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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.

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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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## December 1999 through September 2000

<u>Volume:Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
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
16:12	February 9, 2000	February 28, 2000
16:13	February 23, 2000	March 13, 2000
16:14	March 8, 2000	March 27, 2000
<b>INDEX 2 - Volume 16</b>		<b>April 2000</b>
16:15	March 22, 2000	April 10, 2000
16:16	April 5, 2000	April 24, 2000
16:17	April 19, 2000	May 8, 2000
16:18	May 3, 2000	May 22, 2000
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
16:24	July 26, 2000	August 14, 2000
16:25	August 9, 2000	August 28, 2000
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 Fall 1999 VAC Supplement includes final regulations published through *Virginia Register* Volume 15, Issue 23, dated August 2, 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
<b>Title 4. Conservation and Natural Resources</b>			
4 VAC 20-333-10 through 4 VAC 20-333-40	Added	15:24 VA.R. 3035-3037	7/6/99
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 20-620-30	Amended	16:5 VA.R. 580	11/1/99
4 VAC 20-620-40	Amended	16:5 VA.R. 580	11/1/99
4 VAC 20-720-20	Amended	16:3 VA.R. 292	10/1/99
4 VAC 20-720-35	Added	16:3 VA.R. 292	10/1/99
4 VAC 20-720-40	Amended	16:3 VA.R. 292	10/1/99
4 VAC 20-720-50	Amended	16:3 VA.R. 293	10/1/99
4 VAC 20-720-60	Amended	16:3 VA.R. 293	10/1/99
4 VAC 20-720-70	Amended	16:3 VA.R. 294	10/1/99
4 VAC 20-720-80	Amended	16:3 VA.R. 294	10/1/99
4 VAC 20-720-105	Repealed	16:3 VA.R. 294	10/1/99
<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 9. Environment</b>			
9 VAC 25-151 (Forms)	Amended	15:24 VA.R. 3251	--
<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 5-610-10*	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	*

\* 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 5-610-90*	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	*
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	*

\* 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 5-610-890*	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	*
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 30-50-100	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	16:2 VA.R. 205	11/10/99
12 VAC 30-50-220	Amended	15:25 VA.R. 3362	10/1/99
12 VAC 30-80-30	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 30-140-10 through 12 VAC 30-140-570	Added	15:26 VA.R. 3456-3465	10/13/99
12 VAC 30-140-370	Amended	16:4 VA.R. 404	12/8/99
12 VAC 30-140-380	Amended	16:4 VA.R. 404	12/8/99
<b>Title 13. Housing</b>			
13 VAC 5-175-10 through 13 VAC 5-175-40	Added	16:4 VA.R. 405-406	10/20/99
<b>Title 14. Insurance</b>			
14 VAC 5-270-30	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-40	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-60	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-70	Amended	16:5 VA.R. 583	1/1/00
14 VAC 5-270-80	Amended	16:5 VA.R. 583	1/1/00
14 VAC 5-270-160	Repealed	16:5 VA.R. 584	1/1/00
14 VAC 5-319-10 through 14 VAC 5-319-80	Added	16:5 VA.R. 585-599	1/1/00
14 VAC 5-395-20	Amended	16:4 VA.R. 407	10/20/99
14 VAC 5-395-25	Added	16:4 VA.R. 407	10/20/99
14 VAC 5-395-60	Amended	16:4 VA.R. 407	10/20/99
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 5-20-10 emer	Amended	16:3 VA.R. 319	10/4/99-10/3/00
18 VAC 5-20-11 emer	Added	16:3 VA.R. 321	10/4/99-10/3/00
18 VAC 5-20-20 emer	Amended	16:3 VA.R. 322	10/4/99-10/3/00
18 VAC 5-20-30 emer	Repealed	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-40 emer	Repealed	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-41 emer	Added	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-50 emer	Repealed	16:3 VA.R. 325	10/4/99-10/3/00
18 VAC 5-20-60 emer	Repealed	16:3 VA.R. 325	10/4/99-10/3/00
18 VAC 5-20-70 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-80 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-81 emer	Added	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-90 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-91 emer	Added	16:3 VA.R. 327	10/4/99-10/3/00
18 VAC 5-20-100 emer	Amended	16:3 VA.R. 328	10/4/99-10/3/00
18 VAC 5-20-110 emer	Amended	16:3 VA.R. 329	10/4/99-10/3/00

\* 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
18 VAC 5-20-111 emer	Added	16:3 VA.R. 330	10/4/99-10/3/00
18 VAC 5-20-112 emer	Added	16:3 VA.R. 330	10/4/99-10/3/00
18 VAC 5-20-120 through 18 VAC 5-20-440 emer	Repealed	16:3 VA.R. 330-333	10/4/99-10/3/00
18 VAC 5-20-441 emer	Added	16:3 VA.R. 333	10/4/99-10/3/00
18 VAC 5-20-442 emer	Added	16:3 VA.R. 334	10/4/99-10/3/00
18 VAC 5-20-443 emer	Added	16:3 VA.R. 334	10/4/99-10/3/00
18 VAC 5-20-444 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-445 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-450 emer	Repealed	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-451 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-460 through 500 emer	Repealed	16:3 VA.R. 337-339	10/4/99-10/3/00
18 VAC 10-20-10	Amended	16:3 VA.R. 298	12/1/99
18 VAC 10-20-20	Amended	16:3 VA.R. 299	12/1/99
18 VAC 10-20-35	Added	16:3 VA.R. 299	12/1/99
18 VAC 10-20-90	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-110	Amended	16:3 VA.R. 299	12/1/99
18 VAC 10-20-120	Amended	16:3 VA.R. 300	12/1/99
18 VAC 10-20-140	Amended	16:3 VA.R. 300	12/1/99
18 VAC 10-20-150	Amended	16:3 VA.R. 301	12/1/99
18 VAC 10-20-160	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-170	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-170	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-190	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-200	Amended	16:3 VA.R. 304	12/1/99
18 VAC 10-20-210	Amended	16:3 VA.R. 304	12/1/99
18 VAC 10-20-215	Added	16:3 VA.R. 305	12/1/99
18 VAC 10-20-230	Amended	16:3 VA.R. 305	12/1/99
18 VAC 10-20-250	Amended	16:3 VA.R. 305	12/1/99
18 VAC 10-20-260	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-270	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-280	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-280	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-300	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-310	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-320	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-330	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-350	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-360	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-400	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-440	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-450	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-470	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-490	Amended	16:3 VA.R. 309	12/1/99
18 VAC 10-20-500	Repealed	16:3 VA.R. 309	12/1/99
18 VAC 10-20-520	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-530	Amended	16:3 VA.R. 309	12/1/99
18 VAC 10-20-560	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-570	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-580	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-590	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-630	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-640	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-680	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-730	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-740	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-760	Amended	16:3 VA.R. 312	12/1/99



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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 10-20-780	Amended	16:3 VA.R. 313	12/1/99
18 VAC 10-20-790	Amended	16:3 VA.R. 313	12/1/99
18 VAC 10-20-795	Added	16:3 VA.R. 314	12/1/99
18 VAC 25-21-70	Amended	15:26 VA.R. 3468	11/1/99
18 VAC 55-22-310	Amended	15:26 VA.R. 3476	11/1/99
18 VAC 55-22 (Forms)	Amended	16:5 VA.R. 600	--
18 VAC 85-20-22	Amended	16:4 VA.R. 407	12/8/99
18 VAC 85-20-230	Amended	16:4 VA.R. 408	12/8/99
18 VAC 85-20-235	Added	16:4 VA.R. 408	12/8/99
18 VAC 85-20-236	Added	16:4 VA.R. 408	12/8/99
18 VAC 85-20-240	Amended	16:4 VA.R. 409	12/8/99
18 VAC 85-101-10	Amended	16:4 VA.R. 410	12/8/99
18 VAC 85-101-40	Amended	16:4 VA.R. 410	12/8/99
18 VAC 85-101-50	Amended	16:4 VA.R. 410	12/8/99
18 VAC 85-101-60	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-70	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-130	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-160	Amended	16:4 VA.R. 412	12/8/99
18 VAC 90-20-300	Amended	16:3 VA.R. 315	11/24/99
18 VAC 90-20-420	Added	16:3 VA.R. 315	11/24/99
18 VAC 90-20-430	Added	16:3 VA.R. 315	11/24/99
18 VAC 90-20-440	Added	16:3 VA.R. 316	11/24/99
18 VAC 90-20-450	Added	16:3 VA.R. 316	11/24/99
18 VAC 90-20-460	Added	16:3 VA.R. 317	11/24/99
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 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 120-30-100	Amended	15:26 VA.R. 3487	11/1/99
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

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

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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 125-20-150	Erratum	16:4 VA.R. 444	--
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 160-20-40	Amended	15:24 VA.R. 3490	11/1/99
<b>Title 19. Public Safety</b>			
19 VAC 30-70 Appendix A	Amended	15:25 VA.R. 3364	7/29/99
19 VAC 30-165-10 emer	Added	16:3 VA.R. 339	9/24/99-9/23/00
19 VAC 30-165-20 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-30 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-40 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-50 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-60 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
<b>Title 22. Social Services</b>			
22 VAC 40-50-10 et seq.	Repealed	15:24 VA.R. 3250	9/15/99
22 VAC 40-710-10 et seq.	Repealed	16:4 VA.R. 412	12/8/99
22 VAC 40-820-10 et seq.	Repealed	16:5 VA.R. 599	12/22/99
22 VAC 40-880-350	Amended	16:4 VA.R. 413	12/8/99
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 30-130-10	Amended	16:2 VA.R. 229	9/13/99

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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 6. CRIMINAL JUSTICE AND CORRECTIONS

### CRIMINAL JUSTICE SERVICES BOARD

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Criminal Justice Services Board intends to consider amending regulations entitled: **6 VAC 20-60-10 et seq. Rules Relating to Compulsory Minimum Training Standards for Dispatchers.** Prior rules pertaining to the training of dispatchers has been developed by a committee of practitioners representing the law-enforcement community. These training requirements are not legally defensible. A job task analysis has been conducted to determine the knowledge, skills and abilities required for the position. This was developed in conjunction with an advisory committee representing law enforcement, fire programs, emergency medical services, joint dispatch centers and affected associations. Potential amendments will revolve around subject matter requirements and the number of hours of training required. Opportunity for comment will be provided in a written format on draft rules and proposed rules and a public hearing will be conducted prior to consideration for adoption.

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

Public comments may be submitted until January 5, 2000.

**Contact:** Judy Kirkendall, Job Task Analysis Administrator, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-8003, FAX (804) 786-0410 or (804) 386-8732/TTY ☎

VA.R. Doc. No. R00-48; Filed November 5, 1999, 4:21 p.m.

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## 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: **12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care Services; 12 VAC 30-60-10 et seq. Standards Established and Methods Used to Assure High Quality Care; and 12 VAC 30-70-10-et seq. Methods**

**and Standards for Establishing Payment Rates--Inpatient Hospital Care.** The purpose of the proposed action is to clarify and expand upon limits to be placed upon coverage of inpatient hospital services by providers who are located outside the borders of the Commonwealth in order to promote the use of Virginia's inpatient hospitals. 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 December 22, 1999, to Jim Cohen, Provider 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 or FAX (804) 371-4981.

VA.R. Doc. No. R00-40; Filed November 2, 1999, 10:16 a.m.

### STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to consider promulgating regulations entitled: **12 VAC 35-115-10 et seq. Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers of Mental Health, Mental Retardation and Substance Abuse Services.** The purpose of the proposed action is to promulgate regulations that will protect the legal and human rights of all individuals who receive services in programs and facilities operated, funded, or licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 37.1-84.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on December 22, 1999, to Rita Hines, Acting Human Rights Director, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218.

**Contact:** Charline Davidson, Planning and Regulations Director, Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Planning and Regulations, P.O. Box 1797, Richmond, VA 23218, telephone (804) 786-7357, FAX (804) 371-0092 or (804) 371-8977/TTY ☎

VA.R. Doc. No. R00-39; Filed November 2, 1999, 9:36 a.m.

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# Notices of Intended Regulatory Action

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## TITLE 13. HOUSING

### BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

#### 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 Housing and Community Development intends to consider promulgating regulations entitled: **13 VAC 5-100-10 et seq. Virginia Energy Assistance Program Weatherization Component.** The purpose of the proposed action is to promulgate permanent regulations to implement House Bill 1103 (1998), by clarifying the types of energy improvements which can be completed and establishing eligibility requirements that are more consistent with the U.S. Department of Energy Low-Income Weatherization Assistance Program. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 36-139 of the Code of Virginia.

Public comments may be submitted until December 10, 1999.

**Contact:** George W. Rickman, Jr., Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7180 or FAX (804) 371-7092.

VA.R. Doc. No. R00-35; Filed October 27, 1999, 4:31 p.m.

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### AUCTIONEERS BOARD

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Auctioneers Board intends to consider amending regulations entitled: **18 VAC 25-21-10 et seq. Rules and Regulations of the Virginia Auctioneers Board.** The purpose of the proposed action is to conform the regulations to recent Code of Virginia changes and to clarify reinstatement requirements. In addition, several other housekeeping matters are being considered. Other changes to the regulation which may be necessary will be considered. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-201 and 54.1-602 of the Code of Virginia.

Public comments may be submitted until January 5, 2000.

**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 ☎

VA.R. Doc. No. R00-46; Filed November 9, 1999, 11:21 a.m.

### BOARD OF NURSING

#### 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 Nursing intends to consider amending regulations entitled: **18 VAC 90-30-10 et seq. Regulations Governing the Licensure of Nurse Practitioners.** The purpose of the proposed action is to amend regulations to increase fees pursuant to a statutory mandate in § 54.1-113 of the Code of Virginia for the board to levy fees sufficient to meet expenditures. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

Public comments may be submitted until December 22, 1999.

**Contact:** Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., Richmond, VA 23230-1717, telephone (804) 662-9909 or FAX (804) 662-9943.

VA.R. Doc. No. R00-45; Filed November 3, 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 Board of Nursing intends to consider amending regulations entitled: **18 VAC 90-40-10 et seq. Regulations for Prescriptive Authority for Nurse Practitioners.** The purpose of the proposed action is to amend regulations to increase fees pursuant to a statutory mandate in § 54.1-113 of the Code of Virginia for the board to levy fees sufficient to meet expenditures. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

Public comments may be submitted until December 22, 1999.

**Contact:** Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., Richmond, VA 23230-1717, telephone (804) 662-9909 or FAX (804) 662-9943.

VA.R. Doc. No. R00-43; Filed November 3, 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 Board of Nursing intends to consider amending regulations entitled: **18 VAC 90-50-10 et seq. Regulations Governing the Certification of Massage Therapists.** The purpose of the proposed action is to amend

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# Notices of Intended Regulatory Action

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regulations to increase fees pursuant to a statutory mandate in § 54.1-113 of the Code of Virginia for the board to levy fees sufficient to meet expenditures. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

Public comments may be submitted until December 22, 1999.

**Contact:** Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., Richmond, VA 23230-1717, telephone (804) 662-9909 or FAX (804) 662-9943.

VA.R. Doc. No. R00-44; Filed November 3, 1999, 11:50a.m.

achieve better consistency in the language among the behavioral sciences boards. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 and Chapter 37 (§ 54.1-3700 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until December 8, 1999.

**Contact:** Janet D. Delorme, Deputy Executive Director, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9575 or FAX (804) 662-9943.

VA.R. Doc. No. R00-31; Filed October 19, 1999, 2:58 p.m.

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## BOARD FOR OPTICIANS

### 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 for Opticians intends to consider amending regulations entitled: **18 VAC 100-20-10 et seq. Board for Opticians Regulations.** The purpose of the proposed action is to amend existing regulations governing the licensure of opticians to (i) establish a definition section; (ii) clarify entry requirements for licensure; (iii) specify examination procedures and examination content for licensure and contact lens examinations; (iv) modify the procedures and provisions regarding renewal, reinstatement, and the standards of practice and conduct; and (v) review several provisions of the regulations and simplify them thereby ensuring that the board is meeting its statutory mandate to ensure minimal competence of all licensees without burdensome requirements. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-201 and 54.1-1700 et seq. of the Code of Virginia.

Public comments may be submitted until December 9, 1999.

**Contact:** Nancy T. Feldman, Assistant Director, Board for Opticians, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-2474, (804) 367-9753/TTY ☎, or e-mail [opticians@dpor.state.va.us](mailto:opticians@dpor.state.va.us).

VA.R. Doc. No. R00-30; Filed October 15, 1999, 3:01 p.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 continuing education requirements in compliance with statutory mandate, establish an inactive licensure regulation for licensees who are not practicing in Virginia, and amend the language in the dual relationship prohibition in the standards of practice to

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# PROPOSED REGULATIONS

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For information concerning Proposed Regulations, see Information Page.

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## Symbol Key

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

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## TITLE 20. PUBLIC UTILITIES AND TELECOMMUNICATIONS

### STATE CORPORATION COMMISSION

**REGISTRAR'S NOTICE:** The State Corporation Commission is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency which by the Constitution is expressly granted any of the powers of a court of record.

The distribution lists that are referenced as Appendices A, B, C and D in the following order are not being published. However, these lists are available for public inspection at the State Corporation Commission, Document Control Center, Tyler Building, 1<sup>st</sup> Floor, 1300 East Main Street, Richmond, Virginia 23219, from 8:15 a.m. to 5 p.m., Monday through Friday; or they may be viewed at the Virginia Code Commission, General Assembly Building, 2<sup>nd</sup> Floor, 910 Capitol Street, Richmond, Virginia 23219, during regular office hours.

**Title of Regulation:** 20 VAC 5-200-10 et seq. Public Utility Accounting (amending 20 VAC 5-200-21 and 20 VAC 5-200-30).

**Statutory Authority:** §§ 12.1-13, 56-226, 56-277 and 56-235.2 of the Code of Virginia.

#### Summary:

*These documents contain the Virginia State Corporation Commission staff's proposed revisions and were filed in Case No. PUA990054. In this proceeding the commission instructed staff to conduct a comprehensive review of its rate case rules and propose additions and amendments including those necessary to implement changes to the Code of Virginia, specifically the Virginia Electric Utility Restructuring Act. The proposed amendments conform rate case rules with current statutes, including the Virginia Electric Utility Restructuring Act, and current commission regulatory policy. The primary changes are the requirement that all companies file earnings test data annually and the requirement that additional supporting schedules be filed with application made pursuant to the Act.*

**Agency Contact:** Please direct questions to Susan Larsen, Deputy Director, Division of Public Utility Accounting, Virginia State Corporation Commission, P.O. Box 1197, Richmond, Virginia 23218, telephone (804) 371-9950, e-mail Sdlarsen@scc.state.va.us.

AT RICHMOND, NOVEMBER 19, 1999

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. PUA990054

**Ex parte:** In the matter of  
adopting additions and amendments  
to the Commission's rules governing  
the filing of rate increase applications

#### AMENDING ORDER

On September 14, 1999, the Commission issued its Order Establishing Proceeding in this matter. In that Order, the Commission Staff was directed to file a report containing its proposed revisions to the Rules Governing Utility Rate Increase Applications and Annual Informational Filings ("Rate Case Rules") and to the Rules Governing Streamlined Rate Proceedings and General Rate Proceedings for Electric Cooperatives Subject to the State Corporation Commission's Rate Jurisdiction, 20 VAC 5-200-21 ("Coop Rules") on or before November 9, 1999. The Order was directed to be served on all jurisdictional certificated utilities and a number of other potentially interested parties. The Commission had intended that the Staff Report be similarly distributed, but it has come to our attention that the jurisdictional utilities have not yet received the Report. Accordingly,

#### IT IS HEREBY ORDERED THAT:

(1) The Clerk of the Commission shall serve a copy of the Staff Report on each of the jurisdictional utilities listed in the appendices to the Order Establishing Proceeding on or before November 24, 1999.

(2) Copies of the Staff Report shall be made available by the Clerk to any additional interested person, at no charge, upon written request for same.

(3) The date upon which comments upon the Report shall be filed is extended from December 21, 1999, to January 5, 2000.

(4) This matter is continued for further orders of the Commission.

AN ATTESTED COPY HEREOF shall be sent by the Clerk of the Commission to: all interexchange carriers certificated in Virginia as shown in Appendix A; all local exchange carriers certificated in Virginia as shown in Appendix B; all electric cooperatives and electric companies in Virginia as shown in Appendix C; all gas companies in Virginia as shown in Appendix D; all water and sewer companies in Virginia as shown in Appendix E; the Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; Jean Ann Fox, Vice President, Virginia Citizens Consumer Council,

114 Coachman Drive, Yorktown, Virginia 23693; Jeffrey M. Gleason, Esquire, Southern Environmental Law Center, 201 West Main Street, Suite 14, Charlottesville, Virginia 22902; Virginia Committee for Fair Utility Rates, Louis R. Monacell, Esquire, Christian & Barton, L.L.P., 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095; Dennis R. Bates, Esquire, Senior Assistant County Attorney, Fairfax County, 12000 Government Center Parkway, Suite 549, Fairfax, Virginia 22035-0064; Virginia Independent Power Producers, Kenneth G. Hurwitz, Esquire, Rita Wecker, Esquire, Venable, Baetjer, Howard & Civiletti, LLP, 1201 New York Avenue, N.W., 11th Floor, Washington, D.C. 20005; James S. Copenhaver, Senior Attorney, Columbia Gas of Virginia, Inc., P.O. Box 35674, Richmond, Virginia 23235-0674; and the Commission's Divisions of Communications, Energy Regulation, Economics and Finance, and Public Utility Accounting.

**20 VAC 5-200-21. Rules governing streamlined rate proceedings and general rate proceedings for electric cooperatives subject to the State Corporation Commission's rate jurisdiction.**

A. Nothing in these rules shall be interpreted to apply to applications for temporary reductions of rates pursuant to § 56-242 of the Code of Virginia.

B. All streamlined or general rate applications for jurisdictional electric distribution cooperatives ("cooperatives" or "applicants") shall be subject to the following rules:

1. Pursuant to § 56-235.4 of the Code of Virginia and the exceptions stated therein, the regulated operating revenues of a cooperative shall not be increased more than once within any 12-month period. However, streamlined rate relief may become effective in less than 12 months after a preceding increase provided that regulated base operating revenues are not increased more than once in any calendar year.
2. An applicant may select any test period it wishes to use to support its application.
3. Any increase in revenues under these rules shall be allocated in accordance with a properly designed cost of service study.
4. A cooperative which has outstanding wholesale power cost riders which reflect permanent changes in power costs approved by a regulatory agency shall adjust its base rates to reflect such changes at the same time it increases its rates in a rate application.
5. Except as otherwise provided herein, all applications for rate relief shall be filed in the original and 15 copies with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218.
6. An electric cooperative intending to file a rate application shall notify the State Corporation Commission ("commission") and all parties of record appearing in the cooperative's last rate case at least 60 days in advance of the filing of the application. Also, public notice of the intent to file a rate application shall be provided 60 days in advance of the filing of said application to all of the

cooperative's customers, using any of the methods of publication set out in subdivision C 12 of this section.

7. The commission retains the right to waive any or all parts of these rate case rules for good cause shown.

*8. An application shall not be deemed filed under § 56-238 of the Code of Virginia unless it is in full compliance with these rules.*

*9. If an applicant requests proprietary treatment of testimony and/or data included in its filing, such filing shall not be deemed complete under any relevant provision of the Code of Virginia until a request for such treatment is properly disposed of by the commission.*

C. An applicant may file a complete application for streamlined rate relief provided the following limitations are met:

1. The increase in total operating revenues as calculated in column (5) of Schedule 3 of Appendix A, included herein, is not more than the test period increase in the Consumer Price Index ("CPI"), or 5.0%, whichever is less. The CPI shall be defined as the Consumer Price Index for all Urban Consumers (CPI-U) for all items, as estimated by the U.S. Department of Labor, Bureau of Labor Statistics, and published in its Summary Data from the Consumer Price Index News Release, or its successor. As calculated in this publication, the percentage change in the CPI-U for a test year will be the index for the last month of the test year divided by the index for the same month one year prior, minus one, multiplied by 100; and
2. Earnings after the proposed increase must not produce financial ratios which exceed the level approved by the commission in the applicant's most recent general rate case.

~~An application shall not be deemed filed under § 56-238 of the Code of Virginia unless it is in full compliance with these rules.~~ Subject to the rules set forth below, a cooperative which files an application for streamlined rate relief may petition the commission requesting that its rates be made permanent no less than 30 days from the date the application is deemed complete and filed with the commission if there are insufficient customer objections to the application or if the commission does not suspend the proposed increase and convene a hearing.

3. A cooperative filing a rate application under the streamlined rate procedure shall not:

- a. Increase rates by more than the increase in the test period CPI or 5.0% (whichever is less) of adjusted Virginia jurisdictional operating revenues;
- b. Request earnings, after the proposed increase, which produce financial ratios that exceed those approved by the commission in the applicant's most recent general rate case;
- c. Propose revisions to its terms and conditions of service; or

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- d. Propose revisions to its rate structure as part of its application.
4. The commission may, on its own motion, suspend a cooperative's proposed rate increase and tariff revisions pursuant to § 56-238 of the Code of Virginia and may convene a hearing on the cooperative's streamlined application.
5. The commission may suspend a cooperative's proposed tariff revisions and increase in rates and shall schedule a hearing thereon if the lesser of 150 or 5.0% of the customers or other persons within a class and subject to a change in a rate, toll, or charge object to the proposed revision or increase in a rate or if the lesser of 150 or 5.0% of the customers or consumers or other persons subject to such rate, toll or charge of a cooperative object to the proposed rate or tariff revision.
6. The commission may, in its discretion, suspend an electric cooperative's rate increase and proposed tariff revisions in a streamlined rate proceeding on the motion of its own staff, on the motion of the Division of Consumer Counsel, or on the motion of any person subject to such change who requests a hearing and states a substantive reason why a hearing is necessary.
7. The requested rate increase for streamlined rate relief shall be supported by a fully adjusted financial status statement (Schedule 3 of Appendix A included herein).
8. Adjustments to test year cost of service shall be limited to the amount of increase or decrease that will be in effect during the rate year.
9. A cooperative shall not file more than three consecutive applications for streamlined rate relief; nor shall there lapse more than five years since the later of the date of the final order or the effective date of rates specified in the final order in the applicant's last general rate case when filing an application for streamlined rate relief.
10. An application filed under the streamlined rate procedure shall include:
- The name and post office address of the applicant and the name and post office address of counsel of record, if any.
  - A brief narrative statement describing the change in rates and tariff revisions and explaining the need for a change in rates and tariff revisions. This statement shall include a description of the actions taken by the cooperative to advise its membership of the change in rates and contents of its application.
  - A copy of the resolution calling for a change in rates adopted by the Board of Directors of the cooperative.
  - A copy of the completed notice given to the public by the cooperative, including a description of the method of publication used.
  - Schedules 4-8 1 through 9 of Appendix A included herein.
11. Public notice of the increase and tariff revisions shall be completed 30 days in advance of the date the cooperative files its application for revised rates with the commission. Actual proof of public notice shall be furnished to the commission as part of the rate application.
12. The public notice of the increase and tariff revisions in an application for streamlined rate relief may be given by:
- Direct mailing to each customer;
  - Publication in Rural Living magazine, or the cooperative's member publication;
  - Newspapers of general circulation in the area served;
  - Any combination of these methods; or
  - Any other method of publication authorized by the commission.
13. A copy of the notice shall be served on the Commonwealth's Attorney and Chairman of the Board of Supervisors of each county (or equivalent officials in the counties having alternative forms of government) in the state in which the cooperative offers service, and on the mayor or manager and the attorney of every city and town (or equivalent officials in towns and cities having alternative forms of government) in the state in which the cooperative offers service and upon the Division of Consumer Counsel, Office of the Attorney General. Service shall be made by either personal delivery or first class mail, postage prepaid, to the customary place of business of the person served or to his residence.
14. The public notice shall, at a minimum, include the following information:
- The amount of the total increase in revenues, both in percentages and dollar amounts;
  - The percentage increase being applied to each of the cooperative's rate schedules;
  - The identity of all wholesale power cost riders to be rolled-in to base rates;
  - The locations where copies of the information required to be filed with the commission can be reviewed;
  - The date the application will be delivered to the commission;
  - A notice that any person subject to the change or changes proposed by the cooperative has the right to request a hearing within 30 days of the application's delivery to the commission;
  - A notification that requests for hearing should be directed to the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218;



h. A statement advising that the commission may convene a hearing, and if a hearing is held, the commission may order rate relief, redesign rates or adopt tariff revisions which differ from those appearing in the cooperative's application;

i. A statement advising the public that if the lesser of 150 or 5.0% of the customers or other persons within a class and subject to a change in a rate, toll, or charge do not request a hearing, and if the lesser of 150 or 5.0% of the customers or consumers or other persons subject to such rate, toll or charge of the cooperative do not object to a rate change or tariff revision, the cooperative may petition the commission to make rates permanent without hearing within 30 days after the application is filed with the commission; and

j. A statement advising the public of the cooperative's proposed effective date for its new rates.

15. If the commission determines that a hearing on the application for streamlined rate relief is required, then the commission shall issue a procedural order which, among other things, shall specify the date by which the cooperative shall file with the Clerk of the Commission an original and 15 copies of any direct testimony the cooperative intends to rely on in support of its application, together with the remaining schedules set forth in Appendix A. That Order shall specify such additional notice of the hearing to the electric cooperative's members that the commission deems appropriate.

D. 1. A cooperative seeking (i) an increase that produces financial ratios in excess of those allowed in the applicant's most recent general rate case; (ii) an increase in jurisdictional adjusted operating revenues of more than the test period increase in the CPI (as defined in subdivision 1 of subsection C of this section); (iii) revision of its terms and conditions of service; or (iv) to redesign or restructure its rates shall file an original and 15 copies of a general rate application with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218.

2. An application seeking a general rate increase shall include:

a. The name and post office address of the applicant and the name and post office address of counsel of record, if any.

b. A brief narrative statement describing the change in rates and tariff revisions and explaining the need for a change in rates and tariff revisions. This statement shall include a description of the actions taken by the cooperative to advise its membership of the change in rates and contents of the rate application.

c. A copy of the resolution calling for a change in rates adopted by the cooperative's Board of Directors.

d. All direct testimony which the cooperative intends to rely on in support of its rate application.

e. Exhibits consisting of the Schedules 1 through 42 13, found in Appendix A included herein. Such

schedules shall be identified with the appropriate schedule number and shall be prepared in accordance with the instructions contained in Appendix A included herein and the following general instructions:

(1) Attach a table of contents to the cooperative's application, including exhibits.

(2) The applicant shall be expected to verify the accuracy of all data and calculations contained in and pertaining to every exhibit submitted, as well as support any adjustments, allocations or rate design upon which it relies.

(3) Each exhibit shall be labeled with the name of the applicant and the initials of the sponsoring witness in the upper right hand corner as shown below:

Exhibit No. (Leave Blank)

Witness: (Initials)

Statement or Schedule Number

The first page of all exhibits shall contain a caption which describes the subject matter of the exhibit.

(4) The required accounting and statistical data shall include three copies of all work papers and other information necessary to ensure that the items, statements and schedules found in the application are not misleading.

f. Exhibits consisting of additional schedules may be submitted with the cooperative's direct testimony. Such schedules shall be identified as Schedule 13 et seq. and shall conform to the general instructions contained in subdivision 2e of subsection D of this section.

g. The commission shall prescribe the general notice to be given to the public and the date by which such notice shall be completed in its procedural order.

h. The applicant shall serve a copy of the information required in subdivisions 2a through 2c of subsection D of this section upon the Commonwealth's Attorney and Chairman of the Board of Supervisors of each county or (equivalent officials in counties having alternative forms of government) in the state affected by the proposed increase and upon the mayor or manager and the attorney of every city and town (or equivalent officials in towns and cities having alternative forms of government) in the state affected by the proposed increase. The applicant shall also serve each such official with a statement that a copy of the complete application may be obtained by such official at no cost by making a request thereof orally or in writing to a specified company official or location. In addition, the applicant shall serve a copy of its complete application upon the Division of Consumer Counsel of the Office of the Attorney General in Virginia. All such service specified by this rule shall be made either by (i) personal delivery or (ii) first class mail, to the customary place of business or to the residence of the person served.

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E. Effective with the adoption of these rules through 2007, cooperatives shall adhere to the following rules:

1. All rate increase applications made pursuant to the Virginia Electric Utility Restructuring Act (§ 56-576 et seq. of the Code of Virginia) shall include the schedules required for general rate case, as set forth in subsection D of this section, as well as Schedules 14 through 22.

2. Each cooperative shall file annually a Financial Status Statement, Schedule 3, including Columns (1) through (5) of lines (1) through (24), (29), (30) and (33) as well as supporting Schedules 4A and B, and 17 through 21.

F. Rate reductions and tariff revisions filed pursuant to § 56-40 of the Code of Virginia shall be filed with the Division of Energy Regulation and shall include the following:

1. A descriptive statement of and justification for the tariff revision;
2. Load data if applicable;
3. A certified excerpt from the minutes of the cooperative's Board of Directors, wherein the Board approved the tariff revision;
4. Identification of all customers that may be eligible for the tariff revision;
5. A revenue impact study; and
6. An affidavit by the cooperative's manager that the proposed tariff revision affects no increase in rates.

G. These rules apply only to the applicant and do not limit the commission staff or parties from raising new issues for commission consideration.

H. Requests for temporary increases in rates filed pursuant to § 56-245 of the Code of Virginia shall include Schedules 1, 2 and Columns (1) through (5) of Schedule 3.

I. Failure to comply with the rules governing streamlined rate applications or general rate applications may result in dismissal of the application, or may subject the cooperative to such other actions as the commission deems appropriate, including, but not limited to, prohibiting a cooperative from filing an application for streamlined rate relief for a period of time specified by the commission.

## APPENDIX A. SCHEDULES REQUIRED FOR A STREAMLINED OR GENERAL RATE APPLICATION

Schedule Number	Streamlined Rate Proceeding Schedules
1	Comparative Balance Sheets
2	Comparative Income Statements
3	Financial Status Statement
4A and B	Detail of Ratemaking Adjustments
5A and B	Proposed Rates and Tariffs and Revenue Allocation
6	Sample Billing
7	Class Cost of Service Study
8	Capital Structure
9	Affiliate Transactions

Schedule Number	General Rate Proceeding Schedules
1	Comparative Balance Sheets
2	Comparative Income Statements
3	Financial Status Statement
4A and B	Detail of Ratemaking Adjustments
4A and B	Proposed Rates and Tariffs and Revenue Allocation
6	Sample Billing
7	Class Cost of Service Study
8	Capital Structure
9	Affiliate Transactions
9 10	Net Original Cost Rate Base
40 11	Working Papers for Ratemaking Adjustments
44 12	Revenue and Expense Variance Analysis
42 13	Jurisdictional Allocation

### Schedule 1

#### Comparative Balance Sheets

Instructions: Provide a publicly available comparative balance sheet for the test period and the corresponding 12-month period immediately preceding the test period for the applicant.

### Schedule 2

#### Comparative Income Statements

Instructions: Provide a publicly available comparative income statement covering the test period and 12-month period immediately preceding the test period for the applicant.

### Schedule 3

#### Financial Status Statement

Instructions: Use the format of the schedule identified as Schedule 3 in this Appendix.

Adjustments in Column (2) reflect any financial differences between Generally Accepted Accounting Principles (GAAP) and ratemaking accounting as prescribed by the State Corporation Commission. An example of such an adjustment would include, but would not be limited to, the reclassification of capital leases to operating leases. Each Column (2) adjustment shall be separately identified and shown using the format prescribed for Schedule 4A and 4B.

Column (4) shall reflect total nonjurisdictional operations. Jurisdictional allocation factors used to determine nonjurisdictional business in Column (4) amounts shall be fully supported and explained in Schedule 12 for general rate filings.

Each Column (6) adjustment shall be separately identified and shown in Schedule 4A and 4B. In a streamlined rate proceeding, adjustments reflected in Column (6) of Schedule 3 which do not incorporate ratemaking treatment approved by the commission in the utility's last general rate case shall be identified as new proposed adjustments in Schedule 4A and 4B.

Riders reflected on line 4 shall be separately listed to include a line for each rider in effect during the test year or projected

for the rate year. The amount of other income and other expense shown in Column (5), lines 20 and 23, shall be the current amount recognized as jurisdictional in the applicant's last general rate case. Amounts reflected on line 33 shall be actual cash receipts.

Lines (29), (30), (31), and (32) shall be based on the following definitions:

Line 29. TIER = Total Margins (Line 24) +  
Interest on Long-Term Debt (Line 21)  
-----  
Interest on Long-Term Debt (Line 21)

Line 30.

DSC = Total Margins (Line 24) + Depreciation  
and Amortization  
Expense (Line 11) + Interest on  
Long-Term Debt (Line 21)  
-----  
Total Principal Payments + Total  
Long-Term Interest Payments

Line 31.

Rate of Return Operating Margins Adj. (Line 18)  
on Rate Base = -----  
Total Rate Base (Line 28)

Line 32.

Rate of Return Total Margins (Line 24)  
on Margins and Equities = -----  
Total Margins and Equity  
Capitalization (Schedule 8)

Schedules 4A and 4B

Detail of Ratemaking Adjustments

Instructions: Use format of the schedule identified as Schedule 4A and 4B to this Appendix.

Each adjustment shall be numbered sequentially and listed under the appropriate description category (Base Rate Revenue, Fuel-WPCA Revenue, Purchased Power, etc.). The impact on cost of service from each adjustment shall be detailed in Columns (1) through (16).

Each ratemaking adjustment shall be fully explained in a supporting subschedule 4B to this schedule.

Detailed workpapers substantiating each adjustment shall be provided in Schedule 10 for general rate filings.

Schedule 5A and 5B

Proposed Rates and Tariffs, and Revenue Allocation by Class

Schedule 5A Instructions:

Provide a copy of each tariff sheet with the revisions the cooperative proposes to implement. For general rate applications, provide a copy of all tariffs and Terms and

Conditions of Service Sheets proposed for revision containing the revised language.

Schedule 5B Instructions:

Provide a class revenue allocation analysis showing, by class, the present revenue recovered from each class, the proposed increase in revenue to be recovered from each class, the total proposed revenue to be recovered from each class, and the percentage of increase in total revenue to be recovered from each class.

Schedule 6

Sample Billing

Instructions: Provide a sample billing analysis showing the effect on customers of the proposed tariff changes at various levels of consumption, for all classes of service.

Schedule 7

Class Cost of Service Study

Instructions: A. Each streamlined rate application shall include a copy of the cost of service study used to determine the allocation of revenues to each class. The cost of service study shall be based on per books data which is no more than five years old. Each general filing shall include a copy of the cost of service study used to allocate the increase or to adjust rate design. The data used in a cost of service study submitted in a general rate case shall use the same test period as used in the cooperative's general rate application.

B. Each cost of service study shall consist of the following schedules:

1. For multi-state cooperatives, provide total system rate base, revenue and operation and maintenance expenses by account number, or major account group showing separation between Virginia and nonjurisdictional operations.
2. Provide a jurisdictional financial status statement in the format of Schedule 3, column (5) of Appendix A for each customer class and the return provided by these classes.
3. For all service schedules, present the unit cost per kilowatt, kilowatt hour, and customer resulting from the cost study. Include the kilowatt hours, demand, and number of customers, as well as the total cost for each component by class and the allocated rate base by class, as support for the unit costs derived.
4. If directed by the commission, the cooperative shall collect and maintain separate expense, rate base, and revenue data on nonjurisdictional consumers within Virginia.
5. For all service classes, provide a schedule of consumers by service class indicating the total number of consumers in the class and the number of nonjurisdictional consumers in Virginia in the class.

Nonjurisdictional consumers in Virginia include government agencies: federal, state, local, and regional government authorities. If there are nonjurisdictional consumers in any class, this schedule must be

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accompanied by a list of all such nonjurisdictional consumers by service class and their usage characteristics.

6. Provide a short narrative describing the cost of service study methodology employed. This narrative shall include the following information:

(a) Identification and description of the classification used to assign rate base as demand, energy, or customer related. Specifically, include the classification methodology used to differentiate between demand and customer components of distribution plant; and the customer classification used in the study, i.e., minimum system, minimum size, zero intercept, etc.

(b) Identification of the allocation methodology used for assigning rate base, revenue, and expenses to customer classes. For demand allocation method, e.g., average and excess, noncoincident peak; customer allocation method, e.g., number of customers, weighted customers, etc.

(c) Provide a table showing the kilowatts, kilowatt hours, number of customers allocated to each class, including the derivation of the demand, energy, and customer allocators for each class.

7. Provide a list of classification and allocation factors used.

8. Provide a copy of the actual study by account or primary account. The primary accounts shall identify the secondary accounts included by account number. Indicate which allocators and classifiers were used to assign each account.

## Schedule 8

### Capital Structure and Cost of Debt Statement and Supporting Schedules

Instructions: Use the format of the schedule identified as Schedule 8 in this Appendix.

Column (1) shall reflect the per books capital structure at the end of the test year. Data in Column (1) shall be compatible with the applicant's publicly available financial statements. Adjustments in Column (3) reflect any financial differences between Generally Accepted Accounting Principles and ratemaking accounting as prescribed by the commission. Each Column (3) adjustment shall be separately identified in a supporting schedule, if not already identified in Schedule 4A or 4B.

Schedules shall be provided to support the amounts and cost rates of short- and long-term debt in Columns (4) and (6), respectively, and the adjusted amounts and cost rates in Columns (8) and (10), respectively. Each issue of long-term debt shall be listed with its corresponding interest rate, date of issue, maturity, and lending institution(s) or other source(s). Short-term debt shall be listed with a high, low, ending, and average balance for each month, a weighted average interest rate for each month, and the name of the lending institution(s) or other source(s).

## Schedule 9

### Affiliate Transactions

*Instructions: For purposes of this schedule, affiliate services shall be defined to include those transactions between regulated and nonregulated divisions of an incumbent utility.*

*Provide a narrative description of each affiliated service received or provided during the test period.*

*Provide a summary of affiliate transactions detailing costs by function for each month of the test period. Show the final account distribution of all costs billed to or by the regulated entity by month for the test period.*

*Identify all amounts billed to an affiliate and then billed back to the regulated entity.*

*Provide cost records and market analyses supporting all affiliated charges billed to or by the regulated entity/division. This shall include supporting detail of costs (including the return component) incurred by the affiliated interest rendering the service and the allocation methodology. In situations when the pricing is required to be the higher (lower) of cost or market and market is unavailable, note each such transactions and have data supporting such a finding available for commission staff review.*

*If affiliate charges are booked per a pricing mechanism other than that approved by the commission for ratemaking purposes, the regulated entity shall provide a reconciliation of books to commission-approved pricing, including an explanation of why the commission-approved pricing is not used for booking purposes.*

## Schedule 9 10

### Net Original Cost Rate Base

Instructions: Use the format of the schedule identified as Schedule 9 10 in this Appendix.

Adjustments in Column (2) reflect any financial differences between GAAP and ratemaking accounting as prescribed by the State Corporation Commission. Each Column (2) adjustment shall be separately identified and reflected using the format prescribed for Schedule 4A and 4B.

Column (4) shall reflect total nonjurisdictional business. Allocation factors used to determine nonjurisdictional business in Column (4) shall be fully supported in Schedule 4B 13.

Each Column (6) adjustment shall be separately identified and reflected in Schedule 4A and 4B. In a streamlined rate proceeding, adjustments reflected in Column (6) of Schedule 3 which do not incorporate the ratemaking treatment approved by the commission in the utility's last general rate case shall be separately identified as new proposed adjustments in Schedule 4A and 4B.

## Schedule 40 11

### Working Papers for Ratemaking Adjustments

Instructions: Provide detailed workpapers and supporting schedules of all proposed adjustments. Each supporting

document shall identify the origin of the data shown. Also, indicate whether data is actual or estimated. Working papers shall be numbered, indexed and tabbed for each adjustment. Two copies shall be filed with the Division of Public Utility Accounting, and one copy of the working papers shall be filed with the Division of Energy Regulation.

## Schedule 44 12

### Revenue and Expense Variance Analysis

*Instructions:* The cooperative shall quantify jurisdictional operating revenues and system operating and maintenance ("O&M") expenses by primary account during the test period and the preceding 12 months. Also, provide jurisdictional sales volumes by customer class for the test period and the preceding 12 months.

The cooperative shall provide a detailed explanation of all jurisdictional revenue and system expense increases and decreases of more than 10% during the test period compared to the previous 12-month period. The expense variance analysis applies to test period expense items greater than two-hundredths of 1.0% (.0002) of total O&M expenses for all cooperatives with total operating expenses exceeding \$50 million, and five hundredths of 1.0% (.0005) of total operating expenses for cooperatives with total operating expenses below \$50 million.

## Schedule 42 13

### Jurisdictional Allocation

*Instructions:* Provide summary schedules by primary account reflecting all revenue, expense, and rate base items allocated to the Virginia jurisdiction. If directed by the commission, this schedule shall include allocations relating to nonjurisdictional Virginia consumers as well as out-of-state operations. Provide working papers to support all calculated amounts, including the development of allocation factors.

Provide a narrative explanation and justification of the allocation methodology used. Discuss any changes in the applicant's operations which materially affect any allocation factor.

## APPENDIX B. ELECTRIC UTILITY RESTRUCTURING ACT ADDENDUM FOR ELECTRIC COOPERATIVES

## Schedule 14

### Balance Sheet - Projected

*Instructions:* Provide projected balance sheets for each calendar year through 2007. Projections should be consistent with amounts for Rural Utility Service (RUS) financing in RUS Form 325A. Other financial forecasts that extend through 2007 may be used if RUS projections cease to remain applicable. Any deviations from the assumption used for RUS Form 325A should be noted and fully explained.

## Schedule 15

### Income Statements - Projected

*Instructions:* Provide projected income statements for each calendar year through 2007. Projections should be consistent with amounts for RUS financing in RUS Form 325A. Other

*financial forecasts that extend through 2007 may be used if RUS projections cease to remain applicable. Any deviations from the assumption used for RUS Form 325A should be noted and fully explained.*

## Schedule 16

### Capital Structure - Projected

*Instructions:* Provide Capital Structure and Cost of Debt Statements for each calendar year through 2007. Projections should be consistent with amounts for RUS financing in RUS Form 325A. Other financial forecasts that extend through 2007 may be used if RUS projections cease to remain applicable. Any deviations from the assumption used for RUS Form 325A should be noted and fully explained.

## Schedule 17

### Earnings Test Expense Recovery

*Instructions:* Use the format of the schedule identified as Schedule 17 in this Appendix

*Line 2, weighted average long-term debt, shall be from Schedule 3. Line 5, adjusted total margins, shall be from Schedule 4.*

*Line 7 shall be the gross-up factor(s) and shall include only the applicable federal income tax rate specific to the regulatory asset(s) being written-off.*

## Schedule 18

### Schedule of Regulatory Assets

*Instructions:* Use the format of the schedule identified as Schedule 18 in this Appendix

*All regulatory assets shall be individually identified. Indicate whether the regulatory asset is included in financial reporting or is currently established for ratemaking purposes only.*

## Schedule 19

### Reconciliation of Changes in Earnings – Earnings Test

*Instructions:* Use the format of the schedule identified as Schedule 19 in this Appendix.

*Regulatory accounting adjustments shall be listed under the appropriate description category (revenue, operating expense, rate base, etc.).*

*Column (1) shall include the amount of the adjustment from Schedule 8.*

## Schedule 20

### Detail of Restructuring Act Adjustments

*Instructions:* This schedule shall be filed in addition to Schedule 4.

*Use format of the schedule identified as Schedule 4A and 4B to this Appendix.*

*Each adjustment shall be numbered sequentially and listed under the appropriate description category (operating revenues, interest expense, common equity capital, etc.).*

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*Restructuring Act adjustments shall reflect an annual going-forward year level of revenues, expenses, and rate base consistent with § 56-582 of the Code of Virginia. Schedule 10 shall reflect these adjustments in two additional columns after Column (5). Column (6) shall be titled Restructuring Act Adjustments.*

*Provide an explanation why some costs (by function) remain at a test year level. Additionally, describe and detail how increases in productivity have been factored into each cost whether adjusted or remaining at a test year level.*

*Detailed workpapers substantiating each adjustment shall be provided in Schedule 20.*

### *Schedule 21*

#### *Workpapers for Restructuring Act Adjustments*

*Instructions: This schedule shall be filed addition to Schedule 11.*

*Provide detailed workpapers and supporting schedules of earnings test as well as ratemaking adjustments. Each supporting document shall identify the origin of the data shown.*

*Include 10 years actual and budgeted historical data for each adjustment. For projected adjustment amount, identify budget information as preliminary or final. If preliminary, indicate when final budget is anticipated.*

*Include a narrative of budgeting methodology as well as any significant changes that have occurred during the 10 years.*

*Working papers shall be indexed and tabbed for each adjustment. Two copies shall be filed with the Division of Public Utility Accounting and one copy to the Division of Energy Regulation.*

### *Schedule 22*

#### *Functional Unbundling*

*Instructions: Use the format of the schedule identified as Schedule 22 in this Appendix.*

*Provide cost of service studies that identify the costs associated with the functional areas of generation (production), transmission, distribution and customer.*

*Provide cost breakouts for subcomponents of functional areas such as primary and secondary distribution, metering, billing and maintenance. Report cost functions and subcomponents on summary sheets by both system and class.*

Schedule 3

FINANCIAL STATUS STATEMENT PER BOOKS AND FULLY ADJUSTED  
FOR THE 12-MONTHS ENDING \_\_\_\_\_, \_\_\_\_\_

Line No.	(Col. 1) Total Cooperative Per Books	(Col. 2) Adjustments Due to Ratemaking Requirements	(Col. 3) Total Cooperative As Adjusted	(Col. 4) Non-Virginia Jurisdictional Business	(Col. 5) Virginia Jurisdictional Business	(Col. 6) Ratemaking Adjustments	(Col. 7) Amounts After Adjustments	(Col. 8) Revenue Requirement	(Col. 9) Amounts After Revenue Requirement
	<u>Operating Revenues</u>								
1.	Base Rates								
2.	Fuel - WPCA								
3.	Roll in of Riders								
4.	Riders (List Separately)								
5.	Margin Stabilization								
6.	Other Electric Revenues								
7.	Total Operating Revenues								
	<u>Operating Expenses</u>								
8.	Purchased Power Expense								
9.	Margin Stabilization								
10.	Other Operation and Maintenance Expense								
11.	Depreciation and Amortization								
12.	Tax Expense - Property								
13.	Tax Expense - Other								
14.	Total Operating Expenses								
15.	Operating Margins								
16.	Less: Interest on Customer Deposits								

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Line No.	(Col. 1) Description	(Col. 2) Adjustments Due to Ratemaking Requirements	(Col. 3) Total Cooperative As Adjusted	(Col. 4) Non-Virginia Jurisdictional Business	(Col. 5) Virginia Jurisdictional Business	(Col. 6) Ratemaking Adjustments	(Col. 7) Amounts After Adjustments	(Col. 8) Revenue Requirement	(Col. 9) Amounts After Revenue Requirement
17.	Total Cooperative Per Books Charitable and Educational Donations								
18.	Operating Margins Adjusted								
19.	Plus: Capital Credits Accrued								
20.	Other Income								
21.	Less: Interest on Long-Term Debt								
22.	Other Interest Expense								
23.	Other Expense								
24.	Total Margins Rate Base								
25.	Net Utility Plant								
26.	Allowance for Working Capital								
27.	Other Rate Base Deductions								
28.	Total Rate Base								
29.	TIER								
30.	DSC								
31.	Rate of Return on Rate Base								
32.	Rate of Return on Margins and Equities								
33.	Capital Credits Received								



DETAIL OF RATEMAKING ADJUSTMENTS

Adj. No.	Description	(Col. 1) Operating Revenues	(Col. 2) Purchased Power Expenses	(Col. 3) Margin Stabil.	(Col. 4) Other O&M Expense	(Col. 5) Depr. & Amort.	(Col. 6) Tax Expense	(Col. 7) Other	(Col. 8) Operating Margins Adjusted	(Col. 9) Accrued Capital Credit
	Base Rate Revenues									
	Fuel - WPCA Revenue									
	Rider Revenue									
	Margin Stabilization									
	Other Electric Revenues									
	Purchased Power Exp.									
	Margin Stabilization									
	Other O&M Expense									
	Depr. & Amort.									
	Tax Expense - Property									
	Tax Expense - Other									
	Other									
	Operating Margins Adjusted									
	Capital Credits Accrued									
	Other Income									
	Interest on Long-Term Debt									
	Other Interest Expense									
	Other Expense									
	Total Margins									
	Net Utility Plant									
	Allowance for Working Capital									
	Other Rate Base Deductions									
	Total Rate Base									

# Proposed Regulations

Adj. No.	Description	(Col. 10) Other Income	(Col. 11) Interest on Long-Term Debt	(Col. 12) Other Exp. (Incl. Int. Exp.)	(Col. 13) Total Margins	(Col. 14) Net Utility Plant	(Col. 15) Allowance for Working Capital	(Col. 16) Other Rate Base Deductions	(Col. 17) Total Rate Base
	<u>Base Rate Revenues</u>								
	Fuel - WPCA Revenue								
	Rider Revenue								
	Margin Stabilization								
	Other Electric Revenues								
	Purchased Power Exp.								
	Margin Stabilization								
	Other O&M Expense								
	Depr. & Amort.								
	Tax Expense - Property								
	Tax Expense — Other								
	Other								
	<u>Operating Margins Adjusted</u>								
	Capital Credits Accrued								
	Other Income								
	Interest on Long-Term Debt								
	Other Interest Expense								
	Other Expense								
	<u>Total Margins</u>								
	<u>Net Utility Plant</u>								
	Allowance for Working Capital								
	Other Rate Base Deductions								
	<u>Total Rate Base</u>								

DETAIL OF RATEMAKING ADJUSTMENTS

Adj. No.	Description	Explanation of Adjustment
	Base Rate Revenue	
	Fuel - WPCA Revenue	
	Rider Revenue	
	Margin Stabilization	
	Other Electric Revenues	
	Purchased Power Exp.	
	Margin Stabilization	
	Other O&M Expense	
	Depr. & Amort.	
	Tax Expense - Property	
	Tax Expense - Other	
	Other	
	Operating Margins Adjusted	
	Capital Credits Accrued	
	Other Income	
	Interest on Long-Term Debt	
	Other Interest Expense	
	Other Expense	
	Total Margins	
	Net Utility Plant	
	Allowance for Working Capital	
	Other Rate Base Deductions	
	Total Rate Base	

**CAPITAL STRUCTURE AND COST OF DEBT STATEMENT**  
**PER BOOKS AND FULLY ADJUSTED**  
 For the 12-Months Ending \_\_\_\_\_, \_\_\_\_\_

	(Col. 1)	(Col. 2)	(Col. 3)	(Col. 4)	(Col. 5)	(Col. 6)	(Col. 7)	(Col. 8)	(Col. 9)	(Col. 10)
	Total Cooperative Per Books	Percentage of Col. 1 Total	Adjustments Due to Ratemaking Requirements	Total Cooperative As Adjusted	Percentage of Col. 4 Total	Cost of Col. 4 Debt	Ratemaking Adjustments	Amount after Adjustments	Percentage of Col. 8 Total	Cost of Col. 8 Debt
1. Short-Term Debt										
2. Long-Term Debt										
3. Total Margins and Equities										
4. Other										
5. Total Capital										
6. Principal Repayments										
7. Accumulated Capital Credits Accrued										
8. Accumulated Capital Credits Received										

Schedule 9

NET ORIGINAL COST RATE BASE  
PER BOOKS AND FULLY ADJUSTED

For the Period Ending \_\_\_\_\_, \_\_\_\_\_

Line No.	Description	(Col. 1) Total Cooperative Per Books	(Col. 2) Adjustments Due to Ratemaking Requirements	(Col. 3) Total Cooperative As Adjusted	(Col. 4) Non-Virginia Jurisdictional Business	(Col. 5) Virginia Jurisdictional Business	(Col. 6) Ratemaking Adjustment	(Col. 7) Amounts After Adjustments
<b>Net Utility Plant</b>								
1.	Electric Plant in Service							
2.	Completed Construction Not Classified							
3.	Construction Work in Progress							
4.	Plant Hold for Future Use							
5.	Less: Accumulated Provision for Depreciation and Amortization							
6.	<b>Total Net Utility Plant</b>							
<b>Allowance for Working Capital</b>								
7.	Cash Working Capital: Purchased Power							
8.	Other O&M							
9.	Materials & Supplies (13-month average)							
10.	Deferred Fuel							
11.	Other Working Capital (List Separately)							
12.	<b>Total Allowance for Working Capital</b>							
<b>Other Rate Base Deductions</b>								
13.	Customer Deposits							

# Proposed Regulations

Line No.	Description	(Col. 1) Total Cooperative Per Books	(Col. 2) Adjustments Due to Ratemaking Requirements	(Col. 3) Total Cooperative As Adjusted	(Col. 4) Non-Virginia Jurisdictional Business	(Col. 5) Virginia Jurisdictional Business	(Col. 6) Ratemaking Adjustment	(Col. 7) Amounts After Adjustments
----------	-------------	---	---	---	--	--	--------------------------------------	---

- 14. Customer Advances for Construction
- 15. Other Cost Free Capital (List Separately)
- 16. Total Other Rate Base Deductions
- 17. Total Rate Base

Exhibit No.: \_\_\_\_\_

Witness: \_\_\_\_\_

Schedule 17

COOPERATIVE NAME  
EARNINGS TEST EXPENSE RECOVERY

Line

- 1    *BASED ON TIER LAST AUTHORIZED BY COMMISSION:*
- 2    *WEIGHTED AVERAGE LONG-TERM DEBT*
- 3    *TIMES: ADDITIONAL INTEREST REQUIRED*
  
- 4    *TOTAL MARGINS REQUIRED*
- 5    *LESS: ADJUSTED TOTAL MARGINS*
  
- 6    *ADDITIONAL INTEREST REQUIRED*
- 7    *DIVIDED BY: GROSS-UP FACTOR*
  
- 8    *REGULATORY ASSET RECOVERY*

# Proposed Regulations

COOPERATIVE NAME  
 SCHEDULE OF REGULATORY ASSETS  
 AS OF --/--

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 18

		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
		<i>Start of Year</i>		<i>Start of Year</i>			<i>End of Year</i>		<i>End of Year</i>
		<i>Date</i>	<i>Year</i>	<i>Date</i>	<i>Test Year</i>		<i>Date</i>		<i>Date</i>
<i>Account</i>		<i>Total</i>	<i>Juris.</i>	<i>Juris.</i>	<i>Amortization</i>	<i>Test Year</i>	<i>Adjusted</i>	<i>Year</i>	<i>Balance after</i>
<i>Number</i>	<i>Description</i>	<i>Amount</i>	<i>Factor</i>	<i>Amount</i>	<i>Expense</i>	<i>Accruals</i>	<i>Amount</i>	<i>Write-off</i>	<i>Write-off</i>
-----	<i>Individual Regulatory Asset</i>								
-----	<i>Individual Regulatory Asset</i>								
-----	<i>Individual Regulatory Asset</i>								
	<i>Totals</i>								



COOPERATIVE NAME  
 RECONCILIATION OF CHANGES IN EARNINGS - EARNINGS TEST  
 CASE NO. PUE-----

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 19

<i>Line No.</i>	<i>Description</i>	<i>(1) Amounts</i>	<i>(2) Effect on TIER</i>
1	<i>Per Books Revenue Requirement</i>		
2	<i>Revenue Adjustments</i>		
3	<i>Operating Expense Adjustments</i>		
4	<i>Interest on Customer Deposits Adjustments</i>		
5	<i>Charitable Donations Adjustments</i>		
6	<i>Capital Credits Accrued Adjustments</i>		
7	<i>Other Income Adjustments</i>		
8	<i>Interest on Long-Term Debt: Adjustments</i>		
9	<i>Other Interest Expense Adjustments</i>		
10	<i>Other Expense Adjustments</i>		
11	<i>Capital Structure</i>		
12	<i>Cooperative Proposed Reg. Asset Write-off</i>		

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# Proposed Regulations

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COOPERATIVE NAME  
DETAIL OF RATEMAKING ADJUSTMENTS  
REFLECTED IN COL. (-) OF SCHEDULES -- AND --

Exhibit No.: \_\_\_\_  
Witness: \_\_\_\_  
Schedule 20

ADJ. NO.	ADJUSTMENT	AMOUNT
-------------	------------	--------

*INCOME ADJUSTMENTS*

*OPERATING REVENUES ADJUSTMENTS*

*OPERATING EXPENSES ADJUSTMENTS*

*INTEREST ON CUSTOMER DEPOSITS ADJUSTMENTS*

*CHARITABLE AND EDUCATIONAL DONATIONS ADJUSTMENTS*

*CAPITAL CREDITS ACCRUED ADJUSTMENTS*

*OTHER INCOME ADJUSTMENTS*

*INTEREST ON LONG-TERM DEBT ADJUSTMENTS*

*OTHER INTEREST EXPENSE ADJUSTMENTS*

*OTHER EXPENSE ADJUSTMENTS*

*ALLOWANCE FOR WORKING CAPITAL ADJUSTMENTS*

*UTILITY PLANT ADJUSTMENTS*

*COMPLETED CONSTRUCTION NOT CLASSIFIED ADJUSTMENTS*

*CONSTRUCTION WORK IN PROGRESS ADJUSTMENTS*

*PLANT HELD FOR FUTURE USE ADJUSTMENTS*

*ACCUMULATED DEPRECIATION AND AMORTIZATION ADJUSTMENTS*

*OTHER RATE BASE DEDUCTIONS ADJUSTMENTS*

*COMMON EQUITY CAPITAL ADJUSTMENTS*

COOPERATIVE NAME  
 JURISDICTIONAL CLASS COST OF SERVICE  
 (METHODOLOGY) COST ALLOCATION STUDY  
 SYSTEM FUNCTIONAL ANALYSIS  
 CASE NO. PUE-----

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 22 A

Line No.	Description	System	Production	Transmission	Distribution	Energy	Customer	Allocation Basis
10	Operating Revenues							
20								
30	Operating Expenses							
40	Depreciation Expenses							
50	Amortization							
60	Income Taxes							
70	State Income Taxes							
80	Taxes Other than Income							
90								
100	Total Operating Expenses							
110								
120	Net Operating Income							
130								
140	Adjustments to Operating Income							
150								
160	Add: AFUDC							
170	Less: Charitable Donations							
180	Interest Exp.- Customer Dep.							
190								
200	Adjusted Net Operating Income							
210								
220	Rate Base							
230								
240	ROR Earned on Rate Base							

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# Proposed Regulations

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COOPERATIVE NAME  
 JURISDICTIONAL CLASS COST OF SERVICE  
 (METHODOLOGY) COST ALLOCATION STUDY  
 CLASS SUMMARY  
 CASE NO. PUE-----

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 22B

Line No.	Description	<i>Virginia</i> <i>Juris</i>	<i>Retail</i> <i>Class 1</i>	<i>Retail</i> <i>Class 2</i>	<i>Retail</i> <i>Class 3</i>	<i>Retail</i> <i>Class 4</i>	<i>Retail</i> <i>Class 5</i>	<i>Allocation</i> <i>Basis</i>
10	Operating Revenues							
20								
30	Operating Expenses							
40	Depreciation Expenses							
50	Amortization							
60	Income Taxes							
70	State Income Taxes							
80	Taxes Other than Income							
90								
100	Total Operating Expenses							
110								
120	Net Operating Income							
130								
140	Adjustments to Operating Income							
150								
160	Add: AFUDC							
170	Less: Charitable Donations							
180	Interest Exp.- Customer Dep.							
190								
200	Adjusted Net Operating Income							
210								
220	Rate Base							
230								
240	ROR Earned on Rate Base							

COOPERATIVE NAME  
 JURISDICTIONAL CLASS COST OF SERVICE  
 (METHODOLOGY) COST ALLOCATION STUDY  
 CLASS FUNCTIONAL ANALYSIS  
 CASE NO. PUE-----

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 22C

Line No.	Description	Retail						Allocation Basis
		Class 1	Production	Transmission	Distribution	Energy	Customer	
10	Operating Revenues							
20								
30	Operating Expenses							
40	Depreciation Expenses							
50	Amortization							
60	Income Taxes							
70	State Income Taxes							
80	Taxes Other than Income							
90								
100	Total Operating Expenses							
110								
120	Net Operating Income							
130								
140	Adjustments to Operating Income							
150								
160	Add: AFUDC							
170	Less: Charitable Donations							
180	Interest Exp.- Customer Dep.							
190								
200	Adjusted Net Operating Income							
210								
220	Rate Base							
230								
240	ROR Earned on Rate Base							

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# Proposed Regulations

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## 20 VAC 5-200-30. Rules governing utility rate increase applications and annual informational filings.

A. An application for a rate increase filed by a public utility, as defined in § 56-232 of the Code of Virginia, (except Electric Cooperatives, as defined in the ~~Electric~~ *Utility Consumer Services Cooperatives Act*, ~~§ 56-209~~ § 56-231.15 of the Code of Virginia, and Telephone Cooperatives, as defined in the Telephone Cooperatives Act, § 56-487 of the Code of Virginia), having annual revenues exceeding \$1,000,000, which proposes to increase annual operating revenues shall include:

1. The name and post office address of the applicant and the name and post office address of its counsel.
2. A full clear statement of the facts which the applicant is prepared to prove by competent evidence, the proof of which will warrant the objectives sought.
3. A statement of details of the objective *or objectives* sought and the legal basis therefor.
4. All direct testimony by which the applicant expects to support the objective *or objectives* sought.
5. Exhibits consisting of Schedules 1 through ~~36~~ 35 shall be submitted with the utility's direct testimony. Such schedules shall be identified with the appropriate schedule number and shall be prepared in accordance with the instructions contained in the Appendix attached hereto and the following general instructions:
  - a. Attach a table of contents of the company's application, including exhibits.
  - b. The applicant will be expected to verify the accuracy of all data and calculations contained in and pertaining to every exhibit submitted, as well as support any adjustments, allocations or rate design relied upon by the utility.
  - c. Each exhibit shall be labeled with the name of the applicant and the initials of the sponsoring witness in the upper right hand corner as shown below:

Exhibit No. (Leave Blank)

Witness: (Initials)

Statement or

Schedule Number

The first page of all exhibits shall contain a caption which describes the subject matter of the exhibit.

d. If the accounting and statistical data submitted differ from the books of the applicant, then the applicant shall include in its filing a reconciliation schedule for each account or subaccount which differs, together with an explanation describing the nature of the difference.

e. The required accounting and statistical data shall include all work papers and other information

necessary to ensure that the items, statements and schedules are not misleading.

*f. If an applicant requests proprietary treatment of testimony and/or data included in its filing, such filing shall not be deemed complete under any relevant provision of the Code of Virginia until a request for such treatment is ruled on by the commission.*

6. Exhibits consisting of additional schedules may be submitted with the utility's direct testimony. Such ~~schedules exhibit~~ shall be identified as Schedule ~~37-et seq.~~ 36 (*this exhibit may include numerous sub-schedules labeled 36A et seq.*) and shall conform at a minimum to the general instructions contained in subdivision A5.

7. All applications (including those discussed in subdivision 9) shall be filed in the original and 20 copies with the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia ~~23246~~ 23218. Direct testimony, including Schedules ~~4-36~~ 1 through 35, shall, with the exception of Schedule ~~46~~ 23 and Schedule ~~47~~ 32, be filed with the Clerk of the Commission in the original and 20 copies. ~~Two~~ Three copies of Schedule ~~47~~ 23 shall be filed, *two* directly with the commission's Division of Public Utility Accounting *and one directly with either the commission's Division of Energy Regulation or Division of Communications, as appropriate.* Additional copies of Schedule ~~47~~ 23 shall be made available to parties upon request. Utilities not seeking rate relief shall file one copy of Schedule ~~46~~ 32 directly with the Division of Energy Regulation or the Division of Communications, as applicable, and one copy of Schedule ~~46~~ 32 directly with the Division of Public Utility Accounting. Additional copies of Schedule ~~46~~ 32 shall be made available to parties upon request.

Applications requesting rate relief shall file an original and 20 copies of Schedule ~~46~~ 32 in the manner stated above. An application shall not be deemed filed, *per* § 56-238 of the Code of Virginia, unless it is in full compliance with these rules.

8. The selection of a test period is up to the applicant. However, the use of overlapping test periods will not be allowed.

9. *Unless modified per a commission-approved alternative regulatory plan* each utility not requesting a base rate increase shall make an annual informational filing consisting of Schedules ~~4-17~~ 1 through 7, 9 through 19, 21 through 23, 25 through 29 and 32. The test period shall be the current 12 months ending in the same month used in the utility's most recent rate application. This information shall be filed with the commission within 90 days after the end of the new test period. Accounting adjustments reflected in Column ~~(2)~~ (4) of Schedule ~~42~~ 17 shall incorporate the ratemaking treatment approved by the commission in the utility's last rate case and shall be calculated in accordance with the Expedited Rules of Schedule ~~44~~ 19. A fully adjusted rate of return on jurisdictional operations is required in order to allow the commission and its staff to adequately

evaluate the company's financial condition. Similarly, a jurisdictional per books rate of return statement restated to a regulatory basis is required in order to allow the commission and its staff to adequately evaluate expense recoveries.

10. These rules apply only to the applicant and do not limit the commission staff or parties from raising new issues for commission consideration.

11. The commission retains the right to waive any or all parts of these rate case rules for good cause shown.

B. If not otherwise constrained by law or regulatory requirements, an applicant which has not experienced a substantial change in circumstances may file for an expedited increase in rates as an alternative to a general rate application. If, upon timely consideration of the expedited application and supporting evidence it appears that a substantial change in circumstances has taken place since the applicant's last rate case, then the commission may take appropriate action, such as directing that the application be dismissed or treated as a general rate application. Prior to public hearing, and subject to applicable provisions of law, an application for expedited rate increase may take effect within 30 days after the date the application is filed. Expedited rate increases may also take effect in less than 12 months after the applicant's preceding rate increase so long as rates are not increased more than once in any calendar year. An applicant seeking an expedited increase in rates shall comply with the following rules in addition to the rules contained in subsection A, above:

1. In computing its cost of capital, as prescribed in Schedule 3 of the Appendix attached hereto, the applicant shall use the equity return rate approved by the commission and used to determine the revenue requirements in the utility's most recent general rate case.

2. An applicant, in developing its rate of return statement, shall make adjustments to its test period jurisdictional results only in accordance with the instructions accompanying Schedules 12, 13, and 14 Schedule 19 in the Appendix attached hereto.

3. Allocation methodologies and rate design objectives are determined by the commission in general rate cases. Therefore, a utility seeking an expedited increase in rates shall allocate any proposed increases among its customer classes and shall design its proposed rates consistent with the commission's order in the applicant's most recent general rate case.

C. Rates authorized to take effect 30 days following the filing of any application for an expedited rate increase shall be subject to refund in a manner prescribed by the commission. If rates are subject to refund, the commission may also direct that such refund bear interest at a rate set by the commission.

D. An applicant seeking a change in rates filed pursuant to § 56-582 of the Code of Virginia shall comply with the following rules in addition to the rules contained in subsection A of this section:

1. Applications shall include Schedules 37 through 48, as set forth in the appendix to these rules.

2. No expedited rate filings shall be made pursuant to this subsection.

~~D.~~ E. Fuel Factor- Cogeneration Filing Requirements:

1. General Rate Case - When an electric utility files for a rate increase in the context of a general rate case, fuel factor projections and cogeneration rates shall not be filed as part of the original application. The commission shall by order, establish a filing date for fuel factor and cogeneration testimony.

2. Expedited Filing - When an electric utility files for an expedited rate increase, it shall file fuel factor projections and cogeneration rates at least six full weeks prior to the anticipated effective date of interim rates. Such filing shall include the projections required by the commission's Fuel Monitoring System as well as the necessary testimony and exhibits in support of those projections and the proposed cogeneration rates.

3. In the event that an electric utility files an application to increase the fuel factor only, fuel factor projections and proposed cogeneration rates shall be filed six weeks prior to the proposed effective date. The filing shall include projections required by the commission's Fuel Monitoring System as well as the testimony and exhibits supporting the fuel factor projections and cogeneration rates.

4. Regardless of a utility's filing schedule, fuel factor projections must be filed at least six weeks prior to the expiration of the last projection or as required by the commission.

~~E.~~ F. Nothing in these regulations shall be interpreted to apply to applications for temporary reductions of rates pursuant to § 56-242 of the Code of Virginia or temporary increases in rates pursuant to § 56-245 of the Code of Virginia.

G. Requests for temporary increases in rates filed pursuant to § 56-245 of the Code of Virginia shall include Schedules 1 through 7 and 9 through 16.

~~F.~~ H. The applicant shall serve a copy of the information required in subdivisions A1 through A3, upon the Commonwealth's Attorney and Chairman of the Board of Supervisors of each county (or equivalent officials in the counties having alternate forms of government) in this Commonwealth affected by the proposed increase and upon the Mayor or Manager and the attorney of every city and town (or equivalent officials in towns and cities having alternate forms of government) in this Commonwealth affected by the proposed increase. The applicant shall also serve each such official with a statement that a copy of the complete application may be obtained at no cost by making a request therefor orally or in writing to a specified company official or location. In addition, the applicant shall serve a copy of its complete application upon the Division of Consumer Counsel of the Office of the Attorney General of Virginia. All such service specified by this rule shall be made either by (i) personal delivery or (ii) first class mail, to the customary place of business or to the residence of the person served.

# Proposed Regulations

**NOTICE:** The following appendix replaces the existing appendix in its entirety. The existing appendix is not shown below, but may be found in Volume 16 (main volume) of the Virginia Administrative Code on pages 317 through 333.

## APPENDIX

### Schedule 1 - Historic Profitability and Market Data

*Instructions: Using the format of the attached schedule and the definitions provided below, provide the data for the test year and four prior fiscal years. The information shall be compatible with the latest stockholder's annual report (including any restatements). Information in Sections A and B shall be compiled for the corporate entity, which raises equity capital in the marketplace. Information in Section C shall be compiled for the subsidiary company that provides regulated utility service in Virginia.*

#### Definitions

$$\text{Return on Year End Equity*} = \frac{\text{Earnings Available for Common Shareholders}}{\text{Year End Common Equity}}$$

$$\text{Return on Average Equity*} = \frac{\text{Earnings Available for Common Shareholders}}{\text{The Average of Year End Equity for the Current \& Previous Year}}$$

$$\text{E.P.S.} = \frac{\text{Earnings Available for Common Shareholders}}{\text{Average No. Common Shares Outstanding}}$$

*D.P.S. = Common Dividends Paid per Share During the Year*

*Payout Ratio = D.P.S./E.P.S*

*Average Market Price\*\* = (Yearly High + Yearly Low Price)/2*

*Dividend Yield = D.P.S./ Average Market Price\*\**

*Price Earnings Ratio = Average Market Price\*\*/E.P.S*

\* Job Development Credits shall not be included as part of equity capital nor shall a deduction be made from earnings for a capital charge on these Job Development Credits in Schedule 1

\*\* An average based on monthly highs and lows is also acceptable. If this alternative is chosen, provide monthly market prices and sufficient data to show how the calculation was made.

### Schedule 2 - Interest and Cash Flow Coverage Data

*Instructions: This schedule shall be prepared using the definitions and instructions given below and presented in the format of the attached schedule. The information shall be provided for the test year and the prior four fiscal years based on information for the applicant and for the consolidated company if applicant is a subsidiary.*

*Interest (Lines 3, 4, & 5) shall include amortization of expenses, discounts, and premiums on debt without deducting an allowance for borrowed funds used during construction.*

*Income taxes (Line 2) include federal and state income taxes.*

*Earnings before interest and taxes (Line 6) equals net income plus income taxes plus total interest = (Line 1) + (Line 2) + (Line 5).*

*AFUDC (Line 7), where applicable, is total AFUDC -- for borrowed and other funds.*

*Preferred dividends (Line 12) for a subsidiary may need to be allocated from the parent's total preferred dividends. Specify the allocation factor and the methodology used in a footnote.*

*Cash flow generated (Line 13) = (Line 1) + (Line 8) + (Line 9) + (Line 10) + (Line 11) - (Line 7) - (Line 12).*

*Construction expenditures (Line 14) are net of AFUDC.*

*Common dividends (Line 15) for a subsidiary shall be stated per books. If the subsidiary's dividend payout ratio differs from the consolidated company's payout ratio, show in a footnote the subsidiary's common dividends based on the consolidated company's payout ratio.*

#### Coverage Definitions for Schedule 2

$$\text{Pre-Tax Interest Coverage} = \frac{\text{Earnings before Interest and Taxes}}{\text{Interest}} = \frac{\text{Line 6}}{\text{Line 5}}$$

$$\text{Common Dividend Coverage} = \frac{\text{Cash Flow Generated}}{\text{Common Dividends}} = \frac{\text{Line 13}}{\text{Line 15}}$$

$$\text{Cash Coverage of Construction Expenditures} = \frac{\text{Cash Flow Generated}}{\text{Construction Expenditures}} = \frac{\text{Line 13}}{\text{Line 14}}$$

$$\text{Cash After Common Dividends Coverage Of Construction Expenditures} = \frac{\text{Line 13} - \text{Line 15}}{\text{Line 14}}$$

### Schedule 3 - Capital Structure and Cost of Capital Statement – Per Books and Average

*Instructions: This schedule shall show the amount of each capital component per balance sheet, the amount for ratemaking purposes, the percentage weight in the capital structure, the component cost and weighted cost, using the format in the attached schedule. The information shall be provided for the test period, the four prior fiscal years, and on a 13-month average basis for the test period. The data shall be provided for the entity whose capital structure was approved for use in the applicant's last rate case.*

*In part A, the information shall be compatible with the latest Stockholders' Annual Report (including any restatements). In Parts B, C, and D, the methodology shall be consistent with that approved in the applicant's last rate case. Reconcile differences between Parts A and B. The amounts for short-term debt and revolving credit agreements (and similar arrangements) in Part B shall be based preferably on a daily average over the test year, or alternatively on a 13-month average over the test year. Except for the Part B amount for short-term debt and 13-month average amounts in Column (6), all other accounts are end-of-year and end-of-test period. The component weighted cost rates equal the product of each*



component's capital structure weight for ratemaking purposes times its cost rate. The weighted cost of capital is equal to the sum of the component weighted cost rates. The Job Development Credits cost is equal to the weighted cost of permanent capital (long-term debt, preferred stock, and common equity).

#### Schedule 4 - Schedules of Long-Term Debt, Preferred and Preference Stock, Job Development Credits, and Any Other Component of Ratemaking Capital

Instructions: For each applicable capital component, provide a schedule that shows, for each issue, the amount outstanding, its percentage of the total capital component, and effective cost based on the embedded cost rate. This data shall support the amount and cost rate of the respective capital components contained in Schedule 3, consistent with the methodology approved in applicant's last rate case. In addition, a detailed breakdown of all job development credits should be provided that reconciles to the per books balance of investment tax credits. These schedules should reflect disclosure of any associated hedging/derivative instruments, their respective terms and conditions (instrument type, notional amount and associated series of debt or preferred stock hedged, period in effect, etc.), and their impact on the cost of debt or preferred stock.

#### Schedule 5 - Schedule of Short-Term Debt, Revolving Credit Agreements, and Similar Short-Term Financing Arrangements

Instructions: Consistent with the methodology approved in the applicant's last rate case, provide the data and explain the methodology used to calculate the cost and balance contained in Schedule 3 for short-term debt, revolving credit agreements, and similar arrangements. This schedule should also provide detailed disclosure of any hedging/derivative instruments related to short-term debt, their respective terms and conditions (instrument type, notional amount and associated series of debt hedged, period in effect, etc.), and their impact on the cost of short-term debt.

#### Schedule 6 - Public Financial Reports

Instructions: Provide copies of the most recent Stockholder's Annual Report, SEC Form 10-K, and Form 10-Q for the applicant and the consolidated parent company if applicant is a subsidiary.

#### Schedule 7 - Comparative Financial Statements

Instructions: If not provided in the public financial reports for Schedule 6, provide comparative balance sheets, income statements, and cash flow statements for the test year and the 12-month period preceding the test year for the applicant and its consolidated parent company if applicant is a subsidiary.

#### Schedule 8 - Proposed Cost of Capital Statement

Instructions: Provide the capital structure/cost of capital schedule that supports applicant's proposed rate increase. In conjunction, provide schedules that support the amount and cost of each component of the proposed capital structure, and explain all assumptions used.

#### Schedule 9 - Rate of Return Statement – Earnings Test

Instructions: Use format of attached schedule.

Jurisdictional allocation factors used to eliminate nonjurisdictional business in Column (2) shall be supported in Schedule 32.

Adjustments in Column (4) shall reflect any financial differences between Generally Accepted Accounting Principles ("GAAP") and regulatory accounting as prescribed by the commission. Each Column (4) adjustment shall be separately identified and reflected in Schedule 13.

The amount of other income (expense) shown in Column (5) shall be the current amount of other income (expense) recognized as jurisdictional in the applicant's last rate case.

For subsidiary companies that receive all external capital from the parent, lines 16 and 17, Column (3) shall be allocated from the consolidated parent's interest expense and preferred dividends. The allocation factor shall be equal to Column (3) rate base divided by the total capitalization reflected in Column (1).

Line 18, JDC Capital Expense, shall be reflected as Not Applicable ("N/A") in Columns (1) and (2). Column (3) of line 18 shall reflect a jurisdictional per books level as follows:

JDC Capital Expense = AOI (line 14) X weight of JDC Capital in Schedule 3

A per books regulatory accounting adjustment to reflect JDC Capital Expense shall be reflected in Column (4), if applicable. Column (5) JDC Capital Expense shall be calculated as follows:

JDC Capital Expense = Rate Base (line 23) X weighted cost of JDC Capital in Schedule 3 (bottom of the equity range)

The associated income tax savings shall be reflected in line 5, Column (4) as follows:

Associated income tax savings = total average rate base (line 23) X weight of JDC capital (Schedule 3) X weighted cost of debt component of the JDC cost component (Schedule 3) X - FIT rate

#### Schedule 10 - Net Original Cost Rate Base – Earnings Test

Instructions: Use format of attached schedule.

Jurisdictional allocation factors used to eliminate non-jurisdictional business in Column (2) shall be supported in Schedule 32.

Adjustments in Column (4) shall reflect any financial differences between GAAP and regulatory accounting as prescribed by the commission. Each Column (4) adjustment shall be separately identified and reflected in Schedule 13.

If a cash working capital allowance that is based on the results of a lead/lag study has been approved by the commission for the applicant, Schedules 15 and 16 shall be provided detailing the cash working capital computation for Column (5).

#### Schedule 11 - Earnings Test Expense Recovery

Instructions: Use format of attached schedule.

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# Proposed Regulations

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Lines 2 and 3, Common Equity Capital and Return on Equity, shall be from average Capital Structure in Schedule 3. Line 5, Income Available per Earnings Test, shall be from Schedule 9.

Line 7 shall be the gross-up factor(s) shall included only the applicable federal income tax rate specific to the regulatory asset(s) being written-off.

## Schedule 12 - Schedule of Regulatory Assets

Instructions: Use format of attached schedule.

All regulatory assets shall be individually listed with associated deferred income tax. Indicate whether the regulatory asset is included in financial reporting or is currently recognized for ratemaking purposes only.

Column (7) shall include any write-off of regulatory assets due to excess earnings determined in Schedule 11.

## Schedule 13 - Detail of Earnings Test Adjustments

Instructions: Use format of attached schedule.

Each regulatory accounting adjustment shall be numbered sequentially beginning with ET-1 and listed under the appropriate description category (Operating Revenues, Interest Expense, Common Equity Capital, etc.).

Each regulatory accounting adjustment shall be fully explained in the description column of this schedule. Regulatory accounting adjustments shall adjust from a financial accounting basis to a regulatory accounting basis. Adjustments to reflect going-forward operations shall not be included on this schedule.

Detailed workpapers substantiating each adjustment shall be provided in Schedule 23.

## Schedule 14 - Reconciliation of Changes in Earnings – Earnings Test

Instructions: Use format of attached schedule.

Regulatory accounting adjustments shall be listed under the appropriate description category (Operating Revenues, O&M, etc.)

Column (1) shall include each amount of the adjustment from Schedule 13.

## Schedule 15 - Cash Working Capital – Earnings Test

Instructions: If applicable per Schedule 10 instructions.

Use format of attached schedule.

Total Balance Sheet Net Source/Use of Average Cash Working Capital determined in Schedule 16 shall be included in the Total Cash Working Capital amount in this schedule.

The Total Cash Working Capital amount determined in this schedule shall be included in Schedule 10.

## Schedule 16 - Balance Sheet Analysis – Earnings Test

Instructions: If applicable per Schedule 10 instructions.

Use format of attached schedule.

All sources/uses of cash working capital shall be detailed in this schedule. The associated accumulated deferred income tax shall also be included as a source/use.

The Net Source/Use of Average Cash Working Capital determined in this schedule shall be included in Schedule 15.

## Schedule 17 - Adjusted Rate of Return Statement

Instructions: Use format of attached schedule.

Jurisdictional allocation factors used to eliminate nonjurisdictional business in Column (2) shall be supported in Schedule 32.

Each Column (4) adjustment shall be separately identified and reflected in Schedule 19.

After ratemaking adjustments, lines 20, 21 and 29 shall be calculated consistent with the ratemaking capital structure reflected in either Schedule 3 or Schedule 8 as appropriate.

After ratemaking adjustments, JDC capital expense shall be calculated as follows:

Total rate base (line 27) X weighted cost of JDC capital in Schedule 3 or 8.

## Schedule 18 - Net Original Cost Rate Base Statement – Adjusted

Instructions: Use format of attached schedule.

Jurisdictional allocation factors used to eliminate nonjurisdictional business in Column (2) shall be supported in Schedule 32.

If a cash working capital allowance that is based on the results of a lead/lag study has been approved by the commission for the applicant, Schedules 21 and 22 shall be provided detailing the cash working capital computation for Column (5).

## Schedule 19 - Detail of Ratemaking Adjustments

Instructions: Use format of attached schedule.

Each adjustment shall be numbered sequentially and listed under the appropriate description category (Operating Revenues, Interest Expense, Common Equity Capital, etc.).

Ratemaking adjustments shall reflect the initial rate year level of revenues, expenses, rate base and capital.

In Expedited Filings, Column (4) Ratemaking Adjustments shall reflect only those types of adjustments previously approved for the applicant.

Detailed workpapers substantiating each adjustment shall be provided in Schedule 23.

## Schedule 20 - Revenue Requirement Reconciliation

Instructions: Use format of attached schedule.

Ratemaking adjustments shall be listed under the appropriate description category (Operating Revenues, O&M, etc.)

Column (1) should include the amount of the adjustment from Schedule 19.

## Schedule 21 - Cash Working Capital – Adjusted

*Instructions: If applicable per Schedule 18 instructions.*

*Use format of attached schedule.*

*Total Balance Sheet Net Source/Use of Average Cash Working Capital determined in Schedule 22 shall be included in the Total Cash Working Capital amount in this schedule.*

*The Total Cash Working Capital amount determined in this schedule shall be included in Schedule 18.*

## Schedule 22 - Balance Sheet Analysis – Adjusted

*Instructions: If applicable per Schedule 18 instructions.*

*Use format of attached schedule.*

*All sources/uses of cash working capital shall be detailed in this schedule. The associated accumulated deferred income tax shall also be included as a source/use.*

*The Net Source/Use of Average Cash Working Capital determined in this schedule shall be included in Schedule 21.*

## Schedule 23 - Workpapers for Earnings Test and Ratemaking Adjustments

*Instructions: Provide detailed workpapers and supporting schedules of all Earnings Test as well as Ratemaking Adjustments. Each supporting document shall identify the origin of the data shown. Also, indicate whether data is actual or estimated. Working papers shall be indexed and tabbed for each adjustment. Two copies shall be filed with the Division of Public Utility Accounting and one copy with the Division of Energy Regulation or Division of Communications, as appropriate.*

## Schedule 24 - Revenue and Expense Variance Analysis

*Instructions: Applicant shall quantify jurisdictional operating revenues and system operating and maintenance ("O&M") expenses by primary account during the test period and the preceding 12 months. Also, provide jurisdictional sales volumes by customer class for the test period.*

*Applicant shall provide a detailed explanation of all jurisdictional revenue and system expense increases or decreases of more than 10% during the test period compared to the previous 12-month period. The expense variance analysis applies to test period expense items greater than one-hundredth of one percent (.0001) of total O&M expenses for utilities with O&M expenses exceeding \$100 million, and one-tenth of one percent (.001) of total O&M expenses for utilities with O&M expenses below \$100 million.*

## Schedule 25 - Advertising Expense

*Instructions: A schedule detailing advertising expense by account and grouped as informational, promotional, image, safety, cooperative and conservational shall be provided. State the basis for the respective grouping and demonstrate that the applicant's advertising meets the criteria established in § 56-235.2 of the Code of Virginia.*

## Schedule 26 - Miscellaneous Expenses

*Instructions: Provide a description, amounts paid and accounts charged for all charitable and educational donations, payments to associated industry organizations, and all other miscellaneous general expenses. Advertising expenses included in Schedule 25 should be excluded from this schedule.*

## Schedule 27 - Affiliate Transactions

*Instructions: For purposes of this schedule affiliate services shall be defined to include those transactions between regulated and nonregulated divisions of an incumbent utility.*

*Provide a narrative description of each affiliated service received or provided during the test period.*

*Provide a summary of affiliate transactions detailing costs by function for each month of the test period. Show the final account distribution of all costs billed to or by the regulated entity by month for the test period.*

*Identify all amounts billed to an affiliate and then billed back to the regulated entity.*

*Provide cost records and market analyses supporting all affiliated charges billed to or by the regulated entity/division. This shall include supporting detail of costs (including the return component) incurred by the affiliated interest rendering the service and the allocation methodology. In situations when the pricing is required to be the higher (lower) of cost or market and market is unavailable, note each such transactions and have data supporting such a finding available for commission staff review.*

*If affiliate charges are booked per a pricing mechanism other than that approved by the commission, the regulated entity shall provide a reconciliation of books to commission-approved pricing, including an explanation of why the commission-approved pricing is not used for booking purposes.*

## Schedule 28 - Income Taxes

*Instructions: Provide a schedule detailing the computation of test period current state and federal income taxes on a total company and Virginia jurisdictional basis. Schedule should provide a complete reconciliation between book and taxable income showing all individual differences.*

*Provide a schedule detailing the individual items of deferred state and federal income tax expense for the test period on a total company and Virginia jurisdictional basis.*

*Provide a detailed reconciliation between the statutory and effective federal income tax rates for the test period. Schedule should quantify individual reconciling items by dollar amount and percentage. Individual items should include but not be limited to permanent differences (itemize), flow through depreciation, excess DFIT amortization and ITC amortization.*

*Provide a detailed listing of individual ADIT amounts as of the end of test period. Separately identify those items impacting the computation of rate base on both a total company and Virginia jurisdictional basis.*

*Quantify total company and Virginia jurisdictional ADITC and excess ADFIT balances as of the end of test period.*

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# Proposed Regulations

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Reconcile these balances with recorded SFAS 109 regulatory asset/liability amounts.

## Schedule 29 - Organization

Instructions: Provide an organizational chart of the applicant and its parent company detailing subsidiaries and divisions. Provide details of any material corporate reorganizations since the applicant's last rate case. Explain the reasons and any ratemaking impact of such reorganization.

## Schedule 30 - Changes in Accounting Procedures

Instructions: Detail any material changes in accounting procedures adopted by either the parent/service company or the utility since the applicant's last rate case. Explain any ratemaking impact of such changes.

Identify any write-offs or write-downs associated with assets (i.e., plant, tax accounts, etc.) which have either been retained, transferred or sold.

## Schedule 31 - Out-of-Period Book Entries

Instructions: Provide a summary schedule prepared from an analysis of journal entries showing "out-of-period" items booked during the test period. Show journal entry number, amount, account and explanation of charge.

## Schedule 32 - Jurisdictional Study

Instructions: Use format of attached schedule.

Provide detailed calculations for all jurisdictional allocations. Show the allocation basis for each primary account and for any amount included therein with a unique allocation basis. Explain the methodology used and why such method is proposed. Discuss all changes in the applicant's operations that have materially changed any allocation factor since the last rate case. For electric utilities, provide the calculations supporting the applicant's line loss percentages.

## Schedule 33 - Proposed Rates and Tariffs

Instructions: Provide a summary of the rates designed to effect the proposed revenue increase. Provide a copy of all tariff pages that the applicant proposes to revise in this proceeding, with revisions indicated by a dashed line (--) through proposed deletions and by underlining proposed additions.

## Schedule 34 - Present and Proposed Revenues

Instructions: A. Provide the detailed calculations supporting total per books revenues in Column (3) of Schedule 17. The present revenues from each of the applicant's services shall be determined by multiplying the current rates times the test period billing units (by rate block, if applicable).

Provide a detailed calculation supporting total adjusted revenues in Column (7) of Schedule 17. The proposed revenues from each of applicant's services shall be determined by multiplying the proposed rates by the adjusted billing units (by rate block, if applicable). Detail by rate schedule all miscellaneous charges and other revenues, if applicable. Reconcile per books billing units to adjusted billing units itemizing changes such as such as customer growth, weather, btu content and miscellaneous revenues. The

revenue changes for applicant's services should be subtotaled into the applicant's traditional categories.

## Schedule 35 - Sample Billing

Instructions: Electric, natural gas and water and/or sewer utilities shall provide a sample billing analysis detailing the effect on each rate schedule at representative levels of consumption.

## Schedule 36

Reserved for additional exhibits presented by the applicant to be labeled 36A et seq.

### Electric Utility Restructuring Act Addendum

#### Investor-Owned Electric Utilities

## Schedule 37 - Profitability Data - Projected

Instructions: Provide an estimate of the same type of information for applicant as found in the test year Section C of Schedule 1, projected for each calendar year through 2007. The projections for this schedule may be consistent with the five- and 10-year Integrated Resource Plan Forecasts provided to the Division of Economics and Finance. The information provided should reflect and explain the type of functional separation planned or executed by the company for generation, transmission, and distribution operations by January 1, 2002, as required by Chapter 23 (§ 56-590) of Title 56 of the Code of Virginia, the Virginia Electric Utility Restructuring Act ("Restructuring Act").

## Schedule 38 - Interest and Cash Flow Coverage Data - Projected

Instructions: Provide an estimate of the same type of information found in the test year Section B of Schedule 2, as projected for each calendar year through 2007. The projections for this schedule may be consistent with the five- and 10-year Integrated Resource Plan Forecast provided to the Division of Economics and Finance if they reflect the functional separation of generation, transmission, and distribution operations by January 1, 2002, as required by § 56-590 of the Restructuring Act.

## Schedule 39 - Capital Structure and Cost of Capital - Projected

Instructions: Provide an estimate of the same type of information found in Column (5) of Schedule 3, as projected for each calendar year through 2007. The projections for this schedule may be consistent with the five- and 10-year Integrated Resource Plan Forecast provided to the Division of Economics and Finance if they reflect the functional separation of generation, transmission, and distribution operations by January 1, 2002, as required by § 56-590 of the Restructuring Act.

## Schedule 40 - Schedule of Short-Term Debt, Revolving Credit Agreements, and similar Short-Term Financing Arrangements - Projected

Instructions: Provide projections of the cost and average balance of short-term debt, revolving credit agreements, and similar arrangements, for each calendar year through 2007.

The cost rate should reflect the impact of any hedging/derivative instruments related to short-term debt that are expected to be in effect during the period projected. The balance and cost rate for each year should support the short-term debt figures in Schedule 39.

*Schedule 41 - Schedules of Long-Term Debt, Preferred and Preference Stock, Job Development Credits, and Any Other Component of Ratemaking Capital - Projected*

*Instructions: Provide projections of the amounts and cost rates for long-term debt, preferred stock, job development credits, and any other component of ratemaking capital for each calendar year through 2007. The cost rates should reflect the impact of any hedging/derivative instruments related to the respective capital components shown in this Schedule and expected to be in effect during the period projected. The balance and cost rate for each capital component in each year should support and correspond to the respective figures in Schedule 39.*

*Schedule 42 - Comparative Financial Statements - Projected*

*Instructions: Provide projected balance sheets, income statements, and cash flow statements for the applicant for each calendar year through 2007. The projections for this schedule may be consistent with the five- and 10-year Integrated Resource Plan Forecast provided to the Division of Economics and Finance if they reflect the functional separation of distribution operations from generation, and transmission operations by January 1, 2002, as required by § 56-590 of the Restructuring Act.*

*Schedule 43 - Cost of Capital Statement - Projected*

*Instructions: Provide the capital structure/cost of capital schedule which applicant supports for the determination of capped rates under § 56-582 of the Restructuring Act. In conjunction, provide schedules that support the amount and cost of each capital structure component, and explain all assumptions used.*

*Schedule 44 - Additional Instructions for Earnings Test Schedules*

*Instructions: Provide Schedules 9 through 16 for generation services that have been transferred to a subsidiary, affiliate or division.*

*If the capitalization for generation investment is not included in Schedule 3, provide the average capitalization of the entity providing generation services in format similar to that on Schedule 3.*

*Schedule 45 - Detail of Restructuring Act Adjustments*

*Instructions: Use format of attached schedule.*

*This schedule shall be filed in addition to Schedule 19.*

*Each adjustment shall be numbered sequentially and listed under the appropriate description category (operating revenues, interest expense, common equity capital, etc.).*

*Restructuring Act Adjustments shall reflect an annual going-forward year level of revenues, expenses, rate base and capital consistent with § 56-582 of the Code of Virginia. These adjustments shall be reflected in Schedule 17 by inserting two columns after Column (5). Column (6) shall be titled Restructuring Act Adjustments.*

*Provide an explanation for why some costs (by function) remain at a test year level. Additionally, describe and detail how increases in productivity have been factored into each cost whether adjusted or remaining at a test year level.*

*Detailed workpapers substantiating each adjustment shall be provided in Schedule 46.*

*Schedule 46 - Workpapers for Restructuring Act Adjustments*

*Instructions: This schedule shall be filed in addition to Schedule 23.*

*Provide detailed workpapers and supporting schedules of Restructuring Act adjustments. Each supporting document shall identify the origin of the data shown.*

*Include a comparison of actual to final budget data for the past 10 years for each adjustments.*

*Provide budgeted data for each adjustment annually through July 1, 2007. For projected adjustment amount, identify budget information as preliminary or final. If preliminary, indicate when final budget is anticipated.*

*Include a narrative of budgeting methodology as well as any significant changes that have occurred during the 10 years.*

*Working papers shall be indexed and tabbed for each adjustment. Two copies shall be filed with the Division of Public Utility Accounting and one copy with the Division of Energy Regulation.*

*Schedule 47 - Income Taxes*

*Instructions: This schedule shall be filed in addition to Schedule 28.*

*Provide annual estimates of the effective state and federal income tax rates through calendar year 2007. Also, provide the working papers supporting the development of each income tax rate. Quantify the individual items that reconcile to the statutory federal income tax rate by dollar amount and percentage for each year.*

*Provide an estimate of individual ADIT amounts as year-end through calendar year 2007. Separately identify those items impacting rate base on both a total company and Virginia jurisdictional basis.*

*Estimate total company Virginia jurisdictional ADITC and excess ADFIT balances as of year-end through calendar year 2007.*

*Schedule 48 - Functional Unbundling*

*Instructions: This schedule shall be filed in addition to Schedule 32.*

*Use the format of attached schedule.*

*Provide cost of service studies that identify the costs associated with the functional areas of generation (production), transmission, distribution and customer.*

*Provide cost breakouts for subcomponents of functional areas such as primary and secondary distribution, metering, billing and maintenance. Report cost functions and subcomponents on summary sheets by both system and class.*

*Provide cost of service studies for any competitive service that has been transferred to a subsidiary, affiliate or division.*

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# Proposed Regulations

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COMPANY NAME  
INTEREST AND CASH FLOW COVERAGE DATA  
CASE NO. PUE-----

Exhibit No.: \_\_\_\_  
Witness: \_\_\_\_  
Schedule 2

Coverage Ratios and Cash Flow Profile Data	4th Year Prior	3rd Year Prior	2nd Year Prior	1st Year Prior	Test Period
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A. Consolidated Company Data

*Interest Coverage Ratio*

*Pre-Tax*

*Cash Flow Coverage Ratios*

- a. *Common Dividend Coverage*
- b. *Cash Flow Coverage of  
Construction Expenditures*
- c. *Cash After Dividends Coverage  
of Construction Expenditures*

*Data for Interest Coverage*

- 1 *Net Income*
- 2 *Income Taxes*
- 3 *Interest on Mortgages*
- 4 *Other Interest*
- 5 *Total Interest*
- 6 *Earnings Before Interest and  
Taxes*

*Data for Cash Flow Coverage*

- 7 *Net Income*
- 8 *AFUDC*
- 9 *Amortization*
- 10 *Depreciation*
- 11 *Change in Deferred Taxes*
- 12 *Change in Investment Tax  
Credits*
- 13 *Preferred Dividends Paid*
- 14 *Cash Flow Generated*
- 15 *Construction Expenditures*

16 *Common Dividends Paid*

*B. Subsidiary Data*

*Interest Coverage Ratio*

*Pre-Tax*

*Cash Flow Coverage Ratios*

- a. Common Dividend Coverage*
- b. Cash Flow Coverage of  
Construction Expenditures*
- c. Cash After Dividends Coverage  
of Construction Expenditures*

*Data for Interest Coverage*

- 1 Net Income*
- 2 Income Taxes*
- 3 Interest on Mortgages*
- 4 Other Interest*
- 5 Total Interest*
- 6 Earnings Before Interest and  
Taxes*

*Data for Cash Flow Coverage*

- 7 Net Income*
- 8 AFUDC*
- 9 Amortization*
- 10 Depreciation*
- 11 Change in Deferred Taxes*
- 12 Change in Investment Tax  
Credits*
- 13 Preferred Dividends Paid*
- 14 Cash Flow Generated*
- 15 Construction Expenditures*
- 16 Common Dividends Paid*

# Proposed Regulations

COMPANY NAME \_\_\_\_\_

Exhibit No.: \_\_\_\_\_

CAPITAL STRUCTURE AND COST OF CAPITAL STATEMENT - PER BOOKS AND AVERAGE

Witness: \_\_\_\_\_

CASE NO. PUE-----

Schedule 3

(1)	(2)	(3)	(4)	(5)	(6)
4th	3rd	2nd	1st	Test	13-Month
Year Prior	Year Prior	Year Prior	Year Prior	Period	Average

A. Capital Structure Per Balance Sheet (\$)

Short-Term Debt	N/A
Customer Deposits	N/A
Other Current Liabilities	N/A
Long-Term Debt	N/A
Preferred & Preference Stock	N/A
Common Equity	N/A
Investment Tax Credits	N/A
Other Tax Deferrals	N/A
Other Liabilities	N/A
Total Capitalization	N/A

B. Capital Structure Approved for Ratemaking Purposes (\$)

Short-Term Debt	
Long-Term Debt	
Preferred & Preference Stock	
Job Development Credits	
Common Equity	
Other (specify)	
Total Capitalization	

C. Capital Structure Weights for Ratemaking Purposes

Short-Term Debt	
Long-Term Debt	
Preferred & Preference Stock	
Job Development Credits	
Common Equity	
Other (specify)	
Total Capitalization (100%)	



*D. Component Capital Cost Rates (%)*

*Short-Term Debt*

*Long-Term Debt*

*Preferred & Preference Stock*

*Job Development Credits*

*Common Equity (Authorized)*

*Other (specify)*

*E. Component Weighted Cost Rates (%)*

*Short-Term Debt*

*Long-Term Debt*

*Preferred & Preference Stock*

*Job Development Credits*

*Common Equity (Authorized)*

*Other (specify)*

*Weighted Cost of Capital*

# Proposed Regulations

COMPANY NAME  
 RATE OF RETURN STATEMENT - EARNINGS TEST  
 FOR THE TEST YEAR ENDED --/--/--  
 USING THIRTEEN MONTH AVERAGE RATE BASE AND COMMON EQUITY

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 9

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
LINE NO.	Total Company	Non-Jurisdictional	Virginia Jurisdictional Business	Per Books Regulatory Accounting Adjustments	Virginia Jurisdictional after all Adjustments	Company Proposed Regulatory Asset Write-off	Amounts after Add. Expense Recovery
1	OPERATING REVENUE						
2	OPERATING REVENUE DEDUCTIONS						
3	OPERATION & MAINTENANCE EXPENSE						
4	DEPRECIATION & AMORTIZATION						
5	FEDERAL INCOME TAXES						
6	TAXES OTHER THAN INCOME TAXES						
7	(GAIN)/LOSS ON DISPOSITION OF PROPERTY						
8	TOTAL OPERATING REVENUE DEDUCTIONS						
9	OPERATING INCOME						
10	PLUS: AFUDC						
11	LESS: CHARITABLE DONATIONS						
12	INTEREST EXPENSE ON CUSTOMER DEPOSITS						
13	INTEREST ON SUPPLIER REFUNDS						
13	OTHER INTEREST EXPENSE/(INCOME)						
14	ADJUSTED OPERATING INCOME						
15	PLUS: OTHER INCOME/(EXPENSE)						
16	LESS: INTEREST EXPENSE-BOOKED						
17	PREFERRED DIVIDENDS						
18	JDC CAPITAL EXPENSE						
19	INCOME AVAILABLE FOR COMMON EQUITY						

- 20 ALLOWANCE FOR WORKING CAPITAL
- 21 PLUS: NET UTILITY PLANT
- 22 LESS: OTHER RATE BASE DEDUCTIONS
  
- 23 TOTAL AVERAGE RATE BASE
  
- 24 TOTAL AVERAGE CAPITAL
  
- 25 AVERAGE COMMON EQUITY CAPITAL
  
- 26 % RATE OF RETURN EARNED ON AVG. RATE  
BASE
- 27 % RATE OF RETURN EARNED ON AVG.  
COMMON EQ.
- 28 % EQUITY RETURN AUTHORIZED - BOTTOM  
OF RANGE

# Proposed Regulations

COMPANY NAME

Exhibit No.: \_\_\_\_\_

NET ORIGINAL COST RATE BASE - EARNINGS TEST  
THIRTEEN-MONTH AVERAGE PER BOOKS RATE BASE

Witness: \_\_\_\_\_

Schedule 10

LINE NO.	(1) Total Company	(2) Non-Jurisdictional	(3) Virginia Jurisdictional Business	(4) Per Books Reg. Accounting Adjustments	(5) Virginia Jurisdictional after all Adjustments
1					
	ALLOWANCE FOR WORKING CAPITAL				
2					
	MATERIAL AND SUPPLIES				
3					
	CASH WORKING CAPITAL (LEAD LAG STUDY)				
4					
	DEFERRED FUEL/DEFERRED GAS NET OF FIT				
5					
	OTHER WORKING CAPITAL				
6					
	TOTAL ALLOWANCE FOR WORKING CAPITAL				
7					
	NET UTILITY PLANT				
8					
	UTILITY PLANT IN SERVICE				
9					
	ACQUISITION ADJUSTMENTS				
10					
	CONSTRUCTION WORK IN PROGRESS				
11					
	PLANT HELD FOR FUTURE USE				
12					
	LESS: ACCUMULATED PROVISION FOR DEPRECIATION				
13					
	AND AMORTIZATION				
14					
	CUSTOMER ADVANCES FOR CONSTRUCTION				
15					
	TOTAL NET UTILITY PLANT				
16					
	RATE BASE DEDUCTIONS				
17					
	CUSTOMER DEPOSITS				
18					
	SUPPLIER REFUNDS				
19					
	ACCUMULATED DEFERRED INCOME TAXES				
20					
	OTHER COST FREE CAPITAL				
21					
	TOTAL RATE BASE DEDUCTIONS				
22					
	TOTAL AVERAGE RATE BASE				

Exhibit No.: \_\_\_\_\_

Witness: \_\_\_\_\_

Schedule 11

COMPANY NAME

EARNINGS TEST EXPENSE RECOVERY

Line

- 1 LOW END OF RANGE
- 2 COMMON EQUITY CAPITAL
- 3 TIMES: RETURN ON EQUITY
  
- 4 INCOME AVAILABLE REQUIREMENT
- 5 LESS: INCOME AVAILABLE PER EARNINGS TEST
  
- 6 REDUCTION TO INCOME AVAILABLE FOR EQUITY
- 7 DIVIDED BY: GROSS-UP FACTOR
  
- 8 REGULATORY ASSET WRITE-OFF

# Proposed Regulations

COMPANY NAME  
 SCHEDULE OF REGULATORY ASSETS  
 AS OF --/--

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 12

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Start of Year		Start of Year		Test	End of Year		End of Year
	Date	Year	Date	Year	Test	Date	Date	Date
Account	System	Juris.	Juris.	Amortization	Year	Adjusted	Year	Balance after
Number	Description	Amount	Factor	Amount	Expense	Accruals	Amount	Write-off
							Write-off	Write-off
-----	<i>Individual Regulatory Asset</i>							
-----	<i>Related Deferred Income Tax</i>							
-----	<i>Individual Regulatory Asset</i>							
-----	<i>Related Deferred Income Tax</i>							
-----	<i>Individual Regulatory Asset</i>							
-----	<i>Related Deferred Income Tax</i>							
<i>Totals</i>								

COMPANY NAME  
DETAIL OF EARNINGS TEST ADJUSTMENTS  
REFLECTED IN COL. (-) OF SCHEDULES -- AND --

Exhibit No.: \_\_\_\_  
Witness: \_\_\_\_  
Schedule 13

ADJ. NO.	ADJUSTMENT	AMOUNT
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INCOME ADJUSTMENTS

OPERATING REVENUE ADJUSTMENTS

OPERATION AND MAINTENANCE EXPENSES ADJUSTMENTS

DEPRECIATION EXPENSE ADJUSTMENTS

INCOME TAXES ADJUSTMENTS

TAXES OTHER THAN INCOME ADJUSTMENTS

GAIN ON PROPERTY DISPOSITION ADJUSTMENTS

CHARITABLE DONATIONS ADJUSTMENTS

OTHER INTEREST EXPENSE/(INCOME) ADJUSTMENTS

INTEREST EXPENSE ADJUSTMENTS

PREFERRED DIVIDENDS ADJUSTMENTS

JDC CAPITAL EXPENSE ADJUSTMENTS

ALLOWANCE FOR WORKING CAPITAL ADJUSTMENTS

ELECTRIC PLANT IN SERVICE ADJUSTMENTS

PLANT HELD FOR FUTURE USE ADJUSTMENTS

CONSTRUCTION WORK IN PROGRESS ADJUSTMENTS

ACCUMULATED DEPRECIATION AND AMORTIZATION ADJUSTMENTS

OTHER RATE BASE DEDUCTIONS ADJUSTMENTS

COMMON EQUITY CAPITAL ADJUSTMENTS

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# Proposed Regulations

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COMPANY NAME  
RECONCILIATION OF CHANGES IN EARNINGS -EARNINGS TEST  
CASE NO. PUE-----

Exhibit No.: \_\_\_\_  
Witness: \_\_\_\_  
Schedule 14

<i>Line No.</i>	<i>Description</i>	<i>(1) Amounts</i>	<i>(2) Effect on Revenue Requirement Based on Bottom of the Equity Range</i>
1	<i>Per Books Revenue Requirement</i>		
2	<i>Revenue Adjustments</i>		
3	<i>O&amp;M Expense Adjustments</i>		
4	<i>Depreciation and Amortization Expense Adjustments</i>		
5	<i>Federal Income Tax Adjustments</i>		
6	<i>Taxes Other than Income Adjustments</i>		
7	<i>Gain/Loss on Disposition of Property Adjustments</i>		
8	<i>Charitable Donations Adjustments</i>		
9	<i>Other Interest Expense/(Income) Adjustments</i>		
10	<i>Rate Base Adjustments</i>		
11	<i>Capital Structure and Cost of Capital</i>		
12	<i>Company Proposed Regulatory Asset Write-off</i>		



COMPANY NAME  
 CASH WORKING CAPITAL - EARNINGS TEST  
 FOR THE YEAR ENDED --/--/--  
 SUPPORTING COLUMN -- OF SCHEDULE --

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 15

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	<i>Per Books</i>						<i>Working</i>
<i>Virginia Juris.</i>	<i>Regulatory</i>		<i>Average</i>	<i>Expense</i>		<i>Net</i>	<i>Capital</i>
<i>Per Books</i>	<i>Accounting</i>	<i>Amounts</i>	<i>Daily</i>	<i>(Lead)\Lag</i>	<i>Revenue</i>	<i>(Lead)\Lag</i>	<i>(Provided)\</i>
<i>Amounts</i>	<i>Adjustments</i>	<i>After Adj.</i>	<i>Amount</i>	<i>Days</i>	<i>Lag</i>	<i>Days</i>	<i>Required</i>

OPERATING EXPENSES

O&M Expenses:

- Account # - Fuel Clause
- Account # - Fuel Clause
- Account # - Fuel Clause
- Account # - Purchased Power
- Account # - Deferred Fuel
- Payroll Expense
- Benefits and Pension Expense
- OPEB Expense
- Regulatory Asset Amortization Expense
- Uncollectible Expense
- Stores Issues
- Stored Undistributed
- Accrued Vacation Expense
- Prepaid Insurance Amortization Expense
- Worker's Compensation Expense
- Directors' Deferred Compensation Exp.
- Storm Damage Expense
- Transition Cost Expense
- Restructuring Expense
- Contingent Liabilities
- Other O&M Expenses

Depreciation Expense:

- Depreciation Expense
- Amortization Expense
- Amortization Expense
- Amortization of Regulatory Assets

Federal Income Taxes:

- Current
- Deferred
- DFIT on items excluded from Rate Base
- Deferred ITC

State Income Tax Expense

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# Proposed Regulations

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*Taxes Other Than Income:*

*Property Tax Expense*

*Virginia Gross Receipts Tax Expense*

*Valuation Tax Expense*

*Local Gross Receipts Tax Expense*

*Business and Occupation Tax Expense*

*Payroll Tax Expense*

*Other Taxes*

*AFUDC*

*Gain/Loss of Disposition of Property*

*Charitable Donations*

*Interest on Customer Deposits*

*Other Expense/Income (A-t-l)*

*Other Income/Expense (B-t-l)*

*Interest Expense*

*Preferred Dividends*

*JDC Expense*

*Income Available for Common Equity*

*Totals*

*Plus: Customer Utility Taxes*

*BALANCE SHEET ITEMS*

*TOTAL CASH WORKING CAPITAL*

COMPANY NAME  
BALANCE SHEET ANALYSIS - EARNINGS TEST  
FOR THE THIRTEEN MONTHS ENDED --/--/--

Exhibit No.: \_\_\_\_  
Witness: \_\_\_\_  
Schedule 16

*Additional Uses of Average Cash Working Capital*

<i>Account Number</i>	<i>Account Title</i>	<i>Thirteen Month Average</i>
---------------------------	--------------------------	---------------------------------------

*Individual Uses of Cash Working Capital*  
*Individual Uses of Cash Working Capital*  
*Individual Uses of Cash Working Capital*  
*Individual Uses of Cash Working Capital*

*Total Additional Uses of Average Cash Working Capital*

*Additional Sources of Average Cash Working Capital*

<i>Account Number</i>	<i>Account Title</i>	<i>Thirteen Month Average</i>
---------------------------	--------------------------	---------------------------------------

*Individual Sources of Cash Working Capital*  
*Individual Sources of Cash Working Capital*  
*Individual Sources of Cash Working Capital*  
*Individual Sources of Cash Working Capital*

*Total Additional Sources of Average Cash Working Capital*

*Net (Source)/Use of Average Cash Working Capital*

# Proposed Regulations

COMPANY NAME  
 ADJUSTED RATE OF RETURN STATEMENT  
 FOR THE TEST YEAR ENDED --/--/--  
 ADJUSTED FROM AVERAGE TO END OF PERIOD RATE BASE AND COMMON EQUITY

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 17

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
LINE	Total	Non-	Virginia	Ratemaking	Amounts	Revenue	Amounts After
NO.	Company	Jurisdictional	Business	Adjustments	After	Requirements	Revenue
	Business	Jurisdictional	Business	Adjustments	Adjustments	-- % ROE	Requirement
1	OPERATING REVENUES						
2	BASE RATE REVENUES						
3	FUEL REVENUES						
3	LATE PAYMENT FEES						
4	OTHER OPERATING REVENUES						
5	TOTAL OPERATING REVENUES						
6	OPERATING REVENUE DEDUCTIONS						
7	OPERATION & MAINTENANCE EXPENSE						
8	DEPRECIATION & AMORTIZATION						
9	FEDERAL INCOME TAXES						
10	TAXES OTHER THAN INCOME TAXES						
11	(GAIN)/LOSS ON DISPOSITION OF PROPERTY						
12	TOTAL OPERATING REVENUE DEDUCTIONS						
13	OPERATING INCOME						
14	PLUS: AFUDC						
15	LESS: CHARITABLE DONATIONS						
16	INTEREST EXPENSE ON CUSTOMER DEPOSITS						
17	OTHER INTEREST EXPENSE/(INCOME)						
18	ADJUSTED OPERATING INCOME						
19	PLUS: OTHER INCOME/(EXPENSE)						
20	LESS: INTEREST EXPENSE						
21	PREFERRED DIVIDENDS						
22	JDC CAPITAL EXPENSE						

23 INCOME AVAILABLE FOR COMMON EQUITY

24 ALLOWANCE FOR WORKING CAPITAL

25 PLUS: NET UTILITY PLANT

26 LESS: OTHER RATE BASE DEDUCTIONS

27 TOTAL RATE BASE

28 TOTAL CAPITAL

29 COMMON EQUITY CAPITAL

30 % RATE OF RETURN EARNED ON RATE  
BASE

31 % RATE OF RETURN EARNED ON COMMON  
EQUITY

32 % EQUITY RETURN AUTHORIZED

# Proposed Regulations

COMPANY NAME  
 RATE BASE STATEMENT - ADJUSTED  
 AS OF --/--/--

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 18

		(1)	(2)	(3)
LINE NO.	<i>Virginia Jurisdictional Business</i>	<i>Ratemaking Adjustments</i>	<i>Amounts After Adjustments</i>	
1	ALLOWANCE FOR WORKING CAPITAL			
2	MATERIAL AND SUPPLIES			
3	CASH WORKING CAPITAL (LEAD LAG STUDY)			
4	DEFERRED FUEL/DEFERRED GAS NET OF FIT			
5	OTHER WORKING CAPITAL			
6	TOTAL ALLOWANCE FOR WORKING CAPITAL			
7	NET UTILITY PLANT			
8	UTILITY PLANT IN SERVICE			
9	ACQUISITION ADJUSTMENT			
10	CONSTRUCTION WORK IN PROGRESS			
11	PLANT HELD FOR FUTURE USE			
12	LESS: ACCUMULATED PROVISION FOR DEPRECIATION			
13	AND AMORTIZATION			
14	CUSTOMER ADVANCES FOR CONSTRUCTION			
15	TOTAL NET UTILITY PLANT			
16	RATE BASE DEDUCTIONS			
17	CUSTOMER DEPOSITS			
18	SUPPLIER REFUNDS			
19	ACCUMULATED DEFERRED INCOME TAXES			
20	OTHER COST FREE CAPITAL			
21	TOTAL RATE BASE DEDUCTIONS			
22	TOTAL RATE BASE			

COMPANY NAME  
DETAIL OF RATEMAKING ADJUSTMENTS  
REFLECTED IN COL. (--) OF SCHEDULES -- AND --

Exhibit No.: \_\_\_\_  
Witness: \_\_\_\_  
Schedule 19

ADJ.  
NO.

ADJUSTMENT

AMOUNT

INCOME ADJUSTMENTS

OPERATING REVENUE ADJUSTMENTS

OPERATION AND MAINTENANCE EXPENSE ADJUSTMENTS

DEPRECIATION EXPENSE ADJUSTMENTS

INCOME TAX ADJUSTMENTS

TAXES OTHER THAN INCOME ADJUSTMENTS

GAIN ON PROPERTY DISPOSITION ADJUSTMENTS

CHARITABLE DONATION ADJUSTMENTS

OTHER INTEREST EXPENSE/(INCOME) ADJUSTMENTS

INTEREST EXPENSE ADJUSTMENTS

PREFERRED DIVIDENDS ADJUSTMENTS

JDC CAPITAL EXPENSE ADJUSTMENTS

ALLOWANCE FOR WORKING CAPITAL ADJUSTMENTS

ELECTRIC PLANT IN SERVICE ADJUSTMENTS

PLANT HELD FOR FUTURE USE ADJUSTMENTS

CONSTRUCTION WORK IN PROGRESS ADJUSTMENTS

ACCUMULATED DEPRECIATION AND AMORTIZATION ADJUSTMENTS

OTHER RATE BASE DEDUCTIONS ADJUSTMENTS

COMMON EQUITY CAPITAL

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# Proposed Regulations

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COMPANY NAME  
RECONCILIATION OF REVENUE REQUIREMENT SHORTFALL  
CASE NO. PUE-----

Exhibit No.: \_\_\_\_  
Witness: \_\_\_\_  
Schedule 20

<i>Line No.</i>	<i>Description</i>	<i>(1) Amounts</i>	<i>(2) Effect on Revenue Requirement</i>
1	<i>Per Books Revenue Requirement</i>		
2	<i>Revenue Adjustments</i>		
3	<i>O&amp;M Expense Adjustments</i>		
4	<i>Depreciation and Amortization Expense Adjustments</i>		
5	<i>Federal Income Tax Adjustments</i>		
6	<i>Taxes Other than Income Adjustments</i>		
7	<i>Gain/Loss on Disposition of Property Adjustments</i>		
8	<i>Charitable Donations Adjustments</i>		
9	<i>Other Interest Expense/(Income) Adjustments</i>		
10	<i>Rate Base Adjustments</i>		
11	<i>Capital Structure and Cost of Capital</i>		
12	<i>Company Proposed Revenue Requirement</i>		



# Proposed Regulations

COMPANY NAME  
 CASH WORKING CAPITAL - ADJUSTED  
 FOR THE YEAR ENDED --/--/--  
 SUPPORTING COLUMN -- OF SCHEDULE --

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 21

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
			<i>Average</i>	<i>Expense</i>		<i>Net</i>	<i>Working</i>
<i>Virginia Juris.</i>			<i>Daily</i>	<i>(Lead)\Lag</i>	<i>Revenue</i>	<i>(Lead)\Lag</i>	<i>Capital</i>
<i>Per Books</i>	<i>Ratemaking</i>	<i>Amounts</i>	<i>Amount</i>	<i>Days</i>	<i>Lag</i>	<i>Days</i>	<i>(Provided)\</i>
<i>Amounts</i>	<i>Adjustments</i>	<i>After Adj.</i>					<i>Required</i>

**OPERATING EXPENSES**

**O&M Expenses:**

- Account # - Fuel Clause*
- Account # - Fuel Clause*
- Account # - Fuel Clause*
- Account # - Purchased Power*
- Account # - Deferred Fuel*
- Payroll Expense*
- Benefits and Pension Expense*
- OPEB Expense*
- Regulatory Asset Amortization Expense*
- Uncollectible Expense*
- Stores Issues*
- Stored Undistributed*
- Accrued Vacation Expense*
- Prepaid Insurance Amortization Expense*
- Worker's Compensation Expense*
- Directors' Deferred Compensation Exp.*
- Storm Damage Expense*
- Transition Cost Expense*
- Restructuring Expense*
- Contingent Liabilities*
- Other O&M Expenses*

**Depreciation Expense:**

- Depreciation Expense*
- Amortization Expense*
- Amortization Expense*
- Amortization of Regulatory Assets*

**Federal Income Taxes:**

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# Proposed Regulations

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*Current*

*Deferred*

*DFIT on items excluded from  
Rate Base*

*Deferred ITC*

*State Income Tax Expense*

*Taxes Other Than Income:*

*Property Tax Expense*

*Virginia Gross Receipts Tax  
Expense*

*Valuation Tax Expense*

*Local Gross Receipts Tax  
Expense*

*Business and Occupation Tax  
Expense*

*Payroll Tax Expense*

*Other Taxes*

*AFUDC*

*Gain/Loss of Disposition of Property*

*Charitable Donations*

*Interest on Customer Deposits*

*Other Expense/Income (A-t-l)*

*Other Income/Expense (B-t-l)*

*Interest Expense*

*Preferred Dividends*

*JDC Expense*

*Income Available for Common Equity*

*Totals*

*Plus: Customer Utility Taxes*

*BALANCE SHEET ITEMS*

*TOTAL CASH WORKING CAPITAL*

COMPANY NAME  
BALANCE SHEET ANALYSIS - ADJUSTED  
AS OF --/--/--

Exhibit No.: \_\_\_\_  
Witness: \_\_\_\_  
Schedule 22

*Additional Uses of Cash Working Capital*

<i>Account Number</i>	<i>Account Title</i>	<i>Adjusted Amount</i>
---------------------------	--------------------------	----------------------------

*Individual Uses of Cash Working Capital*  
*Individual Uses of Cash Working Capital*  
*Individual Uses of Cash Working Capital*  
*Individual Uses of Cash Working Capital*

*Total Additional Uses of Cash Working Capital*

*Additional Sources of Cash Working Capital*

<i>Account Number</i>	<i>Account Title</i>	<i>Adjusted Amount</i>
---------------------------	--------------------------	----------------------------

*Individual Sources of Cash Working Capital*  
*Individual Sources of Cash Working Capital*  
*Individual Sources of Cash Working Capital*  
*Individual Sources of Cash Working Capital*

*Total Additional Sources of Cash Working Capital*

*Net (Source)/Use of Cash Working Capital*

# Proposed Regulations

COMPANY NAME  
 JURISDICTIONAL CLASS COST OF SERVICE  
 (METHODOLOGY) COST ALLOCATION STUDY  
 JURISDICTIONAL COST OF SERVICE  
 CASE NO. PUE-----

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 32

Line No.	Description	Total System	Virginia Juris.	Virginia Non-Juris.	Non-Juris.	Non-Juris.	Non-Juris.	Allocation Basis
10	Operating Revenues							
20								
30	Operating Expenses							
40	Depreciation Expenses							
50	Amortization							
60	Income Taxes							
70	State Income Taxes							
80	Taxes Other than Income							
90								
100	Total Operating Expenses							
110								
120	Net Operating Income							
130								
140	Adjustments to Operating Income							
150								
160	Add: AFUDC							
170	Less: Charitable Donations							
180	Interest Exp.- Customer Dep.							
190								
200	Adjusted Net Operating Income							
210								
220	Rate Base							
230								
240	ROR Earned on Rate Base							

COMPANY NAME  
 JURISDICTIONAL CLASS COST OF SERVICE  
 (METHODOLOGY) COST ALLOCATION STUDY  
 SYSTEM FUNCTIONAL ANALYSIS  
 CASE NO. PUE-----

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 48 A

Line No.	Description	System	Production	Transmission	Distribution	Energy	Customer	Allocation Basis
10	Operating Revenues							
20								
30	Operating Expenses							
40	Depreciation Expenses							
50	Amortization							
60	Income Taxes							
70	State Income Taxes							
80	Taxes Other than Income							
90								
100	Total Operating Expenses							
110								
120	Net Operating Income							
130								
140	Adjustments to Operating Income							
150								
160	Add: AFUDC							
170	Less: Charitable Donations							
180	Interest Exp.- Customer Dep.							
190								
200	Adjusted Net Operating Income							
210								
220	Rate Base							
230								
240	ROR Earned on Rate Base							

# Proposed Regulations

COMPANY NAME  
 JURISDICTIONAL CLASS COST OF SERVICE  
 (METHODOLOGY) COST ALLOCATION STUDY  
 CLASS SUMMARY  
 CASE NO. PUE-----

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 48B

Line No.	Description	Virginia Juris	Retail Class 1	Retail Class 2	Retail Class 3	Retail Class 4	Retail Class 5	Allocation Basis
10	Operating Revenues							
20								
30	Operating Expenses							
40	Depreciation Expenses							
50	Amortization							
60	Income Taxes							
70	State Income Taxes							
80	Taxes Other than Income							
90								
100	Total Operating Expenses							
110								
120	Net Operating Income							
130								
140	Adjustments to Operating Income							
150								
160	Add: AFUDC							
170	Less: Charitable Donations							
180	Interest Exp.- Customer Dep.							
190								
200	Adjusted Net Operating Income							
210								
220	Rate Base							
230								
240	ROR Earned on Rate Base							

COMPANY NAME  
 JURISDICTIONAL CLASS COST OF SERVICE  
 (METHODOLOGY) COST ALLOCATION STUDY  
 CLASS FUNCTIONAL ANALYSIS  
 CASE NO. PUE-----

Exhibit No.: \_\_\_\_  
 Witness: \_\_\_\_  
 Schedule 48C

Line No.	Description	Retail						Allocation
		Class 1	Production	Transmission	Distribution	Energy	Customer	Basis
10	Operating Revenues							
20								
30	Operating Expenses							
40	Depreciation Expenses							
50	Amortization							
60	Income Taxes							
70	State Income Taxes							
80	Taxes Other than Income							
90								
100	Total Operating Expenses							
110								
120	Net Operating Income							
130								
140	Adjustments to Operating Income							
150								
160	Add: AFUDC							
170	Less: Charitable Donations							
180	Interest Exp.- Customer Dep.							
190								
200	Adjusted Net Operating Income							
210								
220	Rate Base							
230								
240	ROR Earned on Rate Base							

VA.R. Doc. No. R00-47; Filed November 15, 1999, 4:36 p.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 12. HEALTH

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Title of Regulation: **State Plan for Medical Assistance Services Relating to Hospice Services.**

**12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care Services (amending 12 VAC 30-50-270).**

**12 VAC 30-60-10 et seq. Standards Established and Methods Used to Assure High Quality Care (amending 12 VAC 30-60-130).**

**12 VAC 30-80-10 et seq. Methods and Standards for Establishing Payment Rates; Other Types of Care (amending 12 VAC 30-80-30).**

**12 VAC 30-130-10 et seq. Amount, Duration and Scope of Selected Services (repealing 12 VAC 30-130-270 through 12 VAC 30-130-530).**

Statutory Authority: § 32.1-325 of the Code of Virginia and Chapter 464 of the 1998 Acts of Assembly (Item 335S).

Effective Date: January 5, 2000.

#### Summary:

*This regulatory action aligns the Title XIX Medicaid regulations for the coverage of hospice services with the coverage of Title XVIII Medicare hospice services. The amendments make available a range of services for the use of individuals with terminal illnesses and their supporting families.*

Summary of Public Comments and Agency's Response: No public comments were received by the promulgating agency.

Agency Contact: Copies of the regulation may be obtained from Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 300, Richmond, VA 23219, telephone (804) 371-8850.

#### **12 VAC 30-50-270. Hospice ~~care~~ services (in accordance with § 1905 (o) of the Act).**

A. Covered hospice services shall be defined as those services allowed under the provisions of Medicare law and regulations as they relate to hospice benefits and as specified in ~~the Code of Federal Regulations, Title 42, CFR Part 418.~~

B. Categories of care. As described for Medicare and applicable to Medicaid, hospice services shall entail the following four categories of daily care:

1. Routine home care is at-home care that is not continuous.

2. Continuous home care consists of at-home care that is predominantly nursing care and is provided as short-term crisis care. A registered or licensed practical nurse must provide care for more than half of the period of the care. Home health aide or homemaker services may be provided in addition to nursing care. A minimum of eight hours of care per day must be provided to qualify as continuous home care.

3. Inpatient respite care is short-term inpatient care provided in an approved facility (freestanding hospice, hospital, or nursing facility) to relieve the primary ~~caregiver(s)~~ *caregiver or caregivers* providing at-home care for the recipient. Respite care is limited to not more than ~~5~~ *five* consecutive days.

4. General inpatient care may be provided in an approved freestanding hospice, hospital, or nursing facility. This care is usually for pain control or acute or chronic symptom management which cannot be successfully treated in another setting.

#### C. Covered services.

1. As required under Medicare and applicable to Medicaid, the hospice itself shall provide all or substantially all of the "core" services applicable for the terminal illness which are nursing care, ~~physician services~~, social work, and counseling (bereavement, dietary, and spiritual).

2. Other services applicable for the terminal illness that shall be available but are not considered "core" services are *physician services*, drugs and biologicals, home health aide and homemaker services, inpatient care, medical supplies, and occupational and physical therapies and speech-language/pathology services, *and any other item or service which is specified under the plan and which is reasonable and necessary for the palliation and management of terminal illness and for which payment may otherwise be made under Title XIX.*

3. These other services may be arranged, such as by contractual agreement, or provided directly by the hospice.

4. To be covered, a certification that the individual is terminally ill shall have been completed by the physician, *or physicians as required by 12 VAC 30-60-130 D*, and hospice services must be reasonable and necessary for the palliation or management of the terminal illness and related conditions. The individual must elect hospice care and a plan of care must be established before services are provided. To be covered, services shall be consistent with the plan of care. Services not specifically documented in the patient's medical record as having been rendered will be deemed not to have been rendered and no coverage will be provided.



5. All services shall be performed by appropriately qualified personnel, but it is the nature of the service, rather than the qualification of the person who provides it, that determines the coverage category of the service. The following services are covered hospice services:

a. Nursing care. Nursing care shall be provided by a registered nurse or by a licensed practical nurse under the supervision of a graduate of an approved school of professional nursing and who is licensed as a registered nurse.

b. Medical social services. Medical social services shall be provided by a social worker who has at least a bachelor's degree from a school accredited or approved by the Council on Social Work Education, and who is working under the direction of a physician.

c. Physician services. Physician services shall be performed by a professional who is licensed to practice, who is acting within the scope of his or her license, and who is a doctor of medicine or osteopathy, a doctor of dental surgery or dental medicine, a doctor of podiatric medicine, a doctor of optometry, or a chiropractor. The hospice medical director or the physician member of the interdisciplinary team shall be a licensed doctor of medicine or osteopathy.

d. Counseling services. Counseling services shall be provided to the terminally ill individual and the family members or other persons caring for the individual at home. Bereavement counseling consists of counseling services provided to the individual's family up to one year after the individual's death. Bereavement counseling is a required hospice service, but it is not reimbursable.

e. Short-term inpatient care. Short-term inpatient care may be provided in a participating hospice inpatient unit, or a participating hospital or nursing facility. General inpatient care may be required for procedures necessary for pain control or acute or chronic symptom management which cannot be provided in other settings. Inpatient care may also be furnished to provide respite for the individual's family or other persons caring for the individual at home.

f. Durable medical equipment and supplies. Durable medical equipment as well as other self-help and personal comfort items related to the palliation or management of the patient's terminal illness is covered. Medical supplies include those that are part of the written plan of care.

g. Drugs and biologicals. Only drugs used which are used primarily for the relief of pain and symptom control related to the individual's terminal illness are covered.

h. Home health aide and homemaker services. Home health aides providing services to hospice recipients must meet the qualifications specified for home health aides by ~~42-CFR 484.36~~ *Medicare and the Department of Health Professions*. Home health aides may provide personal care services. Aides may also perform

household services to maintain a safe and sanitary environment in areas of the home used by the ~~patient~~ *recipient*, such as changing the bed or light cleaning and laundering essential to the comfort and cleanliness of the ~~patient~~ *recipient*. Homemaker services may include assistance in personal care, maintenance of a safe and healthy environment and services to enable the individual to carry out the plan of care. Home health aide and homemaker services must be provided under the general supervision of a registered nurse.

i. Rehabilitation services. Rehabilitation services include physical and occupational therapies and speech-language pathology services that are used for purposes of symptom control or to enable the individual to maintain activities of daily living and basic functional skills.

D. Eligible groups. To be eligible for hospice coverage under Medicare or Medicaid, the recipient must have a life expectancy of six months or less, have knowledge of the illness and life expectancy, and elect to receive hospice services rather than active treatment for the illness. Both the attending physician and the hospice medical director, *or the attending physician and the physician member of the interdisciplinary team*, must initially certify the life expectancy. ~~The hospice must obtain the certification that an individual is terminally ill in accordance with the following procedures: Thereafter, subsequent certifications shall be conducted pursuant to 12 VAC 30-60-130.~~

~~1. For the first 90-day period of hospice coverage, the hospice must obtain, within two calendar days after the period begins, a written certification statement signed by the medical director of the hospice or the physician member of the hospice interdisciplinary group and the individual's attending physician if the individual has an attending physician. For the initial 90-day period, if the hospice cannot obtain written certifications within two calendar days, it must obtain oral certifications within two calendar days, and written certifications no later than eight calendar days after the period begins.~~

~~2. For any subsequent 90-day or 30-day period or a subsequent extension period during the individual's lifetime, the hospice must obtain, no later than two calendar days after the beginning of that period, a written certification statement prepared by the medical director of the hospice or the physician member of the hospice's interdisciplinary group. The certification must include the statement that the individual's medical prognosis is that his or her life expectancy is six months or less and the signature(s) of the physician(s). The hospice must maintain the certification statements.~~

## 12 VAC 30-60-130. Hospice services.

### A. Admission criteria.

1. *Service election*. To be eligible for hospice coverage under Medicare or Medicaid, the recipient must be "terminally ill," defined as having a life expectancy of six months or less, and elect to receive hospice services rather than active treatment for the illness. Both the attending physician (if the individual has an attending

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physician) and the hospice medical director, or the attending physician and the physician member of the interdisciplinary team, must initially certify the life expectancy. The election statement must include (i) identification of the hospice that will provide care to the individual; (ii) the individual's or representative's acknowledgement that he has been given a full understanding of the palliative rather than curative nature of hospice care as it relates to the individual's terminal illness; (iii) acknowledgement that certain Medicaid services are waived by the election; (iv) the effective date of the election; and (v) the signature of the individual or representative.

2. Service revocation. The recipient shall have the right to revoke his election of hospice services at any time during the covered hospice periods. DMAS must be contacted if the recipient revokes his hospices services. If the recipient reelects the hospice services, the hospice periods will begin as an initial time frame. Therefore, the above certification and time requirements will apply. The recipient cannot retroactively receive hospice benefits from previously unused hospice periods. The recipient's written revocation statement must be maintained in the recipient's medical record.

B. General conditions. The general conditions provided in this subsection apply to nursing care, medical social services, physician services, counseling services, short-term inpatient care, durable medical equipment and supplies, drugs and biologicals, home health aide and homemaker services, and rehabilitation services.

The recipient must be under the care of a physician who is legally authorized to practice and who is acting within the scope of his license. The hospice medical director or the physician member of the interdisciplinary team must be a licensed doctor of medicine or osteopathy. Hospice services may be provided in the recipient's home or in a freestanding hospice, hospital or nursing facility.

The hospice must obtain the written certification that an individual is terminally ill in accordance with the following procedures:

1. For the initial 90-day benefit period of hospice coverage, a Medicaid written certification (DMAS 420) must be signed and dated by the medical director of the hospice and the attending physician, or the physician member of the hospice interdisciplinary team and the attending physician, at the beginning of the certification period. This initial certification must be submitted for preauthorization within 14 days from the physician's signature date. This certification must be maintained in the recipient's medical record.

2. For the subsequent 90-day hospice period, a Medicaid written certification (DMAS 420) must be signed and dated before or on the begin date of the 90-day hospice period by the medical director of the hospice or the physician member of the hospice's interdisciplinary team. The certification must include the statement that the recipient's medical prognosis is that his life expectancy is six months or less. This certification of continued need

for hospice services must be maintained in the recipient's medical record.

3. After the second 90-day hospice period and until the recipient is no longer in the Medicaid hospice program, a Medicaid written certification must be signed and dated every 60 days on or before the begin date of the 60-day period. This certification statement must be signed and dated by the medical director of the hospice or the physician member of the hospice's interdisciplinary team. The certification must include the statement that the recipient's medical prognosis is that his life expectancy is six months or less. This certification must be maintained in the recipient's medical record.

B- C. Utilization review. Authorization for hospice services requires an initial preauthorization by DMAS and physician certification of life expectancy. Utilization review will be conducted to determine if services were provided by the appropriate provider and to ensure that the services provided to Medicaid recipients are medically necessary and appropriate. Services not specifically documented in the patients' recipients' medical records as having been rendered shall be deemed not to have been rendered and no coverage shall be provided. All hospice services shall be provided in accordance with guidelines established in the Virginia Medicaid Hospice Manual.

G- D. Hospice services are a medically directed, interdisciplinary program of palliative services for terminally ill people and their families, emphasizing pain and symptom control. The rules pertaining to them are:

1. Interdisciplinary team. An interdisciplinary team shall include at least the following individuals: a physician (either a hospice employee or a contract physician), a registered nurse, a social worker, and a pastoral or other counselor. Other professionals may also be members of the interdisciplinary team depending on the terminally ill recipient's medical needs.

4- 2. Nursing care. Nursing care must be provided by a registered nurse or by a licensed practical nurse under the supervision of a graduate of an approved school of professional nursing and who is licensed as a registered nurse.

2- 3. Medical social services. Medical social services must be provided by a social worker who has at least a bachelor's degree from a school accredited or approved by the Council on Social Work Education, and who is working under the direction of a physician.

3- 4. Physician services. Physician services must be performed by a professional who is licensed to practice, who is acting within the scope of his license, and who is a doctor of medicine or osteopathy, a doctor of dental surgery or dental medicine, a doctor of podiatric medicine, a doctor of optometry, or a chiropractor. The hospice medical director or the physician member of the interdisciplinary team must be a licensed doctor of medicine or osteopathy.

4- 5. Counseling services. Counseling services must be provided to the terminally ill individual and the family

members or other persons caring for the individual at home. Counseling, including dietary counseling, may be provided both for the purpose of training the individual's family or other caregiver to provide care, and for the purpose of helping the individual and those caring for him to adjust to the individual's approaching death. Bereavement counseling consists of counseling services provided to the individual's family up to one year after the individual's death. Bereavement counseling is a required hospice service, but it is not reimbursable.

5- 6. Short-term inpatient care. Short-term inpatient care may be provided in a participating hospice inpatient unit, or a participating hospital or nursing facility. General inpatient care may be required for procedures necessary for pain control or acute or chronic symptom management which cannot be provided in other settings. Inpatient care may also be furnished to provide respite for the individual's family or other persons caring for the individual at home.

6- 7. Durable medical equipment and supplies. Durable medical equipment as well as other self-help and personal comfort items related to the palliation or management of the patient's terminal illness is covered. Medical supplies include those that are part of the written plan of care.

7- 8. Drugs and biologicals. Only drugs which are used primarily for the relief of pain and symptom control related to the individual's terminal illness are covered.

8- 9. Home health aide and homemaker services. Home health aides providing services to hospice recipients must meet the qualifications specified for home health aides by 42 CFR 484.36. Home health aides may provide personal care services. Aides may also perform household services to maintain a safe and sanitary environment in areas of the home used by the patient, such as changing the bed or light cleaning and laundering essential to the comfort and cleanliness of the patient. Homemaker services may include assistance in personal care, maintenance of a safe and healthy environment and services to enable the individual to carry out the plan of care. Home health aide and homemaker services must be provided under the general supervision of a registered nurse.

9- 10. Rehabilitation services. Rehabilitation services include physical and occupational therapies and speech-language pathology services that are used for purposes of symptom control or to enable the individual to maintain activities of daily living and basic functional skills.

*a. Occupational therapy services shall be those services furnished a patient which meet all of the following conditions:*

*(1) The services shall be directly and specifically related to an active written treatment plan designed by the physician after any needed consultation with an occupational therapist registered and certified by the American Occupational Therapy Certification Board;*

*(2) The services shall be of a level of complexity and sophistication, or the condition of the patient shall be of a nature, that the services can only be performed by an occupational therapist registered and certified by the American Occupational Therapy Certification Board or an occupational therapy assistant certified by the American Occupational Therapy Certification Board under the direct supervision of an occupational therapist as defined above; and*

*(3) The services shall be specific and provide effective treatment for the patient's condition in accordance with accepted standards of medical practice, including the requirement that the amount, frequency, and duration of the services shall be reasonable.*

*b. Physical therapy services shall be those furnished a patient which meet all of the following conditions:*

*(1) The services shall be directly and specifically related to an active written treatment plan designed by a physician after any needed consultation with a physical therapist licensed by the Board of Medicine;*

*(2) The services shall be of a level of complexity and sophistication, or the condition of the patient shall be of a nature, that the services can only be performed by a physical therapist licensed by the Board of Medicine, or a physical therapy assistant who is licensed by the Board of Medicine and under the direct supervision of a physical therapist licensed by the Board of Medicine; and*

*(3) The services shall be specific and provide effective treatment for the patient's condition in accordance with accepted standards of medical practice, including the requirement that the amount, frequency, and duration of the services shall be reasonable.*

*c. Speech-language pathology services shall be those services furnished a patient which meet all of the following conditions:*

*(1) The services shall be directly and specifically related to an active written treatment plan designed by a physician after any needed consultation with a speech-language pathologist licensed by the Board of Audiology and Speech-Language Pathology;*

*(2) The services shall be of a level of complexity and sophistication, or the condition of the patient shall be of a nature, that the services can only be performed by a speech-language pathologist licensed by the Board of Audiology and Speech-Language Pathology; and*

*(3) The services shall be specific and provide effective treatment for the patient's condition in accordance with accepted standards of medical practice, including the requirement that the amount, frequency, and duration of the services shall be reasonable.*

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11. *Documentation of hospice services must be maintained in the recipient's medical record. Coordination of patient care between all health care professionals should be maintained in the recipient's medical record.*

## **12 VAC 30-80-30. Fee-for-service providers.**

A. Payment for the following services, except for physician services, shall be the lower of the state agency fee schedule (12 VAC 30-80-190 has information about the state agency fee schedule) or actual charge (charge to the general public):

1. Physicians' services (12 VAC 30-80-160 has obstetric/pediatric fees). Payment for physician services shall be the lower of the state agency fee schedule or actual charge (charge to the general public), except that reimbursement rates for designated physician services when performed in hospital outpatient settings shall be 50% of the reimbursement rate established for those services when performed in a physician's office. The following limitations shall apply to emergency physician services.

a. Definitions. The following words and terms, when used in this subdivision 1, shall have the following meanings when applied to emergency services unless the context clearly indicates otherwise:

"All-inclusive" means all emergency service and ancillary service charges claimed in association with the emergency department visit, with the exception of laboratory services.

"DMAS" means the Department of Medical Assistance Services consistent with Chapter 10 (§ 32.1-323 et seq.) of Title 32.1 of the Code of Virginia.

"Emergency physician services" means services that are necessary to prevent the death or serious impairment of the health of the recipient. The threat to the life or health of the recipient necessitates the use of the most accessible hospital available that is equipped to furnish the services.

"Recent injury" means an injury which has occurred less than 72 hours prior to the emergency department visit.

b. Scope. DMAS shall differentiate, as determined by the attending physician's diagnosis, the kinds of care routinely rendered in emergency departments and reimburse physicians for nonemergency care rendered in emergency departments at a reduced rate.

(1) DMAS shall reimburse at a reduced and all-inclusive reimbursement rate for all physician services, including those obstetric and pediatric procedures contained in 12 VAC 30-80-160, rendered in emergency departments which DMAS determines are nonemergency care.

(2) Services determined by the attending physician to be emergencies shall be reimbursed under the existing methodologies and at the existing rates.

(3) Services determined by the attending physician which may be emergencies shall be manually reviewed. If such services meet certain criteria, they shall be paid under the methodology in subdivision 1 b (2) of this subsection. Services not meeting certain criteria shall be paid under the methodology in subdivision 1 b (1) of this subsection. Such criteria shall include, but not be limited to:

(a) The initial treatment following a recent obvious injury.

(b) Treatment related to an injury sustained more than 72 hours prior to the visit with the deterioration of the symptoms to the point of requiring medical treatment for stabilization.

(c) The initial treatment for medical emergencies including indications of severe chest pain, dyspnea, gastrointestinal hemorrhage, spontaneous abortion, loss of consciousness, status epilepticus, or other conditions considered life threatening.

(d) A visit in which the recipient's condition requires immediate hospital admission or the transfer to another facility for further treatment or a visit in which the recipient dies.

(e) Services provided for acute vital sign changes as specified in the provider manual.

(f) Services provided for severe pain when combined with one or more of the other guidelines.

(4) Payment shall be determined based on ICD-9-CM diagnosis codes and necessary supporting documentation.

(5) DMAS shall review on an ongoing basis the effectiveness of this program in achieving its objectives and for its effect on recipients, physicians, and hospitals. Program components may be revised subject to achieving program intent objectives, the accuracy and effectiveness of the ICD-9-CM code designations, and the impact on recipients and providers.

2. Dentists' services.

3. Mental health services including: (i) community mental health services; (ii) services of a licensed clinical psychologist; or (iii) mental health services provided by a physician.

a. Services provided by licensed clinical psychologists shall be reimbursed at 90% of the reimbursement rate for psychiatrists.

b. Services provided by independently enrolled licensed clinical social workers, licensed professional counselors or licensed clinical nurse specialists-psychiatric shall be reimbursed at 75% of the reimbursement rate for licensed clinical psychologists.

4. Podiatry.
5. Nurse-midwife services.
6. Durable medical equipment (DME).
  - a. The rate paid for all items of durable medical equipment except nutritional supplements shall be the lower of the state agency fee schedule that existed prior to July 1, 1996, less 4.5%, or the actual charge.
  - b. The rate paid for nutritional supplements shall be the lower of the state agency fee schedule or the actual charge.
  - c. Certain durable medical equipment used for intravenous therapy and oxygen therapy shall be bundled under specified procedure codes and reimbursed as determined by the agency. Certain services/durable medical equipment such as service maintenance agreements shall be bundled under specified procedure codes and reimbursed as determined by the agency.

(1) Intravenous therapies. The DME for a single therapy, administered in one day, shall be reimbursed at the established service day rate for the bundled durable medical equipment and the standard pharmacy payment, consistent with the ingredient cost as described in 12 VAC 30-80-40, plus the pharmacy service day and dispensing fee. Multiple applications of the same therapy shall be included in one service day rate of reimbursement. Multiple applications of different therapies administered in one day shall be reimbursed for the bundled durable medical equipment service day rate as follows: the most expensive therapy shall be reimbursed at 100% of cost; the second and all subsequent most expensive therapies shall be reimbursed at 50% of cost. Multiple therapies administered in one day shall be reimbursed at the pharmacy service day rate plus 100% of every active therapeutic ingredient in the compound (at the lowest ingredient cost methodology) plus the appropriate pharmacy dispensing fee.

(2) Respiratory therapies. The DME for oxygen therapy shall have supplies or components bundled under a service day rate based on oxygen liter flow rate or blood gas levels. Equipment associated with respiratory therapy may have ancillary components bundled with the main component for reimbursement. The reimbursement shall be a service day per diem rate for rental of equipment or a total amount of purchase for the purchase of equipment. Such respiratory equipment shall include, but not be limited to, oxygen tanks and tubing, ventilators, noncontinuous ventilators, and suction machines. Ventilators, noncontinuous ventilators, and suction machines may be purchased based on the individual patient's medical necessity and length of need.

(3) Service maintenance agreements. Provision shall be made for a combination of services, routine

maintenance, and supplies, to be known as agreements, under a single reimbursement code only for equipment which is recipient owned. Such bundled agreements shall be reimbursed either monthly or in units per year based on the individual agreement between the DME provider and DMAS. Such bundled agreements may apply to, but not necessarily be limited to, either respiratory equipment or apnea monitors.

7. Local health services, including services paid to local school districts.
8. Laboratory services (other than inpatient hospital).
9. Payments to physicians who handle laboratory specimens, but do not perform laboratory analysis (limited to payment for handling).
10. X-Ray services.
11. Optometry services.
12. Medical supplies and equipment.
13. Home health services. Effective June 30, 1991, cost reimbursement for home health services is eliminated. A rate per visit by discipline shall be established as set forth by 12 VAC 30-80-180.
14. Physical therapy; occupational therapy; and speech, hearing, language disorders services when rendered to noninstitutionalized recipients.
15. Clinic services, as defined under 42 CFR 440.90.

B. Hospice services payments must be no lower than the amounts using the same methodology used under Part A of Title XVIII, and adjusted to disregard offsets attributable to Medicare coinsurance amounts take into account the room and board furnished by the facility, equal to at least 95% of the rate that would have been paid by the state under the plan for facility services in that facility for that individual. Hospice services shall be paid according to the location of the service delivery and not the location of the agency's home office.

**PART VII.  
HOSPICE SERVICES.**

**12 VAC 30-130-470. Scope. (Repealed.)**

~~A. Medicaid covers hospice services as defined in 12 VAC 30-130-480 A provided by facilities or agencies certified as hospice providers through Medicare and which have a provider agreement with the Department of Medical Assistance Services.~~

~~B. Hospice services may be provided in a variety of settings including the terminally ill individual's home, a freestanding hospice, hospital, or nursing facility; however, reimbursement for hospice services will only be made to the certified hospice provider.~~

**12 VAC 30-130-480. Covered hospice services. (Repealed.)**

~~A. "Hospice" means a medically directed, interdisciplinary program of palliative services for terminally ill people and their~~

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families, emphasizing pain and symptom control provided by a team of professionals including physicians, nurses, counselors, social workers, therapists, aides and volunteers. Hospice is primarily a concept of care, rather than a specific place, with the majority of hospice services being delivered in the home with inpatient care available as needed.

B. "Terminally ill" means an individual has a medical prognosis that his or her life expectancy is six months or less. This prognosis must be certified by written statements signed by the medical director of the hospice or the physician member of the hospice interdisciplinary group and the individual's attending physician.

C. As required under Medicare and applicable to Medicaid, the hospice itself must provide the "core" services applicable for the terminal illness which are nursing care, physician services, social work, and counseling (bereavement, dietary, and spiritual). However, the hospice may use contracted staff if necessary to supplement hospice employees in order to meet the needs of patients during periods of peak patient loads or under extraordinary circumstances. If contracting is used, the hospice shall maintain professional, financial, and administrative responsibility for the services.

Other services applicable to the terminal illness that must be available but are not considered "core" services are drugs and biologicals, home health aide and homemaker services, inpatient care, medical supplies, and occupational and physical therapies and speech language pathology services. These other services may be arranged, such as by contractual agreement, or provided directly by the hospice.

D. As described for Medicare and applicable to Medicaid, hospice services shall include the following four categories of daily care: routine home care, continuous home care, inpatient respite care, and general inpatient care.

## **12 VAC 30-130-490. Admission criteria for covered services. (Repealed.)**

A. To be eligible for hospice care under Medicaid, an individual must be certified as terminally ill. An individual is considered to be terminally ill if he has a medical prognosis that his life expectancy is six months or less. In addition, the individual must have knowledge of the illness and life expectancy and elect to receive hospice services rather than active treatment for the illness. Both the attending physician if the individual has an attending physician and the hospice medical director must certify the life expectancy.

B. The hospice must obtain the certification that an individual is terminally ill in accordance with the following procedures:

1. For the first 90-day period of hospice coverage, the hospice must obtain, within two calendar days after the period begins, a written certification statement signed by the medical director of the hospice or the physician member of the hospice interdisciplinary group and the individual's attending physician if the individual has an attending physician. For the initial 90-day period, if the hospice cannot obtain written certifications within two calendar days, it must obtain oral certifications within two

calendar days, and written certifications no later than eight calendar days after the period begins.

2. For any subsequent 90-day or 30-day period or a subsequent extension period during the individual's lifetime, the hospice must obtain, no later than two calendar days after the beginning of that period, a written certification statement prepared by the medical director of the hospice or the physician member of the hospice's interdisciplinary group. The certification must include the statement that the individual's medical prognosis is that his life expectancy is six months or less and the signature or signatures of the physician or physicians. The hospice must maintain the certification statements.

3. An election to receive hospice care shall be considered to continue through the initial election period and through the subsequent election periods without a break in care as long as the individual remains in the care of a hospice and does not revoke the election. An election period means one of three periods, plus a subsequent extension period during the individual's lifetime, for which an individual may elect to receive coverage of hospice care. The periods consist of two 90-day periods, one 30-day period, and a subsequent extension period during the individual's lifetime. An election to receive hospice care may be made by an individual's representative who is acting pursuant to state law. An individual or representative may designate an effective date for the election period that begins with the first day of hospice care or any subsequent day of hospice care but may not designate an effective date than is earlier than the date that the election is made.

For purposes of the Medicaid hospice benefit, a nursing facility may be considered the residence of a recipient. An addition to hospice reimbursement is made in this situation to take the room and board provided by the facility into account. The hospice shall reimburse the nursing facility for these services.

4. The election statement must include (i) identification of the hospice that will provide care to the individual; (ii) the individual's or representative's acknowledgement that he has been given a full understanding of the palliative rather than curative nature of hospice care as it relates to the individual's terminal illness; (iii) acknowledgement that certain Medicaid services are waived by the election; (iv) the effective date of the election, and (v) the signature of the individual or representative.

## **12 VAC 30-130-500. Authorization for services. (Repealed.)**

A. Hospice services shall be authorized by DMAS and certification shall be made by the physician that the individual is terminally ill and that hospice services are reasonable and necessary for the palliation or management of the terminal illness and related conditions. Within fourteen days of the date of the initial physician certification, the hospice must request authorization from DMAS for accepting the terminally ill individual. This request shall include a description of the individual's diagnoses and a physician's certification that the individual meets criteria for hospice care.

~~B. DMAS shall make a determination as to the appropriateness of Medicaid payment for the individual's first 90 days of care. Periods of hospice care not authorized by DMAS shall not be approved for payment. The initial date of authorization of services shall not be made retroactive prior to the date of the request for hospice services.~~

**12 VAC 30-130-510. Documentation—requirements. (Repealed.)**

~~A. Documentation of hospice services shall, at a minimum:~~

- ~~1. Describe the clinical signs and symptoms of the patient's terminal illness;~~
- ~~2. Document an accurate and complete chronological picture of the patient's clinical course and treatments;~~
- ~~3. Document that a multidisciplinary plan of care specifically designed for the patient has been developed;~~
- ~~4. Document all treatment rendered to the patient in accordance with the plan with specific attention to frequency, duration, modality, response, and identify who provided care (include full name and title);~~
- ~~5. Document changes in each patient's condition; and~~
- ~~6. Identify the category of care as described in 12 VAC 30-130-520 A.~~

~~B. Services not specifically documented in the patient's medical record as having been rendered shall be deemed not to have been rendered and no coverage shall be provided.~~

**12 VAC 30-130-520. Categories of care. (Repealed.)**

~~A. As described for Medicare and applicable to Medicaid, hospice services entail the following four categories of daily care:~~

- ~~1. Routine home care is at home care that is not continuous.~~
- ~~2. Continuous home care consists of at home care that is predominantly nursing care and is provided as short term crisis care. A registered nurse or licensed practical nurse must provide care for more than half of the period of care. Home health aide or homemaker services may be provided in addition to nursing care. A minimum of eight hours of care per day must be provided to qualify as continuous home care.~~
- ~~3. Inpatient respite care is short-term inpatient care provided in an approved facility (freestanding hospice, hospital, or nursing facility) to relieve the primary caregiver(s) providing at home care for the recipient. No more than five consecutive days of respite care will be allowed.~~
- ~~4. General inpatient care may be provided in an approved freestanding hospice, hospital, or nursing facility. This care is usually for pain control or acute or chronic symptom management which cannot be successfully treated in another setting.~~

~~B. For all services pertaining to terminal illness, the hospice has the responsibility for providing or arranging the services.~~

~~Utilization review shall be performed to determine if services were provided by the appropriate provider and to ensure that the services provided to Medicaid recipients are medically necessary and appropriate.~~

**12 VAC 30-130-530. Hospice services to terminally ill patients. (Repealed.)**

~~A. As required under Medicare and applicable to Medicaid, the hospice itself must provide all of the "core" services applicable for the terminal illness which are nursing care, physician services, social work, and counseling (bereavement, dietary, and spiritual).~~

~~The "core" services must be provided routinely and directly by hospice employees. Supplemental services may be contracted for to meet unusual staffing needs that cannot be anticipated and that occur so infrequently that it would not be practical to hire additional staff to fill these needs. Hospices may also contract to obtain physician specialty services. If contracting is used for any services, the hospice must maintain professional, financial and administrative responsibility for the services and must assure that all staff meet the regulatory qualification requirements.~~

~~Other services applicable for the terminal illness that must be available but are not considered "core" services are drugs and biologicals, home health aide and homemaker services, inpatient care, medical supplies, and occupational, physical and speech therapies.~~

~~These other services may be arranged, such as by contractual agreement, or provided directly by the hospice.~~

~~B. To be covered, a certification that the individual is terminally ill must have been completed and hospice services must be reasonable and necessary for the palliation or management of the terminal illness and related conditions. The individual must elect hospice care and a multidisciplinary plan of care must be established before services are provided. To be covered, services must be consistent with the plan of care designed by a physician after any needed consultation with other hospice team members.~~

~~C. All services must be performed by appropriately qualified personnel, but it is the nature of the service, rather than the qualification of the person who provides it, that determines the coverage category of the service. The following services are covered hospice services:~~

- ~~1. Nursing care. Nursing care must be provided by a registered nurse or by a licensed practical nurse under the supervision of a graduate of an approved school of professional nursing and who is licensed as a registered nurse.~~
- ~~2. Home health aide and homemaker services. Home health aides providing services to hospice recipients must meet the qualifications specified for home health aides by 42 CFR 484.36. Home health aides may provide personal care services. Aides may also perform household services to maintain a safe and sanitary environment in areas of the home used by the patient, such as changing the bed or light cleaning and laundering essential to the comfort and cleanliness of the patient. Homemaker services may include assistance in~~

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personal care, maintenance of a safe and healthy environment and services to enable the individual to carry out the plan of care. Home health aide and homemaker services must be provided under the general supervision of a registered nurse.

3. ~~Medical social services.~~ Medical social services must be provided by a social worker who has at least a bachelor's degree from a school accredited or approved by the Council on Social Work Education, and who is working under the direction of a physician.

4. ~~Physician services.~~ Physician services must be performed by a professional who is legally authorized to practice, who is acting within the scope of his or her license, and who is a doctor of medicine or osteopathy, a doctor of dental surgery or dental medicine, a doctor of podiatric medicine, a doctor of optometry, or a chiropractor. The hospice medical director or the physician member of the interdisciplinary team must be a licensed doctor of medicine or osteopathy.

Attending physician means a physician who is a doctor of medicine or osteopathy and is identified by the individual, at the time he or she elects to receive hospice care, as having the most significant role in the determination and delivery of the individual's medical care.

5. ~~Counseling services.~~ Counseling services must be provided to the terminally ill individual and the family members or other persons caring for the individual at home. Counseling, including dietary counseling, may be provided both for the purpose of training the individual's family or other caregiver to provide care, and for the purpose of helping the individual and those caring for him or her to adjust to the individual's approaching death.

Bereavement counseling consists of counseling services provided to the individual's family up to one year after the individual's death. "Family" includes family members or other persons caring for the individual at home. Bereavement counseling is a required hospice service, but it is not reimbursable.

6. ~~Short-term inpatient care.~~ Short-term inpatient care may be provided in a participating hospice inpatient unit, or a participating hospital or nursing facility. General inpatient care may be required for procedures necessary for pain control or acute or chronic symptom management which cannot be provided in other settings.

Inpatient care may also be furnished to provide respite for the individual's family or other persons caring for the individual at home. Respite care means short-term inpatient care provided in an approved facility (freestanding hospice, hospital, or nursing facility) to relieve the primary caregiver or caregivers providing at-home care for the recipient. No more than 5 consecutive days will be allowed.

Hospice patients are exempted from the preadmission screening requirements. However, the above criteria must be met for inpatient hospital stays.

7. ~~Durable medical equipment and supplies.~~ Durable medical equipment as well as other self-help and

personal comfort items related to the palliation or management of the patient's terminal illness are covered. Medical supplies include those supplies that are part of the written plan of care.

8. ~~Drugs and biologicals.~~ Only drugs used which are used primarily for the relief of pain and symptom control related to the individual's terminal illness are covered.

9. ~~Rehabilitation services.~~ Rehabilitation services include physical and occupational therapies and speech-language pathology services that are used for purposes of symptom control or to enable the individual to maintain activities of daily living and basic functional skills.

a. ~~Occupational therapy services shall be those services furnished a patient which meet all of the following conditions:~~

(1) ~~The services shall be directly and specifically related to an active written treatment plan designed by the physician after any needed consultation with an occupational therapist registered and certified by the American Occupational Therapy Certification Board;~~

(2) ~~The services shall be of a level of complexity and sophistication, or the condition of the patient shall be of a nature, that the services can only be performed by an occupational therapist registered and certified by the American Occupational Therapy Certification Board or an occupational therapy assistant certified by the American Occupational Therapy Board under the direct supervision of an occupational therapist as defined above;~~

(3) ~~The services shall be specific and provide effective treatment for the patient's condition in accordance with accepted standards of medical practice; this includes the requirement that the amount, frequency, and duration of the services shall be reasonable.~~

b. ~~Physical therapy services shall be those furnished a patient which meet all of the following conditions:~~

(1) ~~The services shall be directly and specifically related to an active written treatment plan designed by a physician after any needed consultation with a physical therapist licensed by the Board of Medicine;~~

(2) ~~The services shall be of a level of complexity and sophistication, or the condition of the patient shall be of a nature that the services can only be performed by a physical therapist licensed by the Board of Medicine, or a physical therapy assistant who is licensed by the Board of Medicine and under the direct supervision of a physical therapist licensed by the Board of Medicine; and~~

(3) ~~The services shall be specific and provide effective treatment for the patient's condition in accordance with accepted standards of medical practice; this includes the requirement that the~~



amount, frequency, and duration of the services shall be reasonable.

~~c. Speech language pathology services shall be those services furnished a patient which meet all of the following conditions:~~

~~(1) The services shall be directly and specifically related to an active written treatment plan designed by a physician after any needed consultation with a speech language pathologist licensed by the Board of Audiology and Speech Language Pathology;~~

~~(2) The services shall be of a level of complexity and sophistication, or the condition of the patient shall be of a nature that the services can only be performed by a speech language pathologist licensed by the Board of Audiology and Speech Language Pathology; and~~

~~(3) The services shall be specific and provide effective treatment for the patient's condition in accordance with accepted standards of medical practice; this includes the requirement that the amount, frequency, and duration of the services shall be reasonable.~~

**NOTICE:** The forms used in administering 12 VAC 30-60-10 et seq. are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORMS (12 VAC 30-60)

Certificate of Medical Necessity - Durable Medical Equipment and Supplies, DMAS 352, ~~revised Aug. 1995~~ (rev. 8/95).

*Request for Hospice Benefits, [ ~~DMAS 420~~ DMAS 420 ]* (rev. 1/99).

VIRGINIA DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Request for Hospice Benefits

NAME: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

MEDICAID NUMBER: \_\_\_\_\_ (12 digits) MEDICARE NUMBER: \_\_\_\_\_

OTHER INSURANCE: \_\_\_\_\_ POLICY NO: \_\_\_\_\_

**SECTION I: ELECTION OF HOSPICE BENEFITS**

I, \_\_\_\_\_, elect to participate in the Medicaid Hospice Benefit.

The hospice I have chosen is: \_\_\_\_\_

I am aware of the prognosis of my illness and I understand that treatment is palliative rather than curative. I consent to the management of the symptoms of my disease as prescribed by my Attending Physician and/or the Hospice Medical Director. My family and I will help to develop and will participate in a plan of care based on our special needs.

I may receive benefits which include home nursing visits, counseling, medical social work services, drugs and biologicals, and medical supplies and equipment. If needed, I may also receive home health aides/homemakers, physical therapy, occupational therapy, speech/language pathology, in-patient care for acute symptoms, medical procedures ordered by my physician and hospice, and continuous nursing care in the home in acute medical crises. I may request volunteer services, when available and when appropriate. I realize that my family and I have the opportunity for limited respite or relief care in an approved inpatient facility.

In accepting these services, which are more comprehensive than regular Medicaid benefits, I waive my right to regular Medicaid services that are duplicative of services required to be provided by the Hospice except for payment to my attending physician or treatment for medical conditions unrelated to my terminal illness. I understand that I can revoke this benefit at any time and return to regular Medicaid benefits. I understand that the Hospice Benefit consists of benefit periods — two ninety-day periods, subsequent sixty-day periods extending until I am no longer in the hospice benefit. I may be responsible for hospice charges if I become ineligible for Medicaid services.

I understand that at the end of either the first ninety-day period or the second, because of an improvement in my condition, I may choose to save the remainder of the benefit period(s). I may revoke the Hospice Benefit at that time. I also understand that should I choose to do so, I am still eligible to receive the remaining benefit period(s); I am aware, however, that if I choose to revoke Hospice Benefits during a benefit period, I am not entitled to coverage for the remaining days of that benefit period.

I understand that if I choose to do so, once during each election period I may change the designation of the particular hospice from which hospice care will be received by filing a statement with the hospice from which care has been received and with the newly designated hospice. I understand that a change of hospice providers is not a revocation of the remainder of that election period.

I understand that, unless I revoke the Hospice Benefit, hospice coverage will continue.

I understand that if I am a Medicare recipient, I must elect to use the Medicare Hospice Benefit.

Check one:

\_\_\_\_ I am a Medicare recipient and have elected to use the Medicare Hospice Benefit. My Medicare eligibility for hospice benefits begins \_\_\_\_\_ (date).

\_\_\_\_ I am not a Medicare recipient.

\_\_\_\_\_  
Witness' signature

\_\_\_\_\_  
Medicaid Hospice Recipient's Signature or Legal Rep.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Medicaid Hospice Recipient  
(typed or printed)

\_\_\_\_\_  
Date

VIRGINIA DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Request for Hospice Benefits

SECTION II: HOSPICE PROVIDER INFORMATION

HOSPICE PROVIDER: \_\_\_\_\_

HOSPICE ADDRESS: \_\_\_\_\_  
 \_\_\_\_\_

MEDICAID PROVIDER NUMBER: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

FACILITY CONTACT PERSON: \_\_\_\_\_  
 Name/Title

SECTION III: PHYSICIAN CERTIFICATION/RE-CERTIFICATION

PATIENT'S NAME: \_\_\_\_\_

I certify that, in my best medical judgment, the reasonable, medically predictable life expectancy for this patient is 6 months or less. Based on this medical prognosis I am requesting Medicaid Hospice Benefits for this recipient beginning \_\_\_\_\_ (date). I understand that unless the recipient revokes Hospice Benefits, hospice services will continue as long as recipient remains eligible for Medicaid.

\_\_\_\_\_  
 Attending Physician's Signature/Date

\_\_\_\_\_  
 Medical Director's Signature/Date

\_\_\_\_\_  
 Attending Physician (typed or printed)

\_\_\_\_\_  
 Medical Director (typed or printed)

Having reviewed this patient's care and course of illness, I certify that in my best medical judgment this patient remains appropriate for hospice care.

Second Benefit Period (90 days) \_\_\_\_\_  
 Hospice Medical Director or Attending/Date

Sixty-day Extension \_\_\_\_\_  
 Hospice Medical Director or Attending/Date

Sixty-day Extension \_\_\_\_\_  
 Hospice Medical Director or Attending/Date

SECTION IV: NOTICE OF TERMINATION OF HOSPICE BENEFITS

Hospice benefits for \_\_\_\_\_ (recipient) are hereby terminated effective \_\_\_\_\_, 19\_\_\_\_\_, for the following reason. Discharge Summary is attached.

\_\_\_\_\_  
 Recipient is deceased. Date of death is \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
 Other (Please clarify) \_\_\_\_\_

SECTION V: DMAS OFFICE USE ONLY

COMMENTS:  
 (Staff Signature/Date)

Approved \_\_\_\_\_, effective \_\_\_\_\_ / \_\_\_\_\_

Denied \_\_\_\_\_ Days Denied \_\_\_\_\_

Pending \_\_\_\_\_

DMAS-420, Revised 1/99

# Final Regulations

SECTION III: PHYSICIAN CERTIFICATION/RE-CERTIFICATION (CONTINUED)  
(This form may be copied for continued use)

PATIENT'S NAME: \_\_\_\_\_  
MEDICAID #: \_\_\_\_\_

Having reviewed this patient's care and course of illness, I certify that in my best medical judgment this patient remains appropriate for hospice care.

Subsequent 60 day period \_\_\_\_\_  
Attending Physician/Hospice Medical Director  
\_\_\_\_\_  
Date

Subsequent 60 day period \_\_\_\_\_  
Attending Physician/Hospice Medical Director  
\_\_\_\_\_  
Date

Subsequent 60 day period \_\_\_\_\_  
Attending Physician/Hospice Medical Director  
\_\_\_\_\_  
Date

Subsequent 60 day period \_\_\_\_\_  
Attending Physician/Hospice Medical Director  
\_\_\_\_\_  
Date

Subsequent 60 day period \_\_\_\_\_  
Attending Physician/Hospice Medical Director  
\_\_\_\_\_  
Date

Subsequent 60 day period \_\_\_\_\_  
Attending Physician/Hospice Medical Director  
\_\_\_\_\_  
Date

VA.R. Doc. No. R99-89; Filed November 16, 1999, 11:16 a.m.

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# GENERAL NOTICES/ERRATA

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## STATE CORPORATION COMMISSION

### Bureau of Insurance

Administrative Letter 1999-13

**TO: All insurers licensed to write Accident and Sickness Insurance in Virginia, all Health Services Plans, and all Health Maintenance Organizations Authorized to do Business in Virginia.**

**RE: Sections 38.2-3412.1:01 F (iii) and 38.2-3432.2 A 2 of the Code of Virginia**

The 1999 Virginia General Assembly adopted Senate Bill 430, which provided for "parity" in mental health coverage with respect to coverage for biologically based mental illness. The provisions of Senate Bill 430, which created a new § 38.2-3412.1:01 and amended §§ 38.2-3412.1 and 38.2-4319, have an effective date of January 1, 2000.

The Bureau of Insurance has been approached by several health insurance carriers who have asked us to advise them if a conflict exists between new § 38.2-3412.1:01 F (iii) and existing § 38.2-3432.2 A 2. Section 38.2-3432.2 A 2 provides:

*All products that are approved for sale in the small group market that the health insurance issuer is actively marketing must be offered to all small employers, and the health insurance issuer must accept any employer that applies for any of those products.*

The above provision is commonly referred to as the "all products guarantee." The term "Small employer" is defined in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Code of Virginia as one with two to 50 employees.

New § 38.2-3412.1:01 F (iii) states, in part:

*The provisions of this section shall not apply to . . . (iii) policies, contracts, or plans issued in the individual market or small group markets to employers with 25 or fewer employees, . . .*

The issue, then, is whether the new requirement that exempts groups with 25 or fewer employees from the new mental health mandate conflicts with the "all products guarantee" for groups of two or more found in § 38.2-3432.2 A 2.

As § 38.2-3432.2 A 2 was taken directly from HIPAA, the Bureau of Insurance sought an opinion from the Health Care Financing Administration (HCFA) as to whether or not they believe that a conflict exists, whether Virginia's new law would be pre-empted by HIPAA, and what the consequences of such a conflict or pre-emption might be.

HCFA has recently responded to the Bureau's inquiry, and has indicated that § 38.2-3412.1:01 F (iii) does conflict with federal law. The language contained in § 38.2-3412.1:01 F (iii) cannot supersede the "all products guarantee" created by federal law and enacted into Virginia law through § 38.2-3432.2 A 2. Once products covering biologically based

illnesses exist in the small group market in Virginia, federal law requires that these products be offered to all "small employers" in that market as defined in § 2791(e)(4) of the PHS Act (42 USC § 300gg 91(e)(4)).

It was also noted by HCFA, however, that § 38.2-3412.1:01 F (iii) is not pre-empted by federal law because while the Code of Virginia does not require that the policies covering biologically based mental illness be made available to employers with 25 or fewer employees, neither does it prohibit selling such policies to those employers. Federal law provides that requirements such as the "all products guarantee" found in HIPAA "...shall not be construed to supersede any provision of State law which establishes, implements or continues in effect any standard or requirement solely relating to health insurance issuers in connection with group health insurance coverage except to the extent that such standard or requirement prevents the application of..." the requirement (§ 2723(a)(1) of the PHS Act). A state law is only pre-empted if it mandates an act that violates a requirement established by Title XXVII of the PHS Act. A state law provision that neither requires nor prohibits such an act is not pre-empted. With respect to §§ 38.2-3412.1:01 F (iii) and 38.2-3432.2 A 2, an issuer can comply with both state and federal law if it offers the coverage for biologically based mental illness to all small employers, including those with 25 or fewer employees.

The same logic would appear to apply to the conflict between § 38.2-3432.2 A 2 and § 38.2-3412.1:01 F (iii). While the new law would permit an issuer to provide the coverage only to groups larger than 25, doing so would violate the "all products guarantee" in § 38.2-3432.2 A 2.

Therefore, unless and until clarifying legislation is adopted by the Virginia General Assembly, the Bureau of Insurance recommends that issuers provide the coverage for biologically based mental illness to **ALL small employers** as that term is defined in federal law and in Virginia law, **i.e., employers of two to 50 employees**, in order to avoid being found in violation of § 38.2-3432.2 A 2 at the state level or the corresponding requirement under HIPAA at the federal level.

Questions relating to this matter should be referred to Robert L. Wright, III, Principal Insurance Analyst, Bureau of Insurance, Life and Health Division, State Corporation Commission, Post Office Box 1157, Richmond, VA 23218, (804-371-9074).

/s Alfred W. Gross  
Commissioner of Insurance

## STATE WATER CONTROL BOARD

### Proposed Consent Special Order Leesburg Iron and Metal, Inc. Auto Recyclers of Leesburg

The State Water Board (board) proposes to issue a Consent Special Order (order) to Leesburg Iron & Metal, Inc. Auto Recyclers of Leesburg (permittee) regarding Leesburg Iron & Metal, Inc. (facility) located in Loudon County, Virginia.

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## General Notices/Errata

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Leesburg Iron & Metal, Inc. is subject to VPDES Nonmetallic Mineral Mining General Permit No. VAG846012. The order requires that the permittee eliminate the discharge from the quarry pit and backfill the pit with fill dirt October 30, 2000. In addition, the permittee must continue quarterly effluent monitoring and submit quarterly Discharge Monitoring Reports (DMRs) until such time as the permittee eliminates the discharge from the quarry pit but in no event later than October 30, 2000.

On behalf of the board, the Department of Environmental Quality's Northern Virginia Regional Office will receive written comments relating to the order through January 5, 2000. Please address comments to Susan A. Oakes, Northern Virginia Regional Office, Department of Environmental Quality, 13901 Crown Court, Woodbridge, Virginia 22193. Please write or visit the Woodbridge address, or call (703) 583-3863 in order to examine or to obtain a copy of the order.

### VIRGINIA CODE COMMISSION

#### Notice to State Agencies

**Mailing Address:** Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219. You may FAX in your notice; however, we ask that you FAX two copies and do not follow up with a mailed copy. Our FAX number is: (804) 692-0625.

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

All agencies are required to use the appropriate forms when furnishing material for publication in *The Virginia Register of Regulations*. The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

**Internet:** Forms and other *Virginia Register* resources may be printed or downloaded from the *Virginia Register* web page: <http://legis.state.va.us/codecomm/register/regindex.htm>

#### FORMS:



NOTICE of INTENDED REGULATORY ACTION - RR01  
NOTICE of COMMENT PERIOD - RR02  
PROPOSED (Transmittal Sheet) - RR03  
FINAL (Transmittal Sheet) - RR04  
EMERGENCY (Transmittal Sheet) - RR05  
NOTICE of MEETING - RR06  
AGENCY RESPONSE TO LEGISLATIVE OBJECTIONS  
- RR08

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# CALENDAR OF EVENTS


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## Symbol Key

-  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

### BOARD OF ACCOUNTANCY

**December 13, 1999 - 10 a.m.** -- Open Meeting


**December 20, 1999 - 10 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 W. Broad Street, Conference Room 5W, Richmond, Virginia 

A meeting to review comments received from the Notices of Intended Regulatory Action (NOIRA), adopt proposed regulations for public comment, and consider and decide any issues pertinent to the implementation of the emergency regulations which became effective on October 4, 1999.

**Contact:** David E. Dick, Assistant Director, Board of Accountancy, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail [accountancy@dpor.state.va.us](mailto:accountancy@dpor.state.va.us), homepage <http://www.state.va.us/dpor>.

**January 24, 2000 - 10 a.m.** -- Open Meeting


Department of Professional and Occupational Regulation, 3600 W. Broad Street, Conference Room 5W, Richmond, Virginia 

A regular meeting. A public comment period will be held at the beginning of the meeting.

**Contact:** David E. Dick, Assistant Director, Board of Accountancy, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail [accountancy@dpor.state.va.us](mailto:accountancy@dpor.state.va.us), homepage <http://www.state.va.us/dpor>.

### COMMONWEALTH COUNCIL ON AGING

**December 9, 1999 - 10 a.m.** -- Open Meeting


Virginia Department for the Aging, 1600 Forest Avenue, Suite 102, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting.

**Contact:** Marsha Mucha, Administrative Staff Assistant, Commonwealth Council on Aging, 1600 Forest Avenue, Suite 102, Richmond, VA 23229, telephone (804) 662-9312.

### BOARD OF AGRICULTURE AND CONSUMER SERVICES

**December 9, 1999 - 9 a.m.** -- Open Meeting

Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, 2nd Floor Board Room, Richmond, Virginia. 

A regular meeting to discuss issues related to Virginia agriculture and consumer services. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Roy Seward at least five days before the meeting date so that suitable arrangements can be made for any appropriate accommodation.

**Contact:** Roy E. Seward, Board Secretary, Board of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Room 211, Richmond, VA 23219, telephone (804) 786-3539, FAX (804) 371-7679.

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# Calendar of Events

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## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

### Virginia Charity Food Assistance Advisory Board

**January 6, 2000 - 10 a.m.** -- Open Meeting  
Washington Building, 1100 Bank Street, 2nd Floor Board Room, Richmond, Virginia ☎

A regular meeting to discuss issues related to food insecurity. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Steven W. Thomas at least five days before the meeting date so that suitable arrangements can be made for any appropriate accommodation.

**Contact:** Steven W. Thomas, Executive Director, Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Room 809, Richmond, VA 23219, telephone (804) 786-3936, FAX (804) 371-7788.

### Virginia Corn Board

**December 16, 1999 - 9 a.m.** -- Open Meeting  
Wallace Manor, 3821 North Courthouse Road, Providence Forge, Virginia ☎

A meeting to hear and approve previous meeting minutes and review checkoff revenues and the financial status resulting from sales of the 1999 corn crop. Reports will be heard from the chairman, U.S. Grains Council, National Corn Growers Association and other committee representatives. In addition, the nomination and election of 2000 officers will take place at this meeting. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made for any appropriate accommodation.

**Contact:** Philip T. Hickman, Program Director, Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Room 1005, Richmond, VA 23219, telephone (804) 371-6157, FAX (804) 371-7786.

### Virginia Soybean Board

**December 8, 1999 - 3 p.m.** -- Open Meeting  
The Williamsburg Hospitality House, 415 Richmond Road, Williamsburg, Virginia ☎

A meeting to discuss checkoff revenues resulting from the sales of the 1999 Virginia soybean crop and to approve previous meeting minutes. Dry growing conditions coupled with low prices will be a major topic of discussion. In addition, reports will be heard from the chairman, United Soybean Board representatives, and

other committee representatives. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made for any appropriate accommodation.

**Contact:** Philip T. Hickman, Program Director, Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Room 1005, Richmond, VA 23219, telephone (804) 371-6157, FAX (804) 371-7786.

## STATE AIR POLLUTION CONTROL 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 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 ☎

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**January 4, 2000 - 9 a.m.** -- Public Hearing  
Main Street Centre, 600 East Main Street, Lower Level Conference Room, Richmond, Virginia.

**January 24, 2000** - 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 (Rev. S97): 9 VAC 5-20-10 et seq. General Provisions and 9 VAC 5-40-10 et seq. Existing Stationary Sources.** The proposed regulation applies to hospital/medical/infectious waste incinerators (HMIWIs), and includes emission limits for particulate matter, carbon monoxide, dioxins/furans, hydrogen chloride, sulfur dioxide, nitrogen oxides, lead, cadmium, and mercury. Special HMIWI operator training and qualification requirements are included in order to assure proper facility operation and compliance with the emissions limitations; sources are also required to prepare overall waste management plans. Compliance, emissions testing, and monitoring requirements are delineated, as well as recordkeeping and reporting of such test results. Finally, specific compliance schedules are provided.

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

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# Calendar of Events

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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., January 24, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

**Contact:** Karen G. Sabasteanski, Policy Analyst, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4426, FAX (804) 698-4510, toll-free 1-800-592-5482 or (804) 698-4021/TTY ☎

## ALCOHOLIC BEVERAGE CONTROL BOARD

**December 13, 1999 - 9:30 a.m.** -- Open Meeting  
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. ♿

A meeting to receive reports from staff members, discuss activities, and discuss other matters not yet determined.

**Contact:** W. Curtis Coleburn, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., P.O. Box 27491, Richmond, VA 23261, telephone (804) 213-4409 or FAX (804) 213-4442.

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

**December 17, 1999 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad St., Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to conduct business of the full board. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at (804) 367-8514 at least 10 days prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

**Contact:** Mark N. Courtney, Assistant Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Department of Professional and Occupational Regulation, 3600 West Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [apelsla@dpor.state.va.us](mailto:apelsla@dpor.state.va.us), homepage <http://www.state.va.us/dpor>.

## Certified Interior Designers Section

**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 regular meeting to conduct section business. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at (804) 367-8514 at least 10 days prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

**Contact:** Mark N. Courtney, Assistant Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [apelsla@dpor.state.va.us](mailto:apelsla@dpor.state.va.us), homepage <http://www.state.va.us/dpor>.

## VIRGINIA BOARD FOR ASBESTOS AND LEAD

**March 7, 2000 - 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. A public comment period will be held at the beginning of the meeting.

**Contact:** David E. Dick, Assistant Director, Virginia Board for Asbestos and Lead, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail asbestos@dpor.state.va.us.

## ASSISTIVE TECHNOLOGY LOAN FUND AUTHORITY

**January 20, 2000 - 10 a.m.** -- Open Meeting  
**February 17, 2000 - 10 a.m.** -- Open Meeting  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly meeting of the Board of Directors to review applications for guaranteed loans. Public comment is invited. The board will meet in closed session to review loan applications in order to protect the personal information of the applicants.

**Contact:** Gail Stubbs, Assistive Technology Loan Fund Authority, 8004 Franklin Farms Drive, Richmond, Virginia 23228, telephone (804) 662-7331, FAX (804) 662-9533, (804) 662-7331/TTY ☎, e-mail loanfund@erols.com, homepage <http://www.cns.state.va.us/atfa>.

## COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND THEIR FAMILIES

### State Executive Council

**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.

## VIRGINIA AVIATION BOARD

**December 14, 1999 - 3 p.m.** -- Open Meeting  
Richmond Marriott, 500 East Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A workshop for the board. No formal actions will be taken. Individuals with disabilities should contact Tony Williams at least 10 days prior to the meeting if assistance is needed.

**Contact:** Tony Williams, Department of Aviation, 5702 Gulfstream Road, Richmond International Airport, VA 23250-2422, telephone (804) 236-3632 or (804) 236-3624/TTY ☎

**December 15, 1999 - 9 a.m.** -- Open Meeting  
Richmond Marriott, 500 East Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular bimonthly meeting of the board. Applications for state funding will be presented to the board and other matters of interest to the Virginia aviation community will be discussed. Individuals with disabilities should contact Tony Williams at least 10 days prior to the meeting if assistance is needed.

**Contact:** Tony Williams, Department of Aviation, 5702 Gulfstream Road, Richmond International Airport, VA 23250-2422, telephone (804) 236-3632 or (804) 236-3624/TTY ☎

## BOARD FOR BRANCH PILOTS

**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 meet to conduct examinations.

**Contact:** Mark N. Courtney, Assistant Director, Board for Branch Pilots, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail apelsla@dpor.state.va.us, homepage <http://www.state.va.us/dpor>.

**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 interpretive services should contact the department at (804) 367-8514 at least 10 days prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

**Contact:** Mark N. Courtney, Assistant Director, Board for Branch Pilots, Department of Professional and Occupational Regulation, 3600 West Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475, (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

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# Calendar of Events

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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 ☎

**January 19, 2000 - 9:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A regular business meeting.

**Contact:** Eric L. Olson, Regulatory Boards Administrator, Cemetery Board, 3600 W. Broad St., Richmond, Virginia 23230, telephone (804) 367-2039, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [olson@dpor.state.va.us](mailto:olson@dpor.state.va.us), homepage <http://www.state.va.us/dpor>.

**January 20, 2000 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A regular meeting of the Delivery Committee to develop a working definition of the delivery of cemetery items.

**Contact:** Eric L. Olson, Regulatory Boards Administrator, Cemetery Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2039, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [olson@dpor.state.va.us](mailto:olson@dpor.state.va.us), homepage <http://www.state.va.us/dpor>.

## CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

**December 13, 1999 - 10 a.m.** -- Open Meeting  
Chesapeake Bay Local Assistance Department, James Monroe Building, 101 N. 14th St., 17th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to conduct general business and review local Chesapeake Bay Preservation Area programs. Public comment will be taken during the meeting. A tentative agenda is available from the Chesapeake Bay Local Assistance Department.

**Contact:** Carolyn J. Elliott, Executive Secretary, Chesapeake Bay Local Assistance Board, Chesapeake Bay Local Assistance Department, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447, toll-free (800) 243-7229, (800) 243-7229/TTY ☎, e-mail [celliott@cblad.state.va.us](mailto:celliott@cblad.state.va.us), homepage <http://www.state.va.us/cblad/homepg.htm>.

## COMPENSATION BOARD

**December 21, 1999 - 11 a.m.** -- Open Meeting  
Compensation Board, Ninth Street Office Building, 202 N. 9th Street, 10th Floor, Richmond, Virginia. ♿

A monthly board meeting.

**Contact:** Cindy Waddell, Administrative Assistant, Compensation Board, 202 N. 9th Street, 10th Floor, Richmond, VA 23219, telephone (804) 786-0786, FAX (804) 371-0235, e-mail [cwaddell@scb.state.va.us](mailto:cwaddell@scb.state.va.us), homepage <http://www.cns.state.va.us/compboard>.

## COMMONWEALTH COMPETITION COUNCIL

NOTE: CHANGE IN LOCATION

**December 8, 1999 - 10 a.m.** -- Open Meeting  
State Capitol, Capitol Square, Senate Room 4, 1st Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the council to review the annual report. The location has changed from the General Assembly Building to the State Capitol.

**Contact:** Peggy R. Robertson, Executive Assistant, Commonwealth Competition Council, P.O. Box 1475, Richmond, VA 23218-1475, telephone (804) 786-0240, FAX (804) 786-1594, e-mail [probertson@ccc.state.va.us](mailto:probertson@ccc.state.va.us), homepage <http://www.vipnet.org/ccc/home.htm>.

## DEPARTMENT OF CONSERVATION AND RECREATION

### Board on Conservation and Development of Public Beaches


**December 13, 1999 - 11 a.m.** -- Open Meeting  
Westmoreland State Park, Potomac Retreat Facility, Westmoreland County, Virginia (Interpreter for the deaf provided upon request)

A meeting to discuss proposals from localities requesting matching grant funds, to receive public comments about


public beaches or the activities of the board, and to tour the public beach at Colonial Beach.

**Contact:** Carlton Lee Hill, Staff Advisor, Department of Conservation and Recreation, 203 Governor St., Suite 206, Richmond, VA 23219, telephone (804) 786-3998, FAX (804) 786-1798.


## Soil and Water Conservation Board

**December 8, 1999 - 9 a.m.** -- Open Meeting  
Hyatt Regency Richmond, 6624 West Broad Street, Richmond, Virginia  (Interpreter for the deaf provided upon request)


A joint meeting with the Virginia Association of Soil and Water Conservation District Directors Board of Directors. A regular business meeting will follow the joint meeting. Public comment will be heard at the conclusion of regular business.

**Contact:** Leon E. App, Acting Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, (804) 786-2121/TTY , e-mail [lapp@dcr.state.va.us](mailto:lapp@dcr.state.va.us), homepage <http://www.state.va.us/~dcr/>.


## BOARD OF CORRECTIONAL EDUCATION

**December 17, 1999 - 10 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, Virginia  (Interpreter for the deaf provided upon request)

A meeting to discuss general business of the Department of Correctional Education.


**Contact:** Patricia A. Ennis, Board Clerk, Board of Correctional Education, 101 N. 14th Street, 7th Floor, Richmond, VA, telephone (804) 225-3314, FAX (804) 786-7642, (804) 371-8647/TTY , e-mail [paenis@dce.state.va.us](mailto:paenis@dce.state.va.us), homepage <http://www.cns.state.va.us/dce>.

## BOARD FOR COSMETOLOGY


**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)

An open meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases. All meetings are subject to cancellation. Time of the meeting is subject to change. Call the office the Friday before the meeting to determine any changes. A public comment period will be held at the beginning of the meeting. Persons desiring to attend the meeting and requiring special accommodations or interpretive services should contact the department at least ten days prior to the meeting so that suitable arrangements can be made

for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.


**Contact:** Nancy Taylor Feldman, Assistant Director, Board for Cosmetology, Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail [cosmo@dpor.state.va.us](mailto:cosmo@dpor.state.va.us), homepage <http://www.state.va.us/dpor>.

## CRIMINAL JUSTICE SERVICES BOARD

**December 7, 1999 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 

A meeting of the Committee on Training to discuss law-enforcement training issues throughout the Commonwealth.

**Contact:** George Gotschalk, Section Chief, Training and Standards Section, Criminal Justice Services Board, 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 786-8001, FAX (804) 786-0410, e-mail [ggotschalk@dcjs.state.va.us](mailto:ggotschalk@dcjs.state.va.us), homepage <http://www.dcjs.state.va.us>.

**December 7, 1999 - 11 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 


A meeting of the full board to discuss criminal justice issues throughout the Commonwealth of Virginia.

**Contact:** Karen Sullivan, Board Secretary, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-7841 or FAX (804) 786-0588.


## BOARD OF DENTISTRY

**January 6, 2000 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. 

A regular board meeting.

**Contact:** Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or (804) 662-7197/TTY 

## DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

**January 24, 2000 - 11 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Richmond, Virginia  (Interpreter for the deaf provided upon request)

A meeting to review requests submitted by localities for the use of the design-build or construction management type of contract. Public comments will be received.

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# Calendar of Events

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Please contact the Division of Engineering and Buildings to confirm meeting.

**Contact:** Joseph M. West, Jr., Assistant Director for Administration, Design-Build/Construction Management Review Board, 805 E. Broad Street, Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY ☎, e-mail [jwest@dgs.state.va.us](mailto:jwest@dgs.state.va.us), homepage <http://dgs.state.va.us>.

## VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP

**December 7, 1999 - 11 a.m.** -- Open Meeting  
Riverfront Plaza, 901 East Byrd Street, West Tower, 19th Floor, Presentation Center, Richmond, Virginia. ♿

A meeting to discuss issues pertaining to the Virginia Economic Development Partnership.

**Contact:** Kimberly M. Ellett, Administrative Assistant, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218-0798, telephone (804) 371-8108 or FAX (804) 371-8112.

## STATE BOARD OF EDUCATION

**January 21, 2000** - 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 Education intends to amend regulations entitled: **8 VAC 20-131-10 et seq. Regulations Establishing Standards for Accrediting Public Schools in Virginia.** The regulations have been revised primarily to (i) identify and target for early intervention and intensive assistance those schools that need the most help and attention and (ii) define consequences and rewards for schools that achieve, or fail to achieve, the standards.

Statutory Authority: §§ 22.1-19 and 22.1-253.13:13 of the Code of Virginia.

**Contact:** Charles W. Finley, Director of Accreditation, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 786-9421, FAX (804) 786-9763 or toll-free 1-800-292-3820.

## LOCAL EMERGENCY PLANNING COMMITTEE - PRINCE WILLIAM COUNTY, MANASSAS CITY AND MANASSAS PARK

**December 13, 1999 - 1:30 p.m.** -- Open Meeting  
1 County Complex Court, Occoquan Conference Room, Prince William, Virginia. ♿

A multi-jurisdictional meeting to discuss issues related to hazardous substances in the jurisdictions and to discuss SARA Title III provisions and responsibilities for hazardous material emergency response planning.

**Contact:** John E. Medici, Hazardous Materials Officer, 9250 Lee Ave., Manassas, VA 20110, telephone (703) 792-7405 or FAX (703) 792-6492.

## DEPARTMENT OF ENVIRONMENTAL QUALITY

**December 8, 1999 - 10 a.m.** -- Public Hearing  
Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia. ♿

A public hearing to receive comments on an application from the Norfolk Naval Base (SIMA) to construct and operate one spray paint booth in Norfolk. The primary pollutant to be emitted would be volatile organic compounds.

**Contact:** Cathy L. Francis, Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Blvd., Virginia Beach, VA 23462, telephone (757) 518-2000.

**December 8, 1999 - 7 p.m.** -- Public Hearing  
Henrico Eastern Government Center, 3820 Nine Mile Road, Community Room, Richmond, Virginia. ♿

A public hearing to receive comments on a draft permit amendment for the Cox Darbytown Road construction and demolition debris landfill. The facility is located on Darbytown Road in eastern Henrico County, approximately 0.2 miles northeast of the intersection of Darbytown Road and Bickerstaff Road.

**Contact:** Donald Brunson, Department of Environmental Quality, Office of Waste Permitting, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4239.

**December 9, 1999 - 10 a.m.** -- Open Meeting  
Department of Information Technology, 110 South 7th Street, Auditorium, Richmond, Virginia. ♿

A public meeting for interested parties to discuss the solid waste guidance documents that were developed by the department to implement the 1999 solid waste legislation. The guidance documents can be downloaded from the department's website [@www.deq.state.va.us/waste](http://www.deq.state.va.us/waste).

**Contact:** Mike Dieter, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4146, homepage <http://www.deq.state.va.us>.

**December 10, 1999 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. ♿

A meeting of the Poultry Waste Management Advisory Group.

**Contact:** Richard W. Ayers, Department of Environmental Quality, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 689-4075, e-mail [rwayers@deq.state.va.us](mailto:rwayers@deq.state.va.us), homepage <http://www.deq.state.va.us>.

## BOARD OF FUNERAL DIRECTORS AND EMBALMERS

**December 7, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Conference Room 1, Richmond, Virginia. ☎

A general business meeting. 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, telephone (804) 662-9907, FAX (804) 662-9523, e-mail CEmma-Leigh@dhp.state.va.us.

**December 7, 1999 - 11 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Richmond, Virginia ☎

A formal hearing. Public comments will not be received.

**Contact:** Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9907, FAX (804) 662-9523, e-mail CEmma-Leigh@dhp.state.va.us, homepage <http://dhp.state.va.us>.

**December 10, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Conference Room 2, Richmond, Virginia

A meeting of the Special Conference Committee to conduct informal hearings. Public comments will not be received.

**Contact:** Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9907, FAX (804) 662-9523, e-mail CEmma-Leigh@dhp.state.va.us, homepage <http://dhp.state.va.us>.

**January 5, 2000 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Conference Room 3, Richmond, Virginia ☎

A meeting of the Legislative Committee to discuss and review legislative proposals for the year 2001 General Assembly.

**Contact:** Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9907, FAX (804) 662-9523, e-mail CEmma-Leigh@dhp.state.va.us, homepage <http://dhp.state.va.us>.

## VIRGINIA GEOGRAPHIC INFORMATION NETWORK ADVISORY BOARD

**December 7, 1999 - 3 p.m.** -- Open Meeting  
Department of Information Technology, 110 South Seventh Street, 3rd Floor, Conference Room, Richmond, Virginia ☎

A monthly meeting.

**Contact:** William Shinar, Coordinator, Virginia Geographic Information Network Advisory Board, 110 South 7th Street, Suite 135, Richmond, VA, telephone (804) 786-8175, FAX (804) 371-2795, e-mail [bshinar@vgin.state.va.us](mailto:bshinar@vgin.state.va.us).

## STATE BOARD OF HEALTH

**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.

## DEPARTMENT OF HEALTH

**December 8, 1999 - 10:15 a.m.** -- Open Meeting  
Department of Health, Main Street Station, 1500 East Main Street, Room 121, Richmond, Virginia. ☎

A quarterly meeting of the Virginia AIDS Drug Advisory Committee. No public comment will be received.

**Contact:** Ann Elam, Public Health Nurse Supervisor, Department of Health, Main Street Station, 1500 E. Main St., Room 112, Richmond, VA 23219, telephone (804) 371-8294 or FAX (804) 786-3223.

**December 10, 1999 - 8:30 a.m.** -- Open Meeting  
Holiday Inn Select, 1021 Koger Center Boulevard, Richmond, Virginia. ☎

A regular meeting of the Virginia HIV Community Planning Committee 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 ☎.


**December 13, 1999 - 7 p.m.** -- Public Hearing  
Fredericksburg Regional Library, 1201 Carolyn Street, Fredericksburg, Virginia. ☎

**December 15, 1999 - 7 p.m.** -- Public Hearing  
Lynchburg Public Library, 2315 Memorial Avenue, Lynchburg, Virginia. ☎

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# Calendar of Events


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**December 16, 1999 - 7 p.m.** -- Public Hearing  
Williamsburg Regional Library, 7770 Croaker Road,  
Williamsburg, Virginia. 

A public hearing to discuss the proposed plan for the Virginia Department of Health 2000 year Ryan White Title II Care grant moneys. The proposed plan is to (i) provide continuation of the AIDS Drug Assistance Program to cover antiretrovirals, protease inhibitors, and other medications related to the treatment of HIV/AIDS and (ii) fund and operate HIV Care Consortia within five regional areas of the state affected by HIV disease.

**Contact:** Ann Elam, Public Health Nurse Supervisor, Department of Health, P.O. Box 2448, Richmond, VA 23219, telephone (804) 371-8294 or FAX (804) 786-3223.


## DEPARTMENT OF HEALTH PROFESSIONS

**December 10, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

The Health Practitioners' Intervention Program Committee will meet with its contractor and representatives to review reports, policies and procedures for the Health Practitioners' Intervention Program. The committee will meet in open session for general discussion of the program. The committee may meet in executive sessions for the purpose of consideration of specific requests from applicants to or participants in the program.

**Contact:** John W. Hasty, Director, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9424, FAX (804) 662-9114 or (804) 662-7197/TTY 


## STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

**December 14, 1999 - 9 a.m.** -- Open Meeting  
Christopher Newport College, Newport News, Virginia.   
(Interpreter for the deaf provided upon request)

A monthly meeting.


**Contact:** Pamela H. Landrum, Administrative Staff Assistant, State Council of Higher Education for Virginia, James Monroe Bldg., 101 N. 14th Street, 9th Floor, Richmond, VA 23219, telephone (804) 225-2602, FAX (804) 371-7911, e-mail landrum@schev.edu, homepage <http://www.schev.edu>.

**January 11, 2000 - 9 a.m.** -- Open Meeting

**February 8, 2000 - 9 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, Richmond, Virginia  (Interpreter for the deaf provided upon request)

A teleconferenced meeting. Locations are McGuire, Woods, Battle and Boothe, World Trade Center, Suite 9000, Norfolk, Virginia and 420 Park Street, Charlottesville, Virginia. Times may vary.


**Contact:** Pamela H. Landrum, Administrative Staff Assistant, State Council of Higher Education for Virginia, James Monroe Bldg., 101 N. 14th Street, Richmond, VA 23219, telephone (804) 225-2602, FAX (804) 371-7911, e-mail landrum@schev.edu, homepage <http://schev.edu>.

**January 18, 2000 - 8:30 a.m.** -- Open Meeting  
State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, 9th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


Monthly committee and council meetings.

**Contact:** Pamela H. Landrum, Administrative Staff Assistant, State Council of Higher Education, James Monroe Bldg., 101 N. 14th St., 9th Floor, Richmond, VA 23219, telephone (804) 225-2602 or FAX (804) 371-7911.


## VIRGINIA HIGHER EDUCATION TUITION TRUST FUND

**December 15, 1999 - 10 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 3rd Floor, Treasury Board Conference Room, Richmond, Virginia. 

A regular meeting of the board.

**Contact:** Libby Dutton, Director of Administration, Virginia Higher Education Tuition Trust Fund, James Monroe Bldg., 101 N. 14th St., 5th Floor, Richmond, VA 23219, telephone (804) 786-0730, FAX (804) 786-2453, toll-free 1-888-567-0540 or 1-888-203-1278/TTY 

## HOPEWELL INDUSTRIAL SAFETY COUNCIL

**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.

## BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

**December 13, 1999 - 9 a.m.** -- Public Hearing  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.

**January 10, 2000** - 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 Housing and Community Development intends to amend regulations entitled: **13 VAC 5-111-10 et seq. Enterprise Zone Program Regulation.** The amendments address changes made during the 1999 General Assembly



session to the Virginia Enterprise Zone Act. These changes relate to the increase in total state enterprise zones from 50 to 55 with special conditions for the five newly designated zones. In addition, interpretive changes have been made for guidance.

Statutory Authority: § 59.1-278 of the Code of Virginia.

**Contact:** M. Shea Hollifield, Deputy Director, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7030, FAX (804) 371-7093 or (804) 371-7089/TTY ☎

## VIRGINIA HOUSING DEVELOPMENT AUTHORITY

**December 14, 1999 - 11 a.m.** -- Open Meeting  
Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia ☎

A regular meeting of the Board of Commissioners to (i) review and, if appropriate, approve the minutes from the prior monthly meeting; (ii) consider for approval and ratification mortgage loan commitments under its various programs; (iii) review the authority's operations for the prior month; and (iv) consider such other matters and take such other actions as it may deem appropriate. Various committees of the Board of Commissioners may also meet before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.

**Contact:** J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 S. Belvidere St., Richmond, VA 23060, telephone (804) 353-5540, FAX (804) 783-6701, toll-free (800) 968-7837, (804) 783-6705/TTY ☎, homepage <http://www.vhda.com>.

## STATEWIDE INDEPENDENT LIVING COUNCIL

**January 5, 2000 - 11 a.m.** -- Open Meeting  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A meeting of the Executive Committee to address council business and plan the quarterly meeting agenda. Individuals wishing to participate via telecommunication should contact the council.

**Contact:** Jim Rothrock, Statewide Independent Living Council Staff, 1802 Marroit Rd., Richmond, VA 23229, telephone (804) 673-0119, FAX (804) 282-7118.

**January 12, 2000 - 1 p.m.** -- Open Meeting  
Department for the Visually Handicapped, 397 Azalea Avenue, Resource and Information Library, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A regular quarterly meeting to review progress and assess the impact of the state plan for independent living.

**Contact:** Jim Rothrock, Statewide Independent Living Council, 1802 Marroit Rd., Richmond, VA 23229, telephone (804) 673-0119, FAX (804) 282-7110.

## DEPARTMENT OF LABOR AND INDUSTRY

### Virginia Apprenticeship Council

**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)

Agenda to be announced.

**Contact:** Beverly Donati, Assistant Program Director, Department of Labor and Industry, 13 S. Thirteenth St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail [bgd@doli.state.va.us](mailto:bgd@doli.state.va.us), homepage <http://www.dli.state.va.us>.

### Migrant and Seasonal Farmworkers Board

**January 19, 2000 - 10 a.m.** -- Open Meeting  
Location to be announced.

A regular quarterly meeting of the board rescheduled from December 1, 1999.

**Contact:** Patti C. Bell, Public Relations Coordinator, Department of Labor and Industry, 13 S. Thirteenth Street, Richmond, VA 23219, telephone (804) 225-3083, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail [pcb@doli.state.va.us](mailto:pcb@doli.state.va.us), homepage <http://www.dli.state.va.us>.

## STATE LIBRARY BOARD

**January 21, 2000 - 8:15 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Richmond, Virginia ☎

**March 13, 2000 - 8:15 a.m.** -- Open Meeting  
Location to be announced. ☎

A meeting 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).

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## Calendar of Events

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The full board will meet in the conference room on 2M at 10:30 a.m. Public comment will be received at approximately 11 a.m.

**Contact:** Jean H. Taylor, Executive Secretary Senior, State Library Board, The Library of Virginia, 800 East Broad Street, Richmond, VA 23219-8000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY ☎, e-mail jtaylor@vsla.edu, homepage <http://www.lva.lib.va.us>.

### COMMISSION ON LOCAL GOVERNMENT

**December 8, 1999 - 10:30 a.m.** -- Open Meeting

**December 9, 1999 - 9 a.m.** -- Open Meeting

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

**Contact:** Barbara W. Bingham, Administrative Assistant, Commission on Local Government, 900 E. Main St., Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999, (800) 828-1120/TTY ☎, e-mail bbingham@clg.state.va.us, homepage <http://www.state.va.us/clg>.

**December 8, 1999 - 7 p.m.** -- Public Hearing

South Hill Elementary School Auditorium, 313 Franklin Street, South Hill, Virginia ☎ (Interpreter for the deaf provided upon request)

A public hearing regarding the Town of South Hill - Mecklenburg County annexation action.

**Contact:** Barbara W. Bingham, Administrative Assistant, Commission on Local Government, 900 E. Main St., Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999, (800) 828-1120/TTY ☎, e-mail bbingham@clg.state.va.us, homepage <http://www.state.va.us/clg>.

**January 10, 2000 - 10 a.m.** -- Open Meeting

Commission on Local Government, 900 East Main Street, Suite 103, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A regular meeting to consider such matters as may be presented.

**Contact:** Barbara W. Bingham, Administrative Assistant, Commission on Local Government, 900 E. Main St., Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999, (800) 828-1120/TTY ☎, e-mail bbingham@clg.state.va.us, homepage <http://www.state.va.us/clg>.

### VIRGINIA MANUFACTURED HOUSING BOARD

**December 9, 1999 - 10 a.m.** -- Open Meeting

The Jackson Center, 501 North 2nd Street, 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

**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 ☎

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

**December 16, 1999 - 12:30 p.m.** -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia

Training of Drug Utilization Review Board members. No business of the board will be conducted.

**Contact:** Marianne Rollings, R.Ph., Board Coordinator, Pharmacy Services, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4268.

### BOARD OF MEDICINE

**January 6, 2000 - 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 of the Advisory Board on Athletic Training to discuss the establishment of regulations mandated by § 54.1-2957.5 of the Code of Virginia.

**Contact:** Warren W. Koontz, MD, Executive Director, Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9960, FAX (804) 662-9517, (804) 662-7197/TTY ☎

**January 12, 2000 - 9 a.m. -- Open Meeting**

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A meeting of the Advisory Board on Acupuncturists to discuss regulatory review of regulations 18 VAC 85-110-10 et seq., Regulations Governing the Practice of Licensed Acupuncturists, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** Warren W. Koontz, MD, Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517, (804) 662-7197/TTY ☎

**January 12, 2000 - 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 of the Advisory Board on Radiologic Technologists to review public comments and make recommendations to the board regarding the regulations 18 VAC 85-101-10 et seq., Regulations Governing the Licensure of Radiologic Technologists Practitioners and Radiologic Technologist-Limited, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** Warren W. Koontz, MD, Executive Director, Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517, (804) 662-7197/TTY ☎

**January 13, 2000 - 9 a.m. -- Open Meeting**

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A meeting of the Advisory Board on Occupational Therapy to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of regulations 18 VAC 85-80-10 et seq., Regulations for Licensing of Occupational Therapists, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** Warren W. Koontz, MD, Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517, (804) 662-7197/TTY ☎

**January 13, 2000 - 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 of the Advisory Board on Respiratory Care to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of regulations 18 VAC 85-40-10 et seq., Regulations Governing the Practice of Respiratory Care Practitioners, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** Warren W. Koontz, MD, Executive Director, Board of Medicine, 16606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517, (804) 662-7197/TTY ☎

**January 14, 2000 - 9 a.m. -- Open Meeting**

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A meeting of the Advisory Board on Physical Therapy to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of regulations 18 VAC 85-31-10 et seq., Regulations Governing the Practice of Physical Therapy, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** Warren W. Koontz, MD, Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517, (804) 662-7197/TTY ☎

**January 14, 2000 - 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 of the Advisory Board on Physician Assistants to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of regulations 18 VAC 85-50-10 et seq., Regulations Governing the Practice of Physician Assistants, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** Warren W. Koontz, MD, Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517, (804) 662-7197/TTY ☎.

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**January 21, 2000 - Public comments may be submitted until this date.**

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

**18 VAC 85-20-10 et seq. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic and Physician Acupuncture;**

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# Calendar of Events

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**18 VAC 85-31-10 et seq. Regulations Governing the Practice of Physical Therapy;**

**18 VAC 85-40-10 et seq. Regulations Governing the Practice of Respiratory Care Practitioners;**

**18 VAC 85-50-10 et seq. Regulations Governing the Practice of Physician Assistants;**

**18 VAC 85-80-10 et seq. Regulations Governing the Licensure of Occupational Therapists;**


**18 VAC 85-101-10 et seq. Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited; and**

**18 VAC 85-110-10 et seq. Regulations Governing the Practice of Licensed Acupuncturists.**


The proposed amendments revise the schedule of fees paid by physicians and other medical professionals to the Board of Medicine. These fee changes bring the board into compliance with the board's interpretation of § 54.1-113 of the Code of Virginia, which requires all regulatory boards under the Department of Health Professions to revise their fee schedules if, after the close of any biennium, there is more than a 10% difference between revenues and expenditures.


Statutory Authority: §§ 54.1-113 and 54.1-2400 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.

**January 28, 2000 - 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 of the Legislative Committee to (i) discuss legislative issues related to board activities and regulations, (ii) review any pending regulations pursuant to regulatory review or legislative action, and (iii) consider any other information that may come before the committee. The committee will entertain public comments during the first 15 minutes on agenda items.

**Contact:** Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517, (804) 662-7197/TTY 

**February 10, 2000 - 8 a.m.** -- Open Meeting  
**February 11, 2000 - 8 a.m.** -- Open Meeting  
**February 12, 2000 - 8 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia  (Interpreter for the deaf provided upon request)

A meeting to conduct general board business, receive committee and board reports, and discuss any other items which may come before the board. The board will also meet on Friday and Saturday, February 11 and 12, to review reports, interview licensees/applicants, conduct administrative proceedings, and make decisions on


disciplinary matters. The board will also review any regulations that may come before it. The board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517, (804) 662-7197/TTY 


## Informal Conference Committee

**December 8, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, Richmond, 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 

## STATE MILK COMMISSION

**December 17, 1999 - 10:30 a.m.** -- Open Meeting  
Department of Mines, Minerals and Energy, Fontaine Research Park, 900 Natural Resources Drive, Room 2054, 2nd Floor, Charlottesville, Virginia 

A regular meeting of the Board of Commissioners to discuss industry issues, distributor licensing, Virginia base transfers, Virginia baseholding license amendments, regulations, and fiscal matters and to review reports from the staff of the Milk Commission. The commission may consider other matters pertaining to its responsibilities. Any persons who require accommodations in order to participate in the meeting should contact Edward C. Wilson, Jr., at least five days prior to the meeting date so that suitable arrangements can be made.

**Contact:** Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, Ninth Street Office Bldg., 202 N. 9th St., Room 915, Richmond, VA 23219, telephone (804) 786-2013, FAX (804) 786-3779, (804) 786-2013/TTY , e-mail ewilson@smc.state.va.us.


## VIRGINIA MUSEUM OF FINE ARTS

**December 16, 1999 - 10 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, Auditorium, Richmond, Virginia 

A quarterly meeting of the Collections Committee to consider art purchase and loan recommendations and


offers of gifts of art. Public comment will not be received and much of the meeting will be in closed session.

**Contact:** Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail [erobertson@vmfa.state.va.us](mailto:erobertson@vmfa.state.va.us), homepage <http://www.vmfa.state.va.us>.

**December 16, 1999 - 12:30 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, Auditorium, Richmond, Virginia 

A meeting of the Executive Committee for ratification of art acquisitions. Reports will be received from the chairman, from the Virginia Museum of Fine Arts Foundation, and from the director. Limited committee reports will also be received. A portion of the meeting will be held in closed session; public comment will not be received.


**Contact:** Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail [erobertson@vmfa.state.va.us](mailto:erobertson@vmfa.state.va.us), homepage <http://www.vmfa.state.va.us>.

**January 4, 2000 - 8 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, Main Lobby Conference Room, Richmond, Virginia 


A joint meeting of the Executive and Legislative Committees to discuss the upcoming legislative session in the General Assembly, plus a monthly staff briefing for Executive Committee members. Public comment will not be received at the meeting.

**Contact:** Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Avenue, Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail [erobertson@vmfa.state.va.us](mailto:erobertson@vmfa.state.va.us), homepage <http://www.vmfa.state.va.us>.

## COMMONWEALTH NEUROTRAUMA INITIATIVE ADVISORY BOARD

**December 15, 1999 - 10 a.m.** -- Open Meeting  
Department of Rehabilitative Services, Lee Building, 8004 Franklin Farms Drive, Richmond, Virginia 


A meeting to discuss issues pertaining to the Commonwealth Neurotrauma Initiative. A public comment period will be held at the beginning of the meeting. Any person who needs special accommodations to participate should contact Ana Hernandez at least five days before the meeting so that suitable arrangements can be made.

**Contact:** Ana Hernandez, Program Specialist, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K300, Richmond, VA 23288-0300, telephone (804) 662-7162, toll-free 1-800-552-5019, FAX (804) 662-7663, or 1-800-464-9950/TTY 


## BOARD OF NURSING

**December 7, 1999 - 8:30 a.m.** -- Open Meeting

**December 8, 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 

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**January 21, 2000** - 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 Nursing intends to amend regulations entitled: **18 VAC 90-20-10 et seq. Regulations Governing the Practice of Nursing.** The proposed amendments increase application, renewal and other fees charged to applicants and regulated entities in order to cover the expenditures for the regulatory and disciplinary functions of the board.

Statutory Authority: §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

**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 or FAX (804) 662-9943.

## BOARD OF NURSING HOME ADMINISTRATORS

**December 15, 1999 - 10 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia 

The Special Conference Committee will hold informal disciplinary hearings. No public comments will be received.

**Contact:** Senita Booker, Administrative Staff Assistant, Board of Nursing Home Administrators, 6606 W. Broad St., Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9523, (804) 662-7197/TTY  e-mail [SBooker@dhp.state.va.us](mailto:SBooker@dhp.state.va.us), homepage <http://www.dhp.state.va.us>.

**January 12, 2000 - 9:30 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia 

A regular business meeting. Public comments will be heard for 15 minutes prior to the start of the meeting.

**Contact:** Senita Booker, Administrative Staff Assistant, Board of Nursing Home Administrators, 6606 W. Broad St.,

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# Calendar of Events

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4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail SBooker@dhp.state.va.us, homepage <http://www.dhp.state.va.us>.

## VIRGINIA OUTDOORS FOUNDATION

**December 8, 1999 - 10 a.m.** -- Open Meeting

**December 9, 1999 - 9 a.m.** -- Open Meeting

James Monroe Building, 101 North 14th Street, 3rd Floor, Treasury Board Room, 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.

## VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES

**February 3, 2000 - 8:30 a.m.** -- Open Meeting

The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to conduct board business.

**Contact:** Tom Ariail, Assistant Director of Board Operations, Virginia Board for People with Disabilities, 202 N. 9th Street, 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804) 786-1118, toll-free (800) 846-4464, (804) 786-0016/TTY ☎

## BOARD OF PHARMACY

**December 14, 1999 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A general business meeting. The board may consider disciplinary matters and conduct disciplinary proceedings. The board may propose regulations subsequent to two NOIRAs, one relating to a revision of 18 VAC 110-30-10 et seq., Practitioners of the Healing Arts Selling Controlled Substances, and one relating to the use of robot technology in the dispensing process. A copy of the NOIRA can be obtained by calling or writing the board office at the number/address below. Public comments will be received at the beginning of the meeting immediately following the approval of the agenda and the review and acceptance of minutes.

**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911 or FAX (804) 662-9313.

## BOARD OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS AND SUBSTANCE ABUSE TREATMENT PROFESSIONALS

**January 6, 2000 - 9 a.m.** -- Public Hearing

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.

**January 21, 2000** - 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;**

**18 VAC 115-30-10 et seq. Regulations Governing the Certification of Substance Abuse Counselors;**

**18 VAC 115-40-10 et seq. Regulations Governing the Certification of Rehabilitation Providers; and**

**18 VAC 115-50-10 et seq. Regulations Governing the Practice of Marriage and Family Therapists.**

The proposed amendments increase certain fees pursuant to the board's statutory mandate to levy fees as necessary to cover expenses of the board. Fees sufficient to fund the operations of the board are essential for activities such as licensing, investigation of complaints, and adjudication of disciplinary cases.

Statutory Authority: §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

**Contact:** Janet Delorme, Deputy Executive Director, Board of Professional Counselors, Marriage and Family Therapists, and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9975 or (804) 662-9943.

## BOARD OF PSYCHOLOGY

**January 11, 2000 - 9 a.m.** -- Public Hearing

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia.


**January 21, 2000** - 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 Psychology intends to amend regulations entitled: **18 VAC 125-20-10 et seq. Regulations Governing the Practice of Psychology.** The purpose of the proposed action is to increase fees for practitioners regulated by the board in order to comply with statutory requirements for revenues to be sufficient to cover the expenditures of the board.


Statutory Authority: §§ 54.1-113 and 54.1-2400 of the Code of Virginia.


**Contact:** Janet Delorme, Deputy Executive Director, Board of Professional Counselors, Marriage and Family Therapists, and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9975 or (804) 662-9943.

## REAL ESTATE BOARD

**December 8, 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 general business meeting of the Real Estate Education Committee.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA, telephone (804) 367-8552, FAX (804) 367-2475, (804) 367-9753/TTY , homepage <http://www.state.va.us/dpor>.

**December 9, 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 general business meeting of the Fair Housing Committee.


**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA, telephone (804) 367-8552, FAX (804) 367-2475, (804) 367-9753/TTY , homepage <http://www.state.va.us/dpor>.

**December 9, 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 general business meeting of the full board.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA, telephone (804) 367-8552, FAX (804) 367-2475, (804) 367-9753/TTY , homepage <http://www.state.va.us/dpor>.


## 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 16, 1999 - 12:30 p.m.** -- Open Meeting  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia 

A meeting of the Virginia Spinal Cord Injury Council to discuss issues pertaining to the council. A public comment period will be held at the beginning of the meeting, during which comments on the Virginia Department of Rehabilitative Services' next State Plan for Vocational Rehabilitation and Supported Employment will be invited. Any person who needs special accommodations to participate should contact Ana Hernandez at least five days before the meeting so that suitable arrangements can be made.


**Contact:** Ana Hernandez, Program Specialist, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K300, Richmond, VA 23288-0300, telephone (804) 662-7162, toll-free 1-800-552-5019, FAX (804) 662-7663, or 1-800-464-9950/TTY 

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**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 

## VIRGINIA RESOURCES AUTHORITY

**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.

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# Calendar of Events


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## VIRGINIA RETIREMENT SYSTEM

**December 15, 1999 - 12 p.m.** -- Open Meeting  
Virginia Retirement System, 1200 East Main Street,  
Richmond, Virginia 

A regular meeting of the VRS Investment Advisory Committee.


**Contact:** Darla J. Kestner, Administrative Staff Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847.

**December 16, 1999 - 1 p.m.** -- Open Meeting  
Virginia Retirement System, 1200 East Main Street,  
Richmond, Virginia 

A regular meeting of the VRS Board of Trustees.

**Contact:** Darla J. Kestner, Administrative Staff Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 824-3847.


## VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

**December 7, 1999 - 10 a.m.** -- Open Meeting  
Virginia Small Business Financing Authority, 707 East Main Street, 3rd Floor, Board Room, Richmond, Virginia 


A meeting to review applications for loans submitted to the authority for approval and general business of the board. The time of the meeting is subject to change depending on the agenda of the board.

**Contact:** Cathleen M. Surface, Executive Director, Virginia Small Business Financing Authority, P.O. Box 446, Richmond, VA 23218-0446, telephone (804) 371-8254, FAX (804) 225-3384, homepage <http://www.dba.state.va.us>.


## STATE BOARD OF SOCIAL SERVICES

**December 7, 1999 - 2 p.m.** -- Open Meeting  
The Ramada Inn and Conference Center, 500 Merrimac Trail, Williamsburg, Virginia 


Work session of the Welfare Reform Subcommittee to discuss client transportation concerns in the area.


**Contact:** Pat Rengnerth, State Board Liaison, State Board of Social Services, 730 E. Broad Street, Richmond, VA 23219, telephone (804) 692-1826, FAX (804) 692-1965, toll-free (800) 552-3431, (804) 552-7096/TTY 

**December 8, 1999 - 9 a.m.** -- Open Meeting


**December 9, 1999 - 9 a.m.** -- Open Meeting  
The Ramada Inn and Conference Center, 500 Merrimac Trail, Williamsburg, Virginia 

Work session and formal business meeting of the full board.

**Contact:** Pat Rengnerth, State Board Liaison, State Board of Social Services, 730 E. Broad Street, Richmond, VA 23219, telephone (804) 692-1826, FAX (804) 692-1965, toll-free (800) 552-3431, (800) 552-7096/TTY 

**December 9, 1999 - 2 p.m.** -- Open Meeting  
The Ramada Inn and Conference Center, 500 Merrimac Trail, Williamsburg, Virginia 

A work session of the Child Support Enforcement Subcommittee.

**Contact:** Arlene Kasper, State Board Liaison, State Board of Social Services, 730 E. Broad Street, Richmond, VA 23219, telephone (804) 692-1826, FAX (804) 692-1965, toll-free (800) 552-3431, (800) 552-7096/TTY 


**December 14, 1999 - 10 a.m.** -- Open Meeting  
St. Joseph's Villa, 800 Brook Road, Richmond, Virginia 

A work session of the Child Protective Services Out-Of-Family Advisory Group to review procedures for handling CPS complaints and the working relationship of school systems and the Department of Social Services.

**Contact:** Pat Rengnerth, State Board Liaison, State Board of Social Services, 730 E. Broad Street, Richmond, VA 23219, telephone (804) 692-1826, FAX (804) 692-1965, toll-free (800) 552-3431, (800) 552-7096/TTY 

## DEPARTMENT OF SOCIAL SERVICES


### Virginia Commission on National and Community Service

**December 6, 1999 - 9 a.m.** -- Open Meeting  
Tidewater area (Location to be announced) 

A regular business meeting with subcommittee sessions.

**Contact:** Kimberly Brown, Program Officer/Assistant to the Director, Department of Social Services, 730 East Broad Street, Richmond, VA 23229, telephone (804) 692-1951, FAX (804) 692-1999, toll-free (800) 638-3839, e-mail [kbg2@email1.dss.state.va.us](mailto:kbg2@email1.dss.state.va.us), homepage <http://localagency.dss.state.va.us>.

### BOARD FOR PROFESSIONAL SOIL SCIENTISTS

**December 10, 1999 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia  (Interpreter for the deaf provided upon request)

A meeting to address policy and procedural issues and other board matters which may require board action. The meeting is open to the public; however, a portion of the board's business may be discussed in closed meeting. The department fully complies with the Americans with Disabilities Act. Persons desiring to participate in the meeting and requiring special accommodations or



interpreter services should contact the department so that suitable arrangements can be made.

**Contact:** Geralde W. Morgan, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail [soilscientist@dpor.state.va.us](mailto:soilscientist@dpor.state.va.us), homepage <http://www.state.va.us/dpor>.

## COUNCIL ON TECHNOLOGY SERVICES

**December 14, 1999 - 1 p.m.** -- Open Meeting  
Department of Information Technology, Telecommunications Division, 110 S. 7th St., 1st Floor Conference Room, Richmond, Virginia. ♿

A regular meeting.

**Contact:** Dan Ziomek, Policy and Planning Specialist, Council on Technology Services, 110 South 7th Street, Suite 135, Richmond, VA, telephone (804) 371-2763, FAX (804) 371-2795, e-mail [dziomek@ntp.state.va.us](mailto:dziomek@ntp.state.va.us).

**December 17, 1999 - 1 p.m.** -- Open Meeting  
Department of Transportation, 1221 East Broad Street, Main Auditorium, Richmond, Virginia ♿

A monthly organizational meeting.

**Contact:** Jamie V. Breeden, Administrative Staff Specialist, Council on Technology Services, 110 South 7th Street, 3rd Floor, Richmond, VA 23219, telephone (804) 371-5500, FAX (804) 371-5273, e-mail [jvbreeden.dit@state.va.us](mailto:jvbreeden.dit@state.va.us), homepage <http://www.dit.state.va.us>.

## VIRGINIA TOURISM AUTHORITY

**December 20, 1999 - 2 p.m.** -- Open Meeting  
Virginia Economic Development Partnership, 901 East Byrd Street, 19th Floor, Richmond, Virginia

A meeting of the Motion Picture Development Committee to continue discussion regarding the Motion Picture Incentive Fund and formally adopt the Governor's Motion Picture Opportunity Funds. Public comment will be taken at the beginning of the meeting.

**Contact:** Nanette Maguire, Administrative Staff Assistant, Film Office, Virginia Tourism Authority, 901 E. Byrd St., Richmond, VA 23219, telephone (804) 371-8204, FAX (804) 371-8177, toll-free (800) 854-6233.

## COMMONWEALTH TRANSPORTATION BOARD

**December 15, 1999 - 2 p.m.** -- Open Meeting  
Department of Transportation, 1401 East Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A work session of the board and the Department of Transportation staff.

**Contact:** Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.

**December 16, 1999 - 10 a.m.** -- Open Meeting  
Department of Transportation, 1401 East Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly meeting of the board to vote on proposals presented regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the meeting agenda for which the opportunity for comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact Department of Transportation Public Affairs at (804) 786-2715 for schedule.

**Contact:** Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.

## TRANSPORTATION SAFETY BOARD

**January 25, 2000 - 10 a.m.** -- Open Meeting  
Department of Transportation, 1401 East Broad Street, 3rd Floor, Conference Room, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss issues relating to highway safety in Virginia.

**Contact:** Angelisa Jennings, Management Analyst, Transportation Safety Board, 2300 W. Broad St., Richmond, VA 23269, telephone (804) 367-2026.

## VIRGINIA INFORMATION PROVIDERS NETWORK AUTHORITY

**December 9, 1999 - 1 p.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular bimonthly meeting of the authority, scheduled to accommodate the holiday season.


**Contact:** Fred Marcus, Agency Management Analyst, Virginia Information Providers Network Authority, Department of Motor Vehicles, 2300 W. Broad St., Room 702, Richmond, VA 23269, telephone (804) 367-2850, FAX (804) 367-2536, e-mail [dmvfm@dmv.state.va.us](mailto:dmvfm@dmv.state.va.us), homepage <http://www.dmv.state.va.us>.

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# Calendar of Events

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## BOARD FOR THE VISUALLY HANDICAPPED

**January 18, 2000 - 1 p.m.** -- Open Meeting  
Department for the Visually Handicapped, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular quarterly meeting to receive information regarding department activities and operations, review expenditures from the board's endowment fund, and discuss other issues raised for board members.

**Contact:** Katherine C. Proffitt, Administrative Secretary Senior, Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, VA 23227, telephone (804) 371-3145, FAX (804) 371-3157, toll-free (800) 622-2155, (804) 371-3140/TTY , e-mail proffikc@dvh.state.va.us, homepage <http://www.cns.state.va.us/dvh>.


## VIRGINIA VOLUNTARY FORMULARY BOARD

**December 16, 1999 - 10:30 a.m.** -- Open Meeting  
Washington Building, 1100 Bank Street, 2nd Floor Board Room, Richmond, Virginia 


A meeting to review public hearing comments and product data for drug products being considered for inclusion in the Virginia Voluntary Formulary.

**Contact:** James K. Thomson, Director, Bureau of Pharmacy Services, Virginia Voluntary Formulary Board, 101 North 14th Street, Room S-45, Richmond, VA 23219, telephone (804) 786-4326.


## VIRGINIA WAR MEMORIAL FOUNDATION

**January 11, 2000 - 12 p.m.** -- Open Meeting  
Virginia War Memorial, 621 South Belvidere Street, Richmond, Virginia  (Interpreter for the deaf provided upon request)

A regular meeting of the Board of Trustees. Public comments will be received. Contact Jon Hatfield for a copy of the agenda.


**Contact:** Jon C. Hatfield, Executive Director, Virginia War Memorial Foundation, 621 S. Belvidere St., Richmond, VA 23220, telephone (804) 786-2060, FAX (804) 786-6652, (804) 786-6152/TTY , e-mail [jhatfield@vawarmemorial.state.va.us](mailto:jhatfield@vawarmemorial.state.va.us).

## BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS


**December 10, 1999 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia 

A meeting to finalize the summary of public comment and agency response to the proposed regulations and to

adopt final regulations. The board will consider business necessary to support adoption of final regulations.


**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, (804) 367-9753/TTY , e-mail [wastemg@dpor.state.va.us](mailto:wastemg@dpor.state.va.us), homepage <http://www.state.va.us/dpor>.

## STATE WATER CONTROL BOARD

**December 7, 1999 - 9:30 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. 

A quarterly meeting.

**Contact:** Cindy M. Berndt, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346.


**December 8, 1999 - 10 a.m.** -- Public Hearing  
Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia 

A public hearing to receive comments on an application from the Norfolk Naval Base (SIMA) to construct and operate one spray paint booth in Norfolk. The primary pollutant to be emitted would be volatile organic compounds.

**Contact:** Cathy L. Francis, Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Blvd., Virginia Beach, VA, telephone (757) 518-2000, e-mail [clfrancis@deq.state.va.us](mailto:clfrancis@deq.state.va.us), homepage <http://www.deq.state.va.us>.

## BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS


**December 9, 1999 - 8:30 a.m.** -- Open Meeting

**March 16, 2000, 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 W. Broad Street, Conference Room 5 W, Richmond, Virginia 


A regular meeting. 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, telephone (804) 367-8505, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail [waterwasteoper@dpor.state.va.us](mailto:waterwasteoper@dpor.state.va.us), homepage <http://www.state.va.us/dpor>.

## VIRGINIA WORKFORCE COUNCIL

**December 10, 1999 - 10 a.m.** -- Open Meeting  
Virginia Employment Commission, Central Office, 703 East Main Street, Room 303, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Existing Workforce Committee and the Hard to Employ Committee to consider allocation options for 30% of the local adult and youth funds under Title I of the Workforce Investment Act.

**Contact:** Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, 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 SUBCOMMITTEE STUDYING THE OVERREPRESENTATION OF AFRICAN-AMERICAN STUDENTS IN SPECIAL EDUCATION PROGRAMS (HJR 707, 1999)

**December 15, 1999 - 10 a.m.** -- Open Meeting  
Greensville Elementary School, Emporia, Virginia.  (Interpreter for the deaf provided upon request)


**December 16, 1999 - 9:30 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.

**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 

### SPECIAL JOINT SUBCOMMITTEE STUDYING VIRGINIA'S MEDICAL CARE FACILITIES CERTIFICATE OF PUBLIC NEED PROGRAM AND LAW (SJR 496, 1999)

**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 

### VIRGINIA CODE COMMISSION

**December 15, 1999 - 9:30 a.m.** -- Open Meeting

**December 16, 1999 - 9:30 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](mailto: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.

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# Calendar of Events

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**Contact:** John McE. Garrett, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

## **JOINT SUBCOMMITTEE TO STUDY THE ADEQUACY OF CONFLICT OF INTEREST LAWS APPLICABLE TO THE APPOINTMENT AND CONDUCT OF MEMBERS OF VIRGINIA'S POLICY AND SUPERVISORY BOARDS, COMMISSIONS AND COUNCILS**

**December 20, 1999 - 2 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 Mary Spain, 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 ☎

## **HOUSE COMMITTEE ON CORPORATIONS, INSURANCE AND BANKING**

**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 ☎

## **DISABILITY COMMISSION**

**December 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, (804) 786-2369/TTY ☎, homepage <http://cns.state.va.us/vbpd>.

## **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 ☎

## **LEGISLATIVE TRANSITION TASK FORCE OF THE VIRGINIA ELECTRICAL UTILITY RESTRUCTURING ACT (SB 1269, 1999)**

**December 8, 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 accommodations should call or write Thomas C. Gilman seven working days before the meeting.

**Contact:** Thomas C. Gilman, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

## **COMMISSION ON THE FUTURE OF VIRGINIA'S ENVIRONMENT**

**December 17, 1999 - 10 a.m.** -- Open meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.

A regular meeting. Any questions regarding the agenda for the meeting should be directed to Nikki Rovner, Division of Legislative Services, (804) 786-3591. For further assistance, or if you are unable to attend, please call committee operations. Individuals requiring interpreter services or other accommodations should call

or write House Committee Operations at least 10 days prior the meeting.

**Contact:** Lois Johnson, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## Solid Waste Subcommittee

**December 15, 1999 - 10 a.m.** -- Open meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿

A regular meeting. Any questions regarding the agenda for the meeting should be directed to Nikki Rovner, Division of Legislative Services, (804) 786-3591. For further assistance, or if you are unable to attend, please call committee operations. Individuals requiring interpreter services or other accommodations should call or write House Committee Operations at least 10 days prior the meeting.

**Contact:** Lois Johnson, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## SPECIAL TASK FORCE STUDYING FAITH-BASED COMMUNITY SERVICE GROUPS WHO MAY PROVIDE ASSISTANCE TO MEET SOCIAL NEEDS (HJR 764, 1999)

**December 8, 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 about the meeting and the agenda should be directed to Gayle Vergara, Senior Research Associate, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or special assistance should contact committee operations at least 10 working days prior to the meeting. This is the meeting originally scheduled for November 9, 1999.

**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 ☎

## HOUSE COMMITTEE ON FINANCE

**December 17, 1999 - 9:30 a.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 Appropriations and Senate Finance Committees. Questions regarding the meeting should be addressed to Joan E. Putney, 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 COMMISSION ON HEALTH CARE

**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:** Travis Varner, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## Long-Term Care Subcommittee

**December 14, 1999 - 1 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 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:** Travis Varner, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## VIRGINIA HOUSING STUDY COMMISSION

**December 15, 1999 - 2:30 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿

A meeting to discuss HB 1454 (Manufactured Home Lot Rental Act), HJR 739 (Residential Landlord and Tenant Act), HJR 744 (community associations), HJR 747 (carbon monoxide safety), HJR 760 (financing for affordable multifamily housing), and the Virginia Housing Partnership Fund.


**Contact:** Nancy D. Blanchard, Virginia Housing Study Commission, 601 South Belvidere St., Richmond, VA 23220, telephone (804) 343-5565.

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## Calendar of Events

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### JOINT SUBCOMMITTEE STUDYING EARLY INTERVENTION SERVICES FOR INFANTS AND TODDLERS WITH DISABILITIES (HJR 725, 1999)

**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 addressed 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

**December 13, 1999 - 9:30 a.m.** -- Open Meeting  
General Assembly Building, 910 Capitol Street, Senate Room A, Richmond, Virginia. 


A meeting for staff briefings on nursing home reimbursement, hearing officer process, child support enforcement, Virginia Housing Development Authority, Revolutionary War veterans grave sites, and the fiscal analysis report.

**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.


### JOINT SUBCOMMITTEE TO STUDY PRISON INDUSTRIES IN VIRGINIA (HJR 606)

**December 8, 1999 - 10 a.m.** -- Open Meeting  
State Capitol, Capitol Square, House Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Questions about the meeting and the agenda should be directed to Amigo Wade, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or special assistance should contact committee operations at least 10 working days prior to the meeting.

**Contact:** Kimberly Rockhold, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 


### JOINT SUBCOMMITTEE ON STATE GOVERNMENT PROCUREMENT PROCEDURES (SJR 474, 1999)

**December 10, 1999 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Questions should be directed to Amigo Wade, 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 

### JOINT SUBCOMMITTEE STUDYING THE FUTURE DELIVERY OF PUBLICLY FUNDED MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES (HJR 225, 1998)


**December 6, 1999 - 1:30 p.m.** -- Open Meeting  
General Assembly Building, 7th Floor West Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request).

A meeting of the Comprehensive Services Act Work Group. Questions regarding the meeting should be addressed to Gayle Vergara, Division of Legislative Services, (804) 786-3591. The subcommittee's website address is <http://dls.state.va.us/hjr225.htm>. 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 

**December 15, 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 Legislative Services, (804) 786-3591. The subcommittee's website address is <http://dls.state.va.us/hjr225.htm>. 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 

### BY-LETTER SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION STUDYING RESIDENTIAL ACADEMIES (HJR 538, 1999)

**December 7, 1999 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, 4th Floor West Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Kathleen Harris, Division of Legislative Services, (804) 786-3591. Individuals

requiring interpreter services or special assistance should contact Barbara Regen at least 10 working days prior to the meeting.

**Contact:** Barbara Regen, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1544 or (804) 786-2369/TTY ☎

## JOINT SUBCOMMITTEE STUDYING SATELLITE CHIP MILLS (HJR 730, 1999)

NOTE: CHANGE IN MEETING TIME AND LOCATION

**December 9, 1999 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, 4th Floor West Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Marty Farber or Nicole Rover, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or special assistance should contact Barbara Regen at least 10 working days prior to the meeting.

**Contact:** Barbara Regen, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1544 or (804) 786-2369/TTY ☎

## JOINT COMMISSION ON TECHNOLOGY AND SCIENCE

**December 7, 1999 - 10 a.m.** -- Open Meeting  
State Capitol, Capitol Square, House Room 4, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

A meeting of Advisory Committee No. 2 (Economic Development), co-chaired by Delegates Bennett and Purkey, to further discuss electronic commerce and economic development issues.

**Contact:** John S. Jung, Staff Attorney, Division of Legislative Services, Joint Commission on Technology and Science, General Assembly Building, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169, homepage <http://legis.state.va.us/jcots/jcots.htm>.

**December 7, 1999 - 1 p.m.** -- Open Meeting  
State Capitol, Capitol Square, House Room 4, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

A meeting of Advisory Committee No. 5 (UETA and UCITA), co-chaired by Delegates Diamonstein and May, will meet to further discuss the Uniform Electronic Transactions Act and the Uniform Computer Information Transactions Act. Some public comments will be taken at the meeting as well. Please refer to the JCOTS website for more information  
<<http://legis.state.va.us/jcots/jcots.htm>>.

**Contact:** John S. Jung, Staff Attorney, Division of Legislative Services, Joint Commission on Technology and Science, General Assembly Building, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804)

371-0169, e-mail [JJung@leg.state.va.us](mailto:JJung@leg.state.va.us), homepage <http://legis.state.va.us/jcots/jcots.htm>.

## STATE WATER COMMISSION

**December 17, 1999 - 2 p.m.** -- Open meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿

A regular meeting. Any questions regarding the agenda for the meeting should be directed to Martin Farber, Division of Legislative Services, (804) 786-3591.. Individuals requiring interpreter services or other accommodations should call or write House Committee Operations at least 10 days prior the meeting.

**Contact:** Lois Johnson, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## CHRONOLOGICAL LIST

### OPEN MEETINGS

#### December 6

Cosmetology, Board for  
Mental Health, Mental Retardation and Substance Abuse Services, Joint Subcommittee Studying the Future Delivery of Publicly Funded  
- Comprehensive Services Work Group  
Social Services, Department of  
- Virginia Commission on National and Community Service

#### December 7

Branch Pilots, Board for  
Commerce and Labor, Senate Committee on  
Corporations, Insurance and Banking, House Committee on  
Criminal Justice Services Board  
- Committee on Training  
Economic Development Partnership, Virginia  
Funeral Directors and Embalmers, Board of  
Geographic Information Network Advisory Board, Virginia  
Health Care, Joint Commission on  
Hopewell Industrial Safety Council  
Nursing, Board of  
- Special Conference Committee  
Residential Academies, By-Letter Subcommittee of the  
Committee on Education Studying  
Small Business Financing Authority, Virginia  
Social Services, State Board of  
- Welfare Reform Subcommittee  
Technology and Science, Joint Commission on  
- Advisory Committee #2 (Economic Development)  
Technology and Science, Joint Commission on  
- Advisory Committee #5 (UETA and UCITA)  
Water Control Board, State

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# Calendar of Events

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## December 8

Agriculture and Consumer Services, Department of  
- Virginia Soybean Board  
Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
- Certified Interior Designers Section  
Branch Pilots, Board for  
Certificate of Public Need Program and Law, Special  
Joint Subcommittee Studying Virginia's Medical Care  
Facilities'  
Competition Council, Commonwealth  
Soil and Water Conservation Board  
Disability Commission  
Electrical Utilities Restructuring Act, Legislative Transition  
Task Force of the  
Faith-Based Community Service Groups Who May  
Provide Assistance to Meet Social Needs, Special Task  
Force Studying  
Health, Department of  
- Virginia AIDS Drug Advisory Committee  
Local Government, Commission on  
Medicine, Board of  
- Informal Conference Committee  
Nursing, Board of  
- Special Conference Committee  
Outdoors Foundation, Virginia  
Prison Industries in Virginia, Joint Subcommittee to Study  
Real Estate Board  
- Real Estate Education Committee  
Social Services, State Board of  
- Welfare Reform Subcommittee  
Soil and Water Conservation Board, Virginia

## December 9

Aging, Commonwealth Council on  
Agriculture and Consumer Services, Board of  
Educational Infrastructure, Commission on  
Environmental Quality, Department of  
Labor and Industry, Department of  
- Apprenticeship Council  
Local Government, Commission on  
Manufactured Housing Board, Virginia  
Outdoors Foundation, Virginia  
Real Estate Board  
- Fair Housing Committee  
Rehabilitative Services, Board of  
Satellite Chip Mills, Joint Subcommittee Studying  
Social Services, State Board of  
- Child Support Enforcement Subcommittee  
Virginia Information Providers Network Authority  
Waterworks and Wastewater Works Operators, Board for

## December 10

Environmental Quality, Department of  
- Poultry Waste Management Advisory Group  
Funeral Directors and Embalmers, Board of  
- Special Conference Committee  
Health, Department of  
- Virginia HIV Community Planning Committee  
Health Professions, Department of  
- Health Practitioners' Intervention Program Committee

Infants and Toddlers with Disabilities, Joint  
Subcommittee Studying Early Intervention Services for  
Procurement Procedures, Joint Subcommittee on State  
Government  
Soil Scientists, Board for Professional  
Waste Management Facility Operators, Board for  
Workforce Council, Virginia

## December 13

Accountancy, Board of  
Alcoholic Beverage Control Board  
Chesapeake Bay Local Assistance Board  
Conservation and Recreation, Department of  
- Board on Conservation and Development of Public  
Beaches  
Emergency Planning Committee, Local - Prince William  
County, Manassas City, and Manassas Park  
Joint Legislative Audit and Review Commission

## December 14

Aviation Board, Virginia  
Branch Pilots, Board for  
Health Care, Joint Commission on  
- Long-Term Care Subcommittee  
Higher Education for Virginia, State Council of  
Housing Development Authority, Virginia  
- Board of Commissioners  
Pharmacy, Board of  
Resources Authority, Virginia  
Social Services, State Board of  
- Child Protective Services Out-Of-Family Advisory  
Group  
Technology Services, Council on

## December 15

African-American Students in Special Education  
Programs, Joint Subcommittee Studying the  
Overrepresentation of  
At-Risk Youth and Their Families, Comprehensive  
Services for  
- State Executive Council  
Aviation Board, Virginia  
Code Commission, Virginia  
Environment, Commission on the future of Virginia's  
- Solid Waste Subcommittee  
Higher Education Tuition Trust Fund, Virginia  
Housing Study Commission, Virginia  
Mental Health, Mental Retardation and Substance Abuse  
Services, Joint Subcommittee Studying the Future  
Delivery of Publicly Funded  
Neurotrauma Initiative Advisory Board, Commonwealth  
Nursing Home Administrators, Board of  
- Special Conference Committee  
Retirement System, Virginia  
- Investment Advisory Committee  
Transportation Board, Commonwealth

## December 16

African-American Students in Special Education  
Programs, Joint Subcommittee Studying the  
Overrepresentation of  
Agriculture and Consumer Services, Department of  
- Virginia Corn Board



Code Commission, Virginia  
Medical Assistance Services, Department of  
- Drug Utilization Review Board  
Museum of Fine Arts, Virginia  
- Collections Committee  
- Executive Committee  
Rehabilitative Services, Department of  
- Virginia Spinal Cord Injury Council  
Retirement System, Virginia  
- Board of Trustees  
Transportation Board, Commonwealth  
Voluntary Formulary Board, Virginia

**December 17**

Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Correctional Education, Board of  
Environment, Commission on the Future of Virginia's  
Finance, House Committee on  
Milk Commission, State  
- Board of Commissioners  
Technology Services, Council on  
Water Commission, State

**December 20**

Accountancy, Board of  
Conflict of Interest Laws, Joint Subcommittee to Study  
the Adequacy of  
Tourism Authority, Virginia  
- Motion Picture Development Committee

**December 21**

Compensation Board  
Marine Resources Commission

**January 4, 2000**

Museum of Fine Arts, Virginia  
- Executive Committee  
- Legislative Committee

**January 5**

Funeral Directors and Embalmers, Board of  
- Legislative Committee  
Independent Living Council, Statewide  
- Executive Committee

**January 6**

Agriculture and Consumer Services, Department of  
- Virginia Charity Food Assistance Advisory Board  
Dentistry, Board of  
Health Care, Joint Commission on  
Medicine, Board of  
- Advisory Board on Athletic Training

**January 10**

Local Government, Commission on

**January 11**

Higher Education for Virginia, State Council of  
War Memorial Foundation, Virginia  
- Board of Trustees

**January 12**

Independent Living Council, Statewide

Medicine, Board of  
- Advisory Board on Acupuncturists  
- Advisory Board on Radiologic Technologists  
Nursing Home Administrators, Board of

**January 13**

Medicine, Board of  
- Advisory Board on Occupational Therapy  
- Advisory Board on Respiratory Care

**January 14**

Medicine, Board of  
- Advisory Board on Physical Therapy  
- Advisory Board on Physician Assistants

**January 18**

Higher Education for Virginia, State Council of  
Visually Handicapped, Board for the

**January 19**

Cemetery Board  
Labor and Industry, Department of  
- Migrant and Seasonal Farmworkers Board

**January 20**

Assistive Technology Loan Fund Authority  
- Board of Directors  
Cemetery Board  
- Delivery Committee

**January 21**

Library Board, State

**January 24**

Accountancy, Board of  
Design-Build/Construction Management Review Board

**January 25**

Transportation Safety Board

**January 28**

Medicine, Board of  
- Legislative Committee

**February 3**

People with Disabilities, Virginia Board for

**February 8**

Higher Education for Virginia, State Council of

**February 10**

Medicine, Board of

**February 11**

Medicine, Board of

**February 12**

Medicine, Board of

**March 16**

Waterworks and Wastewater Works Operators, Board for

**February 17**

Assistive Technology Loan Fund Authority  
- Board of Directors

**March 7**

Asbestos and Lead, Virginia Board for

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# Calendar of Events

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**March 13**

Library Board, State

**March 16**

Waterworks and Wastewater Works Operators, Board for

**PUBLIC HEARINGS**

**December 8**

Environmental Quality, Department of  
Local Government, Commission on  
Water Control Board, State

**December 13**

Health, Department of  
Housing and Community Development, Board of

**December 15**

Health, Department of

**December 16**

Health, Department of

**January 4, 2000**

Air Pollution Control Board, State

**January 6**

Professional Counselors, Marriage and Family Therapists  
and Substance Abuse Treatment Professions, Board of  
Licensed

**January 11**

Psychology, Board of