlled substances as defined in § 54-524.2 of the Drug Control Act § 54.1-3404 of the Code of Virginia ;

(3) Notifying the board *in writing* of the closure of the permitted facility *10 days prior to closure*.

(4) Performing an inventory of all Schedule II-V drugs on hand. Such inventory shall be completed as of the date he becomes veterinarian-in-charge and prior to opening for business.

(5) Notifying the board of the changed name of a facility within 10 days of the change.

b. Upon any change in the veterinarian-in-charge, the facility permit previously issued shall be void and shall be returned to the board immediately. An application for a new permit shall be made in advance or within 10 days of the change of the veterinarian-in-charge.

b. Upon any change in veterinarian-in-charge, these procedures shall be followed:

(1) An application for a new permit, naming the new veterinarian-in-charge, shall be made 10 days prior to the change of the veterinarian-in-charge. This application shall be accompanied by a certified check, cashier's check or money order, payable to the Treasurer of Virginia, as prescribed by § 1.10.

(2) The previous facility permit is void on the date of the change of veterinarian-in-charge and shall be returned by the former veterinarian-in-charge to the board 10 days following the date of change.

(3) Prior to the opening of the business, on the date of the change of veterinarian-in-charge, the new veterinarian-in-charge shall take a complete inventory of all Schedule II-V drugs on-hand. He shall date and sign the inventory and maintain it on-premises for two years. Unless the change of the veterinarian-in-charge is in conjunction with a change of ownership, this would not change the official biennial controlled substance inventory date.

§ 4.2. Requirements for drug storage, dispensing, destruction, and records for all facilities, full service and restricted.

A. All drugs shall be maintained, administered, dispensed, prescribed and destroyed in compliance with state and federal laws.

B. All repackaged tablets and capsules dispensed for companion animals shall be in approved safety closure containers, except safety caps shall not be required when any person who requests that the medication not have a safety cap, or in such cases in which the medication is of such form or size that it cannot be reasonably dispensed in such containers (e.g., topical medications, ophthalmic, or otic).

C. All drugs dispensed for companion animals shall be

labeled with the following:

1. Name and address of the facility;
2. Name of client;
3. Animal identification;
4. Date dispensed;
5. Directions for use;
6. Name, strength (if more than one dosage form exists), and quantity of the drug; and
7. Name of the prescribing veterinarian.

D. All drugs shall be maintained in a secured manner with precaution taken to prevent diversion.

1. All Schedule II drugs shall be maintained under lock at all times, with access to the veterinarian only, provided, however, that a working stock of Schedule II drugs under separate lock may be accessible to the certified veterinary technician.

2. Whenever a veterinarian discovers a theft or any unusual loss of Schedule II, III, IV, or V drugs, he shall immediately report such theft or loss to the Board of Veterinary Medicine, to the Virginia Board of Pharmacy and to the U.S. Drug Enforcement Administration.

E. Schedule II, III, IV and V drugs may be destroyed by an investigator of the Virginia Department of Health Professions, the U.S. Drug Enforcement Administration or, if a veterinarian-in-charge wishes to destroy unwanted Schedule II through V drugs kept for dispensing in lieu of any disposal method provided by regulations promulgated by the U.S. Drug Enforcement Administration, he shall use the following procedures:

1. At least 14 days prior to the destruction date, the veterinarian-in-charge shall provide a written notice to the Board of Veterinary Medicine. The notice shall state the following:

a. Date, time, manner and place of destruction;

b. The names of the veterinarians who will witness the destruction process.

2. If the destruction date is changed or the destruction does not occur, a new notice shall be provided to the board as set forth in § 4.2 E 1 above;

3. Drug Destruction Form No. 41 from the U.S. Drug Enforcement Administration shall be used to record all drugs destroyed;

4. The drugs shall be destroyed by burning in an

Final Regulations

incinerator or flushing if permitted by the municipality; and

5. The actual destruction shall be witnessed by the veterinarian-in-charge and by another veterinarian neither associated with nor employed by the veterinarian-in-charge.

6. Each destruction form shall show the following information:

a. Legible signatures of the veterinarian-in-charge and the other veterinarian witnessing the destruction;

b. The Board of Veterinary Medicine license numbers of the veterinarian-in-charge and the other witnessing veterinarian;

c. The date of the destruction;

d. Name and quantity of the drugs destroyed; and

e. Manner of destruction.

7. At the conclusion of the destruction of the drug stock, copies of the completed Drug Destruction Form No. 41 shall be distributed as follows:

a. The original and one copy shall be sent to the U.S. Drug Enforcement Administration at one of the following addresses:

(1) Facilities with zip codes beginning with the numbers 230 through 249 inclusive should mail their forms to the U.S. Drug Enforcement Administration, 8600 Staples Mill Road, Suite B, Richmond, Virginia 23228;

(2) Facilities with zip codes beginning with any numbers other than those listed above should mail their forms to the U.S. Drug Enforcement Administration, Washington Field Division, 400 Sixth Street SW, Room 2558, Washington, DC 20024.

b. One copy shall be sent to the Board of Veterinary Medicine; and

c. One copy shall be retained with the animal facility's records of Schedule II-V drugs.

F. The drug storage area shall have appropriate provision for temperature control for all drugs and biologics. The stock of drugs shall be reviewed frequently and removed from the working stock of drugs at the expiration date.

G. A distribution record shall be maintained in addition to the patient's record, in chronological order, for the administration and dispensing of all Schedule II-V drugs.

This record is to be maintained for a period of two years from the date of transaction. This record shall include the following:

1. Date of transaction;

2. Drug name, strength, and the amount dispensed, administered and wasted;

3. Client and animal identification; and

4. Identification of the veterinarian authorizing the administration or dispensing of the drug.

H. Invoices for all Schedule II, III, IV and V drugs received shall be maintained in chronological order on the premises where the stock of drugs is held. Invoices for Schedule II drugs shall be maintained separately from other records. All drug records shall be maintained for a period of two years from the date of transaction.

I. A complete and accurate inventory of all Schedule II, III, IV and V drugs shall be taken, dated, and signed on the same day every two years. Drug strength must be specified. This inventory shall indicate if it was made at the opening or closing of business and shall be maintained on the premises where the drugs are held for two years from the date of taking the inventory.

~~§ 4.2.~~ § 4.3. Standards for facilities.

A. Full-service facilities.

A full-service facility is a stationary facility which shall provide surgery and encompass all aspects of health care for small or large animals. All full-service facilities shall meet the requirements set forth below:

1. Buildings and grounds must be maintained to provide sanitary facilities for the care and medical well being of patients.

a. Temperature. The facility shall be equipped so as to maintain temperatures between 59°F and 86°F consistent with the medical well-being of the patients.

b. Ventilation. The facility shall be equipped with the capacity to ventilate consistent with the medical well-being of the animals.

c. Lighting. The facility shall be equipped with lighting commensurate with the procedures performed.

d. Water and waste. There shall be on-premises:

(1) Hot and cold running water of drinking quality, as defined by the Virginia Department of Health;

(2) Sanitary toilet and lavatory for the personnel

and for the clients;

(3) An acceptable method of disposal of deceased animals; and

(4) Refrigeration exclusively for carcasses of companion animals that require storage for 24 hours or more.

2. Areas within building. The areas within the facility shall include *the following* :

a. A reception area separate from other designated rooms;

b. Examination room(s);

c. Surgery. Surgery shall be performed in a room which is reserved only for surgery and used for no other purpose. Surgery shall not serve as a corridor. In order that surgery can be performed in a manner compatible with current veterinary medical practice with regard to anesthesia, asepsis, life support, and monitoring procedures, the surgery room shall:

(1) Be of a size adequate to accommodate a surgical table, anesthesia support equipment, surgical supplies, the veterinarian, an assistant, and the patient; and

(2) Be kept so that storage in the surgery room shall be limited to items and equipment normally related to surgery and surgical procedures.

d. Laboratory. The animal facility shall have, as a minimum, proof of use of either in-house laboratory service or consultant laboratory services for performing the following lab tests, consistent with appropriate professional care for the species treated:

(1) Urinalysis, including microscopic examination of sediment;

(2) Complete blood count, including differential;

(3) Flotation test for ova of internal parasites;

(4) Skin scrapings for diagnosing external parasites;

(5) Examinations for circulating blood microfilaria;

(6) Blood chemistries;

(7) Cultures and sensitivities;

(8) Biopsy;

(9) Complete necropses, including histopathology; and

(10) Serology

e. Animal housing areas. These shall be provided with:

(1) Separate compartments constructed in such a way as to prevent residential contamination;

(2) Accommodations allowing for the effective separation of contagious and noncontagious patients by July 1, 1989. As a minimum, there shall be a room that can be accessed without the animal passing through another animal ward or holding area; and

(3) Exercise runs which provide and allow effective separation of animals *or* : (In lieu of exercise runs, documentation of walking the animals at medically appropriate intervals shall be deemed to be an acceptable form of exercise.)

3. Drug storage and dispensing:

a. All drugs shall be maintained, administered, dispensed and prescribed in compliance with state and federal laws.

b. All repackaged tablets and capsules dispensed for companion animals shall be in approved safety closure containers, except safety caps shall not be required when any person who requests that the medication not have a safety cap, or in such cases in which the medication is of such form or size that it cannot be reasonably dispensed in such containers (e.g., topical medications, ophthalmic, or otic). Repackaged topicals shall be exempt from the safety closure requirement.

c. All drugs dispensed shall be labeled with the:

(1) Name and address of the facility;

(2) Name of client;

(3) Animal identification;

(4) Date dispensed;

(5) Directions for use;

(6) Name, strength (if more than one dosage form exists), and quantity of the drug; and

(7) Name of prescribing veterinarian.

d. All drugs shall be maintained in a secured manner with precaution taken to prevent diversion.

(1) All Schedule II drugs shall be maintained under lock at all times, with access to the veterinarian only, provided, that a working stock of Schedule II

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drugs under separate lock may be accessible to the certified veterinary technician.

(2) Whenever a veterinarian discovers a theft or any unusual loss of Schedules II, III, IV, or V drugs, he shall immediately report such theft or loss to the Virginia Board of Pharmacy and to the U.S. Drug Enforcement Administration. Schedules II, III, IV and V drugs may be destroyed only by an investigator of the Virginia Department of Health Regulatory Boards of the U.S. Drug Enforcement Administration.

e. The drug storage area shall have appropriate provision for temperature control for all drugs and biologics. The stock of drugs shall be reviewed frequently and removed from the working stock of drugs at expiration date.

4. Recordkeeping. Every veterinarian shall keep a written daily record of the animals he treats. This record shall include pertinent medical data such as drugs administered, dispensed or prescribed, and all relevant medical and surgical procedures performed.

a. Client records shall be kept for a period of three years following the last office visit or discharge of such animal from a veterinary facility.

b. Individual records shall be maintained on each patient, except that records for economic animals may be maintained on a per-client basis.

c. An animal identification system must be used by the facility.

d. A distribution record shall be maintained in addition to the patient's record, in chronological order, for the administration and dispensing of all Schedule II-V drugs. This record shall include the:

- (1) Date of transaction;
- (2) Drug name, strength, and the amount dispensed, administered, or wasted;
- (3) Client and animal identification; and
- (4) Identification of the person administering or dispensing the drug.

This record is to be maintained for a period of two years from the date of transaction.

e. Invoices for all Schedules II, III, IV and V drugs received shall be maintained in chronological order on the premises where the stock of drugs is held. Invoices for Schedule II drugs shall be maintained separate from other records. All drug records shall be maintained for a period of two years from the date of transaction.

f. A complete and accurate inventory of all Schedule II, III, IV and V drugs shall be taken, dated, and signed on the same day every two years. Drug strength must be specified. This inventory shall indicate if it was made at the opening or closing of business and shall be maintained on the premises where the drugs are held for two years from the date of taking the inventory.

5. 3. Radiology. An animal facility shall:

a. Have proof of use of either in-house or consultant services for obtaining diagnostic-quality radiographs.

b. If radiology is in-house:

(1) Permanently imprint each radiograph. Each radiograph shall be permanently imprinted with the identity of the facility or veterinarian, patient and the date of exposure. Each radiograph shall also distinguish left from right, when appropriate by permanent imprinting left from right.

e. (2) Document that radiographic equipment complies with all requirements of § 7.10. Veterinary Medicine Radiographic Installations, of the Virginia Department of Health document, "Ionizing Radiation Rules and Regulations" (1980 1988), which requirements are adopted by this board and incorporated herewith by reference in these regulations.

d. c. Maintain radiographs with and as a part of the patient's record. If a radiograph is transferred to another facility, a record of this transfer must be maintained on or with the patient's records.

6. 4. Equipment; minimum requirements.

a. Examination room.

- (1) Table with nonporous surface;
- (2) Waste receptacle; and
- (3) Sanitizing solution.

b. Surgery suite.

- (1) Surgical table with nonporous surface;
- (2) Surgical supplies, instruments and equipment commensurate with the kind of surgical services provided;

[(3)] Circle gas anaesthesia machine, utilizing an anesthetic vaporizer, by July 1, 1980; [All new small animal facilities that perform surgeries and all existing facilities that change their veterinarian-in-charge will be required to have a circle gas anesthesia machine.]

[~~(4)~~ ~~(3)~~ (4)] Automatic emergency lighting;

[~~(5)~~ (4) (5)] Surgical lighting;

[~~(6)~~ (5) (6)] Instrument table, stand, or tray; and

[~~(7)~~ (6) (7)] Waste receptacle.

c. Radiology (if in-house) .

(1) Lead aprons;

(2) Lead gloves;

(3) Radiation exposure badges;

(4) X-ray machine.

d. Drug storage area.

(1) Refrigerator, with interior thermometer maintained between 36°F and 46°F;

(2) Locked storage for Schedule II drugs;

(3) Drugs stored at room temperature shall be maintained between 59°F and 86°F.

e. General equipment.

(1) Steam pressure sterilizer;

(2) Internal and external sterilization monitors;

(3) Stethoscope;

(4) ~~Ophthalmoscope~~ Thermometer ;

(5) ~~Thermometer~~ Ophthalmoscope ;

(6) ~~Storage for records~~ Otoscope ;

~~(7) Anesthetic support~~ Equipment for delivery of assisted ventilation system , including but not necessarily limited to:

(a) A resuscitation bag; and

(b) Endotracheal tubes.

(8) Scales; and

(9) ~~Otoscope~~ Storage for records; .

~~(10) Oxygen and delivery system; and~~

~~(11) Refrigerator for storage of carcasses.~~

5. Recordkeeping. Every veterinarian shall keep a written daily record of the animals he treats. This record shall include pertinent medical data such as

drugs administered, dispensed or prescribed, and all relevant medical and surgical procedures performed.

a. Client records shall be kept for a period of three years following the last office visit or discharge of such animal from a veterinary facility.

b. Individual records shall be maintained on each patient, except that records for economic animals may be maintained on a per client basis.

c. An animal identification system must be used by the facility.

6. Disclosure of staffing hours. Every animal facility shall conspicuously post a sign which indicates the hours that the facility is staffed.

B. Restricted facilities.

All facilities shall meet the above requirements except in instances in which the scope of practice is limited. An application requesting a specifically restricted facility permit shall be made to the board. When the scope of practice is less than full service, a specifically restricted facility permit shall be required. Upon satisfactory inspection and payment of the permit fee, a restricted facility permit will be issued. Such restricted facilities shall have posted in a conspicuous manner the specific limitations on the scope of practice in a form acceptable to the board.

1. Large animal facility, ambulatory practice. A large animal ambulatory facility is a mobile practice in which health care of large animals is performed at the location of the animal.

Surgery on large animals may be performed as part of a large animal ambulatory practice. All large animal ambulatory facilities shall meet the requirements set forth below:

a. Laboratory. At a minimum, proof of use of either in-house laboratory service or consultant laboratory services for performing the following lab tests, consistent with appropriate professional care for the species treated:

(1) Urinalysis, including microscopic examination of sediment;

(2) Complete blood count, including differential;

(3) Flotation test for ova of internal parasites;

(4) Skin scrapings for diagnosing external parasites;

(5) Blood chemistries;

(6) Cultures and sensitivities;

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(7) Biopsy;

(8) Complete necropses, including histopathology; and

(9) Serology.

b. Radiology. A large animal ambulatory facility shall have the following:

(1) Proof of use of either in-house or consultant services for obtaining diagnostic-quality radiographs.

(2) If radiology is in-house.

(a) Each radiograph shall be permanently imprinted with the identity of the facility or veterinarian, the patient and the date of exposure. Each radiograph shall also distinguish left from right, when appropriate, by permanent imprinting.

(b) Document that radiographic equipment complies with all requirements of § 7.10, Veterinary Medicine Radiographic Installations of the Virginia Department of Health document, "Ionizing Radiation Rules and Regulations" (1988), which requirements are adopted by this board and incorporated herewith by reference in these regulations.

(3) Maintain radiographs with and as a part of the patient's record. If the radiograph is transferred to another facility, documentation of this transfer shall be maintained on or with the client's record.

c. Equipment; minimum requirements.

(1) Surgical supplies, instruments and equipment commensurate with the kind of surgical services provided;

(2) Radiology (if in-house):

(a) Lead aprons;

(b) Lead gloves;

(c) Radiation exposure badges;

(d) X-ray machine.

(3) Drug storage area.

(a) Refrigerator, with interior thermometer maintained between 36°F and 46°F;

(b) Locked storage for Schedule II drugs;

(c) Drugs stored at room temperature should be maintained between 59°F and 86°F.

(4) General equipment.

(a) Steam pressure sterilizer;

(b) Internal and external sterilization monitors;

(c) Stethoscope;

(d) Ophthalmoscope;

(e) Thermometer;

(f) Storage for records.

d. Recordkeeping. The veterinarian shall keep a written record of treatment to include pertinent medical data.

(1) Individual records shall be maintained on each patient except that records for economic animals and equine may be maintained on a per client basis; and

(2) Client records shall be kept for a period of three years from the date of the last visit.

2. Small animal facility house call practice. A small animal house call facility is a mobile practice in which health care of small animals is performed at the residence of the owner of the small animal. Surgery may be performed only in a permitted, surgical facility. Small animal house call facilities shall meet the requirements set forth below:

a. Laboratory. At a minimum, proof of use of either in-house laboratory service or consultant laboratory services for performing the following lab tests, consistent with appropriate professional care for the species treated:

(1) Urinalysis, including microscopic examination of sediment;

(2) Complete blood count, including differential;

(3) Flotation test for ova of internal parasites;

(4) Skin scrapings for diagnosing external parasites;

(5) Examinations for circulating blood microfilaria;

(6) Blood chemistries;

(7) Cultures and sensitivities;

(8) Biopsy;

(9) Complete necropses, including histopathology; and

(10) Serology.

b. Radiology. A small animal house call facility shall:

(1) Have proof of services for obtaining diagnostic-quality radiographs.

(2) Maintain radiographs with and as a part of the patient's record. If a radiograph is transferred to another facility, documentation of the transfer must be maintained on or with the patient's record.

c. Equipment, minimum requirements.

(1) Drug storage area.

(a) Refrigerator, with interior thermometer maintained between 36°F and 46°F;

(b) Locked storage for Schedule II drugs;

(c) Drugs stored at room temperature should be maintained between 59°F and 86°F.

(2) General equipment.

(a) Stethoscope;

(b) Thermometer;

(c) Ophthalmoscope;

(d) Otoscope;

(e) Resuscitation bag and endotracheal tubes;

(f) Storage for records.

d. Recordkeeping. Every veterinarian shall keep a written daily record of the animals he treats. This record shall include pertinent medical data such as drugs administered, dispensed or prescribed, and all relevant medical and surgical procedures performed.

(1) Client records shall be kept for a period of three years following the last visit.

(2) Individual records shall be maintained on each patient, except that records for economic animals may be maintained on a per-client basis.

3. Small animal facility, outpatient practice. A small animal outpatient facility is a stationary facility where health care of small animals is performed. This practice may include surgery, provided the facility is equipped with a surgery suite and an adequate recovery area as required by § 4.3 A 2 c. Overnight hospitalization shall not be required.

a. Buildings and grounds must be maintained to provide sanitary facilities for the care and medical well-being of patients.

(1) Temperature. The facility shall be equipped so as to maintain temperatures between 59°F and 86°F consistent with the medical well-being of the patients.

(2) Ventilation. The facility shall be equipped with the capacity to ventilate consistent with the medical well-being of the animals.

(3) Lighting. The facility shall be equipped with lighting commensurate with the procedures performed.

(4) Water and waste. There shall be on-premises:

(a) Hot and cold running water of drinking quality, as defined by the Virginia Department of Health;

(b) Sanitary toilet and lavatory for the personnel and for the clients;

(c) An acceptable method of disposal of deceased animals; and

(d) Refrigeration exclusively for carcasses of companion animals that require storage for 24 hours or more.

b. Areas within building. The areas within the facility shall include the following:

(1) A reception area separate from other designated rooms;

(2) Examination room(s).

c. Laboratory. At a minimum, proof of use of either in-house laboratory service or consultant laboratory services for performing the following lab tests, consistent with appropriate professional care for the species treated:

(1) Urinalysis, including microscopic examination of sediment;

(2) Complete blood count, including differential;

(3) Flotation test for ova of internal parasites;

(4) Skin scrapings for diagnosing external parasites;

(5) Examinations for circulating blood microfilaria;

(6) Blood chemistries;

(7) Cultures and sensitivities;

(8) Biopsy;

(9) Complete necropses, including histopathology; and

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(10) Serology.

d. Radiology. A small animal outpatient facility shall have the following:

(1) Proof of use of either in-house or consultant services for obtaining diagnostic-quality radiographs.

(2) If radiology is in-house:

(a) Each radiograph shall be permanently imprinted with the identity of the facility or veterinarian, the patient and the date of exposure. Each radiograph shall also distinguish left from right, when appropriate, by permanent imprinting.

(b) Document that radiographic equipment complies with all requirements of § 7.10, Veterinary Medicine Radiographic Installations of the Virginia Department of Health document, "Ionizing Radiation Rules and Regulations" (1988), which requirements are adopted by this board and incorporated herewith by reference in these regulations.

(c) Maintain radiographs with and as a part of the patient's record. If a radiograph is transferred to another facility, documentation of the transfer must be maintained on or with the patient's record.

e. Equipment, minimum requirements.

(1) Examination room.

(a) Table with nonporous surface;

(b) Waste receptacle; and

(c) Sanitizing solution.

(2) Radiology (if in-house).

(a) Lead aprons;

(b) Lead gloves;

(c) Radiation exposure badges;

(d) X-ray machine.

(3) Drug storage area.

(a) Refrigerator, with interior thermometer maintained between 36°F and 46°F;

(b) Locked storage for Schedule II drugs; and

(c) Drugs stored at room temperature should be maintained between 59°F and 86°F.

(4) General equipment.

(a) Steam pressure sterilizer;

(b) Internal and external sterilization monitors;

(c) Stethoscope;

(d) Thermometer;

(e) Ophthalmoscope;

(f) Otoscope;

(g) Resuscitation bag and endotracheal tubes;

(h) Scales;

(i) Storage for records.

f. Recordkeeping. Every veterinarian shall keep a written daily record of the animals he treats. This record shall include pertinent medical data such as drugs administered, dispensed or prescribed, and all relevant medical and surgical procedures performed.

(1) Client records shall be kept for a period of three years following the last office visit or discharge of such animal from a veterinary facility.

(2) Individual records shall be maintained on each patient, except that records for economic animals may be maintained on a per client basis.

(3) An animal identification system must be used by the facility if animals are kept for the day.

4. Special-use permit. If a practice does not conform to one of the above-listed types of facilities, a veterinarian may apply for a special-use permit. A protocol, detailing the type of practice, must be submitted to the board with the application. The board will review the protocol and approve or deny the application on a case-by-case basis. If the board approves the application, limitations of practice and standards specific for the approved practice will be set.

[5. Disclosure of staffing hours. Every animal facility shall conspicuously post a sign which indicates the hours that the facility is staffed.]

The protocol must be resubmitted annually with the renewal application for board review and approval.

C. Combination practices.

A combination practice may exist under a single facility permit. The practice may encompass two or more types of facilities as defined in subsections A and B of § 4.3. The application for the permit must specify the types of facilities to be included within the combination practice. The types of facilities included must also be posted with

the facility permit.

All standards listed under each type of facility included in the combination practice must be met.

§ 4.3. § 4.4. Revocation or suspension of registration certificate.

A. The board may revoke or suspend the registration permit of an animal facility or may declare it as not meeting the standards set forth in § 4.2 and 4.3 of these regulations if:

1. The board finds the facility to be in violation of § 1.7 "Renewal requirements";
2. The board finds the facility to be in violation of § 4.2 or 4.3 of these regulations "Standards for facilities";
3. The board or its agents are denied access to the facility to conduct an inspection;
4. The licensee does not pay any and all prescribed fees;
5. Performing procedures beyond the scope of a restricted facility permit; or
6. The facility has no veterinarian-in-charge registered at the facility.

B. The Administrative Process Act, Chapter 1.1:1 (9-6.14:1 et seq.) of Title 9 of the Code of Virginia, shall apply to any determination under § 4.3 4.4 .

PART V. SEVERABILITY.

§ 5.1. Severability clause.

If any provision of these regulations or the application thereof to any person or circumstances is held invalid, this invalidity shall not affect other provisions or applications of the regulations which can be given effect without the invalid provisions or application, and to this end the provisions of the regulations are declared severable.



COMMONWEALTH of VIRGINIA
VIRGINIA BOARD OF VETERINARY MEDICINE

Securely attach a PASSPORT photograph in this space.

APPLICATION FOR
NATIONAL BOARD EXAMINATION
& CLINICAL COMPETENCY TEST
IN VETERINARY MEDICINE

CHECK APPROPRIATE BLOCK(S)

National Board Examination
(Fee \$150.00)
Clinical Competency Test
(Fee \$100.00)

I hereby make application for the national board examination and/or the clinical competency test to be administered by the Virginia Board of Veterinary Medicine. DO NOT STAPLE ENCLOSURES TO THIS APPLICATION BLANK.

NAME IN FULL (PLEASE PRINT OR TYPE)

(Last)	(Suffix)	(First)	(Middle/Maiden)
(Present Address)	(City)	(State)	(Zip Code)
(Permanent Address)	(City)	(State)	(Zip Code)
(Date of Birth—MM/DD/YY)	(Social Security Number)	(Telephone No.)	
(Graduation Date—MM/DD/YY)	(Prof. Sch. Degree)	(School, City, State)	

APPLICATION DEADLINE: OCTOBER 29, 1990

APPLICANTS DO NOT USE THESE SPACES—FOR OFFICE USE ONLY

(Class)	(Testing No.)	(Suffix)	(School Code)	(Fee)
(License No.)	(Expiration Date)	(Base State)	(How Reg.)	(Int. Lic. Date)
(National Boards)	(C.C.T.)	(State Boards)		



COMMONWEALTH OF VIRGINIA
Virginia Board of Veterinary Medicine
1601 Rolling Hills Drive
Richmond, Virginia 23229
804/662-9915

Date on which facility
will be ready for
inspection

APPLICATION FOR AN ANIMAL FACILITY PERMIT

[Applications must be made to the Board 60 days in advance of opening]

NAME OF FACILITY (Type or Print)		TELEPHONE NO.	
STREET ADDRESS	CITY	STATE	ZIP CODE

A \$50 FEE MUST BE ENCLOSED WITH THE APPLICATION WHERE INDICATED.

APPLICATION IS HEREBY MADE FOR THE FOLLOWING:

- New, FULL-SERVICE, Animal Facility Permit (Inspection Required)----- \$50 Fee
 New, RESTRICTED, Animal Facility Permit (Inspection Required)----- \$50 Fee
 Change to RESTRICTED Animal Facility-----No Charge
 Change to FULL-SERVICE Animal Facility (Inspection Required)----- \$50 Fee
 Change of Location of Animal Facility (Inspection Required)----- \$50 Fee
 Change of Name of Animal Facility-----No Charge
 Change of Veterinarian-in-Charge-----No Charge

<u>TYPE</u>	<u>MODE</u>	<u>SPECIALITY</u>
<input type="checkbox"/> Small Animal Only <input type="checkbox"/> Large Animal Only <input type="checkbox"/> Mixed <input type="checkbox"/> Other _____	<input type="checkbox"/> Hospital <input type="checkbox"/> Mobile <input type="checkbox"/> Other _____	<input type="checkbox"/> Bovine <input type="checkbox"/> Equine <input type="checkbox"/> Other _____
- A veterinarian-in-charge must be named. Please complete the Application for Veterinarian-in-Charge on the back of this sheet.

STAFF VETERINARIANS

4) _____

(OVER)

6) Does this facility replace a facility currently licensed by the Board? Yes No
If yes, what is the name and permit number.

Animal Facility Name _____ Permit No. _____

7) Restricted Facility Applicants:

(a) What services will not be provided:

_____	_____
_____	_____
_____	_____
_____	_____

(b) Is this information posted conspicuously in the facility? Yes No

**APPLICATION FOR VETERINARIAN-IN-CHARGE
AT FACILITY NAMED ON REVERSE SIDE**

Name of Veterinarian-in-Charge (Type or Print)

I agree to serve as the veterinarian-in-charge at the _____
located at _____
Name of Animal Facility
City, State, Zip Code

and assume the duties and responsibilities incumbent to the role as specified in §4.1(B) of the Regulations of the Virginia Board of Veterinary Medicine. By signing my name below, I acknowledge that I have read and understand the responsibilities of the veterinarian-in-charge, and agree to perform those duties at the above name animal facility.

Date Signature of Veterinarian-in-Charge

DO NOT USE THESE SPACES - FOR OFFICE USE ONLY				
(CLASS)	(FILE NO.)	(SUFFIX)	(LICENSE PRINT)	(FEE)
(PERMIT NO.)	(EXPIRATION DATE)	(INSPECTION DATE)	(DATE ISSUED)	

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH PROFESSIONS
BOARD OF VETERINARY MEDICINE
1601 ROLLING HILLS DRIVE
RICHMOND, VA 23229-5005

Securely attach a passport-type photograph in this space Photograph CANNOT be any larger than the space provided.	APPLICATION FOR A LICENSE TO PRACTICE VETERINARY TECHNOLOGY	NATIONAL BOARD EXAMINATION	
		Will take in Virginia _____	Will take elsewhere _____
		Jurisdiction _____	Date Taken _____
		Please request that the Interstate Report Service send your scores directly to the Virginia Board office.	
		Request waiver of NBE _____	

Answer each question fully, truthfully, and accurately. If the space for any answer is insufficient, complete your answer on a separate sheet, specify the question number to which it relates, sign, and enclose with this application. Do not staple enclosures to this application blank. I hereby make application for a license to practice veterinary technology in the State of Virginia in accordance with and subject to the regulations of the Board of Veterinary Medicine and the laws governing the practice of veterinary technology in Virginia.

1. NAME IN FULL (PLEASE PRINT OR TYPE)

(LAST)	(SUFFIX)	(FIRST)	(MIDDLE/MAIDEN)
(PRESENT ADDRESS)		(CITY)	(STATE) (ZIP CODE)
(PERMANENT ADDRESS)		(CITY)	(STATE) (ZIP CODE)
(DATE OF BIRTH)	(SOCIAL SECURITY NUMBER)		
MO DAY YR			
(GRADUATION DATE)	(PROF. SCH. DEGREE)	(SCHOOL, CITY, STATE)	
MO DAY YR			

APPLICANTS DO NOT USE THESE SPACES—FOR OFFICE USE ONLY				
(CLASS)	(TESTING NO.)	(SUFFIX)	(SCHOOL CODE)	(FEE)
(LICENSE NO.)	(EXPIRATION DATE)	(BASE STATE)	(HOW REG.)	(INIT. LIC. DATE)
(NATIONAL BOARDS)			(STATE BOARDS)	

Final Regulations

Please have your veterinary technology school send an official transcript to the Board office. In the event you have not graduated, your school must send a current transcript and arrangements must be made for a final transcript to be sent to the Board of Veterinary Medicine when you graduate.

6. I am licensed to practice veterinary technology in the following jurisdictions.

JURISDICTION	HOW LICENSED	LICENSE NO.	DATE OF ISSUANCE	YEARS OF PRACTICE

Please have each of the above jurisdictions send directly to the State Board a certification that your license is in good standing. You can not be licensed until these are received.

7. Have you ever been denied the privilege of taking, or ever failed, the veterinary technology examination given by another board? Yes No

If yes, they are as follows: (Give dates, boards, and explanation)

8. Have any charges or complaints relating to the practice of veterinary technology, formal or informal ever been made or filed against you, or have any proceedings been instituted against you? If your answer is yes, for each occurrence furnish a written statement giving the dates, the nature of the charge, the disposition of the matter, and the name and address of the authority in possession of the records thereof. Yes No

Have you ever been physically or emotionally dependent upon the use of alcohol/drugs? If yes, please provide a detailed explanation and a letter from the treating professional. Yes No

9. Do you have any disease that could affect your ability to safely offer veterinary technology services? If yes, please provide a detailed explanation and a letter from the treating professional. Yes No

I hereby expressly waive all provisions of law forbidding any physician or other person who has attended or examined me from disclosing any knowledge or information which he thereby acquired and I hereby consent that he may disclose such knowledge or information to the Virginia Board of Veterinary Medicine.

10. Have you ever been reprimanded, had your license suspended, cancelled, or revoked by any board? If yes, give board, reasons and dates: Yes No

Have you ever been known by any other name? Yes No
 If so, state in full every other name by which you have been known, the reason therefore, and inclusive dates so known. If change was made by court order, enclose a copy of such order.

If a married woman, give maiden name: _____
 Present telephone number _____ permanent telephone number _____

2. Name two persons who will always know your address:
 _____ (NAME) _____ (NAME)
 _____ (STREET) _____ (STREET)
 _____ (CITY, STATE, ZIP) _____ (CITY, STATE, ZIP)

3. Professional Experience: Please provide information about your work experience in reverse chronological order.

BEGAN	INCLUSIVE DATES	ENDED	PLACE OF EMPLOYMENT	DESCRIPTION OF ACTIVITIES

4. (Optional) Membership in Societies or Associations: (Professional, Scientific or Technical)

HIGH SCHOOL & COLLEGE
 Period of Attendance
 From: Month/Year to Month/Year

5. Name and location of institution attended:
 _____ (NAME) _____ (CITY), (STATE)
 _____ (NAME) _____ (CITY), (STATE)
 _____ (NAME) _____ (CITY), (STATE)
 _____ (NAME) _____ (CITY), (STATE)

11. In addition to the foregoing, I add the following:

- (a) I have read the Virginia Board of Veterinary Medicine statutes and regulations and am aware that if granted a license to practice veterinary technology in Virginia, I am required to comply with any laws and regulations governing the practice of veterinary medicine and the use of controlled substances in the State.
- (b) I hereby give permission to the Virginia Board of Veterinary Medicine to obtain additional information relating to any statement in this application from any person or any source the Board may desire.
- (c) I shall present any credentials required or requested by the Board.
- (d) I have attached a money order or certified check in the amount of \$ _____, made payable to the Treasurer of Virginia.
- (e) I hereby certify that in applying to the Virginia Board of Veterinary Medicine for a license to practice veterinary technology in Virginia, I have made no fraudulent or deceitful statement, omissions, nor have misrepresented any material fact.

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 veterinary technology in the state of Virginia.

Applicant's Signature

The State of _____

Before me, the undersigned authority, on this day personally appeared _____ who after being duly sworn by me on his or her oath that all facts, statements, and answers contained in this application are true and correct in every respect, and that the attached photograph is a true likeness of the applicant.

Applicant
(Signed in presence of Notary)

Sworn and subscribed to before me this _____ day of _____, 19____ to certify which witness my hand and official seal of office.

City or County of _____
Notary Public

My Commission Expires: _____

COMMONWEALTH OF VIRGINIA
VIRGINIA BOARD OF VETERINARY MEDICINE

Securely attach a passport-type
photograph in this space
Photograph CANNOT be any larger
than the space provided

APPLICATION
FOR A
LICENSE
TO PRACTICE
VETERINARY
MEDICINE

NATIONAL BOARD EXAMINATION:	
Date Taken	_____
Jurisdiction	_____
CLINICAL COMPETENCY TEST:	
Date Taken	_____
Jurisdiction	_____
Please request that the Interstate Reporting Service send your scores directly to the Virginia Board office.	
Request waiver of NBE	<input type="checkbox"/>
Request waiver of CCT	<input type="checkbox"/>

Answer each question fully and accurately. If the space for any answer is insufficient, complete your answer on a separate sheet, specify the question number to which it relates, sign, and enclose with this application. Do not staple enclosures to this application blank.

I hereby make application for a license to practice veterinary medicine in the State of Virginia in accordance with and subject to the regulations of the Board of Veterinary Medicine and the laws governing the practice of veterinary medicine in Virginia.

1. NAME IN FULL (PLEASE PRINT OR TYPE)

(Last)	(Suffix)	(First)	(Middle/Maiden)
(Present Address)		(City)	(State) (ZIP Code)
(Permanent Address)		(City)	(State) (ZIP Code)
(Date of Birth-MM/DD/YY)		(Social Security Number)	
(Graduation Date-MM/DD/YY)	(Prof. Sch. Degree)	(School, City, State)	

APPLICANTS DO NOT USE THESE SPACES—FOR OFFICE USE ONLY				
(Class)	(Testing No.)	(Suffix)	(School Code)	(Fee)
(License No.)	(Expiration Date)	(Base State)	(How Reg.)	(Init. Lic. Date)
(National Boards)	(C.C.T.)	(State Boards)		

14. In addition to the foregoing, I add the following:

(4) I have read the Virginia Board of Veterinary Medicine statutes and regulations and am aware that if granted a license to practice veterinary medicine in Virginia, I am required to comply with any laws and regulations governing the practice of veterinary medicine and the use of controlled substances in the State.

(5) I hereby give permission to the Virginia Board of Veterinary Medicine to obtain additional information relating to any statement in this application from any person or any source as the Board may desire.

(6) I shall present any credentials required or requested by the Board.

(7) I have attached a money order or certified check in the amount of \$ _____, made payable to the Treasurer of Virginia.

(8) I hereby certify that in applying to the Virginia Board of Veterinary Medicine for a license to practice veterinary medicine in Virginia, I have made no fraudulent or deceitful statements, no omissions, nor have misrepresented any material fact.

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 veterinary medicine and surgery in the state of Virginia.

Applicant's Signature _____

The State of _____

Before me, the undersigned authority, on this day personally appeared _____ who after being duly sworn by me on his or her oath that all facts, statements, and answers contained in this application are true and correct in every respect, and that the attached photograph is a true likeness of the applicant.

Applicant
Signed in presence of Notary _____

Sworn and subscribed to before me this _____ day of _____, 19____ at _____

certify which witness my hand and official seal of office.

City or County of _____ Notary Public _____

My Commission Expires: _____

GOVERNOR

EXECUTIVE ORDER NUMBER TWENTY-FOUR (90)

PROVIDING FOR THE FOOD, FUEL, AND OTHER LOGISTICAL ASSISTANCE OF THE VIRGINIA NATIONAL GUARD TO THE VIRGINIA DEPARTMENT OF STATE POLICE DURING THE 1990 LABOR DAY WEEKEND IN VIRGINIA BEACH

During the Labor Day weekend, in 1989, events involving large crowds occurred at Virginia Beach, Virginia, which led to looting, damage to property, injury to persons, and imperiled human life, public and private property, and the environment. These events required the presence of a number of law enforcement agencies, including the Virginia State Police and the Virginia National Guard, to restore and maintain public order. It is incumbent upon me as Governor of this Commonwealth to take all necessary steps to prepare to protect and maintain public safety and order in the event of a recurrence during Labor Day weekend of 1990.

Since Labor Day weekend 1989, the City of Virginia Beach and local citizens groups have developed extensive plans for a Labor Day weekend event named Laborfest 1990. As part of their planning they have requested the assistance of the Virginia Beach Police and other state agencies for the maintenance of public order. The Virginia State Police, in turn, have requested the assistance of the Virginia National Guard solely to provide equipment and logistical assistance for food, fuel, lodging, and other similar needs.

In view of the extensive local and state plans and preparations for Labor Day weekend 1990 at Virginia Beach, I expect that the resources, personnel, and equipment will be adequate to maintain public safety and order without use of the Virginia National Guard. Nonetheless, I have determined that it is appropriate for the Virginia National Guard to provide personnel and equipment at the State Military Reservation and elsewhere solely for food service, fuel, lodging, and other logistical assistance to and at the request of the Department of State Police.

Therefore, by virtue of the authority vested in me under Article V, Section 7 of the Constitution of Virginia and the provisions of Section 44-75.1 (3) and (5) of the Code of Virginia, I do hereby direct the Adjutant General of Virginia to employ National Guard equipment and personnel, in coordination with the Superintendent of State Police and with the approval of the Secretary of Public Safety, to provide logistical assistance to the Virginia State Police commencing on August 28, 1990, and continuing until the Virginia State Police are no longer in need of logistical assistance to said purpose, but not later than September 6, 1990.

The following conditions shall apply to the employment of the Virginia National Guard:

1. National Guard personnel employed pursuant to this

executive order shall be limited to an average of not more than thirty (30) on state active duty per day.

2. In all instances, members of the Virginia National Guard shall remain subject to military command and not subject to civilian authorities. They shall, however, work in close cooperation with the Department of State Police.

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

(a) Worker's Compensation benefits provided to members of the National Guard by the Virginia Workers' Compensation Act; and, in addition,

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

4. The cost incurred by the Virginia Department of Military Affairs in performing this mission shall be paid out of the sum sufficient appropriation for Disaster Planning and Operations contained in Item 760 of Chapter 972 of the 1990 Acts of the General Assembly. Any reimbursement of such costs shall be paid into the Treasury of the Commonwealth to defray said sum sufficient expenditures.

This Executive Order will become effective upon its signing, and except for that portion providing for benefits in the event of injury or death, will remain in effect until midnight, September 6, 1990, unless amended or rescinded by further executive order.

Given under my hand and under the seal of the

Commonwealth of Virginia this 28th day of August, 1990.

/s/ Lawrence Douglas Wilder
Governor

/s/ Lawrence Douglas Wilder
Governor
Date: August 29, 1990.

* * * * *

GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

(Required by § 9-6.12:9.1 of the Code of Virginia)

DEPARTMENT OF AIR POLLUTION CONTROL (STATE BOARD)

Title of Regulation: VR 120-01. Regulations for the Control and Abatement of Air Pollution.

Governor's Comment:

These regulations are intended to protect the public's health and welfare through the use of the most current technical and scientific information available and to ensure that state regulations conform with federal requirements. Pending public comment, I recommend approval of these regulations.

/s/ Lawrence Douglas Wilder
Governor
Date: September 4, 1990

Title of Regulation: VR 394-01-04. Virginia Amusement Device Regulations/1990.

Governor's Comment:

These regulations are intended to make amusement devices safer for the public. Pending public comment, I recommend approval of the regulations.

/s/ Lawrence Douglas Wilder
Governor
Date: August 27, 1990.

* * * * *

Title of Regulation: VR 394-01-06. Virginia Statewide Fire Prevention Code/1990.

Governor's Comment:

These regulations are intended to improve the quality and safety of buildings. Pending public comment, I recommend approval of the regulations.

/s/ Lawrence Douglas Wilder
Governor
Date: August 27, 1990.

* * * * *

BOARD FOR CONTRACTORS

Title of Regulation: VR 220-01-2. Regulations of the Board for Contractors.

Governor's Comment:

These regulations are intended to provide more protection for Virginia's consumers. Pending public comment, I recommend approval of these regulations.

/s/ Lawrence Douglas Wilder
Governor
Date: August 31, 1990

Title of Regulation: VR 394-01-21. Virginia Uniform Statewide Building Code, Volume I - New Construction Code/1990.

Governor's Comment:

These regulations are intended to improve the quality and safety of buildings. Pending public comment, I recommend approval of the regulations.

/s/ Lawrence Douglas Wilder
Governor
Date: August 27, 1990.

* * * * *

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (BOARD OF)

Title of Regulation: VR 394-01-02. Virginia Certification Standards for Building Inspection Personnel, Amusement Device Inspectors, Blasters, Plumbers, Electricians, and Building Related Mechanical Workers/1990.

Governor's Comment:

These regulations are intended to increase public safety by updating and consolidating certification standards for tradesmen, building inspectors, and blasters. Pending public comment, I recommend approval of the regulations.

Title of Regulation: VR 394-01-22. Virginia Uniform Statewide Building Code, Volume II - Building Maintenance Code/1990.

Governor's Comment:

These regulations are intended to protect the public from health and safety hazards caused by improper maintenance and use of buildings. Pending public

Governor

comment, I recommend approval of the regulations.

/s/ Lawrence Douglas Wilder
Governor
Date: August 27, 1990.

* * * * *

Title of Regulation: **VR 394-01-23. Standards Governing Operation of Individual and Regional Code Academies/1990.**

Governor's Comment:

These regulations are intended to increase public safety by establishing uniform standards for the accreditation and operation of individual and regional building code academies. Pending public comment, I recommend approval of the regulations.

/s/ Lawrence Douglas Wilder
Governor
Date: August 28, 1990

* * * * *

Title of Regulation: **VR 394-01-31. Virginia Industrialized Building and Manufactured Home Safety Regulations/1990.**

Governor's Comment:

These regulations are intended to increase public safety by updating industrialized building and manufactured home safety regulations. Pending public comment, I recommend approval of the regulations.

/s/ Lawrence Douglas Wilder
Governor
Date: August 28, 1990

* * * * *

Title of Regulation: **VR 394-01-42. Virginia Liquefied Petroleum Gas Regulations/1990.**

Governor's Comment:

These regulations are intended to reduce accidents relating to liquefied petroleum gases. Pending public comment, I recommend approval of the regulations.

/s/ Lawrence Douglas Wilder
Governor
Date: August 27, 1990.

**DEPARTMENT OF TRANSPORTATION
(COMMONWEALTH TRANSPORTATION BOARD)**

Title of Regulation: **VR 385-01-22. Vegetation Control**

Regulations.

Governor's Comment:

I am reserving judgement on these proposed regulations pending (1) the conclusion of public comment and (2) a detailed analysis by the Commonwealth Transportation Board and the Virginia Department of Transportation of the effect on the Commonwealth of the conflict between the proposed regulations and the Federal Highway Administration's position on vegetation clearance.

/s/ Lawrence Douglas Wilder
Governor
Date: August 29, 1990.

STATE WATER CONTROL BOARD

Title of Regulation: **VR 680-11-05. Occoquan Policy.**

Governor's Comment:

The intent of these regulations is to update regulations protecting the water quality of the Occoquan Watershed with current permitting practices, thereby ensuring consistency with the state's water quality management program. Pending public commit, I recommend approval of these regulations.

/s/ Lawrence Douglas Wilder
Governor
Date: September 4, 1990

GUBERNATORIAL OBJECTION

DEPARTMENT OF CORRECTIONS (STATE BOARD OF)

Title of Regulation: VR 230-30-007. Supervision Fee -
Rules, Regulations and Procedures.

Governor's Comment:

I do not recommend promulgation of these regulations until concerns raised by the Department of Planning and Budget (DPB) and the changes DPB recommended have been satisfactorily addressed. These include; revising language to regulate rather than suggest; removing inappropriate references to other agencies; and, amending grammar, vague references, and section organization to facilitate comprehension.

/s/ Lawrence Douglas Wilder
Governor
Date: August 30, 1990

GENERAL NOTICES/ERRATA

Symbol Key †

† Indicates entries since last publication of the Virginia Register

CHILD DAY-CARE COUNCIL

Notice of Intended Regulatory Action

Editor's Note: The Notice of Intended Regulatory Action for VR 175-02-01, Minimum Standards for Licensed Child Care Centers, published in 5:20 V.A.R. 2920 July 3, 1990, has been withdrawn and resubmitted as follows:

Notice is hereby given in accordance with this agency's public participation guidelines that the Child Day-Care Council intends to consider amending regulations entitled: **VR 175-02-01. Minimum Standards for Licensed Child Care Centers.** The purpose of the proposed regulation is to consider changes in content, clarity, and organization as regulations for other types of day care are developed; review requirements for activity space, group size, provider training, and parental involvement; and consider developing a basic standard of care upon which requirements commensurate with the program's level of care may be added.

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

Written comments may be submitted until October 10, 1990.

Contact: Peggy Friedenber, Legislative Analyst, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229, telephone (804) 662-9217.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Child Day-Care Council intends to consider promulgating regulations entitled: **VR 175-05-01. Minimum Standards for Licensed Child Day-Care Camps.** The purpose of the proposed regulation is to develop minimum standards that are appropriate for child day-care camps.

Other pertinent information: House Bill 1035, which was passed by the 1990 General Assembly session, requires licensure of child day-care camps. According to the bill, these camps will not be regulated until July 1, 1992.

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

Written comments may be submitted until October 10, 1990.

Contact: Peggy Friedenber, Legislative Analyst,

Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229, telephone (804) 62-9217.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Child Day-Care Council intends to consider promulgating regulations entitled: **VR 175-06-01. Minimum Standards for Licensed Preschools and Nursery Schools.** The purpose of the proposed regulation is to develop minimum standards that are appropriate for preschools and nursery schools.

Other pertinent information: House Bill 1035, which was passed by the 1990 General Assembly session, requires licensure of preschools and nursery schools. According to the bill, these schools will not be regulated until July 1, 1992.

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

Written comments may be submitted until October 10, 1990.

Contact: Peggy Friedenber, Legislative Analyst, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229, telephone (804) 662-9217.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Child Day-Care Council intends to consider promulgating regulations entitled: **VR 175-07-01. Minimum Standards for Licensed Before-School and After-School Day Care Programs.** The purpose of the proposed regulation is to develop minimum standards that are appropriate for before school and after school day care programs.

Other pertinent information: House Bill 1035, which was passed by the 1990 General Assembly session, requires licensure of before-school and after-school day care programs. The definition of these programs still needs to be determined. Effective date for regulation is July 1, 1992.

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

Written comments may be submitted until October 10, 1990.

Contact: Peggy Friedenber, Legislative Analyst,

Department of Social Services, 8007 Discovery Drive, Richmond, VA 23229, telephone (804) 662-9217.

DEPARTMENT OF COMMERCE

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Commerce intends to consider amending regulations entitled: **VR 190-05-1. Virginia Asbestos Licensing Regulations.** The purpose of the proposed action is to amend the current regulations to include requirements created by legislative action.

Statutory Authority: § 54.1-501 of the Code of Virginia.

Written comments may be submitted until October 15, 1990.

Contact: Peggy J. Wood, Assistant Director, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595 or toll-free 1-800-552-3106

DEPARTMENT OF CORRECTIONS (BOARD OF)

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Corrections intends to consider amending regulations entitled: **VR 230-30-001. Minimum Standards for Jails and Lockups.** The purpose of the proposed action is to amend § 6.1 to provide for annual fire safety inspections and to require local facilities to have inspections conducted by the appropriate authority. This change is necessary to make the standard consistent with the Code of Virginia.

Statutory Authority: § 53.1-68 of the Code of Virginia.

Written comments may be submitted until October 10, 1990.

Contact: Cynthia J. Jackson, Methods Lead Analyst, P.O. Box 26963, Richmond, VA 23261, telephone (804) 674-3237.

COUNCIL ON THE ENVIRONMENT

Notice of Intended Regulatory Action

Notice is hereby given that the Council on the Environment intends to consider promulgating regulations entitled: **Public Participation Guidelines.** The purpose of the proposed action is to establish public participation guidelines governing the Council on the Environment.

Statutory Authority: §§ 10.1-1206 and 62.1-195.1 of the Code of Virginia.

Written comments may be submitted until October 1, 1990.

Contact: Jay Roberts, Environmental Planner, 202 N. Ninth St., Suite 900, Richmond, VA 23219, telephone (804) 786-4500.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Funeral Directors and Embalmers intends to consider amending regulations entitled: **Regulations on Preneed Funeral Planning.** The purpose of the proposed action is to promulgate regulations for the practice of preneed funeral sales and arrangements by licensees of the Board of Funeral Directors and Embalmers. A committee meeting on the development of the regulations will be held on October 3, 1990 at 9 a.m.

Statutory Authority: § 54.1-2803 10 of the Code of Virginia.

Written comments may be submitted until September 28, 1990.

Contact: Meredyth P. Partridge, Executive Director of the Board, 1601 Rolling Hills Dr., Richmond, VA 23229-5005, telephone (804) 662-9941

DEPARTMENT OF HEALTH (STATE BOARD OF)

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Board of Health intends to consider amending regulations entitled: **VR 355-34-02. Regulations Governing Sewage Handling and Disposal.** The purpose of the proposed action is to delete portions of Article 11 related to Nonpublic Drinking Water Supply Systems Utilized in conjunction with onsite sewage disposal systems, now included in private well regulations (VR 355-34-01).

Statutory Authority: § 32.1-176.4 of the Code of Virginia.

Written comments may be submitted until September 30, 1990.

Contact: Donald Alexander, Director, Bureau of Sewage and Water, Virginia Department of Health, 109 Governor St., Suite 500, Richmond, VA 23219, telephone (804) 786-3559.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Board of

General Notices/Errata

Health intends to consider amending regulations entitled: **VR 355-30-01. Virginia Medical Care Facilities Certificate of Public Need Rules and Regulations.** The purpose of the proposed action is to amend the existing Virginia Medical Care Facilities Certificate of Public Need Rules and Regulations so that the regulations are consistent with amended law. These amendments appeared as Emergency Regulations in the July 30, 1990, issue of the Virginia Register.

Statutory Authority: §§ 32.1-12 and 32.1-102.1 et. seq. of the Code of Virginia.

Written comments may be submitted until October 15, 1990.

Contact: Marilyn H. West, Director, Division of Resources Development, Virginia Department of Health, James Madison Bldg., Room 1005, 109 Governor St., Richmond, VA 23219, telephone (804) 786-7463.

VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Health Services Cost Review Council intends to consider amending regulations entitled: **VR 370-01-001. Rules and Regulations of the Virginia Health Services Cost Review Council.** The purpose of the proposed action is to allow investor-owned institutions organized as proprietorships, partnerships, or S-corporations to have their income tax imputed into the aggregate cost of operating the facility thereby allowing them to be treated similarly to corporations.

Statutory Authority: §§ 9-158 and 9-164 of the Code of Virginia.

Written comments may be submitted until October 23, 1990.

Contact: G. Edward Dalton, Deputy Director, Virginia Health Services Cost Review Council, 805 E. Broad Street, 6th Floor, Richmond, VA 23219, telephone (804) 786-6371.

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: **Drug Utilization Review.** The purpose of the proposed action is to implement direction to the department in the 1990 Appropriations Act concerning a program of drug utilization review.

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

Written comments may be submitted until October 15, 1990, to Michael Jurgensen, Policy Analyst, Division of Policy and Research, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7933.

† 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: **New Drug Review: Zolodex and Diflucan Tablets and Injection.** The purpose of the proposed action is to obtain public comments on Medicaid coverage of the two new drugs: Zolodex and Diflucan.

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

Written comments may be submitted until October 1, 1990, to David Shepherd, R.Ph., Division of Quality Care Assurance, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7933.

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 amending regulations entitled: **VR 615-25-01. Minimum Standards for Licensing Group Family Day Care Homes.** The purpose of the proposed action is to develop appropriate regulations according to the new definition of Group Family Day Care which was changed with HB1035.

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

Written comments may be submitted until October 10, 1990.

Contact: Peggy Friedenber, Legislative Analyst, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229, 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: **VR 615-26-01. Minimum Standards for Licensed Family Day Care Systems.** The purpose of the proposed action is to revise for improvements in content and clarity and to have consistency between System regulations and Group Family Day Care Homes.

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

Written comments may be submitted until October 10, 1990.

Contact: Peggy Friedenber, Legislative Analyst, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229, 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: **VR 615-33-01. Schedule of Fees.** The purpose of the proposed action is to review existing fees and establish fees for facilities which will become subject to licensure effective July 1, 1992.

Statutory Authority: §§ 63.1-25, 63.1-174.01 and 63.1-202 of the Code of Virginia.

Written comments may be submitted until October 10, 1990.

Contact: Peggy Friedenber, Legislative Analyst, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229, 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 promulgating regulations entitled: **Child Protective Services Registry Information.** Above action is to change the existing procedures which establish the basis for entry and retention of name information in the child protective services central registry.

Statutory Authority: §§ 63.1-25 and 63.1-248.1 et seq. of the Code of Virginia.

Written comments may be submitted until October 10, 1990, to Janine Tondrowski, Department of Social Services, 8007 Discovery Drive, Richmond, VA 23229-8699.

Contact: Margaret Friedenber, Legislative Analyst, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229-8699, telephone (804) 662-9217 or toll free 1-800-552-7091.

DEPARTMENT OF SOCIAL SERVICES (BOARD OF) AND CHILD DAY-CARE COUNCIL

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Social Services and Child Day-Care Council intend to consider amending regulations entitled: **VR 615-30-01 and 175-03-01. General Procedures and Information for Licensure.** The purpose of the proposed action is to revise according to the requirements of HB 1035, streamline departmental procedures, and make changes for improvements in clarity and content.

Statutory Authority: §§ 63.1-174 and 63.1-202 of the Code of Virginia.

Written comments may be submitted until October 10, 1990.

Contact: Peggy Friedenber, Legislative Analyst, Department of Social Services, 8007 Discovery Dr., Richmond, VA 23229, telephone (804) 662-9217.

DEPARTMENT OF TAXATION

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Taxation intends to consider amending regulations entitled: **VR 630-7-905. Filing Returns and Payment of Tax.** The purpose of the proposed action is to set forth the application of the revised statutory provision conforming Virginia's estate tax extension to federal law, allowing an extension of time for payment of Virginia estate taxes equal to the federal payment extension granted by the Internal Revenue Service.

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

Written comments may be submitted until October 22, 1990.

Contact: Janie E. Bowen, Director, Tax Policy Division, Department of Taxation, P.O. Box 6-L, Richmond, VA 23282, telephone (804) 367-8010.

VIRGINIA RACING COMMISSION

Notice of Intended Regulatory Action

General Notices/Errata

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: Claiming Races.** The purpose of the proposed regulation is to establish conditions under which claiming races may be run and eligibility to claim horses is established.

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

Written comments may be submitted until October 17, 1990.

Contact: William H. Anderson, Senior Policy Analyst, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208, telephone (804) 371-7363.

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: Entries.** The purpose of the proposed regulation is to establish conditions under which horses may be entered for racing and their eligibility determined.

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

Written comments may be submitted until October 17, 1990.

Contact: William H. Anderson, Senior Policy Analyst, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208, telephone (804) 371-7363.

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: **VR 662-05-01. Conduct of Flat Racing.** The purpose of the proposed action is to establish conditions under which horses, ridden by jockeys over flat surfaces, shall race.

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

Written comments may be submitted until November 21, 1990, to Donald R. Price, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208.

Contact: William H. Anderson, Senior Policy Analyst, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208, telephone (804) 371-7363.

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: **VR 662-05-02. Conduct of Standardbred Racing.** The purpose of the proposed action is to establish the specialized conditions under which trotting and pacing horses, hitched to sulkies, shall be driven in races.

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

Written comments may be submitted until November 21, 1990, to Donald R. Price, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208.

Contact: William H. Anderson, Senior Policy Analyst, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208, telephone (804) 371-7363.

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: **VR 662-05-03. Conduct of Steeplechase Racing.** The purpose of the proposed action is to establish the specialized conditions under which horses, ridden by jockeys and racing over fences, shall be conducted.

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

Written comments may be submitted until November 21, 1990, to Donald R. Price, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208.

Contact: William H. Anderson, Senior Policy Analyst, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208, telephone (804) 371-7363.

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: **VR 662-05-04. Conduct of Quarter Horse Racing.** The purpose of the proposed action is to establish the specialized conditions under which Quarter Horses, ridden by jockeys, shall be raced.

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

Written comments may be submitted until November 21, 1990, to Donald R. Price, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208.

Contact: William H. Anderson, Senior Policy Analyst, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23208, telephone (804) 371-7363.

VIRGINIA STATE LIBRARY AND ARCHIVES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Library and Archives intends to consider amending regulations entitled: **VR 440-01-137.1 Standards for the Microfilming of Public Records for Archival Retention.** The purpose of the proposed action is to update the current standard as part of the general five-year review.

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

Written comments may be submitted until February 1, 1991.

Contact: Dr. Louis Manarin, State Archivist, 11th St. at Capitol Square, Richmond, VA 23219, telephone (804) 786-5579.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Library and Archives intends to consider amending regulations entitled: **VR 440-01-137.2. Archival Standards for Recording Deeds and other Writings by a Procedural Microphotographic Process.** The purpose of the proposed action is to update the current standard as part of the general five-year review.

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

Written comments may be submitted until February 1, 1991.

Contact: Dr. Louis Manarin, State Archivist, 11th St. at Capitol Square, Richmond, VA 23219, telephone (804) 786-5579.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Library and Archives intends to consider amending regulations entitled: **VR 440-01-134.4. Standards for the Microfilming of Ended Law Chancery and Criminal Cases the Clerks of the Circuit Courts prior to Disposition.** The purpose of the proposed action is to update the current standard as part of the general five-year review.

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

Written comments may be submitted until February 1, 1991.

Contact: Dr. Louis Manarin, State Archivist, 11th St. at

Capitol Square, Richmond, VA 23219, telephone (804) 786-5579.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Library and Archives intends to consider amending regulations entitled: **VR 440-01-137.5. Standards for Computer Output Microfilm (COM) for Archival Retention.** The purpose of the proposed action is to update the current standard as part of the general five-year review.

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

Written comments may be submitted until February 1, 1991.

Contact: Dr. Louis Manarin, State Archivist, 11th St. at Capitol Square, Richmond, VA 23219, telephone (804) 786-5579.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Library and Archives intends to consider amending regulations entitled: **VR 440-01-137.6. Standards for Plats.** The purpose of the proposed action is to update the current standard as part of the general five-year review.

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

Written comments may be submitted until February 1, 1991.

Contact: Dr. Louis Manarin, State Archivist, 11th St. at Capitol Square, Richmond, VA 23219, telephone (804) 786-5579.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Library and Archives intends to consider amending regulations entitled: **VR 440-01-137.7. Standards for Recorded Instruments.** The purpose of the proposed action is to update the current standard as part of the general five-year review.

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

Written comments may be submitted until February 1, 1991.

Contact: Dr. Louis Manarin, State Archivist, 11th St. at Capitol Square, Richmond, VA 23219, telephone (804)

General Notices/Errata

786-5579.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board For Waterworks and Wastewater Works Operators intends to consider amending regulations entitled: **VR 675-01-02. Board For Waterworks and Wastewater Works Operators.** The purpose of the proposed action is to consider revisions throughout its regulations, including amendments to add new classes of waterworks and wastewater works. These new classes may include consecutive water systems or groundwater systems with no treatment and consecutive water systems employing repumping or rechlorination, or both; alternative discharging sewage systems (§§ 32.1-163 and 32.1-164 of the Code of Virginia) serving single family dwellings with flows less than or equal to 1,000 gallons per day; very small water and wastewater systems employing sophisticated treatment; and wastewater systems collection and pumping systems. The board invites comments on these classes, including, but not limited to, class definition, minimum education, experience, and examination requirements for licensure.

Statutory Authority: §§ 54.1-201 and Chapter 23 (§ 54.1-2300 et seq.) of Title 54.1 of the Code of Virginia.

Written comments may be submitted until October 15, 1990.

Contact: Mr. Gerald W. Morgan, Administrator, Department of Commerce, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8534.

GENERAL NOTICES

DEPARTMENT OF LABOR AND INDUSTRY

Notice to the Public

A Quarterly Briefing for the Department of Labor and Industry is scheduled for Tuesday, October 9, 1990. The briefing will be held from 9 a.m. to 12:30 p.m. at the Department of Information Technology's Fourth Floor Auditorium, located in the Richmond Plaza Building, 110 South Seventh Street, Richmond, VA.

These briefings are being held to provide information to employers, associations, and employee representatives on recent occupational safety and health standards, regulations, policies, and program initiatives affecting

Virginia's workplaces. Major topics to be covered at this briefing will be Ergonomics, Child Labor Laws, and Operation Worksafe, a new initiative aimed at reducing workplace fatalities.

For additional information contact:

Lilia M. Williams, Director
Public Services and Information
Department of Labor and Industry
P.O. Box 12064
Richmond, VA 23241
Telephone (804) 786-8011

* * * * *

Notice to the Public

The Virginia State Plan for the enforcement of occupational safety and health laws (VOSH) commits the Commonwealth to adopt regulations identical to, or as effective as those promulgated by the U. S. Department of Labor, Occupational Safety and Health Administration.

Accordingly, public participation in the formulation of such regulations must be made during the adoption of such regulations at the federal level. Therefore, the Virginia Department of Labor and Industry is issuing the following notice:

U. S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

(Docket S-026)

RIN 1218-AB20

Process Safety Management of Highly Hazardous Chemicals

AGENCY: Occupational Safety and Health Administration (OSHA)

ACTION: Notice of proposed Federal rulemaking.

SUMMARY: This announcement provides notice of proposed federal rulemaking specifying requirements for the management of hazards associated with processes using highly hazardous chemicals. This proposal establishes procedures for process safety management that would protect employees by preventing or minimizing the consequences of chemical accidents involving highly hazardous chemicals. Employees have been and continue to be exposed to the hazards of toxicity, fire or explosion from major industrial accidents. The requirements in this standard are intended to eliminate or mitigate the consequences of such accidents.

TEXT: full text of the proposed rulemaking can be found

in Volume 55, No. 137, pg. 29150, of the Federal Register. Written requests for a copy should be made to: Director of Enforcement Policy, Virginia Department of Labor and Industry, P.O. Box 12064, Richmond, Virginia 23241-0064.

DATES: Comments and notices of intention to appear at hearing: Postmarked by October 15, 1990.

Testimony and documentary evidence for the hearing: Postmarked by November 5, 1990.

Public hearing: OSHA will commence a hearing on November 27, 1990, which may continue for more than one day based on the number of notices of intention to appear.

ADDRESSES: Comments. Comments on the proposal should be submitted in quadruplicate to the Docket Officer, Docket S-026, U.S. Department of Labor, Occupational Safety and Health Administration, room N2625, 200 Constitution Avenue, NW, Washington, DC 20210.

An additional copy should be submitted to the Director of Enforcement Policy, Virginia Department of Labor and Industry, P.O. Box 12064, Richmond, Virginia, 23241-0064.

Notices of intention to appear, and testimony and documentary evidence. Notice of intention to appear at the hearing, and testimony and documentary evidence which will be introduced into the hearing record, must be submitted in quadruplicate to Mr. Tom Hall, Division of Consumer Affairs, room N3649, U.S. Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue NW, Washington, DC 20210.

Public hearing. A hearing will be held in Washington, DC, beginning at 9:30 a.m. on November 27, 1990, in the Auditorium of the Frances Perkins Building, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Proposal. Mr. James A. Foster, U.S. Department of Labor, Occupational Safety and Health Administration, room N3637, 200 Constitution Avenue, NW., Washington, DC 20210, (202) 523-8615.

NOTICE TO SUBSCRIBERS OF THE VIRGINIA REGISTER OF REGULATIONS

The Virginia Code Commission at its meeting on June 12, 1990, agreed to increase the annual subscription rate for the Virginia Register of Regulations to \$100 per year. This increase is the first since the Register began in October 1984. The increase will become effective on October 1, 1990.

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 AGRICULTURE AND CONSUMER SERVICES

Title of Regulation: **VR 115-06-01. Rules Governing the Solicitation of Contributions.**

Publication: 6:24 VA.R. 4045-4047 August 27, 1990

Correction to Calendar of Events:

The statement of basis, purpose, substance, issues and impact on this proposed regulation states as one of the proposed regulation's purposes the establishment of certain evidence deemed adequate to lift a suspension of registration. This is not one of the purposes of the proposed regulation, and the proposed regulation does not address this matter.

DEPARTMENT OF COMMERCE

Title of Regulation: **VR 190-05-01. Asbestos Licensing Regulations.**

Publication: 6:24 VA.R. 3779-3820 August 27, 1990

Correction to Proposed Regulation:

General Notices/Errata

Page 3794, § 11.2 B 1 a, line 3 should read, "...proficient" by the National Institute of Standards and Technology's National Voluntary Laboratory..."

Page 3799, § 12.5, line 7 should read, "receive some form of a written certificate indicating..."

Page 3801, § 12.7, subdivision 14, delete "tmg."

facilities, or any other methods that result in making its programs or activities readily accessible to and usable by persons with a disability. A program or activity is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. In choosing among available methods for meeting the requirements of this section,...

DEPARTMENT OF HEALTH

Title of Regulation: VR 355-30-01. Virginia Medical Care Facilities Certificate of Public Need Rules and Regulations.

Publication: 6:24 VA.R. 3823-3836 August 27, 1990

Correction to Proposed Regulation:

Page 3834, § 7.4 B, line 4 should read, "...extenuating circumstances the commissioner, in his sole discretion, extends the certificate in accordance..."

Page 3835, § 10.1, subdivision 2, next to last line, strike "poverty" and insert "priority" in italics.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Title of Regulation: VR 394-01-22. Virginia Uniform Statewide Building Code, Volume II - Building Maintenance Code/1987.

Publication: 6:24 VA.R. 3901-3909 August 27, 1990.

Correction to Final Regulation:

Page 3902, § 100.6.2, change § 110.0 to § 111.0.

Page 3908, § 111.4.2, add a colon after "detectors," and add the following text after the colon, "Battery or AC-powered single and multiple station smoke detectors."

DEPARTMENT FOR RIGHTS OF VIRGINIANS WITH DISABILITIES

Title of Regulation: VR 602-01-2. Nondiscrimination Under State Grants and Programs.

Publication: 6:24 VA.R. 3855-3869 August 27, 1990.

Correction to Final Regulation:

Page 3861, § 3.1 B, the following text on lines 7 through 14 should not be stricken and should be italicized:

...construction of new facilities, use of accessible

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (BOARD OF)

† September 26, 1990 - 9 a.m. - Open Meeting
1100 Bank Street, Washington Building, Room 204,
Richmond, Virginia. ☒

At this regular meeting, the board will review issues relating to legislation, regulations, and fiscal matters and will receive reports from the staff of the Department of Agriculture and Consumer Services. The board may consider other matters relating to its responsibilities.

Contact: Roy E. Seward, Secretary to the Board, VDACS, Room 210, Washington Bldg., 1100 Bank St., Richmond, VA 23219, telephone (804) 786-3501 or (804) 371-6344/TDD ☎

* * * * *

September 26, 1990 - 10 a.m. - Public Hearing
Virginia Department of Agriculture and Consumer Services Board Room, Washington Building, Room 204, 1100 Bank Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Agriculture and Consumer Services intends to amend regulations entitled: VR 115-04-09. Rules and Regulations for the Enforcement of the Virginia Seed Law. The purpose of this amendment is to add Serrated tussock, Nassella

trichotoma, to the list of prohibited noxious weed seeds.

Statutory Authority: § 3.1-271 of the Code of Virginia.

Written comments may be submitted until September 19, 1990.

Contact: D. E. Brown, Supervisor, Seed Section, Virginia Department of Agriculture and Consumer Services, PAIR Division, 1100 Bank St., Room 505, P.O. Box 1163, Richmond, VA 23209, telephone (804) 786-3797.

* * * * *

September 26, 1990 - 10:30 a.m. - Public Hearing
Virginia Department of Agriculture and Consumer Services Board Room, Washington Building, Room 204, 1100 Bank Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Agriculture and Consumer Services intends to amend regulations entitled: VR 115-04-12. Rules and Regulations for the Enforcement of the Gasoline and Motor Fuels Law. The regulation amendments (i) change the volatility limit for gasoline from 11.5 pounds per square inch (psi) to 9.0 psi Reid vapor pressure (RVP) for the months of May, June, July, August, and September of each year, to be implemented May, 1991, contingent upon obtaining approval from the U.S. Environmental Protection Agency (EPA); (ii) change the distillation specifications to accommodate a new volatility limit; (iii) require the use of EPA-approved test methods for gasoline volatility measurement when the 9.0 psi RVP standard is in effect; and (iv) provide for a 1.0 psi RVP allowance for gasoline-ethanol blends.

Statutory Authority: §§ 59.1-153 and 59.1-156 of the Code of Virginia.

Written comments may be submitted until 5 p.m., September 18, 1990.

Contact: W. Penn Zentmeyer, Supervisor, Department of Agriculture and Consumer Services, P.O. Box 1163, Richmond, VA 23209, telephone (804) 786-3511.

* * * * *

December 6, 1990 - 2 p.m. - Public Hearing
1100 Bank Street, Room 204, Washington Building, Richmond, Virginia.

Calendar of Events

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Agriculture and Consumer Services intends to amend regulations entitled: **VR 115-06-01. Rules Governing the Solicitation of Contributions.** The proposed amendments to the regulation are for the purpose of bringing the regulation into conformity with amendments in the statute; to define certain terms contained in the statute regarding exemption from annual registration; to specify, pursuant to § 57-55.2(i) of the Code of Virginia, the name or names by which a professional solicitor may identify himself and his employer; to standardize documentation required for filing with the Commissioner of the Department of Agriculture and Consumer Services; to establish procedures for compliance with the statute; to consider other measures to enforce laws governing the solicitation of contributions in Virginia (§ 57-48 et seq. of the Code of Virginia), hereinafter referred to as the "Virginia Solicitation of Contributions Law"; and to assure uniform regulation of charitable solicitations throughout the Commonwealth.

PLEASE NOTE: "The statement of basis, purpose, substance, issues, and impact on proposed regulation VR115-06-01, Rules Governing the Solicitation of Contributions, published on August 27, 1990 in the Virginia Register (pp. 4045-4047 (Volume 6, issue 24)), states as one of the proposed regulation's purposes the establishment of certain evidence deemed adequate to lift a suspension of registration. This is not one of the purposes of the proposed regulation, and the proposed regulation does not address this matter."

Statutory Authority: § 57-66 of the Code of Virginia.

Written comments may be submitted until 2 p.m., November 12, 1990.

Contact: Jo Freeman, Chair, Revisions Committee, Virginia Department of Agriculture and Consumer Services, Division of Consumer Affairs, P.O. Box 1163, Richmond, VA 23209 or 1100 Bank Street, Room 204, Richmond, VA 23219, telephone (804) 786-1343 or toll-free 1-800-552-9963.

STATE AIR POLLUTION CONTROL BOARD

October 2, 1990 - 9 a.m. - Open Meeting
The Ramada Oceanside, Virginia Beach, Virginia.

A regular business meeting in conjunction with the annual meeting of the State Advisory Board on Air Pollution.

Contact: Dr. Kathleen Sands, Senior Policy Analyst, Department of Air Pollution Control, P.O. Box 10089, Richmond, VA 23240, telephone (804) 225-2722.

* * * * *

October 10, 1990 - 10 a.m. - Public Hearing
Washington County, Board of Supervisors' Meeting Room, 205 Academy Drive, Abingdon, Virginia.

October 10, 1990 - 10 a.m. - Public Hearing
Virginia Department of Transportation, Materials Lab Building, 731 Harrison Avenue, Salem, Virginia.

October 10, 1990 - 10 a.m. - Public Hearing
Lynchburg Recreation Center Auditorium, 301 Grove Street, Lynchburg, Virginia.

October 10, 1990 - 10 a.m. - Public Hearing
Central Rappahannock Regional Library, Administrative Offices, 705 Princess Anne Street, Fredericksburg, Virginia.

October 10, 1990 - 10 a.m. - Public Hearing
Virginia War Memorial Auditorium, 621 South Belvidere Street, Richmond, Virginia.

October 10, 1990 - 2 p.m. - Public Hearing
Hampton Roads Planning District Commission, Regional Building, 723 Woodlake Drive, Chesapeake, Virginia.

October 10, 1990 - 2 p.m. - Public Hearing
Pohick Regional Library Meeting Room, 6450 Sydenstricker Road, Burke, Virginia.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **VR 120-01. Regulations for the Control and Abatement of Air Pollution.** The proposed regulation requires a permit to operate for all stationary sources with exemptions for some smaller facilities. Operating permits will be issued for a period not to exceed five years and will be renewed if the facility meets the standards and conditions set out in the regulation. Emission limits will be set to restrict the emissions allowed for each existing facility to some level above the actual levels currently emitted but below the levels allowed now by regulation. Permit applications for larger facilities will be subject to a public comment period of 30 days, and a public hearing may be held if there is sufficient public interest. The program will be phased in slowly over its first four years, during which time only larger existing facilities will be issued operating permits.

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Written comments may be submitted until October 26, 1990, to Director of Program Development, Department of Air Pollution Control, P.O. Box 10089, Richmond, Virginia 23208.

Contact: Nancy S. Saylor, Policy Analyst, Department of Air Pollution Control, Division of Program Development, P.O. Box 10089, Richmond, VA 23240, telephone (804) 786-1249.

DEPARTMENT OF AIR POLLUTION CONTROL

† **October 4, 1990 - 7 p.m.** – Open Meeting
Fine Arts Center (Auditorium), Clarkesville, Virginia.

A meeting to allow public comment on a request for a permit from Transcontinental Gas Pipeline Corporation to construct and operate a natural gas pipeline compressor station near South Hill, Virginia.

Contact: Department of Air Pollution Control, Central Virginia Regional Office, 7701-03 Timberlake Road, Lynchburg, VA 24502, telephone (804) 947-6641.

ALCOHOLIC BEVERAGE CONTROL BOARD

October 15, 1990 - 10 a.m. – Public Hearing
First Floor Hearing Room, 2901 Hermitage Road, Richmond, Virginia.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Alcoholic Beverage Control Board intends to amend regulations entitled: **VR 125-01-2. Advertising; VR 125-01-3. Tied-House; VR 125-01-5. Retail Operations; VR 125-01-6. Manufacturers and Wholesalers Operations; and VR 125-01-7. Other Provisions.** The amendments relate to the (i) expansion of size limitations and types of advertising materials that manufacturers, bottlers and wholesalers may supply to retail licensees, (ii) definition of "college student publication," (iii) prohibition of reference to brands or prices for alcoholic beverage advertising by a dining establishment in college student publications, (iv) sponsorship of government-endorsed civic events and advertising related to such events, (v) limitations on distribution of novelty and specialty items to retailers, their employees and patrons by manufacturers, importers, bottlers, brokers, and wholesalers, (vi) restrictions on nonmember use of licensed club premises, (vii) compliance with 1990 statutory changes involving the mixed beverage food to alcoholic beverage ratio, bed and breakfast licenses and the number of additional retail establishments allowed farm wineries, and (viii) mixed licensee being left with one, unopened, 50 milliliter sample of each brand of distilled spirits being promoted by the permittee.

Statutory Authority: § 4-11 of the Code of Virginia.

Written comments may be submitted until 10 a.m., October 15, 1990.

Contact: Robert N. Swinson, Secretary to the Board, P.O. Box 27491, 2901 Hermitage Rd., Richmond, VA 23261, telephone (804) 367-0616.

GOVERNOR'S COUNCIL ON ALCOHOL AND DRUG ABUSE

† **October 2, 1990 - 10 a.m.** – Open Meeting
Speaker's Conference Room, Sixth Floor, General Assembly Building, Richmond, Virginia. ☒ (Interpreter for deaf provided upon request)

The meeting is being held to discuss current drug policies and to begin formulating the Governor's state-aid anti-drug strategy.

Contact: Carole Yeatts, Staff Assistant - Drug Policy, Office of the Governor, Ninth Street Office Building, First Floor, Richmond, VA 23219, telephone (804) 786-2211.

ASAP POLICY BOARD - CENTRAL VIRGINIA

† **September 27, 1990 - 7 p.m.** – Open Meeting
Crown Sterling, 6120 Fort Avenue, Lynchburg Virginia. ☒

Fall Policy Board meeting regarding activities of the program and future operations.

Contact: L. T. Townes, Director, P.O. Box 4345 Fort Hill Station, Lynchburg, VA 24502, telephone (804) 528-4073.

ASAP POLICY BOARD - MOUNT ROGERS

† **October 3, 1990 - 1 p.m.** – Open Meeting
Oby's Restaurant, Marion Virginia. ☒

The board meets every other month to conduct business. The order of business at all regular meetings shall be (i) call to order; (ii) roll call; (iii) approval of minutes; (iv) unfinished business; (v) new business; and (vi) adjournment.

Contact: J. L. Reedy, Jr., Director, Mount Rogers Alcohol Safety Action Program, 1102 North Main St., Marion, VA 23454, telephone (703) 783-7771.

ATHLETIC BOARD

October 30, 1990 - 10 a.m. – Open Meeting
3600 West Broad Street, Board Room 2, Richmond, Virginia. ☒

A meeting to discuss rules and regulations.

Contact: Doug Beavers, Assistant Director, 3600 W. Broad St., Board Room 2, Richmond, VA 23230, telephone (804) 367-8507.

Calendar of Events

VIRGINIA BOATING ADVISORY BOARD

September 25, 1990 - 10:30 a.m. – Open Meeting
State Capitol, House Room 1, Capitol Square, Richmond,
Virginia. ☒

Review of and action on legislation and regulations
affecting Virginia's recreational boating public.

Contact: Wayland W. Rennie, Chairman, 8411 Patterson
Ave., Richmond, VA 23229, telephone (804) 740-7206.

BOARD FOR BRANCH PILOTS

November 13, 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 Branch
Pilots intends to amend regulations entitled: **VR
535-01-2. Branch Pilot Regulations.** The proposed
amendment is to maintain standards for initial
licensure, renewal of license, and conduct of licensed
branch pilots in the Commonwealth.

Pursuant to § 54.1-902 of the Code of Virginia, the
Board for Branch Pilots proposes to amend its
regulations. These regulations apply directly to 49
licensed branch pilots in Virginia.

The purpose of the proposed amendments is to
establish licensing and renewal fees in accordance
with § 54.1-113 of the Code of Virginia, to ensure that
applicants for initial licensure and renewal of licenses
provide accurate information to the board in a timely
manner regarding possible abuse of alcohol or a
controlled substance by a pilot during the performance
of his duties, and to require timely reporting to the
board and staff by pilots regarding maritime mishaps
occurring during the performance of their duties. The
proposed new requirements will protect the public by
ensuring the competence of pilots who direct the
movement of vessels through the waters of the
Commonwealth. The potential consequences of
incompetent performance by these licensees are
severe, involving possible injury or loss of life, costly
damage to property, and the far-reaching
environmental effects of possible oil or chemical spills.

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

Written comments may be submitted until November 13,
1990.

Contact: Florence R. Brassier, Deputy Director for
Regulatory Programs, Virginia Department of Commerce,
3600 W. Broad St., Richmond, VA 23230-4917, telephone
(804) 367-2194.

CASA PROGRAM ADVISORY COMMITTEE

† **October 4, 1990 - 10 a.m.** – Open Meeting
6th Floor Executive Dining Room, General Assembly
Building, Capitol Square, Richmond, Virginia. ☒

This is the first organizational meeting of the Court
Appointed Special Advocate Program Advisory
Committee.

Contact: Paula J. Scott, Staff Executive, 805 E. Broad St.,
10th Floor, Richmond, VA 23219, telephone (804) 786-4000.

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

† **October 11, 1990 - 1 p.m.** – Open Meeting
Senate Room B, General Assembly Building, Richmond,
Virginia. ☒

An open meeting to conduct general business,
including consideration of local government program
progress. Public comment will be heard at the end of
the meeting.

Contact: Tina Halsted, 701 8th St. Office Bldg, Richmond,
VA 23219, telephone (804) 225-3440.

COUNCIL ON CHILD DAY CARE AND EARLY CHILDHOOD PROGRAMS

October 4, 1990 - 10 a.m. – Open Meeting
Virginia Employment Commission Board Room, 3rd Floor,
703 East Main Street, Richmond, Virginia.

A regular business meeting. Public comments will not
be received at the meeting.

Contact: Linda Sawyers, Director, Virginia Council on Child
Day Care and Early Childhood Programs, 1100 Bank St.,
Washington Bldg., Suite 1116, Richmond, VA 23219,
telephone (804) 371-8603.

CHILD DAY-CARE COUNCIL

† **September 27, 1990 - 9 a.m.** – Open Meeting
Howard Johnson Hotel, Chatham Room, 3207 North
Boulevard, Richmond, Virginia. ☒ (Interpreter for deaf
provided upon request.)

A meeting to discuss issues, concerns, and programs
that impact licensed child care centers.

Contact: Peggy Friedenberg, Legislative Analyst, Office of
Governmental Affairs, Department of Social Services, 8007
Discovery Dr., Richmond, VA 23229-8699, telephone (804)
662-9217.

DEPARTMENT FOR CHILDREN

Consortium on Child Mental Health

October 3, 1990 - 9 a.m. - Open Meeting
Eighth Street Office Building, 11th Floor Conference Room,
805 East Broad Street, Richmond, Virginia. ☒

A regular business meeting open to the public, followed by an executive session, for purposes of confidentiality, to review applications for funding of services to individuals.

Contact: Wenda Singer, Chair, Department for Children, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-2208.

COORDINATING COMMITTEE FOR INTERDEPARTMENTAL REGULATION OF RESIDENTIAL FACILITIES FOR CHILDREN

October 19, 1990 - 8:30 a.m. - Open Meeting
Office of the Coordinator, Interdepartmental Regulation,
1603 Santa Rosa Road, Tyler Building, Suite 208,
Richmond, Virginia. ☒

Regularly scheduled meetings 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 Regulation, Office of the Coordinator, 8007 Discovery Dr., Richmond, VA 23229-8699, telephone (804) 662-7124.

DEPARTMENT OF COMMERCE

September 26, 1990 - 9 a.m. - Public Hearing
Department of Commerce, 3600 West Broad Street,
Conference Room 1, Richmond, Virginia.

Notice is hereby given in accordance with § 9-6.14.7.1 of the Code of Virginia that the Department of Commerce intends to consider amending regulations entitled: **VR 190-05-1. Asbestos Licensing Regulations.** The amendments to the Virginia Asbestos Licensing Regulations include the licensure of RFS Inspectors, Project Monitors, Asbestos Analytical Laboratories, Conflict of Interest within the Asbestos Industry and adjustments of all fees.

Statutory Authority: §§ 54.1-500 through 54.1-517 of the Code of Virginia.

Written comments may be submitted until October 26, 1990.

Contact: Peggy J. Wood, Assistant Director, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595 or

toll-free 1-800-552-3016.

COMMUNITY CORRECTIONS RESOURCES BOARD - MIDDLE VIRGINIA

October 4, 1990 - 7 p.m. - Open Meeting
November 1, 1990 - 7 p.m. - Open Meeting
502 South Main Street, No. 4, Culpeper, Virginia.

From 7 p.m. until 7:30 p.m. the Board of Directors will hold a business meeting to discuss DOC contract, budget, and other related business. Then the CCRB will meet to review cases before for eligibility to participate with the program. It will review the previous month's operation (budget and program related business).

Contact: Lisa Ann Peacock, Program Director, 502 S. Main St., No. 4, Culpeper, VA 22701, telephone (703) 825-4562.

COMMUNITY CORRECTIONS RESOURCES BOARD - WINCHESTER

† **September 25, 1990 - 2 p.m. - Open Meeting**
Court Square (Courthouse), Board of Supervisors' Meeting Room, Winchester, Virginia.

A meeting to review referrals made by the judges and to review cases.

Contact: Kim Wilson, Administrative Assistant, 112 S. Cameron St., Winchester, VA 22601, telephone (703) 665-5633.

BOARD ON CONSERVATION AND DEVELOPMENT OF PUBLIC BEACHES

† **October 31, 1990 - 10:30 a.m. - Open Meeting**
King James Motor Hotel, Queen Ann Room, 6045 Jefferson Avenue, Newport News, Virginia. FT1203 5

A meeting to discuss proposals from localities requesting matching grant funds from the board.

Contact: Jack E. Frye, Shoreline Programs Bureau Manager, P.O. Box 1024, Gloucester Point, VA 23062, telephone (804) 642-7121.

DEPARTMENT OF CONSERVATION AND RECREATION

Recreation in the Juvenile Justice System Advisory Board

† **September 27, 1990 - 10 a.m. - Open Meeting**
Peaks of Otter Lodge, Bedford, Virginia.

A business meeting to review assessment process for

Calendar of Events

recreation services in juvenile detention homes in Virginia.

Contact: Patricia S. Helms, Recreation Specialist, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 371-0348 or 786-2121/TDD ☎ .

BOARD OF CORRECTIONS

October 10, 1990 - 10 a.m. - Open Meeting
Board of Corrections Board Room, 6900 Atmore Drive, Richmond, Virginia. ☒

A regular monthly meeting.

Contact: Ms. Vivian Toler, Secretary of the Board, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3235.

* * * * *

October 10, 1990 - 10 a.m. - Public Hearing
Department of Corrections, 6900 Atmore Drive, Richmond, Virginia.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Corrections intends to consider adopting regulations entitled: **VR 230-30-008. Regulations for State Reimbursement of Local Correctional Facility Construction Costs.** These regulations provide instructions for local correctional facilities to apply for reimbursement for construction, enlargement, or renovation costs.

Statutory Authority: §§ 53.1-5 and 53.1-80 through 53.1-82 of the Code of Virginia.

Written comments may be submitted until November 10, 1990.

Contact: A. T. Robinson, Local Facilities Administrator, P.O. Box 26963, Richmond, VA 23261, telephone (804) 674-3251.

BOARD FOR COSMETOLOGY

† October 15, 1990 - 9 a.m. - Open Meeting
Department of Commerce, 3600 West Broad Street, Richmond, Virginia. ☒

A regular business meeting to review correspondence, enforcement cases, applications and discuss routine board business.

† October 15, 1990 - 2 p.m. - Open Meeting
General Assembly Building, House Room C, 9th and Broad Streets, Richmond, Virginia. ☒

† October 17, 1990 - 11 a.m. - Open Meeting
Fairfax City Hall, Room 305, 10455 Armstrong Street, Fairfax, Virginia. ☒

A meeting to solicit comment on the proposed emergency nail technician regulations. The board will also be conducting a 30-day comment period beginning September 24 and ending October 24, 1990. Written comments should be submitted to Roberta L. Banning, Assistant Director, Department of Commerce, 3600 West Broad Street, Richmond, Virginia 23230-4917.

Contact: Roberta L. Banning, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590.

CRIMINAL JUSTICE SERVICES BOARD

† October 3, 1990 - 11 a.m. - Open Meeting
Senate Room A, General Assembly Building, Capitol Square, Richmond, Virginia. ☒

A meeting to consider matters related to the board's responsibilities for criminal justice training and improvement of the criminal justice system.

Public comments will be heard before adjournment of the meeting.

Contact: Paula J. Scott, Staff Executive, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-4000.

Committee on Training

† October 3, 1990 - 9:30 a.m. - Open Meeting
Senate Room A, General Assembly Building, Capitol Square, Richmond, Virginia. ☒

A meeting to discuss matters related to training for criminal justice personnel.

Contact: Paula J. Scott, Staff Executive, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-4000.

BOARD OF EDUCATION

September 27, 1990 - 9 a.m. - Open Meeting
September 28, 1990 - 9 a.m. - Open Meeting
October 25, 1990 - 9 a.m. - Open Meeting
October 26, 1990 - 9 a.m. - Open Meeting
General Assembly Building, 910 Capitol Street, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

The Board of Education and the Board of Vocational Education will hold a regularly scheduled meeting. Business will be conducted according to items listed

on the agenda. The agenda is available upon request.

Contact: Margaret Roberts, Executive Director, Board of Education, P.O. Box 6-Q, Richmond, VA 23216, telephone (804) 225-2540.

GOVERNOR'S COMMISSION ON EDUCATIONAL OPPORTUNITY FOR ALL VIRGINIANS

September 26, 1990 - 9:30 a.m. - Open Meeting
General Assembly Building, House Room D, 910 Capitol Street, Richmond, Virginia. ☐

NOTE: CHANGE OF MEETING LOCATION
December 5, 1990 - 9:30 a.m. - Open Meeting
Monroe Building, Conference Rooms D & E, 1st Floor, Richmond, Virginia. ☐

A full commission meeting.

October 3, 1990 - 4 p.m. - Public Hearing
General Assembly Building, House Room D, 910 Capitol Street, Richmond, Virginia. ☐

A commission public hearing.

Contact: Kris Ragan, Staff, P.O. Box 1422, Ninth Street Office Bldg., Room 329, Richmond, VA 23211, telephone (804) 786-1688.

LOCAL EMERGENCY PLANNING COMMITTEE - CHESTERFIELD COUNTY

October 4, 1990 - 5:30 p.m. - Open Meeting
Chesterfield County Administration Building, 10,001 Ironbridge Road, Chesterfield, Virginia. ☐

Local emergency preparedness committee meeting as required by SARA Title III.

Contact: Lynda G. Furr, Assistant Emergency Services Coordinator, Chesterfield Fire Department, P.O. Box 40, Chesterfield, VA 23832, telephone (804) 748-1236.

LOCAL EMERGENCY PLANNING COMMITTEE - HANOVER COUNTY

† **October 2, 1990 - 9 a.m. - Open Meeting**
Fire Training Center, Route 696, Ashland, Virginia.

Explanation and demonstration of EIS/C Computerized Emergency Information System.

Report on North Anna Vopex Exercise held August 7.

15 minute discussion period.

Contact: John F. Trivellin, Hazardous Materials

Coordinator, P.O. Box 470, Hanover, VA 23069, telephone (804) 798-8554 or (804) 752-6579.

LOCAL EMERGENCY PLANNING COMMITTEE - COUNTY OF PRINCE WILLIAM, CITY OF MANASSAS, AND CITY OF MANASSAS PARK

October 15, 1990 - 2:30 p.m. - Open Meeting
1 County Complex Court, Prince William, Virginia. ☐

Local emergency preparedness committee meeting as required by SARA Title III.

Contact: Thomas J. Hajduk, Information Coordinator, 1 County Complex Court, Prince William, VA 22192-9201, telephone (703) 335-6800.

LOCAL EMERGENCY PLANNING COMMITTEE - WINCHESTER

† **October 3, 1990 - 3 p.m. - Open Meeting**
Old Frederick County Court House Conference Room, Winchester, Virginia.

This meeting will cover how the Mock Disaster Drill went on September 8 as well as to discuss the resignation of Homer Sanders, Frederick County Coordinator of Emergency Services, and his replacement.

Contact: L.A. Miller, Fire Chief, 126 N. Cameron St., Fire Department Headquarters, Winchester, VA 22601, telephone (703) 665-5695.

COUNCIL ON THE ENVIRONMENT

† **October 9, 1990 - 7:30 p.m. - Open Meeting**
Shenandoah College, Henkel Hall, Hester Auditorium, Winchester, Virginia. ☐

A quarterly meeting to discuss environmental issues in the Commonwealth. The public is invited and will be given the opportunity to comment or 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 EMPLOYMENT COMMISSION

Advisory Board

October 9, 1990 - 1 p.m. - Open Meeting
October 10, 1990 - 3 p.m. - Open Meeting

Calendar of Events

Radisson Hotel, 555 East Canal Street, Richmond, Virginia. ☒

A regular meeting to conduct general business.

Contact: Ron Montgomery, 703 E. Main St., Richmond, VA 23219, telephone (804) 786-1070.

FAMILY AND CHILDREN'S TRUST FUND OF VIRGINIA

Board of Trustees

October 12, 1990 - 10 a.m. - Open Meeting
November 9, 1990 - 10 a.m. - Open Meeting
December 7, 1990 - 10 a.m. - Open Meeting
Koger Executive Center, West End, Blair Building,
Conference Room C, 8007 Discovery Drive, Richmond,
Virginia. ☒

The board will plan and evaluate its fund raising campaign. It will carry out all the activities necessary for implementation of this project.

Contact: Molly Moncure Jennings, Executive Director, Family and Children's Trust Fund, 8007 Discovery Dr., Richmond, VA 23229-8699, telephone (804) 662-9217.

VIRGINIA FARMERS' MARKET BOARD

† November 1, 1990 - 1 p.m. - Open Meeting
State Capitol, House Room 1, Capitol Square, Richmond,
Virginia.

A regular board meeting.

Contact: Nancy L. Israel, Farmers' Market Network Program Director, 1100 Bank St., Richmond, VA 23219, telephone (804) 371-6157.

BOARD OF FORESTRY

† October 4, 1990 - 9 a.m. - Open Meeting
Department of Forestry, McCormick and Alderman Roads,
Charlottesville, Virginia. ☒

A general business meeting.

Contact: Barbara A. Worrell, Administrative Staff Specialist, P.O. Box 3758, Charlottesville, VA 22903, telephone (804) 977-6555, SCATS 487-1230 or (804) 977-6555/TDD ☒

DEPARTMENT OF FORESTRY

Reforestation of Timberlands Board

September 26, 1990 - 10 a.m. - Open Meeting

Lumber Manufacturers' Association of Virginia, Inc., 220 East Williamsburg Road, Sandston, Virginia. ☒

Semi-annual meeting of the board to review accomplishments and budget.

Contact: Phil T. Grimm, Assistant Chief Forest Management, Department of Forestry, Box 3758, Charlottesville, VA 22903, telephone (804) 977-6555/TDD ☒ or SCATS 487-1230

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

October 4, 1990 - 11 a.m. - Open Meeting
1601 Rolling Hills Drive, Conference Room 2, Richmond,
Virginia. ☒

Trainee/Education Committee meeting.

October 10, 1990 - 11 a.m. - Open Meeting
1601 Rolling Hills Drive, Conference Room 3, Richmond,
Virginia. ☒

FDE reciprocity committee meeting.

October 16, 1990 - 8 a.m. - Open Meeting
1601 Rolling Hills Drive, Conference Room 2, Richmond,
Virginia. ☒

FDE informal conference.

October 17, 1990 - 9 a.m. - Open Meeting
1601 Rolling Hills Drive, Conference Room 1, Richmond,
Virginia. ☒

FDE legislative committee meeting.

October 17, 1990 - 10 a.m. - Open Meeting
1601 Rolling Hills Drive, Conference Room 1, Richmond,
Virginia. ☒

FDE regularly scheduled board meeting.

† November 27, 1990 - 9 a.m. - Open Meeting
1601 Rolling Hills Drive, Conference Room 3, Richmond,
Virginia. ☒

FDE Informals.

† November 28, 1990 - 9 a.m. - Open Meeting
1601 Rolling Hills Drive, Conference Rooms 3 and 4,
Richmond, Virginia. ☒

At 9 a.m. - FDE Examinations given.

At 1 p.m. - FDE Board Meeting.

Contact: Meredyth P. Partridge, Executive Director, 1601 Rolling Hills Dr., Richmond, VA 23229-5005, telephone (804) 662-9111.

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November 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 Board of Funeral Directors and Embalmers intends to adopt regulations entitled: **VR 320-01-03. Regulations for Preneed Funeral Planning.** The proposed regulations establish standards for the sale of preneed funeral arrangements by licensing of the Board of Funeral Directors and Embalmers in Virginia.

Statutory Authority: §§ 54.1-2400 and 54.1-2803(10) of the Code of Virginia.

Written comments may be submitted until November 9, 1990.

Contact: Meredyth P. Partridge, Executive Director, 1601 Rolling Hills Dr., Richmond, VA 23229-5005, telephone (804) 662-9941.

DEPARTMENT OF GAME AND INLAND FISHERIES

† **October 12, 1990 - 9:30 a.m.** – Open Meeting
4010 West Broad Street, Richmond, Virginia. ☒

The Law and Education Committee will meet to review, revise and rewrite board policies and to discuss and act on other administrative matters that may be necessary.

Contact: Belle Harding, Secretary to Director, 4010 W. Broad St., Richmond, VA 23230, telephone (804) 367-1000 or toll-free 1-800-252-7717.

DEPARTMENT OF GENERAL SERVICES

State Insurance Advisory Board

September 26, 1990 - 10 a.m. – Open Meeting
Department of General Services, 209 Ninth Street, Director's Conference Room, Richmond, Virginia.

A quarterly meeting.

Contact: Don W. LeMond, Eighth Street Office Bldg., Suite 805, Richmond, VA 23219, telephone (804) 225-4619.

HAZARDOUS MATERIALS TRAINING COMMITTEE

September 26, 1990 - 1 p.m. – Open Meeting
Radisson Hotel-Virginia Beach, 1900 Pavilion Drive, Virginia Beach, Virginia.

A meeting to discuss curriculum course development

and review existing hazardous materials courses.

Contact: Mr. Larry Logan, Deputy Chief, Fire and Emergency Services, 3568 Peters Creek Rd., N.W., Roanoke, VA 24019.

STATE BOARD OF HEALTH

October 15, 1990 - 10 a.m. – Public Hearing
James Madison Building, Main Floor Conference Room, 109 Governor Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Health intends to amend regulations entitled: **VR 355-30-01. Virginia Medical Care Facilities Certificate of Public Need Rules and Regulations.** The purpose of this action is to amend the existing Virginia Medical Care Facilities Certificate of Public Need (COPN) Rules and Regulations in order to implement the COPN program consistent with amended COPN Law that became effective on July 1, 1990.

Statutory Authority: §§ 32.1-12 and 32.1-102.1 et seq. of the Code of Virginia.

Written comments may be submitted until October 26, 1990.

Contact: Marilyn H. West, Director, Division of Resources Development, Virginia Department of Health, James Madison Bldg., Room 1005, 109 Governor St., Richmond, VA 23219, telephone (804) 786-7463.

DEPARTMENT OF HEALTH PROFESSIONS

Advisory Board on Physical Therapy

October 5, 1990 - 9 a.m. – Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Room 2, Richmond, Virginia. ☒

The advisory board will review and discuss regulations, bylaws, procedural manuals, receive reports, and other items. The advisory board will not receive public comments.

Contact: Eugenia K. Dorson, Deputy Executive Director, Department of Health Professions, 1601 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9925.

VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL

September 25, 1990 - 9:30 a.m. – Open Meeting
† **October 23, 1990 - 9:30 a.m.** – Open Meeting
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia. ☒

Calendar of Events

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., 6th Floor, Richmond, VA 23219, telephone (804) 786-6371/TDD ☎

STATE COUNCIL FOR HIGHER EDUCATION OF VIRGINIA

October 3, 1990 - 9:30 a.m. - Open Meeting
James Monroe Building, Council Conference Room, 9th Floor, Richmond, Virginia. ☒

A general business meeting. Contact the council for more information.

Contact: Barry Dorsey, Associate Director, 101 N. 14th St., James Monroe Bldg., 9th Floor, Richmond, VA 23219, telephone (804) 225-2629.

DEPARTMENT OF HISTORIC RESOURCES

State Review Board

† **October 16, 1990 - 10 a.m. - Open Meeting**
General Assembly Building, Senate Room A, Richmond, Virginia.

A meeting to consider the nomination of the following properties to the Virginia Landmarks Register and the National Register of Historic Places:

1. Airville, Gloucester County
2. Cockram's Mill, Patrick County
3. Colonial Hotel, Wise County
4. Main Street Methodist Church, Danville
5. Mt. Airy, Bedford County
6. Piedmont, Albemarle County
7. Tetley, Orange County
8. Wavertree, Albermarle County
9. Woodlawn, King George County
10. Bristoe Battlefield Historic District, Prince William County

Contact: Margaret Peters, Information Director, 221 Governor St., Richmond, VA 23219, telephone (804) 786-3143 or 786-1934/TDD ☎

BOARD OF HISTORIC RESOURCES

† **October 16, 1990 - 1:30 p.m. - Open Meeting**
General Assembly Building, Senate Room A, Richmond, Virginia.

A general business meeting.

† **October 23, 1990 - 2 p.m. - Open Meeting**
† **October 24, 1990 - 9 p.m. - Open Meeting**
Virginia House, 4301 Sulgrave Road, Richmond, Virginia.

A workshop for board members.

Contact: Margaret Peters, Information Director, 221 Governor St., Richmond, VA 23219, telephone (804) 786-3143 or 786-1934/TDD ☎

HOPEWELL INDUSTRIAL SAFETY COUNCIL

† **October 2, 1990 - 9 a.m. - Open Meeting**
† **November 6, 1990 - 9 a.m. - Open Meeting**
† **December 4, 1990 - 9 a.m. - Open Meeting**
Hopewell Community Center, Second and City Point Road, Hopewell, Virginia. ☒ (Interpreter for deaf provided upon request)

Local Emergency Preparedness Committee Meeting on Emergency Preparedness as required by SARA Title III.

Contact: Robert Brown, Emergency Service Coordinator, 300 N. Main St., Hopewell, VA 23860, telephone (804) 541-2298.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Regulatory Effectiveness Advisory Committee

September 26, 1990 - 1 p.m. - Open Meeting
September 27, 1990 - 9 a.m. - Open Meeting
Virginia Housing Development Authority, 601 Belvidere Street, Training Room, Richmond, Virginia. ☒

A meeting to develop proposed changes to the BOCA model codes for the 1991 code change cycle.

Contact: Carolyn R. Williams, Building Code Supervisor, 205 N. 4th St., Richmond, VA 23219, telephone (804) 371-7772 or (804) 786-5405/TDD ☎

COUNCIL ON INDIANS

October 10, 1990 - 2 p.m. - Open Meeting
Koger Executive Complex, Blair Building, 8007 Discovery Drive, Conference Room C, Richmond, Virginia.

A regular meeting to conduct general business and to receive reports from the council standing committees.

Contact: Mary Zoller, Information Director, 8007 Discovery Dr., Richmond, VA 23229-8699, telephone (804) 662-9285 or toll-free 1-800-552-7096.

DEPARTMENT OF LABOR AND INDUSTRY

Safety and Health Codes Board

September 26, 1990 - 7 p.m. - Open Meeting
Fairfax City Council Chambers, 10455 Armstrong Street, Fairfax, Virginia.

NOTE: CHANGE IN MEETING DATE

October 10, 1990 - 7 p.m. - Open Meeting
Roanoke County Administration Building, 3738 Brambleton Avenue, S.W., Roanoke, Virginia.

In accordance with this agency's Public Participation Guidelines, comments on the proposed changes to the proposed regulation concerning Licensed Asbestos Contractor Notification, Asbestos Project Permits and Permit Fees (VR 425-01-74) will be accepted at the open meetings listed. The proposed regulation appears in this issue of the Register. Oral comments to be presented must be accompanied by a written copy. Written copies will be accepted at the meetings or by mail prior to the meeting date.

* * * * *

January 8, 1991 - 10 a.m. - Public Hearing
Virginia Housing and Development Authority Conference Center, 601 South Belvidere Street, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Labor and Industry intends to amend regulations entitled: **VR 425-01-74. Licensed Asbestos Contractor Notification, Asbestos Project Permits and Permit Fees.** The proposed regulation provides a procedure for notification to the Department of Labor and Industry of asbestos projects and establishes permit fees for those projects.

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

Written comments may be submitted until October 15, 1990.

Contact: John J. Crisanti, Director, Office of Enforcement Policy, P.O. Box 12064, Richmond, VA 23241-0064, telephone (804) 786-2384.

LONGWOOD COLLEGE

Board of Visitors

† **October 11, 1990 - 8 p.m. - Open Meeting**
† **October 12, 1990 (if necessary) - 9 a.m. - Open Meeting**
Longwood College Campus, Ruffner Building.

A routine business meeting.

Contact: William F. Dorrill, Office of the President, Longwood College, telephone (804) 395-2001.

STATE LOTTERY BOARD

September 26, 1990 - 10 a.m. - Open Meeting
October 24, 1990 - 10 a.m. - Open Meeting
November 28, 1990 - 10 a.m. - Open Meeting
December 19, 1990 - 10 a.m. - Open Meeting
State Lottery Department, 2201 West Broad Street, Conference Room, Richmond, Virginia. ☐

A regular monthly meeting to conduct business according to items listed on 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

September 25, 1990 - 9:30 a.m. - Open Meeting
VMRC Headquarters, 2600 Washington Avenue, Room 403, 4th Floor, Newport News, Virginia.

9:30 a.m. - The commission will hear and decide marine environmental matters: permit application for projects in wetlands, bottom lands, coastal primary sand dunes and beaches; appeals of local wetland board decisions; policy and regulatory issues.

2 p.m. - The commission will hear and decide fishery management items: regulatory proposals; fishery management plans; fishery conservation issues; licensing; shellfish leasing.

Meeting are open to the public. Testimony is taken under oath from parties addressing agenda items on permits, licensing. Public comments are taken on resource matters, regulatory issues, and items scheduled for public hearing.

The commission is empowered to promulgate regulations in the areas of marine environmental management and marine fishery management.

Contact: Cathy W. Everett, Secretary to the Commission,

Calendar of Events

P.O. Box 756, Room 1006, Newport News, VA 23607, telephone (804) 247-8088.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Technical Advisory Panel

† September 26, 1990 - 10 a.m. - Open Meeting
600 East Broad Street, Suite 1300, Boardroom, Richmond, Virginia. ☒

Briefing on the preliminary report containing recommendations for HB 1109 study issues.

Contact: David Coronado, Director, Division of Policy and Research, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

† November 23, 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 of Medical Assistance Services intends to amend regulations entitled: VR 460-04-8.7. Client Appeals. This proposed regulation will govern the appeal process of Medicaid recipients.

STATEMENT

Basis and Authority: Section 32.1-324 of the Code of Virginia 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 promulgation of proposed regulations subject to the Department of Planning and Budget's and Governor's reviews. 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.

Purpose: The purpose of this proposal is to promulgate final regulations that will govern the client appeals process at the Department of Medical Assistance Services.

Summary and Analysis: The Code of Federal Regulations § 431 Subpart E contains the federal requirements for fair hearings for applicants and recipients. This subpart, in implementing the Social Security Act § 1902(a)(3), requires that the State Plan for Medical Assistance provide an opportunity for a fair hearing to any person whose claim for assistance is denied or not acted upon promptly. Hearings are also available for individuals if Medicaid

takes action to suspend, terminate, or reduce services. The State Plan conforms to this requirement on page 33.

The Virginia General Assembly amended the Administrative Process Act effective July 1, 1989, to allow limited judicial review of public assistance case decisions. In an effort to ensure continued due process fairness in client appeals and, in anticipation of the newly established availability of judicial review, the department has revised its administrative procedures for client appeals.

The volunteer Medicaid Appeals Board, formerly used to decide client appeals, has been replaced with a Medical Assistance Appeals Panel which consists of three Administrative Law Judges employed by the department. The revised Client Appeals system now provides for two levels of review of Medicaid client appeals. The first level is a Hearing Officer decision and the second is a decision by the panel of Administrative Law Judges. These new procedures should minimize the number of decisions appealed in court.

The department administers this revised system under emergency regulations that are effective until January 15, 1991. While these proposed regulations include a change to the structure of the previously filed emergency regulations by formatting them in the sequence by which the process actually occurs, but the operating premise of the Client Appeals system described in the emergency regulation remains unchanged.

Impact: These proposed regulations will revise the emergency regulations under which the department now operates and place the department under final regulations. The necessary staff for implementing the new system have been hired, and the operating costs were included in the previously approved budget for FY '91.

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

Written comments may be submitted until 4:30 p.m., November 23, 1990, to Marsha Vandervall, Director Division of Client Appeals, DMAS, 600 E. Broad St., Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7933.

BOARD OF MEDICINE

† October 24, 1990 - 5:30 p.m. - Open Meeting
Board Room 3, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

A meeting to (i) review the statistical information on patient treatment, (ii) review proposed training program petition, (iii) review regulations and (iv) other matters which may come before the Advisory

Committee.

Public comment will be received upon invitation of the Chairman at the conclusion of the meeting.

Contact: Eugenia K. Dorson, Deputy Executive Director, 1601 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9925.

Chiropractic Test Committee

September 27, 1990 - 1 p.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

The committee will meet in executive and closed session to develop test items for chiropractic examination. Public comment will not be received.

Informal Conference Committee

September 28, 1990 - 9 a.m. - Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

October 11, 1990 - 9 a.m. - Open Meeting
Fredericksburg Resort and Conference Center, I-95 and Rt. 3, Fredericksburg, Virginia. ☒

The committee will inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 A 7 and A 15 of the Code of Virginia. Public comment will not be received.

Contact: Karen D. Waldron, Deputy Executive Director, 1601 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9908 or 662-9943/TDD ☎

STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

September 25, 1990 - 6 p.m. - Open Meeting
September 26, 1990 - 9:30 a.m. - Open Meeting
Dickenson County Community Services Board, Clintwood, Virginia. ☒

September 25
6 p.m. - Committee meeting.
8:30 p.m. - Informal Session.

September 26
7:30 a.m. - Legislative Breakfast.
9:30 a.m. - Regular Session. See agenda for location.

The agenda will be published on September 19 and can be obtained by calling Jane Helfrich.

Contact: Jane Helfrich, Board Administrator, P.O. Box 1797, Richmond, VA 23214, telephone (804) 786-3921.

VIRGINIA MILITARY INSTITUTE

Board of Visitors

† **November 10, 1990 - 8:30 a.m. - Open Meeting**
Virginia Military Institute, Lexington, Virginia. ☒

A regular meeting of the VMI Board of Visitors. Committee reports.

Contact: Colonel Edwin L. Dooley, Jr., Secretary, Virginia Military Institute, Lexington, VA 24450, telephone (703) 464-7206.

DEPARTMENT OF MINORITY BUSINESS ENTERPRISE

September 28, 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 Minority Business Enterprise intends to adopt regulations entitled: **VR 486-01-01. Public Participation Guidelines.** These proposed regulations will outline the procedure in which the Department of Minority Business Enterprise will involve interested persons in developing or amending agency regulations.

Statutory Authority: § 2.1-64.35:8 of the Code of Virginia.

Written comments may be submitted until September 28, 1990.

Contact: Garland W. Curtis, Deputy Director, Department of Minority Business Enterprise, Ninth Street Office Bldg., Suite 200-202, Richmond, VA 23219, telephone (804) 786-5560 or toll-free 1-800-223-0671.

MOTOR VEHICLE DEALERS' ADVISORY BOARD

† **September 26, 1990 - 9 a.m. - Open Meeting**
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia. (Interpreter for deaf provided upon request)

The Virginia Department of Motor Vehicles will host a quarterly meeting of the Motor Vehicle Dealers' Advisory Board. The board will discuss issues and plans concerning the administration of the Motor Vehicle Dealer Licensing Act.

Contact: Jerome L. Stein, Manager, Dealer and Records, 2300 W. Broad St., Room 521, Richmond, VA 23220, telephone (804) 367-0455 or 367-1752/TDD ☎

Calendar of Events

DEPARTMENT OF MOTOR VEHICLES

Medical Advisory Board

† **October 10, 1990 - 1 p.m.** – Open Meeting
Department of Motor Vehicles, 2300 West Broad Street,
Richmond, Virginia. ☒

A regular business meeting open to the public.

Contact: Karen Ruby, Manager, 2300 W. Broad St.,
Richmond, VA 23220, telephone (804) 367-0406.

BOARD OF NURSING

September 24, 1990 - 9 a.m. – Open Meeting
September 25, 1990 - 9 a.m. – Open Meeting
September 26, 1990 - 9 a.m. – Public Hearing
Department of Health Professions, 1601 Rolling Hills Drive,
Richmond, Virginia. ☒

A regular meeting 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.

September 24, 11 a.m.: Public comment on other matters will be received during an open forum session.

September 26, 10 a.m.: The board will conduct a public hearing to receive proposed regulations related to the authority of licensed practical nurses to teach nurse aides.

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September 26, 1990 - 10 a.m. – Public Hearing
Department of Health Professions, 1601 Rolling Hills Drive,
Board Room 1, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Nursing intends to amend regulations entitled: **VR 495-01-1. Board of Nursing Regulations.** The purpose of these regulations is to amend the requirements for instructional personnel in nurse aide education programs by establishing standards for licensed practical nurses to teach nurse aides.

Statutory Authority: §§ 54.1-2400 and 54.1-3005 of the Code of Virginia.

Written comments may be submitted until October 27, 1990.

Contact: Corinne F. Dorsey, R.N., Executive Director, 1601 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9909 or toll-free 1-800-533-1560.

Education Advisory Committee

October 23, 1990 - 10 a.m. – Open Meeting
Department of Health Professions, 1601 Rolling Hills Drive,
Richmond, Virginia. ☒

A meeting to consider matters related to educational programs approved by the board and make recommendations to the board as needed. Public comment will be accepted at 1 p.m.

Contact: Corinne F. Dorsey, R.N., Executive Director, 1601 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9909 or (804) 662-7197/TDD ☎

BOARD FOR OPTICIANS

† **October 4, 1990 - 9 a.m.** – Open Meeting
Department of Commerce, 3600 West Broad Street, 5th
Floor, Richmond, Virginia. ☒

A meeting to (i) review applications (ii) review correspondence (iii) review enforcement cases, (iv) conduct regulatory review; (v) conduct RFP examination review; and (vi) conduct routine board business

Contact: Roberta L. Banning, Assistant Director, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590 or toll-free 1-800-552-3016 (VA only).

BOARD OF OPTOMETRY

September 26, 1990 - 8 a.m. – Open Meeting
1601 Rolling Hills Drive, Conference Room 4, Richmond,
Virginia. ☒ (Interpreter for deaf provided if requested)

Committee informational review and informal conferences.

Contact: Lisa J. Russell, Executive Director, 1601 Rollings Hills Dr., Richmond, VA 23229-5005, telephone (804) 662-9942.

VIRGINIA OUTDOORS FOUNDATION

September 26, 1990 - 10:30 a.m. – Open Meeting
State Capitol, House Room 1, Capitol Square, Richmond,
Virginia. ☒

A general business meeting.

Contact: Tyson B. Van Auken, Executive Director, 221 Governor St., Richmond, VA 23219, telephone (804) 786-5539.

POLYGRAPH EXAMINERS ADVISORY BOARD

† **September 27, 1990 - 9 a.m.** – Open Meeting

Department of Commerce, 3600 West Broad Street, Richmond, Virginia. ☒

A meeting to administer the Polygraph Examiners licensing examination to eligible polygraph examiner interns.

Contact: Mr. Geralde 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.

PRIVATE SECURITY SERVICES ADVISORY COMMITTEE

† **October 17, 1990 - 9 a.m.** – Open Meeting
Massanutten, P.O. Box 1227, Harrisonburg, Virginia.

A meeting to discuss business of the committee.

Contact: Paula J. Scott, Staff Executive, 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 786-4000.

REAL ESTATE BOARD

† **October 3, 1990 - 11 a.m.** – Open Meeting
Department of Commerce, 3600 West Broad Street, Fifth Floor, Conference Room One, Richmond, Virginia.

The board will meet to conduct a formal hearing: File Number 90-00778, Real Estate Board v. Craig L. Spicer a/k/a/ Lawrence Menefee.

† **October 3, 1990 - 1 p.m.** – Open Meeting
Department of Commerce, 3600 West Broad Street, Fifth Floor, Conference Room One, Richmond, Virginia.

The board will meet to conduct a formal hearing: File Number 89-01124, Real Estate Board v. Ghiam E. Nobakht.

October 17, 1990 - 10 a.m. – Open Meeting
Hampton City Council Chambers, 22 Lincoln Street, Hampton, Virginia.

The board will meet to conduct a formal hearing: File Number 90-00137, Real Estate Board v. Donna R. Goodson.

October 17, 1990 - 1 p.m. – Open Meeting
Hampton City Council Chambers, 22 Lincoln Street, Hampton, Virginia.

The board will meet to conduct a formal hearing: File Number 90-01440, Real Estate Board v. Benjamin E. Garrett Jr.

Contact: Gayle Eubank, Hearings Coordinator, Department of Commerce, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8524.

Fair Housing Liaison Committee

September 28, 1990 - 9 a.m. – Open Meeting
Department of Commerce, 3600 West Broad Street, Richmond, Virginia. ☒ (Interpreter for deaf provided upon request)

A meeting to discuss draft fair housing regulations.

Contact: Florence R. Brassier, Deputy Director for Regulatory Programs, Department of Commerce, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2194.

BOARD OF REHABILITATIVE SERVICES

† **September 27, 1990 - 11 a.m.** – Open Meeting
5904 Old Richmond Highway, Suite 410, Alexandria, Virginia. ☒ (Interpreter for deaf provided upon request)

The board will receive department reports, consider regulatory matters and conduct the regular business of the board.

Contact: Susan L. Urofsky, Commissioner, 4901 Fitzhugh Avenue, Richmond, VA 23230, telephone (804) 367-0319 or toll-free 1-800-552-5019 TDD & Voice or (804) 367-0280/TDD ☎

Finance Committee

† **September 27, 1990 - 9:30 a.m.** – Open Meeting
5904 Old Richmond Highway, Suite 410, Alexandria, Virginia. ☒ (Interpreter for deaf provided upon request)

The committee will review monthly financial reports and budgetary projections.

Contact: Susan L. Urofsky, Commissioner, 4901 Fitzhugh Avenue, Richmond, VA 23230, telephone (804) 367-0319 or toll-free 1-800-552-5019 TDD & Voice or (804) 367-0280/TDD ☎

Legislation and Evaluation Committee

† **September 27, 1990 - 9:30 a.m.** – Open Meeting
5904 Old Richmond Highway, Suite 410, Alexandria, Virginia. ☒ (Interpreter for deaf provided upon request)

Program evaluation report and legislative update.

Contact: Susan L. Urofsky, Commissioner, 4901 Fitzhugh Avenue, Richmond, VA 23230, telephone (804) 367-0319 or toll-free 1-800-552-5019 TDD & Voice or (804) 367-0280/TDD ☎

Program Committee

Calendar of Events

† September 27, 1990 - 9:30 a.m. - Open Meeting
5904 Old Richmond Highway, Suite 410, Alexandria,
Virginia. ☒ (Interpreter for deaf provided upon request)

Review vocational rehabilitation regulations and
presentation on project transition.

Contact: Susan L. Urofsky, Commissioner, 4901 Fitzhugh
Avenue, Richmond, VA 23230, telephone (804) 367-0319 or
toll-free 1-800-552-5019 TDD & Voice or (804)
367-0280/TDD ☎

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

† November 23, 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 of Social Services,
intends to adopt regulations entitled: **VR 615-01-28. Aid to
Dependent Children (ADC) Program - Entitlement Date.**
The purpose of the proposed amendment is to revise the
entitlement date policy to require that when an application
is approved in the month of application, entitlement will
begin with the date of authorization.

STATEMENT

Subject: When an ADC case is approved, the date
assistance must begin is the date of entitlement. The
proposed policy will ensure that the ADC program policy
relative to the date of entitlement is in compliance with
federal regulations.

Substance: This regulation will mandate that when an
application is approved in the month of application, the
date of entitlement will be the date of authorization, which
is the date the worker makes a determination of
eligibility.

Issues: The issue to be addressed in this regulation is the
correct date of entitlement when approving an ADC case
in the month of application.

Basis: Section 63.1-25 of the Code of Virginia and 45 CFR
206.10.

Purpose: The purpose of this regulation is to ensure that
Virginia's ADC program policy is in compliance with
federal regulations at 45 CFR 206.10.

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

Written comments may be submitted until November 23,
1990, to Mr. Guy Lusk, Director, Division of Benefit
Programs, 8007 Discovery Dr., Richmond, VA 23229-8699.

Contact: Peggy Friedenberg, Legislative Analyst, 8007
Discovery Dr., Richmond, VA 23229-8699, telephone (804)
662-9217.

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† September 28, 1990 - 10 a.m. - Public Hearing
8007 Discovery Drive, Conference Rooms A & B,
Richmond, Virginia.

Notices is hereby given in accordance with § 9-6.14.7.1 of
the Code of Virginia that the Board of Social Services
intends to adopt regulations entitled: **VR 615-53-01. Child
Day Care Services Policy.** The proposed regulation
establishes child day care policy that the department must
have to implement federal requirements related to welfare
reform pursuant to Federal Public Law 100-485.

STATEMENT

Basis: This regulation is issued under authority granted by
the Code of Virginia, §§ 63.1-55, 63.1-133.17, 63.1-133.24,
and 63.1-248. These sections grant the State Board of
Social Services the authority to provide, where needed,
child day care services for children.

Purpose: The purpose of this regulation is to provide local
agencies with the policy they need to implement welfare
reform changes related to the service of child day care by
October 1, 1990, as mandated by federal P.L. 100-485.

Substance: This regulation provides policy to local agencies
for all of the child day care assistance programs that are
administered by the department. It updates policy so that
all the new mandates stipulated in welfare reform related
to child day care will be met in Virginia.

Issues: This regulation identifies what populations are
eligible for assistance with child day care services, and for
what reasons assistance is given. It identifies what types of
providers will be used, how they will be selected and how
they will be paid. It identifies how services to families will
be offered and monitored, and how families will be
determined eligible. It specifies what families will have to
pay for child day care, and how those fees will be
determined. It identifies how local agencies will coordinate
their child day care services with other resources in the
community, and how complaints related to child day care
settings will be handled.

Estimated impact: Implementing welfare reform in
Virginia will increase the child day care caseload because
implementation involves new federally mandated target
populations. These new mandated populations must be
served with day care when it is needed and available.

One new mandated child day care program has already
started in Virginia. The transitional child day care
program began 4/1/90 and will continue through the fiscal
year 90/91. This program serves eligible former recipients
of ADC with up to 12 months of child day care when this
is needed in order for the parent to work.

Another new mandated population will be those
participating in Virginia's Food Stamp Employment and

Training Program. The department is mandated to provide day care when needed and available in order for parents to participate in this program.

There will also be new mandated groups within the ADC recipient population. Those recipients with children between the ages of 3 and 6 will be a new mandated target population for Employment Services, and those under the age of 20 who do not have a high school education will be another group.

Although not directly related to welfare reform, the department will be continuing to administer the state and locally funded child day care fee program for income eligible families. This program serves the working poor with day care subsidy, a subsidy that enables them to remain employed and off full assistance. Effective 10/1/90 this program will also be able to serve those needing education or training to reach their employment goals.

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

Written comments may be submitted until November 24, 1990.

Contact: Margaret Friedenber, Legislative Analyst, 8007 Discovery Dr., Richmond, VA 23229-8699, telephone (804) 662-9182.

BOARD OF SOCIAL WORK

† **October 19, 1990 - 10 a.m.** - Open Meeting
† **October 20, 1990 - 10 a.m.** - Open Meeting
† **October 21, 1990 - 10 a.m.** - Open Meeting
Cascades Hotel and Conference Center, Williamsburg, Virginia.

A general board business meeting to review and plan for the next biennium and long-range goals.

Contact: Evelyn B. Brown, Executive Director, 1601 Rolling Hills Drive, Suite 200, Richmond, VA 23229, telephone (804) 662-9914.

COMMONWEALTH TRANSPORTATION BOARD

Committee on Federal Legislation

† **September 24, 1990 - 7 p.m.** - Open Meeting
Virginia Department of Transportation, Salem District Office, 731 Harrison Avenue, Salem, Virginia.

† **September 24, 1990 - 7 p.m.** - Open Meeting
Chantilly High School, 4201 Stringfellow, Chantilly, Virginia.

A public information meeting is being held to obtain comments from Virginia residents, business leaders and state and local officials on the Commonwealth's goals for a new National Surface Transportation Act.

The current federal transportation program, which provides federal funds for state highway and transit improvements, is scheduled to expire next year and a totally new program may be implemented. The future National Transportation Act will have a major effect on commerce and economic vitality of the Commonwealth and its citizens.

Contact: Geoffrey G. Trego, Department of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 225-3542.

TREASURY BOARD

† **October 17, 1990 - 9 a.m.** - Open Meeting
† **November 21, 1990 - 9 a.m.** - Open Meeting
101 North 14th Street, James Monroe Building, 3rd Floor, Treasury Board Conference Room, Richmond, Virginia. ☒

A regular meeting.

Contact: Laura Wagner-Lockwood, Senior Debt Manager, Department of the Treasury, P.O. Box 6-H, Richmond, VA 23215, telephone (804) 225-4931.

BOARD OF VETERINARY MEDICINE

† **October 10, 1990 - 8:30 a.m.** - Open Meeting
1601 Rolling Hills Drive, Conference Room 1, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A general board business and formal hearing.

† **October 11, 1990 - 9 a.m.** - Open Meeting
1601 Rolling Hills Drive, Conference Rooms 1, 3, and 4, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

Informal conferences, State Board Exam.

Contact: Terri H. Behr, 1601 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9915.

COMMISSION ON THE VIRGINIA ALCOHOL SAFETY ACTION PROGRAM

October 15, 1990 - 10 a.m. - Public Hearing
October 16, 1990 - 1 p.m. - Public Hearing
State Capitol, House Room 1, Richmond, Virginia.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Commission on the Virginia Alcohol Safety Action Program intends to amend regulations entitled: **VR 647-01-02. Commission on VASAP Policy and Procedure Manual.** These regulations describe policies and direction for operation of local ASAPs and procedures to be utilized when conforming to policy directives.

Calendar of Events

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

Written comments may be submitted until September 28, 1990, to William T. McCollum, Commission on VASAP, 1001 E. Broad St., Suite 245, Box 28, Old City Hall Bldg., Richmond, VA 23219.

Contact: Kimberly A. Morris, Executive Assistant, Commission on VASAP, 1001 E. Broad St., Suite 245, Old City Hall Bldg., Box 28, Richmond, VA 23219, telephone (804) 786-5895.

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October 15, 1990 - 10 a.m. - Public Hearing

October 16, 1990 - 1 p.m. - Public Hearing

State Capitol, House Room 1, Richmond, Virginia.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Commission on the Virginia Alcohol Safety Action Program intends to amend regulations entitled: **VR 647-01-03. VASAP Case Management Policy and Procedure Manual.** These regulations provide policy and guidance to local ASAP programs and the process for handling offenders referred for education and treatment of convictions for driving under the influence (DUI).

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

Written comments may be submitted until September 28, 1990, to William T. McCollum, Commission on VASAP, 1001 E. Broad St., Suite 245, Box 28, Old City Hall Bldg., Richmond, VA 23219.

Contact: Kimberly A. Morris, Executive Assistant, Commission on VASAP, 1001 E. Broad St., Suite 245, Old City Hall Bldg., Box 28, Richmond, VA 23219, telephone (804) 786-5895.

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October 15, 1990 - 10 a.m. - Public Hearing

October 16, 1990 - 1 p.m. - Public Hearing

State Capitol, House Room 1, Richmond, Virginia.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Commission on the Virginia Alcohol Safety Action Program intends to amend regulations entitled: **VR 647-01-04. Certification Requirements Manual.** All programs are established under § 18.2-271.1 of the Code of Virginia and are required to be certified by the Commission on VASAP. These regulations provide guidance for meeting the certification requirements.

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

Written comments may be submitted until September 28, 1990, to William T. McCollum, Commission on VASAP, 1001 E. Broad St., Suite 245, Box 28, Old City Hall Bldg., Richmond, VA 23219.

Contact: Kimberly A. Morris, Executive Assistant, Commission on VASAP, 1001 E. Broad St., Suite 245, Old City Hall Bldg., Box 28, Richmond, VA 23219, telephone (804) 786-5895.

BOARD FOR THE VISUALLY HANDICAPPED

† **October 18, 1990 - 1:30 p.m. - Open Meeting**
Virginia Industries for Blind, 1102 Monticello Road, Charlottesville, Virginia. ☒ (Interpreter for deaf provided upon request)

A quarterly meeting to review policy and procedures of the Virginia Department for the Visually Handicapped. Board reviews and approves department's budget.

Contact: Joseph A. Bowman, Executive Assistant, 397 Azalea Avenue, Richmond, VA 23227, telephone (804) 371-3140/TDD ☎ or toll-free 1-800-622-2155.

DEPARTMENT FOR THE VISUALLY HANDICAPPED

Advisory Committee on Services

† **October 13, 1990 - 11 a.m. - Open Meeting**
Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. FT3001 5 (Interpreter for deaf provided upon request)

The committee meets quarterly to advise the Virginia 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, 397 Azalea Avenue, Richmond, VA 23227, telephone (804) 371-3350, toll-free 1-800-622-2155 or 371-3140/TDD ☎

Interagency Coordinating Council on Delivery of Related Services to Handicapped Children

† **October 23, 1990 - 2 p.m. - Open Meeting**
Virginia Housing Development Authority, 601 South Belvidere Boulevard, Richmond, Virginia. ☒

A regular monthly meeting of the 13 agency representatives that comprise the council.

The council is designed to facilitate the timely delivery of appropriate services to handicapped children and youth in Virginia.

Contact: Glen R. Slonneger, Jr., Program and Policy

Specialist, Program for Infants, Children and Youth, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3140.

VIRGINIA VOLUNTARY FORMULARY BOARD

October 4, 1990 - 10:30 a.m. - Open Meeting
Washington Building, 1100 Bank Street, 2nd Floor Board Room, Richmond, Virginia.

A meeting to consider public hearing comments and new product data for products being considered for inclusion in the Virginia Voluntary Formulary.

Contact: James K. Thomson, Director, Bureau of Pharmacy Services, 109 Governor St., Room B 1-9, Richmond, VA 23219, telephone (804) 786-4326.

DEPARTMENT OF VOLUNTEERISM

September 25, 1990 - 2 p.m. - Open Meeting
Northern Virginia Planning District Commission, 7535 Little River Turnpike, Annandale, Virginia.

The department is conducting a public meeting to identify the current activities and concerns of the Virginia volunteer community. The department is seeking comments and suggestions from the public on: increasing volunteerism, training needs for volunteers and volunteer leaders, incentives to volunteering, barriers to volunteerism, liability issues, other subjects related to volunteerism, and Department of Volunteerism training, activities, and services.

The department encourages attendance and participation from concerned individuals and representatives of volunteer organizations, nonprofit associations, corporations, and government agencies.

The results of the meeting will be compiled and shared with those who are developing public policy which impacts the volunteer community.

Those wishing to address the meeting should submit a written request, including a short paragraph summarizing points to be covered, by September 17, 1990. Persons selected to be heard will be notified when they will be speaking and requested to submit a copy of their statement at the beginning of the meeting.

Written comments may be submitted until September 25, 1990.

Contact: Beth Hayes, Director, Virginia Department of Volunteerism, 805 E. Broad St., 6th Floor, Richmond, VA 23219, telephone (804) 786-1431.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

† **December 3, 1990 - 8:30 a.m. - Open Meeting**
† **December 4, 1990 - 8:30 a.m. - Open Meeting**
Department of Commerce, 3600 West Broad Street, Richmond, Virginia. ☒

An open meeting to conduct regulatory review and routine board business.

Contact: Mr. Geralde 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.

VIRGINIA WINEGROWERS ADVISORY BOARD

October 15, 1990 - 10 a.m. - Open Meeting
Birdwood Pavillion, Charlottesville, Virginia.

The board will hear committee and project monitor reports; review old and new business; and vote on project proposals for the FY 90-91.

Contact: Annette Ringwood, Secretary, 1100 Bank St., Suite 1010, Richmond, VA 23219, telephone (804) 786-0481 or (804) 371-7685.

STATE BOARD OF YOUTH AND FAMILY SERVICES
October 11, 1990 - 10 a.m. - Open Meeting
Board of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia. ☒

A regular monthly meeting to consider such matters as may be presented to the board.

Contact: Ms. Joyce Fogg, Secretary of the board, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3013.

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LEGISLATIVE

CHESAPEAKE AND ITS TRIBUTARIES SUBCOMMITTEE STUDYING CARRYOVER LEGISLATION

September 26, 1990 - 3 p.m. - Public Hearing
Lake Wright Motel, Colonial Room, 6280 North Hampton Boulevard, Norfolk, Virginia.

The subcommittee will conduct a public hearing to learn citizen views on carryover legislation involving House Bills 286 and 288.

Calendar of Events

Contact: Deanna Byrne, Staff Attorney, Division of Legislative Services, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591.

CITIZEN COMMITTEE STUDYING DANGEROUS DOMESTIC ANIMALS

† **October 11, 1990 - 10:30 p.m.** – Open Meeting
General Assembly Building, Third Floor West, Richmond, Virginia. ☒

A regular meeting. SJR 136

Contact: Liz Sills, 219 86th St., Virginia Beach, VA 23451, telephone (804) 428-6682.

JOINT SUBCOMMITTEE TO STUDY DIVORCEMENT AND REPRESENTATIVE OFFERING FOR INCLUSION IN THE VIRGINIA PETROLEUM FRANCHISE ACT

† **October 23, 1990 - 10 a.m.** – Open Meeting
General Assembly Building, 6th Floor Conference Room, Richmond, Virginia.

A working session to consider HJR 120.

Contact: Maria Everett, Staff Attorney, Division of Legislative Services, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591.

VIRGINIA CODE COMMISSION

October 11, 1990 - 9 a.m. – Open Meeting
October 12, 1990 - 9 a.m. – Open Meeting
Boar's Head Inn, Route 250 West, Charlottesville, Virginia.

The commission will continue with its revisions of (i) Title 65.1 (Workers' Compensation laws) of the Code of Virginia; and (ii) the criminal tax statutes in Title 58.1.

November 20, 1990 - 10 a.m. – Open Meeting
General Assembly Building, Sixth Floor Conference Room, 910 Capitol St., Richmond, Virginia. ☒

The commission will continue with its revision of Title 65.1.

Contact: Joan W. Smith, Virginia Code Commission, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591.

JOINT SUBCOMMITTEE STUDYING EARLY CHILDHOOD AND DAY CARE PROGRAMS

October 2, 1990 - 10 a.m. – Open Meeting
General Assembly Building, House Room C, 910 Capitol

Street, Richmond, Virginia. ☒

This is the first meeting of the subcommittee. The main agenda items will be to organize, identify the subcommittee's objectives, and establish a meeting schedule for the rest of the year. HJR 124.

Contact: Brenda Edwards, Research Associate, Division of Legislative Services, 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591 or Jeffrey A. Finch, House of Delegates, P.O. Box 406, Richmond, VA 23203, telephone (804) 786-2227.

EDUCATION SUBCOMMITTEE

September 24, 1990 - 10 a.m. – Open Meeting
General Assembly Building, Sixth Floor Conference Room, 910 Capitol Street, Richmond, Virginia. ☒

Members of the subcommittee will meet to study HB 445 which concerns the regulation of vocational nursing education.

Contact: Norma Szakal, Staff Attorney, Division of Legislative Services, 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591.

JOINT SUBCOMMITTEE STUDYING ELECTION LAWS

September 24, 1990 - 10 a.m. – Open Meeting
October 24, 1990 - 10 a.m. – Open Meeting
November 27, 1990 - 10 a.m. – Open Meeting
General Assembly Building, Senate Room A, 910 Capitol Street, Richmond, Virginia. ☒

An open meeting to consider SJR 82.

Contact: Mary Spain, Staff Attorney, Division of Legislative Services, 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591 or John McE. Garrett, Deputy Clerk, Senate of Virginia, P.O. Box 396, Richmond, VA 23203, telephone (804) 786-4638.

JOINT SUBCOMMITTEE STUDYING PROVISIONS OF THE CODE OF VIRGINIA RELATING TO HORSE RACING AND PARI-MUTUEL WAGERING

October 1, 1990 - 10 a.m. – Public Hearing
General Assembly Building, House Room D, 910 Capitol Street, Richmond, Virginia. ☒

A public hearing is being held so that citizens may express their views relating to horse racing and pari-mutuel wagering. HJR 178.

Contact: Maria Everett, Staff Attorney, Division of Legislative Services, 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591. Persons wishing to speak should

contact Anne N. Howard, P.O. Box 406, Richmond, VA 23203, telephone (804) 786-7681.

VIRGINIA HOUSING STUDY COMMISSION

September 25, 1990 - 10 a.m. - Public Hearing
University of Virginia Center for Continuing Education,
Abingdon, Virginia. ☒

A public hearing relating to housing issues in Virginia and HJR 84.

Contact: Nancy M. Ambler, Director, VHSC, 205 N. 4th St., Richmond, VA 23219, telephone (804) 225-3797. Persons wishing to speak should contact Sharon Kelleher, Department of Housing and Community Development, 205 N. 4th St., Richmond, VA 23219, telephone (804) 786-7891.

JOINT SUBCOMMITTEE STUDYING LABOR FORCE NEEDS OF THE 1990's

October 15, 1990 - 10 a.m. - Open Meeting
General Assembly Building, Senate Room A, 910 Capitol Street, Richmond, Virginia. ☒

An open meeting to consider SJR 64.

Contact: Mark Pratt, Research Associate, Division of Legislative Services, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591 or Thomas C. Gilman, Chief Committee Clerk, Senate of Virginia, P.O. Box 396, Richmond, VA 23203, telephone (804) 786-3838.

SENATE COURTS OF JUSTICE SUBCOMMITTEE STUDYING PUBLICATION OF LEGAL NOTICES IN NEWSPAPERS

September 26, 1990 - 10 a.m. - Public Hearing
General Assembly Building, Senate Room A, 910 Capitol Street, Richmond, Virginia. ☒

Senate Bill No. 198 was continued in the Senate Committee for Courts of Justice from the 1990 Session to the 1991 Session of the General Assembly.

Contact: Mary Devine, Staff Attorney, Division of Legislative Services, 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591 or Thomas Gilman, Chief Committee Clerk, Senate of Virginia, P.O. Box 396, Richmond, VA 23203, telephone (804) 786-7869.

CHRONOLOGICAL LIST

OPEN MEETINGS

September 24

Education Subcommittee
Election Laws, Joint Subcommittee Studying
Nursing, Board of
† Transportation Board, Commonwealth
† - Committee on Federal Legislation

September 25

Boating Advisory Board, Virginia
† Community Corrections Resources Board
Health Services Cost Review Council, Virginia
Marine Resources Commission
Mental Health, Mental Retardation and Substance
Abuse Services Board, State
Nursing, Board of
Volunteerism, Department of

September 26

† Agriculture and Consumer Services, Department of
Educational Opportunity for All Virginians, Governor's
Commission on
Forestry, Department of
- Reforestation of Timberlands Board
General Services, Department of
- State Insurance Advisory Board
Hazardous Materials Training Committee
Housing and Community Development, Department of
- Regulatory Effectiveness Advisory Committee
Labor and Industry, Department of
- Safety and Health Codes Board
Lottery Board, State
† Medical Assistance Services, Department of
† - Technical Advisory Panel
Mental Health, Mental Retardation and Substance
Abuse Services Board, State
† Motor Vehicle Dealers' Advisory Board
Optometry, Board of
Outdoors Foundation, Virginia

September 27

† ASAP Policy Board, Central Virginia
† Child Day-Care Council
† Conservation and Recreation, Department of
† - Recreation in the Juvenile Justice System
Advisory Board
Education, Board of
Housing and Community Development, Department of
- Regulatory Effectiveness Advisory Committee
Medicine, Board of
- Chiropractic Test Committee
† Polygraph Examiners Advisory Board
Publication of Legal Notices in Newspapers, Senate
Courts of Justice Subcommittee Studying
† Rehabilitative Services, Board of
† - Finance Committee
† - Legislation and Evaluation Committee
† - Program Committee

September 28

Calendar of Events

Education, Board of
Medicine, Board of
- Informal Conference Committee
Real Estate Board
- Fair Housing Liaison Committee

October 2

Air Pollution Control Board, State
† Emergency Planning Committee, Local - Hanover
County
Early Childhood and Day Care Programs, Joint
Subcommittee Studying
† Governor's Council on Alcohol and Drug Abuse
† Hopewell Industrial Safety Council

October 3

† ASAP Policy Board - Mount Rogers
Children, Department for
- Consortium on Child Mental Health
† Criminal Justice Services Board
† - Committee on Training
† Emergency Planning Committee, Local - Winchester
Higher Education of Virginia, State Council for
† Real Estate Board

October 4

† Air Pollution Control, Department of
† CASA, Program Advisory Committee
Child Day Care and Early Childhood Programs,
Council on
Corrections Resources Board, Community - Middle
Virginia
Emergency Planning Committee, Local - Chesterfield
County
† Forestry, Board of
Funeral Directors and Embalmers, Board of
† Opticians, Board for
Voluntary Formulary Board, Virginia

October 5

Health Professions, Department of
- Advisory Board on Physical Therapy

October 9

Employment Commission, Virginia
- Advisory Board
† Environment, Council on the

October 10

Corrections, Board of
Employment Commission, Virginia
- Advisory Board
Funeral Directors and Embalmers, Board of
Indians, Council On
Labor and Industry, Department of
- Safety and Health Codes Board
† Motor Vehicles, Department of
† - Medical Advisory Board
† Veterinary Medicine, Board of

October 11

† Chesapeake Bay Local Assistance Board
† Citizen Committee Studying Dangerous Domestic
Animals
Code Commission, Virginia
† Longwood College
† - Board of Visitors
Medicine, Board of
- Informal Conference Committee
† Veterinary Medicine, Board of
Youth and Family Services, Board of

October 12

Code Commission, Virginia
Family and Children's Trust Fund of Virginia
- Board of Trustees
† Game and Inland Fisheries, Board of
† Longwood College
† - Board of Visitors

October 13

† Visually Handicapped, Department of
† - Advisory Committee on Services

October 15

† Cosmetology, Board for
Emergency Planning Committee for the County of
Prince William, City of Manassas, and City of
Manassas Park, Local
Labor Force Needs of the 1990's, Joint Subcommittee
Studying
Winegrowers Advisory Board, Virginia

October 16

Funeral Directors and Embalmers, Board of
† Historic Resources, Board of
† Historic Resources, Department of
† - State Review Board

October 17

† Cosmetology, Board for
Funeral Directors and Embalmers, Board of
† Private Security Services Advisory Committee
Real Estate Board
† Treasury Board

October 18

† Visually Handicapped, Board for the

October 19

Children, Coordinating Committee for
Interdepartmental Regulation of Residential Facilities
for
† Social Work, Board of

October 20

† Social Work, Board of

October 21

† Social Work, Board of

Calendar of Events

October 23

- † Health Services Cost Review Council, Virginia
- † Historic Resources, Board of
- † Divorcement and Representative Offering for Inclusion in the Virginia Petroleum Franchise Act, Joint Subcommittee to Study
- Nursing, Board of
 - Education Advisory Committee
- † Visually Handicapped, Department for the
- † - Interagency Coordinating Council on Delivery of Related Services to Handicapped Children

October 24

- Election Laws, Joint Subcommittee Studying
- † Historic Resources, Board of
- Lottery Board, State
- † Medicine, Board of

October 25

- Education, Board of

October 26

- Education, Board of

October 30

- Athletic Board

October 31

- † Conservation and Development of Public Beaches, Board on

November 1

- Corrections Resources Board, Community - Middle Virginia
- † Farmers' Market Board, Virginia

November 6

- † Hopewell Industrial Safety Council

November 9

- Family and Children's Trust Fund of Virginia
 - Board of Trustees

November 10

- † Military Institute, Virginia
- † - Board of Visitors

November 20

- Code Commission, Virginia

November 21

- † Treasury Board

November 27

- Election Laws, Joint Subcommittee Studying
- † Funeral Directors and Embalmers, Board of

November 28

- † Funeral Directors and Embalmers, Board of
- Lottery Board, State

December 3

- † Waterworks and Wastewater Works Operators, Board for

December 4

- † Hopewell Industrial Safety Council
- † Waterworks and Wastewater Works Operators, Board for

December 5

- Educational Opportunity for All Virginians, Governor's Commission on

December 7

- Family and Children's Trust Fund of Virginia
 - Board of Trustees

December 19

- Lottery Board, State

PUBLIC HEARINGS

September 25

- Housing Study Commission, Virginia

September 26

- Agriculture and Consumer Services, Department of
- Chesapeake and Its Tributaries Subcommittee Studying
- Carryover Legislation
- Commerce, Department of
- Nursing, Board of

September 28

- † Social Services, Department of

October 1

- Horse Racing and Pari-Mutuel Wagering, Joint Subcommittee Studying Provisions of the Code of Virginia Relating to

October 3

- Educational Opportunities for All Virginians, Governor's Commission on

October 10

- Air Pollution Control Board, State
- Corrections, Board of

October 15

- Alcoholic Beverage Control, Department of
- Virginia Alcohol Safety Action Program, Commission on the
- Health, Board of

October 16

- Virginia Alcohol Safety Action Program, Commission on the

Calendar of Events

December 6

Agriculture and Consumer Services, Department of

January 8, 1991

Labor and Industry, Department of
- Safety and Health Codes Board