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# THE VIRGINIA REGISTER INFORMATION PAGE

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**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.

**"THE VIRGINIA REGISTER OF REGULATIONS"** (USPS-001831) is published bi-weekly, with quarterly cumulative indices published in January, April, July and October, for \$100 per year by the Virginia Code Commission, General Assembly Building, Capitol Square, Richmond, Virginia 23219. Telephone (804) 786-3591. Periodical Postage Rates Paid at Richmond, Virginia. **POSTMASTER:** Send address changes to **THE VIRGINIA REGISTER OF REGULATIONS, 910 CAPITOL STREET, 2ND FLOOR, RICHMOND, VIRGINIA 23219.**

The *Virginia Register of Regulations* is published pursuant to Article 7 (§ 9-6.14:22 et seq.) of Chapter 1.1:1 of Title 9 of the Code of Virginia. Individual copies, if available, may be purchased for \$4.00 each from the Registrar of Regulations.

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.**

Staff of the Virginia Register: **Jane D. Chaffin**, Registrar of Regulations.

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# PUBLICATION SCHEDULE AND DEADLINES

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

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## October 1999 through September 2000

<u>Volume:Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
16:3	October 6, 1999	October 25, 1999
16:4	October 20, 1999	November 8, 1999
16:5	November 3, 1999	November 22, 1999
16:6	November 16, 1999 ( <b>Tuesday</b> )	December 6, 1999
16:7	December 1, 1999	December 20, 1999
<b>INDEX 1 - Volume 16</b>		<b>January 2000</b>
16:8	December 14, 1999 ( <b>Tuesday</b> )	January 3, 2000
16:9	December 28, 1999 ( <b>Tuesday</b> )	January 17, 2000
16:10	January 12, 2000	January 31, 2000
16:11	January 26, 2000	February 14, 2000
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16:17	April 19, 2000	May 8, 2000
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16:19	May 17, 2000	June 5, 2000
16:20	May 31, 2000	June 19, 2000
<b>INDEX 3 - Volume 16</b>		<b>July 2000</b>
16:21	June 14, 2000	July 3, 2000
16:22	June 28, 2000	July 17, 2000
16:23	July 12, 2000	July 31, 2000
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16:26	August 23, 2000	September 11, 2000
<b>FINAL INDEX - Volume 16</b>		<b>October 2000</b>

\*Filing deadlines are Wednesdays unless otherwise specified.

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

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Spring 1999 VAC Supplement includes final regulations published through *Virginia Register* Volume 15, Issue 10, dated February 1, 1999). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 2. Agriculture</b>			
2 VAC 15-20-70	Amended	15:26 VA.R. 3436	Pending
2 VAC 15-20-80	Amended	15:26 VA.R. 3445	8/17/99
2 VAC 15-20-80	Repealed	15:26 VA.R. 3438	Pending
2 VAC 15-20-81	Added	15:26 VA.R. 3442	Pending
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
<b>Title 3. Alcoholic Beverages</b>			
3 VAC 5-10-70 emer	Amended	15:23 VA.R. 3040	7/13/99-6/30/00
3 VAC 5-10-240 emer	Amended	15:23 VA.R. 3040	7/13/99-6/30/00
3 VAC 5-70-170 emer	Amended	15:23 VA.R. 3041	7/13/99-6/30/00
3 VAC 5-70-210 emer	Added	15:23 VA.R. 3041	7/13/99-6/30/00
<b>Title 4. Conservation and Natural Resources</b>			
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

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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
4 VAC 20-252-160	Amended	15:18 VA.R. 2394	5/1/99
4 VAC 20-333-10 through 4 VAC 20-333-40	Added	15:24 VA.R. 3035-3037	7/6/99
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 20-595-10 emer	Added	15:25 VA.R. 3366	8/15/99-8/31/99
4 VAC 20-595-20 emer	Added	15:25 VA.R. 3366	8/15/99-8/31/99
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

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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	--
<b>Title 7. Economic Development</b>			
7 VAC 10-20-10	Amended	15:25 VA.R. 3348	9/29/99
7 VAC 10-20-30	Amended	15:25 VA.R. 3350	9/29/99
7 VAC 10-20-50	Amended	15:25 VA.R. 3350	9/29/99
<b>Title 8. Education</b>			
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
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
<b>Title 9. Environment</b>			
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

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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 25-151 (Forms)	Amended	15:24 VA.R. 3251	--
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
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	--
<b>Title 11. Gaming</b>			
11 VAC 10-130-10	Amended	15:26 VA.R. 3449	8/25/99
11 VAC 10-130-20	Amended	15:26 VA.R. 3449	8/25/99
11 VAC 10-130-40	Amended	15:26 VA.R. 3451	8/25/99
11 VAC 10-130-51	Amended	15:26 VA.R. 3451	8/25/99
11 VAC 10-130-60	Amended	15:26 VA.R. 3452	8/25/99
11 VAC 10-130-76	Amended	15:26 VA.R. 3452	8/25/99
11 VAC 10-130-77	Amended	15:26 VA.R. 3452	8/25/99
<b>Title 12. Health</b>			
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 5-610-10*	Repealed	15:24 VA.R. 3188	*
12 VAC 5-610-20*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-30*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-40*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-50*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-70*	Amended	15:24 VA.R. 3189	*
12 VAC 5-610-75*	Added	15:24 VA.R. 3190	*
12 VAC 5-610-80*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-90*	Repealed	15:24 VA.R. 3190	*
12 VAC 5-610-100*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-110*	Repealed	15:24 VA.R. 3190	*
12 VAC 5-610-120*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-130*	Amended	15:24 VA.R. 3192	*
12 VAC 5-610-140*	Repealed	15:24 VA.R. 3192	*
12 VAC 5-610-150*	Repealed	15:24 VA.R. 3192	*
12 VAC 5-610-170*	Amended	15:24 VA.R. 3192	*
12 VAC 5-610-180*	Repealed	15:24 VA.R. 3193	*
12 VAC 5-610-190*	Amended	15:24 VA.R. 3193	*

\* The regulatory process was suspended on this section in 16:2 VA.R. 202, and the final effective date is pending until further action by the board.



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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-610-200*	Amended	15:24 VA.R. 3194	*
12 VAC 5-610-230*	Amended	15:24 VA.R. 3195	*
12 VAC 5-610-250*	Amended	15:24 VA.R. 3195	*
12 VAC 5-610-255*	Added	15:24 VA.R. 3198	*
12 VAC 5-610-260*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-270*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-280*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-290*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-300*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-330*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-340*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-360*	Amended	15:24 VA.R. 3200	*
12 VAC 5-610-370*	Repealed	15:24 VA.R. 3200	*
12 VAC 5-610-380*	Amended	15:24 VA.R. 3201	*
12 VAC 5-610-430*	Amended	15:24 VA.R. 3202	*
12 VAC 5-610-440*	Amended	15:24 VA.R. 3202	*
12 VAC 5-610-441 through 12 VAC 5-610-449*	Added	15:24 VA.R. 3202-3210	*
12 VAC 5-610-449.1*	Added	15:24 VA.R. 3211	*
12 VAC 5-610-450*	Amended	15:24 VA.R. 3212	*
12 VAC 5-610-470*	Amended	15:24 VA.R. 3212	*
12 VAC 5-610-480*	Amended	15:24 VA.R. 3214	*
12 VAC 5-610-490*	Amended	15:24 VA.R. 3214	*
12 VAC 5-610-500*	Amended	15:24 VA.R. 3215	*
12 VAC 5-610-510 through 12 VAC 5-610-550*	Repealed	15:24 VA.R. 3215-3216	*
12 VAC 5-610-560*	Amended	15:24 VA.R. 3216	*
12 VAC 5-610-570*	Repealed	15:24 VA.R. 3216	*
12 VAC 5-610-580*	Amended	15:24 VA.R. 3217	*
12 VAC 5-610-591 through 12 VAC 5-610-594*	Added	15:24 VA.R. 3217-3218	*
12 VAC 5-610-596 through 12 VAC 5-610-599*	Added	15:24 VA.R. 3218-3222	*
12 VAC 5-610-599.1 through 12 VAC 5-610-599.4*	Added	15:24 VA.R. 3222-3223	*
12 VAC 5-610-620*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-650*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-670*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-690*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-700*	Amended	15:24 VA.R. 3224	*
12 VAC 5-610-800*	Amended	15:24 VA.R. 3226	*
12 VAC 5-610-810*	Amended	15:24 VA.R. 3226	*
12 VAC 5-610-815*	Added	15:24 VA.R. 3226	*
12 VAC 5-610-817*	Added	15:24 VA.R. 3227	*
12 VAC 5-610-820*	Amended	15:24 VA.R. 3227	*
12 VAC 5-610-830*	Repealed	15:24 VA.R. 3227	*
12 VAC 5-610-840*	Repealed	15:24 VA.R. 3227	*
12 VAC 5-610-880*	Amended	15:24 VA.R. 3227	*
12 VAC 5-610-890*	Amended	15:24 VA.R. 3229	*
12 VAC 5-610-930*	Amended	15:24 VA.R. 3229	*
12 VAC 5-610-940*	Amended	15:24 VA.R. 3232	*
12 VAC 5-610-950*	Amended	15:24 VA.R. 3233	*
12 VAC 5-610-960*	Amended	15:24 VA.R. 3235	*
12 VAC 5-610-965*	Added	15:24 VA.R. 3236	*
12 VAC 5-610-980*	Amended	15:24 VA.R. 3237	*
12 VAC 5-610-1080*	Amended	15:24 VA.R. 3238	*
12 VAC 5-610-1140*	Amended	15:24 VA.R. 3240	*
12 VAC 5-610-1150*	Repealed	15:24 VA.R. 3240	*

\* The regulatory process was suspended on this section in 16:2 VA.R. 202, and the final effective date is pending until further action by the board.

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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 30-10-441	Added	15:26 VA.R. 3454	10/13/99
12 VAC 30-10-490	Amended	15:26 VA.R. 3454	10/13/99
12 VAC 30-10-680	Amended	15:26 VA.R. 3454	10/13/99
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 30-50-100	Amended	15:24 VA.R. 3243	9/15/99
12 VAC 30-50-105	Amended	15:24 VA.R. 3245	9/15/99
12 VAC 30-50-140	Amended	15:24 VA.R. 3247	9/15/99
12 VAC 30-50-160	Amended	16:2 VA.R. 202	11/10/99
12 VAC 30-50-210	Amended	15:23 VA.R. 3037	9/1/99
12 VAC 30-50-210	Amended	16:2 VA.R. 205	11/10/99
12 VAC 30-50-220	Amended	15:25 VA.R. 3362	10/1/99
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 30-50-520	Amended	15:23 VA.R. 3039	9/1/99
12 VAC 30-50-570	Amended	15:18 VA.R. 2398	7/1/99
12 VAC 30-80-30	Amended	16:2 VA.R. 207	11/10/99
12 VAC 30-80-40	Amended	16:2 VA.R. 208	11/10/99
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	--
12 VAC 30-140-10 through 12 VAC 30-140-570	Added	15:26 VA.R. 3456-3465	10/13/99
<b>Title 13. Housing</b>			
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
<b>Title 14. Insurance</b>			
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
<b>Title 16. Labor and Employment</b>			
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
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 10-20-90	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-170	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-280	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-400	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-470	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-520	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-580	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-630	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 25-21-70	Amended	15:26 VA.R. 3468	11/1/99
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

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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
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 55-22-310	Amended	15:26 VA.R. 3476	11/1/99
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 100-20-10	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-40	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-50	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-60	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-70	Amended	15:26 VA.R. 3479	11/1/99
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

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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 110-20-10	Amended	15:26 VA.R. 3482	10/13/99
18 VAC 110-20-135	Added	15:26 VA.R. 3484	10/13/99
18 VAC 110-20-140	Amended	15:26 VA.R. 3484	10/13/99
18 VAC 110-20-690	Added	15:26 VA.R. 3485	10/13/99
18 VAC 110-20-700	Added	15:26 VA.R. 3485	10/13/99
18 VAC 110-20-710	Added	15:26 VA.R. 3485	10/13/99
18 VAC 110-20-720	Added	15:26 VA.R. 3486	10/13/99
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 120-30-100	Amended	15:26 VA.R. 3487	11/1/99
18 VAC 120-40-10 through 18 VAC 120-40-430	Added	15:21 VA.R. 2715-2727	8/5/99
18 VAC 125-20-10	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-30	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-40	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-41	Added	16:2 VA.R. 211	11/10/99
18 VAC 125-20-42	Added	16:2 VA.R. 211	11/10/99
18 VAC 125-20-50	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-51	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-52	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-53	Repealed	16:2 VA.R. 213	11/10/99
18 VAC 125-20-54	Added	16:2 VA.R. 214	11/10/99
18 VAC 125-20-55	Added	16:2 VA.R. 214	11/10/99
18 VAC 125-20-56	Added	16:2 VA.R. 215	11/10/99
18 VAC 125-20-60	Repealed	16:2 VA.R. 216	11/10/99
18 VAC 125-20-65	Added	16:2 VA.R. 216	11/10/99
18 VAC 125-20-70	Repealed	16:2 VA.R. 216	11/10/99
18 VAC 125-20-80	Amended	16:2 VA.R. 217	11/10/99
18 VAC 125-20-90	Repealed	16:2 VA.R. 217	11/10/99
18 VAC 125-20-100	Repealed	16:2 VA.R. 217	11/10/99
18 VAC 125-20-120	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-130	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-140	Repealed	16:2 VA.R. 218	11/10/99
18 VAC 125-20-150	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-160	Amended	16:2 VA.R. 219	11/10/99
18 VAC 125-20-170	Amended	16:2 VA.R. 219	11/10/99
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
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
18 VAC 160-20-40	Amended	15:24 VA.R. 3490	11/1/99
<b>Title 19. Public Safety</b>			
19 VAC 30-20 (Forms)	Added	15:14 VA.R. 2078-2079	--
19 VAC 30-70 Appendix A	Amended	15:25 VA.R. 3364	7/29/99
<b>Title 20. Public Utilities and Telecommunications</b>			
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	--

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 21. Securities and Retail Franchising</b>			
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 5-110-20	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	--
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
<b>Title 22. Social Services</b>			
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
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 40-50-10 et seq.	Repealed	15:24 VA.R. 3250	9/15/99
22 VAC 40-110 (Forms)	Amended	15:23 VA.R. 3043	--
22 VAC 40-180 (Forms)	Amended	15:23 VA.R. 3043	--
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

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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
<b>Title 23. Taxation</b>			
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	--
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 30-130-10	Amended	16:2 VA.R. 229	9/13/99
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

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# NOTICES OF INTENDED REGULATORY ACTION

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## Symbol Key

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

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### DEPARTMENT OF MINES, MINERALS AND ENERGY

#### † Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Department of Mines, Minerals and Energy has WITHDRAWN the Notice of Intended Regulatory Action for 4 VAC 25-35-10 et seq. Certification Requirements for Mineral Miners, which was published in 13:22 VA.R. 2743 July 21, 1997. The issues proposed to be addressed have been resolved through administrative action.

**Contact:** Paul McCann, Department of Mines, Minerals and Energy, 202 North Ninth Street, 8th Floor, Richmond, VA 23219-3402, telephone (804) 692-3212 or FAX (804) 692-3212.

VA.R. Doc. No. R97-606; Filed September 27, 1999, 4 p.m.

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## TITLE 8. EDUCATION

### STATE BOARD OF EDUCATION

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to consider amending regulations entitled: **8 VAC 20-110-10 et seq. Regulations Governing Pupil Accounting Records.** The purpose of the proposed action is to permit local school divisions to use "off-the-shelf" software for recording pupil enrollment and attendance and to clarify the authority of local school boards to count pupils "present" when participating in activities and events approved by local boards. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 22.1-259 of the Code of Virginia.

Public comments may be submitted until October 29, 1999.

**Contact:** Gerald H. Mathews, Principal Specialist, Department of Education, P.O. Box 2120, Richmond, VA 23218, telephone (804) 225-2950, FAX (804) 371-8978 or e-mail jmathews@mail.vak12ed.edu.

VA.R. Doc. No. R00-7; Filed September 8, 1999, 11:08 a.m.

## TITLE 12. HEALTH

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled: **Intravenous Infusion Therapy: 12 VAC 30-50-10 et seq. Amount, Duration and Scope of Medical and Remedial Care Services and 12 VAC 30-80-10 et seq. Methods and Standards for Establishing Payment Rates; Other Types of Care.** The purpose of the proposed action is to propose a consistent service coverage methodology and payment methodology for all intravenous infusion therapy services, without regard to patients' places of residence. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until October 27, 1999, to Marianne Rollings, R.Ph., 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) 371-8850.

VA.R. Doc. No. R00-1; Filed August 27, 1999, 1:37 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 Department of Medical Assistance Services intends to consider amending regulations entitled: **DRG Payment Methodology: 12 VAC 30-50-10 et seq. Methods and Standards for Establishing Payment Rates-Inpatient Hospital Care; and 12 VAC 30-70-10 et seq. Amount, Duration and Scope of Medical and Remedial Care Services.** The purpose of the proposed action is to revise the permanent inpatient hospital reimbursement and covered services regulations to fully implement the DRG payment methodology and the prior authorization and medical necessity requirements. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until November 10, 1999, to Stan Fields, Director of Cost Settlement and Audit, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.



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# Notices of Intended Regulatory Action

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**Contact:** Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850.

VA.R. Doc. No. R00-16; Filed September 22, 1999, 11:48 a.m.

## † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled: **12 VAC 30-90-10 et seq. Methods and Standards for Establishing Payment Rates-Long Term Care: Nursing Home Payment System.** The purpose of the proposed action is to propose a fully prospective rate methodology for nursing facility services that use Resource Utilization Groups (RUGs) to adjust payment for resident service intensity. In addition, a new capital payment methodology will be proposed that eliminates the pass-through of depreciation and interest and substitutes a rental payment that is largely independent of provider financing decisions. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until November 24, 1999, to N. Stanley Fields, Director of Cost Settlement and Audit, 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) 371-8850.

VA.R. Doc. No. R00-20; Filed October 6, 1999, 9:39 a.m.

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL REGULATION

### BOARD OF ACCOUNTANCY

## † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Accountancy intends to consider repealing regulations entitled: **18 VAC 5-20-10 et seq. Board for Accountancy Regulations.** The purpose of the proposed action is to repeal the Virginia Board for Accountancy Regulations which became effective April 1, 1997. These regulations will be replaced by new regulations (18 VAC 5-21-10 et seq.). The agency does not intend to hold a public hearing on the proposed action after publication.

Statutory Authority: §§ 54.1-201 and 54.1-2002 of the Code of Virginia.

Public comments may be submitted until November 29, 1999.

**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 ☎

VA.R. Doc. No. R00-21; Filed October 6, 1999, 11:58 a.m.

## † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Accountancy intends to consider promulgating regulations entitled: **18 VAC 5-21-10 et seq. Board of Accountancy Regulations.** The purpose of the proposed action is to promulgate permanent regulations to implement Senate Bill 926 (1999), which increased the requirements for an individual to become a Certified Public Accountant, and to replace the emergency Board of Accountancy Regulations which became effective October 4, 1999. The agency intends to hold a public hearing on the proposed action after publication.

Statutory Authority: §§ 54.1-201 and 54.1-2002 of the Code of Virginia.

Public comments may be submitted until November 29, 1999.

**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 ☎

VA.R. Doc. No. R00-22; Filed October 6, 1999, 11:59 a.m.

## BOARD OF PHARMACY

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Pharmacy intends to consider amending regulations entitled: **18 VAC 110-20-10 et seq. Regulations Governing the Practice of Pharmacy.** The purpose of the proposed action is to respond to a petition for rulemaking regarding the use of robotic technology in health care delivery systems. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 and Chapters 33 (§ 54.1-3300 et seq.) and 34 (§ 54.1-3400 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until October 27, 1999.

**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., Richmond, VA 23230-1717, telephone (804) 662-9911 or FAX (804) 662-9943.

VA.R. Doc. No. R00-3; Filed August 31, 1999, 11:37 a.m.

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Pharmacy intends to consider amending regulations entitled: **18 VAC 110-30-10 et seq. Regulations for Practitioners of the Healing Arts to Sell Controlled Substances.** The purpose of the proposed action is to consider amendments to regulations governing

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# Notices of Intended Regulatory Action

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physicians who are authorized to sell drugs from their practices in order to bring them into compliance with current law and technology. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 and Chapters 33 (§ 54.1-3300 et seq.) and 34 (§ 54.1-3400 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until October 27, 1999.

**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., Richmond, VA 23230-1717, telephone (804) 662-9911 or FAX (804) 662-9943.

VA.R. Doc. No. R00-4; Filed August 31, 1999, 11:37 a.m.

## BOARD OF SOCIAL WORK

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Social Work intends to consider amending regulations entitled: **18 VAC 140-20-10 et seq. Regulations Governing the Practice of Social Work.** The purpose of the proposed action is to establish requirements for continuing education in compliance with a statutory mandate and to establish an inactive licensure status for licensees who are not practicing in Virginia. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-3708 of the Code of Virginia.

Public comments may be submitted until October 27, 1999.

**Contact:** Janet Delorme, Deputy Executive Director, Board of Social Work, 6606 W. Broad St., Richmond, VA 23230-1717, telephone (804) 662-9575, FAX (804) 662-9943, or (804) 662-7197/TTY ☎.

VA.R. Doc. No. R00-2; Filed August 31, 1999, 11:37 a.m.

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## TITLE 19. PUBLIC SAFETY

### DEPARTMENT OF STATE POLICE

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of State Police intends to consider amending regulations entitled: **19 VAC 30-40-10 et seq. Standards and Specifications for the Stickers or Decals Used by Cities, Counties and Towns in Lieu of License Plates.** The purpose of the proposed action is to amend the regulation to conform to legislative changes to § 46.2-1052 of the Code of Virginia. The agency does not intend to hold a public hearing on the proposed action after publication.

Statutory Authority: § 46.2-1052 of the Code of Virginia.

Public comments may be submitted until December 1, 1999.

**Contact:** Captain W. Steven Flaherty, Safety Officer, Department of State Police, Safety Division, P.O. Box 27472, Richmond, VA 23261-7472, telephone (804) 378-3472 or FAX (804) 378-3487.

VA.R. Doc. No. R00-10; Filed September 20, 1999, 11:26 a.m.

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of State Police intends to consider promulgating regulations entitled: **19 VAC 30-65-10 et seq. Regulations Relating to Safety Inspector Certification.** The purpose of the proposed regulation is to ensure that the safety equipment on motor vehicles is not defective, thus reducing motor vehicle crashes caused by defective equipment. The regulation will describe the process and testing procedures that a mechanic must complete before being certified as a safety inspector. The agency does not intend to hold a public hearing on the proposed action after publication.

Statutory Authority: §§ 46.2-1163 and 46.2-1166 of the Code of Virginia.

Public comments may be submitted until December 1, 1999.

**Contact:** Captain W. Steven Flaherty, Safety Officer, Department of State Police, Safety Division, P.O. Box 27472, Richmond, VA 23261-7472, telephone (804) 378-3472 or FAX (804) 378-3487.

VA.R. Doc. No. R00-9; Filed September 20, 1999, 11:26 a.m.

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of State Police intends to consider promulgating regulations entitled: **19 VAC 30-66-10 et seq. Regulations Relating to Official Inspection Station Appointment.** The purpose of the proposed action is to establish the standards that garages must meet before being appointed as official inspection stations. The agency does not intend to hold a public hearing on the proposed action after publication.

Statutory Authority: §§ 46.2-1163 and 46.2-1166 of the Code of Virginia.

Public comments may be submitted until December 1, 1999.

**Contact:** Captain W. Steven Flaherty, Safety Officer, Department of State Police, Safety Division, P.O. Box 27472, Richmond, VA 23261-7472, telephone (804) 378-3472 or FAX (804) 378-3487.

VA.R. Doc. No. R00-11; Filed September 20, 1999, 11:26 a.m.

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of State Police intends to consider amending regulations entitled: **19 VAC 30-150-10**

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# Notices of Intended Regulatory Action

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**et seq. Regulations Relating to Standards and Specifications for Overdimensional Warning Lights.** The purpose of the proposed action is to make the regulation more consistent with the Society of Automotive Engineers' (SAE) standards and to make minor technical and administrative changes. The agency does not intend to hold a public hearing on the proposed action after publication.

Statutory Authority: § 46.2-1026 of the Code of Virginia.

Public comments may be submitted until October 27, 1999.

**Contact:** Captain W. Steven Flaherty, Safety Officer, Department of State Police, Safety Division, P.O. Box 27472, Richmond, VA 23261-7472, telephone (804) 378-3472 or FAX (804) 378-3487.

VA.R. Doc. No. R00-6; Filed September 3, 1999, 2:42 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 Department of State Police intends to consider amending regulations entitled: **19 VAC 30-160-10 et seq. Regulations Relating to Standards and Specifications for Safety Lights for Farm Tractors in Excess of 108 Inches in Width.** The purpose of the proposed action is to make the regulation more consistent with the Society of Automotive Engineers' (SAE) standards and to make minor technical and administrative changes. The agency does not intend to hold a public hearing on the proposed action after publication.

Statutory Authority: § 46.2-1102 of the Code of Virginia.

Public comments may be submitted until October 27, 1999.

**Contact:** Captain W. Steven Flaherty, Safety Officer, Department of State Police, Safety Division, P.O. Box 27472, Richmond, VA 23261-7472, telephone (804) 378-3472 or FAX (804) 378-3487.

VA.R. Doc. No. R00-5; Filed September 3, 1999, 2:42 p.m.

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## TITLE 22. SOCIAL SERVICES

### DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING

## Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department for the Deaf and Hard-of-Hearing intends to consider amending regulations entitled: **22 VAC 20-30-10 et seq. Regulations Governing Interpreter Services for the Deaf and Hard-of-Hearing.** The purpose of the proposed action is to (i) make general language changes to improve clarity and reduce redundancy with the Code of Virginia, (ii) include a clear statement of fees, (iii) clarify confidentiality provisions, (iv) replace VQAS Level 1 with a Novice Interpreter Designation, and (v) add a provision

for customer input/grievance. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 63.1-85.4:1 of the Code of Virginia.

Public comments may be submitted until November 12, 1999.

**Contact:** Leslie G. Hutcheson, Regulatory Coordinator, Department for the Deaf and Hard-of-Hearing, 1602 Rolling Hills Dr., Suite 203, Richmond, VA 23229-5012, telephone (804) 662-9703 V/TTY, FAX (804) 662-9718 or toll-free 1-800-552-7917/TTY ☎

VA.R. Doc. No. R00-12; Filed September 22, 1999, 8:28 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 repealing regulations entitled: **22 VAC 40-900-10 et seq. Community Services Block Grant Guidelines.** The purpose of the proposed action is to repeal outdated and excessive regulation. This regulation will be replaced by new regulations which are the minimum required by state law. The agency does not intend to hold a public hearing on the proposed regulations after publication.

Statutory Authority: § 2.1-587 et seq. of the Code of Virginia.

Public comments may be submitted until November 10, 1999.

**Contact:** Phyl Parrish, Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1895.

VA.R. Doc. No. R00-14; Filed September 22, 1999, 10:21 a.m.

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider promulgating regulations entitled: **22 VAC 40-901-10 et seq. Community Services Block Grant Program.** The purpose of the proposed regulation is to provide the minimum regulation required by the Code of Virginia for the Community Services Block Grant Program and that which is necessary for the effective and efficient administration of the program. The agency does not intend to hold a public hearing on the proposed regulations after publication.

Statutory Authority: § 2.1-587 et seq. of the Code of Virginia.

Public comments may be submitted until November 10, 1999.

**Contact:** Phyl Parrish, Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1895.

VA.R. Doc. No. R00-13; Filed September 22, 1999, 10:21 a.m.

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# FINAL REGULATIONS

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For information concerning Final Regulations, see Information Page.

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## Symbol Key

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

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### MARINE RESOURCES COMMISSION

**REGISTRAR'S NOTICE:** The following regulation filed by the Marine Resources Commission is 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 20-720-10 et seq. **Pertaining to Restrictions on Oyster Harvests (amending 4 VAC 20-720-20, 4 VAC 20-720-40, 4 VAC 20-720-50, 4 VAC 20-720-60, 4 VAC 20-720-70, 4 VAC 20-720-80; adding 4 VAC 20-720-35; repealing 4 VAC 20-720-105).**

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

**Effective Date:** October 1, 1999.

#### Summary:

The amendments establish seasons and restrictions on oyster harvesting for the 1999-2000 public oyster harvest season. A section is added to the regulation to authorize the Commissioner of the Marine Resources Commission, when warranted and appropriate, to extend the public oyster harvest season in the James River if the quota has not been caught, but limits the authority so that the extension shall not extend beyond June 30, 2000. The Little Wicomico River and the Pocomoke and Tangier Management Areas are added to those areas open to public harvest, and the Waterview Hand Scrape Area is added to the areas open to alternative harvest gear.

**Agency Contact:** Copies of the regulation may be obtained from Katherine V. Leonard, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2120.

#### 4 VAC 20-720-20. Definitions.

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

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

*"Johnson's Rock"* means that area of Tangier Sound in Public Ground 4 that is south of a line from the Tangier Sound light to the northern tip of Watts Island.

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

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

*"Thorofare Rock"* means that area of the Tangier Sound on the east side of the Tangier Channel north of green buoy "5". This area includes Public Grounds 5, 6, and 7 north to the Maryland line.

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

*"Waterview Hand Scrape Area"* means the area beginning at a point on the inshore line of Public Ground 1 – Middlesex County at the intersection with a line extending from the easternmost point of Punchbowl Point northerly to green buoy "11"; thence northerly to green buoy "11"; thence southeasterly to green buoy "9"; thence southeasterly to red buoy "8"; thence to a point where the line extended from red buoy "8" westerly to the southernmost point of Long Point intersects the inshore line of Public Ground 1 – Middlesex County; thence following the inshore line of the public ground northerly to the point of beginning.

#### 4 VAC 20-720-35. Public oyster ground harvest season.

The Commissioner of the Marine Resources Commission shall, when it is determined to be warranted and appropriate, be authorized to extend the public oyster harvest season in the James River if the quota has not been caught, but the extension shall not be established to go beyond June 30.

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

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

1. James River Seed Area: October 1, ~~1998~~ 1999, through ~~June 30, 1999~~ April 30, 2000. ~~This area will only be opened to the harvest of clean cull oysters as defined in 4 VAC 20-260-10 et seq.~~
2. James River Jail Island and Point of Shoals Clean Cull Areas: October 1, ~~1998~~ 1999, through ~~June 30, 1999~~ April 30, 2000.
3. Seaside of Eastern Shore: for clean cull oysters only, November 1, ~~1998~~ 1999, through January 31, ~~1999~~ 2000.
4. The area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River and the

*Waterview Hand Scrape Area*: November 1, ~~1998~~ 1999, through January 31, ~~1999~~ 2000.

5. That area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini-PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C): November 1, ~~1998~~ 1999, through January 31, ~~1999~~ 2000.

6. That area of the Coan River to the Virginia-Maryland state line (PRV1A to PRV1B) except for that area above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur): November 1, ~~1998~~ 1999, through January 31, ~~1999~~ 2000.

7. That area of the Yeocomico River inside Public Grounds 107, 112 and 113: November 1, ~~1998~~ 1999, through January 31, ~~1999~~ 2000.

8. *Two areas in the Tangier Sound, Johnson's (Public Ground 4) and Thorofare Rock (Public Grounds 5, 6, and 7) and in the Pocomoke Sound portion of the Pocomoke and Tangier Sound Management Area, northeast from a line from Beach Island light to the house on Great Fox Island: December 1, 1999, through January 31, 2000.*

9. *Little Wicomico River: November 1, 1999, through January 31, 2000.*

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

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

1. All public oyster grounds and unassigned grounds in the Chesapeake Bay and its tributaries, including the tributaries of the Potomac River, except that area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River *and the Waterview Hand Scrape Area*, and that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C), that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public Grounds 107, 112 and 113, *the Little Wicomico River, two areas in the Tangier Sound, Johnson's (Public Ground 4) and Thorofare Rocks (Public Grounds 5, 6, and 7) and in the Pocomoke Sound portion of the Pocomoke and Tangier Sound Management Area, northeast from a line from Beach Island light to the house on Great Fox Island*, the James River Seed Area and the James River Jail Island and Point of Shoals Clean Cull Areas: October 1, ~~1998~~ 1999, through September 30, ~~1999~~ 2000.

2. James River Seed Area and James River Jail Island and Point of Shoals Clean Cull Areas: ~~July 1, 1999~~ May 1, 2000, through September 30, ~~1999~~ 2000.

3. All public oyster grounds and unassigned grounds on the Seaside of Eastern Shore: for clean cull oysters, October 1 through October 31, ~~1998~~ 1999, and February 1, ~~1999~~ 2000, through September 30, ~~1999~~ 2000; and for seed oysters, all year. Oyster harvest from leased oyster ground and fee simple oyster ground shall require a

permit from the Marine Resources Commission as set forth in 4 VAC 20-720-90.

4. That area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River *and the Waterview Hand Scrape Area*, and that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C), that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public Grounds 107, 112 and 113: October 1 through October 31, ~~1998~~ 1999, and February 1, ~~1999~~ 2000, through September 30, ~~1999~~ 2000.

5. *Two areas in the Tangier Sound, Johnson's (Public Ground 4) and Thorofare Rocks (Public Ground 7) and in the Pocomoke Sound portion of the Pocomoke and Tangier Sound Management Area, northeast from a line from Beach Island light to the house on Great Fox Island: October 1, 1999, through November 30, 1999, and February 1, 2000, through September 30, 2000.*

6. *Little Wicomico River: October 1, 1999, through October 31, 1999, and February 1, 2000, through September 30, 2000.*

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

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

B. Harvest on the public oyster grounds in that area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River, *and the Waterview Hand Scrape Area*, and that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C), that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public Grounds 107, 112 and 113, the James River Seed Area ~~and~~, the James River Jail Island and Point of Shoals Clean Cull Areas, *Little Wicomico River, and the two areas in Tangier Sound, Johnson's and Thorofare Rocks and in Pocomoke Sound portion of the Pocomoke and Tangier Sound Management Area, northeast from a line from Beach Island light to the house on Great Fox Island* shall be from sunrise to 2 p.m. daily. It shall be unlawful for any person to harvest oysters from the public grounds in that area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River, *and the Waterview Hand Scrape Area*, and that area of

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the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C), that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public Grounds 107, 112 and 113, the James River Seed Area or the Jail Island and Point of Shoals Clean Cull Areas, *Little Wicomico River*, and the two areas in Tangier Sound, Johnson's (Public Ground 4) and Thorofare Rocks (Public Ground 7) and in Pocomoke Sound portion of the Pocomoke and Tangier Sound Management Area, northeast from a line from Beach Island light to the house on Great Fox Island prior to sunrise or after 2 p.m. daily.

C. The Commissioner of Marine Resources hereby is authorized to issue permits to applicants to dredge for oysters where permitted by the Code of Virginia and Marine Resources Commission regulation or order, provided the applicant is eligible under all applicable laws and regulations, and further provided that such permit shall be granted only upon the condition that the boat not leave the dock until one-half hour before sunrise and be back at dock before sunset.

D. *The Commissioner of the Marine Resources is hereby authorized to issue permits to applicants to hand scrape, as described in 4 VAC 20-720-20, for oysters where permitted by the Code of Virginia and Marine Resources Commission regulation or order, provided the applicant is eligible under all applicable laws and regulations, and further provided that such permit shall be granted only upon the condition that the boat not leave the dock until one-half hour before sunrise and be back at dock before sunset.*

#### **4 VAC 20-720-70. Gear restrictions.**

A. It shall be unlawful for any person to harvest oysters from public oyster grounds or unassigned grounds in the James River, that area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River, and that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C), *the Little Wicomico River*, and that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public Grounds 107, 112 and 113 with shaft tongs longer than 18 feet in total overall length, except shaft tongs may exceed 18 feet in total overall length from Morattico Bar to the Route 3 bridge in the Rappahannock River.

B. It shall be unlawful for any person to harvest shellfish with a dredge from the public oyster grounds who has not first obtained a current gear license to use said dredge, and only at times and in areas as established by the commission can this dredge be used for harvesting on public oyster grounds. In order to be allowed to operate a dredge for harvesting oysters from any public oyster grounds, a harvester must have a current dredge gear license and the cost of this license shall be \$50.

C. *The use of the hand scrape shall be allowed in the Waterview Hand Scrape Area. In order to be allowed to operate a hand scrape for harvesting oysters from any public oyster grounds, a harvester must have a current hand scrape gear license and the cost of this license shall be \$50. It shall be unlawful for any person to harvest shellfish with a hand scrape from the public oyster grounds that has not first obtained a current gear license to use said hand scrape and only at times and in areas as established by the commission can this hand scrape be used for harvesting on public oyster grounds. No more than one license may be issued to any one boat for hand scrape and no more than one hand scrape may be on board any boat so licensed at any time. No hand tongs may be used or possessed aboard the licensed boat at the same time as said hand scrape.*

D. *Harvesting with a standard oyster dredge will be allowed in the Tangier Sound on the two areas opened, Johnson's and Thorofare Rocks and in Pocomoke Sound portion of the Pocomoke and Tangier Sound Management Area, northeast from a line from Beach Island light to the house on Great Fox Island. Only standard oyster dredges (maximum weights 100 pounds with attachment, maximum width of 50 inches, maximum tooth length of four inches, minimum teeth spacing of three inches) may be used.*

#### **4 VAC 20-720-80. Quotas and catch limits.**

A. In the James River Seed Area there shall be an oyster harvest quota of 80,000 bushels of seed oysters. It shall be unlawful for any person to harvest seed oysters from the James River Seed Area after the 80,000 bushel quota has been reached. In the James River Seed and Clean Cull Areas there shall be an oyster harvest quota of 15,000 bushels of market oysters. It shall be unlawful for any person to harvest market oysters from the James River Seed and Clean Cull Areas after the 15,000 bushel quota has been reached.

B. In the Rappahannock River west of the Route 3 bridge, including the Corrotoman River *and the Waterview Hand Scrape Area*, and in the *Little Wicomico*, Nomini, Lower Machodoc, Coan and Yeocomico Rivers, there shall be a six-bushel per person daily limit of clean cull oysters. It shall be unlawful to possess more than six bushels of clean cull oysters per person in the Rappahannock River west of the Route 3 bridge, including the Corrotoman River *and the Waterview Hand Scrape Area*, and in the *Little Wicomico River*, Nomini, Lower Machodoc, Coan and Yeocomico Rivers.

C. *In the Tangier Sound and Pocomoke Sound where harvesting is allowed there shall be a catch limit of 15 bushels per day, per boat. It shall be unlawful to catch more than 15 bushels per day, per boat. No hard clam or blue crab bycatch is allowed. Harvest shall be reported for each day of harvest. Failure to report oysters harvested or violation of any requirements for the harvesting of oysters shall result in the forfeiture of all harvested oysters and revocation of the dredge gear license for the remainder of the season.*

#### **~~4 VAC 20-720-105. Special broodstock restoration project and Pocomoke and Tangier Sound harvest season. (Repealed.)~~**

## A. Broodstock restoration project:

1. This project will begin December 1, 1998, and will continue until the quota has been caught, or until the project has been terminated by the commissioner, whichever occurs first.
2. In this project there will be a quota of 2,500 bushels of clean cull oysters. Approximately 1,000 bushels of oysters will be harvested from Public Ground 17 (Parker's Rock) and Public Ground 18 (Onancock Rock). Approximately 1,500 bushels of oysters will be harvested from the area east of Gwynn's Island (Public Ground 6) called Beverlys and Deep Rocks and/or from the area off the mouth of the Rappahannock River in Public Ground 4. Areas for harvest will be designated and marked by the Marine Resources Commission personnel. It shall be unlawful to harvest oysters in these areas after the bushel quotas have been reached or after the project has been terminated.
3. All clean cull oysters harvested from Public Grounds 17 and 18 in Pocomoke Sound and in the area near the mouth of the Rappahannock River and east of Gwynn's Island shall be sold to the Marine Resources Commission for an oyster broodstock restoration project on the Great Wicomico and Piankatank Reef sites. It shall be unlawful to sell any oysters from Pocomoke and Tangier Sound Management Areas and in the areas near the mouth of the Rappahannock River and east of Gwynn's Island except to the Marine Resources Commission.
4. Price will be set by the commission at a fair market value.
5. The commissioner may terminate the project at any time if the project is not economically feasible.
6. Only standard oyster dredges (maximum weight 100 pounds with attachment, maximum width of 50 inches, maximum tooth length four inches, minimum teeth spacing three inches) may be used in the project.
7. No hard clam bycatch is allowed.
8. No blue crab bycatch is allowed.
9. Harvesting activity shall terminate by 2 p.m. daily so that all oysters can be loaded on the commission buyboat or planted on a program reef site prior to sunset.
10. Oysters shall be offloaded daily.
11. Permits to harvest oysters in Pocomoke and Tangier Sounds, and in the area near the mouth of the Rappahannock River and east of Gwynn's Island for this project shall be required for all participants.
12. Participants who violate any part of this chapter or other applicable Marine Resources Commission regulations will forfeit all harvested oysters to this project and receive no compensation.

## B. Special Tangier and Pocomoke Sound harvest season:

1. At the completion of the broodstock restoration project described in subsection A of this section, there will be an open season for the harvest of clean cull oysters in that

area in Tangier Sound west of the Tangier channel from Tangier light north to the Maryland-Virginia line and in Pocomoke Sound northeast from a line from Beach Island light to the house on the Great Fox Island. It shall be unlawful to harvest oysters outside of these two areas.

2. There will be a catch limit of 15 bushels per boat on the dredge rocks within these areas and a five bushel per man limit for the designated hand tong rocks described in subdivisions 8 and 9 of this subsection.

3. This special season shall terminate on December 31, 1998.

4. All other restrictions for the broodstock restoration project set forth in subsection A of this section shall apply.

5. Permits shall be required to harvest oysters in these areas of Tangier and Pocomoke Sound for all participants.

6. Clean cull oysters shall be greater than three inches.

7. Harvest shall be reported for each day of harvest. Failure to report oyster harvest or violation of any other requirements for this special season will result in the forfeiture of all harvested oysters and revocation of the permit to harvest oysters for this season.

8. All of the management area as set forth in > § 28.2-524 of the Code of Virginia shall be open to harvest by hand tong, patent tong or dredge, except that area south and west of a line from Fishbone Island thence southeast to bell buoy #5, thence south-southwest to buoy #3 (such area to include all of Public Ground 3 and Flat Rock) shall be excluded and shall be a hand tong area only. (See map)

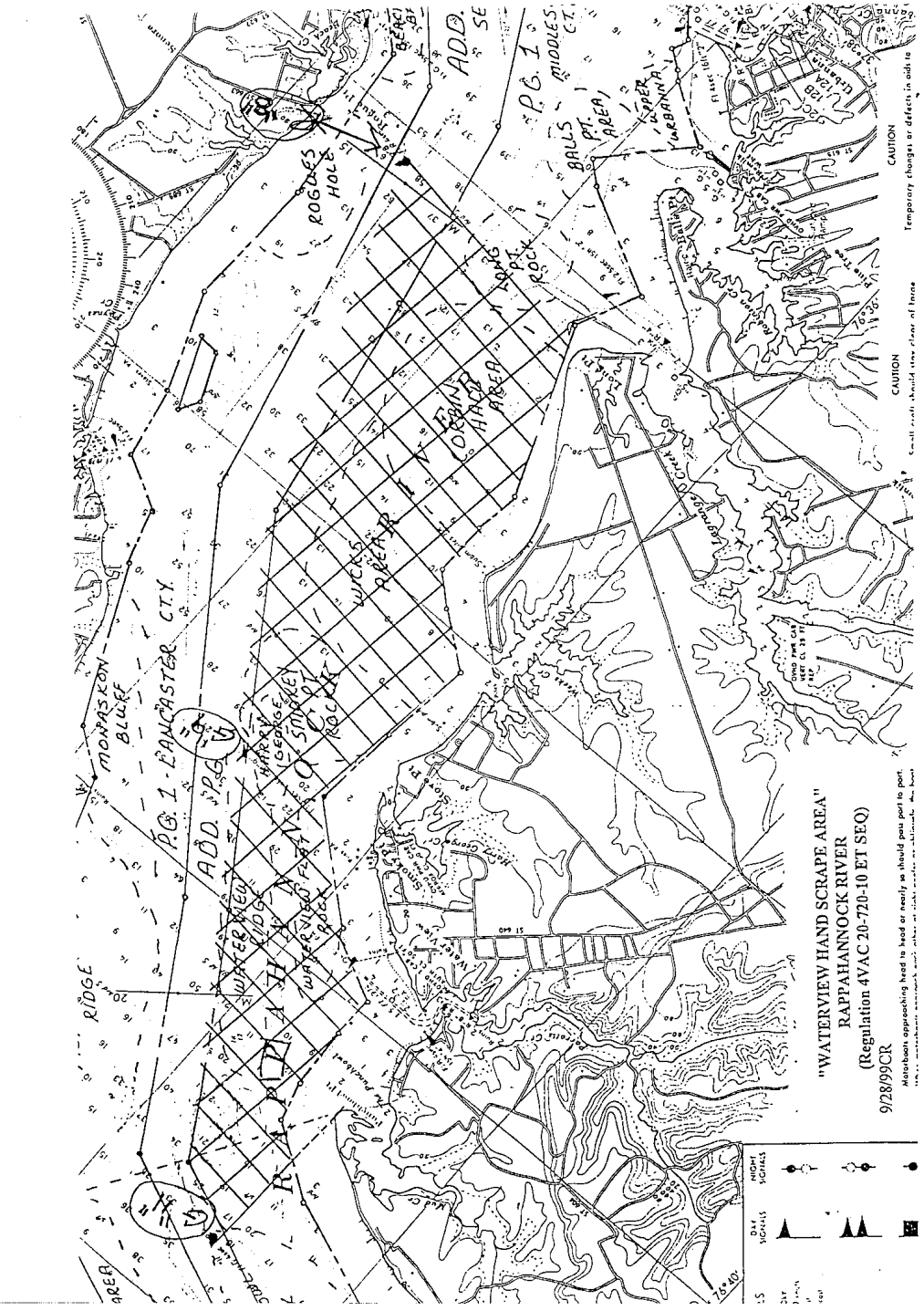
### 9. Additional hand tong areas:

a. Cod Harbor (approximately 1,124 acres), described as follows: Beginning at a point of East Point Marsh, said point having the Virginia state coordinates, south section, coordinates of north 555,414.89, east 2,730,388.85; thence, south 79 59', east 2,260 feet to a line designating the western extent of the Pocomoke Tangier Sounds Management Area as described in > § 28.2-524 of the Code of Virginia; thence, south 10 16', west 2,800 feet; thence, south 28 46', west 8,500 feet to a point on Sand Spit, position north 545,131.78, east 2,728,014.94; thence, along the mean low water line of Cod Harbor in a west, north and northeast direction crossing Canton Creek and Mailboat Harbor from headland to headland to the point of beginning.

b. Pocomoke Sound hand tong areas, described as follows: Those areas of Public Ground 9, 10, 11, 12, and 13, north of the Pocomoke Tangier Sounds Management Area.

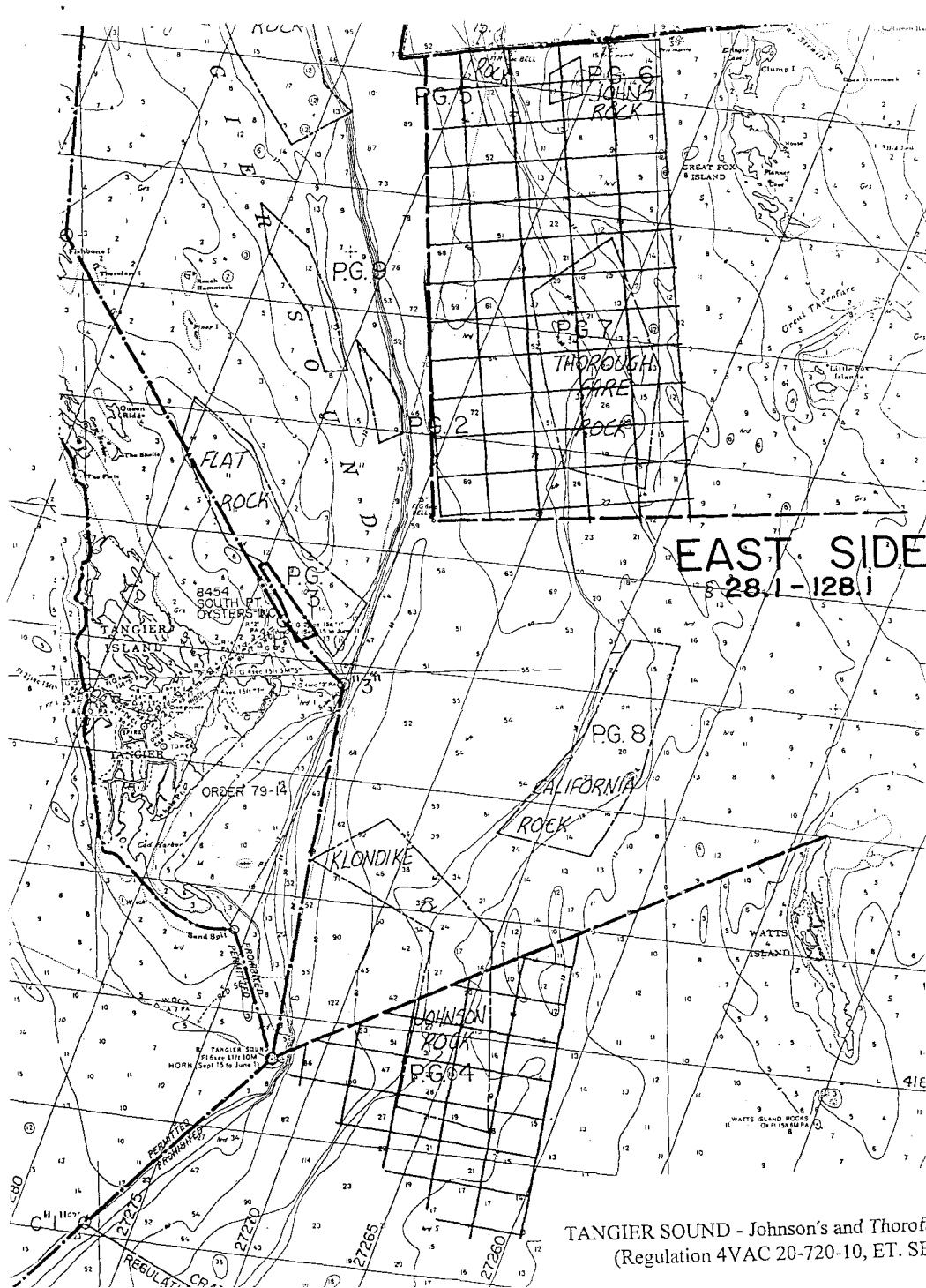
10. It shall be unlawful to harvest shellfish from the hand tong areas as described in subdivisions 8 and 9 of this subsection with any other gear, except the hand tong.

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MAP 1





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TANGIER SOUND - Johnson's and Thoroughfare Rock:  
(Regulation 4VAC 20-720-10, ET. SEQ.)

VAR. Doc. No. R00-18; Filed September 30, 1999, 4:26 p.m.

## TITLE 18. PROFESSIONAL AND OCCUPATIONAL REGULATION

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

Title of Regulation: 18 VAC 10-20-10 et seq. Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Rules and Regulations (amending 18 VAC 10-20-10, 18 VAC 10-20-20, 18 VAC 10-20-110, 18 VAC 10-20-120, 18 VAC 10-20-140, 18 VAC 10-20-150, 18 VAC 10-20-160, 18 VAC 10-20-170, 18 VAC 10-20-190, 18 VAC 10-20-200, 18 VAC 10-20-210, 18 VAC 10-20-230, 18 VAC 10-20-250, 18 VAC 10-20-260, 18 VAC 10-20-270, 18 VAC 10-20-280, 18 VAC 10-20-300, 18 VAC 10-20-310, 18 VAC 10-20-320, 18 VAC 10-20-330, 18 VAC 10-20-350, 18 VAC 10-20-360, 18 VAC 10-20-440, 18 VAC 10-20-450, 18 VAC 10-20-490, 18 VAC 10-20-530, 18 VAC 10-20-560, 18 VAC 10-20-570, 18 VAC 10-20-590, 18 VAC 10-20-640, 18 VAC 10-20-680, 18 VAC 10-20-730, 18 VAC 10-20-740, 18 VAC 10-20-760, 18 VAC 10-20-780, and 18 VAC 10-20-790; adding 18 VAC 10-20-35, 18 VAC 10-20-215 and 18 VAC 10-20-795; repealing 18 VAC 10-20-500).

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

Effective Date: December 1, 1999.

Summary:

*The amendments make the board's regulations clearer and easier to understand and utilize by the regulants of the board. Some of the more significant changes are as follows:*

- 1. 18 VAC 10-20-120 & TABLE I - The requirement for all architectural examination candidates to have completed NCARB's Intern Development Program is clarified.*
- 2. 18 VAC 10-20-190 through 215 - The Fundamentals of Engineering (FE) and Principles of Engineering (PE) examination sections are reconfigured to make them easier to understand, utilize and apply.*
- 3. 18 VAC 10-20-300 through 310 - Part V - Land Surveyor Qualifications - Experience requirements for the land surveyor examinations are reduced as recommended by the Land Surveyor Section when it reviewed its regulations under Executive Order 15 (94).*
- 4. 18 VAC 10-20-300.1 - Requirements for land surveyor-in-training are revised to allow undergraduates in an approved surveying or surveying technology program who are within 12 months of graduating to sit for the LSIT examination during their senior year.*

- 5. 18 VAC 10-20-795 - Part XII - Standards of Practice and Conduct - A section is added requiring individuals to notify the board of any change of address within 30 days.*

*Changes that are clarifying or technical in nature were made in the final regulation.*

Summary of Public Comments and Agency's Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

Agency Contact: Copies of the regulation may be obtained from Mark N. Courtney, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230-4917, telephone (804) 367-8514.

#### CHAPTER 20.

### BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS RULES AND REGULATIONS.

#### 18 VAC 10-20-10. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Board" means the Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects.

"Department" means the Department of Professional and Occupational Regulation.

"Direct control and personal supervision" shall be that degree of supervision by a person overseeing the work of another whereby the supervisor has both control over and detailed professional knowledge of the work prepared under his supervision.

"Full time" means 60% or more of a Virginia licensed or certified individual's gainfully employed time.

"Good moral character" shall include, but shall not be limited to, compliance with the standards of practice and conduct as set forth in this chapter.

"Place of business" means any location which offers to practice or practices through licensed or certified professionals the services of architecture, professional engineering, land surveying, landscape architecture and interior design. A temporary field office set up for project-specific services is not a place of business.

"Professional" means licensed architect, licensed professional engineer, licensed land surveyor, certified landscape architect or certified interior designer.

"Regulant" means licensee, certificate holder or registrant.

"Responsible charge" means the direct control and personal supervision of the practice of architecture, professional engineering, land surveying and certified landscape architecture.

## 18 VAC 10-20-20. Application requirements.

A. Fully documented applications with the noted exception shall be submitted by applicants seeking consideration for licensure, certification or registration with the appropriate fee(s) (check or money order only made payable to the Treasurer of Virginia) to be received in the board's office no later than 120 days prior to the scheduled examination. Applicants for the Fundamentals of Engineering examination enrolled in an ABET accredited curriculum who are within 12 months of completion of degree requirements may submit applications to be received in the board's office no later than 60 days prior to the scheduled examination. The date the completely documented application and fee are received in the board's office shall determine if an application has been received by the deadline set by the board. All applications should be completed according to the instructions contained herein. Applications are not considered complete until all required documents, including but not limited to references, employment verifications and verification of registration are received by the board. All applications, accompanying materials and references are the property of the board.

B. Applicants shall meet applicable entry requirements at the time application is made.

C. Applicants who have been found ineligible for any reason may request further consideration by submitting in writing evidence of additional qualifications, training or experience. No additional fee will be required provided the requirements for licensure, certification or registration are met within a period of three years from the date the original application is received by the board. After such period, a new application shall be required.

D. The board may make further inquiries and investigations with respect to the qualifications of the applicant and all references, etc., to confirm or amplify information supplied. The board may also require a personal interview with the applicant.

E. Failure of an applicant to comply with a written request from the board for additional evidence or information within 60 days of receiving such notice, except in such instances where the board has determined ineligibility for a clearly specified period of time, may be sufficient and just cause for disapproving the application.

F. Applicants shall be held to the same standards of practice and conduct as set forth in ~~these regulations~~ *this chapter*.

### ~~G. National council information.~~

~~1. Applicants for architectural examination/license may obtain information concerning NCARB certification and the NCARB Intern Development Program (IDP) from:~~

~~National Council of Architectural Registration Boards (NCARB)  
1735 New York Avenue, N.W., Suite 700  
Washington, DC 20006  
(202) 783-6500~~

~~2. Applicants for architectural license may obtain information concerning NAAB accreditation from:~~

~~National Architectural Accrediting Board, Inc. (NAAB)  
1735 New York Avenue, NW  
Washington, DC 20006  
(202) 783-2007~~

~~3. Applicants for professional engineering and land surveying examination/license may obtain information concerning NCEES certificates from:~~

~~National Council of Examiners for Engineering and Surveying (NCEES)  
P.O. Box 1686  
Clemson, South Carolina 29633-1686  
(803) 654-6824~~

~~4. Applicants for professional engineer licensing may obtain information concerning ABET accreditation from:~~

~~Accreditation Board for Engineering and Technology, Inc. (ABET)  
345 East 47th Street  
New York, New York 10017-2397  
(212) 705-7685~~

~~5. Applicants for landscape architectural examination/certification may obtain information concerning CLARB registration from:~~

~~Council of Landscape Architectural Registration Boards (CLARB)  
Suite 110, 12700 Fair Lakes Circle  
Fairfax, Virginia 22033  
(703) 818-1300~~

~~6. Applicants for interior design examination/certification may obtain information concerning NCIDQ examination and certification from:~~

~~National Council for Interior Design Qualification (NCIDQ)  
50 Main Street  
White Plains, New York 10606-1920  
(914) 948-9100~~

## [ 18 VAC 10-20-35. Experience.

*All experience or training requirements contained in this chapter are based on the applicant working at least 35 hours per week. All applications will be evaluated against the experience or training requirements based on this standard. ]*

## 18 VAC 10-20-110. Education.

~~A. All applicants shall obtain five years of professional education or equivalent education credits. Education credits shall be calculated in accordance with Table I.~~

~~B. On or after January 1, 1998, A. All applicants shall hold a professional degree in architecture where the degree program has been accredited by the National Architectural Accrediting Board (NAAB) not later than two years after graduation.~~

*B. Foreign degrees must be evaluated for equivalency to a NAAB accredited degree. The board reserves the right to reject, for good cause, any evaluation submitted. Any cost of translation and evaluation will be borne by the applicant.*

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## 18 VAC 10-20-120. Experience.

~~A. All applicants shall have three years of diversified training in the essential areas of architectural practice as described in this subsection. Evidence shall be in the form of official records of a structured internship or incorporated in the candidate's application and verified by employers. Experience shall include:~~

- ~~1. A minimum of 18 months in the area of design and construction documents directly related to the practice of architecture;~~
- ~~2. A minimum of five months in the area of construction administration directly related to the practice of architecture; and~~
- ~~3. A minimum of three months in the area of office management directly related to the practice of architecture.~~

~~Training credits shall be calculated in accordance with Table I.~~

~~B. A. The NCARB Intern-Architect Development Program (NCARB-IDP) shall be required of all applicants for examination. An applicant shall be enrolled in NCARB-IDP for a period of one year or more prior to submitting an application for examination in Virginia. IDP training requirements shall be in accordance with the National Council of Architectural Registration Boards' Handbook for Interns and Architects, 4996-1997 1998-1999 Edition, except that all applicants must have a minimum of 36 months training prior to submitting an application for examination.~~

~~B. All applicants must have a minimum of 36 months experience/training prior to submitting an application for examination. Any experience/training of less than 10 consecutive weeks will not be considered in satisfying this requirement.~~

~~C. All applicants must have a minimum of 12 months experience/training in architecture as an employee in the office of a [ ~~registered licensed~~ ] architect prior to submitting an application for examination. An organization will be considered to be an office of a [ ~~registered licensed~~ ] architect if:~~

- ~~1. The architectural practice of the organization in which the applicant works is under the charge of a person practicing as a principal, where a principal is a [ ~~registered licensed~~ ] architect in charge of an organization's architectural practice either alone or with other [ ~~registered licensed~~ ] architects, and the applicant works under the direct supervision of a [ ~~registered licensed~~ ] architect; and~~
- ~~2. The practice of the organization encompasses the comprehensive practice of architecture, including the categories set forth in the IDP requirements.~~

### ~~D. Exceptions.~~

- ~~1. In the case of any individual certifying to the board that he had accrued sufficient experience/training credits under the requirements existing prior to [ ~~(the effective date of this regulatory action)~~ December 1, 1999, ] so~~

~~that 12 or fewer months of experience/training remained to be acquired, then the prior experience/training requirements in subsection E of this section shall continue in effect for such individual;~~

~~2. Any applicant who has accrued experience/training prior to [ ~~(the effective date of this regulatory action)~~ December 1, 1999, ] may verify such experience/training to the best of his ability as if such experience/training had been acquired hereunder, and such verified experience/training shall, when accepted by the board, be considered for purposes of meeting the experience/training requirements of this chapter. Subsection E of this section is only applicable to those individuals specified in this subsection. Table I is only applicable to assist in verifying subdivisions 1 and 2 of this subsection.~~

~~E. Applicants to whom the exceptions in subsection D of this section apply shall have three years of diversified training in the essential areas of architectural practice as described in this subsection. Evidence shall be in the form of official records of a structured internship or incorporated in the candidate's application and verified by employers. Experience shall include:~~

- ~~1. A minimum of 18 months in the area of design and construction documents directly related to the practice of architecture;~~
- ~~2. A minimum of five months in the area of construction administration directly related to the practice of architecture; and~~
- ~~3. A minimum of three months in the area of office management directly related to the practice of architecture.~~

~~Training credits shall be calculated in accordance with Table I.~~

~~[ F. Applications to whom the exceptions in subsection D of this section apply shall have until January 1, 2001, to complete the experience/training credits existing prior to December 1, 1999, and have their completed application received in the board's office. After January 1, 2001, the exceptions in subsection D of this section will cease. ]~~

## 18 VAC 10-20-140. Examination.

A. All applicants for original licensure in Virginia are required to pass an ~~Architect Registration Examination (NCARB-ARE)~~ NCARB prepared examination after meeting the education and ~~training~~ experience/training requirements as provided in ~~these regulations~~ this chapter.

B. The Virginia board is a member board of the National Council of Architectural Registration Boards (NCARB) and as such is authorized to ~~administer~~ make available the NCARB-ARE prepared examination.

C. Grading of the examination shall be in accordance with the national grading procedure administered by NCARB. The board shall ~~adopt~~ utilize the scoring procedures recommended by NCARB.

D. The ~~Architect Registration Examination (NCARB-ARE)~~ NCARB prepared examination will be offered at least once a year at a time designated by the board.

E. The board may approve transfer credits for parts of the ~~ARE~~ NCARB prepared examination taken in accordance with national standards.

F. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee ~~to be received in the board office at a time designated by the board.~~ Applicants not properly registered shall not be allowed into the examination site.

G. Examinees will be given specific instructions as to the conduct of each division of the exam at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course of the examination. Evidence of misconduct may result in voided examination scores or other appropriate disciplinary action.

H. Examinees will be advised only of passing or failing the examination. Only the board and its staff shall have access to ~~examination papers, scores and answer sheets documentation.~~

~~I. The board, at its discretion, may schedule individual or group reviews of Division C—Building Design of NCARB-ARE to assist examinees in understanding the grading criteria for Division C.~~

~~J. I. Should an applicant not pass the ARE NCARB prepared examination within three years after being~~

approved, the applicant must reapply ~~and meet all entry requirements current at the time of reapplication.~~ [ *If the applicant has not been taking the examination on a continuous basis during the three-year eligibility period, and the applicant does not reapply within six months of the end of their three-year eligibility period, then the applicant shall meet the entry requirements current at the time of reapplication.* ]

**18 VAC 10-20-150. License by comity.**

A. Any person licensed in another state, jurisdiction or territory of the United States or province of Canada may be granted a license provided that:

1. The applicant meets all the requirements for licensing in Virginia that were in effect at the time of the original licensure or possesses an NCARB certificate; and
2. The applicant holds a currently active valid license in good standing in another state, jurisdiction or territory of the United States or province of Canada.

[ ~~Applicants must submit a verified record of experience in accordance with 18 VAC 10-20-120. If the applicant does not possess a NCARB certificate, or does not meet the requirements for licensure in Virginia that were in effect at the time of original licensure, the applicant shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office.~~ ]

B. Applicants licensed in foreign countries other than a ~~province of~~ Canada may be granted a license in Virginia based on an NCARB certificate.

TABLE I.  
REQUIREMENTS FOR ARCHITECTURAL LICENSURE  
(APPLICABLE ONLY TO INDIVIDUALS SPECIFIED IN 18 VAC 10-20-120 D).

EDUCATION AND TRAINING REQUIREMENTS	Education Credits			Training Credits	
	First 2 Years	Succeeding Years	Max. Credit Allowed	Credit Allowed	Max. Credit Allowed
A-1 First professional degree in architecture, <del>or credits toward the first professional degree,</del> where the degree program has been approved by the board not later than two years after graduation.	75%	100%	5 years	See B-1.2	See B-1.2
		5 years		No credit used as an education credit may be used as a training credit.	
A-2 First professional degree in architecture, <del>or credits toward that degree,</del> where the degree program has not been approved by the board.	75%	75%	4 years	See B-1.2	See B-1.2
A-3 <del>Bachelor of Arts or Science degree in architecture or in building technology; or in civil, structural, mechanical, or electrical engineering;</del>	50%	75%	3 years	See B-1.2	See B-1.2

~~Intern architect—Development—Program—(IDP) applicants refer to NCARB for training requirements. (Complete information may be obtained from NCARB.)~~

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~~or credits toward that degree, each of the above being approved by the board.~~

A-4 Any other bachelor degree.	0%	0%	2 years	See B-1.2	See B-1.2
A-5 1 Diversified experience in architecture as an employee in the offices of licensed architects.	50%	50%	5 years	100%	no limit
A-6 2 Diversified experience in architecture as a principal practicing in the office of a licensed architect with a verified record of substantial practice.	50%	50%	5 years	100%	no limit
A-7 3 Diversified experience in architecture as an employee of an organization (other than offices of licensed architects) when the experience is under the direct supervision of a licensed architect.	50%	50%	4 years	100%	2 years
A-8 4 Experience directly related to architecture, when under the direct supervision of a licensed architect but not qualifying as diversified experience or when under the direct supervision of a professional engineer.	0	0	0	50%	1 year
A-9 5 Experience, other than A-5 1, A-6 2, A-7 3 or A-8 4 experience, directly related to on-site building construction operations or experience involving physical analyses of existing buildings.	0	0	0	50%	6 months
A-10 6 Other education or training experience (see B-3.2 2.2).					

## EXPLANATION OF REQUIREMENTS

~~B-1 Education Credits. Education credits shall be subject to the following conditions:~~

~~B-1 .1 No education credits may be earned prior to graduation from high school.~~

~~.2 Applicants with the degree specified in A-1 through A-4 will be allowed the credit shown in the Maximum Credit Allowed column, regardless of the length of the degree program. Applicants without the degree specified in A-1 or A-2 may not accumulate more than three years of education credits in the aggregate from all degree programs.~~

~~.3 32 semester credit hours or 48 quarter hours are considered to be one year. Fractions of a year of one half or greater will be considered one half year, and smaller fractions will not be counted.~~

~~.4 Foreign education credits will be granted only under classifications A-2 and A-4, unless certified as equivalent to a NAAB accredited degree by an organization accepted by the board, in which case credit under classification A-1 will be considered. Any cost of translation and evaluation will be borne by the applicant.~~

B-2 1 Training Credits. Training credits shall be subject to the following conditions:

B-2 1 .1 Every applicant must earn at least one year of training credit under A-5 1 or A-6 2 and must earn it after earning five years of education credits.

.2 No credit used as an education credit may be used as a training credit.

.3 Organizations will be considered to be 'offices of licensed architects': (a) the architectural practice of the organization in which the applicant works is in the charge of a person practicing as a principal and the applicant works under the direct supervision of a licensed architect and (b) the organization is not engaged in construction and (c) the organization has no affiliate engaged in construction which has a substantial economic impact upon the person or persons in the organization practicing as a principal.

- .4 An organization (or an affiliate) is engaged in construction if it customarily engages in either of the following activities:
- (a) Providing labor and/or material for all or any significant portion of a construction project, whether on lump sum, cost plus or other basis of compensation.
  - (b) Agrees to guarantee to an owner the maximum construction cost for all or any significant portion of a construction project.
- .5 A person practices as a 'principal' by being a licensed architect and the person in charge of the organization's architectural practice, either alone or with other licensed architects.
- .6 In evaluating training credits the board may, prior to licensure, require the applicant to substantiate training experience by comparing this experience to the training requirements as indicated for the Intern-Architect Development Program (IDP).

## B-3 2 General Evaluation Criteria.

- B-3 2 .1 To earn full ~~education or~~ training credits under A-5 1, A-6 2, A-7 3, A-8 4 and A-9 5 an applicant must work at least 35 hours per week for a minimum period of 10 consecutive weeks under A-5 1 or six consecutive months under A-6 2, A-7 3, A-8 4 or A-9 5. An applicant may earn one-half of the credit specified under A-5 1 for work of at least 20 hours per week in periods of six or more consecutive months; no credit will be given for part-time work in any category other than A-5 1.
- .2 Other ~~education and~~ training may be substituted for the requirements outlined above, only insofar as the board considers them to be equivalent to the required qualifications.
- .3 In evaluating credits, the board may, prior to licensure, require substantiation of the quality and character of the applicant's experience, notwithstanding the fact that the applicant has complied with the ~~technical education and~~ training requirements set forth above.

## 18 VAC 10-20-160. Definitions.

The following definitions shall apply in the regulations relating to the licensing of professional engineers:-:

"ABET" means the Accreditation Board for Engineering and Technology.

"Approved engineering curriculum" means an engineering curriculum of four years or more approved by the board. ABET approved engineering curricula are approved by the board.

"Approved engineering experience" means a specific record of acceptable professional experience which the board, in its discretion, judges to be pertinent in acquiring engineering skills, on engineering projects of a grade and character indicating that the applicant may be competent to practice engineering.

"Approved engineering technology curriculum" means an ABET approved engineering technology curriculum of four years or more.

"Engineering examination" means an eight-hour written examination in the Fundamentals of Engineering and an eight-hour written examination in the Principles and Practice of Engineering where required.

"Engineer-in-training (EIT) ~~designation~~" means the ~~designation of~~ an applicant who ~~completes~~ has completed any one of several combinations of education, or education and experience, and ~~passes~~ passed the Fundamentals of Engineering examination.

## 18 VAC 10-20-170. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Fundamentals of Engineering Application	\$20
Principles of Engineering Application	\$40
Renewal	\$30
Comity	[ \$50 \$40 ]
PE Exam rescore	\$25
FE/PE Out of State Proctor	\$30
Dishonored check	\$25

The examination fee shall consist of the administration expenses of the department resulting from the board's examination procedures and contract charges. Exam service contracts shall be established through competitive negotiation in compliance with the Virginia Public Procurement Act (§ 11-35 et seq. of the Code of Virginia). The current examination shall not exceed a cost of \$70 for the Fundamentals of Engineering and \$160 for the Principles of Engineering to the candidate.

## 18 VAC 10-20-190. Requirements for *the* Fundamentals of Engineering (FE) exam.

~~Applicants who are enrolled in an ABET accredited curriculum and are within 12 months of completion of degree requirements are eligible for the FE exam. Applications must be accompanied by a certificate of good standing from the dean of the engineering school.~~

All other applicants must meet the eligibility requirements in ~~18 VAC 10-20-200~~ below.

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In order to be approved to sit for the FE examination, an applicant must satisfy one of the following:

	EDUCATIONAL REQUIREMENTS	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE
1.	Enrolled in an ABET accredited undergraduate curriculum and within 12 months of completion of degree requirements. Enrolled in an ABET accredited graduate curriculum, or enrolled in a graduate curriculum that is ABET accredited at the undergraduate level at the institution at which the graduate degree is being sought, and within six months of completion of graduate degree requirements. Applications must be accompanied by a certificate of good standing from the dean of the engineering school.	0
2.	Graduated from an approved engineering or an approved engineering technology curriculum of four years or more.	0
3.	Obtained an undergraduate engineering degree from an institution in a curriculum without ABET accreditation and a graduate level engineering degree from an institution in a curriculum that is ABET accredited at the undergraduate level.	0
4.	Graduated from a nonapproved engineering curriculum or a related science curriculum of four years or more.	2
5.	Graduated from a nonapproved engineering technology curriculum or not graduated from an engineering or related science curriculum of four years or more but who, in the judgment of the board, has obtained the equivalent of such graduation as described by self study when compared to the ABET Course Requirements for Engineering Technology Programs.	6

## 18 VAC 10-20-200. Requirements for engineer-in-training (EIT) designation.

In order to be approved to sit for the Fundamentals of Engineering examination which, when passed, allows the applicant to utilize the Engineer In Training (EIT) designation, an applicant must meet one of the following requirements:

EDUCATIONAL REQUIREMENTS	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, APPROVED PROFESSIONAL EXPERIENCE
<del>1. Graduated from an approved engineering or approved engineering technology curriculum of four years or more.</del>	<del>0</del>
<del>2. Undergraduate engineering degree was obtained at an institution not located in the United States, but a graduate level engineering degree was obtained from an institution located in the United States that is ABET accredited at the undergraduate level.</del>	<del>0</del>
<del>3. Graduated from a nonapproved engineering curriculum or a related science curriculum of four years or more.</del>	<del>2</del>
<del>4. Graduated from a nonapproved engineering technology curriculum, or not graduated from an engineering or related science curriculum of four years or more but who, in the judgment of the board, has obtained the equivalent of such graduation as described by self study.</del>	<del>6</del>

~~The engineer in training (EIT) designation shall remain valid indefinitely.~~

~~An applicant who is qualified to sit for the FE examination under subdivision 1 of 18 VAC 10-20-190 must provide verification of his degree prior to becoming an EIT. All other applicants who qualify to sit for the FE examination under subdivisions 2 through 5 of 18 VAC 10-20-190 will become an EIT upon achieving a passing examination score.~~

## 18 VAC 10-20-210. Requirements for professional the Principles of Engineering license (PE) examination.

In order to be approved to sit for the Principles and Practice of Engineering examination which, when passed, allows the applicant to become licensed as a Professional Engineer, an applicant must meet one of the following requirements:



	EIT DESIGNATION REQUIRED?	EDUCATIONAL REQUIREMENTS	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, APPROVED PROFESSIONAL EXPERIENCE
1.	YES	Graduated from an approved engineering curriculum of four years or more.	4
2.	NO	Been awarded both an ABET accredited undergraduate engineering degree and a doctorate degree in engineering from an engineering curriculum which is ABET accredited at the undergraduate level.	4
3.	YES	Graduated from a nonapproved engineering curriculum, a related science curriculum of four years or more, or an approved engineering technology curriculum.	6
4.	YES	Graduated from a nonapproved engineering technology curriculum; or without graduation from an engineering or related science curriculum of four years or more.*	10
5.	NO	Graduated from a nonapproved engineering, engineering technology or related science curriculum of four years or more.	20

\* Any experience accepted by the board for educational equivalency shall not be used in satisfying the professional experience requirement.

In order to be approved to sit for the PE examination, an applicant must satisfy one [ of ] the following:

	EDUCATIONAL REQUIREMENTS	EIT REQUIRED?	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE
1.	Graduated from an approved engineering curriculum of four years or more.	YES	4
2.	Been awarded both an ABET accredited undergraduate engineering degree and a doctorate degree in engineering from an engineering curriculum which is ABET accredited at the undergraduate level.	NO	4
3.	Graduated from a nonapproved engineering curriculum, a related science curriculum, or an approved engineering technology curriculum, all of which shall be four years or more.	YES	6
4.	Graduated from a nonapproved engineering technology curriculum of four years or more; or without graduation from an engineering or related science curriculum of four years or more.	YES	10
5.	Graduated from an engineering, engineering technology or related science curriculum of four years or more.	NO	20

**18 VAC 10-20-215. Requirements for the PE license.**

In order to obtain the Professional Engineer license, an applicant must satisfy the requirements of at least one subsection of 18 VAC 10-20-210 and pass the PE examination. An applicant will receive his license to practice upon achieving a passing examination score.

**18 VAC 10-20-230. Education.**

Any applicant who has earned a degree from an institution outside the United States shall have the degree evaluated by

an educational credential evaluation service or by ABET if credit for such education is sought, unless the applicant earned an equivalent or higher level engineering degree from a United States institution where the program has been accredited by ABET. The board reserves the right to reject, for good cause, any evaluation submitted by the applicant.

**18 VAC 10-20-250. Language and comprehension.**

Every applicant applying for licensure as a professional engineer shall be able to speak and write English. Such An applicant from a non-English speaking country or a country wherein the primary language is other than English shall

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submit to the board a TOEFL (Test of English as a Foreign Language) score report with a minimum score of 560, and a TSE (Test of Spoken English) score report with a minimum score of 255. Score reports shall not be over two years old at the time of application. *The requirement of submitting a TOEFL and a TSE report shall not apply if the applicant is a graduate of a U.S. college or university.*

## 18 VAC 10-20-260. Examinations.

A. The Virginia board is a member *board* of the National Council of Examiners for Engineering and Surveying (NCEES) and as such is authorized to administer the NCEES examinations.

B. The Fundamentals of Engineering examination consists of ~~an eight-hour test period~~ a NCEES exam on the fundamentals of engineering, and is given ~~semiannually~~ at times designated by the board.

C. The Principles and Practice of Engineering examination consists of ~~an eight-hour test period~~ a NCEES exam on applied engineering and is given ~~semiannually~~ at times designated by the board.

D. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee to be received in the board office at a time designated by the board. Applicants not properly registered shall not be allowed into the examination site.

E. A candidate eligible for admission to both parts of the examination must first successfully complete the fundamentals of engineering examination before being admitted to the principles and practice of engineering examination.

F. Examinees will be given specific instructions as to the conduct of each examination at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course of the examination. Evidence of misconduct may result in voided examination scores or other appropriate disciplinary action.

G. Grading of the examinations shall be in accordance with national grading procedures established by NCEES.

Each part of the written examination will have a value of 100. A passing score shall be 70 and above. Candidates will be notified of passing or failing and their actual scores.

H. Should an applicant not pass an examination within three years after being approved *to sit for an examination*, the applicant must reapply and meet all current entry requirements.

I. The Fundamentals of Engineering examination may not be reviewed by the candidates. Examination scores are final and are not subject to change.

Upon written request to the board within ~~30~~ 20 days of ~~receiving the mailing of~~ exam results, candidates for the Principles and Practice of Engineering examination will be permitted to review only their own failed examination. Score appeals ~~may will only~~ be accepted ~~in accordance with board policy~~ if the candidate received a score of 65 or above.

## 18 VAC 10-20-270. License by comity.

A person holding a license to engage in the practice of engineering, issued to the applicant by another state, territory or possession of the United States, Canada or the District of Columbia, based on requirements that do not conflict with and are at least as vigorous as these regulations and supporting statutes of this board *that were in effect at the time of original licensure*, may be licensed without further examination. No person shall be so licensed, however, who has not passed a ~~written~~ *an* examination in another jurisdiction which is substantially equivalent to that ~~administered~~ *approved* by the board. [ *If the applicant does not meet the requirements for licensure in Virginia that were in effect at the time of original licensure, the applicant shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office.* ]

## 18 VAC 10-20-280. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application for Fundamentals of Surveying	\$45
Application for Principles of Surveying	\$50
Renewal	\$80
Application for Land Surveyor B	\$50
Comity	[ <del>\$105</del> \$50 ]
Out of state proctor	\$50
Dishonored check	\$25

The examination fee shall consist of the administration expenses of the department resulting from the board's examination procedures and contract charges. Exam service contracts shall be established through competitive negotiation in compliance with the Virginia Public Procurement Act (§ 11-35 et seq. of the Code of Virginia). The current examination shall not exceed a cost of \$150 for the Fundamentals of Land Surveying, \$150 for the Principles of Land Surveying, \$90 for the Virginia State Examination and \$55 for the Land Surveyor B examination to the candidate.

## 18 VAC 10-20-300. Requirements for land surveyor-in-training (LSIT).

The education or experience, or both, and examination requirements for land surveyor-in-training ~~status~~ (LSIT) are as follows:

1. An applicant who has graduated from a *or is enrolled in a board-approved* surveying or surveying technology curriculum of four years or more approved by the board ~~as being of satisfactory standing shall be admitted to an eight-hour written examination in the~~ *and is within 12 months of completion of degree requirements is eligible for the* Fundamentals of Land Surveying examination. Upon passing such examination, *and providing evidence of graduation*, the applicant shall be ~~enrolled as a~~ land surveyor-in-training, if the applicant is otherwise qualified. *Applications must be accompanied by a certificate of good standing from the dean of the school.*
2. An applicant who has graduated from a curriculum of *four years or more* related to surveying ~~of four years or more~~ as approved by the board and with a specific record ~~of two years of progressive, one year of approved~~ land surveying experience shall be admitted to ~~an eight-hour~~

~~examination in the Fundamentals of Land Surveying examination.~~ Upon passing such examination, the applicant shall be ~~enrolled as a land surveyor-in-training,~~ if the applicant is otherwise qualified.

3. An applicant who has earned at least a four-year bachelor's degree in a field unrelated to surveying ~~may be approved by the board and~~ with a specific record of ~~four~~ two years of approved *progressive* land surveying experience of which ~~three of these years shall be progressive.~~ The applicant shall be admitted to an ~~eight-hour examination in the Fundamentals of Land Surveying examination.~~ Upon passing such examination, the applicant shall be ~~enrolled as a land surveyor-in-training,~~ if the applicant is otherwise qualified.

4. An applicant who has graduated from a surveying curriculum of two years or more approved by the board with a specific record of ~~six~~ four years of approved *progressive* land surveying experience of which ~~four of these years shall be progressive,~~ shall be admitted to an ~~eight-hour written examination in the Fundamentals of Land Surveying examination.~~ Upon passing such examination, the applicant shall be ~~enrolled as a land surveyor-in-training,~~ if the applicant is otherwise qualified.

5. An applicant who has successfully completed a survey apprenticeship program approved by the board with at least 480 hours of surveying related classroom instruction with a specific record of ~~eight~~ six years of approved *progressive* land surveying experience of which ~~six of these years shall be progressive,~~ shall be admitted to an ~~eight-hour written examination in the Fundamentals of Land Surveying examination.~~ Upon passing such examination, the applicant shall be ~~enrolled as a land surveyor-in-training,~~ if the applicant is otherwise qualified.

6. An applicant who has graduated from high school with evidence of successful completion of courses in algebra, geometry and trigonometry with a specific record of ~~ten~~ eight years of approved *progressive* land surveying experience of which ~~eight of these years shall be progressive,~~ shall be admitted to an ~~eight-hour written examination in the Fundamentals of Land Surveying examination.~~ Applicants who have accumulated college credits may apply credit hours approved by the board to help meet the experience requirement. One year of experience credit will be given for 40 semester hours of approved college credit. Upon passing such examination, the applicant shall be ~~enrolled as a land surveyor-in-training,~~ if the applicant is otherwise qualified.

### **18 VAC 10-20-310. Requirements for a licensed land surveyor.**

A land surveyor-in-training with a specific record of four years of approved land surveying experience, ~~of which a minimum of three years of progressive experience has been on land surveying projects~~ under the supervision of a licensed land surveyor, shall be admitted to a ~~six-hour written an~~ examination in the Principles and Practice of Land Surveying and a ~~two-hour~~ Virginia state examination. Upon passing such examination, the applicant shall be granted a license to

practice land surveying, provided the applicant is otherwise qualified.

### **18 VAC 10-20-320. Requirements for a licensed land surveyor B.**

A. An applicant shall hold a valid license as a land surveyor and present satisfactory evidence of two years of progressive land surveying experience in land surveyor B professional land surveying, as defined in § 54.1-408 of the Code of Virginia, under the supervision and direction of a licensed land surveyor B or professional engineer.

B. An applicant shall also present satisfactory evidence of having passed ~~college-level board-approved~~ courses in hydraulics, ~~acceptable to the board and~~ hydrology.

C. An applicant shall pass an ~~eight-hour written~~ examination as developed by the board. Upon passing such examination, the applicant shall be granted a license as a Land Surveyor B, if he is otherwise qualified.

### **18 VAC 10-20-330. Education.**

Any applicant who has attended an institution not located in the United States shall have his degree evaluated by an education evaluation service if credit for such education is sought. The board reserves the right to reject, *for good cause*, any evaluation submitted by the applicant.

### **18 VAC 10-20-350. Examinations; grading; reexamination.**

A. The examination for land surveying under § 54.1-400 of the Code of Virginia shall consist of two parts, ~~each part being of eight hours duration.~~ Part I shall consist of an ~~eight-hour examination in the Fundamentals of Land Surveying.~~ Part II shall consist of a ~~six-hour~~ an examination in the Principles and Practice of Land Surveying and a ~~two-hour~~ Virginia state examination. These examinations shall be given semiannually at times designated by the board.

B. The examination for land surveying under § 54.1-408 of the Code of Virginia (Land Surveyor B) shall be of ~~eight hours duration and shall be given annually at a time~~ times designated by the board.

C. Unless otherwise stated, applicants approved to sit for an examination must register and submit the required examination fee to be received in the board office at a time designated by the board. Applicants not properly registered shall not be allowed into the examination site.

D. Candidates shall be notified of passing or failing but shall not be notified of actual scores. Only the board and its staff shall have access to examination papers, scores and answer sheets. Examinations may not be reviewed.

~~1. Part I of the written examination shall have a value of 100. The passing grade shall be 70 or above.~~

~~2. Each portion of the Part II of the written examination shall have a value of 100. The passing grade shall be 70 or above.~~

~~3. For the Land Surveyor B examination, each applicant must obtain a minimum passing grade of 75 out of 100 for the entire eight-hour examination.~~

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E. Upon payment of a reexamination fee, an applicant may retake parts of the written examination which *the applicant* may have been failed. Should the applicant not pass an examination within three years after being approved, the applicant must reapply and meet all current entry requirements.

## 18 VAC 10-20-360. Licensure by comity.

~~A person holding a license to engage in the practice of land surveying issued on comparable qualifications from a state, territory or possession of the United States and experience satisfactory to the board, will be given comity consideration. Full credit will be given to an applicant who has passed the NCEES examinations for surveyors in other jurisdictions as required in Virginia. All applicants for comity, after meeting the requirements of 18 VAC 10-20-40, must also comply with the provisions of 18 VAC 10-20-300 and 18 VAC 10-20-310. However, the applicant may be required to take such examinations as the board deems necessary to determine his qualifications, but in any event, the applicant shall be required to pass a written Virginia state examination of not less than two hours in duration. The examination shall include questions on law, procedures and practices pertaining to land surveying in Virginia.~~

## 18 VAC 10-20-440. Examination.

A. All applicants for original certification in Virginia are required to pass the Landscape Architect Registration Examination (LARE) or equivalent after meeting the education and experience requirements as provided in these regulations.

B. The Virginia board is a member of the Council of Landscape Architectural Registration Boards (CLARB) and as such is authorized to administer the CLARB examinations.

C. The Landscape Architect Registration Examination (LARE) will be offered at least once per year at a time designated by the board.

D. Grading of the examination shall be in accordance with the national grading procedures established by CLARB. The

board shall adopt the scoring procedures recommended by CLARB.

E. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee to be received in the board office no later than 75 days before the next administration of the examination. Applicants not properly registered shall not be allowed into the examination site.

F. Examinees will be given specific instructions as to the conduct of each section of the exam at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course of the examination. Evidence of misconduct may result in voided examination scores or other appropriate disciplinary action.

G. Examinees will be advised only of their passing or failing score and the CLARB minimum passing or failing score. Only the board and its staff shall have access to examination papers, scores and answer sheets.

H. Upon written request to the board within 30 days of receiving examination results, examinees will be permitted to view individually their own performance problems for failed sections only. Examination appeals are permitted in accordance with the CLARB score verification process.

I. Should an applicant not pass an examination within three years after being approved, the applicant must reapply and meet all current entry requirements.

## 18 VAC 10-20-450. Certification by comity.

Any applicant who has passed an examination in another jurisdiction of the United States or province of Canada comparable to the examination required by ~~these regulations~~ *this chapter* or who is CLARB certified and who is currently licensed or certified in another jurisdiction of the United States or province of Canada may have the required Virginia examinations waived, provided that all other qualifications are met.

TABLE II.  
TABLE OF EQUIVALENTS FOR EDUCATION AND EXPERIENCE FOR CERTIFIED LANDSCAPE ARCHITECTS.

DESCRIPTION DESCRIPTIONS	Education Credits			Experience Credits	
	First 2 Years	Succeeding Years	Max. Credit Allowed	Credit Allowed	Max. Credit Allowed
A-1. Credits toward a degree in landscape architecture from an accredited school of landscape architecture.	100%	100%	4 years		
A-2. Degree in landscape architecture or credits toward that degree from a nonaccredited school of landscape architecture.	100%	100%	4 years		
A-3. Degree or credits toward that degree in an allied professional discipline, i.e., architecture, civil engineering, environmental science, approved by the board.	75%	100%	3 years		
A-4. Any other bachelor degree, or credits toward that degree.	50%	75%	2 years		
A-5. Diversified experience in landscape architecture				100%	no limit

under the direct supervision of a certified landscape architect.

A-6. Diversified experience directly related to landscape architecture when under the direct supervision of an architect, civil engineer, or "credentialed" planner. 50% 4 years

EXPLANATION OF REQUIREMENTS

B-1. Education Credits. Education credits shall be subject to the following conditions:

B-1.1. Applicants with a degree specified in A-1 through A-4 will be allowed the credit shown in the Maximum Credit Allowed column, regardless of the length of the degree program.

2. With a passing grade, 32 semester credit hours or 48 quarter hours is considered to be one year. Fractions greater than one-half year will be counted one-half year and smaller fractions will not be counted.

B-2. Experience Credits. Experience credits shall be subject to the following conditions:

B-2.1. Every applicant must earn at least two years of experience credit under category A-5. *An applicant who has no education credits must earn at least four years of experience under category A-5.*

**18 VAC 10-20-490. Requirements for certification.**

The education, experience and examination requirements for certification as an interior designer are as follows:

1. The applicant shall hold a four-year degree from an institution accredited by the Foundation for Interior Design Education Research (FIDER), or an equivalent accrediting organization ~~or a professional program approved by the board,~~ have two years of monitored experience, and have passed the examination for certification as an interior designer.

2. ~~Diversified experience shall be gained in accordance with this chapter.~~ Monitored experience gained under the supervision of a professional engineer shall be discounted at 50% with a maximum credit of six months. ~~Periods of self-employment shall be verified with a list of projects, dates, scope of work and letters of verification by at least three clients.~~

**18 VAC 10-20-500. References. (Repealed.)**

~~Applicants shall submit three references from persons who know of the applicant's work and have known the applicant for at least one year. Persons supplying references shall be certified or licensed interior designers, architects or professional engineers.~~

**18 VAC 10-20-530. Application requirements.**

A. All applicants shall have been incorporated in the Commonwealth of Virginia; or, if a foreign professional corporation, shall have obtained a certificate of authority to do business in Virginia from the State Corporation Commission; in accordance with § 13.1-544.2 of the Code of Virginia.

B. Each application shall include certified true copies of the articles of incorporation, bylaws and charter, and, if a foreign professional corporation, the certificate of authority issued by the State Corporation Commission.

C. Articles of incorporation and bylaws. The following statements are required:

1. The articles of incorporation or bylaws shall specifically state that cumulative voting is prohibited.

2. The bylaws shall state that at least 2/3 of the capital stock must be held by persons duly licensed to render the services of an architect, professional engineer or land surveyor, or duly certified to render the services of a landscape architect. The remainder of the stock may be issued only to and held by individuals who are employees of the corporation.

3. The bylaws shall state that nonlicensed or noncertified individuals will not have a voice or standing in any matter affecting the practice of the corporation requiring professional expertise or considered professional practice, or both.

D. Board of directors. A corporation may elect to its board of directors not more than 1/3 of its members who are employees of the corporation and are not authorized to render professional services.

At least 2/3 of the board of directors shall be licensed to render the services of architecture, professional engineering or land surveying, or be certified to render the services of landscape architecture, or any combination thereof.

At least one director currently licensed or certified in each profession offered or practiced shall devote substantially full time to the business of the corporation to provide effective supervision and control of the final professional product.

E. Joint ownership of stock. Any type of joint ownership of the stock of the corporation is prohibited. Ownership of stock by nonlicensed or noncertified employees shall not entitle those employees to vote in any matter affecting the practice of the professions herein regulated.

*F. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.*

~~F.~~ G. Branch offices. If professional services are offered or rendered in a branch ~~office(s)~~ office, a separate branch office designation form shall be completed for each branch office

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located in Virginia. Persons in responsible charge shall be designated in accordance with this chapter.

## 18 VAC 10-20-560. Amendments and changes.

A. Amendments to charter, articles of incorporation or bylaws. A corporation holding a certificate of authority to practice in one or in any combination of the professions covered in these regulations shall file with the board, within 30 days of its adoption, a certified true copy of any amendment to the articles of incorporation, bylaws or charter.

B. Change in directors or shareholders. In the event there is a change in corporate directors or shareholders, whether the change is temporary or permanent and whether it may be caused by death, resignation or otherwise, the certificate of authority shall be ~~automatically modified to be limited to that professional practice permitted by those pertinent licenses or certificates held by the remaining directors and shareholders of the corporation unless an employee of the firm holds the appropriate license or certificate and is competent to render such professional services. Unless otherwise provided,~~ In the event that such change results in noncompliance with ~~these regulations this chapter~~ and applicable statutes, the certificate of authority shall be ~~automatically~~ suspended until such time as the corporation comes into compliance with ~~these regulations this chapter~~. The corporation shall notify the board within 30 days of any such change.

C. Change of name, address and place of business. Any change of name (including assumed names), address, place of business in Virginia, or person(s) in responsible charge of the profession(s) practiced or offered at each place of business shall be reported to the board within 30 days of such an occurrence.

## 18 VAC 10-20-570. Definitions.

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

"Manager" is a person or persons designated by the members of a limited liability company to manage the limited liability company as provided in the articles of organization or an operating agreement, and who is duly licensed or otherwise legally authorized to render one or more of the professional services of architecture, professional engineering, land surveying or landscape architecture in the Commonwealth of Virginia.

~~"Member" means an individual or professional business entity that owns an interest in a limited liability company, and who is duly licensed or otherwise legally authorized to render the professional services of architecture, professional engineering, land surveying and landscape architecture in the Commonwealth of Virginia.~~

"Professional limited liability company" means a limited liability company organized in accordance with Chapter 13 (§ 13.1-1100 et seq.) of Title 13.1 of the Code of Virginia for the sole and specific purpose of rendering one or more of the professional services of architecture, professional engineering, land surveying or landscape architecture.

## 18 VAC 10-20-590. Application requirements.

A. All applicants shall have obtained a certificate of organization in the Commonwealth of Virginia or, if a foreign professional limited liability company, shall have obtained a certificate of registration to do business in Virginia from the State Corporation Commission, in accordance with § 13.1-1105 of the Code of Virginia.

B. Each application shall include a certified true copy of the certificate of organization or, if a foreign professional limited liability company, a certificate of registration issued by the State Corporation Commission.

C. Each application shall be accompanied by a written affirmative affidavit that attests to the following inclusions to the articles of organization or operating agreement.

1. The articles of organization or operating agreement shall state the specific purpose of the professional limited liability company.

2. The articles of organization or operating agreement shall attest that membership is composed of ~~two~~ one or more individuals or professional business entities, and at least 2/3 of the membership interests are held by individuals or professional business entities which are duly licensed or registered to render professional services within the Commonwealth of Virginia. The remaining membership interest may be held only by employees of the company whether or not they are licensed or otherwise legally authorized to render professional services.

3. The articles of organization or operating agreement shall attest that all members, managers, employees and agents who render professional services of architecture, professional engineering, land surveying or landscape architecture are duly licensed to provide those services.

4. The person executing the document shall sign it and state beneath his signature his name and the capacity in which he signs.

D. Unless the articles of organization or an operating agreement provides for management of a professional limited liability company by a manager or managers, management of a limited liability company shall be vested in its members, all of which must be duly licensed or otherwise legally authorized to render the professional services within the Commonwealth for which the company was formed.

The manager must be an individual or professional business entity duly licensed or otherwise legally authorized to render the same professional services within the Commonwealth for which the company was formed.

E. *The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.*

F. *If professional services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office located in Virginia. Persons in responsible charge shall be designated in accordance with this chapter.*

## 18 VAC 10-20-640. Application requirements.

A. In accordance with § 54.1-411 of the Code of Virginia, applicants shall register with the board on a form approved by the board.

B. If a partnership, a copy of the partnership agreement shall be included with the application. ~~Not less than 2/3 of the general partners shall be licensed professionals.~~

C. If a corporation, the application shall include certified true copies of the articles of incorporation, bylaws and charter, and if a foreign corporation, a certificate of authority issued by the State Corporation Commission.

D. If a limited liability company, the application shall include a certified true copy of the certificate of organization issued by the State Corporation Commission, and, if a foreign limited liability company, a certified true copy of the certificate of authority issued by the State Corporation Commission.

E. If professional services are offered or rendered in a branch ~~office(s)~~ office, a separate branch office designation form shall be completed for each branch office located in Virginia. Persons in responsible charge shall be designated in accordance with ~~these regulations~~ this chapter.

F. *The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.*

## 18 VAC 10-20-680. Reinstatement.

A. If the license, certificate or registration has expired for six months or more, but less than five years, the regulant shall be required to submit a new application, which shall be evaluated by the board to determine if the applicant meets the renewal requirements. In addition, a reinstatement fee equal to the regular renewal fee plus \$100 shall be required.

B. If the license, certificate or registration has expired for five years or more, the regulant will be required to submit a new application, meet current entry requirements, and submit a reinstatement fee equal to the regular renewal fee plus \$250. In addition, the board may require the applicant to submit to an examination.

C. Board discretion to deny reinstatement. The board may deny reinstatement of a license, certificate or registration for the same reasons as it may refuse initial licensure, certification or registration or discipline a regulant.

D. The date the renewal application and fee are received in the office of the board shall determine whether a license, certificate or registration shall be renewed without late renewal or reinstatement, or shall be subject to reinstatement application procedures.

E. *A license, certificate or registration that is reinstated shall be regarded as having been continuously licensed without interruption. Therefore, the license, certificate or registration holder who is not already subject to the provisions of § 54.1-405 of the Code of Virginia shall remain under the disciplinary authority of the board during the entire period and shall be accountable for his activities during the period. A license, certificate or registration that is not reinstated and is not subject to the provisions of § 54.1-405 of the Code of*

*Virginia shall be regarded as unlicensed from the expiration date forward. Nothing in this chapter shall divest the board of its authority to discipline a license, certificate or registration holder for a violation of the law or regulation during the period of time for which the regulant was licensed.*

## 18 VAC 10-20-730. Competency for assignments.

A. The professional shall undertake to perform professional assignments only when qualified by education or experience and licensed or certified in the profession involved. *Licensed professionals may perform professional assignments related to landscape architecture or interior design provided they do not hold themselves out as certified in either of these professions unless they are so certified by this board.* The professional may accept an assignment requiring education or experience outside of the field of the professional's competence, but only to the extent that services are restricted to those phases of the project in which the professional is qualified. All other phases of such project shall be the responsibility of licensed or certified associates, consultants or employees.

B. A professional shall not misrepresent to a prospective or existing client or employer his qualifications and the scope of his responsibility in connection with work for which he is claiming credit.

C. The professional shall adhere to all minimum standards and requirements pertaining to the practice of his own profession as well as other professions if incidental work is performed.

## 18 VAC 10-20-740. Professional responsibility.

A. The professional shall not knowingly associate in a business venture with, or permit the use of the professional's name or firm name by any person or firm where there is reason to believe that person or firm is engaging in activity of a fraudulent or dishonest nature or is violating statutes or any of these regulations.

B. A professional who has direct knowledge that another individual or firm may be violating any of these provisions, or the provisions of Chapters 1 through 3 4 of Title 54.1, or ~~Chapter~~ Chapters 7 and 13 of Title 13.1 of the Code of Virginia, shall immediately inform the secretary of the board in writing and shall cooperate in furnishing any further information or assistance that may be required.

C. The professional shall, upon request or demand, produce to the board, or any of its agents, any plan, document, book, record or copy thereof in his possession concerning a transaction covered by this chapter, and shall cooperate in the investigation of a complaint filed with the board against a licensee or certificate holder.

D. A professional shall not utilize the design, drawings or work of another professional without the knowledge and written consent of the professional or organization of ownership that originated the design, drawings or work. In the event that the professional who generated the original document is no longer employed by the design firm retaining ownership of the original documents or is deceased, another professional who is a partner or officer in the design firm retaining ownership of the original documents may authorize

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utilization of the original documents by another professional or firm.

E. A professional who has received permission to modify or otherwise utilize the design, drawings or work of another professional pursuant to subsection D of this section may seal that work only after a thorough review of the design, drawings or work to the extent that full responsibility shall be assumed for all design, drawings or work.

F. The information contained in recorded plats or surveys may be utilized by another professional without permission. If modifications are made to the plats or surveys, the professional must conduct a thorough review and verification of the work to the extent that full responsibility may be assumed for any changes or modifications to the plats or surveys.

## 18 VAC 10-20-760. Use of seal.

A. The application of a professional seal shall indicate that the professional has exercised complete direction and control over the work to which it is affixed. Therefore, no regulant shall affix a name, seal or certification to a plat, design, specification or other work constituting the practice of the professions regulated which has been prepared by an unlicensed or uncertified person or firm unless such work was performed under the direction and supervision of the regulant while under the regulant's contract or while employed by the same firm as the regulant. If a regulant is unable to seal completed professional work, such work may be sealed by another regulant only after thorough review and verification of the work has been accomplished to the same extent that would have been exercised if the work had been done under the complete direction and control of the regulant affixing the professional seal.

B. A principal or authorized licensed or certified employee shall apply a stamp or preprinted seal to final and complete original cover sheets of plans, drawings, plats, technical reports and specifications and to each original sheet of plans, drawings or plats, prepared by the regulant or someone under his direct control and personal supervision.

1. All seal imprints on final documents shall bear an original signature and date. *"Final Documents" are completed documents or copies submitted on a client's behalf for approval by authorities or recordation. In such cases, the cover sheet of the documents or copies shall contain a list of drawings included in the set on which a seal, original signature and date will be affixed for all regulated disciplines. Every page of the submission, other than the cover, may be reproduced from originals which contain the seal, original signature and date by each discipline responsible for the work. A seal, original signature and date is only required on the cover sheet.*

2. Incomplete plans, documents and sketches, whether advance or preliminary copies, shall be so identified and need not be sealed or signed.

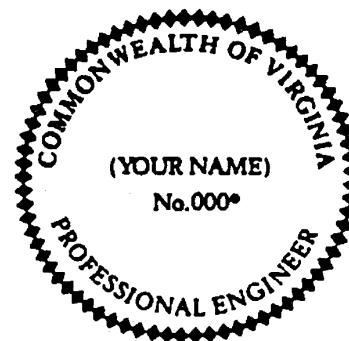
3. All plans, drawings or plats prepared by the regulant shall bear the regulant's name or firm name, address and project name.

4. The seal of each regulant responsible for each profession shall be used and shall be on the originals, including the document cover sheet, for which that professional is responsible, including exempted work, for which licensure or certification is not required, prepared under the regulant's direction.

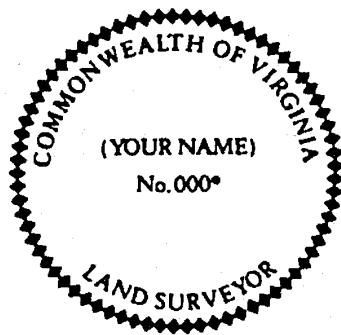
5. Application of the seal and signature indicates acceptance of responsibility for work shown thereon.

6. The seal shall conform in detail and size to the design illustrated below *and shall be two inches in diameter. The designs below may not be shown to scale.*

\* The number referred to is the six digit number as shown on the license or certificate. The number is permanent.







\*The number referred to is the six digit number as shown on the license or certificate. The number is permanent.

**18 VAC 10-20-780. Licensee Professional required at each place of business.**

A. Corporations, partnerships, firms [ ~~or~~ , sole proprietorships, ] other legal entities [ *and the professional in responsible charge* ] maintaining a place of business in the Commonwealth of Virginia for the purpose of offering to provide architectural, ~~professional~~ engineering, land surveying [ , or, ] certified landscape architectural [ ~~or certified interior design~~ ] services practiced at more than one location shall have an authorized [ full-time ] Virginia licensed architect, professional engineer, land surveyor [ , or, ] certified landscape architect [ ~~or certified interior designer~~ ] in

responsible charge [ of the respective profession being offered ] in each place of business.

B. Corporations, partnerships, firms [ ~~or~~ , sole proprietorships, ] other legal entities [ *and the professional in responsible charge* ] maintaining any place of business in the Commonwealth of Virginia for the purpose of practicing architecture, ~~professional~~ engineering, land surveying [ , or, ] certified landscape architecture [ ~~or certified interior design~~ ] at that location, shall have in responsible charge at each place of business a [ full-time ] ~~resident~~ Virginia licensed architect, professional engineer, land surveyor [ , or, ] certified landscape architect [ ~~or certified interior designer~~ ] in residence exercising supervision and control of work in each profession being practiced.

**18 VAC 10-20-790. Sanctions.**

A. No license, certificate, or registration shall be suspended or revoked, nor shall any regulant be fined unless a majority of the members of the entire board and a majority of the board members of the profession involved, who are eligible to vote, vote for the action. The board may suspend or revoke any license, certificate, certificate of authority or registration, or fine any regulant, if the board finds that:

1. The license, certification or registration was obtained or renewed through fraud or misrepresentation;
2. The regulant has been found guilty by the board, or by a court of competent jurisdiction, of any material misrepresentation in the course of professional practice, or has been convicted, pleaded guilty or found guilty, regardless of adjudication or deferred adjudication, of any felony or misdemeanor which, in the judgment of the board, adversely affects the regulant's ability to perform satisfactorily within the regulated discipline;
3. The regulant is guilty of professional incompetence or negligence;
4. The regulant has abused drugs or alcohol to the extent that professional competence is adversely affected;
5. The regulant violates any standard of practice and conduct, as defined in this chapter; or
6. The regulant violates or induces others to violate any provision of Chapters 1 through ~~3~~ 4 of Title 54.1~~7~~ or Chapter ~~Chapter~~ Chapters 7 and 13 of Title 13.1 of the Code of Virginia, or any other statute applicable to the practice of the professions herein regulated, or any provision of this chapter.

B. If evidence is furnished to the board which creates doubt as to the competency of a regulant to perform professional assignments, the board may require the regulant to prove competence by interview, presentation or examination. Failure to appear before the board, pass an examination, or otherwise demonstrate competency to the board shall be grounds for revocation or suspension of the license, certification or registration.

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## 18 VAC 10-20-795. *Change of address.*

All regulants shall notify the board of any change of address, in writing, within 30 days of making the change. When submitting a change of address, any regulant holding more than one license, certificate or registration shall inform the board of all licenses, certificates or registrations affected by the change.

### DOCUMENT INCORPORATED BY REFERENCE

Handbook for Interns and Architects, ~~1996-1997~~ 1998-1999 Edition, National Council of Architectural Registration Boards.

**NOTICE:** The forms used in administering 18 VAC 10-20-10 et seq., Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Rules and Regulations, 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 Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

### FORMS

- Architect License Application, DPOR Form A-1 (rev. [ ~~40/4/97~~ 10/1/99 ]).
- Architect Verification of Registration, DPOR Form A-2 (rev. [ ~~40/4/97-10/1/99~~ ]).
- Architect Experience Verification Form, DPOR Form A-3 (rev. [ ~~2/22/99~~ 10/1/99 ]).
- Client Verification Form, DPOR Form A-4 (eff. [ ~~40/4/97~~ 10/1/99 ]).
- Verification of Degree Form, DPOR Form A-5 (eff. [ ~~40/4/97~~ 10/1/99 ]).
- Architect Reference Form, DPOR Form A-6 (rev. [ ~~40/4/97~~ 10/1/99 ]).
- Professional Engineer [ *License* ] Application, [ ~~DPOR Form E-4 0402LIC~~ ] (rev. [ ~~40/4/97~~ 10/1/99 ]).
- Professional Engineer [ *and Engineer-in-Training* ] Reference Form, [ ~~DPOR Form E-2 04REF~~ ] (rev. [ ~~40/4/97~~ 10/1/99 ]).
- [ ~~Verification of Professional Engineer and Engineer-in-Training~~ ] Degree [ *Verification* ] Form, [ ~~DPOR Form E-3 04DEG~~ ] (rev. [ ~~40/4/97~~ 10/1/99 ]).
- [ *Professional* ] Engineer [ ~~or Related Employment Verification and Engineer-in-Training Experience Verification~~ ] Form, [ ~~DPOR Form E-4 04EXP~~ ] (rev. [ ~~40/4/97~~ 10/1/99 ]).
- [ ~~DPOR Form E-4 Supplement~~ Supplemental Experience Verification Form, 04SUPEXP ] (rev. [ ~~40/4/97~~ 8/1/99 ]).
- Verification of [ ~~Registration Examination and Licensure~~ ] Form, [ ~~DPOR Form E-5 0402ELVF~~ ] (rev. [ ~~40/4/97~~ 10/1/99 ]).
- Engineer-in-Training Designation Application, [ ~~0420EIT~~ 0420DES ] (rev. [ ~~9/98~~ 10/1/99 ]).
- [ *Professional Engineer and Engineer-in-Training* ] Degree Verification Form, 04DEG (rev. [ ~~9/98~~ 10/1/99 ]).
- [ ~~Reference Form, 04REF~~ (rev. 10/1/99).
- ~~Experience Professional Engineer and Engineer-in-Training Verification Form, 04EXP~~ (rev. 10/1/99).
- ~~Supplemental Experience Verification Form, 04SUPEXP~~ (eff. 8/1/99).
- Engineer Examination Scheduling Form, [ ~~9708VA EngApp-PM5~~ 9906VA EngApp P65 ] (rev. [ ~~1997~~ 1999 ]).
- Application for Land Surveyor A, DPOR LSA Form 1 (eff. [ ~~2/21/95~~ 10/1/99 ]).
- Application for Licensing as a Land Surveyor B, DPOR Form LSB-2 (eff. 12/15/93).
- Verification of Out-of-State Licensure Registration and/or Examination, DPOR LSA Form 2 (eff. 2/21/95).
- Report of Professional Experience (RPE), DPOR LSA Form 3 (eff. 2/21/95).
- Report of Professional Experience Continuation Sheet, DPOR LSA Form 3C (eff. 2/21/95).
- Application for Land Surveyor-In-Training, DPOR LS In-Training Form 1 (eff. [ ~~2/21/95~~ 10/1/99 ]).
- Landscape Architect License Application, DPOR Form LA-1 (rev. [ ~~40/4/97~~ 10/1/99 ]).
- Landscape Architecture Review Summary Sheet (rev. 4/3/95).
- Verification of Registration Form, DPOR Form LA-2 (rev. [ ~~40/4/97~~ 10/1/99 ]).
- Landscape Architect Experience Verification Form, DPOR Form LA-3 (rev. 10/1/97).
- Landscape Architect Reference Form, DPOR Form LA-4 (rev. [ ~~40/4/97~~ 10/1/99 ]).
- Verification of Degree Form, DPOR Form LA-5 (rev. [ ~~40/4/97~~ 10/1/99 ]).
- Interior Design Certification Application, DPOR Form ID-1 (rev. [ ~~2/23/99~~ 10/1/99 ]).
- Interior Design Verification of Registration, DPOR Form ID-2 (rev. [ ~~2/23/99~~ 10/1/99 ]).
- Verification of Degree Form, DPOR Form ID-3 (rev. [ ~~2/23/99~~ 10/1/99 ]).
- Interior Design Reference Form, DPOR Form ID-4 (rev. [ ~~2/23/99~~ 10/1/99 ]).
- Interior Design Experience Verification Form, DPOR Form ID-5 (rev. [ ~~2/23/99~~ 10/1/99 ]).
- Professional Corporation Registration Application (rev. [ ~~40/4/97~~ 10/1/99 ]).
- Business Entity Registration Application (rev. [ ~~40/4/97~~ 10/1/99 ]).
- Branch Office Application (rev. [ ~~8/3/98~~ 10/1/99 ]).

Professional Limited Liability Company Application Form (rev. [ ~~7/7/98~~ 10/1/99 ]).

## BOARD OF NURSING

**Title of Regulation:** 18 VAC 90-20-10 et seq. Regulations Governing the Practice of Nursing (amending 18 VAC 90-20-300; adding 18 VAC 90-20-420 through 18 VAC 90-20-460).

**Statutory Authority:** §§ 54.1-2400 and 54.1-3005 of the Code of Virginia.

**Effective Date:** November 24, 1999.

### Summary:

*The amendments add requirements and criteria for the delegation of certain nursing tasks to unlicensed persons, and include:*

1. Definitions of additional terms;
2. Criteria for delegation of tasks and specification of the assessment that must be undertaken prior to any delegation;
3. Guidelines regarding the supervision of delegated tasks;
4. A list of nursing tasks that shall not be delegated; and
5. A provision that delegating nursing tasks to an unlicensed person in violation of the regulations shall constitute unprofessional conduct.

**Summary of Public Comments and Agency's Response:** A summary of comments made by the public and the agency's response may be received by the promulgating agency or viewed at the office of the Registrar of Regulations.

**Agency Contact:** Copies of the regulation may be obtained from Nancy K. Durrett, Executive Director, Board of Nursing, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909.

### 18 VAC 90-20-300. Disciplinary provisions.

A. The board has the authority to deny, revoke or suspend a license issued, or to otherwise discipline a licensee, upon proof that the licensee has violated any of the provisions of § 54.1-3007 of the Code of Virginia. For the purpose of establishing allegations to be included in the notice of hearing, the board has adopted the following definitions:

1. Fraud or deceit means, but shall not be limited to:
  - a. Filing false credentials;
  - b. Falsely representing facts on an application for initial license, reinstatement or renewal of a license; or
  - c. Giving or receiving assistance in the taking of the licensing examination.
2. Unprofessional conduct means, but shall not be limited to:

a. Performing acts beyond the limits of the practice of professional or practical nursing as defined in Chapter 30 (§ 54.1-3000 et seq.) of Title 54.1 of the Code of Virginia, or as provided by §§ 54.1-2901 and 54.1-2957 of the Code of Virginia;

b. Assuming duties and responsibilities within the practice of nursing without adequate training or when competency has not been maintained;

c. Obtaining supplies, equipment or drugs for personal or other unauthorized use;

d. Employing or assigning unqualified persons to perform functions that require a licensed practitioner of nursing;

e. Falsifying or otherwise altering patient or employer records;

f. Abusing, neglecting or abandoning patients or clients;

g. Practice of a clinical nurse specialist beyond that defined in 18 VAC 90-20-290; ~~or~~

h. Representing oneself as or performing acts constituting the practice of a clinical nurse specialist unless so registered by the board; or

i. Delegating nursing tasks to an unlicensed person in violation of the provisions of Part IX (18 VAC 90-20-420 et seq.) of this chapter.

B. Any sanction imposed on the registered nurse license of a clinical nurse specialist shall have the same effect on the clinical nurse specialist registration.

### PART IX.

#### DELEGATION OF NURSING TASKS AND PROCEDURES.

#### 18 VAC 90-20-420. Definitions.

*"Delegation" means the authorization by a registered nurse to an unlicensed person to perform selected nursing tasks and procedures in accordance with this part.*

*"Supervision" means guidance or direction of a delegated nursing task or procedure by a qualified, registered nurse who provides periodic observation and evaluation of the performance of the task and who is accessible to the unlicensed person.*

*"Unlicensed person" means an appropriately trained individual, regardless of title, who receives compensation, who functions in a complementary or assistive role to the registered nurse in providing direct patient care or carrying out common nursing tasks and procedures, and who is responsible and accountable for the performance of such tasks and procedures. With the exception of certified nurse aides, this shall not include anyone licensed or certified by a health regulatory board who is practicing within his recognized scope of practice.*

#### 18 VAC 90-20-430. Criteria for delegation.

A. Delegation of nursing tasks and procedures shall only occur in accordance with the plan for delegation adopted by

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the entity responsible for client care. The delegation plan shall comply with provisions of this chapter and shall provide:

1. An assessment of the client population to be served;
2. Analysis and identification of nursing care needs and priorities;
3. Establishment of organizational standards to provide for sufficient supervision which assures safe nursing care to meet the needs of the clients in their specific settings;
4. Communication of the delegation plan to the staff;
5. Identification of the educational and training requirements for unlicensed persons and documentation of their competencies; and
6. Provision of resources for appropriate delegation in accordance with this part.

B. Delegation shall be made only if all of the following criteria are met:

1. In the judgment of the delegating nurse, the task or procedure can be properly and safely performed by the unlicensed person and the delegation does not jeopardize the health, safety and welfare of the client.
2. The delegating nurse retains responsibility and accountability for nursing care of the client, including nursing assessment, planning, evaluation, documentation and supervision.
3. Delegated tasks and procedures are within the knowledge, area of responsibility and skills of the delegating nurse.
4. Delegated tasks and procedures are communicated on a client-specific basis to an unlicensed person with clear, specific instructions for performance of activities, potential complications, and expected results.
5. The person to whom a nursing task has been delegated is clearly identified to the client as an unlicensed person by a name tag worn while giving client care and by personal communication by the delegating nurse when necessary.

C. Delegated tasks and procedures [ ~~may~~ shall ] not be reassigned by unlicensed personnel.

D. Nursing tasks shall only be delegated after an assessment is performed according to the provisions of 18 VAC 90-20-440.

## **18 VAC 90-20-440. Assessment required prior to delegation.**

Prior to delegation of nursing tasks and procedures, the delegating nurse shall make an assessment of the client and unlicensed person as follows:

1. The delegating nurse shall assess the clinical status and stability of the client's condition, shall determine the type, complexity and frequency of the nursing care needed and shall delegate only those tasks which:

a. Do not require the exercise of independent nursing judgment;

b. Do not require complex observations or critical decisions with respect to the nursing task or procedure;

c. Frequently recur in the routine care of the client or group of clients;

d. Do not require repeated performance of nursing assessments;

e. Utilize a standard procedure in which the tasks or procedures can be performed according to exact, unchanging directions; and

f. Have predictable results and for which the consequences of performing the task or procedures improperly are minimal and not life threatening.

2. The delegating nurse shall also assess the training, skills and experience of the unlicensed person and shall verify the competency of the unlicensed person in order to determine which tasks are appropriate for that unlicensed person and the method of supervision required.

## **18 VAC 90-20-450. Supervision of delegated tasks.**

A. The delegating nurse shall determine the method and frequency of supervision based on factors which include, but are not limited to:

1. The stability and condition of the client;
2. The experience and competency of the unlicensed person;
3. The nature of the tasks or procedures being delegated; and
4. The proximity and availability of the registered nurse to the unlicensed person when the nursing tasks will be performed.

B. In the event that the delegating nurse is not available, the delegation shall either be terminated or delegation authority shall be transferred by the delegating nurse to another registered nurse who shall supervise all nursing tasks delegated to the unlicensed person, provided the registered nurse meets the requirements of 18 VAC 90-20-430 B 3.

C. Supervision shall include but not be limited to:

1. Monitoring the performance of delegated tasks;
2. Evaluating the outcome for the client;
3. Ensuring appropriate documentation; and
4. Being accessible for consultation and intervention.

D. Based on an ongoing assessment as described in 18 VAC 90-20-440, the delegating nurse may determine that delegation of some or all of the tasks and procedures is no longer appropriate.

**18 VAC 90-20-460. Nursing tasks that shall not be delegated.**

A. *Nursing tasks that shall not be delegated are those which are inappropriate for a specific, unlicensed person to perform on a specific patient after an assessment is conducted as provided in 18 VAC 90-20-440.*

B. *Nursing tasks that shall not be delegated to any unlicensed person are:*

- 1. Activities involving nursing assessment, problem identification, and outcome evaluation which require independent nursing judgment;*
- 2. Counseling or teaching except for activities related to promoting independence in personal care and daily living;*
- 3. Coordination and management of care involving collaboration, consultation and referral;*
- 4. Emergency and nonemergency triage; and*
- 5. Administration of medications except as specifically permitted by the Virginia Drug Control Act (§ 54.1-3400 et seq. of the Code of Virginia).*

VA.R. Doc. No. R99-92; Filed September 30, 1999

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# EMERGENCY REGULATIONS

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD OF ACCOUNTANCY

Title of Regulation: 18 VAC 5-20-10 et seq. Board of Accountancy Regulations (amending 18 VAC 5-20-10, 18 VAC 5-20-20, 18 VAC 5-20-100, and 18 VAC 5-20-110; adding 18 VAC 5-20-11, 18 VAC 5-20-41, 18 VAC 5-20-81, 18 VAC 5-20-91, 18 VAC 5-20-111, 18 VAC 5-20-112, 18 VAC 5-20-441, 18 VAC 5-20-442, 18 VAC 5-20-443, 18 VAC 5-20-444, 18 VAC 5-20-445, and 18 VAC 5-20-451; repealing 18 VAC 5-20-30, 18 VAC 5-20-40, 18 VAC 5-20-50, 18 VAC 5-20-60, 18 VAC 5-20-70, 18 VAC 5-20-80, 18 VAC 5-20-90, and 18 VAC 5-20-120 through 18 VAC 5-20-500).

Statutory Authority: §§ 54.1-201 and 54.1-2002 of the Code of Virginia.

Effective Dates: October 4, 1999, through October 3, 2000.

Preamble:

*The emergency regulation is necessary because Virginia statutory law requires that a regulation be effective in 280 days or less from enactment of the law and the regulation is not exempt under the provisions of subdivision C 4 of § 9-6.14:4.1 of the Code of Virginia.*

*Acts 1999, c. 950, cl. 2, provides: "That the Board of Accountancy shall promulgate regulations to implement the provisions of [the] act by October 1, 1999."*

*The imperative form of the verb "shall" is used in the Virginia statute making the rulemaking provision mandatory rather than discretionary.*

Summary:

*Effective October 4, 1999, the Virginia Board of Accountancy promulgated emergency regulations to implement Senate Bill 926 (SB 926) passed by the 1999 Session of the Virginia General Assembly. SB 926 provides for substantial amendments to Chapter 20 of Title 54.1 of the Code of Virginia. As a result, these emergency regulations have been promulgated in accordance with the terms established by the Code. The emergency regulations replaced the previous board regulations that became effective on April 1, 1997.*

*The following is a brief summary of significant changes:*

*Under 18 VAC 5-20-10, certain definitions have been added and deleted to comply with the mandated provisions established in SB 926.*

*Under 18 VAC 5-20-11, the fee schedule of application fees, examination fees, renewal fees and reinstatement fees has been revised in compliance with § 54.1-113 of the Code of Virginia. A provision has been added to convert CPA certificate expiration dates from September 30 of each year to a staggered renewal system whereby*

*a more or less equal number of certificates will expire each month.*

*Under 18 VAC 5-20-20, new education qualifications have been established for candidates who will be applying for an initial CPA certificate after July 1, 2006. The education qualifications are unchanged for applicants who apply prior to July 1, 2006. Each applicant for initial issuance of a CPA certificate under this section must meet the new experience standard, which requires at least one year of acceptable experience in accounting or a related field.*

*18 VAC 5-20-41 is a new section revising the requirements for an original CPA certificate and a certificate by endorsement. New substantial equivalency qualifications and supervising CPA qualifications are also established. "Certificate holders" and "licensees" will both become holders of "CPA certificates," ending the two-tier system contained in the April 1, 1997, regulations. New applicants must meet the education, examination and experience requirements.*

*18 VAC 5-20-81 is a new section which establishes additional requirements for Supervising CPAs.*

*18 VAC 5-20-91 is a new section which establishes new requirements for the registration of CPA firms. Any firm with one or more offices in the Commonwealth which practices, directly or indirectly, public accounting or which uses the term "Certified Public Accountant(s)" or the designation "CPA" in the name of the firm shall register with the board within sixty days of its formation or initially meeting the requirement to obtain a registration certificate. Any such firm in existence prior to October 4, 1999, which had not previously registered with the board shall register by November 30, 1999.*

*Under 18 VAC 5-20-100 and 18 VAC 5-20-110, the requirements for renewal and reinstatement of CPA certificates have been amended. Registration certificates issued to professional corporations and professional limited liability companies, in accordance with the regulations of the Board in effect beginning on April 1, 1997, shall become void on November 30, 1999. Those firms shall register with the Board in compliance with the requirements of 18 VAC 5-20-91 no later than November 30, 1999.*

*18 VAC 5-20-441 is a new section that establishes new standards of practice for all regulants in compliance with the provisions of SB 926. New standards have been set for contingent fees and referral fees.*

*18 VAC 5-20-442 through 18 VAC 5-20-444 are new sections that establish specific Standards of Practice for CPA certificate holders involved in various aspects of the practice of public accounting.*

*18 VAC 5-20-445 is a new section that has been added to establish new standards of practice for holders of firm registration certificates.*

*18 VAC 5-20-450 has been added to implement the new CPE requirements. CPA certificate holders performing or*

offering to perform any services involving accounting skills or auditing skills, issuing reports on financial advisory or consulting services, preparing tax returns, or furnishing advice on tax matters, for the public, shall obtain 120 hours of continuing professional education during each three-year period with a minimum of 20 hours per year. The CPA certificate holder may choose the areas of study and courses. CPA certificate holders performing or offering to perform any services involving accounting skills or auditing skills, issuing reports on financial advisory or consulting services, preparing tax returns, or furnishing advice on tax matters, for an employer or other organization and not for the public, or who is employed as an educator in the field of accounting, shall meet the following CPE requirements as a condition of renewal of the person's CPA certificate: (i) for the three-year reporting period beginning July 1, 2002, a minimum of 45 credit hours with a minimum of 10 hours per year, (ii) for the three-year reporting period beginning July 1, 2005, a minimum of 90 credit hours with a minimum of 15 hours per year, and (iii) for the three-year reporting periods beginning on or after July 1, 2008, a minimum of 120 credit hours with a minimum of 20 hours per year. The certificate holder may choose the areas of study and courses.

**Agency Contact:** David E. Dick, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, VA 23230, telephone (804) 367-8507.

CHAPTER 20.  
BOARD FOR OF ACCOUNTANCY REGULATIONS.

PART I.  
GENERAL.

**18 VAC 5-20-10. Definitions.**

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

"Accredited institution" means any degree-granting college or university accredited at the time of the applicant's degree or attendance by any of the following: Middle States Association of Colleges and Schools; New England Association of Schools and Colleges; North Central Association of Colleges and Schools; Northwest Association of Schools and Colleges; Southern Association of Colleges and Schools; and Western Association of Schools and Colleges.

~~"Anniversary date" means September 30 of each even-numbered year.~~

"Assurance" means any act or action, whether written or oral, expressing an opinion or conclusion about the reliability of a financial statement or about its conformity with any financial accounting principles or standards. [Code definition.]

"Audit" means expressing an opinion about the fairness of presentation of financial statements in accordance with prescribed criteria.

"Board" means the Board of Accountancy.

~~"Certification" means the issuance of a certificate to a person who has met all the requirements of Part II of this chapter.~~

"Certify," "audit," "examine," "review," or "render express or disclaim an opinion," when referenced to financial information or the practice of public accountancy, are terms which, when used in connection with the issuance of reports, state or imply assurance of conformity with generally accepted accounting principles, generally accepted auditing standards, and review standards. The terms include forms of language disclaiming an opinion concerning the reliability of the financial information referred to or relating to the expertise of the issuer.

"Client" means a person or entity that contracts with or retains a firm for performance of accounting services by a CPA certificate holder or registration certificate holder subject to Chapter 20 (§ 54.1-2000 et seq.) of Title 54.1 of the Code of Virginia and this chapter.

"Commission" means compensation generated from the purchase or sale of a product or service and which would not be generated but for the purchase or sale of the product or service. [Code definition.]

"Contact hour" means 50 minutes of participation in a group program or 50 minutes of average completion time in a self-study program.

"Contingent fee" means a fee established for the performance of a service pursuant to an arrangement in which no fee will be charged unless a specified finding or result is obtained, or in which the amount of the fee is dependent upon the finding or result obtained. Fees shall not be considered contingent if fixed by courts or other public authorities, or in tax matters if determined based on the results of judicial proceedings or the findings of governmental agencies. A CPA certificate holder's fees may vary depending on the complexity of services rendered, and such variation shall not be considered a contingent fee. [Code definition.]

"Continuing Professional Education (CPE)" means an integral part of the lifelong learning required to provide competent service to the public; the formal set of activities that enables accounting professionals to maintain and increase their professional competence.

"CPA certificate" means a certificate as a certified public accountant ("CPA") issued by the board pursuant to Chapter 20 (§ 54.1-2000 et seq.) of Title 54.1 of the Code of Virginia and this chapter, which shall function as a license, or a corresponding certificate as a certified public accountant issued after meeting examination and other requirements under the laws of any other state.

"Credit hour" means successful completion of a course of study measured in a contact hour.

"Examination" means, when used in the context of services provided by CPAs, expressing an opinion about the fairness of presentation of financial information in accordance with prescribed criteria.

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~~"Financial statement" means writing or other presentation, including accompanying notes, which presents, in whole or in part, historical or prospective financial position, results of operations or changes in financial position of any person, corporation, partnership or other entity. [Code definition.]~~

~~"Firm" means a sole proprietorship, partnership, professional corporation, professional limited liability company, limited liability partnership, or any permissible combination practicing public accountancy in Virginia other form of organization permitted by law. [Code definition.]~~

~~"Good character" means a lack of a history of dishonest or felonious acts.~~

~~"Group program" means an educational process designed to permit a participant to learn a given subject through interaction with an instructor and other participants.~~

~~"Holding out" means any representation that a regulant is a certified public accountant, made in connection with an offer to practice public accounting. Any such representation is presumed to invite the public to rely upon the professional skills implied by the title "certified public accountant" in connection with the services offered to be performed by the regulant. For the purposes of this definition, a representation shall be deemed to include any oral or written communication conveying that the regulant is a certified public accountant, including without limitation the use of titles on letterheads, professional cards, office doors, advertisements and listings; but, it does not include the display of the original (but not a copy) of a currently valid certificate. A person who holds a valid certificate granted to him by the board may refer to himself as a certified public accountant or CPA but is not empowered to practice public accountancy until he obtains a valid license to do so.~~

~~"Individual firm name" means a name different from the name in which the individual's license is issued.~~

~~"Interactive self-study program" means a program designed to use interactive learning methodologies that simulate a classroom learning process by employing software, other courseware, or administrative systems that provide significant ongoing, interactive feedback to the learner regarding his learning process. Evidence of satisfactory completion of each program segment by the learner is often built into such programs. These programs clearly define lesson objectives and manage the student through the learning process by requiring frequent student response to questions that test for understanding of the material presented, providing evaluative feedback to incorrectly answered questions, and providing reinforcement feedback to correctly answered questions. Capabilities are used that, based on student response, provide appropriate ongoing feedback to the student regarding his learning progress through the program.~~

~~"Jurisdiction" means another state, territory, the District of Columbia, Puerto Rico, the U.S. Virgin Islands or Guam.~~

~~"License" means a license to practice public accounting issued under the provisions of Chapter 20 (§ 54.1-2000 et seq.) of Title 54.1 of the Code of Virginia.~~

~~"Manager" means a person who is a licensed certified public accountant designated by the members of a limited~~

~~liability company to manage the professional limited liability company as provided in the articles of organization or an operating agreement.~~

~~"Member" means a person who is a licensed certified public accountant that owns an interest in a professional limited liability company.~~

~~"Noninteractive self-study program" means any self-study program that does not meet the criteria for interactive self-study programs.~~

~~"Original CPA certificate" means a CPA certificate issued by the board other than a CPA certificate by endorsement.~~

~~"Peer review" means a study, appraisal, or review, by a CPA certificate holder who is not affiliated with the firm being reviewed, of one or more aspects of the professional work of a firm that engages in the practice of public accounting or compiles financial statements in accordance with the American Institute of Certified Public Accountants' Statements on Standards for Accounting and Review Services (SSARS). [Code definition.]~~

~~"Performance of accounting services" means the performance of services by a regulant requiring the use of accounting and auditing skills, and includes the issuance of reports or financial statements, the preparation of tax returns, the furnishing of advice on accounting, auditing or tax matters, or the performance of operational or compliance audits.~~

~~"Practice of public accountancy" or "public accounting" means the giving of an assurance, in a report or otherwise, whether expressly or implicitly, unless this assurance is given by an employee to his employer. [Code definition.]~~

~~"Practice of taxation" means the providing of tax compliance and tax advice services.~~

~~"Principal" means a certified public accountant who is the sole proprietor of, or a partner, shareholder or a member in, a firm.~~

~~"Professional corporation" means a firm organized in accordance with Chapter 7 (§ 13.1-542 et seq.) of Title 13.1 of the Code of Virginia.~~

~~"Professional limited liability company" means a firm organized in accordance with Chapter 13 (§ 13.1-1100 et seq.) of Title 13.1 of the Code of Virginia.~~

~~"Professional services and engagements" means the association between a client and a firm wherein the firm performs, or offers to perform, accounting services for the client.~~

~~"Professional staff" means employees of a firm who make decisions and exercise judgment in their performance of accounting services, but excludes employees performing routine bookkeeping or clerical functions.~~

~~"Registration" means the process through which a firm obtains a registration certificate from the board. [Code definition.]~~



"Registration certificate" means a certificate issued to a firm that has met all of the requirements for registration under this chapter. [Code definition.]

"Regulant" means any ~~Virginia CPA certificate holder, licensee, professional corporation, professional limited liability company or firm~~ or registration certificate holder who is subject to Chapter 20 (§ 54.1-200 et seq.) of Title 54.1 of the Code of Virginia and this chapter.

"Report" or "reports" when used with reference to financial statements, means an opinion or disclaimer of opinion or other form of language or representation which states or implies any form of assurance or denial of assurance. [Code definition.]

"Reporting cycle" means the ~~current and two preceding reporting calendar years when meeting the requirements of three calendar years immediately preceding the year the CPA certificate is renewed pursuant to 18 VAC 5-20-450~~ 18 VAC 5-20-451.

"Reporting year" means for the purposes of this chapter a calendar year.

"Self-study program" means an educational process designed to permit a participant to learn a given subject without major involvement of an instructor. Self-study programs do not include informal learning.

"SSARS" means Statements on Standards for Accounting and Review Services established by the American Institute of Certified Public Accountants. [Code definition.]

"Standards of conduct" means the standards set forth in 18 VAC 5-20-441.

"Standards of practice for CPA certificate holders" means the standards set forth in 18 VAC 5-20-442, 18 VAC 5-20-443 and 18 VAC 5-20-444.

"State" means any state of the United States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands and Guam. [Code definition.]

"Substantial equivalency" means a determination by the board or its designee that the education, examination and experience requirements contained in the statutes and administrative rules of another jurisdiction are comparable to, or exceed, the education, examination and experience requirements contained in this chapter, or that an individual CPA from another jurisdiction has met education, examination and experience requirements which are comparable to, or exceed, the education, examination, and experience requirements contained in Chapter 20 (§ 54.1-2000 et seq.) of Title 54.1 of the Code of Virginia and this chapter. [Code definition.]

~~"Virginia approved sponsor" means an individual or business approved by the board to offer continuing professional education in accordance with this chapter.~~

"Wall certificate" means the symbolic document suitable for wall display that is issued by the board to an individual meeting the requirements for a CPA certificate set forth in 18 VAC 5-20-20.

## 18 VAC 5-20-11. Fees.

A. All fees are nonrefundable and the date of receipt by the board or its agent is the date which will be used to determine whether it is on time.

B. The following fees are effective October 4, 1999:

Original CPA certificate application	\$ 24
CPA certificate by endorsement application	\$ 24
Registration certificate application	\$ 24
CPA certificate renewal	\$ 24
Registration certificate renewal	\$ 24
CPA certificate late renewal	\$ 25
Registration certificate late renewal	\$ 25
CPA certificate reinstatement	\$ 60
Registration certificate reinstatement	\$ 60

If the renewal fee is not received by the board within 30 days after the expiration date printed on the CPA certificate or the registration certificate, the regulant shall pay the renewal and the late renewal fees. Regulants applying for reinstatement shall pay all unpaid renewal fees in addition to the late renewal and the reinstatement fees.

C. In order to implement a staggered billing program, the renewal fee for CPA certificate holders whose CPA certificates expire on September 30, 2000 shall be as follows depending upon the new expiration date assigned to the regulant:

March 31, 2001	\$ 12
April 30, 2001	\$ 14
May 31, 2001	\$ 16
June 30, 2001	\$ 18
July 31, 2001	\$ 20
August 31, 2001	\$ 22
September 30, 2001	\$ 24
October 31, 2001	\$ 26
November 30, 2001	\$ 28
December 31, 2001	\$ 30
January 31, 2002	\$ 32
February 28, 2002	\$ 34

D. The late filing fee for CPA certificate holders who fail to complete or report their CPE as required by this chapter shall be:

1. If received by the board up to four months late, \$25.
2. If received by the board more than four months late but not more than six months late, \$50.
3. If received by the board more than six months late, \$75.

E. The fee for a replacement wall certificate shall be \$25.

F. A fee of \$25 will be charged in addition to the fees established in this section for submitting a check to the board which is dishonored by the institution upon which it is drawn.

G. The fee for the examination provided for in 18 VAC 5-20-20 C shall consist of the administration expenses of the board ensuing from the board's examination procedures and contract charges. Examination service contracts shall be established through competitive negotiation in compliance

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with the Virginia Public Procurement Act (§ 11-35 et seq. of the Code of Virginia). The examination shall not exceed a cost of \$300 to the applicant.

## PART II.

### ENTRY REQUIREMENTS FOR CPA CERTIFICATE, REGISTRATION CERTIFICATE AND CPA SUPERVISING SERVICES INVOLVING THE PRACTICE OF PUBLIC ACCOUNTING.

#### 18 VAC 5-20-20. Qualifications for certification CPA certificate.

A. Any person applying for certification as a certified public accountant shall meet the requirements of good character and education and shall have passed both a basic and an ethics examination, as approved by the board. Each applicant must be a person of good character as defined in 18 VAC 5-20-10.

B. The board may deny application to sit for the basic examination or deny certification upon a finding supported by clear and convincing evidence of a lack of good character. An applicant's history of dishonest or felonious acts, lack of fiscal integrity or acts which would constitute violations of this chapter will be considered by the board in determining character. Evidence of the commission of a single act may be sufficient to show a lack of good character.

#### C. B. Education prior to taking the examination.

1. Each applicant whose application to sit for the examination is received by the board before July 1, 2006 shall have completed a baccalaureate or higher degree from an accredited institution as defined in 18 VAC 5-20-10 and shall have completed, at an accredited institution as defined in 18 VAC 5-20-10, either prior to, concurrent with or subsequent to, completion of the baccalaureate degree or higher degree received a baccalaureate degree or its equivalent conferred by an accredited college or university as required by § 54.1-2003 B 1 of the Code of Virginia and shall at the time the application is received have completed the following courses at the undergraduate or graduate level to meet the accounting concentration requirement of § 54.1-2003 B 1 of the Code of Virginia:

a. At least 24 semester hours of accounting at the undergraduate or graduate level including courses covering the subjects of financial accounting, auditing, taxation, and management accounting, and

b. At least 18 semester hours in business courses (other than accounting the courses described in subdivision 1 a of this subsection) at the undergraduate or graduate level.

c. Applicants whose degrees or diplomas were earned at colleges or universities outside the United States shall have their educational credentials evaluated by a foreign academic credentials service approved by the board to determine the extent to which such credentials are equivalent to the education requirements set forth above.

~~Such credentials may be accepted by the board as meeting its educational requirements fully, partially, or not at all.~~

2. Evidence of education. Each applicant shall submit evidence of having obtained the required education in the form of official transcripts transmitted directly from the accredited institution. In unusual circumstances other evidence of education may be accepted when deemed equivalent and conclusive, whose application to sit for the examination is received by the board on or after July 1, 2006 shall meet the requirements of § 54.1-2003 B 2 of the Code of Virginia and shall at the time the application is received have completed the following courses at the undergraduate or graduate level to meet the accounting concentration requirement of § 54.1-2003 B 2 of the Code of Virginia:

a. At least 30 semester hours of accounting, including courses covering the subjects of financial accounting, auditing, taxation, and management accounting, and

b. At least 24 semester hours in business courses (other than the courses described in subdivision 2 a of this subsection).

3. A quarter hour of coursework shall be considered the equivalent of two-thirds of a semester hour of coursework.

~~3. 4. Education prerequisite to examination. The education requirements shall be met prior to examination. An applicant may, however, be admitted to the May examination if he will have completed the education requirements by the succeeding June 30, and to the November examination if he will have completed the education requirements by the succeeding December 31, and has filed evidence of enrollment in the required courses as specified by the board. Effective June 30, 1994, the education requirements shall be met prior to applying for the examination. Each applicant with a degree or coursework earned at a non-accredited college or university shall, if credit for such degree or course work is to be considered by the board, (i) have his educational credentials evaluated by an academic credentials service approved by the board or an accredited institution, as defined in 18 VAC 5-20-10, to determine the extent to which such credentials are equivalent to the education requirements set forth in subdivision 1 and subdivision 2 of this subsection; and (ii) submit such evaluations to the board, which may accept or reject the evaluator's recommendations in whole or in part.~~

5. Evidence of having obtained the required education shall be submitted in the form of official transcripts transmitted in a manner determined by the board. In unusual circumstances, the board may accept other evidence it deems to be substantially equivalent.

#### ~~D. C. Examination.~~

1. Each applicant for an original CPA certificate in Virginia must shall pass a basic written national uniform examination, as approved by the board, in auditing,

~~business law, theory of accounting, and accounting practice and other such related subject areas as deemed appropriate by the board from time to time. Applicants who have no unexpired examination credits must sit for all parts of the basic examination and professional responsibilities, accounting and reporting (taxation, managerial, governmental and not-for-profit organizations), financial accounting and reporting, and other such related subject areas as deemed appropriate by the board. Each part of the basic examination must be passed with a minimum grade of 75 established by the board. The board may use all or any part of the Uniform Certified Public Accountant Examination and Advisory Grading Service of the American Institute of Certified Public Accountants to assist it in performing its duties.~~

~~The examination fee shall consist of the administration expenses of the board ensuing from the board's examination procedures and contract charges. Exam service contracts shall be established through competitive negotiation in compliance with the Virginia Public Procurement Act (§ 11-35 et seq. of the Code of Virginia). The current examination shall not exceed a cost of \$ 200 \$ 300 to the candidate.~~

~~2. Examination credits. Credits will be given for basic examination sections passed through five successive offerings subsequent to the first occasion when credit is earned. If at a given sitting of the examination an applicant passes two or more but not all sections, then the applicant shall be given credit for those sections that the applicant has passed and need not sit for reexamination in those sections, provided that the following conditions are met.~~

~~a. No credit will be allowed until either the section principally testing accounting practice or two other sections are passed at a single sitting; and~~

~~b. The candidate sits for all sections for which credit has not previously been granted; and~~

~~c. The candidate receives a minimum grade of 50 in each section not passed, except if all sections but one are passed at a single examination, no minimum grade shall be required on the remaining section.~~

~~3. Effective with the May 1994 examination, credits will be awarded if, at a given sitting of the examination, a candidate passes two or more, but not all, sections. The candidate shall be given credit for those sections passed, and need not sit for reexamination in those sections, provided:~~

~~a. The candidate wrote all sections of the examination at that sitting, the applicant wrote all sections of the examination for which the applicant did not have credit;~~

~~b. The candidate applicant attained a minimum grade of 50 on each section not passed taken at each that sitting;~~

~~c. The candidate applicant passes the remaining sections of the examination within five six consecutive examinations (irrespective of the date on which the~~

~~examination credit was earned) given after the one at which the first sections were passed;~~

~~d. At each subsequent sitting at which the candidate applicant seeks to pass any additional sections, the candidate applicant writes all sections not yet passed for which the applicant does not have credit, and~~

~~e. In order to receive credit for passing additional sections in any such subsequent sitting, the candidate applicant attains a minimum grade of 50 on sections written but not passed on such sitting; and taken at that sitting.~~

~~f. Any candidate who has been awarded conditional credit for a section passed prior to May 1994 shall be awarded conditional credit as specified below:~~

~~(1) A candidate who has been awarded conditional credit for the accounting practice section shall be awarded conditional credit for the accounting and reporting section, and shall retain such credit until he passes the remaining sections or until the conditional status of such credit expires, whichever occurs first.~~

~~(2) A candidate who has been awarded conditional credit for either the auditing or the business law (renamed business law and professional responsibilities) section, or both, shall retain such credit until he passes the remaining sections, or until the conditional status of such credit expires, whichever occurs first.~~

~~(3) A candidate who has been awarded conditional credit for the accounting theory section shall be awarded conditional credit for the financial accounting and reporting section and shall retain such credit until he passes the remaining sections or until the conditional status of such credit expires, whichever occurs first.~~

~~4. 3. Examination credits, exceptions. The board may, at its discretion, waive any of the above requirements for carryover examination credits for candidates who suffer documented serious personal illness or injury, or death in their immediate family, or who are prevented from meeting these requirements due to the obligation of military service or service in the Peace Corps, or for other good cause of similar magnitude approved by the board. Documentation of these circumstances must be received by the board no later than 12 months after the date of the examination missed or within 6 months of the completion of military or Peace Corps service whichever is later, if such waiver is in the public interest.~~

~~5. 4. Conduct in basic examination. Each applicant shall follow all rules and regulations established by the board with regard to conduct at the basic examination. Such rules shall include any written instructions communicated prior to the examination date and any instructions communicated at the examination site on the date of the examination.~~

~~6. 5. Loss of credit or eligibility. Any applicant found to be in violation of Failure to comply with the rules and regulations governing conduct in the basic examination~~

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may ~~lose result in the loss of~~ established eligibility to sit for the examination or credit for examination parts passed.

~~7. 6. Application deadline. An Application applicant to sit for the basic examination shall be made on a obtain an application form provided by from the board or its designee, complete the application and shall be filed in accordance with the instructions on the application, and submit the application along together with all required documents by the first Friday in March for the May examination and by the first Friday in September for the November examination to the board or its designee by the date determined by the board or its designee.~~

~~8. 7. Failure to appear; excused examination. An applicant who fails to appear for the basic examination or reexamination shall forfeit the fees charged for that examination or reexamination unless excused by the board.~~

~~The board may, at its discretion, excuse an applicant for an examination until the next examination for military service when documented by orders or a letter from the commanding officer; or for serious injury, illness or physical impairment, any of which must be documented by a statement from the treating physician; or death in their immediate family, or for other good cause of similar magnitude approved by the board. The fee for the excused examination will be refunded.~~

~~8. The fee to sit for the examination is established in 18 VAC 5-20-11 G, whether paid directly to the board or to a designee under contract to the board.~~

## D. Experience.

1. Each applicant for initial issuance of a CPA certificate under this section shall provide documentation of having met the experience requirements established by § 54.1-2003 C of the Code of Virginia, which requires at least one year of acceptable experience in accounting or a related field. The experience may include providing any type of service or advice involving the use of accounting, management, financial, tax, or consulting advisory skills or services. Acceptable experience shall include employment in government, industry, academia or public accounting or related services. The applicant's experience may be supervised by a non-CPA certificate holder, although, when completing the application for the CPA certificate, the experience must be verified by a CPA certificate holder.

2. One year of experience shall consist of full or part-time employment that extends over a period of no less than a year and no more than three years and includes no fewer than 2,000 hours of performance of services described in subdivision 1 of this subsection.

## **18 VAC 5-20-30. Original CPA certificate.**

~~A. A CPA certificate will be granted to an applicant who has met all of the qualifications for certification outlined in 18 VAC 5-20-20.~~

~~B. The fee for an original CPA certificate shall be \$15. All fees are nonrefundable and shall not be prorated.~~

## **18 VAC 5-20-40. CPA certificate by endorsement.**

~~A CPA certificate will be granted to an applicant who holds a like valid and unrevoked CPA certificate issued under the law of any jurisdiction showing that applicant is in good standing in the jurisdiction, provided:~~

~~1. The applicant meets all current requirements in Virginia at the time application is made; or~~

~~2. At the time the applicant's CPA certificate was issued in the other jurisdiction the applicant met all requirements then applicable in Virginia; or~~

~~3. The applicant has met all requirements applicable in Virginia except the education requirement, or has passed the examination under different credit or grade provisions, and either:~~

~~a. The applicant has five years of experience in the performance of accounting services within the 10 years prior to application, or~~

~~b. The applicant has five years of experience in the performance of accounting services, one year of which was immediately prior to application and, within the 10 years prior to application, had completed 15 semester hours of accounting, auditing and related subjects at an accredited institution.~~

~~4. The fee for a CPA certificate by endorsement shall be \$65. All fees are nonrefundable and shall not be prorated.~~

## **18 VAC 5-20-41. Issuance of original CPA certificate; CPA certificate by endorsement; and substantial equivalency.**

### A. Original CPA certificate.

1. When required. Each individual who desires to use the CPA designation shall first obtain a CPA certificate.

2. Each applicant for an original CPA certificate shall submit an application, on a form provided by the board, which shall document that the requirements of 18 VAC 5-20-20 have been met. If the application is received by the board three or more years after the successful completion of the CPA examination by the applicant, the applicant shall, in addition, submit evidence of having met the continuing professional education requirements established by 18 VAC 5-20-451 A 1 or 18 VAC 5-20-451 A 2, whichever is applicable. Each applicant shall agree to comply with the statutes and regulations of any other state in which he is authorized to practice.

3. Each application for an original CPA certificate shall be accompanied by the fee established in 18 VAC 5-20-11.

### B. CPA certificate by endorsement.

1. Each applicant for a CPA certificate by endorsement shall submit an application, on a form provided by the board, which shall document that the applicant holds a

corresponding certificate as a certified public accountant issued after meeting examination and other requirements under laws of the state(s) from which the applicant is seeking a CPA certificate by endorsement. The application shall include the following:

a. From each state from which the applicant has received a CPA certificate (or from the applicant directly if the state is unable to provide the information), a written statement from the board of each state confirming that the applicant (i) is in good standing in that state; (ii) has not been found guilty of violating that state's standards of conduct or practice; (iii) has no pending actions alleging violations of that state's standards of conduct or practice; (iv) has met the education requirements in effect in that state when the applicant passed the examination described in 18 VAC 5-20-20 C and (v) has met the experience requirement for a CPA certificate in effect in Virginia when the CPA certificate by endorsement application is received by the board. An applicant who holds a CPA certificate from a state that the board has determined meets the substantial equivalency provision set forth in § 54.1-2004.1 of the Code of Virginia shall be considered to have met the requirements of (iv) and (v).

b. A written statement from the applicant affirming that the applicant has (i) not violated the board's standards of conduct or standards of practice; and (ii) met the board's continuing education requirements.

The board may deny the application for a CPA certificate by endorsement if the applicant is not in good standing in the other states which have issued CPA certificates to the applicant or if any information from the applicant indicates a failure to comply with the aforementioned standards.

2. Each application for a CPA certificate by endorsement shall be accompanied by the fee established in 18 VAC 5-20-11.

C. Privileges of CPA certificate holders. Each CPA certificate holder shall have the privilege of using the CPA designation provided the CPA certificate holder complies with the (i) standards of conduct, (ii) standards of practice, and (iii) the renewal requirements established by the board. Upon expiration of the CPA certificate, the CPA certificate holder shall cease displaying the CPA certificate and the wall certificate, and shall cease affixing and using the CPA designation in any manner.

D. Supervising CPA. CPA certificate holders shall have met the experience requirements established in 18 VAC 5-20-81 before supervising services involving the practice of public accounting, or signing or authorizing another person to sign the accountant's report on the financial statements on behalf of the firm.

E. CPA certificate renewal. CPA certificates shall be renewed in compliance with 18 VAC 5-20-100.

F. Privilege to practice without a CPA certificate by endorsement, substantial equivalency.

1. To implement the provisions of § 54.1-2004.1 A of the Code of Virginia, the privilege to practice under substantial equivalency shall be evidenced by the following:

a. If the individual's CPA certificate is issued by a state that the board has determined is substantially equivalent, the CPA certificate issued by that state shall constitute evidence of the privilege to practice.

b. If the individual's CPA certificate is issued by a state that the board has determined is not substantially equivalent, the CPA certificate holder shall notify the board in writing that he intends to practice in the Commonwealth and shall provide documentation acceptable to the board that he has personally satisfied the requirements for substantial equivalency. An approval letter from the board shall constitute evidence of the privilege to practice.

c. A CPA certificate by endorsement must be obtained if the CPA exercising the privilege to practice under substantial equivalency moves his principal place of business to Virginia or ceases to have an office in any other state.

2. For the purposes of implementing § 54.1-2004.1 B 2 of the Code of Virginia relating to the privilege of practicing public accounting extended to nonresident CPA certificate holders, the board shall determine the state to be served based on whose statutes and regulations most closely correspond to those of the Commonwealth of Virginia.

3. The board shall determine whether a state meets the substantial equivalency provisions for nonresident CPA certificate holders by periodically obtaining, reviewing and approving a list of states, which in the opinion of the board, meet the substantial equivalency provisions for nonresident CPA certificate holders.

## ~~18 VAC 5-20-50. License/certificate maintenance.~~

~~Any person holding a Virginia CPA certificate shall either maintain a Virginia license to practice public accounting or file annually as a certificate holder not engaged in the practice of public accounting in Virginia and pay the required maintenance fee.~~

## ~~18 VAC 5-20-60. Licensure.~~

~~Each certified public accountant who is engaged in or holding himself out to be engaged in the practice of public accountancy in Virginia must hold a valid license. This provision applies to professional staff who are eligible for licensure as set forth in 18 VAC 5-20-80 as well as to sole proprietors, partners, members and shareholders.~~

~~1. To be eligible for licensure an individual shall meet the qualifications for certification outlined in 18 VAC 5-20-20 and one of the experience requirements set forth in 18 VAC 5-20-80.~~

~~2. The fee for an initial CPA license shall be \$40. All fees are nonrefundable and shall not be prorated.~~

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## **18 VAC 5-20-70. Requirement for licensure; exception.**

Only a certified public accountant, holding a valid Virginia license, may engage in the practice of public accounting in Virginia. However, this does not prohibit any person from affixing his signature to any statement or report for his employer's internal or management use designating the position, title, or office of the person.

## **18 VAC 5-20-80. Experience and continuing professional education requirements for original license.**

A. Each applicant for an original license shall have met the following experience requirements:

1. Two years of experience in public accounting with the giving of assurances and compilation services constituting not less than 800 hours of that experience with no more than 200 of such hours in compilation services; or
2. Two years of experience under the supervision of a certified public accountant in the performance of accounting services with at least 800 hours of that experience including the following:
  - a. Experience in applying a variety of auditing procedures and techniques to the usual and customary financial transactions recorded in the accounting records; and
  - b. Experience in the preparation of audit working papers covering the examination of the accounts usually found in accounting records; and
  - c. Experience in the planning of the program of audit work including the selection of the procedures to be followed; and
  - d. Experience in the preparation of written explanations and comments on the findings of the examinations and on the accounting records; and
  - e. Experience in the preparation and analysis of financial statements together with explanations and notes thereon; or
3. Three years of experience in the performing of accounting services which demonstrates intensive, diversified application of accounting principles, auditing standards or other technical standards pertaining to accounting and review services, tax services or management advisory services; or
4. Three years of teaching experience in upper level courses in accounting, auditing, and taxation at an accredited institution in conjunction with no less than five months experience with a public accounting firm with the giving of assurances and compilation services constituting not less than 800 hours of that experience with no more than 200 of such hours in compilation services.

B. An applicant having a baccalaureate degree and courses as defined in 18 VAC 5-20-20 C 1 and a master's degree from an accredited institution with 15 semester hours in graduate level accounting courses exclusive of those

courses defined in 18 VAC 5-20-20 C 1 will be credited with one year of required experience under this section.

C. Individuals applying for original licensure after January 1, 1992, shall have completed in addition to one of the experience requirements, a minimum of 20 credit hours of CPE in the subject areas listed in 18 VAC 5-20-490 within the preceding 12 months prior to application for licensure. For purposes of license renewal, the calendar year following the year in which the initial license is issued shall be considered the first reporting year for CPE as outlined in 18 VAC 5-20-450.

## **18 VAC 5-20-81. Additional requirements for CPAs supervising services involving the practice of public accountancy.**

A. When required.

1. To implement the provisions of § 54.1-2005 C 7 of the Code of Virginia, any individual CPA certificate holder who is responsible for supervising services involving the practice of public accounting, or signs or authorizes another person to sign the accountant's report on the financial statement on behalf of the firm, shall meet the requirements set forth in subsection B of this section.

2. Nothing in this section is intended to proscribe an individual who does not have a CPA certificate from affixing his signature to any statement or report for his employer's internal or management use and designating his position, title or office.

B. Requirements.

1. CPA certificate. Any individual desiring to supervise public accountancy services shall hold a currently valid CPA certificate or CPA certificate by endorsement issued by this board or shall be in compliance with the substantial equivalency requirements in 18 VAC 5-20-41 F.

2. Experience. In addition to the one year of experience required to receive a CPA certificate, such individual shall have completed one year of additional experience in the practice of public accounting, as defined in 18 VAC 5-20-10, with not less than 600 of these hours in the performance of audits. One year of experience shall consist of no fewer than 2,000 hours of full or part-time employment that extends over a period of no less than one year and no more than three years. The experience must have been gained under the direct supervision of a CPA licensed in any state.

## **18 VAC 5-20-90. Registration of professional corporations and professional limited liability companies.**

A. All professional corporations and professional limited liability companies practicing public accountancy in Virginia shall be registered by the board.

B. The fee for registration shall be \$40. All fees are nonrefundable and shall not be prorated.

C. All registered professional corporations and professional limited liability companies shall meet the

standards set forth in § 54.1-2005 of the Code of Virginia and Part IV of this chapter.

## **18 VAC 5-20-91. Registration of firms.**

A. To implement the provisions of § 54.1-2005 B of the Code of Virginia, any firm with one or more offices in the Commonwealth which practices, directly or indirectly, public accounting or which uses the term "Certified Public Accountant(s)" or the designation "CPA" in the name of the firm shall register with the board within sixty days of its formation or initially meeting the requirement to obtain a registration certificate. Any such firm in existence prior to October 4, 1999, that had not previously registered with the board shall register by November 30, 1999.

B. To implement the provisions of § 54.1-2005 C of the Code of Virginia, any firm with an office in the Commonwealth providing or offering to provide services involving the practice of public accounting shall be issued a registration certificate by the board upon its application and payment of the required fee provided the firm is in compliance with § 54.1-2005 C of the Code of Virginia.

1. Application; requirements, including peer review. Each firm shall submit an application on forms provided by the board, which shall contain the following:

a. A statement that the applicant is filing pursuant to § 54.1-2005 B of the Code of Virginia and has complied with each of the requirements of § 54.1-2005 C of the Code of Virginia.

b. A copy of a peer review report and the letter from the supervising entity (an organization that administers and supervises a peer review program for CPAs, such as the American Institute of Certified Public Accountants) accepting the report as evidence that it has undergone, no less frequently than once every three years, a peer review that expresses an opinion on the firm's system of quality control if the firm performed auditing, accounting or attestation engagements providing some level of assurance, or a report review if the firm compiled financial statements but did not perform auditing, accounting or attestation engagements providing some level of assurance during the three years preceding the calendar year in which the application is received.

(1) Such reviews shall be performed and reported in accordance with standards that are at least comparable to the peer review program of the American Institute of Certified Public Accountants.

(2) If the peer review report describes material deficiencies, the firm must provide evidence from the reviewer or supervising entity that the firm has corrected any material deficiencies within the time period set forth in the aforementioned standards or one year from the date of the peer review report, whichever is shorter. If the firm does not provide such evidence, the board shall advise the firm that:

(i) the requirements of this section have not been met; (ii) the firm must provide the board with evidence that the firm has corrected the deficiencies

within 90 days after the date of the board's communication; and (iii) the firm's registration certificate shall be revoked if such evidence is not provided. The firm may request a proceeding in accordance with the provisions of the Administrative Process Act (§ 9-6.14:4.1 et seq. of the Code of Virginia).

(3) A firm in existence prior to October 4, 1999 that is subject to the aforementioned requirement but has not undergone such a review shall comply with this requirement by June 30, 2002.

(4) A firm organized after October 3, 1999 shall comply with the peer review requirement within six months following the second anniversary of its formation.

c. The designation of a CPA certificate holder that will be the primary contact for the firm, including a firm with multiple offices.

2. Non-CPA Owners. To implement § 54.1-2005 C 3 of the Code of Virginia, all non-CPA owners shall work in the firm. "Work in the firm" shall mean that the non-CPA owner works full-time for the firm (at least 1,000 hours a year), and that retirees and owners no longer working full time shall have one year from the last day of their full-time involvement with the firm to dispose of their interest. Heirs shall have two years in which to dispose of the ownership interest.

C. To implement § 54.1-2005 D of the Code of Virginia, any firm with an office in the Commonwealth that is not engaged in the practice of public accounting but uses the term "Certified Public Accountant" or the "CPA" designation in its name shall be issued a registration certificate by the board upon its application and payment of the required fee provided the firm is in compliance with § 54.1-2005 C 1, 2, 3, and 8 of the Code of Virginia. Any such firm in existence prior to October 4, 1999, that had not previously registered with the board shall register by November 30, 1999.

1. Application, requirement, including peer review. Such firm shall submit an application provided by the board, which application shall contain the following:

a. A statement that the registrant is registering pursuant to § 54.1-2005 D of the Code of Virginia and has complied with each of the requirements set forth in § 54.1-2005 D of the Code of Virginia.

b. A statement that the firm has or has not compiled financial statements in compliance with SSARS.

c. If the firm has compiled financial statements in accordance with SSARS, a copy of a peer review report and the letter from the American Institute of Certified Public Accountants accepting the report (or report and letter from other parties acceptable to the board) as evidence that it has undergone, no less frequently than every three years, an off-site peer review.

(1) Such review shall be at least as comprehensive as the peer review program of the American Institute

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of Certified Public Accountants and the peer reviewer's report shall have expressed an unqualified opinion.

(2) A firm organized after October 3, 1999 shall comply with the peer review requirement within six months following the second anniversary of its formation.

d. The designation of a CPA certificate holder that will be the primary contact for the firm, including a firm with multiple offices.

2. Non-CPA owners. To implement § 54.1-2005 C 3 of the Code of Virginia, "work in the firm" means the non-CPA owner works full-time (at least 1,000 hours a year). Retirees and owners no longer working full time shall have one calendar year from the last day of their full-time involvement with the firm to dispose of their interest. Heirs shall have two years in which to dispose of their ownership interest.

D. The fee for a registration certificate is set forth in 18 VAC 5-20-11.

E. Pursuant to § 54.1-2005 C 6 of the Code of Virginia, all firms required to obtain registration certificates shall meet the standards set forth in 18 VAC 5-20-445.

F. Registration renewal. Each registration certificate shall be renewed in compliance with 18 VAC 5-20-100.

## PART III.

### RENEWAL/REINSTATEMENT OF CPA CERTIFICATE AND REGISTRATION CERTIFICATE AND OTHER GENERAL REQUIREMENTS.

#### 18 VAC 5-20-100. Requirement for renewal.

A. ~~Effective September 30, 1992, each license to practice public accounting or CPA certificate maintenance. Each CPA certificate issued under the provisions of this chapter shall be renewed annually expire one year from the last day of the month wherein the initial CPA certificate was issued and shall be renewable for periods of one year thereafter, except for CPA certificates with a September 30, 2000 expiration date. Each CPA certificate that expires on September 30, 2000 shall be renewed in a manner to implement a staggered renewal system, whereby all CPA certificates expiring on September 30, 2000 shall be renewed so as to cause an approximately equal number of CPA certificates to expire each month during the 12-month cycle beginning in March 2001 and ending in February 2002. The fee during this initial implementation period will include a prorata charge or credit for the period between March 31, 2001 and February 28, 2002. A registration certificate of a professional corporation or professional limited liability company shall be renewed biennially.~~

B. Each registration certificate shall expire two years from the last day of the month wherein issued and shall be renewable for periods of two years thereafter.

C. Registration certificates issued to professional corporations and professional limited liability companies, in accordance with the regulations of the board in effect

beginning on April 1, 1997 shall become void on November 30, 1999. Those firms shall register with the board in compliance with the requirements of 18 VAC 5-20-91 no later than November 30, 1999. A pro rata credit for the unexpired term of any existing registration certificate will be credited against the fee for the registration required by this subsection.

~~B. D. Effective September 30, 1992, each license to practice public accounting shall expire annually on September 30. Maintenance fees for CPA certificates shall also be due on September 30. A registration certificate of a professional corporation or professional limited liability company shall be renewed September 30 of each even-numbered year. The board Renewal notices will be mail mailed a renewal notice to the regulant at the last known address of record. Failure of the regulant to receive written notice of the expiration does not relieve him the regulant of the requirement to renew or and pay the required fee. The date the board receives the renewal notice and fee shall determine whether other fees established by 18 VAC 5-20-11 are payable. Fees shall not be refunded or prorated.~~

~~C. E. Renewal fees are as follows: Fees for renewal of a CPA certificate and a registration certificate are established in 18 VAC 5-20-11.~~

- ~~1. The fee for renewal of a CPA license to practice public accounting shall be \$30.~~
- ~~2. The fee for renewal of the registration certificate of a professional corporation shall be \$30.~~
- ~~3. The fee for renewal of the registration certificate of a professional limited liability company shall be \$30.~~
- ~~4. The CPA certificate maintenance fee shall be \$10.~~
- ~~5. All fees are nonrefundable and shall not be prorated.~~

~~D. If the required fee is not received by October 30 an additional fee of \$40 for certificate maintenance, \$25 for license renewal, \$25 for professional corporation, and \$25 for professional limited liability company registration shall be required.~~

~~E. Applicants for renewal of the CPA certificate maintenance or license to practice public accounting shall certify on a form provided by the board that they continue to meet the standards for entry as set forth in 18 VAC 5-20-20 B.~~

~~Applicants for renewal of the license to practice public accounting shall meet the requirements of Part V. Failure to comply with Part V will result in the denial of the license renewal.~~

#### F. Representations.

- ~~1. An individual holding a CPA certificate issued by the board shall submit a renewal application provided by the board, which application shall contain a statement that the applicant (i) has complied with the board's standards of conduct and applicable standards of practice; (ii) has met the applicable continuing professional education requirements set forth in § 54.1-2004 B of the Code of Virginia, § 54.1-2004 C of the Code of Virginia and 18 VAC 5-20-451 for the three years prior to the year the renewal application is submitted; and (iii) has met the~~



requirements set forth in 18 VAC 5-20-81 B if the CPA certificate holder is responsible for supervising services involving the practice of public accounting, or signs or authorizes another person to sign the accountant's report on the financial statement on behalf of the firm.

2. A firm practicing public accounting and holding a registration certificate issued by the board shall submit (i) a renewal application provided by the board that shall contain a statement that the registrant has complied with the board's standards of conduct and applicable standards of practice, and the requirements of § 54.1-2005 C of the Code of Virginia relating to firm ownership; and (ii) a copy of the peer review report and the letter from the supervising entity accepting the report as evidence that it has undergone, within the three-year period immediately preceding the year in which the registration certificate renewal application is submitted, a peer review that expresses an opinion on the firm's system of quality control if the firm performed auditing, accounting or attestation engagements providing some level of assurance, or a report review if the firm compiled financial statements but did not perform auditing, accounting or attestation engagements providing some level of assurance during the three years preceding the calendar year in which the application is received. Such reviews shall be performed and reported in accordance with standards that are at least comparable to the peer review program of the American Institute of Certified Public Accountants. If the peer review report describes material deficiencies, the firm must provide evidence from the reviewer or supervising entity that the firm has corrected any material deficiencies within the time period set forth in the aforementioned standards or one year from the date of the peer review report, whichever is shorter. If a firm does not provide evidence that it has corrected these deficiencies, the board shall implement a proceeding in accordance with the provisions of the Administrative Process Act (§ 9-6.14:4.1 et seq. of the Code of Virginia). A firm in existence prior to October 4, 1999 that is subject to the aforementioned requirement but has not undergone such a review must comply with this requirement by June 30, 2002.

F. G. ~~The board, in its discretion, and for just cause, may deny renewal of a license to practice public accounting, registration or certificate maintenance. Upon such denial, the applicant for renewal may request that a hearing be held in accordance with the provisions of the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia). If the above requirements are not met, the board shall advise the firm that its application has been denied and the reasons for the denial. The application may be resubmitted when the firm believes the deficiencies have been corrected. The firm may request a proceeding in accordance with the provisions of the Administrative Process Act (§ 9-6.14:4.1 et seq. of the Code of Virginia).~~

H. If the required renewal fee is received more than 30 days after the expiration date but within one year after the expiration date, a late fee will be charged in addition to the renewal fee as provided for in 18 VAC 5-20-11.

## 18 VAC 5-20-110. Requirement for reinstatement.

In addition to meeting the requirements for renewal set forth in 18 VAC 5-20-100, a regulant shall comply with the following requirements if the regulant fails to renew within 12 months after the expiration of the applicable certificate:

~~A. 1. If the regulant fails to renew his license to practice public accounting CPA certificate or registration certificate or pay his certificate maintenance fee within six 12 months following the its expiration or voluntary termination by the holder of a CPA certificate or registration certificate, he will be required to present reasons for reinstatement and the board may, in its discretion, grant reinstatement or require a requalification or reexamination or both.~~

2. No application for reinstatement shall be considered while the petitioner is under sentence for criminal offense related to the practice of accountancy, including any period during which the petitioner is on probation or parole for such offense.

~~B. 3. The fee for reinstatement of the license to practice public accounting shall be \$60, the fee for reinstatement of the professional corporation registration shall be \$60, the fee for reinstatement of a professional limited liability company registration shall be \$60, and the fee for reinstatement of the certificate maintenance shall be \$20. All Reinstatement fees, which are nonrefundable and shall not be prorated, are established in 18 VAC 5-20-11.~~

~~C. 4. Applicants for reinstatement of the CPA certificate or license to practice public accounting shall certify affirm on a form provided by the board that they continue to meet the standards for entry as set forth in ~~48 VAC 5-20-20 B~~ 18 VAC 5-20-20, and for renewal as set forth in 18 VAC 5-20-100. Applicants for reinstatement of the registration certificate shall affirm on a form provided by the board that they continue to meet the standards of conduct and applicable standards of practice, and the renewal requirements set forth in 18 VAC 5-20-100.~~

~~D. 5. If the regulant has failed to renew his license to practice public accounting CPA certificate or registration certificate for a period of up to 12 months or longer, he shall be required in accordance with Part V of this chapter to complete a minimum of 40 credit hours of Continuing Professional Education (CPE) with a minimum of eight CPE credit hours in accounting and auditing and eight CPE credit hours in taxation within the preceding 12 months prior to application. If the regulant has failed to renew his license in excess of 12 months, he shall be required to complete a continuing education program specified by the board which shall require him to complete 40 hours of CPE if he failed to renew the license for one year, 80 hours of CPE if he failed to renew the license for two years and 120 hours of CPE if he failed to renew the license for three years, minus the hours which he had taken during this time period a reinstatement fee, as set forth in 18 VAC 5-20-11, shall be due in addition to the renewal fee and late renewal fee established in 18 VAC 5-20-11.~~

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~~E. If the regulant has failed to maintain his CPA certificate, renew his license, professional corporation or limited liability company registration for a period of 12 months or longer, a late fee, in addition to the reinstatement fees outlined in 18 VAC 5-20-110 B, will be required.~~

~~6. The renewal fee and late fee shall be \$25 for each renewal period in which the regulant failed to maintain his CPA certificate, or failed to renew his license, professional corporation or limited liability company registration. CPA certificate or registration certificate shall be paid as set forth in 18 VAC 5-20-11.~~

~~F. 7. The board, in its discretion, and for just cause, may deny reinstatement of a license to practice public accounting, registration or certificate maintenance. Upon such denial, the applicant for reinstatement may request that a hearing be held in accordance with the provisions of the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia). If the above requirements are not met, the board shall advise the applicant that reinstatement has been denied and the reasons for the denial. The reinstatement request may be resubmitted when the applicant believes the matters affecting the reinstatement application have been satisfactorily resolved. The reinstatement applicant may request a proceeding in accordance with the provisions of the Administrative Process Act (§ 9-6.14:4.1 et seq. of the Code of Virginia).~~

## **18 VAC 5-20-111. Status of certificate holder during the period prior to reinstatement.**

~~A regulant who is reinstated shall be regarded as having been a regulant continuously without interruption. Therefore, the regulant shall remain under the disciplinary authority of the board during this entire period and may be held accountable for his activities during this period. A regulant who is not reinstated shall be regarded as unlicensed from the expiration date of the CPA certificate or registration certificate forward. Nothing in these regulations shall divest the board of its authority to discipline a regulant for a violation of the law or regulations during the period of time for which the regulant held a CPA certificate or registration certificate.~~

## **18 VAC 5-20-112. Notification of change of address or name, response to board communication.**

~~A. Each regulant shall notify the board in writing within 30 days of any change of address or name.~~

~~B. Each regulant shall respond within 30 days to any request for information made by the board.~~

### **PART IV.**

#### **STANDARDS OF PRACTICE CONDUCT.**

## **18 VAC 5-20-120. Regulant accountable for service rendered.**

~~Whenever a regulant offers or performs any services in Virginia related to the performance of accounting services regardless of the necessity to hold a license to perform that service, he shall be subject to the provisions of this chapter. A regulant shall be responsible for the acts or omissions of his staff in the performance of accounting services.~~

## **18 VAC 5-20-130. Use of terms.**

~~No firm with an office in Virginia shall use or assume the title or designation "certified public accountant," "public accountant," "CPA," or any other title, designation, phrase, acronym, abbreviation, sign, card, or device tending to indicate that it is engaged in or holding itself out to be engaged in Virginia in the practice of public accountancy unless all principals and professional staff of that firm who work in Virginia or who have substantial contact with work in Virginia and who meet the qualifications for licensure, currently hold a valid Virginia license.~~

## **18 VAC 5-20-140. Notification of change of address or name.**

~~Every regulant shall notify the board in writing within 30 days of any change of address or name.~~

## **18 VAC 5-20-150. Sole proprietor name.**

~~A sole proprietor shall use his own name as the firm name. However, a sole proprietor surviving the death or withdrawal of all other partners in a partnership may continue using the names of those partners for not more than two years after becoming a sole proprietor. A sole proprietor surviving the death or withdrawal of all other members in a professional limited liability company may continue using the names of those members for not more than two years after becoming a sole proprietor.~~

## **18 VAC 5-20-160. Partnership name.**

~~Licensees shall not practice in a partnership that includes a fictitious name, a name that indicates fields of specialization, or a name that includes the terms "company," "associates" or any similar terms or derivatives unless used to designate at least one unnamed, currently licensed partner. The name of one or more partners in a predecessor partnership, shareholders or licensed officers of a predecessor professional corporation, or members or managers of a predecessor professional limited liability company may be included in the partnership firm name of a successor partnership.~~

## **18 VAC 5-20-170. Professional corporation name.**

~~A licensee shall not practice in a professional corporation that includes a fictitious name, a name that indicates fields of specialization, or a name that includes the terms "company," "associates," or any similar terms or derivatives unless used to designate at least one unnamed, currently licensed shareholder or licensed officer. The names of one or more past shareholders or licensed officers in a predecessor professional corporation, partners in a predecessor partnership, or members or managers in a predecessor professional limited liability company may be included in the corporate firm name of a successor corporation. A shareholder surviving the death or retirement of all other shareholders may continue using the names of those shareholders, partners in a predecessor partnership, or those members in a predecessor professional limited liability company for not more than two years after becoming a sole shareholder.~~

## **18 VAC 5-20-180. Professional limited liability company name.**

Licensees shall not practice in a professional limited liability company that includes a fictitious name, a name that indicates fields of specialization, or a name that includes the terms "company," "associates," or any similar terms or derivatives unless used to designate at least one unnamed, currently licensed member or licensed manager. The names of one or more past shareholders or licensed officers in a predecessor professional corporation, partners in a predecessor partnership, or members or managers in a predecessor limited liability company may be included in the firm name of a successor professional limited liability company.

## **18 VAC 5-20-190. Notification of changes in firm.**

A licensee shall notify the board in writing within 30 days after occurrence of any of the following:

1. The formation of a firm and its name, location and names of partners, shareholders, officers, members or managers;
2. The admission of any new partner, shareholder, or member;
3. The change in the name of any partnership, professional corporation or professional limited liability company;
4. The change in the supervisor of any branch office;
5. The change in the number or location of Virginia offices;
6. The opening of a new office in Virginia and the name of the supervisor; and
7. Any event which would cause the firm not to be in conformity with the provisions of this chapter.

## **18 VAC 5-20-200. Sharing an office.**

When sharing office facilities with any person who is not in the same firm, the licensee shall use practices and procedures which enable a reasonable person clearly to distinguish between the practice of the licensee and the operation of the other occupation or business.

## **18 VAC 5-20-210. Resident manager in Virginia in charge of office.**

Each branch office of a firm shall be managed by a certified public accountant licensed in Virginia. No licensed certified public accountant shall manage more than one office until such time as the licensee can provide, and the board approves, a management plan to provide supervision and quality control over the work product of all offices under the supervision of the licensee.

## **18 VAC 5-20-220. Misleading name, letterhead, publication, etc.**

Nothing shall be contained in a firm's name or in any firm letterhead, publication, form, card, etc., which states or implies an ability, relationship, or condition that does not exist.

## **18 VAC 5-20-230. Independence.**

A licensed individual or a firm of which he is a partner, shareholder or member shall not express an opinion or conclusion on financial statements of an entity in such a manner as to imply that he or his firm is acting in an independent capacity when either the licensee or his firm during the period of a professional engagement or at time of expressing an opinion has any of the following interests in that entity:

1. Has acquired or has committed to acquire any direct or material indirect financial interest in the entity; or
2. Held the position of trustee, executor, or administrator of any trust or estate, if such trust or estate has or has committed to acquire any direct or material indirect financial interest in the entity; or
3. Held ownership of any joint closely held business investment with the entity or any officer, director, or principal stockholder thereof which was material in relation to the net worth of the licensee; or
4. Has a relationship with the entity as a promoter, underwriter, or voting trustee, director or officer, or in any capacity equivalent to that of a member of management or of an employee; or
5. Has any loan to or from the entity, or from any officer, director, or principal stockholder thereof except loans made by a financial institution under normal lending procedures, terms and requirements such as: loans obtained by the licensee or firm which are not material in relation to the net worth of the borrower; or home mortgages; or other secured loans, except those secured solely by a guarantee of the firm or its licensees.

## **18 VAC 5-20-240. Integrity and objectivity.**

A regulant shall not knowingly misrepresent facts or subordinate his judgment to others. In tax practice, a regulant may resolve doubt in favor of his client as long as there is reasonable support for his position.

## **18 VAC 5-20-250. Commissions.**

A regulant shall not pay a commission to obtain a client, nor shall he accept a commission for a referral to a client of products or services of others. Payments for the purchase of all, or part, of an accounting practice, retirement payments to persons formerly engaged in the practice of public accountancy, or payments to the heirs or estates of such persons are permitted.

## **18 VAC 5-20-260. Contingent fees.**

A regulant shall not engage or offer to engage in the performance of accounting services for a fee which is contingent upon his findings or results of his services. This regulation does not apply either to services involving taxes in which the sole findings are those of the tax authorities or to the performance of accounting services for which the fees are to be fixed by courts or other public authorities.

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## ~~18 VAC 5-20-270. Incompatible occupations.~~

~~A regulant shall not concurrently engage in any other business or occupation which impairs his independence or objectivity in the performance of accounting services.~~

## ~~18 VAC 5-20-280. Competence.~~

~~A regulant shall not undertake performance of accounting services which he cannot reasonably expect to complete with due professional competence, including compliance, when applicable, with this chapter.~~

## ~~18 VAC 5-20-290. Auditing standards.~~

~~A regulant shall not permit his name to be associated with financial statements in such a manner as to imply that he is acting as an independent certified public accountant unless he has complied with applicable generally accepted auditing standards in current use at the time his services were provided. Departures from compliance with generally accepted auditing standards must be justified.~~

## ~~18 VAC 5-20-300. Accounting principles.~~

~~A regulant shall not express an opinion that financial statements are presented in conformity with generally accepted accounting principles if such statements contain any departure from generally accepted accounting principles in current use at the time the services were provided, which departure has a material effect on the statements taken as a whole. Any such departure is permissible only if the regulant can demonstrate that, due to unusual circumstances, the financial statements would otherwise be misleading. In such cases, his report must describe the departure, the approximate effects thereof, if practicable, and the reasons why compliance with the principles would result in a misleading statement.~~

## ~~18 VAC 5-20-310. Other technical standards.~~

~~A regulant shall comply with other technical standards pertaining to accounting and review services, tax services and management advisory services in current use at the time services were provided. Departure from compliance with other technical standards must be justified.~~

## ~~18 VAC 5-20-320. Forecasts or projections.~~

~~No regulant shall vouch for the achievability of any forecast or projection.~~

## ~~18 VAC 5-20-330. Confidential client information.~~

~~A regulant shall not, without the consent of his client, disclose any confidential information pertaining to his client obtained in the course of the performance of accounting services, except in response to a subpoena or summons enforceable by order of a court, in response to any inquiry made by the board or its agents, by a government agency, or by a recognized organization of certified public accountants, or by the client himself or his heirs, successors or authorized representative, or in connection with a quality control review of the regulant's practice.~~

## ~~18 VAC 5-20-340. Client's records.~~

~~A regulant shall furnish to his firm's client or former client, within a reasonable time upon request:~~

- ~~1. A copy of the client's tax return or a copy thereof; or~~
- ~~2. A copy of any report, or other document, issued by the regulant or his firm to or for the client and not formally withdrawn by the regulant or his firm prior to the request; or~~
- ~~3. Any accounting or other record belonging to the client, or obtained from or on behalf of the client, which the regulant or another member of his firm removed from the client's premises or had received for the client's account; or~~
- ~~4. A copy of the regulant's working papers, to the extent that such working papers include records which would ordinarily constitute part of the client's books and records not otherwise available to the client. Examples would include worksheets in lieu of books of original entry or general or subsidiary ledgers such as a list of accounts receivable or depreciation schedule. All journal entries and supporting details would also be considered client's records; or~~
- ~~5. With respect to subdivisions 1, 2 and 4 of this section, it shall not be considered a violation of this section if a regulant declines to deliver to a client any of the foregoing until the client has paid any amounts owed for those services to which subdivisions relate.~~

## ~~18 VAC 5-20-350. Acting through others.~~

~~A regulant shall not permit others to carry out on his behalf, acts which, if carried out by the regulant would place him in violation of this chapter. A regulant shall not perform services for a client who is performing the same or similar services for another, if the regulant could not perform those services under these rules.~~

## ~~18 VAC 5-20-360. Advertising.~~

~~A regulant shall not make any false, fraudulent, misleading, deceptive, or unfair statement or claim, including but not limited to:~~

- ~~1. A misrepresentation of fact; or~~
- ~~2. Failure to make full disclosure of any relevant fact; or~~
- ~~3. Representation of services of exceptional quality not supported by verifiable facts; or~~
- ~~4. A representation that might lead to unjustified expectation of higher level of performance or of favorable results.~~

## ~~18 VAC 5-20-370. Solicitation.~~

~~A regulant shall not by any direct personal communication solicit an engagement for the performance of accounting services if the communication is overreaching or contains use of coercion, duress, compulsion, intimidation, threats, or harassment.~~

## ~~18 VAC 5-20-380. Response to board communication.~~

~~A regulant shall respond by registered or certified mail within 30 days of the mailing of any communication from the board when requested.~~

## ~~18 VAC 5-20-390. Revocation, suspension, and fines.~~

~~The board may suspend, deny renewal, or revoke any certificate, license, or registration, or may fine the holder thereof, upon a finding of any conduct reflecting adversely upon the regulant's fitness to engage in the performance of accounting services or for violation of any of the board's rules and regulations.~~

## ~~18 VAC 5-20-400. Practice inspection and continuing professional education.~~

~~In lieu of or in addition to any remedy provided in 18 VAC 5-20-390 the board may require an inspection of a regulant's practice, require completion of specified continuing education, restrict regulant's area of practice, or impose such other sanctions as it deems appropriate.~~

## ~~18 VAC 5-20-410. Petition for reinstatement or modification of a penalty.~~

~~No petition shall be considered while the petitioner is under sentence for a criminal offense related to the practice of accountancy, including any period during which the petitioner is on court imposed probation or parole for such offense. Otherwise, a person whose certificate or license has been revoked or suspended, or who has been subjected to any penalty may petition the board for reinstatement or modification of any penalty, no sooner than one year from the effective date of that decision. The petition shall be accompanied by at least two verified recommendations from licensees who have had personal knowledge of the activities of the petitioner since the time the disciplinary penalty was imposed. The board may consider all activities of the petitioner dating from the time the disciplinary action was taken; the offense for which the petitioner was disciplined; the petitioner's rehabilitative efforts and restitution to damaged parties; and the petitioner's general reputation for truth and professional ability.~~

## ~~18 VAC 5-20-420. Ownership of records.~~

~~All statements, records, schedules, working papers, and memoranda made by a regulant incident to rendering services to a client in the performance of accounting services other than records specified in 18 VAC 5-20-340, shall become the property of the regulant's firm absent an express agreement between the firm and the client to the contrary. No such statement, record, schedule, working paper or memorandum covered by this section or in 18 VAC 5-20-340 shall be sold, transferred, or bequeathed, to anyone other than a regulant without the consent of the client.~~

## ~~18 VAC 5-20-430. Acts discreditable.~~

~~A regulant shall not commit an act discreditable to the profession of accountancy.~~

## ~~18 VAC 5-20-440. Single act.~~

~~Evidence of the commission of a single act prohibited by this chapter shall be sufficient to justify a finding of violation, without evidence of a general course of conduct.~~

## ~~18 VAC 5-20-441. Standards of conduct for all regulants.~~

~~Regulants shall adhere to the following standards of conduct:~~

~~A. Responsibilities. A regulant shall exercise sensitive professional and moral judgment in all activities.~~

~~B. Public interest. A regulant shall act in a way that serves the public interest, honors the public trust, and demonstrates commitment to professionalism.~~

~~C. Integrity and objectivity. A regulant shall perform all professional responsibilities with the highest sense of integrity, maintain objectivity and freedom from conflicts of interest in discharging professional responsibilities, and avoid knowingly misrepresenting facts or inappropriately subordinating his judgment to others.~~

~~D. Independence. A CPA certificate holder and registration certificate holder shall be independent in fact and appearance when offering to provide or providing services pursuant to the standards listed in the definition of "standards of practice for CPA certificate holders."~~

~~E. Professional competence. A regulant shall undertake only those professional services that can reasonably be expected to be completed with professional competence.~~

~~F. Due professional care. A regulant shall exercise due professional care in the performance of professional services.~~

~~G. Planning and supervision. A regulant shall adequately plan and supervise the performance of professional services.~~

~~H. Sufficient relevant data. A regulant shall obtain sufficient relevant data to afford a reasonable basis for conclusions or recommendations in relation to any professional services performed.~~

~~I. Accounting principles. A CPA certificate holder shall not express an opinion or state affirmatively that financial statements or other financial data of any entity are presented in conformity with generally accepted accounting principles or state that the CPA certificate holder is not aware of any material modifications that should be made to such statements or data in order for them to be in conformity with generally accepted accounting principles, if such statements or data contain any departure from any of the standards described in the definition of the "standards of practice for CPA certificate holders" that has a material effect on the statements or data taken as a whole with the following exception: the CPA certificate holder can demonstrate that, due to unusual circumstances, the financial statements or data would otherwise have been misleading without the departure, and the approximate effects of the departure, if practicable, and the reasons why compliance with the principle would result in a misleading statement are provided in the statements or data.~~

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J. Confidential client information. A regulant shall not disclose any confidential client information without the specific consent of the client. This rule shall not be construed to (i) affect in any way the regulant's obligation to comply with a validly issued and enforceable subpoena or summons, or to prohibit a regulant's compliance with applicable laws and government regulations, (ii) prohibit review of a regulant's professional practice by this board, (iii) prohibit a review in conjunction with a prospective purchase, sale or merger of all or part of a regulant's practice so long as the regulant takes appropriate precautions (e.g., through a written confidentiality agreement) so that the prospective purchaser does not disclose any information obtained in the course of the review, or prohibit a review in conjunction with a peer review of a firm as provided in 18 VAC 5-20-91. The reviewers of such information shall not use to their advantage nor disclose any regulant's confidential client information that comes to their attention.

K. Contingent fees. As provided in § 54.1-2007 D 2 and 3 of the Code of Virginia, a CPA certificate holder shall not perform for a contingent fee: (i) any services for, or receive such a fee from, a client for whom the CPA certificate holder or the CPA certificate holder's firm performs services which involve the practice of public accounting, during the period when such services are being provided and during the period covered by the financial statements; or (ii) prepare an original tax return or claim for a tax refund for a contingent fee for any client.

L. Commissions and referral fees.

1. Prohibited Commissions. As provided in § 54.1-2007 D 1 of the Code of Virginia, a CPA certificate holder shall not recommend to a client any product or services for a commission, or, for a commission, recommend or refer any product or service to be supplied by a client, or receive a commission when the CPA certificate holder also performs for that client any service which involves the practice of public accounting. This prohibition applies during the period in which the CPA certificate holder is providing services which involve the giving of an assurance or during the period covered by any financial statements that were prepared by the CPA certificate holder as a part of such services.

2. Disclosure of Permitted Commissions. As provided in § 54.1-2007 E of the Code of Virginia, a CPA certificate holder who is not prohibited from accepting a commission and who is paid or expects to be paid a commission shall disclose that fact to any person or entity to whom the CPA certificate holder recommends or refers a product or service to which the commission applies.

3. Disclosure of Referral Fees. As provided in § 54.1-2007 F of the Code of Virginia, a CPA certificate holder who accepts a referral fee for recommending or referring any service of a CPA certificate holder shall disclose such payment to the client.

M. Acts discreditable. A regulant shall not commit acts discreditable to the profession, as listed in § 54.1-2006 of the Code of Virginia and this chapter.

N. Advertising and other forms of solicitation. A regulant shall not seek to obtain clients by advertising or other forms of solicitation in a manner that is false, misleading, or deceptive, or by coercion, overreaching or harassing conduct.

O. Form of organization and name. A regulant shall not practice under a firm name that is false, misleading or deceptive.

PART V.

STANDARDS OF PRACTICE FOR CPA CERTIFICATE HOLDERS.

**18 VAC 5-20-442. Standards of practice for CPA certificate holders involved in the practice of public accounting.**

CPA certificate holders shall follow the standards, as applicable under the circumstances, set forth below in providing services involving the practice of public accounting:

1. Statements of Financial Accounting Standards issued by the Financial Accounting Standards Board
2. Accounting Principles Promulgated by the Accounting Principles Board of the American Institute of Certified Public Accountants
3. Accounting Principles Promulgated by the Committee on Accounting Procedure of the American Institute of Certified Public Accountants
4. Statements on Auditing Standards issued by the Auditing Standards Board of the American Institute of Certified Public Accountants
5. Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants
6. Statements of Governmental Accounting and Financial Reporting Standards issued by the Governmental Accounting Standards Board
7. Statements on Governmental Auditing Standards issued by the Comptroller General of the United States
8. Statements on Standards for Attestation Engagements issued by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants
9. Standards issued by various governmental bodies with which the auditor is required to comply

**18 VAC 5-20-443. Standards of practice for CPA certificate holders providing tax compliance and advice.**

In addition to the standards of conduct established in 18 VAC 5-20-441, CPA certificate holders who provide tax compliance and tax advisory services shall comply with the following standards of practice:

1. Due diligence. A CPA certificate holder shall exercise due diligence as to accuracy in preparing, approving and filing, tax returns, documents, affidavits, and other papers relating to income tax matters.
2. Tax return positions.

a. A CPA certificate holder shall not recommend to a client that a position be taken with respect to the tax treatment of any item on a return unless the CPA certificate holder has a good faith belief that the position has a realistic possibility of being sustained administratively or judicially on its merits if challenged, or prepare or sign a return as an income tax return preparer if the CPA certificate holder knows that the return takes a position that the CPA certificate holder could not recommend under the aforementioned standard, except that a CPA certificate holder may recommend a position that the CPA certificate holder concludes is not frivolous so long as the position is adequately disclosed on the return or claim for refund.

b. In recommending certain tax return positions and in signing a return on which a tax return position is taken, a CPA certificate holder shall advise the client, where relevant, as to the potential penalty consequences of the recommended tax return position and the opportunity, if any, to avoid such penalties through disclosure.

c. A CPA certificate holder shall not recommend a tax return position that exploits the tax authority's tax election process, or serves as a mere "arguing" position advanced solely to obtain leverage in the bargaining process of settlement negotiation with the tax authority.

3. Answers to questions on returns. A CPA certificate holder shall make a reasonable effort to obtain from the client, and provide, appropriate answers to all questions on a tax return before signing as preparer.

4. Certain procedural aspects of preparing returns.

a. In preparing or signing a return, the CPA certificate holder may in good faith rely without verification upon information furnished by the client or by third parties; however, the CPA certificate holder shall not ignore the implications of information furnished and shall make reasonable inquiries if the information furnished appears to be incorrect, incomplete, or inconsistent either on its face or on the basis of other facts known to the CPA certificate holder.

b. Where the tax authority imposes a condition to deductibility or other tax treatment of an item (such as taxpayer maintenance of books and records or substantiating documentation to support the reported deduction or tax treatment), the CPA certificate holder shall make appropriate inquiries to determine to the CPA certificate holder's satisfaction whether conditions for deductibility or other tax treatment of an item (such as taxpayer maintenance of books and records or substantiating documentation to support the reported deduction or tax treatment) has been met.

c. The CPA certificate holder who is required to sign the return shall consider information actually known to the CPA certificate holder from the tax return of another client when preparing a tax return if the information is relevant to that tax return, its consideration is necessary to properly prepare that tax

return, and use of such information does not violate any law or rule relating to confidentiality.

5. Use of estimates. A CPA certificate holder may prepare tax returns involving the use of the taxpayer's estimates if it is impracticable to obtain exact data and the estimated amounts are reasonable under the facts and circumstances known to the CPA certificate holder and so long as the presentation does not imply greater accuracy than exists.

6. Departure from a position previously concluded in an administrative proceeding or court decision. A CPA certificate holder shall base a recommendation of a position to be taken concerning the tax treatment of an item in the preparation or signing of a tax return upon the facts and the law as they are evaluated at the time the return is prepared or signed by the CPA certificate holder.

7. Knowledge of error: return preparation.

a. A CPA certificate holder shall inform the client promptly upon becoming aware of an error in a previously filed return or upon becoming aware of a client's failure to file a required return and recommend the measures to be taken.

b. If the CPA certificate holder is requested to prepare the current year's return and the client has not taken appropriate action to correct an error in a prior year's return, the CPA certificate holder shall consider whether to withdraw from preparing a return and whether to continue a professional relationship with a client.

8. Knowledge of error: administrative proceedings. When the CPA certificate holder is representing a client in an administrative proceeding with respect to a return which contains an error of which the CPA certificate holder is aware, the CPA certificate holder shall inform the client promptly upon becoming aware of the error, recommend the measures to be taken, and request the client's agreement to disclose the error to the tax authority. Lacking such agreement, the CPA certificate holder shall consider whether to withdraw from representing the client in the administrative proceeding and whether to continue in a professional relationship with the client.

9. Form and content of advice to clients.

a. In providing tax advice, the CPA certificate holder shall use judgment to ensure that the tax advice given to a client reflects professional competence and appropriately serves the client's needs.

b. In advising or consulting with a client on tax matters, the CPA certificate holder shall assume that the advice or consultation provided a client on tax matters will affect the manner in which the matters or transactions considered ultimately will be reported on the client's tax returns.

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# Emergency Regulations

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## **18 VAC 5-20-444. Standards of practice for CPA certificate holders providing consulting services.**

A CPA certificate holder providing management consulting advisory services shall comply with the following standards of practice:

### 1. Client interest.

Serve the client interest by seeking to accomplish the objectives established by the understanding with the client while maintaining integrity and objectivity.

### 2. Understanding with client.

Establish with the client a written or oral understanding about the responsibilities of the parties and the nature, scope, and limitations of services to be performed, and modify the understanding if circumstances require a significant change during the engagement.

### 3. Communication with client.

Inform the client of (a) conflicts of interest that may occur pursuant to interpretations of the standards of conduct established in 18 VAC 5-20-441, (b) significant reservations concerning the scope of benefits of the engagement, and (c) significant engagement findings or events.

## PART VI.

### STANDARDS OF PRACTICE FOR FIRMS REQUIRED TO HOLD REGISTRATION CERTIFICATES.

## **18 VAC 5-20-445. Standards of practice for firms required to hold registration certificates.**

A. Use of terms by firms. No firm having an office in Virginia shall use or assume the title or designation "certified public accountant," "public accountant," "CPA," or any other title, designation, phrase, acronym, abbreviation, sign, card, or device tending to indicate that it is offering to practice or is practicing public accountancy, or using CPAs to provide tax compliance and advice services unless at least fifty-one percent of the owners currently hold a valid CPA certificate or CPA certificate by endorsement.

B. Management of offices. Each firm's office or offices located in Virginia that is offering services involving the practice of public accountancy shall be managed by a certified public accountant holding a valid CPA certificate.

C. Client's records. Upon request, a firm shall furnish to the firm's client or former client, within a reasonable time, any accounting or other record prepared by and belonging to the client, or obtained from or on behalf of the client, which the regulant or another member of his firm removed from the client or the client's premises, or had received for the client's account.

D. Ownership of regulant's working papers and records. All working papers, including but not limited to statements, programs, records, schedules, and memoranda, prepared by the regulant incident to rendering services to a client are the property of the regulant's firm absent an express agreement between the firm and the client to the contrary. Such working papers shall not be sold, transferred, or bequeathed, to

anyone other than a regulant without the consent of the client, except this rule shall not be construed to (i) affect in any way the regulant's obligation to comply with a validly issued and enforceable subpoena or summons, or to prohibit a regulant's compliance with applicable laws and government regulations, or (ii) prohibit a transfer to another firm licensed in Virginia in conjunction with a sale or merger of all or part of a member's practice so long as the regulant takes appropriate precautions (e.g., through a written confidentiality agreement) so that the purchaser or merging entity does not disclose any information obtained in the transaction. The purchaser or party to a merger shall not use to their advantage nor disclose any member's confidential client information that comes to their attention.

E. Peer review. In connection with a firm's initial or renewal registration, a firm practicing public accounting shall provide the board with evidence that it has undergone a peer review if required by 18 VAC 5-20-91.

F. Power of inspection. The board and its duly authorized agents shall have the power to inspect the work product and all supporting working papers and records of all regulants in connection with an investigation or relating to compliance with statutes and regulations.

## PART V VII.

### CONTINUING PROFESSIONAL EDUCATION.

## **18 VAC 5-20-450. CPE requirements for license renewal.**

~~Effective January 1, 1992, all licensees shall be required to complete and maintain 120 credit hours of continuing professional education (CPE) during each reporting cycle. At a minimum, a licensee shall complete 20 CPE credit hours during each calendar year. Credits shall be reported to the board by January 31 of the year following the year in which credits were earned.~~

~~For each three year reporting cycle, the licensee shall have completed a minimum of 16 credit hours in accounting and auditing and a minimum of 16 credit hours in taxation as defined by 18 VAC 5-20-490. The licensee shall not receive credit for more than 24 credit hours of personal development as defined by 18 VAC 5-20-490 during each reporting cycle. In order to receive CPE credit for a license renewal, all credit hours shall be from an approved sponsor as set forth in 18 VAC 5-20-480.~~

~~The board shall approve sponsors of CPE courses and not individual courses. A CPE course provided by an approved sponsor shall meet the CPE requirements set forth in the Rules and Regulations for Continuing Professional Education Sponsors and will be so designated. An investigation of an approved sponsor may be initiated based on a complaint or other information.~~

## **18 VAC 5-20-451. Continuing professional education requirements for CPA certificate holders.**

### A. CPE requirements for CPA certificate renewal.

1. As provided in § 54.1-2004 B of the Code of Virginia, any person referring to himself as a Certified Public Accountant or "CPA," including the use of the "CPA" title on individual business cards, letterhead and all other



documents and devices except the CPA certificate, and who is performing or offering to perform any services involving accounting skills or auditing skills, issuing reports on financial advisory or consulting services, preparing tax returns, or furnishing advice on tax matters, for the public, shall obtain 120 hours of continuing professional education during each three-year period with a minimum of 20 hours per year. The CPA certificate holder may choose the areas of study and courses. Any person covered by this provision who, prior to implementation of § 54.1-2004 B of the Code of Virginia, was not required to obtain continuing professional education, shall obtain at least 20 hours of continuing professional education in each of the calendar years 2000, 2001 and 2002 and meet the 120 hour requirement for the three year period ending December 31, 2002

2. As provided in § 54.1-2004 C of the Code of Virginia, effective July 1, 2002, any person referring to himself as a Certified Public Accountant or "CPA," including the use of the "CPA" title on individual business cards, letterhead and all other documents and devices except the CPA certificate, and who is performing or offering to perform any services involving accounting skills or auditing skills, issuing reports on financial advisory or consulting services, preparing tax returns, or furnishing advice on tax matters, for an employer or other organization and not for the public, or who is employed as an educator in the field of accounting, shall meet the following CPE requirements as a condition of renewal of the person's CPA certificate: (i) for the three-year reporting period beginning July 1, 2002, a minimum of 45 credit hours with a minimum of 10 hours per year, (ii) for the three-year reporting period beginning July 1, 2005, a minimum of 90 credit hours with a minimum of 15 hours per year, and (iii) for the three-year reporting periods beginning on or after July 1, 2008, a minimum of 120 credit hours with a minimum of 20 hours per year. The CPA certificate holder may choose the areas of study and courses.

3. Individuals failing to meet the CPE requirements may be subject to re-qualification, including possible re-examination and submission of experience qualifications. The board may, at its discretion, waive or defer CPE requirements so long as such waiver or deferral is in the public interest.

#### B. Requirements for retaining records.

1. It is the responsibility of the CPA certificate holder to retain evidence of satisfactory completion of CPE credit hours for a period of three years from the anniversary date of renewal. Such documentation shall be in the form of the certificate of completion provided by the sponsor or verification from the institution offering the course.

2. The CPA certificate holder shall provide such documentation to the board or its authorized agent upon request.

#### C. Continuing professional education credit.

1. One credit hour shall be given for each 50-minute period of instruction.

2. A CPA certificate holder who instructs courses which qualify for CPE credit for participants will be awarded two additional hours of CPE for each credit hour of instruction. The instructor shall retain evidence to support the request for credit. The instructor shall be given no credit for subsequent sessions involving substantially identical subject matter. The credit given for instructing shall not exceed 30 credit hours per CPE three-year period.

3. CPE credit hours for successful completion of a self-study course shall be established by the sponsor according to the type of CPE self-study program and pre-tests to determine average completion time. Interactive self-study programs shall receive CPE credit equal to the average completion time. Noninteractive self-study programs shall receive CPE credit equal to one-half of the average completion time. For example, an interactive self-study program that takes an average of two contact hours to complete shall receive two CPE credit hours, and a noninteractive self-study program that takes an average of two contact hours to complete shall receive one CPE credit hour.

#### ~~18 VAC 5-20-460. Requirements for retaining records.~~

~~It is the responsibility of the licensee to retain evidence of satisfactory completion of CPE credit hours for a period of five years. Such documentation shall be in the form of the certificate of completion provided by the approved sponsor or verification from the accredited institution offering the course. If upon request, the licensee cannot provide such documentation, the licensee shall be subject to a fine which shall not exceed \$1,000 in accordance with § 54.1-202 of the Code of Virginia.~~

#### ~~18 VAC 5-20-470. Requirements for reporting credit hours.~~

~~All CPE credit hours shall be reported to the board on a form provided by the board and subject to a possible audit. The date forms are received, not postmarked, by the board shall be the date used to determine compliance with the CPE reporting requirements.~~

~~Failure to complete or report CPE credit hours by January 31 of each succeeding year will result in the following late filing fees:~~

~~1. A \$25 late filing fee shall be required for all reporting forms received after January 31 but before June 1.~~

~~2. A \$50 late filing fee shall be required for all reporting forms received after May 31 but before August 1.~~

~~3. A \$75 late filing fee shall be required for all reporting forms when received after July 31. A license renewal shall be issued to the regulant upon receipt by the board of the late filing fee and evidence of compliance with 18 VAC 5-20-450.~~

~~4. CPE credit hours taken during the late filing period to meet the requirement of the previous year shall not be reported for any succeeding year.~~

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# Emergency Regulations

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5. Individuals failing to meet the CPE requirements may be subject to requalification including possible reexamination and submission of experience qualifications.

6. The board may, at its discretion, waive or defer CPE requirements and late fees for licensees who suffer documented serious illness or injury, or who are prevented from meeting those requirements due to the obligation of military service or service in the Peace Corps, or for other good cause of similar magnitude approved by the board.

## **18 VAC 5-20-480. Acceptable continuing professional education credit.**

The board shall recognize the following as acceptable CPE credit:

1. Courses from sponsors approved by the board in accordance with the board's Rules and Regulations for Continuing Professional Education Sponsors; or

2. Courses from sponsors of continuing professional education programs listed in good standing with the National Registry of CPE Sponsors maintained by the National Association of State Boards of Accountancy (NASBA); or

3. Courses from accredited institutions as defined by 18 VAC 5-20-10 of this chapter when offering college courses in the regular course curriculum. CPE credit for completing a college course in the college curriculum will be granted based on the number of credit hours the college grants for successful completion of the course. One semester hour of college credit is 15 CPE credit hours; on quarter hour of college credit is 10 CPE credit hours; or

4. Auditing of college courses from accredited institutions as defined by 18 VAC 5-20-10 of this chapter. Licensees auditing a college course shall be granted one CPE credit hour for each contact hour of courses within the fields of study outlined in 18 VAC 5-20-490 of this chapter. Attendance at two-thirds of scheduled sessions of audited courses shall be documented by the course instructor to receive CPE credit for the hours attended; or

5. Service as a lecturer or instructor in courses which increase the licensee's professional competence and qualifies for CPE credit for participants as defined in 18 VAC 5-20-480 and 18 VAC 5-20-490. One credit hour shall be given for each 50-minute period of instruction. For the instructor's preparation time, there will be awarded two additional hours of CPE for each credit hour of instruction. The instructor shall retain evidence to support the request for credit. The instructor shall be given no credit for subsequent sessions involving substantially identical subject matter. The maximum credit given for preparation as an instructor may not exceed 50% of the CPE credit hours reported each year with a maximum of 20 credit hours in any one reporting year; or

6. Successful completion of a self-study course offered by an approved sponsor. CPE credit hours will be

established by the sponsor according to the type of CPE self-study program and pre-tests to determine average completion time. Interactive self-study programs shall receive CPE credit equal to the average completion time. Noninteractive self-study programs shall receive CPE credit equal to one-half of the average completion time. An interactive self-study program that takes an average of two contact hours to complete shall be recommended for two CPE credit hours. A noninteractive self-study program that takes an average of two contact hours to complete shall be recommended for one CPE credit hour.

## **18 VAC 5-20-490. Acceptable CPE subject areas.**

All acceptable CPE shall be in subject areas within the following six fields of study:

1. Accounting and auditing which includes accounting and financial reporting subjects, the body of knowledge dealing with recent pronouncements of authoritative accounting principles issued by the standard-setting bodies, and any other related subject generally classified within the accounting discipline. It also includes auditing subjects related to the examination of financial statements, operations systems, and programs; the review of internal and management controls; and on the reporting on the results of audit findings, compilations, and review.

A minimum of 16 credit hours in accounting and auditing shall be completed in each three year reporting cycle.

2. Advisory services which includes all advisory services provided by professional accountants — management, business, personal, and other. It includes Management Advisory Services and Personal Financial Planning Services. This section also covers an organization's various systems, the services provided by consultant practitioners, and the engagement management techniques that are typically used. The systems include those dealing with planning, organizing, and controlling any phase of individual financial activity and business activity. Services provided encompass those for management, such as designing, implementing, and evaluating operating systems for organization, as well as business advisory services and personal financial planning.

3. Management which includes the management needs of individuals in public practice, industry, and government. Some subjects concentrate on the practice management area of the public practitioner such as organizational structures, marketing services, human resource management, and administrative practices. For individuals in industry, there are subjects dealing with the financial management of the organization, including information systems, budgeting, and asset management, as well as items covering management planning, buying and selling businesses, contracting for goods and services, and foreign operations. For licensees in government, this curriculum embraces budgeting, cost analysis, human resource management, and financial management in federal, state and local governmental entities. In general, the emphasis in this field is on the

~~specific management needs of licensees and not on general management skills.~~

~~4. Personal development which includes such skills as communications, managing the group process, and dealing effectively with others in interviewing, counseling, and career planning. Public relations and professional ethics are also included.~~

~~A maximum of 24 credit hours may be awarded in personal development in each reporting cycle.~~

~~5. Specialized knowledge and application which includes subjects related to specialized industries, such as not-for-profit organizations, health care, oil and gas. An industry is defined as specialized if it is unusual in its form of organization, economic structure, source(s) of financing, legislation or regulatory requirements, marketing or distribution, terminology, technology, and either employs unique accounting principles and practices, encounters unique tax problems, requires unique advisory services, or faces unique audit issues.~~

~~6. Taxation which includes subjects dealing with tax compliance and tax planning. Compliance covers tax return preparation and review and IRS examinations, ruling requests, and protests. Tax planning focuses on applying tax rules to prospective transactions and understanding the tax implications of unusual or complex transactions. Recognizing alternative tax treatments and advising the client on tax saving opportunities are also part of tax planning.~~

~~A minimum of 16 credit hours in taxation shall be completed in each three-year reporting cycle.~~

~~18 VAC 5-20-500. NASBA approved sponsors.~~

~~A. The board shall annually review the NASBA Registry's Standards for Approval.~~

~~B. A NASBA approved sponsor removed from the Registry for failure to comply with NASBA standards will no longer qualify as a Virginia approved sponsor. In such cases, the sponsor may apply to the board for approval as a Virginia approved sponsor.~~

~~/s/ Jack E. Kotvas, Director  
Department of Professional and Occupational Regulation  
Date: September 9, 1999~~

~~/s/ Joshua N. Lief for  
Barry Duval, Secretary of Commerce and Trade  
Date: September 30, 1999~~

~~/s/ James S. Gilmore, III  
Governor  
Date: October 1, 1999~~

~~VA.R. Doc. No. R00-19; Filed October 4, 1999, 4:27 p.m.~~



**TITLE 19. PUBLIC SAFETY**

**DEPARTMENT OF STATE POLICE**

**Title of Regulation:** 19 VAC 30-165-10 et seq. **Regulations Relating to Standards and Specifications for Purple Warning Lights Used by Vehicles Leading or Escorting Funeral Processions.**

**Statutory Authority:** §§ 46.2-1005 and 46.2-1025 of the Code of Virginia.

**Effective Dates:** September 24, 1999, through September 23, 2000.

**Preamble:**

*This regulation was adopted to establish standards and specifications for purple warning lights pursuant to amendments, which become effective on January 1, 2000, to § 46.2-1025 of the Code of Virginia by the 1999 Session of the General Assembly. This creates a situation in which the regulation will be effective 184 days from the enactment of the law, which is less than the 280 days required to be qualified as an emergency.*

*The proposed regulation is intended to:*

- 1. Provide the proper referenced sections of the Society of Automotive Engineers (SAE) Standards J578, J1318, J845, and J595 for warning lights.*
- 2. Make the regulation consistent with the Society of Automotive Engineers (SAE) Standards J578, J1318, J845, and J595 for warning lights.*

*This regulation is essential to ensure the safety of the motoring public and to reduce the risk of death or injury to citizens using our highways. Only those purple warning lights authorized by § 46.2-1025 of the Code of Virginia, to be used by vehicles escorting funeral processions, and which meet or exceed the standards set forth in this regulation are approved for sale and/or use in Virginia.*

*This regulation will not create any additional burden or greater intrusion into the lives of our citizens, and should be comprehensible to the individuals and entities affected. There are no less burdensome or less intrusive alternatives to achieve the purpose of this regulation. The Superintendent uses the SAE standard for other warning lights requiring his approval.*

**CHAPTER 165.**

**REGULATIONS RELATING TO STANDARDS AND SPECIFICATIONS FOR PURPLE WARNING LIGHTS USED BY VEHICLES LEADING OR ESCORTING FUNERAL PROCESSIONS.**

**19 VAC 30-165-10. Purpose.**

*The purpose of this standard is to establish specifications for warning lights used by vehicles escorting funeral processions and pursuant to the provisions of §§ 46.2-1025 and 46.2-1005 of the Code of Virginia to define the chromaticity boundaries for the color purple.*

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# Emergency Regulations

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VA.R. Doc. No. R00-17; Filed September 24, 1999, 12:56 p.m.

## **19 VAC 30-165-20. Definitions.**

"Department" means the Department of State Police.

"SAE" means the Society of Automotive Engineers.

## **19 VAC 30-165-30. Performance requirements.**

Purple warning lights as described in this regulation must (i) meet all criteria as set forth for single color, optical warning devices in SAE Recommended Practice J845 for Class 2 warning lamps with a minimum flash of that specified for the color red or (ii) meet all criteria as set forth for single color gaseous discharge warning lamps in SAE Recommended Practice J1318 for Class 2 warning lamps with a minimum flash of that specified for the color red or (iii) meet all criteria of SAE Recommended Practice J595 with a minimum candela-luminous intensity of that specified for the color red.

## **19 VAC 30-165-40. Color definition (purple).**

The fundamental requirements of color are expressed as chromaticity coordinates according to the CIE (1931) standard colorimetric system. The purple color of light emitted from this device shall fall within the following boundaries:

$x = .25$  (blue boundary)

$x = .33$  (red boundary)

$y = .18$  (white boundary)

## **19 VAC 30-165-50. Approval process.**

An application for approval of a specific manufacturer's model of warning light shall be directed to the Safety Officer, Department of State Police, 491 Southlake Boulevard, Richmond, Virginia 23236. Such requests must include a sample of the device, a laboratory report prepared by a test facility independent of the device's manufacturer that certifies the device has been tested and found to meet the requirements of this regulation and a fee of \$150.

Upon review of the application for approval and laboratory results, the applicant will be notified in writing of the Department's findings.

Devices found to meet the requirements of this regulation will be added to the Approved Equipment List and distributed to Official Inspection Stations.

## **19 VAC 30-165-60. Proof of compliance.**

The device shall be prominently and permanently marked with the manufacturer's name or trademark and model designation. Such markings must be visible for inspection without dismantling the device when properly installed.

/s/ M. Wayne Huggins, Superintendent  
Department of State Police  
Date: August 12, 1999

/s/ Gary K. Aronhalt  
Secretary of Public Safety  
Date: August 24, 1999

/s/ James S. Gilmore, III  
Governor  
Date: September 3, 1999

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# GENERAL NOTICES/ERRATA

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## DEPARTMENT OF ENVIRONMENTAL QUALITY

23240-0009, telephone (804) 698-4037, FAX (804) 698-4136, or e-mail hhaugustin@deq.state.va.us.

### Notice of Public Meeting and Public Comment Blackwater River TMDL

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation (DCR) seek written and oral comments from interested persons on the development of a Total Maximum Daily Load (TMDL) for fecal coliform bacteria on four segments of the Blackwater River. These impaired segments are located in Franklin County on the North Fork Blackwater, South Fork Blackwater, and two are on the main stem Blackwater. These four segments are identified in Virginia's 1998 § 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria.

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

The first public meeting on the development of the Blackwater River coliform TMDL for these four segments will be held on Thursday, November 4, 1999, at 7 p.m. in the Town Council Chambers, Allen O. Woody, Jr. Municipal Building, 345 Donald Avenue, Rocky Mount, Virginia.

Public comments will be received until November 24, 1999. A fact sheet on the development of the TMDL for fecal coliform bacteria on the Blackwater River is available upon request. Questions or information requests should be addressed to Clint Boschen. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Clint Boschen, Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, Virginia 24019, telephone (540) 562-6724, FAX (540) 562-6729, or e-mail [cjboschen@deq.state.va](mailto:cjboschen@deq.state.va).

### Notice of Public Comment TMDL Priority List and § 305 (b) Water Quality Report

The Department of Environmental Quality is seeking written comments from interested persons on the draft Water Quality Assessment Guidance Manual for the development of Virginia's year 2000 § 303(d) Total Maximum Daily Load (TMDL) Priority List and § 305(b) Water Quality Report.

Section 62.1-44.19:7 C of the Code of Virginia requires the development and publishing of the procedures used for determining the impairments of waters listed on Virginia's TMDL Priority List.

Public comment will be received until Wednesday, November 24, 1999. Copies of the draft Water Quality Assessment Guidance Manual are available upon request. Questions or information requests should be addressed to Harry Augustine. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Harry Augustine, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia

## DEPARTMENT OF HEALTH

### Water Supply Assistance Grant Fund

The Governor and the 1999 General Assembly approved a change to § 32.1-171.2 of the Code of Virginia that creates the Water Supply Assistance Grant (WSAG) Fund. The purpose of the WSAG is to make funds available to localities and owners of waterworks to assist in the provision of drinking water.

The Virginia Department of Health is beginning the process to develop guidelines for the WSAG and is requesting organizations that are interested in serving on an advisory committee(s) or interested in being on the mailing list to receive future information to contact by 5 p.m. on November 30, 1999, Thomas B. Gray, P.E., Virginia Department of Health, Office of Water Programs, 1500 East Main Street, Room 109, Richmond, VA 23219, Voice (804) 786-1087, FAX (804) 786-5567.

## STATE WATER CONTROL BOARD

### Proposed Consent Special Order Alleghany Oil Company, Inc.

The State Water Control Board (SWCB) proposes to issue a consent special order (CSO) to Alleghany Oil Co., Inc. regarding settlement of a civil enforcement action related to compliance with the Facility and Aboveground Storage Tank (AST) Regulation, 9 VAC 25-91-10 et seq. On behalf of the SWCB, the Department of Environmental Quality (DEQ) will consider written comments relating to this settlement until November 24, 1999. Comments should be addressed to Michael Sexton, Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, NW, Roanoke, VA 24019.

The final CSO may be examined at the DEQ's West Central Regional Office during regular business hours. Copies are available from Mr. Sexton at the address above or by telephone at (540) 562-6795.

### Proposed Consent Special Order Bassett Mirror Company, Inc.

The State Water Control Board and the Waste Management Board (boards) propose to issue a consent special order (CSO) to Bassett Mirror Company, Incorporated, regarding settlement of a civil enforcement action related to compliance with the Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation, 9 VAC 25-31-10 et seq., and the Hazardous Waste Management Regulations, 9 VAC 20-60-10 et seq. On behalf of the boards, the department will consider written comments relating to this settlement until November 24, 1999.

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## General Notices/Errata

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Comments should be addressed to Robert Steele, Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, NW, Roanoke, VA 24019.

The final CSO may be examined at the department during regular business hours. Copies are available from Mr. Steele at the address above or by telephone at (540) 562-6777.

**Proposed Consent Special Order  
Bunker Hill Foods, Inc.  
City of Roanoke  
City of Danville**

The State Water Control Board (SWCB) proposes to issue consent special orders (CSOs) to Bunker Hill Foods, Inc., the City of Roanoke, and the City of Danville, regarding settlements of civil enforcement actions related to compliance with the Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation, 9 VAC 25-31-10 et seq. and the Virginia Water Protection Permit Regulation, 9 VAC 25-210-10 et seq. On behalf of the SWCB, the department will consider written comments relating to this settlement until November 24, 1999. Comments should be addressed to Robert Steele, Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, NW, Roanoke, VA 24019.

The final CSOs may be examined at the department during regular business hours. Copies are available from Mr. Steele at the address above or by telephone at (540) 562-6777.

**Proposed Consent Special Order  
Carroll's Foods of Virginia, Inc. (VPG140004)**

The State Water Control Board proposes to issue a consent special order to Carroll's Foods of Virginia, Inc., located in Sussex County, Virginia. The proposed order addresses nutrient application issues, buffer zone issues, nutrient runoff to state waters, and provides for payment of a civil charge and performance of a supplemental environmental project.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive written comments relating to the proposed order until November 24, 1999. Comments should be addressed to Richard F. Weeks, Jr., Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia 23060. A copy of the order may be obtained in person or by mail from the above office.

**Proposed Consent Special Order  
Echols Creek, Inc.  
Boddie-Noell Enterprises, Inc.**

The State Water Control Board (SWCB) proposes to issue consent special orders (CSOs) to Echols Creek, Inc. and Boddie-Noell Enterprises, Inc. regarding settlements of civil enforcement actions related to compliance with the Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation, 9 VAC 25-31-10 et seq. On behalf of the SWCB,

the department will consider written comments relating to these settlements until November 24, 1999. Comments

should be addressed to Robert Steele, Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, NW, Roanoke, VA 24019.

The final CSOs may be examined at the department during regular business hours. Copies are available from Mr. Steele at the address above or by telephone at (540) 562-6777.

**Proposed Consent Special Order  
Jr. R. Newsome, Jr. Farms (VPG150012)  
Southampton County (GW0039800)  
Chesapeake Airport Authority**

The State Water Control Board proposes to take enforcement actions against the following facilities:

The proposed enforcement action against J. R. Newsome, Jr. Farms, located in Capron, Southampton County, Virginia, is a consent special order that will require the payment of a \$6,000 civil charge. The proposed order requires the facility to comply with the requirements of Permit No. VPG150012.

The proposed enforcement action against Southampton County is a consent special order in regard to the Newsoms well system located in Newsoms, Virginia. The proposed order will require the county to submit an application for a ground water withdrawal permit.

The proposed enforcement action against the Chesapeake Airport Authority is a consent special order in regard to the Chesapeake Municipal Airport, located on West Road in Chesapeake, Virginia. The proposed order will require the authority to pay a \$10,000 civil charge. The civil charge will be offset by \$7,500 upon completion of a supplemental environmental project.

The Department of Environmental Quality will receive written comments relating to the board's proposed consent special orders from October 25, 1999 through November 24, 1999. Comments should be addressed to David S. Gussman, Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia 23462 and should refer to one of the orders specified above. The proposed orders may be examined at the above address and copies of the orders may be obtained in person or by mail.

**Amended Proposed Consent Special Order  
Rocco Quality Foods, Inc.**

The State Water Control Board proposes to enter into an amended consent order with Rocco Quality Foods. Rocco is subject to a March 1998 consent special order, which was amended December 1998, addressing the company's schedule to meet its final permit limits for ammonia, cyanide, chloride, and whole effluent toxicity. Rocco submitted a timely plan to cease its discharge and connect to the Wampler Foods wastewater treatment facility. Before this plan could be implemented, however, Sheaffer International, Ltd., proposed a new wastewater reclamation and reuse

system, which could also provide Rocco with a means of complying with its permit. The March 1998 consent order provided Rocco until December 31, 1998, to cease its discharge. Since that time, the Sheaffer project experienced delays, and did not obtain the permits necessary to begin construction. Accordingly, the order was amended in December 1998 to allow Rocco until December 1999 to connect to the Sheaffer system.

Additional delays have occurred beyond the control of Rocco in the permitting of the Sheaffer project. The new proposed consent order amendment will provide additional time for Rocco to connect to the new system. If the Sheaffer system does not obtain the necessary permits or does not build the system once permitted, Rocco must connect to the Wampler STP in accordance with the schedule in the amended order.

The board will receive written comments relating to the proposed amended consent special order until November 24, 1999. Comments should be addressed to Elizabeth V. Scott, Department of Environmental Quality, P.O. Box 1129, Harrisonburg, VA 22801 and should refer to the consent special order.

The proposed order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, VA 22801. A copy of the order may be obtained in person or by mail from this office.

*Regulations.* The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

**Internet:** Forms and other *Virginia Register* resources may be printed or downloaded from the *Virginia Register* web page: <http://legis.state.va.us/codecomm/register/regindex.htm>

**FORMS:**

NOTICE of INTENDED REGULATORY ACTION - RR01  
NOTICE of COMMENT PERIOD - RR02  
PROPOSED (Transmittal Sheet) - RR03  
FINAL (Transmittal Sheet) - RR04  
EMERGENCY (Transmittal Sheet) - RR05  
NOTICE of MEETING - RR06  
AGENCY RESPONSE TO LEGISLATIVE OBJECTIONS  
- RR08

## ERRATA

### BOARD OF MEDICINE

Title of Regulation: 18 VAC 85-80-10 et seq. Regulations for the Licensure of Occupational Therapists.

Publication: 15:24 VA.R. 3091 August 16, 1999

Correction to Public Comment Periods - Proposed Regulation:

Page 3091, the VAC number for Regulations for the Licensure of Occupational Therapists was incorrectly published as 18 VAC 85-101-10 et seq. The correct VAC number for this regulation is 18 VAC 85-80-10 et seq.

### 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*


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# CALENDAR OF EVENTS

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## 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

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES


#### Virginia Aquaculture Advisory Board

† **November 18, 1999 - 9 a.m.** -- Open Meeting  
Graves Mountain Lodge, Route 670, Meeting Room 215,  
Syria, Virginia. 

A regular meeting to discuss issues related to Virginia aquaculture. 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 the secretary to the board at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** T. Robins Buck, Secretary, Virginia Aquaculture Advisory Board, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Suite 211, Richmond, VA 23219, telephone (804) 371-6094 or FAX (804) 371-7679.


#### Virginia Horse Industry Board

† **November 4, 1999 - 10 a.m.** -- Open Meeting  
Department of Forestry, 900 Natural Resources Drive, Board Room 2nd Floor, Charlottesville, Virginia. 

A meeting to discuss short- and long-term strategic planning and to evaluate major marketing plans for 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, Program Director, Virginia Horse Industry Board, Washington Bldg., 1100 Bank St., Suite 1004, Richmond, VA 23219, telephone (804) 786-5842 or FAX (804) 371-7786.

#### Virginia Winegrowers Advisory Board

† **November 4, 1999 - 10 a.m.** -- Open Meeting  
Virginia Cooperative Extension Office,  
Albemarle/Charlottesville, 168 Spotnap Road, Charlottesville,  
Virginia. 

A quarterly board meeting to hear and, if appropriate, approve the minutes from the prior meeting, and to hear committee reports, the treasurer's report, and a report from the ABC Board. 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 Mary E. Davis-Barton at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Mary E. Davis-Barton, Board Secretary, Virginia Winegrowers Advisory Board, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Room 1010, Richmond, VA 23219, telephone (804) 371-7685 or FAX (804) 786-3122.

#### STATE AIR POLLUTION CONTROL BOARD

**November 17, 1999 - 10 a.m.** -- Public Hearing  
Main Street Centre, 600 East Main Street, Lower Level,  
Conference Room, Richmond, Virginia.

**December 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 Air Pollution Control Board intends to amend regulations entitled: **Regulations for the Control and Abatement of Air Pollution; Special Provisions for Existing Sources, New and Modified Sources, and Hazardous Air**



**Pollutant Sources (Rev. D97): 9 VAC 5-10-10 et seq. General Definitions; 9 VAC 5-20-10 et seq. General Provisions; 9 VAC 5-40-10 et seq. Existing Stationary Sources; 9 VAC 5-50-10 et seq. New and Modified Stationary Sources; and 9 VAC 5-60-10 et seq. Hazardous Air Pollutant Sources.** Special Provisions for Existing Stationary Sources, New and Modified Stationary Sources, and Hazardous Air Pollutant Sources which are in Chapters 40, 50 and 60 of the board's regulations address issues such as: applicability, compliance, emission testing, monitoring, notification, records and reporting. The proposed amendments update certain requirements in the provisions to be consistent with new federal requirements and EPA policy and address concerns identified pursuant to the review of existing regulations mandated by Executive Order 15 (94) as well as changes made to federal regulations since that review.

Request for Comments: The purpose of this notice is to provide the public with the opportunity to comment on the proposed regulation and the costs and benefits of the proposal.

Localities Affected: There is no locality which will bear any identified disproportionate material air quality impact due to the proposed regulation which would not be experienced by other localities.

Location of Proposal: The proposal, an analysis conducted by the department (including: a statement of purpose, a statement of estimated impact and benefits of the proposed regulation, an explanation of need for the proposed regulation, an estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches) and any other supporting documents may be examined by the public at the Department's Office of Air Regulatory Development (Eighth Floor), 629 East Main Street, Richmond, Virginia and the department's regional offices (listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

Southwest Regional Office  
Department of Environmental Quality  
355 Deadmore Street  
Abingdon, Virginia  
Ph: (540) 676-4800

West Central Regional Office  
Department of Environmental Quality  
3019 Peters Creek Road  
Roanoke, Virginia  
Ph: (540) 562-6700

Lynchburg Satellite Office  
Department of Environmental Quality  
7705 Timberlake Road  
Lynchburg, Virginia  
Ph: (804) 582-5120

Valley Regional Office  
Department of Environmental Quality  
4411 Early Road  
Harrisonburg, Virginia 22801  
Ph: (540) 574-7800

Fredericksburg Satellite Office  
Department of Environmental Quality  
806 Westwood Office Park  
Fredericksburg, Virginia  
Ph: (540) 899-4600

Northern Regional Office  
Department of Environmental Quality  
13901 Crown Court  
Woodbridge, Virginia  
Ph: (703) 583-3800

Piedmont Regional Office  
Department of Environmental Quality  
4949-A Cox Road  
Glen Allen, Virginia  
Ph: (804) 527-5020

Tidewater Regional Office  
Department of Environmental Quality  
5636 Southern Boulevard  
Virginia Beach, Virginia  
Ph: (757) 518-2000

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m. December 10, 1999, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

**Contact:** Mary E. Major, Environmental Program Manager, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY ☎

## ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

**November 3, 1999 - 10 a.m.** -- Open Meeting  
Ninth Street Office Building, 202 North 9th Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to continue the review of results and any subsequent changes to the report submitted September 1, 1999. There will be a 20-minute public comment period at the beginning of the meeting.


**Contact:** Ian N. Kremer, J.D., Alzheimer's Disease and Related Disorders Commission, 10201 Lee Highway, Suite 210, Fairfax, VA 22030, telephone (703) 359-4440, FAX (703) 359-4441 or toll-free 1-800-207-8679.

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## Calendar of Events


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


† **November 3, 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)


A meeting of the Architect Section 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 


† **November 10, 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)


A meeting of the Professional Engineer Section 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 

† **November 17, 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)


A meeting of the Land Surveyor Section 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 

† **December 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)


A meeting of the Landscape Architect Section 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 


† **December 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)

A meeting of the Certified Interior Designer Section 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 

† **December 17, 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)


A meeting of the full board. 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 

### VIRGINIA BOARD FOR ASBESTOS AND LEAD

**November 9, 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 Executive Council

† **October 27, 1999 - 9 a.m.** -- Open Meeting  
† **November 17, 1999 - 9 a.m.** -- Open Meeting  
† **December 15, 1999 - 9 a.m.** -- Open Meeting  
Theater Row Building, 730 East Broad Street, 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, Koger Center West, Richmond, VA 23229, telephone (804) 662-9815.

## BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY


† **November 3, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting of the Legislative/Regulatory Committee to develop continuing competency requirements.


**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 


**November 10, 1999 - 9:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

A general business meeting. Public comments will be heard for 15 minutes prior to 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) 662-7390, FAX (804) 662-9523 or (804) 662-7197/TTY 


## BOARD FOR BRANCH PILOTS

† **November 1, 1999 - 8 a.m.** -- Open Meeting  
Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia.  (Interpreter for the deaf provided upon request)


† **December 7, 1999 - 9 a.m.** -- Open Meeting  
† **December 8, 1999 - 9 a.m.** -- Open Meeting  
Virginia Pilot Association, 3329 Shore Drive, Virginia Beach, Virginia.  (Interpreter for the deaf provided upon request)

The board will conduct examinations.

**Contact:** Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., 5th Floor, Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY 

† **November 1, 1999 - 9:30 a.m.** -- Open Meeting  
† **December 14, 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., 5th Floor, Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY 

## CEMETERY BOARD

**December 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 Cemetery Board intends to adopt regulations entitled: **18 VAC 47-10-10 et seq. Public Participation Guidelines.** The purpose of these regulations are to assure that the public is provided adequate notice concerning each opportunity for participation in the development, promulgation, and review of regulations affecting the operation of licensed cemeteries in the Commonwealth of Virginia.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-201 of the Code of Virginia.


**Contact:** Eric Olson, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8510, FAX (804) 367-2475 or (804) 367-9753/TTY 

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**December 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 Cemetery Board intends to adopt regulations entitled: **18 VAC 47-20-10 et seq. Cemetery Board Rules and Regulations.** The purpose of the proposed regulations is to outline requirements placed on cemetery companies and their sales personnel concerning their licensing reporting and enforcement of the regulations and the Cemetery Act (Chapter 23.1 of Title 54.1 of the Code of Virginia).

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


**Contact:** Eric Olson, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8510, FAX (804) 367-2475 or (804) 367-9753/TTY 

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# Calendar of Events

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## CHARITABLE GAMING COMMISSION

**October 25, 1999 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House  
Room C, Richmond, Virginia. 

A regular meeting.


**Contact:** Kristi Leslie, Administrative Staff Assistant,  
Charitable Gaming Commission, 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


**October 26, 1999 - 10 a.m.** -- Open Meeting  
Chesapeake Bay Local Assistance Department, 101 North  
14th Street, 17th Floor, 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, 101 N. 14th St., 17th  
Floor, Richmond, VA 23219, telephone (804) 371-7505, FAX  
(804) 225-3447 or toll-free (800) 243-7229/TTY 

**October 26, 1999 - 2 p.m.** -- Open Meeting  
Chesapeake Bay Local Assistance Department, 101 North  
14th Street, 17th Floor, Richmond, Virginia.  (Interpreter for  
the deaf provided upon request)


A meeting of the Southern Area Review Committee to  
review Chesapeake Bay Preservation Area programs for  
the southern 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, 101 N. 14th St., 17th  
Floor, Richmond, VA 23219, telephone (804) 371-7505, FAX  
(804) 225-3447 or toll-free (800) 243-7229/TTY 


## COMPENSATION BOARD

**† October 26, 1999 - 11 a.m.** -- Open Meeting  
Ninth Street Office Building, 202 North 9th Street, 10th Floor,  
Richmond, Virginia.  (Interpreter for the deaf provided upon  
request)


A monthly board meeting.


**Contact:** Cindy Waddell, Administrative Assistant,  
Compensation Board, 202 N. 9th St., 10th Floor, Richmond,  
VA 23218, telephone (804) 786-0786, FAX (804) 371-0235 or  
(804) 786-0786/TTY 

## DEPARTMENT OF CONSERVATION AND RECREATION


**October 26, 1999 - 10 a.m.** -- Open Meeting  
Douthat State Park, Route 1, Restaurant, Millboro, Virginia.   
(Interpreter for the deaf provided upon request)


The final Steering Committee meeting on the general  
findings of the feasibility study to determine the potential  
for developing a horse trail between the Virginia Equine  
Center in Lexington and the Homestead Hotel in Bath  
County.

**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  



**† October 28, 1999 - 10 a.m.** -- Open Meeting  
Eastern Shore of Virginia National Wildlife Refuge, 5003  
Hallett Circle, Training Center, Cape Charles, Virginia.   
(Interpreter for the deaf provided upon request)


A meeting to discuss development of Kiptopeke State  
Park master plan.

**Contact:** James E. Guyton, Environmental Program Planner,  
Department of Conservation and Recreation, 203 Governor  
St., Suite 326, Richmond, VA 23219, telephone (804) 786-  
2093, FAX (804) 371-7899 or (804) 786-2121/TTY 


**November 4, 1999 - 7 p.m.** -- Open Meeting  
Hungry Mother State Park, 2854 Park Boulevard, Hemlock  
Haven Conference Center, Dogwood Room, Marion,  
Virginia.  (Interpreter for the deaf provided upon request)


A Steering Committee meeting to discuss the  
development of the Hungry Mother State Park master  
plan.

**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  


**† November 9, 1999 - 7 p.m.** -- Open Meeting  
Hungry Mother State Park, 2854 Park Boulevard, Hemlock  
Haven Conference Center, Dogwood Room, Marion,  
Virginia.  (Interpreter for the deaf provided upon request)

A meeting to obtain input on the present and future  
development of the Hungry Mother State Park. Persons  
requiring interpreter services should contact the  
department by October 28, 1999.

**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  


**† November 23, 1999 - 7 p.m.** -- Open Meeting  
Hungry Mother State Park, 2854 Park Boulevard, Hemlock  
Haven Conference Center, Dogwood Room, Marion,  
Virginia.  (Interpreter for the deaf provided upon request)

A meeting to obtain input and provide information on the present and future development of the Hungry Mother State Park. Request for interpreter services must be made by November 12, 1999.

**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 ☎

## Falls of the James Scenic River Advisory Board

**November 4, 1999 - Noon** -- Open Meeting  
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 FOR COSMETOLOGY

NOTE: CHANGE IN MEETING DATE  
**December 6, 1999 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. ♿  
(Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review, and other matters requiring board action, including disciplinary cases. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation and the time of the meeting is subject to change. Please call the board on December 3 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., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY ☎

## BOARD OF EDUCATION

**October 28, 1999 - 9 a.m.** -- Open Meeting  
Wise County School Board, Conference Center, Wise, Virginia. ♿ (Interpreter for the deaf provided upon request)

The Board of Education and the Board of Vocational Education will hold a regularly scheduled meeting. Business will be conducted according to items on the agenda. The agenda is available upon request.

**Contact:** Dr. Margaret N. Roberts, Executive Assistant for the State Board, Department of Education, Monroe Bldg., 101 N. 14th St., P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-2524 or toll-free 1-800-292-3820.

## LOCAL EMERGENCY PLANNING COMMITTEE - GLOUCESTER

**October 27, 1999 - 6:30 p.m.** -- Open Meeting  
Virginia Institute of Marine Science of the College of William and Mary, Gloucester Point, Virginia. ♿

A tour and review of the Virginia Institute of Marine Science's chemical waste storage system.

**Contact:** Georgette N. Hurley, Assistant County Administrator, Gloucester County Administrator's Office, P.O. Box 329, Gloucester, VA 23061, telephone (804) 693-4042 or (804) 693-1479/TTY ☎

## LOCAL EMERGENCY PLANNING COMMITTEE - WINCHESTER

† **November 4, 1999 - 3 p.m.** -- Open Meeting  
Frederick County Office Building, 107 North Kent Street, Winchester, Virginia.

A meeting to report on the progress of distribution of Y2K packets.

**Contact:** L. A. Miller, Fire and Rescue Chief, Winchester Fire and Rescue Department, 126 N. Cameron St., Winchester, VA 22601, telephone (540) 662-2298, FAX (540) 667-0118 or (540) 662-4131/TTY ☎

## DEPARTMENT OF ENVIRONMENTAL QUALITY

† **October 26, 1999 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. ♿

A meeting of the Water Reuse Advisory Group to discuss issues surrounding land application and reclamation and reuse of treated wastewater, as requested by the 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 or FAX (804) 698-4032.

† **November 15, 1999 - 7 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿


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## Calendar of Events

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A joint meeting with the National Oceanic and Atmospheric Administration to receive comments on the Virginia Coastal Resources Management Program.


**Contact:** Laury B. McKay, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4323 or toll-free 1-800-698-4021.

† **November 17, 1999 - 7 p.m.** -- Public Hearing  
Leesburg Town Council Chambers, 25 West Market Street, Leesburg, Virginia. 

A public hearing regarding 9 VAC 5-80-10 et seq., Permits for Stationary Sources, to consider an air permit application from the Town of Leesburg, Water Pollution Control Facility to modify and operate a wastewater treatment plant by installing a sludge dryer. The hearing is necessary because sludge dryers are subject to 40 CFR Part 61, Subpart E, National Emission Standards for Hazardous Air Pollutants (NESHAP) for mercury. Department of Environmental Quality will present a brief informational presentation and question period which addresses the proposed project and the department's rationale for its preliminary determination.


**Contact:** Sharon K. Sweet, Environmental Engineer, Department of Environmental Quality, Northern Virginia Regional Office, 13901 Crown Ct., Woodbridge, VA 22193, telephone (703) 583-3827 or FAX (703) 583-3841.

### Solid Waste Management Regulation Advisory Committee

**October 28, 1999 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. 

A meeting of the advisory committee for Amendment 2 to the Solid Waste Management Regulations.

**Contact:** John Ely, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4249.

**October 28, 1999 - 7 p.m.** -- Public Hearing  
Robert Frost Middle School, 4101 Pickett Road, Cafeteria, Fairfax County, Virginia. 

A public hearing to receive comments on the development of a total maximum daily load (TMDL) for fecal coliform bacteria on a 4.5 mile segment of Accotink Creek in Fairfax County.

**Contact:** Joan Crowther, Department of Environmental Quality, Northern Regional Office, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3828 or FAX (703) 583-3841.

### VIRGINIA FIRE SERVICES BOARD

**December 2, 1999 - 8:30 a.m.** -- Open Meeting  
Holiday Inn Hotel and Suites Conference Center, 3005 Linden Drive, Bristol, 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.

Legislative/Liaison Committee - 10 a.m.

Fire Prevention and Control 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.


**December 3, 1999 - 9 a.m.** -- Open Meeting  
Holiday Inn Hotel and Suites Conference Center, 3005 Linden Drive, Bristol, 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 FUNERAL DIRECTORS AND EMBALMERS

NOTE: CHANGE IN MEETING TIME

**November 16, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 


A meeting to adopt final crematory regulations. There will be a 15-minute public comment period at the beginning of the meeting.

**Contact:** Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or FAX (804) 662-9523.

**November 16, 1999 - 10 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

The Legislative Committee will review and discuss future legislative proposals. There will be a 15-minute public comment period at the beginning of the meeting.

**Contact:** Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or FAX (804) 662-9523.

† **November 30, 1999 - 9 a.m.** -- Open Meeting  
Wyndham Hotel, 2801 Hershberger Road, N.W. Roanoke, Virginia. 

A meeting of the Task Force on Resident Trainee Program to discuss educational requirements. There will be a 15-minute public comment period at the beginning of the meeting.

**Contact:** Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or FAX (804) 662-9523.

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**December 10, 1999** - Public comments may be submitted through this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to adopt regulations entitled: **12 VAC 5-165-10 et seq. Regulations for the Repacking of Crab Meat.** These regulations establish criteria by which the Virginia crab industry can safely repack both domestic and foreign crab meat. Repacking involves the removal of crab meat picked and packed at another location and placing it in another container bearing the name of the packer.

Statutory Authority: §§ 28.2-801 and 28.2-803 of the Code of Virginia.


**Contact:** Keith Skiles, Program Manager, Department of Health, 1500 E. Main St., Room 109, Richmond, VA 23219, telephone (804) 786-7937 or FAX (804) 786-5567.

## STATE BOARD OF HEALTH

† **November 4, 1999 - 10 a.m.** -- Open Meeting  
Four Points Hotel, 1400 East Market Street, Harrisonburg, Virginia.  (Interpreter for the deaf provided upon request)

A work session of the board.


**Contact:** Paul W. Matthias, Staff to the State Board of Health, P.O. Box 2448, Room 227, Richmond, VA 23218, telephone (804) 371-2909 or FAX (804) 786-4616.

† **November 5, 1999 - 9 a.m.** -- Open Meeting  
Four Points Hotel, 1400 East Market Street, Harrisonburg, Virginia.  (Interpreter for the deaf provided upon request)


A business meeting.

**Contact:** Paul W. Matthias, Staff to the State Board of Health, P.O. Box 2448, Room 227, Richmond, VA 23218, telephone (804) 371-2909 or FAX (804) 786-4616.

## VIRGINIA HIV COMMUNITY PLANNING COMMITTEE

**December 10, 1999 - 8:30 a.m.** -- Open Meeting  
Holiday Inn Select, 1021 Koger Center Boulevard, Richmond, Virginia. 

A regular meeting focusing on HIV prevention planning.


**Contact:** Elaine G. Martin, Coordinator, Coordinator AIDS Education, Information and Training, Department of Health, P.O. Box 2448, Room 112, Richmond, VA 23218, telephone (804) 786-0877 or toll-free 1-800-533-4148/TTY .

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**November 26, 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 Health intends to amend regulations entitled: **12 VAC 5-80-10 et seq. Regulations for the Administration of the Virginia Hearing Impairment Identification and Monitoring System.** The purpose of the proposed regulations is to reflect current statutory law by providing consistent guidance for the implementation and administration of a system designed to ensure that infants with hearing loss are identified and receive appropriate intervention at the earliest possible age after birth. The amendments will (i) establish standards by which hospitals with neonatal intensive care services and hospitals with newborn nurseries shall perform hearing screening on all newborns prior to discharge after birth and provide information to parents and primary medical care providers; (ii) establish procedures for reporting by hospitals and by persons providing audiological services; (iii) establish appropriate mechanisms for follow-up; and (iv) establish responsibilities of the Virginia Department of Health for monitoring and evaluation.

Statutory Authority: §§ 32.1-12 and 32.1-64 of the Code of Virginia.

**Contact:** Pat T. Dewey, Speech and Hearing Services Administrator, Division of Child and Adolescent Health, Department of Health, P.O. Box 2448, Richmond, VA 23218-2448, telephone (804) 786-1964, FAX (804) 786-0917 or toll-free 1-800-828-1120/TTY .


## HOPEWELL INDUSTRIAL SAFETY COUNCIL

**November 2, 1999 - 9 a.m.** -- Open Meeting  
**December 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.

## VIRGINIA INFORMATION PROVIDERS NETWORK AUTHORITY

**October 28, 1999 - 1 p.m.** -- Open Meeting  
Division of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular bimonthly meeting.

**Contact:** Fred Marcus, Agency Management Analyst, Virginia Information Providers Network Authority, 2300 W.


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# Calendar of Events

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Broad St., Room 321, Richmond, VA 23269, telephone (804) 367-2850 or FAX (804) 367-2536.

## STATE BOARD OF JUVENILE JUSTICE


**November 10, 1999 - 9 a.m.** -- Open Meeting  
700 Centre, 700 East Franklin Street, Richmond, Virginia. 

Committees of the board will meet at 9 a.m. to receive certification audit reports. The full board will meet at 10 a.m. to take certification actions, consider regulatory changes, and address other matters that may come before the board.

**Contact:** Donald R. Carignan, Policy Analyst, Department of Juvenile Justice, 700 E. Franklin St., P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 371-0743 or FAX (804) 371-0773.


## DEPARTMENT OF LABOR AND INDUSTRY

### Apprenticeship Council


**November 18, 1999 - 9:30 a.m.** -- Open Meeting  
Department of Labor and Industry, Powers-Taylor Building, 13 South 13th Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A subcommittee meeting of the council. Agenda to be announced.


**Contact:** Beverly Donati, Assistant Program Director, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, or (804) 786-2376/TTY 

**† December 9, 1999 - 10 a.m.** -- Open Meeting  
Confederate Hills Recreation Building, 302 Lee Avenue, Highland Springs, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Agenda to be announced.

**Contact:** Beverly Donati, Assistant Program Director, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, or (804) 786-2376/TTY 


## VIRGINIA LAND CONSERVATION FOUNDATION

**October 26, 1999 - 10 a.m.** -- Canceled  
Gunston Hall Plantation, 10709 Gunston Road, Mason Neck, Virginia.  (Interpreter for the deaf provided upon request)

The regular business meeting has been canceled.

**Contact:** Mary Vaughan Gibson, Confidential Policy Analyst, Department of Conservation and Recreation, Director's Office, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2871, FAX (804) 786-6141 or (804) 786-2121/TTY 

## LIBRARY BOARD

**† November 15, 1999 - 8:15 a.m.** -- Open Meeting  
**† January 21, 2000 - 8:15 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Board Meeting Room, Richmond, Virginia. 

A meeting of the Library Board to discuss matters pertaining to The Library of Virginia and the Library Board.

The following committees will meet at 8:15 a.m.:

Public Library Development Committee - Orientation Room  
Publications and Educational Services Committee - Conference Room B  
Records Management Committee - Conference Room C


The following committees will meet at 9:30 a.m.:

Archival and Information Services Committee - Orientation Room  
Collection Management Services Committee - Conference Room B  
Legislative and Finance Committee - Conference Room C


The full board will meet at 10:30 a.m. in the conference room on 2M. Public comments will be received at approximately 11 a.m.

**Contact:** Jean H. Taylor, Executive Secretary Senior, 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.

## LITTER CONTROL AND RECYCLING FUND ADVISORY BOARD

**† November 3, 1999 - 10 a.m.** -- Open Meeting  
701 East Franklin Street, Lower Level Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A work session to review and make recommendations on pending competitive applications for the 1999 Litter Prevention and Recycling Educational Program Competitive Grant.

**Contact:** Michael P. Murphy, Director, Environmental Enhancement, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4003, FAX (804) 698-4319, (804) 698-4021/TTY  or toll-free 1-800-592-5482.

## COMMISSION ON LOCAL GOVERNMENT

NOTE: CANCELLATION OF MEETINGS


**October 25, 1999 - 7 p.m.** -- Canceled  
South Hill area; site to be determined.

A public hearing regarding the Town of South Hill - Mecklenburg County annexation action has been canceled. Persons desiring to participate in the meeting




and requiring special accommodations or interpreter services should contact the commission.

**Contact:** Barbara Bingham, Administrative Assistant, Commission on Local Government, Pocahontas Bldg., 900 East Main Street, Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999 or toll-free 1-800-828-1120/VA Relay Center.

**October 26, 1999 - 9 a.m.** -- Canceled  
Southside Planning District Commission, 200 South Mecklenburg Avenue, South Hill, Virginia.  (Interpreter for the deaf provided upon request)

Oral presentations regarding the Town of South Hill - Mecklenburg County annexation action have been canceled.


**Contact:** Barbara Bingham, Administrative Assistant, Commission on Local Government, Pocahontas Bldg., 900 East Main Street, Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999 or toll-free 1-800-828-1120/VA Relay Center.

**November 15, 1999 - 10 a.m.** -- Open Meeting  
Pocahontas Building, 900 East Main Street, Suite 103, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting to consider matters that may be presented.

**Contact:** Barbara Bingham, Administrative Assistant, Commission on Local Government, Pocahontas Bldg., 900 East Main Street, Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999 or toll-free 1-800-828-1120/VA Relay Center.

## VIRGINIA MANUFACTURED HOUSING BOARD

† **October 28, 1999 - 10 a.m.** -- Open Meeting  
Department of Housing and Community Development, 501 North 2nd Street, The Jackson Center, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular monthly meeting.


**Contact:** Curtis L. McIver, Associate Director, Department of Housing and Community Development, Manufactured Housing Office, The Jackson Center, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7160 or (804) 371-7089/TTY 

## MARINE RESOURCES COMMISSION

**October 26, 1999 - 9:30 a.m.** -- Open Meeting  
† **November 16, 1999 - 9:30 a.m.** -- Open Meeting  
† **December 21, 1999 - 9:30 a.m.** -- Open Meeting  
Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Room 403, Newport News, Virginia.  (Interpreter for the deaf provided upon request)

The commission will hear and decide the following marine environmental matters: 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 

## BOARD OF MEDICAL ASSISTANCE SERVICES

**November 9, 1999 - 10 a.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 E. Broad Street, Richmond, Virginia. 

A regular meeting.

**Contact:** Leah D. Hamaker, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-4626 or FAX (804) 371-4981.

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

**November 1, 1999 - 1 p.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia.

The Pharmacy Liaison Committee will conduct routine business.

**Contact:** Marianne Rollings, Pharmacy Services, Division of Program Operators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4268.

† **November 3, 1999 - 10 a.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia.

A meeting of the Technical Advisory Panel of the Indigent Health Care Trust Fund to review program design for a pilot pharmacy program for the indigent.

**Contact:** William J. Lessard, Jr., Indigent Health Care Manager, Department of Medical Assistance Services, 600 E. Broad St., Richmond, VA 23219, telephone (804) 371-8852 or FAX (804) 786-6229.

† **November 9, 1999 - 10 a.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia.

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# Calendar of Events

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A meeting to discuss matters of policy relating to the Medicaid program.

**Contact:** Leah D. Hamaker, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Richmond, VA 23219, telephone (804) 786-8099 or <http://www.state.va.us/~dmas/dmas>.

## BOARD OF MEDICINE

**November 19, 1999 - 8 a.m.** -- Public Hearing  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

**November 26, 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 85-31-10 et seq. Regulations Governing the Practice of Physical Therapy.** The purpose of the proposed amendments is to clarify the use of unlicensed persons in the practice of physical therapy, require proof of English proficiency for graduates of schools located outside the United States and Canada, require graduates of nonapproved schools to provide documentation of certification by the Foreign Credentialing Commission on Physical Therapy, establish the passing score for the examination, and to clarify certain requirements for practice and supervision of physical therapy assistants. In addition, the proposed amendments establish an inactive licensure status and those requirements for renewal or reinstatement of licensure which are necessary to protect the public health and safety in the delivery of physical therapy services.

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) 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.

**November 19, 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 and approve for promulgation regulations as presented, (iii) interview applicants, and (iv) 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., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY (804) 662-9960

## Informal Conference Committee

**October 27, 1999 - 9 a.m.** -- Open Meeting  
**November 17, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia.

**November 4, 1999 - 9 a.m.** -- Open Meeting  
Sheraton Inn, 2801 Plank Road, Fredericksburg, Virginia.

† **November 5, 1999 - 9:30 a.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, 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 (804) 662-9517

## DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

**October 29, 1999 - 9 a.m.** -- Open Meeting  
Eastern State Hospital, 4601 Ironbound Road, Williamsburg, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting of the State Human Rights Committee to discuss business and conduct hearings relating to human rights issues. Agenda items are available from the department.

**Contact:** Kli Kinzie, Executive Secretary, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218, telephone (804) 786-3988, FAX (804) 371-2308 or (804) 371-8977/TTY (804) 371-8977


## BOARD OF NURSING

**October 26, 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)


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) 662-9943 or (804) 662-7197/TTY (804) 662-9943


## BOARD FOR OPTICIANS

**November 12, 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)


A meeting to discuss regulatory review, disciplinary cases and other matters requiring board action. A public comment period will be held at the beginning of the meeting. The meeting is subject to cancellation and the meeting time is subject to change. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least two weeks in advance of the meeting. 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., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY 

## BOARD OF OPTOMETRY


† **November 5, 1999 - 10 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
4th Floor, Richmond, Virginia.  (Interpreter for the deaf  
provided upon request)


A meeting to approve consent orders, consider requests for continuing education requirements, update approved CPT code listing and discuss correspondence regarding computerized medical records and other correspondence received prior to the board meeting. 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, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY 


† **November 5, 1999 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Richmond, Virginia.  (Interpreter for the deaf  
provided upon request)

A meeting to review a request for a professional designation application. Public comment will not be received.


**Contact:** Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY 

† **November 5, 1999 - 2 p.m.** -- Open Meeting  
† **December 1, 1999 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
4th Floor, Richmond, Virginia.  (Interpreter for the deaf  
provided upon request)

Informal conference hearings. Public comment will not be received.

**Contact:** Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY 


## VIRGINIA OUTDOORS FOUNDATION

**December 8, 1999 - 10 a.m.** -- Open Meeting  
**December 9, 1999 - 10 a.m.** -- Open Meeting  
State Capitol, Capitol Square, House Room 2, Richmond,  
Virginia.  (Interpreter for the deaf provided upon request)

A regularly scheduled meeting of the Board of Trustees to discuss foundation business and accept conservation easements. Public input will be accepted after the regular business meeting.


**Contact:** Tamara Vance, Executive Director, Virginia Outdoors Foundation, 203 Governor St., Room 317, Richmond, VA 23219, telephone (804) 225-2147 or FAX (804) 371-4810.

## BOARD OF PHARMACY

**October 26, 1999 - 1 p.m.** -- Open Meeting  
† **November 9, 1999 - 9 a.m.** -- Open Meeting  
† **November 10, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Conference Rooms 2 and 3, Richmond, Virginia. 

The Special Conference Committee will conduct informal conferences. 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.

† **November 15, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Conference Room 4, Richmond, Virginia. 

A meeting of the Regulation Committee. Public comment 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.

## POLYGRAPH EXAMINERS ADVISORY BOARD

† **November 30, 1999 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, 4th Floor, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review and other board action and to administer the Polygraph Examiner Licensing Examination to eligible polygraph examiner interns. All meetings are subject to cancellation and the time of the meeting is subject to change. A public comment period will be held at the beginning of the

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## Calendar of Events

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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 FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

**November 16, 1999 - 10 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 10 days prior to the meeting. The department fully complies with the Americans with Disabilities Act.

**Contact:** Debra L. Vought, Agency Management Analyst, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8519 or (804) 367-9753/TTY ☎

### DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

**October 27, 1999 - 1:30 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 4, Richmond, Virginia.

**November 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 Department of Professional and Occupational Regulation intends to amend regulations entitled: **18 VAC 120-10-10 et seq. Public Participation Guidelines.** The proposed amendments make technical changes to this regulation so that it will apply to all regulatory programs that are under the authority of the Director of the Department of Professional and Occupational Regulation rather than a regulatory board. The result will be that the regulation will apply to the newly created professional boxing and wrestling program as well as to the polygraph examiners regulatory program and to any regulatory program assigned to the Director of the Department of Professional and Occupational Regulation in the future.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-201 of the Code of Virginia.

**Contact:** David Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-2475 and (804) 367-9753/TTY ☎

### BOARD OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS AND SUBSTANCE ABUSE TREATMENT PROFESSIONALS

**† November 18, 1999 - 1:30 p.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 review preliminary notices of intended regulatory action for "grandfathering" individuals without masters degrees into licensure as substance abuse treatment practitioners and to amend the education and experience requirements for substance abuse counselor certifications. The committee will continue work on identifying areas of inconsistency among its regulations. 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, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

**† November 19, 1999 - 10 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. ♿

A regular business meeting to adopt final amendments to the Regulations Governing the Practice of Marriage and Family Therapy and the Regulations Governing the Certification of Substance Abuse Counselors. The board will also adopt final new Regulations Governing the Practice of Licensed Substance Abuse Treatment Practitioners. The board will consider preliminary notices of intended regulatory action to request permission to begin the regulatory process to develop regulations for "grandfathering" individuals without masters degrees into licensure as substance abuse treatment practitioners and to amend the education and experience requirements for substance abuse counselor certification. 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, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

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**November 18, 1999 - 1 p.m.** -- Public Hearing  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia.

**November 26, 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 Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals intends to amend regulations entitled: **18 VAC 115-20-10 et seq. Regulations Governing the Practice of Professional Counseling.** The purpose of the proposed action is to amend regulations pursuant to Executive Order 15 (94) to clarify and simplify regulations, include an endorsement provision for practitioners licensed in other jurisdictions, reduce the burden of the residency requirements, simplify the reinstatement procedure and update the education requirements.

Statutory Authority: §§ 54.1-103 and 54.1-2400 and Chapter 35 (§ 54.1-3500 et seq.) of the Code of Virginia.

**Contact:** Janet Delorme, Deputy Executive Director, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9575, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

## BOARD OF PSYCHOLOGY

† **November 5, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, Conference Room 3, Richmond, Virginia. ♿

Credentials hearings. No public comment will be received.

**Contact:** Evelyn Brown, Executive Director, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9967 or FAX (804) 662-9943.

† **November 16, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

Informal administrative hearings will be held pursuant to § 9-6.14:11 of the Code of Virginia. No public comment will be received.

**Contact:** Arnice Covington, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9913 or FAX (804) 662-9943.

## VIRGINIA RACING COMMISSION

**November 29, 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 Virginia Racing Commission intends to amend regulations entitled: **11 VAC 10-60-10 et seq. Regulations Pertaining to Horse Racing with Pari-Mutuel Wagering: Participants.** The purpose of the proposed action is to establish the qualifications and responsibilities of participants in pari-mutuel horse racing in the Commonwealth.

Statutory Authority: § 59.1-360 of the Code of Virginia.

**Contact:** William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Road, New Kent, VA 23124, telephone (804) 966-7404 or FAX (804) 966-7418.

## REAL ESTATE APPRAISER BOARD

**October 26, 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 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) 367-8552, FAX (804) 367-2475, or (804) 367-9753/TTY ☎

## REAL ESTATE BOARD

† **October 27, 1999 - 4:30 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A 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 ☎

† **October 28, 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 meeting of the Fair Housing Committee. Persons desiring to participate in the meetings 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 ☎


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# Calendar of Events


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† **October 28, 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 meetings 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 RECYCLING MARKETS DEVELOPMENT COUNCIL

† **November 10, 1999 - 10 a.m.** -- Open Meeting  
Colonial Williamsburg Woodlands Resort and Cascades Conference Center, 102 Visitor Center Drive, Williamsburg, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly meeting. The council will discuss the issue of standardization of recycling rate reporting in accordance with U.S. EPA guidelines. There will be a public comment session during the meeting and written comments may be also be submitted. Subcommittee meetings may be held prior to or after the meeting. Call Mike Murphy for details or e-mail [mpmurphy@deq.state.va.us](mailto:mpmurphy@deq.state.va.us).

**Contact:** Michael P. Murphy, Director, Environmental Enhancement, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4003, FAX (804) 698-4319, toll-free 1-800-592-5482, (804) 698-4021/TTY  or email [mpmurphy@deq.state.va.us](mailto:mpmurphy@deq.state.va.us).


## STATE REHABILITATION COUNCIL

**November 1, 1999 - 9:30 a.m.** -- Open Meeting  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


Council committee meetings followed by a regular business meeting.

**Contact:** Kay Magill, State Rehabilitation Council Liaison, Department of Rehabilitative Services, 8004 Franklin Farms Dr., Richmond, VA 23288, telephone (804) 662-7527, FAX (804) 662-7696, or toll-free 1-800-552-5019 or 1-800-464-9950/TTY 

## BOARD OF REHABILITATIVE SERVICES

† **December 9, 1999 - 9:30 a.m.** -- Open Meeting  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, P.O. Box K-300, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly business meeting. Public comments will be received at 9:45 a.m.


**Contact:** Barbara G. Tyson, Administrative Staff Assistant, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300, Richmond, VA 23288-0300, telephone (804) 662-7010, toll-free 1-800-552-5019 or (804) 662-7000/TTY 

## DEPARTMENT OF REHABILITATIVE SERVICES


**December 19, 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 Rehabilitative Services intends to adopt regulations entitled: **22 VAC 30-40-10 et seq. Protection of Participants in Human Research.** The purpose of the proposed regulation is to establish a human research review committee and requirements for obtaining participant voluntary informed consent in human research conducted or authorized by the department, Woodrow Wilson Rehabilitation Center, centers for independent living, and sheltered workshops.

Statutory Authority: §§ 51.5-5.1 and 51.5-14 of the Code of Virginia.


**Contact:** Elizabeth Smith, Policy and Planning Manager, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K300, Richmond, VA 23288-0300, telephone (804) 662-7071, FAX (804) 662-7696, toll-free 1-800-552-5019 or 1-800-464-9950/TTY 

## DEPARTMENT OF REHABILITATIVE SERVICES AND STATE REHABILITATION COUNCIL

**November 1, 1999 - 4 p.m.** -- Public Hearing  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Virginia.  (Interpreter for the deaf provided upon request)

**November 15, 1999 - 5:30 p.m.** -- Public Hearing  
Woodrow Wilson Rehabilitation Center, Fishersville, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to receive comments for the State Plan for Vocational Rehabilitation and Supported Employment.

**Contact:** Gloria O'Neal, Program Support Technician, Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, VA 23288-0300, telephone (804) 662-7611, FAX (804) 662-7696, toll-free 1-800-552-5019, or (804) 662-9040/TTY 


## VIRGINIA RESOURCES AUTHORITY

**November 9, 1999 - 9 a.m.** -- Open Meeting  
**December 14, 1999 - 9 a.m.** -- Open Meeting  
Virginia Resources Authority, 707 East Main Street, Suite 1350, Richmond, 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, 707 E. Main St., Suite 1350, Richmond, VA 23219, telephone (804) 644-3100 or FAX (804) 644-3109.


## DEPARTMENT FOR RIGHTS OF VIRGINIANS WITH DISABILITIES

**October 27, 1999 - 10 a.m.** -- Open Meeting  
Hampton Inn, 900 West Main Street, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly meeting of the Developmental Disabilities Advisory Council. Public comment will be received at approximately 10 a.m.

**Contact:** Heidi Lawyer, Deputy Director, Department for Rights of Virginians with Disabilities, 202 N. 9th St., Richmond, VA 23219, telephone (804) 225-2042, FAX (804) 225-3221, toll-free 1-800-552-3962, or (804) 225-2042/TTY 

## SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

**October 27, 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:** Susan Sherertz, Board Secretary, Sewage Handling and Disposal Appeal Review Board, P.O. Box 2448, Room 115, Richmond, VA 23218, telephone (804) 371-4236 or FAX (804) 225-4003.


## VIRGINIA SMALL BUSINESS ADVISORY BOARD

**November 17, 1999 - 10 a.m.** -- Open Meeting  
Department of Business Assistance, 707 East Main Street, 2nd Floor Conference Room, Richmond, Virginia.

A meeting to advise, counsel and confer with the Virginia Small Business Development Center Network on matters pertaining to the operation of the center.

**Contact:** Vicki Humphreys, Associate State Director, Virginia Small Business Development Center, 707 E. Main St., Suite 300, Richmond, VA 23219, telephone (804) 371-6280 or FAX (804) 225-3384.


## VIRGINIA SMALL BUSINESS FINANCING AUTHORITY


**October 26, 1999 - 10 a.m.** -- Open Meeting  
Department of Business Assistance, 707 East Main Street, 3rd Floor, Board Room, Richmond, Virginia. 

A meeting of the Loan Committee to review applications for loans submitted to the authority for approval. Contact the authority for confirmation of meeting time.

**Contact:** Cathleen M. Surface, Executive Director, Virginia Small Business Financing Authority, P.O. Box 446, Richmond, VA 23218-0446, telephone (804) 371-8254 or FAX (804) 225-3384.

## STATE BOARD OF SOCIAL SERVICES


**November 8, 1999 - 9 a.m.** -- Open Meeting  
Department of Social Services, 730 East Broad Street, Lower Level, Training Room 1, Richmond, Virginia. 

**December 6, 1999 - 9 a.m.** -- Open Meeting  
Tidewater, Virginia; location to be announced. 


A regular business meeting of the Virginia Commission on National and Community Service. Subcommittee sessions begin at 9 a.m.


**Contact:** Kimberly Brown, Program Officer, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1951, FAX (804) 692-1999 or toll-free 1-800-638-3839.

## BOARD OF SOCIAL WORK


† **October 28, 1999 - 9:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 

A meeting to conduct an informal conference.

**Contact:** Rai Minor, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., Richmond, VA 23230-1717, telephone (804) 662-9914, FAX (804) 662-9943 or (804) 662-7197/TTY 

† **October 29, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 

A full board meeting. An informal conference will convene at 11 a.m.

**Contact:** Rai Minor, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., Richmond, VA 23230-1717, telephone (804) 662-9914, FAX (804) 662-9943 or (804) 662-7197/TTY 

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# Calendar of Events

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## VIRGINIA COMMERCIAL SPACE FLIGHT AUTHORITY


† **October 27, 1998 - 10 a.m.** -- Open Meeting  
Virginia Economic Development Partnership, 901 East Byrd Street, Riverfront Plaza, West Tower, Presentation Center, 20th Floor, Richmond, Virginia.

A quarterly meeting of the governing board of the authority to discuss business of the authority as determined by the chairman and the executive director.

**Contact:** Barry E. DuVal, Secretary of Commerce and Trade, P.O. Box 1475, Richmond, VA 23218, telephone (804) 786-7831 or FAX (804) 371-0250.

## DEPARTMENT OF TECHNOLOGY PLANNING


### Virginia Geographic Information Network Advisory Board

† **October 28, 1999 - 1 p.m.** -- Open Meeting  
110 South 7th Street, 3rd Floor Conference Room, Richmond, Virginia. 

A regular business meeting.


**Contact:** Bill Shiner, VGIN Division Coordinator, Department of Technology Planning, 110 S. 7th St., Suite 135, Richmond, VA 23219, telephone (804) 786-8175.

## COMMONWEALTH TRANSPORTATION BOARD

† **November 17, 1999 - 2 p.m.** -- Open Meeting  
Department of Transportation, 1401 E. 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.

† **November 18, 1999 - 10 a.m.** -- Open Meeting  
Department of Transportation, 1401 E. 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

† **October 27, 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:** Dena W. Roberts, Confidential Assistant, Department of the Treasury, James Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 371-6011.

## BOARD OF VETERINARY MEDICINE


† **October 26, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Virginia.  (Interpreter for the deaf provided upon request)

A regular board meeting to discuss correspondence, approve consent orders, and consider requests for licensure by endorsement.

**Contact:** Terri H. Behr, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9915, FAX (804) 662-7098 or (804) 662-7197/TTY 

† **October 27, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to conduct informal conferences. Public comment will not be received.

**Contact:** Terri H. Behr, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9915 or (804) 662-7197/TTY 

## VIRGINIA VOLUNTARY FORMULARY BOARD

**November 12, 1999 - 10 a.m.** -- Public Hearing  
Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia. 

A public hearing to consider the proposed adoption and issuance of revisions to the Virginia Voluntary Formulary. The proposed revision to the formulary adds drugs and drug products to the formulary revision that became effective on July 27, 1998, and its most recent supplement. Copies of the proposed additions to the formulary are available for inspection at the Department of Health, Bureau of Pharmacy Services, 101 North 14th Street, Room S-45, Richmond, Virginia. Written comments received prior to 5 p.m. on November 12, 1999, will be made a part of the hearing record and considered by the formulary board.



**Contact:** James K. Thomson, Director, Bureau of Pharmacy, Virginia Voluntary Formulary Board, Monroe Bldg., 101 N. 14th St., Room S-45, Richmond, VA 23219, telephone (804) 786-4326 or FAX (804) 371-0236.

## BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

**October 27, 1999 - 11 a.m.** -- Public Hearing  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 4, Richmond, Virginia.

**November 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 for Waste Management Facility Operators intends to amend regulations entitled: **18 VAC 155-20-10 et seq. Waste Management Facility Operators Regulations.** The proposed amendments will revise definitions, delete the interim certification provisions, delete the Class V license provisions, empower one license to be issued with all classifications, delete the continuing education requirements, and delete the CPE sponsor approval process.

Statutory Authority: § 54.1-2211 of the Code of Virginia.

**Contact:** Thomas Perry, Office Manager, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-2475 and (804) 367-9753/TTY ☎

**November 4, 1999 - 10 a.m.** -- Public Hearing  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia. ♿

A meeting to conduct routine board business. A public comment period will be held 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) 367-8595, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

## STATE WATER CONTROL BOARD

**October 26, 1999 - 7 p.m.** -- Public Hearing  
Stonewall Elementary School, 3165 Martinsburg Pike, Clearbrook, Virginia. ♿

A public hearing to receive comments on the proposed issuance of a Virginia Pollutant Discharge Elimination System Permit to Arogas, Inc., for the Arogas Truck Stop in Frederick County, Virginia.

**Contact:** Janardan R. Pandey, Department of Environmental Quality, Valley Regional Office, 4411 Early Rd., Harrisonburg, VA 22801, telephone (540) 574-7800.

**October 28, 1999 - 10 a.m.** -- Open Meeting  
Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia.

A meeting of the Poultry Advisory Group to continue development of a draft general permit regulation for poultry waste management. Meeting dates and time are subject to change. The public may wish to confirm these with the contact person.

**Contact:** Richard Ayers, Technical Services Administrator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4075.

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**October 27, 1999 - 7 p.m.** -- Public Hearing  
Shenandoah County Brick Building, 112 South Main Street, 3rd Floor Conference Room, Woodstock, Virginia.

**November 29, 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 Water Control Board intends to amend regulations entitled: **9 VAC 25-260-5 et seq. Water Quality Standards.** Water Quality Standards consist of designated uses of the water body and narrative and numeric criteria that protect those uses by describing water quality in general terms and specifically as numerical limits for physical, chemical and biological characteristics of water.

The State Water Control Board proposes to amend the State's Water Board's Water Quality Standards at 9 VAC 25-260-350 and 9 VAC 25-260-400 to designate Stony Creek and its tributaries in Shenandoah County as a nutrient enriched water. If the water is designated nutrient enriched, a companion regulation, the Board's Policy for Nutrient Enriched Waters, 9 VAC 25-40-10 et seq., requires certain municipal and industrial dischargers with a design flow of 1.0 MGD or greater and effluents containing phosphorus to maintain a monthly average total phosphorus concentration of 2 milligrams per liter (mg/l) or less. Rocco Farm Foods near Edinburg - based on a design flow of 1.3 MGD - would be the only point source discharger impacted by this regulatory requirement to install a phosphorus removal system to control total phosphorus.

**Question and Answer Period:** A question and answer period will be held one half hour prior to the beginning of the public hearing at the same location. Department of Environmental Quality staff will be present to answer questions regarding the proposed action.

**Accessibility to Person with Disabilities:** The hearing will be held at a public facility believed to be accessible to persons with disabilities. Any persons with questions on the accessibility of the facilities should contact Jean Gregory at the address or phone numbers in the contact information given below.

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**Comments:** The agency requests comments on any aspect of the proposal and also on the costs and benefits of the proposal.

**Alternatives:** In compliance with the State Water Control Board's Public Participation Guidelines, 9 VAC 25-10-10 et seq., the department will consider all alternatives which are considered to be less burdensome and less intrusive for achieving the essential purpose of the proposed regulation and any other alternatives presented during the proposed rulemaking. Several alternatives have already been considered. One alternative was to leave the regulation unchanged. This may appear to be the least intrusive approach; however, such an alternative would not provide a control strategy for the potential water quality degradation in Stony Creek from an already documented excess of phosphorus.

There may be other less intrusive alternatives to consider. For example, other alternatives would be to designate only the mainstem or a portion of the mainstem of Stony Creek as a nutrient enriched water.

**Other Pertinent Information:** The department has conducted analyses on the proposed action related to basis, substance, issues, need, estimated impacts, applicable federal requirements and alternative approaches and schedule for reevaluation. These analyses as well as copies of the amendments may be viewed at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, VA 22801 or obtained from Jean Gregory.

**Statutory Authority:** § 62.1-44.15 (3a) of the Code of Virginia.

**Contact:** Jean Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113, 1-800-592-5482 or (804) 698-4161 TTY/☎, or e-mail [jwgregory@deq.state.va.us](mailto:jwgregory@deq.state.va.us).

**December 7, 1999 - 9:30 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿

A quarterly meeting of the board.

**Contact:** Cindy M. Berndt, Department of Environmental Quality, P. O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378 or FAX (804) 698-4346.

## BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

**October 29, 1999 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia. ♿

A routine business meeting. A public comment period will be held at the beginning of the meeting. This meeting is being held in place of the meeting scheduled for September 16, 1999, that was canceled due to Hurricane Floyd.

**Contact:** David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA, telephone (804) 367-2176, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

## THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA

† **November 18, 1999 - 1 p.m.** -- Open Meeting

† **November 19, 1999 - 8 a.m.** -- Open Meeting

Blow Memorial Hall, Richmond Road, Williamsburg, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regularly scheduled meeting of the Board of Visitors to receive reports from several committees of the board, and to act on those resolutions that are presented by the administrations of the College of William and Mary and Richard Bland College. An informational release will be available four days prior to the board meeting for those individuals and organizations who request it. Public comment will not be received.

**Contact:** William T. Walker, Jr., Director, Office of University Relations, College of William and Mary, 312 Jamestown Rd., P.O. Box 8795, Williamsburg, VA 23187-8795, telephone (757) 221-2624.

## VIRGINIA WORKFORCE COUNCIL

† **October 27, 1999 - 10 a.m.** -- Open Meeting

Virginia Employment Commission, Central Office, 703 East Main Street, Conference Room 303, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Committee on the Workforce Strategy to discuss the final draft of the Virginia Workforce Strategy Report.

**Contact:** Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-2070, FAX (804) 371-8697 or (804) 828-1120/TTY ☎

† **October 28, 1999 - 9 a.m.** -- Open Meeting

Virginia Employment Commission, Central Office, 703 East Main Street, Conference Room 303, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Committee on WIA and Coordinated Planning to discuss local area designations under the Workforce Investment Act (WIA) and criteria for local workforce investment boards.

**Contact:** Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-2070, FAX (804) 371-8697 or (804) 828-1120/TTY ☎

† **November 19, 1999 - 9 a.m.** -- Open Meeting

Lewis Ginter Botanical Gardens, 1800 Lakeside Avenue, Conference Center, Robins Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the council to discuss the Virginia Workforce Strategy Report for the Governor, local area designations under the Workforce Investment Act (WIA), and criteria for the appointment of local workforce investment boards. There will be an opportunity for public comment at the end of the meeting. Public comments will be limited to two minutes per person and a written copy of comments must be provided.

**Contact:** Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-2070, FAX (804) 371-8697 or (804) 828-1120/TTY ☎

## INDEPENDENT

### VIRGINIA WORKERS' COMPENSATION COMMISSION

**December 14, 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 Virginia Workers' Compensation Commission intends to adopt regulations entitled: **16 VAC 30-11-10 et seq. Public Participation Guidelines.** The purpose of the proposed regulation is to define the Workers' Compensation Commission's process for soliciting input of interested parties in the formation and development of regulations.

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

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

## LEGISLATIVE

### JOINT COMMITTEE STUDYING THE OVERREPRESENTATION OF AFRICAN-AMERICAN STUDENTS IN SPECIAL EDUCATION PROGRAMS (HJR 707, 1999)

† **October 25, 1999 - 10 a.m.** -- Open Meeting  
Greensville Elementary School, Emporia, Virginia. ♿  
(Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be directed to Brenda Edwards, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least 10 days prior to the meeting.

**Contact:** Dawn B. Smith, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 698-2369/TTY ☎

### JOINT COMMITTEE STUDYING THE STATUS AND NEEDS OF AFRICAN-AMERICAN MALES IN VIRGINIA (SJR 420, 1999)

† **October 27, 1999 - 6 p.m.** -- Public Hearing  
Newport News City Council Chambers, 2400 Washington Avenue, Newport News, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. The joint subcommittee welcomes all persons who wish to attend the public hearing. Persons who desire to speak are encouraged to register in advance before the day of the hearing with Brenda Edwards, Division of Legislative Services, General Assembly Building, 2nd Floor, 9th Capitol Street, Richmond, Virginia 23219, (804) 786-3591, FAX (804) 371-0169. Persons desiring to speak are requested to submit a written copy of their remarks to the joint subcommittee at the hearing. The chairman reserves the right to limit the length of speakers' comments. Other individuals who would like to address the joint subcommittee, but who are unable to attend the hearing, may mail their written comments or FAX them to Ms. Edwards at the address or FAX number above. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least seven days prior to the meeting.

**Contact:** Patricia J. Lung, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

### SPECIAL JOINT SUBCOMMITTEE STUDYING VIRGINIA'S MEDICAL CARE FACILITIES CERTIFICATE OF PUBLIC NEED PROGRAM AND LAW (SJR 496, 1999)

**November 15, 1999 - 1 p.m.** -- Open Meeting  
**December 8, 1999 - 2 p.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. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least seven days prior to the meeting.

**Contact:** Brian B. Taylor, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

### COMMISSION ON THE CONDITION AND FUTURE OF VIRGINIA'S CITIES (HJR 432, 1998)

#### Subcommittee 3

† **November 10, 1999 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

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# Calendar of Events

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A meeting with staff from the Weldon Cooper Center for Public Service in preparation for the full commission meeting on November 17, 1999. Questions regarding the meeting should be directed 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 days prior to the meeting.

**Contact:** Barbara L. Regen, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1544 or (804) 786-2369/TTY ☎

## Subcommittee 2 and Subcommittee 4

† **November 17, 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 meeting with staff from the Weldon Cooper Center for Public Service in preparation for the full commission meeting on November 17, 1999. Questions regarding the meeting should be directed 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 days prior to the meeting. Subcommittee 2 will meet at 9 a.m. Subcommittee 4 will meet at 11 a.m.

**Contact:** Barbara L. Regen, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1544 or (804) 786-2369/TTY ☎

† **November 17, 1999 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the full commission. Questions regarding the meeting should be directed to Jeff Sharp or Nikki Rovner, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Barbara Regen at least 10 working days prior to the meeting.

**Contact:** Barbara L. Regen, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1544 or (804) 786-2369/TTY ☎

## COMMISSION ON REFORM OF THE CLASSIFIED COMPENSATION PLAN

**November 30, 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 Bill Echelberger, Senate Committee Finance Staff, (804) 698-7480. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations.

**Contact:** John McE. Garrett, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

## VIRGINIA CODE COMMISSION

**November 10, 1999 - 10 a.m.** -- Open Meeting  
**December 16, 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. Public comment will be received at the end of the meeting for a period not to exceed 15 minutes.

**Contact:** Jane D. Chaffin, Registrar of Regulations, General Assembly Building, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625 or e-mail jchaffin@leg.state.va.us.

## SENATE COMMITTEE ON COMMERCE AND LABOR

**December 7, 1999 - 1:30 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A joint meeting with the House Committee on Corporations, Insurance and Banking to brief members of the two committees on revised Article 9, Secured Transactions, of the Uniform Commercial Code, as proposed by the Uniform Law Commissioners. Questions should be directed to Jescey French, Staff Attorney, 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 ☎

## CORPORATIONS, INSURANCE AND BANKING SUBCOMMITTEE

### Subcommittee #4 (HB1882, 1999) - Landlord and Tenant; Access to Telecommunications Services

**December 7, 1999 - 1:30 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to brief members on revised Article 9, Secured Transactions, of the Uniform Commercial Code, as proposed by the Uniform Law Commissioners. A representative of the Uniform Law Commissioners will present the briefing and the Virginia Bar Association, which is currently reviewing the revision, will participate. Questions regarding the meeting should be addressed to

Jescey French, 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:** Dawn B. Smith, Committee Operations, House of Delegates, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## COMMISSION ON EDUCATIONAL INFRASTRUCTURE (HJR 670, 1999)

† **December 9, 1999 - 10 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 Norma Szakal, 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:** Lois V. Johnson, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## JOINT SUBCOMMITTEE STUDYING ELECTION LAWS INNOVATIONS, IMPROVED METHODS TO INFORM VOTERS ABOUT BALLOT ISSUES AND CANDIDATES, AND OTHER MATTERS (SJR 423, 1999)

**October 26, 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 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 TASK FORCE STUDYING FAITH-BASED COMMUNITY SERVICE GROUPS WHO MAY PROVIDE ASSISTANCE TO MEET SOCIAL NEEDS (HJR 764, 1999)

**November 8, 1999 - 1 p.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 Gayle Vergara, Senior Research Associate, 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. 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 ☎

## JOINT COMMISSION ON HEALTH CARE

**November 16, 1999 - 10 a.m.** -- Open Meeting

**December 1, 1999 - 10 a.m.** -- Open Meeting

**December 7, 1999 - 10 a.m.** -- Open Meeting

**January 6, 2000 - 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 ☎

## Long-Term Care Committee

**November 4, 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. 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 ☎

## JOINT SUBCOMMITTEE STUDYING THE FUTURE DELIVERY OF PUBLICLY FUNDED MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES (HJR 225, 1998)

**November 16, 1999 - 1:30 p.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 Gayle Vergara, Division of

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# Calendar of Events

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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 ☎

## Medicaid Carve-Out Work Group

**November 15, 1999 - 2 p.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, (804) 786-2369/TTY ☎, or e-mail ahoward@leg.state.va.us

## JOINT SUBCOMMITTEE STUDYING EARLY INTERVENTION SERVICES FOR INFANTS AND TODDLERS WITH DISABILITIES (HJR 725, 1999)

† **November 16, 1999 - 10 a.m.** -- Open Meeting  
† **December 10, 1999 - 2 p.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 address to Amy Marschean, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or special assistance should contact Dawn Smith at least 10 working days prior to the meeting.

**Contact:** Dawn B. Smith, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION

† **November 8, 1999 - 10 a.m.** -- Open Meeting  
General Assembly Building, 910 Capitol Street, Senate Room A, Richmond, Virginia. ♿

A meeting for staff briefings on the functional area of Health and Human Resources, the Department of Health, and on hearing officers.

**Contact:** Phillip A. Leone, Director, Joint Legislative Audit and Review Commission, General Assembly Building, 910

Capitol St., Suite 1100, Richmond, VA 23219, telephone (804) 786-1258.

## COMMISSION ON COORDINATION OF SERVICES TO FACILITATE SELF-SUFFICIENCY AND SUPPORT OF PERSONS WITH PHYSICAL AND SENSORY DISABILITIES

**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, Committee Operations, House of Delegates, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## JOINT SUBCOMMITTEE STUDYING REMEDIATION (HJR 572, 1999)

**November 10, 1999 - 10 a.m.** -- Open Meeting  
**November 29, 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 Brenda Edwards, 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. Persons making audiovisual presentations to the committee should call for specifications.

**Contact:** Dawn B. Smith, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## COMMISSION ON VIRGINIA'S STATE AND LOCAL TAX STRUCTURE FOR THE 21ST CENTURY (HJR 578, 1999)

† **October 26, 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 directed to Robert DeVoursney at the Weldon Cooper Center for Public Services, (804) 982-5522. Individuals requiring interpreter services or other special

assistance should contact the committee operations office at least 10 working days prior to the meeting.

**Contact:** Dawn B. Smith, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

**JOINT COMMISSION ON TECHNOLOGY AND SCIENCE**

† **November 4, 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 meeting of Advisory Committee #3 to study electronic government. The proposed agenda will be posted on the commission's web page at <http://legis.state.va.us/jcots/jcots.htm> approximately one week before the meeting.

**Contact:** John Jung, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169 or e-mail [jjung@leg.state.va.us](mailto:jjung@leg.state.va.us).

**November 4, 1999 - 1:30 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of Advisory Committee #5, co-chaired by Delegates Diamonstein and May, to discuss the Uniform Computer Information Transactions Act (UCITA) and the Uniform Electronic Transactions Act (UETA) as a follow-up to the commission's meeting on September 21, 1999. The proposed agenda will be posted on the commission's web page at <http://legis.state.va.us/jcots/jcots.htm> approximately one week before the meeting.

**Contact:** John Jung, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169 or e-mail [jjung@leg.state.va.us](mailto:jjung@leg.state.va.us).

† **November 8, 1999 - 11 a.m.** -- Open Meeting  
State Capitol, Capitol Square, House Room 1, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of Advisory Committee #2, co-chaired by Delegates Bennett and Purkey, to study economic development. The proposed agenda will be posted on the commission's web page at <http://legis.state.va.us/jcots/jcots.htm> approximately one week before the meeting.

**Contact:** John Jung, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169 or e-mail [jjung@leg.state.va.us](mailto:jjung@leg.state.va.us).

**CHRONOLOGICAL LIST**

**OPEN MEETINGS**

**October 25**

- † African-American Students in Special Education Programs, Joint Subcommittee Studying the Overrepresentation of Charitable Gaming Commission

**October 26**

- Chesapeake Bay Local Assistance Board
  - Northern Area Review Committee
  - Southern Area Review Committee
- † Compensation Board
- Conservation and Recreation, Department of Election Laws Innovations, Improved Methods to Inform Voters about Ballot Issues and Candidates, and Other Matters, Joint Subcommittee Studying
- † Environmental Quality, Department of
  - Water Reuse Advisory Group
- Marine Resources Commission
- Nursing, Board of
  - Special Conference Committee
- Pharmacy, Board of
- Small Business Advisory Board, Virginia
  - Loan Committee
- Real Estate Appraiser Board
- † Tax Structure for the 21st Century, Commission on Virginia's State and Local
- † Veterinary Medicine, Board of

**October 27**

- † At-Risk Youths and Their Families, Comprehensive Services for
  - State Executive Council
- Emergency Planning Committee, Local
  - Gloucester County
- Medicine, Board of
  - Informal Conference Committee
- † Real Estate Board
  - Education Committee
- Rights of Virginians with Disabilities, Department for
  - Developmental Disabilities Advisory Council
- Sewage Handling and Disposal Appeal Review Board
- † Space Flight Authority, Virginia Commercial
- † Treasury Board
- † Veterinary Medicine, Board of
- † Workforce Council, Virginia
  - Committee on the Workforce Strategy

**October 28**

- † Conservation and Recreation, Department of
  - Kiptopeke State Park Master Plan Steering Committee
- Education, Board of
- Information Providers Network Authority, Virginia
- Environmental Quality, Department of
  - Solid Waste Management Regulation Advisory Committee
- † Manufactured Housing Board
- † Real Estate Board
  - Fair Housing Committee

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# Calendar of Events

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- † Social Work, Board of
- † Technology Planning, Department of
  - Virginia Geographic Information Network Advisory Board
- Water Control Board, State
  - Poultry Advisory Group
- † Workforce Council, Virginia
  - Committee on the WIA and Coordinated Planning

## October 29

- Mental Health, Mental Retardation and Substance Abuse Services, Department of
  - State Human Rights Committee
- † Social Work, Board of
- Waterworks and Wastewater Works Operators, Board for

## November 1

- † Branch Pilots, Board for
- Medical Assistance Services, Department of
  - Pharmacy Liaison Committee
- Rehabilitation Council, State

## November 2

- Hopewell Industrial Safety Council

## November 3

- Alzheimer's Disease and Related Disorders Commission
- † Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for
  - Architects Section
- † Audiology and Speech-Language Pathology, Board of
  - Legislative/Regulatory Committee
- † Litter Control and Recycling Fund Advisory Board
- † Medical Assistance Services, Department of
  - Technical Advisory Panel of the Indigent Health Care Trust Fund

## November 4

- † Agriculture and Consumer Services, Department of
  - Virginia Horse Industry Board
  - Virginia Winegrowers Advisory Board
- Conservation and Recreation, Department of
  - Falls of the James Scenic River Advisory Board
- † Emergency Planning Committee, Local - City of Winchester
- † Health, State Board of
- Health Care, Joint Commission on
  - Long-Term Care Subcommittee
- Medicine, Board of
  - Informal Conference Committee
- † Technology and Science, Joint Commission on
  - Advisory Committee #3
  - Advisory Committee #5
- Waste Management Facility Operators, Board for

## November 5

- † Medicine, Board of
  - Informal Conference Committee
- † Optometry, Board of
  - Professional Designation Committee
- † Psychology, Board of

## November 8

- Faith-Based Community Service Groups Who May Provide Assistance to Meet Social Needs, Special Task Force Studying
- † Legislative Audit and Review Commission, Joint Physical and Sensory Disabilities, Commission on Coordination of Services to Facilitate Self-Sufficiency and Support of Persons with
- Social Services, Department of
  - Virginia Commission on National and Community Services
- † Technology and Science, Joint Commission on
  - Advisory Committee #2

## November 9

- Asbestos and Lead, Virginia, Board for
- † Conservation and Recreation, Department of
- Medical Assistance Services, Board of
- † Medical Assistance Services, Department of
- † Pharmacy, Board of
  - Special Conference Committee
- Resources Authority, Virginia
  - Board of Directors

## November 10

- † Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for
  - Professional Engineers Section
- Audiology and Speech-Language Pathology, Board of
- † Cities, Commission on the Condition and Future of Virginia's
  - Subcommittee 3
- Code Commission, Virginia
- Juvenile Justice, State Board of
- † Pharmacy, Board of
  - Special Conference Committee
- † Recycling Markets Development Council, Virginia Remediation, Joint Subcommittee Studying

## November 12

- Opticians, Board for

## November 15

- Certificate of Public Need Program and Law, Special Joint Subcommittee Studying Virginia's Medical Care Facilities
- † Environmental Quality, Department of
- † Library Board
  - Archival and Information Services Committee
  - Collection and Management Services Committee
  - Legislative and Finance Committee
  - Publications and Educational Services Committee
  - Public Library Development Committee
  - Records Management Committee
- Local Government, Commission on
- Mental Health, Mental Retardation and Substance Abuse Services, Joint Subcommittee Studying the Future Delivery of Publicly Funded
  - Medicaid Carve-Out Work Group
- † Pharmacy, Board of
  - Special Conference Committee



**November 16**

Certificate of Public Need Program and Law, Special Joint Subcommittee Studying Virginia's Medical Care Facilities  
† Funeral Directors and Embalmers, Board of  
- Legislative Committee  
Health Care, Joint Commission on  
† Infants and Toddlers with Disabilities, Joint Subcommittee Studying Early Intervention Services for  
† Marine Resources Commission  
Mental Health, Mental Retardation and Substance Abuse Services, Joint Subcommittee Studying the Future Delivery of Publicly Funded  
Professional and Occupational Regulation, Board for  
† Psychology, Board of

**November 17**

† Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for  
- Land Surveyors Section  
† At-Risk Youths and Their Families, Comprehensive Services for  
- State Executive Council  
† Cities, Commission on the Condition and Future of Virginia's  
- Subcommittee 2  
- Subcommittee 4  
Medicine, Board of  
- Informal Conference Committee  
Small Business Advisory Board, Virginia  
† Transportation Board, Commonwealth

**November 18**

† Agriculture and Consumer Services, Department of  
- Virginia Aquaculture Advisory Board  
Labor and Industry, Department of  
- Virginia Apprenticeship Council  
† Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, Board of Licensed  
- Regulatory Committee  
† Transportation Board, Commonwealth  
† William and Mary in Virginia, College of  
- Board of Visitors

**November 19**

Medicine, Board of  
- Executive Committee  
† Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, Board of Licensed  
† William and Mary in Virginia, College of  
- Board of Visitors  
† Workforce Council, Virginia

**November 23**

† Conservation and Recreation, Department of

**November 29**

Remediation, Joint Subcommittee Studying

**November 30**

Classified Compensation Plan, Commission on Reform of the  
† Funeral Directors and Embalmers, Board of  
- Task Force on Resident Trainee Program  
† Polygraph Examiners Advisory Board

**December 1**

† Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for  
- Landscape Architects Section  
Health Care, Joint Commission on  
† Optometry, Board of

**December 2**

Fire Services Board, Virginia  
- Fire/EMS Education and Training Committee  
- Fire Prevention and Control Committee  
- Legislation Committee

**December 3**

Fire Services Board, Virginia

**December 6**

Cosmetology, Board for  
Social Services, Department of  
- Virginia Commission on National and Community Services

**December 7**

† Branch Pilots, Board for  
Commerce and Labor, Senate Committee on Corporations, Insurance and Banking Committee  
Health Care, Joint Commission on  
Hopewell Industrial Safety Council  
Water Control Board, State

**December 8**

† Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for  
- Certified Interior Designers Section  
† Branch Pilots, Board for  
Outdoors Foundation, Virginia  
- Board of Trustees

**December 9**

† Educational Infrastructure, Commission on  
† Labor and Industry, Department of  
- Virginia Apprenticeship Council  
Outdoors Foundation, Virginia  
- Board of Trustees  
† Rehabilitative Services, Board of

**December 10**

HIV Prevention Community Planning Committee  
† Infants and Toddlers with Disabilities, Joint Subcommittee Studying Early Intervention Services for

**December 14**

† Branch Pilots, Board for  
Resources Authority, Virginia  
- Board of Directors

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# Calendar of Events

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**December 15**

† At-Risk Youths and Their Families, Comprehensive Services for  
- State Executive Council

**December 16**

Code Commission, Virginia

**December 17**

† Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for

**December 21**

† Marine Resources Commission

**January 6, 2000**

Health Care, Joint Commission on

**January 21**

† Library Board

## PUBLIC HEARINGS

**October 25**

Local Government, Commission on

**October 26**

Water Control Board, State

**October 27**

† African-American Males, Joint Subcommittee Studying the Status and Needs of Professional and Occupational Regulation, Department of  
of  
Waste Management Facility Operators, Board for  
Water Control Board, State

**October 28**

Environmental Quality, Department of

**November 1**

Rehabilitative Services, Department of and State  
Rehabilitation Council

**November 12**

Voluntary Formulary Board, Virginia

**November 15**

Rehabilitative Services, Department of and State  
Rehabilitation Council

**November 17**

Air Pollution Control Board, State  
† Environmental Quality, Department of

**November 18**

Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, Board of Licensed

**November 19**

Medicine, Board of