
THE VIRGINIA REGISTER INFORMATION PAGE

THE VIRGINIA REGISTER is an official state publication issued every other week throughout the year. Indexes are published quarterly, and the last index of the year is cumulative. **THE VIRGINIA REGISTER** has several functions. The new and amended sections of regulations, both as proposed and as finally adopted, are required by law to be published in **THE VIRGINIA REGISTER OF REGULATIONS**. In addition, **THE VIRGINIA REGISTER** is a source of other information about state government, including all emergency regulations and executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of public hearings and open meetings of state agencies.

ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

Following publication of the proposal in the *Virginia Register*, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor's comments, if any, will be published in the *Virginia Register*. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation.

The appropriate standing committee of each branch of the General Assembly may meet during the promulgation or final adoption process and file an objection with the Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative committee, and the Governor.

When final action is taken, the agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate standing committees and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact.

A regulation becomes effective at the conclusion of the 30-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 21-day extension

period; (ii) the Governor exercises his authority to require the agency to provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period.

Proposed regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

EMERGENCY REGULATIONS

If an agency demonstrates that (i) there is an immediate threat to the public's health or safety; or (ii) Virginia statutory law, the appropriation act, federal law, or federal regulation requires a regulation to take effect no later than (a) 280 days from the enactment in the case of Virginia or federal law or the appropriation act, or (b) 280 days from the effective date of a federal regulation, it then requests the Governor's approval to adopt an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited to addressing specifically defined situations and may not exceed 12 months in duration. Emergency regulations are published as soon as possible in the *Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation; and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not to adopt the regulations, the emergency status ends when the prescribed time limit expires.

STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 (§ 9-6.14:7.1 et seq.) of Chapter 1.1:1 of the Code of Virginia be examined carefully.

CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. **12:8 VA.R. 1096-1106 January 8, 1996**, refers to Volume 12, Issue 8, pages 1096 through 1106 of the *Virginia Register* issued on January 8, 1996.

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Members of the Virginia Code Commission: **Joseph V. Gartlan, Jr.**, Chairman; **W. Tayloe Murphy, Jr.**, Vice Chairman; **Robert L. Calhoun;** **Bernard S. Cohen;** **Jay W. DeBoer;** **Frank S. Ferguson;** **J. Randy Forbes;** **James E. Kulp;** **E.M. Miller, Jr.;** **James B. Wilkinson.**

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PUBLICATION SCHEDULE AND DEADLINES

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

August 1999 through June 2000

<u>Volume:Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
15:23	July 14, 1999	August 2, 1999
15:24	July 28, 1999	August 16, 1999
15:25	August 11, 1999	August 30, 1999
15:26	August 25, 1999	September 13, 1999
FINAL INDEX - Volume 15		October 1999
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16:4	October 20, 1999	November 8, 1999
16:5	November 3, 1999	November 22, 1999
16:6	November 16, 1999 (Tuesday)	December 6, 1999
16:7	December 1, 1999	December 20, 1999
INDEX 1 - Volume 16		January 2000
16:8	December 14, 1999 (Tuesday)	January 3, 2000
16:9	December 28, 1999 (Tuesday)	January 17, 2000
16:10	January 12, 2000	January 31, 2000
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16:18	May 3, 2000	May 22, 2000
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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 2. Agriculture			
2 VAC 20-50-10 et seq.	Repealed	15:11 VA.R. 1692	3/17/99
2 VAC 20-51-10 through 2 VAC 20-51-210	Added	15:11 VA.R. 1693-1700	3/17/99
Title 4. Conservation and Natural Resources			
4 VAC 15-40-240	Amended	15:19 VA.R. 2454	7/7/99
4 VAC 15-40-280	Amended	15:19 VA.R. 2454	7/7/99
4 VAC 15-40-281	Added	15:19 VA.R. 2454	7/7/99
4 VAC 15-50-120	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-90-20	Amended	15:20 VA.R. 2586	7/7/99
4 VAC 15-90-70	Amended	15:20 VA.R. 2586	7/7/99
4 VAC 15-90-80	Amended	15:20 VA.R. 2587	7/7/99
4 VAC 15-90-90	Amended	15:20 VA.R. 2588	7/7/99
4 VAC 15-90-100	Amended	15:20 VA.R. 2588	7/7/99
4 VAC 15-90-110	Amended	15:20 VA.R. 2588	7/7/99
4 VAC 15-90-120	Amended	15:20 VA.R. 2588	7/7/99
4 VAC 15-90-130	Repealed	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-141	Added	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-160	Amended	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-170	Amended	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-190	Amended	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-195	Amended	15:20 VA.R. 2589	7/7/99
4 VAC 15-90-200	Amended	15:20 VA.R. 2590	7/7/99
4 VAC 15-90-210	Amended	15:20 VA.R. 2590	7/7/99
4 VAC 15-90-220	Amended	15:20 VA.R. 2590	7/7/99
4 VAC 15-90-250	Repealed	15:20 VA.R. 2590	7/7/99
4 VAC 15-110-30	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-110-60	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-10	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-20	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-31	Added	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-40	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-50	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-240-70	Amended	15:19 VA.R. 2455	7/7/99
4 VAC 15-270-60	Amended	15:19 VA.R. 2466	7/7/99
4 VAC 20-20-35	Amended	15:14 VA.R. 2044	3/1/99
4 VAC 20-80-20	Amended	15:22 VA.R. 2871	7/1/99
4 VAC 20-80-30	Amended	15:22 VA.R. 2871	7/1/99
4 VAC 20-150-70	Amended	15:19 VA.R. 2456	5/4/99
4 VAC 20-252-60	Amended	15:18 VA.R. 2392	5/1/99
4 VAC 20-252-80	Amended	15:18 VA.R. 2392	5/1/99
4 VAC 20-252-120	Amended	15:18 VA.R. 2393	5/1/99
4 VAC 20-252-130	Amended	15:18 VA.R. 2393	5/1/99
4 VAC 20-252-140	Amended	15:18 VA.R. 2393	5/1/99
4 VAC 20-252-150	Amended	15:18 VA.R. 2394	5/1/99

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4 VAC 20-252-160	Amended	15:18 VA.R. 2394	5/1/99
4 VAC 20-430-15	Added	15:19 VA.R. 2456	5/5/99
4 VAC 20-430-60	Amended	15:19 VA.R. 2456	5/5/99
4 VAC 20-620-50	Amended	15:14 VA.R. 2044	3/1/99
4 VAC 20-620-70	Amended	15:14 VA.R. 2045	3/1/99
4 VAC 20-720-40	Amended	15:20 VA.R. 2590	6/1/99
4 VAC 20-720-45 emer	Added	15:19 VA.R. 2474	5/5/99-5/31/99
4 VAC 20-720-50	Amended	15:20 VA.R. 2590	6/1/99
4 VAC 20-720-80	Amended	15:12 VA.R. 1790	2/1/99
4 VAC 20-720-90	Amended	15:19 VA.R. 2457	5/10/99
4 VAC 20-720-106 emer	Added	15:12 VA.R. 1845	2/1/99-2/12/99
4 VAC 20-751-20	Amended	15:18 VA.R. 2395	5/1/99
4 VAC 20-880-10	Amended	15:20 VA.R. 2591	5/26/99
4 VAC 20-880-40	Repealed	15:20 VA.R. 2591	5/26/99
4 VAC 20-880-50	Repealed	15:20 VA.R. 2592	5/26/99
4 VAC 20-900-10	Amended	15:14 VA.R. 2045	3/1/99
4 VAC 20-900-10	Amended	15:19 VA.R. 2457	5/4/99
4 VAC 20-900-20	Amended	15:19 VA.R. 2457	5/4/99
4 VAC 20-900-25	Added	15:14 VA.R. 2045	3/1/99
4 VAC 20-900-25	Amended	15:19 VA.R. 2457	5/4/99
4 VAC 20-900-35	Added	15:14 VA.R. 2045	3/1/99
4 VAC 20-910-45	Amended	15:22 VA.R. 2931	6/24/99-7/21/99
4 VAC 20-995-20	Amended	15:18 VA.R. 2395	5/1/99
4 VAC 20-995-30	Amended	15:18 VA.R. 2395	5/1/99
4 VAC 20-1020-10 through 4 VAC 20-1020-40	Added	15:12 VA.R. 1790	2/2/99
4 VAC 20-1030-10 through 4 VAC 20-1030-40	Added	15:15 VA.R. 2126-2135	3/15/99
4 VAC 20-1040-10 through 4 VAC 20-1040-40	Added	15:20 VA.R. 2592-2593	5/26/99
4 VAC 25-20 (Forms)	Amended	15:21 VA.R. 2728	--
4 VAC 25-35 (Forms)	Amended	15:14 VA.R. 2075-2077	--
4 VAC 25-35 (Forms)	Amended	15:21 VA.R. 2728	--
4 VAC 25-40 (Forms)	Amended	15:21 VA.R. 2728	--
4 VAC 25-60-10	Amended	15:22 VA.R. 2871	8/18/99
4 VAC 25-60-20	Amended	15:22 VA.R. 2872	8/18/99
4 VAC 25-60-40	Amended	15:22 VA.R. 2872	8/18/99
4 VAC 25-60-70	Amended	15:22 VA.R. 2872	8/18/99
4 VAC 25-70-10	Amended	15:22 VA.R. 2873	8/18/99
4 VAC 25-80-10	Repealed	15:22 VA.R. 2874	8/18/99
4 VAC 25-110-10	Amended	15:22 VA.R. 2874	8/18/99
4 VAC 25-110-20	Amended	15:22 VA.R. 2875	8/18/99
4 VAC 25-110-60	Repealed	15:22 VA.R. 2875	8/18/99
4 VAC 25-110-130	Repealed	15:22 VA.R. 2876	8/18/99
4 VAC 25-110-170	Repealed	15:22 VA.R. 2877	8/18/99
4 VAC 25-110-200	Amended	15:22 VA.R. 2877	8/18/99
4 VAC 25-110-210	Amended	15:22 VA.R. 2878	8/18/99
4 VAC 25-110-320 through 4 VAC 25-110-390	Repealed	15:22 VA.R. 2879-2880	8/18/99
4 VAC 25-120-10	Amended	15:22 VA.R. 2880	8/18/99
4 VAC 25-130 (Forms)	Amended	15:11 VA.R. 1736	--
4 VAC 25-130 (Forms)	Amended	15:21 VA.R. 2728	--
4 VAC 25-150 (Forms)	Amended	15:14 VA.R. 2077-2078	--
Title 8. Education			
8 VAC 35-30-30	Amended	15:11 VA.R. 1706	1/18/99
8 VAC 35-30-50	Amended	15:11 VA.R. 1707	1/18/99
8 VAC 35-30-160	Amended	15:11 VA.R. 1707	1/18/99
8 VAC 35-30-200	Amended	15:11 VA.R. 1707	1/18/99
8 VAC 35-30-210	Amended	15:11 VA.R. 1707	1/18/99

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8 VAC 35-30-220	Amended	15:11 VA.R. 1708	1/18/99
8 VAC 35-30-230	Amended	15:11 VA.R. 1708	1/18/99
8 VAC 35-30-240	Amended	15:11 VA.R. 1709	1/18/99
Title 9. Environment			
9 VAC 5-20-21	Amended	15:12 VA.R. 1799	4/1/99
9 VAC 5-20-21	Amended	15:21 VA.R. 2667	8/4/99
9 VAC 5-30-20	Repealed	15:12 VA.R. 1791	4/1/99
9 VAC 5-40-880	Amended	15:12 VA.R. 1794	4/1/99
9 VAC 5-40-890	Amended	15:12 VA.R. 1794	4/1/99
9 VAC 5-40-900	Amended	15:12 VA.R. 1795	4/1/99
9 VAC 5-40-940	Amended	15:12 VA.R. 1795	4/1/99
9 VAC 5-40-1040	Amended	15:12 VA.R. 1796	4/1/99
9 VAC 5-40-1660	Amended	15:12 VA.R. 1796	4/1/99
9 VAC 5-40-1670	Amended	15:12 VA.R. 1796	4/1/99
9 VAC 5-40-1690	Amended	15:12 VA.R. 1797	4/1/99
9 VAC 5-40-1750	Amended	15:12 VA.R. 1798	4/1/99
9 VAC 5-40-1770	Amended	15:12 VA.R. 1798	4/1/99
9 VAC 5-40-1780	Amended	15:12 VA.R. 1798	4/1/99
9 VAC 5-40-1810	Amended	15:12 VA.R. 1799	4/1/99
9 VAC 5-40-5350 through 9 VAC 5-40-5480	Repealed	15:12 VA.R. 1793-1794	4/1/99
9 VAC 5-40-5800	Amended	15:12 VA.R. 1801	4/1/99
9 VAC 5-40-5810	Amended	15:12 VA.R. 1802	4/1/99
9 VAC 5-40-5820	Amended	15:12 VA.R. 1804	4/1/99
9 VAC 5-40-5822	Added	15:12 VA.R. 1806	4/1/99
9 VAC 5-40-5824	Added	15:12 VA.R. 1807	4/1/99
9 VAC 5-40-5850	Amended	15:12 VA.R. 1808	4/1/99
9 VAC 5-40-5855	Added	15:12 VA.R. 1811	4/1/99
9 VAC 5-40-5860	Amended	15:12 VA.R. 1812	4/1/99
9 VAC 5-40-5870	Amended	15:12 VA.R. 1815	4/1/99
9 VAC 5-40-5880	Amended	15:12 VA.R. 1816	4/1/99
9 VAC 5-40-5890	Amended	15:12 VA.R. 1820	4/1/99
9 VAC 5-40-5920	Amended	15:12 VA.R. 1822	4/1/99
9 VAC 5-40-5930	Repealed	15:12 VA.R. 1822	4/1/99
9 VAC 5-40-7950 through 9 VAC 5-40-8190	Added	15:21 VA.R. 2669-2690	8/4/99
9 VAC 5-50-400	Amended	15:12 VA.R. 1822	4/1/99
9 VAC 5-50-400	Amended	15:13 VA.R. 1918	4/14/99
9 VAC 5-50-410	Amended	15:12 VA.R. 1823	4/1/99
9 VAC 5-50-410	Amended	15:13 VA.R. 1918	4/14/99
9 VAC 5-50-420	Amended	15:12 VA.R. 1828	4/1/99
9 VAC 5-50-420	Amended	15:13 VA.R. 1924	4/14/99
9 VAC 5-60-60	Amended	15:13 VA.R. 1924	4/14/99
9 VAC 5-60-70	Amended	15:13 VA.R. 1925	4/14/99
9 VAC 5-60-80	Amended	15:13 VA.R. 1926	4/14/99
9 VAC 5-60-90	Amended	15:13 VA.R. 1927	4/14/99
9 VAC 5-60-100	Amended	15:13 VA.R. 1927	4/14/99
9 VAC 5-70-40	Amended	15:12 VA.R. 1791	4/1/99
9 VAC 5-80-30	Repealed	15:11 VA.R. 1717	4/1/99
9 VAC 5-80-2000 through 9 VAC 5-80-2190	Added	15:11 VA.R. 1717-1728	4/1/99
9 VAC 5-80-2010	Erratum	15:13 VA.R. 1955	--
9 VAC 5-200-10	Added	15:13 VA.R. 1931	4/14/99
9 VAC 5-200-20	Added	15:13 VA.R. 1931	4/14/99
9 VAC 5-200-30	Added	15:13 VA.R. 1931	4/14/99
9 VAC 25-190-10	Amended	15:16 VA.R. 2187	6/30/99
9 VAC 25-190-20	Amended	15:16 VA.R. 2188	6/30/99
9 VAC 25-190-30	Repealed	15:16 VA.R. 2189	6/30/99

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-190-40	Repealed	15:16 VA.R. 2189	6/30/99
9 VAC 25-190-50	Amended	15:16 VA.R. 2189	6/30/99
9 VAC 25-190-60	Amended	15:16 VA.R. 2189	6/30/99
9 VAC 25-190-70	Amended	15:16 VA.R. 2191	6/30/99
9 VAC 25-192 (Forms)	Amended	15:12 VA.R. 1854	--
9 VAC 25-260-430	Amended	15:21 VA.R. 2691	8/4/99
9 VAC 25-610 (Forms)	Amended	15:21 VA.R. 2728	--
Title 12. Health			
12 VAC 5-100-10 et seq.	Repealed	15:18 VA.R. 2396	6/23/99
12 VAC 5-405-10 through 12 VAC 5-405-120	Amended	15:20 VA.R. 2593-2597	7/21/99
12 VAC 5-470-10 et seq.	Repealed	15:20 VA.R. 2597	7/21/99
12 VAC 5-600-50	Amended	15:20 VA.R. 2598	7/21/99
12 VAC 5-600-60	Amended	15:20 VA.R. 2598	7/21/99
12 VAC 30-10-140 emer	Amended	15:13 VA.R. 1942	7/1/99-6/30/00
12 VAC 30-10-150 emer	Amended	15:13 VA.R. 1943	7/1/99-6/30/00
12 VAC 30-40-290	Amended	15:18 VA.R. 2396	7/1/99
12 VAC 30-50-30 emer	Amended	15:13 VA.R. 1943	7/1/99-6/30/00
12 VAC 30-50-70 emer	Amended	15:13 VA.R. 1944	7/1/99-6/30/00
12 VAC 30-50-229.1	Amended	15:17 VA.R. 2326	6/9/99
12 VAC 30-50-229.1	Erratum	15:18 VA.R. 2411	--
12 VAC 30-50-320 emer	Added	15:13 VA.R. 1944	7/1/99-6/30/00
12 VAC 30-50-570	Amended	15:18 VA.R. 2398	7/1/99
12 VAC 30-80-170	Amended	15:18 VA.R. 2399	7/1/99
12 VAC 30-90-340 emer	Added	15:22 VA.R. 2931	7/1/99-6/30/00
12 VAC 30-120-61 through 12 VAC 30-120-69 emer	Added	15:13 VA.R. 1944-1947	7/1/99-6/30/00
12 VAC 30-120-360	Amended	15:18 VA.R. 2400	7/1/99
12 VAC 30-120-370	Amended	15:18 VA.R. 2401	7/1/99
12 VAC 30-120-370	Erratum	15:19 VA.R. 2502	--
Title 13. Housing			
13 VAC 5-51-20 emer	Amended	15:14 VA.R. 2069	3/10/99-3/9/00
13 VAC 5-51-130 emer	Amended	15:14 VA.R. 2070	3/10/99-3/9/00
13 VAC 5-51-135 emer	Added	15:14 VA.R. 2070	3/10/99-3/9/00
13 VAC 5-51-136 emer	Added	15:14 VA.R. 2070	3/10/99-3/9/00
13 VAC 5-61-40	Amended	15:22 VA.R. 2881	8/18/99
13 VAC 5-61-200 emer	Amended	15:14 VA.R. 2071	3/10/99-3/9/00
13 VAC 5-61-440 emer	Amended	15:14 VA.R. 2072	3/10/99-3/9/00
13 VAC 10-40-20	Amended	15:12 VA.R. 1829	1/28/99
13 VAC 10-40-130	Amended	15:12 VA.R. 1832	1/28/99
13 VAC 10-40-160	Amended	15:12 VA.R. 1834	1/28/99
13 VAC 10-40-210	Amended	15:12 VA.R. 1835	1/28/99
13 VAC 10-40-220	Amended	15:12 VA.R. 1835	1/28/99
13 VAC 10-40-230	Amended	15:12 VA.R. 1835	1/28/99
13 VAC 10-60-10 et seq.	Repealed	15:18 VA.R. 2403	5/1/99
13 VAC 10-100-10 et seq.	Repealed	15:18 VA.R. 2403	5/1/99
13 VAC 10-110-10 et seq.	Repealed	15:18 VA.R. 2403	5/1/99
13 VAC 10-170-10 et seq.	Repealed	15:18 VA.R. 2404	5/1/99
13 VAC 10-180-10	Amended	15:14 VA.R. 2050	3/10/99
13 VAC 10-180-50	Amended	15:14 VA.R. 2051	3/10/99
13 VAC 10-180-60	Amended	15:14 VA.R. 2053	3/10/99
13 VAC 10-180-70	Amended	15:14 VA.R. 2061	3/10/99
13 VAC 10-180-90	Amended	15:14 VA.R. 2063	3/10/99
Title 14. Insurance			
14 VAC 5-170-20	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-30	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-40	Amended	15:15 VA.R. 2136	4/26/99

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
14 VAC 5-170-50	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-60	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-70	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-80	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-90	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-100	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-105	Added	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-110	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-120	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-130	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-140	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-150	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-160	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-170	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170-180	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170 Appendix A	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170 Appendix B	Amended	15:15 VA.R. 2136	4/26/99
14 VAC 5-170 Appendix C	Amended	15:15 VA.R. 2136	4/26/99
Title 16. Labor and Employment			
16 VAC 15-20-10 et seq.	Repealed	15:17 VA.R. 2330	6/15/99
16 VAC 15-21-10 through 16 VAC 15-21-30	Added	15:17 VA.R. 2330	6/15/99
16 VAC 25-90-1910.6	Amended	15:21 VA.R. 2702	8/15/99
16 VAC 25-90-1910.16	Amended	15:21 VA.R. 2709	8/15/99
16 VAC 25-90-1910.94	Amended	15:21 VA.R. 2705	8/15/99
16 VAC 25-90-1910.108	Repealed	15:21 VA.R. 2705	8/15/99
16 VAC 25-90-1910.122	Added	15:21 VA.R. 2702	8/15/99
16 VAC 25-90-1910.123	Added	15:21 VA.R. 2702	8/15/99
16 VAC 25-90-1910.124	Added	15:21 VA.R. 2702	8/15/99
16 VAC 25-90-1910.125	Added	15:21 VA.R. 2702	8/15/99
16 VAC 25-90-1910.126	Added	15:21 VA.R. 2702	8/15/99
16 VAC 25-90-1910.146	Amended	15:21 VA.R. 2707	8/15/99
16 VAC 25-90-1910.178	Amended	15:21 VA.R. 2709	8/15/99
16 VAC 25-100-1915.120	Added	15:21 VA.R. 2709	8/15/99
16 VAC 25-120-1917.1	Amended	15:21 VA.R. 2709	8/15/99
16 VAC 25-130-1918.1	Amended	15:21 VA.R. 2709	8/15/99
16 VAC 25-175-1926.602	Amended	15:21 VA.R. 2709	8/15/99
Title 18. Professional and Occupational Licensing			
18 VAC 50-22-100	Amended	15:12 VA.R. 1837	5/1/99
18 VAC 50-22-140	Amended	15:12 VA.R. 1837	5/1/99
18 VAC 50-30-10	Amended	15:19 VA.R. 2458	7/9/99
18 VAC 50-30-20	Amended	15:19 VA.R. 2460	7/9/99
18 VAC 50-30-30	Amended	15:19 VA.R. 2460	7/9/99
18 VAC 50-30-40	Amended	15:19 VA.R. 2461	7/9/99
18 VAC 50-30-50	Amended	15:19 VA.R. 2461	7/9/99
18 VAC 50-30-60	Amended	15:19 VA.R. 2462	7/9/99
18 VAC 50-30-70	Amended	15:19 VA.R. 2463	7/9/99
18 VAC 50-30-80	Amended	15:19 VA.R. 2463	7/9/99
18 VAC 50-30-90	Amended	15:12 VA.R. 1838	5/1/99
18 VAC 50-30-90	Amended	15:19 VA.R. 2463	7/9/99
18 VAC 50-30-100	Amended	15:19 VA.R. 2464	7/9/99
18 VAC 50-30-120	Amended	15:19 VA.R. 2464	7/9/99
18 VAC 50-30-130	Amended	15:19 VA.R. 2464	7/9/99
18 VAC 50-30-140	Amended	15:19 VA.R. 2465	7/9/99
18 VAC 50-30-150	Amended	15:19 VA.R. 2465	7/9/99
18 VAC 50-30-170	Amended	15:19 VA.R. 2465	7/9/99

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 50-30-190	Amended	15:19 VA.R. 2465	7/9/99
18 VAC 50-30-200	Amended	15:19 VA.R. 2466	7/9/99
18 VAC 60-20-20 emer	Amended	15:11 VA.R. 1729	1/21/99-1/20/00
18 VAC 60-20-20	Amended	15:21 VA.R. 2712	8/5/99
18 VAC 60-20-30 emer	Amended	15:11 VA.R. 1729	1/21/99-1/20/00
18 VAC 65-20-70 emer	Amended	15:12 VA.R. 1846	2/2/99-2/1/00
18 VAC 65-20-120 emer	Amended	15:12 VA.R. 1846	2/2/99-2/1/00
18 VAC 65-20-130 emer	Amended	15:12 VA.R. 1846	2/2/99-2/1/00
18 VAC 65-20-435 emer	Added	15:12 VA.R. 1846	2/2/99-2/1/00
18 VAC 70-20-30	Amended	15:18 VA.R. 2404	7/1/99
18 VAC 75-20-10	Amended	15:18 VA.R. 2405	6/23/99
18 VAC 75-20-30	Repealed	15:18 VA.R. 2405	6/23/99
18 VAC 75-20-40	Repealed	15:18 VA.R. 2405	6/23/99
18 VAC 75-20-50	Repealed	15:18 VA.R. 2405	6/23/99
18 VAC 75-20-60	Amended	15:18 VA.R. 2405	6/23/99
18 VAC 75-20-70	Amended	15:18 VA.R. 2406	6/23/99
18 VAC 75-20-90	Amended	15:18 VA.R. 2406	6/23/99
18 VAC 76-10-30	Amended	15:17 VA.R. 2331	4/15/99
18 VAC 85-40-10 emer	Amended	15:11 VA.R. 1730	1/21/99-1/20/00
18 VAC 85-40-25 emer	Added	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-40 emer	Amended	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-45 emer	Added	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-50 emer	Amended	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-60 emer	Amended	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-65 emer	Added	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-70 emer	Amended	15:11 VA.R. 1731	1/21/99-1/20/00
18 VAC 85-40-80 emer	Amended	15:11 VA.R. 1732	1/21/99-1/20/00
18 VAC 85-80-10 emer	Amended	15:12 VA.R. 1847	1/29/99-1/28/00
18 VAC 85-80-11 emer	Added	15:12 VA.R. 1848	1/29/99-1/28/00
18 VAC 85-80-12 emer	Added	15:12 VA.R. 1848	1/29/99-1/28/00
18 VAC 85-80-35 emer	Added	15:12 VA.R. 1848	1/29/99-1/28/00
18 VAC 85-80-40 through 18 VAC 85-80-90 emer	Amended	15:12 VA.R. 1848-1849	1/29/99-1/28/00
18 VAC 85-110-100	Amended	15:21 VA.R. 2713	8/5/99
18 VAC 85-110-110	Amended	15:21 VA.R. 2713	8/5/99
18 VAC 85-110-130	Amended	15:21 VA.R. 2713	8/5/99
18 VAC 90-20-300 emer	Amended	15:11 VA.R. 1733	1/26/99-1/25/00
18 VAC 90-20-330	Amended	15:19 VA.R. 2467	7/7/99
18 VAC 90-20-420 through 18 VAC 90-20-460 emer	Added	15:11 VA.R. 1733-1735	1/26/99-1/25/00
18 VAC 105-30-10	Amended	15:12 VA.R. 1839	3/31/99
18 VAC 105-30-20	Amended	15:12 VA.R. 1839	3/31/99
18 VAC 105-30-30	Amended	15:12 VA.R. 1839	3/31/99
18 VAC 105-30-35	Added	15:12 VA.R. 1839	3/31/99
18 VAC 105-30-40	Amended	15:12 VA.R. 1840	3/31/99
18 VAC 105-30-50	Repealed	15:12 VA.R. 1840	3/31/99
18 VAC 105-30-60	Amended	15:12 VA.R. 1840	3/31/99
18 VAC 105-30-70	Amended	15:12 VA.R. 1840	3/31/99
18 VAC 105-30-90	Amended	15:12 VA.R. 1841	3/31/99
18 VAC 105-30-100	Amended	15:12 VA.R. 1841	3/31/99
18 VAC 105-30-110	Repealed	15:12 VA.R. 1841	3/31/99
18 VAC 105-30-120	Amended	15:12 VA.R. 1841	3/31/99
18 VAC 110-20-130	Erratum	15:12 VA.R. 1865	--
18 VAC 110-20-490	Amended	15:21 VA.R. 2713	8/4/99
18 VAC 120-40-10 through 18 VAC 120-40-430	Added	15:21 VA.R. 2715-2727	8/5/99
18 VAC 130-20-130	Amended	15:14 VA.R. 2066	5/1/99
18 VAC 135-20-80	Amended	15:18 VA.R. 2408	7/1/99

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18 VAC 135-20-120	Amended	15:18 VA.R. 2408	7/1/99
18 VAC 135-20-140	Amended	15:18 VA.R. 2408	7/1/99
18 VAC 135-20-370	Amended	15:18 VA.R. 2408	7/1/99
18 VAC 155-20-40	Amended	15:13 VA.R. 1938	5/1/99
Title 19. Public Safety			
19 VAC 30-20 (Forms)	Added	15:14 VA.R. 2078-2079	--
Title 20. Public Utilities and Telecommunications			
20 VAC 5-400-151	Added	15:19 VA.R. 2473	10/1/99
20 VAC 5-400-151	Erratum	15:21 VA.R. 2732	--
Title 21. Securities and Retail Franchising			
21 VAC 5-10-20	Amended	15:22 VA.R. 2883	7/1/99
21 VAC 5-10-40	Amended	15:22 VA.R. 2883	7/1/99
21 VAC 5-20-10	Amended	15:22 VA.R. 2884	7/1/99
21 VAC 5-20-70	Amended	15:22 VA.R. 2884	7/1/99
21 VAC 5-20-90	Amended	15:22 VA.R. 2884	7/1/99
21 VAC 5-20-150	Amended	15:22 VA.R. 2885	7/1/99
21 VAC 5-20-160	Amended	15:22 VA.R. 2885	7/1/99
21 VAC 5-20-220	Amended	15:22 VA.R. 2885	7/1/99
21 VAC 5-20-280	Amended	15:22 VA.R. 2886	7/1/99
21 VAC 5-20-300	Amended	15:22 VA.R. 2892	7/1/99
21 VAC 5-20-330	Added	15:22 VA.R. 2893	7/1/99
21 VAC 5-30-40	Amended	15:22 VA.R. 2894	7/1/99
21 VAC 5-30-90	Added	15:22 VA.R. 2894	7/1/99
21 VAC 5-40-50	Amended	15:22 VA.R. 2895	7/1/99
21 VAC 5-40-100	Amended	15:22 VA.R. 2895	7/1/99
21 VAC 5-40-130	Added	15:22 VA.R. 2897	7/1/99
21 VAC 5-40-140	Added	15:22 VA.R. 2897	7/1/99
21 VAC 5-40-150	Added	15:22 VA.R. 2898	7/1/99
21 VAC 5-80-30	Amended	15:22 VA.R. 2898	7/1/99
21 VAC 5-80-60	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-70	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-90	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-100	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-110	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-130	Amended	15:22 VA.R. 2899	7/1/99
21 VAC 5-80-160	Amended	15:22 VA.R. 2900	7/1/99
21 VAC 5-80-180	Amended	15:22 VA.R. 2905	7/1/99
21 VAC 5-80-200	Amended	15:22 VA.R. 2905	7/1/99
21 VAC 5-80-210	Amended	15:22 VA.R. 2907	7/1/99
21 VAC 5-80-220	Amended	15:22 VA.R. 2908	7/1/99
21 VAC 5-85-10 (Forms)	Repealed	15:22 VA.R. 2909	7/1/99
21 VAC 5-100-10	Amended	15:22 VA.R. 2910	7/1/99
21 VAC 5-120-30	Amended	15:22 VA.R. 2911	7/1/99
21 VAC 5-120-110	Repealed	15:22 VA.R. 2911	7/1/99
21 VAC 5-110-20	Amended	15:22 VA.R. 2918	7/1/99
21 VAC 5-110-30	Amended	15:22 VA.R. 2918	7/1/99
21 VAC 5-110-40	Amended	15:22 VA.R. 2918	7/1/99
21 VAC 5-110-50	Amended	15:22 VA.R. 2919	7/1/99
21 VAC 5-110-60	Amended	15:22 VA.R. 2919	7/1/99
21 VAC 5-110-70	Amended	15:22 VA.R. 2919	7/1/99
21 VAC 5-110-85	Added	15:22 VA.R. 2919	7/1/99
21 VAC 5-120 (Forms)	Amended	15:17 VA.R. 2333-2334	--
Title 22. Social Services			
22 VAC 40-35-10 emer	Amended	15:19 VA.R. 2474	5/19/99-5/18/00
22 VAC 40-35-126 emer	Added	15:19 VA.R. 2477	5/19/99-5/18/00

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-35-127 emer	Added	15:19 VA.R. 2477	5/19/99-5/18/00
22 VAC 40-35-128 emer	Added	15:19 VA.R. 2477	5/19/99-5/18/00
22 VAC 40-190-10 emer	Amended	15:19 VA.R. 2480	5/19/99-5/18/00
22 VAC 40-190-20 emer	Amended	15:19 VA.R. 2482	5/19/99-5/18/00
22 VAC 40-190-25 emer	Added	15:19 VA.R. 2482	5/19/99-5/18/00
22 VAC 40-190-30 emer	Amended	15:19 VA.R. 2483	5/19/99-5/18/00
22 VAC 40-190-40 emer	Amended	15:19 VA.R. 2483	5/19/99-5/18/00
22 VAC 40-190-50 emer	Amended	15:19 VA.R. 2484	5/19/99-5/18/00
22 VAC 40-190-60 emer	Amended	15:19 VA.R. 2485	5/19/99-5/18/00
22 VAC 40-190-70 emer	Amended	15:19 VA.R. 2485	5/19/99-5/18/00
22 VAC 40-190-80 emer	Added	15:19 VA.R. 2486	5/19/99-5/18/00
22 VAC 40-190-90 emer	Added	15:19 VA.R. 2487	5/19/99-5/18/00
22 VAC 40-190-100 emer	Added	15:19 VA.R. 2487	5/19/99-5/18/00
22 VAC 40-190-110 emer	Added	15:19 VA.R. 2487	5/19/99-5/18/00
22 VAC 40-190-120 emer	Added	15:19 VA.R. 2488	5/19/99-5/18/00
22 VAC 40-190-130 emer	Added	15:19 VA.R. 2488	5/19/99-5/18/00
22 VAC 40-190-140 emer	Added	15:19 VA.R. 2489	5/19/99-5/18/00
22 VAC 40-190-150 emer	Added	15:19 VA.R. 2489	5/19/99-5/18/00
22 VAC 40-325-10 and 22 VAC 40-325-20 emer	Added	15:12 VA.R. 1849-1850	4/1/99-3/31/00
22 VAC 40-680-65	Repealed	15:17 VA.R. 2331	6/9/99
22 VAC 40-680-66	Repealed	15:17 VA.R. 2332	6/9/99
22 VAC 40-830-10 et seq.	Repealed	15:22 VA.R. 2929	8/18/99
22 VAC 40-840-10 et seq.	Repealed	15:22 VA.R. 2929	8/18/99
22 VAC 40-850-10 et seq.	Repealed	15:22 VA.R. 2929	8/18/99
22 VAC 40-860-10 et seq.	Repealed	15:22 VA.R. 2929	8/18/99
22 VAC 40-870-10 et seq.	Repealed	15:22 VA.R. 2930	8/18/99
Title 23. Taxation			
23 VAC 10-110-225 through 23 VAC 10-110-229 emer	Added	15:12 VA.R. 1851-1853	2/4/99-2/3/00
23 VAC 10-110-228	Erratum	15:14 VA.R. 2081	--
Title 24. Transportation and Motor Vehicles			
24 VAC 30-250-10	Amended	15:21 VA.R. 2727	6/14/99
24 VAC 30-350-10	Amended	15:13 VA.R. 1939	2/22/99
24 VAC 30-550-10	Amended	15:22 VA.R. 2930	6/22/99

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

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

TITLE 3. ALCOHOLIC BEVERAGES

ALCOHOLIC BEVERAGE CONTROL BOARD

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Alcoholic Beverage Control Board intends to consider amending regulations entitled: **3 VAC 5-70-10 et seq. Procedural Rules for the Conduct of Hearings Before the Board and Its Hearing Officers and the Adoption or Amendment of Regulations.** The purpose of the proposed action is to adopt permanent regulations providing for a 30-day appeal period from decisions of the board's hearing officers, and to require notice of hearing officers' decisions to be sent by both regular and certified mail. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 4.1-111 of the Code of Virginia.

Public comments may be submitted until September 2, 1999.

Contact: W. Curtis Coleburn, III, Secretary, Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, VA 23261-7491, telephone (804) 213-4409 or FAX (804) 213-4411.

VA.R. Doc. No. R99-211; Filed July 13, 1999, 2:05 p.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Alcoholic Beverage Control Board intends to consider amending regulations entitled: **3 VAC 5-70-10 et seq. Other Provisions.** The purpose of the proposed action is to adopt permanent regulations prescribing the terms and conditions under which credit or debit cards may be accepted at government stores. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 4.1-111 of the Code of Virginia.

Public comments may be submitted until September 2, 1999.

Contact: W. Curtis Coleburn, III, Secretary, Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, VA 23261-7491, telephone (804) 213-4409 or FAX (804) 213-4411.

VA.R. Doc. No. R99-213; Filed July 13, 1999, 2:05 p.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Alcoholic Beverage Control Board intends to consider amending regulations entitled: **3 VAC 5-70-10 et seq. Other Provisions.** The purpose of the proposed action is to adopt permanent regulations designating the violations for which a waiver of a hearing and payment of a civil charge in lieu of suspension may be accepted for a first offense occurring within three years. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 4.1-111 of the Code of Virginia.

Public comments may be submitted until September 2, 1999.

Contact: W. Curtis Coleburn, III, Secretary, Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, VA 23261-7491, telephone (804) 213-4409 or FAX (804) 213-4411.

VA.R. Doc. No. R99-212; Filed July 13, 1999, 2:05 p.m.

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to consider amending regulations entitled: **8 VAC 20-21-10 et seq. Licensure Regulations for School Personnel.** The purpose of the proposed action is to amend the regulations to establish an alternative route to licensure for experienced military personnel. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 22.1-16 and 22.1-298 of the Code of Virginia.

Public comments may be submitted until August 5, 1999.

Contact: Thomas A. Elliott, Assistant Superintendent of Teacher Education and Licensure, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 371-2522 or FAX (804) 786-6759.

VA.R. Doc. No. R99-197; Filed June 9, 1999, 12:18 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to

Notices of Intended Regulatory Action

consider amending regulations entitled: **8 VAC 20-21-10 et seq. Licensure Regulations for School Personnel.** The purpose of the proposed action is to establish an endorsement (teaching) area in American Sign Language (ASL). The Board of Education has approved the provision of three years of instruction in ASL for foreign language credit toward an advanced studies diploma. The board also requested licensure requirements of teachers of ASL. Requirements need to be incorporated into the current licensure regulations for school personnel. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 22.1-16 and 22.1-298 of the Code of Virginia.

Public comments may be submitted until August 5, 1999.

Contact: Thomas A. Elliott, Assistant Superintendent of Teacher Education and Licensure, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 371-2522 or FAX (804) 786-6759.

VA.R. Doc. No. R99-196; Filed June 9, 1999, 12:18 p.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider amending regulations entitled: **12 VAC 5-550-10 et seq. Board of Health Regulations Governing Vital Records.** The purpose of the proposed action is to review the regulations and amend them to ensure the accurate, uniform, efficient, and confidential administration of the Commonwealth's system for maintaining vital records, such as birth, adoption, marriage, divorce, death, and fetal death records, and for allowing necessary changes to these records. Resulting amendments may: (i) provide for the electronic reporting of births; (ii) allow delayed reporting of births when warranted; (iii) specify information needed to evidence home births; and (iv) establish protections against the unauthorized, unwarranted, and indiscriminate disclosure of vital records. Resulting amendments may also address other issues relating to these regulations that the public, regulated persons, and health planning community deem appropriate to raise in response to this notice. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 32.1-12, 32.1-250 and 32.1-257 of the Code of Virginia.

Public comments may be submitted until August 18, 1999.

Contact: Deborah Little-Bowser, State Registrar of Vital Records, Department of Health, Office of Vital Records, P.O.

Box 1000, Richmond, VA 23218-1000, telephone (804) 225-5007 or FAX (804) 786-0648.

VA.R. Doc. No. R99-207; Filed June 30, 1999, 10:55 a.m.

TITLE 16. LABOR AND EMPLOYMENT

DEPARTMENT OF LABOR AND INDUSTRY

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Department of Labor and Industry has WITHDRAWN the Notice of Intended Regulatory Action for **16 VAC 15-30-10 et seq. Virginia Rules and Regulations Declaring Hazardous Occupations**, which was published in 13:1 VA.R. 4 September 30, 1996.

This regulation and federal child labor regulations are very similar. The Wage and Hour Division of the U.S. Department of Labor is currently preparing amendments to the comparable federal child labor regulations. The Department of Labor and Industry wishes to take advantage of research now being conducted in the context of the U.S. Department of Labor regulation review, and to receive additional information regarding the future of the federal regulations. It is in the best interest of both employers and employees that state and federal regulations are consistent to the greatest extent possible. The department, therefore, does not plan to amend these regulations at the present time and is withdrawing this Notice of Intended Regulatory Action.

Contact: Bonnie R. Hopkins, Regulatory Coordinator, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 371-2327, FAX (804) 371-6524 or (804) 786-2376/TTY ☎

VA.R. Doc. No. R97-15; Filed July 8, 1999, 10:30 a.m.

VIRGINIA WORKERS' COMPENSATION COMMISSION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Workers' Compensation Commission intends to consider promulgating regulations entitled: **16 VAC 30-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed regulation is to promulgate public participation guidelines pursuant to § 9-6.14:7.1 of the Code of Virginia. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until August 9, 1999.

Notices of Intended Regulatory Action

Contact: Sam Lupica, Staff Attorney, Virginia Workers' Compensation Commission, 1000 DMV Dr., Richmond, VA 23220, telephone (804) 367-0438, (804) 367-9740, toll-free 1-877-664-2566 or (804) 367-8600/TTY ☎

VA.R. Doc. No. R99-198; Filed June 9, 1999, 3:30 p.m.

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TITLE 18. PROFESSIONAL AND OCCUPATIONAL REGULATION

BOARD FOR ASBESTOS AND AND LEAD

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Board for Asbestos and Lead has WITHDRAWN the Notice of Intended Regulatory Action for **18 VAC 15-20-10 et seq. Virginia Asbestos Licensing Regulations**, which was published in 13:10 VA.R. 1055 February 3, 1997.

Contact: David E. Dick, Assistant Director, Board for Asbestos and Lead, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8500 or (804) 367-9753/TTY ☎

VA.R. Doc. No. R97-228; Filed July 9, 1999, 11:54 a.m.

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Board for Asbestos and Lead has WITHDRAWN the Notice of Intended Regulatory Action for **18 VAC 15-30-10 et seq. Virginia Lead-based Paint Activities Regulations**, which was published in 12:18 VA.R. 2363 May 27, 1996.

Contact: David E. Dick, Assistant Director, Board for Asbestos and Lead, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8500 or (804) 367-9753/TTY ☎

AUCTIONEERS BOARD

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Auctioneers Board has WITHDRAWN the Notice of Intended Regulatory Action for **18 VAC 25-21-10 et seq. Rules and Regulations of the Auctioneers Board**, which was published in 15:1 VA.R. 4373 September 28, 1998. The board intends to refile the Notice of Intended Regulatory Action at a later date.

Contact: Mark N. Courtney, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8500 or (804) 367-9753/TTY ☎

VA.R. Doc. No. R99-13; Filed July 12, 1999, 11:57 a.m.

BOARD FOR CONTRACTORS

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Board for Contractors has WITHDRAWN the Notice of Intended Regulatory Action for **18 VAC 50-30-10 et seq. Tradesman Rules and Regulations**, which was published in 15:6 VA.R. 771 December 7, 1998.

Contact: Geralde W. Morgan, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8500 or (804) 367-9753/TTY ☎

VA.R. Doc. No. R99-48; Filed July 12, 1999, 11:29 a.m.

BOARD FOR COSMETOLOGY

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Board for Cosmetology has WITHDRAWN the Notice of Intended Regulatory Action for **18 VAC 55-20-10 et seq. Board for Cosmetology Regulations**, which was published in 12:25 VA.R. 3313 September 2, 1996.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8500 or (804) 367-9753/TTY ☎

VA.R. Doc. No. R96-479; Filed July 12, 1999, 11:28 a.m.

BOARD FOR HEARING AID SPECIALISTS

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Board for Hearing Aid Specialists has WITHDRAWN the Notice of Intended Regulatory Action for **18 VAC 80-10-10 et seq. Board for Hearing Aid Specialists Regulations**, which was published in 14:1 VA.R. 19 September 29, 1997.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8500 or (804) 367-9753/TTY ☎

VA.R. Doc. No. R98-1; Filed July 12, 1999, 11:28 a.m.

Notices of Intended Regulatory Action

BOARD OF NURSING HOME ADMINISTRATORS

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Board of Nursing Home Administrators has WITHDRAWN the Notice of Intended Regulatory Action for **18 VAC 95-20-10 et seq. Regulations of the Board of Nursing Home Administrators**, which was published in 15:11 VA.R. 1550 February 15, 1999.

Contact: Elizabeth Young Tisdale, Executive Director, Board of Nursing Administrators, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9900, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

VA.R. Doc. No. R99-91; Filed July 7, 1999, 3:58 p.m.

BOARD FOR OPTICIANS

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Board for Opticians has WITHDRAWN the Notice of Intended Regulatory Action for **18 VAC 100-20-10 et seq. Board for Opticians Regulations**, which was published in 14:1 VA.R. 21 September 29, 1997.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8500 or (804) 367-9753/TTY ☎

VA.R. Doc. No. R97-758; Filed July 12, 1999, 11:28 a.m.

BOARD FOR PROFESSIONAL SOIL SCIENTISTS

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Board for Professional Soil Scientists has WITHDRAWN the Notice of Intended Regulatory Action for **18 VAC 145-20-10 et seq. Board for Professional Soil Scientists Regulations**, which was published in 13:22 VA.R. 2743 July 21, 1997.

Contact: Geralde W. Morgan, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8500 or (804) 367-9753/TTY ☎

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Board for Waterworks and Wastewater Works Operators has WITHDRAWN the Notice of Intended Regulatory Action for **18 VAC 160-20-10 et seq. Board for Waterworks and Wastewater Works Operators Regulations**, which was published in 14:15 VA.R. 763 November 24, 1997.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4918, telephone (804) 367-8500 or (804) 367-9753/TTY ☎



TITLE 22. SOCIAL SERVICES

DEPARTMENT FOR THE DEAF AND HARD OF HEARING

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Department for the Deaf and Hard of Hearing has WITHDRAWN the Notices of Intended Regulatory Action for **22 VAC 20-30-10 et seq. Regulations Governing Interpreter Services for the Deaf and Hard of Hearing**, which were published in 8:5 VA.R. 682 December 2, 1991, 10:6 VA.R 1303 December 13, 1993, and 14:4 VA.R. November 10, 1997.

Contact: Ronald L. Lanier, Department for the Deaf and Hard-of-Hearing, Ratcliffe Bldg., 1602 Rolling Hills Dr., Suite 203, Richmond, VA 23229-5012.

VA.R. Doc. No. R98-80; Filed July 12, 1999, 9:03 a.m.

CHILD DAY-CARE COUNCIL

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Child Day-Care Council intends to consider amending regulations entitled: **22 VAC 15-50-10 et seq. Regulation for Criminal Record Checks for Child Welfare Agencies**. The purpose of the proposed action is to establish criminal record check procedures to be followed by licensed and registered child welfare agencies. The proposed revision would provide for technical amendments and clarification and would incorporate changes in the Code of Virginia resulting from the 1998 General Assembly

Notices of Intended Regulatory Action

session. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 63.1-202 of the Code of Virginia.

Public comments may be submitted until September 1, 1999.

Contact: Peggy Neider, Human Service Program Consultant, Department of Social Services, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-1881 or FAX (804) 692-2370.

VA.R. Doc. No. R99-217; Filed July 14, 1999, 11:24 a.m.

STATE BOARD OF SOCIAL SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-770-10 et seq. Standards and Regulations for Agency Approved Providers.** The purpose of the proposed action is to amend the regulation to comply with previously promulgated regulations that eliminated language relating to "reason-to-suspect" cases in Child Protective Services and redefined "registry," and to add additional crimes from the Adoption and Safe Families Act of 1997 (Public Law 105-89). The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until August 18, 1999.

Contact: Marjorie L. Marker, Adult Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1262 or FAX (804) 692-2215.

VA.R. Doc. No. R99-201; Filed June 22, 1999, 1:20 p.m.



PUBLIC COMMENT PERIODS - PROPOSED REGULATIONS



PUBLIC COMMENT PERIODS REGARDING STATE AGENCY REGULATIONS

This section gives notice of public comment periods and public hearings to be held on proposed regulations. The notice will be published once at the same time the proposed regulation is published in the Proposed Regulations section of the *Virginia Register*. The notice will continue to be carried in the Calendar of Events section of the *Virginia Register* until the public comment period and public hearing date have passed.

Notice is given in compliance with § 9-6.14:7.1 of the Code of Virginia that the following public hearings and public comment periods regarding proposed state agency regulations are set to afford the public an opportunity to express their views.

TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

CRIMINAL JUSTICE SERVICES BOARD

October 1, 1999 – Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Criminal Justice Services Board intends to **repeal** regulations entitled: **6 VAC 20-170-10 et seq. Regulations Relating to Private Security Services** and **adopt** regulations entitled: **6 VAC 20-171-10 et seq. Regulations Relating to Private Security Services**. The purpose of the proposed action is to promulgate regulations to establish the training standards, application procedures and compliance requirements for the private security services industry, which will replace existing regulations.

Statutory Authority: § 9-182 of the Code of Virginia.

Contact: Leon D. Baker, Jr., Section Chief, Private Security Services Section, Department of Criminal Justice Services, P.O. Box 10110, Richmond, VA 23240-9998, telephone (804) 786-0460 or FAX (804) 786-6344.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL REGULATION

BOARD OF MEDICINE

September 9, 1999 - 1 p.m. – Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.

October 1, 1999 – Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine

intends to amend regulations entitled: **18 VAC 85-40-10 et seq. Regulations Governing the Practice of Respiratory Care Practitioners**. The purpose of the proposed action is to replace emergency regulations for the licensure of respiratory care practitioners.

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

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

TITLE 22. SOCIAL SERVICES

BOARDS OF EDUCATION; JUVENILE JUSTICE; MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES; AND SOCIAL SERVICES

August 20, 1999 - 9 a.m. – Public Hearing

October 1, 1999 – Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Boards of Education; Juvenile Justice; Mental Health, Mental Retardation and Substance Abuse Services; and Social Services intend to repeal regulations entitled: **8 VAC 20-50-10 et seq.**, **6 VAC 35-50-10 et seq.**, **12 VAC 35-30-10 et seq.**, and **22 VAC 40-150-10 et seq.** **Standards for Interdepartmental Regulation of Residential Facilities for Children**. These regulations are being repealed as the proposed revisions are so extensive that it is more efficient to repeal the existing regulations and promulgate a new regulation in its place. The proposed regulation, 22 VAC 42-10-10 et seq., Standards for the Interagency Regulation of Children's Residential Facilities, was published in 15:22 VA.R. 2834-2870 July 19, 1999.

Public Comment Periods - Proposed Regulations

Statutory Authority: §§ 16.1-309.9, 22.1-321, 22.1-323, 22.1-323.2, 37.1-182, 37.1-189.1, 63.1-25, 63.1-217, 66-10 and 66-24 of the Code of Virginia.

Contact: Charlene Vincent, Acting Coordinator, Office of Interdepartmental Regulation, Department of Social Services, 730 E. Broad St., Richmond, VA 23219-1849, telephone (804) 692-1962 or FAX (804) 692-1965.



PROPOSED REGULATIONS

For information concerning Proposed Regulations, see Information Page.

Symbol Key

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

TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

CRIMINAL JUSTICE SERVICES BOARD

Title of Regulation: **6 VAC 20-170-10 et seq. Regulations Relating to Private Security Services (REPEALING).**

Title of Regulation: **6 VAC 20-171-10 et seq. Regulations Relating to Private Security Services.**

Statutory Authority: § 9-182 of the Code of Virginia.

Public Hearing Date: N/A -- Public comments may be submitted until October 1, 1999.

(See Calendar of Events section for additional information)

Basis: Pursuant to the statutory authority set forth by § 9-182 of the Code of Virginia, the Criminal Justice Services Board (CJSB) will amend and revise the regulations relating to private security services.

Purpose: The purpose of these regulations is to set forth a regulatory program which mandates and prescribes standards, requirements, and procedures that serve to protect the public safety and welfare from unqualified, unscrupulous, and incompetent persons engaged in the activities of private security services. The current regulations (6 VAC 20-170) are being repealed to incorporate substantive formatting changes to be issued as 6 VAC 20-171. The primary purpose for amending the regulations is to incorporate changes that, while continuing to protect the public safety and welfare, adjust specific fees to regulated individuals and allow the agency to more expeditiously license and certify individuals and businesses who have fulfilled application requirements.

Substance: The proposed regulations are made up of primarily formatting changes. The primary content changes are as follows:

1. 6 VAC 20-171-20 reduces the initial and renewal fees for registered individuals from the current \$35 to \$25 and \$20, respectively. Licensed businesses and certified training schools are provided the opportunity to renew for a 24-month period for an additional fee reduction of \$50. In an effort to allocate fees more evenly between registered and certified individuals, the certification applications were increased from the current \$15 every two years, to \$20 for the same period. In addition, instructor certifications were increased from \$25 every three years to \$75 for the same period. The proposed fee schedule will allow the section to meet expenses based on the fee revenue.

2. 6 VAC 20-171-50 and 6 VAC 20-171-80 increase the minimum level of the optional surety bond coverage from \$25,000 to \$100,000. This was increased in an effort to protect the public as much as possible from those companies that may opt for the surety bond as opposed to general liability insurance coverage.

3. 6 VAC 20-171-120 requires individuals applying for electronic security categories to submit the registration application immediately on the date of hire. This change is incorporated to eliminate the amount of time during which a person may be exposed to the general public without any authorization from the department. A temporary registration will immediately be issued for a period not to exceed 90 days, meeting provisions set forth by § 9-183.3 G of the Code of Virginia allowing individuals to be employed for a 90-day period pending completion of required training.

4. 6 VAC 20-171-140 requires the same as subdivision 3 above except for unarmed security officers.

5. 6 VAC 20-171-180 reduces that period that an individual or entity may reinstate an expired license, registration or certification from the current 180 days to 90 days.

6. Part IV specifically identifies compliance requirements for businesses, training schools and individuals in a more easily referenced fashion than provided in the current regulations.

7. 6 VAC 20-171-350 C 6 decreases the compulsory minimum training for the personal protection specialist category from 68 hours to 60 hours.

8. 6 VAC 20-171-360 C eliminates the majority of legal authority required, and instead specifies job-related training. This allows individuals to receive training more specifically applicable and designed for their particular area of service.

9. 6 VAC 20-171-480 specifies that the department may accept anonymous reports of violations, provided sufficient information is included to conduct an investigation.

10. 6 VAC 20-171-490 specifies that the department shall attempt to keep all information gathered in an investigation confidential prior to adjudication. This would not exempt the department from applicable federal or state laws regarding the dissemination of records upon request.

Issues: The primary advantages that these regulations provide to the general public are: (i) sets forth standards, procedures, and requirements that serve to protect the safety and welfare of the general public from deceptive or misleading private security services business practitioners and (ii) secures the public safety and welfare against incompetent, unscrupulous and unqualified persons by establishing methods of licensure, registration and certification that serve to enhance the competency of persons performing or engaged in the activities of private

security services. A possible disadvantage of these regulations is that the program it prescribes receives no moneys from the general fund, therefore, the cost to administer the program must be absorbed by the affected entities.

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

Summary of the proposed regulation. This proposed regulation, 6 VAC 20-171, is intended to replace 6 VAC 20-170, which is being repealed to incorporate substantive format and content changes. Changes in content include: (i) a revised fee structure; (ii) the creation of the assistant training director position; (iii) an increase in the minimum dollar amount of the surety bond; (iv) an expansion in the type of experience which is considered acceptable for instructor eligibility; (v) a new requirement that central station monitoring services shall, in response to burglar alarms, first attempt to contact the end user prior to requesting a response from law enforcement; (vi) a new requirement that schools conduct separate training sessions for entry level and in-service students; (vii) an increase in the maximum number of hours of training permitted per day; (viii) a reduction in the minimum number of required training hours for registration as personal protection specialist; and (ix) less restrictive course content rules for training schools.

Estimated economic impact.

Fees. The Criminal Justice Services Board (board) is proposing to change several fees. The charge for individuals applying for registration in the categories of armored car personnel, courier, armed security officer, security canine handler, private investigator, personal protection specialist, alarm respondent, central station dispatcher, electronic security sales representative and electronic security technician would be decreased from \$35 per year to \$20 per year. The charge for individuals applying for certification in the categories of electronic security employee, electronic security technician's assistant and unarmed security officer would be increased from \$15 for two years to \$20 for two years. The fee for compliance agent certification would decrease from \$126 to \$100. Overall, the revenue received by the Department of Criminal Justice Services (department) from individuals' registration or certification fees would be lowered under the proposed revised regulation.

The board also proposes to increase the fee for the first year of the private security services business license from \$518 to \$600. The first year for a training school license would increase from \$500 to \$600. The fee for a two-year renewal of either license would be decreased from \$450 to \$400. Overall, the revenue received by the department from business and training school licenses would be higher under the proposed revised regulation and would approximately make up for the lost revenue from the decreased individual registration and certification fees. The proposed change in fee structure is expected to produce approximately the same revenue stream as the current fee structure. This program receives no moneys from the general fund.

The lower fees for the registration of armored car personnel, couriers, armed security officers, security canine handlers, private investigators, personal protection specialists, alarm respondents, central station dispatchers, electronic security sales representatives and electronic security technicians may make it slightly easier for firms to hire such workers during tight labor markets. Individuals would find it less costly to become registered and thus qualified for the positions. Firms that consider paying the individuals' registration fees in order to attract and retain labor would find it less costly to do so. The increase in fees for new private security services firms and training schools would be a minor hardship for new entrants in those industries, but will unlikely be enough to discourage the formation of new businesses.

Assistant Training Director. Applicants for private security services training school certification must designate an individual as training school director. The training school director is responsible for the compliance of the training school with all applicable requirements (such as paperwork) as provided in the Code of Virginia and the regulation. This proposed regulation allows for the designation of up to four assistant training directors for each school. Assistant training directors would be permitted to submit training school session notifications and training rosters and perform administrative duties in lieu of the director. This proposed change to the regulation is clearly beneficial to Virginia private security services training schools in that their ability to comply with the requirements of this regulation will not be at all times dependent on the availability of one individual (the training school director).

Surety Bond. In the current regulation, private security service firms and training schools are required to secure a surety bond in the amount of \$25,000 or a certificate of insurance showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000. The board proposes to increase the amount of the minimum surety bond up from \$25,000 to \$100,000, in order to protect the public's interest. This proposed change would not add an extra expense for existing Virginia businesses. According to the department, the vast majority of private security service firms and training schools choose the general liability option over the surety bond. The small number of businesses that hold a surety bond, mainly armored car services, have such a bond worth well in excess of \$100,000.

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Instructor Qualifications. In the current regulation, an applicant for private security services instructor certification must have either three years management or supervisory experience with a private security services business, law-enforcement agency or related field, or a minimum of one year experience as an instructor or teacher at an accredited educational institution or agency in the subject matter for which certification is requested, or in a related field. The proposed regulation broadens the pool of qualified applicants for private security services instructor certification by including five years of general experience in a private security services business, law-enforcement agency or related field as acceptable experience for certification eligibility. Increasing the pool of qualified instructors is particularly beneficial to training schools during tight labor markets.

False Alarm Reduction. The proposed regulation also includes a new requirement concerning the response of central station monitoring services to burglar alarms. Central station monitoring services would be required to first attempt to contact the end user prior to requesting a response from law enforcement when a burglar alarm is tripped. An exception is made for duress or hold-up alarms. Though some central station monitoring services are currently following this policy on their own volition, several others are not (according to the department and an industry spokesperson). The implementation of this requirement should significantly reduce the number of incidents in which law enforcement responds to false alarms. On the other hand, the new requirement may create a short delay in law enforcement's response to actual break-ins. A few burglars that otherwise would have been caught, may not be caught under this policy. Without more information, it is not possible to determine the net economic impact of this proposed change.

Separate Training Sessions. Another new requirement in the proposed regulation concerns the separation of levels of students into separate classes. The proposed regulation requires that training schools conduct separate training sessions for entry level and in-service students. All but one of the Virginia private security services training schools have consistently followed this policy on their own volition. It is not anticipated that a significant number of additional instructor-hours will need to be added due to this requirement.

Training Hours per Day. The proposed regulation also increases the maximum number of hours of training permitted per day from eight to twelve. Training includes classroom instruction, range qualification, and practical exercises. Classroom instruction would be limited to eight hours a day. This easing of the restriction on training schools would obviously allow more information to be imparted per day. Training schools could potentially teach courses in fewer days, enabling more courses to be taught per year using the same facilities.

Personal Protection Specialist Training Hours. In response to the recommendation of an advisory board, the proposed regulation reduces the number of training hours required to

become a registered personal protection specialist from 68 to 60. It appears that individuals desiring this type of license will be able to do so in approximately one less day, while still obtaining sufficient training to become competent in the occupation. This would in net be beneficial for the students.

Course Content. Specific requirements for course content in the various license, certification, or registration training classes have been generalized to "job related training." This allows the training schools greater flexibility in providing the appropriate training to their students' particular needs. Some specific course requirements beyond "job related training" which the board considers important for the particular area for which it applies have been retained.

Businesses and entities affected. The proposed revised regulations will affect the 1,112 licensed private security services businesses, 102 certified private security services training schools, 16,211 certified electronic security employees, electronic security technician's assistants and unarmed security officers, 15,010 compliance agents, 10,329 registered armored car personnel, couriers, armed security officers, security canine handlers, private investigators, personal protection specialists, alarm respondents, central station dispatchers, electronic security sales representative and electronic security technicians, and 462 certified instructors in Virginia. In addition, individuals and firms that are now or in the future considering applying for one or more of the applicable licenses, certification, or registration would also be affected.

Localities particularly affected. The proposed regulatory changes affect all Virginia localities.

Projected impact on employment. Due to the increase in permitted training hours per day, training schools may be able to teach more courses per year using the same facilities. If the demand exists to support this greater supply of course instruction, then there may be an increase in employment for instructors. The proposed expansion of the pool of qualified applicants for instructor positions will allow for those positions to be filled faster, and on average have more instructors employed at a given point in time. At the same time, some training schools may be able to save on costs by employing slightly fewer instructor hours per year for courses required for the personal protection specialist registration. On balance, the proposed regulation may produce a small increase in the employment of instructors.

Effects on the use and value of private property. The proposed reduction in the renewal fee for licensed private security services businesses will make such businesses marginally more valuable. The proposed reduction in the renewal fee for certified training schools, as well as proposed flexibility in course content and less restrictive maximum number of course hours per day, make private security services training schools somewhat more valuable.

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

Budget as it pertains to 6 VAC 20-171 (Regulations Relating to Private Security Services).

Summary:

These proposed regulations (i) establish requirements and prescribe procedures for obtaining a private security services business license, a private security services registration or a training certification; (ii) address the operation, administration, and enforcement procedures relating to private security services; (iii) establish methods, standards, and procedures for training, registration, and certification of private security services business personnel; and (iv) set forth standards of conduct and prohibited practices for persons engaged in the business or activities relating to private security services.

This proposed regulation, 6 VAC 20-171, is intended to replace 6 VAC 20-170, which is being repealed to incorporate substantive format and content changes. Changes in content include: (i) a revised fee structure; (ii) the creation of the assistant training director position; (iii) an increase in the minimum dollar amount of the surety bond; (iv) an expansion in the type of experience which is considered acceptable for instructor eligibility; (v) a new requirement that central station monitoring services shall, in response to burglar alarms, first attempt to contact the end user prior to requesting a response from law enforcement; (vi) a new requirement that schools conduct separate training sessions for entry level and in-service students; (vii) an increase in the maximum number of hours of training permitted per day; (viii) a reduction in the minimum number of required training hours for registration as a personal protection specialist; and (ix) less restrictive course content rules for training schools.

CHAPTER 171.
REGULATIONS RELATING TO PRIVATE SECURITY
SERVICES.

PART I.
DEFINITIONS.

6 VAC 20-171-10. Definitions.

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

"Alarm respondent" means a natural person who responds to the signal of an alarm for the purpose of detecting an intrusion of the home, business or property of the end user.

"Armed" means a private security registrant who carries or has immediate access to a firearm in the performance of his duties.

"Armed security officer" means a security officer, as defined in this section, who carries or has immediate access to a firearm in the performance of his duties.

"Armored car personnel" means persons who transport or offer to transport under armed security from one place to another money, negotiable instruments or other valuables in a specially equipped motor vehicle with a high degree of security and certainty of delivery.

"Assistant training director" means a certified instructor designated by a private security training school director to submit training school session notifications and training rosters and perform administrative duties in lieu of the director.

"Board" means the Criminal Justice Services Board or any successor board or agency.

"Business advertising material" means display advertisements in telephone directories, letterhead, business cards, local newspaper advertising and contracts.

"Central station dispatcher" means a natural person who monitors burglar alarm signal devices, burglar alarms or any other electrical, mechanical or electronic device used to prevent or detect burglary, theft, shoplifting, pilferage or similar losses; used to prevent or detect intrusion; or used primarily to summon aid for other emergencies.

"Certification" means a method of regulation indicating that qualified persons have met the minimum requirements as private security services training schools, private security services instructors, compliance agents, unarmed security officers, electronic security employees, or electronic security technician's assistants.

"Certified training school" means a training school which provides instruction in at least the minimum training mandated and is certified by the department for the specific purpose of training private security services business personnel.

"Class" means a block of instruction no less than 50 minutes in length on a particular subject.

"Combat load" means tactical loading of shotgun while maintaining coverage of threat area.

"Compliance agent" means a natural person who is an owner of, or employed by, a licensed private security services business. The compliance agent shall assure the compliance of the private security services business with all applicable requirements as provided in § 9-183.3 of the Code of Virginia.

"Courier" means any armed person who transports or offers to transport from one place to another documents or other papers, negotiable or nonnegotiable instruments, or other small items of value that require expeditious service.

"Department" means the Department of Criminal Justice Services or any successor agency.

"Director" means the chief administrative officer of the department.

"Electronic security business" means any person who engages in the business of or undertakes to (i) install,

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service, maintain, design or consult in the design of any electronic security equipment to an end user; (ii) respond to or cause a response to electronic security equipment for an end user, or (iii) have access to confidential information concerning the design, extent, status, password, contact list, or location of an end user's electronic security equipment.

"Electronic security employee" means a natural person who is employed by an electronic security business in any capacity which may give him access to information concerning the design, extent, status, password, contact list, or location of an end user's electronic security equipment.

"Electronic security equipment" means electronic or mechanical alarm signaling devices including burglar alarms or holdup alarms or cameras used to detect intrusion, concealment or theft. This shall not include tags, labels, and other devices which are attached or affixed to items offered for sale, library books, and other protected articles as part of an electronic article surveillance and theft detection and deterrence system.

"Electronic security sales representative" means a natural person who sells electronic security equipment on behalf of an electronic security business to the end user.

"Electronic security technician" means a natural person who installs, services, maintains or repairs electronic security equipment.

"Electronic security technician's assistant" means a natural person who works as a laborer under the supervision of the electronic security technician in the course of his normal duties, but who may not make connections to any electronic security equipment.

"Employee" means a natural person employed by a licensee to provide private security services that are regulated by the department.

"End user" means any person who purchases or leases electronic security equipment for use in that person's home or business.

"Engaging in the business of providing or undertaking to provide private security services" means any person who solicits business within the Commonwealth of Virginia through advertising, business cards, submission of bids, contracting, public notice for private security services, directly or indirectly, or by any other means.

"Firearms training verification" means verification of successful completion of either initial or retraining requirements for handgun or shotgun training, or both.

"Firm" means a business entity, regardless of method of organization, applying for a private security services business license or for the renewal or reinstatement of same.

"Incident" means an event which exceeds the normal extent of one's duties.

"In-service training requirement" means the compulsory in-service training standards adopted by the Criminal Justice

Services Board for private security services business personnel.

"License number" means the official number issued to a private security services business licensed by the department.

"Licensed firm" means a business entity, regardless of method of organization, which holds a valid private security services business license issued by the department.

"Licensee" means a licensed private security services business.

"Locksmith security equipment" means mechanical, electrical or electro-mechanical locking devices for the control of ingress or egress that do not primarily detect intrusion, concealment and theft.

"On duty" means that time during which private security services business personnel receives or are entitled to receive compensation for employment for which a registration or certification is required.

"Performance of his duties" means on duty in the context of this chapter.

"Person" means any individual, group of individuals, firm, company, corporation, partnership, business, trust, association, or other legal entity.

"Personal protection specialist" means any natural person who engages in the duties of providing close protection from bodily harm to any person.

"Principal" means any sole proprietor, individual listed as an officer or director with the Virginia State Corporation Commission, board member of the association, or partner of a licensed firm or applicant for licensure.

"Private investigator" means any natural person who engages in the business of, or accepts employment to make, investigations to obtain information on (i) crimes or civil wrongs; (ii) the location, disposition, or recovery of stolen property; (iii) the cause of accidents, fires, damages, or injuries to persons or to property; or (iv) evidence to be used before any court, board, officer, or investigative committee.

"Private security services business" means any person engaged in the business of providing, or who undertakes to provide armored car personnel, security officers, personal protection specialists, private investigators, couriers, security canine handlers, alarm respondents, central station dispatchers, electronic security employees, electronic security sales representatives or electronic security technicians and their assistants to another person under contract, express or implied.

"Private security services business personnel" means each employee of a private security services business who is employed as an unarmed security officer, armed security officer/courier, armored car personnel, security canine handler private investigator, personal protection specialist, alarm respondent, central station dispatcher, electronic

security employee, electronic security sales representative, electronic security technician or electronic security technician's assistant.

"Private security services instructor" means any natural person certified by the department to provide mandated instruction in private security subjects for a certified private security services training school.

"Private security services registrant" means any qualified natural person who has met the requirements under this article to perform the duties of alarm respondent, armored car personnel, central station dispatcher, courier, electronic security sales representative, electronic security technician, personal protection specialist, private investigator, security canine handler, or armed security officer.

"Private security services training school" means any person certified by the department to provide instruction in private security subjects for the training of private security services business personnel in accordance with this chapter.

"Registration" means a method of regulation which identifies individuals as having met the minimum requirements for a particular registration category as set forth in this chapter.

"Registration category" means any one of the following categories: (i) armed security officer/courier, (ii) security canine handler, (iii) armored car personnel, (iv) private investigator, (v) personal protection specialist, (vi) alarm respondent, (vii) central station dispatcher, (viii) electronic security sales representative, or (ix) electronic security technician.

"Security canine" means a dog that has attended, completed, and been certified as a security canine by a certified security canine handler instructor in accordance with approved department procedures and certification guidelines. "Security canine" shall not include detector dogs.

"Security canine handler" means any natural person who utilizes his security canine in the performance of private security duties.

"Security canine team" means the security canine handler and his security canine performing private security duties.

"Security officer" means any natural person employed by a private security service business to (i) safeguard and protect persons and property or (ii) prevent theft, loss, or concealment of any tangible or intangible personal property on the premises contracted to protect.

"Session" means a group of classes comprising the total hours of mandated training in any of the following categories: unarmed security officer, armed security officer/courier, personal protection specialist, armored car personnel, security canine handler, private investigator, alarm respondent, central station dispatcher, electronic security sales representative, electronic security technician, electronic security technician's assistant or compliance agent.

"Supervisor" means any natural person who directly or indirectly supervises registered or certified private security services business personnel.

"This chapter" means the Regulations Relating to Private Security Services (6 VAC 20-171) as part of the Virginia Administrative Code.

"Training certification" means verification of the successful completion of any training requirement established in this chapter.

"Training requirement" means any entry level, in-service, or firearms retraining standard established in this chapter.

"Training school director" means a natural person designated by a principal of a certified private security services training school to assure the compliance of the private security services training school with all applicable requirements as provided in the Code of Virginia and this chapter.

"Unarmed security officer" means a security officer who does not carry or have immediate access to a firearm in the performance of his duties.

"Uniform" means any clothing with a badge, patch or lettering which clearly identifies persons to any observer as private security services business personnel, not law-enforcement officers.

PART II.
APPLICATION FEES.

6 VAC 20-171-20. Fees.

A. Schedule of fees. The fees listed below reflect the costs of handling, issuance, and production associated with administering and processing applications for licensing, registration, certification and other administrative requests for services relating to private security services.

Categories	Fees
Initial business license	\$600
Business license renewal	
Renewal for one year	\$250
Renewal for two years	\$400
Initial compliance agent	\$100
Initial registration	\$25
Registration renewal	\$20
Initial training school	\$600
Training school renewal	
Renewal for one year	\$250
Renewal for two years	\$400
Training school electronic submittal authorization	\$250
Instructor	\$100
Instructor renewal	\$75
Initial certification	\$20
Certification renewal	\$20
Application for training exemption	\$25
Fingerprint card processing	\$41
Additional registration categories	\$25
Replacement photo identification	\$15

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Training completion roster form \$20

B. Reinstatement fee.

1. The department shall collect a reinstatement fee for registration, license, or certification renewal applications not received on or before the expiration date of the expiring registration, license, or certification.

2. The reinstatement fee shall be 50% above and beyond the renewal fee of the registration, license, certification, or any other credential issued by the department wherein a fee is established and renewal is required.

C. Dishonor of fee payment due to nonsufficient funds.

1. The department may suspend the registration, license, certification, or authority it has granted any person, licensee or registrant who submits a check or similar instrument for payment of a fee required by statute or regulation which is not honored by the financial institution upon which the check or similar instrument is drawn.

2. The suspension shall become effective upon receipt of written notice of the dishonored payment. Upon notification of the suspension, the person, registrant or licensee may request that the suspended registration, license, certification, or authority be reinstated, provided payment of the dishonored amount plus any penalties or fees required under the statute or regulation accompany the request. Suspension under this provision shall be exempt from the Administrative Process Act.

PART III.

APPLICATIONS PROCEDURES AND REQUIREMENTS.

Article 1.

Criminal History Records Search.

6 VAC 20-171-30. Fingerprint processing.

A. Each person applying for licensing as a private security services business, certification as a private security services training school, certification as a compliance agent or instructor, a private security registration or private security certification in a category requiring a fingerprint-based criminal history records search shall submit to the department:

1. His fingerprints on one completed set of two fingerprint cards provided by the department;
2. A fingerprint processing application; and
3. The applicable, nonrefundable fee for each set.

B. The department shall submit those fingerprints to the Virginia State Police for the purpose of conducting a Virginia Criminal History Records search and a National Criminal Records search to determine whether the individual or individuals have a record of conviction.

C. Fingerprint cards found to be unclassifiable will be returned to the applicant. Action on the application will be

suspended pending the resubmittal of classifiable fingerprint cards. The applicant shall be so notified in writing and shall submit new fingerprint cards and the applicable, nonrefundable fee to the department before the processing of his application shall resume. However, no such fee may be required if the rejected fingerprint cards are included and attached to the new fingerprint cards when resubmitted and the department is not assessed additional processing fees.

6 VAC 20-171-40. Virginia State Police Form 167 (VSP-167).

A. Prior to employing any individual as an unarmed security officer, a business must submit a Virginia State Police Form 167 to the Virginia State Police for the purposes of a criminal history records search. The forms shall be requested from and maintained in accordance with the requirements of the Virginia State Police. In addition, the business will ensure the criminal history records are:

1. Reviewed by the compliance agent of the business for the purposes of determining eligibility for employment according to department guidelines; and
2. Available for inspection by department personnel.

B. An individual for which the VSP-167 reports a record of conviction shall not be employed as an unarmed security officer without written approval from the department for any of the following convictions:

1. Any felony; or
2. Any misdemeanor involving moral turpitude within the previous five-year period.

C. To request written approval from the department, the individual shall:

1. Submit to the department a written request explaining the offense and identifying the licensee employing the individual; and
2. Provide copies of the record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction.

Article 2.

Private Security Services Business License.

6 VAC 20-171-50. Initial license application.

A. Prior to the issuance of a business license, the applicant shall meet or exceed the requirements of licensing and application submittal to the department as set forth in this section.

B. Each person seeking a license as a private security services business shall file a completed application provided by the department to include:

1. For each principal and supervisor of the applying business, their fingerprints pursuant to 6 VAC 20-171-30;

2. Documentation verifying that the applicant has secured a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;

3. For each nonresident applicant for a license, on a form provided by the department, a completed irrevocable consent for the department to serve as service agent for all actions filed in any court in this Commonwealth;

4. For each applicant for a license as a private security services business whose legal entity is a corporation or limited liability company shall, on a form provided by the department, provide the identification number issued by the Virginia State Corporation Commission for verification that the entity is authorized to conduct business in the Commonwealth;

5. A physical address in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical address;

6. On the license application, designation of at least one individual as compliance agent who is not designated as compliance agent for any other licensee, and who is certified or eligible for certification pursuant to 6 VAC 20-171-70; and

7. The applicable, nonrefundable license application fee.

C. Upon completion of the initial license application requirements, the department may issue an initial license for a period not to exceed 12 months.

D. The department may issue a letter of temporary licensure to businesses seeking licensure under § 9-183.3 of the Code of Virginia for not more than 120 days while awaiting the results of the state and national fingerprint search conducted on the principals, supervisors and compliance agent of the business, provided the applicant has met the necessary conditions and requirements.

E. A new license is required whenever there is any change in the ownership or manner of organization of the licensed entity that results in the creation of a new legal entity.

F. Each license shall be issued to the legal business entity named on the application, whether it be a sole proprietorship, partnership, corporation, or other legal entity, and shall be valid only for the legal entity named on the license. No license shall be assigned or otherwise transferred to another legal entity, with the exception of a sole proprietorship that incorporates to form a new corporate entity where the initial licensee remains as a principal in the newly-formed corporation. This exception shall not apply to any existing

corporation that purchases the business or assets of an existing sole proprietorship.

G. Each licensee shall comply with all applicable administrative requirements, standards of conduct and shall not engage in any acts prohibited by the Code of Virginia and this chapter.

6 VAC 20-171-60. Renewal license application.

A. Applications for license renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the licensee. However, if a renewal notification is not received by the licensee, it is the responsibility of the licensee to ensure renewal requirements are filed with the department. License renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees.

B. Applicants for license renewal shall have the option of renewing for either a period not to exceed 12 months or a period not to exceed 24 months.

C. The department may renew a license when the following are received by the department:

1. A properly completed renewal application;

2. Documentation verifying that the applicant has secured and maintained a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;

3. On the application, designation of at least one compliance agent who has satisfactorily completed all applicable training requirements; and

4. The applicable, nonrefundable license renewal fee.

D. Each principal and compliance agent listed on the license renewal application shall be in good standing and free of disciplinary action in every jurisdiction where licensed, registered or certified. This subsection shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.

E. Any renewal application received after the expiration date of a license shall be subject to the requirements set forth by the reinstatement provisions of this chapter.

Article 3.

Compliance Agent Certification.

6 VAC 20-171-70. Compliance agent training and certification.

A. Each person applying for certification as compliance agent shall meet the minimum requirements for eligibility:

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1. Be a minimum of 18 years of age;
2. Have (i) three years of managerial or supervisory experience in a private security services business, a federal, state, or local law-enforcement agency, or in a related field or (ii) five years experience in a private security services business, with a federal, state or local law-enforcement agency, or in a related field.

B. Each person applying for certification as compliance agent shall file with the department:

1. A properly completed application provided by the department;
2. Fingerprint cards pursuant to 6 VAC 20-171-30;
3. Official documentation verifying that the individual has (i) three years of managerial or supervisory experience in a private security services business, a federal, state, or local law-enforcement agency, or in a related field or (ii) five years experience in a private security services business, with a federal, state or local law-enforcement agency, or in a related field; and
4. The applicable, nonrefundable application fee.

C. Following review of all application requirements, the department shall assign the applicant to an entry level compliance agent training session provided by the department, at which the applicant must successfully complete the applicable entry level compliance agent training requirements pursuant to this chapter and achieve a passing score on the compliance agent examination.

D. Following completion of the entry level training requirements, the compliance agent must complete in-service training pursuant to the compulsory minimum training standards set forth by this chapter.

E. Each compliance agent shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by the Code of Virginia and this chapter.

Article 4.

Private Security Services Training School Certification.

6 VAC 20-171-80. Initial training school application.

A. Prior to the issuance of a training school certification, the applicant shall meet or exceed the requirements of certification and application submittal to the department as set forth in this section.

B. Each person seeking certification as a private security services training school shall file a completed application provided by the department to include:

1. For each principal of the applying training school, their fingerprints pursuant to 6 VAC 20-171-30;
2. Documentation verifying that the applicant has secured a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance

reflecting the department as a certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;

3. For each nonresident applicant for a training school, on a form provided by the department, a completed irrevocable consent for the department to serve as service agent for all actions filed in any court in this Commonwealth;

4. For each applicant for certification as a private security services training school whose legal entity is a corporation or limited liability company shall, on a form provided by the department, the identification number issued by the Virginia State Corporation Commission for verification that the entity is authorized to conduct business in the Commonwealth;

5. A physical address in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical address;

6. On the training school certification application, designation of at least one individual as training director who is not designated as training director for any other training school, and who is certified as an instructor pursuant to Article 5 (6 VAC 20-171-100 et seq.) of this part. A maximum of four individuals may be designated as an assistant training director;

7. A copy of the curriculum in course outline format for each category of training to be offered;

8. A copy of the training school regulations;

9. A copy of the training certificate to be used by the training school;

10. A copy of the range regulations if firearms training will be offered; and

11. The applicable, nonrefundable training school certification application fee.

C. When the department has received and processed a completed application and accompanying material, the department shall inspect the training facilities to ensure conformity with department policy, including an inspection of the firearm range, if applicable, to ensure conformity with the minimum requirements set forth by this chapter.

D. Upon completion of the initial training school application requirements, the department may issue an initial certification for a period not to exceed 12 months.

E. The department may issue a letter of temporary certification to training schools for not more than 120 days while awaiting the results of the state and national fingerprint search conducted on the principals and training director of the business, provided the applicant has met the necessary conditions and requirements.

F. A new certification is required whenever there is any change in the ownership or manner of organization of the certified entity which results in the creation of a new legal entity.

G. Each certification shall be issued to the legal entity named on the application, whether it be a sole proprietorship, partnership, corporation, or other legal entity, and shall be valid only for the legal entity named on the certification. No certification shall be assigned or otherwise transferred to another legal entity, with the exception of a sole proprietorship that incorporates to form a new corporate entity where the initial licensee remains as a principal in the newly formed corporation. This exception shall not apply to any existing corporation that purchases the training school or assets of an existing sole proprietorship.

H. Each certified training school shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by the Code of Virginia and this chapter.

6 VAC 20-171-90. Renewal training school application.

A. Applications for certification renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the certified training school. However, if a renewal notification is not received by the training school, it is the responsibility of the training school to ensure renewal requirements are filed with the department. Certification renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees.

B. Applicants for training school renewal shall have the option of renewing for either a period not to exceed 12 months or a period not to exceed 24 months.

C. The department may renew a certification when the following are received by the department:

1. A properly completed renewal application;
2. Documentation verifying that the applicant has secured and maintained a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;
3. On the application, designation of at least one certified instructor as training director who has satisfactorily completed all applicable training requirements; and
4. The applicable, nonrefundable certification renewal fee.

D. Each principal and instructor listed on the license renewal application shall be in good standing and free of

disciplinary action in every jurisdiction where licensed, registered or certified. This subsection shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.

E. Any renewal application received after the expiration date of a certification shall be subject to the requirements set forth by the reinstatement provisions of this chapter.

Article 5.

Private Security Services Instructor Certification.

6 VAC 20-171-100. Initial instructor application.

A. Each person applying for certification as instructor shall meet the minimum requirements for eligibility:

1. Be a minimum of 18 years of age;
2. Have a high school diploma or equivalent (GED);
3. Have successfully completed an instructor development course, within the three years immediately preceding the date of the application, that meets or exceeds standards established by the department; or successful completion of an instructor development program longer than three years prior to the date of application, and has provided instruction during the three years immediately preceding, or has provided instruction in a related field at an institution of higher learning;
4. Have a minimum of (i) three years management or supervisory experience with a private security services business or with any federal, military police, state, county or municipal law-enforcement agency, or in a related field; or (ii) five years general experience in a private security services business, with a federal, state or local law-enforcement agency, or in a related field; or (iii) have a minimum of one year experience as an instructor or teacher at an accredited educational institution or agency in the subject matter for which certification is requested, or in a related field.

B. Each person applying for certification as instructor shall file with the department:

1. A properly completed application provided by the department;
2. Fingerprint cards pursuant to 6 VAC 20-171-30;
3. Official documentation verifying that the applicant meets the minimum eligibility requirements pursuant to this section;
4. Official documentation verifying previous instructor experience, training, work experience and education for those subjects in which certification is requested. The department will evaluate qualifications based upon the justification provided; and
5. The applicable, nonrefundable application fee.

C. In addition to the instructor qualification requirements described in subsections A and B of this section, each

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applicant for certification as a firearm instructor shall submit to the department:

1. Official documentation that the applicant has successfully completed a firearm instructor school specifically designed for law-enforcement or private security personnel that meets or exceeds standards established by the department within the three years immediately preceding the date of the instructor application.

2. Official documentation that the applicant has successfully qualified, with a minimum range qualification of 85%, with each of the following:

- a. A revolver;
- b. A semi-automatic handgun; and
- c. A shotgun.

3. The firearms instructor training must have been completed within the three years immediately preceding the date of the instructor application; or in the event that the school completion occurred prior to three years, the applicant shall have provided firearms instruction during the three years immediately preceding the date of the instructor application.

D. Upon completion of the initial instructor application requirements, the department may issue an initial certification for a period not to exceed 36 months.

E. The department may issue a letter of temporary certification to instructors for not more than 120 days while awaiting the results of the state and national fingerprint search provided the applicant has met the necessary conditions and requirements.

F. Each certification shall be issued to the individual named on the application and shall be valid only for use by that individual. No certification shall be assigned or otherwise transferred to another individual.

G. Each instructor shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by the Code of Virginia and this chapter.

6 VAC 20-171-110. Renewal instructor application.

A. Applications for certification renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the certified instructor. However, if a renewal notification is not received by the instructor, it is the responsibility of the instructor to ensure renewal requirements are filed with the department. Certification renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees.

B. Each person applying for instructor certification renewal shall meet the minimum requirements for eligibility as follows:

1. Successfully complete the in-service training pursuant to the compulsory minimum training standards in Part V (6 VAC 20-171-350 et seq.) of this chapter; and

2. Be in good standing and free of disciplinary action in every jurisdiction where licensed, registered or certified. This subdivision shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.

C. The department may renew a certification for a period not to exceed 36 months.

D. The department may renew a certification when the following are received by the department:

1. A properly completed renewal application provided by the department;
2. The applicable, nonrefundable certification renewal fee.

E. Any renewal application received after the expiration date of a certification shall be subject to the requirements set forth by the reinstatement provisions of this chapter.

Article 6.

Private Security Services Registration.

6 VAC 20-171-120. Initial registration application.

A. Individuals required to be registered, pursuant to § 9-183.3 C of the Code of Virginia, in the categories of armored car personnel, courier, armed security officer, security canine handler, private investigator, personal protection specialist, alarm respondent, central station dispatcher, electronic security sales representative or electronic security technician shall meet all registration requirements in this section. Prior to the issuance of a registration, the applicant shall meet or exceed the requirements of registration and application submittal to the department as set forth in this section.

B. Each person applying for registration shall meet the minimum requirements for eligibility as follows:

1. Be a minimum of 18 years of age; and
2. Successfully complete all initial training requirements for each registration category requested pursuant to the compulsory minimum training standards in Part V (6 VAC 20-171-350 et seq.) of this chapter.

C. Each person applying for registration shall file with the department:

1. A properly completed application provided by the department;
2. On the application, his physical address (a post office box is not a physical address);
3. Fingerprint cards pursuant to 6 VAC 20-171-30; and
4. The applicable, nonrefundable application fee.

D. Each person seeking registration as alarm respondent, central station dispatcher, electronic security sales

representative or electronic security technician may be employed for a period not to exceed 90 days while completing the compulsory minimum training standards, provided:

1. The initial application for registration has been submitted to the department pursuant to 6 VAC 20-171-50;
2. Fingerprint cards have been submitted pursuant to 6 VAC 20-171-30; and
3. The individual is not employed in excess of 30 days without having been issued a temporary registration from the department.

E. Upon completion of the initial registration application requirements, the department may issue an initial registration for a period not to exceed 12 months. This registration shall be submitted by the applicant to the Virginia Department of Motor Vehicles for a photo identification.

F. The department may issue a letter of temporary registration for not more than 120 days while awaiting the results of the state and national fingerprint search, provided the applicant has met the necessary conditions and requirements.

G. Each registration shall be issued to the individual named on the application and shall be valid only for use by that individual. No registration shall be assigned or otherwise transferred to another individual.

H. Each registered individual shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by the Code of Virginia and this chapter.

6 VAC 20-171-130. Renewal registration application.

A. Applications for registration renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the registered individual. However, if a renewal notification is not received by the individual, it is the responsibility of the individual to ensure renewal requirements are filed with the department. Registration renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees.

B. Each person applying for registration renewal shall meet the minimum requirements for eligibility as follows:

1. Successfully complete the in-service training, and firearms retraining if applicable, pursuant to the compulsory minimum training standards set forth by this chapter; and
2. Be in good standing and free of disciplinary action in every jurisdiction where licensed, registered or certified. This subdivision shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.

C. The department may renew a registration when the following are received by the department:

1. A properly completed renewal application provided by the department;
2. For individuals applying for renewal including the category of armored car personnel, fingerprint cards have been submitted pursuant to 6 VAC 20-171-30; and
3. The applicable, nonrefundable registration renewal fee.

D. Upon completion of the renewal registration application requirements, the department may issue a registration for a period not to exceed 12 months. This registration shall be submitted by the applicant to the Virginia Department of Motor Vehicles for a photo identification.

E. Any renewal application received after the expiration date of a registration shall be subject to the requirements set forth by Article 9 (6 VAC 20-171-180 et seq.) of this part.

Article 7.

Private Security Services Certification.

6 VAC 20-171-140. Initial certification application.

A. Individuals required to be certified in the categories of electronic security employee, electronic security technician's assistant and unarmed security officer shall meet all certification requirements of this section. Prior to the issuance of a certification, the applicant shall meet or exceed the requirements of certification and application submittal to the department as set forth in this section.

B. Each person applying for certification shall meet the minimum requirements for eligibility as follows:

1. Be a minimum of 18 years of age; and
2. Successfully complete all initial training requirements, if applicable, for each certification category requested pursuant to the compulsory minimum training standards in Part V (6 VAC 20-171-350 et seq.) of this chapter.

C. Each person applying for certification shall file with the department:

1. A properly completed application provided by the department;
2. On the application, his physical address (a post office box is not a physical address);
3. Fingerprint cards pursuant to 6 VAC 20-171-30, if applicable; and
4. The applicable, nonrefundable application fee.

D. Individuals seeking certification as electronic security employees are not required to complete any compulsory minimum training.

E. Individuals seeking certification as an electronic security technician's assistant may be employed for a period not to

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exceed 90 days while completing the compulsory minimum training standards, provided:

1. The initial application for certification has been submitted to the department pursuant to 6 VAC 20-171-140;
2. Fingerprint cards have been submitted pursuant to 6 VAC 20-171-30; and
3. The individual is not employed in excess of 30 days without having been issued a temporary registration or certification from the department.

F. Individuals seeking certification as an unarmed security officer may be employed for a period not to exceed 90 days while completing the compulsory minimum training standards, provided:

1. Within 15 days of being employed as an unarmed security officer the initial application for certification has been submitted to the department pursuant to 6 VAC 20-171-140;
2. A VSP-167 has been submitted pursuant to 6 VAC 20-171-40; and
3. The individual is not employed in excess of 30 days without having been issued a temporary registration or certification from the department.

G. Upon completion of the initial certification application requirements, the department may issue an initial certification for a period not to exceed 24 months. This certification shall be submitted by the applicant to the Virginia Department of Motor Vehicles for a photo identification.

H. The department may issue a letter of temporary certification for not more than 120 days while awaiting the results of the state and national fingerprint search, if applicable, provided the applicant has met the necessary conditions and requirements.

I. Each certification shall be issued to the individual named on the application and shall be valid only for use by that individual. No certification shall be assigned or otherwise transferred to another individual.

J. Each certified individual shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by the Code of Virginia and this chapter.

6 VAC 20-171-150. Renewal certification application.

A. Applications for certification renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the certified individual. However, if a renewal notification is not received by the individual, it is the responsibility of the individual to ensure renewal requirements are filed with the department. Certification renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees.

B. Each person applying for certification renewal shall meet the minimum requirements for eligibility:

1. Successfully complete the applicable in-service training pursuant to the compulsory minimum training standards in Part V (6 VAC 20-171-350 et seq.) of this chapter; and
2. Be in good standing and free of disciplinary action in every jurisdiction where licensed, registered or certified. This subdivision shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.

C. The department may renew a certification when the following are received by the department:

1. A properly completed renewal application provided by the department; and
2. The applicable, nonrefundable certification renewal fee.

D. Upon completion of the renewal certification application requirements, the department may issue a certification for a period not to exceed 24 months. This certification shall be submitted by the applicant to the Virginia Department of Motor Vehicles for a photo identification.

E. Any renewal application received after the expiration date of a certification shall be subject to the requirements set forth by Article 9 (6 VAC 20-171-180 et seq.) of this part.

Article 8.

Additional Categories/Replacement Identification.

6 VAC 20-171-160. Additional category application.

A. Individuals may apply for multiple registration or certification categories during the initial application process by completing the applicable training requirements for each category.

B. Registered or certified individuals seeking to add categories to a current registration or certification must:

1. Successfully complete all initial training requirements for each additional registration or certification category requested pursuant to the compulsory minimum training standards in Part V (6 VAC 20-171-350 et seq.) of this chapter;
2. Submit a properly completed application provided by the department; and
3. Submit the applicable, nonrefundable application fee.

C. Individuals may avoid paying a separate fee for additional registration or certification categories when the categories are requested on the application for renewal.

6 VAC 20-171-170. Replacement photo identification.

Registered individuals seeking a replacement photo identification shall submit to the department:

1. A properly completed application provided by the department; and
2. The applicable, nonrefundable application fee.

Article 9.

Reinstatement and Renewal Extension.

6 VAC 20-171-180. Reinstatement.

A. Any business license, training school certification, instructor certification, registration or certification not renewed on or before the expiration date shall become null and void. Pursuant to the Code of Virginia, all such persons must currently be licensed, registered or certified with the department to provide private security services.

B. A renewal application received by the department within 90 days following the expiration date of the license, registration or certification may be reinstated by the department. Prior to reinstatement the following shall be submitted to the department:

1. The appropriate renewal application and completion of renewal requirements pursuant to this chapter; and
2. The applicable, nonrefundable reinstatement fee pursuant to this chapter.

C. No license, registration or certification shall be renewed or reinstated when all renewal application requirements are received by the department more than 90 days following the expiration date of the license. After that date, the applicant shall meet all initial application requirements.

D. Following submittal of all reinstatement requirements, the department will process and approve any application for reinstatement pursuant to the renewal process for the application.

6 VAC 20-171-190. Renewal extension.

A. An extension of the time period to meet renewal requirements may be approved only under specific circumstances which do not allow private security personnel, businesses, or training schools to complete the required procedures within the prescribed time period. The following are the only circumstances for which extensions may be granted:

1. Extended illness;
2. Extended injury; or
3. Military or foreign service.

B. An application for extension shall:

1. Be submitted prior to the expiration date of the time limit required for completion of the requirements;
2. Indicate the projected date the person, business, or training school will be able to comply with the requirements; and
3. Include a copy of the physician's record of the injury or illness or a copy of the government orders.

C. No extension will be approved for registrations, certifications, or business licenses which have expired.

D. Applications for additional extensions may be approved upon written request of the person, business, or training school.

E. The private security services person, business, or training school shall be nonoperational during the period of extension.

Article 10.

Application Sanctions; Exemptions, Recognition/Reciprocity.

6 VAC 20-171-200. Denial, probation, suspension and revocation.

A. The department may deny a license, registration or certification in which any person or principal of an applying business has been convicted in any jurisdiction of any felony or of a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury or property damage. Any plea of *nolo contendere* shall be considered a conviction for the purposes of this chapter. The record of a conviction, authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted, shall be admissible as *prima facie* evidence of such conviction.

B. The department may deny a license, registration or certification in which any person or principal of an applying business has not maintained good standing in every jurisdiction where licensed, registered or certified; or has had his license, registration or certification denied upon initial application, suspended, revoked, surrendered, or not renewed; or has otherwise been disciplined in connection with a disciplinary action prior to applying for licensing, registration or certification in Virginia.

C. Any false or misleading statement on any state application is grounds for denial and may be subject to criminal prosecution.

D. The department may deny licensure to a firm for other just cause.

E. A licensee, training school, compliance agent, instructor, registered individual or certified individual shall be subject to disciplinary action for violations or noncompliance with the Code of Virginia or this chapter. Disciplinary action shall be in accordance with procedures prescribed by the Administrative Process Act. The disciplinary action may include but is not limited to a letter of censure, fine, probation, suspension or revocation of the firm's private security services business license or his status as compliance agent.

6 VAC 20-171-210. Exemptions, recognition/reciprocity.

A. The department may grant a temporary exemption from the requirements for licensing, registration or certification for a period of not more than 30 days in a situation deemed an emergency by the department.

B. The department may recognize administrative and application requirements for licensing, registration or

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certification based on agreements that have been entered into with other states and approved by the board.

PART IV.

ADMINISTRATIVE REQUIREMENTS/STANDARDS OF CONDUCT.

Article 1.

Private Security Services Businesses.

6 VAC 20-171-215. General requirements.

All private security businesses are required to maintain administrative requirements and standards of conduct as determined by the Code of Virginia, the department and this chapter. These requirements and standards are in addition to any acts prohibited by the Code of Virginia or this chapter.

6 VAC 20-171-220. Business administrative requirements.

A licensee shall:

1. Maintain at all times with the department its physical address in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical address. Such notification shall be in writing and received by the department no later than 10 days after the effective date of the change.
2. Maintain at all times with the department its current operating name. Any name change reports shall be submitted in writing within 10 days after the occurrence of such change and accompanied by certified true copies of the documents which establish the name change.
3. Report in writing to the department any change in its ownership or principals which does not result in the creation of a new legal entity. Such written report shall be received by the department within 30 days after the occurrence of such change to include fingerprint cards pursuant to this chapter.
4. Report in writing to the department any change in the entity of the licensee that results in continued operation requiring a license. Such written report shall be received by the department within 10 days after the occurrence of such change.
5. Maintain at all times current liability coverage at least in the minimum amounts prescribed by the application requirements of this chapter. Failure of the business to do so shall result in the license becoming null and void.
6. Maintain at all times with the department a completed irrevocable consent for service if the licensee is not a resident of the Commonwealth of Virginia. Licensees that move their business from the Commonwealth shall file a completed irrevocable consent for services within 15 days of the change in location.
7. Employ at all times at least one individual designated as compliance agent who is eligible for certification

pursuant to this chapter and who is not currently designated as compliance agent for another licensee.

8. Upon termination of employment of a certified compliance agent, notify the department in writing within 10 calendar days. Licensees employing unarmed security officers shall include with this notification the name of the individual responsible for review and maintenance of the VSP-167 forms during the period of compliance agent replacement.

9. Within 90 days of termination of employment of the sole remaining compliance agent, submit the name of a new compliance agent eligible for certification pursuant to this chapter and who is not currently designated for another licensee. Individuals not currently eligible may pursue certification pursuant to Part III of this chapter. Such notification shall be in writing and signed by a principal of the business and the designated compliance agent.

10. Prominently display at all times for public inspection the business license issued by the department.

11. Ensure that any individual employed as a supervisor submit fingerprint cards pursuant to 6 VAC 20-171-30 as required by the Code of Virginia.

12. Inform the department in writing within 30 days of receiving knowledge of any principal, partner, officer, compliance agent or employee regulated or required to be regulated by this chapter pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury or property damage.

13. Inform the department in writing within 30 days of receiving knowledge of any principal, partner, officer, compliance agent or employee regulated or required to be regulated by this chapter, having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.

14. On a form provided by the department and within 10 calendar days of receiving knowledge of the incident, submit a report of any incident in which any registrant has discharged a firearm while on duty, excluding any training exercise.

15. In the event a complaint against the licensee is received by the department, be required to furnish documentary evidence of the terms agreed to between licensee and client, which shall include at a minimum the specific scope of services and fees assessed for such services. This information shall be used by the department to assess the validity of the complaint.

6 VAC 20-171-230. Business standards of conduct.

A licensee shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Ensure that all employees regulated, or required to be regulated by this chapter, conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
3. Not direct any employee regulated, or required to be regulated by this chapter, to engage in any acts prohibited by the Code of Virginia and this chapter.
4. Employ individuals regulated, or required to be regulated as follows:
 - a. A licensee shall employ or otherwise utilize individuals possessing a valid registration or certification issued by the department showing the registration or certification categories required to perform duties requiring registration or certification pursuant to the Code of Virginia;
 - b. A licensee may not employ individuals requiring registration as armored car personnel, armed security officers/couriers, alarm respondent, private investigators, personal protection specialists or security canine handler until such time as the individual has been issued a registration by the department;
 - c. A licensee may employ individuals requiring registration as alarm respondent, central station dispatcher, electronic security sales representative or electronic security technician, or certification as unarmed security officer or electronic security technician's assistant for a period not to exceed 90 days while completing the compulsory minimum training standards provided:
 - (1) The initial application for registration or certification has been submitted to the department pursuant to Part III of this chapter;
 - (2) Fingerprint cards, or a VSP-167 if applicable, have been submitted pursuant to Article 1 (6 VAC 20-171-30 et seq.) of Part III of this chapter; and
 - (3) The individual is not employed in excess of 30 days without having been issued a temporary registration or certification from the department;
 - d. A licensee shall not employ any individual carrying or having access to a firearm in the performance of his duties who has not obtained a valid registration and firearms training verification from the department; and
 - e. A licensee shall maintain appropriate documentation to verify compliance with these requirements.
5. Not contract or subcontract any private security services in the Commonwealth of Virginia to a person not licensed by the department. Verification of a contractor or subcontractor's license issued by the department shall be maintained.
6. Ensure that the compliance agent conform to all applicable application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
7. Permit the department during regular business hours to inspect, review, or copy those documents, business records or training records that are required to be maintained by the Code of Virginia and this chapter.
8. Not violate or aid and abet others in violating the provisions of Article 2.1 (§ 9-183.1 et seq.) of Chapter 27 of Title 9 of the Code of Virginia or this chapter.
9. Not commit any act or omission which results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
10. Not have been convicted or found guilty in any jurisdiction of the United States, of any felony or a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury, or property damage, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
11. Not obtain a license, license renewal, registration, registration renewal, certification, certification renewal, or certification to act as compliance agent for a licensee, training school, school director, or instructor, through any fraud or misrepresentation.
12. Include the business license number issued by the department on all business advertising materials pursuant to the Code of Virginia.
13. Not conduct a private security services business in such a manner as to endanger the public health, safety and welfare.
14. Not falsify, or aide and abet others in falsifying training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school director or instructor.
15. Not represent as one's own a license issued to another private security services business.
16. When providing central station monitoring services attempt to contact the end user or a representative from an authorized call list prior to requesting a response by law enforcement when any burglary alarm has been reported. This shall not apply to duress or hold-up alarms.

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17. Not perform any unlawful or negligent act resulting in loss, injury or death to any person.

18. Utilize vehicles for private security services using or displaying a flashing light only as specifically authorized by the Code of Virginia.

19. Not use or display the state seal of Virginia as a part of any logo, stationery, business card, badge, patch, insignia or other form of identification or advertisement.

20. Not provide information obtained by the firm or its employees to any person other than the client who secured the services of the licensee without the client's prior written consent. Provision of information in response to official requests from law-enforcement agencies, the courts, or from the department, shall not constitute a violation of this chapter. Provision of information to law-enforcement agencies pertinent to criminal activity or to planned criminal activity shall not constitute a violation of this chapter.

6 VAC 20-171-240. Compliance agent.

A compliance agent shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.

2. Maintain at all times with the department his physical and mailing address. A post office box is not a physical address. Written notification of any change in the physical or mailing address shall be in writing and received by the department no later than 10 days after the effective date of the change.

3. Not violate or aid and abet others in violating the provisions of Article 2.1 (§ 9-183.1 et seq.) of Chapter 27 of Title 9 of the Code of Virginia or this chapter.

4. Not commit any act or omission which results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.

5. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury, or property damage, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.

6. Inform the department, and the licensee for which the individual is designated as compliance agent if applicable, in writing within 30 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury or property damage.

7. Inform the department, and the licensee for which the individual is designated as compliance agent if applicable, in writing within 30 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.

8. Not obtain a license, license renewal, registration, registration renewal, certification, certification renewal, or certification to act as compliance agent for a licensee, training school, school director, or instructor, through any fraud or misrepresentation.

9. Only be designated with the department and acting as compliance agent for one licensee.

10. Be designated with the department as compliance agent for a licensee and shall:

a. Ensure that the licensee and all employees regulated, or required to be regulated by this chapter, conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter;

b. Maintain documentation for all employees or persons otherwise utilized that verifies compliance with requirements pursuant to the Code of Virginia and this chapter; and

c. Notify the department in writing within 10 calendar days following termination of his employment as compliance agent for the licensee.

Article 2.

Private Security Services Training Schools.

6 VAC 20-171-245. General requirements.

All training schools are required to maintain administrative requirements and standards of conduct as determined by the Code of Virginia, the department and this chapter. These requirements and standards are in addition to any acts prohibited by the Code of Virginia or this chapter.

6 VAC 20-171-250. Administrative requirements.

A training school shall:

1. Maintain at all times with the department its physical address in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical address. Such notification shall be in writing and received by the department no later than 10 days after the effective date of the change.

2. Employ at all times one individual designated as training director who is currently certified as an instructor pursuant to this chapter and who is not currently designated as training director for another training

school. A training school may designate a maximum of four individuals as assistant training directors.

3. Upon termination of eligibility of a certified instructor, notify the department in writing within 10 calendar days. Should the instructor also be designated as the training director for the training school, this notification shall include the name of the instructor responsible for the training school's adherence to applicable administrative requirements and standards of conduct during the period of training director replacement.

4. Within 90 days of termination of employment of the sole remaining training director, submit the name of a new instructor eligible for designation pursuant to this chapter and who is not currently designated for another training school. Individuals not currently eligible may pursue certification pursuant to Part III of this chapter. Such notification shall be in writing and signed by a principal of the training school and the designated training director.

5. Notify the department in writing of any certified instructors or subject matter specialists eligible to provide instruction at the training school. The notification shall be received by the department prior to the individual conducting any training for the training school and signed by the training school director and the designated instructor or subject matter specialist.

6. Prominently display at all times, for public inspection, the training school certification issued by the department.

7. Maintain at all times current liability coverage at least in the minimum amounts prescribed by the application requirements of this chapter. Failure of the training school to do so shall result in the certification becoming null and void.

8. Inform the department in writing within 30 days, for any principal, partner, officer, instructor or employee regulated or required to be regulated by this chapter pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury or property damage.

9. Inform the department in writing within 30 days, for any principal, partner, officer, instructor or employee regulated or required to be regulated by this chapter having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.

10. Report in writing to the department any change in its ownership or principals which does not result in the creation of a new legal entity. Such written report shall be received by the department within 30 days after the occurrence of such change to include fingerprint cards submitted pursuant to 6 VAC 20-171-30.

11. Maintain at all times with the department its current operating name. Any name change reports shall be submitted in writing within 10 days after the occurrence of such change and accompanied by certified true copies of the documents which establish the name change.

12. Report in writing to the department any change in the entity of the training school that results in continued operation requiring a certification. Such written report shall be received by the department within 10 days after the occurrence of such change.

13. Maintain written authorization from the department for any subject matter specialists being used to provide instruction.

14. Develop lesson plans for each training curriculum and subject being offered in accordance with the topical outlines and learning objectives established by the department.

15. Maintain comprehensive and current lesson plans for each entry level training curriculum and subject being offered.

16. Maintain comprehensive and current lesson plans for each in-service training curriculum and subject being offered.

17. Maintain comprehensive and current lesson plans for each firearms training curriculum and subject being offered.

18. Date all lesson plans and handout material to include the initial date of development and subsequent revisions.

19. Ensure that current copies of the following requirements are provided to and maintained with the department including:

- a. A list of all training locations used by the training school, excluding hotel/motel facilities;
- b. A list of all firing range names and locations;
- c. A list of all subject matter specialists currently employed, or otherwise utilized; and
- d. Copies of current course outlines for all lesson plans and curriculums. The lesson plans and subsequent course outlines shall include specific reference to the course content involving the Code of Virginia and this chapter.

20. Ensure that range qualification for all firearm training is completed pursuant to this chapter except with written authorization from the department.

21. On a form provided by the department and within 10 calendar days of the incident, submit a report of any incident in which any instructor, student or employee has discharged a firearm while on duty, excluding any training exercise.

Proposed Regulations

6 VAC 20-171-260. Training school standards of conduct.

A training school shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Ensure that the training director and all instructors employed by the training school conform to all applicable application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
3. Utilize only certified instructors, or other individuals eligible to provide instruction pursuant to this chapter in the conduct of private security training sessions.
4. Maintain current files that include copies or electronic images of attendance records, a master final examination, examination scores, firearms qualification scores, training completion rosters, and training completion forms for each student for three years from the date of the training session in which the individual student was enrolled.
5. Permit the department during regular business hours to inspect, review, or copy those documents, business records or training records that are required to be maintained by the Code of Virginia and this chapter.
6. Permit the department to inspect and observe any training session. Certified training schools which conduct training sessions not located within Virginia may be required to pay the expenses of inspection and review.
7. Include the training school certification number issued by the department on all business advertising materials pursuant to the Code of Virginia.
8. Not violate or aide and abet others in violating the provisions of Article 2.1 (§ 9-183.1 et seq.) of Chapter 27 of Title 9 of the Code of Virginia or this chapter.
9. Not commit any act or omission which results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
10. Not have been convicted or found guilty in any jurisdiction of the United States, of any felony or a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury, or property damage, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
11. Not obtain a license, license renewal, registration, registration renewal, certification, certification renewal, or certification to act as compliance agent for a licensee,

training school, school director, or instructor, through any fraud or misrepresentation.

12. Conduct entry level and in-service training sessions separately. In-service subjects and curriculums may not be incorporated or included as a part of the entry level subjects and curriculums.
13. Not conduct a private security services training school in such a manner as to endanger the public health, safety and welfare.
14. Not falsify, or aide and abet others in falsifying training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school director or instructor.
15. Not represent as one's own a certification issued to another private security services training school.
16. Not perform any unlawful or negligent act resulting in loss, injury or death to any person.
17. Not use or display the state seal of Virginia as a part of any logo, stationery, business card, badge, patch, insignia or other form of identification or advertisement.

6 VAC 20-171-270. Private security services training school director.

A training school director shall:

1. Ensure that the certified training school and all employees regulated, or required to be regulated by this chapter, conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
2. Conform to all application requirements, administrative requirements and standards of conduct as a certified instructor pursuant to the Code of Virginia and this chapter.
3. Maintain documentation for all employees or persons otherwise utilized that verifies compliance with requirements pursuant to the Code of Virginia and this chapter.
4. Notify the department in writing within 10 calendar days following termination of his employment as training director for the certified training school.

6 VAC 20-171-280. Private security services instructor.

An instructor shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Maintain at all times with the department his physical and mailing address. A post office box is not a physical address. Written notification of any change in the physical or mailing address shall be in writing and received by the department no later than 10 days after the effective date of the change.

3. Not have been convicted or found guilty in any jurisdiction of the United States, of any felony or a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury, or property damage, from which no appeal is pending, the time for appeal having elapsed. Any plea of *nolo contendere* shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be *prima facie* evidence of such guilt.

4. Inform the department, and the training school for which the individual is designated as an instructor, if applicable, in writing within 30 days after pleading guilty or *nolo contendere* or being convicted or found guilty of any felony or of a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury or property damage.

5. Inform the department, and the training school for which the individual is designated as instructor, if applicable, in writing within 30 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.

6. Not violate or aide and abet others in violating the provisions of Article 2.1 (§ 9-183.1 et seq.) of Chapter 27 of Title 9 of the Code of Virginia or this chapter.

7. Not commit any act or omission which results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.

8. Not obtain a license, license renewal, registration, registration renewal, certification, certification renewal, or certification to act as compliance agent for a licensee, training school, school director, or instructor, through any fraud or misrepresentation.

9. Conduct training sessions pursuant to requirements established in this chapter.

10. Notify the department within 10 calendar days following termination of his employment as instructor for the training school.

6 VAC 20-171-290. Instruction exceptions.

A. Subject matter specialist.

1. Training schools may employ or otherwise utilize individuals as subject matter specialists to provide instruction in specific areas of a training curriculum. During the approved portions of training, a certified instructor is not required to be present.

2. The training school shall obtain written authorization from the department prior to any subject matter specialist providing instruction. Written authorization

may be requested by submitting on a form provided by the department:

a. A written request for authorization specifically outlining the requested subject matter; and

b. Documentation that supports the individual's credentials for instructing in the proposed subject matter.

B. Guest lecturer. Training schools may employ or otherwise utilize individuals as guest lecturer in specific areas of a training curriculum. A certified instructor is required to be present during all portions of training conducted by a guest lecturer.

6 VAC 20-171-300. Private security training session.

A. Training sessions will be conducted in accordance with requirements established in this chapter. Adherence to the administrative requirements, attendance and standards of conduct are the responsibility of the training school, training school director and instructor of the training session.

B. Administrative requirements.

1. In a manner approved by the department, a notification to conduct a training session shall be submitted to the department. All notifications shall be received by the department, or postmarked if mailed, no less than seven calendar days prior to the beginning of each training session to include the date, time, instructors and location of the training session. The department may allow a session to be conducted with less than seven calendar days of notification with prior approval. Session notifications require no fee from the training school. A notification to conduct a training session shall be deemed to be in compliance unless the training school director is notified by the department to the contrary.

2. Notification of any changes to the dates, times, location or cancellation of a training session must be submitted to the department in writing and received by the department prior to the scheduled starting time of the class.

3. On a form provided by the department, the training school director shall issue an original training completion form to each student who satisfactorily completes a training session no later than five business days following the training completion date.

4. In a manner approved by the department, the training school director shall submit an original training completion roster to the department affirming each student's successful completion of the session. The training completion roster shall be received by the department within seven calendar days, or postmarked if mailed, no later than five business days following the training completion date. The training completion roster for each session must be accompanied by the applicable, nonrefundable processing fee.

Proposed Regulations

5. A written examination shall be administered at the conclusion of each entry level training session. The examination shall be based, at a minimum, on the applicable learning objectives. The student must attain a minimum grade of 70% to satisfactorily complete the training session.

6. Firearm classroom training shall be separately tested and graded. Individuals must achieve a minimum score of 70% on the firearm classroom training examination.

7. Failure to achieve a minimum score of 70% on the firearms classroom written examination will exclude the individual from the firearms range training.

8. To successfully complete the firearm range training, the individual must achieve a minimum qualification score of 75% of the scoring value of the target.

9. To successfully complete the private investigator entry level training session, the individual must:

- a. Complete each of the three graded practical exercises required; and
- b. Pass the written examination with a minimum score of 70%.

10. To successfully complete the personal protection specialist entry level training session, the individual must:

- a. Complete each of the five graded practical exercises required under Protective Detail Operations, 6 VAC 20-171-350 C 6 (the practical exercises must be successfully completed prior to the written examination); and
- b. Pass the written examination with a minimum score of 70%.

C. Attendance.

1. Private security services business personnel enrolled in an approved training session are required to be present for the hours required for each training session unless they have been granted a partial waiver from the department.

2. Tardiness and absenteeism will not be permitted. Individuals violating these provisions will be required to make up any training missed. Such training must be completed within 60 days after the completion of the training session or at the next available session offered by the training school. Individuals not completing the required training within this period are required to complete the entire training session.

3. Individuals that do not successfully complete the compulsory minimum training standards of the training session shall not be reported to the department except where required pursuant to this chapter.

4. Each individual attending an approved training session shall comply with the regulations promulgated by the board and any other rules within the authority of the

training school. If the training school director or instructor considers a violation of the rules detrimental to the training of other students or to involve cheating on examinations, the training school director or instructor may expel the individual from the school. Notification of such action shall immediately be reported to the employing firms and the department.

D. Standards of conduct.

1. The training school, training school director and instructor shall at all times conform to the application requirements, administrative requirements and standards of conduct established for certification as a training school and instructor.

2. Training sessions will be conducted by certified instructors or other individuals authorized to provide instruction pursuant to this chapter.

3. Training sessions will be conducted utilizing lesson plans developed to include at a minimum the compulsory minimum training standards established pursuant to this chapter.

4. Instruction shall be provided in no less than 50-minute classes.

5. Training sessions may not exceed eight hours of classroom instruction per day. Range qualification and practical exercises shall not be considered classroom instruction; however, total training, including the maximum allotment of eight hours classroom instruction and applicable range qualification and practical exercises shall not exceed 12 hours per day. This does not include time allotted for breaks, meals and testing.

6. All audio-visual training aids must be accompanied by a period of instruction where the instructor reviews the content of the presentation and the students are provided the opportunity to ask questions regarding the content.

7. A training session must adhere to the minimum compulsory training standards and must be presented in its entirety. Training school directors may require additional hours of instruction, testing or evaluation procedures.

8. A training session must provide accurate and current information to the students.

9. Mandated training conducted not in accordance with the Code of Virginia and this chapter is null and void.

Article 3.

Private Security Services Registered Personnel.

6 VAC 20-171-305. General requirements.

All registered personnel are required to maintain administrative requirements and standards of conduct as determined by the Code of Virginia, the department and this chapter. These requirements and standards are in addition to any acts prohibited by the Code of Virginia or this chapter.

6 VAC 20-171-310. Registered personnel administrative requirements.

A registered individual shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Maintain at all times with the department his physical and mailing address. A post office box is not a physical address. Written notification of any change in the physical or mailing address shall be in writing and received by the department no later than 10 days after the effective date of the change.
3. Inform the department, and the business for which the individual is employed if applicable, in writing within 30 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury or property damage.
4. Inform the department, and the business for which the individual is employed if applicable, in writing within 30 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.
5. Inform the department, or the compliance agent of the licensee if employed by a private security services business, a report of any incident in which any registrant has discharged a firearm while on duty, excluding any training exercise. This report shall be made within twenty-four hours of the incident.

6 VAC 20-171-320. Registered personnel standards of conduct.

A registered individual shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Not violate or aide and abet others in violating the provisions of Article 2.1 (§ 9-183.1 et seq.) of Chapter 27 of Title 9 of the Code of Virginia or this chapter.
3. Not commit any act or omission which results in a private security license, registration or certification being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
4. Not have been convicted or found guilty in any jurisdiction of the United States, of any felony or a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury, or property damage, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the

laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.

5. Not obtain a license, license renewal, registration, registration renewal, certification, certification renewal, or certification to act as compliance agent for a licensee, training school, school director, or instructor, through any fraud or misrepresentation.
6. Not solicit or contract to provide any private security services without first having obtained a private security services business license with the department.
7. Carry a valid registration at all times while on duty. Individuals requiring registration as an alarm respondent, a central station dispatcher, an electronic security sales representative or an electronic security technician may be employed for not more than 90 days while completing the compulsory minimum training standards, provided the initial registration application and fingerprint cards have been submitted pursuant to Part III of this Chapter, however, may not be employed in excess of 30 days without having been issued a temporary registration from the department.
8. Carry the private security photo identification card at all times while on duty once the authorization has been approved from the department, except those individuals operating outside the Commonwealth of Virginia who shall obtain the photo identification card prior to providing services when physically located in the Commonwealth.
9. Perform those duties authorized by his registration only while employed by a licensed private security services business and only for the clients of the licensee. This shall not be construed to prohibit an individual who is registered as an armed security officer from being employed by a nonlicensee as provided for in § 9-183.2 of the Code of Virginia.
10. Possess a valid firearm training verification if he carries or has immediate access to firearms while on duty.
11. Carry a firearm concealed while on duty only with the expressed authorization of the licensed private security services business employing the registrant and only in compliance with § 18.2-308 of the Code of Virginia.
12. Transport, carry and utilize firearms while on duty only in a manner which does not endanger the public health, safety and welfare.
13. If authorized to make arrests, make arrests in full compliance with the law and using only the minimum force necessary to effect an arrest.
14. Engage in no conduct which through word, deed or appearance suggests that a registrant is a law-enforcement officer or other government official.

Proposed Regulations

15. Display one's registration while on duty in response to the request of a law-enforcement officer, department personnel or client.

16. Not perform any unlawful or negligent act resulting in a loss, injury or death to any person.

17. If a uniform is required, wear the uniform required by his employer. If wearing a uniform while employed as an armed security officer, unarmed security officer, alarm respondent or armored car personnel, that uniform must:

a. Include at least one insignia clearly identifying the name of the licensed firm employing the individual and, except armored car personnel, a name plate or tape bearing, as a minimum, the individual's last name and first and middle initials attached on the outermost garment, except rainwear worn only to protect from inclement weather; and

b. Include no patch or other writing (i) containing the word "police" or any other word suggesting a law-enforcement officer; (ii) containing the word "officer" unless used in conjunction with the word "security"; or (iii) resembling any uniform patch or insignia of any duly constituted law-enforcement agency of this Commonwealth, its political subdivisions or of the federal government. This restriction shall not apply to individuals who are also duly sworn special police officers, to the extent that they may display words which accurately represent that distinction.

18. When providing services as a central station dispatcher, attempt to contact the end user or a representative from an authorized call list prior to requesting a response by law enforcement when a burglary alarm has been reported. This shall not apply to duress or hold-up alarms.

19. Act only in such a manner which does not endanger the public health, safety and welfare.

20. Not represent as one's own a registration issued to another individual, or represent oneself as certified compliance agent of a licensee, training school, school director or instructor unless so certified by the department.

21. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school director or instructor.

Article 4.

Private Security Services Certified Personnel.

6 VAC 20-171-325. General requirements.

All certified personnel are required to maintain administrative requirements and standards of conduct as determined by the Code of Virginia, the department and this chapter. These requirements and standards are in addition to any acts prohibited by the Code of Virginia or this chapter.

6 VAC 20-171-330. Certified personnel administrative requirements.

A certified individual shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.

2. Maintain at all times with the department his physical and mailing address. A post office box is not a physical address. Written notification of any change in the physical or mailing address shall be in writing and received by the department no later than 10 days after the effective date of the change.

3. Inform the department, and the business for which the individual is employed if applicable, in writing within 30 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury or property damage.

4. Inform the department, and the business for which the individual is employed if applicable, in writing within 30 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.

6 VAC 20-171-340. Certified personnel standards of conduct.

A certified individual shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.

2. Not violate or aid and abet others in violating the provisions of Article 2.1 (§ 9-183.1 et seq.) of Chapter 27 of Title 9 of the Code of Virginia or this chapter.

3. Not commit any act or omission which results in a private security license, registration or certification being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.

4. Not have been convicted or found guilty in any jurisdiction of the United States, of any felony or a misdemeanor involving moral turpitude, sexual offense, drug offense, physical injury, or property damage, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.

5. Not obtain a license, license renewal, registration, registration renewal, certification, certification renewal, or certification to act as compliance agent for a licensee, training school, school director, or instructor, through any fraud or misrepresentation.

6. Not solicit or contract to provide any private security services without first having obtained a private security services business license with the department.

7. Carry a valid certification at all times while on duty. Individuals requiring certification as an unarmed security officer and an electronic security technician's assistant may be employed for not more than 90 days while completing the compulsory minimum training standards, provided the initial certification application and fingerprint cards have been submitted to the department, and VSP-167 if applicable, pursuant to Part III of this chapter; however, may not be employed in excess of 30 days without having been issued a temporary certification from the department.

8. Carry the private security photo identification card at all times while on duty once the authorization has been approved from the department, except those individuals operating outside the Commonwealth of Virginia who shall obtain the photo identification card prior to providing services when physically located in the Commonwealth.

9. Perform those duties authorized by his certification only while employed by a licensed private security services business and only for the clients of the licensee. This shall not be construed to prohibit an individual who is certified as an unarmed security officer from being employed by a nonlicensee as provided for in § 9-183.2 of the Code of Virginia.

10. If authorized to make arrests, make arrests in full compliance with the law and using only the minimum force necessary to effect an arrest.

11. Engage in no conduct which through word, deed or appearance suggests that the certified individual is a law-enforcement officer or other government official.

12. Display one's certification while on duty in response to the request of a law-enforcement officer, department personnel or client.

13. Not perform any unlawful or negligent act resulting in a loss, injury or death to any person.

14. If a uniform is required, wear the uniform required by his employer. If wearing a uniform while employed as an unarmed security officer, that uniform must:

a. Include at least one insignia clearly identifying the name of the licensed firm employing the individual and, except armored car personnel, a name plate or tape bearing, as a minimum, the individual's last name and first and middle initials attached on the outermost garment, except rainwear worn only to protect from inclement weather; and

b. Include no patch or other writing (i) containing the word "police" or any other word suggesting a law-enforcement officer; (ii) containing the word "officer" unless used in conjunction with the word "security"; or (iii) resembling any uniform patch or insignia of any duly constituted law-enforcement agency of this

Commonwealth, its political subdivisions or of the federal government. This restriction shall not apply to individuals who are also duly sworn special police officers, to the extent that they may display words which accurately represent that distinction.

15. Act only in such a manner which does not endanger the public health, safety and welfare.

16. Not represent as one's own a certification issued to another individual, or represent oneself as a certified compliance agent of a licensee, training school, school director or instructor unless so certified by the department.

17. Not falsify, or aid and abet others in falsifying training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school director or instructor.

PART V.

COMPULSORY MINIMUM TRAINING STANDARDS FOR PRIVATE SECURITY SERVICES BUSINESS PERSONNEL.

Article 1.

Registration/Certification Category Requirements.

6 VAC 20-171-350. Entry level training.

A. Each person employed by a private security services business or applying to the department for registration as an armed security officer/courier, personal protection specialist, armored car personnel, security canine handler, private investigator, alarm respondent, central station dispatcher, electronic security sales representative, or electronic security technician as defined by § 9-183.1 of the Code of Virginia, or applying to the department for training certification as an unarmed security officer or certification as an electronic security technician's assistant as required by § 9-183.3 of the Code of Virginia, or for certification as a compliance agent as required by § 9-183.3 of the Code of Virginia, who has not met the compulsory minimum training standards prior to July 13, 1994, must meet the compulsory minimum training standards herein established, unless provided for otherwise in accordance with this chapter.

B. Hour requirement. The compulsory minimum entry level training hour requirement by category, excluding examinations, practical exercises and range qualification shall be:

1. Unarmed security officer - 16 hours
2. Armed security officer/courier - 24 hours
3. Armored car personnel - 20 hours
4. Security canine handler - 28 hours
5. Private investigator - 60 hours
6. Personal protection specialist - 60 hours
7. Alarm respondent - 16 hours
8. Central station dispatcher - 8 hours

Proposed Regulations

- 9. *Electronic security sales representative - 8 hours*
- 10. *Electronic security technician - 14 hours*
- 11. *Electronic security technician's assistant - 4 hours*
- 12. *Compliance agent - 6 hours*

C. *Course content. The compulsory minimum entry level training course content by category, excluding examinations, practical exercises and range qualification shall be as provided in this subsection.*

- 1. *Security Officer Core Subjects. The entry level curriculum for unarmed security officer, armed security officer/courier, security canine handler, and alarm respondent sets forth the following areas identified as:*
 - a. *Administration and orientation to private security - 1 hour*
 - b. *DCJS rules and regulations - 1 hour*
 - c. *Legal authority and arrest authority and procedures - 6 hours*
 - d. *Emergency and defensive procedures - 8 hours*
 - e. *Written examination*

Total hours (excluding exam) - 16 hours

- 2. *Armed security officer/courier.*
 - a. *Security Officer Core Subjects - 16 hours*
 - b. *Entry level handgun training (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) - 8 hours*
 - c. *Entry level shotgun training, if applicable (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) - 1 hour*

Total hours (excluding examinations, shotgun classroom instruction and range qualification) - 24 hours

- 3. *Armored car personnel.*
 - a. *Administration and armored car orientation - 1 hour*
 - b. *DCJS rules and regulations - 1 hour*
 - c. *Armored car procedures - 10 hours*
 - d. *Written examination*
 - e. *Entry level firearms training (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) - 8 hours*
 - f. *Entry level shotgun training, if applicable (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) - 1 hour*

Total hours (excluding examinations, shotgun classroom instruction and range qualification) - 20 hours

- 4. *Security canine handler.*

Complete entry level training requirements pursuant to Article 3 (6 VAC 20-171-430 et seq.) of this part.

- 5. *Private investigator.*
 - a. *Administration/investigator orientation, DCJS rules/regulations - 8 hours*
 - b. *Collecting and reporting information - 6 hours*
 - c. *General investigative techniques - 20 hours*
 - d. *Interviewing techniques - 8 hours*
 - e. *Criminal law, procedure and rules of evidence - 8 hours*
 - f. *Civil law, procedure and rules of evidence - 10 hours*
 - g. *Three practical field exercises*
 - h. *Written comprehensive examination*

Total hours in classroom (excluding written examination and practical exercises) - 60 hours

- 6. *Personal protection specialist.*
 - a. *Administration and personal protection orientation - 3 hours*
 - b. *DCJS rules and regulations - 1 hour*
 - c. *Assessment of threat and protectee vulnerability - 8 hours*
 - d. *Legal authority and civil law - 8 hours*
 - e. *Protective detail operations - 28 hours*
 - f. *Emergency procedures - 12 hours*
 - (1) *CPR*
 - (2) *Emergency first aid*
 - (3) *Defensive preparedness*
 - g. *Performance evaluation -- Five practical exercises*
 - h. *Written examination*

Total hours (excluding written examination and performance evaluation) - 60 hours

- 7. *Alarm respondent.*

Security Officer Core Subjects - 16 hours
- 8. *Electronic security subjects. The entry level electronic security subjects curriculum for central station dispatcher, electronic security sales representative, electronic security technician and electronic security technician's assistant sets forth the following areas identified as:*
 - a. *Administration and orientation to private security - 1 hour*
 - b. *DCJS rules and regulations - 1 hour*
 - c. *Overview of electronic security - 1 hour*
 - d. *False alarm prevention - 1 hour*

e. *Written examination*

Total hours (excluding examination) - 4 hours

9. *Central station dispatcher.*

a. *Electronic security subjects - 4 hours*

b. *Central station dispatcher subjects - 4 hours*

(1) *Duties and responsibilities*

(2) *Communications skills*

(3) *Emergency procedures*

c. *Written examination*

Total hours (excluding examination) - 8 hours

10. *Electronic security sales representative.*

a. *Electronic security subjects - 4 hours*

b. *Electronic security sales representative subjects - 4 hours*

(1) *Duties and responsibilities*

(2) *System design/components*

(3) *False alarm prevention*

c. *Written examination*

Total hours (excluding examination) - 8 hours

11. *Electronic security technician.*

a. *Electronic security subjects - 4 hours*

b. *Electronic security technician subjects - 10 hours*

(1) *Duties and responsibilities*

(2) *Electronics*

(3) *Control panels*

(4) *Protection devices and application*

(5) *Test equipment*

(6) *Power and grounding*

(7) *National electrical code*

(8) *Job safety*

c. *Written examination*

Total hours (excluding examination) - 14 hours

12. *Compliance agent.*

a. *Industry overview and responsibilities*

b. *Regulations review*

c. *Business practices and ethical standards*

d. *Records requirements and other related issues - 6 hours*

e. *Written examination*

Total hours (excluding written examination) - 6 hours

6 VAC 20-171-360. In-service training.

A. Each person registered with the department as an armed security officer/courier, personal protection specialist, armored car personnel, security canine handler, private investigator, alarm respondent, central station dispatcher, electronic security sales representative, electronic security technician, or applying to the department for certification as an unarmed security officer or electronic security technician's assistant, or certified by the department to act as a compliance agent shall complete the compulsory in-service training standard once during each 24-month period of registration or certification. Required in-service training must be completed within 12 months of the expiration date of the registration period during which in-service training is required.

1. *Compliance agent.*

a. *Individuals must complete compliance agent in-service training within each 24-month period following the original in-service training date.*

b. *In-service training must be completed within 12 months prior to the established training due date.*

c. *Individuals who fail to complete in-service training prior to the established training due date may complete in-service training within 90 days after the established training due date if a completed in-service training enrollment application and a \$25 delinquent training fee is received by the department.*

2. *Instructor. All private security instructors must complete instructor in-service training within each 36-month period of certification.*

B. *Hour requirement. The compulsory minimum in-service training hour requirement by category, excluding examinations, practical exercises and range qualification shall be as follows:*

1. *Unarmed security officer - 4 hours*

2. *Armed security officer/courier - 4 hours*

3. *Armored car personnel - 4 hours*

4. *Security canine handler - 8 hours*

5. *Private investigator - 8 hours*

6. *Personal protection specialist - 8 hours*

7. *Alarm respondent - 4 hours*

8. *Central station dispatcher - 4 hours*

9. *Electronic security sales representative - 4 hours*

10. *Electronic security technician - 4 hours*

11. *Electronic security technician's assistant - 2 hours*

12. *Compliance agent - 3 hours*

13. *Instructor - 8 hours*

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C. *Course content. The compulsory minimum in-service training course content by category, excluding examinations, practical exercises and range qualification shall be as follows:*

1. *Security officer core subjects: Unarmed security officer/armed security officer/courier/ alarm respondent*

- a. *Legal authority - 2 hours*
- b. *Job related training - 2 hours*

Total hours - 4 hours

2. *Armored car personnel*

Job related training - 4 hours

Total hours - 4 hours

3. *Security canine handler*

- a. *Basic obedience evaluation and retraining - 4 hours*
- b. *Job related training - 4 hours*

Total hours - 8 hours

4. *Private investigator*

Job related training - 8 hours

Total hours - 8 hours

5. *Personal protection specialist*

Job related training - 8 hours

Total hours - 8 hours

6. *Central station dispatcher*

Job related training - 4 hours

Total hours - 4 hours

7. *Electronic security sales representative*

Job related training - 4 hours

Total hours - 4 hours

8. *Electronic security technician*

Job related training - 4 hours

Total hours - 4 hours

9. *Electronic security technician's assistant*

Job related training - 2 hours

Total hours - 2 hours

10. *Compliance agent*

- a. *Industry overview and responsibilities*
- b. *Regulations review*
- c. *Business practices and ethical standards*
- d. *Records requirements and other related topics*

Total hours - 4 hours

11. *General instructor*

- a. *Regulations review and legal issues*
- b. *Ethical standards*
- c. *Records requirements and other related topics*
- d. *Techniques of instruction delivery including practical exercises*

Total hours - 4 hours

12. *Firearms instructor*

- a. *Regulations review and legal issues*
- b. *Techniques of instruction delivery*

Total hours - 4 hours

Article 2.

Firearms Training Requirements.

6 VAC 20-171-365. General firearms training requirements.

Firearms training verification is required for all private security services business personnel who carry or have immediate access to a firearm while on duty. Each person who carries or has immediate access to firearms while on duty shall qualify with each type and caliber of firearm to which he has access.

6 VAC 20-171-370. Entry level handgun training.

A. Handgun classroom training.

1. *The entry level handgun classroom training will include but not be limited to the following:*

- a. *The proper care of the weapon;*
- b. *Civil liability of the use of firearms;*
- c. *Criminal liability of the use of firearms;*
- d. *Weapons retention;*
- e. *Deadly force;*
- f. *Justifiable deadly force;*
- g. *Range safety;*
- h. *Practical firearms handling; and*
- i. *Principles of marksmanship.*

Total Hours (excluding written examination) - 8 hours

2. *Written examination required.*

B. Range qualification (no minimum hours). The purpose of the range qualification course is to provide practical firearms training to individuals desiring to become armed private security services business personnel.

1. *Prior to the date of range training, it will be the responsibility of the school director to ensure that all students are informed of the proper attire and equipment to be worn for the firing range portion of the training.*

2. Factory loaded semi-wadcutter or duty ammunition (60 rounds) may be used for practice or range qualification or both.
3. All qualifications shall be conducted using a B-27 silhouette target. Alternate targets may be utilized with prior approval by the department.
4. With prior approval of the department, a reasonable modification of the firearms course may be approved to accommodate qualification on indoor ranges.
5. A certified firearms instructor must be on the firing line during all phases of firearms training. There shall be a minimum of one firearms instructor per five shooters on the line.
6. All individuals shall qualify with directional draw holsters only.
7. The range qualification of individuals shall be scored as follows:

B27 target: (use indicated K-value) 8, 9, 10 X rings - value 5 points, 7 ring - value 4 points, other hits on silhouette - value 3 points: divide points scored by maximum possible score to obtain decimal and convert to percentage, e.g., $225 \div 300 = .75 = 75\%$.

C. Course: Virginia Private Security Course of Fire for Handguns. The course of fire shall be conducted using, at a minimum, the requirements set forth in subsection B of this section. Strong/weak hand refers to the primary hand used in firing the weapon. The opposite hand may be used for support. The course of fire shall be conducted in the following phases:

1. Phase 1; 3 yards, point shoulder position, 18 rounds:
 - a. Load 6 rounds and holster loaded weapon.
 - b. On command, draw and fire 2 rounds (3 seconds) repeat.
 - c. Load 6 rounds and holster loaded weapon.
 - d. On command, draw and fire 6 rounds with strong hand.
 - e. Unload, reload 6 rounds and fire 6 rounds with weak hand (25 seconds).
2. Phase 2; 7 yards, point shoulder position, 24 rounds:
 - a. Load 6 rounds and holster loaded weapon.
 - b. On command, draw and fire 1 round (2 seconds), repeat.
 - c. Load 6 rounds and holster loaded weapon.
 - d. On command, draw and fire 2 rounds (3 seconds), repeat.
 - e. Load 6 rounds and holster loaded weapon.
 - f. On command, draw and fire 6 rounds, reload 6 rounds, fire 6 rounds (30 seconds).

3. Phase 3; 15 yards, 70 seconds, 18 rounds:
 - a. Load 6 rounds and holster loaded weapon.
 - b. On command, assume kneeling position, draw and fire 6 rounds with strong hand.
 - c. Assume standing position, unload, reload and fire 6 rounds from weak hand barricade position.
 - d. Unload, reload and fire 6 rounds from strong hand barricade position (Kneeling position may be fired using barricade position.) (70 seconds).

6 VAC 20-171-380. Entry level shotgun training.

A. Shotgun classroom training. The entry level shotgun classroom instruction will emphasize but not be limited to:

1. Safe and proper use and handling of shotgun;
2. Nomenclature; and
3. Positions and combat loading techniques.

Total hours - 1 hour

B. Range qualification (no minimum hours). The purpose of the range firing course is to provide practical shotgun training to those individuals who carry or have immediate access to a shotgun in the performance of their duties.

1. For certification, 12 gauge, double aught "00" buckshot ammunition shall be used. Five rounds.
2. Scoring - 70% of available pellets must be within silhouette.

C. Course: Virginia Private Security Course of Fire for Shotguns.

	Distance	Position	No. Rounds	Target	Time
Combat load & fire	15 Yds.	Standing/Shoulder	3	B-27 Silhouette	20 sec.
Combat load & fire	25 Yds.	Kneeling/Shoulder	2	B-27 Silhouette	15 sec.

D. A certified firearms instructor must be on the firing line during all phases of firearms range training. There shall be a minimum of one certified firearms instructor per five shooters on the line.

6 VAC 20-171-390. Entry level personal protection specialist handgun training.

A. Personal protection specialist handgun classroom training. The entry level personal protection specialist handgun training will include but not be limited to:

1. Proper care of the weapon;
2. Civil liability of the use of firearms;
3. Criminal liability of the use of firearms;
4. Weapons retention;
5. Deadly force;

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6. Justifiable deadly force;
7. Range safety;
8. Practical firearms handling;
9. Principles of marksmanship; and
10. Decision making for the personal protection specialist.
11. Written examination required

Total hours (excluding written examination and qualification) - 24 hours

B. Range qualification (no minimum hours). The purpose of this course of fire is to assess and improve the tactical, protection-related shooting skills for personal protection specialist candidates seeking certification to be armed. This course entails five increasingly challenging stages of advanced firearms exercises with a 92% score required for qualification.

1. The personal protection specialist handgun course of fire is comprised of the following exercises:
 - a. Shoot/don't shoot judgment;
 - b. Turn and fire drills;
 - c. Failure to stop drills;
 - d. Multiple target drills; and
 - e. Judgmental shooting.
2. For all range practicals (stage two through stage four), the student will fire at a man-size silhouette target with the following requirements:
 - a. 4" diameter circle in head;
 - b. 8" diameter circle in chest/body area; and
 - c. Center points of circles - 13-1/2 inches apart.
 - d. All rounds fired must hit within these circles.
 - e. Minimum 92% qualification score = 25 rounds total requiring 23 hits: scoring:
 - (1) 25 points (1 round is good for 1 point)
 - (2) 92% of shots must be "in circle" hits for a passing grade (2 misses allowed on total course)
 - (3) Shots not taken during stage five, when a "no-shoot" situation is presented scores a point, just as an accurate shot in a hostile situation.
 - (4) 92% is 23 of 25 possible
3. A certified personal protection specialist firearms instructor must be on the range during all phases of personal protection specialist advanced handgun training. There shall be no less than one certified personal protection specialist firearms instructor per four students.

C. Course: Virginia Private Security Course of Fire for Personal Protection Specialist.

1. Stage One: Shoot/don't shoot drill. Stage one of the personal protection specialist advanced handgun course of fire is conducted in a classroom using a 16 mm film or video cassette tape of firearms combat scenarios to assess the student's decision making capability given job-related shoot/don't shoot incidents.

After the interaction of the scenario, the students must explain all their commands and actions.

Dry-fire response from a weapon rendered safe should be incorporated into the scenario interaction.

2. Stage Two: Turn-and-fire drill. Stage two of the personal protection specialist advanced handgun course of fire is held at a firing range and consists of turn-and-fire drills from varying distances (straight draw hip holsters only).

All handguns are loaded with six rounds of ammunition and safely holstered. Shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at a normal pace, directly away from the target. Upon the command "fire," the students must quickly turn while acquiring a firm grip on the weapon. Once facing the target and in a stable position, they must safely draw and fire two rounds at the designated target circle. After shooting, while facing the target, the student must reholster safely, then turn around to face up range, ready to continue the exercise. The "fire" commands will be called at 3-5 yards, 5-7 yards, and then 8-10 yards.

3. Stage Three: Failure to stop drill. Stage three of the personal protection specialist advanced handgun course of fire is held at a firing range and consists of failure to stop drills fired from the seven-yard line (straight draw hip holsters only).

All handguns are loaded with six rounds of ammunition and are safely holstered. Shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at normal pace, directly away from the target. Upon the command "fire," given at approximately the seven-yard line, each shooter must safely turn around while acquiring a firm grip on their weapon as performed in the previous drill. Once facing the target, the students will draw and fire two rounds at the 8-inch body circle, and then one immediate round to the 4-inch head circle. The student will then safely reholster. The drill will be repeated three times.

4. Stage Four: Multiple target identification drill. Stage four of the personal protection specialist advanced handgun course of fire is held at a firing range and consists of multiple target identification drills fired from varying distances (straight draw hip holsters only).

Each shooter will line up on a set of three targets. Only two shooters at one time can complete this exercise on a standard 10-12 station range. However, smaller ranges may allow for only one shooter at a time.

Each handgun is loaded with six rounds of ammunition and safely holstered. The shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at a normal pace, directly away from the targets. Upon the command "left," "right," or "center," the student must again turn around safely while establishing a firm grip on the weapon. Then, once stable, the student must quickly draw and fire 2 rounds at the designated circle on the "called" target ("L," "R," "C"). Then, the shooter, while still facing the targets, must safely reholster, turn around to face up range, and continue the exercise. Each two-round pair must be fired within four seconds of the called command. Direction commands will be called at 3-5 yards, 5-7 yards, and then 8-10 yards.

5. Stage Five: Judgmental shooting. This drill combines the skills developed in the prior four stages. The shooter will be required to safely turn and fire at a "photograph" type target which may be either friendly or hostile. It requires hostile targets to be stopped using deadly force. Necessity (immediate jeopardy) is presumed for this exercise. This stage allows the instructor to evaluate the decision-making capability of the student as well as his shooting accuracy and safety.

Shooter is placed on the 10-yard line facing the instructor with the target to his rear. The target will be placed at any location along the range target line and should not be seen by the student until he is given the "turn" command during the drill. Each shooter has the opportunity to complete this drill four times. Each decision is worth one point. If he shoots at a hostile target, a hit anywhere on that target will score the point. If a friendly target is presented, it is clearly a no-shoot situation and the student should merely holster safely to score the point. There is a four-second time limit at this stage for any "shoot" situation.

The instructor will allow each shooter two opportunities to complete this drill and place two targets downrange for each. Four points or hits are still necessary at this stage for the total score. If two targets are used, then the time limit is raised to six seconds, regardless of whether two hostile targets are used or one hostile with one friendly.

6 VAC 20-171-400. Handgun retraining.

All armed private security services business personnel must satisfactorily complete two hours of firearms classroom training or practical exercises and range training, and requalify as prescribed in 6 VAC 20-171-370 for handgun within the 12-month period immediately preceding the expiration date of his registration as follows:

1. Classroom retraining or practical exercises - 2 hours

2. Range qualification (no minimum hours)

Total hours (excluding range qualification and shotgun classroom training) - 2 hours

6 VAC 20-171-410. Shotgun retraining.

All armed private security services business personnel must satisfactorily complete one hour of classroom training and range training, and requalify with the shotgun as prescribed in 6 VAC 20-171-380, if applicable, as follows:

1. Classroom retraining - 1 hour
2. Range qualification (no minimum hours)

Total hours (excluding range qualification) - 1 hour

6 VAC 20-171-420. Personal protection specialist handgun retraining.

All armed private security services business personnel registered in the category of personal protection specialist must satisfactorily complete eight hours of firearms classroom training or practical exercises and range training, and requalify as prescribed in 6 VAC 20-171-90 for handgun within the 12-month period immediately preceding the expiration date of his registration as follows:

1. Legal authority and decision making - 4 hours
2. Handgun safety, marksmanship and skill development - 4 hours
3. Completion of personal protection specialist handgun course of fire

Total Hours (excluding range qualification) - 8 hours

Article 3.

Security Canine Handler Training Requirements.

6 VAC 20-171-430. Entry level security canine handler training.

A. Prerequisites for security canine handler entry level (official documentation required):

1. Successful completion of the security officer core subjects curriculum; and - 16 hours
2. Successful completion of basic obedience training.

B. Following successful completion of the above prerequisites, each security canine handler must also comply with the following requirements:

1. Demonstration of proficiency. The student must demonstrate his proficiency in the handling of a security canine to satisfy the minimum standards. - 2 hours
2. Evaluation by a certified private security security canine handler instructor and basic obedience retraining
3. Security canine handler orientation/legal authority - 4 hours
4. Canine patrol techniques - 6 hours

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5. Written examination

Total hours (excluding examinations) - 28 hours

6 VAC 20-171-440. Security canine handler retraining.

Each security canine handler registrant shall comply annually with the requirement for basic obedience evaluation and retraining (Refer to 6 VAC 20-171-430).

Security canine handler basic obedience evaluation and retraining

Total hours - 2 hours

Article 4. Training Waivers.

6 VAC 20-171-445. Training Waivers.

Persons who meet the statutory requirements as set forth in § 9-182 of the Code of Virginia may apply for a partial exemption from the compulsory training standards. Individuals requesting such partial exemption shall file an application furnished by the department and include the applicable, nonrefundable application fee. The department may issue such partial exemption on the basis of individual qualifications as supported by required documentation. Those applying for and receiving exemptions must comply with all regulations promulgated by the board. Each person receiving a partial exemption must apply to the department for registration within 12 months from the date of issuance, otherwise the partial exemption shall become null and void.

6 VAC 20-171-450. Entry level training waiver.

A. Persons previously employed as law-enforcement officers who have not terminated or been terminated from said employment more than five years prior to the application date must submit official documentation of the following with the application for partial exemption:

1. Completion of law-enforcement entry level training; and
2. Five continuous years of law-enforcement employment provided such employment as a law-enforcement officer was not terminated due to misconduct or incompetence.

B. Persons having previous training or employment in any of the classifications defined in § 9-183.1 of the Code of Virginia must submit official documentation of the following with the application for partial exemption:

1. Completion of previous private security training, which has been approved by the department and which meets or exceeds the compulsory minimum training standards promulgated by the board; or
2. Five years continuous employment in the category for which partial exemption is sought, provided such employment was not terminated due to misconduct or incompetence and such employment ended within five years of the date of application.

6 VAC 20-171-460. In-service training waiver.

Persons who have completed training which meets or exceeds the compulsory minimum training standards promulgated by the board for the in-service training required for the individuals particular category may be authorized credit for such training, provided the training has been completed within 12 months of the expiration date of the registration period during which in-service training is required. Such training must be provided by a third party organization offering services or expertise for the particular training category. Official documentation of the following must accompany the application for in-service training credit:

1. Information regarding the sponsoring organization, including documentation regarding the instructor for each session; and
2. An outline of the training session material including the dates, times and specific subject matter.

6 VAC 20-171-470. Prior firearms credit.

Persons having previous department-approved firearms training may be authorized credit for such training which meets or exceeds the compulsory minimum training standards for private security services business personnel, provided such training has been completed within the 12 months preceding the date of application. Official documentation of the following must accompany the application for partial in-service training credit:

1. Completion of department approved firearms training; and
2. Qualification at a Virginia criminal justice agency, academy or correctional department.

PART VI. COMPLAINTS, DEPARTMENT ACTION/SANCTIONS, ADJUDICATION.

Article 1. Complaints.

6 VAC 20-171-480. Submittal requirements.

A. In accordance with § 9-182 of the Code of Virginia, this chapter establishes standards designed to secure the public safety and welfare against incompetent or unqualified persons engaging in private security services. It shall be the responsibility of the licensee, its compliance agents and employees, to provide private security services in a professional manner, adhering to ethical standards and sound business practices.

B. Any aggrieved or interested person may file a complaint against any individual, person, firm or licensed firm, school or certified school whose conduct and activities are regulated or required to be regulated by the board. The complaint must allege a violation of the law governing private security services, or this chapter.

C. Complaints may be submitted:

1. In writing, or on a form provided by the department, by a signed complainant;
2. In writing, submitted anonymously, that provide sufficient detailed information for the department to conduct an investigation; or
3. Telephonically, providing the complaint alleges activities which constitute a life-threatening situation, or have resulted in personal injury or loss to the public or to a consumer, or which may result in imminent harm or personal injury, and that provide sufficient detailed information for the department to conduct an investigation.

6 VAC 20-171-490. Department investigation.

A. The department may initiate or conduct an investigation based on any information received or action taken by the department to determine compliance with the Code of Virginia and this chapter.

B. Documentation.

1. Persons regulated or required to be regulated by this chapter pursuant to the Code of Virginia are required to provide department investigators with any and all records required to be maintained by this chapter and any information needed to complete the investigation.

a. This shall not be construed to authorize the department to demand records protected under applicable federal and state laws. If such records are necessary to complete an investigation the department may issue a subpoena to satisfy the request.

b. The department shall endeavor to review, and request as necessary, only those records required to verify alleged violations of compliance with the Code of Virginia and this chapter.

2. The department shall endeavor to keep any documentation, evidence or information on an investigation confidential until such time as adjudication has been completed, at which time information may be released upon request pursuant to applicable federal and state laws, rules or regulations;

Article 2.

Department Action/Sanctions.

6 VAC 20-171-500. Disciplinary action; sanctions; publication of records.

A. Each person subject to jurisdiction of this chapter, who violates any statute or regulation pertaining to private security services shall be subject to sanctions imposed by the department regardless of criminal prosecution.

B. The department may impose any of the following sanctions, singly or in combination, when it finds the respondent in violation or in noncompliance of this chapter:

1. Letter of reprimand or censure;

2. Probation for any period of time;
3. Suspension of license, registration, certification, or approval granted, for any period of time;
4. Revocation;
5. Refusal to issue, renew or reinstate a license, registration, certification or approval;
6. Fine not to exceed \$2,500 per violation.

C. The department may conduct hearings and issue cease and desist orders to persons who engage in activities prohibited by this chapter but do not hold a valid license, certification or registration. Any person in violation of a cease and desist order entered by the department shall be subject to all of the remedies provided by law and, in addition, shall be subject to a civil penalty payable to the party injured by the violation.

D. The director may summarily suspend a license, certification or registration under this chapter without a hearing, simultaneously with the filing of a formal complaint and notice for a hearing, if the director finds that the continued operations of the licensee or registrant would constitute a life-threatening situation, or has resulted in personal injury or loss to the public or to a consumer, or which may result in imminent harm, personal injury or loss.

E. All proceedings pursuant to this section are matters of public record and shall be preserved. The department may publish a list of the names and addresses of all persons, licensees, firms, registrants, training schools, school directors, compliance agents and licensed firms whose conduct and activities are subject to this chapter and have been sanctioned or denied licensure, registration, certification or approval.

6 VAC 20-171-510. Fines, administrative and investigative costs.

A. The department may recover costs of any investigation and adjudication of any violations of the Code of Virginia or regulations which result in a sanction including fine, probation, suspension, revocation or denial of any license, certification or registration. Such costs shall be in addition to any monetary penalty which may be imposed.

B. All monetary penalties imposed as a sanction shall be deposited into the state treasury to the credit of the State Literary Fund.

Article 3.
Adjudication.

6 VAC 20-171-520. Hearing process.

Following a preliminary investigative process, the department may initiate action to resolve the complaint through an informal fact-finding conference or formal hearing as established in this chapter. Pursuant to the authority conferred in § 9-182 B 6 of the Code of Virginia and in accordance with the procedures set forth by the Administrative Process Act and the procedures prescribed

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herein, the department is empowered to receive, review, investigate and adjudicate complaints concerning the conduct of any person whose activities are regulated by the board. The board will hear and act upon appeals arising from decisions made by the director. In all case decisions, the Criminal Justice Services Board shall be the final agency authority.

6 VAC 20-171-530. Informal fact-finding conference.

The purpose of an informal fact-finding conference is to resolve allegations through informal consultation and negotiation. Informal fact-finding conferences shall be conducted in accordance with § 9-6.14:11 of the Code of Virginia. The respondent, the person against whom the complaint is filed, may appeal the decision of an informal fact-finding conference and request a formal hearing, provided that written notification is given to the department within 30 days of the date the informal fact-finding decision notice was served, or the date it was mailed to the respondent, whichever occurred first. In the event the informal fact-finding decision was served by mail, three days shall be added to that period.

6 VAC 20-171-540. Formal hearing.

Formal hearing proceedings may be initiated in any case in which the basic laws provide expressly for a case decision, or in any case to the extent the informal fact-finding conference has not been conducted or an appeal thereto has been timely received. Formal hearings shall be conducted in accordance with § 9-6.14:12 of the Code of Virginia. The findings and decision of the director resulting from a formal hearing may be appealed to the board.

After a formal hearing pursuant to § 9-6.14:12 of the Code of Virginia wherein a sanction is imposed to fine, or to suspend, revoke or deny issuance or renewal of any license, registration, certification or approval, the department may assess the holder thereof the cost of conducting such hearing when the department has final authority to grant such license, registration, certification or approval, unless the department determines that the offense was inadvertent or done in good faith belief that such act did not violate a statute or regulation. The cost shall be limited to (i) the reasonable hourly rate for the hearing officer and (ii) the actual cost of recording the proceedings. This assessment shall be in addition to any fine imposed by sanctions.

6 VAC 20-171-550. Appeals.

The findings and the decision of the director may be appealed to the board provided that written notification is given to the attention of the Director, Department of Criminal Justice Services, 805 East Broad Street, Richmond, Virginia 23219, within 30 days following the date notification of the hearing decision was served, or the date it was mailed to the respondent, whichever occurred first. In the event the hearing decision is served by mail, three days shall be added to that period. (Rule 2A:2 of Rules of the Virginia Supreme Court.)

6 VAC 20-171-560. Court review; appeal of final agency order.

The agency's final administrative decision (final agency orders) may be appealed. Any person affected by, and claiming the unlawfulness of the agency's final case decision, shall have the right to direct review thereof by an appropriate and timely court action. Such appeal actions shall be initiated in the circuit court of jurisdiction in which the party applying for review resides; save, if such party is not a resident of Virginia, the venue shall be in the city of Richmond, Virginia.

Notification shall be given to the attention of the Director, Department of Criminal Justice Services, 805 East Broad Street, Richmond, Virginia 23219, in writing within 30 days of the date notification of the board decision was served, or the date it was mailed to the respondent, whichever occurred first. In the event the board decision was served by mail, three days shall be added to that period. (Rule 2A:2 of Rules of the Virginia Supreme Court.)

During all judicial proceedings incidental to such disciplinary action, the sanctions imposed by the board shall remain in effect, unless the court issues a stay of the order.

NOTICE: The forms used in administering 6 VAC 20-171-10 et seq., Regulations Relating to Private Security Services, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Department of Criminal Justice Services, 805 East Broad Street, 10th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

FORMS

Private Security Services Initial Business License Application, PSS LA, 1/97.

Irrevocable Consent for Service, PSS IC, 1/99.

Fingerprint Processing Application, PSS FP, 1/99.

Application for Compliance Agent Training and Certification, PSS CA, 1/98.

Private Security Services Business License Renewal Application, PSS LR, 1/97.

Application for Initial Private Security Registration, PSS RA, 1/97.

Renewal Application for Private Security Registration, PSS RR, 1/97.

Application for Partial Exemption from the Compulsory Minimum Training Standards for Private Security Services Business Personnel, PSS WA, 1/97.

Private Security Training Completion Roster, PSS SA, 1/98.

Private Security Instructor Certification Application, PSS IA, 1/98.

Private Security Instructor Certification Renewal Application, PSS IR, 1/98.

Private Security Services Complaint Form, PSS C, 1/97.

Application for Duplicate/Replacement Photo Identification, PSS MP, 2/97.

Private Security General Instructor School Application, PSS GI1, 1/98.

Compliance Agent In-Service Training Enrollment, PSS CT, 1/98.

Training Completion Form, PSS TCF, 1/97.

Private Security Services Certification Application, PSS UA, 1/97.

Private Security Services Certification Renewal Application, PSS UR, 1/97.

Application for Additional Registration Category, PSS IMP, 1/97.

Notification of Private Security Services Training Session, PSS TN, 1/98.

Private Security Services Training School Certification Application, PSS TA, 1/98.

Private Security Services Training School Certification Renewal Application, PSS TR, 1/98.

General Instructor Re-Certification Training Enrollment, PSS GI2, 1/96.

Private Security Personal Protection Specialist Advanced Firearms Instructor School Application, PSS FI3, 1/97.

Private Security Firearms Instructor School Application, PSS FI, 1/98.

Firearms Discharge Report, PSS FR, 1/97.

VA.R. Doc. Nos. R99-55 and R99-56; Filed June 30, 1999, 2:59 p.m.

BOARD OF JUVENILE JUSTICE

Title of Regulation: 6 VAC 35-50-10 et seq. Standards for Interdepartmental Regulation of Residential Facilities for Children (REPEALING).

See TITLE 22. SOCIAL SERVICES of the Proposed Regulation section of this issue of the Virginia Register of Regulations.



TITLE 8. EDUCATION

BOARD OF EDUCATION

Title of Regulation: 8 VAC 20-50-10 et seq. Standards for Interdepartmental Regulation of Residential Facilities for Children (REPEALING).

See TITLE 22. SOCIAL SERVICES of the Proposed Regulation section of this issue of the Virginia Register of Regulations.



TITLE 12. HEALTH

BOARD OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

Title of Regulation: 12 VAC 35-30-10 et seq. Standards for Interdepartmental Regulation of Residential Facilities for Children (REPEALING).

See TITLE 22. SOCIAL SERVICES of the Proposed Regulation section of this issue of the Virginia Register of Regulations.



TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF MEDICINE

Title of Regulation: 18 VAC 85-40-10 et seq. Regulations Governing the Practice of Respiratory Care Practitioners (amending 18 VAC 85-40-10, 18 VAC 85-40-40, 18 VAC 85-40-50, 18 VAC 85-40-60, and 18 VAC 85-40-80; adding 18 VAC 85-40-25, 18 VAC 85-40-45, and 18 VAC 85-40-65).

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

Public Hearing Date: September 9, 1999 - 1 p.m.

Public comments may be submitted until October 1, 1999.

(See Calendar of Events section for additional information)

Basis: Chapters 24 (§ 54.1-2400 et seq.) and 29 (§ 54.1-2900 et seq.) of Title 54.1 of the Code of Virginia provide the basis for these regulations.

Chapter 24 establishes the general powers and duties of health regulatory boards including the power to establish qualifications for licensure and responsibility to promulgate regulations.

Proposed Regulations

Sections 54.1-2954 through 54.1-2956.01 establish the definition of a respiratory care practitioner and requirements for the licensure of this profession and specifies the powers and duties of the Advisory Board on Respiratory Care.

Purpose: The purpose of the proposed amendments is to promulgate regulations for the licensure of respiratory care practitioners pursuant to changes in the Code of Virginia made in Chapter 557 of the 1998 Acts of the Assembly. In accordance with the second enactment clause, the board promulgated emergency regulations, which became effective on January 21, 1999. These proposed regulations replace the emergency regulations and are intended to establish those qualifications for licensure which are necessary to protect the public health and safety in the delivery of respiratory care services.

Substance:

18 VAC 85-40-10. A definition of an "accredited educational program" was added in order to specify the accrediting body for respiratory care programs recognized by the board as the Committee on Accreditation for Respiratory Care of the National Board for Respiratory Care (NBRC). A definition of "active practice" is added (not included in the emergency regulations) to specify that the active practice of respiratory care may include activities which are not direct patient care and which include 160 hours of practice within a 24-month period immediately preceding renewal or application for licensure from a person previously licensed or certified in another jurisdiction.

18 VAC 85-40-25. A new section was added to require licensees to furnish current name and address within 30 days of any change and to specify that notices mailed or served by the board to the name and address on file shall be validly given.

18 VAC 85-40-40. Application requirements have been amended to state some of the current requirements that are found in other sections and to specify the documentation or verification necessary to become licensed as a respiratory care practitioner.

18 VAC 85-40-45. A new section is adopted to state the educational requirements as required by the statute. The requirements are those of the NBRC to sit for the entry level certification examination or to hold credentials as a CRTT or a RRT.

18 VAC 85-40-50. Amendments are editorial; current requirements for an applicant are restated in 18 VAC 85-40-40.

18 VAC 85-40-60. An amendment to the requirements for renewal of license will provide for evidence of active practice which is defined in 18 VAC 85-40-10 as at least 160 hours of practice during the biennial renewal cycle, which is the minimal requirement for other licensed professions (such as occupational therapy or physical therapy) under the Board of Medicine.

18 VAC 85-40-65. The current regulations have no provision for reinstatement of an expired license regardless of length of

expiration or lack of active practice. The new section will require the applicant for reinstatement of a license lapsed for more than two years to submit evidence of competency to practice, which may be active practice in another jurisdiction, continuing education or retraining in the profession. The proposed regulation also provides for reinstatement of a revoked license in accordance with the provisions of § 54.1-2921 of the Code of Virginia.

18 VAC 85-40-80. The fee for late renewal of licensure was amended from \$10 to \$25 to be consistent with all other licensed professions under the Board of Medicine. Fees for reinstatement of a revoked license, for issuance of a duplicate license or a duplicate wall certificate were also added for consistency with other regulations and to recover costs incurred by the board in the performance of these activities.

Issues:

ISSUE 1: Qualifications for licensure as a respiratory care practitioner.

In the statutory definition of a "respiratory care practitioner," there is a requirement that the person shall have passed the national examination for entry level practice of respiratory care administered by the National Board for Respiratory Care, Inc. (NBRC), or other examination approved by the board. Regulations for certification specified passage of that examination in order to hold the title of "respiratory therapist." The proposed regulations for licensure also require that the applicant be a graduate of an accredited educational program or hold current credentialing as a Certified Respiratory Therapy Technician (CRTT) or as a Registered Respiratory Therapist (RRT) from the NBRC. If a person has passed the entry level examination for respiratory therapy practitioners, which is required for licensure in Virginia, he is allowed to use the credential of CRTT. If a person has earned the higher credential of RRT, it indicates that they have taken the Registry Examination for Advanced Respiratory Therapy Practitioners.

Currently, all candidates for the national examination must be graduates of an accredited respiratory therapy educational program to qualify for testing. However, some RRTs prior to 1970 and CRTTs prior to 1974 were not required to be graduates of accredited educational programs since schools did not exist in an organized manner before those dates. Training was given on the job, typically in a hospital setting. Therefore, the NBRC recommends the language that the board has proposed to enable persons who have held the credentials and been practicing for a number of years to become licensed.

Advantage or disadvantages

There are no disadvantages to the public which is better protected by having respiratory care delivered by persons who have graduated from an accredited educational program or have met the criteria for certification as a CRTT or a RRT and have passed a national examination which tests the knowledge and abilities of those who will be licensed in Virginia.

The proposed regulation also offers several advantages to the respiratory care practitioners. By having nationally recognized standards, the board enhances the ability of a practitioner licensed in Virginia to transfer to another jurisdiction and become licensed. The regulations also recognize the different pathways to national certification by the NBRC (as discussed in Issue 1) and impose no additional burden on applicants for licensure.

ISSUE 2: Evidence of continuing competency for renewal of licensure.

The Board of Medicine currently requires some evidence of continuing competency for licensed practitioners such as physical therapists (320 hours of active practice within the past four years), licensed acupuncturists (certification by the National Certification Commission for Acupuncture and Oriental Medicine requiring 100 hours of CME's in a two-year period), physician assistants (certification by the National Commission on Certification of Physician Assistants requiring 60 professional development activities in a four-year period) and occupational therapists (requirement for active practice during the renewal cycle). In addition, the board is proposing specific hours of continued competency for physicians, chiropractors, podiatrists, occupational therapists and radiologic technologists.

Before July 1, 1998, respiratory care practitioners were certified by the Board of Medicine; no competency requirement was imposed for certification, which was title protection and, therefore, voluntary for practitioners. The board considered what type of requirement would be reasonable and appropriate for respiratory care practitioners and would, at the same time, provide the needed assurance to the public that minimal competency had been maintained. Since there is no national credentialing body or standard within the profession for continuing education or competency, the board determined that evidence of 160 hours of active practice in the profession was the least burdensome regulation it could reasonably impose at this time. While it does not assure that the practitioner is learning new techniques and information, it does provide some assurance that he is remaining current in his professional knowledge and skills.

To accommodate persons whose respiratory care practice may now include educational, administrative, supervisory or consultative services rather than direct patient care, the board added a definition of "active practice" to clarify that those professional activities were acceptable for the purpose of fulfilling the renewal requirements.

Advantages and disadvantages

There are no disadvantages to the public which is better protected by having a requirement for hours of active practice in order to renew an active license. Since most respiratory care practitioners work for an organization, which itself must be credentialed, there is also some continued oversight of their competency to practice.

A respiratory care practitioner who is maintaining an active license to practice should be required to work a minimal

number of hours during the biennium in order to keep up with a rapidly changing, highly technical field. The requirement of 160 hours of practice with a two-year period is easily obtainable, even for persons who are working only on a part-time basis.

ISSUE 3: Requirements for reinstatement of an expired or revoked license.

The board determined that it was also necessary to amend requirements for reinstatement of a license which had expired for two years or more or had been revoked. It has specified that the expired license may only be reinstated by payment of a reinstatement fee and submission of a reinstatement application which includes information on practice and licensure in other states during the period in which the license was lapsed in Virginia. A practitioner whose license has been revoked must submit a new application and meet requirements of § 54.1-2921 of the Code of Virginia.

Advantages and disadvantages

The proposed regulation protects the public by requiring that the applicant provide complete information on practice and licensure in other jurisdictions during that period. That provides the board with an opportunity to check on the safety and disciplinary history of a licensee who may have been in practice elsewhere during the time the license was lapsed in Virginia. The board also maintains its authority to deny reinstatement to anyone who has committed acts in violation of law or regulation.

ISSUE 4: Amendments to fees.

Fees were amended or added for consistency with other professions licensed by the board. Therefore, the administrative fee for processing a late renewal by hand within the agency is raised from \$10 to \$25; a fee of \$500 for renewing a revoked license is added; and fees of \$10 for a duplicate license and \$25 for a duplicate wall certificate were added.

Advantages and disadvantages

There are no disadvantages of the amended fees to the public; they will not positively or negatively affect the delivery or quality of health care provided to the citizens of the Commonwealth.

Only a small number of practitioners will be affected by these changes in fees. There may be 25 to 35 persons who will pay the additional \$15 for a late renewal of licensure. Less than 10 persons will request a duplicate license or certificate, and thus far, the board has never revoked the license of a respiratory care practitioner.

Estimated Fiscal Impact:

A. Number of entities affected by this regulation: There are 2,706 respiratory care practitioners licensed in Virginia.

B. Projected cost to the agency: The agency will incur some costs (less than \$1,000) for mailings to the Public Participation Guidelines mailing list, conducting a public hearing, and sending copies of final regulations to regulated

Proposed Regulations

entities. Since these regulations are being amended simultaneously with other regulations of the board, the costs of mailings, meetings and hearings will be shared by several professions. In addition, every effort will be made to incorporate those into anticipated mailings and board meetings already scheduled.

C. Projected costs to the affected entities: There would be no additional costs for compliance with these regulations for vast majority of respiratory care practitioners in the Commonwealth. There may be 25 to 35 persons who will pay the additional \$15 for a late renewal of licensure. Less than 10 persons will request a duplicate license or certificate, and thus far, the board has never revoked the license of a respiratory care practitioner.

D. Citizen input in development of regulation: In the development of regulations, notices were sent to persons on the public participation guidelines mailing list of every meeting of the Advisory Board on Respiratory Care, the Legislative Committee of the board, and of the board itself. A Notice of Intended Regulatory Action was also sent to persons on the list; no comment was received on the NOIRA. Public comment was also received at each meeting.

E. Localities affected: There are no localities affected by these regulations in the Commonwealth.

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

Summary of the proposed regulation. The Board of Medicine proposes the following changes to its Regulations Governing the Practice of Respiratory Care Practitioners:

1. Reorganization of the application, education, and examination requirements,
2. An active practice requirement for licensure renewal,
3. Clarification of the requirements for reinstating a lapsed license,
4. Increase in the penalty fee for late renewals from \$10 to \$25, and
5. Addition of the following fees: \$500 for reinstatement of a revoked license, \$10 for a duplicate license, \$25 for a duplicate wall certificate.

Estimated economic impact.

Application, Education and Examination Requirements

The proposed regulation reorganizes the application, education, and examination sections, which specify the documentation or verification necessary to become licensed as a respiratory care practitioner in Virginia. A majority of the changes clarify the requirements or eliminate redundancy. This will make the regulations easier to understand and more useful for the regulated community, but since they do not alter current practices, they will not have any significant economic consequences.

The current rules were established when only voluntary certification was offered for this profession. Those rules required that all applicants pass the National Board for Respiratory Care, Inc. (NBRC) entry level examination for respiratory care. Effective July 1, 1998, legislation was passed that mandated licensure for practice in this profession. In response, the board proposes to now require that, in addition to passing the NBRC exam, all applicants be graduates of an accredited educational program or hold current credentialing as a Certified Respiratory Therapy Technician (CRRT) or as a Registered Respiratory Therapist (RRT) from the NBRC.

Currently, all candidates for the national examination must have graduated from an accepted respiratory therapy educational program; however, prior to 1970 this was not so. The proposed language will allow individuals who hold the credentials and have been practicing for a number of years to obtain licensure. This amendment will not impose any additional burden on applicants for licensure and, therefore, should not have any significant economic consequences.

Active Practice Requirement for Renewal

The most significant change proposed to the current regulations is the addition of an active practice requirement for the renewal of an active license. The existing rules do not require any proof of continuing competency in the profession. While the proposed requirement, 160 hours of active practice during a biennium, does not guarantee that the licensee is learning new techniques and information, the board feels that it will provide minimal assurance that the practitioner is remaining current in his professional knowledge and skills. To accommodate persons whose respiratory care practice may consist of educational, administrative, supervisory, or consultative services rather than direct patient care, the board has added a definition of "active practice" to clarify that those professional activities are acceptable for the purpose of fulfilling the renewal requirement.

There will be no compliance costs for the majority of licensees, even for persons who only work part time or on an occasional basis. Individuals who have either left the state or temporarily left practice of their profession will no longer be able to maintain active licensure status with the Board of Medicine. However, the board is concurrently proposing (in a separate action) the establishment of an inactive license with a reduced renewal fee that will provide a means for

inactive practitioners to document their connection to their profession.

It is not possible at this time to estimate the benefits derived by the public from attempts to assure the competency of practitioners to provide safe, effective care to patients. However, it is reasonable to expect that the benefits would outweigh the anticipated costs, which themselves are minimal.

Miscellaneous Changes

Amendments are added to specify the requirements for reinstating a lapsed license. The fee for reinstatement remains the same, but the reinstatement application will now require evidence of continued competency (e.g., active practice in another jurisdiction, educational courses, continuing education, or reexamination) thereby, providing the board a basis on which to grant or deny the reinstatement.

The amended regulations increase the penalty for late renewals from \$10 to \$25, which is consistent with the late fee charged other professions regulated by the board. According to DHP, the proposed fee more accurately reflects the costs incurred by the department for processing late renewals, which cannot be processed through the automated system but must be manually entered. A fee of \$500 for reinstatement of a revoked license is also proposed. The reinstatement fee is intended to cover the cost of processing and evaluating the reinstatement application. While the fee will raise costs for practitioners who renew late or wish to reinstate a revoked license, charging individuals for the full costs incurred on their behalf is both efficient and equitable and should result in a small net economic benefit.

The proposed regulation also includes the addition of a \$10 fee for duplicate licenses and a \$25 fee for duplicate wall certificates, which are similar to the fees charged by other boards for duplicate documents. These proposed fees formalize in regulation what is the current practice by the Board of Medicine, therefore, no economic consequences are expected.

Businesses and entities affected. There are 2,706 respiratory care practitioners currently licensed in Virginia.

Localities particularly affected. The proposed regulation will not uniquely affect any particular localities.

Projected impact on employment. The proposed regulation will not have any significant impact on employment.

Effects on the use and value of private property. The proposed regulation will not have any significant effects on the use and value of private property.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The agency concurs with the economic impact analysis prepared by the Department of Planning and Budget.

Summary:

Chapter 557 of the 1998 Acts of Assembly required the board to promulgate regulations for the licensure of

respiratory care practitioners. These amendments will replace the emergency regulations that are currently in effect. The proposed amendments (i) reorganize the application, education, and examination requirements; (ii) require an active practice for licensure renewal; (iii) clarify the requirements for reinstating a lapsed license; (iv) increase the penalty fee for late renewals from \$10 to \$25; and (v) add fees of \$500 for reinstatement of a revoked license, \$10 for a duplicate license, and \$25 for a duplicate wall certificate.

18 VAC 85-40-10. Definitions.

A. The following words and terms when used in this chapter shall have the meanings ascribed to them in § 54.1-2900 of the Code of Virginia:

Board

Qualified medical direction

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

"Accredited educational program" means a program accredited by the Committee on Accreditation for Respiratory Care or any other agency approved by the NBRC for its entry level certification examination.

"Active practice" means a minimum of 160 hours of professional practice as a respiratory care practitioner within the 24-month period immediately preceding renewal or application for licensure if previously licensed or certified in another jurisdiction. The active practice of respiratory care may include supervisory, administrative, educational or consultative activities or responsibilities for the delivery of such services.

"Advisory board" means the Advisory Board on Respiratory Care to the Board of Medicine as specified in § 54.1-2956 of the Code of Virginia.

"NBRC" means the National Board for Respiratory Care, Inc.

"Respiratory care practitioner" means a person as specified in § 54.1-2954 of the Code of Virginia.

18 VAC 85-40-25. Current name and address.

Each licensee shall furnish the board his current name and address. All notices required by law or by this chapter to be given by the board to any such licensee shall be validly given when mailed to the latest address provided or served to the licensee. Any change of name or address shall be furnished to the board within 30 days of such change.

Proposed Regulations

PART II.

REQUIREMENTS FOR PRACTICE LICENSURE AS A LICENSED RESPIRATORY CARE PRACTITIONER.

18 VAC 85-40-40. General Application requirements.

~~A. No person shall practice as a licensed respiratory care practitioner in the Commonwealth except as provided in this chapter.~~

~~B. All services rendered by a licensed respiratory care practitioner shall be performed only upon written or verbal orders from a qualified practitioner and under qualified medical direction.~~

An applicant for licensure shall submit the following on forms provided by the board:

1. A completed application and a fee as prescribed in 18 VAC 85-40-80.
2. Verification of professional education in respiratory care as required in 18 VAC 85-40-45.
3. Verification of practice as required on the application form.
4. Documentation of passage of the national examination as required in 18 VAC 85-40-50.
5. If licensed or certified in any other jurisdiction, documentation of active practice as a respiratory care practitioner and verification that there has been no disciplinary action taken or pending in that jurisdiction.

18 VAC 85-40-45. Educational requirements.

An applicant for licensure shall:

1. Be a graduate of an accredited educational program for respiratory care practitioners; or
2. Hold current credentialing as a Certified Respiratory Therapy Technician (CRTT), a Certified Respiratory Therapist or a Registered Respiratory Therapist (RRT) from the NBRC.

18 VAC 85-40-50. Licensure Examination requirements.

An applicant for a license to practice as a licensed respiratory care practitioner shall: ~~1. submit to the board written evidence, verified by affidavit, that the applicant has passed the NBRC entry level examination for respiratory care, or its equivalent; as approved by the board.~~

- ~~2. Make application on forms supplied by the board and completed in every detail; and~~
- ~~3. Pay the application fee prescribed in 18 VAC 85-40-80 at the time the application is filed.~~

PART III.

RENEWAL AND REINSTATEMENT.

18 VAC 85-40-60. Renewal of license.

A. Every licensed respiratory care practitioner intending to continue his licensure shall biennially in each odd-numbered year in his birth month:

1. Register with the board for renewal of his license; and
2. Pay the prescribed renewal fee at the time he files for renewal; and
3. Engage in active practice as defined in 18 VAC 85-40-10.

B. A respiratory care practitioner whose licensure has not been renewed by the first day of the month following the month in which renewal is required shall pay a late fee as prescribed in 18 VAC 85-40-80.

18 VAC 85-40-65. Reinstatement.

A. In order to reinstate a license which has been lapsed for more than two years, a respiratory care practitioner shall file an application for reinstatement, pay the fee for reinstatement of his licensure as prescribed in 18 VAC 85-40-80, and submit to the board evidence of competency to practice. The board may specify additional requirements for reinstatement of a license so lapsed to include education, experience or reexamination.

B. A respiratory care practitioner whose licensure has been revoked by the board and who wishes to be reinstated shall make a new application to the board and payment of the fee for reinstatement of his licensure as prescribed in 18 VAC 85-40-80 pursuant to § 54.1-2921 of the Code of Virginia.

PART III. IV.

SCOPE OF PRACTICE.

PART IV. V.

FEES.

18 VAC 85-40-80. Fees.

The following fees are required:

1. The application fee, payable at the time the application is filed, shall be \$100.
2. The biennial fee for renewal of licensure shall be \$50, payable in each odd-numbered year in the license holder's birth month.
3. 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 ~~\$40~~ \$25 for each renewal cycle.
4. Lapsed license. The fee for reinstatement of a license issued by the Board of Medicine pursuant to § 54.1-2904 of the Code of Virginia, which has expired for a period of two years or more, shall be \$100 and

must be submitted with an application for licensure reinstatement.

5. *The fee for reinstatement of a revoked license shall be \$500.*

6. *The fee for a duplicate license shall be \$10, and the fee for a duplicate wall certificate shall be \$25.*

NOTICE: The forms used in administering 18 VAC 85-40-10 et seq., Regulations Governing the Practice of Respiratory Care Practitioners, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORMS

Instructions for Completing a Respiratory Care Practitioner Application (rev. ~~7/98~~ 2/99).

Application for a License to Practice as a Respiratory Care Practitioner (rev. ~~7/98~~ 2/99).

Form #A, Claims History Sheet (rev. 7/98).

Form #B, Activity Questionnaire (rev. 7/98).

Form #C, Clearance from Other State Boards (rev. 7/98).

Form #L, Certificate of Professional Education (rev. 2/99).

Verification of Certification Request Form (NBRTC) (rev. 7/98).

Renewal Notice and Application (rev. 7/97).

REV. 2/99

INSTRUCTIONS FOR COMPLETING A RESPIRATORY CARE PRACTITIONER APPLICATION

(This form has been designed to be used as a check list for submitted required documentation.)

1. **The licensure application:** Follow the instructions provided on the application. The application may not be copied. Any portion submitted in other than its original form will be considered void and will hold up the application processing time.

If your school is no longer in existence, you will need to send a written explanation and a notarized copy of your diploma.

2. **Licensure fee:** A check or money order for \$100.00, made payable to the Treasurer of Virginia, should be attached to the application. Applications received without a fee and fees submitted without an application attached will be returned to the sender. **NO EXCEPTIONS.**

3. **Proof of Professional Education - (Form #L)** This form must be completed by your professional school as directed.

4. **Form A:** If you answered yes to question #14 on page three of the application, either have your attorney submit a letter regarding the malpractice suits or complete one of these forms for each case you have been involved in.

5. **Form B:** Forward form #B (Employment Questionnaire) to all places of employment listed on the chronological page of your application for the last 5 years. This form may be copied as necessary.

6. **Form C:** Forward form #C (State Clearance) to those states in which you have been licensed, certified or registered. This form may be copied as necessary. Please contact the applicable states to inquire about processing fees.

7. **Certification of Credentials from NBRC:** Certification should be requested from:

National Board of Respiratory Care, Inc.
8310 Nieman Road
Lenexa, Kansas 66212
(913) 599-4200

Also, please note the following:

- Faxed information is not acceptable.
- All documents must be original or hard copies.
- Applications not completed within a six month time period will be purged.
- Application fees are non-refundable.
- Address changes must be furnished to the board in writing.



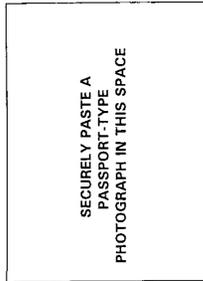
COMMONWEALTH OF VIRGINIA Board of Medicine

Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717
(804) 662-7664

Application for a License to Practice as a Respiratory Care Practitioner

To the Board of Medicine of Virginia:

I hereby make application for a license to practice Respiratory Care in the Commonwealth of Virginia and submit the following statements:



1. Name in Full (Please Print or Type)		First	Middle	State	ZIP Code
Last		City		Social Security No. or VA Control No. *	
Street		Place of Birth		Maiden Name	
Date of Birth		Prof. School Degree		School, City, State	
Mo. ___ Day ___ Yr. ___	Mo. ___ Day ___ Yr. ___		Mo. ___ Day ___ Yr. ___		Mo. ___ Day ___ Yr. ___
Graduation Date		Prof. School Degree		School, City, State	
Mo. ___ Day ___ Yr. ___		Mo. ___ Day ___ Yr. ___		Mo. ___ Day ___ Yr. ___	

Please submit address changes in writing immediately. Please attach check or money order. Application will not be processed without the fee. It will be returned. Do not submit fee without an application. **IT WILL BE RETURNED.**

APPROVED BY _____

CLASS	LICENSE NUMBER	SUFFIX	SCHOOL CODE	FEE	HOW REG.	BASE STATE

*In accordance with §54.1-1116 Code of Virginia, you are required to submit your Social Security Number or your control number ** issued by the Virginia Department of Motor Vehicles. If you fail to do so, the processing of your application will be suspended and fees will not be refunded. This number will be used by the Department of Health Professions for identification and will not be disclosed for other purposes except as provided by law. **Felony and state law requires that this number be shared with other state agencies for child support enforcement activities. NO LICENSE WILL BE ISSUED TO ANY INDIVIDUAL WHO HAS FAILED TO DISCLOSE ONE OF THESE NUMBERS.**

**In order to obtain a Virginia driver's license control number, it is necessary to appear in person at an office of the Department of Motor Vehicles in Virginia. A fee and disclosure to DMV of your Social Security Number will be required to obtain this number.

Rev. 2/99 Respiratory Care Practitioner Form #L



Submit this form to your medical school for completion and instruct them to return the completed form directly to the Virginia Board of Medicine.

CERTIFICATE OF PROFESSIONAL EDUCATION (For graduates of approved programs only)

It is hereby certified that _____ (Name of Applicant) matriculated in _____ (Course of Study) on _____ (Date) and received a diploma from _____ (Name of Institution) conferring the degree of _____ (Degree) on _____ (Date) _____ (President, Secretary or Dean)

SCHOOL SEAL

Completed form must be mailed to: Virginia Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, Virginia 23230-1717, Attn: Ms. Cookie Ergens

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17. AFFIDAVIT OF APPLICANT (THIS SECTION MUST BE NOTARIZED) 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 respiratory care in the Commonwealth of Virginia.

RIGHT THUMB PRINT

Signature of Applicant _____

City/County of _____ State of _____

Subscribed and sworn to before me this _____ day of _____, 19____

My Commission expires _____

Signature of Notary Public _____

NOTARY SEAL

TITLE 22. SOCIAL SERVICES

BOARDS OF EDUCATION; JUVENILE JUSTICE; MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES; AND SOCIAL SERVICES

Title of Regulation: 6 VAC 35-50-10 et seq. Standards for Interdepartmental Regulation of Residential Facilities for Children (REPEALING).

8 VAC 20-50-10 et seq. Standards for Interdepartmental Regulation of Residential Facilities for Children (REPEALING).

12 VAC 35-30-10 et seq. Standards for Interdepartmental Regulation of Residential Facilities for Children (REPEALING).

22 VAC 40-150-10 et seq. Standards for Interdepartmental Regulation of Residential Facilities for Children (REPEALING).

Statutory Authority: §§ 16.1-309.9, 22.1-321, 22.1-323, 22.1-323.2, 37.1-182, 37.1-189.1, 63.1-25, 63.1-217, 66-10 and 66-24 of the Code of Virginia.

Public Hearing Date: August 20, 1999.

Public comments may be submitted until October 1, 1999.

(See Calendar of Events section for additional information)

Basis: Sections 16.1-309.9, 22.1-321, 22.1-323, 22.1-323.2, 37.1-182, 37.1-183.1, 37.1-189.1, 63.1-25, 63.1-196, 63.1-196.4, 63.1-217, 66-10, and 66-24 of the Code of Virginia, respectively, authorize and require the Boards of Education; Juvenile Justice; Mental Health, Mental Retardation and Substance Abuse Services; and Social Services to promulgate and repeal, if necessary, standards regulating children's residential facilities. The boards are also required to cooperate with each other in the promulgation of such regulations. The boards have jointly developed the proposed Standards for Interagency Regulation of Children's Residential Facilities, which was published in 15:22 VA.R. 2834-2870 July 19, 1999, and have agreed to repeal the existing standards.

Purpose: The current Standards for Interdepartmental Regulation of Residential Facilities for Children (6 VAC 35-50-10 et seq., 8 VAC 20-50-10 et seq., 12 VAC 35-30-10 et seq., and 22 VAC 40-150-10 et seq.) are being repealed. The newly proposed regulation is intended to: (i) protect the vulnerable children who are separated from their families and reside in children's residential facilities and (ii) ensure that a minimally acceptable level of care, treatment, and education are provided by the regulants.

Substance: The existing standards are being repealed. The proposed regulation: (i) reorganizes and simplifies the existing regulations, (ii) assures that the regulation addresses only the generic elements of care related to all

children, (iii) increases regulants' flexibility to provide care based on the facility's program and the population served, (iv) increases regulants' and regulators' opportunities for use of professional judgment, and (v) deletes requirements which restate law or outline the departments' policies or procedures and which are better incorporated in the departments' guidance materials. Major substantive changes include: (i) eliminating requirements addressed by the Virginia Statewide Fire Prevention Code, (ii) updating requirements governing tuberculosis screening as recommended by the Department of Health, (iii) eliminating exceptions to the number of successive work days for staff attending training or supervising excursions, (iv) increasing the number of staff members who must be certified in first aid or cardiopulmonary resuscitation, (v) requiring that all staff responsible for medication administration successfully complete a medication training program approved by the Board of Nursing or be licensed by the Commonwealth to administer medications, and (vi) requiring that personnel records be maintained for volunteers and contractual service providers for whom background investigations are required. A number of requirements have been eliminated or liberalized.

Issues: Children in residential care have a multitude of problems and disabilities. The regulants provide a variety of programs to meet the needs of their customers. As a result, many facilities are subject to regulation by more than one department. The Standards for Interagency Regulation of Children's Residential Facilities provide advantages to the public by establishing consistency among the departments and to the agencies by eliminating duplicative and conflicting expectations among them. Consistent expectations facilitate implementation of the regulatory process for both regulants and regulators.

Estimated Impact: The departments currently regulate approximately 185 children's residential facilities which are subject to the regulation. The regulants are presently subject to substantially similar requirements. It is projected that regulants will experience some cost shifting due to eliminating some existing requirements and adding new requirements. The regulants may experience some additional costs. The proposed regulation was developed by an ad hoc standards development committee which included representatives of provider associations that actively involved their constituents during the drafting process. They support the proposed regulation as consistent with standard practice in the field or as necessary to ensure that a minimally acceptable level of care, treatment, and education are provided by children's residential facilities. The departments currently employ professional regulators to monitor children's residential facilities; there will not be a fiscal impact on the departments.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 13 (94). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the

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projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. Pursuant to Executive Order Fifteen (94), which called for a comprehensive review of all existing regulations, the Department of Social Services (DSS) identified the need for revisions to the existing Standards for Interdepartmental Regulation of Residential Facilities for Children. The revisions are so extensive DSS proposes to repeal the current regulations governing children's residential facilities and promulgate a new regulation in its place.

Estimated economic impact. The economic effects of this repeal are discussed in the economic impact analysis of the replacement regulations, 22 VAC 42-10.

Businesses and entities affected. There are currently approximately 185 children's residential facilities subject to regulation.

Localities particularly affected. The repeal, and subsequent replacement, of this regulation is not expected to disproportionately affect any particular localities.

Projected impact on employment. The projected impact on employment is discussed in the economic impact analysis of the replacement regulations, 22 VAC 42-10.

Effects on the use and value of private property. The effects on the use and value of private property are discussed in the economic impact analysis of the replacement regulations, 22 VAC 42-10.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Departments of Education; Juvenile Justice; Mental Health, Mental Retardation and Substance Abuse Services; and Social Services concur with the economic impact statement prepared by the Department of Planning and Budget regarding the repeal of the Standards for Interdepartmental Regulation of Residential Facilities for Children; 22 VAC 40-150-10 et seq., 8 VAC 20-50-10 et seq., 6 VAC 35-50-10 et seq., and 12 VAC 35-30-10 et seq.

Summary:

These regulations, Standards for the Interdepartmental Regulation of Residential Facilities for Children, are being repealed as the proposed revisions are so extensive that it is more efficient to repeal the existing regulations and promulgate a new regulation in its place. The proposed regulation, 22 VAC 42-10-10 et seq., Standards for the Interagency Regulation of Children's Residential Facilities, was published in 15:22 VA.R. 2834-2870 July 19, 1999.

VA.R. Doc. No. R97-705; Filed July 14, 1999, 11:24 a.m.

FINAL REGULATIONS

For information concerning Final Regulations, see Information Page.

Symbol Key

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

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

REGISTRAR'S NOTICE: The following regulations filed by the Marine Resources Commission are exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 F of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4 VAC 20-333-10 et seq. Virginia General Permit #1 (VGP #1) for Projects Undertaken by the Virginia Department of Transportation In, On or Over State-Owned Subaqueous Lands Anywhere Within the Commonwealth.**

Statutory Authority: §§ 28.2-103 and 28.2-1203 of the Code of Virginia.

Effective Date: July 6, 1999.

Summary:

The Virginia General Permit (VGP #1) authorizes Virginia Department of Transportation (VDOT) projects involving state-owned subaqueous lands which meet certain criteria and have been subjected to the State Environmental Review Process. This process involves review and comment by the various natural and historic resource agencies of the Commonwealth. The VGP #1 provides a streamlined review of VDOT public transportation projects and provides a process for wide public notice of such roadway projects. The VGP #1 specifies the procedures, criteria and conditions which must be met in order for a VDOT project to qualify under the general, rather than a standard, subaqueous bed permit from the Marine Resources Commission. While originally approved by the commission in 1982, and reauthorized and amended in 1985 and 1993, the VGP #1 was never formally incorporated into the commission's regulations. Additional modifications to the VGP #1 recently proposed by VDOT have been reviewed and were formally accepted by the commission at their June 22, 1999, meeting and are incorporated into a new regulation.

Agency Contact: Jay M. Woodward, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-8032.

CHAPTER 333.

VIRGINIA GENERAL PERMIT #1 (VGP#1) FOR PROJECTS UNDERTAKEN BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION IN, ON OR OVER STATE-OWNED

SUBAQUEOUS LANDS ANYWHERE WITHIN THE COMMONWEALTH.

4 VAC 20-333-10. Definitions.

"Commission" means Marine Resources Commission.

"VDOT" means the Virginia Department of Transportation.

4 VAC 20-333-20. Types of permits.

A. The U. S. Army Corps of Engineers has granted nationwide permits for minor projects requiring notification in waters of the United States.

B. The U. S. Army Corps of Engineers has granted nationwide permits for minor projects not requiring notification in waters of the United States.

C. The Norfolk District U. S. Army Corps of Engineers has granted regional permits and a letter of permission for VDOT projects in the waters of the Commonwealth, which meet certain rigid criteria.

D. Projects, which do not qualify under subsection A, B or C of this section, will be processed in accordance with established joint state/federal permit procedures.

E. This general permit may authorize projects which do not require U. S. Army Corps of Engineers' permits.

F. Formal monthly state/federal interagency coordination procedures have been established and practiced over the past several years at which each VDOT project is subjected to rigorous review and routinely modified to satisfy agency concerns.

G. All VDOT projects are routinely given wide public notice in conformance with established state/federal highway project requirements and public hearings are held by VDOT on all significant proposals.

H. VDOT is exempt by statute from all fees and royalties.

4 VAC 20-333-30. Authorization and conditions.

All proposals by VDOT to encroach in, on or over state-owned subaqueous land which qualify under 4 VAC 20-333-20 A, B, C and E are permitted subject to the following standard conditions:

1. Any proposed deviation from the preapproved plan must be formally re-coordinated and approved prior to undertaking the work.

2. VDOT shall report annually to the commission on the projects which have been completed. The report shall include a record of the total subaqueous bed impacts.

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3. This permit grants no authority to VDOT to encroach upon the property rights, including riparian rights, of others.

4. The duly authorized agents to the commission shall have the right to enter upon the premises at reasonable times for the purpose of inspecting the work being done pursuant to this permit.

5. VDOT shall comply with the water quality standards as established by the Virginia Department of Environmental Quality and all other applicable laws, ordinances, rules and regulations affecting the conduct of the project. The granting of this permit shall not relieve VDOT of the responsibility of obtaining any and all other permits or required authorizations for the project.

6. This permit shall not affect or interfere with the right vouchsafed to the people of Virginia concerning fishing, fowling and the catching of and taking of oysters and other shellfish in and from the bottom of areas and waters not included within the terms of this permit.

7. VDOT shall, to the greatest extent practicable, minimize the adverse effects of the project upon adjacent properties, tidal wetlands and upon the natural resources of the Commonwealth.

8. This permit may be revoked at any time by the commission upon the failure of VDOT to comply with any of the terms and conditions of this chapter or at the will of the General Assembly of Virginia.

9. This permit is subject to any lease of oyster planting ground in effect on the date of this permit. Nothing in this permit shall be construed as allowing VDOT to encroach on any lease without the consent of the leaseholder. VDOT shall be liable for any damages to such lease.

10. The issuance of this permit does not confer upon VDOT any interest or title to beds of the waters.

11. Specifically prohibited is the sale by subcontractors, without commission approval, of material removed from state-owned bottoms.

12. All structures authorized by this permit which are not maintained in good repair shall be completely removed from state-owned bottom within three months after notification by the commission.

13. This permit authorizes no claim to archaeological artifacts from state-owned bottoms, which may be encountered during the course of construction. If archaeological remains are encountered, VDOT agrees to notify the commission, who will in turn notify the Virginia Department of Historic Resources (VDHR). VDOT shall cooperate with the commission and the Department of Historic Resources in the recovery of archaeological remains, if deemed necessary.

14. Projects authorized under this general permit shall be completed within three years from the date of

issuance. Upon proper request by VDOT, the permit may be extended to allow completion of the work authorized.

4 VAC 20-333-40. Procedures.

A. The Chief, Habitat Management Division, will administer this general permit and establish procedures to ensure:

1. That all projects authorized by this permit either (i) do not require U. S. Army Corps of Engineers permits (4 VAC 20-333-20 E), (ii) satisfy the Nationwide Permit established by the Department of the Army Regulations (4 VAC 20-333-20 A and B) or, (iii) qualify for the regional permit or letter of permission criteria established by the Norfolk District U. S. Army Corps of Engineers (4 VAC 20-333-20 C).

2. Minimum cumulative impact on the marine environment.

3. Adequate opportunity for public review.

4. That a record is maintained on all projects authorized by this permit. Such records will include:

a. The name, address, and telephone number of the VDOT district that wishes to perform the work;

b. The location of the project, including waterway, county/city and route number of roadway;

c. Detailed drawings of the project including a plan view and section view with the mean high and mean low water lines or the ordinary high water mark, whichever is appropriate;

d. The amount of dredging and fill. If dredging is involved, the type of dredge, hydraulic or dragline, the location of disposal sites and the type of erosion and sediment controls, if necessary;

e. When the project involves the destruction of tidal wetlands, the type of species involved, the amount to be disturbed, and any plan for compensation, or mitigation; and

f. A copy of the environmental assessment or environmental impact statement when requested by the commission.

B. If any objections are raised by either individuals or agencies which cannot be resolved at the monthly interagency coordination meeting, that project must then be processed for an individual permit to encroach in, on or over state-owned bottomlands.

C. Those projects located within a nontidal drainage basin of less than five square miles can be undertaken without the review process outlined in 4 VAC 20-333-20 F, unless the project involves one or more of the following resources:

a. A designated or proposed scenic river as determined by the Virginia Department of Conservation and Recreation.

b. A natural trout stream as designated by the Virginia Department of Game and Inland Fisheries.

c. A public water supply as determined by the Virginia Department of Health or the Water Division of the Department of Environmental Quality.

d. A habitat or critical area designated for endangered or threatened species as listed on the Commonwealth of Virginia's official list.

e. Any spawning area designated by the Virginia Institute of Marine Science or the Department of Game and Inland Fisheries.

f. An archaeological site on state-owned bottoms as recorded in the Virginia Department of Historic Resources inventory.

g. A total area of open water greater than one acre.

D. Those projects not requiring permits from or notification to the U. S. Army Corps of Engineers (4 VAC 20-333-20 B and E) will not require coordination with the U. S. Army Corps of Engineers or other federal agencies to qualify for this general permit. These projects will be listed on the monthly interagency coordination meeting agenda and will not require a formal presentation as outlined in 4 VAC 20-333-20 F, unless requested by the commission. Any requested formal presentations shall involve state agencies only.

E. The commission may conduct periodic inspections to evaluate compliance with applicable environmental management laws and regulations, and sediment and erosion control practices specified by the Virginia Department of Conservation and Recreation, Division of Soil and Water.

F. The results of any inspections conducted may be utilized by the commission to assess the advisability and continuation of the provisions of this permit. Such continuation may be on a highway district basis. The commission will advise VDOT in writing if a highway district is not in compliance and may suspend this permit for that district until evidence of compliance satisfactory to the commission is achieved.

G. Where emergency conditions exist in time of flood or other catastrophic event or a declared disaster by the Governor's office, VDOT, after consultation with the commission, will take whatever actions it deems appropriate to protect life and property of both private citizens and the transportation system of the Commonwealth. The emergency actions will be reported in writing by VDOT to the commission within three months of the completion of such action.

VA.R. Doc. No. R99-218; Filed July 6, 1999, 11:46 a.m.



TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

REGISTRAR'S NOTICE: The agency is claiming an exclusion from the Administrative Process Act in accordance with § 9-6.14:4.1 C 4 (a) of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The Department of Medical Assistance Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care Services (amending 12 VAC 30-50-210 and 12 VAC 30-50-520).

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

Effective Date: September 1, 1999.

Summary:

The amendment expands Medicaid coverage of weight loss drugs mandated by Item 335 KK of the 1999 Appropriation Act.

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

12 VAC 30-50-210. Prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in diseases of the eye or by an optometrist.

A. Prescribed drugs.

1. Drugs for which Federal Financial Participation is not available, pursuant to the requirements of § 1927 of the Social Security Act (OBRA '90 § 4401), shall not be covered.

2. Nonlegend drugs shall be covered by Medicaid in the following situations:

- a. Insulin, syringes, and needles for diabetic patients;
b. Diabetic test strips for Medicaid recipients under 21 years of age;
c. Family planning supplies;
d. Designated categories of nonlegend drugs for Medicaid recipients in nursing homes; and
e. Designated drugs prescribed by a licensed prescriber to be used as less expensive therapeutic alternatives to covered legend drugs.

3. Legend drugs are covered with the exception of anorexiants prescribed for weight loss and the

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drugs or classes of drugs identified in 12 VAC 30-50-520. ~~Anorexiant drugs~~ *FDA-approved drug therapies and agents for weight loss*, when preauthorized, will be covered for recipients who meet the strict disability standards for obesity established by the Social Security Administration *in effect on April 7, 1999*, and whose condition is certified as life threatening, consistent with Department of Medical Assistance Services' medical necessity requirements, by the treating physician.

4. Notwithstanding the provisions of § 32.1-87 of the Code of Virginia, and in compliance with the provision of § 4401 of the Omnibus Reconciliation Act of 1990, § 1927(e) of the Social Security Act as amended by OBRA 90, and pursuant to the authority provided for under § 32.1-325 A of the Code of Virginia, prescriptions for Medicaid recipients for multiple source drugs subject to 42 CFR 447.332 shall be filled with generic drug products unless the physician or other practitioners so licensed and certified to prescribe drugs certifies in his own handwriting "brand necessary" for the prescription to be dispensed as written.

5. New drugs shall be covered in accordance with the Social Security Act § 1927(d) (OBRA 90 § 4401).

6. The number of refills shall be limited pursuant to § 54.1-3411 of the Drug Control Act.

7. Drug prior authorization.

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

"Board" means the Board for Medical Assistance Services.

"Committee" means the Medicaid Prior Authorization Advisory Committee.

"Department" means the Department of Medical Assistance Services.

"Director" means the Director of Medical Assistance Services.

"Drug" shall have the same meaning, unless the context otherwise dictates or the board otherwise provides by regulation, as provided in the Drug Control Act (§ 54.1-3400 et seq. of the Code of Virginia).

b. Medicaid Prior Authorization Advisory Committee; membership. The Medicaid Prior Authorization Committee shall consist of 11 members to be appointed by the board. Five members shall be physicians, at least three of whom shall care for a significant number of Medicaid patients; four shall be pharmacists, two of whom shall be community pharmacists; one member shall be a consumer of mental health services; and one shall be a Medicaid recipient.

(1) A quorum for action of the committee shall consist of six members.

(2) The members shall serve at the pleasure of the board; vacancies shall be filled in the same manner as the original appointment.

(3) The board shall consider nominations made by the Medical Society of Virginia, the Old Dominion Medical Society, the Psychiatric Society of Virginia, the Virginia Pharmaceutical Association, the Virginia Alliance for the Mentally Ill, and the Virginia Mental Health Consumers Association when making appointments to the committee.

(4) The committee shall elect its own officers, establish its own procedural rules, and meet as needed or as called by the board, the director, or any two members of the committee. The department shall provide appropriate staffing to the committee.

c. Duties of the committee.

(1) The committee shall make recommendations to the board regarding drugs or categories of drugs to be subject to prior authorization, prior authorization requirements for prescription drug coverage and any subsequent amendments to or revisions of the prior authorization requirements. The board may accept or reject the recommendations in whole or in part, and may amend or add to the recommendations, except that the board may not add to the recommendation of drugs and categories of drugs to be subject to prior authorization.

(2) In formulating its recommendations to the board, the committee shall not be deemed to be formulating regulations for the purposes of the Administrative Process Act (§ 9-6.14:1 et seq.). The committee shall, however, conduct public hearings prior to making recommendations to the board. The committee shall give 30 days written notice by mail of the time and place of its hearings and meetings to any manufacturer whose product is being reviewed by the committee and to those manufacturers who request of the committee in writing that they be informed of such hearings and meetings. These persons shall be afforded a reasonable opportunity to be heard and present information. The committee shall give 30 days notice of such public hearings to the public by publishing its intention to conduct hearings and meetings in the Calendar of Events of The Virginia Register of Regulations and a newspaper of general circulation located in Richmond.

(3) In acting on the recommendations of the committee, the board shall conduct further proceedings under the Administrative Process Act.

d. Prior authorization of prescription drug products; coverage.

(1) The committee shall review prescription drug products to recommend prior authorization under the state plan. This review may be initiated by the

director, the committee itself, or by written request of the board. The committee shall complete its recommendations to the board within no more than six months from receipt of any such request.

(2) Coverage for any drug requiring prior authorization shall not be approved unless a prescribing physician obtains prior approval of the use in accordance with regulations promulgated by the board and procedures established by the department.

(3) In formulating its recommendations to the board, the committee shall consider the potential impact on patient care and the potential fiscal impact of prior authorization on pharmacy, physician, hospitalization and outpatient costs. Any proposed regulation making a drug or category of drugs subject to prior authorization shall be accompanied by a statement of the estimated impact of this action on pharmacy, physician, hospitalization and outpatient costs.

(4) The committee shall not review any drug for which it has recommended or the board has required prior authorization within the previous 12 months, unless new or previously unavailable relevant and objective information is presented.

(5) Confidential proprietary information identified as such by a manufacturer or supplier in writing in advance and furnished to the committee or the board according to this subsection shall not be subject to the disclosure requirements of the Virginia Freedom of Information Act (§ 2.1-340 et seq. of the Code of Virginia). The board shall establish by regulation the means by which such confidential proprietary information shall be protected.

e. Immunity. The members of the committee and the board and the staff of the department shall be immune, individually and jointly, from civil liability for any act, decision, or omission done or made in performance of their duties pursuant to this subsection while serving as a member of such board, committee, or staff provided that such act, decision, or omission is not done or made in bad faith or with malicious intent.

f. Annual report to joint commission. The committee shall report annually to the Joint Commission on Health Care regarding its recommendations for prior authorization of drug products.

B. Dentures. Dentures are provided only as a result of EPSDT and subject to medical necessity and preauthorization requirements specified under Dental Services.

C. Prosthetic devices.

1. Prosthetic services shall mean the replacement of missing arms, legs, and breasts and the provision of any

internal (implant) body part. Nothing in this regulation shall be construed to refer to orthotic services or devices or organ transplantation services.

2. Prosthetic devices (artificial arms and legs, and their necessary supportive attachments, implants and breasts) are provided when prescribed by a physician or other licensed practitioner of the healing arts within the scope of their professional licenses as defined by state law. This service, when provided by an authorized vendor, must be medically necessary and preauthorized for the minimum applicable component necessary for the activities of daily living.

D. Eyeglasses. Eyeglasses shall be reimbursed for all recipients younger than 21 years of age according to medical necessity when provided by practitioners as licensed under the Code of Virginia.

12 VAC 30-50-520. Drugs or drug categories which are not covered.

A. Agents when used for anorexia or weight gain. Coverage of anorexiant for other than weight loss requires medical justification. ~~Anorexiant drugs~~ *FDA-approved drug therapies and agents for weight loss*, when preauthorized, will be covered for recipients who meet the strict disability standards for obesity established by the Social Security Administration *in effect on April 7, 1999*, and whose condition is certified as life threatening, consistent with Department of Medical Assistance Services' medical necessity requirements, by the treating physician.

B. Agents when used for cosmetic purposes or hair growth.

1. Minoxidil shall not be covered when prescribed for hair growth or other cosmetic purposes.

2. Agents containing hydroquinone or its derivatives which are used solely for depigmentation of the skin.

C. Agents used to promote fertility.

D. Expired drugs. Drugs dispensed past the labeled expiration date.

E. DESI Drugs. The Program shall not provide reimbursement for drugs determined by the Food and Drug Administration (FDA) to lack substantial evidence of effectiveness.

F. Nonlegend drugs. Nonlegend drugs, with those exceptions shown in 12 VAC 30-50-100 et seq., shall not be covered.

VA.R. Doc. No. R99-210; Filed July 8, 1999, 11:22 a.m.



EMERGENCY REGULATIONS

TITLE 3. ALCOHOLIC BEVERAGES

ALCOHOLIC BEVERAGE CONTROL BOARD

Title of Regulation: 3 VAC 5-10-10 et seq. **Procedural Rules for the Conduct of Hearings Before the Board and its Hearing Officers and the Adoption or Amendment of Regulations (amending 3 VAC 5-10-70 and 3 VAC 5-10-240).**

Statutory Authority: § 4.1-111 of the Code of Virginia and Chapter 380 of the 1999 Virginia Acts of Assembly.

Effective Dates: July 13, 1999, through June 30, 2000.

Preamble:

Chapter 40 of the 1997 Acts of Assembly amended § 4.1-111 of the Code of Virginia to require the Alcoholic Beverage Control Board to adopt a regulation requiring retail licensees to file an appeal from any hearing decision by a hearing officer within thirty days of the date the notice of the decision is sent. The section further provides that the regulation shall require that the notice shall be sent to the licensee at the address on record with the Board by certified mail, return receipt requested, and by regular mail. The current regulation provides for a ten-day appeal period, and certified mailing of the notice is not required.

The emergency regulation is necessary because Chapter 380 of the 1999 Acts of Assembly requires that the Alcoholic Beverage Control Board promulgate emergency regulations to implement the provisions of Chapter 40 of the 1997 Acts of Assembly.

Agency Contact: W. Curtis Coleburn, III, ABC Policy/Judicial/Legislative Director, Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, VA 23220, telephone (804) 213-4409.

3 VAC 5-10-70. Decisions.

A. Initial decisions. The decision of the hearing officer shall be deemed the initial decision, shall be a part of the record and shall include:

1. A statement of the hearing officer's findings of fact and conclusions, as well as the reasons or bases therefor, upon all the material issues of fact, law or discretion presented on the record; and
2. The appropriate rule, order, sanction, relief or denial thereof as to each such issue.

B. Summary decisions. At the conclusion of a hearing, the hearing officer, in his discretion, may announce the initial decision to the interested parties.

C. Notice. At the conclusion of any hearing, the hearing officer shall advise interested parties that the initial decision will be reduced to writing and the notice of such decision, along with notice of the right to appeal to the board, will be

mailed to them or their representative and filed with the board in due course. (See 3 VAC 5-10-240 for Appeals).

D. Prompt filing. The initial decision shall be reduced to writing, mailed to interested parties *at the address on record with the Board by certified mail, return receipt requested, and by regular mail*, and filed with the board as promptly as possible after the conclusion of the hearing or the expiration of the time allowed for the receipt of additional evidence.

E. Request for early or immediate decision. Where the initial decision is deemed to be acceptable, an interested party may file, either orally before the hearing officer or in writing, a waiver of his right of appeal to the board and request early or immediate implementation of the initial decision. The board or hearing officer may grant the request for early or immediate implementation of the decision by causing issuance or surrender of the license and prompt entry of the appropriate order.

F. Timely review. The board shall review the initial decision and may render a proposed decision, which may adopt, modify or reject the initial decision unless immediate implementation is ordered. In any event, the board shall issue notice of any proposed decision, along with notice of right to appeal, within the time provided for appeals as stated in 3 VAC 5-10-240.

3 VAC 5-10-240. Appeals.

A. An interested party may appeal to the board an adverse initial decision, including the findings of fact and the conclusions, of a hearing officer or a proposed decision, or any portion thereof, of the board provided a request therefor in writing is received within ~~40~~ 30 days after the date of mailing of the initial decision or the proposed decision, whichever is later.

B. At his option, an interested party may submit written exceptions to the initial or proposed decision within the ~~40~~ 30-day period and waive further hearing proceedings.

C. If an interested party fails to appear at a hearing, the board may proceed in his absence and render a decision.

/s/ Clarence W. Roberts
Chairman
Date: April 15, 1999

/s/ Gary K. Aronhalt
Secretary of Public Safety
Date: May 20, 1999

/s/ James S. Gilmore, III
Governor
Date: July 1, 1999

VA.R. Doc. No. R99-216; Filed July 13, 1999, 2:05 p.m.

Title of Regulation: 3 VAC 5-70-10 et seq. **Other Provisions (amending 3 VAC 5-70-170).**

Statutory Authority: § 4.1-111 of the Code of Virginia and Chapter 98 of the 1999 Virginia Acts of Assembly.

Effective Dates: July 13, 1999, through June 30, 2000.

Preamble:

Chapter 98 of the 1999 Acts of Assembly amended § 4.1-111 of the Code of Virginia to require the Alcoholic Beverage Control Board to adopt a regulation prescribing the terms and conditions under which credit or debit cards may be accepted from licensees at government stores. Current regulations allow for the acceptance of such cards from consumers, but not licensees.

The emergency regulation is necessary because Chapter 98 of the 1999 Acts of Assembly also requires that the Alcoholic Beverage Control Board promulgate emergency regulations to implement its provisions.

Agency Contact: W. Curtis Coleburn, III, ABC Policy/Judicial/Legislative Director, Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, VA 23220, telephone (804) 213-4409.

3 VAC 5-70-170. Credit and debit cards.

Government stores may accept credit or debit cards from consumers and licensees for the retail purchase of alcoholic beverages. The board may establish policies to set purchase requirements, determine the credit or debit cards that will be accepted, provide for the collection of related fees, penalties or service charges where appropriate, establish credit procedures for returned merchandise and make any other decisions to carry out the purpose of this chapter.

/s/ Clarence W. Roberts
Chairman
Date: April 15, 1999

/s/ Gary K. Aronhalt
Secretary of Public Safety
Date: May 20, 1999

/s/ James S. Gilmore, III
Governor
Date: July 1, 1999

VA.R. Doc. No. R99-214; Filed July 13, 1999, 2:04 p.m.

Title of Regulation: 3 VAC 5-70-10 et seq. **Other Provisions (adding 3 VAC 5-70-210).**

Statutory Authority: § 4.1-227 of the Code of Virginia and Chapter 380 of the 1999 Virginia Acts of Assembly.

Effective Dates: July 13, 1999, through June 30, 2000.

Preamble:

Chapters 549 and 563 of the 1995 Acts of Assembly amended § 4.1-227 of the Code of Virginia to require the Alcoholic Beverage Control Board to adopt a regulation designating the violations for which a waiver of a hearing and payment of a civil charge in lieu of suspension may be accepted for a first offense occurring within three years.

The emergency regulation is necessary because Chapter 380 of the 1999 Acts of Assembly requires that the Alcoholic Beverage Control Board promulgate emergency regulations to implement the provisions of Chapters 549 and 563 of the 1995 Acts of Assembly.

Agency Contact: W. Curtis Coleburn, III, ABC Policy/Judicial/Legislative Director, Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, VA 23220, telephone (804) 213-4409.

3 VAC 5-70-210. Schedule of penalties for first-offense violations.

Any licensee charged with any violation of Board regulations or statutes listed below, if the licensee has not had any substantiated violations of regulation or statute within the three years immediately preceding the date of the violation, may enter a written waiver of hearing and (i) accept the period of license suspension set forth below for the violation, or (ii) pay the civil charge set forth below for the violation in lieu of suspension. Any notice of hearing served on a licensee for a violation covered by this section shall contain a notice of the licensee's options under this section. Any licensee who fails to notify the Board of its intent to exercise one of the options provided for under this section within twenty days after the date of mailing of the notice of hearing shall be deemed to have waived the right to exercise such options, and the case shall proceed to hearing. For good cause shown, the Board may, in its discretion, allow a licensee to exercise the options provided for under this section beyond the twenty-day period.

VIOLATION	SUSPENSION	CIVIL CHARGE
<i>Sale of beer, wine or mixed beverages to a person at least 18 but under 21 years of age.</i>	25 days	\$2,000
<i>Allowing consumption of beer, wine, or mixed beverages by a person at least 18 but under 21 years of age.</i>	25 days	\$2,000
<i>Aiding and abetting the purchase of alcoholic beverages by a person at least 18 but under 21 years of age.</i>	10 days	\$1,000

Emergency Regulations

<i>Keeping unauthorized alcoholic beverages on the premises, upon which appropriate taxes have not been paid.</i>	10 days	\$1,000
<i>Keeping unauthorized alcoholic beverages on the premises, upon which appropriate taxes have been paid.</i>	7 days	\$500
<i>Allow gambling on premises, if licensee, agent, or employee is participant, but is not conducting the gambling event or operation.</i>	10 days	\$1,000
<i>Allow gambling on premises, if licensee, agent, or employee is not participant nor conducting the gambling event or operation.</i>	7 days	\$500
<i>Allow an intoxicated person to loiter on the premises.</i>	7 days	\$500
<i>Sale to an intoxicated person.</i>	25 days	\$2,000
<i>Allow consumption by an intoxicated person.</i>	25 days	\$2,000
<i>After hours sales or consumption of alcoholic beverages.</i>	10 days	\$1,000
<i>No designated manager on premises.</i>	7 days	\$500
<i>Invalid check to wholesaler or Board.</i>	7 days	\$250
<i>Failure to keep records.</i>	7 days	\$500
<i>Failure to maintain mixed beverage food ratio required by statute (not applicable if ratio falls below 30%).</i>	10 days	\$1,000
<i>Inadequate illumination.</i>	7 days	\$500
<i>ABC license not posted.</i>	7 days	\$500
<i>Not timely submitting report required by statute or regulation.</i>	7 days	\$500
<i>Designated manager not posted.</i>	7 days	\$500
<i>Person less than 18 serving alcoholic beverages; less than 21 acting as bartender.</i>	7 days	\$500

<i>Sale of alcoholic beverages in unauthorized place or manner.</i>	10 days	\$1,000
<i>Consumption of alcoholic beverages in unauthorized area.</i>	7 days	\$500
<i>Removal of alcoholic beverages from authorized area.</i>	7 days	\$500
<i>Failure to obliterate mixed beverage stamps.</i>	7 days	\$500
<i>Employee on duty consuming alcoholic beverages.</i>	7 days	\$500
<i>Conducting illegal happy hour.</i>	7 days	\$500
<i>Illegally advertising happy hour.</i>	7 days	\$500
<i>Unauthorized advertising.</i>	7 days	\$500
<i>Failure to remit state beer/wine tax (if deficiency has been corrected).</i>	10 days	\$1,000
<i>Wholesaler sale of wine/beer in unauthorized manner.</i>	10 days	\$1,000
<i>Wholesaler sale of wine/beer to unauthorized person.</i>	10 days	\$1,000

/s/ Clarence W. Roberts
Chairman
Date: April 15, 1999

/s/ Gary K. Aronhalt
Secretary of Public Safety
Date: May 20, 1999

/s/ James S. Gilmore, III
Governor
Date: July 1, 1999

VA.R. Doc. No. R99-215; Filed July 13, 1999, 2:05 p.m.



FORMS

TITLE 22. SOCIAL SERVICES

DEPARTMENT OF SOCIAL SERVICES

EDITOR'S NOTICE: The following forms have been amended by the Department of Social Services. The forms are not being published due to the number of pages; however, the name of each form is listed below along with a summary of changes. The forms are available for public inspection at the Department of Social Services, 730 East Broad Street, Richmond, VA 23219-1849. Copies of the forms may be obtained from L. Richard Martin, Department of Social Services, 730 East Broad Street, Richmond, VA 23219-1849, telephone (804) 692-1825.

The regulatory forms associated with Minimum Standards for Licensed Family Day Homes (22 VAC 40-110-10 et seq.) and Voluntary Registration of Family Day Homes--Requirements for Providers (22 VAC 40-180-10 et seq.) are amended to reflect technical and statutory changes.

Title of Regulation: 22 VAC 40-110-10 et seq. Minimum Standards for Licensed Family Day Homes.

The existing forms for Minimum Standards for Licensed Family Day Homes (22 VAC 40-110-10 et seq.) were published with the final regulation in Volume 10, Issue 4 (November 15, 1993) of the Virginia Register of Regulations.

"Required Information to be Submitted with a New Application for License to Operate a Family Day Home" (032-05-335) was revised to:

1. Rename the form "New Application for License to Operate a Family Day Home" (032-05-335/5);
2. Incorporate licensed family day home information from the model form "Application for a State License to Provide Care for Children" (032-05-522). This change eliminated the need for the use of two separate forms.
3. Add a space for the provider to name the substitute provider as required by the Minimum Standards for Licensed Family Day Homes (22 VAC 40-110-10 et seq.); and
4. List all the required attachments for licensure including (i) the licensing fee as required by General Procedures and Information for Licensure (22 VAC 40-80-10 et seq.); and (ii) copies of the tuberculosis screenings, Sworn Disclosure Statements, and Criminal Record Clearances for care givers and adult household members and copies of the Child Protective Services Central Registry Clearance on caregivers and household members 14 years of age and older as required by the Minimum Standards for Licensed Family Day Homes (22 VAC 40-110-10 et seq.) and §§ 63.1-198 and 63.1-198.1 of the Code of Virginia.

"Information and Agreement Form" (032-05-011) was revised to:

1. Obtain the information to implement HB 946 (§ 63.1-196.002 of the Code of Virginia) requiring for any child enrolling in a licensed family day home, the proof of age and identity and information on previous child day care programs and schools attended;

2. Obtain the information to implement HB 1387 (§ 63.1-195 of the Code of Virginia) requiring the disclosure to the parents or guardians of children in their care the percentage of time per week that persons other than the provider will care for the children;

3. Add a statement that parent/guardian understands the requirements of § 63.1-248.3 of the Code of Virginia for paid staff to report suspected child abuse or neglect;

4. Add the agreement for the provider (as well as the substitute provider and assistant that are currently listed on the form) to transport the child as necessary; and

5. Add a section for information on person or agency having legal custody of the child.

"Required Information to be Submitted for Renewal of a License to Operate a Family Day Home" (032-05-336/4) was revised to:

1. Rename the form "Application for Renewal of a State License to Operate a Family Day Home" (032-05-336/4);

2. Incorporate necessary information from the model form "Application for a State License to Provide Care for Children" (032-05-522) on the responsibilities of licensed family day home providers.

FORMS

Staffing Recommendation for Children with Special Needs (eff. 9/93).

Information and Agreement, 032-05-011/5 (eff. ~~9/93~~ rev. 6/99).

~~Required Information to be Submitted with a New Application for License to Operate a Family Day Home, 032-05-335/5 (eff. 8/93 rev. 7/98).~~

~~Required Information to be Submitted Application for Renewal of a State License to Operate a Family Day Home, 032-05-336/4 (eff. 8/93 rev. 6/99).~~

Title of Regulation: 22 VAC 40-180-10 et seq. Voluntary Registration of Family Day Homes--Requirements for Providers.

The existing form for Voluntary Registration of Family Day Homes--Requirements for Providers (22 VAC 40-180-10 et seq.) was published with the final regulation in Volume 9, Issue 17 (May 17, 1993) of the Virginia Register of Regulations.

"Voluntary Registration Health and Safety Checklist" (VR-615-34-01) was revised in order for registrants to:

1. Obtain the information to implement HB 946 (§ 63.1-196.002 of the Code of Virginia) requiring for any child

Forms

enrolling in a voluntarily registered family day home, the proof of age and identity and information on previous child day care programs and schools attended; and

2. Obtain the information to implement HB 1387 (§ 63.1-195 of the Code of Virginia) requiring the disclosure to the parents or guardians of children in their care the percentage of time per week that persons other than the provider will care for the children.

FORMS

Voluntary Registration Health and Safety Checklist (rev. ~~7/93~~ 7/98).

Voluntary Registration Provider Application Form, 032-05-21 0/1 (rev. 07/96).



GENERAL NOTICES/ERRATA

DEPARTMENT OF HEALTH

Source Water Assessment Activities

The 1996 Amendments of the Safe Drinking Water Act (SDWA) require each state to develop and implement a Source Water Assessment Program (SWAP).

The Virginia Department of Health (VDH) will utilize a portion of the set-aside moneys from its Drinking Water State Revolving Fund (DWSRF) Program to provide grant funding to certain community waterworks for the performance of such work. These grant dollars are available for one time only.

Criteria for funding eligibility:

1. Applicants must be community waterworks that utilize surface water.
2. Applicants' waterworks must serve a population \geq 50,000 persons. Waterworks may engage in joint proposals when located in a common area and where the combined population served is \geq 50,000 persons.

Note: Waterworks may apply via their planning district commissions, etc. Eligibility for funding may increase for joint proposals or if the applicant has previously performed some form of source water assessment and has already dealt with some of the issues involving raw water intakes, watershed management, water rights related to multijurisdictions, and other complex or special issues pertaining to source water protection and use.

Types of projects include but are not limited to:

1. Delineation and mapping of the boundaries of the source water assessment areas from which one or more waterworks receives drinking water supplies. These boundaries must be identified using the VDH's Source Water Assessment Program (SWAP) criteria, as a minimum.
2. Inventory of land use activities identified in the SWAP, as a minimum, that may generate regulated and unregulated contaminants.
3. Determine the susceptibility of the water source to the land use activities based on the criteria established in the SWAP, as a minimum.
4. Promotion of local interjurisdictional or interstate cooperation, partnerships, and other public participation in source water assessment activities.

A priority ranking/scoring system will be employed to rank all applications for funding.

As the funds are limited, no funding or partial funding may be offered to the applicant and VDH reserves the right to reduce the scope of the applicant's proposal.

Completion of proposals must be scheduled for no later than October 31, 2001.

Applications for grant funding are to be postmarked no later than August 31, 1999, and sent to the address below.

For additional information on this program, please contact Thomas B. Gray, P.E., Department of Health, 1500 East Main Street, Suite 109, Richmond, Virginia 23219, telephone (804) 786-1087 or FAX (804) 786-5567.

STATE WATER CONTROL BOARD

Proposed Consent Special Order Hanover County Solid Waste Management Facility Permit #314

The State Water Control Board proposes to issue a consent special order to Hanover County Solid Waste Management Facility Permit #314, located in Hanover County, Virginia. The proposed order addresses leachate management issues and landfill operational issues, and provides for payment of a civil charge.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive written comments relating to the proposed order until September 1, 1999. Comments should be address to Cathie P. Franco, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060. A copy of the order may be obtained in person or by mail from the above office.

VIRGINIA CODE COMMISSION

Notice to State Agencies

Mailing Address: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219. You may FAX in your notice; however, we ask that you FAX two copies and do not follow up with a mailed copy. Our FAX number is: (804) 692-0625.

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

All agencies are required to use the appropriate forms when furnishing material for publication in *The Virginia Register of Regulations*. The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

Internet: Forms and other *Virginia Register* resources may be printed or downloaded from the *Virginia Register* web page:
<http://legis.state.va.us/codecomm/register/regindex.htm>

FORMS:

NOTICE of INTENDED REGULATORY ACTION - RR01
NOTICE of COMMENT PERIOD - RR02

General Notices/Errata

PROPOSED (Transmittal Sheet) - RR03
FINAL (Transmittal Sheet) - RR04
EMERGENCY (Transmittal Sheet) - RR05
NOTICE of MEETING - RR06
AGENCY RESPONSE TO LEGISLATIVE OBJECTIONS
- RR08

CALENDAR OF EVENTS

Symbol Key

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

♿ Location accessible to handicapped

☎ Teletype (TTY)/Voice Designation

NOTICE

Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the *Virginia Register* deadline may preclude a notice of such cancellation.

For additional information on open meetings and public hearings held by the standing committees of the legislature during the interim, please call Legislative Information at (804) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY☎, or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."

VIRGINIA CODE COMMISSION

EXECUTIVE

VIRGINIA AGRICULTURAL COUNCIL

† August 23, 1999 - 1 p.m. -- Open Meeting

† August 24, 1999 - 8:30 a.m. -- Open Meeting

Holiday Inn Express, U.S. Highway 11 North and Interstate 64, Lexington, Virginia.♿ (Interpreter for the deaf provided upon request)

An annual meeting to act upon the financial and business affairs of the council. Field trips to various agricultural areas of interest will begin at 3 p.m. on August 23 and resume August 24 from 8:30 a.m. until noon. The council will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Thomas R. Yates at least five days before the meeting date so that suitable arrangements can be made.

Contact: Thomas R. Yates, Assistant Secretary, Virginia Agricultural Council, 1100 Bank St., Room 509, Richmond, VA 23219, telephone (804) 786-6060 or toll-free 1-800-828-1120/TTY☎

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Virginia Charity Food Assistance Advisory Board

August 18, 1999 - 10 a.m. -- Open Meeting

Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, 4th Floor, Conference Room, Richmond, Virginia.♿

September 2, 1999 - 10 a.m. -- Open Meeting

Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia.♿

A meeting to discuss issues related to food insecurity. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate in the meeting should contact Steven W. Thomas at least five days before the meeting date so that suitable arrangements can be made.

Contact: Steven W. Thomas, Executive Director, Virginia Charity Food Assistance Advisory Board, Department of Agriculture and Consumer Services, 1100 Bank St., Room 809, Richmond, VA 23219, telephone (804) 786-3936 or FAX (804) 371-7788.

Virginia Egg Board

August 4, 1999 - 4 p.m. -- Open Meeting

State Fairgrounds, Strawberry Hill, 600 East Laburnum Avenue, Fairgrounds Conference Room, Richmond, Virginia.♿

A meeting to receive reports from the Executive Director of the Egg Council on the board's finances, marketing plans, past and future program plans, publicity, public relations and old and new business. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodations in order to participate at the meeting should contact Cecilia Glembocki at least five days before the meeting date so that suitable arrangements can be made.

Contact: Cecilia Glembocki, Secretary, Virginia Egg Board, 911 Saddleback Court, McLean, VA 22102-1317, telephone (703) 790-1984, toll-free 1-800-779-7759, FAX (703) 821-6748, or e-mail virginiaeggcouncil@erols.com.

Virginia Farmers Market Board

† August 17, 1999 - 9:30 a.m. -- Open Meeting

Hampton Inn, 90 Farmers Market Road, Hillsville, Virginia.♿

Calendar of Events

A quarterly meeting of the board to (i) hear and approve minutes of the May 1999, meeting; (ii) hear the financial statement for the fiscal year 1998-99; and (iii) receive status reports on the operation of each of the four wholesale or shipping point markets in the system. Other information pertinent to the board's purpose of oversight and management of the Virginia Farmers Market System will be discussed. The board will entertain public comments at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any special accommodations in order to participate at the meeting should contact Susan K. Simpson at least five days before the meeting date so that suitable arrangements can be made.

Contact: Susan K. Simpson, Program Director, Virginia Farmers Market Board, Washington Bldg., 1100 Bank St., Room 1002, Richmond, VA 23219, telephone (804) 786-2112 or FAX (804) 371-7786.

Virginia Horse Industry Board

† **September 14, 1999 - 10 a.m.** -- Open Meeting
Morven Park, 17263 Southern Planter Lane, Coach House, Vaughan Room, Leesburg, Virginia. 

A meeting to review projects for the past fiscal year and discuss plans and programs for FY 1999-2000. The board will entertain public comments at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any special accommodations in order to participate at the meeting should contact Andrea S. Heid at least five days before the meeting date so that suitable arrangements can be made.

Contact: Andrea S. Heid, Equine Marketing Specialist/Program Manager, Virginia Horse Industry Board, Washington Bldg., 1100 Bank St., Suite 1004, Richmond, VA 23219, telephone (804) 786-5842 or FAX (804) 371-7786.

Virginia Irish Potato Board

September 14, 1999 - 8 p.m. -- Open Meeting
Brewers East Inn, 2484 North Landing Road, Virginia Beach, Virginia. 

A meeting to (i) hear and approve minutes of the last meeting; (ii) receive the board's financial statement; (iii) discuss promotion, research and educational programs; and (iv) establish the board's annual budget. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any special accommodations in order to participate at the meeting should contact J. William Mapp at least five days before the meeting date so that suitable arrangements can be made.

Contact: J. William Mapp, Program Director, Virginia Irish Potato Board, P.O. Box 26, Onley, VA 23418, telephone (757) 787-5867 or FAX (757) 787-5973.

ALCOHOLIC BEVERAGE CONTROL BOARD

August 9, 1999 - 9:30 a.m. -- Open Meeting
August 23, 1999 - 9:30 a.m. -- Open Meeting
September 8, 1999 - 9:30 a.m. -- Open Meeting
September 20, 1999 - 9:30 a.m. -- Open Meeting
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. 

A meeting to receive reports from staff members, discuss activities, and discuss other matters not yet determined.

Contact: W. Curtis Coleburn, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., P.O. Box 27491, Richmond, VA 23261, telephone (804) 213-4409 or FAX (804) 213-4442.

ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

August 11, 1999 - 10 a.m. -- Open Meeting
Department of Social Services, Theater Row Building, 730 East Broad Street, Lower Level, Training Room 3, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to set priorities for the commission and develop a plan to be submitted to the Secretary of Health and Human Resources by September 1, 1999. There will be a 20-minute public comment period at the beginning of the meeting. Contact the commission by July 23, 1999, if interpreter services are needed for the August meeting.

Contact: Barbara A. Lenkey, Logistics Coordinator, P.O. Box 1797, Richmond, VA 23218, telephone (804) 786-3908, FAX (804) 786-9346 or (804) 371-8977/TTY 

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

August 8, 1999 - 9 a.m. -- Open Meeting
September 8, 1999 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Certified Interior Designer Section will conduct board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable

arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

August 11, 1999 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.🗿 (Interpreter for the deaf provided upon request)

The Architect Section will conduct board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, or (804) 367-9753/TTY ☎

August 15, 1999 - 9 a.m. -- Open Meeting
September 15, 1999 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.🗿

A meeting of the full board to conduct business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

August 18, 1999 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.🗿 (Interpreter for the deaf provided upon request)

The Professional Engineer Section will conduct board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

August 23, 1999 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects intends to amend regulations entitled: **18 VAC 10-20-10 et seq. Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Rules and Regulations.** The proposed changes are intended to make the regulations clearer and easier to understand and utilize by the regulants of the board. Almost all of the proposed changes are clarifying and less restrictive in nature.

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

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

August 25, 1999 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.🗿 (Interpreter for the deaf provided upon request)

The Land Surveyor Section will conduct board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

September 1, 1999 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.🗿 (Interpreter for the deaf provided upon request)

The Landscape Architect Section will conduct board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

Calendar of Events

ART AND ARCHITECTURAL REVIEW BOARD

† August 6, 1999 - 10 a.m. -- Open Meeting

† September 3, 1999 - 10 a.m. -- Open Meeting

The Library of Virginia, 800 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to review projects submitted by state agencies.

Contact: Richard L. Ford, AIA, Chairman, Art and Architectural Review Board, 1011 E. Main St., Richmond, VA 23219, telephone (804) 643-1977 or FAX (804) 643-1981.

VIRGINIA BOARD FOR ASBESTOS AND LEAD

August 17, 1999 - 10 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia. 

A meeting to conduct routine business. Public comment will be received at the beginning of the meeting.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2176, FAX (804) 367-2475 or (804) 367-9753/TTY 

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND THEIR FAMILIES

State Management Team

† August 5, 1999 - 9:15 a.m. -- Open Meeting

St. Joseph's Villa, 8000 Brook Road, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss recommendations for policies and procedures to the State Executive Council on the Comprehensive Services Act. Public comment will be received from 9:45 to 10 a.m.

Contact: Elisabeth Hutton, Secretary, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 371-4099.

BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

August 19, 1999 - 9:30 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 

A general business meeting. Public comments will be received for 15 minutes prior the start of the meeting.

Contact: Senita Booker, Administrative Staff Assistant, Department of Health Professions, 6606 W. Broad St., 4th

Floor, Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9523 or (804) 662-7197/TTY 

BOARD FOR BRANCH PILOTS

August 2, 1999 - 9:30 a.m. -- Open Meeting

Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to conduct board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475, or (804) 367-9753/TTY 

CEMETERY BOARD

August 18, 1999 - 8:30 a.m. -- Open Meeting

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

A general business meeting of the Delivery Committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Karen O'Neal at least two weeks prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8552, FAX (804) 367-2475 or (804) 367-9753/TTY 

August 18, 1999 - 9:30 a.m. -- Open Meeting

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

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Karen O'Neal at least two weeks prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8552, FAX (804) 367-2475 or (804) 367-9753/TTY 

CHARITABLE GAMING COMMISSION

† **August 5, 1999 - 10 a.m.** -- Open Meeting
James Monroe Building, 101 North 14th Street, Conference Room E, Richmond, Virginia. 

A regular meeting.

Contact: Kristi Leslie, Administrative Staff Assistant, Charitable Gaming Commission, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-3014 or FAX (804) 786-1079.

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

August 3, 1999 - 10 a.m. -- Open Meeting
Chesapeake Bay Local Assistance Department, 805 East Broad Street, Suite 701, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Northern Area Review Committee to review Chesapeake Bay Preservation Area programs for the northern area. Persons interested in observing should call the department to verify meeting time, location and schedule. No public comments will be heard at the meeting; however, written comments are welcome.

Contact: Carolyn J. Elliott, Executive Secretary, Chesapeake Bay Local Assistance Department, 805 E. Broad St., Suite 701, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447 or toll-free (800) 243-7229/TTY 

CHILD DAY-CARE COUNCIL

August 12, 1999 - 9:30 a.m. -- Open Meeting
Department of Social Services, 730 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss issues and concerns that impact child day centers, camps, school age programs, and preschool/nursery schools. Public comment will be received at noon. Please call for possible change in meeting time.

Contact: Rhonda Harrell, Division of Licensing Programs, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1775 or FAX (804) 692-2370.

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND THEIR FAMILIES

State Executive Council

August 27, 1999 - 9 a.m. -- Open Meeting
Theater Row Building, 730 East Broad Street, Lower Level, Training Room, Richmond, Virginia.

A regular meeting. The council provides for interagency programmatic and fiscal policies, oversees the administration of funds appropriated under the Comprehensive Services Act, and advises the Governor.

Contact: Alan G. Saunders, Director, State Executive Council, 1604 Santa Rosa Road, Suite 137, Richmond, VA 23229, telephone (804) 662-9815 or FAX (804) 662-9831.

DEPARTMENT OF CONSERVATION AND RECREATION

August 5, 1999 - 10 a.m. -- Open Meeting
Occoneechee State Park, 1192 Occoneechee Park Road, Office/Visitor Center, Clarksville, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss development of the Occoneechee State Park master plan.

Contact: Richard G. Gibbons, Environmental Program Manager, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899 or (804) 786-2121/TTY 

† **August 18, 1999 - 10 a.m.** -- Open Meeting
Douthat State Park, Route 1, Conference Center, Alleghany Room, Millboro, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to review and update potential routes and related issues for a possible horse trail between the Virginia Equine Center in Lexington and the Homestead Hotel in Bath County. Contact the department by August 9 if interpreter services are required.

Contact: Robert S. Munson, Environmental Program Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-6140, FAX (804) 371-7899 or (804) 786-2121/TTY 

† **August 24, 1999 - 10 a.m.** -- Open Meeting
State Capitol, House Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting of the Virginia Land Conservation Foundation. Public comment will be received following conclusion of regular business.

Contact: Mary Vaughan Gibson, Confidential Policy Analyst, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2871, FAX (804) 786-6141 or (804) 786-2121/TTY 

Calendar of Events

Chippokes Plantation Farm Foundation

† **August 9, 1999 - 9:30 a.m.** -- Open Meeting
† **September 22, 1999 - 9:30 a.m.** -- Open Meeting
Chippokes Plantation State Park, Mansion, 695 Chippokes Park Road, Surry, Virginia. 

A general business meeting of the foundation's Board of Trustees.

Contact: Katherine R. Wright, Executive Secretary, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-7950 or FAX (804) 371-8500.

Falls of the James Scenic River Advisory Board

August 5, 1999 - Noon -- Open Meeting
Richmond City Hall, 900 East Broad Street, Planning Commission Conference Room, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss river issues. A public comment period will follow the business meeting.

Contact: Richard G. Gibbons, Environmental Program Manager, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899 or (804) 786-2121/TTY 

Board on Conservation and Development of Public Beaches

† **August 10, 1999 - 11:30 a.m.** -- Open Meeting
Town Hall, Council Chambers, Cape Charles, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss proposals from localities requesting matching grant funds, receive public comments about public beaches or the activities of the board, and review the status of the public beach in Cape Charles.

Contact: Carlton Lee Hill, Staff Advisor, Department of Conservation and Recreation, 203 Governor St., Suite 206, Richmond, VA 23219, telephone (804) 786-3998 or FAX (804) 786-1798.

Rappahannock Scenic River Advisory Board

† **August 18, 1999 - 7 p.m.** -- Open Meeting
Warren Green Building, 10 Hotel Street, Warrenton, Virginia.  (Interpreter for the deaf provided upon request)

A general business meeting.

Contact: Richard G. Gibbons, Environmental Program Manager, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203

Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899 or (804) 786-2121/TTY 

BOARD FOR CONTRACTORS

† **August 3, 1999 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 4 W, Richmond, Virginia. 

A meeting of the Tradesman Committee with the Backflow Advisory Committee to review additional backflow schools requesting approval, discuss backflow regulations, and discuss other appropriate matters pertaining to tradesman licensing.

Contact: George O. Bridewell, Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2607.

BOARD OF CORRECTIONS

† **August 17, 1999 - 10:30 a.m.** -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia. 

A meeting of the Correctional Services Committee to discuss correctional services matters which may be presented to the full board.

Contact: Barbara Fellows, Administrative Assistant to the Board, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3235 or FAX (804) 674-3130.

† **August 18, 1999 - 8:30 a.m.** -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia. 

A meeting of the Administration Committee to discuss administration matters which may be presented to the full board.

Contact: Barbara Fellows, Administrative Assistant to the Board, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3235 or FAX (804) 674-3130.

† **August 18, 1999 - 10 a.m.** -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia. 

A meeting of the full board to discuss matters that are presented. Public comment will be received.

Contact: Barbara Fellows, Administrative Assistant to the Board, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3235 or FAX (804) 674-3130.

† **August 19, 1999 - 10 a.m.** -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia. ♿

A meeting of the Liaison Committee to discuss criminal justice matters which may be presented to the full board.

Contact: Barbara Fellows, Administrative Assistant to the Board, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3235 or FAX (804) 674-3130.

CRIMINAL JUSTICE SERVICES BOARD

October 1, 1999 – Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Criminal Justice Services Board intends to **repeal** regulations entitled: **6 VAC 20-170-10 et seq. Regulations Relating to Private Security Services** and **adopt** regulations entitled: **6 VAC 20-171-10 et seq. Regulations Relating to Private Security Services.** The purpose of the proposed action is to promulgate regulations to establish the training standards, application procedures and compliance requirements for the private security services industry, which will replace existing regulations.

Statutory Authority: § 9-182 of the Code of Virginia.

Contact: Leon D. Baker, Jr., Section Chief, Private Security Services Section, Department of Criminal Justice Services, P.O. Box 10110, Richmond, VA 23240-9998, telephone (804) 786-0460 or FAX (804) 786-6344.

DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING

August 4, 1999 - 9:30 a.m. -- Open Meeting
Department for the Deaf and Hard-of-Hearing, Koger Center, 1602 Rolling Hills Drive, Ratcliffe Building, 2nd Floor Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the advisory board.

Contact: Elaine Ziehl, Executive Secretary, Department for the Deaf and Hard-of-Hearing, Ratcliffe Bldg., 1602 Rolling Hills Dr., Suite 203, Richmond, VA 23229, telephone (804) 662-9705/Voice/TTY ♿, FAX (804) 662-9502 or toll-free 1-800-552-7917/Voice/TTY ♿

BOARDS OF EDUCATION; JUVENILE JUSTICE; MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES; AND SOCIAL SERVICES

† **August 20, 1999 - 9 a.m.** – Public Hearing
October 1, 1999 – Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Boards of Education; Juvenile Justice; Mental Health, Mental Retardation and Substance Abuse Services; and Social Services intend to repeal regulations entitled: **8 VAC 20-50-10 et seq., 6 VAC 35-50-10 et seq., 12 VAC 35-30-10 et seq., and 22 VAC 40-150-10 et seq. Standards for Interdepartmental Regulation of Residential Facilities for Children.** These regulations are being repealed as the proposed revisions are so extensive that it is more efficient to repeal the existing regulations and promulgate a new regulation in its place. The proposed regulation, 22 VAC 42-10-10 et seq., Standards for the Interagency Regulation of Children's Residential Facilities, was published in 15:22 VA.R. 2834-2870 July 19, 1999.

Statutory Authority: §§ 16.1-309.9, 22.1-321, 22.1-323, 22.1-323.2, 37.1-182, 37.1-189.1, 63.1-25, 63.1-217, 66-10 and 66-24 of the Code of Virginia.

Contact: Charlene Vincent, Acting Coordinator, Office of Interdepartmental Regulation, Department of Social Services, 730 E. Broad St., Richmond, VA 23219-1849, telephone (804) 692-1962 or FAX (804) 692-1965.

August 20, 1999 - 9 a.m. -- Public Hearing
Koger Center, Wythe Building, 1604 Santa Rose Road, Conference Rooms A and B, Richmond, Virginia.

September 17, 1999 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Boards of Education; Juvenile Justice; Mental Health, Mental Retardation and Substance Abuse Services; and Social Services intend to adopt regulations entitled: **22 VAC 42-10-10 et seq. Standards for Interagency Regulation of Children's Residential Facilities.** The purpose of the proposed regulation is to ensure that a minimally acceptable level of care, treatment and education are provided by children's residential facilities.

Statutory Authority: §§ 16.1-309.9, 22.1-321, 22.1-323, 22.1-323.2, 37.1-182, 37.1-189.1, 63.1-25, 63.1-217, 66-10 and 66.24 of the Code of Virginia.

Contact: Charlene Vincent, Coordinator, Office of Interdepartmental Regulation, Department of Social Services, 730 E. Broad St., Richmond, VA 23219-1849, telephone (804) 692-1961 or FAX (804) 692-1965.

Calendar of Events

STATE EMERGENCY SERVICES ADVISORY BOARD

August 20, 1999 - 1 p.m. -- Open Meeting
Embassy Suites Hotel, 2925 Emerywood Parkway,
Richmond, Virginia. 

A quarterly meeting.

Contact: Irene M. Hamilton, Executive Secretary Senior,
Office of Emergency Medical Services, 1538 E. Parham Rd.,
Richmond, VA 23228, telephone (804) 371-3500, FAX (804)
371-3543 or toll-free 1-800-523-6019.

LOCAL EMERGENCY PLANNING COMMITTEE - WINCHESTER

August 5, 1999 - 1 p.m. -- Open Meeting
Frederick County Office Building, 107 North Kent Street,
Board of Supervisors' Meeting Room, Winchester, Virginia.

A continuation of Y2K preparation and information
sharing. Expected speakers will be representatives from
banking, transportation and grocery stores.

Contact: L. A. Miller, Fire and Rescue Chief, Winchester
Fire and Rescue Department, 126 N. Cameron St.,
Winchester, VA 22601, telephone (540) 662-2298 or (540)
662-4131/TTY 

DEPARTMENT OF ENVIRONMENTAL QUALITY

† August 3, 1999 - 9 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional
Office, 4949-A Cox Road, Glen Allen, Virginia. 

A meeting of the Water Reuse Advisory Group to
discuss issues surrounding land application, and
reclamation and reuse of wastewater, as required by
1999 legislation, House Joint Resolution 662.

Contact: Lily Choi, Environmental Engineer Senior,
Department of Environmental Quality, P.O. Box 10009,
Richmond, VA 23240, telephone (804) 698-4054, FAX (804)
698-4032 or (804) 698-4021/TTY 

† August 4, 1999 - 7 p.m. -- Public Hearing
Old Post Office Building, 302 North Main Street, Culpeper
Board of Supervisors' Meeting Room, Culpeper, Virginia.

A public hearing to receive comments on an application
for an air permit from Merillat Corporation of Culpeper to
modify and operate a wooden cabinet manufacturing
facility located at 641 Maddox Drive in Culpeper County.

Contact: Dahlgren Vaughan, Environmental Engineer,
Department of Environmental Quality, 806 Westwood Office
Park, Fredericksburg, VA 22401, telephone (540) 899-4600.

† August 26, 1999 - 1 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House
Room C, Richmond, Virginia.

A joint meeting of the representatives of the State Air
Pollution Control Board, State Water Control Board, and
Virginia Waste Management Board.

Contact: Cindy M. Berndt, Department of Environmental
Quality, P.O. Box 10009, Richmond, VA 23240, telephone
(804) 698-4378.

VIRGINIA FIRE SERVICES BOARD

August 12, 1999 - 8:30 a.m. -- Open Meeting
Richmond Marriott, 500 East Broad Street, Richmond,
Virginia.

Committee meetings of the board to discuss fire training
and policies will meet as follows:

Fire/EMS Education and Training Committee - 8:30 a.m.
Fire Prevention and Control Committee - 10 a.m.
Legislative/Liaison Committee - 1 p.m.

The meetings are open to the public for input and
comments.

Contact: Troy H. Lapetina, Executive Director, Department
of Fire Programs, James Monroe Bldg., 101 N. 14th St., 18th
Floor, Richmond, VA 23219, telephone (804) 371-0220.

August 13, 1999 - 9 a.m. -- Open Meeting
Richmond Marriott, 500 East Broad Street, Richmond,
Virginia.

A business meeting to discuss fire training and policies.
The meeting is open to the public for input and
comments.

Contact: Troy H. Lapetina, Executive Director, Department
of Fire Programs, James Monroe Bldg., 101 N. 14th St., 18th
Floor, Richmond, VA 23219, telephone (804) 371-0220.

BOARD OF GAME AND INLAND FISHERIES

August 19, 1999 - 9 a.m. -- Open Meeting

August 20, 1999 - 9 a.m. -- Open Meeting

Department of Game and Inland Fisheries, 4000 West Broad
Street, Richmond, Virginia.  (Interpreter for the deaf
provided upon request)

The board will consider adopting 1999-2000 hunting
seasons and bag limits for migratory waterfowl (ducks
and coots, geese and brant, swan, gallinules and
moorhens) and falconry, based on frameworks provided
by the U.S. Fish and Wildlife Service. The board will
solicit comments from the public during the public
hearing portion of the meeting, at which time any
interested citizen present shall be heard. The board
may also discuss general and administrative issues.
The board may elect to hold a dinner Wednesday
evening, August 18, at a location and time to be
determined; and it may hold a closed session before the
public session begins on August 19. If the board
completes its entire agenda on August 19, it may not

convene on August 20, the second of the scheduled two days of the meeting.

Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4010 W. Broad St., Richmond, VA , telephone (804) 367-1000 or FAX (804) 367-2311.

DEPARTMENT OF GAME AND INLAND FISHERIES

† **August 9, 1999 - 7 p.m.** -- Open Meeting
Department of Game and Inland Fisheries, 4000 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Virginia Department of Game and Inland Fisheries is holding a public input meeting to discuss and receive public comments regarding season lengths and bag limits for the 1999-2000 hunting seasons for migratory waterfowl (ducks and coots, geese and brant, swan, gallinules and moorhens) and falconry. All interested citizens are invited to attend.

The population status of ducks, geese, and swans will be discussed and Wildlife Division staff will present frameworks provided by the U.S. Fish and Wildlife Service for the species. The public's comments will be solicited in the public hearing portion of the meeting. A summary of the results of this public hearing will be presented to the Board of Game and Inland Fisheries prior to its scheduled August 19(-20), 1999, meeting. At the August 19(-20), 1999, meeting the board will hold another public hearing, after which it intends to set 1999-2000 hunting seasons and bag limits for the above species.

Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4010 W. Broad St., Richmond, VA , telephone (804) 367-8341 or FAX (804) 367-0488.

DEPARTMENT OF GENERAL SERVICES

Design-Build/Construction Management Review Board

† **August 16, 1999 - 11 a.m.** -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the board to review requests submitted by localities for the use of the design-build or construction management type of contract, and to continue review of a Report to the Governor due December 1, 1999. Public comments will be taken. Please contact Sandra H. Williams at the Division of Engineering and Buildings to confirm meeting date and time.

Contact: Sandra H. Williams, Administrative Assistant, Department of General Services, Division of Engineering and Buildings, 805 E. Broad St., Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934 or (804) 786-6152/TTY 

VIRGINIA GEOGRAPHIC INFORMATION NETWORK ADVISORY BOARD

† **August 12, 1999 - 1 p.m.** -- Open Meeting
Council on Information Management, 110 South 7th Street, 3rd Floor Conference Room, Richmond, Virginia. 

A regular business meeting.

Contact: William Shinar, Virginia Geographic Information Network Coordinator, Council on Information Management, 110 S. 7th St., Suite 135, Richmond, VA 23219, telephone (804) 786-8175 or FAX (804) 371-2795.

DEPARTMENT OF HEALTH PROFESSIONS

August 13, 1999 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Intervention Program Committee will meet with its contractor and representatives to review reports, policies and procedures for the Health Practitioners' Intervention Program. The committee will meet in open session for general discussion of the program. The committee may meet in closed executive session for the purpose of considering specific requests from applicants to or participants in the program.

Contact: John W. Hasty, Director, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9424, FAX (804) 662-9114 or (804) 662-7197/TTY 

BOARD OF HEALTH PROFESSIONS

† **August 24, 1999 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Ad Hoc Committee on Independent Boards of the Board of Health Professions will meet to hear comments from the public on the draft reports and policy options for the Study of the Merit of an Independent Board of Chiropractic pursuant to SJR 433 (99), and for the Study of Merit of an Independent Board of Physical Therapy pursuant to HJR 504 (99). Copies of the draft report will be available to the public after August 9, 1999, and may be either requested from the board or downloaded from the department's website at <http://www.dhp.state.va.us/>.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY 

† **August 24, 1999 - 1 p.m.** -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Calendar of Events

A public hearing of the Regulatory Research Committee to receive comments on the need to regulate speech-language pathology assistants pursuant to the study required by SJR 492 (99). Written comments will be received until September 1, 1999.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-7198 or (804) 662-7197/TTY ☎

BOARD FOR HEARING AID SPECIALISTS

August 5, 1999 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Conference Room 4 West, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Apprenticeship Committee to review the feasibility for the development of a Hearing Aid Specialist apprenticeship program. All meetings are subject to cancellation. Time of meeting is subject to change. Contact the department for confirmation. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., 4th Floor, Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY ☎

HOPEWELL INDUSTRIAL SAFETY COUNCIL

August 3, 1999 - 9 a.m. -- Open Meeting
September 7, 1999 - 9 a.m. -- Open Meeting
Hopewell Community Center, 100 West City Point Road, Hopewell, Virginia. ♿ (Interpreter for the deaf provided upon request)

Local Emergency Preparedness Committee meeting on emergency preparedness as required by SARA Title III.

Contact: Robert Brown, Emergency Services Coordinator, 300 N. Main St., Hopewell, VA 23860, telephone (804) 541-2298.

STATEWIDE INDEPENDENT LIVING COUNCIL

† **September 8, 1999 - 10 a.m.** -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Conference Room 101, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Executive Committee to review and amend the spending plan for the State Plan for Independent Living.

Contact: James A. Rothrock, Statewide Independent Living Council Staff, 1802 Marroit Rd., Richmond, VA 23229, telephone (804) 673-0119 or FAX (804) 282-7118.

STATE LAND EVALUATION ADVISORY COUNCIL

August 17, 1999 - 10 a.m. -- Open Meeting
† **September 27, 1999 - 10 a.m.** -- Open Meeting
Department of Taxation, 2220 West Broad Street, Richmond, Virginia. ♿

A meeting to adopt suggested ranges of values for agricultural, horticultural, forest and open-space land use and the use-value assessment program.

Contact: H. Keith Mawyer, Property Tax Manager, Department of Taxation, Office of Customer Services, Property Tax Unit, 2220 W. Broad St., Richmond, VA 23220, telephone (804) 367-8020.

LIBRARY BOARD

August 9, 1999 - 10:30 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿

An orientation meeting for the 1999-2000 Library Board to discuss matters pertaining to The Library of Virginia and the Library Board.

Contact: Jean H. Taylor, Executive Secretary to the State Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3535, FAX (804) 692-3594 or (804) 692-3976/TTY ☎

COMMISSION ON LOCAL GOVERNMENT

† **September 13, 1999 - 10 a.m.** -- Open Meeting
Commission on Local Government, Pocahontas Building, 900 East Main Street, Suite 103, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting to consider such matters as may be presented.

Contact: Barbara Bingham, Administrative Assistant, Pocahontas Building, 900 East Main Street, Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999 or (800) 820-1120/TTY ☎

MARINE RESOURCES COMMISSION

August 24, 1999 - 9:30 a.m. -- Open Meeting

September 28, 1999 - 9:30 a.m. -- Open Meeting

Marine Resources Commission, 2600 Washington Avenue, Room 403, Newport News, Virginia.  (Interpreter for the deaf provided upon request)

The commission will hear and decide the following marine environmental matters beginning at 9:30 a.m.: permit applications for projects in wetlands, bottom lands, coastal primary sand dunes and beaches; appeals of local wetland board decisions; and policy and regulatory issues. The commission will hear and decide the following fishery management items beginning at approximately noon: regulatory proposals; fishery management plans; fishery conservation issues; licensing; and shellfish leasing. Meetings are open to the public. Testimony will be taken under oath from parties addressing agenda items on permits and licensing. Public comments will be taken on resource matters, regulatory issues and items scheduled for public hearing.

Contact: LaVerne Lewis, Secretary to the Commission, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607-0756, telephone (757) 247-2261, toll-free 1-800-541-4646 or (757) 247-2292/TTY 

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

August 18, 1999 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled: **12 VAC 30-50-10 et seq., Amount, Duration, and Scope of Medical and Remedial Care Services; 12 VAC 30-60-10 et seq., Standards Established and Methods Used to Assure High Quality Care; 12 VAC 30-80-10 et seq., Methods and Standards for Establishing Payment Rates; Other Types of Care; and 12 VAC 30-130-10 et seq., Amount, Duration and Scope of Selected Services.** This regulatory action realigns the Title XIX Medicaid hospice services with those of the Title XVIII Medicare hospice services. The benefits periods will be the same across the two programs, payments for services will be based on location of service delivery and not the agency's home office address, and hospices will be permitted to contract out their physician services.

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

Public comments may be submitted until August 18, 1999, to Vivian Horn, Division of Program Operations, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8854.

BOARD OF MEDICINE

August 6, 1999 - 8 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Executive Committee will meet in open and closed session to (i) review disciplinary files requiring administrative action, (ii) adopt amendments, (iii) approve for promulgation regulations as presented, (iv) interview applicants, and (v) act on other issues that come before the board. The chairman will entertain public comments on agenda items for 15 minutes following adoption of the agenda.

Contact: Warren W. Koontz, M.D., Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9943 or (804) 662-7197/TTY 

August 6, 1999 -- Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to amend regulations entitled: **18 VAC 85-20-10 et seq. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic and Physician Acupuncture.** The purpose of the proposed amendments is to require evidence of continuing competency in order to renew a license to practice medicine, osteopathy, podiatry, chiropractic and physician acupuncture. Amendments are also proposed to establish an inactive license, a fee to renew an inactive license, and requirements for reactivation.

Statutory Authority: §§ 54.1-2400 and 54.1-2912.1 of the Code of Virginia.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

August 20, 1999 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to amend regulations entitled: **18 VAC 85-101-10 et seq. Regulations Governing the Licensure of**

Calendar of Events

Radiologic Technologists and Radiologic Technologists-Limited. Amendments are proposed to set minimal qualifications for instructors in an educational program and to require passage of an examination for licensure as a radiologic technologist-limited. Proposed amendments also require a radiologic technologist-limited to notify the board of the anatomical area in which he practices, clarify that a person with a limited license is not qualified to perform mammography, and specify that a traineeship for an unlicensed graduate must terminate 14 days after receipt of examination results.

Statutory Authority: §§ 54.1-2400, 54.1-2956.8:1, and 54.1-2956.8:2 of the Code of Virginia.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908.

† **September 9, 1999 - 1 p.m.** -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.

October 1, 1999 -- Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to amend regulations entitled: **18 VAC 85-40-10 et seq. Regulations Governing the Practice of Respiratory Care Practitioners.** The purpose of the proposed action is to replace emergency regulations for the licensure of respiratory care practitioners.

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

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

Informal Conference Committee

August 18, 1999 - 8:30 a.m. -- Open Meeting

September 15, 1999 - 8:30 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia.

August 5, 1999 - 9 a.m. -- Open Meeting

† **September 2, 1999 - 9 a.m.** -- Open Meeting
Sheraton Inn, 2801 Plank Road, Fredericksburg, Virginia.

August 12, 1999 - 9:30 a.m. -- Open Meeting

Days Inn, 3320 Candler's Mountain Road, Lynchburg, Virginia.

August 19, 1999 - 9:30 a.m. -- Open Meeting

September 9, 1999 - 9:30 a.m. -- Open Meeting

September 15, 1999 - 8:30 a.m. -- Open Meeting

Roanoke Airport Marriott, 2801 Hershberger Road, Roanoke, Virginia.

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 A 7 and A 15 of the Code of Virginia. Public comment will not be received.

Contact: Karen W. Perrine, Deputy Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-7332, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

VIRGINIA MILITARY INSTITUTE

August 28, 1999 - 8:30 a.m. -- Open Meeting
Virginia Military Institute, Turman Room, Preston Library, Lexington, Virginia. ☎

A regular meeting of the Board of Visitors to elect a president, vice presidents, and a secretary. Committee reports will be received. Public comment will be received immediately after the superintendent's comments (approximately 9 a.m.)

Contact: Colonel Edwin L. Dooley, Jr., Secretary to the Board of Visitors, Virginia Military Institute, Superintendent's Office, Lexington, VA 24450, telephone (540) 464-7206 or FAX (540) 464-7660.

STATE MILK COMMISSION

August 11, 1999 - 11 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, 1st Floor, Senate Room A, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A regular meeting to discuss industry issues, distributor licensing, Virginia base transfers, Virginia baseholding license amendments, regulations, fiscal matters and to review reports from staff of the Milk Commission. The commission may consider regulatory action on 2 VAC 15-20-70, 2 VAC 15-20-80, and 2 VAC 15-20-81 following a public hearing held on the same date. The commission in making their decision will rely on the public comment submitted to the agency in regard to these amendments, the testimony and the following documents: (i) agency notice of intended regulatory action, (ii) copy of correspondence from the Assistant Attorney General that the commission may promulgate these regulations, (iii) copies of all transmittals to the Registrar of Regulations for publication, (iv) copy of memorandum to all cooperatives concerning meeting to solicit input into amendments due to federal regulatory changes, (v) copy of memorandum to cooperatives attending meeting with copy of minutes, (vi) copy of

memorandum to Virginia processors concerning meeting to solicit input into amendments due to federal regulatory changes, (vii) copy of memorandum to Virginia processors attending meeting with copy of minutes, (viii) copy of the current Regulations for the Control and Supervision of Virginia's Milk Industry, effective July 1, 1974, reprinted with amendments October 15, 1997, and (ix) copy of the Federal Milk Marketing Order Reform-New England, et al. final decision dated March 1999 issued by U.S. Department of Agriculture, Marketing and Regulatory programs, Agricultural Marketing Service Dairy programs. All of these documents are available for inspection at the offices of the State Milk Commission. Copies of all documents except item (ix) can be requested from the commission. Due to the voluminous size of that document the commission suggests that it be obtained from USDA. Persons who require accommodations in order to participate at this meeting should contact Edward C. Wilson, Jr., Deputy Administrator, at least five days prior to the meeting date so that suitable arrangements can be made.

Contact: Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, 200 N. 9th St., Suite 915, Richmond, VA 23219-3414, telephone (804) 786-2013, FAX (804) 786-3779 or (804) 786-2013/TTY ☎

August 11, 1999 - 1 p.m. -- Public Hearing
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.

August 10, 1999 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Milk Commission intends to amend 2 VAC 15-20-70, repeal 2 VAC 15-20-80, and add 2 VAC 15-20-81 to the regulations entitled: **2 VAC 15-20-10 et seq. Regulations for the Control and Supervision of Virginia's Milk Industry.** The amendments (i) change the classification of eggnog from a Class II product to a Class I product and (ii) modify Class I pricing components, definitions of adjacent markets, price issuance dates, formula methodology, and producer settlement dates. The changes are in response to federal changes scheduled to be implemented in the Federal Milk Marketing Order Reform Final Decision. Should the commission not promulgate these corresponding changes, competitive disadvantages would occur that would result in market disruption with adjacent markets. The amendment will become effective with the implementation of the Federal Milk Marketing Order Reform Final Decision in accordance with § 143 of the federal Agriculture Improvement and Reform Act of 1996 (Farm Bill), 7 USC § 7253.

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

Contact: Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, 200 N. 9th St., Suite 915, Richmond, VA 23219-3414, telephone (804) 786-2013, FAX (804) 786-3779 or (804) 786-2013/TTY ☎

August 11, 1999 - 1 p.m. -- Public Hearing
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.

August 10, 1999 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Milk Commission intends to amend 2 VAC 15-20-80 of the regulations entitled: **2 VAC 15-20-10 et seq. Regulations for the Control and Supervision of Virginia's Milk Industry.** The amendment changes the definition of adjacent markets. This change better aligns Southwestern Virginia's markets with the West Virginia adjacent markets for pricing purposes. The amendment will more accurately utilize West Virginia adjacent market pricing in the Virginia formula to yield producer prices in Virginia. Payment times are also changed. Virginia producer prices will better correspond to West Virginia markets adjacent to the Southwestern Virginia markets. This amendment will be repealed with the implementation of the federal Milk Marketing Order Reform in final decision implementation in accordance with § 143 of the federal Agriculture Improvement and Reform Act of 1996 (Farm Bill) 7 USC § 7253.

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

Public comments may be submitted until August 10, 1999.

Contact: Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, 200 N. 9th St., Suite 915, Richmond, VA 23219-3414, telephone (804) 786-2013, FAX (804) 786-3779 or (804) 786-2013/TTY ☎

BOARD OF MINERAL MINING EXAMINERS

† **August 10, 1999 - 10 a.m.** -- Open Meeting
Division of Mineral Mining, Fontaine Research Park, 900 Natural Resources Drive, Charlottesville, Virginia. ♿
(Interpreter for the deaf provided upon request)

Orientation of newly appointed board members. Business items will include the review of certification disciplinary action cases and other matters pertaining to mineral mining certification regulations.

Contact: Ronald Mullins, Safety Engineer, P.O. Box 3727, Charlottesville, VA 22903, telephone (804) 961-5000, FAX (804) 979-8544 or toll-free 1-800-828-1120/TTY ☎

Calendar of Events

VIRGINIA MUSEUM OF NATURAL HISTORY

August 7, 1999 - 9 a.m. -- Open Meeting
English Inn, 2000 Morton Drive, Charlottesville, Virginia. 

A meeting of the Board of Trustees to receive reports from the development, executive, finance, legislative, marketing, nominating, outreach, personnel, planning and facilities, and research and collections committees. Public comment will be received following approval of the minutes of the April meeting.

Contact: Rhonda J. Knighton, Executive Assistant, Virginia Museum of Natural History, 1001 Douglas Ave., Martinsville, VA 24112, telephone (540) 666-8600 or (540) 666-8616, or (540) 666-8638/TTY 

COMMONWEALTH NEUROTRAUMA INITIATIVE ADVISORY BOARD

† August 11, 1999 - 10 a.m. -- Open Meeting
Department of Rehabilitative Services, Ratcliffe Building, 1602 Rolling Hills Drive, DRS Conference Room, 2nd Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss issues pertaining to the Commonwealth Neurotrauma Initiative. A public comment period will be held at the beginning of the meeting. Any person who needs special accommodations to participate in the meeting should contact Ana Hernandez at least five days before the meeting date so that suitable arrangements can be made.

Contact: Ana Hernandez, Program Specialist, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300, Richmond, VA 23288-0300, telephone (804) 662-7162, FAX (804) 662-7663 or toll-free 1-800-552-5019 or 1-800-464-9950/TTY 

BOARD OF NURSING

† August 3, 1999 - 9 a.m. -- Open Meeting
† August 4, 1999 - 9 a.m. -- Open Meeting
† August 5, 1999 - 9 a.m. -- Open Meeting
† August 9, 1999 - 9 a.m. -- Open Meeting
† August 10, 1999 - a.m. -- Open Meeting
† August 11, 1999 - a.m. -- Open Meeting
† August 24, 1999 - a.m. -- Open Meeting
† August 25, 1999 - a.m. -- Open Meeting
† August 26, 1999 - a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A Special Conference Committee will conduct informal conferences with licensees and certificate holders. Public comments will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9512 or (804) 662-7197/TTY 

BOARD OF NURSING HOME ADMINISTRATORS

† August 31, 1999 - 10 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting of the Special Conference Committee to conduct an informal fact-finding hearing. Public comments will not be received.

Contact: Senita Booker, Administrative Staff Assistant, Board of Nursing Home Administrators, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9523 or (804) 662-7197/TTY 

OLD DOMINION UNIVERSITY

† August 16, 1999 - 3 p.m. -- Open Meeting
Old Dominion University, Webb University Center, Norfolk, Virginia. 

A monthly meeting of the Executive Committee of the governing board to discuss business of the University as determined by the Rector and the President of the University.

Contact: Donna W. Meeks, Assistant to the Vice President, Old Dominion University, 204 Koch Hall, Norfolk, VA 23529, telephone (757) 683-3072 or FAX (757) 683-5679.

BOARD FOR OPTICIANS

August 10, 1999 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Conference Room 4 West, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Opticians Volunteer Network Training Project to train optician volunteers to assist in examination administration, public relations, writing and speaking assignments.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., 4th Floor, Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY 

August 20, 1999 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

An open meeting to discuss regulatory review, disciplinary cases and other matters requiring board

action. All meetings are subject to cancellation. Call board office at least 24 hours in advance for possible changes. A public comment period will be held at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., 4th Floor, Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY ☎

BOARD OF OPTOMETRY

† **August 4, 1999 - 8:30 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

An informal conference of the Professional Designation Committee to review a professional designation application request. This is a public meeting; however, public comment will not be received.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY ☎

† **August 4, 1999 - 9:30 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting of the Ad Hoc Advisory Committee on Mercantile Regulations to continue discussions on the development of mercantile regulations for the Board of Optometry. Public comment will be received at the beginning of the meeting.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY ☎

† **August 4, 1999 - 10:30 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A board meeting to receive a report from the Ad Hoc Advisory Committee on Mercantile Regulations. The board will also discuss post-operative care issues and contact lens prescription filling with a near expiration date. The board will receive a report on the recent national association of state boards meeting. Other discussion topics include CPT codes, newsletter scheduling, and a reinstatement application. Public

comment will be received at the beginning of the meeting.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY ☎

† **August 4, 1999 - 1:30 p.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A formal hearing. This is a public meeting; however, public comment will not be received.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY ☎

† **August 4, 1999 - 3:30 p.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

An informal conference. This is a public meeting; however, public comment will not be received.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY ☎

BOARD OF PHARMACY

† **August 5, 1999 - 9:30 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ☎

A board panel will conduct formal hearings. Public comments will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911 or FAX (804) 662-9313.

† **August 17, 1999 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ☎

A general business meeting to (i) consider disciplinary matters and conduct disciplinary proceedings; (ii) review and respond to public comments received on proposed regulation 18 VAC 110-20-10 et seq., Regulations Governing the Practice of Pharmacy, published in the Virginia Register of Regulations on May 24, 1999, and adopt final regulations; and (iii) adopt emergency regulations on collaborative practice. Public comments will be received at the beginning of the meeting immediately following the approval of the agenda and the review and acceptance of the minutes.

Calendar of Events

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911 or FAX (804) 662-9313.

BOARD OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS AND SUBSTANCE ABUSE TREATMENT PROFESSIONALS

† **August 26, 1999 - 10 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

A meeting of the Regulatory Committee to discuss (i) the criteria for licensure of individuals without master's degrees as substance abuse treatment practitioners, pursuant to new legislation effective July 1, 1999; (ii) issues pertaining to education requirements for certified substance abuse counselors; (iii) improving consistency in the language among all chapters of regulations; and (iv) training requirements for supervisors. Public comment will be received at the beginning of the meeting.

Contact: Janet Delorme, Deputy Executive Director, Department of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9575, FAX (804) 662-9943 or (804) 662-7197/TTY 

VIRGINIA PUBLIC BROADCASTING BOARD

† **August 5, 1999 - 10 a.m.** -- Open Meeting
WHRO Television Station, Norfolk, Virginia. 

A board meeting.

Contact: Martin K. Johnson, Special Assistant, Office of the Secretary of Administration, 202 N. 9th St., Suite 633, Richmond, VA 23219, telephone (804) 786-1201.

VIRGINIA RACING COMMISSION

August 18, 1999 - 9:30 a.m. -- Open Meeting
Tyler Building, 1300 East Main Street, Richmond, Virginia. 

A monthly meeting of the commission including a segment for public participation.

Contact: William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Rd., New Kent, VA 23124, telephone (804) 966-7404 or FAX (804) 966-7418.

REAL ESTATE BOARD

August 12, 1999 - 8 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A general business meeting of the Education Committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8526, FAX (804) 367-2475, or (804) 367-9753/TTY 

August 12, 1999 - 8 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A general business meeting of the Fair Housing Committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, or (804) 367-9753/TTY 

August 12, 1999 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8526, FAX (804) 367-2475, or (804) 367-9753/TTY 

† **August 12, 1999 - 3 p.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A general business meeting of the Time-Share Advisory Committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad

St., Richmond, VA 23230, telephone (804) 367-8526, FAX (804) 367-2475, or (804) 367-9753/TTY ☎

VIRGINIA RESOURCES AUTHORITY

† **August 13, 1999 - 9 a.m.** -- Open Meeting
Martha Washington Inn, 150 West Main Street, Abingdon, Virginia.

A meeting to approve minutes of the prior meeting, to review the authority's operations for the prior month, and to consider other matters and take other actions as the authority may deem appropriate. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.

Contact: Robert W. Lauterberg, Executive Director, Virginia Resources Authority, P.O. Box 1300, Richmond, VA 23218, telephone (804) 644-3100 or FAX (804) 644-3109.

SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

† **August 18, 1999 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. ♿

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

Contact: Gary L. Hagy, Acting Secretary, Sewage Handling and Disposal Appeal Review Board, P.O. Box 2448, Room 115, Richmond, VA 23218, telephone (804) 225-4022 or FAX (804) 225-4003.

STATE BOARD OF SOCIAL SERVICES

August 9, 1999 - 1 p.m. -- Public Hearing
Department of Social Services, 730 East Broad Street, Richmond, Virginia.

September 17, 1999 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled: **22 VAC 40-60-10 et seq. Standards and Regulations for Licensed Adult Day Care Centers.** The purpose of the proposed amendment is to comply with Code of Virginia mandates and to reflect the current needs of participants in adult day care centers.

Statutory Authority: §§ 63.1-25 and 63.1-194.2 of the Code of Virginia.

Contact: Kathryn Thomas, Program Development Supervisor, Division of Licensing Programs, Department of Social Services, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-1793 or FAX (804) 692-2370.

September 17, 1999 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-710-10 et seq. Child Protective Services Client Appeals.** The Child Protective Services Client Appeals regulation is no longer necessary because its provisions are currently available to appellants through 22 VAC 40-705-10 et seq., Child Protective Services, which combines both programmatic and appeals regulations.

Statutory Authority: §§ 63.1-25 and 63.1-248.6:1 of the Code of Virginia.

Contact: Janice M. Sigler, Appeals and Fair Hearings Program Manager, Department of Social Services, 730 E. Broad St., 8th Floor, Richmond, VA 23219, telephone (804) 692-1832 or FAX (804) 692-1804.

September 17, 1999 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-820-10 et seq. Policy Regarding Purchased Services.** The purpose of the chapter being repealed was to establish uniform policies and procedures for the purchase of services within local departments of social services. The chapter is no longer needed because the local departments currently follow regulations for each program area when purchasing services for their customers.

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

Contact: Marjorie L. Marker, Adult Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1262 or FAX (804) 692-2215.

BOARD OF SOCIAL WORK

† **August 13, 1999 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿

A meeting of the Regulatory Committee to discuss issues pertaining to continuing education. Public comment will be received at the beginning of the meeting.

Contact: Janet Delorme, Deputy Executive Director, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9575 or FAX (804) 662-9943 or (804) 662-7197/TTY ☎

Calendar of Events

BOARD FOR PROFESSIONAL SOIL SCIENTISTS

† **August 13, 1999 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regularly scheduled meeting of the board to address policy and procedural issues and other business matters which may require board action. The meeting is open to the public; however, a portion of the meeting may be discussed in executive session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department in advance so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: Geralde W. Morgan, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-3917, telephone (804) 367-2785, FAX (804) 367-2474 or (804) 367-9753/TTY 

VIRGINIA TOURISM CORPORATION

† **August 5, 1999 - 10 a.m.** -- Open Meeting
Virginia Economic Development Partnership, 901 East Byrd Street, Riverfront Plaza, West Tower, 19th Floor, Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Board of Directors to discuss strategic planning and budgets related to the Virginia Tourism Corporation. The agenda is available upon request. Public comment will be taken at the beginning of the meeting.

Contact: Judy H. Bulls, Assistant to the President and CEO, Virginia Tourism Corporation, 901 East Byrd St., Richmond, VA 23219, telephone (804) 371-8174, FAX (804) 786-1919 or (804) 371-0327/TTY 

† **August 10, 1999 - 10 a.m.** -- Open Meeting
Virginia Economic Development Partnership, 901 East Byrd Street, Riverfront Plaza, West Tower, 20th Floor, Presentation Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Motion Picture Development Committee of the Virginia Tourism Corporation Board to discuss and finalize the Motion Picture Incentive Fund. The agenda is available upon request. Public comment will be taken at the beginning of the meeting.

Contact: Judy H. Bulls, Assistant to the President and CEO, Virginia Tourism Corporation, 901 East Byrd St., Richmond, VA 23219, telephone (804) 371-8174, FAX (804) 786-1919 or (804) 371-0327/TTY 

COMMONWEALTH TRANSPORTATION BOARD

† **August 18, 1999 - 2 p.m.** -- Open Meeting
Department of Transportation, 1401 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A work session of the board and the Department of Transportation staff.

Contact: Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.

† **August 19, 1999 - 10 a.m.** -- Open Meeting
Department of Transportation, 1401 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A monthly meeting of the board to vote on proposals presented regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the meeting agenda for which the opportunity for comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact Department of Transportation Public Affairs at (804) 786-2715 for schedule.

Contact: Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.

TREASURY BOARD

† **August 18, 1999 - 9 a.m.** -- Open Meeting
James Monroe Building, 101 North 14th Street, 3rd Floor, Treasury Board Room, Richmond, Virginia. 

A regular business meeting.

Contact: Gloria J. Hatchel, Administrative Assistant, Department of the Treasury, James Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 371-6011.

DEPARTMENT FOR THE VISUALLY HANDICAPPED

August 4, 1999 - 10 a.m. -- Open Meeting
Virginia Rehabilitation Center for the Blind and Visually Impaired, 401 Azalea Avenue, Gymnasium, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The department was directed by the 1999 General Assembly in House Joint Resolution 571 to examine all statutory language currently in use which refers to those persons with some level of visual impairment. The department is soliciting input from consumers, organizations, state agencies, and other entities that

may have an interest in or be affected by any language changes. The department will receive public comments, recommendations and suggestions. Persons not able to attend are encouraged to submit written summaries of their remarks to Susan Buckland.

Contact: Susan Buckland, Chief Deputy Commissioner, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3140, FAX (804) 371-3157, toll-free 1-800-662-2155 or (804) 371-3140/TTY ☎

VIRGINIA VOLUNTARY FORMULARY BOARD

† **September 9, 1999 - 10:30 a.m.** -- Public Hearing
Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia. ♿

A meeting to review public hearing comments and product data for drug products being considered for inclusion in the Virginia Voluntary Formulary.

Contact: James K. Thomson, Director, Bureau of Pharmacy, Virginia Voluntary Formulary Board, James Monroe Bldg., 101 N. 14th St., Room S-45, Richmond, VA 23219, telephone (804) 786-4326.

VIRGINIA WAR MEMORIAL FOUNDATION

† **September 17, 1999 - Noon** -- Open Meeting
Virginia War Memorial, 621 South Belvidere Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The annual meeting of the Board of Trustees and election of officers. The meeting will be preceded at 10 a.m. by a MIA/POW Recognition Day ceremony with Governor Gilmore as the invited speaker.

Contact: Jon C. Hatfield, Executive Director, Virginia War Memorial Foundation, 621 S. Belvidere St., Richmond, VA 23220, telephone (804) 786-2060, FAX (804) 786-6652 or (804) 786-6152/TTY ☎

VIRGINIA WASTE MANAGEMENT BOARD

† **August 26, 1999 - 9:30 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.

A regular meeting of the Virginia Waste Management Board.

Contact: Cindy M. Berndt, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

August 12, 1999 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 4W, Richmond, Virginia. ♿

A meeting to conduct regulatory review.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

VIRGINIA WORKFORCE COUNCIL

† **August 12, 1999 - 10 a.m.** -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The first meeting of the council. Organizational issues will be the focus of the agenda.

Contact: Carol Nixon, Virginia Employment Commission, 703 E. Main St., Richmond, VA 23219, telephone (804) 786-3001.

INDEPENDENT

STATE LOTTERY BOARD

August 4, 1999 - 9:30 a.m. -- Open Meeting
State Lottery Department, 900 East Main Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the board. Public comment will be received at the beginning of the meeting. This meeting replaces the meeting originally scheduled for July 28.

Contact: Barbara L. Robertson, Board, Legislative and Regulatory Coordinator, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7105 or FAX (804) 692-7775.

LEGISLATIVE

VIRGINIA CODE COMMISSION

† **August 18, 1999 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, 6th Floor, Speaker's Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to continue with the recodification of Titles 2.1 and 9.

Contact: Jane D. Chaffin, Registrar of Regulations, General Assembly Building, 910 Capitol St., 2nd Floor, Richmond,

Calendar of Events

VA 23219, telephone (804) 786-3591, FAX (804) 692-0625
or e-mail jchaffin@leg.state.va.us.

COMMISSION ON THE CONDITION AND FUTURE OF VIRGINIA'S CITIES (HJR 432, 1998)

September 9, 1999 - Time to be announced -- Open Meeting
General Assembly Building, 9th and Broad Streets, House
Room D, Richmond, Virginia.  (Interpreter for the deaf
provided upon request)

A regular meeting. Questions regarding the meeting
should be addressed to Jeff Sharp or Nikki Rovner,
Division of Legislative Services, (804) 786-3591.
Individuals requiring interpreter services or other special
assistance should contact the Committee Operations
Office at least 10 working days prior to the meeting.

Contact: Barbara Regen, House Committee Operations,
P.O. Box 406, Richmond, VA 23218, telephone (804) 698-
1540 or (804) 786-2369/TTY 

September 17, 1999 - 10 a.m. -- Open Meeting
Kiptopeke State Park, Eastern Shore, Virginia.  (Interpreter for
the deaf provided upon request)

A regular meeting. Questions regarding the meeting
should be directed to Shannon Varner, Division of
Legislative Services, (804) 786-3591. Individuals
requiring interpreter services or other special assistance
should contact Lois Johnson at least 10 working days
prior to the meeting. You can also access information on
the Internet at <http://legis.state.va.us/jchc/jchchome.htm>.

Contact: Lois Johnson, Committee Operations, House of
Delegates, State Capitol, P.O. Box 406, Richmond, VA
23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

COMMISSION ON EDUCATIONAL ACCOUNTABILITY

† August 5, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate
Room B, Richmond, Virginia.  (Interpreter for the deaf
provided upon request)

A regular meeting. Questions regarding the meeting
should be directed to Kathy Harris, Division of
Legislative Services, (804) 786-3591. Individuals
requiring interpreter services or other accommodations
should call or write Senate Committee Operations at
least seven days prior the meeting.

Contact: Patty J. Lung, Senate Committee Operations,
P.O. Box 396, Richmond, VA 23218, telephone (804) 698-
7450 or (804) 698-7419/TTY 

COMMISSION ON THE FUTURE OF VIRGINIA'S ENVIRONMENT

Parks and Land Conservation Subcommittee

† August 4, 1999 - 10 a.m. -- Open Meeting
Smith Mountain Lake State Park, Visitor's Center,
Hudleston, Virginia.

† September 2, 1999 - 10 a.m. -- Open meeting
Douthat State Park, Park Office Conference Room, Millboro,
Virginia.

A regular meeting. Any questions regarding the agenda
for the meeting should be directed to Nikki Rovner,
Division of Legislative Services, (804) 786-3591. For
further assistance, or if you are unable to attend, please
call committee operations. Individuals requiring
interpreter services or other accommodations should
call or write House Committee Operations at least 10
days prior the meeting.

Contact: Lois Johnson, Committee Operations, House of
Delegates, State Capitol, P.O. Box 406, Richmond, VA
23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

Solid Waste Subcommittee

† August 18, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House
Room C, Richmond, Virginia.  (Interpreter for the deaf
provided upon request)

A regular meeting. Any questions regarding the agenda
for the meeting should be directed to Nikki Rovner,
Division of Legislative Services, (804) 786-3591. For
further assistance, or if you are unable to attend, please
call committee operations. Individuals requiring
interpreter services or other accommodations should
call or write House Committee Operations at least 10
days prior the meeting.

Contact: Lois Johnson, Committee Operations, House of
Delegates, State Capitol, P.O. Box 406, Richmond, VA
23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

Vision and Plan Subcommittee

August 10, 1999 - 10:15 a.m. -- Open Meeting
Omni Hotel, 235 West Main Street, Charlottesville,
Virginia.  (Interpreter for the deaf provided upon request)

A meeting hosted by the Virginia Association of
Counties as part of the Annual Virginia Local
Government Officials Conference. Any questions
regarding the agenda for the meeting should be directed
to Shannon Varner, Division of Legislative Services, (804)
786-3591. For further assistance, or if you are unable to
attend please call committee operations.

Contact: Lois Johnson, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

JOINT SUBCOMMITTEE STUDYING ELECTION LAWS INNOVATIONS, IMPROVED METHODS TO INFORM VOTERS ABOUT BALLOT ISSUES AND CANDIDATES (SJR 423, 1999)

† **August 17, 1999 - 2 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.🗣️ (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be directed to Mary Spain, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least seven days prior to the meeting.

Contact: Patty J. Lung, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

SPECIAL HOUSE COURTS OF JUSTICE SUBCOMMITTEE STUDYING EMPLOYER LIABILITY (HB 2465, 1999)

† **August 2, 1999 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, 6th Floor Conference Room, Richmond, Virginia.🗣️ (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Carey Friedman, Staff Counsel to the House Committee for Courts of Justice, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least 10 working days prior to the meeting.

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

JOINT COMMISSION ON HEALTH CARE

September 15, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.🗣️ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other special assistance should contact Kimberly Rockhold at least 10 working days prior to the meeting. You can also access information on the Internet at <http://legis.state.va.us/jchc/jchchome.htm>.

Contact: Kimberly Rockhold, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

Drug Switching Subcommittee (HJR 734)

August 12, 1999 - 10 a.m. -- Open Meeting
September 29, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.🗣️ (Interpreter for the deaf provided upon request)

A regular meeting of the subcommittee. Individuals requiring interpreter services or other special assistance should contact Kimberly Rockhold at least 10 working days prior to the meeting. You can also access information on the Internet at <http://legis.state.va.us/jchc/jchchome.htm>.

Contact: Kimberly Rockhold, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

Long-Term Care Subcommittee

August 16, 1999 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.🗣️ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other special assistance should contact Kimberly Rockhold at least 10 working days prior to the meeting. You can also access information on the Internet at <http://legis.state.va.us/jchc/jchchome.htm>.

Contact: Kimberly Rockhold, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

Midwifery Subcommittee (HJR 646)

August 6, 1999 - 10 a.m. -- Open Meeting
September 15, 1999 - ½ hour after adjournment of the full joint commission meeting -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.🗣️ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other special assistance should contact Kimberly Rockhold at least 10 working days prior to the meeting. You can also access information on the Internet at <http://legis.state.va.us/jchc/jchchome.htm>.

Contact: Kimberly Rockhold, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

Calendar of Events

Medicaid Carve-Out Work Group

August 12, 1999 - 10 am. -- Open Meeting

September 9, 1999 - 10 a.m. -- Open Meeting

October 14, 1999 - 10 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, 7th Floor West Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Gayle Vergara or Nancy Roberts, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least 10 working days prior to the meeting.

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

JOINT SUBCOMMITTEE STUDYING LAND DEVELOPMENT PATTERNS AND WAYS TO ADDRESS DEMANDS RESULTING FROM RESIDENTIAL GROWTH

August 17, 1999 - 9:30 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, 6th Floor Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting and working session. Questions regarding the meeting should be addressed to Jeff Sharp, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least 10 working days prior to the meeting.

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

COMMISSION ON COORDINATION OF SERVICES TO FACILITATE SELF-SUFFICIENCY AND SUPPORT OF PERSONS WITH PHYSICAL AND SENSORY DISABILITIES

August 10, 1999 - 9 a.m. -- Open Meeting

September 14, 1999 - 9 a.m. -- Open Meeting

November 8, 1999 - 9 a.m. -- Open Meeting

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

A regular meeting. Questions regarding the meeting should be addressed to Brian Parsons or Barbara Ettner, Virginia Board for People with Disabilities, (804) 786-0016. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least 10 working days prior to the meeting.

Contact: W. Travis Varner, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

JOINT SUBCOMMITTEE TO STUDY PRISON INDUSTRIES IN VIRGINIA

August 4, 1999 - 10 a.m. -- Open Meeting

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

A regular meeting. Questions regarding the meeting should be addressed to Amigo Wade, Staff Attorney, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Kimberly Rockhold at least 10 working days prior to the meeting.

Contact: Kimberly Rockhold, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

JOINT SUBCOMMITTEE STUDYING SCRAP RECYCLERS

† **September 7, 1999 - 10 a.m.** -- Open Meeting

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

A regular meeting. Questions regarding the meeting should be addressed to Joan Putney, Division of Legislative Services, (804) 786-9591. Individuals requiring interpreter services or other special assistance should contact Kimberly Rockhold at least 10 working days prior to the meeting. You can also access information on the Internet at <http://legis.state.va.us/jhc/jchchome.htm>.

Contact: Kimberly Rockhold, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

TASK FORCE ON SPACE UTILIZATION AT THE SEAT OF GOVERNMENT (Chapter 935, 1999 Acts, Item C-11.10)

† **August 6, 1999 - 11 a.m.** -- Open Meeting

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

A regular meeting. Questions regarding the meeting should be directed to Kathy Harris, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least seven days prior to the meeting.

Contact: John McE. Garrett, Senate Committee Operations,
P.O. Box 396, Richmond, VA 23218, telephone (804) 698-
7450 or (804) 698-7419/TTY ☎

CHRONOLOGICAL LIST

OPEN MEETINGS

August 2

- Branch Pilots, Board for
- † Employer Liability, Special House Courts of Justice Subcommittee Studying (HB 2465, 1999)

August 3

- Chesapeake Bay Local Assistance Board
 - Northern Area Review Committee
- † Contractors, Board for
 - Tradesman Committee
- † Environmental Quality, Department of
 - Water Reuse Advisory Group
- Hopewell Industrial Safety Council
- † Nursing, Board of
 - Special Conference Committee

August 4

- Agriculture and Consumer Services, Department of
 - Virginia Egg Board
- Deaf and Hard-of-Hearing, Virginia Department for the
- † Environmental, Commission on the Future of Virginia's
 - Special Subcommittee on Parks and Land Conservation
- Lottery Board, State
- † Nursing, Board of
 - Special Conference Committee
- † Optometry, Board of
 - Ad Hoc Committee on Mercantile Regulations
- Prison Industries in Virginia, Joint Subcommittee to Study
- Visually Handicapped, Department for the

August 5

- † At-Risk Youth and Their Families, Comprehensive Services for
 - State Management Team
- † Charitable Gaming Commission
- Conservation and Recreation, Department of
 - Falls of the James Scenic River Advisory Board
- † Educational Accountability, Commission on
- Emergency Planning Committee, Local - City of Winchester
- Hearing Aid Specialists, Board for
 - Apprenticeship Committee
- Medicine, Board of
 - Informal Conference Committee
- † Nursing, Board of
 - Special Conference Committee
- † Pharmacy, Board of
- † Public Broadcasting Board, Virginia
- † Tourism Corporation, Virginia
 - Board of Directors

August 6

- † Art and Architectural Review Board
- Health Care, Joint Commission on
 - Midwifery Subcommittee
- Medicine, Board of
 - Executive Committee
- † Space Utilization at the Seat of Government, Task Force on (Chap. 935, 1999 Acts, Item C-11.10)

August 7

- Museum of Natural History, Virginia
 - Board of Trustees

August 8

- Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for
 - Interior Design Section

August 9

- Alcoholic Beverage Control Board, Virginia
- † Conservation and Recreation, Department of
 - Chippokes Plantation Farm Foundation
- † Game and Inland Fisheries, Department of
- Library Board
- † Nursing, Board of
 - Special Conference Committee

August 10

- † Conservation and Recreation, Department of
 - Conservation and Development of Public Beaches Environment, Joint Subcommittee Studying the Future of Virginia's
 - Vision and Plan Subcommittee
- † Mineral Mining Examiners, Board of
- † Nursing, Board of
 - Special Conference Committee
- Opticians, Board for
 - Opticians Volunteer Network Training Project
- Physical and Sensory Disabilities, Commission on
- Coordination of Services to Facilitate Self-Sufficiency and Support of Persons with
- † Tourism Authority Board, Virginia
 - Motion Picture Development Committee

August 11

- Alzheimer's Disease and Related Disorders Commission
- Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for
 - Architect Section
- Milk Commission, State
- † Neurotrauma Initiative Advisory Board, Commonwealth
- † Nursing, Board of
 - Special Conference Committee

August 12

- Child Day-Care Council
- Fire Services Board, Virginia
 - Fire/EMS Education and Training Committee
 - Fire Prevention and Control Committee
 - Legislative/Liaison Committee

Calendar of Events

† Geographic Information Network Advisory Board, Virginia
Health Care, Joint Commission on
- Drug Switching Subcommittee
Medicine, Board of
- Informal Conference Committee
Mental Health, Mental Retardation and Substance Abuse Services, Joint Subcommittee Studying the Future Delivery of Publicly Funded
- Medicaid Carve-Out Work Group
† Real Estate Board
- Education Committee
- Fair Housing Committee
- Time-Share Advisory Committee
Waterworks and Wastewater Works Operators, Board for
† Workforce Council, Virginia

August 13

Fire Services Board, Virginia
Health Professions, Department of
- Health Practitioner's Intervention Program
† Resources Authority, Virginia
- Board of Directors
† Social Work, Board of
- Regulatory Committee
† Soil Scientists, Board for Professional

August 15

Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for

August 16

† General Services, Department of
- Design-Build/Construction Management Review Board
Health Care, Joint Commission on
- Long-Term Care Subcommittee
† Old Dominion University
- Board of Visitors

August 17

† Agriculture and Consumer Services, Department of
- Virginia Farmers Market Board
Asbestos and Lead, Virginia Board for
† Corrections, Board of
- Correctional Services Committee
† Election Laws Innovations, Improved Methods to Inform Voters About Ballot Issues and Candidates, Joint Subcommittee Studying (SJR 423, 1999)
Land Development Patterns and Ways to Address Demands Resulting from Residential Growth, Joint Subcommittee Studying
Land Evaluation Advisory Council, State
† Pharmacy, Board of

August 18

Agriculture and Consumer Services, Department of
- Virginia Charity Food Assistance Advisory Board

Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for
- Professional Engineers Section
Cemetery Board
- Delivery Committee
† Conservation, Department of
- Rappahannock Scenic River Advisory Board
† Corrections, Board of
- Administration Committee
† Environment, Commission on the Future of Virginia's
- Solid Waste Subcommittee
Medicine, Board of
- Informal Conference Committee
Racing Commission, Virginia
† Sewage Handling and Disposal Appeal Review Board
† Transportation Board, Commonwealth
† Treasury Board

August 19

Audiology and Speech-Language Pathology, Board of
† Corrections, Board of
- Liaison Committee
Game and Inland Fisheries, Board of
Medicine, Board of
- Informal Conference Committee
† Transportation Board, Commonwealth

August 20

Emergency Services Advisory Board, State
Game and Inland Fisheries, Board of
Opticians, Board for

August 23

† Agricultural Council, Virginia
Alcoholic Beverage Control Board, Virginia

August 24

† Agricultural Council, Virginia
† Conservation and Recreation, Department of
† Health Professions, Board of
- Regulatory Research Committee
Marine Resources Commission
† Nursing, Board of
- Special Conference Committee

August 25

Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for
- Land Surveyors Section
† Nursing, Board of
- Special Conference Committee

August 26

† Nursing, Board of
- Special Conference Committee
† Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, Board of Licensed
- Regulatory Committee

August 27

Comprehensive Services for At-Risk Youth and Their Families
- State Executive Council

August 28

Military Institute, Virginia
- Board of Visitors

August 31

† Nursing Home Administrators, Board of
- Special Conference Committee

September 1

Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for
- Landscape Architect Section

September 2

Agriculture and Consumer Services, Department of
- Virginia Charity Food Assistance Advisory Board
† Environmental, Commission on the Future of Virginia's
- Special Subcommittee on Parks and Land Conservation
† Medicine, Board of
- Informal Conference Committee

September 3

† Art and Architectural Review Board

September 7

Hopewell Industrial Safety Council
† Scrap Recyclers, Joint Subcommittee Studying

September 8

Alcoholic Beverage Control Board, Virginia
Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for
- Certified Interior Designers Section

September 9

Cities, Commission on the Condition and Future of Virginia's
Medicine, Board of
- Informal Conference Committee
Mental Health, Mental Retardation and Substance Abuse Services, Joint Subcommittee Studying the Future Delivery of Publicly Funded
- Medicaid Carve-Out Work Group
† Voluntary Formulary, Virginia

September 13

† Local Government, Commission on

September 14

† Agriculture and Consumer Services, Department of
- Virginia Horse Industry Board
- Virginia Irish Potato Board
Physical and Sensory Disabilities, Commission on Coordination of Services to Facilitate Self-Sufficiency and Support of Persons with

September 15

Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for
Health Care, Joint Commission on
- Midwifery Subcommittee
Medicine, Board of
- Informal Conference Committee

September 17

Environment, Commission Studying the Future of Virginia's
† War Memorial Foundation, Virginia
- Board of Trustees

September 20

Alcoholic Beverage Control Board, Virginia

September 22

† Conservation and Recreation, Department of
- Chippokes Plantation Farm Foundation

September 27

† Land Evaluation Advisory Council, State

September 28

Marine Resources Commission

September 29

Health Care, Joint Commission on
- Drug Switching Subcommittee

October 14

† Independent Living Council, Statewide
Mental Health, Mental Retardation and Substance Abuse Services, Joint Subcommittee Studying the Future Delivery of Publicly Funded
- Medicaid Carve-Out Work Group

November 8

Physical and Sensory Disabilities, Commission on Coordination of Services to Facilitate Self-Sufficiency and Support of Persons with

PUBLIC HEARINGS

August 4

† Environmental Quality, Department of

August 9

Social Services, Board of

August 11

Milk Commission, State

August 20

Education; Juvenile Justice; Mental Health, Mental Retardation and Substance Abuse Services; and Social Services, Boards of
Social Services, Board of

September 9

† Medicine, Board of
